



## Environmental Planning Commission

Agenda Number: 03

Plan #: SP-2025-00041

Hearing Date: June 26, 2025

### Staff Report

<b>Agent</b>	Dekker
<b>Applicant</b>	Rio Grande Academy of Fine Arts
<b>Request</b>	Major Amendment to a Site Plan – EPC
<b>Legal Description</b>	Tracts A-1, A-2, A-3, C-1, C-2, and C-3 Plats of Tracts A-1 thru A-3 and C-1 thru C-3 Heritage Marketplace (Being a Replat of Tracts A and C, Heritage Marketplace) and Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace)
<b>Location</b>	Between Ladera Dr. and Hanover Rd. NW
<b>Size</b>	Approximately 20.4 acres
<b>Existing Zoning</b>	MX-L

### Staff Recommendation

APPROVAL of Plan # SP-2025-00041 based on the Findings 1-18 and subject to the Conditions of Approval 1-7 within this report.

Staff Planner

Catherine Heyne, Planner

### Summary of Analysis

The request is for a Major Amendment to a pre-IDO Site Plan for Subdivision (SPS), approved by the EPC, to remove an approximately 9.1-acre Tract from the controlling Heritage Marketplace Site Plan containing nearly 20.4-acres.

The applicant has adequately justified the request pursuant to the IDO Decision and Review Criteria in IDO §14-16-6-6(I)(3) and staff finds that it is consistent with applicable Comp Plan Goals and Policies. If approved, the removed Tract would no longer be governed by the SPS, but would adhere to IDO processes and regulations in compliance with the MX-L zone district and any applicable use-specific standards.

The applicant notified property owners as well as Ladera West NA, Laurelwood NA, Parkway NA, Tres Volcanes NA, and Westside Coalition of NAs (WSCONA) as required. A facilitated meeting was requested by the Laurelwood NA and WSCONA. A Zoom meeting was held Tuesday, June 10, 2025. Participating community members generally supported the proposed project despite concerns regarding increased traffic and congestion for a future project. As of this writing, Laurelwood NA is in opposition to the request.

Staff recommends approval subject to conditions.



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**ATTACHMENTS**

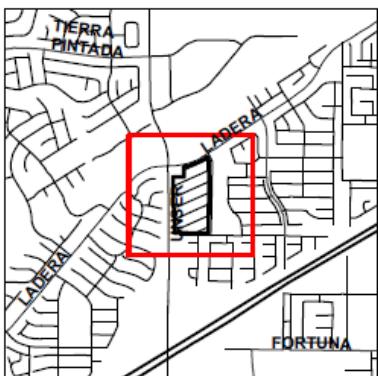
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## *I. Maps*

## ***Aerial/ Development Area Map***



## *IDO Zoning Map*



## IDO ZONING MAP

Note: Gray shading indicates County.



$$1 \text{ inch} = 300 \text{ feet}$$

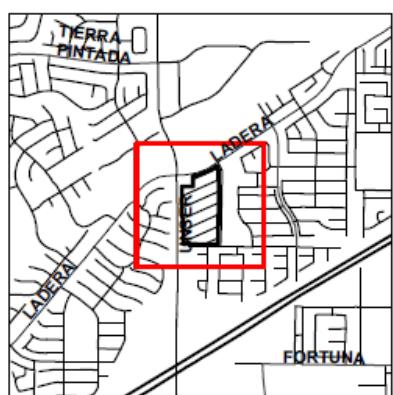
Hearing Date:  
6/26/2025

Project Number:

Case Numbers:  
SP-2025-00041

Zone Atlas Page:  
H-09&H-10&J-9&J-10

**Land Use Map**



**LAND USE MAP**

Note: Gray shading  
indicates County.

Key to Land Use Abbreviations	
APRT	Airport
LDRES	Low-density Residential
MULT	Multi-family
COMM	Commercial Retail
CMSV	Commercial Services
OFC	Office
IND	Industrial
INSMED	Institutional / Medical
ED	Educational
TRANS	Transportation
AGRI	Agriculture
PARK	Parks and Open Space
DRNG	Drainage
VAC	Vacant
UTIL	Utilities
CMTY	Community
KAFB	Kirtland Air Force Base



1 inch = 300 feet

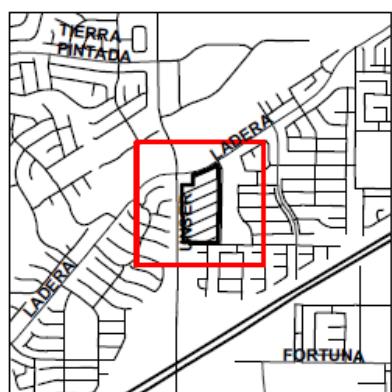
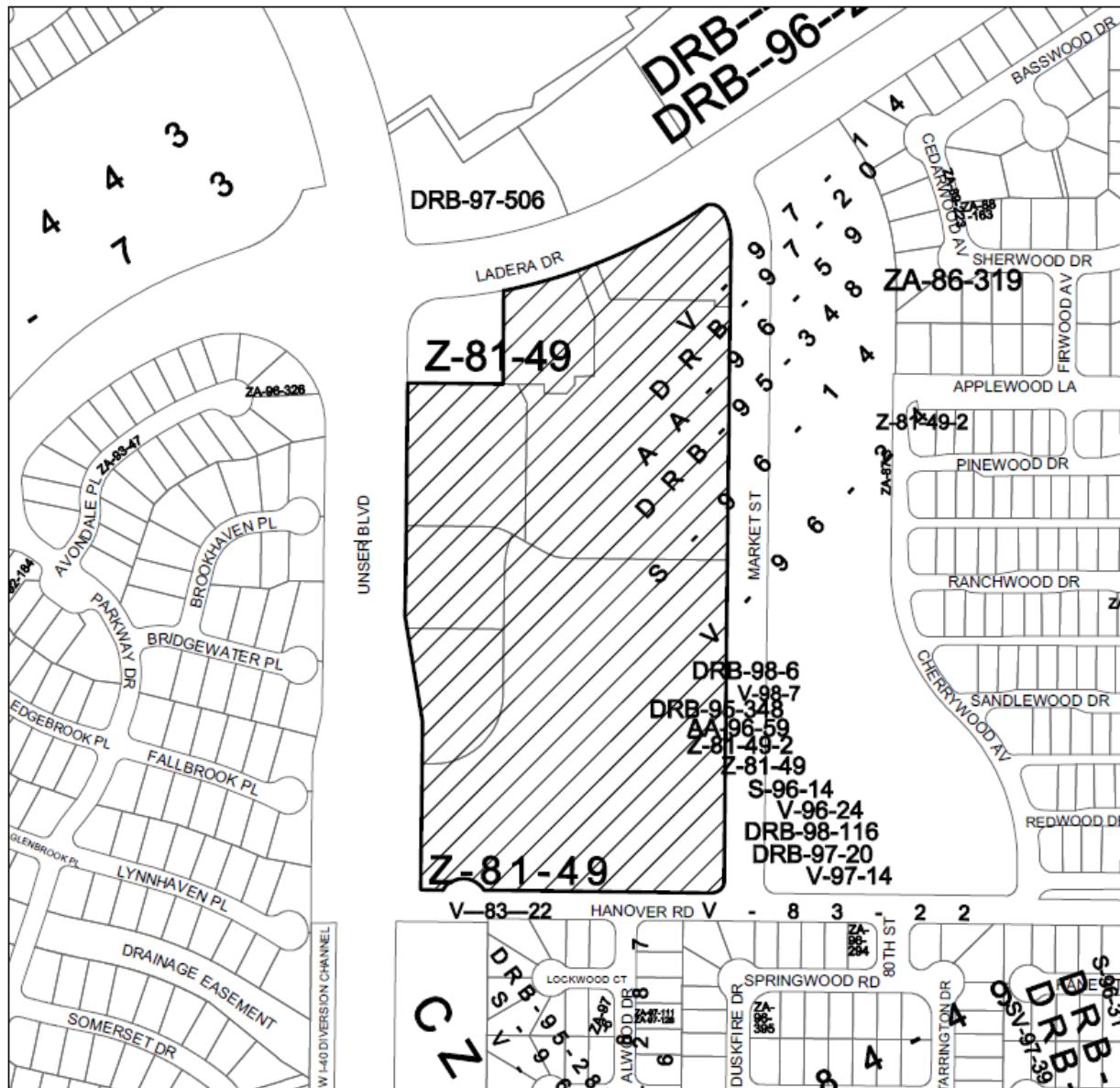
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**History Map**



