PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

November 16, 2023

John R. Metz
366 Los Ranchos NW
Albuquerque, NM 87107

Project # PR-2022-007999
SI-2023-01621- Site Plan- EPC

LEGAL DESCRIPTION:
ABQ Land Use Consulting LLC - Carl Garcia, agent for John R. Metz, requests a Site Plan - EPC for all or a portion Tract MRGCD Map 44, Tracts 64A3B1, 64A3B2, 64A4 & Vacated West 24 feet of the San Jose Drain adjacent & East of MRGCD Map 44 Tracts 64A3B2 & 64A4, located at 336 Woodward Rd. SE, between Broadway Blvd. SE, and Second St. SE, containing approximately 20 acres. (M-14)
Staff Planner: Seth Tinkle

On November 16, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007999, SI-2023-01621- Site Plan- EPC, based on the following Findings and subject to the following Conditions of Approval:

1. The request is for a new Site Plan for a property legally described as MRGCD Map 44, Tracts 64A3B1, 64A3B2, 64A4 & Vacated West 24 feet of the San Jose Drain adjacent & East of MRGCD Map 44 Tracts 64A3B2 & 64A4, located at 336 Woodward Rd. SE, between Broadway Blvd. SE and Second St. SE, approximately 20-acres (the "subject site").

2. The request would facilitate the development of a 50,000 SF storage warehouse on an approximately 5-acre subdivided parcel (64A3B1) within the 20-acre subject site, which would be used for storage of film industry equipment. The proposed storage warehouse is single-story with a max height 46' at the roofs pitch.

3. The EPC is hearing this case as required by IDO section 14-16-6-6(I)(1)(c)5. for development within ½ a mile of the Railroad and Small Spur Small Area, which requires a Cumulative impact analysis pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements). A cumulative impacts analysis was included with this request (see attachments).

4. The applicant has received approval for Building Permit BP-2022-51961 with Conditions, which allows them to construct the structure for use as defined in the Temporary Use Not Listed (staging of props/materials, without storage on premise). This is only for purposes of the Temporary Use

and is subject to conditions, including compliance with limitations and requirements of their approved Temporary Use Not Listed Application. The Temporary Use permit expires within 45 days from the start of use, and if the Site Plan – EPC is not approved by the EPC for continued use by the time the Temporary Use permit expires, the structure must be removed from the property and returned to similar condition as prior to construction (see attached Temporary Use Permit and internal communications).

5. Staff reviewed the Site Plan drawings pursuant to IDO section 5: Development standards for development within an NR-LM zone district and Use Specific Standards for the proposed use. DFT reviewers shall check the Site Plan for compliance with the DPM and all development standards for the use.

6. The subject site is zoned NR-LM (Non-residential Light Manufacturing), is in an Area of Change, and is not in a designated Center or Corridor.

7. The subject site is in the Airport Protection Overlay zone for the Albuquerque International Sunport (IDO APO 14-16-3-3). The proposed Site Plan is required to comply with the APO and associated Federal Aviation Administration (FAA) sub-zones.

8. The subject site is within the Air Space Protection Sub-area for the Albuquerque International Sunport. All signs and structures shall not be taller than the horizontal surface of the Albuquerque International Sunport, per IDO 3-3(D)(1) Height Standards in the Airport Protection Overlay Zone, specifically 3-3(D)(1)(b). An exhibit depicting that the proposed structures and buildings are under the Horizontal Surface of the Airport Surface at 5,504.9 was provided with the Site Plan set. This requirement is met.

9. The proposed structure and any other features therein comply with the glare and reflectivity standards per IDO APO 3-3(D)(2) Reflectivity standards.

10. 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.

11. The request is consistent with the following Comprehensive Plan Goal and Policy from Chapter 4: Community Identity.

    A. <u>Goal 4.1 – Character:</u> Enhance, protect, and preserve distinct communities.

    The request would enhance, protect, and preserve the South Broadway community because it would allow the subject site to be developed pursuant to IDO development standards for NR-LM uses, which would protect the character of the surrounding community, and comply with standards for the Airport Protection Overlay Zone APO-3 pursuant to IDO 14-16-3-3. The proposed Site Plan – EPC would enhance the surrounding area by facilitating development of a currently underutilized site that would be consistent in character with surrounding development. The request would preserve a distinct community be absorbing new development that is most appropriate on the subject site due to its NR-LM zoning and location within an Area of Change.

