### Staff Report

**Agent**  
Consensus Planning Inc.

**Applicant**  
Titan Development

**Request**  
1. Major Amendment - EPC  
2. Variance - EPC

**Legal Description**  

**Location**  
Located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE

**Size**  
Approximately 6.5 acres

**Existing Zoning**  
MX-M

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**Staff Recommendation**  

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**Staff Planner**  
Leroy Duarte, Planner
Summary of Analysis
The request is for a Site Plan Major Amendment to the controlling Site Development Plan for Subdivision to facilitate future development of 102 multi-family dwelling units and a variance of 9.5 feet to the 15-foot landscape edge buffer on the western side of the property on the 6.5-acre site. The proposed development exceeds the thresholds for minor amendment. Therefore, the request is a major amendment and is subject to approval by the original approving body-EPC.

The applicant has shown that the request meets IDO major amendment criteria in 14-16-6-4(Y)(3) and EPC variance criteria14-16-6-6(N)(3). The proposed major amendment fulfills site plan-EPC criteria would be more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies and there are no major conflicts.

The subject site is in an Area of Change and is located along the Montgomery Major Transit Corridor. It is not located in an Activity Center.

The were no affected neighborhood organizations to be notified. Property owners were notified as required. As of this writing, Staff has not been contacted and there is no known opposition. Staff recommends approval subject to conditions.
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2-Photographs – Existing Conditions

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4-Zoning

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7-Notification
Hearing Date:
September 15, 2022

Project Number:
PR-2022-007219

Case Numbers:
SI-2022-01478
CITY OF ALBUQUERQUE
ENVIRONMENTAL PLANNING COMMISSION
CURRENT PLANNING SECTION

September 15, 2022

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IDO ZONING MAP
Note: Gray shading indicates County.

1 inch = 250 feet

Hearing Date:
9/15/2022
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PR-2022-007219
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CITY OF ALBUQUERQUE
ENVIRONMENTAL PLANNING COMMISSION
CURRENT PLANNING SECTION
September 15, 2022
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LAND USE MAP
Key to Land Use Abbreviations:
LDRES | Low-density Residential
MULT | Multi-family
COMM | Commercial Retail
GMSV | Commercial Services
OFC | Office
IND | Industrial
INDMED | Institutional / Medical
ED | Educational
APRT | Airport
TRANS | Transportation
AGRI | Agriculture
PARK | Parks and Open Space
DRNS | Drainage
VAC | Vacant
UTIL | Utilities
CMTY | Community
KAFB | Kirtland Air Force Base

Note: Gray shading indicates county.

1 inch = 250 feet
Hearing Date: 9/5/2022
Project Number: PR-2022-007219
Case Numbers: SI-2022-01478
Zone Atlas Page: F-19
I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

<table>
<thead>
<tr>
<th>Site</th>
<th>Zoning</th>
<th>Comprehensive Plan Area</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>MX-M</td>
<td>Area of Change</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>MX-M</td>
<td>Area of Change</td>
<td>Religious Institution</td>
</tr>
<tr>
<td>East</td>
<td>MX-M</td>
<td>Area of Change</td>
<td>Commercial Retail/ Vacant</td>
</tr>
<tr>
<td>West</td>
<td>R-1B</td>
<td>Area of Consistency</td>
<td>Dwelling, Single-family detached</td>
</tr>
</tbody>
</table>

Request

The request is for a Major Amendment to the controlling Site Development Plan for Subdivision for an approximately 6.5-acre site legally described as Tracts A-1-A, A-1-B, A-1-C-1, A-1-D-1, A-1-E-1, A-1-F Los Pastores Shopping Center (the subject site), and a Variance of 9.5 feet to the 15-foot minimum landscape edge buffer requirement for all or a portion of Tracts A-1-A and A-1-E-1 located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE (“the smaller subject site”). The subject smaller site is currently zoned MX-M and is vacant.

The applicant requests: 1) to amend the Site Development Plan for Subdivision to facilitate future development of 102 multi-family dwelling units in two three-story buildings, and 2) a 9.5-foot variance required to the 15-foot landscape buffer in 14-16-5-6(E)(2). The request exceeds the thresholds for minor amendment. Therefore, the request is a major amendment and is subject to approval by the original approving body-EPC.

EPC Role

The EPC is hearing this request because IDO Section 1-10(A) Pre-IDO Approvals states that any approvals granted prior to the effective date of the IDO shall remain valid, subject to expiration. Major Amendments of Pre-IDO Approvals return to the original decision-making body pursuant to 14-16-6-4(Z)(1)(b).

The City Planning Department staff shall review the application and forward a recommendation to the EPC 14-16-6-6-(N)(2).

The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to City Council. The City Council would then make the final decision.

Context

The subject site is partially developed. Tracts A-1-A and A-1-E-1 are vacant with the western edge fronting an alley way and single-family development. South lies commercial retail and service uses along Montgomery Boulevard. North of the subject site is a religious institution and single-family
development. East of the vacant parcels across Los Pastores Shopping Center are commercial retail use and farther to the east are single family neighborhoods.

**History**
A subdivision plan, containing the subject site, was originally approved in December 1962 and subdivided the subject site into three separate tracts (S-1214). The existing C-2 zoning was established for the subject site in November 1977 (Z-77-165). In January 1980 the Los Pastores Shopping Center development plan was approved by the EPC with conditions.

The EPC approved a Site Development Plan for Subdivision Amendment for the Los Pastores Shopping Center site on January 14, 2016 (15EPC-40032). The requested amendment subdivided the undeveloped portions of the subject site into 5 separate pad sites / tracts, and established design standards for the entire subdivision plan area.

**Roadway System**
The Long-Range Roadway System map, produced by the Mid-Region Council of Governments (MRCOG) identifies the functional classifications of roadways. Montgomery Boulevard and Wyoming Boulevard are identified as Regional Principal Arterial roadways.

**Comprehensive Plan Designations**
The Comprehensive Plan currently designates Montgomery as a Major Transit Corridor and Wyoming as a Multi-Modal Transit Corridor.

The subject site is located within an Area of Change.

The subject site is part of the North Albuquerque Community Planning Area (CPA). Characterized by breathtaking vistas and high desert setting, it has developed primarily as low-density, large lot subdivisions, with retail and institutional uses along corridors.

**Overlay Zones**
The subject site is not within the boundaries of a Character Protection Overlay (CPO), a Historic Protection Overlay (HPO), or a View Protection Overlay (VPO).

**Trails/Bikeways**
The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO) identifies existing and proposed routes and trails.

There are no existing or proposed bike routes or trails along the subject site.

**Transit**
The Fixed Route 31 runs north-south on Wyoming. Fixed Route 5 runs east-west on Montgomery. The Commuter Route 98 connects the Northwest Transit Center (NWTC) to Kirtland Air Force Base primarily using Alameda and Wyoming. Scheduled service has been suspended in favor of "on-demand" service.

Fixed Route 31 and Commuter Route 98 share stop-pairs on either side of Montgomery. The Fixed Route 5 has two stop-pairs, on either side of Wyoming Boulevard.
Public Facilities/Community Services

Please refer to the Public Facilities Map, which shows public facilities and community services located within one mile of the subject site.

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Definitions

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private.

Corridor: A street and adjoining land designated in the ABC Comp Plan, as amended, as one of 5 Corridor types designated based on travel modes and development intensity, excluding Commuter Corridors. See also Measurement Definitions for Corridor Area.

Major Transit Corridor: A Corridor designation from the Comprehensive Plan. See also Measurement Definitions for Corridor Area.

Infill Development: An area of platted or un-platted land that includes no more than 20 acres of land, that has a public water main and a public sewer main fronting the property within the City right-of-way, and where at least 75 percent of the adjacent lots are developed and contain existing primary buildings.

Low-density Residential Development: Properties with residential development of any allowable land use in the Household Living category in Table 4-2-1 other than multi-family dwellings. Properties with small community residential facilities are also considered low-density residential development. Properties that include other uses accessory to residential primary uses are still considered low-density residential development for the purposes of this IDO. See also Dwelling Definitions for Dwelling, Cluster Development; Dwelling, Cottage Development; Dwelling, Live-work; Dwelling, Single-family Detached; Dwelling, Townhouse; and Dwelling, Two-family Detached (Duplex); Manufactured Home, and Other Uses Accessory to Residential Primary Uses.

Multi-family Residential Development: Publicly or privately-owned land that is maintained for active or passive recreational use and for the use and enjoyment of the general public or the residents or occupants of a development. This use includes areas consisting of vegetative landscaping and/or areas improved for outdoor sports and recreation. Structural improvements are generally limited to those that facilitate the use of the land as a park. Incidental activities and structures include, but are not limited to, playgrounds, maintenance facilities, swimming pools, restrooms and dressing rooms, concessions, caretaker’s quarters, and parking.

Dwelling, Multi-family: A building, multiple buildings, or a portion of a building located on a single lot, containing 3 or more dwelling units, each of which is designed for or occupied by one family only, with separate housekeeping and cooking facilities for each, and that does not meet the definition of a townhouse dwelling. Within mixed-use development, a building containing 2 or more dwelling units is considered multi-family. See also Development Definitions for Multi-family.

Site Development Plan: A term used prior to the effective date of the IDO for a scaled plan for development on one or more lots that specifies at minimum the site, proposed use(s), pedestrian and vehicular access, any internal circulation, maximum building height, building setbacks, maximum total dwelling units, and/or nonresidential floor area. A more detailed site development plan would also specify the exact locations of structures, their elevations and dimensions, the parking and loading
areas, landscaping, and schedule of development. The equivalent approval in the IDO will be determined based on the level of detail provided in the prior approval.

**Zoning**

The subject site is currently zoned MX-M Mixed-use Medium Intensity, IDO 14-16-2-4(C) which was assigned upon the adoption of the IDO. 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.

Pursuant to IDO Table 4-2-1: Allowable Uses, Dwelling, multifamily is permitted in the MX-M zone followed by Use Specific Standards 4-3(B)(8).

**Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)**

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. In Areas of Change, growth should be directed and is desired. Areas of change focus on new urban-scale developments that benefit job creation and expanded housing options. By focusing growth in Areas of Change, additional residents, services, and jobs can be accommodated in locations ready for new development (Comprehensive Plan, 5-23).

Goals and policies below were included by the applicant in the justification letter. Staff finds them applicable and lists them below * denotes policy added by staff. Staff analysis follows in bold italic text.

*Chapter 4: Community Identity*

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.

The request would facilitate future infill development that would ensure the appropriate scale of multi-family dwellings that are permissible in the MX-M zone. The location of the proposed development is located within the Los Pastores Shopping Center which offers a mix of commercial retail and services. Furthermore, design standards and IDO development standards would ensure building design that would protect neighboring residential developments through landscape buffers and building height design. However, the variance is to reduce the landscape buffer making the development closer than what it would originally be. The request is partially consistent with Policy 4.1.2- Community Identity.

*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 request would facilitate development that would grow as a community by adding 102 multi-family dwelling units to the area that would be connected by Montgomery Boulevard- a Major Transit Corridor and Wyoming- a Multi-Modal Transit Corridor that are well served by public transportation and run along activity and employment centers. The request is consistent with Goal 5.1- Centers & Corridors.
Sub-Policy (g)- 5.1.1 Desired Growth: Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership.

The request would encourage residential infill through the development of 102 multi-family dwelling units within the Los Pastores Shopping Center Site Development Plan for Subdivision. The request would be adjacent to the Montgomery Major Transit Corridor and Wyoming Multi-Modal Transit Corridor. The request is consistent with Sub-Policy(g) 5.1.1- Desired Growth.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

The request would foster corridors that prioritize high-frequency transit service with pedestrian-oriented development through a future infill development. The future development would be located in the Los Pastores Shopping Center that offers a mix of commercial services and retail that would be accessible through the Major Transit Corridor (Montgomery Boulevard) and Multi-Modal Transit Corridor (Wyoming Boulevard) which have high-frequency transit service. The request is consistent with Policy 5.1.10- Major Transit Corridors.

Policy 5.1.11 Multi-Modal Corridors: Design safe Multi-Modal Corridors that balance the competing needs of multiple modes of travel and become more mixed-use and pedestrian-oriented over time.

The area would become more mixed-use and pedestrian friendly over time because the request would facilitate multi-family development within the Los Pastores Shopping Center Site Development Subdivision where commercial services and retail currently exists and would become pedestrian-oriented over time due to the infill of multi-family dwelling units. The request is generally consistent with Policy 5.1.11- Multi-modal Corridors.

Policy 5.2.1- Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would contribute to a healthy and sustainable community because it would facilitate future development in an area with a mix of uses including commercial retail, commercial services, low-density residential, and multi-family residential. Furthermore, the subject site is along a Major Transit Corridor (Montgomery Boulevard) and a Multi-Modal Transit Corridor (Wyoming Boulevard) with access to existing paved sidewalks that have connections to the surrounding neighborhoods. The request is consistent with Policy 5.2.1- Land Uses.

Sub-Policy (d)- 5.2.1 Land Use: Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request would facilitate the development of multi-family dwelling units that would target/capture middle-income renters who do not qualify for low-income housing or cannot afford market rate housing, thus broadening the range of housing options to meet a range of incomes and lifestyles. The request is consistent with Sub-Policy(d) 5.2.1- Land Use.
Sub-Policy (n)- 5.2.1 Land Use: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The subject site is located along a Major Transit Corridor, the request would encourage a productive use of what currently exists as an under-utilized lot to facilitate the development of approximately 102 multi-family dwelling units. The multi-family development would provide housing and would be more beneficial to the community than its current state. The request is consistent with Sub-Policy(n) 5.2.1- Land Use.

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 facilitate future development on vacant land that would support the public good by providing a housing option that would maximize the existing infrastructure already in place within the Los Pastores Shopping Center and also utilize public facilities and transportation that is along the subject site. The request is consistent with Goal 5.3- Efficient Development Patterns.

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 along a Major Transit and Multi-Modal Transit Corridor, where change is desired. A multi-family development would create a mix of uses and growth within the Los Pastores Shopping Center. The request is consistent with Policy 5.6.2 – Areas of Change.

Chapter 7: Urban Design

Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

The request would facilitate development of multi-family dwelling units that would increase walkability in all environments and promote pedestrian-oriented development due to its location and proximity to commercial retail and services within the Los Pastores Shopping Center Site Development. The request is consistent with Policy 7.2- Pedestrian-Accessible Design.

*Policy 7.3.4- Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The subject site is located in an Area of Change and along a designated Major Transit Corridor, a prime infill location as highlighted by the Comprehensive Plan. The request would facilitate multi-family development. The subject site would remain in the controlling Los Pastores Shopping Center Site Plan for Subdivision and be required to follow the design standards. The request would promote infill that blends in style with the surrounding development. The request is consistent with Policy 7.3.4- Infill.
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 options.

The request would facilitate development of multi-family dwelling units that would ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels serving middle-class which would benefit from the proximity to public transit, retail, and employment opportunities within the site. The request is partially consistent with Goal 9.1- Supply.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

The request would facilitate development of multi-family dwelling units that would support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households by targeting middle-class tenants and a variety of bedroom unit options which vary based on income and household size. The request is consistent with Policy 9.1.1 Housing Options.

Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options throughout the area.

The request would facilitate development of multi-family dwelling units that would provide housing for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options specifically to the subject site, which consists of commercial retail and services, but would also be surrounded by single-family development to the east and west of the site. The request is consistent with Policy 9.1.2 Affordability.

Integrated Development Ordinance (IDO) 14-16-6-6(J)(3)-Site Plan-EPC Review and Decision Criteria

The request is for a Major Amendment of a Pre-IDO approval to facilitate multi-family development. IDO Section 14-16-6-6(J)(3) states that any application for a Site Plan-EPC, including a Major Amendment, would be approved if it meets all of the following criteria:

6-6(J)(3)(a) The site plan is consistent with the ABC Comp Plan, as amended.

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

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 property and any related development agreements and/or regulations.

The subject site is zoned MX-M. Therefore, the above criterion does not apply. The Site Development Plan for Subdivision includes design standards. When design standards are silent the IDO standards will be followed.

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.
The proposed major amendment is to facilitate development of approximately 102 multi-family dwelling units. The subject site is within the controlling Site Development Plan for Subdivision Los Pastores Shopping Center, which has design standards. The request would comply with all applicable provisions of the IDO (when design standards are silent), DPM, and Los Pastores Design Standards.

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 extent practicable.

The City’s existing infrastructure has adequate capacity for the future development made possible by this request. The applicant has stated that the request is in an infill location and surrounded by fully built-out infrastructure. Should any additional improvements be needed, the applicant has stated the developer would take responsibility.

