

PLANNING DEPARTMENT  
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## OFFICIAL NOTIFICATION OF DECISION

August 19, 2021

Robert Gibson  
Sedona West LLC  
8220 Louisiana Blvd. NE  
Suite B  
Albuquerque NM, 87113

**Project #2021-005442**  
SI-2021-00569 - Site Improvement  
Major Amendment to Site Plan

### **LEGAL DESCRIPTION:**

Dekker/Perich/Sabatini (DPS), agent for Robert Gibson, Sedona West LLC, requests the above action for an approximately 7.2 acre portion of the following: Tracts A3A & A4A and Tracts D & E; Tract A-2-A-A and Tract B-1-A Plat of Tracts A-2-A-A & B-1-A; Tracts C-1-A and C-1-B Plat of Tracts C-1-A & C-1-B; and Tract A-1-A-1 Plat of Tract A-1-A-1 The Plaza at Paseo del Norte, zoned MX-M, located on Eagle Ranch Rd. NW, between Paradise Blvd. NW and Irving Blvd. NW, approximately 74.8 acres (C-13-Z)

Staff Planner: Silvia Bolivar

On August 19, 2021, the Environmental Planning Commission (EPC) voted to APPROVE Project #2021-005442, SI-2021-00569, a Major Amendment to a Site Plan-EPC, based on the following Findings:

1. The request is for a Major Amendment of a Prior Approved Site Development Plan for a property legally described as described as Tracts A3A & A4A and Tracts D & E; Tract A-2-A-A and Tract B-1-A Plat of Tracts A-2-A-A & B-1-A; Tracts C-1-A & C-1-B Plat of Tracts C-1-A & C-1-B; and Tract A-1-A-1 Plat of Tract A-1-A-1, located on Eagle Ranch Road NW between Paradise Boulevard NW and Irving Boulevard NW, approximately 74.8-acres.
2. The applicant proposes to amend the prior approved site development plan in the following manner:  
  
Develop a portion of the subject site (approx. 7.2-acres) with a multi-family use (218 dwelling units) on Eagle Ranch Road instead of the 71,800 square feet of office space that had been approved. The request was reviewed using a new site plan (submitted on August 9, 2021), which will also go through the Development Review Board (DRB) process.
3. The subject site is zoned MX-M (Mixed Use – Medium Intensity). The purpose of the MX-M zone district is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in IDO Table 4-2-1.

4. The EPC is hearing this case pursuant to IDO section 14-16-6-4(Z) Amendments of Pre-IDO Approvals. Major amendments shall be reviewed by the decision-making body that issued the permit or approval being amended, following the procedures for the most closely equivalent decision in Part 14-16-6 (Administration and Enforcement). The amendment exceeds the thresholds found in IDO table 6-4-4: Allowable Minor Amendments, therefore it is classified as a Major Amendment pursuant to IDO section 14-16-6-4(Z)(1)(b).
5. The subject site is located in an Area of Change as designated by the Comprehensive Plan and is within the boundaries of the Coors/Paseo del Norte Activity Center.
6. The subject site is part of the Northwest Mesa Community Planning Area (CPA).
7. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
8. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 4: Community Identity.

- A. Policy 4.2.2 Community Engagement – Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.

The request furthers this policy as the applicant and agent met with neighborhood associations through facilitated meetings to address their concerns over the site plan major amendment. Community engagement is crucial in the process of a Site Plan EPC-Major Amendment, and the applicant has participated in informational meetings with stakeholders who will ultimately support or oppose the request.

9. The request is generally consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use that pertain to Centers and Corridors.
  - A. Goal 5.1: Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The request would contribute to grow as a community of strong Centers connected by a multi-modal network of Corridors as the subject site lies within the Coors/Paseo del Norte Activity Center and is within walking distance Coors Boulevard, an urban principal arterial.
  - B. Subpolicy 5.1.1(a): Create walkable places that provide opportunities to live, work, learn, shop and play.