**HISTORY MAP**

Note: Gray shading  
indicates County.



1 inch = 300 feet

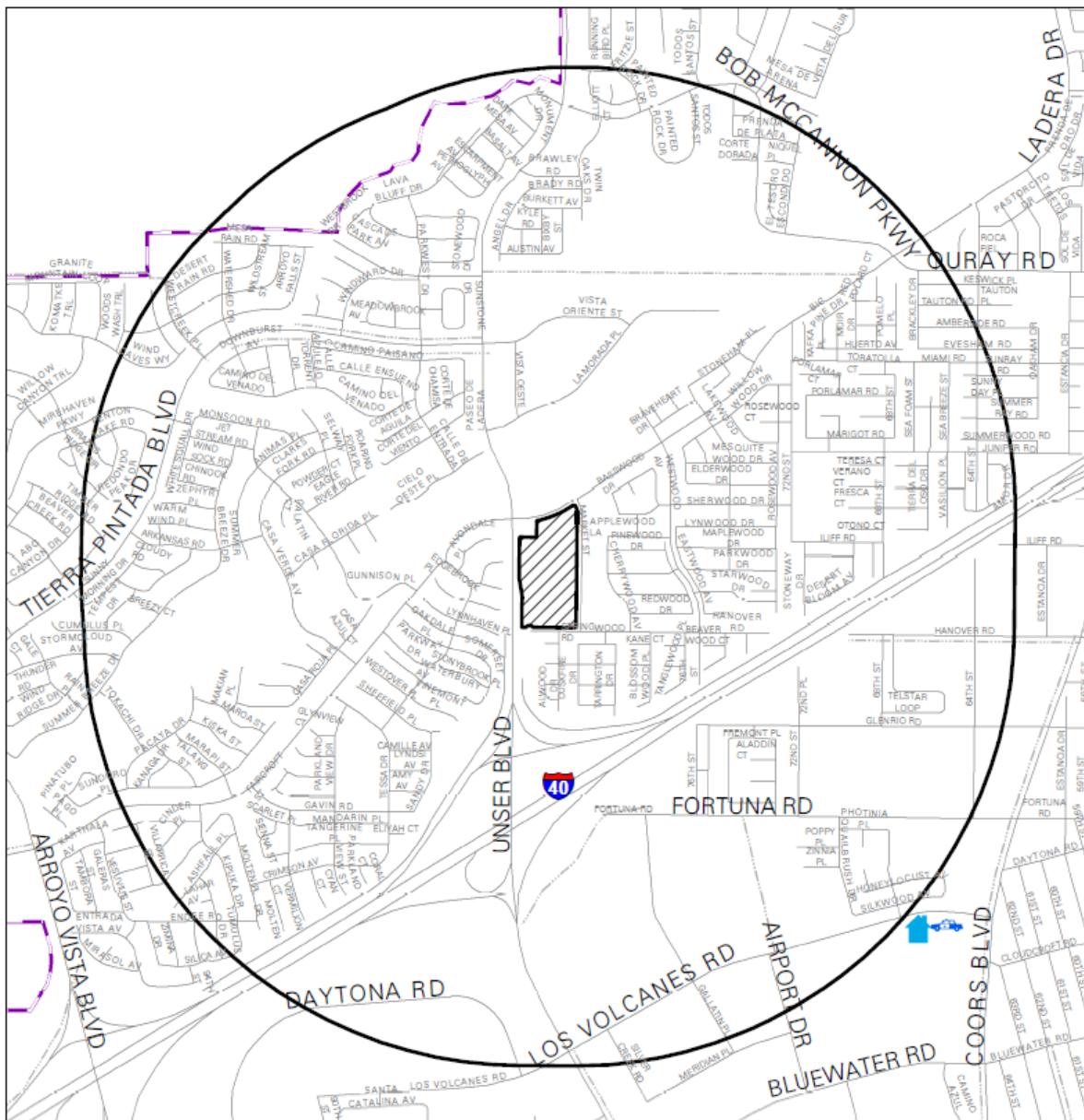
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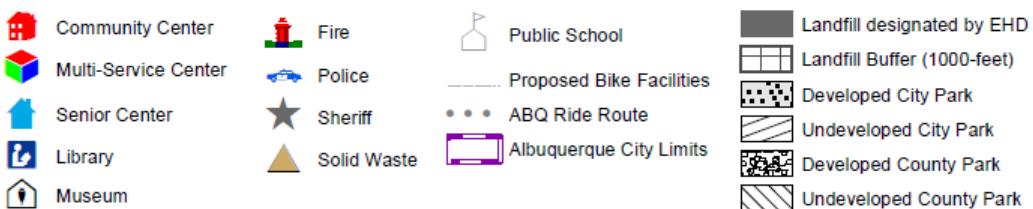
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**Public Facilities / Community Services**



**Public Facilities Map with One-Mile Buffer**



## ***II. Introduction***

	<b><i>IDO Zoning</i></b>	<b><i>Comp Plan Development Area</i></b>	<b><i>Existing Land Use</i></b>
<b><i>Subject Site</i></b>		<b><i>Area of Consistency</i></b>	
<i>North</i>	MX-L	Area of Consistency	Vacant
<i>South</i>	R-1B UNCL	Area of Consistency	Low-density Residential Drainage
<i>East</i>	PD	Area of Consistency	Multi-family
<i>West</i>	R-1B	Area of Consistency	Low-density Residential

### ***Request***

The request is for a Major Amendment to remove Tract B, legally described as all or a portion of Tract B-1, Plat of Tract B-1, Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace), containing approximately 9.1 acres from the approximately 20.4-acre controlling Site Plan for Subdivision (SPS) for Heritage Marketplace (the “subject site”), and approved by the EPC in 2015 (Project #1000325, 14EPC-40078, 15DRB-70052). The subject site is located south of Ladera Dr., east of Unser Blvd., north of Hanover Rd. NW, and west of Market St. NW. Tract B is located at 1700 Unser Blvd NW. The tract in the northwest corner of this area is not a part of the subject site.

