

PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

November 18, 2021

Goodwill Industries of New Mexico
5000 San Mateo Blvd. NE
Albuquerque NM, 87109

Project #2020-004021
SI-2021-01682 Site Plan- Major Amendment

LEGAL DESCRIPTION:

Modulus Architects & Land Use Planning Inc., agent for Goodwill Industries of New Mexico, requests the above action for all or a portion of Tract A-1A and Tract A-1B, Plat of Tracts A-1A and A-1B, Blocks 16 and 17, Zuni Addition, zoned MX-M, located at 7400 Menaul Blvd. NE, between Louisiana Blvd. NE and Pennsylvania St. NE, approximately 4.2 acres (H-19-Z)

Staff Planners: Catalina Lehner and Megan Jones

On November 18, 2021, the Environmental Planning Commission (EPC) voted to APPROVE Project #2020-004021/SI-2021-01682, Site Plan- Major Amendment based on the following Findings and subject to the following Conditions of Approval:

1. The request is for a Major Amendment for a property legally described as Tract A-1A and Tract A-1B, Plat of Tracts A-1A and A-1B, Blocks 16 and 17, Zuni addition, Zoned MX-M located at 7300 Menaul Blvd. NE Albuquerque, NM 87110, and is approximately 4.2 acres (the "subject site").
2. The applicant requests that the EPC 1) remove tract A1B from the controlling site development plan for subdivision and 2) abandon the controlling site development plan for building permit for Tract A-1B.
3. The EPC is hearing this case pursuant to IDO section 14-16-6-4(Z) Amendments of Pre-IDO Approvals. Major amendments shall be reviewed by the decision-making body that issued the permit or approval being amended, following the procedures for the most closely equivalent decision in Part 14-16-6 (Administration and Enforcement). The amendment exceeds the thresholds found in IDO table 6-4-4: Allowable Minor Amendments, therefore it is classified as a Major Amendment pursuant to IDO section 14-16-6-4(Z)(1)(b).
4. The subject site is located in an Area of Change on a Multi-modal corridor Corridor-Menaul Blvd. NE.

5. The subject site is zoned MX-M (Mixed Use – Medium Intensity). The purpose of the MX-M zone district is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in Table 4-2-1.
6. 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.
7. The request is consistent with the following, applicable Goals and policy from Chapter 4: Community Identity

A. Goal 4.1 – Character: Distinct communities.

The subject site is in a community that could be considered distinct because it is within the ¼ mile buffer of the adjacent Uptown Urban Center. The request would generally enhance, protect, and preserve this distinct community by allowing more stringent design standards that better fit the character of the community than the existing design standards. The subject site is ultimately intended to develop as general retail in the future, which would replace a currently vacant lot, therefore allowing quality development according to IDO requirements that is consistent with the surrounding community.

B. Goal 4.1.2– Character: Identity and Design

This request would help to facilitate future general retail development on the subject site under the MX-M zone. The site will be subject to the IDO requirements and the Neighborhood Edges (14-16-5-9), Buffer Landscaping requirements (14-16-5-6-(E)), MX-M Zone District Dimensional Standards (Table 2-4-5), and building design standards (14-16-5-11). These will help to ensure appropriate character of building design and scale so that the surrounding single-family residential neighborhood is not adversely affected.

8. The request is consistent with the following Comprehensive Plan Goals and Policies 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 along a designated Multi-modal corridor Menaul Blvd. NE which the subject site is located on. Multi-modal corridors encourage the redevelopment of aging, auto-oriented commercial strip development to a more mixed-use, pedestrian-oriented environment that focuses heavily on providing safe, multi-modal transportation options. The subject site is located within ¼ mile of the Uptown Urban Center, which is a designated activity center that is intended to be a distinct, walkable district that incorporates a mix of employment, service, and residential uses at a density and intensity lower than Downtown but higher than neighborhood-oriented Activity Centers. This request facilitates development that would reinforce the Menaul Multi-modal corridor.

- B. Policy 5.1.1c: 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

This request could encourage employment, redevelopment, and infill along the Menaul Corridor, and could result in employment density and compact development on an infill site, that is adjacent to the Uptown Urban Center.

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

The request would facilitate development of the subject site, which would provide additional opportunities for residents in the surrounding neighborhood to live, work, and shop together. The future development would benefit residents near the Uptown Urban Center, where all the above take place; live, work, learn, shop and play together.

- D. 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 subject site is already served by existing infrastructure and public facilities. The request would facilitate new development that would generally promote efficient development patterns and use of land.

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

The subject site is located in an infill area already served by existing infrastructure and public facilities; the request would support additional growth in this established Area of Change, which is adjacent to the Uptown Urban Center.

- F. 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, near the Uptown Urban Center, where growth is expected and desired. The request would encourage enable and direct growth to it.

- G. 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 subject site is located in an Area of Change, near the Uptown Urban Center and on Menaul Blvd. NE, a designated Multi Modal corridor. The request would encourage, enable, and direct growth to the Uptown Urban Center and along a designated Multi-modal corridor.

9. The request is consistent with the following Comprehensive Plan policies from 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 a robust, resilient, and diverse economy.