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

The applicant has demonstrated that the request would not negatively impact the surrounding area based on the responses to applicable Comp Plan Goals and Policies. The proposed major amendment would facilitate the development of approximately 102 multi-family dwelling units on the subject site. The subject site is zoned MX-M in which multi-family dwellings are already permissive. The proposed development would comply with the design standards the controlling Site Development Plan for Subdivision and the IDO landscape buffer provisions and height stepdown requirements (when standards are silent), mitigating any significant adverse impacts on the surrounding area to the maximum extent practicable.

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.

The subject property is not within a Master Development Plan. It is within the boundaries of the Los Pastores Shopping Center Site Development Plan for Subdivision and is zoned MX-M. The request to facilitate the development of approximately 102 multi-family dwelling units on the subject site is permissible under this zone district pursuant to IDO 14-16-2-4-(C). The future development would meet applicable design standards and IDO standards when the design standards are silent.

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 would 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.

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

III. SITE PLAN MAJOR AMENDMENTS

Request
The request is for a Major Amendment to an approximately 6.5-acre site known as the Los Pastores Shopping Center Site Development Plan for Subdivision (SPS) that would allow:

1. Future multi-family development of 102 dwelling units.

The controlling Los Pastores Shopping Center Site Plan for Subdivision intended uses are for office, retail, and restaurants within the subject site. The approval of this request would allow the proposed development of approximately 102 multi-family dwelling units (see attached Site Plan exhibits).

The applicant has stated that the proposed development made possible by the request would follow the design standards of the Los Pastores Shopping Center Site Plan for Subdivision and all applicable provisions and Design Standards for the MX-M zone district of the IDO and DPM when design standards are silent.

Staff has crafted conditions of approval to create compliance as needed.

Pursuant to IDO Section 14-16-6-4(Q), the decision-making body may impose conditions necessary to ensure compliance with the development standards of this IDO via the Site Plan-EPC Review and Decision Criteria of IDO Section 14-16-6-6(J).

A. Review of Proposed Site Plan

Site Plan Layout/Configuration
The subject site is currently vacant and the proposed site plan is for approximately 102 multi-family dwelling units comprised of approximately 2.2 acres on the western portion of the subject site.

Use Specific Standards for Dwelling, Multi-family (IDO section 14-16-4-3(B)(7)) In other areas, this use shall meet the following landscape standards, in addition to all applicable standards in Section 14-16-5-6 (Landscaping, Buffering, and Screening).

1. This use shall provide, somewhere on the lot, at least 1 tree per ground floor dwelling unit and at least 1 tree per second floor dwelling unit; no additional trees are required for additional dwelling units on the third or higher floors.

2. Twenty-five (25) percent of the net lot area shall contain landscaping; playgrounds, sports courts, swimming pools, or similar features may count up to 10 percent of net lot landscaping. Tree canopies and ground-level plants shall cover a minimum of 75 percent of the total landscaped area, and the maximum a tree canopy shall count toward this requirement is 600 square feet.
3. Cool season grasses are restricted to 20 percent of the landscape area. Warm season grasses may cover up to an additional 70 percent of the landscape area.

**Pedestrian, Bicycle and Transit Access**

The subject site is well served by transit. Montgomery Boulevard NE is a Major Transit Corridor that is currently served by 5- Montgomery-Carlsile Commuter. Wyoming Boulevard NE is a Multi-Modal Transit Corridor that is served by 98-Wyoming Commuter and bus route 31.

There is adequate sidewalk infrastructure along the boundaries of the subject site, which provide walkability from the nearby businesses, residential neighborhoods, and bus stops.

**Vehicular Access, Circulation and Parking**

The site plan proposes two new access points off of the existing alley to the north and within the shopping center to the east. The main entrance faces east of the subject site along and a secondary access point located on the north side of the site along the alley way.

Table 5-5-1, parking for multi-family dwelling use requires 1.5 spaces/ per dwelling unit. The new proposed development is required to provide 153 spaces. The site plan includes 116 parking spaces including three van accessible ADA spaces and one regular ADA space.

Required bicycle parking shall comply with IDO standards.

**Landscaping, Buffering and Screening**

IDO section 14-16-5-6 requires that a minimum of 15 percent of the net lot area of each development shall contain landscaping. The proposed development is located on 88,150 SF of the subject site (Gross Lot Area) and with a building area of 16,784 SF (Building Area). The required landscape area is 15% of Gross Lot Area- Building Area (88,150 SF-16,785 SF = 71,366 SF x .15= 10,705 SF) proposed landscaping provided on the Site Plan is 14,165 SF. The proposed site plan follows IDO landscaping calculation requirements and exceeds requirement.

The Landscape Plan shows the proposed location and type of trees and ground cover being provided.

A fully automated irrigation system would be used to irrigate the trees, shrubs and groundcover planting areas.

**Landscape Area Coverage:**
- Required landscaped area (15%): 10,705 SF
- Proposed landscaped area (20%): 14,165 SF

**Vegetation Area Coverage:**
- Required vegetation area (75% of LAN): 8,029 SF
- Proposed landscaped area (547% of LAN): 58,550 SF

**Ground Level Area Coverage:**
- Required ground level area (25%): 2,007 SF
- Proposed ground level area (61%): 4,878 SF

**Street Trees:**
- Required: 22
- Proposed: 22
Landscape Buffer:
- Trees Required: 28
- Trees Proposed: 28
- Shrubs Required: 84
- Shrubs Proposed: 84

Parking Lot Trees (1 per 1st and 2nd Floor Unit):
- Required: 68
- Proposed: 68

Walls and Fences
Per design standards, no site wall shall exceed 8 feet in height. Site walls shall be constructed of stucco over CMU, split face block, brick, stone, curved interlock blocks, tubular steel, wrought iron bars, or other grill work. The finish of walls and fences shall be attractive and compatible with the building materials of adjacent buildings on the site.

The request includes four proposed dumpster enclosures.

Building Design & Architecture
The applicant has followed the Los Pastores Shopping Center Site Plan for Subdivision design standards for building design; heights, setbacks, colors, materials, etc. for this request.

Signage
The applicant has stated that all signage will comply with the Los Pastores Shopping Center design standards and will use IDO section 14-16-5-12 when standards are silent.

Grading & Drainage Plan
All drainage generally flows across the site from west to east into an existing sediment pond and drainage is also connected to existing storm drain located on east of the site on Tract-A-1-D. Grading is ADA compliant.

AMAFCA stated the site will have to show it will conform with the approved Drainage Management Plan for the Los Pastores Shopping Center.

Utility Plan
The applicant provided a Master Utility Plan showing any existing overhead utilities, sanitary sewer lines, eater lines, and storm sewer lines.

PNM notes that there are facilities abutting and/or in easements along the Montgomery Blvd frontage, the western edge of the site, and within the site. Any existing and/or new PNM easements and facilities need to be reflected on any resulting future Site Plan or Plat. Any perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities. Also any trees within or near PNM easements including any required Street Trees should comply with IDO Section 5-6(C) (10) as applicable.

B. Design Standards for Los Pastores Shopping Center Site Plan for Subdivision

The applicant is following all Los Pastores Shopping Center Site Plan for Subdivision design standards and the City of Albuquerque’s IDO development requirements (when design standards are silent) for the Site Plan Major Amendment request. The Design Standards state, “Where there is conflict between City
Codes or Ordinances and the Design Parameters, the more restrictive requirements shall apply.” The controlling site development plan for subdivision was implemented before the adoption of the IDO; therefore, some IDO zoning requirements are more stringent than the controlling site plan. The design standards must be in compliance to receive site plan approval.

Design Standards include General Site Design standards that address the issues of:

- Setbacks and Height Limitations
- Parking
- Pedestrian Connections and Amenities
- Landscaping
- Walls, Fences, and Screening
- Utilities
- Architecture
- Lighting
- Signage

In addition to the design standards, the proposed site plan is required to comply with all applicable provisions of the IDO, the DPM, other adopted City regulations, and any other terms and conditions specific to the subject site in a prior approval. The site plan and related drawings were received August 23, 2022.

Staff has reviewed the proposed Site Plan and associated drawings and has crafted few conditions of approval to meet applicable design standards within the Los Pastores Shopping Center Site Plan for Subdivision and IDO.

**IV. VARIANCE- EPC**

*Integrated Development Ordinance (IDO) 14-16-6-6(N)(3)-Variance - EPC Review and Decision Criteria*

The request is for a variance of 9.5 feet to the 15-foot landscape edge buffer on the western side of the property on the 6.5-acre site. IDO Section 14-16-6-6(N)(3) states that an application for a Variance – EPC shall be approved if it meets all of the following criteria:

1. There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.

   *The applicant has expressed the impacted landscaping buffer and the subject properties’ narrowness would make it challenging to develop with all the standards required by the IDO, DPM, and other city laws. The space available for the proposed development and landscaping would be constrained when all the design standards are applied.*
The applicant has explained the IDO's criteria for the landscape buffer and neighborhood perimeter were not in place when the constrained lots in question were platted. The alley remains 20 feet wide along the property to the south and a smaller dedication was accepted on the north side of the site, the property owner was required to dedicate an additional 10 feet to the alley along the west side of the property in order to create a 30-foot-wide alley on this edge when the existing site development plan was approved in 2016.

The applicant has expressed the necessity to provide an additional 10 feet toward a paved lane on the west side of the site. The required buffer width would limit the design and widths or the parking required by the IDO. Granting the request would provide the required dimensions in order for the development to proceed.

2. The Variance will not be materially contrary to the public safety, health, or welfare.

The applicant has demonstrated the public safety, health, or welfare would not be materially harmed by the variance request. The alley would remain a 20-foot right-of-way as along the property to the south, and the variance would not permit any portion of the future development to be built closer to the single-family development west of the subject site. The future development would be separated by more than 35 feet when the alley width is applied, which would satisfy the IDO's requirement for use separation. To further screen the future development from the adjacent single-family development, the applicant would implement necessary buffer trees inside the remaining landscape buffer.

3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

The applicant has demonstrated the variance request would not have a significant negative effect on the infrastructure improvements or surrounding properties. Existing infrastructure would support the future multi-family development. Any new development that might have a negative impact on traffic, flooding, or other factors would not be permitted under the variance. Due to the increased alley width that has produced the unique conditions relevant to the property, the effective width of the landscape buffer would continue to be greater. The remaining landscape space would be planted in accordance to the IDO's requirements, and a separation of more than 35 feet would remain.

4. The Variance will not materially undermine the intent and purpose of this IDO or the applicable zone district.

This variance request would not materially undermine the intent and purpose of the IDO or MX-M zone districts. The request would not eliminate the landscape buffer or the related plantings, but reduce it consistent with the amount of additional right-of-way dedication that was required. The proposed development and the adjacent single-family lot exceed 35 feet, which is the minimum distance required by the IDO if there were no alley on the western edge.

5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.
The variance request if approved would be the minimum necessary in order to avoid exceptional hardships and practical difficulties. The requested deviations are required for the proposed development to meet all other development standards.

V. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other agencies reviewed this application. The Albuquerque Police Department provided significant comments regarding public safety that staff found to be very informative. PNM also provided comments. Agency comments begin on p.34.

Neighborhood/Public

Notification requirements are found in 14-16-6, in the Procedures Table 6-1-1 and are further explained in 14-16-6-4(K), Public Notice. 9. There were no affected neighborhood organizations. Property owners within 100 feet of the subject site were also notified as required.

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

V. CONCLUSION

The applicant proposes a Major Amendment from the Site Development Plan for Subdivision for an approximately 6.5-acre site legally described as Tracts A-1-A, A-1-B, A-1-C-1, A-1-D-1, A-1-E-1, A-1-F Los Pastores Shopping Center, and a Variance of 9.5 feet to the 15-foot minimum landscape edge buffer requirement for all or a portion of Tracts A-1-A and A-1-E-1 located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE (the “subject site”).

The applicant wishes to amend Tracts A-1-A and A-1-E-1 of the Site Plan for Subdivision to facilitate development of approximately 102 multi-family dwelling units on the subject site and a Variance of 9.5 feet to the 15-foot minimum landscape edge buffer requirement for all or a portion of Tracts A-1-A and A-1-E-1. The subject site would remain in the controlling Site Plan for Subdivision with the existing design standards.

The subject site is zoned MX-M (Mixed-use – Medium Intensity). It is located at the intersection of a Major Transit Corridor and a Multi-Modal Transit Corridor and is in an Area of Change as designated by the Comprehensive Plan. The request is generally consistent with applicable Comprehensive Plan goals.

The were no affected neighborhood organizations to be notified. Property owners within 100 feet of the subject site were also notified as required. Staff is not aware of any support or opposition as of this writing.

Staff recommends approval for the request subject to conditions and approval of the variance request.
FINDINGS – SI-2022-01478, September 15, 2022 – EPC Major Amendment

1. The request is for a Site Plan EPC-Major Amendment of a Pre IDO-Approval for an approximately 6.5-acre site legally described as all or a portion of Tracts A-1-A, A-1-B, A-1-C-1, A-1-D-1, A-1-E-1, A-1-F Los Pastores Shopping Center, located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE zoned MX-M.

2. The subject site is within the controlling Los Pastores Shopping Center Site Development Plan for Subdivision (project#1010550), which has design standards. The subject site would remain in the Los Pastores controlling Site Development Plan for Subdivision but will adopt IDO standards when design standards are silent.

3. The controlling Los Pastores Shopping Center Site Plan for Subdivision intended uses are for office, retail, and restaurants within the subject site. The approval of this request would allow the proposed development of approximately 102 multi-family dwelling units (see attached Site Plan exhibits).

4. The EPC is hearing this request because IDO Section 1-10(A) Pre-IDO Approvals states that any approvals granted prior to the effective date of the IDO shall remain valid, subject to expiration. Major Amendments of Pre-IDO Approvals return to the original decision-making body pursuant to 14-16-6-4(Z)(1)(b).

5. The subject site is in an area that the Comprehensive Plan designated an Area of Change. It is located along a Major Transit Corridor and Multi-Modal Transit Corridor but is not located in a Center as designated by the Comprehensive Plan.

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, additional goals and policies from Comprehensive Plan Chapter 5: Land Use:

A. Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

   The request would facilitate development that would grow as a community by adding 102 multi-family dwelling units to the area that would be connected by Montgomery Boulevard-a Major Transit Corridor and Wyoming- a Multi-Modal Transit Corridor that are well served by public transportation and run along activity and employment centers.

B. Sub-Policy (g)- 5.1.1 Desired Growth: Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership.

   The request would encourage residential infill through the development of 102 multi-family dwelling units within the Los Pastores Shopping Center Site Development Plan for Subdivision. The request would be adjacent to the Montgomery Major Transit Corridor and Wyoming Multi-Modal Transit Corridor.

C. Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.
The request would foster corridors that prioritize high-frequency transit service with pedestrian-oriented development through the infill development of 102 multi-family dwelling unit. The proposed development would be located in the Los Pastores Shopping Center that offers a mix of commercial services and retail that would be accessible through the Major Transit Corridor (Montgomery Boulevard) and Multi-Modal Transit Corridor (Wyoming Boulevard) which have high-frequency transit service.

D. Policy 5.2.1 - Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would contribute to a healthy and sustainable community because it would facilitate future development in an area with a mix of uses including commercial retail, commercial services, low-density residential, and multi-family residential. Furthermore, the subject site is along a Major Transit Corridor (Montgomery Boulevard) and a Multi-Modal Transit Corridor (Wyoming Boulevard) with access to existing paved sidewalks that have connections to the surrounding neighborhoods.

E. Sub-Policy (d) 5.2.1 - Land Use: Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request would facilitate the development of multi-family dwelling units that would target/capture middle-income renters who do not qualify for low-income housing or cannot afford market rate housing, thus broadening the range of housing options to meet a range of incomes and lifestyle.

F. Sub-Policy(n) 5.2.1-Land Uses: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The subject site is located along a Major Transit Corridor, the request would encourage a productive use of what currently exists as an under-utilized lot to facilitate the development of approximately 102 multi-family dwelling units. The multi-family development would provide housing and would be more beneficial to the community than its current state.

G. 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 facilitate future development on vacant land that would support the public good by providing a housing option that would maximize the existing infrastructure already in place within the Los Pastores Shopping Center and also utilize public facilities and transportation that is along the subject site.

H. 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 along a Major Transit and Multi-Modal Transit Corridor, where change is desired. A multi-family development would create a mix of uses and growth within the Los Pastores Shopping Center.

8. The request is consistent with the following policy from Comprehensive Plan Chapter 7: Urban Design:
A. Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

The request would facilitate development of multi-family dwelling units that would increase walkability in all environments and promote pedestrian-oriented development due to its location and proximity to commercial retail and services within the Los Pastores Shopping Center Site Development.

B. Policy 7.3.4 - Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The subject site is located in an Area of Change and along a designated Major Transit Corridor, a prime infill location as highlighted by the Comprehensive Plan. The request would facilitate multi-family development. The subject site would remain in the controlling Los Pastores Shopping Center Site Plan for Subdivision and be required to follow the design standards. The request would promote infill that blends in style with the surrounding development.

