

PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
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## OFFICIAL NOTIFICATION OF DECISION

August 13, 2020

Diamond Tail Realty LLC  
20 Fall Phippen Ln. Suite 203  
Ashville NC, 28803

Project #2020-004024  
SI-2020-00533 – Major Amendment Site Plan– EPC

### **LEGAL DESCRIPTION:**

Modulus Architects, agent for Diamond Tail Realty LLC, requests the above action for all or a portion of Tract G-1-A, G-2-A, G-2-B, G-2-C, G-3, G-4-A, H-1, H-2, H-3, H-4-A, H5, H6, H7, H8, H9, H10, H11, and H12 of Ventana Square Subdivision, located on the northeast corner and the southeast corner of Universe Blvd. NW and Paradise Blvd. NW, and north of Paseo Del Norte Blvd. NW, approximately 39 acres (B-10)  
Staff Planner: Linda Rumpf

On August 13, 2020, the Environmental Planning Commission (EPC) voted to Approve PR-2020-004024/SI-2020-00533, a Major Amendment to a Site Plan, based on and subject to the following Findings and Conditions:

### **FINDINGS:**

1. This is a request for approval of a Major Amendment to prior approved EPC Site Plan for all or a portion of Tract G-1-A, G-2-A, G-2-B, G-2-C, G-3, G-4-A, H-1, H-2, H-3, H-4-A, H5, H6, H7, H8, H9, H10, H11, and H12 of Ventana Square Subdivision. The site is located on the northeast corner and the southeast corner of Universe Blvd NW and Paradise Blvd NW, and north of Paseo Del Norte NW, containing approximately 39 acres.
2. The purpose of this Major Amendment to the Site Plan is to remove the undeveloped area of the site from the existing site plan so that this area is not subject to the design standards and land use restrictions of the prior-approved site plan.
3. The subject site is in an Area of Consistency as designated by the Comprehensive Plan and is zoned MX-M (Mixed-Use –Moderate Intensity Zone District).
4. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance are incorporated herein by reference and made part of the records for all purposes.
5. Future development will be guided and governed by the Development Process Manual (DPM), the Unser and Paseo del Norte (PDN) cross-section study and/or other documents deemed relevant by the City.

6. Previous approvals:
  - A. The Site Plan for Subdivision and a Site Development Plan for Building Permit for Tracts G and H, Ventana Ranch Subdivision (Project 00128 00000 00409 and 410) was approved by DRB in 2000. The request also included a Zone Map Amendment (00110 00000 00408). This plan did not fully develop as intended at that time, due in part to the economy and changed conditions.
  - B. The Site Plan for Building Permit for Lots H1, H2, H3 and H4 (Project 1000390/03EPC02182) was approved by the Environmental Planning Commission in 2004.
  - C. The Site Plan for Building Permit AND Amended Site Development Plan – Subdivision for tracts G1, G2 and G4 (Project 1002346(05EPC-01264, 01263)) was approved by the Environmental Planning Commission in 2005.
  - D. An Administrative Amendment (AA) was approved (1002346/ 06AA00960, 00961); the request amended parcel labels G-6A and G-5A to read as G-2-B and G-2-C was approved by Planning staff in 2006.
7. The request is consistent with the following Comprehensive Plan Goals and policy in Chapter 4: Community Identity:
  - A. Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

The request is consistent with Goal 4.1 because the proposed site plan amendment would enhance the existing area by providing commercial development which would contribute to protecting and preserving the community's distinct identity. The request is consistent with Goal 4.1.
  - B. Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities. [ABC]

The subject site is located in an Area of Consistency. The proposed site plan amendment will enable future developments to follow IDO standards which will adhere to the vision of this community. The request is consistent with Policy 4.1.1.
  - 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. [ABC]

Future development would be subject to IDO requirements. These requirements will ensure appropriate scale and location of development and character of building design as well as protect the identity and cohesiveness of the neighborhood. The request is consistent with Policy 4.1.2.
  - D. Goal 4.3 City Community Planning Area: Protect and enhance the natural and cultural characteristics and features that contribute to distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas. [A]

The subject site is located in the Northwest Mesa Community Planning Area. This site plan amendment and adopting IDO standards will complement the district characteristics of the Northwest Mesa community. Future developments will follow

the IDO standards with IDO standards to meet the needs of this community. The request is consistent with Goal 4.3.

8. The request is consistent with the following Comprehensive Plan Goals and policies in Chapter 5: Land Use:
  - A. Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is not located in a Center but it is along the Paseo del Norte Commuter Corridor. This request is consistent with Goal 5.1 because infill development on this site can now be coordinated with roadway improvements per the IDO and the DPM.
  - 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. [ABC]

The proposed site plan would allow for a range of mixed uses in the MX-M zone adjacent to the Paseo del Norte Commuter Corridor and will contribute toward the growth of the surrounding community. This infill project, located in an Area of Consistency, would continue to encourage employment and development on Albuquerque's Westside and would further this policy as it would reduce the need for trips across the river, accommodate growth and discourage the need for development at the urban edge. This request furthers Policy 5.1.1.
  - C. Policy 5.1.6 (b): Provide neighborhood-oriented commercial, retail, institutional, and public services.

