

PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

April 21, 2022

Armstrong Central Unser Blvd. LLC
1 Armstrong Pl.
Butler, PA 16001

Project #2018-001389
SI-2022-00510 Site Plan- Major Amendment

LEGAL DESCRIPTION:

Modulus Architects & Land Use Planning, agents for Armstrong Central Unser Blvd. LLC, requests a Major Amendment to an existing Site Development Plan for all or a portion of Tracts 1-8 and 10 -14, Unser Crossings, zoned MX-M, located south of Central Ave., north of Bridge Blvd. SW, east of 89th St., and west of Unser Blvd., approximately 50 acres (K-09-Z).

Staff Planner: Megan Jones

On April 21, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project #2018-001389, SI-2022-00510 Site Plan- Major Amendment, based on the following Findings and subject to the following Conditions of Approval:

FINDINGS:

1. The request is for a Major Amendment for a property legally described as all or a portion of Tracts 1-6, 8,10, and 12-14, plat of Unser Crossings, Zoned MX-M located south of Central Ave., north of Bridge Blvd. SW, east of 89th St., and west of Unser Blvd., approximately 43 acres (the "subject site").
2. The applicant requests that the EPC: 1) amend the controlling Site Development Plan for Subdivision to remove Tracts 1-6, 8, 10, and 12-14, and 2) abandon the controlling Site Development Plan for Building Permit for Tracts 1-6, 8, 10, and 12-14. The subject sites will then be controlled by the IDO rather than the existing design standards, including sign standards.
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 in an Area of Change, along the Central Ave. Premium and Major Transit Corridor and the Unser Blvd. Commuter Corridor as designated by the Comprehensive Plan. It is within 1,320 feet (1/4 mile) of a Premium Transit Station Area, the Northwest Mesa Transit Center.
5. The subject site is zoned MX-M (Mixed Use – Medium Intensity). The purpose of the MX-M zone district is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in Table 4-2-1.
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, applicable Goals and policy from Chapter 4: Community Identity.

Goal 4.1.2– Character: Identity and Design

This request would help to facilitate future development on the subject site under the MX-M zone district. The request would remove the current design and sign standards. The original design standards were put in place to follow the zoning code and the West Route 66 Sector Development Plan Design Overlay Zone Regulations, pre-IDO. If approved, the site would be subject to the IDO requirements and the Neighborhood Edges (14-16-5-9), Buffer Landscaping requirements (14-16-5-6-(E), MX-M Zone District Dimensional Standards (Table 2-4-5), and building design standards (14-16-5-11).

Although some land was developed under the West Route 66 Sector Plan specific standards and the Unser Crossing's standards, the request will facilitate new development that is appropriate character of building design and scale so that the surrounding West Route 66 Activity Center and residential neighborhood is not adversely affected.

8. The request is consistent with the following Comprehensive Plan Goals and Policies 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.

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

The request would facilitate growth along a designated Major Transit and Premium Transit corridor Central Ave. NW, and a designated Commuter Corridor, Unser Blvd. SW. The subject site is located within the West Route 66 Activity Center, which is a designated activity center that is intended to provide a mix of neighborhood commercial and residential use at a slightly higher density than the surrounding single-family homes. These smaller centers should incorporate good pedestrian friendly design and serve

neighborhoods within a 20-minute walk or short bike ride with development patterns that support access by all transportation modes.

Walkability on Major Transit corridors is key to providing a safe and attractive pedestrian environment, as well as good access for pedestrians, cyclists, and transit users to goods and services along these Corridors and the Centers they connect. Development along Premium Transit corridors should be varied and include public spaces and pedestrian amenities. Since the subject site is within three designated corridors and ¼ mile of a premium transit station, the IDO would place standards on development for the subject site that are more stringent than the controlling Site Development Plan for Subdivisions design standards.

This request would facilitate development within the designated Activity Center and the IDO standards for development along corridors would protect the walkability of the neighborhood.

