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# CITY OF ALBUQUERQUE

Albuquerque, New Mexico

## Planning Department

Mayor Timothy M. Keller

### INTER-OFFICE MEMORANDUM

August 5, 2021

**TO:** Cynthia Borrego, President, City Council

**FROM:** Brennon Williams, Planning Director *BWilliams*

**SUBJECT:** AC-21-12, Project-2019-002291, VA-2021-00292, VA-2021-00132:  
Frank Comfort, Laurelwood Neighborhood Association, appeals the Zoning Hearing Examiner's decision to grant conditional use approval for a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera Dr. NW, and zoned MX-L Mixed-Use Low-Intensity [reference Section 14-16-4-2]

### OVERVIEW

The Applicant filed a request with the Zoning Hearing Examiner (ZHE) for conditional use approval to allow a drive-through facility at 1901 Ladera Dr. NW. The request was scheduled and heard by the ZHE at the June 15, 2021, public hearing.

In the Notice of Decision issued June 30, 2021, the ZHE approved the request with the following conditions:

1. The subject property must comply with the use-specific standards for a drive-through or drive-up facility under Integrated Development Ordinance (IDO) Section 14-16-4-3(F)(4) and meet all applicable standards from Section 14-16-5-5 (Parking and Loading).
2. The subject property is limited to only one (1) drive-through facility.
3. Further development approvals are conditioned on the Applicant, or their agent, providing a traffic impact study pursuant to Article 7-5(D) of the Development Process Manual (DPM), notwithstanding the thresholds or mitigation requirements in the DPM, which the City may use as the basis to require further mitigation of the traffic generated by the use through conditions of approval.

On July 15, 2021, an appeal of the ZHE's decision was filed.

## **BASIS FOR APPEAL**

Section 14-16-6-4(V)(4) of the IDO outlines the applicable criteria for the appeal in determining whether the Zoning Hearing Examiner erred in his decision:

### 6-4(V)(4) Criteria for Decision

The criteria for review of an appeal shall be whether the decision-making body or the prior appeal body made 1 of the following mistakes:

- (a) The decision-making body or the prior appeal body acted fraudulently, arbitrarily, or capriciously.
- (b) The decision being appealed is not supported by substantial evidence.
- (c) The decision-making body or the prior appeal body erred in applying the requirements of this IDO (or a plan, policy, or regulation referenced in the review and decision-making criteria for the type of decision being appealed).

## **STAFF RESPONSE**

The reason for the appeal, excerpted from Appellant's letter, is listed below. A bulleted, italicized response from the Planner for the ZHE has also been provided. Please see the Appellant's letter and submittal packet for additional details.

**The Laurelwood Neighborhood Association is appealing the Zoning Hearing Examiner's (ZHE) decision of June 30, 2021, Project #2019-002291 (conditional use for drive-through). This Appeal requests that the City Council overturn the ZHE's decision and deny the conditional use for a drive-thru restaurant due to the intensity of traffic, traffic congestion and vehicular movement at the Heritage Marketplace area – Unser/Ladera Dr intersection.**

- *The concerns regarding traffic were acknowledged in Findings #15 and #16 below.*
  - *Finding #15. Based on evidence submitted by the Applicant, the requested conditional use will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.*
  - *Finding #16. Based on evidence submitted by the Applicant, the requested conditional use will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.*

- *Condition of Approval #3 reads, “Further development approvals are conditioned on Applicant or its agent providing a traffic impact study pursuant to Article 7-5(D) of the Development Process Manual, notwithstanding the thresholds or mitigation requirements in the Development Process Manual, which the City may use as the basis to require further mitigation of the traffic generated by the use through conditions of approval.”*

/ Lorena Patten-Quintana /  
Lorena Patten-Quintana, ZHE Planner  
Office of the Zoning Hearing Examiner  
City of Albuquerque Planning Department





# AC-21-12 Memo

Final Audit Report

2021-08-10

Created:	2021-08-10
By:	Lucinda Montoya (lucindamontoya@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvCLFNTi1TQL_tELEB-yF2-zd_5-1FUi7

## "AC-21-12 Memo" History

-  Document created by Lucinda Montoya (lucindamontoya@cabq.gov)  
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-  Document emailed to BN Williams (bnwilliams@cabq.gov) for signature  
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-  Document e-signed by BN Williams (bnwilliams@cabq.gov)  
Signature Date: 2021-08-10 - 9:59:07 PM GMT - Time Source: server- IP address: 143.120.133.65
-  Agreement completed.  
2021-08-10 - 9:59:07 PM GMT



CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

Unser & Ladera LLC (Agent, Consensus Planning) request a conditional use to allow a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera DR NW, zoned MX-L [Section 14-16-4-2]

Special Exception No:..... **VA-2021-00132**  
Project No: ..... **Project#2019-002291**  
Hearing Date: ..... 06-15-21  
Closing of Public Record: ..... 06-15-21  
Date of Decision: ..... 06-30-21

On the 15th day of June, 2021, Consensus Planning, agent for property owner Unser & Ladera LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow a drive-through facility (“Application”) upon the real property located at 1901 Ladera DR NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow a drive-through facility.
2. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: *“An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - 6-6(A)(3)(a) *It is consistent with the adopted ABC Comp Plan, as amended.*
  - 6-6(A)(3)(b) *It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in a prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above.*
  - 6-6(A)(3)(c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.*
  - 6-6(A)(3)(d) *It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.*
  - 6-6(A)(3)(e) *On a project site with existing uses, it will not increase non-residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.*
  - 6-6(A)(3)(f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation.*
3. The applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).

4. The applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
5. All property owners within 100 feet and affected neighborhood association(s) were timely notified.
6. The subject property is currently zoned MX-L.
7. City Transportation stated no objection to the Application.
8. The Subject Property is located at the northeast corner of Unser Boulevard NW and Ladera Drive NW, has an address of 1901 Ladera Drive NW, and is approximately 1.588 acres in size.
9. The Subject Property has vehicular access only from Ladera Drive, as vehicular access directly to or from Unser Blvd is currently prohibited.
10. The Subject Property is located in an area of consistency.
11. A Site Plan for Subdivision, approved by the City Development Review Board in 2017, governs the Subject Property. This Site Plan contemplates commercial use of the Subject Property.
12. The proposed Conditional Use was previously granted by the ZHE by a written Notification of Decision dated June 5, 2019, which approval has expired.
13. Based on evidence submitted by the Applicant, the requested conditional use is consistent with the ABC Comp. Plan, as amended. Specifically, applicant cited that the Subject Property is located along a major corridor and an area of change, where development is encouraged. Further, Applicant submitted evidence that the proposed conditional use furthers the following policies of the ABC Comp Plan:
  - a. Policy 5.1.12 (*Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways*), by proposing a drive-through auto-oriented use along Unser, which is a Commuter Corridor and a limited access roadway.
  - b. Policy 5.2.1 (*Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. . . . (h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development*), by creating infill development on a vacant property that is surrounded by developed subdivisions, apartment complexes, drainage facilities, and other commercial uses, while remaining consistent with surrounding commercial uses.
  - c. Policy 5.6.3 (*Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. . . . (b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.*), by developing a commercial use in an area designated for the same, rather than in outside a corridor and within a residential area.
14. Based on evidence submitted by the Applicant, the requested conditional use complies with all applicable provisions of the IDO, including, but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in any

prior permit or approval affecting the property. However, the conceptual site plan submitted by Applicant is preliminary in nature and Agent stated that it is subject to change. Therefore, it would be appropriate to require, as conditions of approval, that the Subject Property must comply with the Use-specific Standards for a Drive-through or Drive-up Facility under IDO Section 14-16-4-3(F)(4) and all applicable standards from Section 14-16-5-5 (Parking and Loading).

15. Based on evidence submitted by the Applicant, the requested conditional use will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.
16. Based on evidence submitted by the Applicant, the requested conditional use will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility. .
17. Applicant established that IDO Section 6-6(A)(3)(e) does not apply, because the project site has no existing uses. To the extent, if at all, that Section 6-6(A)(3)(e) applies, Applicant has met its burden of providing evidence that establishes that the requested Conditional Use approval will not increase non-residential activity within 300 feet of a lot in any residential zone district between the hours of 10:00 pm and 6:00 am. Specifically, Applicant submitted evidence that the Subject Property is more than 300 feet from the nearest lot in a Residential zone district, and therefore the proposed conditional use will not cause any increase in non-residential activity within that specified distance.
18. Based on evidence submitted by the Applicant, the requested conditional use proposed use will not negatively impact pedestrian or transit connectivity, as required by Section 14-16-6-6(A)(3)(f). Agent submitted evidence that public sidewalks along Unser Boulevard and Ladera Drive will not be negatively impacted by the proposed conditional use, nor will the nearest ABQ Ride bus stops, located approximately 500 feet to the south along Unser Boulevard and 900 feet east along Ladera Drive. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.
19. The ZHE finds that the proper “Notice of Hearing” signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
20. The ZHE finds that the Applicant has authority to pursue this Application.

DECISION:

APPROVAL WITH CONDITIONS of a conditional use to allow a drive-through facility.



CONDITIONS:

1. The Subject Property must comply with the Use-specific Standards for a Drive-through or Drive-up Facility under IDO Section 14-16-4-3(F)(4) and all applicable standards from Section 14-16-5-5 (Parking and Loading).
2. The Subject Property is limited to only one (1) drive-through facility.
3. Further development approvals are conditioned on Applicant or its agent providing a traffic impact study pursuant to Article 7-5(D) of the Development Process Manual, notwithstanding the thresholds or mitigation requirements in the Development Process Manual, which the City may use as the basis to require further mitigation of the traffic generated by the use through conditions of approval.

APPEAL:

If you wish to appeal this decision, you must do so by July 15, 2021 pursuant to Section 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.



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Robert Lucero, Esq.  
Zoning Hearing Examiner

cc:

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Frances Lujan, flujan3@msn.com



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input checked="" type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

### APPLICATION INFORMATION

Applicant: Frank Comfort- Laurelwood Neighborhood Association- President		Phone: 505-321-6886
Address: 2003 Pinonwood St NW		Email: laurelwoodna@gmail.com
City: Albuquerque	State: NM	Zip: 87120
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site:		List <u>all</u> owners:

### BRIEF DESCRIPTION OF REQUEST

Request City Council overturn the ZHE's decision and DENY the request for a drive-through restaurant

### SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: 5A1C2, El Rancho Atrisco, Phase 3	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s): H-09-Z	Existing Zoning: MX-L	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres): 1.6 acres

### LOCATION OF PROPERTY BY STREETS

Site Address/Street: 1901 Ladera Dr NW 87120	Between: NE Corner Ladera	and: Unser
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### CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

EPC Project 1003275; Heriatage Neighborhood Marketplace Traffic Impact 12/17/14

Signature:	Date: July 15, 2021
Printed Name: Frank Comfort	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

### FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

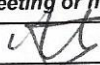

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date:
	Project #

**FORM A: Appeals**

*Complete applications for appeals will only be accepted within 15 consecutive days, excluding holidays, after the decision being appealed was made.*

- APPEAL OF A DECISION OF CITY PLANNING STAFF (HISTORIC PRESERVATION PLANNER) ON A HISTORIC CERTIFICATE OF APPROPRIATENESS – MINOR TO THE LANDMARKS COMMISSION (LC)
- APPEAL OF A DECISION OF CITY PLANNING STAFF ON AN IMPACT FEE ASSESSMENT TO THE ENVIRONMENTAL PLANNING COMMISSION (EPC)
- APPEAL TO CITY COUNCIL THROUGH THE LAND USE HEARING OFFICER (LUHO)

- \* Interpreter Needed for Hearing? no if yes, indicate language: \_\_\_\_\_
- x A Single PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF *shall be organized* with the Development Review Application and this Form A at the front followed by the remaining documents *in the order provided on this form*.
- x Project number of the case being appealed, if applicable: ZHE 2019-002291
- Application number of the case being appealed, if applicable: \_\_\_\_\_
- x Type of decision being appealed: conditional use for drive-thru
- Letter of authorization from the appellant if appeal is submitted by an agent
- x Appellant's basis of standing in accordance with IDO Section 14-16-6-4(U)(2)
- Reason for the appeal identifying the section of the IDO, other City regulation, or condition attached to a decision that has not been interpreted or applied correctly, and further addressing the criteria in IDO Section 14-16-6-4(U)(4)
- x Copy of the Official Notice of Decision regarding the matter being appealed

<i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i>	
Signature: 	Date: July 15, 2021
Printed Name: Frank Comfort	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent
<b>FOR OFFICIAL USE ONLY</b>	
Case Numbers: _____	Project Number: _____
	
Staff Signature: _____	
Date: _____	

**ANNUAL REPORT FORM**

This form must be submitted within 60 days of your annual meeting month

Association Name: Laurelwood Neighborhood Association

Date of Annual Meeting: March 25, 2019

**NOTE: Evidence of your annual meeting notice MUST be attached to this form (Newsletter, flyer, photo, etc.)**

Total Number of Notices Prepared: Signage, LNA Web Page, Next Door

Hand-Delivered: \_\_\_\_\_ Mailed: \_\_\_\_\_ Other: Web page/Next Door

Total Dues-Paying Members: 51 (If your Association does not charge dues, please list number of active members.)

**Officers of Association:**

President:

Name: <b>Frank Comfort</b>	E-mail: <b>fcomfort@aol.com</b>
Address: <b>7608 Elderwood Dr NW ABQ</b>	Phone: _____
Zip Code: <b>87120</b>	Cell: <b>505-321-6886</b>

Vice-President:

Name: <b>Alex Maller</b>	E-mail: <b>alexmaller9@gmail.com</b>
Address: <b>7609 Lynwood Dr NW</b>	Phone: _____
Zip Code: <b>87120</b>	Cell: <b>505-582-2116</b>

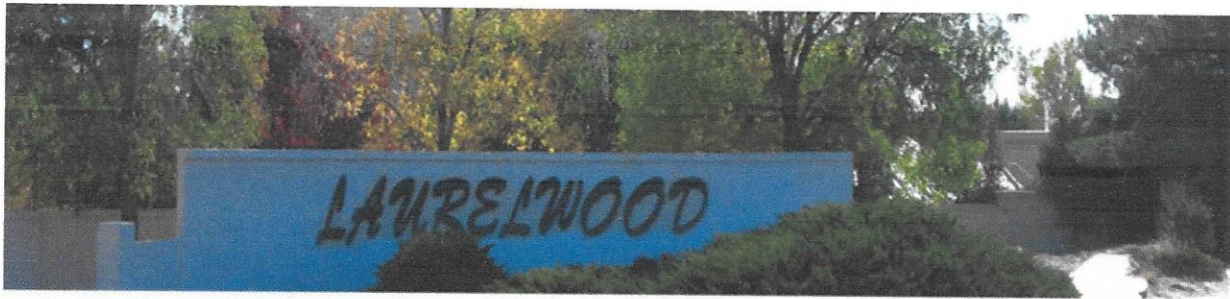
Secretary:

Name: <b>Dagmar Nelson</b>	E-mail: <b>nelsondag@aol.com</b>
Address: <b>7601 Lynwood Dr NW</b>	Phone: _____
Zip Code: <b>87120</b>	Cell: <b>505-353-1909</b>

Treasurer:

Name: <b>Becky Alvarado</b>	E-mail: <b>beckyalvarado831@gmail.com</b>
Address: <b>7713 Ranchwood Dr NW</b>	Phone: _____
Zip Code: <b>87120</b>	Cell: <b>575-937-6540</b>

\*if your association has other board members who would like to be added to our email communication list, please send their contact information to [onc@cabq.gov](mailto:onc@cabq.gov)



Appeal ZHE Determination of June 30, 2021  
Project # 2019-00291

July 15, 2021

City Councilors  
One Civic Plaza  
Albuquerque, NM, 87102

The Laurelwood Neighborhood Association is Appealing the Zoning Hearing Examiner's (ZHE) decision of June 30, 2021, Project # 2019-002291 (conditional use for drive-through) This Appeal requests that the City Council overturn the ZHE's decision and Deny the conditional use for a drive-thru restaurant due to the intensity of traffic, traffic congestion and vehicular movement at the Heritage Marketplace area – Unser/ Ladera Dr intersection.

#### **Grounds for Appeal**

We are appealing the ZHE recommendation of "Approval" on the following grounds:

Section 14-16-5-3 is intended to improve connectivity in existing and future development areas by:

- 5-3(A)(5) Mitigating the traffic impacts of new development.
- 6-6(A)(3)(c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.
- 6-6(A)(3)(d) It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

CABQ Zoning Section 270-1980: "A change of zone shall not be approved when some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or community."

A Site Plan for Subdivision, approved by the City Development Review Board in 2017, governs the Subject Property.

Description of Area: Within the Laurelwood Neighborhood Boundaries there are 840 single family homes, Canon de Arrowhead with 289 apartment units, plus an approved 230-unit apartment, the Heritage Marketplace which has a Strip Mall, Walmart, Burger King with drive-thru, Taco Bell with drive-thru, Starbucks with drive-thru plus Valero and an adjacent Walmart gas station (with a combined total of 20 gas pumps). The northside of the Laurelwood Neighborhood on Ladera Dr next to

Extra Space Storage and the proposed drive-thru is Rio Volcan with an additional 240 apartment units. This is a total of 1,599 residence that have access to the services at the Heritage Marketplace area at Ladera and Unser. The adjacent and local Neighborhood residence also utilize services at Heritage Marketplace at Ladera and Unser – Ladera West; Tres Volcanes; Parkway; SR Marmon; Los Lomitas and Parkwest Neighborhoods. Travelers on Unser Blvd and Interstate- 40 also access the services at the Heritage Marketplace area at Unser and Ladera Dr especially mornings and afternoons.

The Laurelwood Neighborhood and other Neighborhood residence and Travelers generate traffic around the Unser / Ladera Dr intersection and the Heritage Marketplace area.

There are Failed intersections in this area per the Traffic Impact Study by Terry O Brown, PE, for Heritage Neighborhood Marketplace Area, Ladera and Unser 12/18/2014 with amendments.

Reference the Traffic Impact Study, Heritage Neighborhood Marketplace, Ladera and Unser, Terry O Brown, PE, 12/18/2014

**3 - Ladera Dr. / Unser Blvd intersection – Pg.16**

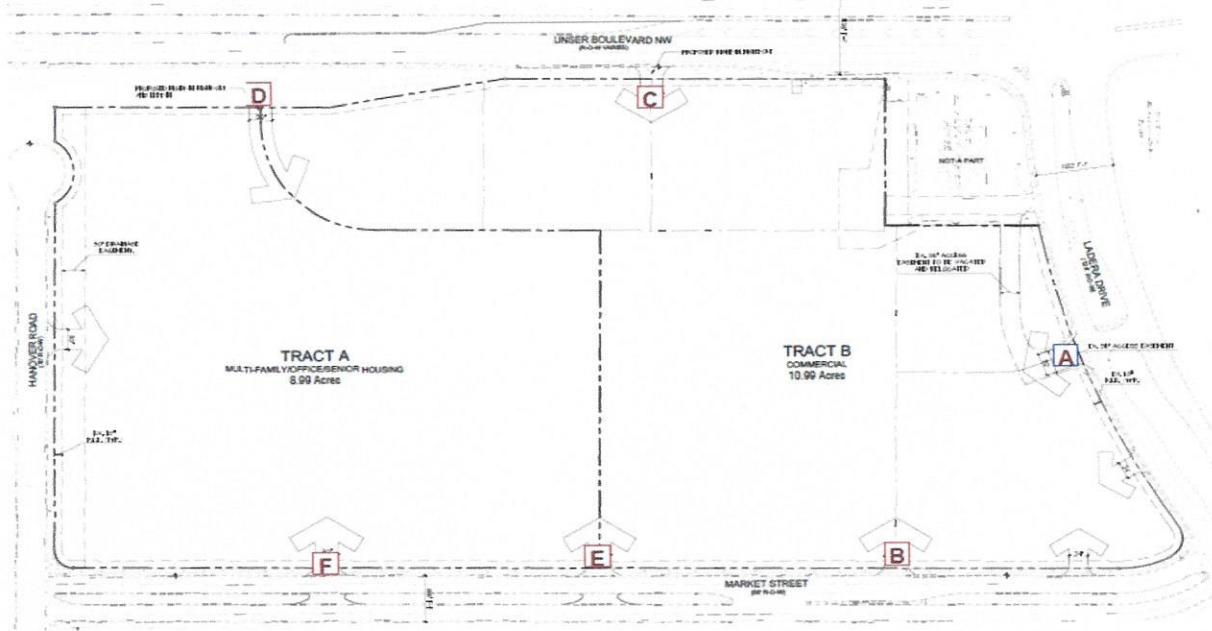
**7. Ladera Dr. / Market St. – Pg. 26**

**8. Ladera Dr. / Driveway “A” – Pg. 27**

The Center Median between the proposed drive-thru and the Heritage Marketplace area Driveway “A” which the Center Median is inclusive is “Failed”. The Center Median is a full-service median that allows right-turns, left-turns and straight-throughs from multiple directions for the proposed drive-thru and the Heritage Marketplace area. Drive-thru “A” / Center Median has high traffic intensity, congestion, and vehicular movement especially at peak hours. Driveway “A” and the Center Median is the primary entry / exit to Heritage Marketplace to access services provided by Walmart Grocery, Burger King, Walmart and Valero Gas stations, Strip Mall, Taco Bell, and Starbucks. The Center Median will also be used by Extra Space Storage and the proposed drive-thru restaurant. This is a dangerous area for traffic and pedestrians and allowing another drive-thru in this area to utilize the same Center Median will exacerbate the danger at this location.

The Heritage Marketplace area pulls in Commuter/Traveler traffic from Unser Blvd and I-40 to utilize the drive-throughs and gas stations, especially in the mornings. This fall, school buses and parents will be transporting their children to SR Marmon ES through the Ladera / Unser intersection at the same time. The buses and parents will be accessing Ladera eastbound lanes from southbound Unser, northbound Unser, and eastbound Ladera Dr. This will cause more congestion and back-ups through this area if more vehicles are trying to make left-turns through the Center Median to access the proposed drive-thru restaurant. Westbound Ladera is also congested at the same time.

Ladera / Market St is also a “Failed” intersection inclusive of a center median. This intersection is close to Driveway “A” and Unser. When traffic is congested it is used as a U-turn from eastbound Ladera to westbound Ladera to access Unser Blvd. At peak hours it is exceedingly difficult to make a left turn to head west on Ladera from Market St and dangerous for pedestrians to cross without a pedestrian crosswalk.



IDO Section 14-16-5-3 is intended to improve connectivity in existing and future development areas by:

5-3(A)(5) Mitigating the traffic impacts of new development.

Comment: The Original Traffic Impact Study dated December 2014 was amended 3 times. January 2017, February 6, 2017, and February 8, 2017. The February 8, 2017, Amended Traffic Data was entered into the Staff Report at the EPC Hearing on project 1003275 (Burger King) on February 9, 2017. Trip generations from the Valero 8 pump fueling positions were not included in either the Original Traffic Impact Study nor the Amended.

A current Traffic Impact Study of the entire Ladera Dr / Unser Blvd Area should be conducted to determine if traffic patterns, congestion, vehicular movement and intersection Failures have changed, prior to any approvals and/or construction.

6-6(A)(3)(c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.

Comment: The Heritage Marketplace currently has three drive-thru restaurants that increased traffic and vehicular movement in the area, especially at “Failed” Driveway “A”/ Center Median. The proposed drive-thru restaurant will increase traffic in the area especially through the “Failed” Center Median.

6-6(A)(3)(d) It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

Comment: The Ladera Dr / Unser Blvd area currently has a high volume of traffic, traffic and vehicular noise, and air pollution due to idling vehicles. The drive-thru restaurant will increase vehicular noise, increase air pollution due to idling vehicles, generate more traffic.

CABQ Zoning Section 270-1980: “A change of zone shall not be approved when some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or community.”

Comment: The Ladera Dr / Unser Blvd area currently has a high volume of traffic, traffic and vehicular noise, and air pollution due to idling vehicles. Another drive-thru restaurant will increase vehicular noise, increase air pollution due to idling vehicles and generate more traffic. There is an increase in traffic accidents in the Ladera / Unser area: 2018 there was 57 accidents, 2019 – 69, 2020 – 51, January 2021 to July 14 – 26 accidents due to high traffic.

The development at Ladera and Unser was supposed to be a “Neighborhood Activity Center” a pedestrian friendly, safe walkable area with benches, shade trees, etc. with minimal vehicular movement. Now there are 2 fueling stations and 3 drive-thru restaurants concentrated in this area with another proposed drive-thru restaurant.

Our children walk this area throughout the year especially during school. The children from Rio Volcan Apartments must navigate Ladera Dr to find a safe route to walk to SR Marmon ES. They cross at Ladera / Market St to Ladera / 72<sup>nd</sup> St and between.



The Laurelwood Neighborhood Community strives to keep our neighborhood safe, beautiful and a place where Families want to stay and raise their children. After 40 years it is still one of the best Neighborhoods to live.

Please help us keep it this way. Please overturn the ZHE's decision and Deny the conditional use for a drive-thru restaurant.

Respectfully,



Frank Comfort  
President  
Laurelwood Neighborhood Association  
2003 Pinonwood NW  
Albuquerque, NM, 87120  
505-321-6886

**Heritage Neighborhood Marketplace**  
(Ladera Dr / Unser Blvd)

**Traffic Impact Study**

December 18, 2014

F I N A L

**Presented to:**

City of Albuquerque  
Transportation Development Section

NM Dept of Transportation  
Division 3

**Prepared for:**

Ted Garrett  
Garrett Development Corp.  
1130 Lanes End NW



A handwritten signature in blue ink that reads "Terry O. Brown".

Terry O. Brown P.E.  
P.O. Box 92051  
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**Heritage Neighborhood Marketplace  
(Ladera Dr. / Unser Blvd.)  
TRAFFIC IMPACT STUDY**

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**Heritage Neighborhood Marketplace  
(Ladera Dr. / Unser Blvd.)  
TRAFFIC IMPACT STUDY**

**STUDY PURPOSE**

This study is being conducted in conjunction with a request for approval of a retail commercial and residential development plan such as the one shown in the Appendix (Page A-3) of this report. The purpose of this study is to identify the impact of the proposed Development on the adjacent transportation system, and to make recommendations to mitigate any significant adverse impact on the adjacent transportation system resulting from the implementation of the new development. This study is based on the assumption that the land uses and densities implemented in the development of the proposed site development plan will be similar to those defined in the table on Page A-6 in the Appendix of this report. Should the developer propose a combination of land uses and / or densities that would significantly increase the overall traffic generation for the Heritage Neighborhood Marketplace Development, an update to this study would be required reflecting the proposed new conditions.

**STUDY PROCEDURES**

A scoping meeting was held with City of Albuquerque Transportation Development staff prior to beginning the study to discuss scope and methodology to be utilized within the report. Specific items included format, intersections to be studied, intersection analysis procedures, existing traffic counts, trip distribution methodology, and implementation year definition. Additionally, the proposed scope of the study was reviewed with New Mexico Department of Transportation staff.

The basic procedure followed for this traffic impact study is outlined as follows:

- ◆ Calculate the generated trips for the proposed retail commercial and residential development consisting of approximately 212,000 S.F. of floor space as specifically defined in the Trip Generation Table on Page A-6 in the Appendix of this report. The trips generated for the implementation year analysis (2018) will assume that 100% of the development has occurred.
- ◆ Calculate trip distribution for the newly generated trips by this development. The new commercial trips will be distributed based on year 2018 population data within a two (2) mile radius of the project as shown on Page A-14 in the Appendix of this report. The new office trips will be distribution based on the year 2018 population data city wide inversely proportional to the distance of the data subarea from the project location, See Appendix Pages A-23.
- ◆ Determine Trip Assignments for the newly generated trips based on the results of the Trip Distribution Analysis and logical routing to and from the new site, See Appendix Pages A-15 thru A-22 and A-24 thru A-31.

- ◆ Include the generated trips for the proposed Watershed Estrella and Suncap Development (Los Volcanes and Unser Blvd.) in the 2018 NO BUILD Volumes for this project, See Appendix Pages A-44 thru A-69.
- ◆ Obtain recent AM Peak Hour and PM Peak Hour Turning Movement Volumes Traffic Counts for the intersections of Ouray Rd. / Unser Blvd., Tierra Pintada Dr. / Unser Blvd., Ladera Dr. / Unser Blvd., I-40 N. Ramp / Unser Blvd., Ladera Dr. / Ouray Rd., I-40 S. Ramp / Unser Blvd., and Ladera Dr. / Market St., See Appendix Pages A-117 thru A-125.
- ◆ Calculate Historic Growth Rates for background traffic volumes based on the Mid-Region Council of Governments' forecast AM and PM Peak Hour period link volumes extracted from the Mid-Region Council of Governments' regional transportation model (2035 data set), See Appendix Pages A-32 thru A-39.
- ◆ Calculate background traffic growth from the year of the most recent traffic counts to the implementation year for this analysis (2018), See Appendix Pages A-44 thru A-69.
- ◆ Add trips generated from the proposed Watershed Estrella and Suncap Development (Los Volcanes and Unser Blvd.) to the background traffic volumes. The trips from these previously approved developments will be included in the 2018 NO BUILD Volumes for this study, See Appendix Pages A-44 thru A-69.
- ◆ Add data from Trip Assignments Maps and Tables to the 2018 NO BUILD Volumes to obtain 2018 BUILD Volumes for this project, See Appendix Pages A-44 thru A-69.
- ◆ Provide signalized and / or unsignalized intersection analyses for the following intersections:

	INTERSECTION	TYPE CONTROL	NO BUILD ANALYSIS	BUILD ANALYSIS
1	Ouray Rd. / Unser Blvd.	Traffic Signal	2018	2018
2	Tierra Pintada Dr. / Unser Blvd.	Traffic Signal	2018	2018
3	Ladera Dr. / Unser Blvd.	Traffic Signal	2018	2018
4	I-40 N. Ramp / Unser Blvd.	Traffic Signal	2018	2018
5	Ladera Dr. / Ouray Rd.	Traffic Signal	2018	2018
6	I-40 S. Ramp / Unser Blvd.	Stop Sign	2018	2018
7	Ladera Dr. / Market Rd.	Stop Sign	2018	2018
8	Ladera Dr. / Driveway "A"	Stop Sign	2018	2018
9	Driveway "B" / Market Rd.	Stop Sign	N/A	2018
10	Driveway "C" / Unser Blvd.	Stop Sign	N/A	2018
11	Driveway "E" / Market St.	Stop Sign	N/A	2018
12	Driveway "F" / Market St.	Stop Sign	N/A	2018
13	Driveway "D" / Unser Blvd.*	Stop Sign	N/A	2018

\* - Implementation of Driveways "C" and "D" will require approval from the Transportation Coordinating Committee at the Mid-Region Council of Governments and the Access Control Committee at the New Mexico Department of Transportation.

## **GENERAL AREA CHARACTERISTICS**

This project is located at the southeast corner of Ladera Dr. / Unser Blvd. behind the existing gasoline station at the hard corner of the intersection. The surrounding area to the south, east, and west is primarily zoned for residential type of development and light industrial to the north. The property is bound on the north by Ladera Dr, on the west by Unser Blvd., on the east by Market St., and on the south by Hanover Rd. The Vicinity Map on Page A-1 of the Appendix shows the zoning of the surrounding properties in the area surrounding this site.

## **AREA STREET NETWORK**

Access to this new site will be primarily via Unser Blvd., Ladera Dr., Market Rd., and Hanover Rd. There is a proposed right-in, right-out, left-in and a right-in, right-out access point into this development from Unser Blvd. The Unser Blvd. access will require approval from the New Mexico Department of Transportation's Access Control Board and the Mid-Region Council of Governments' Transportation Coordinating Committee. Other access points are proposed on Ladera Dr., Market St., and Hanover Rd.

Unser Blvd. is classified as a Limited Access Principal Arterial roadway from Arenal Rd. to Montano Rd. on the Long Range Roadway System Map for the Albuquerque Metropolitan Planning Area. It is a four lane divided paved urban roadway with raised medians from Central Ave. to Montano Rd. However, the City recently widened Unser Blvd. to a 6-lane facility from I-40 to Ouray Rd. The posted speed limit on Unser Blvd. near Ladera Dr. is 45 M.P.H.

Ladera Dr. is classified as a Minor Arterial Street on the Long Range Roadway Plan for the Albuquerque Metropolitan Area. It is generally a four lane divided roadway section constructed to urban standards in the vicinity of Unser Blvd. The posted speed limit on Ladera Dr. near Unser Blvd. is 40 M.P.H.

Ouray Rd. is classified as a Collector Street on the Long Range Roadway System Map for the Albuquerque Metropolitan Planning Area. It is a paved urban roadway with curbs and gutters on both sides and no medians from Unser Blvd. to Coors Blvd. West of Unser Blvd., it is not classified.

Interstate 40 is a major east-west freeway running through the center of the City of Albuquerque. There are currently ramps connecting Interstate 25 with Unser Blvd.

Market St. and Hanover Rd are not classified on the Long Range Roadway Plan for the Albuquerque Metropolitan Area.

## **EXISTING TRAFFIC VOLUMES**

2011 Average Weekday Traffic Volumes (AWDT) for major streets in the site plan area are shown on Page A-5 in the Appendix.

AM and PM Peak Hour turning movement counts were obtained by field traffic counts taken recently for the following intersections:

*Ouray Rd. / Unser Blvd.  
Tierra Pintada / Unser Blvd.  
Ladera Dr. / Unser Blvd.  
I-40 N. Ramp / Unser Blvd.  
Ladera Dr. / Ouray Rd.  
I-40 S. Ramp / Unser Blvd.  
Ladera Dr. / Market St.*

The counts are included on Appendix Pages A-117 thru A-125.

## **EXISTING TRANSIT SERVICE**

This area currently is serviced by City Bus Route 162 (Ventana Ranch / Unser Route) which services this area at approximate one hour intervals from 5:30 am to 8:30 am and from 4:45 pm to 6:45 pm on weekdays. No other bus service is available at this time.

## **PROPOSED DEVELOPMENT**

The subject area of land discussed in this report is comprised of approximately 20 acres. See the conceptual site development plan for subdivision purposes on Page A-3 in the Appendix of this report to acquire more detailed information about the proposed development. This site plan is conceptual at this point in time and is subject to some changes as progress takes place in the design process. The plan should, however, provide a reliable basis upon which to analyze the impact of the development on the adjacent transportation system and provide guidelines for mitigating the impact and establishing access criteria.

There are two proposed access points (driveways) along Unser Blvd. for the new site (See Site Map on Page A-3 of Appendix). The driveway on Unser Blvd., Driveway "D", is intended to be a right-in, right-out, left-in only driveway and Driveway "C" is intended to be a right-in, right-out only driveway. Other access is proposed on Ladera Dr. and Market St. Implementation of the driveway on Unser Blvd., Driveways "C" and "D" will be required to be approved by the Transportation Coordinating Committee (T.C.C.) at the Mid-Region Council of Governments (M.R.C.O.G.) and the State Access Control Committee of the New Mexico Department of Transportation.

## **TRIP GENERATION**

Projected trips were calculated from data in the Institute of Transportation Engineers Trip Generation report (9<sup>th</sup> Edition). Trips for the development were determined based on land uses defined on the Preliminary Site Plan on Page A-3 in the Appendix of this report.

The resulting number of trips generated for the proposed development (100%) are summarized in the following table:

*Ladera / Unser (September, 2013 Plan)*

**Trip Generation Data (ITE Trip Generation Manual - 9th Edition)**

COMMENT	USE (ITE CODE)	24 HR VOL	A. M. PEAK HR.		P. M. PEAK HR.	
	DESCRIPTION	GROSS	ENTER	EXIT	ENTER	EXIT
<b>Summary Sheet</b>						
Tract No.	Supermarket (850)	4,270	91	56	213	204
Pad A	Fast Food Restaurant w/ Drive-Thru Window (934)	1,984	93	89	68	63
Pad B	High Turnover (Sit-Down) Restaurant (932)	674	32	26	31	21
Pad C	High Turnover (Sit-Down) Restaurant (932)	1,017	48	39	47	32
Pad D	Fast Food Restaurant w/ Drive-Thru Window (934)	1,984	93	89	68	63
Pad E	Shopping Center (820)	2,386	36	22	98	106
Multi-Family	Apartment (220)	1,760	27	109	108	58
<b>Total Primary Trips</b>		<b>14,075</b>	<b>420</b>	<b>430</b>	<b>633</b>	<b>547</b>
<b>Retail Commercial Trips</b>		<b>12,315</b>	<b>393</b>	<b>321</b>	<b>525</b>	<b>489</b>
<i>Pass-by Trips</i>		3,695	118	96	158	147
<b>Net Retail Commercial Primary Trips</b>		<b>8,620</b>	<b>275</b>	<b>225</b>	<b>367</b>	<b>342</b>
<b>Residential Trips</b>		<b>1,984</b>	<b>27</b>	<b>109</b>	<b>108</b>	<b>58</b>
<b>Net New Primary Trips to Transportation System</b>		<b>10,604</b>	<b>302</b>	<b>334</b>	<b>475</b>	<b>400</b>
<i>Pass-by Trips</i>		3,695	118	96	158	147

The Implementation Year Analysis (2018) for this study assumed a development of 100% of the project to be implemented. See Appendix Pages A-6 thru A-13 for more detailed information regarding trip generation rates (including Trip Generation Worksheets).

A 30% adjustment was made to the trip generation rates for AM and PM Peak Hour Pass-by Trips for trips generated by this project.



## **TRIP DISTRIBUTION**

### Primary and Diverted Linked Trips:

Trips were distributed as follows:

#### *Commercial Land Uses*

Primary and diverted linked trips for the commercial land use development were distributed proportionally to the 2018 projected population of Data Analysis Subzones within a two mile radius of the proposed development. Population data for the years 2015 and 2035 were taken from the 2035 Socioeconomic Forecasts by Data Analysis Subzones for the MRCOG Region, supplied by the Mid-Region Council of Governments (MRCOG). Population data from the years 2015 and 2035 was interpolated linearly to obtain 2018 population data to utilize for this analysis. Population Subzones were grouped based on the most likely major street(s) or route(s) to the subject development. The trip distribution worksheets and associated map of data analysis subzones is shown in the Appendix. The commercial Trip Distribution map can be found in the Appendix on Page A-20.

#### *Residential Land Uses*

Primary and diverted linked trips for the residential land use development were distributed proportionally to the 2018 projected population of Data Subareas citywide inversely proportional to the distance of the subarea from the project location. Population data for the years 2015 and 2035 were taken from the 2035 Socioeconomic Forecasts by Data Analysis Subzones for the MRCOG Region, supplied by the Mid-Region Council of Governments (MRCOG). Population data from the years 2015 and 2035 was interpolated linearly to obtain 2018 population data to utilize for this analysis. Population Subareas were grouped based on the most likely major street(s) or route(s) to the subject development. The trip distribution worksheets and associated map of data analysis subzones is shown in the Appendix. The residential Trip Distribution map can be found in the Appendix on Page A-29.

## **TRIP ASSIGNMENTS**

Trip assignments for primary and diverted linked trips are first made on a percentage basis derived from data established in the trip distribution determination process and logical routing. Those percentages are then applied to the projected trips to determine individual traffic movements. Percentage trip assignments are shown on Pages A-21 thru A-22 (commercial uses) and on Pages 30 thru 31 (residential uses) in the Appendix of this report.

## **BACKGROUND TRAFFIC GROWTH**

Background traffic growth rates were considered for each individual approach to an intersection that was targeted for analysis based on data from the Mid-Region Council of Governments' Regional Transportation Model (2035 data set). Forecast AM and PM Peak Hour link volumes on major streets were extracted from the 2015 and 2035 volumes and utilized to establish a background traffic growth rate for projecting turning movements at the intersections to be analyzed in this project. Since there are existing traffic count volumes at the intersections analyzed in this project, the link volumes based on the recent traffic counts

were utilized instead of the MRCOG regional model link volumes. Utilizing the growth rates established in such a manner should result in forecast turning movement volumes that are consistent with the Mid-Region Council of Governments forecast link volumes.

### **PROJECTED PEAK HOUR TURNING MOVEMENTS FOR 2018 BUILDOUT**

The calculated growth rates were applied to the most recent peak hour traffic counts and the trips from the approved Watershed Estrella and Suncap Development (Los Volcanes and Unser Blvd.) were added in to establish the 2018 background traffic volumes. To these volumes, the generated trips based on implementation of the proposed Heritage Neighborhood Marketplace Development Site Development Plan (100% development) were added to obtain 2018 BUILD volumes for the intersection analyses. See Appendix Pages A-40 thru A-69 for further information regarding 2018 turning movement counts.

### **INTERSECTION CAPACITY ANALYSIS**

Intersection capacity analyses were performed in accordance with the procedures for signalized and unsignalized intersections utilized in the Synchro (Version 8, Build 804) Transportation System analysis software program. Synchro software complies with the Highway Capacity Manual 2010 (HCM 2010). For signalized intersections, the operational method of analysis was used for both the 2018 NO BUILD and BUILD conditions.

Capacity analyses were performed for the following traffic conditions.

- 2018 without development of the subject property (NO BUILD)
- 2018 with development as per the Conceptual Site Development Plan (BUILD)

Queuing analysis at signalized intersections is calculated based on Poisson's arrival method considering cycle length and peak hour volumes to achieve a 95% confidence level of maximum queue for the peak hour periods.

The results of the 2018 NO BUILD and 2018 BUILD capacity analyses are summarized in the following sections - *Results and Discussion of Intersection Capacity Analyses*.

**RESULTS OF SIGNALIZED INTERSECTION CAPACITY ANALYSES**

**IMPLEMENTATION YEAR (2018)**

**1. Ouray Rd. / Unser Blvd. – A-70 thru A-73**

The results of the implementation year analysis of the signalized intersection of Ouray Rd. / Unser Blvd. are summarized in the following tables:

Intersection: 1 - OURAY RD. / UNSER BLVD.

		<u>2018 AM Peak Hour BUILD</u>				<u>2018 PM Peak Hour BUILD</u>				
		(EXIST. GEOM.)				(EXIST. GEOM.)				
		NO BUILD		BUILD		NO BUILD		BUILD		
		Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	
EB	L	1	C - 22.0	1	C - 22.3	L	1	C - 28.7	1	C - 28.7
	T	1	C - 21.4	1	C - 21.6	T	1	C - 26.5	1	C - 26.5
	R	1	A - 0.0	1	A - 0.0	R	1	A - 0.0	1	A - 0.0
WB	L	1	C - 26.9	1	C - 27.4	L	1	C - 31.4	1	C - 31.7
	T	1	C - 21.2	1	C - 21.5	T	1	C - 27.5	1	C - 27.5
	R	1	C - 22.7	1	C - 23.0	R	1	C - 31.0	1	C - 30.8
NB	L	1	A - 1.0	1	A - 1.0	L	1	A - 0.5	1	A - 0.5
	T	2	A - 0.5	2	A - 0.5	T	2	A - 0.9	2	A - 0.9
	R	1	A - 0.0	1	A - 0.0	R	1	A - 0.0	1	A - 0.0
SB	L	1	A - 6.7	1	A - 6.9	L	1	B - 10.1	1	B - 10.4
	T	3	A - 5.8	3	A - 6.0	T	3	A - 4.0	3	A - 4.1
	R	1	A - 0.0	1	A - 0.0	R	1	A - 0.0	1	A - 0.0
Intersection:		A - 6.6		A - 6.7		A - 6.0		A - 6.1		

Note: ">" designates a shared right or left turn lane.

The operation of the signalized intersection has been demonstrated to be acceptable for the projected 2018 AM Peak Hour and PM Peak Hour NO BUILD and BUILD conditions analyzed in this report. The delay increases by only one tenth of a second from the NO BUILD to the BUILD condition. Therefore, no recommendations are made for the intersection of Ouray Rd. / Unser Blvd.

The following table summarizes the existing and calculated queuing at the signalized intersection:

## Queueing Analysis Summary Sheet

Project: Heritage Neighborhood Marketplace  
 Intersection: Ouray Rd / Unser Blvd

### 2018

<b>Approach</b>	<b>Left Turns</b>			<b>Thru Movements</b>			<b>Right Turns</b>		
<b>Eastbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	33	70	1	16	Cont	1	16	90
AM NO BUILD Queue	1	35	75	1	17	50	1	17	50
<b>AM BUILD Queue</b>	<b>1</b>	<b>35</b>	<b>75</b>	<b>1</b>	<b>17</b>	<b>50</b>	<b>1</b>	<b>18</b>	<b>50</b>
<i>Existing Lane Length</i>	1	17	70	1	11	Cont	1	5	90
PM NO BUILD Queue	1	18	50	1	12	25	1	5	25
<b>PM BUILD Queue</b>	<b>1</b>	<b>18</b>	<b>50</b>	<b>1</b>	<b>12</b>	<b>25</b>	<b>1</b>	<b>6</b>	<b>25</b>
<hr/>									
<b>Westbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	199	170	1	9	Cont	1	78	170
AM NO BUILD Queue	1	209	300	1	9	25	1	82	150
<b>AM BUILD Queue</b>	<b>1</b>	<b>215</b>	<b>325</b>	<b>1</b>	<b>9</b>	<b>25</b>	<b>1</b>	<b>82</b>	<b>150</b>
<i>Existing Lane Length</i>	1	84	170	1	32	Cont	1	74	170
PM NO BUILD Queue	1	140	175	1	53	75	1	124	150
<b>PM BUILD Queue</b>	<b>1</b>	<b>148</b>	<b>175</b>	<b>1</b>	<b>53</b>	<b>75</b>	<b>1</b>	<b>124</b>	<b>150</b>
<hr/>									
<b>Northbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	12	999	2	685	Cont	1	222	260
AM NO BUILD Queue	1	16	50	2	903	625	1	289	400
<b>AM BUILD Queue</b>	<b>1</b>	<b>16</b>	<b>50</b>	<b>2</b>	<b>908</b>	<b>625</b>	<b>1</b>	<b>294</b>	<b>400</b>
<i>Existing Lane Length</i>	1	18	999	2	1,156	Cont	1	108	260
PM NO BUILD Queue	1	21	50	2	1,357	650	1	126	150
<b>PM BUILD Queue</b>	<b>1</b>	<b>22</b>	<b>50</b>	<b>2</b>	<b>1,360</b>	<b>650</b>	<b>1</b>	<b>134</b>	<b>175</b>
<hr/>									
<b>Southbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	107	300	3	1,103	Cont	1	14	270
AM NO BUILD Queue	1	122	200	3	1,263	625	1	16	50
<b>AM BUILD Queue</b>	<b>1</b>	<b>122</b>	<b>200</b>	<b>3</b>	<b>1,265</b>	<b>625</b>	<b>1</b>	<b>16</b>	<b>50</b>
<i>Existing Lane Length</i>	1	100	300	3	698	Cont	1	30	270
PM NO BUILD Queue	1	138	175	3	971	375	1	41	75
<b>PM BUILD Queue</b>	<b>1</b>	<b>138</b>	<b>175</b>	<b>3</b>	<b>977</b>	<b>375</b>	<b>1</b>	<b>41</b>	<b>75</b>

AM
PM  
 Cycle Length: **130**
**90**

**NOTE: Queue lengths are in feet.**  
 Calculated Right Turn Queue Lengths can be reduced by 50%  
 to account for right-turns-on-red and right turn overlaps.

