

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

December 21, 2023

A Management Corporation
4461 Irving Blvd. NW
Albuquerque, NM 87114

Project # PR-2023-009105

SI-2023-01402 - Site Plan - EPC

VA-2023-00314 – Variance - EPC (variance to VPO-1 Building Height standards)

VA-2023-00315 – Variance - EPC (Variance to MPOS Edge Buffer requirements)

LEGAL DESCRIPTION:

Tierra West LLC, agent for A Management Corporation, requests a Variance-EPC to VPO-1, a Variance -EPC to the MPOS edge buffer requirement, and a Site Plan-EPC for Lots 2-A and 2-B, a portion of Lots 2-A, 2-B, 2-C and 2-D, (Being a Replat of Tract 2, Cottonwood Crossing Phase II) and Lots 1, 2, 3, 4 5 and 6, Plat of Lots 1, 2, 3, 4, 5 & 6 (Being a Replat of Tracts 14-A & 14-B Black Ranch), Cottonwood Crossing Phase II, located east of Coors Blvd. NW, at the intersection of Coors Blvd. NW and 7 Bar Loop Rd. NW, zoned MX-T, MX-L, and NR-PO-B, approximately 10 acres.

Staff Planner: Megan Jones

On December 21, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-009105, SI-2023-01402 (Site Plan- EPC) VA-2023-00314 (Variance - EPC to VPO-1 Building Height standards), and VA-2023-00315 (Variance-EPC to MPOS Edge Buffer requirements), based on the following Findings and subject to the Conditions of Approval:

1. This is a three-part request for: 1) a new Site Plan-EPC; 2) a Variance-EPC to MPOS Edge Buffer Requirements; and 3) a Variance - EPC to Coors Blvd. VPO-1 building height requirements on lots 2-A and 2-B, a 3.1 acre portion of Lots 2-A, 2-B, 2-C and 2-D, (Being a Replat of Tract 2, Cottonwood Crossing Phase II) and Lots 1, 2, 3, 4 5 and 6, Plat of Lots 1, 2, 3, 4, 5 & 6 (Being a Replat of Tracts 14-A & 14-B Black Ranch), Cottonwood Crossing Phase II, located east of Coors Blvd. NW, at the intersection of Coors Blvd. NW and 7 Bar Loop Rd. NW, approximately 10-acres (the “subject site”).
2. The subject site is zoned MX-L (Mixed-use – low intensity), MX-T (Mixed-Use – transition), and NR-PO-B (Non-Residential Park and Open Space, Major Public Open Space Zone District), zoning designations received upon adoption of the IDO. The subject site was formerly zoned SU-1 for C-1 and Restaurant with Full-service liquor and SU-1 for O-1.

3. The subject site is located in the Coors Blvd. View Protection overlay zone (VPO-1) and Coors Blvd. Character Protection Overlay Zone (CPO-2). The Major Amendment and future Site Plan-EPC are required to comply with the standards set forth in IDO Sections 14-16-3-4(C) CPO-2 and IDO Section 3-6(D) VPO-1
4. The EPC is hearing the Site Plan request due to the presence of sensitive lands. The subject site's location in a special flood hazard area, adjacency to an MPOS archeological site, and an AMAFCA Arroyo channel (the Corrales Acequia) requires EPC review and decision according to IDO 14-16-5-2(C) Site Design to Avoid Sensitive Lands. The EPC is also required to review development on sites 5-acres or greater adjacent to Major Public Open Space pursuant to IDO 14-16-6-6(I)(1)(a).
5. The request would facilitate mixed-use development of townhomes, cannabis retail, office, and a restaurant with associated site work, landscaping and parking on lots 2-A and 2-B containing approximately 3.1 acres of the subject area.
6. The applicant is requesting a Variance of 39-feet from the 45-foot edge buffer requirement between Major Public Open Space (MPOS) sites and development pursuant to IDO 14-16-5-2(J)(2). The applicant has coordinated with City Open Space during the 2-month deferral period to discuss mitigation efforts for development adjacent to the MPOS Site. City Open Space Division agrees with a 6-foot buffer and required 6-foot wall between the MPOS site and the proposed development.
7. The applicant is requesting a variance to the maximum height standards established within the Coors Boulevard View Protection Overlay (VPO-1) for: 5-feet from the maximum 20-foot allowance for the cannabis retail building (Building B), 1-foot from the maximum 20-feet for the restaurant (Building C), and 4.5-feet from the maximum 20-foot maximum for one Townhome Group (#6) within the proposed Site Plan – EPC.
8. Staff has reviewed the site plan for compliance with applicable IDO development standards, and CPO-2 and VPO-1 development standards. Upon approval by the EPC the site plan would go to the DFT for final sign off for review once conditions of approval have been met.
9. The subject site is in an Area of Change and within 660-feet of Seven Bar Loop Rd. Major Transit Corridor and Coors Blvd. NW Major Transit Corridor as designated by the Comprehensive Plan.
10. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
11. The request is consistent with the following Comprehensive Plan Goal 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 request would facilitate growth of a mixed-use development near an existing employment center and within two major transit corridors. The subject site is within 660-feet of Seven Bar Loop Rd. Major Transit Corridor and along the Coors Blvd. Major Transit Corridor. It is