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

A. Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

The request would facilitate development of multi-family dwelling units that would support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households by targeting middle-class tenants and a variety of bedroom unit options which vary based on income and household size.

B. Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options throughout the area.

The request would facilitate development of multi-family dwelling units that would provide housing for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options specifically to the subject site, which consists of commercial retail and services, but would also be surrounded by single-family development to the east and west of the site.

10. 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 (see above), the request is consistent with applicable Comprehensive Plan Goals and policies.

B. 14-16-6-6(J)(3)(b) The subject site is zoned MX-M. Therefore, the above criterion does not apply. The Site Development Plan for Subdivision includes design standards, when design standards are silent the IDO standards will be followed.

C. 14-16-6-6(J)(3)(c) The proposed major amendment is to facilitate development of approximately 102 multi-family dwelling units. The subject site is within the controlling Site Development Plan for Subdivision Los Pastores Shopping Center, which has design standards. The request would comply with all applicable provisions of the IDO (when design standards are silent), DPM, and Los Pastores Design Standards.
D. 14-16-6-6(J)(3)(d) The City’s existing infrastructure has adequate capacity for the proposed development made possible by this request. The applicant has stated that the request is in an infill location and surrounded by fully built-out infrastructure. Should any additional improvements be needed, the applicant has stated the developer would take responsibility.

E. 14-16-6-6(J)(3)(e) The applicant has demonstrated that the request would not negatively impact the surrounding area based on the responses to applicable Comp Plan Goals and Policies. The proposed major amendment would facilitate the development of approximately 102 multi-family dwelling units on the subject site. The subject site is zoned MX-M in which multi-family dwellings are already permissive. The proposed development would comply with the design standards the controlling Site Development Plan for Subdivision and the IDO landscape buffer provisions and height stepdown requirements (when standards are silent), mitigating any significant adverse impacts on the surrounding area to the maximum extent practicable.

F. 14-16-6-6(J)(3)(f) The subject property is not within a Master Development Plan. It is within the boundaries of the Los Pastores Shopping Center Site Development Plan for Subdivision and is zoned MX-M. The request to facilitate the development of approximately 102 multi-family dwelling units on the subject site is permissible under this zone district pursuant to IDO 14-16-2-4-(C). The future development would meet applicable design standards and IDO standards when the design standards are silent.

G. 14-16-6-6(J)(3)(g) The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required. Therefore, the above criterion does not apply.

11. No affected neighborhood organizations were required to be notified. Property owners within 100 feet of the subject site were notified as required.

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


APPROVAL of Project #: 2022-007219, Case #: SI-2022-01478, a Site EPC-Major Amendment for a Pre-IDO Approval for Tracts A-1-A, A-1-B, A-1-C-1, A-1-D-1, A-1-E-1, A-1-F Los Pastores Shopping Center, located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE based on the preceding Findings and subject to the following conditions of approval.
CONDITIONS OF APPROVAL – SI-2022-01298

1. The EPC delegates final sign-off authority of this site plan to the Site Plan-DRB Process as per IDO Section 14-16-6-6(I)(1). The reviewer will be responsible for ensuring that the EPC Conditions have been satisfied and that other applicable City requirements have been met.

2. The applicant shall coordinate with the Staff planner prior to submitting for building permit 14-16-6-6(I)(2).

3. Major Amendment: the applicant shall provide an updated top sheet of the controlling site plan for subdivision with a note and a text box explaining the major amendment.

4. Site Plan:
   A. Address parking calculations, proposed spaces and required spaces do not equal each other.
   B. Note that development shall comply with the Design Standards and IDO.
   C. Label all crossing on site plan.

5. Pedestrian Access:
   All pedestrian crossings must comply with design standards and be labeled on site plan.

6. Refine enclosure:
   A. Enclosure shall not exceed 8 feet in height (design standards)
   B. A site plan approved for access by the Solid Waste Department will be required.

7. Landscape Plan:
   A. Revise calculations regarding the proposed number of total trees and total required trees do not equal one-another.
   B. Dimension tree spacing.

8. Walls and fences:
   A. #15 Parking Screening CMU retaining wall shall not exceed a height of 3 feet.
   B. Walls shall not exceed a height of 8’.

9. Lighting:
   A. Show locations of light poles on the site plan.
   B. Provide light pole detail indicating height, color, and finish.
   C. Lighting shall comply with design standards.

10. Signage:
    Signage area calculations shall be provided.

11. Conditions from PNM:
    A. Applicant will coordinate with PNM regarding any existing easements that have to be revisited and/or new easements that need to be created for any electric facilities as determined by PNM.
    B. Any existing and/or new PNM easements and facilities need to be reflected on any resulting future Site Plan or Plat.
C. Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities. Any trees within or near PNM easements including any required Street Trees should comply with IDO Section 5-6(C)(10) as applicable.

12. Condition from AMAFCA:
   Site will have to show it conforms with the approved Drainage Management Plan for the Los Pastores Shopping Center.


APPROVAL of Project #: 2022-007219, Case #: SI-2022-01478, a Site EPC-Major Amendment for a Pre-IDO Approval for Tracts A-1-A, A-1-B, A-1-C-1, A-1-D-1, A-1-E-1, A-1-F Los Pastores Shopping Center, located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE based on the preceding Findings and subject to the following conditions of approval.


1. The request is for a variance of 9.5 feet to the 15-foot minimum landscape edge buffer requirement for all or a portion of Tracts A-1-A and A-1-E-1 Los Pastores Shopping Center, located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE,

2. The subject site is zoned MX-M (Mixed-use – Medium intensity), a zoning designation received upon adoption of IDO in May 2018.

3. The subject site is within the controlling Los Pastores Shopping Center Site Development Plan for Subdivision (project#1010550), which has design standards. The subject site would remain in the Los Pastores controlling Site Development Plan for Subdivision but will adopt IDO standards when design standards are silent.

4. The EPC is hearing this request because IDO Section 1-10(A) Pre-IDO Approvals states that any approvals granted prior to the effective date of the IDO shall remain valid, subject to expiration.

5. The subject site is in an area that the Comprehensive Plan designated an Area of Change. It is located along a Major Transit Corridor and Multi-Modal Transit Corridor but is not located in a Center as designated by the Comprehensive Plan.

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 meets the Variance-EPC Review & Decision Criteria in IDO Section 14-16-6-6(N)(3)(a) as follows:
14-16-6-6(N)(3)(a)(1) The applicant has expressed the impacted landscaping buffer and the subject properties’ narrowness would make it challenging to develop with all the standards required by the IDO, DPM, and other city laws. The space available for the proposed development and landscaping would be constrained when all the design standards are applied. The applicant has explained the IDO's criteria for the landscape buffer and neighborhood perimeter were not in place when the constrained lots in question were platted. The alley remains 20 feet wide along the property to the south and a smaller dedication was accepted on the north side of the site, the property owner was required to dedicate an additional 10 feet to the alley along the west side of the property in order to create a 30-foot-wide alley on this edge when the existing site development plan was approved in 2016.

The applicant has expressed the necessity to provide an additional 10 feet toward a paved lane on the west side of the site. The required buffer width would limit the design and widths or the parking required by the IDO. Granting the request would provide the required dimensions in order for the development to proceed.

14-16-6-6(N)(3)(a)(2) The applicant has demonstrated the public safety, health, or welfare would not be materially harmed by the variance request. The alley would remain a 20-foot right-of-way as along the property to the south, and the variance would not permit any portion of the proposed development to be built closer to the single-family development west of the subject site. The proposed development would be separated by more than 35 feet when the alley width is applied, which would satisfy the IDO's requirement for use separation. To further screen the proposed development from the adjacent single-family development, the applicant would implement necessary buffer trees inside the remaining landscape buffer.

14-16-6-6(N)(3)(a)(3) The applicant has demonstrated the variance request would not have a significant negative effect on the infrastructure improvements or surrounding properties. Existing infrastructure would support the proposed multi-family development. Any new development that might have a negative impact on traffic, flooding, or other factors would not be permitted under the variance. Due to the increased alley width that has produced the unique conditions relevant to the property, the effective width of the landscape buffer would continue to be greater. The remaining landscape space would be planted in accordance to the IDO's requirements, and a separation of more than 35 feet would remain.

14-16-6-6(N)(3)(a)(4) This variance request would not materially undermine the intent and purpose of the IDO or MX-M zone districts. The request would not eliminate the landscape buffer or the related plantings, but reduce it consistent with the amount of additional right-of-way dedication that was required. The proposed development and the adjacent single-family lot exceed 35 feet, which is the minimum distance required by the IDO if there were no alley on the western edge.

14-16-6-6(N)(3)(a)(5) The variance request if approved would be the minimum necessary in order to avoid exceptional hardships and practical difficulties. The requested deviations are required for the proposed development to meet all other development standards.

8. No affected neighborhood organizations were required to be notified. Property owners within 100 feet of the subject site were notified as required.
9. As of this writing, Staff has not been contacted and is unaware of any opposition.


APPROVAL of Project #: 2022-007219, Case#: VA-2022-01478, a Variance of 9.5 feet to the 15-foot minimum landscape edge buffer requirement for all or a portion of Tracts A-1-A and A-1-E-1 located at 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE based on the preceding Findings.

Leroy Duarte
Leroy Duarte
Current Planner

Notice of Decision CC list:
Legal, dking@cabq.gov
EPC file
CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning / Code Enforcement
No adverse comments

Long Range Planning

Metropolitan Redevelopment
No adverse comments

Transportation Development Review Services
No adverse comments.

CITY ENGINEER

Hydrology

Transportation Development Services

Site Plan - Major Amendment
Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
Please provide a Traffic Circulation Layout (TCL) to Transportation for review and approval.

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION
No Comments.

POLICE DEPARTMENT/PLANNING

PR-2022-007219 Residential Project Northwest Corner Wyoming/Montgomery
Regarding the above referenced EPC case, I respectfully submit the following comments:
Ensure adequate lighting throughout the project, to include parking areas, pedestrian walkways, parking, and common areas such as the clubhouse.
Ensure natural surveillance and clear lines of sight throughout the property. Natural surveillance requires a space free from natural and physical barrier (i.e. open picket vs. solid fences).
Establish a clear line of sight from the parking areas to the buildings and from the buildings the parking areas.
Ensure that landscaping is installed so as not to obstruct windows, doors, entryways, or lighting.
Ensure that landscaping is maintained to provide natural surveillance, trimming trees up to create a canopy of at least six feet; and trimming shrubs and bushes down to three feet.
Ensure adequate locking devices (i.e. deadbolt locks) on residential units.
Ensure that addresses are posted and clearly visible.
Ensure eye-viewers on primary and secondary entrance doors to residential units.

Limit and clearly delineate access to the property; i.e. Resident Parking and Visitor Parking.

Clearly delineate public, semi-public, semi-private, and private space throughout the project.

Consider video surveillance systems to monitor the building(s), including entrance and exit points, parking lots, office, clubhouse, etc. Utilize video surveillance to enhance visibility to areas of reduced natural surveillance.

Install No Trespassing signs that cite the City Ordinance so that they are visible immediately upon entering the property.

If you have any questions regarding these CPTED recommendations, please call me at 768-2006. I am available to do an on-site security survey after the project is complete.

**SOLID WASTE MANAGEMENT DEPARTMENT**

Project # PR-2022-007219 SI-2022-01478- Site Plan- Major Amendment----The traffic circulation pattern will have to be altered, refuse drivers will not exit against traffic flow. Are trash chutes or vertical compactors being proposed at this location, if so who will haul the dumpsters from trash room to the trash enclosure? A site plan approved for access by the Solid Waste Department will be required. Where will the recycle be disposed of?

**TRANSIT DEPARTMENT**

ABQ RIDE supports this request as it replaces fallow commercial land with a residential project more likely to create ridership.

**PARKS AND RECREATION**

**ABC WATER UTILITY AUTHORITY (ABCWUA)**

1. No adverse comment to site plan.

2. For information only:

   a. Please submit a request for availability when development is known to the following link: https://www.abcwua.org/info-for-builders-availability-statements/

**ALBUQUERQUE PUBLIC SCHOOLS**

1. **Project #2022-007219**

   a. EPC Description: SI-2022-01478—Site Plan—Major Amendment.
   c. Site Location: 4615 Wyoming Blvd. NE, between Montgomery Blvd. NE and Northridge Ave NE.
   d. Request Description: Major amendment for a multi-family residential development and a Variance (landscape edge buffer on west side).
   e. APS comments: Residential development at this location will impact the following APS schools: Comanche Elementary School, Cleveland Middle School, and Sandia High School. At present, Comanche Elementary School operates at enrollment near capacity and development will be a strain on the school.

   i. Residential Units: **102**
   ii. Est. Elementary School Students: **26**
   iii. Est. Middle School Students: **11**
iv. Est. High School Students: 11

v. Est. Total # of Students from Project: 48

*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

### School Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>2021-2022 (40th Day) Enrollment</th>
<th>Facility Capacity</th>
<th>Space Available</th>
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<tbody>
<tr>
<td>Comanche Elementary School</td>
<td>336</td>
<td>339</td>
<td>3</td>
</tr>
<tr>
<td>Cleveland Middle School</td>
<td>585</td>
<td>700</td>
<td>115</td>
</tr>
<tr>
<td>Sandia High School</td>
<td>1,740</td>
<td>1,900</td>
<td>160</td>
</tr>
</tbody>
</table>

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities
- Improve facility efficiency (short term solution)
  - Schedule Changes
    - Double sessions
    - Multi-track year-round
  - Other
    - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

### ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No adverse comments. This site will have to show it will conform with the approved Drainage Management Plan for the Los Pastores Shopping Center.

### COUNTY OF BERNALILLO

No adverse comments.

### MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

PR-2022-0072191

MRCOG has no adverse comment.

### MID-REGION METROPOLITAN PLANNING ORGANIZATION (MRMPO)
MRMPO has no adverse comments.

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

**NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)**

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

No adverse comments.

**PNM COMPANY**

There are PNM facilities abutting and/or in easements along the Montgomery Blvd frontage, the western edge of the site, and within the site.

It is the applicant’s obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.

Any existing easements may have to be revisited and/or new easements may need to be created for any electric facilities as determined by PNM.

Any existing and/or new PNM easements and facilities need to be reflected on the Site Plan and any related Plat.

Typical electric utility easement widths vary depending on the type of facility. On-site transformers should have a ten-foot clear area around them to allow for access and maintenance.

Structures, especially those made of metal like storage buildings and canopies, should not be within or near PNM easements.

Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities. Any trees within or near PNM easements including any required Street Trees should comply with IDO Section 5-6(C)(10) as applicable.

The applicant should contact PNM’s New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at https://pnmnsd.powerclerk.com/MvcAccount/Login for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant’s expense. Please contact PNM as soon as possible at https://pnmnsd.powerclerk.com/MvcAccount/Login for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant’s expense. Please contact PNM as soon as possible at https://pnmnsd.powerclerk.com/MvcAccount/Login for PNM to review.

**AVIATION DEPARTMENT**

**KIRTLAND AIR FORCE BASE**

No adverse comments.
Figure 1: Sign posting looking west from shopping center to the subject site.

Figure 2: Looking north from subject site.
Figure 3: Looking south from within subject site.

Figure 4: Looking west from within subject site.
Figure 5: Looking east from within subject site.
HISTORY
OFFICIAL NOTIFICATION OF DECISION

January 15, 2016

W & M Company
ATTN: Bill Gunther
8220 La Mirada Rd NE, Suite 300
ABQ, NM 87109

Project# 1010550
15EPC-40032 Site Development Plan for Subdivision

LEGAL DESCRIPTION:
For all or a portion of Tract A-1 Redivision of Tract A
(now comprising Tracts A1 & A2), the southwesterly
portion of Tract A-1, all of Tract 1 excluding the northerly
portion & excluding those portions adjacent to the south
& east out to right-of-way, zoned C-2, located on
Wyoming Blvd. NE, between Montgomery Blvd. NE &
Osuna Rd. NE, containing approximately 6.75 acres.
(F-19)
Staff Planner: Vicente Quevedo

In January 14, 2016, the Environmental Planning Commission (EPC) voted to APPROVE Project
#1010550/15EPC-40032, a Site Development Plan for Subdivision, based on the following findings and
conditions:

FINDINGS:

1. This is a request for a Site Development Plan for Subdivision Amendment for Tract A-1, Re-division
   of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1
   excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-
   way located on Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE and
   containing approximately 6.75 acres.

   www.cabq.gov

2. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions
   of the subject site into five separate pad sites and establish necessary access and utility easements.
   Updated design standards are also proposed that would apply to the entire 6.75 acre shopping center
   site. This is a quasi-judicial matter.