    B. <u>Policy 4.1.1 – Distinct Communities:</u> Encourage quality development that is consistent with the distinct character of communities

The request would encourage quality development that is consistent with the distinct industrial character of this part of the South Broadway community. Development on the subject site would be controlled by IDO development standards, which would ensure that character of building, landscape, and parking design on subject site are generally consistent with the scale of the industrial land uses in the area.

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

    A. Policy 5.1.1 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 requests would encourage redevelopment on an infill site within an Area of Change and near a Commuter Corridor (I-25). The request would add infill development and employment density to an established industrial area.

    B. Policy 5.2.1 Sub-policy (a)– Land Uses: 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 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 subject site is within 1/8-mile walking and biking distance of single-family zoned residential neighborhoods. Future City and MRMPO transportation plans include more multi-modal transportation options throughout the area to provide residents with greater accessibility. This development will promote good access for all residents by its location on a major collector (Woodward Rd. SE), near a major arterial (Broadway Blvd. SE), with access to the I-25 exit onto Sunport Blvd. SE.

    C. Policy 5.2.1 Sub-policy (h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development

    The request would encourage infill development that adds complementary uses and is compatible in form and scale to surrounding development because it would facilitate the development of a storage warehouse on the subject site. The form of the proposed building, landscaping, drive access, and parking/circulation is compatible with existing industrial uses in the area.

    D. Policy 5.2.1 – Sub-policy (n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

    The request would encourage more productive use of vacant lots and under-utilized lots, including surface lots, because it would allow redevelopment of the under-utilized subject site. Development of the subject site would result in more productive uses on this lot, which has sat mostly-vacant for more than a decade in an established industrial area.

13. The request is consistent with the following goal and policies regarding infill and city development areas from Comprehensive Plan 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 make possible development that maximizes the utility of existing infrastructure and public facilities because the subject site is located within a developed area. The proposed development would support the public good in the form of economic development, job creation, and an expansion to the tax base.

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

The request would support additional growth in areas with existing infrastructure and public facilities because it would facilitate infill development of the subject site, which features 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 encourage and direct growth to Areas of Change, because it would facilitate development of a storage warehouse on the subject site, which is located in an Area of Change. By locating a storage warehouse in an Area of Change near an interstate exit, the request would locate a use that could be potentially harmful in a residential area to an established industrial area where such uses are most appropriate.

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 would direct growth and more intense development within an Area of Change, where growth and development are encouraged, because it would facilitate development of a storage warehouse on the subject site, which is located in an Area of Change. The request is consistent with Policy 5.6.2 Areas of Change.

14. The request is consistent with the following goal and policies regarding strengthening the local economy and economic base from Comprehensive Plan Chapter 8: Economic Development.

A. Policy 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster robust, resilient, and diverse economy.

The request would encourage economic development efforts that improve quality of life for new and existing residents because it would result in development of the subject site and increased employment opportunities. The request would foster a robust, resilient, and diverse economy because it would meet an unmet need within Albuquerque's burgeoning film industry.

B. Policy 8.1.3 Economic Base: Strengthen and diversity the economic base to help reduce reliance on government spending.

The request would strengthen and diversify Albuquerque's economic base, which would help reduce reliance on government spending, because it would promote local economic activity and bolster Albuquerque's emergent film industry.

C. Policy 8.2.5 Creative Economy: Promote the creative economy.

The request would promote Albuquerque's creative economy because it would result in development that meets an unmet need within Albuquerque's film industry – an intrinsic feature of Albuquerque's creative economy.

15. The request is consistent with the goals established in the South Broadway Metropolitan Redevelopment Plan. Goals #2 and #6 are specifically applicable to the request because it would facilitate development that would promote, contribute to, and improve the economic conditions within the South Broadway community and larger city of Albuquerque.

16. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:

A. Criterion A: As demonstrated by the policy analysis of the Site Plan – EPC (see above), the request is generally consistent with applicable Comprehensive Plan Goals and policies.

