

PLANNING DEPARTMENT  
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## OFFICIAL NOTIFICATION OF DECISION

July 18, 2024

Cross Development  
4317 Marsh Ridge Rd  
Carrollton Texas, 75010

Project # PR-2024-009765  
SI-2023-00468 – Site Plan – EPC, Major Amendment

Tierra West LLC, agent for Cross Development, requests a Site Plan EPC, Major Amendment for an approximately 3 acre portion of Tract A, Plat of Gateway Subdivision; Tract B-1, Plat of Tract B-1, Gateway Subdivision, A replat of Tracts B & C, Gateway Subdivision; Tract, D-1-B-1, Plat of Tract D-1-B-1 and D-1-B-2, Gateway Subdivision (being a replat of Tract D-1-B, Gateway Subdivision, Lots 16 and 17, Trotter Addition NO. 2 and A; and Tract D-1-A-1, Plat for Lots 1 & 2, Tract D-1-A-1, Gateway Subdivision (being a replat of Tract D-1-A, Gateway Subdivision & an unplatted parcel), between Mountain Rd, Lomas Blvd, Edith Blvd. and I-25 frontage, approximately 23 acres (J- 15-Z)

Staff Planners: Megan Jones & Vicente Quevedo

On July 18, 2024, the Environmental Planning Commission (EPC) voted to APPROVE PR-2024-009765 SI-2023-00468 – Site Plan – EPC, Major Amendment based on the following findings and subject to the following conditions of approval:

### FINDINGS – SI-2023-00468 – Site Plan – EPC, Major Amendment

1. The request is for a Major Amendment to a 3-acre portion (Area 3/Tract A) within the Gateway Center Site Development Plan for Subdivision (SDP) for an approximately 23-acre site legally described as All or a portion of Tract A Plat of Gateway Subdivision, Tract B-1, Plat of Tract B-1, Gateway Subdivision, A replat of Tracts B & C, Gateway Subdivision; Tract, D-1-B-1, Plat of Tract D-1-B-1 and D-1-B-2, Gateway Subdivision (being a replat of Tract D-1-B, Gateway Subdivision, Lots 16 and 17, Trotter Addition NO. 2 and A; and Tract D-1-A-1, Plat for Lots 1 & 2, Tract D-1-A-1, Gateway Subdivision (being a replat of Tract D-1-A, Gateway Subdivision & an un-platted parcel), located at 1100 Woodward Pl NE, between Mountain Rd, Lomas Blvd, Edith Blvd. and I-25 frontage (the “subject site”).
2. The subject site is controlled by the approved Gateway Center Site Development Plan for Subdivision. The rescinded Martineztown/Santa Barbara Sector Development Plan required this

location to have an approved EPC site plan, and since the overall site is already built out more than 50%, the subject site is governed by the SDP. On March 24, 1994 the EPC voted to approve Z-93-46 and the site plan was reviewed and delegated for approval by the former DRB (Development Review Board) on July 12, 1994. The SDP for subdivision was amended by the DRB on 2/17/1997 and included a revision to area three which reflects the most updated plat for a 2.78-acre Tract and up to 182,856 GFS (DRB-97-466). Project # 1000060 included two separate 2-year extensions (one in 2011, the other in 2014) of a Subdivision Improvements Agreement for the Gateway Subdivision.

3. The requested major amendment is to 1) add hospital as a permissive use to Area 3 (Tract A) of the controlling Site Development Plan, 2) change setbacks for Area 3 to be pursuant to the IDO, and 3) facilitate development of an Inpatient Rehabilitation Facility (hospital use) on the subject site, which is being reviewed as part of this request.
4. A request for a Zone Map Amendment from MX-M (Mixed use – Medium Intensity) to MX-H (Mixed use – High Intensity) for the subject site (PR-2024-009765, RZ-2024-00001) was approved prior to this request. The applicant designed the proposed development of the hospital to comply with the MX-H zone district standards.-See related condition of approval #4.
5. Pursuant to IDO section 14-16- 4-3(C)(4) Hospital Use Specific Standards, for the MX-M zone district, this use is limited to no more than 20 overnight beds and if located within 330 feet of any Residential zone district, shall require a Conditional Use approval, pursuant to Subsection 14-16-6-6(A). If the EPC decision to approve the request for MX-H zoning is not upheld, the hospital may not have over 20 beds, and will be required to obtain a conditional use approval for proximity to residential.
6. The proposed Site Plan is required to follow all applicable Standards outlined in the Controlling Site Development Plan for Subdivision pursuant IDO section 14-16-1-10(A) which states that: Any approvals granted prior to the effective date of this IDO shall remain valid and that any use standards or development standards associated with any pre-IDO approval or zoning designation establish rights and limitations and are exclusive of and prevail over any provision of this IDO. Where those approvals are silent, provisions in the IDO shall apply.
7. The proposed development includes: A 55,098 SF Inpatient Rehabilitation Facility (Hospital Use) with 48 beds pursuant to the MX-H zone district; and Site work including: parking, walls/fences, landscaping, utilities, grading and drainage, and signage, etc. Staff has reviewed the Site Plan pursuant to the controlling Site Development Plan Standards and where silent Applicable IDO standards and the MX-H zone district.
8. The subject site is in an area that the Comprehensive Plan designates an Area of Change. It is not within a designated Center. It is located along the I-25 Frontage and Mountain Rd. Major Transit Corridors and within 660' of the Lomas Blvd. Major Transit Corridor.
9. The subject site is located within the Santa Barbara Martineztown Character Protection Overlay Zone (CPO-7), although is subject to the development standards of the Controlling Site Development Plan pursuant to IDO section 14-16-1-10(A) Pre IDO-Approvals, which states that any