If approved, Tract B would then be controlled by the Integrated Development Ordinance (IDO) rather than the Heritage Marketplace SPS design standards. This change would allow the applicant to develop the site in compliance with the IDO development standards, the MX-L zone district standards, and any applicable use-specific standards pursuant to the IDO and DPM.

### ***EPC Role***

The EPC is hearing this case as required by IDO §14-16-[6-4\(Y\)](#) Amendments of Pre-IDO Approvals. Removing Tract B from the existing Site Plan exceeds the thresholds for a minor amendment in IDO [Table 6-4-4](#); therefore, the request is a Major Amendment pursuant to IDO §14-16-[6-4\(Y\)\(1\)\(b\)](#). EPC approved the pre-IDO Site Plan; so, EPC is the decision-making body to amend the Site Plan, following Site Plan – EPC procedures in Part [14-16-6](#) (Administration and Enforcement). The SPS also specifies that major amendments shall be approved by the environmental Planning Commission.

Pursuant to IDO §14-16-[6-4\(O\)](#), EPC may impose conditions necessary to ensure compliance with development standards via the Review and Decision Criteria for Site Plan – EPC [IDO §14-16-[6-6\(I\)](#)]. This is a quasi-judicial matter.

***History/Background***

The subject site is in an area that was once a part of the Atrisco Land Grant and later the Westland Development Co. (zoned A-1). The El Rancho Atrisco Sector Plan (Phase I-V) originally planned the subject site as residential beginning in 1980. In 1981 the subject site was zoned SU-1 Planned Office Park and Commercial Development as part of El Rancho Atrisco Sector Plan Phase III (SD-81-1). A Phase III map signed off in December 1981 identifies the subject site for C-2 (Commercial) uses (SD-81-1).

In 1985, the EPC approved a Site Development Plan (Z-81-49-2) for an office building on approximately 4.5 acres in the southeast corner of the subject site. The remainder of the Site Plan was conceptual and included a shopping center and two retail pads in the northern portion. The remainder was never built.

There have been platting actions in 1996, 1998, 2015, 2020 to further subdivide the Heritage Marketplace property into various lot configurations (Project #s: S-96014, SP-98159, 1003275, and PR-2020-003920/SI-2020-00378).

In February 2014, the EPC approved a SPS for the Heritage Marketplace development, containing “approximately 20 acres”. This site plan included design and development standards for a mixed-use project that included a “maximum of 50 percent (12.5 acres) of the original 25-acre site...eligible for development with retail and service-type uses consistent with those of the C-1 zone”. The NW corner lot acreage that is labeled “Not A Part” and developed prior to 2004, is included in this calculation, leaving an 11.65-acre area that “can be developed with office or residential uses, or a combination thereof”. Tract A was proposed for office and/or multi-family residential use, and Tract B was proposed for commercial use (Project 1003275, 13EPC-40148).

In October 2014, the Zoning Hearing Examiner approved Conditional Use permits to (1) allow retail sales of gasoline with 6 two-sided fueling dispenser units (1010220 14ZHE-80222) and (2) allow a drive-up service window for a pharmacy at 1820 Unser Blvd NW (1010220 14ZHE-80223).

In December 2014, the EPC approved a request for a Zoning Map Amendment from SU-2/SU-1 for a Planned Office Park and Commercial Development to SU-2/SU-1 for Planned Office Park and Commercial Development to include sales of package liquor in association with a grocery store.

In December 2014, the EPC approved a Zoning Map Amendment and Site Development Plan for Building Permit on a 6-acre parcel on the subject site (1003275 14EPC-40076, -40077, -40078, -40079). This was for a full-service grocery store with alcohol sales for off-premises consumption, a fuel station, and a convenience store. The request also added full-service alcohol sales to sit-down restaurants on pad sites A-E of Tracts A and C. Two access points were granted from the limited access roadway of Unser into the subject site (R-14-01 TCC).

In January 2016, the EPC denied a Site Development Plan for Building Permit to construct a 230-unit multi-family development on Tract B-1 of the Heritage Marketplace (15EPC-40068). An appeal was filed, but City Council denied the appeal and upheld EPC's decision (AC-16-2).

In November 2016, the EPC approved a Site Development Plan for Building Permit (16EPC-40055) for a fast-food restaurant with drive-up service window on Tract C-2, a 1.1- acre pad site. A few months later in January 2017, EPC approved a Site Development Plan for Building Permit for an approximately 1.3-acre site (Tract C-3). The request included a restaurant with a drive-up service window and retail store (1003275 16EPC-40073). In February 2017, the EPC approved a Site Development Plan for Building Permit (1003275 16EPC-40088) for a restaurant with drive-up service window on Tract A-2, an approximately 0.94-acre site. This Site Plan was appealed, but City Council denied the appeal and upheld EPC's decision (AC-17-3).

In 2018, zoning at the subject site was converted to MX-L when the IDO became effective. An MX-L zone district was adopted as commercial uses were first allowed as permissive primary uses (see IDO SU-1 and R-D Conversion Table, Rule 6.a.i, <https://abq-zone.com/document/ido-su-1-and-r-d-conversion-table>).

In 2022, the EPC approved a Major Amendment to the Site Plan – EPC (PR-2022-007141/SI-2022-01298) for approximately 129 townhomes on approximately 9 acres of Tract B. A preliminary plat and vacation of private and public easements were also approved (PR-2022-007141 SD-2022-00167, -00168, -00170, -00171). The townhomes were never developed.

### ***Context***

The Heritage Marketplace is an auto-oriented commercial development that contains grocery, fast food, fueling stations, and other retail and services at the southeast corner of Unser Blvd. and Ladera Dr. The Ladera Channel, a large stormwater diversion channel, forms a green corridor through residential and commercial area, and completely encompasses the NW corner of the Unser and Ladera intersection. This channel marks the northern extent of the commercial district to the north of Ladera Dr. and east of Unser Blvd.

The subject site consists of 3 pad sites as part of Tract A, 3 pad sites on Tract C, and a single lot of Tract B. This request proposes to remove the entirety of Tract B, which is located in the southern portion of the subject site. Tract B is currently undeveloped, covered by desert grasses and shrubs, and marked by foot traffic, off-roading, and dumping activities. The Heritage Marketplace can be accessed from Unser Blvd., Ladera Dr., or Market St.

Multi-family developments are directly east of the subject site, with single-family dwellings and townhouses farther east. Single-family home development is south to I-40 and west of Unser Blvd.

#### ***Roadway System***

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), includes existing roadways and future recommended roadways along with their regional role.

The LRRS designates Unser Blvd. as a Regional Principal Arterial and Ladera Dr. NW as a Minor Arterial.

MRCOG's 2040 Limited Access Facilities Map shows Unser Blvd. as a limited-access roadway. The region's Roadway Access Control (RAC) Policy indicates that the New Mexico Department of Transportation maintains Unser Blvd. between Ladera Dr. and Los Volcanes Rd. NW.

MRCOG's 2040 Primary Freight Corridors and Truck Restrictions Map does not designate roadways adjacent or through the subject site as either a Primary Freight Corridor or a roadway with Truck Restrictions.

#### ***Bikeways / Trails***

The Long Range Bikeway System (LRBS) map, produced by MRCOG, identifies existing and proposed trails.