3. A subdivision plan was originally approved in December 1962 and subdivided the subject site into
   three separate tracts (S-1214). The existing C-2 zoning was established for the subject site in

Albuquerque - Making History 1706-2006
November 1977 (Z-77-165). In January 1980 the Los Pastores Shopping Center development plan was approved by the EPC with conditions.

4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

5. The Site Development Plan for Subdivision Amendment furthers the following relevant Comprehensive Plan policies:

A. **Policy II.B.5.d.:** The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

   The requested action is appropriately located adjacent to and nearby a cluster of other C-2 zoned lots, the intensity of which will not negatively impact existing residential development in the area. Carrying capacities are also appropriate for the area. Therefore, the request furthers Policy II.B.5.d.

B. **Policy II.B.5.e.:** New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

   The portion of the site that is proposed to be subdivided into 5 new pad sites is vacant and is contiguous to existing urban facilities and services and the integrity of existing neighborhoods will be ensured. The request furthers Policy II.B.5.e.

C. **Policy II.B.5.i.:** Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

   The applicant envisions additional commercial uses for the subject site. The subject site is located near adjacent to and nearby a cluster of other C-2 zoned lots which are configured to complement nearby residential areas. The proposed design standards proposed by the applicant generally meet the requirements of the Zoning Code and will serve to minimize any potential adverse impacts on residential environments. Therefore, the request furthers Policy II.B.5.i.

D. **Policy II.B.5.j.:** Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

   In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

   New commercial development that results from the proposed subdivision action will be located within an existing commercially zoned area, within a larger area-wide shopping center site at the intersection of Wyoming and Montgomery Blvd. which are designated minor arterial streets. Route
E. Policy II.B.5.k.: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

The subject site is adjacent to two minor arterials and will be designed to minimize any harmful effects of traffic on nearby established residential neighborhoods. Transportation Staff provided comments that, when addressed, would help minimize harmful effects of traffic. The TIS form indicates that a traffic study is not required. The request furthers Policy II.B.5k.

F. Policy II.B.5l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

The proposed design standards would require quality building materials and articulation, and would result in “modern” style buildings that would generally create quality. The request furthers Policy II.B.5l-quality design/new development.

6. The applicant requests that future site development plans for building permit for each tract be delegated to DRB for review and final sign-off.

7. The EPC has complete discretion over whether DRB delegation will be approved.

8. Design standards must be clear and provide sufficient direction with regard to the design and pad site layout direction for future requests for Site Development Plans for Building Permit.

9. The proposed design guidelines do not warrant delegation to DRB as they do not provide sufficient design and pad site layout direction for future requests for Site Development Plans for Building Permit.

10. The Loma Del Rey Neighborhood Association and District 7 Coalition of Neighborhood Associations as well as property owners within 100’ of the subject were notified of this request. A facilitated meeting was not recommended by the Office of Neighborhood Coordination.

11. Staff received written public comments from the property owner directly north of the subject site stating that they were not in agreement with the proposed request for a site development plan for subdivision amendment, future improvements to the existing 20’ public alley that will be required by the Traffic Engineering Department, as well as the potential for alcohol sales to take place on the subject site.
OFFICIAL NOTICE OF DECISION
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12. At the November 12, 2015 public hearing, the EPC voted to continue the Site Development Plan for Subdivision Amendment request for 60 days to the January 14, 2016 public hearing to allow time for a facilitated meeting to occur and for Planning Staff to conduct additional research regarding a previously vacated alley on the subject site.

13. A facilitated meeting was held during the continuance period. The surrounding neighborhood associations generally support the proposal. While the Church proposed that the City require another shopping center access farther south, expressed concerns regarding overflow parking onto their lot from future shopping center users and raised the possibility of having a half-wall on their southwest boundary to discourage overflow parking on their site.

14. Facilitated meeting attendees agreed to meet again on January 6 at 2 PM to continue the discussion of the use of the alley and traffic routing options as well as review alternative site design layouts from the applicant to attempt to address the church’s concerns.

15. Staff notes that the scheduling of this meeting will not allow enough time for a finalized facilitator meeting report to be issued for inclusion in the Supplemental Staff Report prior to the EPC case distribution on Thursday January 7, 2016.

16. The attorney representing Legacy Church (Steve Smothermon) presented a Notice of Decision for File # Z-77-165 / V-77-41 and claimed that the existing 20’ public alley that bisects the subject site and the Church’s property should have been vacated in 1977.

17. Additional staff research has confirmed that File # Z-77-165 / V-77-41 did result in the vacation and relocation of an existing alley on the subject site that met the following conditions
   A. Submittal of a summary plat which combines the northerly portion with the balance of the parcel;
   B. Relocation of the alley in accordance with the Traffic Engineering requirements.

18. A summary plat that combined the northerly portion with the balance of the parcel and relocated the alley approximately 100’ north of its previous location in accordance with Traffic Engineering requirements was approved on May 10, 1978 (SP-78-297 / D8-127) and recorded with the Bernalillo County Clerk on May 22, 1978. The replat to vacate the alley dedicated the right-of-way for the subject alley.

19. The existing 20’ public alley that bisects the subject site and the Church property to the north is located in accordance with the appropriate EPC N.O.D. for File # Z-77-165 / V-77-41 dated November 21, 1977.
OFFICIAL NOTICE OF DECISION
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CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. 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. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

3. Conditions of Approval for Design Standards Section:
   A. All references made within the site development plan for subdivision to applicable sections of the City of Albuquerque Comprehensive Zoning Code shall list/identify the full corresponding name of that section of the Zoning Code within the design standards section.
   
   B. Section II. – Setbacks & Building Height Limitations shall be revised to state that building heights are regulated by Section 14-16-2-15(C)(1) – Office & Institution Zone which allows a maximum building height of 26’, however, any structure over 26’ must fall within 45 degree angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. Additionally, structures shall not exceed 26’ within 85’ of a lot zoned specifically for houses.
   
   C. Section III. – Parking shall be revised to include a note stating that all off-street parking areas shall comply with all First Flush Drainage Ordinance requirements as well as a section outlining conformance with Designated Disabled Parking Space requirements.
   
   D. Section IV.(a)(ii) – Pedestrian Connections & Amenities shall be revised to reference the correct 6.75 total site acreage. It currently reads that the site contains a total of 5 acres.
   
   E. The title for Section VI. – Walls & Fences shall be revised to read “Walls, Fences & Screening”, provide more detail regarding specific materials to be used for trash enclosures, and item l. be revised to cite the specific city Drainage Ordinance number.
   
   F. Section VIII. – Architecture shall be revised to include information outlining the proposed FAR for the subject site as required by the Zoning Code.
   
   G. Section X.(f) – Signage shall be revised to reflect the Zoning Code requirements of Section 14-16-3-2(B)(4) which states that only one free-standing sign for every 300 linear feet of frontage along an arterial is allowed.
   
   H. The Conceptual Drainage Plan shall be revised to include drainage details for the southwesterly portion of Tract A-1 and the southeasterly portion of Tract A-1.
4. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3).”

5. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

6. **Conditions of Approval – Water Utility Authority, Utility Services:**
   - An availability statement is required and can be made at the following link: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire flow requirements from the fire marshal.
   - The Utility Plan indicates public sanitary sewer onsite. This will not be acceptable.

7. **Conditions of Approval – City Engineer, Transportation Development:**
   - Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
   - Developer shall finalize and follow the requirements as per the approved Traffic Impact Study.
   - Additional right-of-way must be dedicated to widen the existing alley to provide two-way traffic along the west of the property and to provide for an adequate entrance from Wyoming Blvd.
   - The existing access (located on the SE corner of the property) to the Bank parcel needs to be modified to be perpendicular to the roadway.

8. **Conditions of Approval – City Engineer, Hydrology Development:**
   - EPC project # 1010550; A full G&D plan review meeting the following criteria and other criteria stated in the Development Process Manual Chapter 22 and the design guidelines given in Standard Specifications will be required before grading can commence.

9. **Conditions for Approval for Project – Public Service Company of New Mexico:**
   - As individual pad sites develop, coordination with PNM will be necessary regarding proposed tree species, the height at maturity and tree placement along the western boundary of the property in order to ensure sufficient safety clearances and to avoid interference between trees and the existing distribution facilities.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by JANUARY 29, 2016. The date of the EPC’s decision is not included in the 15-day period for filing an
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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 14-16-4-4 of the Zoning Code. 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 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 City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan’s life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a $110.00 fee per case.

Sincerely,

Suzanne Lubar
Planning Director

SL/VQ

cc: Tierra West, LLC, 5571 Midway Park Pl. NE, ABQ, NM 87109
    Brian A. Eagan, Loma Del Rey NA, 8416 Hilton Ave NE, Apt. 4B, ABQ, NM 87111
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William E. Burk, III, Loma Del Rey NA, 9617 La Playa NE, ABQ, NM 87111
Janice Arnold-Jones, Dist. 7 Coalition of NA’s, 7713 Sierra Azul NE, ABQ, NM 87110
Lynne Martin, Dist. 7 Coalition of NA’s, 1531 Espejo NE, ABQ, NM 87112
Richard Leverick, 5120 San Francisco NE, ABQ, NM 87109
OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1293, Albuquerque, NM 87103

M-M Company
300 San Mateo, N.E., Suite 500
Albuquerque, New Mexico 87108

Attention: Vance Mauney

Date November 21, 1977

NOTIFICATION OF DECISION

File: 7-77-169, V-77-41
Location: Tract 2, Los Pastores Shopping Center
and a parcel of land in the NE/4 SE/4 SE/4, Sec. 31, T11N, R4E; and the vacation of the east-
west alley immediately north of Los Pastores
Shopping Center

At their meeting of November 17, 1977, the Environmental Planning Commission approved
the above mentioned requests, thereby changing the zoning to C-2 and vacating the alley
subject to the following conditions: 1. Submission of a summary plat which combines the
northerly portion with the balance of the parcel; 2. Relocation of the alley in accordance
with the Traffic Engineer's requirements.

If you wish to appeal this decision, you may do so by 12-2-77, in the manner described below.
A non-refundable filing fee of $25 is required at the time of application.

A. Appeal to Planning Commission. Any person aggrieved
with any determination of the City staff acting under
the Subdivision Ordinance may appeal to the Planning
Commission by submitting written application on the
Planning Department form to the Planning Department
within 15 days after the date of the staff's decision.
The date the determination in question is issued is not
included in the 15-day period for filing an appeal, and if
the fifteenth day falls on a Saturday, Sunday or
holiday as listed in the Merit System Ordinance, the
next working day is considered as the deadline for
filing the appeal. Such appeal shall be heard and
decided by the Planning Commission within 60 days
of its filing.

B. Appeal to City Council. Any person aggrieved
with any determination of the Planning Commission acting
under this ordinance may file an appeal to the City
Council by submitting written application on the
Planning Department form to the Planning Department
within 15 days of the Planning Commission's decision
such 5 day period to be determined as in A above.
The City Council may decline to hear the appeal if
it finds that all City plans policies and ordinance have
been properly followed. If it decides that all City
plans policies and ordinance have not been properly
followed, it shall hear the appeal. Such appeal, if
heard, shall be heard within 60 days of its filing.

You will receive notice if another person files an appeal. If there is no appeal you can receive building
permits 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 must
be complied with, even after approval of the referenced application(s).

Sincerely,

Bea Gutierrez
Board Secretary

cc: Charles Coy, 4612 Norma Dr., N.E. 87109
Property Management
OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1293, Albuquerque, NM 87103

Date: November 21, 1977

NOTIFICATION OF DECISION

File: 2-77-165, V-72-41
Location: Tract 2, Los Pastores Shopping Center and a parcel of land in the NE/4 SE/4 SE/4, Sec. 31, T11N R4E; and the vacation of the east-west alleys immediately north of Los Pastores Shopping Center

At their meeting of November 17, 1977, the Environmental Planning Commission, approved the above mentioned requests, thereby changing the zoning to C-2 and vacating the alley subject to the following conditions: 1. Submittal of a summary plat which combines the northerly portion with the balance of the parcel; 2. Relocation of the alley in accordance with the Traffic Engineer's requirements.

If you wish to appeal this decision, you may do so by 12-2-77 in the manner described below. A non-refundable filing fee of $25 is required at the time of application.

A. Appeal to Planning Commission. Any person aggrieved with any determination of the City staff acting under the Subdivision Ordinance may appeal to the Planning Commission by submitting written application on the Planning Department form to the Planning Department within 15 days after the date of the staff's decision. The date the determination in question occurred is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered the deadline for filing the appeal. Such appeal shall be heard and decided by the Planning Commission within 60 days of its filing.

B. Appeal to City Council. Any person aggrieved with any determination of the Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 5 days of the Planning Commission's decision (such 5-day period to be determined as in A. above). The City Council may decline to hear the appeal if it finds that all City plans, policies, and ordinances have been properly followed. If it decides that all City plans, policies, and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 60 days of its filing.

You will receive notice if another person files an appeal. If there is no appeal you can receive building permits 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 must be complied with, even after approval of the referenced application(s).

Sincerely,

Bea Gutierrez
Board Secretary

cc: Charles Coy, 4012 Arnold Dr., N.E., 87109
Property Management
M. M. Co., 403 Sandia Lane SE, 87102

Letter of Advice
OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1293, Albuquerque, NM 87103

M-M Company
300 San Mateo, N.E., Suite 500
Albuquerque, N.M. 87108

Attention: Vance Mauney

Date: June 15, 1978

CERTIFICATION OF ZONING

File Z-77-165
Date of Final Action: 11-17-77
Location: Portions of Tract A, Los Pastores Shopping Center Addition (SP-78-297)
(Formerly Tract 2, Los Pastores Shopping Center Addition and an unplatted parcel in NE/4 SE/4
SE/4, Sec. 31, T11N, R4E)

The Environmental Planning Commission ruled favorably on your request to amend the zone map as it applies to the above cited property.

☐ The possible appeal period having expired, the zoning on the above cited property is now changed to C-2 for those portions of the above-mentioned property formerly zoned P-1.

☐ The possible appeal period has expired, but the zoning on the above cited property is NOT CHANGED to until the following requirements are met, as specified in the decision of the Commission:

If such requirements are not met within six months after the date final City approval is voted, the approval is void; however, the Planning Director or his designated representative may extend this time limit up to an additional six months.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. You should take two copies of your plans to the Building & Inspection Division of the City to initiate a building permit.

Sincerely,

Phil Garcia
Principal Planner

Z CERTIFICATION

cc: Graphics
Zoning

For the Planning Director
ZONING

Please refer to IDO Section 14-16-2-3(C) for the MX-M Zone District
APPLICANT INFORMATION
Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

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<tr>
<td>☐ Decision by EPC, LC, ZHE, or City Staff (Form A)</td>
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</tbody>
</table>

APPLICATION INFORMATION

Applicant: Titan Development  
Address: 6300 Riverside Plaza Lane #200
City: Albuquerque  
Phone: (505) 998-0163  
Email: jrogers@titan-development.com

Professional/Agent (if any): Consensus Planning, Inc.  
Address: 302 8th Street NW
City: Albuquerque  
Phone: (505) 764-9801  
Email: vos@consensusplanning.com

Proprietary Interest in Site: Contract Purchaser  
List all owners: Mauney Investments, LLC

BRIEF DESCRIPTION OF REQUEST

Major Amendment for a multi-family residential development and a Variance - EPC of 9.5 feet to the 15-foot landscape edge buffer requirement on the west side of the property.

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: Tracts A-1-A and A-1-E-1  
Block:  
Unit:  
Subdivision/Addition: Los Pastores Shopping Center  
MRGCD Map No.:  
UPC Code:  
Zone Atlas Page(s): F-19  
Existing Zoning: MX-M  
Proposed Zoning: No Change

# of Existing Lots: 2 (of 6 in overall site plan)  
# of Proposed Lots: 1 (5 in overall site plan)  
Total Area of Site (acres): 6.5 acres in total

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 4615 Wyoming Blvd NE  
Between: Montgomery Blvd NE and: Northridge Ave NE

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

PR-2022-007219, Project #1010550, Z-77-165, and Z-1238

Signature:  
Date: 8/4/22
Printed Name: Michael Voś, AICP  
☐ Applicant or ☑ Agent

FOR OFFICIAL USE ONLY

<table>
<thead>
<tr>
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<th>Action</th>
<th>Fees</th>
<th>Case Numbers</th>
<th>Action</th>
<th>Fees</th>
</tr>
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Meeting/Hearing Date:  
Fee Total:  
Staff Signature:  
Date:  
Project #
FORM P1: SITE PLAN – EPC

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

☐ SITE PLAN – EPC

☐ MASTER DEVELOPMENT PLAN

☑ MAJOR AMENDMENT TO SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN

☐ EXTENSION OF SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN

☑ Interpreter Needed for Hearing?  No  if yes, indicate language:

☑ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other on-line resources such as Dropbox or FTP. PDF shall be organized with the Development Review Application and this Form P1 at the front followed by the remaining documents in the order provided on this form.