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

The request would facilitate future development under the IDO design guidelines for the MX-M zone district within the West Route 66 Activity Center. The subject site is zoned MX-M and is controlled by the Unser Crossing Site Development Plan for subdivision for 50 acres. Tracts 7, 9, and 11 were developed as commercial sites under the controlling Site Development Plan. Although, removing the subject site from the controlling site plan, may cause disparate development quality between the neighboring sites (Tracts, 7, 9, 11), they would follow the permissive uses and design standards for the MX-M zone district in the IDO. This request would allow for a future mixed-use center to be developed with a range of services and amenities that could potentially support healthy lifestyles and meet the needs of nearby residents and businesses.

- C. Policy 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

Policy 5.1.10 Major Transit Corridor: Foster corridors that prioritize high frequency transit service with pedestrian-oriented development

The request would facilitate future mixed-use development along a designated Major Transit and Premium Transit corridor Central Ave. NW, and a designated Commuter Corridor, Unser Blvd. SW. The subject site is within ¼ mile of the Northwest Mesa Transit Station.

Major Transit Corridors are anticipated to be served by high frequency and local transit. Walkability on Major Transit corridors is key to providing a safe and attractive pedestrian environment, as well as good access for pedestrians, cyclists, and transit users to goods and services along these Corridors and the Centers they connect. The request to replace the controlling Site Development Plan for Subdivision design standards with the more

stringent IDO design standards, would implement walkability and pedestrian oriented development in the future.

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

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 would continue to facilitate future development of the subject site, which would provide additional opportunities for residents and employees in the surrounding neighborhood to live, work, and shop together. Although, the subject site could be developed with the controlling Site Development Plan design standards, the IDO's more stringent design standards within an Activity Center, along corridors, and within a transit area would facilitate walkable and pedestrian oriented development in the future.

The request would continue to facilitate a healthy and sustainable community because it would facilitate further development in an area with a mix of uses including commercial-retail, offices, and residential. The subject site is conveniently accessible by all transportation modes.

The request would facilitate future development that would benefit the health and sustainability of the neighborhoods within the West Route 66 Activity Center, where all the above take place; live, work, learn, shop and play together.

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

The subject site is served by existing infrastructure and public facilities that would support additional growth in the Unser Crossings shopping center and the West Route 66 Activity Center.

F. 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 and in the West Route 66 Activity Center, where growth is expected and desired. The request would help facilitate future development under the MX-M zone district as regulated by the IDO. The current design standards within the controlling Site Development plan allow limited uses for development on the subject site, and the IDO has more stringent design standards, reinforcing the character and intensity of the surrounding area. The Unser Crossings subdivision and Southwest mesa CPA are still developing, and its identity and sense of community is still emerging. The request would continue to encourage, enable, and direct growth to the area

- G. 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 generally facilitate future growth along a designated Major Transit and Premium Transit corridor, Central Ave. NW, and a designated Commuter Corridor, Unser Blvd. SW. The subject site is located within an Area of Change and the West Route 66 Activity Center, where change is encouraged. The Activity Center is intended to provide a mix of neighborhood commercial and residential use at a slightly higher density than the surrounding single-family homes. Since the subject site is within three designated corridors and ¼ mile of a premium transit station, the IDO would place standards on development for the subject site that are more stringent than the controlling Site Development Plan for Subdivisions design standards.

The current design standards within the controlling Site Development plan allow for development on the subject site. The applicant has not adequately justified how the request will facilitate growth or more intense development on the subject site by removing the subject site from the Controlling Site Plan's design standards and following the IDO standards.

The request would generally encourage, enable, and direct future growth to the West Route 66 Activity Center, An Area of Change, and along two corridors.

- H. Policy 5.6.2.h: Encourage development in areas with a highly connected street grid and frequent transit service.