use standards or development standards associated with any pre-IDO approval or zoning designation establish rights and limitations and are exclusive of and prevail over any other provision of the IDO. Where those approvals are silent, provisions in this IDO shall apply.

10. The City of Albuquerque Integrated Development Ordinance (IDO) and the Albuquerque Bernalillo County (ABC) Comprehensive Plan are incorporated herein by reference and made part of the record for all purposes.

11. The request is wholly or generally consistent with the following ABC Comprehensive Plan Goal and Policies regarding Community Identity from Chapter 4:

A. GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities.

The request would locate more intense uses to the southern portion of the subject site, which is also the southeastern most corner of the Santa Barbara/Martineztown Neighborhood. This will ensure that the existing residential neighborhood uses will be protected and preserved.

B. POLICY 4.1.1 DISTINCT COMMUNITIES: Encourage quality development that is consistent with the distinct character of communities.

The request would contribute to the existing varying intensity of uses that distinctly characterize the Santa Barbara/Martineztown Neighborhood. These uses include industrial, manufacturing, mixed use zones, and residentially zoned parcels. The request would locate a hospital use away from existing residentially zoned parcels.

C. POLICY 4.1.2. IDENTITY AND DESIGN: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request will protect the identity and cohesiveness of the Santa Barbara/Martineztown Neighborhood by locating more intense uses on the subject site at the southeastern most corner of the neighborhood. The hospital use will also be appropriately located within 660 feet of three designated Major Transit Corridors.

12. The request is wholly or generally consistent with the following ABC Comprehensive Plan Goal and Policies regarding Centers and Corridors from Chapter 5 Land Use:

A. GOAL 5.1 CENTERS AND CORRIDORS: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is located along the I-25 Frontage and Mountain Rd. Major Transit Corridors and within 660' of the Lomas Blvd. Major Transit Corridor, and also lies between two designated Centers to the west (Downtown Center) and to the east (UNM Center). The request would allow a broader range of higher-intensity land uses on the subject site which is currently vacant, and located along and within the aforementioned Corridors.

- B. POLICY 5.1.1 DESIRED GROWTH: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The subject site is located along and within three Major Transit Corridors - the I-25 Frontage, Mountain Rd., and Lomas Blvd. Major Transit Corridors. Capturing growth within Transit Corridors promotes sustainable development patterns as articulated in the ABC Comp Plan.

- C. POLICY 5.1.1(c): Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The request will result in a hospital use and encourage employment density, compact development, and infill on the currently-vacant subject site, which is located along and within three Major Transit Corridors. Additionally, the request will not result in the need for development at the urban edge of Albuquerque.

- D. POLICY 5.1.2 DEVELOPMENT AREAS: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas.

The subject site is located within an ABC Comp Plan designated Area of Change, and is located along and within three Major Transit Corridors. The request will result in a new hospital use on the vacant subject site which will serve to maintain appropriate density and scale of development within an Area of Change.

- E. POLICY 5.1.10 MAJOR TRANSIT CORRIDORS: Foster corridors that prioritize high frequency transit service with pedestrian-oriented development.

The request fosters and promotes corridors that prioritize high frequency transit service with pedestrian-oriented development because the Mountain/Woodward transit stop is located along the northern edge of the subject site. This will allow individuals without a vehicle to access the hospital use on the subject site. Additionally, the intent of the MX-H zone district is to allow higher-density infill development in appropriate locations, which include Major Transit Corridors, according to the ABC Comp Plan.