☑ Zone Atlas map with the entire site clearly outlined and labeled

☑ Letter of authorization from the property owner if application is submitted by an agent

☑ Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)

☑ Justification letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-6(J)(3) or 14-16-6-6(F)(3), as applicable

N/A Explanation of requested deviations, if any, in accordance with IDO Section 14-16-6-4(P)

☑ Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)

☑ Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)

☑ Office of Neighborhood Coordination neighborhood meeting inquiry response

N/A Proof of email with read receipt OR Certified Letter offering meeting to applicable associations

N/A Completed neighborhood meeting request form(s)  *No recognized Associations per ONC

N/A If a meeting was requested/held, copy of sign-in sheet and meeting notes

☑ Sign Posting Agreement

☑ Required notices with content per IDO Section 14-16-6-4(K)(1)

☑ Required notices with content per IDO Section 14-16-6-4(K)(1) (not required for extension)

☑ Office of Neighborhood Coordination notice inquiry response

☑ Copy of notification letter, completed notification form(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing to affected Neighborhood Association representatives.

N/A Proof of emailed notice to affected Neighborhood Association representatives

☑ Buffer map and list of property owners within 100 feet (excluding public rights-of-way) provided by Planning Department or created by applicant, copy of notifying letter, completed notification forms(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing

☑ Completed Site Plan Checklist

☑ Scaled Site Plan or Master Development Plan and related drawings

   Master Development Plans should include general building and parking locations, as well as design requirements for buildings, landscaping, lighting, and signage.

☑ Copy of the original approved Site Plan or Master Development Plan (for amendments only)

☑ Site Plan or Master Development Plan

N/A Sensitive Lands Site Analysis for new site design in accordance with IDO Section 5-2(C)

N/A Completed Site & Building Design Considerations Form in accordance with IDO Section 5-2(D) for all commercial and multifamily site plans except if the development is industrial or the multifamily is less than 25 units.

N/A Landfill disclosure statement per IDO Section 14-16-5-2(G) if site is within a designated landfill buffer zone

☑ VARIANCE – EPC

☑ In addition to the above requirements for the Site Plan – EPC or Master Development Plan the proposed variance requests related to, please describe, explain, and justify the variance per the criteria in IDO Section 14-16-6-6(N)(3).

   Note: Any variance request from IDO Standards in Sections 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), 14-16-5-5 (Parking and Loading), or DPM standards shall only be granted by the DRB per IDO Section 14-16-6-6(L) See Form V.

Revised 2/15/22
August 3, 2022

City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87102

To whom it may concern:

The purpose of this letter is to authorize Titan Development, Consensus Planning, Tierra West, and Humphrey’s & Partners Architects to act on behalf of Mauney Investments, LLC for a Major Amendment to a Site Plan – EPC and related applications for platting and development of a multi-family residential project to be located near the northwest corner of Wyoming Boulevard NE and Montgomery Boulevard NE. This letter does not authorize Titan Development, Consensus Planning, Tierra West, or Humphrey’s & Partners Architects to execute and approve any final plat, site plan, variance application, or vacation without Mauney Investments, LLC’s further consent or joinder.

The property is legally described as Tracts A-1-A and A-1-E-1, Los Pastores Shopping Center, which is part of a larger subdivision that also includes TRACTS A-1-B, A-1-C-1, and A-1-D-1, Los Pastores Shopping Center.

Sincerely,

Marc Mauney
Managing Member
Mauney Investments, LLC

08/03/22
City of Albuquerque
P.O. Box 1293  Albuquerque, New Mexico  87103
Planning Department
Suzanne Lubar, Director

Richard J. Berry, Mayor
Administrative Officer
July 2, 2015

Robert J. Perry, Chief

SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance
Documentation
Project Number(s): Z-1238 (1963), Z-77-165 (1977)
Case Number(s):
Agent: Tierra West, LLC
Applicant:
Legal Description: Tract A-1, Los Pastores Shopping Center
Zoning: C-2
Acreage: 5.75 Acres
Zone Atlas Page: F-19

CERTIFICATE OF NO EFFECT: Yes ___X___ No ____

CERTIFICATE OF APPROVAL: Yes ____  No ____

TREATMENT PLAN REVIEW:
DISCOVERY:

SUPPORTING DOCUMENTATION:
SITE VISIT: YES, July 2, 2015. Tract extensively graded and large areas covered by 3 to 4 feet of modern fill.

RECOMMENDATION(S):
• CERTIFICATE OF NO EFFECT IS ISSUED (ref 0-07-72 Section 4B(2)—extensive previous land disturbance).

MFSchmader
Matthew Schmader, PhD
Superintendent, Open Space Division
City Archaeologist
August 4, 2022 (Updated August 31, 2022)

Tim MacEachen, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Re: Approval of a Major Amendment and Variance for the Los Pastores Shopping Center

Dear Mr. Chairman:

The purpose of this letter is to request approval of a Major Amendment to the Site Plan for the Los Pastores Shopping Center, which was approved by the Environmental Planning Commission (EPC) in January 2016 (Site Plan for Subdivision). The Starbucks within the larger shopping center was approved by the EPC in November 2016. The subject site is legally described as Tracts A-1-A, A-1-B, A-1-C-1, A-1-D-1, A-1-E-1, and A-1-F, Los Pastores Shopping Center, containing approximately 6.5 acres (See Figure 1) and is zoned MX-M (Mixed-use Medium Intensity).

The Applicant submitted a Sketch Plan to the Development Review Board, which determined it was most appropriate to pursue this Major Amendment request to the controlling Site Development Plan. The Environmental Planning Commission is hearing this case as a Major Amendment to the pre-IDO approval based on comments received from the DRB and in order to combine two lots within the previous Site Development Plan for Subdivision into one parcel for the development. Major amendments return to the original decision-making body via the most similar process per IDO Section 14-16-6-4(Z).

Figure 1. Vicinity map showing the overall shopping center site in blue and area of amendment in green.
PROJECT CONTEXT

History
A subdivision plan was originally approved for the subject property in 1962, and C-2 zoning was established in November 1977. This zoning converted to the existing MX-M zone upon enactment of the Integrated Development Ordinance in 2018.

On January 14, 2016, the Environmental Planning Commission approved Project #1010550, a Site Development Plan for Subdivision for the Los Pastores Shopping Center, the prior approval for the subject property. Subsequent to this approval, an adjacent property within the overall Site Development Plan for Subdivision boundary was approved for development of the Starbucks restaurant in November 2016.

Existing Conditions and Land Use
The subject site lies within the North Albuquerque Community Planning Area of the Comprehensive Plan and is designated as an Area of Change. Montgomery Boulevard is a designated Major Transit Corridor and Wyoming Boulevard is a Multi-Modal Corridor. ABQ Ride Routes 5 and 31 pass the site with stops on Montgomery Boulevard and Wyoming Boulevard and peak frequencies of 25 and 45 minutes, respectively. Wyoming Boulevard also has a Commuter Route 98. The nearest bicycle facilities are along Osuna Road to the north of the subject site.

Located at the intersection of two Principal Arterial roadways, the area surrounding the subject site includes numerous commercial uses, and the property located to the south across Wyoming Boulevard is currently undergoing a significant redevelopment with new townhouses, restaurants, retail, and a medical clinic. A shopping center, Walgreen’s, and Target are located southeast of the site, and a carwash has been built to the east within the last few years. Immediately to the west of the site is a single-family residential neighborhood, and additional low-density residential uses are located in the surrounding area beyond the denser and more intense uses surrounding the major intersection.

Zoning
All the properties surrounding the Wyoming Boulevard and Montgomery Boulevard intersections are zoned MX-M (Mixed-use Moderate Intensity). Parcels with MX-L (Low Intensity) and MX-T (Transition) zoning are located south and east of the site. Single-family neighborhoods adjacent to these higher-intensity uses consist of a variety of R-1B, R-1C, and R-1D zoning and lot sizes. Large multi-family residential developments to the west and southwest are zoned R-MH (High Density) with some additional R-ML (Low Density) zoning also in the vicinity.

| TABLE 1. Surrounding Zoning & Land Use |
|-----------------|---------------------------|
| NORTH           | MX-M, MX-T, R-ML and R-1D | Religious institution, multi-family, and single-family residential |
| EAST            | MX-M, MX-T, and R-1C      | Commercial retail, services, utilities, and single-family residential |
| SOUTH           | MX-M, MX-T, R-MH, and R-1C| Commercial retail, services, multi-family residential, and ongoing redevelopment |
| WEST            | R-1B                      | Single-family residential |
Figure 2. Land use context with the proposed multi-family property outlined in green, overall site in blue dashed line.

Figure 3. Existing zoning with the proposed multi-family property outlined in green, overall site in blue dashed line.
SUMMARY OF REQUEST
The Applicant, Titan Development, is requesting approval of the following two requests:

1. Major Amendment to the 2016 Site Development Plan for a 102-unit multi-family residential development consisting of two three-story buildings and a clubhouse along with associated parking, landscaping, and site improvements. This development is combining two lots that were previously shown on the Site Development Plan for Subdivision, which is a reason the DRB suggested pursuing this Major Amendment request to combine those lots for a single use, while remaining within the overall Site Development for Subdivision and maintaining its design standards for the development as a whole.

2. Variance – EPC of 9.5 feet to the 15-foot minimum landscaped edge buffer on the west side of the property to allow for adequate access, parking, building height, and separation for the proposed multi-family community.

PROPOSED DEVELOPMENT
The proposed multi-family development will be located on approximately 2.2 acres of the original 6.5-acre shopping center site. The proposed multi-family development consists of 102 dwelling units in two three-story buildings setback at least 100 feet from the residential subdivision to the west in compliance with the Neighborhood Edge requirements of the IDO regarding building height stepdown.

The parking lot for the proposed development is located on the west side of the site between the proposed buildings and an existing alleyway, which provides a buffer to the adjacent single-family residential homes. An additional landscape buffer area with trees, as required by the IDO is provided between the parking lot and alley. A Variance – EPC is being requested to this landscape buffer width due to the narrowness of the property, as well as previous city requirements to dedicate additional right-of-way to the alley above and beyond typical alley widths, which also contribute to the separation intended by the IDO. The landscape buffer as written in the IDO is intended to provide distance and landscaping opportunities from higher intensity developments from single family neighborhoods. In this specific instance, there is a 30-foot alleyway buffering the single family from the site, and the landscaping onsite will include significant trees, shrubs, and turf within the remaining 5.5’ to 7.5’ of landscaping area remaining after approval of the variance request.

It is the Applicant’s intent with this project to provide much-needed housing options to an important transit and economic hub for the city. This part of Albuquerque houses many crucial middle-income workers who have few options for quality housing at an attractive price point. This multi-family community will be the first of its kind in Albuquerque targeting the “missing middle” by offering efficiently sized units with quality amenities at a more affordable rental rate. Located a convenient distance from public transit and major arterial roads, this project will enhance middle-income renter access to the jobs, shopping opportunities, and public services/amenities that are central to their lifestyle.

JUSTIFICATION
As this letter and the submitted Site Plan demonstrates, the proposed Major Amendment and Variance – EPC comply with the IDO requirements and should be approved. Multi-family residential development is a permissive use in the underlying MX-M zone and adding new housing to this long vacant site will add to the positive momentum happening in this area of Albuquerque.
Per IDO Section 14-16-6-4(Z)(1)(b) Major Amendments, the proposed amendment shall follow the procedures for the most closely equivalent decision in the IDO. For this project, which was originally approved by the EPC, the Site Plan – EPC process and decision-making criteria are the most closely equivalent procedures within the IDO. It is the Applicant’s intent for this project to follow the Design Standards from the previous approval for the Los Pastores Shopping Center with the Major Amendment, however the Applicant reserves the right to request adjustments should staff find a conflict between the project and those standards as allowed through the Major Amendment process. These design standards notwithstanding, the Major Amendment is to combine two lots from the prior subdivision layout into one parcel for the proposed development. This request meets the Site Plan – EPC criteria as described below.

SITE PLAN CRITERIA
The Site Plan – EPC request complies with the criteria outlined in IDO Section 14-16-6-6(J)(3) as follows:

6-6(J)(3)(a) The Site Plan is consistent with the ABC Comp Plan, as amended.

**Applicant Response:** The Site Plan is consistent with the Comp Plan by furthering the following Goals and Policies:

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.

**Applicant Response:** The project furthers this goal and policy because it locates an appropriately scaled multi-family residential development near the intersection of two Principal Arterial Roadways that have good transit access for residents. Adding more affordable residential density near this intersection will positively support the existing and future businesses in the area. While, adding multi-family residential expands the mix of uses in this infill location, as encouraged by this policy, the design of the site has also been carefully considered to respect and minimize impacts to surrounding neighbors. The building design will comply with the Los Pastores Shopping Center and IDO requirements, and the location of the building to the east side of the property reduces the height impacts to the maximum extent possible and is compliant with zoning requirements.

Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

**Applicant Response:** The project furthers this goal because it adds critical residential density along a Major Transit Corridor (Montgomery Boulevard) and a Multi-modal Corridor (Wyoming Boulevard). This density, at an affordable price point, supports the multi-modal transportation network, particularly transit along Montgomery Boulevard, which connects residents to many employment, shopping, and recreational opportunities.

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.
Applicant Response: The subject site is located adjacent to both a Major Transit Corridor (Montgomery Boulevard) and a Multi-Modal Corridor (Wyoming Boulevard). This policy is furthered because the creation of new residential infill housing along this corridor helps capture our regional growth along a designated Corridor. Addition of this housing will support transit ridership in a key location within Albuquerque, which helps accommodate population growth within a sustainable development pattern.

g) Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership.

Applicant Response: The subject site is located adjacent to both a Major Transit Corridor (Montgomery Boulevard) and a Multi-Modal Corridor (Wyoming Boulevard). This sub-policy is furthered because the proposed Site Plan – EPC adds residential infill along these two designated Comprehensive Plan Corridors and supports transit ridership through appropriate urban-scale density.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

c) Encourage mixed-use development in Centers and near intersections.

Applicant Response: Montgomery Boulevard is a Major Transit Corridor, and the proposed redevelopment of the site provides for multi-family residential development within a shopping center site that includes commercial uses, including a Starbucks and McDonald's restaurants thus creating a more mixed-use environment near an important intersection. Additional density will bring more riders to the existing transit services within an easy walking distance of several bus stops. More riders will help encourage higher frequency service.

Policy 5.1.11 Multi-Modal Corridors: Design safe Multi-Modal Corridors that balance the competing needs of multiple modes of travel and become more mixed-use and pedestrian-oriented over time.

Applicant Response: The subject site was originally subdivided in 1962 and zoned in 1977. While the existing Site Development Plan was approved in 2016, the request furthers this policy because the addition of multi-family residential through this Major Amendment adds to the mixed-use character of the area and supports the transition of this area of Wyoming and Montgomery Boulevards to a more pedestrian-oriented development pattern.

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

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

Applicant Response: Policy 5.2.1 is furthered by the request because the addition of the proposed residential project to the shopping center site will broaden housing options by providing an additional modestly priced rental option to the Albuquerque market. This development is occurring on a site that is largely vacant and under-utilized with only the Starbucks restaurant being constructed since the site plan approval in 2016. This
development will offer greater choices to existing and future residents in transportation, work areas, and lifestyles; therefore, it supports the creation of a healthy, sustainable, and distinct community.

d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

Applicant Response: This request furthers this sub-policy because it is proposing an appropriately dense multi-family residential development with efficient unit sizes and amenities in order to target a “missing middle” of rental housing. This project will capture middle-income renters that other new, highly-amenitized apartment projects may not, or income-restricted housing that they make too much to qualify for.

n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

Applicant Response: The existing shopping center property has long been vacant. The surrounding area largely developed between 1961 and 1996 according to historical aerial imagery, but this site has not fully developed with only the Starbucks being built on a portion of the larger site between 2016 and 2018. Approval of this Site Plan request furthers this sub-policy by encouraging the productive use of these vacant lots and may spur additional development for the remainder.

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.

Applicant Response: The project furthers this goal by promoting a denser development pattern in an area with existing infrastructure. The 2016 Site Development Plan brought infrastructure improvements with utilities and storm drainage into the site and paved the surrounding alleyways and shared drive aisles. Approval of the current request will take advantage of these existing improvements, as well as support a high density of people that will support surrounding businesses and transit service on Montgomery Boulevard, which ultimately supports the public good.

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.