The following table summarizes the recommendations for the queuing at the signalized intersection:

Lane Description	Existing Length (Ft)	NO BUILD Length (Ft)	BUILD Length (Ft)	Lengthen Existing Auxiliary Lane to:
Eastbound Left Turn:	70	75	75	No Recommendation
Eastbound Right Turn:*	90	30	30	No Recommendation
Westbound Left Turn:	170	300	325	<b>325' plus transition.</b>
Westbound Right Turn:*	170	80	80	No Recommendation
Northbound Left Turn:	999	50	50	No Recommendation
Northbound Right Turn:*	260	200	200	No Recommendation
Southbound Left Turn:	300	200	200	No Recommendation
Southbound Right Turn:*	270	40	40	No Recommendation

\* - Calculated right turn queue lengths have been reduced by 50% to account for right-turns-on red and overlap phases.

The analysis recommends that the westbound left turn lane be lengthened from 170 feet to 325 feet plus transition. However, the proposed development only contributes one vehicle to the 325 feet of queuing and the rest of the queuing occurs in the NO BUILD condition. The analysis also recommends lengthening the southbound left lane from 170 feet to 200 feet plus transition. This would only allow for one additional car length and is not worth the cost of the improvement. Therefore, no recommendation is made for the intersection of Ouray Rd. / Unser Blvd.

**2. Tierra Pintada Dr. / Unser Blvd. – A-74 thru A-77**

The results of the implementation year analysis of the signalized intersection of Tierra Pintada Dr. / Unser Blvd. are summarized in the following tables:

**Intersection: 2 - TIERRA PINTADA BLVD. / UNSER BLVD.**

		<b>2018 AM Peak Hour BUILD</b>				<b>2018 PM Peak Hour BUILD</b>				
		<b>(EXIST. GEOM.)</b>				<b>(EXIST. GEOM.)</b>				
		<b>NO BUILD</b>		<b>BUILD</b>		<b>NO BUILD</b>		<b>BUILD</b>		
		<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	
<b>EB</b>	L	1	C - 30.0	1	C - 34.0	L	1	C - 34.2	1	C - 34.1
	T	1	C - 26.7	1	C - 30.3	T	1	C - 32.2	1	C - 32.1
	R	1	A - 0.0	1	A - 0.0	R	1	A - 0.0	1	A - 0.0
<b>WB</b>	L	1	C - 27.6	1	C - 31.3	L	1	D - 38.5	1	D - 38.6
	T	1	C - 26.3	1	C - 29.8	T	1	C - 32.2	1	C - 32.1
	R	1	A - 0.0	1	A - 0.0	R	1	A - 0.0	1	A - 0.0
<b>NB</b>	L	1	A - 6.4	1	C - 32.4	L	1	B - 18.9	1	C - 22.8
	T	3	A - 0.1	3	B - 10.1	T	3	A - 0.2	3	A - 0.2
	R	1	A - 0.0	1	A - 0.0	R	1	A - 0.0	1	A - 0.0
<b>SB</b>	L	1	A - 7.6	1	B - 13.8	L	1	A - 2.2	1	A - 2.2
	T	3	B - 13.1	3	B - 14.0	T	3	A - 0.2	3	A - 0.2
	R	1	A - 0.0	1	A - 0.0	R	1	A - 0.0	1	A - 0.0
<b>Intersection:</b>		<b>B - 10.4</b>		<b>B - 14.9</b>		<b>A - 4.9</b>		<b>A - 5.3</b>		

Note: ">" designates a shared right or left turn lane.

The operation of the signalized intersection has been demonstrated to be acceptable for the projected 2018 AM Peak Hour and PM Peak Hour NO BUILD and BUILD conditions analyzed in this report. The delay increases by 0.4 to 4.5 seconds from the NO BUILD to the BUILD condition. Therefore, no recommendations are made for the intersection of Tierra Pintada Dr. / Unser Blvd.

The following table summarizes the existing and calculated queuing at the signalized intersection:

## Queueing Analysis Summary Sheet

Project: Heritage Neighborhood Marketplace  
 Intersection: Tierra Pintada / Unser Blvd

<b>2018</b>											
<b>Approach</b>	<b>Left Turns</b>			<b>Thru Movements</b>			<b>Right Turns</b>				
<b>Eastbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length		
<i>Existing Lane Length</i>	1	42	200	1	7	Cont	1	249	640		
AM NO BUILD Queue	1	111	200	1	18	50	1	667	800		
<b>AM BUILD Queue</b>	<b>1</b>	<b>111</b>	<b>200</b>	<b>1</b>	<b>18</b>	<b>50</b>	<b>1</b>	<b>675</b>	<b>825</b>		
<i>Existing Lane Length</i>	1	23	200	1	14	Cont	1	94	640		
PM NO BUILD Queue	1	48	75	1	28	50	1	239	250		
<b>PM BUILD Queue</b>	<b>1</b>	<b>48</b>	<b>75</b>	<b>1</b>	<b>28</b>	<b>50</b>	<b>1</b>	<b>250</b>	<b>275</b>		
<b>Westbound</b>											
<i>Existing Lane Length</i>	1	23	260	1	0	Cont	1	10	270		
AM NO BUILD Queue	1	25	75	1	0	0	1	11	50		
<b>AM BUILD Queue</b>	<b>1</b>	<b>27</b>	<b>75</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>11</b>	<b>50</b>		
<i>Existing Lane Length</i>	1	135	260	1	27	Cont	1	82	270		
PM NO BUILD Queue	1	144	175	1	29	50	1	88	125		
<b>PM BUILD Queue</b>	<b>1</b>	<b>147</b>	<b>175</b>	<b>1</b>	<b>29</b>	<b>50</b>	<b>1</b>	<b>88</b>	<b>125</b>		
<b>Northbound</b>											
<i>Existing Lane Length</i>	1	48	500	3	481	Cont	1	10	280		
AM NO BUILD Queue	1	78	150	3	617	350	1	13	50		
<b>AM BUILD Queue</b>	<b>1</b>	<b>85</b>	<b>150</b>	<b>3</b>	<b>627</b>	<b>350</b>	<b>1</b>	<b>15</b>	<b>50</b>		
<i>Existing Lane Length</i>	1	239	500	3	1,187	Cont	1	111	280		
PM NO BUILD Queue	1	342	350	3	1,466	500	1	136	175		
<b>PM BUILD Queue</b>	<b>1</b>	<b>352</b>	<b>350</b>	<b>3</b>	<b>1,478</b>	<b>525</b>	<b>1</b>	<b>138</b>	<b>175</b>		
<b>Southbound</b>											
<i>Existing Lane Length</i>	1	13	430	3	999	Cont	1	5	440		
AM NO BUILD Queue	1	18	50	3	1,365	650	1	8	25		
<b>AM BUILD Queue</b>	<b>1</b>	<b>18</b>	<b>50</b>	<b>3</b>	<b>1,374</b>	<b>650</b>	<b>1</b>	<b>8</b>	<b>25</b>		
<i>Existing Lane Length</i>	1	52	430	3	666	Cont	1	52	440		
PM NO BUILD Queue	1	91	125	3	1,172	425	1	93	125		
<b>PM BUILD Queue</b>	<b>1</b>	<b>91</b>	<b>125</b>	<b>3</b>	<b>1,186</b>	<b>425</b>	<b>1</b>	<b>93</b>	<b>125</b>		

AM
PM  
 Cycle Length: 130      90

**NOTE: Queue lengths are in feet.**

Calculated Right Turn Queue Lengths can be reduced by 50% to account for right-turns-on-red and right turn overlaps.

The following table summarizes the recommendations for the queuing at the signalized intersection:

Recommendations resulting from Queuing Analysis:				
Lane Description	Existing Length (Ft)	NO BUILD Length (Ft)	BUILD Length (Ft)	Lengthen Existing Auxiliary Lane to:
Eastbound Left Turn:	200	200	200	No Recommendation
Eastbound Right Turn:*	640	400	410	No Recommendation
Westbound Left Turn:	260	175	175	No Recommendation
Westbound Right Turn:*	270	60	60	No Recommendation
Northbound Left Turn:	500	350	350	No Recommendation
Northbound Right Turn:*	280	90	90	No Recommendation
Southbound Left Turn:	430	125	125	No Recommendation
Southbound Right Turn:*	440	60	60	No Recommendation

\* - Calculated right turn queue lengths have been reduced by 50% to account for right-turns-on red and overlap phases.

The analysis suggests that all of the auxiliary lanes are of sufficient length. Therefore, no recommendation is made for the intersection of Tierra Pintada Dr. / Unser Blvd.



### 3. Ladera Dr. /Unser Blvd. – A-78 thru A-81a

The results of the implementation year analysis of the signalized intersection of Ladera Dr. / Unser Blvd. are summarized in the following tables:

**Intersection: 3 - LADERA DR. / UNSER BLVD.**

<u>2018 AM Peak Hour BUILD</u>						<u>2018 PM Peak Hour BUILD</u>							
		(EXIST. GEOM.)		(MIT. GEOM.)				(EXIST. GEOM.)		(MIT. GEOM.)			
		NO BUILD	BUILD	BUILD			NO BUILD	BUILD	BUILD				
		Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay		
<b>EB</b>	L	2	D - 48.0	2	D - 53.6	2	E - 57.6	L	2	E - 72.7	2	E - 70.3	
	T	2	D - 38.5	2	D - 43.8	2	D - 47.0	T	2	E - 56.2	2	E - 57.7	
	R	1	F - 455	1	F - 554	2	F - 119	R	1	D - 35.4	1	C - 31.2	
<b>WB</b>	L	2	D - 53.7	2	E - 58.3	2	E - 55.7	L	2	E - 66.7	2	E - 63.8	
	T	1	C - 32.2	1	C - 28.6	1	C - 30.3	T	1	E - 55.5	1	E - 58.7	
	R	1	C - 32.8	1	C - 29.2	1	C - 30.9	R	1	D - 45.0	1	D - 45.8	
<b>NB</b>	L	1	B - 17.9	1	C - 26.5	1	C - 23.4	L	1	E - 58.1	1	E - 59.8	
	T	3	A - 3.7	3	A - 9.2	3	A - 8.4	T	3	C - 34.9	3	C - 33.8	
	R	1	A - 2.3	1	A - 3.8	1	A - 3.3	R	1	B - 17.8	1	B - 17.5	
<b>SB</b>	L	1	B - 13.7	1	B - 18.5	1	B - 18.1	L	1	D - 44.0	1	D - 41.5	
	T	3	B - 18.9	3	C - 29.4	3	B - 13.2	T	3	D - 51.7	3	D - 48.1	
	R	>	C - 21.0	>	C - 33.8	>	B - 16.7	R	>	E - 59.5	>	D - 54.7	
<b>Intersection:</b>		<b>F - 84.0</b>		<b>F - 101</b>		<b>D - 37.8</b>		<b>D - 46.8</b>		<b>D - 47.4</b>		<b>D - 45.5</b>	

Note: ">" designates a shared right or left turn lane.

The operation of the signalized intersection has been demonstrated to be acceptable for the projected 2018 PM Peak Hour NO BUILD and BUILD conditions analyzed in this report. The intersection will experience excessive delays during the AM Peak Hour NO BUILD and BUILD conditions with the implementation of the proposed development increasing the delay by 17 seconds. Therefore, it is recommended to construct a second eastbound right turn lane to mitigate the intersection of Ladera Dr. / Unser Blvd. This more than mitigates the intersection, but reduces the delay even beyond the NO BUILD condition.

The following table summarizes the existing and calculated queuing at the signalized intersection:

## Queuing Analysis Summary Sheet

Project: Heritage Neighborhood Marketplace  
 Intersection: Ladera Dr / Unser Blvd

<b>2018</b>									
<b>Approach</b>	<b>Left Turns</b>			<b>Thru Movements</b>			<b>Right Turns</b>		
<b>Eastbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	2	141	225	2	129	Cont	1	338	225
AM NO BUILD Queue	2	238	225	2	218	200	1	571	700
<b>AM BUILD Queue</b>	<b>2</b>	<b>238</b>	<b>225</b>	<b>2</b>	<b>227</b>	<b>200</b>	<b>1</b>	<b>580</b>	<b>725</b>
<i>Existing Lane Length</i>	2	149	225	2	142	Cont	1	149	225
PM NO BUILD Queue	2	271	225	2	258	225	1	271	375
<b>PM BUILD Queue</b>	<b>2</b>	<b>271</b>	<b>225</b>	<b>2</b>	<b>270</b>	<b>225</b>	<b>1</b>	<b>283</b>	<b>400</b>
<hr/>									
<b>Westbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	2	348	210	1	37	Cont	1	45	999
AM NO BUILD Queue	2	411	325	1	44	100	1	57	125
<b>AM BUILD Queue</b>	<b>2</b>	<b>709</b>	<b>525</b>	<b>1</b>	<b>51</b>	<b>100</b>	<b>1</b>	<b>66</b>	<b>125</b>
<i>Existing Lane Length</i>	2	254	210	1	235	Cont	1	143	999
PM NO BUILD Queue	2	384	300	1	355	475	1	228	325
<b>PM BUILD Queue</b>	<b>2</b>	<b>707</b>	<b>500</b>	<b>1</b>	<b>366</b>	<b>475</b>	<b>1</b>	<b>240</b>	<b>350</b>
<hr/>									
<b>Northbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	48	440	3	394	Cont	1	121	280
AM NO BUILD Queue	1	50	100	3	432	250	1	125	200
<b>AM BUILD Queue</b>	<b>1</b>	<b>50</b>	<b>100</b>	<b>3</b>	<b>434</b>	<b>250</b>	<b>1</b>	<b>142</b>	<b>225</b>
<i>Existing Lane Length</i>	1	322	440	3	1,122	Cont	1	429	280
PM NO BUILD Queue	1	333	450	3	1,207	600	1	444	575
<b>PM BUILD Queue</b>	<b>1</b>	<b>333</b>	<b>450</b>	<b>3</b>	<b>1,208</b>	<b>600</b>	<b>1</b>	<b>513</b>	<b>650</b>
<hr/>									
<b>Southbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	65	580	3	1,193	Cont	0	40	0
AM NO BUILD Queue	1	93	175	3	1,657	775	0	55	125
<b>AM BUILD Queue</b>	<b>1</b>	<b>110</b>	<b>175</b>	<b>3</b>	<b>1,674</b>	<b>775</b>	<b>0</b>	<b>55</b>	<b>125</b>
<i>Existing Lane Length</i>	1	99	580	3	589	Cont	0	166	0
PM NO BUILD Queue	1	140	225	3	806	425	0	215	325
<b>PM BUILD Queue</b>	<b>1</b>	<b>165</b>	<b>250</b>	<b>3</b>	<b>831</b>	<b>425</b>	<b>0</b>	<b>215</b>	<b>325</b>

AM
PM  
 Cycle Length: 130      130

**NOTE: Queue lengths are in feet.**  
 Calculated Right Turn Queue Lengths can be reduced by 50%  
 to account for right-turns-on-red and right turn overlaps.

The following table summarizes the recommendations for the queuing at the signalized intersection:

Lane Description	Existing Length (Ft)	NO BUILD Length (Ft)	BUILD Length (Ft)	Lengthen Existing Auxiliary Lane to:
Eastbound Left Turn:	225	225	225	No Recommendation
Eastbound Right Turn:*	225	350	360	<b>360' plus transition.</b>
Westbound Left Turn:	210	325	525	<b>525' plus transition.</b>
Westbound Right Turn:*	999	160	180	No Recommendation
Northbound Left Turn:	440	450	450	No Recommendation
Northbound Right Turn:*	280	290	330	<b>330' plus transition.</b>
Southbound Left Turn:	580	225	250	No Recommendation
Southbound Right Turn:*	0	160	160	No Recommendation

\* - Calculated right turn queue lengths have been reduced by 50% to account for right-turns-on red and overlap phases.

The analysis recommends lengthening the eastbound right turn lane from 225 feet to 360 feet plus transition. As described earlier this report is already recommending the construction of a dual eastbound right turn lane which will effectively reduce the requirement by half, and satisfy the 360 feet of total queuing. The analysis also recommends lengthening the westbound left turn lane from 210 feet to 525 feet plus transition, the northbound left turn lane from 440 feet to 450 feet plus transition, the northbound right turn lane from 280 feet to 330 feet plus transition. The two improvements recommended for this intersection include 1) extending the westbound left turn lanes to provide more queuing, and 2) extending the northbound right turn lane to a length of 330 feet plus transition if possible. The westbound left turn lanes should be modified to optimize queuing. The dual left turn lanes should be modified to provide a length of 345 feet of queuing for each of the two lanes. The northbound right turn lane can be reasonably extended since the developer will be reconstructing that section of the Unser Blvd. east curblin as part of the effort to widen the existing bicycle lane.

**4. I-40 WB Ramp /Unser Blvd. – A-82 thru A-90**

The results of the implementation year analysis of the signalized intersection of I-40 N. Ramp / Unser Blvd. are summarized in the following tables:

**Intersection: 4 - I-40 WB RAMP / UNSER BLVD.**

		<u>2018 AM Peak Hour BUILD</u>				<u>2018 PM Peak Hour BUILD</u>				
		(EXIST. GEOM.)				(EXIST. GEOM.)				
		NO BUILD		BUILD		NO BUILD		BUILD		
		Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	
WB	L	1	E - 63.6	1	E - 63.6	L	1	F - 152	1	F - 115
	T	1	C - 27.2	1	C - 28.3	T	1	B - 12.1	1	A - 10.0
NB	L	1	C - 29.8	1	C - 30.8	L	1	C - 33.2	1	D - 38.8
	T	2	B - 17.2	2	B - 18.3	T	2	D - 42.6	2	F - 102
SB	T	3	D - 38.3	3	E - 64.0	T	3	D - 43.8	3	F - 96.2
	R	>	D - 38.3	>	E - 64.0	R	>	D - 43.8	>	F - 96.2
Intersection:		<b>D - 36.5</b>		<b>D - 51.1</b>		<b>F - 83.8</b>		<b>F - 103</b>		

Note: ">" designates a shared right or left turn lane.

The operation of the signalized intersection has been demonstrated to be acceptable for the projected 2018 AM Peak Hour NO BUILD and BUILD conditions analyzed in this report; however, the PM Peak Hour NO BUILD and BUILD conditions will experience excessive delays. It is important to note that Synchro 8 was unable to analyze the intersection due to the westbound shared left/thru lane. The makers of Synchro are working on this problem. Therefore, this intersection was analyzed using Highway Capacity Software (HCS 2010). The AM Peak Hour BUILD condition on the above table shows a level-of-service "E" for the southbound movements while HCS shows a level-of-service "F" for the same movements because the volume-to-capacity ratio is over 1. The delay is the same in both cases. This intersection is already experiencing excessive delays in the PM Peak Hour NO BUILD condition and there are no further measures that can be taken at this time to improve the operation of the intersection. Therefore, no recommendations are made for the intersection of I-40 WB Ramp / Unser Blvd.

The following table summarizes the existing and calculated queuing at the signalized intersection:

## Queueing Analysis Summary Sheet

Project: Heritage Neighborhood Marketplace  
 Intersection: I-40 WB Ramp / Unser Blvd

<b>2018</b>											
<b>Approach</b>	<b>Left Turns</b>			<b>Thru Movements</b>			<b>Right Turns</b>				
<b>Eastbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length		
<i>Existing Lane Length</i>	0	0	0	0	0	Cont	0	0	0		
AM NO BUILD Queue	0	0	0	0	0	0	0	0	0		
<b>AM BUILD Queue</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<i>Existing Lane Length</i>	0	0	0	0	0	Cont	0	0	0		
PM NO BUILD Queue	0	0	0	0	0	0	0	0	0		
<b>PM BUILD Queue</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<hr/>											
<b>Westbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length		
<i>Existing Lane Length</i>	1	427	800	1	0	Cont	0	1	0		
AM NO BUILD Queue	1	551	675	1	0	0	0	8	25		
<b>AM BUILD Queue</b>	<b>1</b>	<b>551</b>	<b>675</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>94</b>	<b>175</b>		
<i>Existing Lane Length</i>	1	928	800	1	3	Cont	0	0	0		
PM NO BUILD Queue	1	1,178	>1,000 *	1	4	25	0	20	50		
<b>PM BUILD Queue</b>	<b>1</b>	<b>1,178</b>	<b>&gt;1,000 *</b>	<b>1</b>	<b>4</b>	<b>25</b>	<b>0</b>	<b>163</b>	<b>250</b>		
<hr/>											
<b>Northbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length		
<i>Existing Lane Length</i>	1	25	330	2	843	Cont	0	0	0		
AM NO BUILD Queue	1	31	75	2	964	675	0	0	0		
<b>AM BUILD Queue</b>	<b>1</b>	<b>31</b>	<b>75</b>	<b>2</b>	<b>1,085</b>	<b>725</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<i>Existing Lane Length</i>	1	44	330	2	803	Cont	0	0	0		
PM NO BUILD Queue	1	53	100	2	961	675	0	0	0		
<b>PM BUILD Queue</b>	<b>1</b>	<b>53</b>	<b>100</b>	<b>2</b>	<b>1,140</b>	<b>775</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<hr/>											
<b>Southbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length		
<i>Existing Lane Length</i>	0	0	0	3	2,131	Cont	0	0	0		
AM NO BUILD Queue	0	0	0	3	2,202	>1,000 *	0	0	0		
<b>AM BUILD Queue</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>2,423</b>	<b>&gt;1,000 *</b>	<b>0</b>	<b>3</b>	<b>25</b>		
<i>Existing Lane Length</i>	0	0	0	3	867	Cont	0	0	0		
PM NO BUILD Queue	0	0	0	3	932	475	0	2	0		
<b>PM BUILD Queue</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1,202</b>	<b>600</b>	<b>0</b>	<b>4</b>	<b>25</b>		

**AM**
**PM**  
 Cycle Length: **130**
**130**

**NOTE: Queue lengths are in feet.**

The following table summarizes the recommendations for the queuing at the signalized intersection:

Lane Description	Existing Length (Ft)	NO BUILD Length (Ft)	BUILD Length (Ft)	Lengthen Existing Auxiliary Lane to:
Eastbound Left Turn:	0	0	0	No Recommendation
Eastbound Right Turn:*	0	0	0	No Recommendation
Westbound Left Turn:	800	675	675	No Recommendation
Westbound Right Turn:*	0	30	100	No Recommendation
Northbound Left Turn:	330	75	75	No Recommendation
Northbound Right Turn:*	0	0	0	No Recommendation
Southbound Left Turn:	0	0	0	No Recommendation
Southbound Right Turn:*	0	0	10	No Recommendation

\* - Calculated right turn queue lengths have been reduced by 50% to account for right-turns-on red and overlap phases.

The analysis makes no recommendations for the queuing at the intersection.

**5. Ladera Dr. / Ouray Rd. – A-90a thru A-93**

The results of the implementation year analysis of the signalized intersection of Ladera Dr. / Ouray Rd. are summarized in the following tables:

**Intersection: 5 - LADERA DR. / OURAY RD.**

		<b>2018 AM Peak Hour BUILD</b>				<b>2018 PM Peak Hour BUILD</b>				
		<b>(EXIST. GEOM.)</b>				<b>(EXIST. GEOM.)</b>				
		<b>NO BUILD</b>		<b>BUILD</b>		<b>NO BUILD</b>		<b>BUILD</b>		
		<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	
<b>EB</b>	L	1	C - 24.4	1	C - 25.7	L	1	C - 24.8	1	C - 25.9
	T	2	D - 39.1	2	D - 40.6	T	2	D - 39.3	2	D - 46.2
	R	>	D - 42.0	>	D - 45.1	R	>	D - 41.3	>	D - 49.4
<b>WB</b>	L	1	E - 61.9	1	E - 61.9	L	1	D - 51.7	1	D - 51.7
	T	2	C - 30.1	2	C - 28.8	T	2	C - 34.3	2	D - 37.0
	R	1	C - 29.2	1	C - 27.8	R	1	C - 29.9	1	C - 30.9
<b>NB</b>	L	1	C - 33.9	1	C - 35.0	L	1	C - 25.8	1	C - 24.7
	T	1	C - 29.2	1	C - 27.8	T	1	C - 23.2	1	C - 20.5
	R	>	C - 29.2	>	C - 27.8	R	>	C - 23.2	>	C - 20.5
<b>SB</b>	L	1	E - 57.8	1	E - 61.5	L	1	D - 45.9	1	E - 56.2
	T	1	C - 22.6	1	C - 22.7	T	1	B - 11.4	1	B - 10.9
	R	>	C - 22.6	>	C - 22.7	R	>	B - 11.4	>	B - 10.9
<b>Intersection:</b>		<b>C - 34.2</b>		<b>D - 35.4</b>		<b>C - 31.3</b>		<b>C - 33.8</b>		

Note: ">" designates a shared right or left turn lane.

The operation of the signalized intersection has been demonstrated to be acceptable for the projected 2018 AM Peak Hour and PM Peak Hour NO BUILD and BUILD conditions analyzed in this report. The delay increases by 1.2 to 2.5 seconds from the NO BUILD to the BUILD condition. Therefore, no recommendations are made for the intersection of Ladera Dr. / Ouray Rd.

The following table summarizes the existing and calculated queuing at the signalized intersection:

## Queuing Analysis Summary Sheet

Project: Heritage Neighborhood Marketplace  
 Intersection: Ladera Dr / Ouray Rd

<b>2018</b>									
<b>Approach</b>	<b>Left Turns</b>			<b>Thru Movements</b>			<b>Right Turns</b>		
<b>Eastbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	12	145	2	248	Cont	0	233	0
AM NO BUILD Queue	1	15	50	2	312	275	0	294	400
<b>AM BUILD Queue</b>	<b>1</b>	<b>16</b>	<b>50</b>	<b>2</b>	<b>337</b>	<b>275</b>	<b>0</b>	<b>326</b>	<b>450</b>
<i>Existing Lane Length</i>	1	23	145	2	242	Cont	0	165	0
PM NO BUILD Queue	1	26	50	2	301	200	0	214	225
<b>PM BUILD Queue</b>	<b>1</b>	<b>27</b>	<b>50</b>	<b>2</b>	<b>322</b>	<b>200</b>	<b>0</b>	<b>244</b>	<b>250</b>
<hr/>									
<b>Westbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	10	140	2	127	Cont	1	21	140
AM NO BUILD Queue	1	12	50	2	149	150	1	24	75
<b>AM BUILD Queue</b>	<b>1</b>	<b>12</b>	<b>50</b>	<b>2</b>	<b>163</b>	<b>150</b>	<b>1</b>	<b>24</b>	<b>75</b>
<i>Existing Lane Length</i>	1	29	140	2	321	Cont	1	67	140
PM NO BUILD Queue	1	48	75	2	561	325	1	112	150
<b>PM BUILD Queue</b>	<b>1</b>	<b>48</b>	<b>75</b>	<b>2</b>	<b>591</b>	<b>325</b>	<b>1</b>	<b>112</b>	<b>150</b>
<hr/>									
<b>Northbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	96	110	1	55	Cont	0	11	0
AM NO BUILD Queue	1	122	200	1	70	125	0	14	50
<b>AM BUILD Queue</b>	<b>1</b>	<b>143</b>	<b>225</b>	<b>1</b>	<b>70</b>	<b>125</b>	<b>0</b>	<b>14</b>	<b>50</b>
<i>Existing Lane Length</i>	1	240	110	1	286	Cont	0	11	0
PM NO BUILD Queue	1	269	275	1	320	325	0	12	25
<b>PM BUILD Queue</b>	<b>1</b>	<b>309</b>	<b>325</b>	<b>1</b>	<b>320</b>	<b>325</b>	<b>0</b>	<b>12</b>	<b>25</b>
<hr/>									
<b>Southbound</b>	# Lanes	Vol.	Length	# Lanes	Vol.	Length	# Lanes	Vol.	Length
<i>Existing Lane Length</i>	1	38	110	1	281	Cont	0	21	0
AM NO BUILD Queue	1	41	100	1	307	425	0	23	75
<b>AM BUILD Queue</b>	<b>1</b>	<b>41</b>	<b>100</b>	<b>1</b>	<b>307</b>	<b>425</b>	<b>0</b>	<b>24</b>	<b>75</b>
<i>Existing Lane Length</i>	1	51	110	1	119	Cont	0	16	0
PM NO BUILD Queue	1	58	100	1	161	200	0	18	50
<b>PM BUILD Queue</b>	<b>1</b>	<b>58</b>	<b>100</b>	<b>1</b>	<b>161</b>	<b>200</b>	<b>0</b>	<b>20</b>	<b>50</b>

AM
PM  
 Cycle Length: 130 90

NOTE: Queue lengths are in feet.

The following table summarizes the recommendations for the queuing at the signalized intersection:



Lane Description	Existing Length (Ft)	NO BUILD Length (Ft)	BUILD Length (Ft)	Lengthen Existing Auxiliary Lane to:
Eastbound Left Turn:	145	50	50	No Recommendation
Eastbound Right Turn:*	0	200	230	No Recommendation
Westbound Left Turn:	140	75	75	No Recommendation
Westbound Right Turn:*	140	80	80	No Recommendation
Northbound Left Turn:	110	275	325	<b>325' plus transition.</b>
Northbound Right Turn:*	0	30	30	No Recommendation
Southbound Left Turn:	110	100	100	No Recommendation
Southbound Right Turn:*	0	40	40	No Recommendation

\* - Calculated right turn queue lengths have been reduced by 50% to account for right-turns-on red and overlap phases.

The analysis recommends that the northbound left turn lane be lengthened from 110 feet to 325 feet plus transition. This cannot be done without adversely affecting the intersection to the south, Brackley Dr. Therefore, it is recommended that the northbound left turn lane on Ouray Rd. be extended as far as possible back to Brackley Drive.

## **RESULTS OF UNSIGNALIZED INTERSECTION CAPACITY ANALYSES**

### **IMPLEMENTATION YEAR (2018)**

#### **6. I-40 EB Ramp / Unser Blvd. – A-94 thru A-98**

The results of the analysis of the unsignalized intersection of I-40 S. Ramp / Unser Blvd. are summarized in the following table:

**Intersection: 6 - I-40 EB RAMP / UNSER BLVD.**

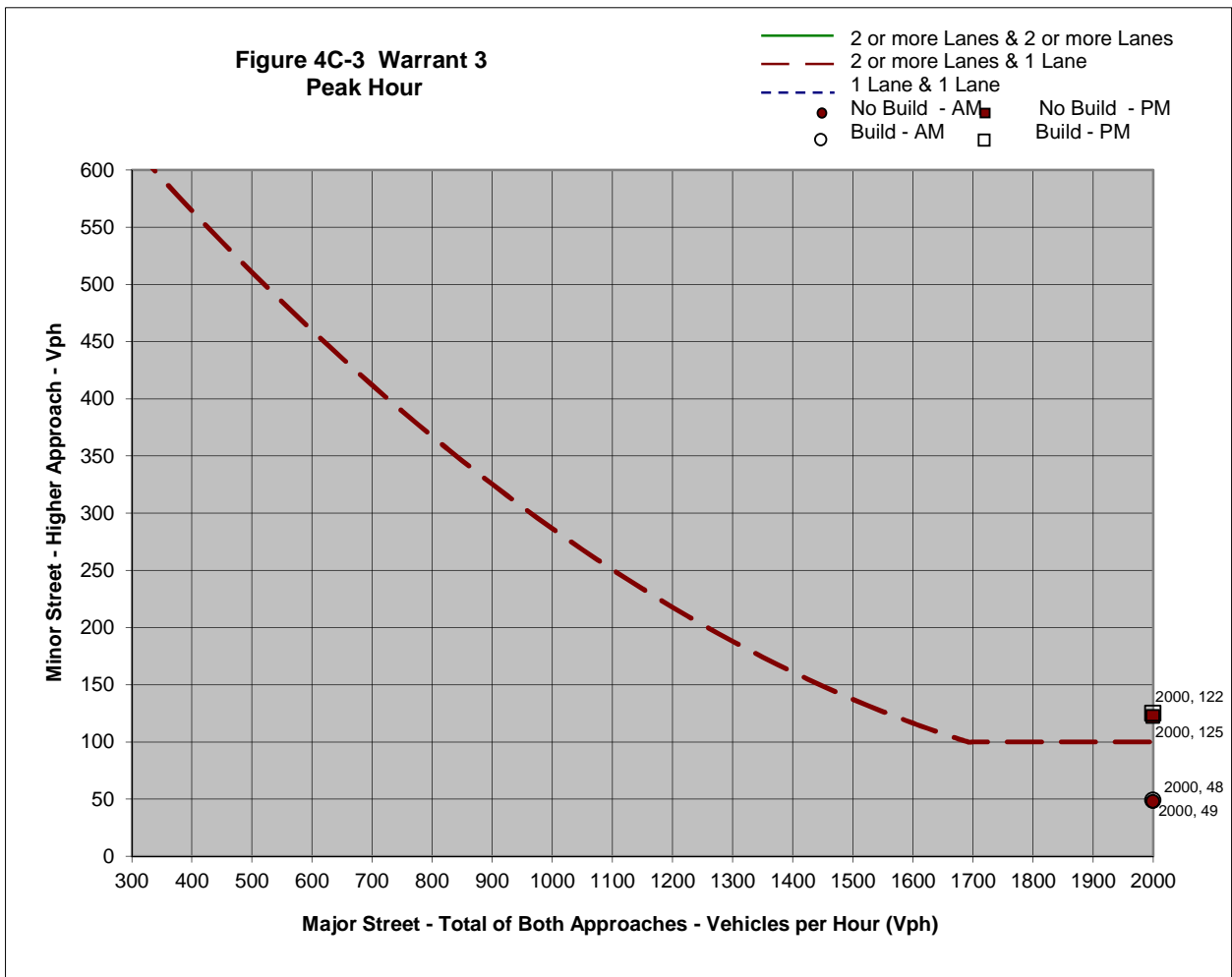
		<b><u>2018 AM Peak Hour BUILD</u></b>				<b><u>2018 PM Peak Hour BUILD</u></b>				
		<b>(EXIST. GEOM.)</b>				<b>(EXIST. GEOM.)</b>				
		<b>NO BUILD</b>		<b>BUILD</b>		<b>NO BUILD</b>		<b>BUILD</b>		
		<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	
<b>EB</b>	<b>L</b>	1	F - 999	1	F - 999	L	1	F - 999	1	F - 999
<b>Intersection:</b>		<b>u - N/A</b>		<b>u - N/A</b>		<b>u - N/A</b>		<b>u - N/A</b>		

Note: ">" designates a shared right or left turn lane.

The analysis of the unsignalized intersection of the I-40 EB Ramp / Unser Blvd. will operate at unacceptable levels-of-service for the 2018 AM Peak Hour and PM Peak Hour NO BUILD and BUILD Conditions as an unsignalized intersection. The mathematical analysis of the intersection indicated excessively long delays would be encountered by the eastbound left

turn traffic off of the ramp. However, the calculations do not take into account the fact that there is an existing traffic signal approximately 1,650 feet to the north of this intersection and approximately 2,100 feet south of the intersection. The two adjacent intersections will create gaps in northbound and southbound traffic on Unser Blvd. at the I-40 EB Ramp, thus permitting eastbound side street traffic to turn out onto Unser Blvd. with greater ease than what the calculations seem to indicate. There are no further measures that can be taken at this time to improve the operation of the intersection.

Rectification of the long delays at the intersection of the I-40 EB Ramp / Unser Blvd. may involve construction of a new traffic signal at the ramp, See Appendix Page A-98 for complete analysis. Current volumes indicate that a traffic signal is marginally warranted at the intersection for the AM Peak Hour for both the NO BUILD and BUILD conditions. Following is the Peak Hour Warrant Graph for this intersection considering the projected 2018 AM and PM Peak Hour volumes:



Only three eastbound left turn vehicles are being contributed to this intersection by the proposed development during the PM Peak Hour. The signal is already warranted in the PM Peak Hour NO BUILD condition. If in the future, the New Mexico Department of Transportation decides to signalize this intersection, a full traffic signal warrant study should first be conducted before a commitment is made to signalize the intersection.

**7. Ladera Dr. / Market St. - Pages A-99 thru A-102**

The results of the analysis of the unsignalized intersection of Ladera Dr. / Market St. are summarized in the following table:

**Intersection: 7 - LADERA DR. / MARKET ST.**

		<b><u>2018 AM Peak Hour BUILD</u></b>				<b><u>2018 PM Peak Hour BUILD</u></b>				
		<b>(EXIST. GEOM.)</b>				<b>(EXIST. GEOM.)</b>				
		<b>NO BUILD</b>		<b>BUILD</b>		<b>NO BUILD</b>		<b>BUILD</b>		
		<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	
<b>NB</b>	<b>L</b>	1	A - 9.7	1	A - 10.0	L	1	A - 9.5	1	A - 9.9
	<b>L</b>	1	E - 45.5	1	F - 191	L	1	D - 28.7	1	F - 114
	<b>R</b>	1	B - 12.1	1	B - 12.8	R	1	B - 11.1	1	B - 11.5
<b>Intersection:</b>		<b>u - N/A</b>		<b>u - N/A</b>		<b>u - N/A</b>		<b>u - N/A</b>		

Note: ">" designates a shared right or left turn lane.

This analysis of the unsignalized intersection of Ladera Dr. / Market St. demonstrates that the westbound left turn and northbound right turn movements will be acceptable, however the northbound left turn movement will experience long delays for the AM Peak Hour NO BUILD and BUILD conditions and for the PM Peak Hour BUILD condition. The intersection of Ladera Dr. / Market St. is too close to the existing traffic signal at Ladera Dr. / Unser Blvd. for consideration for a traffic signal. Market St. is approximately 750 feet east of Unser Blvd. (centerline to centerline).

The fact that there is an existing traffic signal to the west of the intersection of Market St. / Ladera Dr. will aid in creating gaps in the eastbound traffic on Ladera Dr. so as to facilitate the turning movements from the side streets onto the major street to some degree, but this report still forecasts long delays for the Market St. traffic at Ladera Dr. There are no further measures that can be taken at this time to improve the operation of the intersection. Therefore, no recommendation is made for the intersection of Ladera Dr. / Market St.

The calculated 95<sup>th</sup> Percentile queue length for the westbound left turn movement on Ladera Dr. at Market St. is only one vehicle for the projected 2018 AM and PM Peak Hour BUILD conditions (see Appendix Pages A-99 thru A-102).

**8. Ladera Dr. / Driveway "A" - Pages A-103 thru A-106**

Driveway "A" is an existing full access driveway for the Valero Gas Station at the southeast corner of Ladera Dr. / Unser Blvd. The results of the analysis of the unsignalized intersection of Ladera Dr. / Driveway "A" are summarized in the following table:

**Intersection: 8 - LADERA DR. / DRIVEWAY 'A'**

		<u>2018 AM Peak Hour BUILD</u>				<u>2018 PM Peak Hour BUILD</u>				
		(EXIST. GEOM.)				(EXIST. GEOM.)				
		NO BUILD		BUILD		NO BUILD		BUILD		
		Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	
NB	L	1	A - 9.8	>	B - 10.3	L	1	A - 8.7	>	A - 9.2
	L	1	C - 16.1	>	E - 46.1	L	1	C - 15.9	>	F - 104
	R	1	B - 11.6	1	B - 12.5	R	1	B - 10.2	1	B - 10.9
Intersection:		u - N/A		u - N/A		u - N/A		u - N/A		

Note: ">" designates a shared right or left turn lane.

The operation of the unsignalized intersection has been demonstrated to be acceptable for the westbound left turn movement and the northbound right turn movement during the AM and PM Peak Hour NO BUILD and BUILD conditions and for the northbound left turn movement during the AM and PM Peak Hour NO BUILD condition. However the intersection will experience excessive delays for the northbound left turn movement upon implementation of the proposed development. The intersection of Ladera Dr. / Driveway "A" is too close to the existing traffic signal at Ladera Dr. / Unser Blvd. for consideration for a traffic signal.

The fact that there is an existing traffic signal to the west of the intersection of Ladera Dr. / Driveway "A" will aid in creating gaps in the eastbound traffic on Ladera Dr. so as to facilitate the turning movements from the side streets onto the major street to some degree, but this report still forecasts long delays for the Driveway "A" traffic at Ladera Dr. In reality, many drivers will not wait thru long delays, will turn right onto Ladera Dr. and will choose an alternate route. There are no further measures that can be taken at this time to improve the operation of the intersection. Therefore, no recommendation is made for the intersection of Ladera Dr. / Driveway "A".

There is a possibility that Driveway "A" may be restricted in the future to a right-in, right-out, left-in only driveway. Restriction of Driveway "A" will be at the discretion of the City of Albuquerque. If the City chooses to restrict Driveway "A" at some future date, then most all of the northbound left turns at the driveway will divert over to Market Street. This action will put an enormous burden on Market Street in that the projected northbound left turn volumes will be approaching 500 vehicles per hour. When the restriction of Driveway "A" occurs, then there will be pressure to signalize the intersection of Ladera Dr. / Market St. The City has currently agreed to allow Driveway "A" to operate as a full access unsignalized intersection provided that the developer commit to modify the dual westbound left turn lanes on Ladera Dr. at Unser Blvd. to optimize queuing between Unser Blvd. and Driveway "A".

**9. Driveway “B”/ Market St - Pages A-107 thru A-108**

The results of the analysis of the unsignalized intersection of Driveway “B” / Market St are summarized in the following table:

**Intersection: 9 - DRIVEWAY 'B' / MARKET ST.**

**2018 Peak Hour BUILD**

		(EXIST. GEOM.)			
		AM BUILD		PM BUILD	
		Lanes	LOS-Delay	Lanes	LOS-Delay
<b>EB</b>	R	1	A - 8.7	1	A - 9.0
Intersection:		u - N/A		u - N/A	

Note: ">" designates a shared right or left turn lane.

The proposed Driveway “B” on Market St will be designated as a right-turn-in, right-turn-out only unsignalized.

The operation of the proposed Driveway “B” on Market St. is demonstrated to be acceptable for all conditions analyzed in this report. Therefore, no recommendations are made.

**10. Driveway “C”/ Unser Blvd. - Pages A-109 thru A-110**

The results of the analysis of the unsignalized intersection of Driveway “B” / Market St are summarized in the following table:

**Intersection: 10 - DRIVEWAY 'C' / UNSER BLVD.**

**2018 Peak Hour BUILD**

		(EXIST. GEOM.)			
		AM BUILD		PM BUILD	
		Lanes	LOS-Delay	Lanes	LOS-Delay
<b>WB</b>	R	1	B - 10.4	1	C - 21.7
Intersection:		u - N/A		u - N/A	

Note: ">" designates a shared right or left turn lane.

The proposed Driveway “B” on Market St will be designated as a right-turn-in, right-turn-out only unsignalized.

The operation of the proposed Driveway “B” on Market St. is demonstrated to be acceptable for all conditions analyzed in this report. Therefore, no recommendations are made.

**11. Driveway "E" / Market St. - Pages A-111 thru A-112**

The results of the analysis of the unsignalized intersection of Driveway "E" / Market St. are summarized in the following table:

**Intersection: 11 - ARROWHEAD APTS DR. / MARKET ST.**

**2018 Peak Hour BUILD**

		(EXIST. GEOM.)			
		AM BUILD		PM BUILD	
		Lanes LOS-Delay		Lanes LOS-Delay	
<b>EB</b>	L	1	A - 9.5	1	A - 9.6
Intersection:		<b>u - N/A</b>		<b>u - N/A</b>	

Note: ">" designates a shared right or left turn lane.

The proposed unsignalized driveway will be a right-in, right-out, left-out only driveway on Market St.

The operation of the proposed Driveway "E" on Market St. is demonstrated to be acceptable for all conditions analyzed in this report. Therefore, no recommendations are made.

**12. Driveway "F" / Market St. - Pages A-113 thru A-114**

The results of the analysis of the unsignalized intersection of Driveway "F" / Market St. are summarized in the **Intersection: 12 - HANOVER RD. / ALLWOOD DR.** following table:

**2018 Peak Hour BUILD**

		(EXIST. GEOM.)			
		AM PEAK		PM PEAK	
		Lanes LOS-Delay		Lanes LOS-Delay	
<b>WB</b>	L	1	A - 7.2	1	A - 7.2
Intersection:		<b>u - N/A</b>		<b>u - N/A</b>	

Note: ">" designates a shared right or left turn lane.

The proposed unsignalized Driveway "F" on Market St. will be designated as a full access unsignalized driveway.

The operation of the proposed Driveway "F" on Market St. is demonstrated to be acceptable for all conditions analyzed in this report. Therefore no recommendations are made.

**13. Driveway “D” / Unser Blvd. - Pages A-115 thru A-116**

The results of the analysis of the unsignalized intersection of Driveway “D” / Unser Blvd. are summarized in the following table:

**Intersection: 13 - DRIVEWAY 'D' / UNSER BLVD.**

**2018 Peak Hour BUILD**

		(EXIST. GEOM.)			
		AM BUILD		PM BUILD	
		Lanes	LOS-Delay	Lanes	LOS-Delay
<b>WE</b>	R	1	B - 10.9	1	D - 26.7
<b>SB</b>	L	1	A - 9.9	1	D - 32.1
Intersection:		u - N/A		u - N/A	

Note: ">" designates a shared right or left turn lane.

The analysis of the unsignalized right-in, right-out, left-in only intersection of Driveway “D” / Unser Blvd. indicates that the delays are acceptable for all conditions analyzed in this report. Therefore no recommendations are made.

See Pages A-125a thru A-128 for Determination of Warrants for Deceleration Lanes worksheets. Driveways “C” and “D” will be required to conform to the criteria established in the New Mexico Department of Transportation’s State Access Management Manual, current edition. A northbound right turn lane, 400 feet in length plus a 12.5:1 transition is warranted on Unser Blvd. at Driveway “C”. A southbound left turn deceleration lane and a northbound right turn deceleration lane are warranted on Unser Blvd. at Driveway “D”. The northbound right turn deceleration lane for Driveway “D” will be required to be 400 feet long plus a 12.5:1 transition. The southbound left turn deceleration lane will be required to be 550 feet long plus a 12.5:1 transition. According to aerial photography, it appears that these improvements are feasible.

Table 18.C-1 on Page 84 of the New Mexico Department of Transportation’s State Access Management Manual states that the partial access driveway spacing for a non-traversable median along an Urban Principal Arterial roadway with a 45 MPH posted speed should be 450 feet. Driveway “D” is approximately 500 feet from Driveway “C” and Driveway “C” is approximately 500 feet from the intersection of Ladera Dr. / Unser Blvd. Therefore, it appears that the proposed driveways meet the requirement of the State Access Management Manual.

Driveways “C” and “D” will require approval from the Transportation Coordinating Committee (T.C.C.) at the Mid-Region Council of Governments as well as the Access Control Committee at the New Mexico Department of Transportation. There is an accompanying access study to this Traffic Impact Study. (See TCC Approval Resolution R-14-01TCC – Appendix Page A-129 and A-130).

The Unser Blvd. Access Policy designates full access intersections from Central Ave. to Ouray Rd. at Central Ave., Bluewater Rd., Los Volcanes Rd., Interstate 40, Ladera Dr. and 98<sup>th</sup> St. It also designates partial access intersections at approximately one-quarter mile intervals.

It should be noted that Levels of Service (LOS) for unsignalized intersections cannot be compared directly with Levels of Service for signalized intersections. LOS for unsignalized intersections is based on reserve capacity, which is converted to generalized levels of delay; LOS for signalized intersections is based on actual delay in seconds.