The request would further this subpolicy by creating walkable places that provide opportunities to live, work, learn, shop, and play as the subject site is located in the Coors/Paseo del Norte Activity Center and is within the Coors Boulevard CPO-2. There are employment areas nearby along with development along Coors Boulevard that provide areas to shop and play. The site development plan shows that a walkable, pedestrian-friendly environment has been created that ties with the surrounding existing development along Eagle Ranch Road NW, Paradise Blvd. NW, and Irving Blvd. NW.

- C. Subpolicy 5.1.1(c): Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The request partially fulfills this subpolicy as compact development, redevelopment and infill of the subject site will be created in a Center and Corridor in order to accommodate growth over time and discourage the need for development at the urban edge. However, employment density is not being created by amending the existing site plan to allow a multi-family apartment community.

- D. Subpolicy 5.1.1(f): Discourage the development of detached single-family housing as an inappropriate use in Centers and along Corridors.

The requested site plan amendment would discourage development of single-family housing as an inappropriate use in Centers and Corridors as the subject site is located in the Coors/Paseo del Norte Activity Center. The premise of Activity Centers is to provide convenient, day-to-day services at a neighborhood scale to serve the surrounding area within a 20-minute walk or short bike ride. Activity Centers are intended to provide a mix of neighborhood commercial and residential uses at a slightly higher density than the surrounding single-family homes that are located across from Agate Hills Road NW.

- E. Subpolicy 5.1.1(h): Encourage all new development, especially in designated Centers and Corridors, to address transit connections, linkages, and opportunities within the proposed development.

The request furthers this subpolicy to encourage all new development in a designated Center to address transit connections, linkages, and opportunities within the proposed development. The subject site lies within the Coors/Paseo del Norte Activity Center and the area is serviced by Commuter Route 94 that runs north-south on Eagle Ranch Road NW, with stop-pairs immediately adjacent to the site. Fixed Routes 96 and 155, run north-south on Coors Boulevard and are easily accessible from the site.

- F. Policy 5.1.2 – Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The subject site is near Coors Boulevard and within the Coors/Paseo del Norte Activity Center that are intended to receive more intense growth as designated by the Comprehensive Plan. The request would facilitate development of the subject site with a multi-family use that would be located in an Area of Change and would support and encourage transit usage while maintaining appropriate densities and scale of development. The request would also reinforce the intensity and character of the surrounding areas.

- G. Policy 5.1.6- Activity Centers: Foster mixed-use centers of activity with a range of services and amenities that support healthy lifestyles and meet the needs of nearby residents and businesses.

The subject site is located in the Coors/Paseo del Norte Activity Center, and the requested site plan amendment to allow a multi-family use will permit for a range of amenities on the subject site that will support healthy lifestyles of the residents of the subject site. However, the needs of nearby residents will not be met because the request will not provide services.

- H. Subpolicy 5.1.6(a): Incorporate a compatible mix of commercial and residential uses with a range of higher-density housing types.

The request furthers subpolicy 5.1.6(a) as the requested site plan amendment will incorporate a compatible mix of residential uses with a range of higher-density housing types in the Coors/Paseo del Norte Activity Center.

10. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use that pertain to communities.

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

The request would facilitate development of the subject site with a multi-family use and would provide additional opportunities for residents to live, work, and shop in the area. The request would foster complete communities where residents can live and work together because the proposed development would be within walking distance of surrounding commercial development, in an Activity Center, and with access to ABQ Ride Routes 94, 95 and 15.

- B. Goal 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 creating a healthy, sustainable and distinct community with a mix of uses because it would reinforce a similar type of housing found southwest of the subject site (Eagle Ranch Apartments). There are a mix of uses conveniently accessible on Irving Blvd. NW and Coors Boulevard.

- C. Subpolicy 5.2.1(d): Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request would further this subpolicy by allowing for a range of apartment sizes that would include 1-3 bedrooms at a range of prices.

