

**PLANNING DEPARTMENT
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OFFICIAL NOTICE OF DECISION

June 26, 2025

RioGAFA
c/o Dekker
7601 Jefferson St NE Ste 100
Albuquerque, NM 87109

Plan # SP-2025-00041
Site Plan - EPC, Major Amendment

LEGAL DESCRIPTION:

Dekker Design, agent for RioGAFA, requests a Site Plan – EPC, Major Amendment for all or a portion of Tracts A-1, A-2, A-3, C-1, C-2, and C-3 Plats of Tracts A-1 thru A-3 and C-1 thru C-3 Heritage Marketplace (Being a Replat of Tracts A and C, Heritage Marketplace) and Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace) located at the southeast corner of Unser Blvd. and Ladera Dr., between Ladera Dr. NW and Hanover Rd. NW, approximately 20.4 acres.

(H-09-Z, H-10-Z, J-09-Z, J-10-Z)

Staff Planner: Catherine Heyne

On June 26, 2025, the Environmental Planning Commission (EPC) voted to **APPROVE** Plan # SP-2025-00041, a Site Plan - EPC, Major Amendment, based on the following Findings and subject to the following Conditions of Approval.

FINDINGS – SP-2025-00041, a Site Plan - EPC, Major Amendment:

1. This is a request for a Site Plan – EPC, Major Amendment for all or a portion of Tracts A-1, A-2, A-3, C-1, C-2, and C-3 Plats of Tracts A-1 thru A-3 and C-1 thru C-3 Heritage Marketplace (Being a Replat of Tracts A and C, Heritage Marketplace) and Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace) located between Ladera Dr. and Hanover Rd. NW, located south of Ladera Dr., east of Unser Blvd., north of Hanover Rd. NW, and west of Market St. NW., containing approximately 20.4 acres. The tract in the northwest corner of this area is not a part of the subject site.
2. The request is to remove all or a portion of Tract B, legally described as Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace), containing approximately 9.1 acres located at 1700 Unser Blvd. NW from the controlling Site Plan for Subdivision (SPS) for Heritage Marketplace (“subject site”), a plan approved by the EPC in 2015 (Project #1000325, 14EPC-40078, 15DRB-70052).

3. If approved, Tract B would then be controlled by the IDO rather than the Heritage Marketplace SPS design standards. This change would allow the applicant to develop the site in compliance with the MX-L zoning designation and any applicable use-specific standards pursuant to the IDO.
4. The SPS specifies that major amendments shall be approved by the environmental Planning Commission.
5. History of the subject site:
 - A. The subject site is in an area that was once a part of the Atrisco Land Grant and later the Westland Development Co. (zoned A-1). The El Rancho Atrisco Sector Plan (Phase I-V) originally planned the subject site as residential beginning in 1980. In 1981 the subject site was zoned SU-1 Planned Office Park and Commercial Development as part of El Rancho Atrisco Sector Plan Phase III (SD-81-1). A Phase III map signed off in December 1981 identifies the subject site for C-2 (Commercial) uses (SD-81-1).
 - B. In 1985, the EPC approved a Site Development Plan (Z-81-49-2) for an office building on approximately 4.5 acres in the southeast corner of the subject site. The remainder of the Site Plan was conceptual and included a shopping center and two retail pads in the northern portion. The remainder was never built.
 - C. In February 2014, the EPC approved a SPS for the Heritage Marketplace development, containing “approximately 20 acres”. This site plan included design and development standards for a mixed-use project that originally designated a maximum of 12.5 acres toward retail and service-type uses consistent with those of the C-1 zone. Although the NW corner lot is “Not A Part” of the 2014 Heritage Marketplace SPS, the commercial use at this site is still counted toward the total allowable commercial use for the SPS. Tract A was proposed for office and/or multi-family residential use, and Tract B was proposed for commercial use (Project 1003275, 13EPC-40148).
 - D. In October 2014, the Zoning Hearing Examiner approved Conditional Use permits to (1) allow retail sales of gasoline with 6 two-sided fueling dispenser units (1010220 14ZHE-80222) and (2) allow a drive-up service window for a pharmacy at 1820 Unser Blvd NW (1010220 14ZHE-80223).
 - E. In December 2014, the EPC approved a request for a Zoning Map Amendment from SU-2/SU-1 for a Planned Office Park and Commercial Development to SU-2/SU-1 for Planned Office Park and Commercial Development to include sales of package liquor in association with a grocery store.
 - F. In December 2014, the EPC approved a Zoning Map Amendment and Site Development Plan for Building Permit on a 6-acre parcel on the subject site (1003275 14EPC-40076, -40077, -40078, -40079). This was for a full-service grocery store with alcohol sales for off-premises consumption, a fuel station, and a convenience store. The request also added full-service alcohol sales to sit-down restaurants on pad sites A-E of Tracts A and C. Two access points were granted from the limited access roadway of Unser into the subject site (R-14-01 TCC).
 - G. In 2015, the DRB approved a Preliminary/Final Plat and Bulk Land Variance for the subject site (1003275 14DRB-70358, -70359).
 - H. In January 2016, the EPC denied a Site Development Plan for Building Permit to construct a 230-unit multi-family development on Tract B-1 of the Heritage Marketplace (15EPC-40068). An appeal was filed, but City Council denied the appeal and upheld EPC’s decision (AC-16-2).