Applicant Response: The request furthers this policy by providing for the development of a site designated as an Area of Change along two different corridors. The proposed development provides for additional housing at a different scale and density than much of what is within the surrounding area, which is intended in Areas of Change per sub-policy 5.6.2.b. There is adequate existing infrastructure, including a highly connected street grid and frequent transit on both Montgomery Boulevard and Wyoming Boulevard to support this request for development, and as described elsewhere significant infrastructure improvements have previously been made to serve this site so it is appropriate for this development to locate on the subject property per sub-policies 5.6.2.g and 5.6.2.h.
Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

**Applicant Response:** The requested Site Plan enhances the walkability of housing options in this area by providing sidewalks and enhancing landscaping in this mostly commercial area. Existing commercial and retail will be accessible on foot, and the increased density from a multi-family community will also encourage future growth of businesses who can take advantage of an increased local population.

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 options.

**Applicant Response:** The requested Site Plan will provide housing targeting the “missing middle” of rental options not serviced by existing Class A or affordable housing initiatives. This classically underserved market segment will benefit from the closeness to public transit, major arterial roadways, jobs, and retail options at this site. The efficient units and high-quality amenities will provide a unique blend of qualities that will make this project the first of its kind in Albuquerque.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

**Applicant Response:** The requested Site Plan furthers this goal and policy by providing new, high-quality rental multi-family in the Northeast Heights of Albuquerque. In particular, the proposed development is intended to be available to middle income households in a way that is not well represented in the market, thus helping ensure a greater balance of housing options for people of a variety of income levels and types of residents and households.

Policy 9.1.2 Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options throughout the area.

**Applicant Response:** The proposed Major Amendment to the shopping center Site Plan to include multi-family residential furthers this policy by expanding the available housing types in the Northeast Heights of Albuquerque. Targeting the “missing middle” of rental options not serviced by existing Class A or affordable housing initiatives, this project creates a high-quality mixed-income housing option. The orientation of the project meeting the Neighborhood Edge stepdown requirement and a separate height limitation called for in the Los Pastores Shopping Center design standards ensures that the proposed development maintains the scale of the existing neighborhoods nearby, particularly to the west, while simultaneously encouraging a greater diversity of housing, thus furthering sub-policy 9.1.2.c.

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 property and any related development agreements and/or regulations.
**Applicant Response:** The property is not zoned NR-SU or PD. However, the previous Site Development Plan for Subdivision includes design standards in addition to those of the IDO, which apply to the subject property. Such special development regulations include a modified height stepdown provision near single-family residential, maximum floor area ratio, and “modern” building design. The Applicant has met or intends to meet these requirements from the prior approval as shown in the proposed drawings.

Such standards include a height limit of 26 feet within 85 feet of the R-1 properties to the west. The project does not have any buildings within this 85-foot area and is setback more than 100 feet to comply with the IDO provision limiting height to 30 feet within that larger setback area.

The Site Development Plan for Subdivision allows a Floor Area Ratio (FAR) maximum of 1.0 and the proposed development complies with a FAR of approximately 0.78.

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.

**Applicant Response:** As mentioned above, there are design standards associated with the prior approval. The Applicant intends to comply with those standards in addition to the IDO standards, which apply either by reference to the zoning code in the prior approval or because the prior approval is silent. The proposed development complies with the applicable provisions of the IDO for the MX-M (Mixed-use Moderate Intensity) zone district. Multi-family residential development is a permissive use under the existing zoning designation. The proposed buildings meet the dimensional standards of the IDO, including special Neighborhood Edge provisions related to building height within 100 feet of single-family residential. With approval of the accompanying Variance – EPC the Applicant believes they comply with all applicable IDO requirements.

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.

**Applicant Response:** The City’s existing infrastructure has adequate capacity for the proposed development. A traffic scoping form was submitted for review by the City Traffic Engineer, and no further study was necessary as the site does exceed the established thresholds. The subject site is in an infill location and is surrounded by fully built-out roadways that include adequate water, sewer, and storm drainage for the proposed development. Any water or sewer extensions, storm drainage installation, or roadway improvements that are required due to this redevelopment will be completed by the developer.

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.

**Applicant Response:** The application mitigates significant adverse impacts through the location of the proposed structures on the east side of the subject lots, which places them in
compliance with the height stepdown requirements of the IDO’s Neighborhood Edge provisions. The proposed landscape buffer on the west side of the site will be well planted to reduce the impacts to those neighbors, and along with the existing alleyway provides a significant transition to between the properties of greater than 35 feet to the proposed parking lot.

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.

Applicant Response: The property is not located within any approved Master Development Plan area, so this criterion does not apply.

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.

Applicant Response: The site is not located in the Railroad and Spur Area and no cumulative impact analysis is required, so this criterion does not apply.

VARIANCE JUSTIFICATION

As part of this Site Plan – EPC request, the Applicant is also seeking approval of a Variance – EPC to allow for a reduction of the required landscaped edge buffer from 15 feet to a minimum of 5.5 feet (a reduction of 9.5 feet total). It is the Applicant’s intent to provide 7.5 feet of landscape buffer area, but this request is based upon the potential for additional Fire Marshal requirements regarding width of the fire access. Approval of the Fire 1 plan by the Fire Marshal will dictate the final buffer width. This variance request is due to the narrowness of the property in the east-west direction, which severely limits the potential layouts of any buildings and parking on the property, as well as a previous right-of-way dedication for the alley on the west side of the property beyond typical standards, which contributed to this lot width deficiency.

As explained below, this request meets the criteria for a variance and is justified because of special circumstances applicable to the subject site that are not self-imposed and pose an extraordinary hardship and practical difficulties on development of the site.

Per IDO Section 6-6(N)(3)(a), an application for a Variance – EPC shall be approved if it meets all of the following criteria:

1. There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return...
on the property, or practical difficulties result from strict compliance with the minimum standards.

**Applicant Response:** As described above, the subject properties are extremely narrow, which makes them difficult to develop with all the required elements from the IDO, DPM, and other city regulations, the impacted landscaped buffer notwithstanding. The eastern edge of the property is encumbered by a shared access easement for the entire shopping center, and city regulations stipulate minimum widths of pedestrian walkways, drive aisles for emergency access, and depth of parking stalls. Considering all these factors simultaneously leaves limited space for the proposed buildings and landscaping areas. The Applicant has made every effort to comply with these various requirements by orienting the buildings in the north-south direction as far to the eastern edge of the lot as practical and maximizing the IDO allowances for compact parking stalls within the parking lot.

The narrow lots in question were platted prior to the creation of the neighborhood edge and landscape buffer requirements in the IDO. Further, when the existing site plan was approved by the City in 2016, the property owner was required to dedicate an additional 10 feet to the alley along the west side of the property to create a 30-foot-wide alley on this edge, even though the alley remains 20 feet wide along the McDonald’s property immediately to the south and a lesser dedication was accepted on the north side of the site.

The requirement to provide an additional 10 feet toward a paved alley on the west side of the site constitutes a special circumstance to the subject property not shared with any other properties in the same zone district or vicinity and is the result of government action. Typical alleys throughout Albuquerque are only 16 to 20 feet wide, and modern drive aisles are only slightly wider than that. Requiring 30 feet from these lots was excessive and creates an extraordinary hardship on the property owner and Applicant by limiting the reasonable use of the property when paired in conjunction with the new rules that further take away real estate from productive use. These special circumstances also create practical difficulties as strict compliance with the landscape buffer standard along with requirements for parking, sidewalks, building code and design considerations, and others are extremely challenging and limiting upon the property.

2. The Variance will not be materially contrary to the public safety, health, or welfare.

**Applicant Response:** The variance will not be materially contrary to the public safety, health, or welfare. The variance will not allow any part of the proposed development to be constructed closer to the single-family residential homes to the west than if the alley was left as a 20-foot right-of-way as it is along the McDonald’s property to the south. When combined with the alley width, the effective buffer between the proposed parking lot and the homes is over 35 feet, which meets the intent of the IDO for separation between uses. Further, the Applicant will still plant the required buffer trees within the remaining landscape buffer to screen the parking and multi-family development from the neighboring yards.

3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.
Applicant Response: The variance will not cause material adverse impacts on surrounding properties or infrastructure improvements. The proposed multi-family residential use is allowed by the underlying zoning and infrastructure is available to serve this development, so the variance will not allow a type of development not otherwise permitted. The variance will not allow for any additional development that creates greater traffic impacts, flooding, or any other adverse impacts. As described above, the effective width of the landscape buffer will remain larger due to the increased alley width that has created the special circumstances applicable to the property. A separation of over 35 feet will remain and the leftover landscape area will continue to be planted as required by the IDO.

4. The Variance will not materially undermine the intent and purpose of this IDO or the applicable zone district.

Applicant Response: The variance will not materially undermine the intent and purpose of the IDO or the MX-M zone district. It will not allow any uses that are not allowed by the underlying zoning, and it will help facilitate the approval and construction of moderately priced rental housing for middle-income families and individuals, which is appropriate in this location and supportive of the Comprehensive Plan. The request does not eliminate the landscape buffer or the related plantings, but rather it reduces it consistent with the amount of additional right-of-way dedication that was required of the property owner along the alley in 2016. When combined, the separation between this development and the neighboring single-family lots is over 35 feet, which exceeds the minimum distance separation required by the IDO had an alley not exist along this edge.

5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

Applicant Response: The variance is the minimum necessary to avoid extraordinary hardship and practical difficulties. The requested variance is necessary for the placement of the buildings, parking lot with drive aisle, and sidewalks as shown on the accompanying Site Plan – EPC.

CONCLUSION
Based on all the information provided, on behalf of Titan Development, we respectfully request approval of both the proposed Site Plan for development of a 102-unit multi-family development and the associated Variance – EPC reducing the required landscape buffer to a minimum of 5.5 feet.

Sincerely,

James K. Strozier, FAICP
Principal
City of Albuquerque
Planning Department
Development Review Services Division
Traffic Scoping Form (REV 12/2020)

Project Title: Apartments

Building Permit #: ___________________________ Hydrology File #: ___________________________

Zone Atlas Page: F-19-Z DRB#: ___________________________ EPC#: ___________________________

Legal Description: TR A-1-E-1 SUBDIVISION TRACTS A-1-C-1, A-1-D-1, & A-1-E-1

City Address: 4615 WYOMING BLVD NE ALBUQUERQUE NM

Applicant: Tierra West LLC

Contact: Ron Bohannon

Address: 5571 Midway Park Pl NE, Albuquerque NM 87109

Phone#: 505-858-3100 Fax#: ___________________________ E-mail: rrb@tierrawestllc.com

Development Information

Build out/Implementation Year: 2023

Current/Proposed Zoning: MX-M

Project Type: New: (x) Change of Use: ( ) Same Use/Unchanged: ( ) Same Use/Increased Activity: ( )

Proposed Use (mark all that apply): Residential: (x) Office: ( ) Retail: ( ) Mixed-Use: ( )

Describe development and Uses: 120-Unit Apartment Complex development including a clubhouse and pool. 102 Units, 3 stories

Days and Hours of Operation (if known): 24 hours a day, 7 days a week

Facility

Building Size (sq. ft.): 2,200 Clubhouse SF GFA

Number of Residential Units: 102 Units

Number of Commercial Units: ___________________________

Traffic Considerations

Expected Number of Daily Visitors/Patrons (if known):* ________________

Expected Number of Employees (if known):* 3

Expected Number of Delivery Trucks/Buses per Day (if known):* ___________________________

Trip Generations during PM/AM Peak Hour (if known):* ITE-11th ed. 221-Multifamily Housing (Mid-rise)

AM-7Enter/26Exit PM-24Ent/16Exit

Driveway(s) Located on: Street Name Wyoming Blvd

Adjacent Roadway(s) Posted Speed: Street Name Montgomery Blvd Posted Speed 40 mph

Street Name Wyoming Blvd Posted Speed 40 mph

* If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required.
**Roadway Information (adjacent to site)**

Comprehensive Plan Corridor Designation/Functional Classification: **Arterial**
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: **n/a**
(urban center, employment center, activity center)

Jurisdiction of roadway (NMDOT, City, County): **City**

Adjacent Roadway(s) Traffic Volume: **37,301 (2216 TAQA)**
Cog ID# 15086

Volume-to-Capacity Ratio: **.25-.50**
(if applicable)

Adjacent Transit Service(s): **Bus Route 98**
Nearest Transit Stop(s): **Bus Stop Route 98 along Wyoming**

Is site within 660 feet of Premium Transit?: **No**

Current/Proposed Bicycle Infrastructure: **Current Bicycle Infrastructure Developed along Arterial Roadways**
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: **Sidewalk along adjacent roadways**

---

**Relevant Web-sites for Filling out Roadway Information:**

City GIS Information: [http://www.cabq.gov/gis/advanced-map-viewer](http://www.cabq.gov/gis/advanced-map-viewer)


---

**TIS Determination**

Note: Changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

Traffic Impact Study (TIS) Required: Yes [ ] Opposite Borderline [ ]

Thresholds Met? Yes [ ] Opposite No [ ✔ ]

Mitigating Reasons for Not Requiring TIS:  Previously Studied: [ ]

Notes:

[ ]

TRAFFIC ENGINEER DATE

7/20/2022

------------------------------------------------------------------------------------------
Submit the Scoping Form as part of any building permit application, DRB application, or EPC application. See the Development Process Manual Chapter 7.4 for additional information. Submit by email to the City Traffic Engineermgrush@cabq.gov. Call 924-3362 for information.

**Site Plan/Traffic Scoping Checklist**

Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:

1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) ([check MRCOG Bikeways and Trails in the 2040 MTP map](#))
4. Location of nearby multi-use trails, if applicable ([check MRCOG Bikeways and Trails in the 2040 MTP map](#))
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify v/c ratio on this form.
Multifamily Housing (Mid-Rise)
Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban
Number of Studies: 30
Avg. Num. of Dwelling Units: 173
Directional Distribution: 23% entering, 77% exiting

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<thead>
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<th>Range of Rates</th>
<th>Standard Deviation</th>
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<td>0.09</td>
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</table>

Data Plot and Equation

Fitted Curve Equation: \( T = 0.44(X) - 11.61 \)
\( R^2 = 0.91 \)
Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban
Number of Studies: 31
Avg. Num. of Dwelling Units: 169
Directional Distribution: 61% entering, 39% exiting

Vehicle Trip Generation per Dwelling Unit

<table>
<thead>
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<th>Standard Deviation</th>
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<tbody>
<tr>
<td>0.39</td>
<td>0.19 - 0.57</td>
<td>0.08</td>
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</table>

Data Plot and Equation

Fitted Curve Equation: $T = 0.39(X) + 0.34$

$R^2 = 0.91$
ENGINEERING COMMENTS:

- Hydrology will need an approved grading and drainage plan completed by a New Mexico registered professional Civil Engineer for the proposed site plan.

RESOLUTION/COMMENTS:

Water:

Code Enforcement:

Parks:

Transportation:

Planning:

☐ APPROVED  DELEGATED TO:  ☐ TRANS  ☐ HYD  ☐ WUA  ☐ PRKS  ☐ PLNG
☐ DENIED

Delegated For: 

SIGNED:  ☐ I.L.  ☐ SPSD  ☐ SPBP  ☐ FINAL PLAT
DEFERRED TO _______________
Development Review Board (DRB)
Review Comments
Utility Development Section
Reviewer: Blaine Carter, P.E.
Phone: 505.415.9188

<table>
<thead>
<tr>
<th>DRB Project No:</th>
<th>Date:</th>
<th>Item No:</th>
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<tbody>
<tr>
<td>PS-2022-00128</td>
<td>06/29/2022</td>
<td>#6</td>
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<th>Legal Description:</th>
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<td>F-19</td>
<td>Lot(s) TRACT A-1-E-1/TRACT A-1-A, LOS PASTORES SHOPPING CENTER</td>
<td>4615 WYOMING BVDL NE BETWEEN and MONTGOMERY BLVD NE</td>
</tr>
</tbody>
</table>

Request For: PS-2022-00128 – SKETCH PLAN

ABCWUA Comment:

Please provide written description of how the following comments were addressed with the next submittal.

1. Request an availability/serviceability statement online at the following link: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire marshal requirements. An executed statement must be obtained prior to approval.
2. Utility Plan:
   a. Provide a utility plan that indicates the location of proposed services.
   b. Show existing public water and public sewer mains and any associated easements on the utility plan.
   c. Dimension the public water and public sewer easements on the utility plan.
   d. Coordinate with NM 811 to field locate and survey the existing public water and sewer infrastructure. If existing infrastructure is not within the existing easements, dedicate additional easement to provide the minimum widths over the actual pipe locations.
e. There shall be no trees, parallel fences/sidewalks/curbs, or structures within the public water and public sewer easement.

3. Infrastructure List:
   a. The improvements required in the Availability Statement shall be incorporated into the infrastructure list.