**LEVEL-OF-SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS**

<u>Average Delay</u> <u>(secs)</u>	<u>Level-of-Service</u>
≤ 10	A
> 10 and ≤ 20	B
> 20 and ≤ 35	C
> 35 and ≤ 55	D
> 55 and ≤ 80	E
> 80	F

**LEVEL-OF-SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS**

<u>Average Delay</u> <u>(secs)</u>	<u>Level-of-Service</u>
≤ 10	A
> 10 and ≤ 15	B
> 15 and ≤ 25	C
> 25 and ≤ 35	D
> 35 and ≤ 50	E
> 50	F

Generally speaking, a Level-of-Service D or better is an acceptable parameter for design purposes.

**CONCLUSIONS**

The proposed site plan for the Heritage Neighborhood Marketplace Commercial Development consisting of commercial / residential type of development will present moderate impact to the adjacent transportation system. There are existing (i.e., NO BUILD condition) capacity shortfalls at the intersections of I-40 EB Ramp / Unser Blvd. and the I-40 WB Ramp / Unser Blvd. This project will contribute additional traffic to both of those intersections. However, the impact to the adjacent transportation system can be mitigated by implementation of the following recommendations:



## **RECOMMENDATIONS**

### **FROM IMPLEMENTATION YEAR (2018) ANALYSIS**

#### **Offsite Recommendations:**

**Ladera Dr. / Unser Blvd. -** Construct a second eastbound right turn lane to match the length of the existing eastbound right turn lane (approximately 200 feet).

**Ladera Dr. / Unser Blvd. –** lengthen the existing northbound right turn lane to achieve a total length of 330 feet if possible.

**Ladera Dr. / Unser Blvd. –** modify the dual westbound left turn lanes to provide approximately 345 feet of queuing for each of the two lanes to optimize the queuing available for the westbound left turn movement at the intersection.

**Ladera Dr. / Ouray Rd. –** extend the northbound left turn lane on Ouray Rd. back to Brackley Dr.

#### **Access Recommendations:**

Driveway “C” / Unser Blvd. - Construct a northbound right turn lane, 400 feet in length plus a 12.5:1 transition.

Driveway “D” / Unser Blvd. - Construct a southbound left turn deceleration lane, 550 feet long plus a 12.5:1 transition and a northbound right turn deceleration lane, 400 feet long plus a 12.5:1 transition.

Driveway “A” is recommended to be a full access unsignalized driveway located on Ladera Dr. with one entering and one exiting lane.

Driveway “B” is recommended to be a right-in, right-out only unsignalized driveway located on Market St. south of Ladera Dr. with one entering and one exiting lane.

\*Driveway “C” is recommended to be a right-in, right-out only unsignalized driveway on Unser Blvd. with one entering and one exiting lane.

\*Driveway “D” is recommended to be a right-in, right-out, left-in only unsignalized driveway on Unser Blvd. with two entering lanes and one exiting lane.

Driveway “E” is recommended to be a full access unsignalized driveway on Market St. with one entering and one exiting lane.

Driveway “F” is recommended to be a full access unsignalized driveway on Market St. with one entering and one exiting lane.

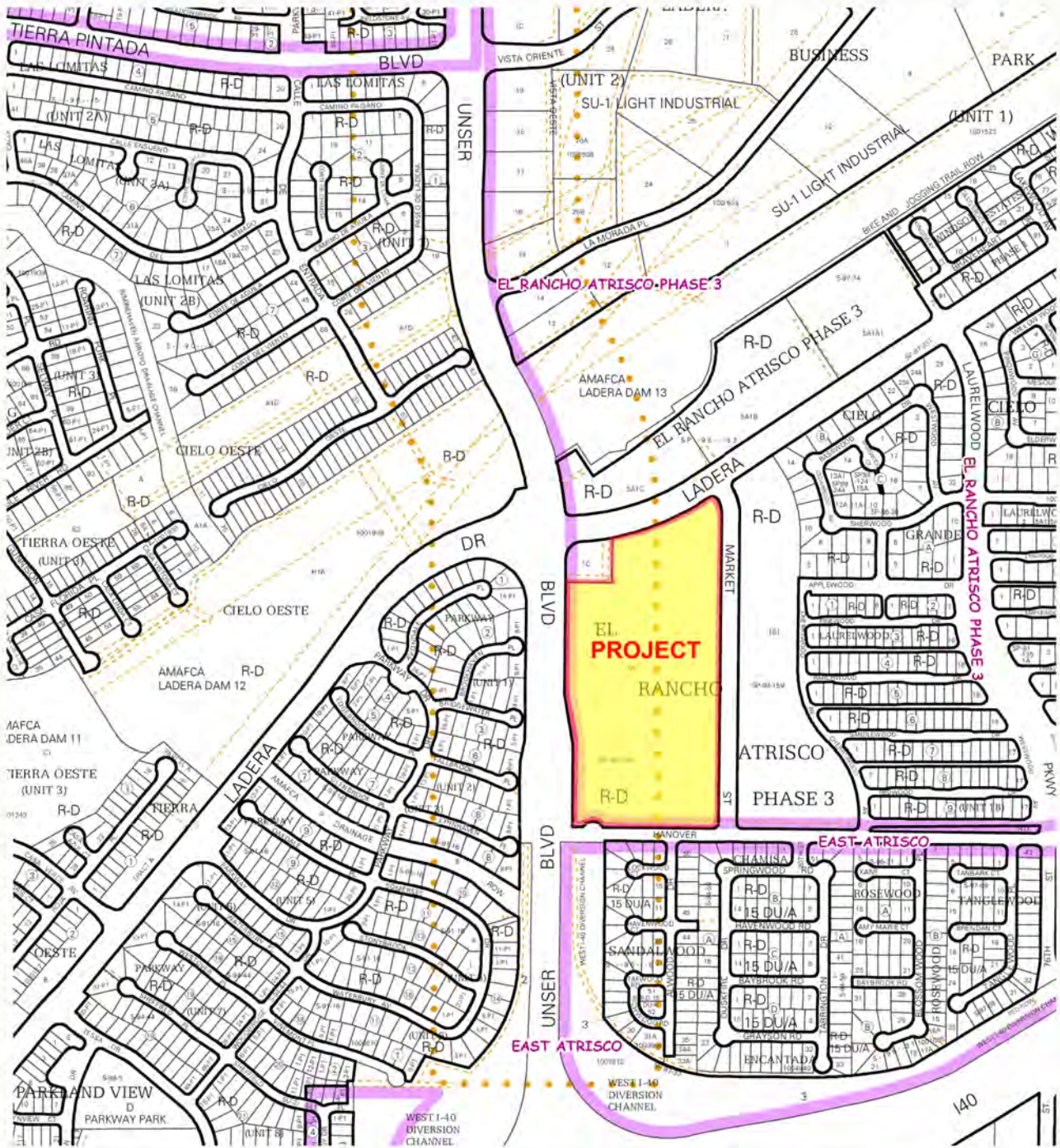
All design and construction of the project shall provide for adequate sight distances and driveways at existing and proposed intersections and driveways. All curb return radii shall be a minimum of 30 feet and shall accommodate maximum expected vehicle turning radii.

\*Require TCC approval.

## **Appendix**

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## **APPENDIX**



**AGIS**  
Albuquerque Geographic Information System

Map amended through: 1/10/2013



**Zone Atlas Pages:  
H-9, H-10, J-9 & J-10**

**Selected Symbols**

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone



## *Heritage Neighborhood Marketplace*

(Ladera Dr / Unser Blvd)

Aerial Photo

053

**SITE PLAN FOR SUBDIVISION - REQUIRED INFORMATION**

**THE SITE:**

The Site consists of approximately 20 acres. The property is bounded on the west by Unser Boulevard, to the north by Ladera Drive, to the east by Market Street, and to the south by Hanover Road. There is an existing out parcel at the southeast corner of Unser Boulevard and Ladera Drive developed with a gas station and convenience store.

**ZONING AND PROPOSED USE:**

The Site is zoned SU-2 /SU-1 Special Use for Neighborhood Commercial and Office Uses within the El Rancho Atrisco Phase III Sector Development Plan (1981). The site is a designated neighborhood activity center in the West Side Strategic Plan.

Development of the property can only occur through an approved site development plan as regulated by Section 14-16-2-22 of the Comprehensive City Zoning Code. Activities allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial zone and office uses.

A maximum of 50 percent (12.5 acres) of the original 25-acre site as referenced on Sheet 5 of the El Rancho Atrisco Phase III Sector Development Plan that is eligible for development with retail and service-type uses consistent with those of the C-1 zone. The existing gas station and convenience store located on Lot IC (.85 acres) toward the northwest corner of the original 25-acre site is considered "commercial development". As such, an additional 11.65 acres - may be developed with commercial uses pursuant to the C-1 zone.

The remaining area of the property can be developed with office or residential uses, or a combination thereof. Residential development on this portion shall be regulated by Section 14-16-2-16(A)(7) of the Comprehensive City Zoning Code.

**APPLICABLE PLANS:**

City of Albuquerque/Bernalillo County Comprehensive Plan (Rank I); West Side Strategic Plan (Rank II); and the El Rancho Atrisco Phase III Sector Development Plan (Rank III).

**PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS:**

**Vehicular Access and Circulation** - The proposed development has access to adjacent streets on all four sides of the property. The applicant has requested limited access to Unser Boulevard (a limited access principal arterial) that includes a right-in, right-out, and left-in access and an additional right-in, right-out access to serve the proposed development. There are existing access points on the north side of the property to Ladera Drive that are proposed to remain. Additional access is shown on Ladera Drive, Market Street, and Hanover Road. Final design and location of these access points will be determined by future Site Development Plans for Building Permit.

**Transit** - The property is currently served by two existing bus routes; 92 Taylor Ranch Express and 94 Unser Express. Both routes have a bus stop adjacent to the subject property. Route 92 also travels along Ladera Boulevard adjacent to the site and existing bus stops are east of Market Street. Unser and I-40 are designated Express Transit Corridors.

**Bicycle Facilities** - Unser Boulevard has on-street bike lanes and an off-street multi-use trail on the east side of the street. The Unser Trail connects to the I-40 Regional Trail that runs along the north side of Interstate 40.

**Pedestrian Facilities** - Internal sidewalk and pedestrian facilities will be designed consistent with the design guidelines included in this site plan and future site plans for building permits.

**BUILDING HEIGHTS AND SETBACKS:**

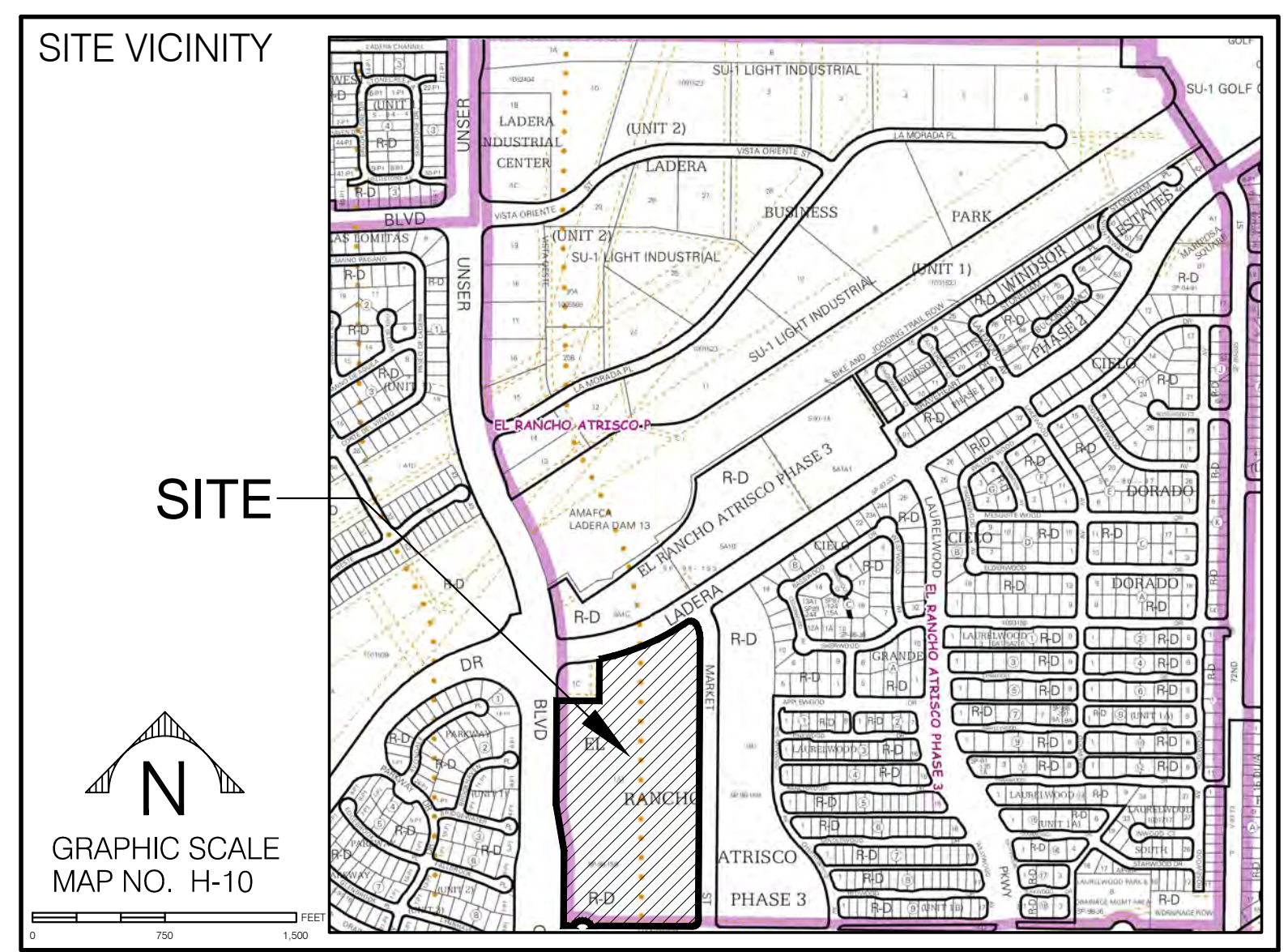
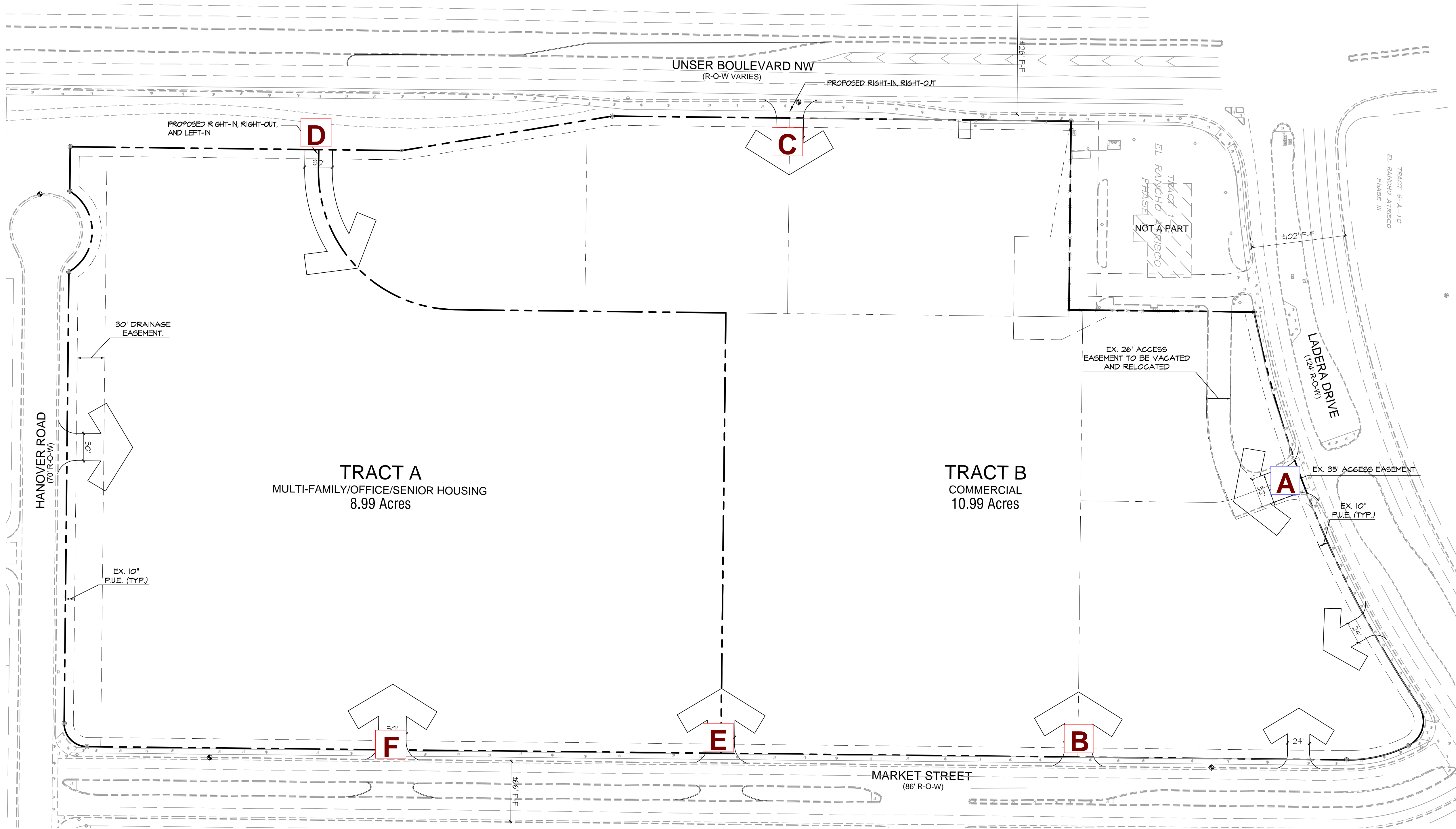
Buildings shall not exceed 26 feet in height except as provided in Section 14-16-3-3 of the Comprehensive City Zoning Code. Residential heights shall be as provided in the R-3 zone. Setbacks shall be as provided in the O-1 and R-3 zones as enumerated in the Comprehensive City Zoning Code. Specific design restrictions for new residential shall be as provided in the C-2 zone (specific to Activity Centers and Transit Corridors).

**MAXIMUM FAR/DENSITY:**

Commercial buildings shall not exceed a maximum FAR of .30. Residential shall be as provided in the C-2 Zone and shall have a minimum FAR of .3 and a maximum density of 30 dwelling units per acre.

**LANDSCAPE PLAN:**

Landscape plans shall be submitted with future Site Plans for Building Permit and shall be consistent with the Water Conservation Landscaping and Water Waste Ordinance, Pollen Control Ordinance, and the Design Standards (Sheet 2).



GENERAL NOTES:

PROJECT NUMBER:

Application Number:

Is an Infrastructure List required? ( ) Yes ( ) No If yes, then a set of approved DRC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

DRB SITE DEVELOPMENT PLAN APPROVAL:

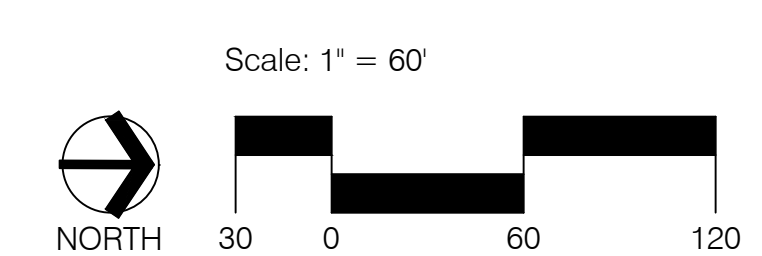
Traffic Engineering, Transportation Division	Date
ABCWUA	Date
Parks and Recreation Department	Date
City Engineer	Date
* Environmental Health Department-(conditional)	Date
Solid Waste Management	Date
DRB Chairperson, Planning Department	Date

# HERITAGE MARKETPLACE

## SITE PLAN FOR SUBDIVISION

Prepared For:  
**Garrett Development Corporation**  
 1130 Lanes End NW  
 Albuquerque, NM 87114

Prepared By:  
**Consensus Planning, Inc.**  
 Tierra West





CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

Unser & Ladera LLC (Agent, Consensus Planning) request a conditional use to allow a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera DR NW, zoned MX-L [Section 14-16-4-2]

Special Exception No:..... **VA-2021-00132**  
Project No: ..... **Project#2019-002291**  
Hearing Date: ..... 06-15-21  
Closing of Public Record: ..... 06-15-21  
Date of Decision: ..... 06-30-21

On the 15th day of June, 2021, Consensus Planning, agent for property owner Unser & Ladera LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow a drive-through facility (“Application”) upon the real property located at 1901 Ladera DR NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow a drive-through facility.
2. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: “*An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*”
  - 6-6(A)(3)(a) *It is consistent with the adopted ABC Comp Plan, as amended.*
  - 6-6(A)(3)(b) *It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in a prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above.*
  - 6-6(A)(3)(c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.*
  - 6-6(A)(3)(d) *It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.*
  - 6-6(A)(3)(e) *On a project site with existing uses, it will not increase non-residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.*
  - 6-6(A)(3)(f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation.*
3. The applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).



4. The applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
5. All property owners within 100 feet and affected neighborhood association(s) were timely notified.
6. The subject property is currently zoned MX-L.
7. City Transportation stated no objection to the Application.
8. The Subject Property is located at the northeast corner of Unser Boulevard NW and Ladera Drive NW, has an address of 1901 Ladera Drive NW, and is approximately 1.588 acres in size.
9. The Subject Property has vehicular access only from Ladera Drive, as vehicular access directly to or from Unser Blvd is currently prohibited.
10. The Subject Property is located in an area of consistency.
11. A Site Plan for Subdivision, approved by the City Development Review Board in 2017, governs the Subject Property. This Site Plan contemplates commercial use of the Subject Property.
12. The proposed Conditional Use was previously granted by the ZHE by a written Notification of Decision dated June 5, 2019, which approval has expired.
13. Based on evidence submitted by the Applicant, the requested conditional use is consistent with the ABC Comp. Plan, as amended. Specifically, applicant cited that the Subject Property is located along a major corridor and an area of change, where development is encouraged. Further, Applicant submitted evidence that the proposed conditional use furthers the following policies of the ABC Comp Plan:
  - a. Policy 5.1.12 (*Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways*), by proposing a drive-through auto-oriented use along Unser, which is a Commuter Corridor and a limited access roadway.
  - b. Policy 5.2.1 (*Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. . . . (h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development*), by creating infill development on a vacant property that is surrounded by developed subdivisions, apartment complexes, drainage facilities, and other commercial uses, while remaining consistent with surrounding commercial uses.
  - c. Policy 5.6.3 (*Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. . . . (b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.*), by developing a commercial use in an area designated for the same, rather than in outside a corridor and within a residential area.
14. Based on evidence submitted by the Applicant, the requested conditional use complies with all applicable provisions of the IDO, including, but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in any

prior permit or approval affecting the property. However, the conceptual site plan submitted by Applicant is preliminary in nature and Agent stated that it is subject to change. Therefore, it would be appropriate to require, as conditions of approval, that the Subject Property must comply with the Use-specific Standards for a Drive-through or Drive-up Facility under IDO Section 14-16-4-3(F)(4) and all applicable standards from Section 14-16-5-5 (Parking and Loading).

15. Based on evidence submitted by the Applicant, the requested conditional use will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.
16. Based on evidence submitted by the Applicant, the requested conditional use will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility. .
17. Applicant established that IDO Section 6-6(A)(3)(e) does not apply, because the project site has no existing uses. To the extent, if at all, that Section 6-6(A)(3)(e) applies, Applicant has met its burden of providing evidence that establishes that the requested Conditional Use approval will not increase non-residential activity within 300 feet of a lot in any residential zone district between the hours of 10:00 pm and 6:00 am. Specifically, Applicant submitted evidence that the Subject Property is more than 300 feet from the nearest lot in a Residential zone district, and therefore the proposed conditional use will not cause any increase in non-residential activity within that specified distance.
18. Based on evidence submitted by the Applicant, the requested conditional use proposed use will not negatively impact pedestrian or transit connectivity, as required by Section 14-16-6-6(A)(3)(f). Agent submitted evidence that public sidewalks along Unser Boulevard and Ladera Drive will not be negatively impacted by the proposed conditional use, nor will the nearest ABQ Ride bus stops, located approximately 500 feet to the south along Unser Boulevard and 900 feet east along Ladera Drive. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.
19. The ZHE finds that the proper “Notice of Hearing” signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
20. The ZHE finds that the Applicant has authority to pursue this Application.

DECISION:

APPROVAL WITH CONDITIONS of a conditional use to allow a drive-through facility.

CONDITIONS:

1. The Subject Property must comply with the Use-specific Standards for a Drive-through or Drive-up Facility under IDO Section 14-16-4-3(F)(4) and all applicable standards from Section 14-16-5-5 (Parking and Loading).
2. The Subject Property is limited to only one (1) drive-through facility.
3. Further development approvals are conditioned on Applicant or its agent providing a traffic impact study pursuant to Article 7-5(D) of the Development Process Manual, notwithstanding the thresholds or mitigation requirements in the Development Process Manual, which the City may use as the basis to require further mitigation of the traffic generated by the use through conditions of approval.

APPEAL:

If you wish to appeal this decision, you must do so by July 15, 2021 pursuant to Section 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.



---

Robert Lucero, Esq.  
Zoning Hearing Examiner

cc:

ZHE File  
Zoning Enforcement  
Consensus Planning, cp@consensusplanning.com  
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Frances Lujan, flujan3@msn.com



**REQUEST FOR SPECIAL EXCEPTION**

Variance 
  Conditional Use 
  Other 
 Interpreter:  Yes  No  
 VA# 2021-00132 PR# 2019-002291

<b>Date:</b> 5/3/2021		<b>Received By:</b> Charles Maestas	
<b>Address of Request:</b> 1901 LADERA DR NW			
City: Albuquerque	State: NM	Zip: 87120	
Lot: 5A1C2	Block: 0000	Zone: MX-L	Map page: H9
Subdivision: EL RANCHO ATRISCO PHASE 3		UPC# 100905949911241008	
<b>Property Owner(s):</b> Unser & Ladera LLC			
Mailing Address: 7620 Jefferson St NE			
City: Albuquerque	State: NM	Zip: 87109	
Phone: 505-858-0001	Email: wes@mdgrealestate.com		
<b>Agent:</b> Consensus Planning			
Mailing Address: 302 Eighth St NW			
City: Albuquerque	State: NM	Zip: 87102	
Phone: 505-764-9801	Email: cp@consensusplanning.com		
<b>Fee Total: \$ 260.00</b>			

**Completed Application Requirements:**

- o Copy of relevant IDO section
- o Letter of authorization (if agent representation)
- o Proof of Pre-application Meeting (not required for a variance)
- o Proof that neighborhood meeting requirements were met
- o Proof that public notice requirements were met
- o Photos (site and existing structures)
- o Sketch plan
- o Justification letter
- o Sign posting

**Approved for acceptance by:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Hearing Date:** JUN 15, 2021

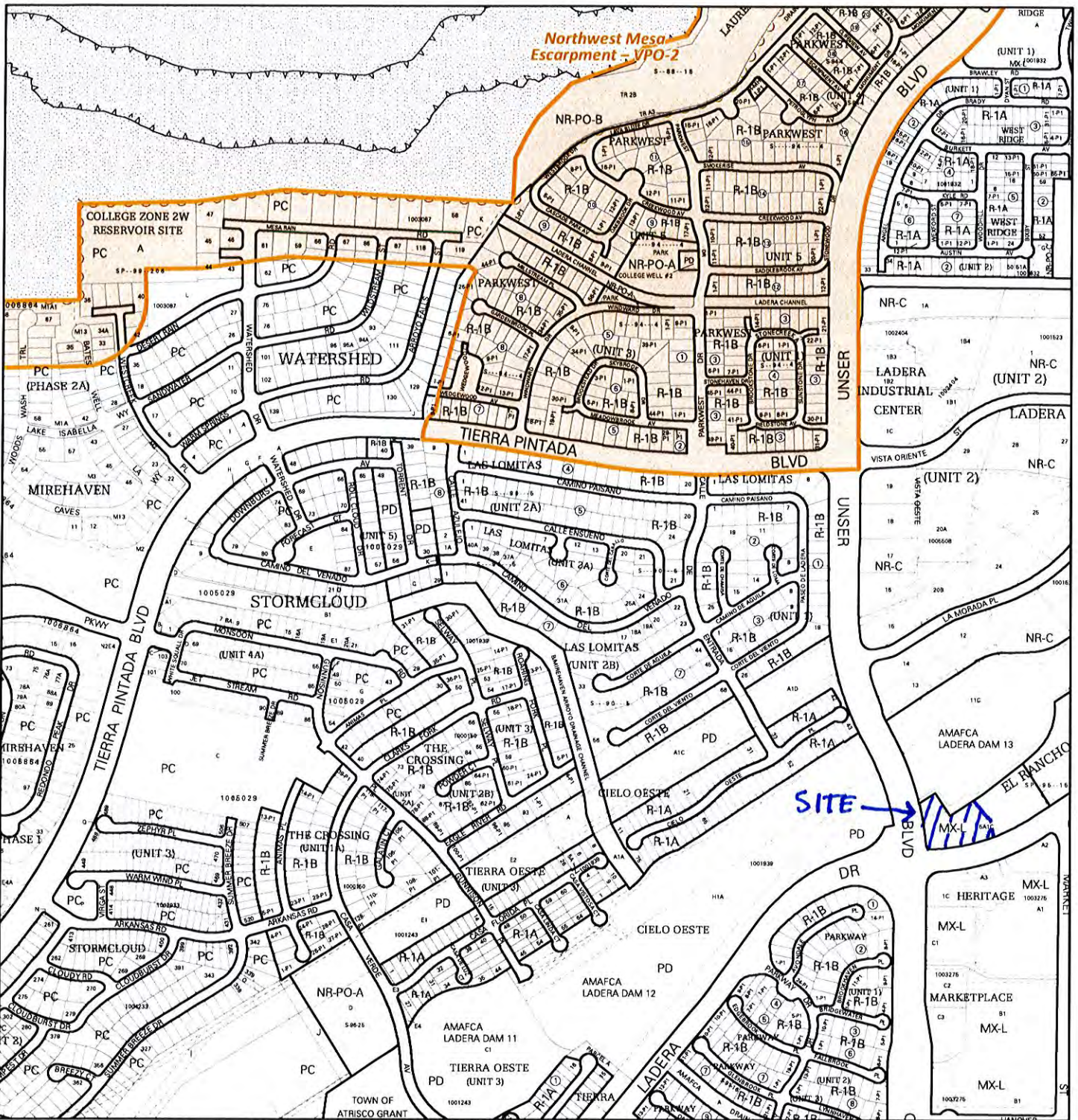
ZONING OFFICIAL USE ONLY			
<b>Request for exception to IDO Section: 14-16- 4-2 Table 4-2-1</b>			
<b>Description of request:</b> Conditional Use to allow a drive-through facility.			
<input checked="" type="checkbox"/> Ownership verified on AGIS	<input type="checkbox"/> Proof of ownership included	<input type="checkbox"/> Letter of authorization included	
Case history number(s) from AGIS: PR-2019-002291, 1003274			
APO: -	CPO# -	HPO# -	VPO# -
Wall variances not allowed in low-density residential development in these 2 areas per 5-7(D)(3)(e):			
1) CPO 3 and 2) Monte Vista / College View Historic Dist. - Mapped Area:			
2) CPO-8 states walls no more than 3 feet high, but may request a variance			

Part 14-16-4: Use Regulations

4-2: Allowable Uses

Table 4-2-1: Allowable Uses																			
P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory CV = Conditional if Structure Vacant for 5 years or more T = Temporary Blank Cell = Not Allowed																			
Zone District >>	Residential						Mixed-use				Non-residential						Use-specific Standards		
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	A		B	NR-PO
Drainage facility <sup>147</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	C	
Electric utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	4-3(E)(8)
Geothermal energy generation	A	A	A	A	A	A	A	A	A	A	A	P	P	P	A	A	A		4-3(E)(9)
Major utility, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	
Solar energy generation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	P	P	P	4-3(E)(10)
Wind energy generation							A	A	A	A	A	A	A	C	A	A	A		4-3(E)(11)
<b>Wireless Telecommunications Facility (WTF)</b>																			
Architecturally integrated	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			4-3(E)(12)
Collocation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				
Freestanding							P	P	P	P	P	P	P	A					
Public utility collocation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				
Roof-mounted			A		A	A	A	A	A	A	A	A	A	A					
Small cell <sup>148</sup>	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
<b>Waste and Recycling</b>																			
Recycling drop-off bin facility						A	A	A	A	A	P	P	P	P					4-3(E)(13)
Solid waste convenience center															P				4-3(E)(14)
Salvage yard												C	C	P					4-3(E)(15)
Waste and/or recycling transfer station															P				4-3(E)(16)
<b>Wholesaling and Storage</b>																			
Above-ground storage of fuels or feed													C	P					
Outdoor storage							CA	C	C	C	A	P	P						4-3(E)(17)
Warehousing								C	C	P	P	P	P						4-3(E)(18)
Wholesaling and distribution center								C	C	P	P	P	P						4-3(E)(19)
<b>ACCESSORY AND TEMPORARY USES</b>																			
<b>ACCESSORY USES</b>																			4-3(F)(1)
Agriculture sales stand	A	A	A	A	A	A	A	A	A	A	A	A	CA	CA			A		4-3(F)(2)
Animal keeping	A	A	A	A	A	A	A	A	A	A	A	A	A	A			CA		4-3(F)(3)
Automated Teller Machine (ATM)			A		A	A	A	A	A	A	A	A	A	A	T	T			
Drive-through or drive-up facility							CA	A	CA	A	A	A							4-3(F)(4)
Dwelling unit, accessory with kitchen <sup>149</sup>		A		A	A	A	A	A	A		A	A	A	A			A		4-3(F)(5)
Dwelling unit, accessory without kitchen <sup>150</sup>	CA	A		CA	A	A	A	A	A		A	A	A	A			A		4-3(F)(5)
Family care facility	A	A	A	A	A	A	A	A	A	A									4-3(F)(6)


<sup>147</sup> Added per EPC Condition #1 (Tech Edits).  
<sup>148</sup> Added per EPC Condition #1 (Tech Edits).  
<sup>149</sup> Revised per EPC Condition #14.a.  
<sup>150</sup> Revised from CA to A in R-1 per EPC Condition #1 (Tech Edits).



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>


## IDO Zone Atlas

### May 2018



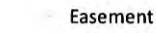







Albuquerque Geographic Information System

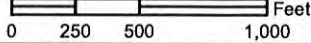
IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).



Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-09-Z**

-  Easement
-  Escarpment
-  Petroglyph National Monument
-  Areas Outside of City Limits
-  Airport Protection Overlay (APO) Zone
-  Character Protection Overlay (CPO) Zone
-  Historic Protection Overlay (HPO) Zone
-  View Protection Overlay (VPO) Zone



0 250 500 1,000 Feet

## Unser & Ladera, LLC

7620 Jefferson NE . Albuquerque, NM 87109 . 505-858-0001

March 15, 2021

Robert Lucero  
Zoning Hearing Examiner  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

RE: Unser & Ladera NEC – Request for Drive-through Conditional Use Approval

Dear Mr. Lucero:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as the agent for obtaining a Conditional Use to allow a drive-through to be developed at 1901 Ladera Drive NW located on the northeast corner of Ladera Drive and Unser Boulevard NW. The property is legally described as Tract 5A1C2, El Rancho Atrisco Phase III.

Thank you for your consideration.

Sincerely,



Steve Maestas  
Manager  
Unser & Ladera, LLC

# PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. ***PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval.*** Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).

**When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a \$50 PRT fee.**

<i>Official Use only</i>		
PA#: <u>21-035</u>	Received By: <u>Diego Ewell</u>	Date: <u>3/25/2021</u>
<b>APPOINTMENT DATE &amp; TIME:</b> <u>N/A</u>		

Applicant Name: Consensus Planning, Inc Phone#: 505-764-9801 Email: vos@consensusplanning.com

### PROJECT INFORMATION:

***For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.***

Size of Site: ~1.6 acres Existing Zoning: MX-L  Proposed Zoning: No change

Previous case number(s) for this site: Project #1003274

Applicable Overlays or Mapped Areas: NA

Residential – Type and No. of Units: NA

Non-residential – Estimated building square footage: ~10,000 sq.ft. (2 buildings) No. of Employees: Unknown at this time

Mixed-use – Project specifics: NA

### LOCATION OF REQUEST:

Physical Address: 1901 Ladera Dr. NW Zone Atlas Page (Please identify subject site on the map and attach) H-09

### BRIEFLY DESCRIBE YOUR REQUEST (What do you plan to develop on this site?)

The request is for a Conditional Use to allow a drive-up service window. Two commercial buildings are proposed, including retail and a drive-thru restaurant.

### QUESTIONS OR CONCERNS (Please be specific so that our staff can do the appropriate research)

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**Questions or Concerns**

What is allowed from a freestanding on-site signage standpoint? What if the parcel is subdivided, would each lot have the same signage allowance? What about building signage?

Any comments on proposed site plan?

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-035 Date: 4/7/21 Time: N/A (sent via email to [Vos@consensusplanning.com](mailto:Vos@consensusplanning.com) )

Address: 1901 Ladera Dr NW

### AGENCY REPRESENTATIVES

Planning: Linda Rumpf ([lrumpf@cabq.gov](mailto:lrumpf@cabq.gov))

Zoning/Code Enforcement: Carl Garcia ([cagarcia@cabq.gov](mailto:cagarcia@cabq.gov))

Fire Marshal: Antonio Chinchilla ([achinchilla@cabq.gov](mailto:achinchilla@cabq.gov)) or call 505-924-3611 (if needed)

Transportation: Jeanne Wolfenbarger ([jwolfenbarger@cabq.gov](mailto:jwolfenbarger@cabq.gov))

Hydrology: Ernest Armijo, P.E. ([earmijo@cabq.gov](mailto:earmijo@cabq.gov))

Solid Waste: Herman Gallegos ([hgallegos@cabq.gov](mailto:hgallegos@cabq.gov))

Water Authority: David Gutierrez - [dggutierrez@abcwua.org](mailto:dggutierrez@abcwua.org) or call 505.289.3307; 505.241.9630

### **PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!**

*THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL.*

*Additional research may be necessary to determine the exact type of application and/or process needed.  
Factors unknown at this time and/or thought of as minor could become significant as the case progresses.*

### REQUEST:

The request is for a Conditional Use to allow a drive-up service window. Two commercial buildings are proposed, including retail and a drive-thru restaurant.

### SITE INFORMATION:

Zone: MX-L

Size: 1.6 acres

Use: Commercial Services

Overlay zone: x

Comp Plan Area of: Consistency

Comp Plan Corridor: x

Comp Plan Center: x

MPOS or Sensitive Lands: x

Parking: 5-5

MR Area: x

Landscaping: 5-6

Street Trees: 5-6(D)(1)

Use Specific Standards: Allowable Uses, Table 4-2-1

Dimensional Standards: Table 5-1-2: Mixed-use Zone District Dimensional Standards

\*Neighborhood Organization/s: Westside Coalition of NAs; Ladera West NA

*\*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at [www.cabq.gov/neighborhoods.resources](http://www.cabq.gov/neighborhoods.resources).*

### PROCESS:

Type of Action: \*See Zoning comments

Review and Approval Body: \* Is this a PRT requirement? See Table 6-1-1

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-035 Date: 4/7/21 Time: N/A (sent via email)

Address: 1901 Ladera Dr NW

### NOTES:

See the **Integrated Development Ordinance**

<http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17.pdf>

### Download Forms & Applications

<https://www.cabq.gov/planning/online-forms>

### New Public Notice Forms

We have created forms for all email/mailed public notice and for Pre-submittal Neighborhood Meetings. Please complete these forms for public notice:

- Neighborhood Meeting - <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>
- Public Notice - <http://www.cabq.gov/planning/urban-design-development/public-notice>

### Records requests

To request a site plan and/or Notice of Decision, please use ABQ Records web page:

<https://www.cabq.gov/clerk/public-records>

Please include the site's address and the Case Tracking #s (see Zoning Comments) in your request.

### Requests to Inspect Public Records

Any person may submit their request to inspect public records to the Office of the City Clerk by clicking on the following link to request records using our ABQ Records portal. <https://cabq.nextrequest.com/>

This enables us to respond to requests in the order in which they are received. Plus, it's a better way to share large files.

- Linda Rumpf, [lrumpf@cabq.gov](mailto:lrumpf@cabq.gov)

### File Submittal

For Administrative Amendments, DRB, EPC, hydrology and traffic submittals, e-mail electronic files to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov). For questions about an application submittal or the submittal process itself, please contact Jay Rodenbeck at [jrodenbeck@cabq.gov](mailto:jrodenbeck@cabq.gov) and/or to Maggie Gould at [mgould@cabq.gov](mailto:mgould@cabq.gov).

For other questions, please contact the Planning representative at the top of the PRT Notes.

For Building Safety Plan Review, contact Building Safety at 924-3963. Website:

<https://www.cabq.gov/planning/building-safety-permits>

### Planning Comments

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-035 Date: 4/7/21 Time: N/A (sent via email)

Address: 1901 Ladera Dr NW

6-6(A) Conditional Use. Please contact the ZHE Planner for information on the CU. Lorena [lpatten-quintana@cabq.gov](mailto:lpatten-quintana@cabq.gov)

### Zoning Comments

#### PROPERTY INFORMATION

- Address: 1901 LADERA DR NW
- Lot: 5A1C2 Block: 0000
- Subdivision: EL RANCHO ATRISCO PHASE 3
- Type: Consistency
- Old Zoning Designation: SU-2
- Old Zoning Description: SU-1 FOR C-1 (NEIGHBORHOOD COMMERCIAL)
- On-Premises Signs (5-12) - Unser Boulevard Area
- IDO Zoning: MX-L
- Calculated GIS Acres: 1.6314

#### CASE HISTORY NUMBERS

- Case Number: 1003274 – Existing Site Plan on file  
AA Case: Y  
DRB Case: Y  
EPC Case: Y
- Application Date: 04/03/2019  
POSSE Project Number: PR-2019-002291  
POSSE Case Number: VA-2019-00130  
Legacy Project Number:  
Specific Case Type: Zoning Special Exception  
Case Subtype: ZHE Conditional Use

#### ALLOWABLE-PROPOSED USE(S) / USE SPECIFIC STANDARDS / DEFINITIONS

- Restaurant
- 4-3(D)(8) Bar, Nightclub, Restaurant, and Tap Room or Tasting Room – Use specific standards
- **Restaurant-**  
An establishment that serves food and beverages that are consumed on its premises by customers seated at tables and/or counters either inside or outside the building thereon and/or that may provide

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-035 Date: 4/7/21 Time: N/A (sent via email)

Address: 1901 Ladera Dr NW

customers with take-out service of food and/or non-alcoholic beverages for off-site consumption. Sale of alcoholic beverages is controlled by other provisions in this IDO and the New Mexico State statutes regarding alcoholic drink sales. See also Bar and Taproom or Tasting Room

- **Drive Through – Conditional Use**

- 4-3(F)(4) Drive-through or Drive-up Facility – Use specific standards

- **Drive-through or Drive-up Facility-**

Facilities associated with a primary use, including but not limited to banks, financial institutions, restaurants, dry cleaners, and drug stores, but not including car washes or light vehicle fueling, to offer goods and services directly to customers waiting in motor vehicles. See also Car Wash and Vehicle Definitions for Light Vehicle Fueling.

- **Retail Small – Permissive**

- 4-3(D)(36) General Retail – Use specific standards

- **General Retail-**

An establishment providing for the retail sale of general merchandise or food to the general public for direct use and not for wholesale; including but not limited to sale of general merchandise, clothing and other apparel, flowers and household plants that are not grown on-site, dry goods, convenience and specialty foods, hardware and similar consumer goods, marijuana for medical consumption, or other retail sales not listed as a separate use in Table 4-2-1. See also Adult Retail, Building and Home Improvement Materials Store, Large Retail Facility, Liquor Retail, and Grocery Store. General retail is divided into 3 categories based on the size of the establishment or use (not the size of the structure): 1. General Retail, Small: An establishment with no more than 25,000 square feet of gross floor area.

### DEVELOPMENT STANDARDS

- Site development  
or
- IDO

### YOUR QUESTIONS

- A Site Development Plan is on File with our office # 1003274
- The Site has been partially built-out, the burden is on the applicant to demonstrate if the Site Plan is valid per IDO section *6-4(X) EXPIRATION OF APPROVALS*
- If Site plan is valid, Sign regulations will be according to Site Plan.
- If Site plan is not valid, IDO will apply per section 5-12(F)(3)(F) – Unser Boulevard Area

### PROCESS

- 6-4(Z) if an amendment of prior approvals is required

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-035 Date: 4/7/21 Time: N/A (sent via email)

Address: 1901 Ladera Dr NW

- 6-6(l) Site plan DRB is Site Plan 1003274 is not valid due to major infrastructure.

*As always, if you have specific questions pertaining to zoning and/or development standards you are encouraged to reach out to the zoning counter at (505) 924-3857 option 1.*

### Transportation Development Comments

**For additional information contact Jeanne Wolfenbarger (924-3991) for discussion/comments.**

### Curb Cuts

- Follow DPM guidelines for commercial curb cuts.
- Location of drive with respect to intersection depends on classification of the street. (See attached table.) Classification of street is according to the Long Range Master Plan developed by MRCOG.

### Clear Sight Triangle at Access Points and Intersections

- Clear sight triangle (See attached hand-outs.) Nothing opaque should be in the triangle.

### Private Site and Parking Lot Design

- Follow DPM and IDO Guidelines for Site and Parking Lot Design. Current ADA standards must be followed including required number of handicapped parking spaces and drive aisles, ADA access to public right-of-way, and ADA access to on-site buildings.
- See the Traffic Circulation Layout (TCL) Checklist. A TCL is required for any change or addition to a building > 500 sq. ft. or if the parking or circulation is changed. (This includes a repaving of parking lot.) Drawing must be stamped by a registered engineer or architect.
- When developing a parking lot layout, include all dimensioning for construction purposes. Also include all curb, curb ramp and signage details.
- Parking Calculations must be provided and per the requirements in the IDO. Number of vehicular spaces, motorcycle spaces, and bicycle spaces shall be specified and follow IDO requirements.
- Demonstrate queuing capacity when needed in situations such as for drive-thru facilities. It is imperative to demonstrate that the queuing will not block accessways to the site or cause vehicles to back into the main roadway. Also, provide necessary one-way signage and pavement markings.
- **Shared access/parking agreement is required if access/parking is shared with parking lot adjacent to site. (This can be established on a plat if submittal of a plat is required or by an agreement.)**
- Existing driveways that are not being used are required to be removed and replaced with standard curb and sidewalk to match existing.