The LRBS shows an Existing Bike Lane running north-south along Unser Blvd. as well as west of Unser along Ladera Dr. There is a Proposed Bike Lane east of Unser along Ladera Dr. and an Existing Paved Trail.

#### ***Transit***

At this time, there are no active transit routes in the area. The nearest services are along Central Avenue about 2 miles to the south and Coors Blvd, almost 2 miles to the east.

### ***III. Analysis of City Plans and Ordinances***

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

##### ***City Development Areas***

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan, that has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding context.

*Community Planning Area (CPA)*

The subject site is located within the West Mesa CPA, which spans the area west of the Rio Grande to the city's western edge and along Atrisco Vista Boulevard between I-40 and Montaño and Gila Roads. West Mesa CPA is made up of many single-family residential subdivisions that were developed over the past several decades, and the area's suburban characteristics include wide streets, large setbacks, and shopping centers with large parking lots.

*Center & Corridor Designations*

The subject site is not located within a Center, but, according to the Comp Plan, Unser Blvd. is a Commuter Corridor. Commuter Corridors are higher-speed and higher-traffic volume with routes for people going across town (e.g., limited-access roadways). These Corridors accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling.

*Applicable Goals & Policies*

Applicable Goals and policies that were selected by the applicant are listed below. Staff analysis follows indented below the stated goal or policy. Goals and/or policies added by Staff are denoted with an asterisk (\*).

**\*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.

Once removed from the subject site, Tract B would be controlled by the IDO and the MX-L zone designation. With these regulations in place, the identity and cohesiveness of the neighborhood should remain aligned with the current land use and zone designations adjacent to the tract to the north. Any future development would adhere to and be protected by all the IDO standards for the character of building design, including and not limited appropriate scale and location of development, mix of uses, and character of building design for the MX-L zone district. **The request is generally consistent with Policy 4.1.2 Identity and Design.**

**CHAPTER 5: LAND USE**

**\*POLICY 5.1.12 Commuter Corridors:** Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

The request could facilitate auto-oriented development of the subject site, which is located along the limited-access Unser Commuter Corridor, which is intended to accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling. Any future development on the vacant subject site would be in

an area well-served by personal vehicles and possible future transit stops and located within bikeable and walkable distances from surrounding residential neighborhoods. **The request is generally consistent with Policy 5.1.12 Commuter 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 removal of the 9.1-acre Tract B from the subject site would not alter the permissive land uses at the subject site as no zone changes are proposed. Proposed future uses would continue to be easily accessible from the surrounding neighborhoods, as well as regionally, contributing to healthy, sustainable, and distinct communities with a mix of uses. **This proposal is generally consistent with Policy 5.2.1 – Land Uses.**

**GOAL 5.3 Efficient Development Pattern:** 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 could facilitate future development of the vacant subject site, which is served by existing infrastructure and public utilities. Any future development would generally promote efficient development patterns and use of land by promoting growth on a vacant, infill location with MX-L zoning. **The request is consistent with Goal 5.3 Efficient Development Pattern.**

**POLICY 5.3.1 Infill Development:** Support additional growth in areas with existing infrastructure and public facilities.

The subject site is located in an Area of Consistency along a Commuter Corridor, and at the intersection of a Regional Principal and a Minor Arterial roadway in an area imagined with neighborhood-scale retail, commercial, civic and institutional uses, as well as higher-density residential uses to serve the surrounding area, which can be made more desirable for infill development with the removal of existing commercial-centered design guidelines at the subject site. According to the applicant, the request would facilitate future development of a charter school, although many other uses would be permissive on the removed Tract B, which is already served by existing infrastructure and public utilities. **The request is consistent with Policy 5.3.1 Infill Development.**

**GOAL 5.4 Jobs-Housing Balance:** Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

The removal of the 9.1-acre site from the existing Heritage Marketplace SPS, while maintaining the same MX-L zoning, would allow equivalent residential growth near

employment across the region and prioritization of job growth west of the Rio Grande. **The request is generally consistent with Goal 5.4 Jobs-Housing Balance.**

**POLICY 5.4.2 West Side Jobs:** Foster employment opportunities on the West Side.

This request would generally foster similar employment opportunities on the West Side as the current Heritage Marketplace SPS as there would be no changes in zoning at the subject site. However, a change to IDO oversight for site design regulations could make the site more attractive to a wider variety of uses than current site plan controls. **The request is partially consistent with POLICY 5.4.2 West Side Jobs.**

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

The subject site is located in an Area of Consistency, where growth is expected to reinforce the character and intensity of the surrounding area. The request would continue to reinforce the character and intensity of the surrounding area by adhering to the IDO MX-L zone regulations, IDO Development Standards, and DPM standards that would guide future development of the subject site. **The request is consistent with Goal 5.6-City Development Areas.**

**POLICY 5.6.3 Areas of Consistency:** Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

Areas of Consistency policies limit new development to an intensity and scale that align with places highly valued for their existing character. The proposed removal of Tract B from the subject site could protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space through existing MX-L zone and use standard regulations. **The request is partially consistent with Policy 5.6.3 Areas of Consistency.**

## CHAPTER 7: URBAN DESIGN

**POLICY 7.3.2 Community Character:** Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

Early planning efforts anticipated the subject site to be part of a neighborhood activity center with commercial, office, and multi-family residential housing. The request is to remove Tract B from the approximately 20.4-acre controlling site plan. There is no proposed site plan to review to determine whether community design strategies recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places. According to the existing Site Plan for Subdivision, Tract B would be required to be office or

residential uses, or a combination thereof. Any future MX-L development on the 9.1-acre parcel to be removed, would not be restricted to this mandate, which would not follow adopted design strategies, although future design standards would be pursuant to the IDO. **The request is partially consistent with Policy 7.3.2 Community Character.**

**POLICY 7.3.3 Placemaking:** Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

Early planning efforts anticipated the subject site to be part of a neighborhood activity center with commercial, office, and multi-family residential housing. The request is to remove Tract B from the approximately 20.4 acre controlling site plan. Placemaking design standards have already been adopted to create a cohesive design of the subject site. Removing Tract B would remove the designated requirement for “office or residential uses, or a combination thereof” development. Any future MX-L development on the 9.1-acre parcel to be removed, would not be restricted to this directive, which would not follow existing efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

**The request is partially consistent with Policy 7.3.2 Placemaking.**

#### *Non-Applicable Goals & Policies*

Goals and policies that were selected by the applicant, which are not applicable to the request, are listed below.

#### CHAPTER 6: TRANSPORTATION

**GOAL 6.2 Multi-Modal System:** Encourage walking, biking, and transit, especially at peak-hour commuting times, to enhance access and mobility for people of all ages and abilities.

The request is to remove a 9.1-acre lot from the controlling site plan. The review of future intended development is not part of this analysis. **Goal 6.2 Multi-Modal System is not applicable to this request.**

**POLICY 6.2.3 Pedestrian & Bicycle Connectivity:** Provide direct pedestrian and bicycle access to and circulation within Centers, commercial properties, community facilities, and residential neighborhoods.

The request is for a site plan major amendment to remove a portion of the site from the controlling site plan. An examination of future proposed development is not part of this review. **Goal 6.2.3 Pedestrian & Bicycle Connectivity is not applicable to this request.**

**POLICY 6.4.2 Air Quality:** Reduce the adverse effects of automobile travel on air quality through coordinated land use and transportation that promote the efficient placement

of housing, employment, and services and improve the viability of multi-modal transportation options.

