

PLANNING DEPARTMENT  
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## OFFICIAL NOTIFICATION OF DECISION

August 18, 2022

Albuquerque Investors LLC  
Woodsonia Real Estate Inc.  
20010 Manderson St., Suite 101  
Elkhorn, NE 68022-1264

**Project #2019-002284**  
SI-2022-01301- Site Plan- Major Amendment

### LEGAL DESCRIPTION:

Tierra West LLC, agent for Albuquerque Investors LLC, Woodsonia Real Estate Inc, requests a Site Plan- Major Amendment for all or a portion of Parcels C-1-A, C-1-B, and B-1-A (correction plat of parcels C-1-A, C-1-B and B-1-A) Renaissance Center III, located on Desert Surf Circle NE, between Alexander Blvd. NE, and Montano Rd. NE, approximately 24 acres (F-16-Z).  
Staff Planner: Megan Jones

On August 18, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project #2019-002284, SI-2022-01301- Site Plan- Major Amendment, based on the following Findings and subject to the following Conditions of Approval:

### Findings:

1. The request is for a Site Plan EPC-Major Amendment of a Pre IDO-Approval for an approximately 24-acre site legally described as all or a portion of Parcels C-1-A, C-1-B and B-1-A Renaissance Center III, Located on Desert Surf Circle NE, between Alexander Blvd NE, and Montano Rd. (“the subject site”).
2. The subject site is zoned NR-C (non-residential – Commercial), a zoning designation received upon adoption of IDO in May 2018. The subject site was formerly zoned SU-1 for SU-1 IP for Water Park and related facilities of a permanent character.
3. The subject site is within the boundaries of the 24-acre Beach Water Park Site Plan (Z-86-66). The subject site is controlled by an Administrative Amendment approved in 2019, (PR #2019-002284) for Tracts C-1-A, C-1-B and B-1-A, which was an amendment to the original controlling Site Development Plan.
4. The EPC is hearing this request because IDO Section 14-16-1-10(A) Pre-IDO Approvals states that any approvals granted prior to the effective date of the IDO shall remain valid, subject to expiration.

Major Amendments of Pre-IDO Approvals return to the original decision-making body pursuant to 14-16-6-4(Z)(1)(b).

5. The applicant wishes to amend the controlling Site Development Plan (PR # 2019-002284) to allow a 97,000 square foot Indoor Entertainment facility on tract B-1-A.
6. The subject site is located in the Renaissance Employment Center, within 660-feet of the Montano Rd. Major Transit Corridor, and in an Area of Change as designated by the Comprehensive Plan. It is in the Northwest Mesa Community Planning Area (CPA).
7. 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.
8. The request is consistent with the following Comprehensive Plan Goals and Policies regarding Centers and Corridors 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.

The subject site is located in the Renaissance Employment Center and within 660' of the Montano Rd. Major Transit Corridor as designated by the Comprehensive Plan. The request would facilitate development of an Indoor Entertainment facility. Employment Centers are intended to remain predominately retail centers, while Major Transit Corridors are intended to be walkable and accessible along the Corridors and the Centers they connect. The proposed amendment is generally consistent with this goal by providing an additional commercial use in the center that has the infrastructure capacity to remain a walkable/accessible place, therefore strengthening the center.

- 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.

The request would generally facilitate the capture of regional growth in Centers and Corridors by allowing the proposed development of an Indoor Entertainment facility that would attract residents from the greater Albuquerque area. The subject site is served by local transit with proposed bike lanes. Additionally, subject site is located in an Area of Change which allows for development that benefits the surrounding community in a designated Center accessible by pedestrians, transit and vehicles. The request would continue to shape the surrounding center and corridor into a sustainable development pattern.

- C. Policy 5.1.1, Subpolicy c: Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge

The subject site is located in the Renaissance Employment Center and within 660' of the Montano Rd. Major Transit Corridor as designated by the Comprehensive Plan. The request would facilitate redevelopment of Tract B-1-A on an infill location within the Center, which would create more opportunities for employment.

- D. Policy 5.1.1, Subpolicy h: Encourage all new development, especially in designated Centers and Corridors, to address transit connections, linkages, and opportunities within the proposed development.

The request would allow Tract B-1-A to be redeveloped as an Indoor Entertainment facility in a designated Center and Corridor. The applicant has generally addressed transit connections, linkages, and opportunities within the proposed development. The proposed Site Plan that shows vehicular and pedestrian access points, although does not provide a direct connection to transit. The subject site has existing and proposed sidewalks that connect to transit along Montano Rd.