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-035 Date: 4/7/21 Time: N/A (sent via email)

Address: 1901 Ladera Dr NW

### Traffic Studies and Traffic Signals

1. **See the Traffic Impact Study (TIS) thresholds. In general, a minimum combination of 100 vehicles entering and exiting in the peak hour warrants a Traffic Impact Study. Visit with Traffic Engineer for determination, and fill out a TIS Form that states whether one is warranted. In some cases, a trip generation may be requested for determination.**

### Platting and Public Infrastructure Requirements for Roadways (If applicable)

1. When submitting to DRB, all public roadway improvements that are required shall be shown on an infrastructure list. Public improvements must be included on a public work order set of drawings.
2. All public roadway facilities must be within public right-of-way including the entire width of the public sidewalk, all public curb ramps, overhead utilities, traffic signals and lighting, etc.
3. Curb and sidewalk are required along entire frontage of property. Follow IDO/DPM for specific width requirements.
4. There is a Bikeway Master Plan that is prepared MRCOG which lays out proposed bicycle facilities including bicycle trails, bike lanes, and bike routes. The site would be required to provide such facilities along the site frontage if they have not been constructed yet. Right-of-way dedication would likely be required.
5. Depending on site's use of an adjacent alleyway and on type of use for proposed site, alleyway improvements are required. This would include paving and/or proper right-of-way dedication to meet current width standards.
6. For any private access easements on plats, all beneficiaries and maintenance responsibilities must be listed.
7. Due to sight distance concerns and to construct sufficient curb ramps, right-of-way dedication is required to add curves to corners of properties at intersections if they are not already developed. See Table 23.3 of the DPM.
8. Any private structures that are located within public right-of-way such as fences and walls shall either be removed or else a revocable permit with the City is required in which an annual fee is paid per year, based on square footage of the encroachment.

*If you would have additional questions or would like to schedule a follow-up Zoom meeting please contact Linda Rumpf at [lrumpf@caba.gov](mailto:lrumpf@caba.gov)*

Figure 3.9.5-2 Intersection Sight Distance

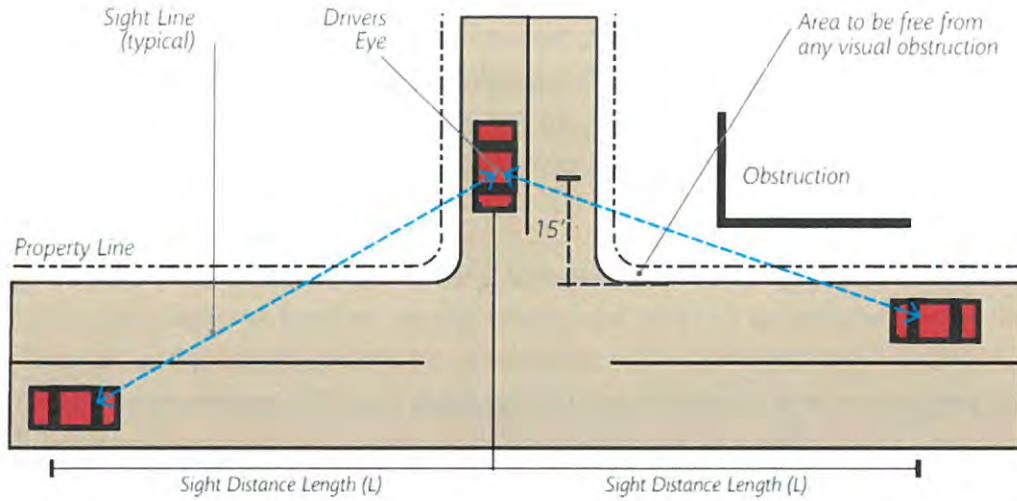


Table 3.9.5-2 Minimum Intersection Sight Distance

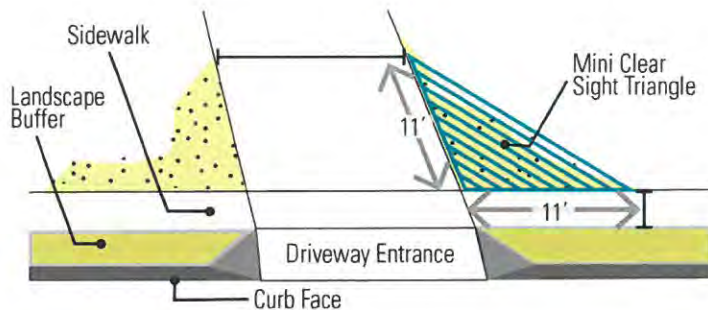
Speed Limit (mph)	Minimum Intersection Sight Distance (ft)					
	2 Lane Undivided		3 Lane Undivided or 2 Lane Divided w/ 12' Median		4 Lane Undivided	
	Left Turn	Right Turn	Left Turn	Right Turn	Left Turn	Right Turn
20	230	200	240	200	250	200
25	280	240	300	240	320	240
30	340	290	360	290	380	290
35	390	340	420	340	440	340
40	450	390	480	390	500	390
45	500	430	530	430	570	430
50	560	480	590	480	630	480



### 3.9.5.4 Mini Clear Sight Triangle

Driveways need to maintain the mini sight triangle as shown in Figure 3.9.5-3. This triangle starts at the sidewalk and measures 11 feet on a side.

**Figure 3.9.5-3 Mini Clear Sight Triangle**



### 3.9.5.5 Visibility for Site Entrances and Driveways

Site entrances and driveways shall be designed to preserve the clear sight triangle free of visual obstruction as described in section 3.9.5.3 and 3.9.5.4 above.

### 3.9.5.6 Sight Distance Note

The following note is required in all site plans: Landscaping, signage, walls, fences, trees, and shrubbery between three (3') and eight feet (8') tall (as measured from the gutter pan) are not allowed within the clear sight triangle.

### 3.9.5.7 Objects Permitted in the Clear Sight Triangle

Objects, that may be located in the sight triangle, include, but are not limited to, hydrants, utility poles, utility junction boxes, and traffic control devices provided these objects are located to minimize visual obstruction. Objects under eight inches (8") wide may be allowed.

**From:** [Sanchez, Suzanna A.](#)  
**To:** [Omega Delgado](#)  
**Subject:** FW: ZHE Contacts for Ladera  
**Date:** Wednesday, March 17, 2021 7:14:47 PM  
**Attachments:** [1. Letter to Neighborhood Association.pdf](#)  
[2. Letter to Property Owners-May.pdf](#)

Dear Applicant,

1. Below are the neighborhood associations that need to be notified of your ZHE application. Please fill in and forward the attached *1. Letter to Neighborhood Association* to the email addresses below.

Association Name	First Name	Last Name	Email	Alternative Email	Address Line 1	City	State	Zip
Laurelwood NA	Frank	Comfort	fcomfort@aol.com		7608 Elderwood Drive NW	Albuquerque	NM	87120
Laurelwood NA	Alex	Maller	alexmaller9@gmail.com		7609 Lynwood Drive NW	Albuquerque	NM	87120
Tres Volcanes NA	Thomas	Borst	t0m2pat@yahoo.com		1908 Selway Place NW	Albuquerque	NM	87120
Tres Volcanes NA	Rick	Gallagher	randm196@gmail.com		8401 Casa Gris Court NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	land@trna.org	5515 Palomino Drive NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	ekhaley@comcast.net		6005 Chaparral Circle NW	Albuquerque	NM	87114
Ladera West NA	Steven	Collins	slcnaibq@aol.com		7517 Vista Alegre Street	Albuquerque	NM	87120
Ladera West NA	Karen	Buccola	kbucco@comcast.net		7716 Santa Rosalia NW	Albuquerque	NM	87120

2. Below is a list of property owners within 100+ feet of the subject property. Please fill in and mail the attached, *2. Letter to Property Owners- May*. Also, please provide proof that the letters were sent. Proof can be either a receipt for postage stamps purchased or a photo of the addressed envelopes.

Owner	OWNADD	OWNADD2
DIAMOND SHAMROCK REFINING & MARKETING CO C/O AD VALOREM TAX DEPARTMENT	PO BOX 690110	SAN ANTONIO TX 78269-0110
2004 WAKIMOTO FAMILY LP C/O WAL-MART PROPERTY TAX DEPT STORE #87370	PO BOX 8050	BENTONVILLE AR 72716-8050
2004 WAKIMOTO FAMILY LP C/O WAL-MART PROPERTY TAX DEPT STORE #87370	PO BOX 8050	BENTONVILLE AR 72716-8050
YELLEN STUART & ANN TRUSTEES YELLEN FAMILY 1999 TRUST	4629 CASS ST #199	SAN DIEGO CA 92109-2805
UNSER/98TH STREET PARTNERSHIP LLC	PO BOX 90548	ALBUQUERQUE NM 87199-0548
UNSER & LADERA LLC	6801 JEFFERSON ST NE SUITE 300	ALBUQUERQUE NM 87109-4379
TITAN LADERA SS LLC	6300 RIVERSIDE PLAZA LN NW SUITE 200	ALBUQUERQUE NM 87120-2617

Thank you,

Suzie



**SUZIE SANCHEZ**  
 zhe administrative assistant  
 o 505.924.3894  
 e [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)  
[cabq.gov/planning](http://cabq.gov/planning)

**From:** [Michael Vos](#)  
**To:** [fcomfort@aol.com](mailto:fcomfort@aol.com); [alexmaller9@gmail.com](mailto:alexmaller9@gmail.com); [t0m2pat@yahoo.com](mailto:t0m2pat@yahoo.com); [randm196@gmail.com](mailto:randm196@gmail.com); [Rene" Horvath](#); [land@trna.org](mailto:land@trna.org); [ekhaley@comcast.net](mailto:ekhaley@comcast.net); [slcna1bq@aol.com](mailto:slcna1bq@aol.com); [kbucco@comcast.net](mailto:kbucco@comcast.net)  
**Cc:** [Omega Delgado](#); [Wes Butero](#); [Jim Strozier](#)  
**Subject:** Neighborhood Meeting Notice for 1901 Ladera Drive NW  
**Date:** Friday, March 19, 2021 3:15:00 PM  
**Attachments:** [Neighborhood Association Package Unser&Ladera.pdf](#)

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Dear Neighborhood Representative,

This email is notification that Consensus Planning is preparing an application on behalf of Maestas Development Group concerning the 1.6-acre property located on the northeast corner of Ladera Drive and Unser Boulevard (Please see attached). The property is zoned MX-L, which allows a drive-up service window in conjunction with a restaurant as an Accessory Conditional Use under the IDO. The application will be to the Zoning Hearing Examiner (ZHE) for a conditional use in MX-L Zone to allow the drive-up service window.

We previously notified your Associations of this request on this property two years ago; at which time the Conditional Use was approved by the Zoning Hearing Examiner. However, the approval expired last year as development had not yet begun, so we are reapplying under the newer 2019 version of the Integrated Development Ordinance (IDO). Additional required information is attached to this email.

Per the IDO, you may request a meeting regarding this project by replying to this email; [vos@consensusplanning.com](mailto:vos@consensusplanning.com) or by phone (505) 764-9801. A meeting request must be received no later than 15 days after this notification or by April 3, 2021, and a meeting will be scheduled within 30 days of the request. If you do not want to meet, or support the project, please let me know.

Sincerely,  
**Michael Vos, AICP**  
**CONSENSUS PLANNING, INC.**  
302 Eighth Street NW  
Albuquerque, NM 87102  
phone (505) 764-9801  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)



**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



<b>PART I - PROCESS</b>	
Use <a href="#">Table 6-1-1</a> in the Integrated Development Ordinance (IDO) to answer the following:	
Application Type: Conditional Use	
Decision-making Body: Zoning Hearing Examiner	
Pre-Application meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Neighborhood meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailed Notice required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Electronic Mail required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this a Site Plan Application:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Note: if yes, see second page</b>
<b>PART II – DETAILS OF REQUEST</b>	
Address of property listed in application: 1901 Ladera Drive NW, Albuquerque, NM 87120	
Name of property owner: Unser and Ladera, LLC	
Name of applicant: Maestas Development Group	
Date, time, and place of public meeting or hearing, if applicable:	
Address, phone number, or website for additional information: Michael Vos, Senior Planner, AICP, Consensus Planning, Inc. (505)764-9801	
<b>PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE</b>	
<input checked="" type="checkbox"/> Zone Atlas page indicating subject property.	
<input checked="" type="checkbox"/> Drawings, elevations, or other illustrations of this request.	
<input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable.	
<input checked="" type="checkbox"/> Summary of request, including explanations of deviations, variances, or waivers.	
<b>IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO <a href="#">SUBSECTION 14-16-6-4(K)</a> OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.</b>	

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

\_\_\_\_\_ (Applicant signature) 3/18/2021 (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



<b>PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY</b>
Provide a site plan that shows, at a minimum, the following:
a. Location of proposed buildings and landscape areas.
b. Access and circulation for vehicles and pedestrians.
<input type="checkbox"/> c. Maximum height of any proposed structures, with building elevations.
<input type="checkbox"/> d. For residential development: Maximum number of proposed dwelling units.
<input type="checkbox"/> e. For non-residential development: Total gross floor area of proposed project. Gross floor area for each proposed use.

**REQUEST FOR NEIGHBORHOOD MEETING**

Date: March 18, 2021

To Whom This May Concern:

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a conditional use or variance to allow for a drive-up service window.

\_\_\_\_\_ (summary of request).

Property owner Unser and Ladera, LLC

Agent if applicable Consensus Planning, Inc.

Property Address 1901 Ladera Drive NW, Albuquerque, NM, 87120 (zip code).

This letter is an offer to meet with you to provide additional information. If you wish to meet, please respond within 15 days. If you do not want to meet, or you support the proposal, please let me know.

Thank you,

Applicant Name Maestas Development Group

Email vos@consensusplanning.com and cp@consensusplanning.com

Phone Number 505-764-9801

The City may require the applicant to attend a City-sponsored facilitated meeting with the Neighborhood Associations whose boundaries include or are adjacent to the proposed project, based on the complexity and potential impacts of a proposed project. For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).

Please note: "You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.

[Note: Items with an asterisk (\*) are required.]

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: March 18, 2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: See attached list

Name of NA Representative\*: See attached list

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: See attached list

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: vos@consensusplanning.com and cp@consensusplanning.com

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:

\_\_\_\_\_

### Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* 1901 Ladera Drive NW, Albuquerque, 87120  
Location Description Northeast corner of Ladera Drive and Unser Boulevard
2. Property Owner\* Unser and Ladera, LLC
3. Agent/Applicant\* [if applicable] Consensus Planning, Inc.
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - Conditional Use Approval
  - Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)  
Site Plan
  - Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (\*) are required.]

- Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- Variance
- Waiver
- Zoning Map Amendment
- Other: \_\_\_\_\_

Summary of project/request<sup>3\*</sup>:

MX-L allows a drive-up service window in conjunction with a restaurant as an Accessory Conditional Use. This request is to allow for the drive-up service window.

5. This type of application will be decided by<sup>\*</sup>:  City Staff  
 OR at a public meeting or hearing by:
- Zoning Hearing Examiner (ZHE)  Development Review Board (DRB)
  - Landmarks Commission (LC)  Environmental Planning Commission (EPC)
  - City Council
6. Where more information about the project can be found<sup>\*4</sup>:  
Requests for more information can be directed to vos@consensusplanning.com.

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>\*5</sup> H-09-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: See attached Site Plan
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:  
 Deviation(s)       Variance(s)       Waiver(s)  
 Explanation:  
None anticipated at this time.
4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)<sup>\*</sup>:  Yes     No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>



[Note: Items with an asterisk (\*) are required.]

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum:
  - a. Location of proposed buildings and landscape areas.\*
  - b. Access and circulation for vehicles and pedestrians.\*
  - c. Maximum height of any proposed structures, with building elevations.\*
  - d. **For residential development\***: Maximum number of proposed dwelling units.
  - e. **For non-residential development\***:
    - Total gross floor area of proposed project.
    - Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:
    - a. Area of Property [typically in acres] 1.6 acres
    - b. IDO Zone District MX-L: Mixed-Use, Low Intensity
    - c. Overlay Zone(s) [if applicable] \_\_\_\_\_
    - d. Center or Corridor Area [if applicable] \_\_\_\_\_
  2. Current Land Use(s) [vacant, if none] Vacant
- 

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

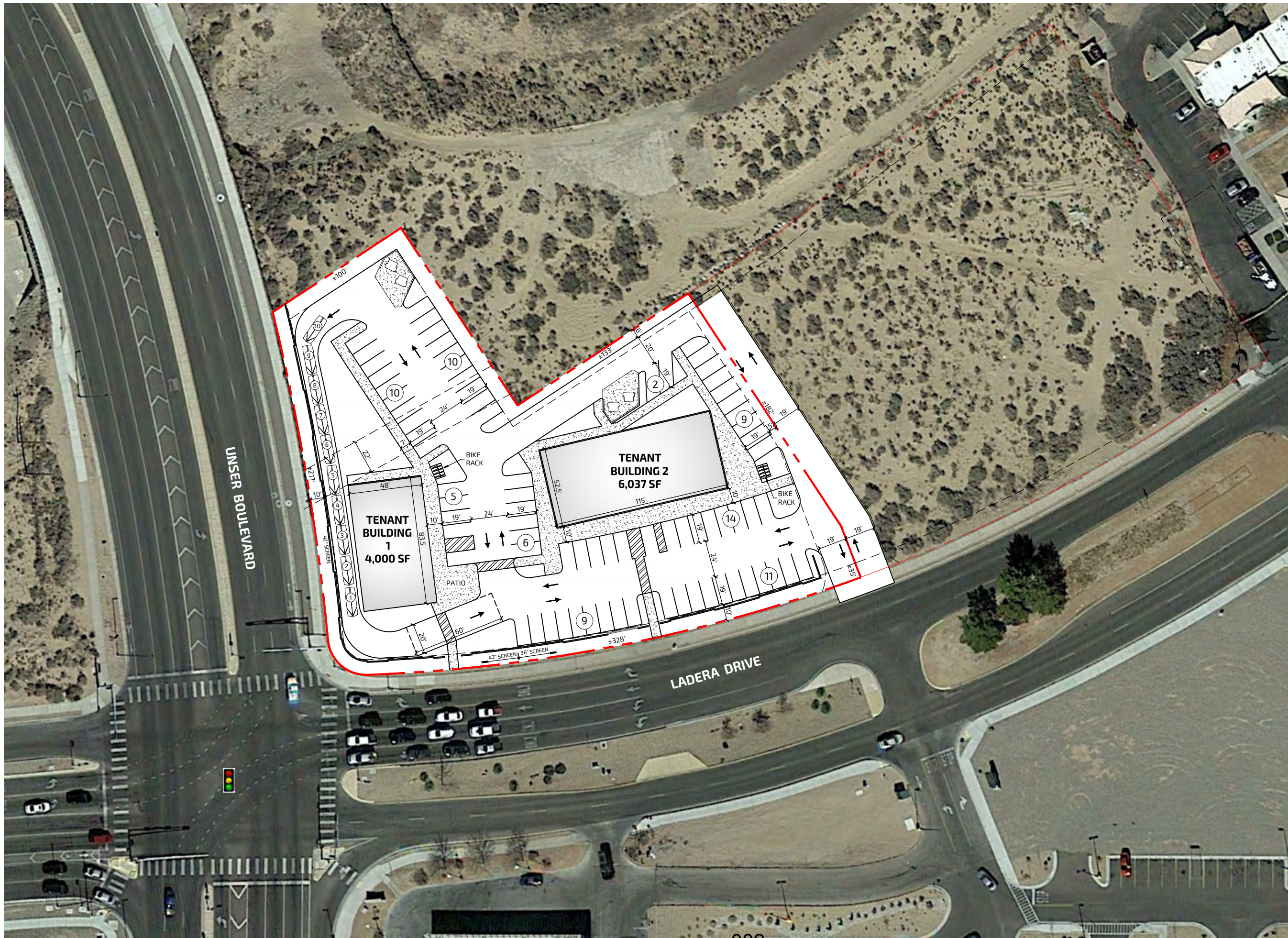
<https://tinyurl.com/IDOzoningmap>

Cc: Laurelwood Neighborhood Association [Other Neighborhood Associations, if any]  
Tres Volcanes Neighborhood Association  
Westside Coalition of Neighborhood Associations  
Ladera West Neighborhood Association

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<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

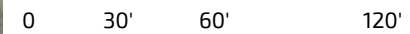
Association Name	First Name	Last Name	Email	Alternative Email	Address Line 1	City	State	Zip
Laurelwood NA	Frank	Comfort	<a href="mailto:fcomfort@aol.com">fcomfort@aol.com</a>		7608 Elderwood Drive NW	Albuquerque	NM	87120
Laurelwood NA	Alex	Maller	<a href="mailto:alexmaller9@gmail.com">alexmaller9@gmail.com</a>		7609 Lynwood Drive NW	Albuquerque	NM	87120
Tres Volcanes NA	Thomas	Borst	<a href="mailto:t0m2pat@yahoo.com">t0m2pat@yahoo.com</a>		1908 Selway Place NW	Albuquerque	NM	87120
Tres Volcanes NA	Rick	Gallagher	<a href="mailto:randm196@gmail.com">randm196@gmail.com</a>		8401 Casa Gris Court NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Rene	Horvath	<a href="mailto:aboard111@gmail.com">aboard111@gmail.com</a>	<a href="mailto:land@trna.org">land@trna.org</a>	5515 Palomino Drive NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	<a href="mailto:ekhaley@comcast.net">ekhaley@comcast.net</a>		6005 Chaparral Circle NW	Albuquerque	NM	87114
Ladera West NA	Steven	Collins	<a href="mailto:slcnalbq@aol.com">slcnalbq@aol.com</a>		7517 Vista Alegre Street	Albuquerque	NM	87120
Ladera West NA	Karen	Buccola	<a href="mailto:kbucco@comcast.net">kbucco@comcast.net</a>		7716 Santa Rosalia NW	Albuquerque	NM	87120



**SITE DATA**

SITE AREA	±1.588 AC
BUILDING	4,000 SF - TENANT 1 6,037 SF - TENANT 2 10,116 SF - TOTAL
PARKING	76 SPACES
RATIO	7.5 / 1,000

NORTH



SCALE: 1" = 60' PRINT 11X17

project

**ALBUQUERQUE,  
NEW MEXICO**

LADERA DRIVE AND  
UNSER BOULEVARD

drawing title

**PROPOSED  
SITE PLAN**

date drawing no.

04.02.2019

**1.3**

**From:** [fcomfort@aol.com](mailto:fcomfort@aol.com)  
**To:** [Michael Vos](mailto:Michael.Vos); [alexmaller9@gmail.com](mailto:alexmaller9@gmail.com); [t0m2pat@yahoo.com](mailto:t0m2pat@yahoo.com); [randm196@gmail.com](mailto:randm196@gmail.com); [aboard111@gmail.com](mailto:aboard111@gmail.com); [land@trna.org](mailto:land@trna.org); [ekhaley@comcast.net](mailto:ekhaley@comcast.net); [slcnalbg@aol.com](mailto:slcnalbg@aol.com); [kbucco@comcast.net](mailto:kbucco@comcast.net)  
**Cc:** [Omega Delgado](mailto:Omega.Delgado); [wes@mdgrealestate.com](mailto:wes@mdgrealestate.com); [Jim Strozier](mailto:Jim.Strozier); [laurelwoodna@gmail.com](mailto:laurelwoodna@gmail.com); [nelsondag@aol.com](mailto:nelsondag@aol.com); [candypatt50@gmail.com](mailto:candypatt50@gmail.com); [beckyalvarado831@gmail.com](mailto:beckyalvarado831@gmail.com); [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)  
**Subject:** RE: Neighborhood Meeting Notice for 1901 Ladera Drive NW  
**Date:** Thursday, March 25, 2021 4:38:07 PM

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Mr Vos,

Thank you for the notification in regards to the subject property.

Yes we would like a facilitated meeting in reference to the property.

Please let us know as soon as possible when the meeting is scheduled so we have enough time to notify our Community.

Would you please include a current Traffic Impact Study of the area that includes Marketplace entry/exits, Ladera East/West, Unser North/South and Market St. Also can you include an updated/aerial view of the total area that shows the Unser/Ladera intersection, Marketplace area and Extra Space Storage that will give us better perspective on your proposed development. The one that was submitted doesn't show the current development.

I did not see a notification from you on the Laurelwood Neighborhood Associations email site - [laurelwoodna@gmail.com](mailto:laurelwoodna@gmail.com)

Please include the Laurelwood Neighborhood Association in all future correspondence. The Neighborhood's information is current at ONC.

Looking forward to hearing from you soon.

Thank you  
Frank Comfort  
President  
Laurelwood Neighborhood Association  
2003 Pinonwood NW  
Albuquerque, NM 87120  
[laurelwoodna@gmail.com](mailto:laurelwoodna@gmail.com)  
505-321-6886

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On Friday, March 19, 2021 Michael Vos <[Vos@consensusplanning.com](mailto:Vos@consensusplanning.com)> wrote:

Dear Neighborhood Representative,

This email is notification that Consensus Planning is preparing an application on behalf of Maestas Development Group concerning the 1.6-acre property located on the northeast corner of Ladera Drive and Unser Boulevard (Please see attached). The property is zoned MX-L, which allows a drive-up service window in conjunction with a restaurant as an Accessory Conditional Use under the IDO. The application will be to the Zoning Hearing Examiner (ZHE) for a conditional use in MX-L Zone to allow the drive-up service window.

We previously notified your Associations of this request on this property two years ago; at which time the Conditional Use was approved by the Zoning Hearing Examiner. However, the approval expired last year as development had not yet begun, so we are reapplying under the newer 2019 version of the Integrated Development Ordinance (IDO). Additional required information is attached to this email.

Per the IDO, you may request a meeting regarding this project by replying to this email; [vos@consensusplanning.com](mailto:vos@consensusplanning.com) or by phone (505) 764-9801. A meeting request must be received no later than 15 days after this notification or by April 3, 2021, and a meeting will be scheduled within 30 days of the request. If you do not want to meet, or support the project, please let me know.

Sincerely,

**Michael Vos, AICP**

**CONSENSUS PLANNING, INC.**

302 Eighth Street NW

Albuquerque, NM 87102

phone (505) 764-9801

[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

Neighborhood Meeting

4/6/21

# Unser and Ladera Conditional Use Approval

# Location

- Northeast corner of Unser Boulevard and Ladera Drive NW
- MX-L (Mixed-use Low Intensity) Zoning
- Proposing a Drive-through facility as part of a new retail/restaurant development
- Existing shared access from Ladera with the adjacent self storage facility, which includes a left turn lane on Ladera



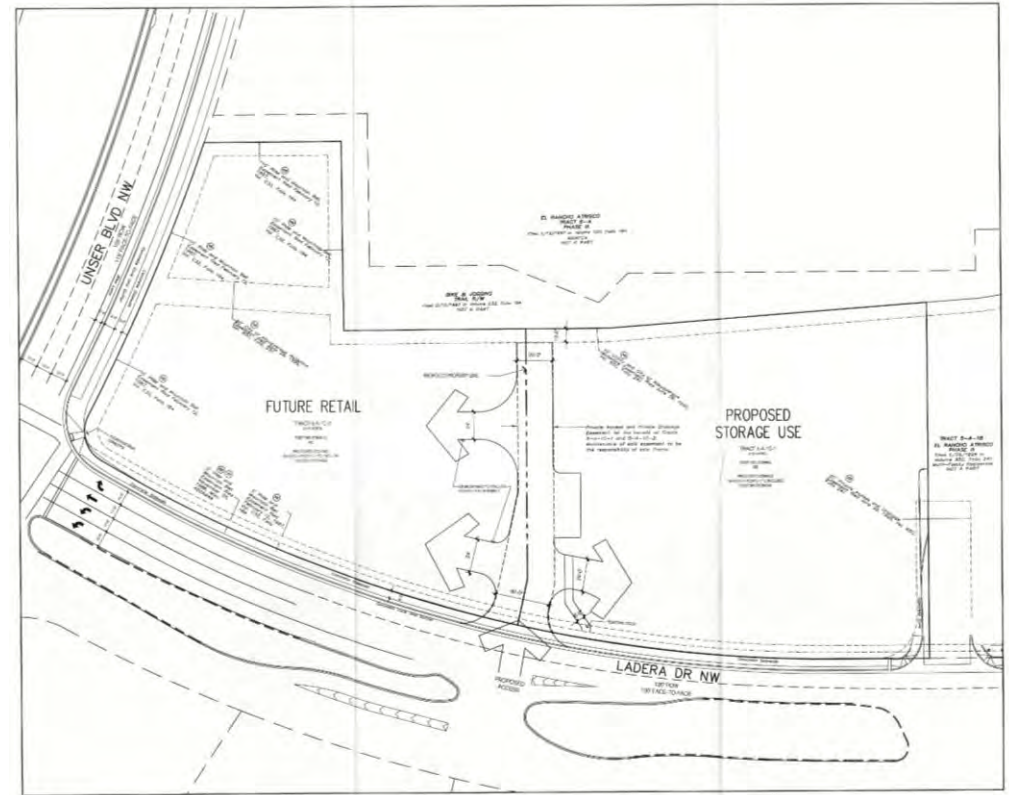
# History

- Originally zoned R-D for multi-family apartments (an extension of what was developed to the east) in the El Rancho Atrisco Phase III Sector Plan.
- A Zoning Map Amendment was approved in 2017 that changed the zoning to SU-1 for C-1 to include Indoor Storage.
- A Site Plan for Subdivision for the entire site and Site Plan for Building Permit for the self storage facility were approved with the zone change.
- The zoning was converted to MX-L (C-1 equivalent) upon the effective date of the Integrated Development Ordinance in 2018.
- A Conditional Use was approved for a drive-through facility in 2019, but the approval expired before construction.



# Site Plan for Subdivision

- Remains valid until at least 2024 under IDO Section 1-10(A).
- Specifically excludes development of gas stations or residential uses.
- Commercial tract building height limited to 26 feet tall.
- Includes design standards, such as landscaping, screening, and a color palette as well as specific design standards for drive up service windows.

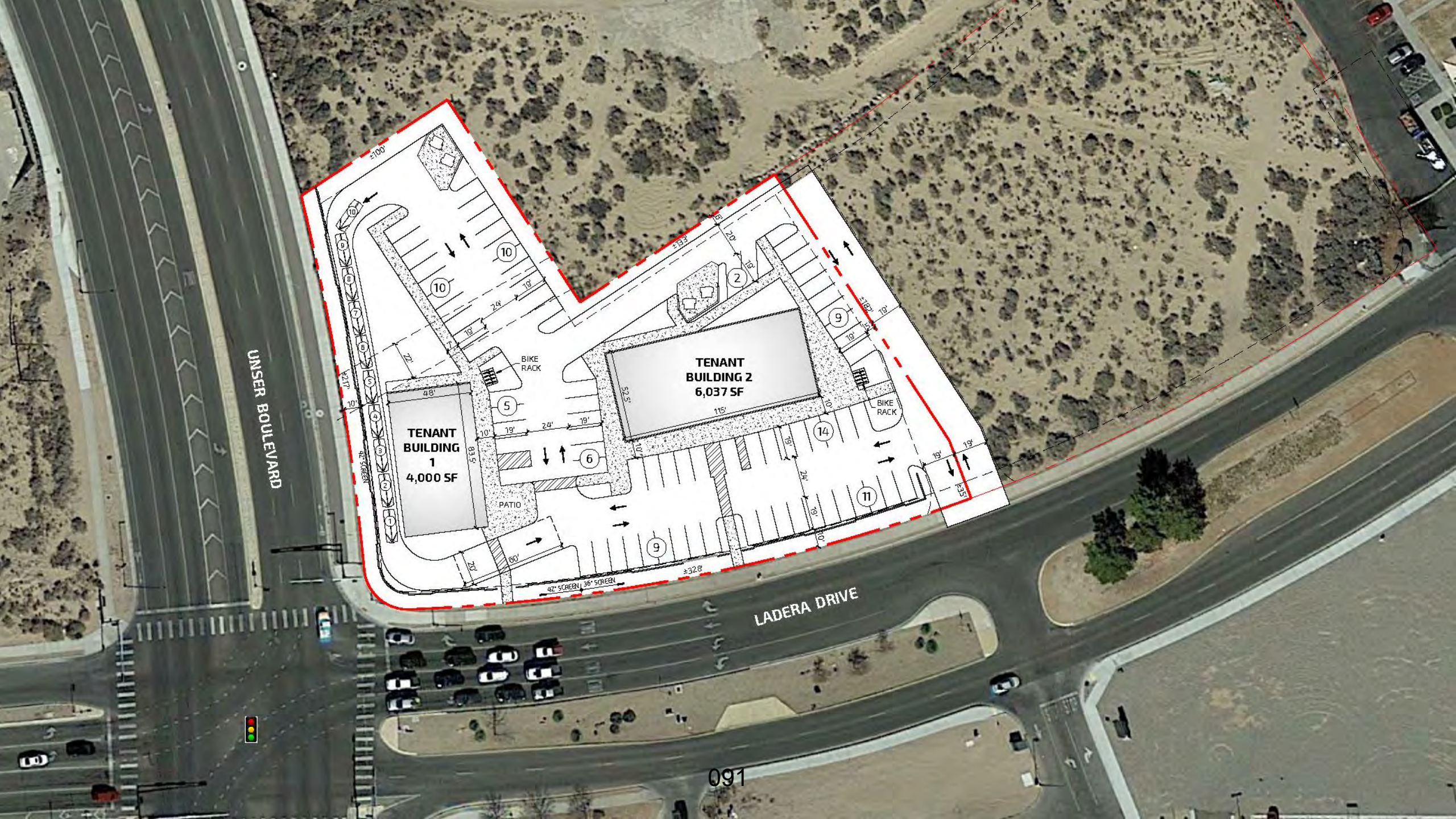


# Drive-through Facility

- Requesting approval for a drive-through to support a restaurant in this commercial development.
- Drive-throughs are a Conditional Accessory Use in the MX-L zone.
- A screen wall and landscaping to be placed along the adjacent street frontages.
- Conditional Use request is heard by the Zoning Hearing Examiner (ZHE).
- The ZHE heard and approved a request for a drive-through on this property in May 2019.
- Approval expired in May 2020, so the Applicant is reapplying to the City of Albuquerque.

# Application Timeline

- Anticipating making an application on May 4<sup>th</sup>
- ZHE Public Hearing will be on Tuesday, June 15<sup>th</sup> beginning at 9:00 AM
- Hearings are currently virtual via Zoom and the link and call-in numbers will be provided in the notification of the application.



UNSER BOULEVARD

LADERA DRIVE

TENANT BUILDING 1  
4,000 SF

TENANT BUILDING 2  
6,037 SF



# Questions?

Jim Strozier, FAICP

Principal

[cp@consensusplanning.com](mailto:cp@consensusplanning.com)

OR

Michael Vos, AICP

Senior Planner

[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

Consensus Planning, Inc.

(505) 764-9801

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

**Project #:** Pre-application.

**Property Description/Address:** 1901 Ladera Cr. NW, ABQ NM 87120

**Date Submitted:** April 7, 2021

**Submitted By:** Philip Crump and Jocelyn M. Torres

**Meeting Date/Time:** April 6, 2021, 5:00 – 7:00 PM

**Meeting Location:** Conducted via Zoom

**Facilitator:** Philip Crump

**Co-facilitator:** Jocelyn M. Torres

**Applicant:** Steve Maestas, Maestas Development Group

**Agent** – Michael Vos and Jim Strozier, Consensus Planning

**Neighborhood Associations/Interested Parties** - Laurelwood NA, Tres Volcanes NA, Westside Coalition of Neighborhood Associations, Ladera West NA, Neighbors

**Background/Meeting Summary:** Maestas Development is applying for a drive-up window MX-L conditional accessory use zoning exception on a proposed restaurant/retail site at the Ladera/Unser location. The previous exception approved in May 2019 expired in May 2020.

### **Outcomes:**

- ***Areas of Agreement:***

- Participants did not oppose the proposed restaurant but do oppose the proposed drive-up exception.
- Participants were told that the application would likely be filed May 4, 2021 and heard by the ZHE on June 15, 2021. Neighborhood Associations will be notified.
- Participants will address action plan items.

- ***Unresolved Issues & Concerns:***

- Neighbors oppose the proposed drive-up exception.
- Neighbors voiced strong concerns and intend to approach the City regarding traffic, pedestrian, congestion, safety, lighting and crosswalk issues in the proximity of the proposed development.

- ***Key Points:***

- NAs are opposed to proposed drive-up.
- NAs voiced several traffic and safety concerns.

### **Meeting Specifics:**

#### **1) Introduction.**

Facilitator: Philip Crump: phcrumpsf@gmail.com. Co-Facilitator: Jocelyn M. Torres: nmlawyer09@comcast.net. Philip Crump and Jocelyn M. Torres are neutral facilitators with the City of Albuquerque. Consensus Agents Michael Vos and Jim Strozier represent Maestas

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Development. Steve Maestas owns Maestas Development. Laurelwood NA, Ladera West NA and Westside Coalition NA representatives also attended.

### 2) History.

“Originally zoned R-D for multi-family apartments (an extension of what was developed to the east) in the El Rancho Atrisco Phase III Sector Plan. A Zoning Map Amendment was approved in 2017 that changed the zoning to SU-1 for C-1 to include Indoor Storage. A Site Plan for Subdivision for the entire site and Site Plan for Building Permit for the self-storage facility were approved with the zone change. The zoning was converted to MX-L (C-1 equivalent) upon the effective date of the Integrated Development Ordinance in 2018. A Conditional Use was approved for a drive-through facility in 2019, but the approval expired before construction.”<sup>1</sup>

### 3) Planned Development.

- Agents Michael Vos and Jim Strozier presented a PowerPoint regarding the planned development.
- Key factors:
  - i) The existing site plan remains valid until at least 2024.
  - ii) The plan excludes gas station or residential development.
  - iii) Building height is limited to 26 feet.
  - iv) A screen wall and landscaping will be placed along street frontages.
  - v) IDO color palette and design standards for drive-up service windows will be implemented.
- Two buildings are proposed.
  - i) Tenant Building 1, for which the drive-up window is requested, is 4000 square feet.
  - ii) Tenant Building 2 is 6037 square feet.
- The Ladera median design was completed by Titan for the existing storage facilitated located east of this proposed development.

### 4) Maestas Development.

- The Developer, Steve Maestas, is an 11<sup>th</sup> generation NM resident and is receptive to neighborhood needs and wants.
- This Developer owns Sadies Restaurant on Academy/San Mateo and constructed Las Estancias at Coors/Rio Bravo as well as the Highlands Development at I-25/Central.
- Steve Maestas has been developing property in NM and Texas for 25 years and has completed 50 projects.
- The Highlands Development included 98 apartments, a Marriott, the first Ronald McDonald House inside a Marriott and a sky bridge connecting to Presbyterian Hospital.

### 5) Traffic.

- Neighbors expressed several traffic, pedestrian, congestion and safety concerns regarding the Unser/Ladera and Ladera/Marketplace roadways and intersections.

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<sup>1</sup> Consensus Planning PowerPoint of April 6, 2021.

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

- There are several businesses, including a Walmart, Burger King, Valero (with 28 gas pumps), and 276 apartment units near the proposed location.
- **NA Question:** Please explain how we're going to enter and exit with just one lane now to go west and how they are going to exit out of that restaurant and shopping center. Are they going to exit onto Unser and come back onto Ladera?
  - i) There is no access to Unser.
  - ii) The traffic will enter and exit on Ladera.
  - iii) The 2017 trip generation traffic study contemplated a drive-up window at the proposed development site and the plan was approved.
  - iv) The proposed stacking and queue design will help mitigate drive-up traffic concerns.
- Unser/Ladera accident statistics include: 57 in 2018; 67 in 2019 and 51 in 2020. The decrease is likely due to Covid. There have already been accidents in 2021.
- **NA Comment:**

“You can just see it in the lineup of cars coming from the Walmart grocery store coming from the gas stations coming from Burger King. They're all lined up and a lot of them are trying to make a left out of there and your establishment to the north is going to be also wanting to make a left out of there and the left turn lanes are the most dangerous turn to do on a road system, especially when it's so congested as it is. And I want to make a point that Unser and Ladera intersection is probably one of the busiest intersections because the whole West Side besides Coors Boulevard Unser is also serving traffic that wants to get to the freeway.... But the one [median] in the middle is extremely [dangerous] and I would like the city to really look at this and say well what are the plans to make this safer? I think we got a real problem here and I like it in the report that the city should be looking at this because it's already a problem Frank and Candy said there's already been accidents.”
- **NA Comment:** According to CABQ Zoning Section 270-1980: “A change of zone shall not be approved when some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or community.”<sup>2</sup>
- The Ladera median design has failed and is a safety hazard to traffic and pedestrians.
- The Ladera median may need to be joined to avoid existing problems. If the median is joined Ladera/Marketplace will require a traffic light.
- There is already a need for a light on Ladera/Marketplace.
- Ladera/Marketplace crosswalks requested by the NA have not been provided by the City.
- There are far too many traffic generating uses already existing at that Ladera location, including Walmart and Burger King.
- The Ladera/Unser location needs to be more walkable and safer.
- Westbound traffic turning left (south) on Ladera towards the Walmart and Burger King shoots through the eastbound traffic lanes and creates a very dangerous situation. A similar situation occurs with eastbound traffic turning north towards the storage facility.
- The City needs to be aware that the current traffic and pedestrian situation at the proposed development site of Unser/Ladera is very dangerous.
- NA will look into possible Unser Access. (*See Action Item*).

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<sup>2</sup> This Report quotes the CABQ Zoning Enactment 270-1980, which preceded the current IDO.



# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

- City Traffic Engineer Tim Brown will be called upon by the NA to address existing traffic, pedestrian, congestion and safety issues in the Unser, Ladera and Marketplace locations. Consensus will cooperate in this request. (*See Action Item*).
- City Councilor Lan Sena and Political Analyst Elaine Romero will be called upon by the Lakewood NA to conduct a traffic study in the Unser, Ladera and Marketplace locations. (*See Action Item*).

### 6) Proposed Building Occupants.

- **NA Question:** What types of businesses are contemplated for this development? An existing strip mall in a nearby location has been mostly vacant for the past seven years.
  - i) The Developer prefers restaurants such as Chilis and the Olive Garden, which will likely need a drive-up window, take-out and delivery post Covid.
  - ii) Businesses that provide basic services such as dentists, physical therapists or opticians are also preferred.
  - iii) There will not be liquor, marijuana, predatory lenders or immoral uses.
  - iv) Maestas Development will conduct a community market survey and will follow-up with the NAs on market results as part of the development process (*See Action Items*). This agreement to conduct a market survey does not change the nature of the Developer's contemplated drive-up window design and request.

### Next Steps and Action Plan:

- Application will be submitted May 4, 2021.
- ZHE hearing will commence at 9:00 am on June 15, 2021 (via Zoom).
- NAs will be notified.

### Action Items:

- Consensus will provide names of those who attended prior meetings regarding the drive-up exception. Jim Strozier provided several names during the April 6, 2021 meeting. (*The 2017 meeting sign in sheet, along with 2019 and 2021 NA meeting notices accompany this Report as a separate PDF*).
- Developer will conduct a market study on the proposed restaurant/commercial tenant development and will provide results to NAs.
- NAs will request Unser access for this development.
- NAs will renew City request for traffic light/crosswalk at Ladera/Marketplace intersection.
- NAs will contact CABQ Traffic Engineer Tim Brown regarding existing traffic, pedestrian, congestion and safety issues in the Unser, Ladera and Marketplace locations. Consensus will cooperate in this request.
- Laurelwood NA will request a traffic study in the Unser, Ladera and Marketplace locations of City Councilor Lan Sena and Political Analyst Elaine Romero and will report results to Facilitators and participants.

### Zoning Hearing Details:

- The Zoning Hearing Examiner will hear this matter on June 15, 2021.

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

- The Hearing will be held via Zoom.
- The ZHE Administrative Assistant is Suzie Sanchez, (505) 924-3894, [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).

### Meeting Adjourned.

#### Names & Affiliations of Attendees:

Michael Vos	Consensus Planning
Jim Strozier	Consensus Planning
Omega Delgado	Consensus Planning
Steve Maestas	Maestas Development
Wes Butero	Maestas Development
Karen Buccola	Ladera West NA
Rose Keating	Ladera West NA
Candelaria Patterson	Laurelwood NA
Frank Comfort	Laurelwood NA
Phyllis Vilchuck	Westside Coalition of Neighborhood Associations
Rene Horvath	Westside Coalition of Neighborhood Associations



CONSENSUS

PLANNING

PROJECT: Ladera Crossing Meeting with Neighborhood Associations DATE: June 22, 2017

NAME & AFFILIATION	ADDRESS	PHONE	EMAIL
DAVID SKOURAN LLNA	8116 CORTED E AGUILA NW	839-9058	LaslomITSNA @Comcast.NET
Donna Swanson TVNA	8120 Arimas Pl NW	507-9538	dswanson505@gmail.com
E. WHEED			
CANDY PATTERSON	7608 FELDMAN DR NW	351-1761	Candy.PAT@qal.com
Frank Confort	7605 FELDMAN DR NW	1111	



*transmittal memo*

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**Date:** April 7, 2021 **Via:** cp@consensusplanning.com  
**To:** Neighborhood Meeting Attendees **From:** Consensus Planning, Inc  
**Re:** Unser & Ladera Conditional Use Request for a Drive-thru Window

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**We are transmitting the following:**

Proof of the 2019 Neighborhood Meeting Notice and Public Notice for the conditional use request to the Zoning Hearing Examiner for a drive-thru window (Project #2019-002291/VA-2019-00130).

**Comments:**

The attached is the requested item from the neighborhood meeting held on April 6, 2021 to discuss the resubmittal of the conditional use request for a drive-thru window. The 2019 approval (Project #2019-002291/VA-2019-00130) expired, and the Applicant is seeking re-approval.

**From:** [Jim Strozier](#)  
**To:** [voyager4969@outlook.com](#); [aaron.andrew.rodriquez@gmail.com](#); [t0m2pat@yahoo.com](#); [randm196@gmail.com](#); [slcna1bq@aol.com](#); [kbucco@comcast.net](#)  
**Cc:** [Sanchez, Suzanna A.](#)  
**Subject:** Pre-Application Neighborhood Meeting Notice  
**Date:** Thursday, February 21, 2019 10:35:00 AM  
**Attachments:** [Zone Atlas Page H-09.pdf](#)

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Dear Neighbors,

This email is notification that Consensus Planning will be preparing an application on behalf of Maestas Development Group concerning the 1.6 acre property located on the northeast corner of Ladera Drive and Unser Boulevard (Please see attached Zone Atlas Map). The property is zoned MX-L, which allows a drive up service window in conjunction with a restaurant as an Accessory Conditional Use under the IDO. The application will be to the Zoning Hearing Examiner (ZHE) for a conditional use in MX-L Zone to allow the drive up service window. The property shares an access with the existing storage building located immediately to the east.

Depending on the final development plans, there may also be a future plat to create two parcels on the property, which would be done at the Development Review Board (DRB).

You may request a meeting regarding this project by replying to this email; [cp@consensusplanning.com](mailto:cp@consensusplanning.com) or by phone (505) 764-9801. A meeting request must be received no later than 15 days after this notification and a meeting will be scheduled within 30 days of the request, per IDO requirements. If you do not want to meet, or support the project, please let me know.

