

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

March 21, 2024

Vista Oriente, Ltd. Co.
500 4th Street NW
Albuquerque NM, 87102

Project # PR-2024-009947
SI-2024-009947 Site Plan - EPC, Major Amendment

LEGAL DESCRIPTION:

Consensus Planning, agent for Vista Oriente, Ltd. Co., requests a Site Plan-EPC, Major Amendment to remove Lot 2-B from the controlling site plan for all or a portion of Lots 2-A and 2-B, Plat for Lots 2-A and 2-B, American Square (being comprised of Lot 2 American Square), Lot 1 Plat of Lots 1 and 2, American Square, Building D, Plat for American Square, Tracts F-1-A and E-1-A, CORR Plat of Tracts E-1-A, F-1-A, and F-1-B, Tracts F-1-B-1 and F-1-B-2, Plat of Tracts F-1-B-1 and F-1-B-2, Block C, Plat for American Square, and Block B-1A (replat of blocks A-1-A and B-1) American Square, located at 3535 Menaul Blvd NE, between Richmond Dr. NE, Carlisle Blvd NE, Claremont Ave NE, and Menaul Blvd. NE, approximately 55 acres. (H-16-Z)
Staff Planner: Seth Tinkle

On March 21, 2024, the Environmental Planning Commission (EPC) Project # PR-2024-009947 SI-2024-009947 Site Plan - EPC, Major Amendment, based on the following Findings and subject to the following Conditions of Approval:

1. The request is for a Site Plan – EPC, Major Amendment, for an approximately 55-acre site legally described as all or a portion of Lots 2-A and 2-B, Plat for Lots 2-A and 2-B, American Square (being comprised of Lot 2 American Square), Lot 1 Plat of Lots 1 and 2, American Square, Building D, Plat for American Square, Tracts F-1-A and E-1-A, CORR Plat of Tracts E-1-A, F-1-A, and F-1-B, Tracts F-1-B-1 and F-1-B-2, Plat of Tracts F-1-B-1 and F-1-B-2, Block C, Plat for American Square, and Block B-1A (replat of blocks A-1-A and B-1) American Square, located at 3535 Menaul Blvd NE, between Richmond Dr. NE, Carlisle Blvd NE, Claremont Ave NE, and Menaul Blvd. NE.
2. The applicant requests that the Environmental Planning Commission (EPC) remove Lot 2-B, an approximately 10-acre portion of the larger 55-acre site, from the controlling site plan for subdivision (Z-86-12, 1008124, 1010181, 1008124). The subject site (Lot 2-B) would then be controlled by the IDO, DPM, and other applicable City regulations.

3. The EPC is hearing this case pursuant to IDO section 14-16-6-4(Z) Amendments of Pre-IDO Approvals. Major amendments shall be reviewed by the decision-making body that issued the permit or approval being amended, following the procedures for the most closely equivalent decision in Part 14-16-6 (Administration and Enforcement). The amendment exceeds the thresholds found in IDO table 6-4-4: Allowable Minor Amendments, therefore it is classified as a Major Amendment pursuant to IDO section 14-16-6-4(Z)(1)(b).
4. The subject site is located along the Carlisle Boulevard Major Transit Corridor and Menaul Boulevard Multi Modal Corridor, within the American Square Activity Center, and in a designated Area of Change. It is within the Mid Heights Community Planning Area (CPA).
5. The subject site is zoned MX-M (Mixed-use Medium Intensity) a zoning designation received upon adoption of IDO in May 2018. The subject site was formerly zoned C-2 (commercial).
6. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. The request is consistent with the following Comprehensive Plan Goals and Policies regarding land use and development from Chapter 5: Land Use.

- A. Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is located in the Carlisle Boulevard Major Transit Corridor, Menaul Boulevard Multi-Modal Corridor, and the American Square Activity Center. The request would facilitate future redevelopment that is consistent with the intent of these Centers and Corridors because future development would be consistent with the IDOs MX-M zone, which would allow an abundant mix of medium intensity uses on the subject site.

- B. Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The request could facilitate capture of regional growth on the subject site, which is located in a Multi-Modal Corridor, Major Transit Corridor, and an Activity Center, because the subject site's relatively large size and location can feasibly accommodate growth of this nature. Locating growth within Centers and Corridors promotes sustainable development patterns, according to the Comprehensive Plan.

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

The request would facilitate redevelopment of the vacant portion of the subject site, located within an Activity Center, which are intended to provide a mix of neighborhood commercial and residential uses. Future redevelopment would foster a mixed-use center of activities, services, and amenities, because development would adhere to the IDOs MX-M zone district, which allows a range of uses permissively. Future redevelopment on the subject site would be in relatively close proximity to nearby residents and businesses, thus promoting walkability and

active transportation options, which support healthy lifestyles, according to the Comprehensive Plan.

- D. Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit services with pedestrian-oriented development.