This request is to remove the subject site from a previously approved site development plan. There is not a site plan or any proposed development that is being reviewed as part of this request to determine impacts on air quality. **Policy 6.4.2 Air Quality is not applicable to the request.**

#### CHAPTER 7: URBAN DESIGN

**GOAL 7.3 Sense of Place:** Reinforce sense of place through context-sensitive design of development and streetscapes.

The request is only to remove the 9.1-acre Tract B from the Heritage Marketplace's controlling site plan encompassing the 20.4-acre subject site. Therefore, there is no site plan to review for context-sensitive design of development and streetscapes.

**Goal 7.3 Sense of Place is not applicable to the request.**

**POLICY 7.3.5 Development Quality:** Encourage innovative and high-quality design in all development.

Since there is no proposed site plan, it is not possible to review development quality, innovation, or design. **Policy 7.3.5 Development Quality is not applicable to the request.**

### ***Integrated Development Ordinance (IDO)***

#### *IDO Zoning*

Existing zoning at the subject site is MX-L, Mixed-Use Low Intensity, which was assigned upon the adoption of the IDO.

The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets [IDO §14-16-[2-4\(B\)](#)]. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table [4-2-1](#).

#### *Overlay Zones*

The subject site is not within an overlay zone.

#### *Definitions*

**Amendment:** Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of any zone district or Overlay zone; or any repeal or abolition of any map, part thereof, or addition thereto.

**Area of Consistency:** An area designated as an Area of Consistency in the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended, where development must reinforce the character and intensity of existing development.

**Infill Development:** Development or redevelopment on a property within the 1960 City limits or, outside that boundary, development or redevelopment on 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.

**Mixed-use Development:** Properties with residential development and non-residential development on a single lot or premises. For the purposes of this IDO, mixed-use development can take place in the same building (i.e., vertical mixed-use) or separate buildings on the same lot or premises (i.e., horizontal mixed-use).

**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.

#### ***IV. Site Plan – EPC, Major Amendment***

##### ***Analysis***

The request is for a Major Amendment to remove all or a portion of Tract B, legally described as Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace) containing approximately 9.1 acres and located at 1700 Unser Blvd. NW, from the approximate 20.4-acre controlling Site Plan for Subdivision (“subject site”). Upon removal from the SPS, Tract B would then be controlled by the IDO rather than the Heritage Marketplace design standards, and any future development of Tract B would be subject to IDO development standards, MX-L zone district site design and any applicable use-specific standards, including the DPM.

The removal of 1700 Unser Blvd (Tract B) from the subject site would be considered an Amendment of Pre-IDO Approval [§14-16-6-4(Y)] since the original approval was pre-IDO in 2014 and no subsequent amendment has brought the site plan up to current IDO standards.

The SPS specifies that major amendments shall be approved by the environmental Planning Commission.

Pursuant to IDO §14-16-[1-10\(A\)\(1\)](#), any approvals granted prior to the effective date of this IDO, e.g., the Heritage Marketplace SPS, shall remain valid, subject to expiration pursuant to Subsection 14-16-[6-4\(W\)](#) (Expiration of Approvals) and to amendment pursuant to Subsection 14-16-[6-4\(X\)](#) (Amendments of Approvals) or 14-16-[6-4\(Y\)](#) (Amendments of Pre-IDO Approvals), as applicable, until they are replaced with an approval subject to allowable uses and development standards in this IDO pursuant to the procedures in Part [14-16-6](#) (Administration and Enforcement).

*Site Plan Review – Heritage Marketplace SPS*

Although the applicant intends on developing a charter school (elementary, middle, or high school use) on Tract B in the future, this request solely concerns the removal of Tract B from the approximate 20.4-acre subject site. Accordingly, this request only analyzes the changes to the existing site plan in regards to the removal of this parcel and the associated language and boundary updates to the existing Heritage Marketplace SPS. The Heritage Marketplace SPS controls the development of multiple lots, and addresses landscaping, setbacks, pedestrian amenities, screening, lighting, signage, and architecture.

The purpose of the existing Heritage Market SPS is to ensure that any development project on the subject site is effectively integrated internally as well as externally with its surroundings while complying with regulation. Additionally, a cohesive design aims to create a harmonious and visually appealing development by coordinating all design elements, including buildings, landscape, and infrastructure. The current development is based on pre-IDO regulations, resulting in similar building heights, generous parking lots, 2-way drives between structures, and general manicured landscaping. Adjacent residential areas are largely fenced or walled off from the Heritage Market space and generally separated from the Heritage Marketplace by four or more-laned roadways.

Originally, a maximum of 12.5 acres (50%) of the original 25-acre site at the southeast corner of Unser Blvd. and Ladera Dr. was “eligible for development with retail and service-type uses consistent with those of the C-1 zone”. Leaving a 11.65-acre area to “be developed with commercial uses pursuant to the C-1 zone”. The remainder was to “be developed with office or residential uses, or a combination thereof”. Tract A was proposed for office and/or multi-family residential use, and Tract B was proposed for commercial use (Project 1003275, 13EPC-40148). The C-1 Neighborhood Commercial and Office Zone Use did allow for schools, K through 12, but the SPS restricted uses to “commercial uses per C-1 zone” and “office or residential uses, or a combination thereof”. Therefore, a school use was not permitted on the SPS.

With the removal of Tract B from the subject site, the approximately 11 acres that would remain under the controlling Heritage Marketplace SPS, would be wholly developed with commercial uses. An approval for the removal of the 9.1-acre Tract B would potentially allow for the entire 25-acre area comprising the SE corner of the Unser and

Ladera intersection to be developed only with commercial and service-type uses, despite MX-L zoning allowing for a diversity of residential, civic and institutional, commercial, industrial, and telecommunication uses.

The subject site is within a 2-mile radius of at least 11 elementary, middle, and high school options, minimally 6, if considering only the area west of Coors Blvd. and north of the interstate, both of which create significant barriers to travel:

<b>School</b>	<b>Distance (approx. miles)</b>
Painted Sky ES	0.4
Susie Rayos Marmon ES	0.5
Albuquerque Bilingual Academy MS	0.75
Horizon Academy West Charter	1.0
Nuestra Señora la Conquistadora Academy MS	1.4
Tres Volcanes Community Collaborative K-8	1.5

Any future development on Tract B would be controlled by the IDO, DPM, and any other City regulation, which would protect the developed area from potential adverse impacts. Any future proposed development on Tract B would be subject to Administrative Review. The existence of permitted alcohol sales within 300 ft of any proposed school future use would be addressed during this future review and analysis. Meetings with the surrounding neighbors could help shape the development in a positive manner, but would not be required through the Site Plan – Admin process.

#### *Review and Decision Criteria*

There are several criteria that must be met in order to approve a Site Plan – EPC. The burden is on the applicant to show why a change should be made. It is not the responsibility of the City to show why the change should not be made.