Sincerely,

[Jim Strozier, FAICP](#)  
[Agent for the Request](#)  
Consensus Planning, Inc.  
302 8<sup>th</sup> Street NW  
(505) 764-9801

**From:** [Jim Strozier](#)  
**To:** [Michael Vos](#)  
**Subject:** FW: ZHE Application Information  
**Date:** Monday, April 1, 2019 5:25:13 PM

Jim Strozier, FAICP  
 Consensus Planning, Inc.  
 302 8<sup>th</sup> Street NW  
 (505) 764-9801

**From:** Jim Strozier  
**Sent:** Thursday, February 7, 2019 4:10 PM  
**To:** 'Sanchez, Suzanna A.' <[suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)>  
**Subject:** RE: ZHE Application Information

Suzanna,

One more question. Based on the IDO it appears that we also need to do the Neighborhood Meeting – Pre-Application email notice. Is this correct?

Jim Strozier, FAICP  
 Consensus Planning, Inc.  
 302 8<sup>th</sup> Street NW  
 (505) 764-9801

**From:** Sanchez, Suzanna A. <[suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)>  
**Sent:** Thursday, February 7, 2019 2:21 PM  
**To:** Jim Strozier <[jstroz@consensusplanning.com](mailto:jstroz@consensusplanning.com)>  
**Subject:** ZHE Application Information

Dear Applicant,

Below are the neighborhood associations that need to be notified of your ZHE application, both by email and mail. Please use the sample letter in the notification packet to offer the neighborhood association a meeting. Save a copy of the email and also provide a receipt from the post office showing the parcels were mailed. After notifying the neighborhood association, you must give them **15** days to respond before you are able to submit your application.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Laurelwood NA	Gregie	Duran	<a href="mailto:vwagerd962@outlook.com">vwagerd962@outlook.com</a>	2003 Pinonwood NW	Albuquerque	NM	87120		
Laurelwood NA	Aaron	Rodriguez	<a href="mailto:aaron.andrew.rodriguez@gmail.com">aaron.andrew.rodriguez@gmail.com</a>	2015 Aspenwood Drive NW	Albuquerque	NM	87120		5052176026
Tres Volcanes NA	Thomas	Borst	<a href="mailto:tun2rai@yahoo.com">tun2rai@yahoo.com</a>	1908 Selway Place NW	Albuquerque	NM	87120	5053625531	5053526563
Tres Volcanes NA	Rick	Gallagher	<a href="mailto:randm196@gmail.com">randm196@gmail.com</a>	8401 Casa Gris Court NW	Albuquerque	NM	87120		5054048827
Ladera West NA	Steven	Collins	<a href="mailto:slcollnq@aol.com">slcollnq@aol.com</a>	7517 Vista Alegre NW	Albuquerque	NM	87120	5052694604	5053441599
Ladera West NA	Karen	Buccola	<a href="mailto:kbuirco@comcast.net">kbuirco@comcast.net</a>	7716 Santa Rosalia NW	Albuquerque	NM	87120	5053855018	

Below is a list of property owners within 100 feet of your property. Please use the notification sample letter as a guide. Also, please provide a receipt from the post office.

Owner	Owner Address	Owner Address 2
WESTERN ALBUQ LAND HOLDINGS LLC % GARRETT DEV CORP/JEFF GARRETT	PO BOX 56790	ALBUQUERQUE NM 87187
UNSER/ 98TH STREET PTNS LLC	PO BOX 90548	ALBUQUERQUE NM 87199
DIAMOND SHAMROCK REFINING & MARKETING CO C/O AD VALOREM TAX DEPARTMENT	PO BOX 690110	SAN ANTONIO TX 78269-0110



**SUZIE SANCHEZ**  
 zhe administrative assistant  
 o 505.924.3894  
 e [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)  
[cabq.gov/planning](http://cabq.gov/planning)

From: [Sanchez, Suzanna A.](mailto:Sanchez.Suzanna.A)  
 To: Michael Vos  
 Subject: RE: Neighborhood Contacts  
 Date: Tuesday, April 2, 2019 10:41:05 AM

Good morning,

Below is an updated list.

Association Name	First Name	Last Name	Email	Alt Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Laurelwood NA	Gregie	Duran	voyager4969@outlook.com		2003 Pinonwood NW	Albuquerque	NM	87120		
Laurelwood NA	Aaron	Rodriguez	aaron.andrew.rodriguez@gmail.com		2015 Aspenwood Drive NW	Albuquerque	NM	87120		5052176026
Tres Volcanes NA	Thomas	Borst	t0m2pat@yahoo.com		1908 Selway Place NW	Albuquerque	NM	87120	5053625531	5053526563
Tres Volcanes NA	Rick	Gallagher	randm196@gmail.com		8401 Casa Gris Court NW	Albuquerque	NM	87120		5054048827
Westside Coalition of Neighborhood Associations	Harry	Hendriksen	h1hen@comcast.net		10592 Rio Del Sol NW	Albuquerque	NM	87114	5052214003	5058903481
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard10@juno.com	land@trna.org	5515 Palomino Drive NW	Albuquerque	NM	87120		5058982114
Ladera West NA	Karen	Buccola	kbucco@comcast.net		7716 Santa Rosalia NW	Albuquerque	NM	87120	5053855018	
Ladera West NA	Steven	Collins	slcnalbq@aol.com		7517 Vista Alegre NW	Albuquerque	NM	87120	5052694604	5053441599

Suzie

From: Michael Vos [[mailto:Vos@consensusplanning.com](mailto:malto:Vos@consensusplanning.com)]  
 Sent: Monday, April 01, 2019 5:31 PM  
 To: Sanchez, Suzanna A.  
 Subject: Neighborhood Contacts

Hi Suzie,

You provided the below neighborhood association information to Jim Strozier on February 7<sup>th</sup> for a potential Conditional Use approval at 1901 Ladera Drive NW. The zone atlas page is attached.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Laurelwood NA	Gregie	Duran	<a href="mailto:voyager4969@outlook.com">voyager4969@outlook.com</a>	2003 Pinonwood NW	Albuquerque	NM	87120		
Laurelwood NA	Aaron	Rodriguez	<a href="mailto:aaron.andrew.rodriguez@gmail.com">aaron.andrew.rodriguez@gmail.com</a>	2015 Aspenwood Drive NW	Albuquerque	NM	87120		5052176026
Tres Volcanes NA	Thomas	Borst	<a href="mailto:t0m2pat@yahoo.com">t0m2pat@yahoo.com</a>	1908 Selway Place NW	Albuquerque	NM	87120	5053625531	5053526563
Tres Volcanes NA	Rick	Gallagher	<a href="mailto:randm196@gmail.com">randm196@gmail.com</a>	8401 Casa Gris Court NW	Albuquerque	NM	87120		5054048827
Ladera West NA	Steven	Collins	<a href="mailto:slcnalbq@aol.com">slcnalbq@aol.com</a>	7517 Vista Alegre NW	Albuquerque	NM	87120	5052694604	5053441599
Ladera West NA	Karen	Buccola	<a href="mailto:kbucco@comcast.net">kbucco@comcast.net</a>	7716 Santa Rosalia NW	Albuquerque	NM	87120	5053855018	

Could you check and see if these are still the correct contacts or if any information has changed in the last couple of months? We are hoping to submit an application this Thursday.

Thanks,  
**Michael Vos, AICP**  
 CONSENSUS PLANNING, INC.  
 302 Eighth Street NW  
 Albuquerque, NM 87102  
 phone (505) 764-8801  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

-----  
 This message has been analyzed by Deep Discovery Email Inspector.

# Property Owner Buffer Map



## Legend

- City Parcels
- IDO Zoning**
- R-A
- R-1A
- R-1B
- R-1C
- R-1D
- R-T
- R-MC
- R-ML
- R-MH
- MX-T
- MX-L
- MX-M
- MX-H
- MX-FB-ID
- MX-FB-FX
- MX-FB-UD
- NR-C
- NR-BP
- NR-LM
- NR-GM
- NR-SU
- NR-PO-A
- NR-PO-B
- NR-PO-C
- NR-PO-D
- PD
- PC
- UNCL
- Bernalillo County Parcels

**Notes**  
 Prepared by Consensus Planning  
 3/29/19



601 Feet  
 301 Feet  
 0

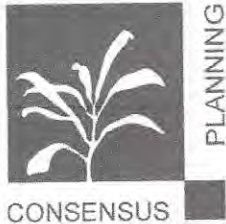
1: 3,607

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © City of Albuquerque

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**





CONSENSUS

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

April 3, 2019  
Karen Buccola  
7716 Santa Rosalia NW  
Albuquerque, NM 87120

Steven Collins  
7517 Vista Alegre NW  
Albuquerque, NM 87120

Dear Karen, Steven, and the Ladera West Neighborhood Association:

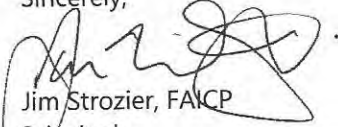
This letter is notification that Consensus Planning has applied for a Conditional Use Approval to the Zoning Hearing Examiner (ZHE) on behalf of Titan Ladera SS LLC and Maestas Development Group.

The subject site is at 1901 Ladera Drive NW, which is the northeast corner of Ladera Drive and Unser Boulevard NW. The property is legally described at Tract 5A1C2, El Rancho Atrisco Phase III and is zoned MX-L: Mixed-use, Moderate intensity. The applicant is requesting approval of a Conditional Use to allow a drive-through or drive-up facility as an accessory use to a restaurant that would be part of a commercial development on the subject site.

The ZHE Public Hearing for this application will be held on May 21, 2019 starting at 9:00am in the Basement Hearing Room at Plaza del Sol, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, or submit comments regarding this project, please contact the ZHE Administrative Assistant, Suzie Sanchez, at [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov) or 505.924.3894.

Please note: You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5:00pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.

Sincerely,  
  
Jim Strozier, FAICP  
Principal

Attached: Zone Atlas Map H-9

PRINCIPALS  
James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP



Landscape Architecture  
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Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

April 3, 2019  
Gregie Duran  
2003 Pinonwood NW  
Albuquerque, NM 87120

Aaron Rodriguez  
2015 Aspenwood Drive NW  
Albuquerque, NM 87120

Dear Gregie, Aaron, and the Laurelwood Neighborhood Association:

This letter is notification that Consensus Planning has applied for a Conditional Use Approval to the Zoning Hearing Examiner (ZHE) on behalf of Titan Ladera SS LLC and Maestas Development Group.

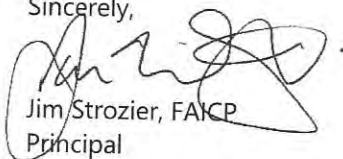
The subject site is at 1901 Ladera Drive NW, which is the northeast corner of Ladera Drive and Unser Boulevard NW. The property is legally described at Tract 5A1C2, El Rancho Atrisco Phase III and is zoned MX-L: Mixed-use, Moderate intensity. The applicant is requesting approval of a Conditional Use to allow a drive-through or drive-up facility as an accessory use to a restaurant that would be part of a commercial development on the subject site.

The ZHE Public Hearing for this application will be held on May 21, 2019 starting at 9:00am in the Basement Hearing Room at Plaza del Sol, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, or submit comments regarding this project, please contact the ZHE Administrative Assistant, Suzie Sanchez, at [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov) or 505.924.3894.

Please note: You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5:00pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.

Sincerely,



Jim Strozier, FAICP  
Principal

Attached: Zone Atlas Map H-9

#### PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP



CONSENSUS

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302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

April 3, 2019

Thomas Borst  
1908 Selway Place NW  
Albuquerque, NM 87120

Rick Gallagher  
8401 Casa Gris Court NW  
Albuquerque, NM 87120

Dear Thomas, Rick, and the Tres Volcanes Neighborhood Association:

This letter is notification that Consensus Planning has applied for a Conditional Use Approval to the Zoning Hearing Examiner (ZHE) on behalf of Titan Ladera SS LLC and Maestas Development Group.

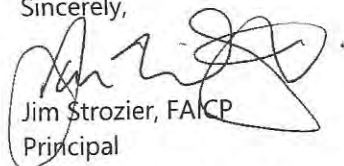
The subject site is at 1901 Ladera Drive NW, which is the northeast corner of Ladera Drive and Unser Boulevard NW. The property is legally described at Tract 5A1C2, El Rancho Atrisco Phase III and is zoned MX-L: Mixed-use, Moderate intensity. The applicant is requesting approval of a Conditional Use to allow a drive-through or drive-up facility as an accessory use to a restaurant that would be part of a commercial development on the subject site.

The ZHE Public Hearing for this application will be held on May 21, 2019 starting at 9:00am in the Basement Hearing Room at Plaza del Sol, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, or submit comments regarding this project, please contact the ZHE Administrative Assistant, Suzie Sanchez, at [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov) or 505.924.3894.

Please note: You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5:00pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.

Sincerely,

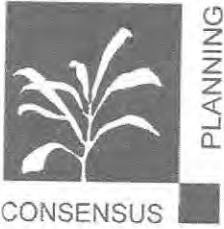


Jim Strozier, FAICP  
Principal

Attached: Zone Atlas Map H-9

PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP



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Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

April 3, 2019  
Harry Hendriksen  
10592 Rio Del Sol NW  
Albuquerque, NM 87114

Rene Horvath  
5515 Palomino Drive  
Albuquerque, NM 87120

Dear Harry, Rene, and the Westside Coalition of Neighborhood Associations:

This letter is notification that Consensus Planning has applied for a Conditional Use Approval to the Zoning Hearing Examiner (ZHE) on behalf of Titan Ladera SS LLC and Maestas Development Group.

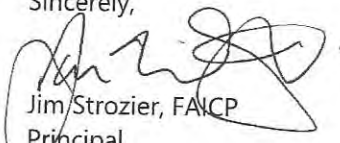
The subject site is at 1901 Ladera Drive NW, which is the northeast corner of Ladera Drive and Unser Boulevard NW. The property is legally described as Tract 5A1C2, El Rancho Atrisco Phase III and is zoned MX-L: Mixed-use, Moderate intensity. The applicant is requesting approval of a Conditional Use to allow a drive-through or drive-up facility as an accessory use to a restaurant that would be part of a commercial development on the subject site.

The ZHE Public Hearing for this application will be held on May 21, 2019 starting at 9:00am in the Basement Hearing Room at Plaza del Sol, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, or submit comments regarding this project, please contact the ZHE Administrative Assistant, Suzie Sanchez, at [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov) or 505.924.3894.

Please note: You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5:00pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.

Sincerely,



Jim Strozier, FAICP  
Principal

Attached: Zone Atlas Map H-9

PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

April 3, 2019

Dear Property Owner:

### NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Zoning Hearing Examiner (ZHE) will hold a **Public Hearing on Tuesday, May 21, 2019 at 9:00 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following item.

### ZONING HEARING EXAMINER

General Meeting Information, Parking Information, and Notices are posted on the Planning Department's website at <https://www.cabq.gov/planning/boards-commissions/zoning-hearing-examiner>. For more information, please contact the ZHE Administrative Assistant, Suzie Sanchez, at (505) 924-3894 or at [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).

### REQUEST

Consensus Planning, agent for Titan Ladera SS LLC and Maestas Development Group, requests approval of a Conditional Use for 1901 Ladera Drive NW, which is legally described as Tract 5A1C2, El Rancho Atrisco Phase III and located on the northeast corner of Ladera Drive and Unser Boulevard NW. The property is zoned MX-L, which allows a drive-through or drive-up facility in conjunction with a restaurant as an Accessory Conditional Use under the IDO. The Applicant is requesting approval of a Conditional Use to allow for development of a drive-through or drive-up facility as part of a commercial development on the subject property. The development will utilize the existing shared access with the storage building located immediately to the east.

If you have questions or need additional information regarding this request contact Jim Strozier, Principal at Consensus Planning at (505) 764-9801 or at [cp@consensusplanning.com](mailto:cp@consensusplanning.com).

Sincerely,

Consensus Planning, Inc.



**Certificate of Mailing**

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

Aaron Rodriguez  
Laurelwood NA  
2015 Aspenwood Drive NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

To pay fee, affix stamps or meter postage here.



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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

Gregie Duran  
Laurelwood NA  
2003 Pinonwood NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

Karen Buccola  
Ladera West NA  
7716 Santa Rosalia NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

Thomas Borst  
Tres Volcanes NA  
1908 Selway Place NW  
Albuquerque, NM 87120

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

Steven Collins  
Ladera West NA  
7517 Vista Alegre NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: SHOPS AT ABQ HM LLC  
2850 E CAMELBACK RD SUITE 180  
PHOENIX AZ 85016-4315

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: CITY OF ALBUQUERQUE  
PO BOX 2248  
ALBUQUERQUE NM 87103-2248

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From: CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: Rene Horvath  
Westside Coalition of Neighborhoods  
5515 Palomino Drive NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

To pay fee, affix stamps or meter postage here.



**Certificate of Mailing**

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: Harry Hendriksen  
Westside Coalition of Neighborhood  
Associations  
10592 Rio Del Sol NW  
Albuquerque, NM 87114

PS Form 3817, April 2007 PSN 7530-02-000-9065

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2850 E CAMELBACK RD SUITE 180  
PHOENIX AZ 85016-4311



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302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: DIAMOND SHAMROCK REFINING &  
MARKETING CO  
C/O AD VALOREM TAX DEPARTMENT  
PO BOX 690110  
SAN ANTONIO TX 78269-0110



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ALBUQUERQUE, NM 87102

To:

ORNELAS MARGIE N  
1943 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8003



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To:

CHAVEZ MIGUEL H & MARIA  
ERNESTINE  
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To:

TITAN LADERA SS LLC  
6300 RIVERSIDE PLAZA LN NW STE 200  
ALBUQUERQUE NM 87120-2617

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PS Form 3817, April 2007 PSN 7530-02-000-9065

**Laurelwood Neighborhood Association (LNA) response in reference to:**

**Project #:** Pre-application.

**Property Description/Address:** 1901 Ladera Cr. NW, ABQ NM 87120

**facilitated meeting April 6, 2021**

Mr. Crump and Ms. Torres,

Please find Laurelwood Neighborhood Association's (LNA) comments highlighted, **LNA Response** in yellow following the sections labeled "**Facilitator Report**".

The Laurelwood Neighborhood stands in opposition to a Zone change for a conditional use or variance for a drive-through on the property at 1901 Ladera Cr. NW, ABQ NM 87120.

Please contact me if you have any questions.

Respectfully

Frank Comfort, President

Laurelwood Neighborhood Association

2003 Pinonwood NW

Albuquerque, NM 87120

Cell# 505-321-6886

laurelwoodna@gmail.com

## **CITY OF ALBUQUERQUE**

### **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

**Project #:** Pre-application.

**Property Description/Address:** 1901 Ladera Cr. NW, ABQ NM 87120

**Date Submitted:** April 7, 2021

**Submitted By:** Philip Crump and Jocelyn M. Torres

**Meeting Date/Time:** April 6, 2021, 5:00 – 7:00 PM

**Meeting Location:** Conducted via Zoom

**Facilitator:** Philip Crump

**Co-facilitator:** Jocelyn M. Torres

**Applicant:** Steve Maestas, Maestas Development Group

**Agent** – Michael Vos and Jim Strozier, Consensus Planning

**Neighborhood Associations/Interested Parties** - Laurelwood NA, Tres Volcanes NA,

Westside Coalition of Neighborhood Associations, Ladera West NA, Neighbors

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

**Background/Meeting Summary:** Maestas Development is applying for a drive-up window MX-L conditional accessory use zoning exception on a proposed restaurant/retail site at the Ladera/Unser location. The previous exception approved in May 2019 expired in May 2020.

### Outcomes:

#### - *Areas of Agreement:*

- Participants did not oppose the proposed restaurant but do oppose the proposed drive-up exception.
- Participants were told that the application would likely be filed May 4, 2021 and heard by the ZHE on June 15, 2021. Neighborhood Associations will be notified. - Participants will address action plan items.

#### - *Unresolved Issues & Concerns:*

- Neighbors oppose the proposed drive-up exception.
- Neighbors voiced strong concerns and intend to approach the City regarding traffic, pedestrian, congestion, safety, lighting and crosswalk issues in the proximity of the proposed development.

#### - *Key Points:*

- NAs are opposed to proposed drive-up.
- NAs voiced several traffic and safety concerns.

### Meeting Specifics:

#### 1) **Introduction.**

Facilitator: Philip Crump: phcrumpsf@gmail.com. Co-Facilitator: Jocelyn M. Torres: nmlawyer09@comcast.net. Philip Crump and Jocelyn M. Torres are neutral facilitators with the City of Albuquerque. Consensus Agents Michael Vos and Jim Strozier represent Maestas Development. Steve Maestas owns Maestas Development. Laurelwood NA, Ladera West NA and Westside Coalition NA representatives also attended.

#### 2) **History.**

“Originally zoned R-D for multi-family apartments (an extension of what was developed to the east) in the El Rancho Atrisco Phase III Sector Plan. A Zoning Map Amendment was approved in 2017 that changed the zoning to SU-1 for C-1 to include Indoor Storage. A Site Plan for Subdivision for the entire site and Site Plan for Building Permit for the self-storage facility were approved with the zone change. The zoning was converted to MX-L (C-1 equivalent) upon the effective date of the Integrated Development Ordinance in 2018. A Conditional Use was approved for a drive-through facility in 2019, but the approval expired before construction.”<sup>1</sup>

#### 3) **Planned Development.**

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<sup>1</sup> Consensus Planning PowerPoint of April 6, 2021.

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

- Agents Michael Vos and Jim Strozier presented a PowerPoint regarding the planned development.
- Key factors:
  - i) The existing site plan remains valid until at least 2024.
  - ii) The plan excludes gas station or residential development.
  - iii) Building height is limited to 26 feet.
  - iv) A screen wall and landscaping will be placed along street frontages.
  - v) IDO color palette and design standards for drive-up service windows will be implemented.
- Two buildings are proposed.
  - i) Tenant Building 1, for which the drive-up window is requested, is 4000 square feet.
  - ii) Tenant Building 2 is 6037 square feet.
- The Ladera median design was completed by Titan for the existing storage facilitated located east of this proposed development.

#### 4) Maestas Development.

- The Developer, Steve Maestas, is an 11<sup>th</sup> generation NM resident and is receptive to neighborhood needs and wants.
- This Developer owns Sadies Restaurant on Academy/San Mateo and constructed Las Estancias at Coors/Rio Bravo as well as the Highlands Development at I-25/Central.
- Steve Maestas has been developing property in NM and Texas for 25 years and has completed 50 projects.
- The Highlands Development included 98 apartments, a Marriott, the first Ronald McDonald House inside a Marriott and a sky bridge connecting to Presbyterian Hospital.

#### 5) Traffic.

- Neighbors expressed several traffic, pedestrian, congestion and safety concerns regarding the Unser/Ladera and Ladera/Marketplace roadways and intersections.
- **Facilitator Report:** There are several businesses, including a Walmart, Burger King, Valero (with 28 gas pumps), and 276 apartment units near the proposed location.

**LNA Response:** There are several businesses, including a Strip Mall, Walmart Grocery Store, Burger King with drive-thru, Taco Bell with drive-thru, Starbucks with drive-thru, Valero gas station with 8 fueling stations and an adjacent Walmart gas station with 12 fueling stations, a combined total of 20 fueling stations, Canon de Arrowhead with 289 apartment units, Rio Volcan with 240 apartment units plus an approved 230 units, a total of 759 apartment units near the proposed location.

Laurelwood Neighborhood has 840+ residence that also adds to the traffic congestion in this area.

Some of the spaces at the Strip Mall located west of Walmart at Heritage Marketplace remained vacant for about 7 years.

- **NA Question:** Please explain how we're going to enter and exit with just one lane now to go west and how they are going to exit out of that restaurant and shopping center. Are they going to exit onto Unser and come back onto Ladera? i) There is no access to Unser.

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

- ii) The traffic will enter and exit on Ladera. iii) The 2017 trip generation traffic study contemplated a drive-up window at the proposed development site and the plan was approved.
- iv) The proposed stacking and queue design will help mitigate drive-up traffic concerns.

- **Facilitator Report:** Unser/Ladera accident statistics include: 57 in 2018; 67 in 2019 and 51 in 2020. The decrease is likely due to Covid. There have already been accidents in 2021.

**LNA Response:** Unser/Ladera accident statistics include: 57 in 2018; 69 in 2019 and 51 in 2020. The decrease is likely due to Covid. There have already been 10 accidents from January to March 30, 2021. There is an expectation that there will be an increase in traffic accidents as the City keeps opening up and with the addition of another proposed drive-thru in the Unser / Ladera area.

- **Facilitator Report: NA Comment:**

“You can just see it in the lineup of cars coming from the Walmart grocery store coming from the gas stations coming from Burger King. They're all lined up and a lot of them are trying to make a left out of there and your establishment to the north is going to be also wanting to make a left out of there and the left turn lanes are the most dangerous turn to do on a road system, especially when it's so congested as it is. And I want to make a point that Unser and Ladera intersection is probably one of the busiest intersections because the whole West Side besides Coors Boulevard Unser is also serving traffic that wants to get to the freeway.... But the one [median] in the middle is extremely [dangerous] and I would like the city to really look at this and say well what are the plans to make this safer? I think we got a real problem here and I like it in the report that the city should be looking at this because it's already a problem Frank and Candy said there's already been accidents.”

**LNA Response:** The Laurelwood NA agrees with Rene' Horvath, West Side Coalition of Neighborhood Associations (WSCONA) comments. The Neighborhood residence have experienced the traffic congestion and how dangerous the center median can be especially at peak hours. This also serves as LNA Board member Candy Patterson's response.

- **NA Comment:** According to CABQ Zoning Section 270-1980: “A change of zone shall not be approved when some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or community.”<sup>2</sup>
- **Facilitator Report:** The Ladera median design has failed and is a safety hazard to traffic and pedestrians.

**LNA Response:** The center median cutout between the proposed drive-thru and the Marketplace area Driveway “A” which the center median cutout is inclusive is “failed”. The center median is a full-service median that allows right-turns, left-turns and straight-thrus from multiple directions for the proposed drive-thru and the Marketplace area. This is a dangerous area for traffic and pedestrians and adding another drive-thru will exacerbate the danger. Ladera / Market St is also a “failed” intersection inclusive of a center median cutout. This intersection is very close to Driveway “A” and Unser. When traffic is congested it is used as a U-turn from eastbound Ladera to westbound Ladera and to access Under Blvd. At peak hours it is exceedingly difficult to make a left turn to head west on Ladera and very dangerous for pedestrians to cross. The City DMD stated per Policy Analyst Elaine Romero that Ladera / Market St was too close to Unser /

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<sup>2</sup> This Report quotes the CABQ Zoning Enactment 270-1980, which preceded the current IDO.

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Ladera to add a traffic light with a pedestrian crossing. Reference is the Traffic Impact Study, Heritage Neighborhood Marketplace, Ladera and Unser, Terry O Brown, PE, 12/18/2014. Page ref: Map-Site Plan for Subdivision pg. 38; Ladera Dr and Driveway "A", center median area pg. 27; Ladera Dr and Market St pg. 26. Please see attached Traffic Impact Study 12-18-2014 Ladera/Unser Area Laurelwood NA reference

- The Ladera median may need to be joined to avoid existing problems. If the median is joined Ladera/Marketplace will require a traffic light.
- There is already a need for a light on Ladera/Marketplace.
- Ladera/Marketplace crosswalks requested by the NA have not been provided by the City.
- **Facilitator Report:** There are far too many traffic generating uses already existing at that Ladera location, including Walmart and Burger King.

**LNA Response:** There are far too many traffic generating uses already existing in the Ladera / Unser area, a Strip Mall, Walmart Grocery Store, Burger King with drive-thru, Taco Bell with drive-thru, Starbucks with drive-thru, Valero gas station with 8 fueling stations, an adjacent Walmart gas station with 12 fueling stations, a combined total of 20 gas pumps, and Canon de Arrowhead with 289 apartment units, Rio Volcan with 240 apartment units plus an approved 230 unit apartment a total of 759 apartment units near the proposed location.

Laurelwood Neighborhood has 840+ residence that also adds to the traffic congestion in this area.

The adjacent and local Neighborhoods also utilize the services which generates traffic in the Ladera / Unser area – Ladera West; Tres Volcanes; Parkway; SR Marmon; Los Lomitas and Parkwest. Unser Blvd and Interstate 40 also generate traffic in this area especially mornings and afternoons.

- The Ladera/Unser location needs to be more walkable and safer.
- Westbound traffic turning left (south) on Ladera towards the Walmart and Burger King shoots through the eastbound traffic lanes and creates a very dangerous situation. A similar situation occurs with eastbound traffic turning north towards the storage facility.
- The City needs to be aware that the current traffic and pedestrian situation at the proposed development site of Unser/Ladera is very dangerous.
- **Facilitator Report:** NA will look into possible Unser Access. (*See Action Item*).

**LNA Response:** Mr. Maestas requested that the Neighborhood request access on Unser for the development. LNA Board Member Candy Patterson asked the neighborhood if they wanted to request access from Unser to the site from the City, however there was no agreement or consensus from anyone during the meeting. Laurelwood NA did not agree to the request by Mr. Maestas.

- **Facilitator Report:** City Traffic Engineer Tim Brown will be called upon by the NA to address existing traffic, pedestrian, congestion and safety issues in the Unser, Ladera and Marketplace locations. Consensus will cooperate in this request. (*See Action Item*).

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

**LNA Response:** There was a request by Consensus Planning to have the Neighborhood contact Mr. Tim Browning to analyze the traffic in the area, however Laurelwood NA did not agree on contacting Mr. Tim Brown.

- **Facilitator Report:** City Councilor Lan Sena and Political Analyst Elaine Romero will be called upon by the Lakewood NA to conduct a traffic study in the Unser, Ladera and Marketplace locations. (*See Action Item*).

**LNA Response:** It is Policy Analyst Elaine Romero and Laurelwood NA. Laurelwood NA will ask the City to conduct a traffic study in the Unser, Ladera and the Marketplace area.

### Proposed Building Occupants.

- **NA Question:** What types of businesses are contemplated for this development? An existing strip mall in a nearby location has been mostly vacant for the past seven years.
  - i) The Developer prefers restaurants such as Chilis and the Olive Garden, which will likely need a drive-up window, take-out and delivery post Covid.
  - ii) Businesses that provide basic services such as dentists, physical therapists or opticians are also preferred.
  - iii) There will not be liquor, marijuana, predatory lenders or immoral uses. iv) Maestas Development will conduct a community market survey and will follow-up with the NAs on market results as part of the development process (*See Action Items*). This agreement to conduct a market survey does not change the nature of the Developer's contemplated drive-up window design and request.

### Next Steps and Action Plan:

- Application will be submitted May 4, 2021.
- ZHE hearing will commence at 9:00 am on June 15, 2021 (via Zoom).
- NAs will be notified.

### Action Items:

- Consensus will provide names of those who attended prior meetings regarding the drive-up exception. Jim Strozier provided several names during the April 6, 2021 meeting. (*The 2017 meeting sign in sheet, along with 2019 and 2021 NA meeting notices accompany this Report as a separate PDF*).
- Developer will conduct a market study on the proposed restaurant/commercial tenant development and will provide results to NAs.

**Facilitator Report:** NAs will request Unser access for this development.

**LNA Response:** Mr. Maestas requested that the Neighborhood request access on Unser for the development. LNA Board Member Candy Patterson asked the neighborhood if they wanted to request access from Unser to the site from the City, however there was no agreement or consensus from anyone during the meeting. Laurelwood NA did not agree to the request by Mr. Maestas.



# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

- NAs will renew City request for traffic light/crosswalk at Ladera/Marketplace intersection.
- **Facilitator Report:** NAs will contact CABQ Traffic Engineer Tim Brown regarding existing traffic, pedestrian, congestion and safety issues in the Unser, Ladera and Marketplace locations. Consensus will cooperate in this request.

**LNA Response:** Consensus Planning made a recommendation to Laurelwood NA to contact CABQ Traffic Engineer, however Laurelwood NA did not agree on contacting Mr. Tim Brown.

- **Facilitator Report:** Laurelwood NA will request a traffic study in the Unser, Ladera and Marketplace locations of City Councilor Lan Sena and Political Analyst Elaine Romero and will report results to Facilitators and participants.

**LNA Response:** It is Policy Analyst Elaine Romero and Laurelwood NA. Laurelwood NA will ask the City to conduct a traffic study in the Unser / Ladera and Marketplace area and Ladera / Market St for a pedestrian crossing.

### Zoning Hearing Details:

- The Zoning Hearing Examiner will hear this matter on June 15, 2021.
- The Hearing will be held via Zoom.
- The ZHE Administrative Assistant is Suzie Sanchez, (505) 924-3894, [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).

**Meeting Adjourned.**

### Names & Affiliations of Attendees:

Michael Vos	Consensus Planning
Jim Strozier	Consensus Planning
Omega Delgado	Consensus Planning
Steve Maestas	Maestas Development
Wes Butero	Maestas Development
Karen Buccola	Ladera West NA
Rose Keating	Ladera West NA
Candelaria Patterson	Laurelwood NA
Frank Comfort	Laurelwood NA
Phyllis Vilchuck	Westside Coalition of Neighborhood Associations
	<b>LNA Response:</b> Ms. Vilchuck is from Laurelwood Neighborhood
Rene Horvath	Westside Coalition of Neighborhood Associations

**Heritage Neighborhood Marketplace**  
(Ladera Dr / Unser Blvd)

**Traffic Impact Study**

December 18, 2014

F I N A L

**Presented to:**

City of Albuquerque  
Transportation Development Section

NM Dept of Transportation  
Division 3

**Prepared for:**

Ted Garrett  
Garrett Development Corp.  
1130 Lanes End NW



A handwritten signature in blue ink that reads "Terry O. Brown".

Terry O. Brown P.E.  
P.O. Box 92051  
Albuquerque, NM 87199  
505 · 883 · 8807

**7. Ladera Dr. / Market St. - Pages A-99 thru A-102**

The results of the analysis of the unsignalized intersection of Ladera Dr. / Market St. are summarized in the following table:

**Intersection: 7 - LADERA DR. / MARKET ST.**

		<b><u>2018 AM Peak Hour BUILD</u></b>				<b><u>2018 PM Peak Hour BUILD</u></b>					
		<b>(EXIST. GEOM.)</b>				<b>(EXIST. GEOM.)</b>					
		<b>NO BUILD</b>		<b>BUILD</b>		<b>NO BUILD</b>		<b>BUILD</b>			
		<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>	<b>Lanes</b>	<b>LOS-Delay</b>		
<b>WB</b>	<b>L</b>	1	A - 9.7	1	A - 10.0	L	1	A - 9.5	1	A - 9.9	
	<b>NB</b>	L	1	E - 45.5	1	F - 191	L	1	D - 28.7	1	F - 114
	<b>R</b>	1	B - 12.1	1	B - 12.8	R	1	B - 11.1	1	B - 11.5	
<b>Intersection:</b>		<b>u - N/A</b>		<b>u - N/A</b>		<b>u - N/A</b>		<b>u - N/A</b>			

Note: ">" designates a shared right or left turn lane.

This analysis of the unsignalized intersection of Ladera Dr. / Market St. demonstrates that the westbound left turn and northbound right turn movements will be acceptable, however the northbound left turn movement will experience long delays for the AM Peak Hour NO BUILD and BUILD conditions and for the PM Peak Hour BUILD condition. The intersection of Ladera Dr. / Market St. is too close to the existing traffic signal at Ladera Dr. / Unser Blvd. for consideration for a traffic signal. Market St. is approximately 750 feet east of Unser Blvd. (centerline to centerline).

The fact that there is an existing traffic signal to the west of the intersection of Market St. / Ladera Dr. will aid in creating gaps in the eastbound traffic on Ladera Dr. so as to facilitate the turning movements from the side streets onto the major street to some degree, but this report still forecasts long delays for the Market St. traffic at Ladera Dr. There are no further measures that can be taken at this time to improve the operation of the intersection. Therefore, no recommendation is made for the intersection of Ladera Dr. / Market St.

The calculated 95<sup>th</sup> Percentile queue length for the westbound left turn movement on Ladera Dr. at Market St. is only one vehicle for the projected 2018 AM and PM Peak Hour BUILD conditions (see Appendix Pages A-99 thru A-102).

**8. Ladera Dr. / Driveway "A" - Pages A-103 thru A-106**

Driveway "A" is an existing full access driveway for the Valero Gas Station at the southeast corner of Ladera Dr. / Unser Blvd. The results of the analysis of the unsignalized intersection of Ladera Dr. / Driveway "A" are summarized in the following table:

**Intersection: 8 - LADERA DR. / DRIVEWAY 'A'**

		<u>2018 AM Peak Hour BUILD</u>				<u>2018 PM Peak Hour BUILD</u>				
		(EXIST. GEOM.)				(EXIST. GEOM.)				
		NO BUILD		BUILD		NO BUILD		BUILD		
		Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	Lanes	LOS-Delay	
NB	L	1	A - 9.8	>	B - 10.3	L	1	A - 8.7	>	A - 9.2
	L	1	C - 16.1	>	E - 46.1	L	1	C - 15.9	>	F - 104
	R	1	B - 11.6	1	B - 12.5	R	1	B - 10.2	1	B - 10.9
Intersection:		u - N/A		u - N/A		u - N/A		u - N/A		

Note: ">" designates a shared right or left turn lane.

The operation of the unsignalized intersection has been demonstrated to be acceptable for the westbound left turn movement and the northbound right turn movement during the AM and PM Peak Hour NO BUILD and BUILD conditions and for the northbound left turn movement during the AM and PM Peak Hour NO BUILD condition. However the intersection will experience excessive delays for the northbound left turn movement upon implementation of the proposed development. The intersection of Ladera Dr. / Driveway "A" is too close to the existing traffic signal at Ladera Dr. / Unser Blvd. for consideration for a traffic signal.

The fact that there is an existing traffic signal to the west of the intersection of Ladera Dr. / Driveway "A" will aid in creating gaps in the eastbound traffic on Ladera Dr. so as to facilitate the turning movements from the side streets onto the major street to some degree, but this report still forecasts long delays for the Driveway "A" traffic at Ladera Dr. In reality, many drivers will not wait thru long delays, will turn right onto Ladera Dr. and will choose an alternate route. There are no further measures that can be taken at this time to improve the operation of the intersection. Therefore, no recommendation is made for the intersection of Ladera Dr. / Driveway "A".

There is a possibility that Driveway "A" may be restricted in the future to a right-in, right-out, left-in only driveway. Restriction of Driveway "A" will be at the discretion of the City of Albuquerque. If the City chooses to restrict Driveway "A" at some future date, then most all of the northbound left turns at the driveway will divert over to Market Street. This action will put an enormous burden on Market Street in that the projected northbound left turn volumes will be approaching 500 vehicles per hour. When the restriction of Driveway "A" occurs, then there will be pressure to signalize the intersection of Ladera Dr. / Market St. The City has currently agreed to allow Driveway "A" to operate as a full access unsignalized intersection provided that the developer commit to modify the dual westbound left turn lanes on Ladera Dr. at Unser Blvd. to optimize queuing between Unser Blvd. and Driveway "A".



SITE

Extra Space Storage

CircleK

Walmart Fuel Station

NextCare Urgent Care

MoneyGram

Coinstar

Burger King  
Takeout • Delivery

Market St NW

FRDM Fragrances  
& Apparel  
Perfume store

Park n Shine

Unser Blvd NW

345

Ladera Dr NW

Ladera Dr NW

Ladera Dr NW

Ladera Dr

Brookhaven Pl NW

Ladera Dr NW

Unser Blvd NW

Taco Bell  
Takeout • Drive Thru

Google

**From:** Sanchez, Suzanna A.  
**To:** Omega Delgado  
**Cc:** Michael Vos  
**Subject:** RE: ZHE Contacts for Ladera  
**Date:** Thursday, April 29, 2021 8:06:24 AM

Good morning Omega,

Here are the current lists. I did notice that Parkway NA is new on the list.

Association Name	First Name	Last Name	Email	Alternative Email	Address Line 1	City	State	Zip
Laurelwood NA	Frank	Comfort	fcomfort@aol.com		7608 Elderwood Drive NW	Albuquerque	NM	87120
Laurelwood NA	Alex	Maller	alexmaller9@gmail.com		7609 Lynwood Drive NW	Albuquerque	NM	87120
Tres Volcanes NA	Thomas	Borst	t0m2pat@yahoo.com		1908 Selway Place NW	Albuquerque	NM	87120
Tres Volcanes NA	Rick	Gallagher	randm196@gmail.com		8401 Casa Gris Court NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	land@trna.org	5515 Palomino Drive NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	ekhaley@comcast.net		6005 Chaparral Circle NW	Albuquerque	NM	87114
Ladera West NA	Steven	Collins	slcnalq@aol.com		7517 Vista Alegre Street	Albuquerque	NM	87120
Ladera West NA	Karen	Buccola	kbucco@comcast.net		7716 Santa Rosalia NW	Albuquerque	NM	87120
Parkway NA	Ruben	Aleman	m_raleman@yahoo.com		8005 Fallbrook Place NW	Albuquerque	NM	87120
Parkway NA	Mary	Loughran	marykloughran@comcast.net		8015 Fallbrook Place NW	Albuquerque	NM	87120

Owner	Complete Owner Address
DIAMOND SHAMROCK REFINING & MARKETING CO ATTN: AD VALOREM TAX DEPARTMENT	PO BOX 690110 SAN ANTONIO TX 78269-0110
2004 WAKIMOTO FAMILY LP C/O WAL-MART PROPERTY TAX DEPT STORE #87370	PO BOX 8050 BENTONVILLE AR 72716-8050
2004 WAKIMOTO FAMILY LP C/O WAL-MART PROPERTY TAX DEPT STORE #87370	PO BOX 8050 BENTONVILLE AR 72716-8050
YELLEN STUART & ANN TRUSTEES YELLEN FAMILY 1999 TRUST	4629 CASS ST #199 SAN DIEGO CA 92109-2805
UNSER/98TH STREET PARTNERSHIP LLC	PO BOX 90548 ALBUQUERQUE NM 87199-0548
WESTLAND DEVCO LP	6260 RIVERSIDE PLAZA LN SUITE A ALBUQUERQUE NM 87120-1707
UNSER & LADERA LLC	6801 JEFFERSON ST NE SUITE 300 ALBUQUERQUE NM 87109-4379
TITAN LADERA SS LLC	6300 RIVERSIDE PLAZA LN NW SUITE 200 ALBUQUERQUE NM 87120-2617

Thank you,

Suzie

**From:** Omega Delgado [mailto:delgado@consensusplanning.com]  
**Sent:** Wednesday, April 28, 2021 7:58 AM  
**To:** Sanchez, Suzanna A.  
**Cc:** Michael Vos  
**Subject:** RE: ZHE Contacts for Ladera

Here you go! Thanks so much!

**From:** Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
**Sent:** Tuesday, April 27, 2021 6:54 PM  
**To:** Omega Delgado <delgado@consensusplanning.com>  
**Cc:** Michael Vos <Vos@consensusplanning.com>  
**Subject:** RE: ZHE Contacts for Ladera

Hi Omega! I am happy to check the lists! Can you please send me the zone atlas page?

Thank you,

Suzie

**From:** Omega Delgado [mailto:delgado@consensusplanning.com]  
**Sent:** Tuesday, April 27, 2021 4:17 PM  
**To:** Sanchez, Suzanna A.  
**Cc:** Michael Vos  
**Subject:** RE: ZHE Contacts for Ladera

Hi Suzie,

We're prepping this application for submittal next week. Would you mind checking to make sure all the information for the NA's and property owners remains the same?

We appreciate your assistance!  
-Omega

**From:** Sanchez, Suzanna A. <suzannasanchez@cabq.gov>  
**Sent:** Wednesday, March 17, 2021 7:15 PM  
**To:** Omega Delgado <delgado@consensusplanning.com>  
**Subject:** FW: ZHE Contacts for Ladera

Dear Applicant,

- Below are the neighborhood associations that need to be notified of your ZHE application. Please fill in and forward the attached *L. Letter to Neighborhood Association* to the email addresses below.

Association Name	First Name	Last Name	Email	Alternative Email	Address Line 1	City	State	Zip
Laurelwood NA	Frank	Comfort	fcomfort@aol.com		7608 Elderwood Drive NW	Albuquerque	NM	87120

Laurelwood NA	Alex	Maller	<a href="mailto:alexmaller9@gmail.com">alexmaller9@gmail.com</a>		7609 Lynwood Drive NW	Albuquerque	NM	87120
Tres Volcanes NA	Thomas	Borst	<a href="mailto:t0m2pat@yahoo.com">t0m2pat@yahoo.com</a>		1908 Selway Place NW	Albuquerque	NM	87120
Tres Volcanes NA	Rick	Gallagher	<a href="mailto:randm196@gmail.com">randm196@gmail.com</a>		8401 Casa Gris Court NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Rene	Horvath	<a href="mailto:aboard111@gmail.com">aboard111@gmail.com</a>	<a href="http://land@trna.org">land@trna.org</a>	5515 Palomino Drive NW	Albuquerque	NM	87120
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	<a href="mailto:ekhaley@comcast.net">ekhaley@comcast.net</a>		6005 Chaparral Circle NW	Albuquerque	NM	87114
Ladera West NA	Steven	Collins	<a href="mailto:slcnaibq@aol.com">slcnaibq@aol.com</a>		7517 Vista Alegre Street	Albuquerque	NM	87120
Ladera West NA	Karen	Buccola	<a href="mailto:kbucco@comcast.net">kbucco@comcast.net</a>		7716 Santa Rosalia NW	Albuquerque	NM	87120

2. Below is a list of property owners within 100+ feet of the subject property. Please fill in and mail the attached, 2. Letter to Property Owners- May. Also, please provide proof that the letters were sent. Proof can be either a receipt for postage stamps purchased or a photo of the addressed envelopes.

Owner	OWNADD	OWNADD2
DIAMOND SHAMROCK REFINING & MARKETING CO C/O AD VALOREM TAX DEPARTMENT	PO BOX 690110	SAN ANTONIO TX 78269-0110
2004 WAKIMOTO FAMILY LP C/O WAL-MART PROPERTY TAX DEPT STORE #87370	PO BOX 8050	BENTONVILLE AR 72716-8050
2004 WAKIMOTO FAMILY LP C/O WAL-MART PROPERTY TAX DEPT STORE #87370	PO BOX 8050	BENTONVILLE AR 72716-8050
YELLEN STUART & ANN TRUSTEES YELLEN FAMILY 1999 TRUST	4629 CASS ST #199	SAN DIEGO CA 92109-2805
UNSER/98TH STREET PARTNERSHIP LLC	PO BOX 90548	ALBUQUERQUE NM 87199-0548
UNSER & LADERA LLC	6801 JEFFERSON ST NE SUITE 300	ALBUQUERQUE NM 87109-4379
TITAN LADERA SS LLC	6300 RIVERSIDE PLAZA LN NW SUITE 200	ALBUQUERQUE NM 87120-2617

Thank you,

Suzie



**SUZIE SANCHEZ**  
 zhe administrative assistant  
 o 505.924.3894  
 e [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)  
[cabq.gov/planning](http://cabq.gov/planning)

**From:** [Michael Vos](#)  
**To:** [Frank Comfort](#); [Alex Maller](#); [Tommy Borst](#); [randm196@gmail.com](mailto:randm196@gmail.com); [René Horvath](mailto:René.Horvath@land@trna.org); [land@trna.org](mailto:land@trna.org); [ekhaley@comcast.net](mailto:ekhaley@comcast.net); [Karen Buccola](#); [Laurelwood NA](#); [m\\_raleman@yahoo.com](mailto:m_raleman@yahoo.com); [marykloughran@comcast.net](mailto:marykloughran@comcast.net)  
**Cc:** [Jim Strozier](#); [Omega Delgado](#); [Wes Butero](#)  
**Subject:** Public Notice of Conditional Use Request at 1901 Ladera Drive NW  
**Date:** Tuesday, May 4, 2021 10:51:00 AM  
**Attachments:** [Unser and Ladera Public Notice Package.pdf](#)

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Dear Neighborhood Representatives,

This letter is notification that Consensus Planning, Inc has applied on behalf Unser & Ladera, LLC to the Zoning Hearing Examiner (ZHE) concerning the 1.6-acre property located on the northeast corner of Ladera Drive and Unser Boulevard (see Zone Atlas map). The property is zoned MX-L, which allows a drive-up service window in conjunction with a restaurant as an Accessory Conditional Use under the IDO. The property shares an access with the existing storage building located immediately to the east. A conceptual Site Plan is included with this notice.

