

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

April 21, 2022

Gary Hines
5300 High Canyon Trail
Albuquerque NM, 87111

Project #2022-006448
SI-2022-00501- Site Plan- Major Amendment

LEGAL DESCRIPTION:

Consensus Planning, agent for Gary Hines, requests a Major Amendment to an existing Site Development Plan for all or a portion of Tract C-1-B, Plat of Tracts C-1-A and C-1-B Albuquerque West Subdivision, located on 57th St. NW, between Quail Rd. NW and Ouray Rd. NW, approximately 0.7 acre (H-11)

Staff Planner: Leroy Duarte

On April 22, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project #2022-006448, SI-2022-00501- Site Plan- Major Amendment based on the following Findings:

1. The request is for a major amendment for a property legally described as Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West, located on 57th St. NW, between Coors Blvd and Los Tretos St., approximately 0.7 acre.
2. The applicant to remove the subject site from the existing approved site development plan for subdivision so that future development will be subject to the IDO.
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 zoned MX-M (Mixed Use- Medium Intensity).
5. The subject site is in an Area of Change and is not in a designated Activity Center or along a designated corridor

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 Goals, policies, and sub-policies from Comprehensive Plan Chapter 5: Land Use.

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

The major amendment request would allow for development opportunities consistent with the surrounding community and would foster opportunities to work, learn, and shop together.

- 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 major amendment request would strengthen the community by adhering to the same IDO standards as well as use-specific standards that the surrounding developments abide by. The future development would be conveniently accessible to the surrounding community such as the neighborhood to the north and west.

- C. Sub-policy(n) 5.2.1 – Land Uses: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The major amendment request would facilitate development of the vacant with a restaurant that would complement the area.

- D. 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 major amendment request would promote efficient use of the land by allowing development that is similar to the adjacent parcels go through the administrative process (staff approval), and use existing infrastructure that would generally support the public good.

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

The area is developed and has existing infrastructure. Future development would utilize existing infrastructure.

- F. Sub-Policy (h) 5.3.1 Infill Development: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The major amendment request would facilitate development that that would be compatible in form and scale to the surrounding development by adding complimentary uses (restaurant) to the surrounding area.

- G. Goal 5.6.2 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. The major amendment request would direct and encourage growth to the surrounding area by adhering to the standards and development criteria of the IDO, which would allow growth of the same consistency to occur.

- H. Sub-Policy (f) 5.6.2 Areas of Change: Minimize potential negative impacts of the existing development on existing residential uses with respect to noise, stormwater run-off, contaminants, lighting, air quality, and traffic.

The major amendment request would minimize negative impacts of the existing development on residential uses in response to noise, lighting and traffic because any future development would have to abide by the development and use-specific standards of the IDO.

- I. Goal 5.7 – Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comprehensive Plan.

The major amendment request would reduce the steps necessary for development to occur and would follow the procedures of the IDO.

- J. Policy 5.7.4- Streamlined Development: Encourage efficiencies in the development review process.

The major amendment request would expedite the development review process, any development conforming to the IDO would be done at an administrative level rather than following the approved Site Development Plan for Subdivision which could result in delaying the development process.

8. The request furthers the following policy from Comprehensive Plan Chapter 7: Urban Design.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The major amendment request would promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block by facilitating future development to the IDO standards and would also conform to the Coors Boulevard Protection Overlay Zone (CPO-2) in which specific building design standards are established.

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

- A. 14-16-6-6(J)(3)(a) The site plan is consistent with the ABC Comp Plan, as amended.

As demonstrated by the policy analysis, the request is generally consistent with applicable Comprehensive Goals and Policies.

- B. 14-16-6-6(J)(3)(b) The site plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the subject property and any related development agreements and/or regulations.

There are no development agreements or regulations in place, so the above criterion does not apply.

- C. 14-16-6-6(J)(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 to remove the subject site from the existing approved site development plan for subdivision so that future development will be subject to the IDO standards. Any new site plan would be required to meet all IDO regulations, requirements and design standards. The request is consistent with all applicable provisions of the IDO, DPM, and other adopted city regulations.

- D. 14-16-6-6(J)(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 for a major amendment is to remove one parcel from the approved Site Development Plan for Subdivision. Existing infrastructure has adequate capacity to support future development. The request is consistent with the city's existing infrastructure and public improvements being utilized.

- E. 14-16-6-6(J)(3)(e) The application mitigates any significant adverse impacts on the project site and the surrounding area to the maximum extent practicable.

The future, proposed development will be required to comply with all the IDO. The IDO, Use-Specific standards, and Coors Overlay Protection Zone will ensure all building design standards are adequately addressed so that a proposed development will not burden but instead stay consistent with the surrounding area. The request is generally consistent with mitigating any significant adverse impacts on the surrounding area.

- F. 14-16-6-6(J)(3)(f) If the subject site 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 request for a major amendment is to remove the one parcel from the approved Site Development Plan for Subdivision. If granted the Site Plan would then follow IDO standards. The request is consistent.

- G. 14-16-6-6(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 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 is the Westside Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.

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

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//LD

cc: Westside Coalition of Neighborhood Associations, Elizabeth Haley, ekhaley@comcast.net
Westside Coalition of Neighborhood Associations, Rene Horvath, aboard111@gmail.com
Consensus Planning, Inc., Jackie Fishman, fishman@consensusplanning.com
Gary Hines, ghines125@comcast.net
Legal, dking@cabq.gov
EPC File