9. The request is consistent with the following Comprehensive Plan Goals and Policies regarding Efficient Development Patterns and Infill from Chapter 5: Land Use

- A. Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

Subpolicy (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 request would generally contribute to a healthy and sustainable community because it would facilitate development in an Employment Center that includes a mix of uses including retail, services, office, industrial and some residential. The subject site is within 660' of a Major Transit Corridor that has a proposed bike lane and existing sidewalks, as well as transit, making it conveniently accessible by pedestrians, transit and motor vehicles to neighborhoods outside of the Center.

- B. Policy 5.2.1, Subpolicy h: Infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request would allow the development of an Indoor Entertainment use on a vacant lot that functions as an existing drainage pond within the Beach Water Park Site Plan. The proposed use would be complementary to the surrounding Employment Center, which is intended to be maintained a primarily retail area. Future development would be generally compatible in form and scale because Tract B-1-A is zoned NR-C and would be developed based on those standards. An indoor Entertainment use would be compatible with the other permitted uses within the subject site and surrounding area.

- C. 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.

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 and in a designated center, which are desired infill development locations. The proposed redevelopment on Tract B-1-A of the subject site would be served by existing infrastructure and public facilities. Future development made possible by the request would promote efficient development patterns and use of land.

- D. 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 would encourage enable and direct growth to it.

- E. 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 intent is to direct growth and more intense development to Centers, Corridors, and industrial and business parks. The request would further this policy as it is located in the renaissance Employment Center and within 660’ of a Major Transit Corridor, where more intense development and growth is encouraged.

- F. Policy 5.6.2, Subpolicy b): Encourage development that expands employment opportunities.

The Comprehensive Plan highlights Corridors within Areas of Change as areas where growth is desired and where additional residents, services, and jobs can be accommodated in locations ready for new development (Comp Plan pg. 5-23). The request would facilitate the development of an Indoor Entertainment facility in the Renaissance Employment Center, within 660’ of a Major Transit Corridor, and in an Area of Change. A new Entertainment facility would create more jobs in a Center that is designated for high employment density.

10. The request is consistent with the following Comprehensive Plan Goals and Policies from chapter 7: Urban Design

- A. Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.  
Subpolicy c: Ensure the location and design of sidewalks reflects the existing or planned character and intensity of surrounding land uses.

Policy 7.2.1, Subpolicy j: Emphasize pedestrian connections between buildings on a site and to adjacent uses.

The proposed Site Plan follows the design standards within the NR-C zone district and DPM, therefore provides pedestrian access points at appropriate locations on the Site Plan. It is located within 660’ of the Montano Major Transit Corridor, which has a planned bike route and two transit routes with parallel stops near the subject site. The development of the site will ensure sidewalk construction along the frontage of the site ensuring convenient pedestrian travel between Tract B-1-A and the greater subject site.

- B. 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 request is for the development of a Indoor Entertainment use on Tract B-1-A of the subject site, which is currently vacant. The request would promote infill that blends in style with the surrounding structures and the streetscape by following design standards in the IDO for the NR-c zone district, Employment Centers, and Major Transit areas.

11. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 8: Economic Development

- A. Goal 8.1- Placemaking: Create places where business and talent will stay and thrive.

The Comprehensive Plan states that infill of vacant land is crucial to economic development and will help provide attractive, well-connected urban places that attract knowledge-based employers and the workforce they need (Comp Plan pg. 8-15). The subject site zoned NR-C and in the Renaissance Employment Center, which the comprehensive plan designates as a high employment density area near transit. The request would help contribute to this.

- 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.

The request would facilitate the development of a new Indoor Entertainment Facility in a designated Employment Center on an infill site. The development could result in a new employment opportunity for new and existing residents in the surrounding area, which is accessible by all transportation modes. The request could foster a robust, resilient, and diverse economy by providing a new Indoor Entertainment facility in an established Employment Center and within 660' of a Major transit Corridor.

12. 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) As demonstrated by the policy analysis of the site plan, the request is consistent with applicable Comprehensive Goals and Policies.
- B. 14-16-6-6(J)(3)(b) The subject site is zoned NR-C; therefore, this criterion does not apply.
- C. 14-16-6-6(J)(3)(c) The proposed major amendment would allow an approximately 97,000 SF Indoor Entertainment facility on Tract B-1-A of the controlling Site Plan. The proposed site plan would comply with all applicable provisions of the IDO, DPM and any other adopted City regulations.
- D. 14-16-6-6(J)(3)(d) The City's existing infrastructure has adequate capacity for the proposed development made possible by this request. The applicant has stated that the developer is responsible for mitigating any potential negative impacts to any existing infrastructure.

