

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

November 12, 2020

Maverik Inc.
185 S. Slate St.
Suite 800
Salt Lake City, Utah 84111

Project #2019-002920
SI-2020-00996— Site Improvement Major Amendment to
Site Plan

LEGAL DESCRIPTION:

Tierra West, agent for Maverik Inc, requests the above action for all or a portion of Tract G2B, Plat of Tracts G-2-A & G-2-B of Montgomery Complex, located at 3601 Montgomery Blvd. NE, the northwestern corner of Montgomery Blvd. NE and Carlise Blvd. NE, approximately 2.3 acres (F-16-Z)
Staff Planner: Leslie Naji

On November 12, 2020, the Environmental Planning Commission (EPC) voted to Approve Project # 2019-002920/ SI-2020-00996, Site Improvement- Major Amendment to Site Plan, based on the following Findings:

FINDINGS:

1. This is a request for approval of a Major Amendment to prior approved EPC Site Development Plan to remove Design Guidelines, Design Standards, Conditions and Restricted/Prohibited Uses and replace them with the currently adopted Integrated Development Ordinance (IDO) for proposed redevelopment of the site, which is approximately 2.25 acres.
2. The subject site is in an Area of Change as designated by the Comprehensive Plan and is zoned MX-M (Mixed-Use –Moderate Intensity Zone District).
3. The Site Plan for Subdivision and a Site Development Plan for Building Permit for Tract G2B Plat of Tracts G2A and G2B (Case # Z-70-22) was approved by City Council in 1970.
4. Repeal of the controlling site development plan would allow Future development to be guided and governed by the Integrated Development Ordinance (IDO), the Development Process Manual (DPM) and/or other applicable City regulations.
5. 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.
6. The request is consistent with the following Comprehensive Plan Goal from the Community Identity Chapter:

GOAL 4.1 CHARACTER:

Enhance, protect, and preserve distinct communities.

Removal from the original site plan will allow for more cohesive development in keeping with Goal 4.1.

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.

7. The request is consistent with the following Comprehensive Plan Goals and policies in Chapter 5: Land Use:

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 Montgomery/Montano Transit 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.

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 Montgomery/Montano Transit Corridor and will contribute toward the growth of the surrounding community. This infill project, located in an Area of Change, would continue to encourage employment and development, accommodate growth and discourage the need for development at the urban edge. This request is consistent with Policy 5.1.1.

Policy 5.1.6 (b): Provide neighborhood-oriented commercial, retail, institutional, and public services.

The requested removal of site plan restrictions and incorporation of IDO standards allows for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses. The site is adjacent to residential zone districts and other MX-M sites. MX-M uses and applicable development standards provide neighborhood-oriented commercial, retail, institutional and public services close to the residential uses. This request is consistent with Policy 5.1.6(b).

GOAL 5.2 COMPLETE COMMUNITIES:

Foster communities where residents can live, work, learn, shop and play together.

The requested amendment to IDO (MX-M zoning) may provide opportunities for redevelopment to possible uses where residents can live, work, learn, shop and play together. There is a bus route and a stop along the Montgomery Blvd. property frontage that offers choices for transportation for services offered and for access to employment generated by the site redevelopment. This request is consistent with Goal 5.2.

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 site is located along two major bus routes and with walking or biking distance of several residential developments. The IDO standards would allow for development of uses that can easily serve the community bringing to the site goods and services not permitted under the current plan. This request is consistent with Policy 5.2.1(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 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 is consistent with Goal 5.3.

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 Change with existing infrastructure and public facilities. This request is consistent with Policy 5.3.1.

Policy 5.6.2 Area of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

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

The proposed development will encourage commercial development that will expand employment opportunities in the area. This request is consistent with Policy 5.6.2(b).

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

a) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.

Although the entire area is designated an Area of Change, the zoning to the north of the site is R-MH with an existing multi-family housing development. By adopting IDO standards for the site, rather than those of fifty years ago, will assure proper buffering between the existing apartment complex and new development on the site. It will also require additional landscaping along the public streets. This request is consistent with Policy 5.6.4.9.

8. The request is consistent with the following Comprehensive Plan Goal and policy in Chapter 6: Transportation:

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 Montgomery Transit Corridor. This request is consistent with Goal 6.1.

9. 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.

Redevelopment of this site will expand the area with places where business and talent may wish to locate and stay.

- 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 adoption of IDO zoning will enable redevelopment of the site that will generate tax revenue that can be used for infrastructure investment and municipal services. The proposed redevelopment will provide an improvement to the quality of life for residences by encouraging economic development that will provide jobs, goods, and services which improve the life for new and existing residents. Redevelopment at this site, in conformance with the MX-M zoning guidelines is well suited for infill locations along a major transit and commercial corridors.

- 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 with uses other than religious facilities as it is currently restricted. The additional use would strengthen the economic base and provide an incentive to local business to expand and diversify employment. This request is consistent with Policy 8.1.3.

10. This request is for a major amendment to an approved site plan for subdivision to repeal the existing site plan for a religious institution. This would remove the undeveloped area from the design standards and land use restrictions currently imposed upon the site by a development from 1970.
11. The applicant notified the following affected neighborhood organization as required: the Hodgin NA, District 4 Coalition of Neighborhood Associations and District 7 Coalition of Neighborhood Associations. Property owners within 100 feet of the subject site were notified as required.
12. A facilitated meeting was held on September 22, 2020.
13. As of this writing, there is no known opposition to or support for this request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **November 30, 2020**. 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(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

BW/CL

cc: Tierra West LLC, rstevenson@tierrawestllc.com
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