13. The request is wholly or generally consistent with the following ABC Comprehensive Plan Policy and Sub policies from Chapter 5 Land Use:

- A. POLICY 5.2.1 LAND USES: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request will serve to help build out a vacant lot thereby continuing to promote the existing mixed-use character of the area. The subject site is also located between two ABC Comp Plan Centers (Downtown & UNM) and is conveniently accessible from surrounding neighborhoods via the City of Albuquerque's public transit service.

- B. POLICY 5.2.1(h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request will encourage infill development of a hospital use that adds complementary uses and is compatible in form and scale to the immediately surrounding/adjacent hotel use, and lab use, and nearby educational use.

- C. POLICY 5.2.1 (n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request will encourage the more productive use of vacant lots and under-utilized lots because the subject site is currently vacant and being used (informally) as surface parking. The development of a hospital use on the site is also more beneficial to surrounding neighborhoods and the greater Albuquerque Metropolitan area.

14. The request is wholly or generally consistent with the following ABC Comprehensive Plan Goal and Policies regarding development patterns 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 subject site is already served by existing infrastructure and public facilities. The request would help to maximize the utility of this existing infrastructure by adding a hospital use to the area. Additionally, the subject site is located within three Major Transit Corridors and can be accessed by existing public transit routes.

- B. POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

The request will result in additional growth in the form of a hospital use on the subject site in an area with existing infrastructure and public facilities, and is accessible by existing public transit routes.

- C. POLICY 5.3.2 LEAPFROG DEVELOPMENT: Discourage growth in areas without existing infrastructure and public facilities.

The request will not result in Leapfrog Development as the hospital use will be developed in an area with existing infrastructure and public facilities.

- D. POLICY 5.3.7 LOCALLY UNWANTED LAND USES: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

There is known opposition from the Santa Barbara/Martineztown (SB/MT) Neighborhood Association for the Hospital Use. The applicant has demonstrated that the proposed use would serve a community need for healthcare services for an aging population and chronic illnesses

pursuant to healthcare and census data studies for NM that have been referenced. The request will result in a rehabilitation hospital that will add to the non-emergency medical services network in the greater Albuquerque Metropolitan area. These services are useful to society by easing pressure on local hospitals by providing an avenue for outpatient care.

- E. **POLICY 5.3.7(b):** Ensure appropriate setbacks, buffers, and/or design standards to minimize offsite impacts.

Where the controlling site plan is silent with regard to design standards, the applicant will be required to follow all IDO design standard requirements which include setbacks, buffers and other design standards to minimize offsite impacts. Additionally, with regard to building height, the applicant has stated that the proposed development building height would be capped at 55 feet, which is much lower than the 108-foot building height allowance in the controlling site development plan.

15. The request is wholly or generally consistent with the following ABC Comprehensive Plan Goal and Policy regarding Development Areas from Chapter 5 Land Use:

- A. **GOAL 5.6 CITY DEVELOPMENT AREAS:** Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located entirely in an ABC Comp Plan designated Area of Change, where growth is both expected and desired. Developing the hospital use on the subject site will also ensure that the character and intensity of the residential portions of the Santa Barbara/Martineztown community (that are located within an Area of Consistency) are reinforced.

- B. **POLICY 5.6.2 AREAS OF CHANGE:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request will direct growth on the subject site under the MX-H zone district. The proposed development of a hospital use will be located along designated Major Transit Corridors within an Area of Change, which is encouraged as articulated in the ABC Comp Plan.

16. The request is wholly or generally consistent with the following ABC Comprehensive Plan Goals and Policies regarding from Chapter 8 Economic Development:

- A. **POLICY 8.1.1(a):** Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels.

The request is located within three designated Major Transit Corridors and, once operational, will employ approximately one-hundred people contributing to a range of occupational skills and salary levels to include administrative staff, nurses, doctors, and night-time shift workers.

- B. **POLICY 8.1.1(c):** Prioritize local job creation, employer recruitment, and support development projects that hire local residents.

The request will more than likely prioritize local job creation and recruitment during the construction phase of the proposed development; however, staff notes that Nobis Rehabilitation Partners headquarters is located in Allen, Texas. It is therefore unclear how the proposed use will continue to prioritize local job creation and hire local residents.