adjacent to the Cottonwood Employment Center, across Coors Blvd. to the west, but not within its boundaries.

- 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.

Sub Policy 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 request would facilitate growth of a restaurant, office, Cannabis-retail, and townhomes at the intersection of the Coors Blvd. Major Transit corridor and Seven Bar Loop Rd. Major Transit Corridor. Major Transit Corridors are intended to include transit and pedestrian oriented development, which the proposed site plan incorporates. The request would be consistent with the commercial development patterns of the surrounding area, the Center, and Corridors. The request does not guarantee regional growth in a center, but it could encourage employment density on an infill site within a corridor, which is defined as an appropriate area to accommodate growth over time.

- C. Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The subject area is in an Area of Change adjacent to the Cottonwood Employment Center and is within 660-feet of two Major Transit Corridors. The request would facilitate development along a Corridor where growth is desired. The request would facilitate development of appropriate density and scale within the area.

12. The request is consistent with the following Comprehensive Plan Goal and Policies regarding Complete Communities from Chapter 5: Land Use

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

The request would facilitate a mixed-use development where residents could live, work, shop, and play together because the proposed amendment would allow townhomes, a restaurant, office space, and cannabis retail use on one 3.1-acre portion of the subject site.

- 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.

Sub-policy 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.

Sub-Policy e: Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods

The request would contribute to a healthy, sustainable, and distinct community because it would facilitate a mixed-use development that would generally be consistent in scale with the surrounding community because it is in the Coors Blvd. CPO-2 which is subject to character protection design standards. The subject site is located on a designated Major Transit Corridor, adjacent to the Cottonwood Employment Center and is conveniently accessible to pedestrians, bicyclists, and transit users nearby via sidewalks and bike routes.

13. The request is consistent with the following Comprehensive Plan Goals and Policies regarding Development Patterns and City 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 would generally promote efficient use of land because the subject site is connected to existing infrastructure and public facilities, which the development would utilize.

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

The request would facilitate mixed-use development on an infill site that is located in an area served by existing infrastructure and public facilities.

- 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 request would direct growth to an area of change where development is expected and desired while reinforcing the character and intensity of the surrounding area. The site is within the Coors Blvd. Character Protection Overlay zone which would place design standards on properties within the area. The request is consistent with Goal 5.6 City Development Areas.

- 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 zone change and major amendment would direct future growth to the subject site which is located adjacent to the Cottonwood Employment Center and within the Seven Bar Loop Rd. Major Transit Corridor and along the Coors Blvd. Major Transit Corridor where change is encouraged.

14. The request is generally consistent with Comprehensive Plan Goal 8.1 Placemaking from Chapter 8: Economic Development: Create places where business and talent will stay and thrive.

The request would facilitate a mixed-use development that would bring businesses to an infill site with residential uses. The site is along a designated corridor which could contribute to the businesses thriving near an established Employment center.

15. The request is generally consistent with the following Comprehensive Plan Goal and Policy from Chapter 9: Housing

- A. Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

Policy 9.1.1 Housing Options: Support the development, improvements, and conservation of housing for a variety of income levels and types of residents and households.