IDO §14-16-6-6(I)(3) states that any application for a Site Plan – EPC will be approved if it meets all of the following criteria:

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

*As demonstrated by the policy-based analysis of the proposed major amendment to the controlling Site Plan for Subdivision (SPS), the request is generally consistent with applicable Comprehensive Plan Goals and policies as shown in the previous sections. Non-applicable citations support site plan level changes and not applicable to the removal of a parcel from an existing site plan. Goals and/or policies added by Staff are denoted with an asterisk (\*).*

Applicable citations: \*Policy 4.1.2 *Identity and Design*; \*Policy 5.1.12 *Commuter Corridors*, Policy 5.2.1-*Land Uses*, Goal 5.3-*Efficient Development Pattern*, Policy 5.3.1-*Infill Development*, GOAL 5.4 *Jobs-Housing Balance*, Policy 5.4.2-*West Side Jobs*, Goal 5.6-*City Development Areas*, Policy 5.6.3-*Areas of Consistency*; Policy 7.3.2 *Community Character*, Policy 7.3.3 *Placemaking*.

Non-applicable citations: Goal 6.2 *Multi-Modal System*, Policy 6.2.3 *Pedestrian & Bicycle Connectivity*, Policy 6.4.2; Goal 7.3 *Sense of Place*, Policy 7.3.5 *Development Quality*.

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

*The subject site is not located in a previously approved NR-SU or PD zoning district; criterion b does not apply.*

6-6(I)(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 request is for a Site Plan – EPC, Major Amendment to remove Tract B, an approximate 9.1-acre portion of the larger nearly 20.4-acre site, from the controlling Heritage Marketplace SPS. If approved, the removed Tract B would be regulated by the IDO rather than the design standards in the controlling SPS. Any future development on the removed portion of the subject site would be required to comply with all applicable provisions of the IDO and DPM as well as any other City regulation.*

*The remaining Heritage Marketplace tracts will continue to be controlled by the Heritage Marketplace SPS. Any approvals granted prior to the effective date of the IDO remain valid pursuant to IDO §14-16-[1-10\(A\)](#).*

*Staff did not review a newly proposed site plan for Tract B. Tract B will remain vacant until any future development is proposed, which would be subject to an Administrative Review and Decision.*

*A Traffic Impact Study (TIS) and Sensitive Land Analysis may be required for any future development of Tract B. All grading and drainage, landscaping, utilities, etc. will be subject to a new review process with any proposed future development.*

6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have

adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the maximum extent practicable.

*The request does not include any proposed development, although the subject site is generally served by existing infrastructure and public facility improvements. Any future capacity would be addressed administratively.*

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

*The request would remove the 9.1-acre Tract B from the nearly 20.4-acre controlling SPS. Any future development on Tract B will be subject to the IDO and required to comply with all development and use specific standards, and MX-L zone district standards including but not limited to design standards, parking standards, buffering and landscaping requirements, and neighborhood edges, to mitigate potential adverse impacts.*

6-6(I)(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 site is not within an approved Master Development Plan; criterion f does not apply.*

6-6(I)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Small 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.

*The subject property is not within the Railroad and Spur Small Area; no cumulative impact analysis is required.*

6-6(I)(3)(h) If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of Section 14-16-5-2(E) without sufficient mitigation and benefits that outweigh the expected impacts.

*At this time, there is no development proposed as part of this major amendment. Any future development will be subject to follow all applicable*

*requirements pursuant to the IDO, DPM, and other adopted City regulations.*

*The tracts to remains as part of the Heritage Marketplace SPS tracts would be subject to IDO §14-16-[1-10\(A\)](#) as existing, Pre-IDO developed properties with adequate infrastructure and public improvements.*

## ***V. Agency & Neighborhood Concerns***

### ***Reviewing Agencies***

A number of reviewing agencies provided comment. Responses that were submitted (e.g., AMAFCA, DMD, Fire, Hydrology, NMDOT, Parks & Rec, PNM, Solid Waste) largely pertain to the future site development of Tract B, which would be removed if this action were approved.

### ***Neighborhood/Public***

The Office of Neighborhood Coordination verified that there are five recognized neighborhood associations (NAs) within 660 ft of the subject site. These associations—Ladera West NA, Laurelwood NA, Parkway NA, Tres Volcanes NA, and Westside Coalition of Neighborhood Associations—were notified by email as required. Property owners within 100 ft of the subject site were also notified as required.

A facilitated meeting was requested by the Laurelwood Neighborhood Association and the West Side Coalition of Neighborhood Associations (WSCNA). A Zoom meeting was held Tuesday evening, June 10, 2025. Participating community members generally supported the proposed Major Amendment to the existing Heritage Marketplace SPS to remove Tract B, a future proposed subdivision of Tract B into two parcels, and a proposed future project that would be facilitated by this request despite concerns regarding increased traffic and congestion. Meeting notes and materials are included as [Attachment E](#). As of the time of this writing, staff received public comment from the Laurelwood NA in opposition to the request citing concerns for increased traffic congestion ([Attachment G](#)).

### ***Indian Nations, Tribes, or Pueblos***

The applicant was not required to offer a tribal meeting as part of a pre-submittal requirement [see IDO §14-16-[6-4\(B\)](#)].

## ***VI. Conclusion***

The request is for a Major Amendment to remove all or a portion of Tract B, legally described as Tract B-1, Plat of Tract B-1, Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace) containing approximately 9.1 acres and located at 1700 Unser Blvd. NW—from the approximate 20.4-acre controlling Site Plan for Subdivision (the “subject site”). If approved, Tract B would then be controlled by the IDO rather than the Heritage Marketplace

SPS design standards. This change would allow the applicant to develop the site in compliance with the existing MX-L (Mixed-Use - Low Intensity) zone district and any applicable use-specific standards pursuant to the IDO, DPM and any other City regulation.

The EPC is hearing this case as required by IDO §14-16-6-4(Y) Amendments of Pre-IDO Approvals. Removing Tract B from the existing Site Plan exceeds the thresholds for a minor amendment in IDO Table 6-4-4; therefore, the request is a Major Amendment pursuant to IDO §14-16-6-4(Y)(1)(b). EPC approved the pre-IDO Site Plan; so, EPC is the decision-making body to amend the Site Plan, following Site Plan – EPC procedures in Part 14-16-6 (Administration and Enforcement). The SPS also specifies that major amendments shall be approved by the environmental Planning Commission.

The affected neighborhood organizations are the Ladera West NA, Laurelwood NA, Parkway NA, Tres Volcanes NA, and Westside Coalition of NAs (WSCONA), all of which were notified as required. Property owners within 100 feet of the subject site were also notified as required.

A facilitated meeting was requested by the Laurelwood Neighborhood Association and the West Side Coalition of Neighborhood Associations (WSCONA). A Zoom meeting was held Tuesday evening, June 10, 2025. Participating community members generally supported the proposed project despite concerns regarding increased traffic and congestion.

The applicant has adequately justified the request pursuant to IDO 14-16-6-6(I) for a Site Plan-EPC and staff finds that it is consistent with applicable Comprehensive Plan goals and policies.

As of this writing, Staff has received no comments and is not aware of any support or opposition.

Staff recommends APPROVAL for the proposed Site Plan – EPC, Major Amendment subject to Conditions of Approval to ensure compliance and provide clarity as the process moves forward.