- D. Subpolicy 5.2.1(f): Encourage higher density housing as an appropriate use in the following situations:
- i. Within designated Centers and Corridors;
  - ii. In areas with good street connectivity and convenient access to transit;
  - iii. In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing land uses, and where adequate infrastructure is or will be available.

The request would further this subpolicy because it would encourage higher density housing in the Coors/Paseo del Norte Activity Center, in an area with good street connectivity, and in an area with a mixed density pattern already established. The subject site has convenient access to transit (Ride Routes 94, 96, and 155) and has adequate infrastructure in place.

11. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use pertaining to efficient development patterns and infill development.

- A. Goal 5.3 – Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The subject site is already served by existing infrastructure and public facilities, so the development made possible by the request would generally promote efficient development patterns and use of land.

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

The request will facilitate development of the subject site and is considered infill development as it is surrounded by existing City infrastructure and various services. The proposed multi-family use would be infill development on a vacant site within an area of existing single-family residential subdivisions and mixed-use zones and would be consistent with the surrounding areas found southwest of the subject site.

- C. Goal 5.6- City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The request furthers this Goal because the subject site is in an Area of Change and the requested site plan amendment would allow for an efficient development process for the subject site, thereby directing growth where it is expected and desired as well as reinforcing the intensity of the area.

- D. Policy 5.6.2 – Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelop Areas where change is encouraged.

The request will facilitate additional housing at a variety of densities within an Area of Change. The proposed development includes dwelling units within a traditional multi-family building, as well as the addition of a clubhouse, fitness center and amenities. The higher density housing in this location will support the transit available (Routes 94, 96 and 155) while supporting the commercial and retail uses found near the subject site.

12. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 9: Housing.

- A. Goal 9.3 – Density: Support increased housing density in appropriate places with adequate services and amenities.

The request would allow and support development of increased housing density in an area near Coors Boulevard and the Coors/Paseo del Norte Activity Center which are appropriate places for such development.

- B. Subpolicy 9.3.2(a): Encourage higher-density residential and mixed-use development as appropriate uses near existing public facilities, educational facilities, job centers, social services, and shopping districts.

The request will encourage higher density and mixed-use development near existing public facilities and shopping districts. However, Albuquerque Public Schools has noted that the proposed development will impact Petroglyph Elementary School, James Monroe Middle School, and Cibola High School. Petroglyph Elementary School is operating at enrollment above capacity and development will be a strain on this school. The request partially furthers sub policy 9.3.2(a) as the proposed site plan amendment.

13. 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 analysis of the site plan, the request is consistent with applicable Comprehensive Goals and Policies.
- B. 14-16-6-6(J)(3)(b) The subject site is zoned MX-M; therefore, this criterion does not apply.
- C. 14-16-6-6(J)(3)(c) With the application of conditions of approval, the site plan will comply with all applicable provisions of the IDO. The request will need to be reviewed by the Development Review Board (DRB) to ensure compliance with applicable provisions of the Development Process Manual (DPM). As per the IDO, the EPC will determine whether any deviations from typical Mixed-Use development are acceptable in this proposed major amendment.
- D. 14-16-6-6(J)(3)(d) The request will be reviewed by the Development Review Board (DRB), which is charged with addressing infrastructure and ensuring that infrastructure such as streets, trails, sidewalks, and drainage systems has sufficient capacity to serve a proposed development.
- E. 14-16-6-6(J)(3)(e) The future, proposed development will be required to comply with the decisions made by two bodies- the EPC and the DRB. The EPCs' conditions of approval will improve compliance with the IDO, which contains regulations to mitigate site plan impacts to surrounding areas. The DRB's conditions will ensure infrastructure is adequately addressed so that a proposed development will not burden the surrounding area.
- F. 14-16-6-6(J)(3)(f) The subject property is not within an approved Master Development Plan; therefore, this criterion does not apply.
- G. 14-16-6-6(J)(3)(g) The subject property is not within the Railroad and Spur Area and no cumulative impact analysis is required, therefore this criterion does not apply.