- C. **POLICY 8.1.2 RESILIENT ECONOMY:** Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The request will serve to improve the quality of life for new and existing residents by providing a high-quality hospital use that can be accessed by nearby community members and the larger Albuquerque Metropolitan area. The area surrounding the subject site includes an Embassy Suites Hotel, TriCore Laboratories, and the Career Enrichment Center. The proposed hospital use will help to foster a robust, resilient, and diverse economy.

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

- A. 6-6(l)(3)(a) The site plan is consistent with the ABC Comp Plan, as amended.

As demonstrated by the policy-based analysis, the proposed Site Plan is consistent with applicable Comprehensive Plan Goals and policies.

- B. 6-6(l)(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 within any previously approved NR-SU or PD zoned property. No development agreements or regulations on the site are known outside of the standards set forth in the Controlling Site Development plan for Subdivision.

- C. 6-6(l)(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 subject site is within the Controlling Gateway Center Site Development Plan for Subdivision (EPC Z-93-46\_DRB-94-183). The major amendment allows the hospital use on Area 3/Tract A. The associated site plan proposes the development of the hospital which complies with all applicable site standards in the controlling site plan. Future reviewers shall check the site plan for standards. Where the controlling site development plan is silent, the site plan is required to comply with all applicable provisions of the IDO. The site plan shall comply with the DPM and all other adopted City regulations.

The Site Plan is subject to the allowable maximum heights, setbacks and related standards specified on the controlling site plan. All other IDO standards have been met. The Site is not subject to height standards applicable to CPO-7 because the Controlling Site Development Plan takes precedent over the IDO pursuant to IDO section 1-10(A) pre-IDO approvals. All conditions must be met prior to DFT Final Sign off.

- D. 6-6(l)(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 City's existing infrastructure has adequate capacity for the proposed development based on existing roadways, transit, water and electric utilities. A Safety Study and Traffic Impact Study (TIS) is underway for the subject site, which will determine if any additional transportation needs are required. The applicant will be required to work with transportation, hydrology, and fire during the DFT final sign off process to ensure that mitigation efforts are met based on the results of the Traffic Study currently under review by NM DOT and City Transportation Planning. A condition of approval has been added regarding the Traffic Study.

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

The applicant has demonstrated that the request would not negatively impact the surrounding area based on responses to applicable Comprehensive Plan Goals and Policies. The applicant has stated that they have taken steps to mitigate any adverse impacts on the surrounding community by choosing to follow applicable IDO Standards for the Site Plan aside from the maximum building height allowance on the controlling SDP.

- F. 6-6(l)(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 a Master Development Plan.

- G. 6-6(l)(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; therefore, no cumulative impact analysis is required.

18. The subject site is within CPO-7, therefore staff has provided an analysis of IDO §14-16-3-4(H) overlay zone standards. Since the site is within the boundaries of the controlling SDP, most standards do not apply pursuant to IDO §14-16-2-10(A):

- A. 3-4(H)(2)(a) & (b) SITE STANDARDS:

Lot Width, Minimum – N/A, request is not multi-family.



Usable Open Space, Minimum – N/A, the request is not multi-family.

B. 3-4(H)(3)(a) & (b) SETBACK STANDARDS:

Low-density Residential Development – N/A, request is not low-density residential.

MX-L Zone District – N/A, request is not zoned MX-L.

C. 3-4(H)(4)(a) & (b) BUILDING HEIGHT:

Residential and Mixed-use zone districts on project sites less than 5 acres, Maximum building height is 26 feet – N/A, the controlling site development plan for subdivision allows a maximum building height of 180 feet, which prevails over IDO standards (IDO section 1-10(A))

Building height bonuses do not apply – N/A, applicant is not requesting building height bonuses.

D. 3-4(H)(5)(a) & (b) SIGNS:

MX-L Zone District – N/A, subject site is not zoned MX-L.

MX-M Zone District – If the EPC approved zone change to MX-H is reversed on appeal back to MX-M, the applicant would be allowed to place signs on the subject site since it does abut arterial or collector streets pursuant to IDO Subsection 14-16-5-12 (Signs) for the MX-M zone district.

19. The applicant has provided a Safety Study/Crash Analysis for the proposed development. The Safety Study included an analysis of the intersections of Mountain Rd NE/Edith Blvd., Mountain Rd. NE/Woodward Pl, and Mountain Rd NW/125 Frontage Rd. based on NMDOT (New Mexico Department of Transportation) database records and crash reports.

This analysis was conducted due to comments received from NMDOT stating that an access points off of Mountain Rd. NE would not be approved due to previous crash analysis conducted for the area by the State. The applicant has been in contact with NMDOT and the City Transportation Planning division to discuss mitigation efforts among conducting a Traffic Safety Study/Crash Analysis. The applicant has submitted a full TIS and Traffic Study to the NMDOT and City Transportation Planning division which outlines mitigation efforts for the site.

