

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

October 21, 2021

KLG 29 LLC
5971 Jefferson St. NE
Suite 101
Albuquerque, NM 87109

Project #2021-005846 SI-2021-01228
Site Plan- Major Amendment

LEGAL DESCRIPTION:

Respec, c/o Jeremy Shell, agent for KLG 29 LLC, requests the above action for all or a portion of Tract A-2 plat of Tract A-2, Block F, Beverly-Wood Addition, zoned MX-H, located at 6400 Indian School Rd. NE, between Americas Parkway NE and San Pedro Dr. NE, approximately 1 acre. (J-18) Staff Planner: Leroy Duarte

On October 21, 2021, the Environmental Planning Commission (EPC) voted to APPROVE Project #2021-005846 SI-2021-01228 Site Plan- Major Amendment, based on the following Findings:

1. The request is for a Major Amendment for a property legally described as Tract A-2 plat of Tract A-2, Block F, Beverly-Wood Addition, Zoned MX-H located at 6400 Indian School Rd. NE, located between Americas Parkway NE and San Pedro Dr NE approx. 1 acre (the “subject site”)
2. The applicant requests that the EPC relinquish its controlling authority as the governing body for the existing site development plan and abandon the site development plan.
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 the Uptown Urban Center an Area of Change at the intersection of a Major Transit Corridor-Indian School NE and Americas Parkway NE.
5. The subject site is zoned MX-H (Mixed Use – High Intensity). The purpose of the MX-H zone district is to provide for large-scale destination retails and high-intensity commercial, residential, light industrial, and institutional uses, as well as high density residential uses particularly along the Transit Corridors and in Urban Centers. The MX-H zone district is intended to allow higher-density infill development in appropriate locations.

6. Pursuant to IDO Table 4-2-1: Allowable Uses, the proposed parking lot is only allowed in the MX-H zone as an accessory use to a primary use. In order to develop a parking lot in this zone is in conjunction with another primary use.
7. 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.
8. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 4: Community Identity:

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

The request would eventually enhance the Uptown Urban Center with the future development that is planned for the site and act as support to current development occurring.

9. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use:

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 as a community of strong Centers connected by a multi-modal network of corridors because the subject site sits along two designated Corridors.

10. The request furthers the following, additional polices regarding Centers and Corridors from Comprehensive Plan Chapter 5: Land Use.

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 and serve as an accessory use, which would provide additional parking spaces for the residents to the south of the site to live, work, and shop in the area.

11. The request furthers the following, additional polices regarding Centers and Corridors 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 subject site is already served by existing infrastructure and public facilities, so the redevelopment made possible by the request would generally promote efficient development patterns and use of land.

B. 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, where growth is expected and desired the request would encourage, enable, and direct growth to it.

- C. 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 in the Uptown Urban Center with intentions on developing on the site in the future.

12. The request is consistent with the following Comprehensive Plan Goal from Chapter 8: Economic Development

Goal 8.1 –Placemaking: Create places where business and talent will stay and thrive.

The request will create accessory parking but which will serve residents of the future development and also provide parking for surrounding businesses.

13. The request is consistent with the following Comprehensive Plan Goal from Chapter 9: Housing

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.

The request will support current and future development for existing and proposed housing developments.

14. 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) The site plan is consistent with the ABC Comp Plan, as amended.

As demonstrated by the policy analysis of the site plan, the request is consistent with applicable Comprehensive Goals and Policies.

- B. 14-16-6-6(J)(3)(b) The site plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the subject property and any related development agreements and/or regulations.

The subject site is zoned MX-H; therefore, this criterion does not apply.

- C. 14-16-6-6(J)(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 the application of conditions of approval, the site plan will comply with all applicable provisions of the IDO. The request will need to be reviewed by the Development Review Board (DRB) to ensure compliance with applicable provisions of the Development Process Manual (DPM). As per the IDO, the EPC will determine whether any deviations from typical Mixed-Use development are acceptable in this proposed major amendment.

- D. 14-16-6-6(J)(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 maximum extent practicable.

The request 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 has sufficient capacity to serve a proposed development.

- E. 14-16-6-6(J)(3)(e) The application mitigates any significant adverse impacts on the project site and the surrounding area to the maximum extent practicable.

Any future proposed development shall be subject to applicable provisions and standards of the IDO.

- F. 14-16-6-6(J)(3)(f) If the subject site 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.

The subject property is not within an approved Master Development Plan; therefore, this criterion does not apply.

- G. 14-16-6-6(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 impacts.

The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required, therefore this criterion does not apply.

15. 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.

16. As of this writing, Staff has not been contacted and is unaware of any opposition.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **November 5, 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 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 IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

for Alan M. Varela,
Planning Director

AV/LD

cc: RESPEC, c/o Jeremy Shell, Jeremy.shell@respec.com
District 7 Coalition of NA, Lynne Martin, lmartin900@aol.com
District 7 Coalition of NA, David Haughawout, davidh.d7@comcast.net
ABQ Park NA, Shirley Lockyer, shirleylockyer@gmail.com
ABQ Park NA, Steve Randall, srandall52@comcast.net
Alvarado Park NA, Robert Habiger, apna87110@gmail.com
Alvarado Park NA, Darcy Bushnell, dmc793@gmail.com
Classic Uptown NA, Robert Lah, robtlah@yahoo.com
Classic Uptown NA, David Haughawout, davidh.d7@comcast.net
Inez NA, Donna Yetter, donna.yetter3@gmail.com
Inez NA, Maya Sutton, yemaya@swcp.com
Jerry Cline Park NA, Ron Goldsmith, rorgoldsmith@yahoo.com
Jerry Cline Park NA, Eric Shirley, ericshirley@comcast.net
Mark Twain NA, Barbara Lohbeck, bardean12@comcast.net
Mark Twain NA, Joel Wooldridge, joel.c.wooldridge@gmail.com
Quigley Park NA, Lisa Whalen, lisa.whelen@gmail.com
Quigley Park NA, Eric Olivas, eoman505@gmail.com
Snow Heights NA, Laura Garcia, laurasmigi@aol.com
Snow Heights NA, Julie Nielsen, bjdniels@msn.com
Winrock South NA, Virginia Kinney 7110 Constitution Avenue NE, Albuquerque NM 87110
Winrock South NA, John Kinney 7110 Constitution Avenue NE, Albuquerque NM 87110
Winrock Villas Condo Association, Main Office, wvcondos@comcast.net
Winrock Villas Condo Association, Julie Marr, wvcjulie@gmail.com
Legal, kmorrow@cabq.gov
EPC file