### ***Findings, Site Plan – EPC***

Plan #: SP-2025-00041

1. This is a request for a Site Plan – EPC, Major Amendment for all or a portion of Tracts A-1, A-2, A-3, C-1, C-2, and C-3 Plats of Tracts A-1 thru A-3 and C-1 thru C-3 Heritage Marketplace (Being a Replat of Tracts A and C, Heritage Marketplace) and Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace) located between Ladera Dr. and Hanover Rd. NW, located south of Ladera Dr., east of Unser Blvd., north of Hanover Rd. NW, and west of Market St. NW., containing approximately 20.4 acres. The tract in the northwest corner of this area is not a part of the subject site.
2. The request is to remove all or a portion of Tract B, legally described as Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace), containing approximately 9.1 acres located at 1700 Unser Blvd. NW from the controlling

Site Plan for Subdivision (SPS) for Heritage Marketplace (“subject site”), a plan approved by the EPC in 2015 (Project #1000325, 14EPC-40078, 15DRB-70052).

3. If approved, Tract B would then be controlled by the IDO rather than the Heritage Marketplace SPS design standards. This change would allow the applicant to develop the site in compliance with the MX-L zoning designation and any applicable use-specific standards pursuant to the IDO.
4. The SPS specifies that major amendments shall be approved by the environmental Planning Commission.
5. History of the subject site:
  - A. The subject site is in an area that was once a part of the Atrisco Land Grant and later the Westland Development Co. (zoned A-1). The El Rancho Atrisco Sector Plan (Phase I-V) originally planned the subject site as residential beginning in 1980. In 1981 the subject site was zoned SU-1 Planned Office Park and Commercial Development as part of El Rancho Atrisco Sector Plan Phase III (SD-81-1). A Phase III map signed off in December 1981 identifies the subject site for C-2 (Commercial) uses (SD-81-1).
  - B. In 1985, the EPC approved a Site Development Plan (Z-81-49-2) for an office building on approximately 4.5 acres in the southeast corner of the subject site. The remainder of the Site Plan was conceptual and included a shopping center and two retail pads in the northern portion. The remainder was never built.
  - C. In February 2014, the EPC approved a SPS for the Heritage Marketplace development, containing “approximately 20 acres”. This site plan included design and development standards for a mixed-use project that originally designated a maximum of 12.5 acres toward retail and service-type uses consistent with those of the C-1 zone. Although the NW corner lot is “Not A Part” of the 2014 Heritage Marketplace SPS, the commercial use at this site is still counted toward the total allowable commercial use for the SPS. Tract A was proposed for office and/or multi-family residential use, and Tract B was proposed for commercial use (Project 1003275, 13EPC-40148).
  - D. In October 2014, the Zoning Hearing Examiner approved Conditional Use permits to (1) allow retail sales of gasoline with 6 two-sided fueling dispenser units (1010220 14ZHE-80222) and (2) allow a drive-up service window for a pharmacy at 1820 Unser Blvd NW (1010220 14ZHE-80223).
  - E. In December 2014, the EPC approved a request for a Zoning Map Amendment from SU-2/SU-1 for a Planned Office Park and Commercial Development to SU-2/SU-1 for Planned Office Park and Commercial Development to include sales of package liquor in association with a grocery store.
  - F. In December 2014, the EPC approved a Zoning Map Amendment and Site Development Plan for Building Permit on a 6-acre parcel on the subject site (1003275 14EPC-40076, -40077, -40078, -40079). This was for a full-service grocery store with

alcohol sales for off-premises consumption, a fuel station, and a convenience store. The request also added full-service alcohol sales to sit-down restaurants on pad sites A-E of Tracts A and C. Two access points were granted from the limited access roadway of Unser into the subject site (R-14-01 TCC).

- G. In 2015, the DRB approved a Preliminary/Final Plat and Bulk Land Variance for the subject site (1003275 14DRB-70358, -70359).
- H. In January 2016, the EPC denied a Site Development Plan for Building Permit to construct a 230-unit multi-family development on Tract B-1 of the Heritage Marketplace (15EPC-40068). An appeal was filed, but City Council denied the appeal and upheld EPC's decision (AC-16-2).
- I. In November 2016, the EPC approved a Site Development Plan for Building Permit (16EPC- 40055) for a fast-food restaurant with drive-up service window on Tract C-2, a 1.1- acre pad site. A few months later in January 2017, EPC approved a Site Development Plan for Building Permit for an approximately 1.3-acre site (Tract C-3). The request included a restaurant with a drive-up service window and retail store (1003275 16EPC-40073). In February 2017, the EPC approved a Site Development Plan for Building Permit (1003275 16EPC-40088) for a restaurant with drive-up service window on Tract A-2, an approximately 0.94-acre site. This Site Plan was appealed, but City Council denied the appeal and upheld EPC's decision (AC-17-3).
- J. In 2018, zoning at the subject site was converted to MX-L when the IDO became effective. An MX-L zone district was adopted as commercial uses were first allowed as permissive primary uses (see IDO SU-1 and R-D Conversion Table, Rule 6.a.i, <https://abq-zone.com/document/ido-su-1-and-r-d-conversion-table>).
- K. In 2022, the EPC approved a Major Amendment to the Site Plan – EPC (PR-2022-007141/SI-2022-01298) for approximately 129 townhomes on approximately 9 acres of Tract B. A preliminary plat and vacation of private and public easements were also approved (PR-2022-007141 SD-2022-00167, -00168, -00170, -00171). The townhomes were never developed; therefore. the 2015 Site Plan for Subdivision governs Tract B.
- 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 subject site is not located within a Center, but is located along a Limited Access Commuter Corridor (Unser Blvd.) as designated by the comprehensive plan.
- 8. The subject site is located within the West Mesa CPA, which spans the area west of the Rio Grande to the city's western edge and along Atrisco Vista Boulevard between I-40 and Montaño and Gila Roads. West Mesa CPA is made up of many single-family residential subdivisions that were developed over the past several decades, and the area's suburban

characteristics include wide streets, large setbacks, and shopping centers with large parking lots.

9. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan, that has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding context.
10. The request is generally consistent with 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 from the Comprehensive Plan Chapter 4 – Community Identity.

Once removed from the subject site, Tract B would be controlled by the IDO and the MX-L zone designation. With these regulations in place, the identity and cohesiveness of the neighborhood should remain aligned with the current land use and zone designations adjacent to the tract to the north. Any future development would adhere to and be protected by all the IDO standards for the character of building design, including and not limited appropriate scale and location of development, mix of uses, and character of building design for the MX-L zone district.

11. The request is consistent with or generally consistent with the following applicable Goals and Policies from the Comprehensive Plan Chapter 5 - Land Use:

- A. **POLICY 5.1.12 Commuter Corridors:** Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

The request could facilitate auto-oriented development of the subject site, which is located along the limited-access Unser Commuter Corridor, which is intended to accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling. Any future development on the vacant subject site would be in an area well-served by personal vehicles and possible future transit stops and located within bikeable and walkable distances from surrounding residential neighborhoods.

- B. **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 removal of the 9.1-acre Tract B from the subject site would not alter the permissive land uses at the subject site as no zone changes are proposed. Proposed future uses would continue to be easily accessible from the surrounding neighborhoods, as well as regionally, contributing to healthy, sustainable, and distinct communities with a mix of uses.

C. GOAL 5.3 Efficient Development Pattern: 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 could facilitate future development of the vacant subject site, which is served by existing infrastructure and public utilities. Any future development would generally promote efficient development patterns and use of land by promoting growth on a vacant, infill location with MX-L zoning.