A facilitated Neighborhood Meeting concerning the application was held on April 6, 2021. The report can be downloaded from: <https://www.dropbox.com/t/FTD375kGPU1R5UCI>.

The public hearing for this request will be via Zoom at 9:00 AM on June 15, 2021. The Zoom information is below:

Join Zoom Meeting: <https://cabq.zoom.us/j/7044490999>

Meeting ID: 704 449 0999

One tap mobile

+16699006833,,7044490999# US (San Jose)

+12532158782,,7044490999# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

Find your local number: <https://cabq.zoom.us/u/a2s7T1dnA>

If you have any questions, please do not hesitate to contact me at [vos@consensusplanning.com](mailto:vos@consensusplanning.com) or Jim Strozier at [cp@consensusplanning.com](mailto:cp@consensusplanning.com) – both of us may be reached by phone at (505)764-9801.

Sincerely,

**Michael Vos, AICP**

**CONSENSUS PLANNING, INC.**

302 Eighth Street NW

Albuquerque, NM 87102

phone (505) 764-9801

[vos@consensusplanning.com](mailto:vos@consensusplanning.com)



**PUBLIC NOTICE OF HEARING**

Date: May 4, 2021

To Whom This May Concern:

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a conditional use or variance to allow drive-up service window.

\_\_\_\_\_ (summary of request).

Property owner Unser and Ladera LLC  
Agent if applicable Consensus Planning, Inc.  
Property Address 1901 Ladera Drive NW, Albuquerque, NM, 87120 (zip code).

A Hearing will be held on June 15 (date), 2021 (year) beginning at 9:00AM via Zoom.

**Join Zoom Meeting**

<https://cabq.zoom.us/j/7044490999>

Meeting ID: 704 449 0999

One tap mobile

+16699006833,,7044490999# US (San Jose)

+12532158782,,7044490999# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

Find your local number: <https://cabq.zoom.us/j/7044490999>

Please contact me with questions pertaining to this request.

Thank you,

Applicant Name Maestas Development Group

Email vos@consensusplanning.com and cp@consensusplanning.com

Phone Number 505-764-9801

For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov).

Please note: "You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.

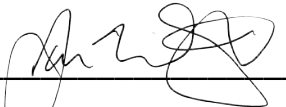


**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



<b>PART I - PROCESS</b>	
Use <a href="#">Table 6-1-1</a> in the Integrated Development Ordinance (IDO) to answer the following:	
Application Type: Conditional Use	
Decision-making Body: Zoning Hearing Examiner	
Pre-Application meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Neighborhood meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailed Notice required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Electronic Mail required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this a Site Plan Application:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Note: if yes, see second page</b>
<b>PART II – DETAILS OF REQUEST</b>	
Address of property listed in application: 1901 Ladera Drive NW, Albuquerque, NM 87120	
Name of property owner: Unser and Ladera, LLC	
Name of applicant: Maestas Development Group	
Date, time, and place of public meeting or hearing, if applicable:	
June 15, 2021 9:00 a.m. via Zoom (Meeting ID# 704 449 0999)	
Address, phone number, or website for additional information: Michael Vos, Senior Planner, AICP,	
<a href="https://www.dropbox.com/t/FTD375kGPU1R5UCI">https://www.dropbox.com/t/FTD375kGPU1R5UCI</a>	Consensus Planning, Inc. (505)764-9801
<b>PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE</b>	
<input checked="" type="checkbox"/> Zone Atlas page indicating subject property.	
<input checked="" type="checkbox"/> Drawings, elevations, or other illustrations of this request.	
<input checked="" type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable. <a href="https://www.dropbox.com/t/FTD375kGPU1R5UCI">https://www.dropbox.com/t/FTD375kGPU1R5UCI</a>	
<input checked="" type="checkbox"/> Summary of request, including explanations of deviations, variances, or waivers.	
<b>IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO <a href="#">SUBSECTION 14-16-6-4(K)</a> OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.</b>	

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

 \_\_\_\_\_ (Applicant signature)      5/4/2021 \_\_\_\_\_ (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



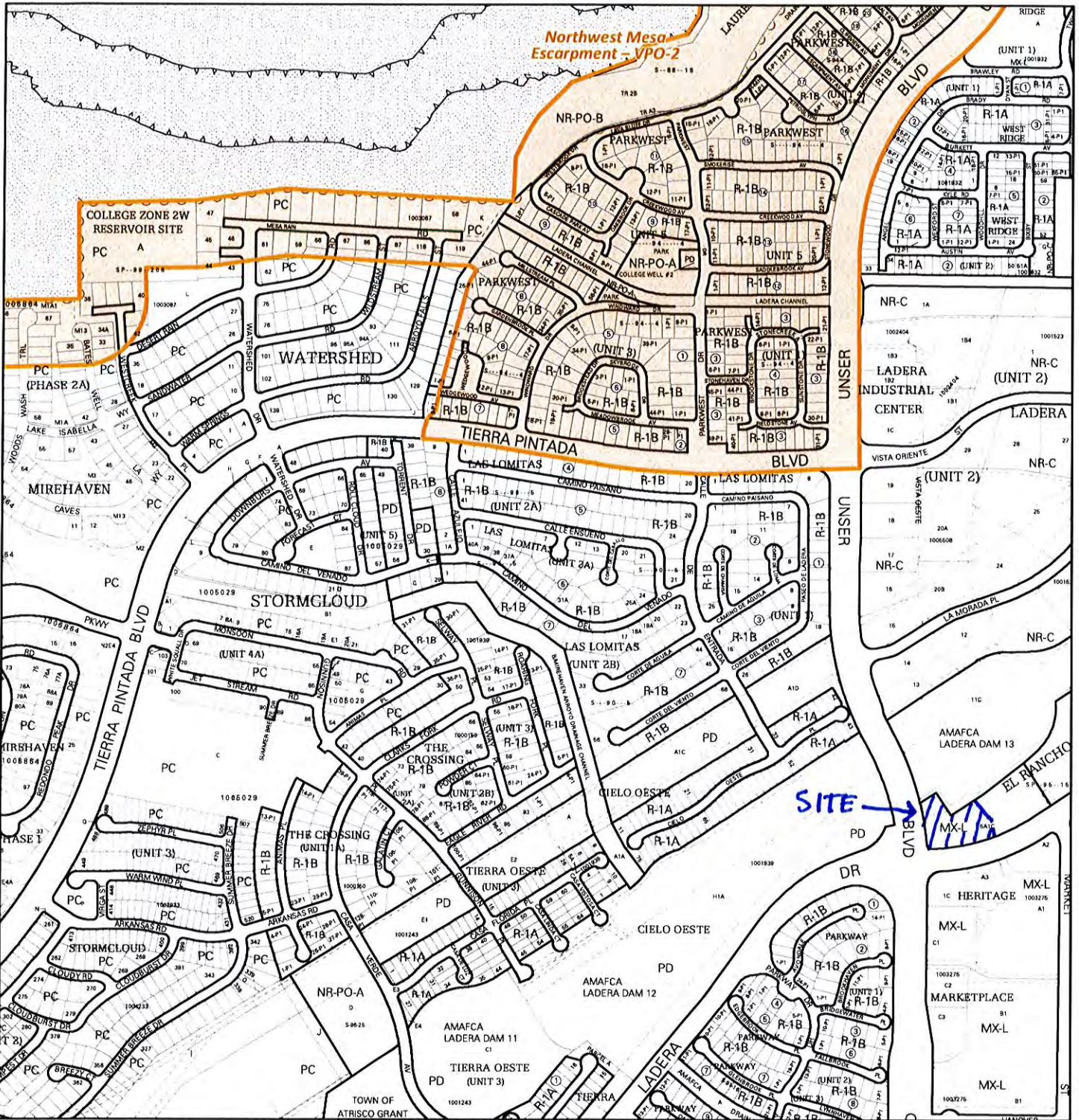
**OFFICIAL PUBLIC NOTIFICATION FORM  
FOR MAILED OR ELECTRONIC MAIL NOTICE  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



**PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY**

Provide a site plan that shows, at a minimum, the following:

- a. Location of proposed buildings and landscape areas.
- b. Access and circulation for vehicles and pedestrians.
- c. Maximum height of any proposed structures, with building elevations.
- d. For residential development: Maximum number of proposed dwelling units.
- e. For non-residential development:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas

### May 2018

Albuquerque Geographic Information System

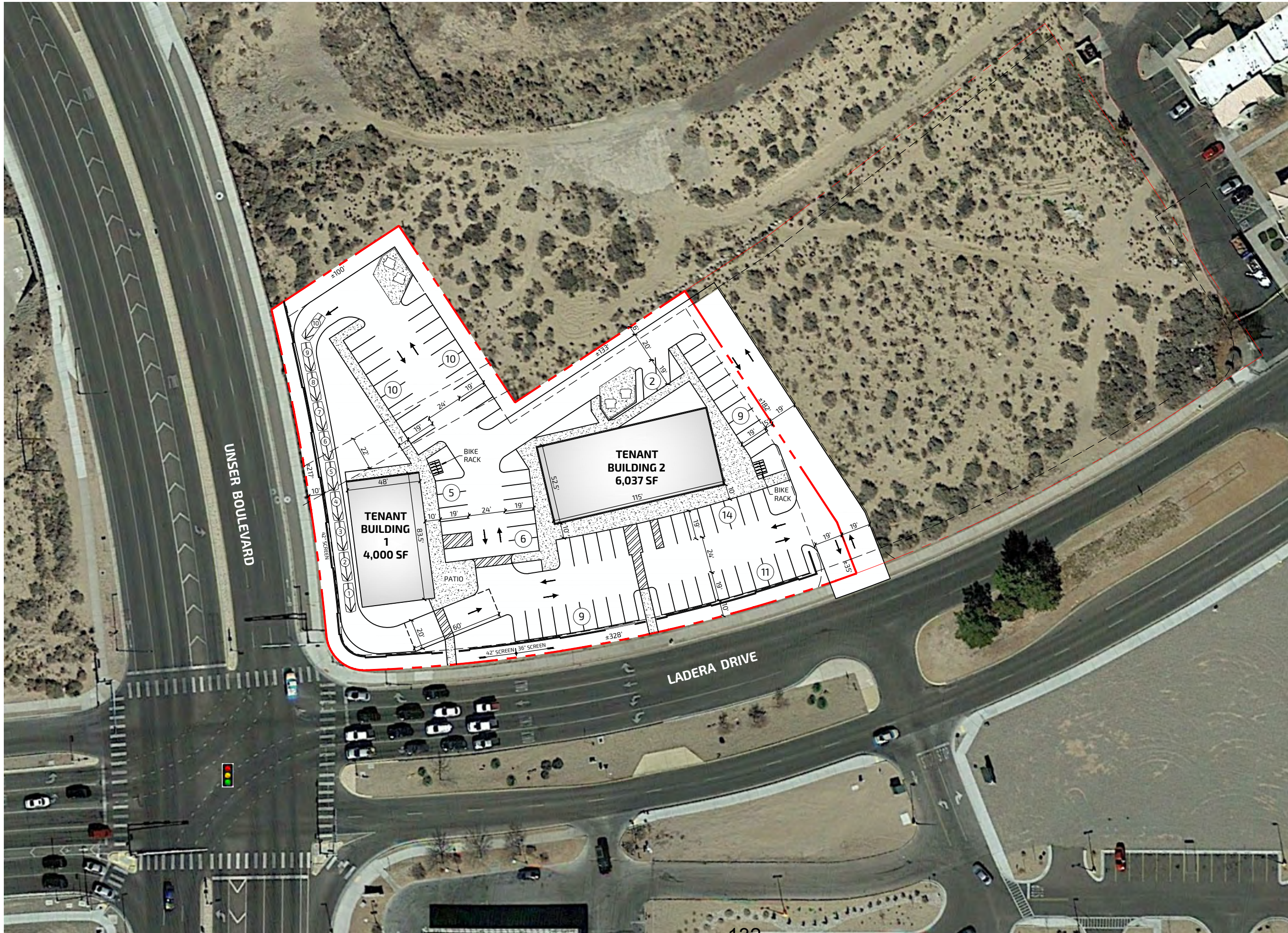
IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**H-09-Z**

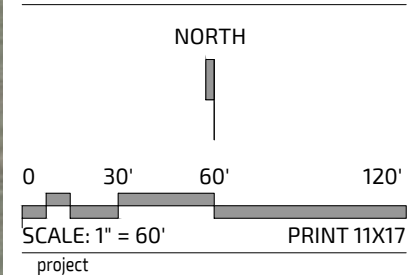
- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet



**SITE DATA**

SITE AREA	±1.588 AC
BUILDING	4,000 SF - TENANT 1 6,037 SF - TENANT 2 10,116 SF - TOTAL
PARKING	76 SPACES
RATIO	7.5 / 1,000



**ALBUQUERQUE,  
NEW MEXICO**  
LADERA DRIVE AND  
UNSER BOULEVARD  
drawing title

**PROPOSED  
SITE PLAN**

date	drawing no.
04.02.2019	1.3



2004 Wakimoto Family LP  
C/O Wal-Mart Property Tax Dept.  
Store #87370  
PO BOX 8050 Bentonville, Arkansas 72716-8050



Unser and Ladera LLC  
6801 Jefferson St. NE Suite 300  
Albuquerque, NM 87109



Westland Devco LP  
6260 Riverside Plaza LN Suite A  
Albuquerque NM 87109-4379

Titan Ladera SS LLC  
6300 Riverside Plaza LN NW Suite 300  
Albuquerque, NM 87120-2617



Yellen Stuart & Ann Trustees Yellen Family  
1999 Trust  
1629 Cass St. #199 San Diego, CA 92109-2805

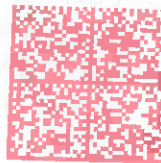


Diamond Shamrock Refining & Marketing  
CO ATTN: Ad Valorem Tax Department  
PO BOX 690110 San Antonio, TX 78269-0110



Unser/98<sup>th</sup> Street Partnership, LLC  
PO BOX 90548  
Albuquerque, NM 87199-0548

FIRST-CLASS



US POSTAGE

02 1P \$ 000.51<sup>0</sup>  
0002118651 MAY 03 2021  
MAILED FROM ZIP CODE 87102





May 4, 2021

Robert Lucero  
Zoning Hearing Examiner  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

**RE: Request for Conditional Accessory Use at 1901 Ladera Drive NW**

Dear Mr. Lucero:

The purpose of this letter is to request approval of a Conditional Accessory Use for a Drive-through or Drive-up Facility at 1901 Ladera Drive NW, on behalf of the property owner, Unser and Ladera, LLC. The subject property is legally described as Lot 5A1C2, El Rancho Atrisco Phase III located at the northeast corner of Unser Boulevard NW and Ladera Drive NW (see Figure 1 for context). The property is ±1.588 acres in size and zoned MX-L, which allows for a variety of commercial uses including banks, retail, and restaurants permissively. Per IDO Section 14-16-4-2 Allowable Uses, a Drive-through or Drive-up Facility is a "Conditional Accessory" use.

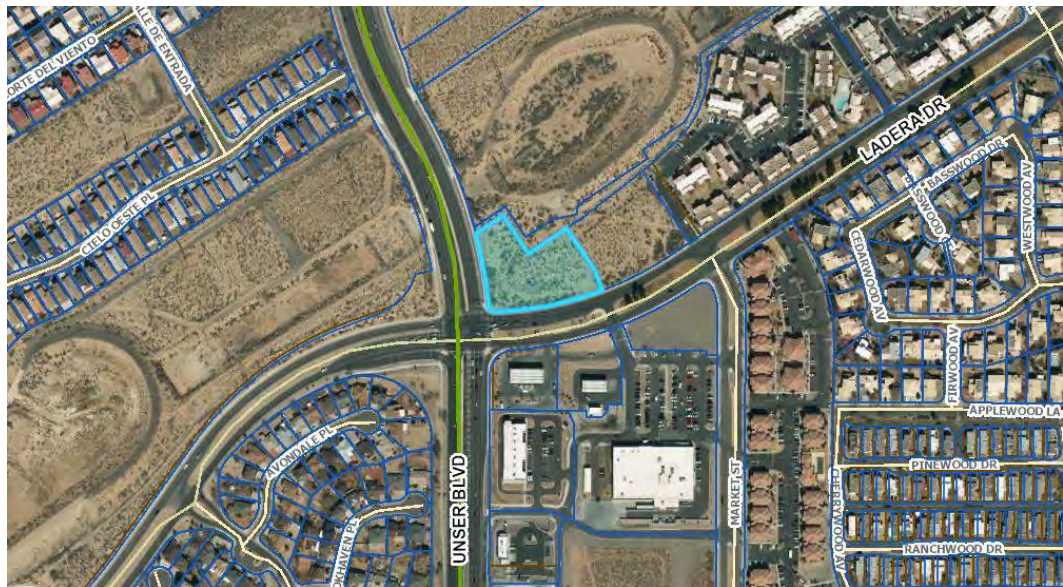


Figure 1: Site Context with Subject Site Highlighted.

The Applicant is proposing development of the subject site with two commercial buildings for retail, restaurant, and service uses that are permissive under the MX-L zoning (see provided conceptual site plan). The project is also proposing a drive-through for one of the buildings to support a proposed restaurant use, which is the subject of this application. This site received a ZHE approval for a drive-through our drive-up facility in 2019 (Special Exception No: VA-2019-00130, Project No. #2019-002291), but the approval expired in June 2020. A copy of the Official Notice of Decision for this previous approval is included in this application.

**PRINCIPALS**

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

## EXISTING CONDITIONS

The subject property is in an Area of Consistency on the northeast corner of Unser Boulevard and Ladera Drive. Unser Boulevard is a Principal Arterial as well as a Commuter Corridor, as designated by the ABC Comprehensive Plan. The site is accessed via an existing driveway from Ladera Drive that is shared with the existing three-story storage facility immediately to the east and a left turn lane on eastbound Ladera Drive. Access to Unser is restricted with limited access granted through the Metropolitan Transportation Board and is not currently allowed.



*Figure 2: View showing neighboring storage facility and shared access from Ladera at right edge.*

The subject property is currently vacant with the new three-story self-storage facility immediately to the east. The surrounding zoning and other land uses are described in Table 1 below and shown in Figures 3 and 4. Other uses in the vicinity include multiple other drive-through restaurants, two gas stations, and a grocery store.

The nearest residential properties to the site are located to the southwest across the Unser and Ladera intersection with their rear yards facing the surrounding streets. They each have a 6-foot-minimum subdivision wall and a landscape strip separating their yards from the streets, which provide an even greater buffer to the proposed use (see Figure 5).

**TABLE 1. Surrounding Zoning & Land Use**

<b>NORTH</b>	NR-C and Unclassified	Various commercial service, retail, office, storage, and drainage
<b>EAST</b>	MX-L and PD	Indoor storage and Multi-family residential
<b>SOUTH</b>	MX-L	Gas stations, retail, grocery store and restaurants including multiple drive-throughs
<b>WEST</b>	PD and R-1B	Drainage and single-family residential to the southwest



Figure 3: Surrounding Zoning.



Figure 4: Surrounding Land Uses.



Figure 5: View of the closest residential properties across the wide Unser Boulevard intersection.



## PROJECT HISTORY

A Site Plan for Subdivision controls this site. The Site Plan was approved by the Development Review Board in 2017, which facilitated development of the Extra Space Storage, but also applied regulations and guidelines to the subject 1.6-acre site, which remain unchanged as prior approvals remain valid under the Integrated Development Ordinance. The Site Plan for Subdivision anticipated a drive-up service window as a conditional use (with ZHE approval) and included Design Standards that will be adhered to during future Site Plan approvals.

The proposed Conditional Use request was previously heard by the Zoning Hearing Examiner on May 21, 2019 and approved in a written decision dated June 5, 2019 under Project Number 2019-002291. This approval was met with no opposition, comments, or meeting requests from affected Neighborhood Associations or surrounding property owners. The Notice of Decision reflected favorable findings such as encouraging infill development with complementary and compatible form and scale to immediate surrounding development, consistency with ABC Comprehensive Plan Area of Consistency policies, the proposed use was sufficiently separated from nearby residential uses, and the existing shared access point would ensure traffic in and out of the site was adequately controlled and would not create any adverse impacts to the Unser and Ladera Intersection, to name a few. The Notice of Decision (Special Exception No: VA-2019-00130, Project No. #2019-002291) is included as a supporting document. Unfortunately, the approval has expired, and the new property owner is seeking reapproval of the same Conditional Use to allow a drive-through facility. The new property owner was a contract purchaser at the time of the prior approval, and other than the ownership change nothing material has changed with the application in the past two years that would warrant a different decision than previously reached. In fact, due to the COVID-19 pandemic, it has been shown that drive-through uses are a critical tool for businesses of all kinds to thrive, providing an even greater economic development purpose for this request, in an appropriate location, than before.

## NEIGHBORHOOD OUTREACH

The Applicant followed all notice requirements for a Conditional Use request to the Zoning Hearing Examiner. On Friday, March 19, 2021, the following Neighborhood Associations were sent the Neighborhood Meeting notice:

- Laurelwood Neighborhood Association;
- Tres Volcanes Neighborhood Association;
- Westside Coalition of Neighborhood Associations; and
- Ladera West Neighborhood Associations.

A facilitated Neighborhood Meeting was requested and held via Zoom on April 6, 2021. The Project Team discussed the history of the project, the conceptual site plan, and relayed that the Applicant does not have a tenant at this time. The Neighborhood Associations in attendance included Laurelwood NA, Ladera West NA, and the Westside Coalition. Some Neighborhood Association members expressed their concerns regarding



traffic congestion created by the surrounding commercial uses, pedestrian safety, lack of pedestrian infrastructure such as crosswalks, and supported the development of the site without the drive-through use. The Applicant agreed to discuss the neighborhood's association traffic concerns with Elaine Romero from City Council Services. A copy of the Facilitated Neighborhood Meeting report is included with this application along with a copy from the neighbors with additional commentary provided after and outside of the meeting itself.

In addition, all affected Neighborhood Associations and surrounding property owners within 100 feet were sent a Public Notice of this application on May 4, 2021.

**CONDITIONAL USE CRITERIA**

The following is an explanation of how the request meets meet the specific criteria for a Conditional Use approval as outlined in IDO Section 14-16-6-6(A)(3):

**6-6(A)(3)(a) It is consistent with the adopted ABC Comp Plan, as amended.**

The request for Conditional Accessory Use at 1901 Ladera Drive NW is consistent with and furthers the goals and policies of the ABC Comprehensive Plan in the following ways:

*Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.*

**Applicant Response:** The project furthers this policy by proposing a drive-through use along Unser Boulevard, which is a designated Commuter Corridor with high traffic volumes and limited access. Drivers using Unser to travel across town from north to south and vice-versa will be able to go through the proposed drive-through for food and stop for other services at the proposed commercial development between their other destinations, as well as stopping before or after shopping at the larger adjacent shopping center or gas stations on the south side of Ladera Drive. The proposed use is consistent with the area's auto-oriented development, as there are other drive-through restaurants, gas stations, and large retailers that can be accessed off Ladera Drive from Unser Boulevard. The proposed use is not requesting access from Unser Boulevard to comply with the Commuter Corridor designation and limited access policies of the Mid-Region Council of Governments. It will utilize the existing shared access and left turn lane with Extra Space Storage from Ladera Drive.

*Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.*

*h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.*

**Applicant Response:** This policy is furthered because the proposed project will facilitate infill development on a vacant property that is surrounded by developed subdivisions, apartment complexes, drainage facilities, and other commercial uses. It will add complementary retail, restaurant, and service uses in form and scale that are compatible with the neighboring shopping center and Commuter Corridor. These new uses will be conveniently accessible from the surrounding neighborhoods via both Ladera Drive and Unser Boulevard. The proposed

Conditional Use for a drive-through facility is consistent with existing development as there are restaurants with drive-through facilities south of Ladera Drive and allowed under the existing MX-L zoning.



Figure 6: View of two gas stations and retail uses on south side of Ladera Drive.

*Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.*

*b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.*

**Applicant Response:** The subject property is located outside of a Center and is located next to a major intersection along a Commuter Corridor. Allowing a drive-through at the subject site will reinforce the scale, intensity, and setbacks of the immediately surrounding context that already includes drive-through uses and smaller scale commercial development. The site is adequately separated from the nearby single-family neighborhoods thus protecting their character and providing residents of the surrounding neighborhoods with goods and services.

**6-6(A)(3)(b) It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in a prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above.**

The Use-specific Standards for a Drive-through or Drive-up Facility are as follows:

*4-3(F)(4)(a) Each stacking lane is limited to a maximum order board area of 50 square feet. The face of the order boards shall be oriented away from public streets to the maximum extent practicable. If not practicable, at least 2 evergreen trees shall be planted in the landscape buffer area required by Subsection 14-16-5-5(l)(2)(a) in locations that would best screen the order board from the public right-of-way.*



4-3(F)(4)(b) *This use shall comply with the provisions of Section 14-16-5-5 (Parking and Loading) and Section 14-16-5-9 (Neighborhood Edges).*

4-3(F)(4)(c) *Within 330 feet of Major Public Open Space, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).*

4-3(F)(4)(d) *Notwithstanding Subsection (a) above, this use is prohibited adjacent to Major Public Open Space.*

4-3(F)(4)(e) *This use is prohibited in the following mapped areas as noted.*

**Applicant Response:** This request for Conditional Use approval of a drive-through is for a new proposed development that is required to submit a Site Plan that will be reviewed for conformance with IDO requirements including Parking and Loading, as well as comply with the Site Plan for Subdivision standards that were approved for the site in 2017. The size of the order board will not exceed the maximum allowed and the location will be in conformance with the IDO. The other Use-specific Standards do not apply because the site is far enough from any Protected Lot that Neighborhood Edge provisions are satisfied, no Major Public Open Space is adjacent, and the site is not located in any mapped area. The previous Conditional Use Approval in 2019, which has expired, included a Condition to meet these standards and the Applicant is amenable to maintaining such a condition should this request be reapproved.

Relevant standards from Section 14-16-5-5 (Parking and Loading) are as follows:

5-5(l)(1)(a) *Vehicle stacking spaces shall be integrated into the site layout and shall not interfere with site access points, access to parking or loading spaces or areas, or internal circulation aisles, and shall comply with stacking space dimensions required by the DPM.*

5-5(l)(1)(b) *Vehicle stacking spaces shall be provided pursuant to Table 5-5-8 and other standards in this Subsection 14-16-5-5(l). Required stacking distances shall be measured from the end of the queuing lane or property line to the point of service, as specified in Table 5-5-8.*

**Applicant Response:** IDO regulations address the placement, buffering, and stacking requirements for drive-throughs. The site design will meet the minimum six required stacking spaces and 20-foot stacking space for restaurants in Table 5-5-8. The stacking spaces will not interfere with site access, access to parking or loading spaces or areas, or internal circulation aisles, and will meet the space dimension requirements in the IDO (see attached Preliminary, Conceptual Site Plan).

*Section 5-5(l)(2) Drive-through or Drive-up facility design.*

(a) *Drive-through lanes adjacent to public rights-of-way shall be screened by a landscape buffer area at least 6 feet wide containing a vegetative screen or wall constructed of a material similar in texture, appearance, and color to the street-facing façade of the primary building (but excluding exposed concrete masonry unit (CMU) block) at least 3 but not more than 4 feet tall. The landscape buffer area shall be provided on the public street side.*



**Applicant Response:** The current conceptual layout proposes a drive-through lane adjacent to the Unser Boulevard Right-of-way and the applicant intends to screen it with a 6-foot-wide vegetated area and either a vegetative screen and/or wall as required by the IDO and Site Plan for Subdivision.

- (b) *Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line of the site.*

**Applicant Response:** Audible order devices will be monitored and calibrated to not be audible beyond the property line as required by the IDO.

- (c) *Drive-through service windows shall not be located parallel to any Residential zone district.*

**Applicant Response:** The proposed location of the drive-through service window is on the west side of the site facing Unser Boulevard, which has a high traffic volume. The property on the opposite side of Unser Boulevard, which is developed with a drainage facility, is zone PD (Planned Development) and is not a Residential zone district, so the request meets this requirement. Placing the window in this location provides the additional benefits of orienting it away from the proposed pedestrian access points into the development from Ladera Drive, as well as a proposed patio near the front of the building.

- (d) *In UC-MS-PT areas and the MX-H zone district, no drive-through lanes shall be located between the front façade of the primary building and the front lot line or within a required street side setback, except on lots that meet at least 2 of the following criteria:*

1. *The lot is located on a corner.*
2. *The lot is 21,780 square feet (1/2 acre) or smaller.*
3. *The lot does not have vehicular access to the street that the front façade of the primary building faces.*

**Applicant Response:** The site is not within any of the aforementioned special areas or zone districts, so this subsection does not apply.

- (e) *In UC-MS-PT areas and the MX-H zone district, if a drive-through lane is allowed pursuant to Subsection 14-16-5-5(l)(2)(d), the drive-through lane shall be screened pursuant to Subsection 14-16-5-5(l)(2)(a), and enhanced pedestrian crossings, such as a raised crosswalk, shall be required where the drive-through lane crosses a pedestrian pathway to the primary entrance of the building.*

**Applicant Response:** The site is not within any of the aforementioned special areas or zone districts, so this subsection does not apply.

- (f) *Drive-through service windows and any associated order board shall be located at least 50 feet in any direction from any abutting Residential zone district or lot containing a Residential use in a Mixed-use zone district.*

**Applicant Response:** The nearest residence in any zone district is over 300 feet from the property where the drive-through use is requested.





(g) *Where abutting any Residential zone district or lot containing a residential use in a Mixed-use zone district, the edge buffering provisions of Subsection 14-16-5-6(E) (Edge Buffer Landscaping) shall apply.*

**Applicant Response:** The site does not abut any Residential zone district or any lot containing a residential use.

**6-6(A)(3)(c) It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.**

**Applicant Response:** The use and design of the drive-through will not adversely impact adjacent properties, the surrounding neighborhood, or the larger community. As mentioned above, all IDO standards will be met in the site design to prevent adverse impacts. The proposed use is adequately separated from any nearby residential, is compatible with the other commercial uses in the area and is along a major roadway/Commuter Corridor that can handle the anticipated traffic from the development and does not directly create barriers for pedestrians. The proposed development is suitable because of its location and intensity and is appropriately located within an existing area zoned for commercial uses.

**6-6(A)(3)(d) It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.**

**Applicant Response:** The site will not adversely affect traffic along Unser Boulevard, a Regional Principal Arterial, or Ladera Drive, a Minor Arterial. The proposed use is sufficiently separated from any nearby residential uses, and the existing shared access point will ensure traffic in and out of the site is adequately controlled and will not create any adverse impacts to the Unser and Ladera intersection. Use-specific standards and design standards for drive-throughs will be applied in the Site Plan – Administrative process and will also sufficiently mitigate any expected impacts of the proposed use. Because auto-oriented development along this Commuter Corridor is designed for trip chaining, the area will not see a significant increase in new trips or be subject to inconveniences due to temporary construction for roadway improvements. The 2019 approval had a “No Objection” comment from Transportation.

**6-6(A)(3)(e) On a project site with existing uses, it will not increase non-residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.**

**Applicant Response:** The subject property is more than 300 feet from the nearest lot in a Residential zone district, therefore it will not cause any increase in non-residential activity within that specified distance.

**6-6(A)(3)(f) It will not negatively impact pedestrian or transit connectivity without appropriate mitigation.**

**Applicant Response:** Public sidewalks along Unser Boulevard and Ladera Drive will not be affected by this project nor will the nearest ABQ Ride bus stops, which are located approximately 500 feet to the south along Unser Boulevard and 900 feet east along Ladera Drive.

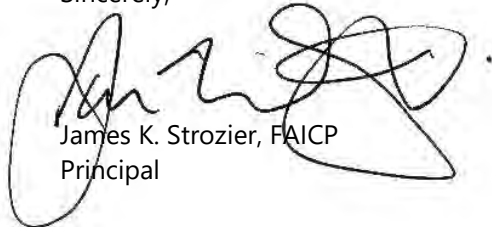


Figure 7: Looking north along west edge of site (Unser on left) showing existing sidewalk and guardrail that will remain.

## CONCLUSION

Based upon the facts presented, we respectfully request approval of this Conditional Accessory Use for a Drive-through or Drive-up Facility.

Sincerely,



James K. Strozier, FAICP  
Principal

Attachments: 2019 Zoning Hearing Examiner Notification of Decision, Preliminary Conceptual Site Plan, 2017 Site Plan for Subdivision, and April 6, 2021 Facilitated Neighborhood Meeting Report



CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

Titan Ladera SS, LLC requests a conditional use to allow a drive-through facility on Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera DR NW, zoned MX-L [Section 14-16-4-2]

Special Exception No:..... **VA-2019-00130**  
Project No: ..... **Project# 2019-002291**  
Hearing Date: ..... 05-21-19  
Closing of Public Record: ..... 05-21-19  
Date of Decision: ..... 06-05-19

On the 21st day of May, 2019, Jim Strozier, agent for property owner, Titan Ladera SS, LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow a drive-through facility (“Application”) upon the real property located at 1901 Ladera DR NW (“Subject Property”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow a drive-through facility.
2. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: “*An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - (a) *It is consistent with the ABC Comp. Plan, as amended;*
  - (b) *It complies with all applicable provisions of the IDO, including, but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in any prior permit or approval affecting the property;*
  - (c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community;*
  - (d) *It will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts;*
  - (e) *It will not increase non-residential activity within 300 feet of a lot in any residential zone district between the hours of 8:00 pm and 6:00 am;*
  - (f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation*
3. The Applicant bears the burden of ensuring there is evidence in the record supporting a finding that the above criteria are met under Section 14-16-6-4(N)(1).
4. Jim Strozier of Consensus Planning, agent for Titan Ladera SS LLC, property owner appeared and gave evidence in support of the application.
5. All property owners within 100 feet and affected neighborhood association(s) were notified.
6. Ladera West Neighborhood Association, Tres Volcanes Neighborhood Association and Laurelwood Neighborhood Association are is the affected NA’s.

7. No request for a meeting was requested and nothing was submitted in opposition to the Application.
8. The address of the subject property is 1901 Ladera Drive NW.
9. The subject property is currently zoned MX-L.
10. The request for approval of a Conditional Accessory Use for a drive through facility on the subject property.
11. A site plan with accompanying photographs was submitted in support of the Application.
12. The requested use is regulated by Use Specific Standards Section 14-16-4-3(F)(4) (*Drive-through or Drive-up Facility Design*).
13. The requested use is also regulated by Development Standards Section 14-16-5-5(I)(1) (*Parking and Loading*).
14. The IDO standards address placement, buffering and stacking requirements for drive-through facilities.
15. This request is for a newly proposed development and will be required to submit a site plan that will be reviewed for conformance with IDO requirements including parking and loading.
16. The subject property is currently vacant and is within an Area of Consistency as designated by the ABC Comp. Plan.
17. The subject property is on the northeast corner of Ladera Drive NW and Unser Blvd. NW.
18. The subject property consists of 1.588 acres in size.
19. The site is accessible via an existing driveway from Ladera Drive NW, which is shared with a newly built three-story storage facility.
20. Unser Blvd. is designated a Commuter Corridor with high traffic volumes and limited access.
21. No access to the site is permitted from Unser Blvd. NW.
22. Other uses in the surrounding area are other drive-through restaurants, gas stations and large retail facilities.
23. The nearest residential properties are southwest from the subject site across the Ladera and Unser intersection with rear yards facing the streets.
24. The residential district also has a 6 foot subdivision wall and a landscaping strip separating the residential yards from the streets.
25. Transportation reported No Objection to the Conditional Use request.
26. The requested use will allow auto-oriented development along a commuter corridor and encourage access through Ladera into the various commercial development, which is consistent with and furthers ABC Comp. Plan, Policy 5.1.12. (*Commuter Corridors*).
27. The requested use will facilitate infill development on a vacant property that is surrounded by residential and other commercial uses, which is consistent with ABC Comp. Plan, Policy 5.2.1(h), (*Land Uses*).
28. The use would encourage infill development that adds complementary uses and is compatible in form and scale to the immediate surrounding development.
29. The use would be conveniently accessible from the surrounding residential areas by both Ladera Drive and Unser Blvd.
30. The requested use will reinforce the scale, intensity and set backs of the immediate surrounding areas that already include drive-through uses and smaller scale commercial development.
31. This is consistent with ABC Comp. Plan, Policy 5.6.3(b), (*Areas of Consistency*).
32. All IDO standards shall be met in the site design to prevent any adverse impact to the surrounding area and larger community.

33. The proposed use is sufficiently separated from any nearby residential uses, and the existing shared access point will ensure traffic in and out of the site is adequately controlled and will not create any adverse impacts to the Unser and Ladera intersection.
34. The subject property is more than 300 feet from the nearest residential zone district and will not cause any increase in non-residential activity.
35. Public sidewalks will not be affected by the proposed project.
36. The closest bus stops are located 500 feet and 900 feet from the project.
37. No one appeared in opposition to the Application.
38. The proposed use is consistent with the ABC Comp. Plan, as amended, as required by Section 14-16-6-6(A)(3)(a).
39. The proposed use complies with all applicable provisions of the IDO, including, but not limited to any Use-Specific standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; any conditions specifically applied to the development of the property in a prior permit or approval affecting the property, as required by Section 14-16-6-6(A)(3)(b).
40. The proposed use will not create significant adverse impacts on the adjacent properties; the surrounding neighborhood, or the larger community, as required by Section 14-16-6-6(A)(3)(c).
41. The proposed use will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration as requires by Section 14-16-6(A)(3)(d).
42. The proposed use will not increase non-residential activity within 300 feet of a lot in any Residential zone between the hours of 8:00 pm and 6:00 am as required by Section 14-16-6-6(A)(3)(e).
43. The proposed use will not negatively impact pedestrian or transit connectivity, as required by Section 14-16-6-6(A)(3)(f).
44. The ZHE finds that the proper “Notice of Hearing” signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
45. The ZHE finds that the Applicant has authority to pursue this Application.

DECISION:

APPROVAL of a conditional use to allow a drive-through facility.

CONDITIONS:

Compliance with Use Specific Standards Section 14-16-4-3(F): (Drive-through or Drive-up Facility Design), and Development Standards Section 14-16-5-5(I)(1): (Parking and Loading).

APPEAL:

If you wish to appeal this decision, you must do so by June 20, 2019 pursuant to Section 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

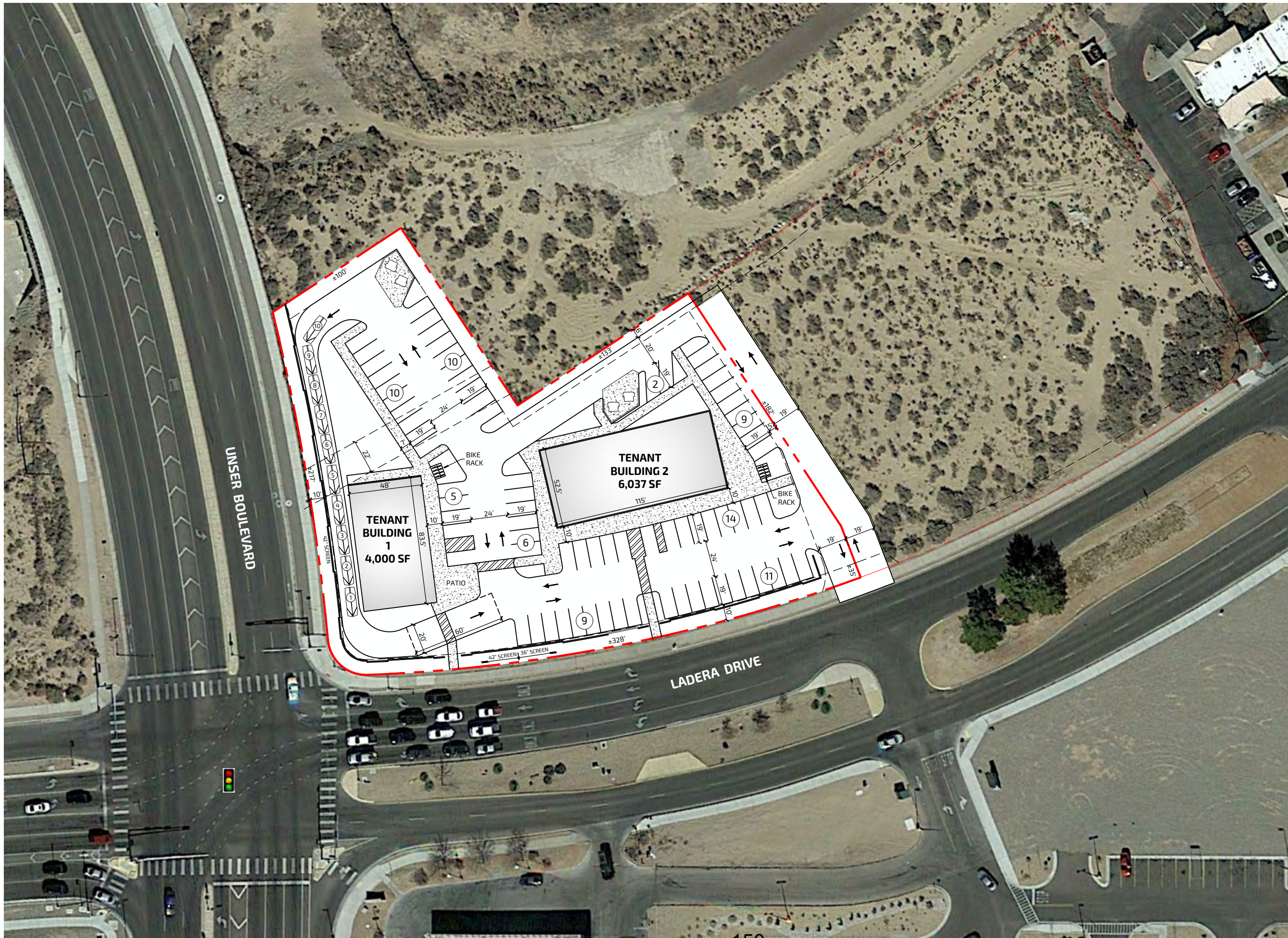
Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



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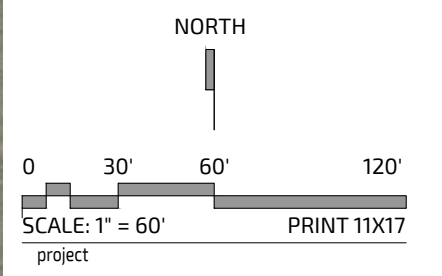
Stan Harada, Esq.  
Zoning Hearing Examiner

cc: Zoning Enforcement  
ZHE File  
Titan Ladera SS, LLC, 6300 Riverside LN NW, Suite 200, 87120  
Consensus Planning, 302 8<sup>th</sup> ST NW, 87102



**SITE DATA**

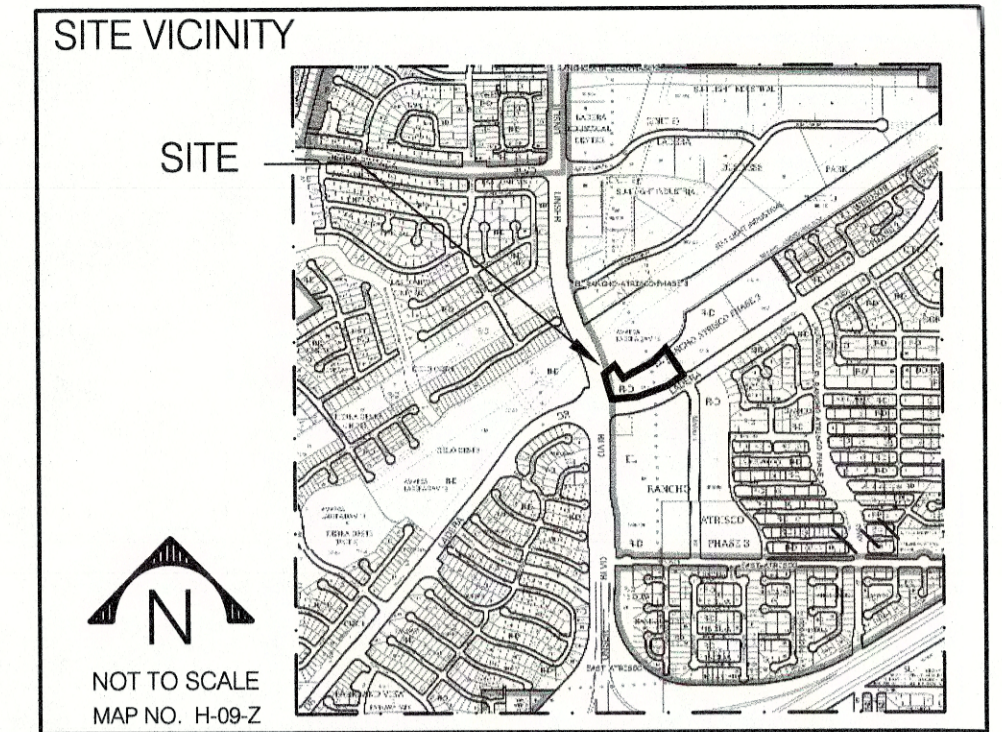
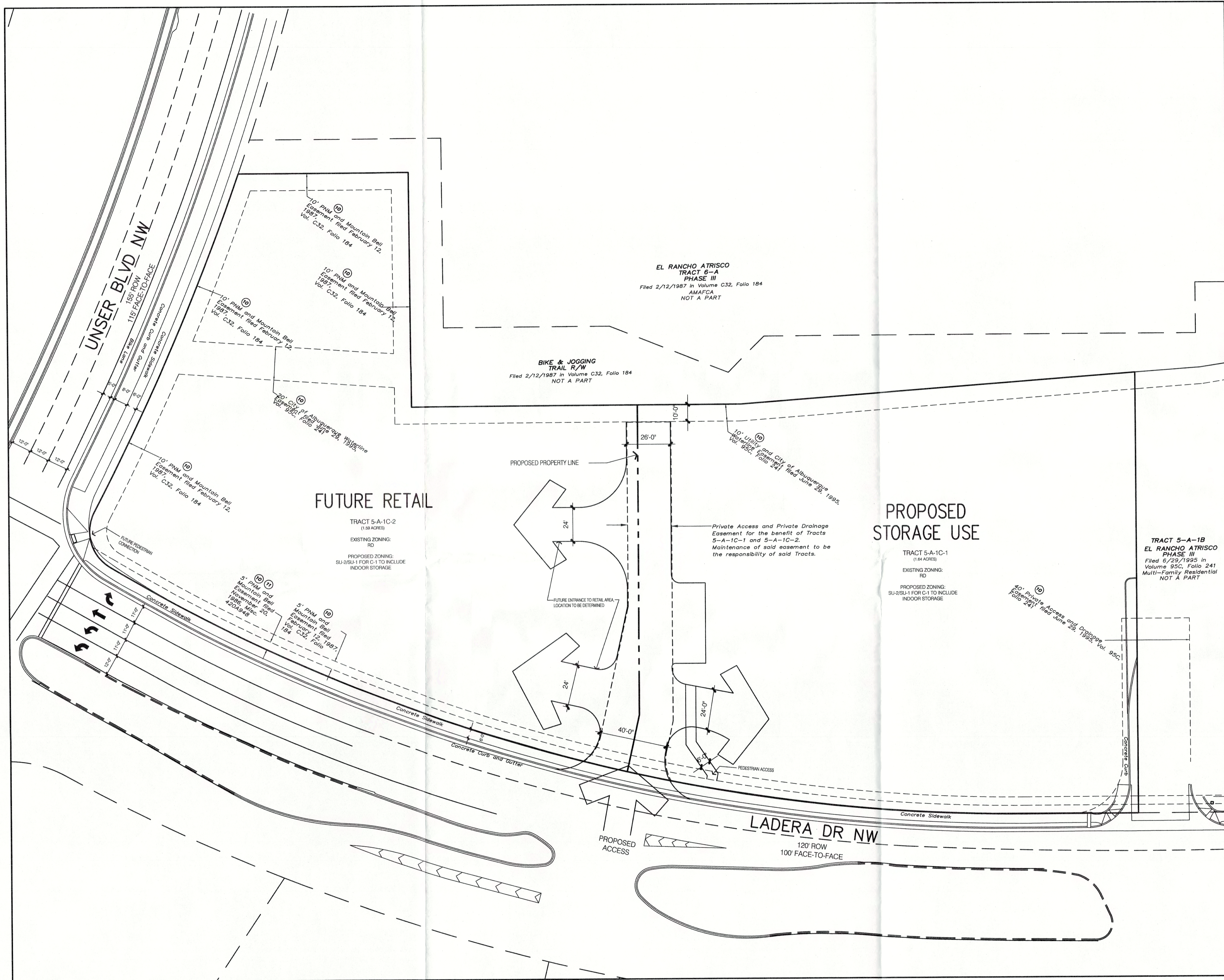
SITE AREA	±1.588 AC
BUILDING	4,000 SF - TENANT 1 6,037 SF - TENANT 2 10,116 SF - TOTAL
PARKING	76 SPACES
RATIO	7.5 / 1,000



**ALBUQUERQUE,  
NEW MEXICO**  
LADERA DRIVE AND  
UNSER BOULEVARD  
drawing title

**PROPOSED  
SITE PLAN**

date	drawing no.
04.02.2019	1.3



SITE DEVELOPMENT PLAN FOR SUBDIVISION:  
 REQUIRED INFORMATION  
 THE SITE: THE SITE CONSISTS OF 1 EXISTING LOT (TRACT 5-A-1C, EL RANCHO ATRISCO PHASE III).  
 THE SITE CONTAINS APPROXIMATELY 3.23 ACRES.