The request would facilitate high quality development of 14 townhomes on the subject site. The proposed development is in compliance with IDO development standards and the Coors Blvd. CPO-2, which would help ensure high quality development. The applicant claims that the townhomes will be available at various price points, which could ensure more balanced housing options.

16. 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, the request is consistent with applicable Comprehensive Goals and Policies.
- B. 14-16-6-6(J)(3)(b) The 3.1-acre subject site is zoned MX-L and MX-T and is within the boundaries of the controlling Site Plan for Subdivision.
- C. 14-16-6-6(J)(3)(c) IDO 4-1(A)(4)(c) The Site Plan complies with applicable development standards of the MX-L and MX-T zone districts and the Coors CPO-2. The applicant is requesting a variance to Coors Blvd. VPO-1 Building height restrictions for three of the nine buildings associated with this request. The Site Plan will be conditioned to comply with all applicable provisions of the IDO, the DPM, other adopted City regulations, including any development standards in the controlling site plan for subdivision. The applicant will be submitting the site plan to the DHO for sketch plat for re-platting of the subject site to correspond with the associated zone change heard prior to this request (RZ-223-00028).
- D. 14-16-6-6(J)(3)(d) The applicant has demonstrated that a TIS is underway which would ensure negative impacts to the surrounding transportation infrastructure. The subject site has adequate sidewalk infrastructure. The Site Plan will be required to be approved by various city divisions which demonstrate that the City's existing Infrastructure has adequate capacity to serve the proposed development.
- E. 14-16-6-6(J)(3)(e) The proposed Site Plan demonstrates that it would mitigate impacts on the surrounding sensitive lands. The adjacent Corrales Acequia (AMAFCA North Coors Drainage - Calabacillas Outlet) would be maintained through MX-T zone district boundary and is required to be compliant with the Irrigation Facility (Acequia Standards) pursuant to IDO section 14-16-5-2(G). AMAFCA provided comments stating that grading, drainage, and retention walls would not be allowed in the Corrales Acequia easement prior to approval by AMAFCA and MRGCD.

The proposed development is adjacent to the Cottonwood crossings Detention basin to the south, which is classified as a FEMA floodway zone, therefore the grading and drainage plan will be required to be in compliance with applicable standards to mitigate potential impacts.

The MPOS archeological site is abutting the northern edge of the proposed development. The applicant is working with City Open Space Division to mitigate potential impacts on the protected MPOS archeological site through the requested Variance to MPOS edge buffer requirements by providing a 6-foot buffer, an access easement, and wall.

The development is required to be compliant with MPOS standards. Recommended Conditions of approval are to ensure the proposed Site Plan would mitigate adverse impacts on the surrounding area to the greatest extent possible.

- F. 14-16-6-6(J)(3)(f) The subject property is not within the boundaries of an approved Master Development Plan, but it is within the boundaries of a previously approved Site Plan for subdivision, which is being amended as a part of this request to include the proposed uses.
 - 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.
17. The request partially meets the Variance-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3) for the proposed MPOS Edge Buffer variance as follows:
- A. 6-6(N)(3)(a)1 There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.

The archeological significance of the site was well known long before the request. The MPOS site was rezoned in 2022, but the archeological significance has been known since the owner of the subject site dedicated the MPOS site to the City. The argument of unjustified limitation on the reasonable use or economic return on the property should be considered closely by the commission. Although the unique shape and comparatively irregular boundaries paired with the required 45-foot buffer, may create a hardship in form of development capabilities, the argument that the variance is not self-imposed is partial. Subject site is subject to the development standards, but does not have to be designed not to comply. The required buffer or single loaded street would eliminate the possibility of development on a large 45-foot portion of the site, which results in one proposed townhome.

The applicant adequately demonstrates that the subject site's special circumstances bring about practical difficulties in development options resulting from strict compliance with the minimum standards.

- B. 6-6(N)(3)(a)2. The Variance will not be materially contrary to the public safety, health, or welfare.