The request would facilitate redevelopment of the subject site, located within a Major Transit Corridor, which are intended to be served by high quality and frequent transit. Future redevelopment of the vacant portion of the subject site would occur in an area that is well-served by transit and in walkable distance to a nearby residential neighborhood, which would foster this Major Transit Corridors by promoting transit-accessible and pedestrian-oriented development near transit stops.

8. The request is consistent with the following Comprehensive Plan Goals and Policies regarding efficient development patterns and development areas from Chapter 5: Land Use.

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

The request would facilitate future redevelopment of the subject site, which is already served by existing infrastructure and public utilities. Future development would generally promote efficient development patterns and use of land by providing promoting growth on a vacant infill location under the MX-M zone.

- B. Policy 5.3.1 – Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is located in an Area of Change, Major Transit Corridor, Multi Modal Corridor, and Activity Center, which are desirable infill development locations according to the Comprehensive Plan. The request would facilitate future redevelopment of the subject site, which is already served by existing infrastructure and public utilities.

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

The subject site is located in an Area of Change, where growth is expected and desired. The request would encourage redevelopment of the subject site, which would enable and direct growth to an Area of Change.

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

The request would facilitate future redevelopment of the subject site, which is located in an Area of Change, Major Transit Corridor, Multi Modal Corridor, and Activity Center. Future

redevelopment of the subject site would direct growth and more intense development to these Centers, Corridors, and development area, where change is encouraged.

9. The request meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(H)(3) as follows:

- A. 6-6(H)(3)(a) The Site Plan is consistent with the ABC Comp Plan, as amended.

As demonstrated by the policy analysis of the proposed major amendment to controlling Site Plan for Subdivision, the request is generally consistent with applicable Comprehensive Plan Goals and policies.

- B. 6-6(H)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the property and any related development agreements and/or regulations.

The subject site is not located in a previously approved NR-SU or PD zoning district; the above criterion does not apply.

- C. 6-6(H)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.

The request is for a Major Amendment to the controlling Site Plan for Subdivision. The subject site would then be controlled by the IDO rather than the controlling Site Plan and would be required to comply with all applicable provisions of the IDO, DPM, and other City regulations.

- D. 6-6(H)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The subject site is already served by existing infrastructure and public facilities. Any future capacity needs would be addressed through the DFT and/or building permit process.

- E. 6-6(H)(3)(e) The application mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.

The request would abandon the controlling Site Plan for Subdivision and any future development on the subject site will be required to comply with the all development standards within the IDO, specifically buffering and landscaping requirements, which would mitigate any significant adverse impacts.

- F. 6-6(J)(3)(f) If the subject property is within an approved Master Development Plan, the Site Plan meets any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.

The subject property is not within an approved Master Development Plan; therefore, the above criterion does not apply.

G. 6-6(J)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Area pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements), the Site Plan incorporates mitigation for all identified cumulative impacts. The proposed development will not create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, or other nuisances without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required. Therefore, the above criterion does not apply.

10. The affected, registered neighborhood organization was the Bel-Air Neighborhood Association, which was notified as required. Property owners within 100 feet of the subject site were also notified as required.
11. A pre-submittal neighborhood meeting was offered and requested within the 15-day period established by the IDO. This meeting was held on January 10th and facilitated meeting notes were provided. Add summary of facilitated meeting here.
12. As of this writing, Staff has not been contacted and is unaware of any opposition.
13. Staff has crafted conditions of approval needed to improve compliance moving

CONDITIONS OF APPROVAL – SI-2024-009947

1. The applicant shall meet with the Staff planner prior to applying to Site Plan-EPC, Site Plan-DRB, or Site Plan-Admin to ensure that the conditions of approval are addressed.
2. The applicant shall place a note on the historic site plan for subdivision (Z-86-12, 1008124, 1010181, 1008124) to indicate that Lot 2-B is no longer a part of the site plan for subdivision pursuant to the EPC's March 21, 2024 decision.
3. **CONDITIONS FROM THE CITY ENGINEER, TRANSPORTATION DEVELOPMENT**
 - A. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Facilitation Team (DFT).
 - B. An approved Traffic Circulation Layout shall be required with each newly developed lot.
 - C. A Traffic Scoping Form shall be required to determine if a Traffic Impact Study is required.
 - D. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

4. CONDITION FROM SOLID WASTE

An overall site plan to scale shall be approved for access by the Solid Waste Department.

5. CONDITION FROM PNM

Any existing and/or new PNM easements and facilities need to be reflected on any resulting future Site Plan or Plat.

6. The applicant shall provide an updated Major Amendment sheet showing that the request is only for Lot 2-B, excluding Lot 2-A.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **April 5, 2024**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

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

Sincerely,



for Alan M. Varela,
Planning Director

AV/ST/MJ

cc:

Vista Oriente, Ltd. Co., jeff@amcdevelopment.net
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OFFICIAL NOTICE OF DECISION

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March 21, 2024

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EPC File