PROPOSED USE: THE EASTERN PORTION OF THE SITE WILL BE DEVELOPED WITH INDOOR STORAGE AND THE WESTERN PORTION WILL BE FOR FUTURE RETAIL.

ZONING: SU-2/SU-1 FOR C-1 TO INCLUDE INDOOR STORAGE.

FUTURE DEVELOPMENT WILL EXCLUDE TWO PERMISSIVE USES: GAS STATIONS AND RESIDENTIAL.

PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS: AN EXISTING SIDEWALK IS LOCATED ON LADERA DRIVE. AN EXISTING MULTIPURPOSE TRAIL IS LOCATED ON UNSER BOULEVARD. VEHICULAR ACCESS IS LOCATED ON LADERA DRIVE. ACCESS LINES UP WITH THE EXISTING MEDIAN OPENING ON LADERA DRIVE AND THE PARKING LOT ENTRANCE ACROSS LADERA DRIVE.

INTERNAL CIRCULATION REQUIREMENTS: VEHICULAR CIRCULATION THROUGH THE SITE SHALL BE FACILITATED BY A 40' WIDE ENTRANCE ACCESSING THE SITE FROM LADERA DRIVE. THIS DRIVE PROVIDES FOR CUSTOMER ACCESS TO THE STORAGE AND FUTURE RETAIL USES.

BUILDING HEIGHTS AND SETBACKS: HEIGHT FOR STORAGE USE SHALL BE 35'. HEIGHT FOR RETAIL USE SHALL BE 26'. THE EPC HAS DISCRETION OVER THE HEIGHT ALLOWANCES, PER THE SU-1 ZONING DESIGNATION. THE HEIGHT ALLOWANCE PROVIDED BY THIS SITE PLAN FOR SUBDIVISION IS AN EXEMPTION FROM THE C-1 ZONE REQUIREMENT. THE FRONT AND SIDE SETBACKS SHALL BE A MINIMUM OF 50'. THE CLEAR SIGHT TRIANGLE SHALL NOT BE INFRINGED UPON.

MAXIMUM F.A.R.: MAXIMUM FLOOR AREA RATIO SHALL BE 1.5 FOR THE STORAGE USE AND 0.2 FOR THE RETAIL USE.

LANDSCAPE PLAN: A CONCEPTUAL LANDSCAPE PLAN SHALL BE DEVELOPED IN ACCORDANCE WITH THE SITE PLAN FOR BUILDING PERMIT AND CONSISTENT WITH THESE LANDSCAPING REQUIREMENTS (SHEET 2) AND ANY OTHER REQUIREMENTS.

SIGNAGE TO BE UNDER A SEPARATE PERMIT PER C-1 REGULATIONS AND THE UNSER BOULEVARD DESIGN OVERLAY STANDARDS WHICH LIMITS FREE-STANDING SIGNS TO ONE PER STREET FRONTAGE (ONE ON LADERA DR NW AND ONE ON UNSER BOULEVARD NW) AND LIMITS WALL SIGNS TO ONE PER FACADE PER BUSINESS.

APPROVAL PROCESS: UPON APPROVAL OF THIS SITE PLAN FOR SUBDIVISION, TRACT 5-A-1C-2 SHALL BE REQUIRED TO OBTAIN SITE DEVELOPMENT PLAN FOR BUILDING PERMIT APPROVAL DELEGATED TO THE DEVELOPMENT REVIEW BOARD (DRB) AT A PUBLIC HEARING. ANY SUBSEQUENT SUBDIVISION OF TRACTS 5-A-1C-1 AND 5-A-1C-2 SHALL REQUIRE APPROVAL FROM THE ENVIRONMENTAL PLANNING COMMISSION (EPC).

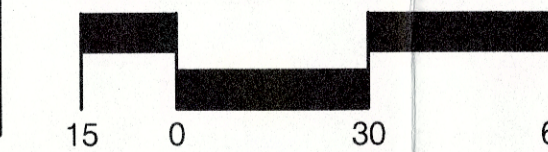
PROJECT NUMBER:  
 APPLICATION NUMBER:  
 THIS PLAN IS CONSISTENT WITH THE SPECIFIC SITE DEVELOPMENT PLAN APPROVED BY THE ENVIRONMENTAL PLANNING COMMISSION (EPC), DATED \_\_\_\_\_ AND THE FINDINGS AND CONDITIONS IN THE OFFICIAL NOTIFICATION OF DECISION ARE SATISFIED.

IS AN INFRASTRUCTURE LIST REQUIRED? ( ) YES ( ) NO IF YES, THEN A SET OF APPROVED DRC PLANS WITH A WORK ORDER IS REQUIRED FOR ANY CONSTRUCTION WITHIN PUBLIC RIGHT-OF-WAY OR FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS.

DBB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

<i>[Signature]</i>	10/4/17
Traffic Engineering, Transportation Division	Date
<i>[Signature]</i>	10/4/17
ABCWUA	Date
<i>[Signature]</i>	10/4/17
Parks and Recreation Department	Date
<i>[Signature]</i>	10/4/2017
City Engineer	Date
Solid Waste Management	Date
<i>[Signature]</i>	10-4-17
DRB Chairperson, Planning Department	Date

Scale: 1" = 30'



**CONSENSUS PLANNING, INC.**  
 Planning / Landscape Architecture  
 302 Eighth Street NW  
 Albuquerque, NM 87102  
 (505) 764-9801 Fax 842-5495  
 e-mail: cp@consensusplanning.com

# TITAN DEVELOPMENT LADERA CROSSING ALBUQUERQUE, NM

# SITE PLAN FOR SUBDIVISION

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JOB NUMBER: 17-424  
 DATE: 09/25/2017

Sheet 1 of 2

**jordan**  
 ARCHITECTS, INC.  
 131 CALLE IGLESIA, SUITE 100  
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 Telephone 949 388-8090  
 Facsimile 949 388-8290



## LADERA CROSSING DESIGN STANDARDS

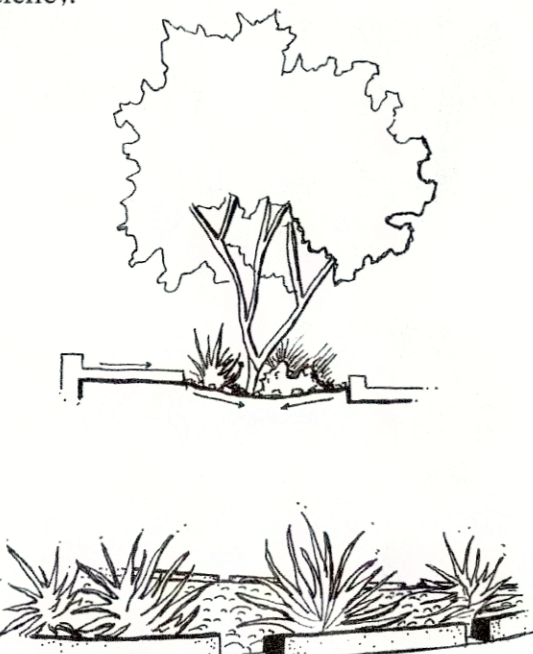
The purpose of these Design Standards is to provide a framework to assist developers and designers to understand the Owner's goals and objectives to create a high quality commercial development. These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for Ladera Crossing. The guidelines for these two lots provide more architectural control over this area to create a visually pleasing environment.

### A. Landscape Concept

The development of an overall landscape concept will establish a framework that unifies the two sites within Ladera Crossing. To achieve a totally unified development, all areas of design need to be coordinated and responsive to existing environmental conditions and local building policies. The landscape concept and the selection of the proper plant materials are extremely important as strong unifying elements for the project.

The following are minimum standards for specific site landscape plans:

- Off-Street parking areas shall have one tree for every ten (10) parking spaces.
- A mix of evergreen (coniferous and broadleaf) trees shall be used within parking areas. Buffer areas shall include a mix of evergreen and deciduous trees.
- One tree is required for each twenty-five linear feet of public roadway. The required trees should be informally clustered with not more than a fifty-foot gap between groupings and shall include a mix of deciduous and evergreen trees.
- On-site trees shall include an 80/20 mix of deciduous to evergreen.
- A landscape strip of no less than 10 feet shall be maintained between a parking area and the street right-of-way.
- An emphasis shall be placed on areas with streetside exposure.
- As a minimum, a 15 foot landscaped buffer is required between commercial use and residential properties. The buffer shall consist primarily of trees (evergreen and deciduous) and shrubs.
- Landscaping regulations require that 75% of landscaped areas over 36 square feet in size must be covered with living, vegetative material. High water use turf is prohibited.
- Minimum plant sizes at time of installation shall be as follows: Trees shall have at least a 2" caliper, or be 10 to 12 in height; shrubs and groundcovers shall be a five gallon container.
- An automatic underground irrigation system is required to support all required landscaping. Irrigation components should be checked periodically to ensure maximum efficiency.
- All planting areas not covered with plant material shall have a ground topping of landscape gravel, filter fabric, crushed rock, river rock, shredded bark, or similar materials, which extends completely under the plant material.
- All plant material, including trees, shrubs, groundcovers, wildflowers, etc. shall be maintained by the owner in a living, attractive conditions. All areas shall be maintained free of weeds through the use of chemical spray or pervious filter material.
- The landscape treatment at prominent entries and intersections should change in terms of intensity, pattern, texture, scale, or form to highlight these areas.
- Xeriscape principles shall be applied to all landscape areas including the use of drought tolerant plant materials and water harvesting areas where practical.
- Water harvesting techniques, such as curb cuts for drainage to landscaped areas, permeable paving, bioswales to slow and treat stormwater runoff, or cisterns for the collection and reuse of stormwater and gray water shall be provided, where appropriate.
- Stormwater control measures shall be designed to manage the first flush and control runoff generated by contributing impervious surfaces.



Retention ponds, curb cuts, and depressed planting beds collect stormwater throughout the site.

### B. Site Layout

The use of building and parking area setbacks is required to provide space for the creation of visually attractive streetscapes. Required within these setbacks will be pedestrian walkways, screening devices and landscape improvements (refer to Landscape Standards). These measures are taken to ensure the aesthetic appeal of Ladera Crossing.

#### B-1) Building Setbacks

- Buildings shall be located on each site according to the following setback dimensions:
- 15 feet minimum from the Unser Boulevard R.O.W and 10 feet for internal roadways.
  - 15 feet minimum from the property line of a residential zone.
  - Minimum of 15 feet from internal lot lines.

#### B-2) Parking

To allow for an appropriately sized landscape buffer adjacent to roadways, parking areas shall be setback as follows:

- A minimum of 10 feet from the Ladera Drive.
- The maximum allowed parking shall be equal to the required parking plus 10% unless approval by the Planning Director.
- ADA compliant parking shall be located adjacent to the building entry.
- Truck parking is not permitted on the interior streets within Ladera Crossing.
- Convenient connections shall be provided from each building to the internal circulation system and to adjacent roadways.

- Parking areas shall be designed so that pedestrians walk parallel to moving cars. Site layout should minimize the need for pedestrians to cross parking aisles and landscaped islands.
- Parking areas shall be designed to include a pedestrian link to the street sidewalk network.
- All parking facilities adjacent to the streets be screened with low walls and landscaping. Such screening shall have a minimum height of 3 feet.

### B-3) Drive-Up Service Windows

Any future drive-up facilities shall require conditional use approval by the Zoning Hearing Examiner at a public meeting. Such facilities shall adhere to the following standards:

- Stacking lanes, order boxes and pickup windows shall be screened from view of the public right-of-way by walls, earth berms, or evergreen landscaping or a combination thereof and shall be a minimum of 42 inches in height.
- The building will be located close to the public right-of-way, with parking located in the rear.
- A pedestrian route shall be provided from the public sidewalk directly to the building's main entrance in order to maintain pedestrian access and separate vehicular and pedestrian traffic.

### C. Pedestrian Circulation / Bikeways

To encourage and enhance the pedestrian nature of Ladera Crossing, sidewalks and/or bikeways are required in certain areas as an integral element of the streetscape. The following are standards for pedestrian and bicycle access within Ladera Crossing:

- Connections shall be provided to the sidewalk on Ladera Drive and to the sidewalk and trail on Unser Boulevard.
- Pedestrian linkages shall be clearly visible and highlighted with enhanced paving.
- All pedestrian paths shall be designed to be accessible to the handicapped (See Americans with Disabilities Act criteria for barrier free design).
- Pedestrian access and circulation shall provide direct connections from sidewalks to building entrances that minimize pedestrian/vehicular conflicts. All pedestrian ways and paths shall be at least 6 feet clear.
- Shaded pedestrian access shall be provided, including a clear 6 foot-wide path with adjacent trees.
- For commercial buildings, pedestrian crossings shall be a minimum width of 6 feet. They shall be provided where pedestrian paths cross vehicular entrances and drive aisles.
- A standard sidewalk that is a minimum of 10 feet wide shall be provided along the entrance side of all buildings.
- Bicycle racks shall be conveniently located near building entrances but not within pedestrian pathways or landscaped areas.

### D. Screening Walls and Fences

The effective use of screening devices for parking lots and refuse collection areas is essential to limit their adverse visual impact on surrounding developments. The site orientation of the above service functions shall be away from any street or pedestrian area, whenever practical. The guidelines established in the landscape and setback sections will provide the main element to screening objectionable views and activities. Walls and fences will also serve a major screening function within the Ladera Crossing landscape.

The following are standards to ensure effective screening of negative elements:

- All outdoor refuse containers shall be screened within a minimum 6 foot tall masonry enclosure, which is large enough to contain all refuse generated between collections.
- The design and materials for refuse collection enclosures shall be compatible with the building. Refuse enclosures shall include gates.
- Chain link and razor are prohibited.

### E. Lighting Standards

In order to enhance the safety, security and visual aesthetics of Ladera Crossing, careful consideration must be given to lighting design and features. To ensure a quality development, it is important to consider the daytime appearance of lighting fixtures. The lighting element is another site feature which contributes to the overall character of the development.

#### E-1) Height

The maximum height for lighting fixtures shall be:

- 16 feet for all walkways and entry plazas.
- 20 feet for street lights and parking area lights (restricted to 16 feet within 150 feet of residential). The height of street lights and parking area lights shall be kept to a minimum necessary to meet safety requirements.

#### E-2) Design

- Exterior elevations of any building fronting a street are encouraged to be feature light to enhance the identity of the building and the appealing ambiance of the total community.
- The use of spread lighting fixtures are required to accent landscapes and walkways. Uplighting fixtures are not permitted.
- Required Street Light specifications: G.E. 100 watt, bronze, Lumen shoebox type with Lexington bronze pole per PNM specification SL3.
- All site lighting fixtures, shall be fully shielded of a full out type. The color of fixtures must compliment the architecture.



Outdoor light poles

### E-3) New Mexico's Night Sky Ordinance

In addition to the guidelines listed below, all lighting shall be consistent with the provisions of the State of New Mexico's Night Sky Ordinance. The following are additional standards for the design of the lighting system:

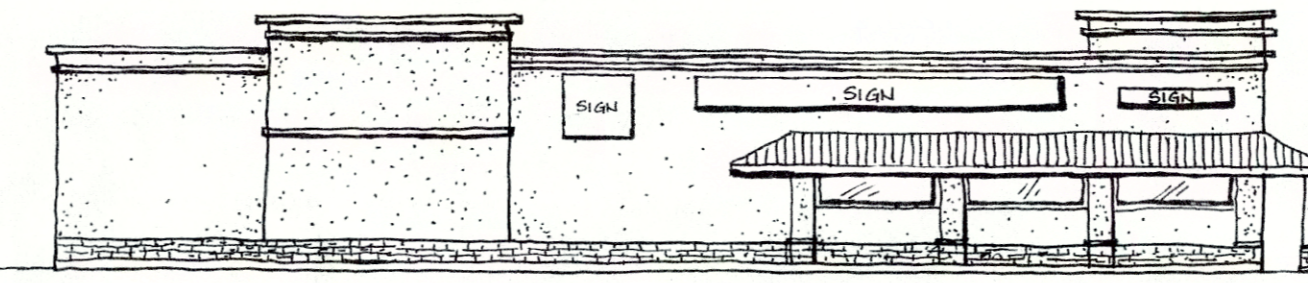
- Placement of fixtures and standards shall conform to state and local safety and illumination requirements.
- All light fixtures shall be shown as fully shielded horizontal lamps with no light, lens, or bulb protruding below the bottom of the cut-off fixture in order that no fugitive light shall escape beyond the property line and no site lighting light source shall be visible from the site perimeter.
- All light fixtures for pole and building mounted lights shall be fully shielded in order to prevent light spillage, with no light lens or bulb protruding below the fixture.
- A design objective of the site lighting system must be to maximize public safety while not affecting adjacent properties, buildings, or roadways with unnecessary glare or reflection.

### F. Signage Standards

The signage standards were developed as reasonable criteria to regulate the size, location, type, and quality of sign elements within Ladera Crossing and are pursuant to the Unser Boulevard Design Overlay Zone. A properly implemented signage program will serve four very important functions: to direct and inform employees and visitors; to provide circulation restrictions; to provide for public safety; and, to complement the visual character of the development.

The following are general guidelines for signage design and placement:

- Signs shall be limited to wall signs and free-standing monument signs.
- All elements of a sign shall be maintained in a visually appealing manner.
- One free-standing monument sign shall be permitted on Ladera Drive. One free-standing monument sign shall be permitted on Unser Boulevard.
- The height of a business monument sign shall not exceed 6 feet and the sign face shall not exceed 38 square feet.
- Individual buildings are allowed facade mounted signs whose area shall not exceed 6% of the area of the facade to which it is applied.



Facade mounted signs shall not exceed 6% of the of the facade to which it is applied.

- Free-standing signs shall be designed that do not require any external bracing, angleiron supports, guy wires or similar devices.
- The height of a wall sign shall not exceed the height of the wall to which it is attached.
- Signs that are portable, fixed on a moveable stand, self-supporting without being firmly embedded in the ground, supported by other objects, mounted on wheels or moveable vehicles, or easily moveable in any manner are not permitted.
- All signage shall be designed to be consistent with and complement the materials, color, and architectural style of the building or site location.
- No sign shall overhang into the public right-of-way or extend above the building roof line.
- No illuminated wall signage shall face any residential area, except along Unser Boulevard.
- One wall sign is permitted per facade per business.

### G. Architecture

#### G-1) Architectural Styles

The architectural objective is to create a site that is visually integrated through the use of a few select architectural styles. The recommended styles have many similarities of scale, proportion, massing, and color.

- Building types should be developed to address individual site conditions and local contexts rather than prototypical buildings or franchise architecture.
- Building styles shall include Modern and Industrial.
- Stucco, split face, masonry block or metal siding shall be used as the primary surface treatment.
- The maximum building height shall be 35 feet for storage, and 26 feet for future buildings. The EPC has discretion over the height allowances, per the SU-1 zoning designation. The height allowance provided by this Site Plan for Subdivision is an exemption from the C-1 zone requirement.
- Building design and construction shall be used to create a structure with attractive sides of high quality, rather than placing all emphasis on the front elevation of the structure and neglecting or downgrading the aesthetic appeal of the side and rear elevations. Finished building materials must be applied to all exterior sides of buildings and structures. Any accessory buildings and enclosures, whether attached or detached from the main building, shall be of similar compatible design and materials.
- Windows and doors are key elements of any structure's form and should relate to the scale of the elevation on which they appear. The use of recessed openings help to provide depth and contrast on elevation planes.
- Berming in conjunction with landscaping can be used at the building edge to reduce structure mass and height along façades.
- The roofline at the top of the structure shall incorporate offsets to prevent a continuous plane from occurring.
- All rooftop and ground mounted equipment shall be screened from the public view by materials of the same nature as the building's basic materials.

- The top of all rooftop equipment shall be below the top of parapet or screened from view from the public rights-of-way.
- Screen walls shall screen all ground mounted equipment with the top of equipment below the top of screen wall.
- No freestanding cell towers or antenna shall be permitted; antenna shall be integrated into the building architecture.
- Parapets and/or architectural tents shall be used to screen mechanical equipment and penetrations from the development on the adjacent properties.
- Wall materials should be chosen that will withstand abuse by vandals or accidental damage by machinery and is easily repaired.

### 1. G-3) Architectural Color Palette

In order to facilitate a cohesive appearance throughout the site, all development shall utilize the following color palette:



### H. Utilities

To mitigate the negative visual image presented by some utility equipment and to ensure the overall aesthetic quality of Ladera Crossing:

- All new electric distribution lines within Ladera Crossing shall be placed underground.
- When an above-ground backflow prevention device is required, the heated enclosure should be constructed of materials compatible with the architectural materials used as the main elements of the building. If pre-fabricated fiberglass enclosures are used they shall be appropriately screened from view by walls and/or landscaping.
- Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and vegetation when viewed from the public right-of-way.

### H-1) PNM Coordination

- Coordination with PNM's new service delivery department is necessary regarding proposed tree location and height, sign location and height, and lighting height in order to ensure sufficient safety clearances.
- Screening will be designed to allow for access to electric utilities. It is necessary to provide adequate clearance of ten feet in front and at least 5 feet on the remaining three sides surrounding all ground-mounted equipment for safe operation, maintenance and repair purposes.

### I. Prohibited Uses

The following uses are prohibited from occurring on this site:

- Gas stations
- Residential Uses

### J. Approval Process

Upon approval of this Site Plan for Subdivision, Tract 5-A-1C-2 shall be required to obtain Site Development Plan for Building Permit approval delegated to the Development Review Board (DRB) at a public hearing. Any subsequent subdivision of Tracts 5-A-1C-1 and 5-A-1C-2 shall require approval from the Environmental Planning Commission (EPC).

# TITAN DEVELOPMENT LADERA CROSSING ALBUQUERQUE, NM

# DESIGN STANDARDS

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JOB NUMBER: 17-424

DATE: 09/25/2017

Sheet 2 of 2

**CONSENSUS PLANNING, INC.**  
Planning / Landscape Architecture  
302 Eighth Street NW  
Albuquerque, NM 87102  
(505) 764-9801 Fax 842-5495  
e-mail: cp@consensusplanning.com

**jordan**  
ARCHITECTS, INC.

131 CALLE IGLESIA, SUITE 100  
SAN CLEMENTE,  
CA 92672-7541  
Telephone 949 388-8090  
Facsimile 949 388-8290

# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application for a \$10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter.

#### 1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

#### 2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

#### 3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

#### 4. TIME

Signs must be posted from MAY 31, 2021 To JUN 15, 2021

#### 5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

[Signature] (Applicant or Agent)      5/10/21 (Date)

I issued 2 signs for this application, 5/6/2021 (Date), Charles Meestae (Staff Member)

PROJECT NUMBER: PR-2019-002291 / VA-2021-00132



# CITY OF ALBUQUERQUE INVOICE

CONSENSUS PLANNING, INC. MICHAEL J. VOS,  
AICP

302 8TH ST NW

Reference NO: VA-2021-00132

Customer NO: CU-99435210

Date	Description	Amount
5/04/21	Application Fee	\$260.00

Due Date: **5/04/21**

Total due for this invoice:

**\$260.00**

Options to pay your Invoice:

1. Online with a credit card: <http://posse.cabq.gov/posse/pub/lms/Default.aspx>
2. In person: Plaza Del Sol, 600 2nd St. NW, Albuquerque, NM 87102

*- payment made online, balance \$0  
CM 5/6/21*

PLEASE RETURN THE BOTTOM PORTION OF THIS INVOICE NOTICE WITH PAYMENT



City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

**Date:** 5/04/21  
**Amount Due:** \$260.00  
**Reference NO:** VA-2021-00132  
**Payment Code:** 130  
**Customer NO:** CU-99435210

CONSENSUS PLANNING, INC. MICHAEL  
J. VOS, AICP  
302 8TH ST NW  
ALBUQUERQUE, NM 87102



130 0000VA20210013200102546713390161500000000000260000CU99435210

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
INTER-OFFICE MEMORANDUM

**June 3, 2021**

**To:** Lorena Patten-Quintana, ZHE Planner

**From:** Matt Grush, P.E. Senior Engineer

**Subject:** COMMENTS FOR THE ZHE HEARING OF June 15, 2021

The Transportation Development Review Services Section has reviewed the zone hearing requests, and submits the attached comments.

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**VA-2021-00132**

**PR-2019-002291**

**Address:** 1901 Ladera Dr NW

**Transportation Review:** **No objections**

After review of the provided application, Transportation has no objection to the conditional use request to allow a drive-through facility.

**City of Albuquerque ZHE – June 15, 2021**

**Agenda Item #24**

**VA-2021-00132**

**PR-2019-002291**

**Unser & Ladera LLC (Agent, Consensus Planning) request a conditional use to allow a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera DR NW, zoned MX-L [Section 14-16-4-2]**

**Ownership:** **Owner:** UNSER & LADERA LLC

**Zone District/Purpose:** MX-L\ The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors.

**Allowable Use:**

Land Uses	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LIM	NR-GM	NR-SU
Drive-through or drive-up facility										CA	A	CA	A	A	A

**Applicable Comp Plan Designation(s):** Area of Consistency

**Applicable Overlay Zones:** None listed

- Applicable Use-Specific Standard(s):** 4 -3(F)(4) Drive-through or Drive-up Facility
- 4-3(F)(4)(a) Each stacking lane is limited to a maximum order board area of 50 square feet. The face of the order boards shall be oriented away from public streets to the maximum extent practicable. If not practicable, at least 2 evergreen trees shall be planted in the landscape buffer area required by Subsection 14-16-5-5(I)(2)(a) in locations that would best screen the order board from the public right-of-way.
  - 4-3(F)(4)(b) This use shall comply with the provisions of Section 14-16-5-5 (Parking and Loading) and Section 14-16-5-9 (Neighborhood Edges).
  - 4-3(F)(4)(c) Within 330 feet of Major Public Open Space, this use shall require a Conditional Use Approval pursuant to Subsection 14-16-6-6(A).
  - 4-3(F)(4)(d) Notwithstanding Subsection (c) above, this use is prohibited adjacent to Major Public Open Space.
  - 4-3(F)(4)(e) This use is prohibited in the following small areas as noted.

**Applicable Dimensional/Development Standards:** n/a

**Prior Approval Conditions:** PR-2019-002291 VA-2019-00139

**Traffic Recommendations:** No objection

**Planning Recommendation:** This matter should proceed to a public hearing where the Zoning Hearing Examiner will hear additional evidence and make a written decision pursuant to applicable provisions of Section 14-16-6-4.



**Sanchez, Suzanna A.**

---

**From:** DAVID GEBEKE <dlja2geb@comcast.net>  
**Sent:** Thursday, June 03, 2021 11:39 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** 1901 Ladera Dr NW 87120

The Gebeke family living at 7408 Lynwood Dr. NW, as well as many neighbors living in Laurelwood subdivision, emphatically oppose this proposed project being considered at 1901 Ladera Dr NW. This project will turn Ladera at this intersection into a highly unsafe, dangerous corner and make it a Traffic Nightmare ! I cannot imagine how this proposed project was even considered by the city engineers having knowledge of this intersection. Please cancel this project for the safety of everyone living in this area and anyone driving on Ladera at this corner and intersection. Thank you very much.

David & Judy Gebeke  
26+ years in this area.

**Sanchez, Suzanna A.**

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**From:** John Vrabec <jvrabecoffice@earthlink.net>  
**Sent:** Monday, June 07, 2021 8:43 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** 1901 Ladera Drive NW

Dear Ms. Sanchez,

My wife and I have lived in the Laurelwood Community for over 24 years.

We have seen ample development in the area around Ladera & Unser NW, and, we sincerely believe that the addition of a drive-thru facility at this intersection will create unnecessary excessive traffic at this already extremely congested area.

This area is already seeing ample traffic and congestion from the Walmart Neighborhood Market, the Burger-King restaurant, the Circle K store as well as 7 or 8 other retail establishments located throughout the southwest corner of this intersection.

We strongly encourage that this parcel of land not be approved for any drive-thru facility.

Thank you for your consideration of this request.

Sincerely,  
John & Liz Vrabec  
7721 Pinewood Drive NW  
Albuquerque, NM 87120-4036



**Sanchez, Suzanna A.**

---

**From:** Paul Gonzales <paul.gonzales01@comcast.net>  
**Sent:** Thursday, June 03, 2021 1:32 PM  
**To:** Sanchez, Suzanna A.  
**Subject:** 1901 Ladera

Hello,

I am a resident of Laurelwood.

I want you to know my wife & I are opposed to the "Drive through" establishment designated for the 1901 Ladera Dr NW. area. We consider this area dangerous as is. To add more traffic would be a bad decision.

Thank you,

Paul D. Gonzales

7401 Maplewood Dr. NW

Albuquerque, NM 87120x

Sent from my iPhone

## Sanchez, Suzanna A.

---

**From:** Frances Lujan <flujan3@msn.com>  
**Sent:** Wednesday, June 02, 2021 11:38 AM  
**To:** Sanchez, Suzanna A.  
**Subject:** Drive-thru at Ladera and Unser

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Morning, Suzanna,

My Name is Frances Lujan and I've been a resident and active member of the Laurelwood Assoc. for 20 years. I am TOTALLY against a drive-thru business being built in the vacant lot next to the storage unit at Ladera and Unser. This community does not need another business to further bottle neck the flow of traffic in this area! I strongly suspect that prospective businesses only consider the projected profit to be made and do not factor into the equation the safety of drivers and community residents. With the various businesses that already exist in the surrounding area/ intersection, there are already many fender benders and near-miss major accidents, aside from the ones that do occur.

NO, NO, NO. A DRIVE-THRU BUSINESS SHOULD NOT BE BUILT!

## Sanchez, Suzanna A.

---

**From:** PHYLLIS VILCHUCK <pvilchuck@comcast.net>  
**Sent:** Thursday, June 03, 2021 5:06 PM  
**To:** Sanchez, Suzanna A.  
**Subject:** 1901 project Ladera & Unser

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I live in the Laurelwood neighborhood and use Market Street to access Ladera and then Unser. Traffic is already a nightmare. It is suicide trying to enter Ladera from Market with east/west traffic, people turning into Market to shop at WalMart or shop at other stores, folks coming out of the Valero Gas Station and making U-turns to go west, and on and on. I have talked to many of the neighbors when walking my dog and they just shake their heads and say, (Are they crazy??) One said if this is built and she is involved in an accident, she will sue the City. That's a stretch, but thought it was worth mentioning. Phyllis Vilchuck, 7805 Springwood Rd.

**Sanchez, Suzanna A.**

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**From:** Rene' Horvath <aboard111@gmail.com>  
**Sent:** Tuesday, June 15, 2021 4:00 PM  
**To:** Sanchez, Suzanna A.  
**Subject:** Submitting maps for ZHE item #24 Project # PR-2019-002291  
**Attachments:** Google map shows the Access points along Ladera Dr.pdf

Dear Ms. Sanchez,

Here are the google maps I used in my testimony at the ZHE hearing June 15th, for item # 24, the Drive up window request for Unser & Ladera. Please let me know you received them.

Thank you,  
Rene' Horvath  
WSONA  
898-2114



Virus-free. [www.avg.com](http://www.avg.com)

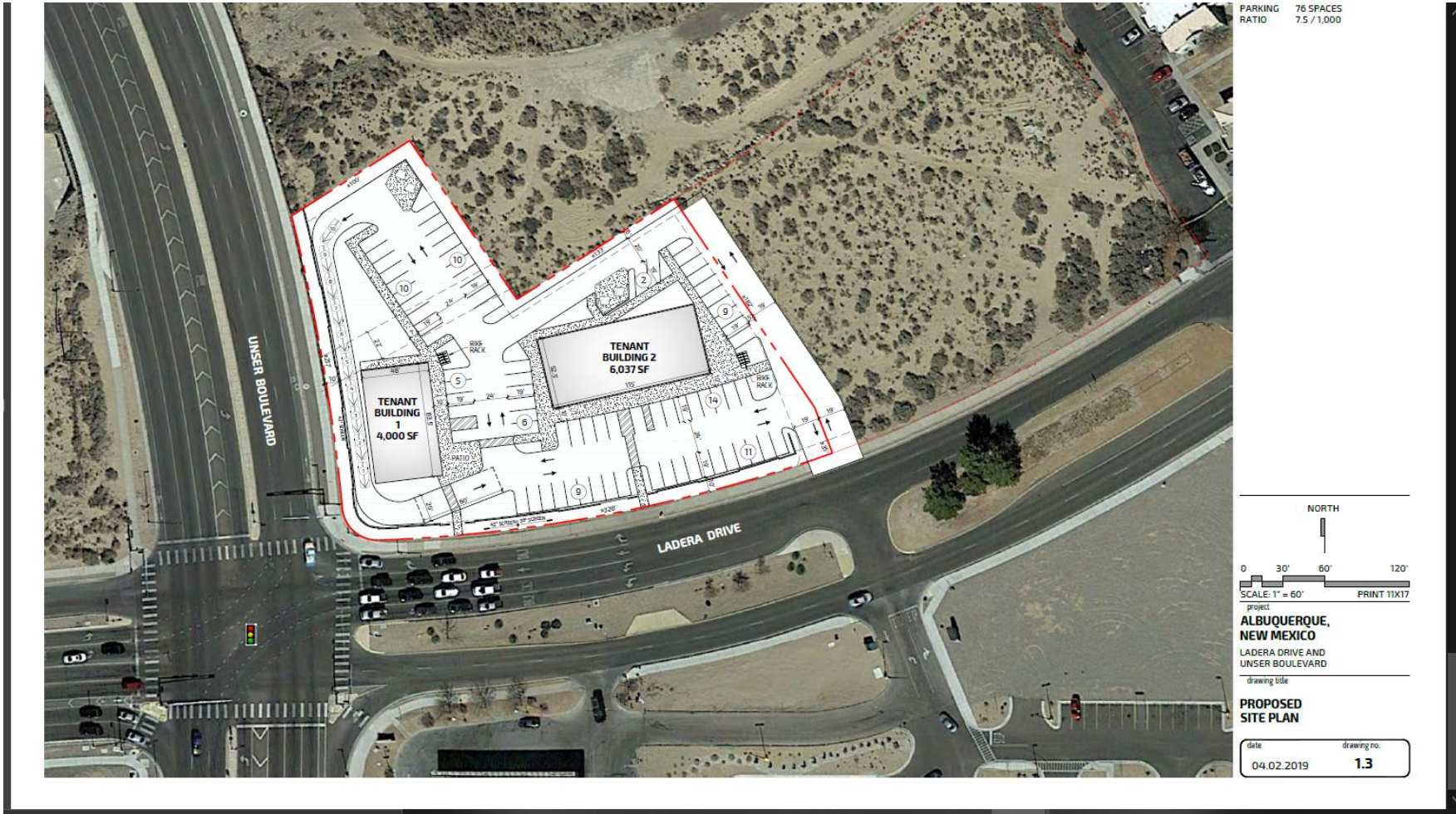
Google map shows the Access points along Ladera Dr. east of the - Unser / Ladera Intersection. The Unser/ Ladera intersection is a very busy intersection as it leads to I-40. Note: Too many high traffic generating uses have been approved along Ladera Drive between Unser Blvd. and Market street. This has made the traffic congestion even worse along this stretch, and a high risk area for traffic accidents. High traffic generators include: grocery stores, gas stations, fast food restaurants with drive-up windows, which create a lot of in & out traffic in a short period of time.



This map shows the Walmart shopping center to the south, with the Walmart grocery store, 2 gas stations & a Burger King. Market street is the eastern most access point for the Walmart shopping center and for the Apartments & single family homes (seen located east of Market street). There is a lot of traffic along this stretch of Ladera between Unser Blvd. and Market street. The project site is directly north of the Walmart grocery store which relies on the same access points.



The **Map from Consensus Planning shows access to the proposed project site**. The access for the project site lines up with the Walmart center access point. The median cut currently allows left turns into and out of the Walmart site and the project site to the north, making it very high risk for traffic accidents. Adding more high traffic generating uses along this stretch of Ladera only increases the safety risks for more traffic accidents.





CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

Unser & Ladera LLC (Agent, Consensus Planning) request a conditional use to allow a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera DR NW, zoned MX-L [Section 14-16-4-2]

Special Exception No:..... **VA-2021-00132**  
Project No: ..... **Project#2019-002291**  
Hearing Date: ..... 06-15-21  
Closing of Public Record: ..... 06-15-21  
Date of Decision: ..... 06-30-21

On the 15th day of June, 2021, Consensus Planning, agent for property owner Unser & Ladera LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use to allow a drive-through facility (“Application”) upon the real property located at 1901 Ladera DR NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow a drive-through facility.
2. The City of Albuquerque Code of Ordinances Section 14-16-6-6(A)(3) (Review and Decision Criteria– Conditional Use) reads: *“An application for a Conditional Use Approval shall be approved if it meets all of the following criteria:*
  - 6-6(A)(3)(a) *It is consistent with the adopted ABC Comp Plan, as amended.*
  - 6-6(A)(3)(b) *It complies with all applicable provisions of this IDO, including but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in a prior permit or approval affecting the property, or there is a condition of approval that any Variances or Waivers needed to comply with any of these provisions must be approved or the Conditional Use Approval will be invalidated pursuant to Subsection (2)(c)2 above.*
  - 6-6(A)(3)(c) *It will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community.*
  - 6-6(A)(3)(d) *It will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.*
  - 6-6(A)(3)(e) *On a project site with existing uses, it will not increase non-residential activity within 300 feet in any direction of a lot in any Residential zone district between the hours of 10:00 P.M. and 6:00 A.M.*
  - 6-6(A)(3)(f) *It will not negatively impact pedestrian or transit connectivity without appropriate mitigation.*
3. The applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).



4. The applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
5. All property owners within 100 feet and affected neighborhood association(s) were timely notified.
6. The subject property is currently zoned MX-L.
7. City Transportation stated no objection to the Application.
8. The Subject Property is located at the northeast corner of Unser Boulevard NW and Ladera Drive NW, has an address of 1901 Ladera Drive NW, and is approximately 1.588 acres in size.
9. The Subject Property has vehicular access only from Ladera Drive, as vehicular access directly to or from Unser Blvd is currently prohibited.
10. The Subject Property is located in an area of consistency.
11. A Site Plan for Subdivision, approved by the City Development Review Board in 2017, governs the Subject Property. This Site Plan contemplates commercial use of the Subject Property.
12. The proposed Conditional Use was previously granted by the ZHE by a written Notification of Decision dated June 5, 2019, which approval has expired.
13. Based on evidence submitted by the Applicant, the requested conditional use is consistent with the ABC Comp. Plan, as amended. Specifically, applicant cited that the Subject Property is located along a major corridor and an area of change, where development is encouraged. Further, Applicant submitted evidence that the proposed conditional use furthers the following policies of the ABC Comp Plan:
  - a. Policy 5.1.12 (*Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways*), by proposing a drive-through auto-oriented use along Unser, which is a Commuter Corridor and a limited access roadway.
  - b. Policy 5.2.1 (*Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. . . . (h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development*), by creating infill development on a vacant property that is surrounded by developed subdivisions, apartment complexes, drainage facilities, and other commercial uses, while remaining consistent with surrounding commercial uses.
  - c. Policy 5.6.3 (*Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. . . . (b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.*), by developing a commercial use in an area designated for the same, rather than in outside a corridor and within a residential area.
14. Based on evidence submitted by the Applicant, the requested conditional use complies with all applicable provisions of the IDO, including, but not limited to any Use-specific Standards applicable to the use in Section 14-16-4-3; the DPM; other adopted City regulations; and any conditions specifically applied to development of the property in any

prior permit or approval affecting the property. However, the conceptual site plan submitted by Applicant is preliminary in nature and Agent stated that it is subject to change. Therefore, it would be appropriate to require, as conditions of approval, that the Subject Property must comply with the Use-specific Standards for a Drive-through or Drive-up Facility under IDO Section 14-16-4-3(F)(4) and all applicable standards from Section 14-16-5-5 (Parking and Loading).

15. Based on evidence submitted by the Applicant, the requested conditional use will not create significant adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.
16. Based on evidence submitted by the Applicant, the requested conditional use will not create material adverse impacts on other land in the surrounding area, through increases in traffic congestion, parking congestion noise, or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. While neighbors offered evidence and testimony that traffic would increase, the City Traffic engineer did not object to the Application. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility. .
17. Applicant established that IDO Section 6-6(A)(3)(e) does not apply, because the project site has no existing uses. To the extent, if at all, that Section 6-6(A)(3)(e) applies, Applicant has met its burden of providing evidence that establishes that the requested Conditional Use approval will not increase non-residential activity within 300 feet of a lot in any residential zone district between the hours of 10:00 pm and 6:00 am. Specifically, Applicant submitted evidence that the Subject Property is more than 300 feet from the nearest lot in a Residential zone district, and therefore the proposed conditional use will not cause any increase in non-residential activity within that specified distance.
18. Based on evidence submitted by the Applicant, the requested conditional use proposed use will not negatively impact pedestrian or transit connectivity, as required by Section 14-16-6-6(A)(3)(f). Agent submitted evidence that public sidewalks along Unser Boulevard and Ladera Drive will not be negatively impacted by the proposed conditional use, nor will the nearest ABQ Ride bus stops, located approximately 500 feet to the south along Unser Boulevard and 900 feet east along Ladera Drive. Further, the Applicant proposed to take steps to mitigate any material adverse impact; namely, to condition further development approvals on providing a traffic impact study and to limit the Subject Property to only one (1) drive-through facility.
19. The ZHE finds that the proper “Notice of Hearing” signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
20. The ZHE finds that the Applicant has authority to pursue this Application.

#### DECISION:

APPROVAL WITH CONDITIONS of a conditional use to allow a drive-through facility.

CONDITIONS:

1. The Subject Property must comply with the Use-specific Standards for a Drive-through or Drive-up Facility under IDO Section 14-16-4-3(F)(4) and all applicable standards from Section 14-16-5-5 (Parking and Loading).
2. The Subject Property is limited to only one (1) drive-through facility.
3. Further development approvals are conditioned on Applicant or its agent providing a traffic impact study pursuant to Article 7-5(D) of the Development Process Manual, notwithstanding the thresholds or mitigation requirements in the Development Process Manual, which the City may use as the basis to require further mitigation of the traffic generated by the use through conditions of approval.

APPEAL:

If you wish to appeal this decision, you must do so by July 15, 2021 pursuant to Section 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.



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Robert Lucero, Esq.  
Zoning Hearing Examiner

cc:

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**Hearing on Special Exceptions  
to the Integrated Development Ordinance**

**MINUTES**

**June 15, 2021**

**600 2<sup>nd</sup> St NW, Albuquerque, NM 87102**

**CITY STAFF PRESENT:**

**Robert Lucero – Zoning Hearing Examiner**

**Lorena Patten-Quintana – ZHE Planner, Planning Department**

**Suzie Sanchez – Hearing Monitor**

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Unser & Ladera LLC  
Agent: Consensus Planning

ZHE: That takes us to agenda item 24. It's VA-2021-00132, Project Number PR-2019-002291, Unser and Ladera LLC, through its agent Consensus Planning, request a conditional use to allow a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera Drive Northwest, zoned MX-L. And, I see Mr. Strozier. Are you there, sir?

JIM STROZIER: I am.

ZHE: Hello, sir. Would you please state your name and mailing address for the record?

JIM STROZIER: Yes, thank you. Jim Strozier, 302 8th Street Northwest, 87102.

ZHE: Thank you sir and please raise your right hand. Do you affirm under penalty of perjury that your testimony will be true?

JIM STROZIER: I do.

ZHE: Thank you, sir. Go ahead.

JIM STROZIER: All right. Okay, thank you. Thank you, Mr. Hearing Examiner; it's a pleasure to be here today with this request. This property is located at the northeast corner of Unser Boulevard and Ladera Drive intersection. It contains one lot with a total of approximately 1.6 acres. As you mentioned, it's zoned MX-L and it is in an area of consistency as designated by the Comprehensive Plan. The drive-through or drive-up facility is allowed via a conditional use approval within the MX-L zone. Unser Boulevard is a high traffic, commuter corridor which is an appropriate location for automobile oriented uses and there are several drive-throughs existing in the area. There's no access permitted from Unser Boulevard to this property. The property is served by an existing shared access with the adjacent storage facility that's built immediately to the east, off of Ladera Drive. A drive-through on the subject site was clearly anticipated and considered during the approval of the zone change in 2017. That was in conjunction with the neighboring self-storage facility. The trip generation analysis that was done in support of the zone change actually included both self-storage and a restaurant with the drive-up service facility. The site plan for subdivision that was done in conjunction with the zone change in 2017 included specific design standards for any future drive-through facility that will need to be adhered to along with those provided for in the IDO. And, I would also mention that we did have a facilitated meeting...