The requested MX-M zone allows for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses. The site is adjacent to residential zone districts. MX-M uses and applicable development standards provide neighborhood-oriented commercial, retail, institutional and public services close to the residential uses. This request furthers Policy 5.1.6(b).
  - D. Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop and play together.

The requested site plan amendment would continue to provide opportunities in the community where residents can live, work, learn, shop and play. This request furthers Goal 5.2.
  - E. Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. [ABC]

Policy 5.2.1 (a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The proposed Site Plan amendment would allow for a development with a mix of uses that could create a healthy, sustainable and distinct community that brings goods and services within walking and biking distance of neighborhoods. The location along the Paseo del Norte Commuter Corridor offers choices for transportation to services and employment. This request furthers Policy 5.2.1 and Policy 5.2.1(a).

- F. 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 requested Site Plan amendment would continue to allow for medium intensity commercial and mixed uses in an area surrounded by residential developments. The MX-M zone is compatible and desirable in form and scale to the surrounding developments. The IDO's built-in development standards, such as Neighborhood Edges will ensure compatible scale of future development. This request furthers Policy 5.2.1(h).

- G. 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 requested Site Plan amendment would provide for smaller-scale commercial development that will maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good. This request furthers Goal 5.3.

- H. Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities. [ABC]

The requested Site Plan amendment would support additional growth in an Area of Consistency with existing infrastructure and public facilities. This request furthers Policy 5.3.1.

- I. 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 requested Site Plan amendment would provide a balance of jobs and housing by continuing to allow for job growth west of the Rio Grande. This request furthers Goal 5.4.

- J. Policy 5.4.2: West Side Jobs: Foster employment opportunities on the West Side.

Policy 5.4.2 (a): Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

Policy 5.4.2 (b): Prioritize employment opportunities within Centers.

The proposed Site Plan amendment would allow for continued employment opportunities on the West Side, prioritize employment opportunities in the area and ensure adequate capacity of land zoned for commercial, office, and artisanal manufacturing uses west of the Rio Grande to support additional job growth. The existing development serves as an oasis of commercial activities and services to these neighborhoods on the West Side. This request furthers Policy 5.4.2, Policy 5.4.2 (a) and Policy 5.4.2 (b).

- K. Policy 5.6.2 (b): Encourage development that expands employment opportunities.

The proposed development will encourage commercial and office development that will expand employment opportunities in the area. This request furthers Policy 5.6.2(b).

- L. Policy 5.6.3 Area of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. [A]

Future development of this site would protect and enhance the character of existing single-family neighborhoods in this Area of Consistency by being subject to IDO development standards such as Neighborhood Edges. This request furthers Policy 5.6.3.

9. The request is consistent with the following Comprehensive Plan Goal and policy in Chapter 6: Transportation:
  - A. Goal 6.1 Land Use – Transportation Integration: Plan, develop, operate, and maintain a transportation system to support the planned character of existing and future land uses.

The proposed site plan amendment would allow for continued development around the existing transportation system to support the planned character of existing and future land uses along the Paseo del Norte Commuter Corridor. This request furthers Goal 6.1
10. The request is consistent with the following Comprehensive Plan Goal and policies in Chapter 7: Urban Design
  - A. Policy 7.2.1: Walkability: Ensure convenient and comfortable pedestrian travel. [ABC]

The undeveloped portion per this request currently lacks sidewalk and bike lane facilities. Development of the site will require sidewalk construction by the developer along the property's street frontage, creating better pedestrian connectivity to surrounding residential areas and will fill in voids in the current pedestrian network. This request furthers Policy 7.2.1.
11. The request is consistent with the following Comprehensive Plan Goal and policies in Chapter 8: Economic Development:
  - A. Goal 8.1 Placemaking: Create places where business and talent will stay and thrive.

Future development of this site would expand the area with places where business and talent may wish to locate and stay. This request furthers Goal 8.1.
  - B. 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. [ABC]

The proposed amendment would continue to encourage economic development that will provide jobs, goods, and services which improve the life for new and existing residents on the west side. This type of economic development is best suited for infill locations supported by commercial corridors. This request furthers Policy 8.1.2.
  - C. Policy 8.1.3 Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending. [ABC]

The proposed amendment would allow for future development of the property providing an incentive to local business to expand and diversify employment. This request furthers Policy 8.1.3.
12. The applicant notified the following affected neighborhood organization as required: the Westside Coalition of Neighborhood Associations (NA). Property owners within 100 feet of the subject site were notified as required.

13. There was no request for a facilitated meeting from neighborhood representatives or members of the public.
14. There is no known opposition to or support for this request.

CONDITIONS:

1. Upon receiving final approvals, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.
2. The applicant shall meet with the Staff planner to ensure that all conditions of approval are met.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **August 28, 2020**. 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(U) of the 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 EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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 City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,

for Brennon Williams  
Planning Director

cc: EPC file

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