- I. In November 2016, the EPC approved a Site Development Plan for Building Permit (16EPC-40055) for a fast-food restaurant with drive-up service window on Tract C-2, a 1.1- acre pad site. A few months later in January 2017, EPC approved a Site Development Plan for Building Permit for an approximately 1.3-acre site (Tract C-3). The request included a restaurant with a drive-up service window and retail store (1003275 16EPC-40073). In February 2017, the EPC approved a Site Development Plan for Building Permit (1003275 16EPC-40088) for a restaurant with drive-up service window on Tract A-2, an approximately 0.94-acre site. This Site Plan was appealed, but City Council denied the appeal and upheld EPC's decision (AC-17-3).
 - J. In 2018, zoning at the subject site was converted to MX-L when the IDO became effective. An MX-L zone district was adopted as commercial uses were first allowed as permissive primary uses (see IDO SU-1 and R-D Conversion Table, Rule 6.a.i, <https://abq-zone.com/document/ido-su-1-and-r-d-conversion-table>).
 - K. In 2022, the EPC approved a Major Amendment to the Site Plan – EPC (PR-2022-007141/SI-2022-01298) for approximately 129 townhomes on approximately 9 acres of Tract B. A preliminary plat and vacation of private and public easements were also approved (PR-2022-007141 SD-2022-00167, -00168, -00170, -00171). The townhomes were never developed; therefore. the 2015 Site Plan for Subdivision governs Tract B.
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 subject site is not located within a Center, but is located along a Limited Access Commuter Corridor (Unser Blvd.) as designated by the comprehensive plan.
 8. The subject site is located within the West Mesa CPA, which spans the area west of the Rio Grande to the city's western edge and along Atrisco Vista Boulevard between I-40 and Montañito and Gila Roads. West Mesa CPA is made up of many single-family residential subdivisions that were developed over the past several decades, and the area's suburban characteristics include wide streets, large setbacks, and shopping centers with large parking lots.
 9. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan, that has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding context.
 10. The request is generally consistent with 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 from the Comprehensive Plan Chapter 4 – Community Identity.

Once removed from the subject site, Tract B would be controlled by the IDO and the MX-L zone designation. With these regulations in place, the identity and cohesiveness of the neighborhood should remain aligned with the current land use and zone designations adjacent to the tract to the north. Any future development would adhere to and be protected by all the IDO standards for the character of building design, including and not limited appropriate scale and location of development, mix of uses, and character of building design for the MX-L zone district.
 11. The request is consistent with or generally consistent with the following applicable Goals and Policies from the Comprehensive Plan Chapter 5 - Land Use:

- 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.

The request could facilitate auto-oriented development of the subject site, which is located along the limited-access Unser Commuter Corridor, which is intended to accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling. Any future development on the vacant subject site would be in an area well-served by personal vehicles and possible future transit stops and located within bikeable and walkable distances from surrounding residential neighborhoods.

- 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.

The removal of the 9.1-acre Tract B from the subject site would not alter the permissive land uses at the subject site as no zone changes are proposed. Proposed future uses would continue to be easily accessible from the surrounding neighborhoods, as well as regionally, contributing to healthy, sustainable, and distinct communities with a mix of uses.

- C. **GOAL 5.3 Efficient Development Pattern:** 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 could facilitate future development of the vacant subject site, which is served by existing infrastructure and public utilities. Any future development would generally promote efficient development patterns and use of land by promoting growth on a vacant, infill location with MX-L zoning.