4. Information Only:
   a. It appears water and sewer are available at the southwest corner. The portion of alley south of this project is only 20 feet.
   b. This project is within the adopted service area.
   c. Pro rata is not owed for this property.
   d. Easements:
      i. Include all public water and/or sanitary sewer easements on the plat, including those that are adjacent to the subject property’s boundaries. Surveyor shall field verify the location of existing public water and/or sanitary sewer infrastructure to determine if existing public water and/or sanitary sewer easements are sufficient. If the easement(s) does not exist, a new easement shall be granted. The width of the easement shall be the standard width, unless specified by the Water Authority.
      ii. Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated rights-of-way. A minimum width easement of 20’ is required for a single utility and 25’ for water and sewer both within the same easement. Easements for standard sized water meters need to be 5’x5’ and include the length of the water service if located on private property. For larger meters that require a meter vault, a 35’x35’ easement is required. Actual easement widths may vary depending on the depth of the lines to be installed.
AGENDA ITEM NO: 6

DRB PROJECT NUMBER: 
PR-2022-007219
PS-2022-00128 – SKETCH PLAN

PROJECT NAME: 
TIERRA WEST, LLC agent for MAUNEY INVESTMENTS, LLC requests the aforementioned action(s) for all or a portion of: TRACT A-1-E-1/TRACT A-1-A, LOS PASTORES SHOPPING CENTER zoned MX-M, located at 4615 WYOMING BLVD NE BETWEEN and MONTGOMERY BLVD NE containing approximately 2.1979 acre(s). (F-19)

PROPERTY OWNERS: MAUNEY INVESTMENTS LLC
REQUEST: SKETCH PLAN REVIEW AND COMMENT

COMMENTS:

1. Property is zoned MX-M, and must meet all dimensional standards of IDO section 5-1(D), Table 5-1-2, as well as Specific Use Standards for Multi-Family Dwellings, as per IDO section 4-3(B)(7).
2. Property is located in an Area of Change, and is adjacent to an Area of Consistency with R-1B zoning to the West. This proximity stipulates the following Landscape and Building Design requirements:
   • A fifteen (15) foot Landscape Buffer on the West side, as per IDO 5-6(E)(5), Area of Change next to Area of Consistency Table 5-6-5, and as described in IDO 5-6(E)(2), Development next to Low Density Residential Zone Districts.
   • Drop down to a maximum 30 foot height within 100 feet of protected district, as per IDO 5-9(C)(1).
3. Property is located within 660 ft of the Montgomery Blvd Major Transit Corridor, with allowance of 20% reduction Parking Credits as per IDO 5-5(C)(5)(a).
4. Must follow parking requirements as per IDO 5-5, Parking and Loading, and Table 5-5-1, which requires 1.5 spaces per Dwelling Unit (DU) prior to credits. With the 20% reduction noted above, that would reduce it to 1.2 spaces per DU required. Please show calculations for reduction to 1.15 spaces per DU, as shown on Site Plan, citing all credits utilized.
5. In addition to the IDO sections cited above, this development must meet all requirements of IDO 14-16-5, Development Standards, and should review sections 5-3 Access & Connectivity, 5-7 Walls & Fencing, 5-8 Outdoor and Site Lighting, 5-9 Neighborhood Edges, 5-11 Building Design, and 5-12 Signs.
DRB Project Number: 2022-007219
4615 Wyoming

SUBJECT: Sketch

ENGINEERING COMMENTS:

1. Transportation will need an approved Traffic Circulation Layout prior to approval. Sidewalk and access will be reviewed as part of TCL.
2. Please complete a Traffic Scoping Form to determine if a TIS will be required for this property.

If new or revised information is submitted, additional comments may be provided by Transportation Development.

FROM: Ernest Armijo, P.E.
Transportation Development
505-924-3991 or earmijo@cabq.gov

DATE: June 29, 2022

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: ____________ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)
DEVELOPMENT REVIEW BOARD

Planning - Case Comments

**HEARING DATE:** 6/29/22  --  **AGENDA ITEM:** #6

**Project Number:** PR-2022-007219

**Application Number:** PS-2022-00128

**Project Name:** 4615 Wyoming

**Request:** Sketch Plan: Proposal for 102-unit multi-family residential development

*These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.

**COMMENTS:**

- For Platting actions, utility signatures, AMAFCA signatures and DXF File approval from AGIS are all required prior to the acceptance of the application file and the placement on a DRB agenda. Project and application numbers are needed on all Plan sheets.

- The applicant will need to work with Transportation, Hydrology, and Water Authority members on submitting the required items on Form S or P as a part of the application process and obtain the required signatures for platting or site plans.

- All Plan sheets must be sealed and signed by a design professional licensed in the State of New Mexico. Future Landscape Plans must be sealed and signed by a Landscape Architect licensed in the State of New Mexico.

- All standards within IDO section 5-4-C (Subdivision of Land Compliance) apply to all replatting actions. Re-plating action cannot increase any existing nonconformity or create a new nonconformity.

- Future development must meet all applicable standards and provisions of any previously approved Site Plan. Changes to any previously approved Site Plan may require minor/major amendments. If none exist and/or where silent, all development must meet standards and provisions of IDO and the DPM. *Provide additional detail.

- For the Multi-Family Use please reference the following IDO sections that directly

*(See additional comments on next page)*
pertain to this project:
  o Table III – Provisions for ABC Comp Plan Centers & Corridors, MT-Major Transit. The property is within 660 feet of Montgomery, a Major Transit corridor
  o 4-3-B-7 Multi-Family Use Specific Standards.
  o 5-1 Dimension Standards for MX-M. 5-1-G Exceptions and Encroachments. Provide Open Space calculations.
  o 5-2 Site Design, Climate and Geographic analysis. Provide documentation and detail for analysis.
  o 5-3 Access & Connectivity, provide clarification on existing easements and modifications.
  o 5-5 Parking & Loading, table 5-5-1. 5-5-B-4 Allowed Vehicles, 5-5-C-4 Unlisted Uses, 5-5-D Motorcycle, 5-5-E Bicycle. Clarify shared parking agreements.
  o 5-6 Landscaping, Buffering, and Screening. 5-6-C Minimum Landscaping, 5-6-D Required Street Trees, 5-6-D-2 Additional Landscaping, 5-6-Edge Buffer Landscaping including 5-6-E-2 and 5-6-E-5, 5-6-F Parking Lot Landscaping, 5-6-G-3 Loading, Service and Refuse areas. Provide clarification on how standards are being met.
  o 5-7 Walls/Fences, table 5-7-1. Multifamily exception per 5-7-D-3-C.
  o 5-9 Neighborhood Edge requirements when developing next to a protected lot.
  o 5-11-E Building and façade design. Provide elevations and detail.
  o 7-1 Dwelling and development definitions.

- **No dimensions are shown on the sketch plan regarding buffers. Please confirm that a 15-foot landscape buffer is provided adjacent to the single family development (not counting the alley). (See the IDO references below for two provisions that each identify a 15-foot buffer is required.)**

5-6(E)(2) Development Next to Low-density Residential Zone Districts
Where multi-family, mixed-use, or non-residential development other than industrial development occurs on a lot abutting or across an alley from a lot containing low-density residential development in an R-A, R-1, R-MC, or R-T zone district, a buffer shall be provided along the lot line, as specified for the relevant area below.
It is recommended that the developer buffer the multi-family from the adjacent commercial developments with something like trees.

The 3-story proposed building height must be setback 100 feet from the property line shared with the single-family residential. See the IDO provision below.

**5-9(C) BUILDING HEIGHT STEPDOWN**

**5-9(C)(1) General Requirement**

On Regulated Lots, any portion of a primary or accessory building within 100 feet of the nearest Protected Lot property line shall step down to a maximum height of 30 feet.

Comply with the standards for Multi-Family Development in 5-11(D) and the Use Specific Standards in 4-3(B)7:

2. **Twenty-five (25) percent of the net lot area shall contain landscaping:** playgrounds, sports courts, swimming pools, or similar features may count up to 10 percent of net lot landscaping. Tree canopies and ground-level plants shall cover a minimum of 75 percent of the total landscaped area, and the maximum a tree canopy shall count toward this requirement is 600 square feet.

3. **Cool season grasses are restricted to 20 percent of the landscape area. Warm season grasses may cover up to an additional 70 percent of the landscape area.**
The proposed development is located within a Site Plan for Subdivision which was approved per 1010550 / 15EPC-40032 by the EPC and approved for final sign off by the DRB on June 1, 2016. The proposed multi-family residential development will either require a Major Site Plan Amendment – EPC to amend the past EPC approval (with DRB Final Sign-off) or will require a Site Plan – DRB due to more than 50 multi-family residential units being proposed. Staff will have to look further into past approvals and determine the next step for the proposed development. Staff will note that both possible actions are major actions requiring EPC and/or DRB approval.

Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Robert Webb/Jolene Wolfley/Jay Rodenbeck
Planning Department
DATE: 06/28/22
PR-2022-007219
PS-2022-00128 – SKETCH PLAN
TIERRA WEST, LLC agent for MAUNEY INVESTMENTS, LLC requests the aforementioned action(s) for all or a portion of: TRACT A-1-E-1/TRACT A-1-A, LOS PASTORES SHOPPING CENTER zoned MX-M, located at 4615 WYOMING BLVD NE BETWEEN and MONTGOMERY BLVD NE containing approximately 2.1979 acre(s). (F-19)
PROPERTY OWNERS: MAUNEY INVESTMENTS LLC
REQUEST: SKETCH PLAN REVIEW AND COMMENT

06-29-2022
This property is currently in a gap area, and residents would not be within a 10-minute walk to a park; therefore, a play area would be beneficial if possible.
STAFF INFORMATION
August 23, 2022

TO: Michael Voss, Consensus Planning
FROM: Leroy Duarte- Current Planner
City of Albuquerque Planning Department
TEL: (505) 924-3352
RE: Los Pastores Shopping Center

I’ve completed a first review of the proposed major amendment. I would like to discuss the request and have a few revisions to the justification letter. I’m available to answer questions about the process and requirements. Please provide the following:

⇒ A revised Major Amendment & Variance justification letter pursuant to the major amendment criteria (one PDF copy) by:
  **Monday, August 29, 2022.**
  Note: If you have difficulty with this deadline, please let me know.

1) Introduction:
   A. Though We’ve done our best for this review, additional items may arise as the case progresses. If so, we will inform you immediately.
   B. It is our understanding that you are submitting a Major Amendment, please explain if you plan on keeping the design standards already set in place or will be adopting IDO development standards.
   C. This is what we have for the legal descriptions:

2) Process:
   A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:
   B. Timelines and EPC calendar: the EPC public hearing for September 15, 2022. Final staff reports will be available one week prior, on September 08, 2022.
   C. Agency comments will be distributed as staff receives them. I will email you a copy of the comments.

3) Notification & Neighborhood Issues:
Notification requirements for a major amendment are explained in Section 14-16-6-4(K), Public Notice. The required notification consists of: i) an emailed letter to neighborhood representatives indicated by the ONC, and ii) a mailed letter (first-class) to property owners within 100 feet of the subject site.

A. The sign posting period is 15 days prior and after the EPC hearing date from Wednesday August 31, 2022 to September 30, 2022.

4) Project Letter:
   A. Please provide a separate justification letter for each subject site.
   B. Letter should demonstrate how the Major Amendment meets the IDO decision criteria, 6-4(Z)(1)(b) and Variance-EPC 6-6(N) is met.

5) Major Amendment - Overview:
   A. The task in a Major Amendment justification is to choose applicable Goals and policies from the Comprehensive Plan and demonstrate how the request furthers (makes a reality) each applicable Goal and policy. Furthering is shown by providing explanations using “because” statements and tailoring the response to match the wording of the Goal or policy.
   B. Intro elaborate if you are adopting IDO standards or keeping Los Pastores Design Standards, and why it is a major amendment rather than just citing section.
   C. Policy 4.1.2: How will multi-family protect the identity of the surrounding neighborhoods when housing types vary (multifamily vs. single family).
   D. Goal 5.1: Justification letter lists Goal, policy 5.1.1 and sub-policies c & g. Respond to each goal policy and sub-policy individually, or remove sub-policies and highlight how they fit within the policy. It is better to have quality over quantity. Response is too short.
      Policy 5.1.11: Expand on policy and sub-policy individually or remove sub-policy a.
   E. Policy 5.2: Expand on Policy and sub-policies individually or remove them. Response is too short.
   F. Goal 5.3: Too vague elaborate more on Goal.
   G. Goal 5.6: If sub-policies fit then policies apply, removed sub-policies and highlight them for your policy response.
   H. Policy 9.1.2: If sub-policies fit then policies apply, removed sub-policies and highlight them for your policy response.
   6-6(J)(3)(C): Design standards are already in place for this Site Plan subdivision. Will you be adopting the IDO standards or keeping existing design standards?
   6-6(N)(3)(a)
   1. List the efforts that were made and briefly describe them.

Conclusion: List the variance as well.
NOTIFICATION
PLEASE NOTE:
The City Council recently voted to update the Neighborhood Association Recognition Ordinance (NARO) and the Office of Neighborhood Coordination (ONC) is working to ensure all neighborhood associations and neighborhood coalitions are in compliance with the updated ordinance. There will likely be many updates and changes to association and coalition contact information over the next several months. With that in mind, please check with the ONC every two (2) weeks to ensure that the contact information you have for associations and coalitions is up to date.

Dear Applicant:

As of Friday, June 8, 2022, there are NO recognized neighborhood associations to notify.

Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can’t answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: https://www.cabq.gov/planning/online-planning-permitting-applications with those types of questions.

Please note the following:
  * You will need to attach a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

Thank you.

Vanessa Baca
From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] On Behalf Of webmaster@cabq.gov
Sent: Friday, July 08, 2022 10:56 AM
To: Office of Neighborhood Coordination <vos@consensusplanning.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

EXTERNA[ Forward to phishing@cabq.gov and delete if an email causes any concern.

Neighborhood Meeting Inquiry For:
Environmental Planning Commission
If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:
Contact Name
Michael Vos
Telephone Number
5057649801
Email Address
vos@consensusplanning.com
Company Name
Consensus Planning, Inc.
Company Address
302 8th Street NW
City
Albuquerque
State
NM
ZIP
87102
Legal description of the subject site for this project:
Tracts A-1-A and A-1-E-1, LOS PASTORES SHOPPING CENTER
Physical address of subject site:
4615 WYOMING BLVD NE
Subject site cross streets:
Wyoming and Montgomery
Other subject site identifiers:
Northwest corner of the intersection
This site is located on the following zone atlas page:
F-19
Captcha
SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application for a $10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter.

1. LOCATION
   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER
   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING
   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME
   Signs must be posted from ___________________________To ___________________________

5. REMOVAL
   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

_____________________________          _______________
(Applicant or Agent) (Date)

I issued _____ signs for this application,             ________________,   _____________________________
(Date) (Staff Member)

PROJECT NUMBER: PR-2022-007219
PLEASE NOTE:
The City Council recently voted to update the Neighborhood Association Recognition Ordinance (NARO) and the Office of Neighborhood Coordination (ONC) is working to ensure all neighborhood associations and neighborhood coalitions are in compliance with the updated ordinance. There will likely be many updates and changes to association and coalition contact information over the next several months. With that in mind, please check with the ONC every two (2) weeks to ensure that the contact information you have for associations and coalitions is up to date.

Dear Applicant:

Please note that there are NO neighborhood associations to notify.

Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can’t answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: https://www.cabq.gov/planning/online-planning-permitting-applications with those types of questions.