- E. 14-16-6-6(J)(3)(e) The applicant has demonstrated that the request would not negatively impact the surrounding area based on their responses to applicable Comp Plan Goals and Policies. The applicant has stated that the proposed development would comply with the IDO mitigating any significant adverse impacts on the surrounding area to the maximum extent practicable.
  - F. 14-16-6-6(J)(3)(f) The subject property is not within a Master Development Plan. It is within the boundaries of the beach Water Park Site Plan and is zoned NR-C. The request for Indoor Entertainment uses is permissible under this zone district pursuant to the IDO.
  - G. 14-16-6-6(J)(3)(g) The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required.
- 13. There are not any affected, registered neighborhood organizations for the subject site. Property owners within 100 feet of the subject site were notified, as required.
  - 14. A pre-submittal neighborhood meeting and a facilitated meeting were offered, but not held.
  - 15. Staff has crated conditions of approval to ensure applicable IDO regulations are met prior to DRB final sign-off.
  - 16. As of this writing, Staff is not aware of any support or opposition to the request.
  - 17. Once the EPC has approved the Major Amendment request, the applicant is required to submit to the DRB for final sign-off of the associated, proposed site plan. After December 25th, 2022 the applicant would instead go to the Development Hearing Officer (DHO).
  - 18. The associated site plan shows less parking than what is required pursuant to IDO Table 5-5-1 for the Other Indoor Entertainment use. Staff cannot overlook IDO requirements and, therefore, has conditioned that the parking requirement be met. However, in the future the applicant may request a Waiver-DRB pursuant to IDO 14-16-6-6(P) to allow the desired amount of parking or consider a shared parking agreement.

Conditions:

- 1. The EPC delegates final sign-off authority of this site plan to the Site Plan- DRB Process as per IDO Section 14-16-6-6(I). The reviewer will be responsible for ensuring that the EPC Conditions have been satisfied and that other applicable City requirements have been met.
- 2. The applicant shall coordinate with the Staff planner prior to submitting to the DRB for final sign-off.
- 3. Site Plan (Sheet SP-1):
  - A. Show location of Keyed Note 13.
  - B. Parking Calculations must be shown and pursuant to IDO Table 5-5-1 for Other Indoor Entertainment, which is listed as 1 space / 3 persons design capacity, or IDO Table 5-5-2,

whichever is greater. Table 5-5-2 does not have this use listed, so the former applies, unless the applicant obtains a waiver from the DRB or presents a shared parking agreement.

4. Landscape Plan (Sheet 2)
  - A. Provide dimensions for all plant beds, distances between trees, etc. Street frontage trees must be 25-feet apart pursuant to IDO 5-6(D)(1).
  - B. Show all curb cuts pursuant to IDO section 14-16-5-6(C)(13).
5. Lighting:
  - A. Show locations of light poles on the site plan.
  - B. Provide light pole detail indicating height, color, and finish.
6. Detail Sheet (Sheet Det-1):

Standard Curb General note 1: should state COA specs, not Wal-Mart specs in the body.
7. Elevation Sheets/Signage:
  - A. Max building height in NR-C is 38-feet. The top of parament exceeds this max by 9” and must be reduced to 38-feet.
  - B. Signage area calculations shall be provided
  - C. Building mounted signs shall not exceed 15% of façade area in which it is located in the NR-C zone district, pursuant to IDO Table 5-12-2.
  - D. Add sign details to elevations.
  - E. Sign permits shall be acquired for all monument signs as well as wall signs greater than 24 square feet, pursuant to IDO 5-12(D)(1).
8. Condition from Solid Waste Management Department:

A single enclosure will not suffice for a proposed 96,000 SF building. A sanitary drain will be required for the trash enclosure, along with a site plan approved by the Solid Waste Department.
9. Conditions from PNM:
  - A. Applicant will coordinate with PNM regarding any existing easements that have to be revisited and/or new easements that need to be created for any electric facilities as determined by PNM.
  - B. Any existing and/or new PNM easements and facilities need to be reflected on any resulting future Site Plan or Plat.

- C. Typical electric utility easement widths vary depending on the type of facility. On-site transformers should have a ten-foot clear area around them to allow for access and maintenance. Structures, especially those made of metal like storage buildings and canopies, should not be within or near PNM easements.
- D. Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities. Any trees within or near PNM easements including any required Street Trees should comply with IDO Section 5-6(C)(10) as applicable.

10. Condition from AMAFCA:

AMAFCA will need to review the grading and drainage plan and drainage report for this site. AMAFCA recommends that none of the existing drainage easements or covenants be vacated/released prior to approval of the grading and drainage plan and drainage report.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **September 2, 2022**. 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(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,

*Catalina Lehner*

for Alan M. Varela,  
Planning Director

AV/CL/MJ

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