The request would not be materially contrary to public safety, health, or welfare because the applicant has coordinated with City Open Space to mitigate potential issues that the proposed development could have on the protected MPOS site. The 6-foot buffer and required wall would provide protection on the MPOS site, and the grading and drainage plan would protect the MPOS site from erosion

- C. 6-6(N)(3)(a)3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

The Variance would not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity. The applicant has coordinated with city Open Space to protect the adjacent MPOS site through the requested variance. The development is required to comply with all IDO development standards for the MPOS site, CPO-2, VPO-1, and other applicable IDO and DPM standards. The applicant has demonstrated that the proposed development adequately protects surrounding properties and infrastructure improvements in the vicinity from adverse impacts.

- D. 6-6(N)(3)(a)4. The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

The variance to MPOS edge buffer requirements will not fully undermine the intent and purpose of the IDO, the applicable zone district, or any applicable Overlay Zone because the purpose of the NR-PO-B zoned site is intended to protect the natural character of the designated open space for public recreation, use, and enjoyment. In this case, the MPOS site is a protected archeological site (Historic Pueblo Site) with limited access. Though, the site shall still be protected from erosion intrusion, public access, and any other adverse impacts, the intention of the NR-PO-B zone designation was to place stringent protection measures on the archeological site, the required 45-foot buffer/single loaded street and wall standards, etc. The applicant has coordinated with Open space to mitigate the potential negative effects on the MPOS site from the proposed development.

- E. 6-6(N)(3)(a)5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

The applicant has worked with the City Open Space division to come to an agreement on the proposed 6-foot buffer for the protected MPOS site. The applicant has demonstrated that the variance is the minimum necessary to avoid practical difficulties resulting from special circumstances on the site which would have hardships on economic return of the proposed development due to irregular shape and site constraints. Staff would like to note that the required 45-foot buffer would only eliminate one proposed townhome of 14.

18. The request partially meets the Variance-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3) for the proposed Variance to Coors Blvd. VPO-1 Building Height Requirements as follows:

- A. 6-6(N)(3)(a)1 There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.

Special circumstances apply to the subject site that are not self-imposed. Surrounding properties in the same zone district and vicinity are dissimilar in size and shape; the large and unique shape of the subject site stands in contrast to the smaller, more uniform lots nearby, particularly north and south of the subject site, east of Coors Boulevard. The Figures included by the applicant illustrate the subject site's unique shape and comparatively irregular boundaries.

The applicant cites the maximum allowable height of the MX-L zone district (38 feet), but this is irrelevant within the context of the VPO-1 standards, which supersede standards within the MX-L zone district. The IDO's limitation on height does not substantiate an unjustified limitation on reasonable use of this property.

The applicant partially demonstrates that the subject site's special circumstances bring about practical difficulties resulting from strict compliance with the minimum standards. The applicant shows that the subject site's irregular shape limit where and how buildings can be placed on the site, and notes how the irregular shape and existing topographical limitations necessitate creative design solutions that include smaller, two-story lots. However, the applicant fails to justify any special circumstances stemming from unjustified government action, which is a substantial basis of their argument.

- B. 6-6(N)(3)(a)2. The Variance will not be materially contrary to the public safety, health, or welfare.

The Variance to the maximum building height limit would not be materially contrary (incompatible/opposite) to public safety, health, or welfare. The variance to the building height would not impede sight lines and views to the Bosque and/or Sandia Mountains from Coors Boulevard due to the placement of the proposed buildings in relation to Coors Boulevard. The View Plane Analysis confirms that existing views from Coors Boulevard would not be impeded by the proposed development.

- C. 6-6(N)(3)(a)3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

The Variance would not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity. The applicant has provided an Exhibit showing that the Variance would not practically impede the sight line and views of the Bosque or Sandia Mountains from Coors Boulevard, which is a primary purpose of VPO-1. The View Plane Analysis from Coors Boulevard confirms that the proposed development would not impede existing views, largely due to the sizable distance between the proposed development and Coors Boulevard. The site's building layout, design, and adherence with other applicable IDO and

DPM standards, aside from the requested variance to MPOS edge buffer requirements, adequately protects surrounding properties and infrastructure improvements in the vicinity from adverse impacts.