- D. **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 Consistency along a Commuter Corridor, and at the intersection of a Regional Principal and a Minor Arterial roadway in an area imagined with neighborhood-scale retail, commercial, civic and institutional uses, as well as higher-density residential uses to serve the surrounding area, which can be made more desirable for infill development with the removal of existing commercial-centered design guidelines at the subject site. According to the applicant, the request would facilitate future development of a charter school, although many other uses would be permissive on the removed Tract B, which is already served by existing infrastructure and public utilities.

- E. **GOAL 5.4 Jobs-Housing Balance:** Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

The removal of the 9.1-acre site from the existing Heritage Marketplace SPS, while maintaining the same MX-L zoning, would allow equivalent residential growth near employment across the region and prioritization of job growth west of the Rio Grande.

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

The subject site is located in an Area of Consistency, where growth is expected to reinforce the character and intensity of the surrounding area. The request would continue to reinforce the

character and intensity of the surrounding area by adhering to the IDO MX-L zone regulations, IDO Development Standards, and DPM standards that would guide future development of the subject site.

12. IDO §14-16-[6-6\(I\)\(3\)](#) states that any application for a Site Plan – EPC will be approved if it meets all of the following criteria:

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

As demonstrated by the policy-based analysis of the proposed major amendment to the controlling Site Plan for Subdivision (SPS), the request is generally consistent with applicable Comprehensive Plan Goals and policies as shown in the previous sections. Non-applicable citations support site plan level changes and not applicable to the removal of a parcel from an existing site plan. Goals and/or policies added by Staff are denoted with an asterisk (*).

Applicable citations: *Policy 4.1.2 Identity and Design; *Policy 5.1.12 Commuter Corridors, Policy 5.2.1-Land Uses, Goal 5.3-Efficient Development Pattern, Policy 5.3.1-Infill Development, GOAL 5.4 Jobs-Housing Balance, Policy 5.4.2-West Side Jobs, Goal 5.6-City Development Areas, Policy 5.6.3-Areas of Consistency; Policy 7.3.2 Community Character, Policy 7.3.3 Placemaking.

Non-applicable citations: Goal 6.2 Multi-Modal System, Policy 6.2.3 Pedestrian & Bicycle Connectivity, Policy 6.4.2; Goal 7.3 Sense of Place, Policy 7.3. 5 Development Quality.

B. 6-6(I)(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; criterion b does not apply.

C. 6-6(I)(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 Site Plan – EPC, Major Amendment to remove Tract B, an approximate 9.1-acre portion of the larger nearly 20.4-acre site, from the controlling Heritage Marketplace SPS. If approved, the subject site would be regulated by the IDO rather than the design standards in the controlling SPS. Any future development on the removed portion of the subject site would be required to comply with all applicable provisions of the IDO and DPM as well as any other City regulation.

The remaining Heritage Marketplace tracts will continue to be controlled by the Heritage Marketplace SPS. Any approvals granted prior to the effective date of the IDO remain valid pursuant to IDO §14-16-[1-10\(A\)](#).

Staff did not review a newly proposed site plan for Tract B. Tract B will remain vacant until any future development is proposed, which would be subject to an Administrative Review and Decision.

A Traffic Impact Study (TIS) and Sensitive Land Analysis may be required for any future development of Tract B. All grading and drainage, landscaping, utilities, etc. will be subject to a new review process with any proposed future development.

- D. 6-6(I)(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 maximum extent practicable.

The request does not include any proposed development, although the subject site is generally served by existing infrastructure and public facility improvements. Any future capacity would be addressed administratively.

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

The request would remove the 9.1-acre Tract B from the nearly 20.4-acre controlling SPS. Any future development on Tract B will be subject to the IDO and required to comply with all development and use specific standards, and MX-L zone district standards including but not limited to design standards, parking standards, buffering and landscaping requirements, and neighborhood edges, to mitigate potential adverse impacts.

- F. 6-6(I)(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 site is not within an approved Master Development Plan; criterion f does not apply.

- G. 6-6(I)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Small 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 Small Area; no cumulative impact analysis is required.

- H. 6-6(I)(3)(h) If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of Section 14-16-[5-2\(E\)](#) without sufficient mitigation and benefits that outweigh the expected impacts.

