

PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102  
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## OFFICIAL NOTIFICATION OF DECISION

October 20, 2022

City of Albuquerque  
Department of Municipal Development  
P.O. Box 1293  
Albuquerque, NM 87103

**Project # PR-2022-007641**  
SI-2022-01723- Site Plan-EPC

### **LEGAL DESCRIPTION:**

Consensus Planning, agent for the City of Albuquerque Department of Municipal Development, requests a Site Plan-EPC for all or a portion of Tracts 425-429, Unit 3, Atrisco Grant, located at 700 86th St. SW, between Tower Rd. SW and San Ygnacio Rd. SW, approximately 25 acres (L-9-Z).  
Staff Planner: Silvia Bolivar

On October 20, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007641, SI-2022-01723- Site Plan-EPC, based on the following Findings and subject to the following Conditions of Approval:

### FINDINGS – SI-2022-01723

1. The request is for a Site Plan-EPC for approximately 10.5 acres of Tower Pond Park, a 25-acre site. The City of Albuquerque owns the five lots that comprise the subject site but the easterly three lots are unincorporated County and have not been annexed. The site is legally described as Lots 425-429, Unit 3, Atrisco Grant, located on 86<sup>th</sup> Street SW between Tower Road SW and San Ygnacio Road SW (the “subject site”).
2. The subject site is zoned NR-PO-A [Non-residential – Park and Open Space Zone District (City-owned or Managed Parks)].
3. The applicant, the City of Albuquerque Department of Municipal Development, will be responsible for the construction of a concession stand that will be built out of shipping containers and will house the concession stand, bathrooms, and meeting rooms. The request also includes a covered patio area and picnic tables. The request is seeking approval for lots 428 and 429 (10.5 acres) that are within the City of Albuquerque.
4. The request requires Site Plan-EPC approval because the subject site is over 10 acres. There is no controlling Site Development Plan on file as it was not required at the time of development. The request requires compliance with IDO Section 5-2 Site Design and Sensitive Lands.

5. The Albuquerque/Bernalillo County Comprehensive and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 4: Community Identity pertaining to character and distinct communities.

Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

The request will contribute to enhancing, protecting, and preserving the community by allowing further development within the park which contributes to the distinct character of the area. The request is consistent with this goal because the request is for a small-scale, non-residential use within a park that will be housed in shipping containers thereby limiting the impact on the area’s built environment.

7. The request is consistent with the following Comprehensive Plan Goals and Policies 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 will allow development patterns that maximize the utility of existing infrastructure and public facilities. There is access to transit from the site that will support the public good.

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

The area has existing infrastructure and public facilities so the addition of the concession stand and related buildings will support additional growth although at a small scale

- 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 an near Areas of Consistency reinforces the character and intensity of the surrounding area

The request will be subject to IDO requirements including neighborhood edges, landscaping, buffering and screening, and dimensional standards. The standards help ensure appropriate scale and location of development, character of design while reinforcing the intensity of the surrounding area that is predominantly single-family neighborhoods.

- D. Policy 5.6.3 – Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and major Public Open Space.

The subject site is located in an Area of Consistency and the development made possible by the request will protect and enhance the character of the existing single-family neighborhoods. In Areas of Consistency, the focus is on protecting and enhancing the character of single-family neighborhoods and green spaces that will be made possible by the proposed development. The use of the shipping containers will allow for consumption of fewer resources that will further protect and enhance the character of the nearby neighborhoods.

8. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 10: Parks & Open Space pertaining to facilities and access, distribution, and universal design.

- A. Goal 101 – Facilities & Access: Provide parks, Open Space and recreation facilities that meet the need of all residents and use natural resources responsibly.

The request will allow for amenities that are currently not in the vicinity of the subject site. The request will allow for natural resources to be used responsibly as the development will occur over the existing parking lot and shipping containers will be used as buildings.

- B. Goal 10.2 – Parks: Provide opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote community involvement for all residents.

The recreational activities found at Tower Pond Park provide for outdoor education, recreation and cultural activities that contribute to and enhance the quality of life while promoting community involvement for all residents. Furthermore, the additional amenities that are proposed will further enhance the aesthetics of the park and will promote community involvement.

9. 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-based analysis of the site plan, the request is consistent with applicable Comprehensive Plan Goals and Policies.
- B. 14-16-6-6(J)(3)(b) The subject site is zoned NR-POA; therefore, this criterion does not apply.
- C. 14-16-6-6(J)(3)(c) With the application of conditions of approval, the site plan would comply with all applicable provisions of the IDO.
- D. 14-16-6-6(J)(3)(d) The City's existing infrastructure has adequate capacity for the proposed development.
- E. 14-16-6-6(J)(3)(e) The future, proposed development would be required to comply with the decisions made by the EPC. The EPCs' conditions of approval would improve compliance with the IDO, which contains regulations to mitigate site plan impacts to surrounding areas.
- F. 14-16-6-6(J)(3)(f) The subject property is not within an approved Master Development Plan; therefore, the above criterion does not apply.
- G. 14-16-6-6(J)(3)(g) The subject property is not within a Railroad and Spur Area therefore this criterion does not apply.

As demonstrated by the policy-based analysis of the site plan (see above), the request is consistent with applicable Comprehensive Plan Goals and Policies.

10. The subject site is compliance with IDO Section 5-2 Site Design and Sensitive Lands. Pursuant to IDO Section 5-2(C)(1) both the subdivision and site design process shall begin with an analysis of the constraints related to sensitive lands.

The site has been evaluated for sensitive lands. The only sensitive lands present on the site are the steep slopes of the detention pond. The proposed development will not encroach on these slopes and will not alter or impact the steep slopes.

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11. There are no known archaeological sites on the subject site. A “Certificate of No Effect” from the City of Albuquerque was issued on September 7, 2022
12. As per the office of Neighborhood Coordination (ONC), there are no neighborhood associations to notify. Property owners within 100 feet of the subject site were notified as required.
13. As of this writing, Staff has not received any comments in support or opposition to the request.
14. The EPC recommends that the City, as the property owner, implement improvements to the approximately 25-acre subject site to improve connectivity.
15. The EPC believes that annexation of the additional land would be beneficial to the community in the future, so the site plan could cover the entire Tower Pond Park property.

CONDITIONS OF APPROVAL – SI-2022-01723

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB) to ensure all technical issues are resolved. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The applicant shall meet with the Staff planner prior to applying to the DRB to ensure that all conditions of approval are addressed and met. Upon receiving sign-off from the DRB, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.
3. The applicant shall submit drawings for the following:
  - A. 20’ x 22’ x 9’ custom 3-panel (layered triangles) shade structure;
  - B. Webcoat 46” sq. picnic table and ADA picnic table, surface mount.
  - C. Ribbon bike rack with 5 spaces.
4. CPTED comments shall be addressed at the time of building permitting.

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

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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/SB

cc: Consensus Planning, [cp@consensusplanning.com](mailto:cp@consensusplanning.com)

City of Albuquerque Department of Municipal Development, [jeserna@cabq.gov](mailto:jeserna@cabq.gov)

Legal, [dking@cabq.gov](mailto:dking@cabq.gov)

EPC File