

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

April 18, 2024

Branch Turner and
Margret
2025 Rio Grande Blvd
NW
Albuquerque, NM 87104

Project # PR-2024-010074
SI-2024-00320 –Site Plan- EPC, Major Amendment

Modulus Architects and Land Use Planning, agent for Branch Turner and Margret, requests a Site Plan-EPC, Major Amendment to remove Tract A (approximately 2 acres) from the Controlling Site Development plan for Subdivision, for all or a portion of TR A, B and C Plat of Cottonwood Tracts A Thru C (A division of a 16.1114 acre unplatted parcel), located at 3601 Seven Bar Loop Rd NW, between Cottonwood Blvd NW and Coors Blvd NW, approximately 17 acres. (B-14-Z)

Staff Planner: William Steele

On April 18, 2024, the Environmental Planning Commission (EPC) voted to APPROVE - Project # PR-2024-010074, SI-2024-00320, Site Plan – EPC, Major Amendment, based on the following Findings and Conditions.

FINDINGS – SI-2024-00320 Site Plan EPC – Major Amendment

1. The request is for a Site Plan – EPC, Major Amendment, for an approximately 17-acre site legally described as all or a portion of TR A, B and C, Plat of Cottonwood Tracts A Thru C (A division of a 16.1114 acre unplatted parcel), located at 3601 Seven Bar Loop Rd NW between Cottonwood Blvd NW and Coors Blvd NW.
2. The applicant requests that the Environmental Planning Commission (EPC) remove Tract A, an approximately 2-acre portion of the larger approximately 17-acre site, from the controlling Site Development Plan for Subdivision (SDPS) (PR 1000316). The subject site (Tract A) would then be controlled by the IDO, DPM, and other applicable City regulations rather than the design standards associated with the SDPS.
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 within an Area of change and located within 660-feet of the Seven Bar Loop Rd and Cottonwood Dr NW Major Transit Corridors. It is within the Cottonwood Employment Center and the Coors Blvd Character Protection Overlay zone (CPO-2) and Northwest Mesa Community Planning Area (CPA).
5. The subject site is comprised of Tract A, zoned NR-BP (Non-residential – Business Park) and Tracts B and C, zoned PD (Planned Development), zoning designations received upon adoption of IDO in May 2018. The subject site was formerly zoned SU-1 (Special Use) for Tracts B and C and Community Commercial (C-2) and Industrial Park (IP) for Tract A.
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 4: Community Identity.
 - A. 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 subject site (Tract A) would be controlled by the IDO and the NR-BP zone designation, therefore the identity and cohesiveness of the neighborhood will remain aligned with its original land use designation. Any potential development would adhere to all the IDO standards for the character of building design, including and not limited appropriate scale, dimensional and landscaping standards for the NR-BP zone district. By adhering to the development design standards as set forth in the IDO the community identity would be protected.

8. The request is consistent with the following Comprehensive Plan Goals and Policies regarding land use and development from Chapter 5: Land Use.
 - A. Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

Although there is no proposed development requested with this amendment, the request could facilitate capture of regional growth on the subject site, which is located in two Major Transit Corridors and is within an Employment Center. The subject site is located in an area where employment density is encouraged and could accommodate development within Centers and Corridors thereby promoting sustainable development patterns according to the Comprehensive Plan.
 - B. 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.

This request could facilitate development the vacant subject site which is located within an Employment Center, which is intended to remain predominately industrial, business, and retail centers. Employment Centers tend to be auto oriented and need to provide excellent access for trucks and connections for freight. Any Future development on the subject site would be in a mixed-use center of activity with a range of services and amenities and in relatively close proximity to nearby residents and businesses which meets their needs and support healthy lifestyles, according to the Comprehensive Plan.

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

The request could facilitate the development of the subject site, which is located within two Major Transit Corridors, that are intended to be served by served by high frequency and local transit. Any future development on the vacant subject site would be in an area 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.

9. 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 could facilitate future development of the vacant subject site, which is already 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 under the NR-BP 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, two Major Transit Corridors, and an Employment Center, which are desirable infill development locations according to the Comprehensive Plan. The request could facilitate future development 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 could encourage future development 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 could facilitate future development of the subject site, which is located in an Area of Change, Major Transit Corridor, and an Employment Center. Adhering to IDO standards for development in this Area of Change could provide opportunity for development on the subject site which is near bus stops and highly connected streets. Future development of the subject site could direct growth and more intense development to these Centers, Corridors, and development area, where change is encouraged.

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

- A. 6-6(I)(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(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 Major Amendment to remove Tract A, an approximately 2 acre portion of the larger 17 acre site, from the controlling Site Development Plan for Subdivision. The subject site would then be controlled by the IDO rather than the design standards in the controlling Site Development Plan and any future development to the subject site would be required to comply with all applicable provisions of the IDO, DPM, and other City regulations.

By removing Tract A from the controlling SDPS, an approved access road from the existing multi-family residential development to 7-Bar Loop Rd. would be removed. This access road was never developed, therefore does not affect any access points to the norther portion of the subject site.

Staff did not review any new proposed uses on the site. Tract A will remain vacant and any future development would be subject to an Administrative Review.

Since the request to remove Tract A changes approved access and circulation for the 17 acres site, the applicant has requested amendments to all associated drawings to remove the Tract from the Site Plan sheet, Landscape layout, conceptual grading and drainage sheet, and conceptual utility plan sheet. No other changes have been proposed for these approved sheets.

A traffic impact study (TIS) and Traffic Circulation Layout (TCL) may be needed upon future development of Tract A. All grading and drainage, landscaping, utilities, etc. will be subject to a new review process for 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 extent practicable.
The request does not include any proposed development, although the subject site is already served by existing infrastructure and public improvements. Any future capacity needs would be addressed administratively through the Development Facilitation Team (DFT) and/or building permit process.
- E. 6-6(I)(3)(e) The application mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.
The request to remove Tract A from the controlling Site Development Plan for Subdivision so that any future development on the subject site will be required to comply with the all development and use specific standards within the IDO, such as design standards, parking standards, buffering and landscaping requirements, which would help to mitigate any significant adverse impacts under the NR-BP zone designation.
- 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 property is not within an approved Master Development Plan.
- G. 6-6(I)(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.
11. According to the Office of Neighborhood Coordination there are no affected registered neighborhood associations required to be notified. Property owners within 100 feet of the subject site were notified. Property owners within 100 feet of the subject site were also notified as required.
12. A pre-submittal neighborhood meeting was not requested within the 15-day period established by the IDO.
13. As of this writing, Staff has not been contacted and is unaware of any opposition.
14. Staff has crafted conditions of approval needed to improve compliance moving forward.

Conditions of Approval – SI-2024-00320 Site Plan EPC – Major Amendment

1. The applicant shall meet with the Staff planner prior to submitting to the DFT for final sign-off, to ensure that the conditions of approval are addressed.
2. **CONDITION FROM ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)**
Submittal of a revised Grading and Drainage plan and Drainage Report is required for any future development of this lot.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **May 3, 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/WS/MJ

CC: Branch Turner and Margret, 2025 Rio Grande Blvd NW, Albuquerque, NM 87104
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EPC File