- D. 6-6(N)(3)(a)4. The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

The standards in the VPO-1 Overlay Zone supersede the maximum building height standards established in the MX-T Zone District, making that specific standard irrelevant in this instance. The request does undermine the intent of the View Plane protections of the Sandias from the easternmost driving edge of Coors. Blvd for three buildings and would allow a higher maximum building height for three structures on the subject site than normally allowed within the VPO-1 Overlay Zone. However, the request would not fully materially undermine the intent and purpose of VPO-1 because it does not practicably impeded views of the Bosque or Sandia Mountains due to the placement and design of the buildings, which is the one intent and purpose behind of the standards within the Coors Blvd. VPO-1. The request should be carefully considered as the intent of VPO-1 is to place strict building height standards on development within the VPO-1.

- E. 6-6(N)(3)(a)5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

The applicant has stated that the Variance request encompasses the minimum necessary changes to avoid extraordinary hardship or practical difficulties. Other than the three structures included in the Variance request, all other buildings included in the Site Plan – EPC comply with VPO-1 height requirements. Given the practical difficulties resulting from special circumstances on the subject site, which necessitate specific design solutions such as smaller lots and two-story townhomes, the request appears to seek the minimum necessary Variance needed to develop the subject site. The requested variance of 1-foot to building C does not seem to be required due to the self-imposed archeological feature.

19. In addition to IDO 14-16-6-6(N) review and Decision Criterion, an application for a Variance from the standards for structure height Subsection 14-16-3-6(D) (Coors Boulevard – VPO-1) shall be approved if it meets the criteria in Subsection (a) above and all of the following criteria pursuant to 6-6(N)(3)(b) Coors Boulevard – VPO-1, which the request generally meets.

- A. 6-6(N)(3)(b)1. The Variance will not materially undermine the protected views described in Subsection 14-16-3-6(D)(2).

The Variance will not materially undermine the protected views described in Subsection 14-16-3-6(D)(2) because the buildings would not impede views of the Bosque or Sandia Mountains, which the applicant has adequately demonstrated in their response and in the attached Figures and Exhibits.

- B. 6-6(N)(3)(b)2. The intent of the view regulations in Subsection 14-16-3-6(D)(5) is met.

The reference in the IDO to Subsection 14-16-3-6(D)(5) is incorrect – it should reference Subsection 14-16-3-6(D)(4) instead, which is what the applicant’s response speaks to. The

Variance is cohesive with the view regulations found throughout IDO Subsection 14-16-3-6(D). The request would not result in an impediment to views of the Bosque or Sandia Mountains in terms of building and structure height, bulk, and massing. The applicant has adequately demonstrated this to be the case throughout the justification letter, including within attached Figures and Exhibits demonstrating the view plane from the east edge of Coors Boulevard.

20. The applicant has coordinated with the City of Albuquerque, Open Space division during a 2-month deferral period to discuss mitigation efforts for development adjacent to the MPOS Site. The City Open Space Division agrees with a 6-foot buffer and required 6-foot wall between the MPOS site and the proposed development.
21. The applicant notified property owners within 100 feet of the subject site as, required. The applicant contacted the City Office of Neighborhood Coordination (ONC) and there were no affected Neighborhood Associations to notify.
22. A facilitated meeting was requested by a resident of the Bosque del Acres Neighborhood Association and held on December 12, 2023. Community members from the adjacent properties to the east of the site are concerned about the impacts of development on their properties from the two-story townhomes. Other community members are concerned about the proposed variance blocking their views to the west and proposed uses.
23. The facilitated meeting request outlined concerns from residents of the Bosque del Acres Neighborhood Association, which is adjacent to the site to the east, in Unincorporated Bernalillo County. The residents do not support the requested 39-foot variance for a 6-foot buffer from the open space site and they do not support the VPO-1 variance increase in the height of the townhomes and the cannabis retail building of 5-feet.
24. Staff has been contacted by the West Side Coalition of Neighborhood Associations with questions about the request. They are in opposition to the proposed Cannabis retail building and the two variance requests.
25. This request is contingent upon approval of the associated Zone Change and Major Amendment which were reviewed prior to this (RZ-2023-00028, SI-2023-01377). If approved the Site Plan would not be signed off by the DFT until the future replat is obtained.

CONDITIONS OF APPROVAL – SI 2023-01402

1. Upon approval by the EPC, the proposed site plan shall go to the Development Facilitation Team (DFT) for final sign-off. 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 DFT to ensure that EPC Conditions have been met.
3. The applicant shall continue to coordinate with the City of Albuquerque, Open Space division regarding mitigation efforts for the abutting MPOS archeological site.