The request would facilitate development of the subject site that would generally foster a robust, resilient, and diverse economy by creating opportunities for neighborhood scale general retail in an area of change and infill location. The development on the subject site would be generally consistent with the character of the existing area. This type of development would also encourage economic development that would improve quality of life for area residents by offering work, live, and shop opportunities.

- B. Policy 8.1.2.c: Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.

The request would generally facilitate future development that would strengthen the local economy and provide jobs for local residents.

10. The request meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(H)(3) as follows:

- A. 6-6(H)(3)(a) The Site Plan is consistent with the ABC Comp Plan, as amended. As demonstrated by the policy analysis, overall the request is generally consistent with applicable Comprehensive Plan Goals and policies.

- B. 6-6(H)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the property and any related development agreements and/or regulations.

The subject site is not zoned NR-SU or PD. The subject site is zoned MX-M and the controlling site development plan contains design standards. As part of the request the applicant is asking to abandon the controlling site development plan so that they may develop the subject site pursuant to the IDO and not according to the design standards, which would be vacated if the request is approved.

- C. 6-6(H)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.

With implementation of conditions of approval, the site plan will comply with applicable provisions of the IDO. All future development subsequent to this approval shall follow all standards of the IDO as adopted and amended as well any DPM standards of the property in a prior permit or approval affecting the property. All future development will need to be reviewed by the Development Review Board (DRB) to ensure compliance with applicable provisions of the Development Process Manual (DPM).

- D. 6-6(H)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The site is currently served by the City's existing infrastructure and public improvements, which have adequate capacity to serve the site. This Major Amendment request will not burden the existing infrastructure. Any future development of the subject site will be reviewed by the Development Review Board (DRB), which is charged with addressing infrastructure and ensuring that infrastructure such as streets, trails, sidewalks, and drainage systems have sufficient capacity to serve a proposed development.

- E. 6-6(H)(3)(e) The application mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.

As part of the request the applicant is asking to abandon the controlling site development plan so that they may develop the subject site pursuant to the IDO instead of the existing design standards. Any future, proposed development will be required to comply with the decisions of two bodies- the EPC and the DRB. The EPCs' conditions of approval will improve compliance with the IDO, which contains regulations to mitigate site plan impacts to surrounding areas. The DRB's conditions will ensure infrastructure is adequately addressed so that a proposed development will not adversely impact the surrounding area.

- F. 6-6(J)(3)(f) If the subject property is within an approved Master Development Plan, the Site Plan meets any relevant standards in the Master Development Plan in addition to any standards applicable in the zone district the subject property is in.

Not applicable. The subject site is not a part of a Master Development Plan. The purpose of this Major Amendment is to remove tract A-1B from the approved Site Development Plan for Subdivision and to abandon the approved Site Plan for Building Permit. As a result, there will be no controlling site plans or design standards tied to the subject property and will follow the IDO.

- G. 6-6(J)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Area pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements), the Site Plan incorporates mitigation for all identified cumulative impacts. 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 without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

Not applicable. The subject site is not in a designated Railroad and Spur Area.

11. The affected, registered neighborhood organizations District 7 Coalition of Neighborhood Associations, ABQ Park, Alvarado Park, Classic Uptown, Inez, Jerry Cline Park, Mark Twain, Quigley Park, Snow Heights, Winrock South and Winrock Villas Condo Neighborhood

Associations were notified as required. Property owners within 100 feet of the subject site were also notified as required.

12. As of this writing, Staff has not been contacted and is unaware of any opposition.
13. There is currently an ABQ RIDE stop on west-bound Menaul just east of Dallas. This stop is within 330 feet of the subject site. Due to this stop, when any proposed future development is planned, the location of this stop allows a 10% reduction in required parking, and an additional 5% reduction can be obtained by supplying a transit shelter. ((See IDO §5-5(C)(5)).
14. Any proposed future site development must follow Traffic Circulation layout guidelines and criteria. A TIS or Trip Generation Exhibit may need to be provided depending on specific land uses.

CONDITIONS:

1. The applicant shall meet with the Staff planner prior to applying to Site Plan-EPC, Site Plan-DRB, or Site Plan-Admin to ensure that the conditions of approval are addressed.
2. The applicant shall place a note on the controlling site development plan for subdivision to indicate that Tract A-1B is no longer a part of the site development plan for subdivision pursuant to the EPC's November 18, 2021 decision.
3. **CONDITION FROM THE WATER UTILITY AUTHORITY:**
For future development, the applicant shall request an availability statement from the Water Utility Authority. The request shall include a City Fire Marshal approved Fire 1 Plan, a zone map showing the site location, and the proposed Utility Plan.
4. **CONDITION FROM SWMD:**
For future development, the applicant shall provide a site plan, as required by the Solid Waste Department, which shows access, proposed traffic circulation patterns and the proposed refuse enclosure that will have to meet City of Albuquerque minimum requirements.
5. **CONDITIONS FROM PNM:**
 - A. Any existing and/or new PNM easements and facilities shall be reflected on any subsequent Site Plans.
 - B. The applicant shall contact PNM's New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at www.pnm.com/erequest for PNM to review.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **December 3, 2021**. 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 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,

for Alan M. Varela,
Planning Director

AV/CL

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