B. Criterion B: The subject site is zoned NR-LM; therefore, the above criterion does not apply.

C. Criterion C: The request is for a Site Plan - EPC. The proposed Site Plan is required to comply with all applicable provisions of the IDO, DPM, and other adopted City regulations. All conditions must be met prior to building permit approval.

The applicant has stated that the development will comply with all applicable provisions pursuant to the NR-LM zone district including landscaping, lot sizes, setbacks, and parking.

D. Criterion D: The subject site is already served by existing infrastructure and public facilities, which has adequate capacity to serve the proposed development. Burdens on these systems have been mitigated to the extent practicable and any future burdens on those systems shall be mitigated as the site continues to develop.

E. Criterion E: The request mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable. The subject site is within ¼ mile of the Railroad and Spur Small area and a Cumulative Impact Analysis was provided with the request.

The applicant was required to provide a cumulative impacts analysis due to the subject site's location within the Railroad and Small Spur area, and because the subject site and adjacent properties met all the applicability criteria in IDO 14-16-5-2(E)(1). The cumulative impacts analysis adequately addresses impacts on the surrounding area to the maximum extent practicable. The Site Plan is required to follow all standards of the IDO, DPM and other applicable City standards, which the applicant has agreed to follow.

F. Criterion F: The subject property is not within an approved Master Development Plan; therefore, the above criterion does not apply.

G. Criterion G: The subject property is within the Railroad and Spur Area and a cumulative impacts analysis is required. The cumulative impacts analysis indicates that 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. Existing and proposed design features will comply with all standards in the IDO, DPM, and other applicable City standards. These designs and features will ensure that the development sufficiently mitigates any adverse impacts on surrounding areas including compliance with Airport Protection Overlay (IDO 14-16-3-3) standards.

17. The affected, registered neighborhood organization is the San Jose Neighborhood Association, which was notified as required. Property owners within 100 feet of the subject site were also notified as required.

18. A facilitated meeting was not requested and staff has not received any comments of opposition or support as of this writing.

19. Staff has crafted conditions of approval needed to improve compliance and provide clarity moving forward.

CONDITIONS OF APPROVAL – SI-2023-01621

1. After approval by the Environmental Planning Commission (EPC), the applicant shall submit the proposed site plan to the Development Facilitation Team (DFT) for Final sign-off. The reviewer will be responsible for ensuring that all EPC Conditions have been satisfied and that the IDO, DPM, and all 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 the EPC Conditions in the Official Notification of Decision have been met. The staff planner will provide a post-EPC memo to the DFT.

3. The Site Plan shall be in compliance with all APO 3-3 standards.

4. Airport Protection Overlay Zone (APO 3-3)

   A. The Airspace Protection Sub-Area analysis shall be its own detail sheet.

   B. Light Reflective Value (LRV) shall be called out for each surface pursuant to IDO 3-3(D)(2) Reflectivity.

   C. A note shall be added to the Site Plan stating that Structure and any other features therein comply with the glare and reflectivity standards per IDO 3-3(D)(2) Reflectivity.

5. The Site Plan shall be in compliance with all Irrigation Facility (Acequia) Standards (14-16-5 5-2(G) due to the subject site's adjacency to the San Jose Interior Drain.

6. Site Plan Clean-up

   A. The Site Plan shall indicate that the entire subject site is 19.1 acres.

   B. The Site Plan shall indicate areas of the subject site that are expected to be developed in the future.

   C. The Site Plan shall include a Phasing Plan noting that the current proposal is "Phase 1." The Phasing Plan shall note future phases of development.

   D. The Site Plan shall indicate that the proposed warehouse (Phase 1) will be located solely on Parcel 64A3B1, which is 4.74 acres in size.

7. CONDITIONS FROM THE MIDDLE RIO GRANDE CONSERVCANY DISTRICT:

   A. The Site Plan shall reference MRGCD Dwg #A-354 and R&C #3128 as well as the widths from the property lines to the centerline of the San Jose Interior Drain.

   B. The applicant shall seek the Final Plat Approval signature from the MRGCD.

8. CONDITIONS FROM THE SOLID WASTE MANAGAMENT DEPARTMENT:

   A. If the location where dumpsters have been approved for access by the Solid Waste Department has changed, a new approval for access by the Solid Waste Department shall be sought.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **December 4, 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,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/MJ/ST

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