4. Site Plan Sheet:

- a. Pursuant to IDO section 14-16-5-3(D)(2)b a sidewalk shall be provided pursuant to DPM standards along the entire frontage of the lot 2-B on Seven-bar Loop Rd. and along the street adjacent to lot 2-A.
- b. A minimum 8-foot sidewalk shall be included along the frontage of the streets for buildings that include a street facing façade/entrance.
- c. General note 9 Shall be revised to include a reference to the project number: VA-2023-000315 (MPOS VA).
- d. General note 11 shall be revised to include a referencing to the project number for the variance request to VPO-1 building height standards (VA-2023-000314).
- e. Parking:
 - 1) The note about the 10% reduction for proximity to transit pursuant to IDO 5-5(C)(5)c. shall be updated to requested form required.
 - 2) The Parking Provided shall be updated to reflect the parking approved on the associated major amendment sheet.

5. Wall Standards

- a) The wall abutting the MPOS Lot-1 shall be 6-feet high around the entire boundary of the MPOS site pursuant to Table 5-7-1: Maximum Wall Height
- b) Pursuant to IDO Section 14-16-5-6(F)(3) Walls Abutting Major Public Open Space, the wall abutting the MPOS site shall be 6-foot-high wall is required a between a parking lot and MPOS or Shrubs and trees sufficient to act as a screen at least 4 feet high and at least 75 percent opaque shall be provided.

6. Landscape Plan Sheet:

- a) A note shall be added stating that Landscaping adjacent to MPOS shall use native or natural vegetation within 330' of the MPOS Site pursuant to IDO 5-2(J)(1)(c).
- b) The parking lot landscaping adjacent to the MPOS site shall comply with IDO 5-6(F)(3) Abutting Major Public Open Space
- c) A note shall be added stating that the landscape plan is compliant with IDO 5-6(C)8 Protecting Clear Site Triangle.
- d) The applicant shall work with utility providers to ensure that standards in IDO 5-6(C)10 Planting Near Utilities are met for all PUE on site prior to DFT submittal.

7. Elevation Sheets:

- a) All elevations shall include dimensions.
 - b) All building colors shall blend with the surrounding natural environment and generally include yellow ochres, browns, dull reds, and grey greens pursuant IDO 5-2(J)(1)(e) Color.
8. Signage: Proposed signage shall be compliant with IDO Section 14-16-3-4(C)(5)(f) Signs in the Coors Blvd. CPO-2.
9. Condition from Solid Waste: A site plan approved by solid waste with trash enclosures pursuant to applicable requirements and access shown for solid waste will be required.
10. Conditions from AMAFCA
- a) Grading within the existing AMAFCA & MRGCD Access Easement to the east for the Corrales Main, shall be approved from AMAFCA and MRGCD. Any modification to the grading shall allow for the agencies' continuous access to the facility.
 - b) AMAFCA shall approve all walls within 5' of a slope of an acequia Pursuant to IDO 5-2(G)(3)
11. Condition from PNM: Any existing and/or new PNM easements and facilities shall be reflected on the Site Plan and any resulting Plat
12. Conditions from ABCWUA:
- a) The site plan shall reflect the proposed easement for the new SAS extensions or redesign alignment to fit within existing easement.
 - b) An approved Development Agreement shall be required as a prerequisite to commitment of water and wastewater service from ABCWUA to the proposed development.
 - c) the applicant shall coordinate with ABCWUA to start the Development Agreement process.
 - d) The applicant shall Confirm whether or not lot will be consolidated. Onsite water and sewer pipe and easement may need to be revised accordingly
13. The elevations and View Plane analysis for Restaurant Building C shall be amended to show compliance with VPO-1 building height requirements. The restaurant building shall remain at a maximum height of 20-feet.
14. The Site Plan shall not be reviewed by the DFT for final sign-off until the associated future plat is granted and the zoning certificate is issued.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **January 5, 2023**. 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,

A handwritten signature in black ink that reads "Megan Jones". The signature is written in a cursive, flowing style.

for Alan M. Varela,
Planning Director

AV/MJ

cc: A management Corporation, pierre@amestoy.net
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