20. As of July 2, 2024, NMDOT provided an update that the Traffic Study is under review, but has not been completed. Upon completion NMDOT will provide recommendations for mitigation. As of July 9, 2024, the City Transportation Engineer provided updated comments stating that Transportation Planning has reviewed the Safety Study and is awaiting the Traffic Study. Transportation mitigation measures have been discussed and City Transportation Planning is okay with the site plan moving forward to be heard by the Environmental Planning Commission (EPC).

21. The applicant provided notice of the application to all eligible Neighborhood Association representatives and adjacent property owners (within 100 feet) via certified mail and email as required.
22. A facilitated meeting between the applicant and the Santa Barbara Martineztown Neighborhood Association was held virtually on March 21, 2024 from 6 – 8 PM. The facilitated meeting report notes community objection to the request, that consensus was not achieved, and that the parties remain at an impasse with regard to this project.
23. City departments and other agencies reviewed this application. Albuquerque Public Schools (APS), Solid Waste Department (SWD), and Public Service Company of NM (PNM) submitted the most substantial comments. APS noted vehicular entry/exit for the subject site directly across from school entry/egress, SWD stated that an approved site plan for access will be required, and PNM noted facilities / easements on or near the site and a request for the applicant to contact the New Delivery Department to coordinate electric service.

#### CONDITIONS OF APPROVAL - SI-2024—468

1. The applicant shall coordinate with the Staff Planner prior to submitting to the DFT to ensure that EPC Conditions have been met. Pursuant to IDO section 14-16- 6-6(l)(2)(m) Site Plans shall be reviewed administratively for compliance with conditions of approval, DPM, and zoning standards prior to the issuance of a building permit.
2. Pursuant to IDO section 14-16-6-4(P)(4) Any conditions shall be met within 1 year of the approval, unless stated otherwise in the approval. If any conditions are not met within that time, the approval is void. The Planning Director may extend the time limit up to an additional 1 year.
3. Upon approval by the EPC, the proposed site plan shall go to the Development Facilitation Team (DFT) for final sign-off. The reviewer will be responsible for ensuring that the EPC Conditions have been satisfied and that other applicable City requirements have been met. The reviewer shall see the site plan analysis section of the staff report for an in-depth review of the proposed Site Plan.
4. The EPC approved a zone change to MX-H prior to this request (RZ-2024-00001). A zoning certification for the MX-H zone designation of the site shall be obtained prior to DFT final sign off. If the associated zone change is overturned, the site plan will be subject to MX-M zone district standards, in which case the applicant shall only provide up to 20 overnight beds instead of the 48 proposed.
5. Site Plan Sheet
  - A. The applicant shall define building setbacks listed under the site data section of the site plan and clarify whether they are IDO minimums or the actual setbacks dimensioned on the site plan sheet.

B. The parking table shall be updated to reflect the amount of parking provided. 160 Parking spaces are provided and the table reflects 154 spaces.

6. Landscape Sheet

A. The plan shall show all SF of planting beds and dimensions between trees on the Site Plan.

B. Boulders and landscape gravel types and amounts shall be provided.

7. Detail Sheet:

A. The applicant shall provide a detailed drawing for the generator.

B. A detail of the attached wall to enclose the dumpster and generator area on the western side of the building shall be provided.

8. Signage: A 7'4" x 10' illuminated monument sign is proposed, which is also subject to Sign Standards in the IDO and is subject to a separate sign permit. The location of the monument sign shall be specified on the site plan.

9. Solid Waste Condition: The applicant shall work with the Solid Waste Department to secure an approved site plan for access by the Solid Waste Department.

10. PNM Condition: There are PNM facilities and/or easements along the south side of the site and at the northeast corner. Any existing and/or new PNM easements and facilities shall be reflected on a future Site Plan and any future Plat.

11. City Transportation Planning: The transportation mitigation measures as determined based on the Traffic Safety Study/Crash Analysis a Traffic Study shall be finalized prior to DFT final sign-off.

12. A crosswalk at the intersection of Mountain Blvd. and Woodward Pl. NE shall be installed with appropriate safety measures.

The Major Amendment sheet (Controlling Site Development Plan) shall be updated to change the allowable maximum height from 180-feet to 68-feet for Area 3 (Tract A) pursuant to the MX-H zone district standards

**APPEAL**: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **August 2, 2024**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> 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/MJ/VQ

CC:

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EPC file