At this time, there is no development proposed as part of this major amendment. Any future development will be subject to follow all applicable requirements pursuant to the IDO, DPM, and other adopted City regulations.

13. The purpose of the existing Heritage Market SPS is to ensure internal as well as external development consistency while complying with regulation. Current development is based on pre-IDO regulation, resulting in similar building heights, generous parking lots, 2-way drives between structures, and landscaping that is separated from adjacent residential areas by four or more-laned roadways and/or fencing. Although, the original C-1 Neighborhood Commercial and Office Zone Use allowed for K through 12 schools, any school use was not permitted as per the Heritage Marketplace SPS.
14. Pursuant to IDO §14-16-[1-10\(A\)\(1\)](#), any approvals granted prior to the effective date of this IDO, e.g., the Heritage Marketplace SPS, shall remain valid, subject to expiration pursuant to Subsection 14-16-[6-4\(W\)](#) (Expiration of Approvals) and to amendment pursuant to Subsection 14-16-[6-4\(X\)](#)

(Amendments of Approvals) or 14-16-[6-4\(Y\)](#) (Amendments of Pre-IDO Approvals), as applicable, until they are replaced with an approval subject to allowable uses and development standards in this IDO pursuant to the procedures in Part 14-[16-6](#) (Administration and Enforcement).

15. Any future development on Tract B would be controlled by the IDO, DPM, and any other City regulation, and would be subject to Administrative Review.
16. According to the Office of Neighborhood Coordination, Ladera West NA, Laurelwood NA, Parkway NA, Tres Volcanes NA, and Westside Coalition of Neighborhood Associations, were required to be notified, and they were notified as required. Property owners within 100 ft of the subject site were also notified as required.
17. A facilitated meeting was requested by the Laurelwood Neighborhood Association and the West Side Coalition of Neighborhood Associations (WSCONA). A Zoom meeting was held Tuesday evening, June 10, 2025. Participating community members generally supported the proposed Major Amendment to the existing Heritage Marketplace SPS to remove Tract B, despite concerns regarding increased traffic and congestion with possible future development of a school.
18. As of the time of this writing, staff received public comment from the Laurelwood NA in opposition to the request citing concerns for increased traffic congestion.

Conditions of Approval – Project #: SP-2025-000041 - Site Plan-EPC, Major Amendment

1. The applicant shall coordinate with the staff planner to ensure that all Conditions of Approval are met and then submit a vetted, final version to the staff planner for filing at the Planning Department.
2. The applicant shall coordinate with the Staff Planner prior to submitting to the DFT for final sign-off to ensure that EPC Conditions have been met. Pursuant to IDO section 14-16-[6-6\(I\)\(2\)\(m\)](#) Site Plans shall be reviewed administratively for compliance with conditions of approval, DPM, and zoning standards prior to the issuance of a building permit.
3. Pursuant to IDO section 14-16-[6-4\(O\)\(4\)](#) 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.
4. After approval by the Environmental Planning Commission (EPC), the applicant shall submit the proposed site plan to the Development Facilitation Team (DFT) for final sign-off. The reviewer will be responsible for ensuring that all EPC Conditions have been satisfied and that the IDO, DPM, and all other applicable City requirements have been met.
5. Heritage Marketplace Site Plan for Subdivision page numbers shall be updated to reflect 2 sheets (1 of 2, 2 of 2).
6. The text as part of “Proposed Changes: 2.”, as shown on Sheet 1, shall be removed as it is not applicable.
7. The Site Plan for Subdivision boundary shall be updated to show its new extent without Tract B.

APPEAL

If you wish to appeal, you must do so within 15 days of the EPC's decision or by **July 14, 2025**. The date of the EPC's decision is not included in this 15-day period. If the 15th day falls on a Saturday, Sunday, or Holiday, the next working day is considered the deadline for filing an appeal.

For more information regarding the appeal process, please refer to the Integrated Development Ordinance (IDO), §14-16-6-4(U) (Appeals). The IDO is available online here: <https://www.cabq.gov/ido>. A non-refundable fee is required to be paid when the appeal is filed. It is not possible to appeal EPC recommendations to the City Council, because a recommendation is not a final decision.

You will receive notification if anyone files an appeal. If the decision is not appealed, you can receive building permits any time after the appeal deadline, provided all conditions of approval associated with the decision and all other applicable regulations have been met.

Sincerely,

Megan Jones

for Alan Varela
Planning Director

AV/ MJ/ CH

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EPC file