14. At the public hearing, several nearby residents expressed concern about the impacts of additional traffic on an area they believe is already congested, and has problems with traffic circulation and pedestrian circulation. Safety and walkability are major concerns. Pursuant to 14-16-6-6(J)(3)(e), the Site Plan-EPC can be approved if it mitigates significant, adverse impacts on the project site and the surrounding area. The EPC discussed the importance of addressing transportation issues and mitigating any future impacts to the maximum extent practicable.

15. The affected, registered neighborhood organizations are the Westside Coalition of Neighborhood Associations, Paradise Hills Civic Association, Vista Montecito HOA Inc. Property owners within 100 feet were also notified as required.
16. A pre-application meeting was held online with members of the Vista Montecito HOA on April 21, 2021. The purpose of the meeting was to provide information on the proposed project and several items were discussed including concern about increased traffic, visibility issues related to traffic, the architectural style of the development and security issues. The general consensus was the new development would be an improvement.
17. A post-submittal facilitated meeting was held on June 4, 2021 with members of the community who had expressed concern regarding the proposed amendment. Concern centered on entryways off of Eagle Ranch Road, the increase in traffic by the future, proposed 218 units, and if a traffic study had been performed. Other issues were related to traffic, stop signs, bus stops, apartment height, orientation, unit access, and appearance.
18. Two more facilitated meetings were held with members of the community who expressed concern regarding the proposed amendment. The two meetings were held on July 8, 2021 and July 19, 2021 (see attachments). Concern continued to be centered on entryways off of Eagle Ranch Road, increased traffic and increased density with loss of property values due to the proposed development, along with loss of views.
19. During the continuance period, Staff received additional comments from concerned neighbors. A couple of neighbors continue to oppose the request despite the developer agreeing to reduce the building height along Eagle Ranch Road. The applicant revised the site plan to address many of the concerns.
20. The application of Conditions of Approval to provide clarification, ensure compliance, and address mitigation of adverse impacts would also improve the extent to which the request is consistent with applicable Comprehensive Plan Goals and policies.
21. The EPC acknowledges the enormous amount of public comments and major community concerns regarding traffic on Eagle Ranch Road and the surrounding area, and therefore supports Condition #7. The public is also concerned about parking in the area and potential parking spill-over into the neighborhood.

CONDITIONS OF APPROVAL – SI-2021-00569

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB) to ensure all technical issues are resolved. The DRB is responsible for ensuring that technical EPC Conditions have been satisfied and that other applicable City requirements have been met.
2. The applicant shall meet with the Staff planner prior to applying to the DRB to ensure that all conditions of approval are addressed and met. Upon receiving sign-off from the DRB, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.
3. 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.
4. Walls & Security
  - A. A detail for the proposed retaining wall shall be provided.
  - B. Wall shall comply with IDO Section 14-6-5-7(E) Walls and Fences – Materials and Design.
5. Outdoor Gathering Areas
  - A. Indicate where the proposed amenities will be located throughout the development.
  - B. If shade structures and gazebos are to be included, provide details for these structures.
6. Signage
  - A. The location of the proposed monument if proposed shall be indicated.
  - B. The monument sign detail shall be dimensioned and shall specify colors and materials.
7. At the time of Development Review Board (DRB) submittal, the DRB shall fully consider the transportation issues in the vicinity of the subject site including, but not limited to, traffic generated by the proposed development, pedestrian safety, vehicular circulation, and access, and that mitigation measures to improve safety and walkability be implemented in coordination with the City Engineer.
8. Conditions from the Parks and Recreation Department shall be addressed: The MRMPO Long Range Bikeway System Map shows a Proposed Paved Trail in this location on the southeastern property line of the subject site, and an improved asphalt multi-purpose trail with an access easement for City maintenance should be provided. Infrastructure requirements can be finalized by the DRB.



**APPEAL**: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **September 3, 2021**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,

for Alan M. Varela,  
Planning Director

AV/SB

cc:

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EPC file