ZHE: I'm sorry, sir would you repeat that?

JIM STROZIER: What was that?

ZHE: I missed, I missed what you said...

JIM STROZIER: Oh, I'm sorry.

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ZHE: Just a minute ago... Did you say there was a prior approval that had some additional conditions? Was that right?

JIM STROZIER: So, the prior approval, the prior zone map amendment included a site plan for subdivision...

ZHE: I see, okay.

JIM STROZIER: And, that site plan for subdivision actually includes specific design criteria related to drive-up service windows.

ZHE: Okay, thank you.

JIM STROZIER: Okay. And, so, and, and that was discussed as part of the neighborhood meeting that was held back in 2017 with the zone change, as well. So, I - - And, I know it's come up several times during today's, today's meeting but you know, we've all been through this, this pandemic and, and this project was actually approved in 2019 and included 45 findings of fact with that approval and unfortunately because of Covid and, and the situation going on, that, that approved conditional use has expired. And, so, we are basically coming back through the process with that. And, I just wanted to highlight a couple of the findings that were in that 2019 decision. The proposed use is sufficiently separated from any nearby residential uses and the existing shared access point will ensure traffic in and out of the site is adequately controlled and will not create any adverse impacts to the Unser and Ladera Intersection. And, I would point out that nothing has materially changed since the 2019 approval in, with regard to this application or the surrounding development in the area. City Transportation Development staff noted no objection both in 2019 and for this current request. One of the - - The other thing that has been a result of the COVID-19 pandemic, is a real shift that we're seeing with, with restaurants that hadn't normally, typically had a drive-up facility associated with them. And, those include Panera, Chipotle and the Darden group of restaurants just name some but, one of the things that restaurant industry has discovered is the importance of having, even it isn't a order and, and pick-up like a typical fast food restaurant, they are having drive-up service facilities that are for people to order ahead and pick up and Dion's is a local example of a restaurant that currently does that with its restaurants. We did have a facilitated meeting on April 6, 2021 to discuss the application. The primary concern, and I know that some of the, of the neighbors are on the call today and you'll hear from them, was traffic congestion created by the existing commercial uses to the south, pedestrian safety, lack of infrastructure, especially there were a lot of concerns raised related to lack of cross-walks especially, at the intersection of Ladera and Market. And, once again, a lot of those concerns are really focused on the existing conditions on the property to the south. The previous trip generation analysis that was done in association with the zone change, showed that, anticipated that 30% of the trips were pass-by trips, where drivers already

on the surrounding streets would visit the drive through restaurant. The Applicant did, as a result of the conversation at the facilitated meeting, did go out and actually survey by going door-to-door and also at the neighborhood, the adjacent Walmart Neighborhood Market, they got a total of 104 respondents, 92 or 88% were interested in having a new restaurant in the area. Of those 92, 66 or 72% indicated a preference for a specific type of restaurant and of those, approximately 48% preferred restaurants that had a drive-through service window as part of their business operation. Mr. Hearing Examiner, I just want to, really quickly, go through the - - and I'm - - I'll try not to, I'll try to go through this quickly but, I wanted to make sure that we had a chance to go through the criteria for conditional use and from the IDO. And, the first one is in reference to it being consistent with the Adopted Comprehensive Plan. And, so, one of the key elements, and this was noted in the 2019 approval, was the relationship to the Commuter Corridor Policies and so, Unser Boulevard is designated as a Commuter Corridor. It has high traffic volumes and limited access. Once again, we're not allowed to have any access off of Unser Boulevard. This site is within 16 - - 600 feet or about a two minute, plus walk to the nearest bus stops, to the south. It's well served with bicycle facilities including a multi-use trail and sidewalk adjacent on Unser Boulevard, existing bike lanes on Unser and recently installed bike lanes on Ladera. Sidewalks exist along Unser and Ladera adjacent to the site. And, drivers using Unser to travel across town from north to south will be able to go through the proposed drive-through for food and stop for other services at the proposed commercial development. With regard to land-use, the site is vacant, the conditional use will allow for development of a restaurant at this location which will serve the surrounding community. The proposed use complements the surrounding commercial single-family and multi-family neighborhoods. The proposed used is compatible in form and scale of the adjacent commercial development to the south. It's also within an area of consistency. And once again, that, those policies relate to the scale intensity and setbacks of the area and the proposed use, we feel will reinforce the scale intensity and setbacks, which already include drive-through uses and various scales of commercial development to the south. The nearest single family residential is across the wide, Unser and Ladera intersection and is the backyards of those homes that are surrounded by an existing block wall. It complies - - Criteria B is in reference to applicable provisions of the IDO, the DPM and other adopted City regulations. The site plan for this use will be reviewed for conformance with the IDO standards for order board size, required stacking, screening, orientation etc. The site plan will be reviewed for conformance with the prior site plan for subdivision design standards that I mentioned earlier, that includes specific standards for drive-through uses. No access to the site is allowed once again, from Unser Boulevard. The proposed drive-through service window will have to be located at the rear of the proposed building. A traffic scoping form will be reviewed by City Transportation Development, along with development plans once a tenant is known and the applicant proceeds towards an actual building permit or site plan for the property if, the development exceeds the City's thresholds to require a traffic study, the applicant is committed to completing one at that time as required by transportation staff. Criteria C, it will not create

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adverse impacts on adjacent properties, the surrounding neighborhood, or the larger community. IDO standards will be met and the site designed to prevent adverse impacts to the surrounding area. The proposed use is adequately separated from any nearby residential. The drive-through use is compatible with the other commercial uses in the area. The streets adjacent to the site have capacity to handle the traffic impacts and the applicant will complete any required studies and mitigation as determined through the traffic scoping process with City Transportation Development staff. Criteria D, will not create material adverse impacts on other land in the surrounding area through increases in traffic congestion, parking congestion, noise or vibration without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts. The adjacent streets are designated arterial streets and can handle the traffic from the development. The proposed use is sufficiently separated from any nearby neighborhood uses. The site shares an access; this was designed and developed in accordance, consistent with the site plan for subdivision that was approved previously with the adjacent self-storage facility. E, on a project with site, with existing uses, it will not increase non-residential activity within 300 feet, in any direction of a lot in any residential zone district between the hours of 10 PM and 6 AM. The site is more than 300 feet from the nearest lot and residential zone district and it's vacant currently so, that's not really an issue. F, will not negatively impact pedestrian or transit connectivity without appropriate mitigation. Once again, this site is extremely well served from existing transit service, it has bus stops. Once again, about a 2 plus, minute walk to the south. Adjacent to Unser Boulevard on both sides, there are crosswalks in the signalized intersection to, to get to the south. We have a bike lanes, we have bike, multi-use trail, we have existing sidewalks. Also, I would point out that the site plan for subdivision included specific criteria for pedestrian connectivity with in the development itself, at the time that we prepared the site plan. So, all of those things factor into, I think, a reasonable conclusion that this will not negatively impact pedestrian and transit connectivity. In fact, it's going to fit into an area that already has very, very good connectivity. One of the things, I want to just put out there, for your consideration, Mr. Hearing Examiner, and I think you'll hear from the, from some of the neighborhood representatives, we thought we would put out a couple of potential conditions of approval for your consideration. One would be that, there's, that only one drive-through or drive-up facility is authorized with approval of this conditional use for lot 5-A-1-C-2, El Rancho Atrisco Phase 3. And, a second proposed condition would be that, the applicant shall complete a traffic impact study meeting the requirements of the transportation development section of the planning department for the drive-through or drive-up facility prior to obtaining a building permit. And with that, I'd be happy to answer any questions at this time. I appreciate your time. Thank you.

ZHE: Thank you, Mr. Strozier.

JIM STROZIER: I feel like I need to take a breath.



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ZHE: I think that - - Yeah, that was a marathon. Yeah, no, you did a good job getting it in a concise manner and I just had some questions about Criteria B when you were mentioning - - Let me just get back to that justification.

JIM STROZIER: Yes.

ZHE: Give me one second. That the - - I see that - - You know, there are - - It says that the request is for drive-through for proposed development that's required to submit a site plan that will be reviewed for conformance, who would be the reviewing body? Is that the DRB?

JIM STROZIER: So, I believe that, that is dependent upon whether or not there will be infrastructure requirements associated with the, with the site. I think this is one of those projects that's kind of on the cusp between a site plan administrative review, which is basically building permit through the City's TCL process, Traffic Circulation Layout Plan and the DRB. I believe that, that determination will ultimately be made as to whether or not there is required infrastructure and the need for an infrastructure list associated with the project...

ZHE: Okay.

JIM STROZIER: ...in accordance that - - And, that's, that's per the IDO because the square footage and the size of the facility isn't, you know, it's not a very big amount of square footage on this relatively small tract but that's my understanding. Now, most of the infrastructure that is out there today was built as a part of the site plan for subdivision. So, where the shared access drive was built, the adjacent sidewalks and improvements. But, if the traffic impact study identifies any additional improvements that are necessary, I believe that, that would trigger an infrastructure list and that would require the project to go to the DRB.

ZHE: Okay, okay just trying to understand sort of where are the conditions of approval or how to phrase those. And then, how certain is the applicant about the proposed site plan that was submitted as part of the application? Is that subject to change or is that pretty set?

JIM STROZIER: You know, we don't have a - - they don't have a tenant yet. So, I would say that it is - - I think it's the logical way to lay out the property, to combine both some retail shop space and, and a restaurant with a drive-through facility. So, I don't really anticipate any changes in terms of the organization and layout of the site. The specific sizes and lay out of the foot prints themselves, are probably subject to some, some minor changes but, but in general, I would say that we're pretty comfortable with the site plan as, as proposed as being cast in Jell-O. I don't think it's cast completely in stone but, but I think that's the, that's the best way to accommodate the uses on the site.

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ZHE: Okay and just, I'm just probing for sort of how much flexibility there may be in terms of addressing some of the concerns that the neighbors have, just in reviewing the correspondence that's been submitted in opposition.

JIM STROZIER: Right.

ZHE: It appears that traffic and sort of having the stacking of drive-through customers back up into the public right-of-way is a major concern but, I could see based on the current site plan how if you were to route the - - You know, how they - - I'm looking at the one that has the two buildings overlaying - - I don't know if you could do a screen share?

JIM STROZIER: Yeah, if, if I can be allowed to do that, I can pull that up on the screen. I have it available.

ZHE: There you go, sir.

JIM STROZIER: Excellent. Okay. So, obviously, the aerial photo base was, is, is, older before the self-storage facility was built. That's currently built where my cursor is, to the east. The shared access drive is currently built off of Ladera and you can see that the stacking is, that we have conceptually shown was quite extensive and all of that stacking will, will be contained within the site itself and would not have any impact on the surrounding either, even interior to this project that the other tenant building would not be impacted by the drive-through stacking or circulation for the project.

ZHE: Okay. All right, sir. Thank you no, that addresses my question. I'm sure the neighbors and community folks, who, I believe will speak up, will have some questions and you'll certainly have the opportunity to respond to them.

JIM STROZIER: Okay.

ZHE: Did you have anything else to add before I call for public comment?

JIM STROZIER: No, thank you very much.

ZHE: Thank you, sir. Okay, again this is agenda item 24 and it's Unser and Ladera LLC through agent Consensus Planning, requesting a conditional use for drive-through at 1901 Ladera Northwest. Please raise your hand if you'd like to speak on that matter. Let's see, I see Renee Horvath?

R. HORVATH: Yes.

ZHE: Good afternoon.

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R. HORVATH: Good afternoon.

ZHE: Would you please state your name and mailing address for the record?

R. HORVATH: Yes, my name is Renee Horvath and I live at 5515 Palomino Dr. NW. and Taylor Ranch.

ZHE: Thank you and please raise your right hand and do you affirm under penalty of perjury that your testimony will be true?

R. HORVATH: Yes.

ZHE: Thank you, go ahead.

R. HORVATH: Okay. Is it okay to share something on your screen?

ZHE: Yes, Suzie, will you?

R. HORVATH: Let's see if I can do this.

ZHE: There you go.

R. HORVATH: Okay. Let's see if I can show it. Oh here we go. This is - -Okay, this is - - All right, so, I screenshot with Google Maps, the area and I am with the Westside Coalition and I service as their Land Use Director and I've spoken on other issues related to the shopping center to the south, the Walmart grocery store shopping center. So, I did participate at that facilitated meeting that Mr. Strozier mentioned and so, the comments that I made at the meeting and so did a lot of the neighborhood residents that live in the area. They were speaking that traffic is a concern and I have noticed that also. So, what I was trying to say at the meeting and I have this visual now to show, demonstrate it, is that Unser, this is Unser do you see my arrow moving at all?

ZHE: Yes, I sure do. Thank you.

R. HORVATH: Okay. And then, this is Ladera and this is Market Street, right here.

ZHE: Okay.

R. HORVATH: And so, this is one of the busiest intersections at Unser and Ladera because I-40 is just south of here and everybody's trying to get there. So, it is one of the busiest shopping centers on the west side. So, traveling into Ladera, there is a lot of traffic congestion between Unser and Market Street and what was been a concern of the residence, they've always supported a neighborhood shopping center that you can walk to and, and have sit down restaurants and what's happened over time, is that we get a lot of high traffic generating uses that

have a lot of in and out types of traffic. In and out constantly in a short amount of time and it's made this area in here, very congested and you know, and there is a high risk of traffic accidents associated with that. And, so, so here, they want to - - Well, let me just explain what on my next map. There's the Walmart Grocery Store right here. There's - - this used to be a Valero Gas Station, it's been there forever. I think it's changed names and this is the Walmart Gas Station so, both of these trigger a lot of traffic, in and out traffic. Walmart Grocery Stores, grocery stores do too, a lot of in and out traffic. And, what we commented on was the, fast food drive up window over here which also generates a lot of in and out traffic. And so, what you're having is not only is there a lot of traffic generated just from the cars going through the community but these generate a lot of high traffic uses and so it puts a burden on these access points coming in and out of the Walmart Grocery Store and out of Market Street, also. And, there was discussion about doing a traffic light here but they were told it's not far enough from Unser to do so. So, I - - So, that has not been resolved. But, what we do notice is this access point right here, as you can see, there's cars lined up to go out and it's a left in. You have cars coming this way and they can make a left in. Cars coming out of the place, make a left out. Those left turns are some of the most dangerous for traffic to do and I've noticed that it looks very chaotic it and it's chaotic traffic, uncontrolled. So, listening to the residents at the facilitated meeting, they said, it's just a lot of traffic and now you want to do another high traffic generating use with the drive-up window? Can't it be a restaurant that does not have a window? Where you can sit down take your time, eat, and then leave because we're suffering from a lot of high traffic generating uses which we do not support in this area. There's so many in the area, this one in particular, Burger King was the big conflict and they already have some drive-through's down here but they have access to Unser down here so, they, I don't think they've been as big of a problem as this right in here. So, oh, let me show you. There's also - - I just want to point out real quick, apartments here, that's why I took this picture. You have apartments here and residents. They also come down on a street to Market to get out. So, this is another access. So, this is a very busy intersection already. This is a very busy intersection for this shopping center and now we're doing another one here that's asking for a similar use that's already causing a conflict for the residents. I'm using the photo that was presented at the facilitated meeting and we did you know, that this access point shares the same access point for the Walmart Grocery Store and the gas stations and Burger King and they're going to be using the same. So again, people coming down Ladera can make a left in. People coming out of here, can make a left out. People coming here, that want to go to Walmart, make a left in. People coming out, can make a left out and in this, you can just see, it's just an accident waiting to happen, if it hasn't already because the traffic is extremely bad and the reason why the Westside Coalition is paying attention to this is because we are starting to get a lot of complaints from other shopping centers on the west side that have similar issues, where they do have like a grocery store and a gas station and a drive-up window for Starbucks, near Paseo and Golf Course. And, somebody just handed me a whole stack of papers of neighborhood complaints about how bad the traffic is, that they've almost had

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accidents as a result because of the line of the fast food drive up establishment, Starbucks near Golf Course. So anyway, anyway, I just want to share that with you and I could send this to Ms. Sanchez, if that's okay.

ZHE: Please do. Otherwise, it won't be part of the record and yeah, if you would do that that be great and then we can give a copy to anyone who requests it.

R. HORVATH: Yeah and again, we, overtime drive up windows have become popular but it used to be our shopping centers used to be a drive-in with shops and it's a much casual place and this one, when you put too many fast food drive up windows or gas stations and other high traffic generating uses like grocery stores all mixed in together and on both sides of the road, and sharing the same access, it's going to be problematic. So, it needs to be addressed now and we just see that adding another one that's just gonna make it worse. So, I just wanted to share that with you and thank you very much.

ZHE: Thank you, thank you Ms. Horvath and please do send us that document by Friday.

R. HORVATH: Okay. Okay, thank you.

ZHE: Okay, I see there's a hand raised, it says Candelaria Patterson, I believe.

F. COMFORT: Hello? Excuse me. I'm sure the Candy...

ZHE: Hi there.

F. COMFORT: I'm Frank Comfort. I'm sharing Candy's Zoom screen since I didn't have one of my own. She would like also... I'm sorry?

ZHE: Oh good, would you please state your full name and mailing address for the record and we'll get you sworn in.

F. COMFORT: I'm Frank Comfort at the 7608 Elderwood Dr. NW, 87 120.

ZHE: Thank you, sir. Please raise your right hand and do you affirm under penalty of perjury that your testimony will be true?

F. COMFORT: Yes.

ZHE: Thank you, sir. And, are you speaking on your own behalf or on behalf of a neighborhood association?

F. COMFORT: Yeah, I'm the current president of the Laurelwood Neighborhood Association since March of 2019 and I just wanted to cover a few things but before I get with that, may my wife follow me after I'm finished speaking?

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ZHE: Yes. Yeah, are you going to be the only one it's speaking on behalf of that, Laurelwood Neighborhood Association?

C. PATTERSON: No.

F. COMFORT: No. She will, she's also Board of Director.

ZHE: Okay, because we get 5 minutes minutes for the association and then 2 minutes for individuals, okay?

F. COMFORT: Okay. That's fine, I understand.

ZHE: Go ahead.

F. COMFORT: Yeah, thank you, Mr. Chair. Yeah, I just wanna - - First off, I was just curious about, before I get into a couple of things, I was wondering what that survey was, I wasn't quite sure. I know somebody requested a survey sometime back but I've never seen or heard, or anybody in the neighborhood seen that survey or mentioned it to me. I was real curious about that because like I said, I never heard of that.

ZHE: Sir, did you mean a land survey?

F. COMFORT: No, it's was apparently some type of survey that was brought up.

ZHE: Oh, the one that Mr. Strozier was discussing?

F. COMFORT: Yes.

ZHE: Okay.

F. COMFORT: Because I've never heard of that, never seen it, none of my neighbors have seen it or come to me about, in reference to that. If I can get some information on that at some point because I would have been happy to comment on that and so would my neighbors, in regards to that. Because right now, in this neighborhood that I represent we have about 1599 dwellings in reference to that so I was just wondering about that, the percentage in regards to that response. I would also like to bring up before I lose track on here, the reason we have some issues. So, I'm going back to the resolution of Section 270, 1980 where it says, "A change of zone shall not be approved when some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or community". And, if I may, would I be able to share also? It's going to be kind of similar to what the other, Ms. Horvath put up but I'd like to put a little bit more perspective on that, if I may.

ZHE: Sure. Suzie if you'd please? Thank you.

F. COMFORT: Okay, as you can see here, what we were referring to this section here. This is a very, heavy traffic area. It's - - It was stated before, in and out, straight-through's, it goes every direction. And, that's where a lot of the issues occur, right here. And, their proposal is still right here, next-door to adjacent to the Extra Space Storage. So, you have all these people coming down. He was talking about the internal traffic study. I'm looking at the external because you got left turn lanes here, left turn lanes here and they get pretty long in particular times of the day. And the same way, it goes down here to Market, also. It all happens at the same time so it creates a real hazard as far as traffic, as far as anybody, pedestrians walking through there. And, that's been a big issue since they built the complex over here. Especially, after they built the Burger King and you have the two gas stations right beside each other, that generated a lot. And, just for a matter of perspective, if you think about, there's like 20 gas stations, 20 gas pumps there, there's your, 289 apartments there at Cannon De Arrowhead. Rio Volcan across the street has 240. Then you have an approved 230 unit apartments that will be coming in. Plus, the neighborhood at 840. That's quite a bit of population here and that's a lot of traffic movement. So, when you combine that together plus with the other traffic coming down off of Unser and I-40 that fly down through there. They all access this area and everybody here is trying to use that same area trying to get in here. That's where a lot of the issues are running at. And, as far as safety, when you try to walk or even drive through there, especially, around in these areas, it gets very dangerous. We've almost been hit a number of times through there. A number of my neighbors have been complaining about all this traffic around that whole area. Excuse me a second. There was a lot of complaints in regards to that. I had - - On the trip generation, is that true, was it just inside or was there an external, in regards to that? The other thing, I did request DMD to get involved in looking at this area to see if anything could be done to reduce some of the traffic movement, to make it safer for the rest of us that live here because a lot of the people that use some of these facilities, all these drive-through's, we've already got 3 on our side plus trying to add another one. It's quite a bit. It's a lot of traffic moving in there and it is supposed to be walkable according to the neighborhood center. We got real concerns in regards to a lot of that.

ZHE: Thank you, sir.

F. COMFORT: Also, since the other - - Just so you know, because the traffic accidents in that area. So to date, I think I've mentioned and also in my report, to date, we've already have 23 accidents in the area. So, it's been increasing. I'm not sure what's gonna happen as we further open up a post pandemic, or towards even the end of this year because, all the schools are opening up, proposedly and then we're all going back to, excuse me, to the green mode. So, we're all really concerned about that and we just had a neighborhood meeting again, just got this past Saturday and the neighborhood that I represent does not want this up drive-through. We're

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okay with restaurants and any other thing but anything that creates a lot of traffic movement; we have a hard time with that in this area.

ZHE: Thank you.

F. COMFORT: Thank you.

ZHE: Ma'am, did you wish to speak now as well?

C: PATTERSON: If I may, Mr. Chairman.

ZHE: Yes, would you please state your full name and mailing address for the record?

C: PATTERSON: Yes, sir. My name is Candy Patterson and my address is 7608 Elderwood Northwest Albuquerque, New Mexico, zip code is 87120.

ZHE: Thank you ma'am and please raise your right hand and do you affirm under penalty of perjury that your testimony will be true?

C: PATTERSON: Yes.

ZHE: Thank you, ma'am, go ahead.

C: PATTERSON: Okay, I have lived in this neighborhood, my husband and I, we raised our family here since 1987, and so I am part of the concrete that comes in with the neighborhood. So, one of the things that I wanted to share with you is that the traffic generation, this a drive-through does not serve the community it's really to pull in traffic from the commuter, the high-speed commuter corridor which is, Unser. Anybody going north or south can come in, going east on Ladera which is a small arterial, will actually have to make a U-turn at Market Street, there's no light there to go into the drive-through. And then, if you can't get through there because of the high density, the traffic early in the morning when most people want to get their coffee or burrito, then you go up to Laurelwood Parkway, so you make another U-turn there and so you're going into that lane going west and so that, that compounds all of the traffic. This area is a walkable area but right now, it's actually dangerous I'm a white cane user, ADA and I worry about what it would do to our other members of our community and others who want to walk through there. It's very dangerous for me. I do walk the neighborhood and I walk through there. It has become increasingly dangerous especially after the addition of the drive through of the Burger King in 2018, which Consensus Planning placed in there after the developer left the area, once we objected to it. Consensus Planning placed that development there. One of the things I want to share with you is that, if you increase traffic on Ladera coming in, we have children who live and walk to the school which is 4 and a 1/2 blocks from there. This really makes it very unsafe for our community. We want our children walking to school. We want our children not



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going through drive-throughs. We want our families walking. This is - - This new model about business is not a new model, it's not a business model but rather, it may have worked for the pandemic but at this point, post pandemic, we love sitting in a sit down restaurant and we would welcome that. We don't mind waiting an hour, hour and a half. We went - - We've even been across the country, because of my work, you know we don't mind that. That's who we are and as a community that's who we need to be because we need to, we need to see each other face-to-face not going to the drive-through. That doesn't really complement our community. This is a walkable community. I worry about our children and our families who are walking to school. One child gets hurt and it's one too many and this will increase the traffic on that arterial, Ladera east and west. I am concerned. And then, when you look at - - We're opening our schools up, Albuquerque Public School's board members - - Well - - And, this is my community, when we open up our schools in the fall, you're going to see a lot of traffic and movement in this area. They will intensify this area and make it very unsafe. And, I wanted to address the fact, that in 2017, I was the president of this neighborhood association. There was no mention of the information regarding the variance request. There was no request for variance. It was really - - The meeting was about informational information about placing the storage facility where it is now. It had nothing to do with a variance change for drive through. We asked and we talked about a sit down restaurant. Another president who was present there and so was Mr. Comfort was M. Ward from Susie Rayos Marmon, we were all present and there was never a mention - - And, I've never seen the notes from the meeting. It was not a facilitated meeting, it was simply an informational meeting so, that information is incorrect. And, I thank you Mr. Chairman for allowing me the opportunity to speak. Thank you.

ZHE: Thank you, Ms. Patterson. Okay. Again, this is agenda item 24 and if you haven't yet spoken and you'd like to address this item please raise your hand. It's Unser and Ladera LLC requesting a conditional use for drive-through at 1901 Ladera. I see Mary Parkway Neighborhood Association?

M. LOUGHRAN: Yes.

ZHE: Hello.

M. LOUGHRAN: Can you hear me?

ZHE: Yes, would you please state your name and mailing address for the record?

M. LOUGHRAN: Sure, it's Mary Loughran, L-O-U-G-H-R-A-N, 8015 Fallbrook Place NW, 87120 and I'm in the Parkway Neighborhood.

ZHE: Thank you, ma'am and please raise your right hand. And, do you affirm under penalty of perjury that your testimony will be true?

M. LOUGHRAN: Yes, I do.

ZHE: Thank you, go ahead.

M. LOUGHRAN: I'm just gonna be speaking for myself, not for the neighborhood because were in flux as far as our board members are concerned but I just wanted to - - I echo everything everyone has said the congestion issue is very bad especially what Mr. Candalaria was pointing out, how the cars back up to get into the current areas of shopping. They - - If you - - I am on the west side of Unser on Ladera if you're going through that intersection. Every day, I have to come to a dead stop in the right lane while people are trying to turn into the Walmart parking lot, the line is stopped. If you suddenly have access right there, into a place that people are trying to get to, a large volume of cars are trying to get to, we're now gonna have cars stopped in the left lane that cross over from the Walmart, the way they've got this designed, crossing over to the new shopping center area. There's a very wide median, cars stop in there all the time waiting for the access to cross the lanes of traffic. You're gonna have cars backed up on Ladera waiting as cars are trying to get across. You're gonna have rear end car accidents constantly. They're absolutely right, there's no walk ability, there's no way to cross the street with the crosswalk. And, the other thing that wasn't pointed out, on the westbound side of Ladera from this driveway to the intersection with Unser, is not - - the lane is a turn only to the right lane onto Unser. They've striped it so that you have to merge over to the left if you wanna go straight on Ladera and cars are constantly messing up, they don't realize that lane is ending and they're whipping over and now you're going to add in at the exact location where this is, that takes place, this entrance to the shopping center and you're going to have cars coming out, cars moving lanes, it is a bad location for that driveway. It needs to not have such a huge volume of cars. And, I agree that putting another fast food drive-through there is strictly designed for the freeway. It's not designed for the neighborhood. They've got the Taco Bell, they've got the Starbucks and they've got their own on ramps from Unser. I'm not sure, I assume it's had something to do with Zoning but they weren't allowed to put any kind of left - - right turn only off of Unser into this, that, that would take some of the pressure off the Ladera entrance but I don't - - I didn't hear that part of the presentation so, I'm not sure why that is. And, 100 feet down the road is another shopping center that's got a drive-through space available that has never been purchased, no one's ever gone into it. It's right across from the neighborhood bar. There's the post mates, the neighborhood bar and there's, at the end of the, of the post mates building is a drive-through facility that was, when they built the little shopping center, no one has ever moved into it. They don't need another drive-through at this intersection. And, it's just too much traffic so, I'm just echoing what everyone else has said. That's all.

ZHE: Thank you, ma'am, I appreciate your testimony. Okay, again, this is agenda item 24. If you have not yet spoken and would like to address this item, please raise your hand. This is a request for a conditional use for a drive-through at 1901 Ladera. I'm scrolling through the participant list

and I don't see anyone raising their hand. Again, this is agenda item 24. Last call for agenda item 24. Okay, Mr. Strozier are you there?

JIM STROZIER: I am.

ZHE: Good. Go ahead, sir, if you'd like to respond to the public comment.

JIM STROZIER: Sure, thank you, Mr. Hearing Examiner, once again, Jim Strozier with Consensus Planning. I guess - - So, a couple of things. So, one is, I think it's really important to recognize and I think this was recognized in the previous approval, that as part of the updated Comprehensive Plan, they designated Unser Boulevard as a Commuter Corridor. And, I just want to read the Policy 5.1.12 specifically about commuter corridors. And, it says, allow auto oriented development along commuter corridors that are higher speed and higher traffic volume routes for people going across town often as limited access road ways. So, Mary, the Parkway Neighborhood Association in response to your question, Unser Boulevard is a limited access facility. It is designated a Commuter Corridor in the Comprehensive Plan and so we are not allowed to have any access directly on and off of Unser Boulevard for this project. I would also reiterate that back when the site plan for subdivision was done and that was reviewed and approved by the Environmental Planning Commission, at that time, that's where the combined access was designated. That was done in conjunction with the City Transportation staff and that site plan for subdivision has that shared driveway access. And, one of the things that was noted at that time was basically taking this approximately 3-acre site and splitting it in half. The storage use is actually an extremely low traffic generator. That was going to be using up a significant part of the property and so, the hard corner if you will, was designated for the more intense uses. And, I have to, to beg to differ, very respectfully to Candy. It was with Titan Development when we had that original neighborhood meeting as a part of the zoning. And, we did specifically speak about restaurants like Dion's that had, that had drive-up, pick-up windows associated with them and we specifically included the design standards in the site plan for subdivision that went to the EPC and specifically addressed the possibility of a drive-up service window. So, I respectfully beg to differ that we didn't talk about it because I'm, I'm very confident that we did at that meeting, but. The other thing is that, the access, the improvements that were made based on that site plan for subdivision are in place and that's what's out there today. The - - Frank, you asked a question about the survey. I'm happy to share, it was, it was basically just complete. It's hot off the press. They did go door-to-door in the surrounding neighborhood and interview people at the Walmart grocery store. I can provide that to you as well as to Suzie, to make that part of the record. But the results of that survey, the trip generation was done at the time of the Zone Map Amendment, that was another question that I believe you had, Frank. The trip generation was prepared and at that time, it was looking at the difference between - - This site was originally zoned for multi-family housing and it was a comparison between developing multi-family housing there versus the self-storage and a drive-up restaurant

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and that is where the pass by trips were, were calculated and anticipated at 30% at that time and so, that was done and included as part of the record for the original Zone Map Amendment that was done, that converted this site. At that time, I believe it was from R-2 - - Well it was - - I can't remember exactly what the zoning was. It was multi-family and it went to commercial, at that time. And, that trip generation comparison was done in support of that. I think with that, I think that at least based on my notes I've addressed the, the comments and questions. I guess I would acknowledge that there is a lot of traffic at this intersection. It is the intersection of two arterials. The - - Unser is designated as a Commuter Corridor and is identified in the Comprehensive Plan as being appropriate for automobile oriented uses. I think that the design standards that are included both in the IDO, as well as the site plan for subdivision will make sure that this facility is designed correctly and that pedestrian and none vehicular access circulation is taken care of as part of any development of this site. And, I would just reiterate the suggested conditions that we proposed, Mr. Hearing Examiner. I think those will address the concerns. A Traffic Impact Study that looks at - - And Frank, I think you had this question - - So, that internal traffic site plan, Traffic Circulation Layout addresses what happens inside the property itself and the Traffic Impact Study will address what happens on the exterior of the site and how it impacts the public right-of-way adjacent to the property and specifically those intersections. So, I would respectfully request your consideration of re-approval of this conditional use for drive-up service facility and thank you very much.

ZHE: Okay. Well, thank you Mr. Strozier and community members. Thank you very much. I appreciate all of your input. And, please do email Suzie anything that you showed on the screen so that it will constitute part of the record. You gave me a lot to consider. I'm going to do my best to review it all and rule on the merits of the case.

F. COMFORT: Umm...

ZHE: Are you there? I heard somebody speaking.

F. COMFORT: Mr. Chair, this is Frank Comfort with Laurelwood. May I respond to Mr. Strozier?

ZHE: Just, just briefly. If you could just keep it to one minute because then I'll have to give him a chance as well.

F. COMFORT: Okay. Mr. Strozier, respectfully in 2017, you are correct we did have a discussion in regards to like a Dion's and so forth in that area but when that was brought up, and you mentioned something about - - in the conversation about the drive-through, we absolutely said no drive-through's, to regard of whatever restaurant goes there because we know Dion's is one of our favorites and we said regardless of that, no drive-through' s. And, S. R. Marmon, who was also there, the President, M. Ward, she was also there and then President Candy Patterson.

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And also, in reference to the survey, I'm not sure which survey you're referring to because it sounded like it was pre, it sounded like it had to do with the Walmart. That - - I don't know if that has anything to do with what's happening over there at that point so, I would need to have that for - - At least, if I could get a copy of that so I can put it in our archives in regards to that. I would greatly appreciate that.

ZHE: Thank you, sir.

F. COMFORT: And, just, just for the record, I'm still reiterating under Section R-270-1980. We still hold that, it does, Laurelwood Neighborhood Association and our, and all the people who live here, we would like you to deny this drive-through. Restaurants are okay, just we have issues with drive-throughs the way it stands now. Thank you.

ZHE: Thank you. Mr. Strozier, I don't know that I'd hear about old applications.

JIM STROZIER: Right, right. I just want to clarify, the survey that I mentioned was just done recently. It was done as a follow up to the facilitated meeting that we had in April talking about this particular project and I will share that with - - I know that I have a Candy's and Renee's email. I don't know, Mary if I have yours but I am but I will, I will share that and provide that to Suzie to be a part of the record.

ZHE: Thank you.

JIM STROZIER: Thanks.

ZHE: All right, everyone thank you very much. I appreciate everyone's input and again, I'll do my best to review everything and decided on the merits. Have a good afternoon. This concludes agenda item 24. Thank you.

***Planning Department***  
***Brennon Williams, Planning Director***  
***Development Review Division***  
600 2<sup>nd</sup> Street NW – 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

## NOTICE OF APPEAL

July 19, 2021

### TO WHOM IT MAY CONCERN:

The Planning Department received an appeal on July 16, 2021. You will receive a Notice of Hearing as to when the appeal will be heard by the **Land Use Hearing Officer**. If you have any questions regarding the appeal please contact Alfredo Ernesto Salas, Planning Administrative Assistant at (505) 924-3370.

***Please refer to the enclosed excerpt from the City Council Rules of Procedure for Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have regarding the Land Use Hearing Officer rules of procedure.***

Any questions you might have regarding Land Use Hearing Officer policy or procedures that are not answered in the enclosed rules can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

**CITY COUNCIL APPEAL NUMBER: AC-21-12**  
**PLANNING DEPARTMENT CASE FILE NUMBER:**  
**PR-2019-002291, VA-2021-00292, VA-2021-00132**

**APPLICANT: Frank Comfort, Laurelwood N.A.**  
**2003 Pinonwood, St. NW**  
**Albuquerque NM, 87120**

cc: Crystal Ortega, City Council, City county bldg. 9<sup>th</sup> floor  
Kevin Morrow/Legal Department, City Hall, 4<sup>th</sup> Floor-  
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# ZONING HEARING EXAMINER'S AGENDA

TUESDAY, June 15, 2021 9:00 A.M.

Join Zoom Meeting  
<https://cabq.zoom.us/j/7044490999>  
**Meeting ID: 704 449 0999**  
 One tap mobile  
 +16699006833,,7044490999# US (San Jose)  
 +12532158782,,7044490999# US (Tacoma)  
 Dial by your location  
 +1 669 900 6833 US (San Jose)  
 +1 253 215 8782 US (Tacoma)  
 +1 346 248 7799 US (Houston)  
 +1 646 558 8656 US (New York)  
 +1 301 715 8592 US (Germantown)  
 +1 312 626 6799 US (Chicago)  
 Meeting ID: 704 449 0999  
 Find your local number: <https://cabq.zoom.us/u/a2s7T1dnA>

*Robert Lucero, Esq., Zoning Hearing Examiner  
Lorena Patten-Quintana, ZHE Planner  
Suzie Sanchez, ZHE Administrative Assistant*

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For Inquiries Regarding This Agenda, Please Call The Planning Dept. at (505) 924-3894.

\*\*\*\*\*

### **PLEASE ADDRESS ALL CORRESPONDENCE TO:**

**Robert Lucero, Esq., Zoning Hearing Examiner at [suzannasanchez@cabq.gov](mailto:suzannasanchez@cabq.gov)**

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**NOTICE TO PEOPLE WITH DISABILITIES:** If you have a disability and you require special assistance to participate in this hearing, please contact Planning Information at (505) 924-3860.

### INTERPRETER NEEDED:

- |                  |                                |  |
|------------------|--------------------------------|--|
| 1. VA-2021-00120 | Project#<br>PR-2021-<br>005413 | Ariel Cano & Donna T requests a variance for Lot 3, Block 9, Mandell Addn No 2, located at 2800 4 <sup>TH</sup> ST NW, zoned MX-M [Section 14-16-5-7(D)] |
|------------------|--------------------------------|--|

### OLD BUSINESS:

2. VA-2021-00092      Project#  
PR-2021-  
005324      Juan J. Risueno requests a permit-wall or fence-major for Lot 1, Block 18, Buena Ventura, located at 300 Erbbe St NE, zoned R-1B [Section 14-16-5-7(D)]

**NEW BUSINESS:**

3. VA-2021-00094      Project#  
PR-2021-  
005327      Nancy and Kent Kanagy (Agent, Strata Design) request a permit-wall or fence major for Lots 14-15, Block 16, Monterey Hills Addn, located at 3211 Santa Clara Ave SE, zoned R-1D [Section 14-16-5-7-D]
4. VA-2021-00095      Project#  
PR-2021-  
005327      Nancy and Kent Kanagy (Agent, Strata Design) request a variance to allow a 4 1/2 ft high solid wall for Lots 14-15, Block 16, Monterey Hills Addn, located at 3211 Santa Clara Ave SE, zoned R-1D [Section 14-16-5-7-D]
5. VA-2021-00101      Project#  
PR-2021-  
005376      Dakota Cleveland requests a Permit-Wall or Fence-Major for Lot 20, Block 4, Mile Hi Court, located at 1717 Valencia Dr NE, zoned R-1C [Section 14-16-5-7(D)]
6. VA-2021-00103      Project#  
PR-2021-  
005380      Chelsea Pyne, Robert Hinton and Karen Hrobuchak request a Permit-Wall or Fence-Major for Lot 2B, Block 3, Major Acres, located at 1128 Major Ave NW, zoned R-1D [Section 14-16-5-7(D)]
7. VA-2021-00104      Project#  
PR-2021-  
005380      Chelsea Pyne, Robert Hinton and Karen Hrobuchak request a variance to allow for a solid wall in the front yard setback for Lot 2B, Block 3, Major Acres, located at 1128 Major Ave NW, zoned R-1D [Section 14-16-5-7(D)]
8. VA-2021-00112      Project#  
PR-2021-  
005392      Janet Fuentes (Agent, Dolores Morales) requests a variance for Lot 1, Block B, Torreon Addn Anderson & Thaxton Replat, located at 700 Gibson BLVD SE, zoned NR-C [Section 14-16-5-7(D)]
9. VA-2021-00113      Project#  
PR-2021-  
005394      Rudy Marquez requests a conditional use to allow a bar/pub for Lot B1 & B2A, Audio Clinic Inc & International, located at 1600 and 1608 Eubank BLVD NE, zoned MX-L [Section 14-16-4-2]
10. VA-2021-00114      Project#  
PR-2021-  
005395      Onesimo Vigil & Rachel Vigil (Agent, Richard Ayala) request a variance of 5 ft to the required 15 ft side yard setback for Lot 5A, Block 12, Volcano Cliffs Unit 5, located at 6516 Jade DR NW, zoned R-1D [Section 14-16-3-4(N)(3)]
11. VA-2021-00115      Project#  
PR-2021-  
005402      Edward Elder and May Golderberg request a permit to allow for a carport in the front yard setback for Lot 11, Block 10, Mesa Court Addn, located at 3921 Anderson Ave SE, zoned R-1B [Section 14-16-5-5(F)(2)(a)(3)]
12. VA-2021-00116      Project#  
PR-2021-  
005412      Jorge Solis-Sarinana requests a Permit-Wall or Fence-Major for Lot 362, MRGCD Map 41, located at 532 Ethlyn Ave SE, zoned R-1B [Section 14-16-5-7(D)]
13. VA-2021-00118      Project#  
PR-2020-  
004207      Becker Karl (Agent, Ahmed Zaki) requests a variance for Lot 1, Anderson & Harris Addn, located at 1212 Aztec RD NW, zoned MX-L [Section 14-16-5-7(D)]



14. VA-2021-00119      Project#  
PR-2020-  
004207      Becker Karl (Agent, Ahmed Zaki) requests a variance of 3 feet to the 3 feet required wall height for Lot 4, Anderson & Harris Addn, located at 1212 Aztec RD NW, zoned MX-L [Section 14-16-5-7(D)]
15. VA-2021-00121      Project#  
PR-2021-  
005417      Richard Puccio (Agent, Gilbert Austin) requests a permit to allow a carport in the required side/front setback for Lot 3, Block 2, Loma Del Norte Addn Unit 1, located at 7108 Patricia Dr NE, zoned R-1C [Section 14-16-5-5(F)(2)]
16. VA-2021-00122      Project#  
PR-2021-  
005418      Alicia R. Salazar & Jose A (Agent, Gilbert Austin) requests a permit to allow a carport in the required side/front setback for Lot 72, Windsor Estates Phase 2, located at 2111 Buckingham Ct NW, zoned R-1B [Section 14-16-5-5(F)(2)]
17. VA-2021-00123      Project#  
PR-2021-  
005419      Cindy Pacheco (Agent, Gilbert Austin) requests a permit to allow a carport in the required side setback for Lot 18, Block 66, Snow Heights Addn, located at 2424 Morris St NE, zoned R-1B [Section 14-16-5-5(F)(2)]
18. VA-2021-00124      Project#  
PR-2021-  
005420      Rachel Marie Salas requests a Permit-Wall or Fence-Major for Lot 34, Heritage Hills Unit 5, located at 8921 Democracy Rd NE, zoned R-1C [Section 14-16-5-7(D)]
19. VA-2021-00125      Project#  
PR-2021-  
005421      Daniel Galvan (Agent, Salvador Loera) requests a Permit-Wall or Fence-Major for Lot 1, Block 1, Bear Canyon Estates Unit 2, located at 9301 Tasco Dr NE, zoned R-1C [Section 14-16-5-7(D)]
20. VA-2021-00127      Project#  
PR-2021-  
005423      Jose L and Erika Hernandez requests a Permit-Wall or Fence-Major for Lot B, Osage Addn 3, located at 1615 Osage AVE SW, zoned R-1C [Section 14-16-5-7(D)]
21. VA-2021-00131      Project#  
PR-2021-  
005423      Jose and Erika Hernandez request a variance to allow 6ft solid wall/fence for Lot B, Osage Addn 3, located at 1615 Osage AVE SW, zoned R-1C [Section 14-16-5-7(D)]
22. VA-2021-00128      Project#  
PR-2021-  
005422      Cory Greenfield & Jennie McCary requests a permit to allow a carport in the side yard setback for Lot 8, Block 6, Chacon Addn, located at 709 16th St NW, zoned R-1A [Section 14-16-5-5(F)(2)(a)]
23. VA-2021-00130      Project#  
PR-2021-  
005422      Cory Greenfield & Jennie McCary requests a variance of 2 feet to the required 5 foot side yard setback for a garage for Lot 8, Block 6, Chacon Addn, located at 709 16th St NW, zoned R-1A [Section 14-16-2-3(B)(2)]
24. VA-2021-00132      Project#  
PR-2019-  
002291      Unser & Ladera LLC (Agent, Consensus Planning) request a conditional use to allow a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera DR NW, zoned MX-L [Section 14-16-4-2]
25. VA-2021-00133      Project#  
PR-2021-  
005425      Anthem Oil, LLC (Agent, JAG Planning & Zoning) requests a conditional use to allow light vehicle sales for Lot A2, Thunderbird Partnership, located at 9160 Coors BLVD NW, zoned MX-L [Section 14-16-4-2]
26. VA-2021-00134      Project#  
PR-2021-  
005426      SMI-ABQ Assets, LLC / Whitney S. Fibich (Agent, Consensus Planning) requests a conditional use to allow a mortuary for Lot J, Coles Industrial No. 2, located at 3300 Vassar DR NE, zoned NR-LM [Section 14-16-4-2]

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| 27. | VA-2021-00135 | Project#<br>PR-2021-<br>005430 | Sarah Santillanes & Anthony Santillanes requests a Permit-Wall or Fence-Major for Lot 26, Block 5, Sunshine Addn, located at 1938 High ST SE, zoned R-1A [Section 14-16-5-7(D)]                                     |
| 28. | VA-2021-00137 | Project#<br>PR-2021-<br>005430 | Sarah Santillanes & Anthony Santillanes requests a Permit-Wall or Fence-Major for Lot 27, Block 5, Sunshine Addn, located at 1938 High ST SE, zoned R-1A [Section 14-16-5-7(D)]                                     |
| 29. | VA-2021-00138 | Project#<br>PR-2021-<br>005430 | Sarah Santillanes & Anthony Santillanes requests a variance of 3 ft to the 3 ft maximum wall height for Lot 26, Block 5, Sunshine Addn, located at 1938 High ST SE, zoned R-1A [Section 14-16-5-7(D)]               |
| 30. | VA-2021-00139 | Project#<br>PR-2021-<br>005430 | Sarah Santillanes & Anthony Santillanes requests a variance of 3 ft to the 3 ft maximum wall height for Lot 27, Block 5, Sunshine Addn, located at 1938 High ST SE, zoned R-1A [Section 14-16-5-7(D)]               |
| 31. | VA-2021-00140 | Project#<br>PR-2021-<br>005433 | James Morales requests a Permit-Wall or Fence-Major for Lot 5A, Glendale Gardens, located at 3543 Ute RD NW, zoned R-1D [Section 14-16-5-7(D)]  |
| 32. | VA-2021-00143 | Project#<br>PR-2021-<br>005436 | Chris and Sara Evans request a variance of 35 ft to the required 20 ft driveway access in CPO-13 for Lot 7, Block 5, Volcano Cliffs Unit 19, located at 6531 Azor LA NW, zoned R-1D [Section 14-16-3-4(N)(5)(c)(6)] |