Please note the following:

- You will need to attach a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

Thank you.
Public Notice Inquiry For: Environmental Planning Commission
If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:
Contact Name
Michael Vos
Telephone Number
(505) 764-9801
Email Address
vos@consensusplanning.com
Company Name
Consensus Planning, Inc.
Company Address
302 8th Street NW
City
Albuquerque
State
NM
ZIP

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.
ARGUELLO FRANK R JR & VICENTE ARGUELLO
PO BOX 65595
ALBUQUERQUE NM 87193-5595

ARRINGTON ARMSTEAD
49 SAN FERNANDEZ RD
LOS LUNAS NM 87031-7645

BRADY KEVIN B TRUSTEE BOBBY J BRADY RVT
4708 NORMA DR NE
ALBUQUERQUE NM 87109-1740

CASUL CASSANDRA
4512 NORMA DR NE
ALBUQUERQUE NM 87109-1739

CONWELL WAYNE ROY & CONWELL CARLA GAIL GRAY
4516 NORMA DR NE
ALBUQUERQUE NM 87109-1736

CORDOVA KENNETH P RVLT
8400 LAS CAMAS RD NE
ALBUQUERQUE NM 87111-2339

DARK HORSE INVESTMENTS INC C/O LYTLK KENNETH & JEANETTE
4612 NORMA DR NE
ALBUQUERQUE NM 87109-1738

DRISCOLL JOHN & CATHLEEN
3005 CASA DEL NORTE DR NE
ALBUQUERQUE NM 87111-5614

EUBANK JESSICA
4600 NORMA DR NE
ALBUQUERQUE NM 87109-1738

G & L INVESTMENTS CO INC
317 6TH ST NW
ALBUQUERQUE NM 87102

GODORI INVESTMENTS LLC
2270 WYOMING BLVD NE
ALBUQUERQUE NM 87112-2675

GORELICK DAVID C & SWANWICK ANNA F
8404 GUTIERREZ RD NE
ALBUQUERQUE NM 87112

HARRIS MARY D
4616 NORMA DR NE
ALBUQUERQUE NM 87109-1738

HICE ELMER D
5223 PURCELL DR NE
ALBUQUERQUE NM 87111-3760

LEGACY CHURCH INC
7201 CENTRAL AVE NW
ALBUQUERQUE NM 87121

LOPEZ FRANK G & PATRICIA D HOSTETTER-LOPEZ
4712 NORMA DR NE
ALBUQUERQUE NM 87109

MAESTAS MANUEL
1278 E PAR TEE LN
IDAHO FALLS ID 83401-4242

MATTEUCCI PAUL J ETUX ETAL C/O THOMSON PROPERTY TAX SERVICES
PO BOX 2609
CARLSBAD CA 92018

MAUNEY INVESTMENTS LLC
PO BOX 90453
ALBUQUERQUE NM 87199-0453

MAUNEY INVESTMENTS LLC & ETAL C/O RYAN LLC
PO BOX 2609
CARLSBAD CA 92018-2609

MCDONALDS CORPORATION C/O CONQUISTADORES INC
PO BOX 92500
ALBUQUERQUE NM 87199-2500

MOYA JOHN
4700 NORMA DR NE
ALBUQUERQUE NM 87109-1740

NEFF TISA
4620 NORMA DR NE
ALBUQUERQUE NM 87109-1738

REPICHOWSKI BRANDON E & RACHEL E
8405 GUTIERREZ RD NE
ALBUQUERQUE NM 87111

SOLANO GENIO STEVE
4608 NORMA DR NE
ALBUQUERQUE NM 87109

STEADMAN RICHARD EARL & JOSEPHINE ELEANOR
4504 NORMA DR NE
ALBUQUERQUE NM 87109-1736

TOMMASO CHRISTIAN
8400 GUTIERREZ RD NE
ALBUQUERQUE NM 87111-2317

VALDEZ JUAN A SR
10001 WELLINGTON ST NE
ALBUQUERQUE NM 87111

VIA REAL ESTATE LLC
13105 DOVER AVE
LUBBOCK TX 79424-8451

WESTERN REFINING RETAIL LLC ATTN: PROPERTY TAX DEPT
PO BOX 592809; TX1-047
SAN ANTONIO TX 78259-0190
WYMONT LLC
409 NM HWY 528 NE
RIO RANCHO NM 87124-0000

WG ALBUQUERQUE NM
MONTGOMERY LANDLORD LLC C/O
WALGREEN CO RE PROPERTY TAX DEPT
PO BOX 1159
DEERFIELD IL 60015-6002

WESTERN REFINING RETAIL LLC ATTN:
PROPERTY TAX DEPT
PO BOX 592809; TX1-047
SAN ANTONIO TX 78259-0190
VIA REAL ESTATE LLC
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4612 NORMA DR NE
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G & L INVESTMENTS CO INC
317 6TH ST NW
ALBUQUERQUE NM 87102

HARRIS MARY D
4616 NORMA DR NE
ALBUQUERQUE NM 87109-1738
OFFICIAL PUBLIC NOTIFICATION FORM FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT

PART I - PROCESS

Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:

<table>
<thead>
<tr>
<th>Decision-making Body: Environmental Planning Commission (EPC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application Type: Site Plan - EPC (Major Amendment) and Variance - EPC</td>
</tr>
<tr>
<td>Pre-Application meeting required: Yes □ No</td>
</tr>
<tr>
<td>Neighborhood meeting required: Yes □ No *No recognized Associations</td>
</tr>
<tr>
<td>Mailed Notice required: Yes □ No</td>
</tr>
<tr>
<td>Electronic Mail required: Yes □ No</td>
</tr>
<tr>
<td>Is this a Site Plan Application: Yes □ No Note: if yes, see second page</td>
</tr>
</tbody>
</table>

PART II – DETAILS OF REQUEST

Address of property listed in application: 4615 Wyoming Boulevard NE
Name of property owner: Mauney Investments, LLC
Name of applicant: Titan Development (Agent: Consensus Planning, Inc.)
Date, time, and place of public meeting or hearing, if applicable: September 15, 2022 at 8:30 AM. See Zoom information on next page.
Address, phone number, or website for additional information:
Please contact Michael Vos with Consensus Planning for more information at vos@consensusplanning.com or by calling (505) 764-9801.

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

✓ Zone Atlas page indicating subject property.
✓ Drawings, elevations, or other illustrations of this request.
☐ Summary of pre-submittal neighborhood meeting, if applicable.
✓ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO).
PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

_______________________________ (Applicant signature) August 4, 2022 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

CITY OF ALBUQUERQUE, PLANNING DEPARTMENT, 600 2ND ST. NW, ALBUQUERQUE, NM 87102 505.924.3860
www.cabq.gov
Printed 11/1/2020
**PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY**

Provide a site plan that shows, at a minimum, the following:

- **a.** Location of proposed buildings and landscape areas.
- **b.** Access and circulation for vehicles and pedestrians.
- **c.** Maximum height of any proposed structures, with building elevations.
- **d.** For residential development: Maximum number of proposed dwelling units.
- **e.** For non-residential development:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.

---

**September 15, 2022 EPC Hearing Zoom Information**

To join online with video: [https://cabq.zoom.us/j/2269592859](https://cabq.zoom.us/j/2269592859)

To call in: (301) 715-8592

Meeting ID: 226 959 2859

Additional information, the staff report, and meeting agenda can be found online approximately one week before the hearing on the following website:

Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner

Date of Notice*: August 4, 2022

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) Subsection 14-16-6-4(K) Public Notice to:

Property Owner within 100 feet*: __________________________________________________________

Mailing Address*: ______________________________________________________________________

Project Information Required by IDO Subsection 14-16-6-4(K)(1)(a)

1. Subject Property Address* 4615 Wyoming Boulevard NE
   Location Description Northwest corner of Montgomery Boulevard and Wyoming Boulevard

2. Property Owner* Mauney Investments, LLC

3. Agent/Applicant* [if applicable] Consensus Planning, Inc. / Titan Development

4. Application(s) Type* per IDO Table 6-1-1 [mark all that apply]
   - Conditional Use Approval
   - Permit ______________________________ (Carport or Wall/Fence – Major)
   - Site Plan
   - Subdivision __________________________ (Minor or Major)
   - Vacation ______________________________ (Easement/Private Way or Public Right-of-way)
   - Variance
   - Waiver
   - Other: ______________________________________________________________

Summary of project/request1*:
Major Site Plan Amendment for a 102-unit multi-family residential development and a variance of 9.5 feet from the 15-foot landscape edge buffer requirement along the west alley

5. This application will be decided at a public meeting or hearing by*:
   - Zoning Hearing Examiner (ZHE)
   - Development Review Board (DRB)
   - Landmarks Commission (LC)
   - Environmental Planning Commission (EPC)

1 Attach additional information, as needed to explain the project/request.
Date/Time*: September 15, 2022 at 8:30 AM via Zoom
Join Zoom Meeting: https://cabq.zoom.us/j/2269592859
To call in: (301) 715-8592 Meeting ID: 226 959 2859
Agenda/meeting materials: http://www.cabq.gov/planning/boards-commissions
To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*3:
Please contact Michael Vos with Consensus Planning for more information at vos@consensusplanning.com or by calling (505) 764-9801.

Project Information Required for Mail/Email Notice by IDO Subsection 6-4(K)(1)(b):

1. Zone Atlas Page(s)*4 F-19
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:
   
   ☐ Deviation(s)  ✔ Variance(s)  ☐ Waiver(s)
   
   Explanation*: a variance of 9.5 feet from the 15-foot landscape edge buffer requirement is proposed along the alley on the west side of the project. A 10-foot dedication was previously made to the alley (30 feet total), so less land is available for the landscaping.

4. A Pre-submittal Neighborhood Meeting was required by Table 6-1-1:  ✔Yes  ☐ No
Summary of the Pre-submittal Neighborhood Meeting, if one occurred:
No recognized associations were nearby to be notified per the Office of Neighborhood Coordination.

5. For Site Plan Applications only*, attach site plan showing, at a minimum:
   
   ✔ a. Location of proposed buildings and landscape areas.*
   ✔ b. Access and circulation for vehicles and pedestrians.*
   ✔ c. Maximum height of any proposed structures, with building elevations.*

2 Physical address or Zoom link
3 Address (mailing or email), phone number, or website to be provided by the applicant
4 Available online here: http://data.cabq.gov/business/zoneatlas/
d. For residential development*: Maximum number of proposed dwelling units.

- e. For non-residential development*:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 6.5 total acres in the shopping center; 2.3 for proposed project.
2. IDO Zone District Mixed-Use Moderate Intensity (MX-M)
3. Overlay Zone(s) [if applicable] N/A
4. Center or Corridor Area [if applicable] Major Transit (Montgomery) and Multi-Modal (Wyoming)

Current Land Use(s) [vacant, if none] Vacant project site; McDonald's and Starbucks within overall shopping center site to remain.

**NOTE**: Pursuant to IDO Subsection 14-16-6-4(L), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

- Integrated Development Ordinance (IDO):
  https://ido.abc-zone.com/
- IDO Interactive Map
  https://tinyurl.com/IDOzoningmap

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⁵ Available here: https://tinurl.com/idozoningmap
For more details about the Integrated Development Ordinance visit: http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance
SITE PLAN REDUCTIONS
DESIGN STANDARDS

I. PURPOSE & INTENT

The purpose of these Design Standards is to provide a framework for designing and developing the visual and development goals for the property and assist them in decision-making to achieve the visual and goals. The intent these standards is to create an aesthetically pleasing, pedestrian-friendly, mixed-use development that adds office, retail and restaurant amenities to the neighborhood of the City of Montgomery and Wittman. It includes an office building, retail, and restaurant establishments along Wittman Road.

a. Goals:
   i. Aesthetic treatments and material selection that provides continuity in design across the entire property.
   ii. A pedestrian-friendly environment that provides pleasant outdoor spaces for users and achieves a ‘park once and use many’ strategy.
   iii. Existing buildings adjacent to Montgomery will remain.
   iv. Buildings proposed for this site to comply with C-2 regulations in the City of Abiquiu Code of Ordinances 14-16-2-17 C-2 Community Commercial Zone.
   v. All Design Standards are intended to meet or exceed the requirements of the City of Abiquiu Code of Ordinances.

II. SETBACKS & BUILDING HEIGHT LIMITATIONS

There is no less size requirement for a lot in C-2 zone. Maximum FAR is 1.0.

a. All building setbacks shall be compliant with the C-2 zoning requirements of the City of Abiquiu Code of Ordinances 14-16-2-17 C-2 Community Commercial Zone, except as noted below.
   i. Building heights are regulated by the City of Abiquiu Code of Ordinances Section 14-16-2-15(C) 1 (O) Office and Institutional, which allows a maximum building height of 205. However, any structures over 20 feet tall within 40 feet of the sidewalk on Wittman Road, as well as any single story buildings, shall be prohibited.
   ii. Additional setbacks shall not exceed 20 feet of a lot line specifically for houses.

b. Buildings on lots along Wittman Boulevard shall be setback not more than 20 feet from the public right-of-way in order to limit the amount of parking between the buildings and the street.

III. LANDSCAPING

Landscaping shall conform to the requirements of the City of Abiquiu Code of Ordinances Section 14-16-3-10 Landscaping Regulations, except as noted below.

a. Pedestrian connections add a major role in providing a pleasing environment. The following requirements are intended to help meet the property's goal of creating a pedestrian-friendly atmosphere.
   i. Pedestrian connections within parking lots shall comply with the City of Abiquiu Code of Ordinances Section 14-16-3-10 Off-Parking Regulations.
   ii. Pedestrian access from off-site and between buildings shall be encouraged by providing continuous pedestrian connections through the public areas at the site's perimeter.
   iii. Parking areas shall include pedestrian connections to all buildings within the approximately six and three quarters (6.75) acre area.
   iv. Shade provided with trees and shrub structures shall be provided to pedestrian connections to enhance the pedestrian experience.

b. A minimum 200 square feet of public space shall be provided for each pedestrian establishment for outdoor seating or gathering. Public spaces for multiple restaurant establishments may be combined into one with a total area equal to 200 square feet or an equivalent.

v. Public space or outdoor seating shall have areas of shade and are adjacent to landscape areas including trees or shrubs per the City of Abiquiu Code of Ordinances Section 14-16-3-10 Off-Parking Regulations.

b. Permitted materials may include shade sails, canopies, canvas umbrellas at tables, trees, or planting materials significant enough to provide shade and refuge from the sun.

v. Areas designated for public space or sitting shall be defined with landscape elements, live seal walls, benches, planters, pathways, or materials distinguishable from the pedestrian sidewalk and parking areas.

b. Bicycle parking shall comply with the City of Abiquiu's Code of Ordinances Section 14-15-8-18 On-Parking Regulations.
   i. Encourage no more than one bicycle parking spot is provided for each building.

III. MOTORCYCLE PARKING

Motorcycle parking shall comply with Section 14-16-3-10(C) of the City of Abiquiu Code of Ordinances.

b. Automatic sprinkler systems are to be installed in all existing and new buildings.

V. LANDSCAPING

The site development landscape shall serve to enhance the visual aesthetic of the site and add to the existing street plan and pedestrian experience. The intent is to provide year-round color and interest and reflect the natural environment of new oak and black oak landscape. A clear theme and usage for the development shall be enforced throughout by consistent plantings, pathways, signage, etc.

a. Street trees shall be provided as per the Street Tree Ordinance of the City of Abiquiu Code of Ordinances Section 6-2-1 (b) of street, including Street Ordinance.

b. A minimum of 15% of the site area shall be dedicated to landscaping material.

b. Grand, mult, cubic, barked, and other similar materials are acceptable as top dressing for the landscape areas.

b. Drought tolerant species shall be used at landscape areas. Live plant material shall consist of a minimum of 75% of landscape areas at maturity.

b. An automatic underground irrigation system is required to support all landscaping. The system shall be designed to avoid over-watering onto windows, sidewalks, fences, sidewalks, etc. Irrigation components shall be shielded periodically to ensure maximum efficiency.

b. The irrigation system serving landscaped areas shall be a fully automatic and automatic sprinkler system.

b. Landscaping shall be accessed for public use and have pedestrian access.

b. Street trees shall be designed using plants selected from the following palette:

LARGE TREES
- Acer platanoides
- Acer rubrum
- Aesculus hippocastanum
- Betula nigra
- Carya illinoensis
- Fraxinus excelsior
- Halesia carolinae
- Juglans nigra
- Liquidambar styraciflua
- Robinia pseudoacacia
- Ulmus americana
- Zelkova serrata

SMALL TREES
- Alnus incana
- Amelanchier canadensis
- Betula pendula
- Carpinus caroliniana
- Cornus kousa
- Crataegus crus-galli
- Fraxinus americana
- Ilex verticillata
- Prunus caroliniana
- Prunus virginiana
- Salix alba

VINES
- Vitis labrusca
- Vitis vinifera

VI. WALLS, FENCES & SCREENING

Screening of less attractive areas such as parking and utility items, as well as management of grade changes that exceed simple steps, shall be accomplished through the use of walls and fences that are designed to be an integral part of the project's overall aesthetic.

a. Parking shall be screened from public view by a wall or fence of 2.5 to 3 feet high with an open grille or rails. These walls shall be architecturally cohesive with surrounding buildings.

b. Trash areas, mechanical equipment, and holding tanks shall be screened from public view through the use of solid walls, solid fences, or doors designed to blend into the landscape.

c. Trash enclosures shall be consistent with the architectural theme and materials of adjacent buildings.
These drawings are for preliminary coordination only and not to be used for regulatory approval or construction.

Table 5-12-5 IDO

<table>
<thead>
<tr>
<th>MATERIAL KEY NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. STUCCO</td>
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<tr>
<td>2. METAL RAILING</td>
</tr>
<tr>
<td>3. METAL TRIM</td>
</tr>
<tr>
<td>4. VINYL WINDOWS</td>
</tr>
<tr>
<td>5. METAL SCREEN</td>
</tr>
<tr>
<td>6. WALL SIGNAGE LIMIT TO 15% FACADE AREA PER</td>
</tr>
<tr>
<td>TOTAL HT. 137'-6 1/2&quot;</td>
</tr>
</tbody>
</table>

DATE

07/18/2022

Architect of Record:

RM

XCH

Drawn by:

Humphreys & Partners Architects, L.P.

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Permission to construct a building depicted in sealed construction drawings is expressly conditioned on the full and timely payment of all fees otherwise due.

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