The subject site is located in the West Route 66 Activity Center, an area with a highly connected street system with frequent transit service. The site is located on a designated Major Transit and Premium Transit corridor, Central Ave. NW, and a designated Commuter Corridor, Unser Blvd. SW. It is within 1,320' (¼ mile) of the Northwest Mesa Premium Transit Station, on the south east corner of Central Ave. and Unser Blvd and is well-served by transit; Central Ave. NW is served by Central Ave. (66), which is a Primary fixed route which stops at the Northwest Mesa Transit Center. There is a stop pair on either side of Central near 86th St. running eastbound and westbound directly adjacent to the subject site. Central Ave. Bus Rapid Transit runs adjacent to the site starting at the Northwest Mesa Transit Center. The 98th Street (198) Primary fixed route runs from Central Ave. and Unser Blvd., to 98th St SW.

9. The request is consistent with the following Comprehensive Plan Goal from Chapter 8: Economic Development

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 would facilitate future development efforts of the subject site that would generally foster a robust, resilient, and diverse economy by creating an opportunity for neighborhood scale development in an area of change and the West Route 66 Activity Center. The request will result in the subject site being controlled by the IDO rather than the existing design

standards. This will allow the applicant to develop the subject site in accordance with the IDO's MX-M development on the subject site, which would be generally consistent with the character of the existing area. The controlling Site Plans identify limited used for each tract and the request will allow for a variety of permissive uses under the MX-M zone district. The subject site would not be tied to specific uses, but a variety that would attract a variety of businesses and talent. This would improve the quality of life for area residents by offering work, live, and shop opportunities although the request does not include future development plans for the subject site.

10. 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, overall 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 zoned NR-SU or PD. The subject site is zoned MX-M and the controlling site development plan contains design standards. As part of the request the applicant is asking to be abandon the controlling site development plan so that they may develop the subject site pursuant to the IDO and not according to the design standards, which would be vacated if the request is approved.

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 development plans. The subject site would then be controlled by the IDO rather than the existing design standards and would be required to comply with all applicable provisions of this IDO.

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 site is currently served by the City's existing infrastructure and public improvements, which have adequate capacity to serve the site. This Major Amendment request will not burden the existing infrastructure. Any future development of the subject site will be reviewed by the Development Review Board (DRB), which is charged with addressing infrastructure and ensuring that infrastructure such as streets, trails, sidewalks, and drainage systems have sufficient capacity to serve a proposed development.

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

As part of the request the applicant is asking to be abandon the controlling site development plan so that they may develop the subject site pursuant to the IDO instead of the existing design standards. Any future, proposed development will be required to comply with the decisions of two bodies- the EPC and the DRB.

- 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.

Not applicable. The subject site is not a part of a Master Development Plan. The purpose of this Major Amendment is to remove Tracts 1-6, 8, 10, and 12-14 from the approved Site Development Plan for Subdivision and to abandon the approved Site Plan for Building Permit. As a result, there will be no controlling site plans or design standards tied to the subject property and will follow the IDO.

- 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.

Not applicable. The subject site is not in a designated Railroad and Spur Area.

11. The affected, registered neighborhood organizations are the SWAN Coalition, Westside coalition, and South Valley Coalition of Neighborhood Associations were notified as required. Property owners within 100 feet of the subject site were also notified as required.

12. As of this writing, Staff has not been contacted and is unaware of any opposition.

CONDITIONS OF APPROVAL:

1. The applicant shall meet with the Staff planner prior to applying to Site Plan-DRB to ensure that the Conditions of Approval are addressed.
2. Conditions from Transportation Development Services:
For any future site plans, submit for review based on IDO and DPM requirements. Investigate any need for a Traffic Study based upon trip generations.
3. Conditions from the Albuquerque Bernalillo County Water Utility Authority (ABCWUA):

- A. Upon development, individual sites or lots will be required to meet current ABCWUA ordinances for separate service connections and frontage improvements.
 - B. Upon development, request an availability/serviceability statement online at the following link: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire marshal requirements.
4. Conditions from the Public Service Company of New Mexico (PNM):
- Any existing and/or new PNM easements and facilities need to be reflected on any future Site Plans or plats.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **May 6, 2022**. 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/CL/MJ

cc: Armstrong Central Unser LLC, nzion@agoc.com
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