D. POLICY 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is located in an Area of Consistency along a Commuter Corridor, and at the intersection of a Regional Principal and a Minor Arterial roadway in an area imagined with neighborhood-scale retail, commercial, civic and institutional uses, as well as higher-density residential uses to serve the surrounding area, which can be made more desirable for infill development with the removal of existing commercial-centered design guidelines at the subject site. According to the applicant, the request would facilitate future development of a charter school, although many other uses would be permissive on the removed Tract B, which is already served by existing infrastructure and public utilities.

E. GOAL 5.4 Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

The removal of the 9.1-acre site from the existing Heritage Marketplace SPS, while maintaining the same MX-L zoning, would allow equivalent residential growth near employment across the region and prioritization of job growth west of the Rio Grande.

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

The subject site is located in an Area of Consistency, where growth is expected to reinforce the character and intensity of the surrounding area. The request would continue to reinforce the character and intensity of the surrounding area by adhering to the IDO MX-L zone regulations, IDO Development Standards, and DPM standards that would guide future development of the subject site.

12. IDO §14-16-6-6(I)(3) states that any application for a Site Plan – EPC will be approved if it meets all of the following criteria:

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

As demonstrated by the policy-based analysis of the proposed major amendment to the controlling Site Plan for Subdivision (SPS), the request is generally consistent with

applicable Comprehensive Plan Goals and policies as shown in the previous sections. Non-applicable citations support site plan level changes and not applicable to the removal of a parcel from an existing site plan. Goals and/or policies added by Staff are denoted with an asterisk (\*).

Applicable citations: \*Policy 4.1.2 Identity and Design; \*Policy 5.1.12 Commuter Corridors, Policy 5.2.1-Land Uses, Goal 5.3-Efficient Development Pattern, Policy 5.3.1-Infill Development, GOAL 5.4 Jobs-Housing Balance, Policy 5.4.2-West Side Jobs, Goal 5.6-City Development Areas, Policy 5.6.3-Areas of Consistency; Policy 7.3.2 Community Character, Policy 7.3.3 Placemaking.

Non-applicable citations: Goal 6.2 Multi-Modal System, Policy 6.2.3 Pedestrian & Bicycle Connectivity, Policy 6.4.2; Goal 7.3 Sense of Place, Policy 7.3. 5 Development Quality.

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

The subject site is not located in a previously approved NR-SU or PD zoning district; criterion b does not apply.

C. 6-6(I)(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 request is for a Site Plan – EPC, Major Amendment to remove Tract B, an approximate 9.1-acre portion of the larger nearly 20.4-acre site, from the controlling Heritage Marketplace SPS. If approved, the subject site would be regulated by the IDO rather than the design standards in the controlling SPS. Any future development on the removed portion of the subject site would be required to comply with all applicable provisions of the IDO and DPM as well as any other City regulation.

The remaining Heritage Marketplace tracts will continue to be controlled by the Heritage Marketplace SPS. Any approvals granted prior to the effective date of the IDO remain valid pursuant to IDO §14-16-1-10(A).

Staff did not review a newly proposed site plan for Tract B. Tract B will remain vacant until any future development is proposed, which would be subject to an Administrative Review and Decision.

A Traffic Impact Study (TIS) and Sensitive Land Analysis may be required for any future development of Tract B. All grading and drainage, landscaping, utilities, etc. will be subject to a new review process with any proposed future development.

D. 6-6(I)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity

to serve the proposed development, and any burdens on those systems have been mitigated to the maximum extent practicable.

The request does not include any proposed development, although the subject site is generally served by existing infrastructure and public facility improvements. Any future capacity would be addressed administratively.

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

The request would remove the 9.1-acre Tract B from the nearly 20.4-acre controlling SPS. Any future development on Tract B will be subject to the IDO and required to comply with all development and use specific standards, and MX-L zone district standards including but not limited to design standards, parking standards, buffering and landscaping requirements, and neighborhood edges, to mitigate potential adverse impacts.

F. 6-6(I)(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 site is not within an approved Master Development Plan; criterion f does not apply.

G. 6-6(I)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Small 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.

The subject property is not within the Railroad and Spur Small Area; no cumulative impact analysis is required.

H. 6-6(I)(3)(h) If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of Section 14-16-[5-2\(E\)](#) without sufficient mitigation and benefits that outweigh the expected impacts.

At this time, there is no development proposed as part of this major amendment. Any future development will be subject to follow all applicable requirements pursuant to the IDO, DPM, and other adopted City regulations.

13. The purpose of the existing Heritage Market SPS is to ensure internal as well as external development consistency while complying with regulation. Current development is based

on pre-IDO regulation, resulting in similar building heights, generous parking lots, 2-way drives between structures, and landscaping that is separated from adjacent residential areas by four or more-laned roadways and/or fencing. Although, the original C-1 Neighborhood Commercial and Office Zone Use allowed for K through 12 schools, any school use was not permitted as per the Heritage Marketplace SPS.

14. Pursuant to IDO §14-16-1-10(A)(1), any approvals granted prior to the effective date of this IDO, e.g., the Heritage Marketplace SPS, shall remain valid, subject to expiration pursuant to Subsection 14-16-6-4(W) (Expiration of Approvals) and to amendment pursuant to Subsection 14-16-6-4(X) (Amendments of Approvals) or 14-16-6-4(Y) (Amendments of Pre-IDO Approvals), as applicable, until they are replaced with an approval subject to allowable uses and development standards in this IDO pursuant to the procedures in Part 14-16-6 (Administration and Enforcement).
15. Any future development on Tract B would be controlled by the IDO, DPM, and any other City regulation, and would be subject to Administrative Review.
16. According to the Office of Neighborhood Coordination, Ladera West NA, Laurelwood NA, Parkway NA, Tres Volcanes NA, and Westside Coalition of Neighborhood Associations, were required to be notified, and they were notified as required. Property owners within 100 ft of the subject site were also notified as required.
17. A facilitated meeting was requested by the Laurelwood Neighborhood Association and the West Side Coalition of Neighborhood Associations (WSCNA). A Zoom meeting was held Tuesday evening, June 10, 2025. Participating community members generally supported the proposed Major Amendment to the existing Heritage Marketplace SPS to remove Tract B, despite concerns regarding increased traffic and congestion with possible future development of a school.
18. As of the time of this writing, staff received public comment from the Laurelwood NA in opposition to the request citing concerns for increased traffic congestion.

### ***Recommendation***

APPROVAL of Plan #: SP-2025-00041, a request to remove all or a portion of Tract B—Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace)—containing approximately 9.1 acres at 1700 Unser Blvd. NW from the subject site, an approximately 20.4-acre controlling Site Plan for Subdivision (SPS) for Heritage Marketplace, delimited by all or a portion of Tracts A-1, A-2, A-3, C-1, C-2, and C-3 Plats of Tracts A-1 thru A-3 and C-1 thru C-3 Heritage Marketplace (Being a Replat of Tracts A and C, Heritage Marketplace) and Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace), based on the preceding Findings and subject to the following Conditions of Approval.

### ***Recommended Conditions of Approval***

Plan #: SP-2025-00041, Site Plan – EPC, Major Amendment

1. The applicant shall coordinate with the staff planner to ensure that all Conditions of Approval are met and then submit a vetted, final version to the staff planner for filing at the Planning Department.
2. The applicant shall coordinate with the Staff Planner prior to submitting to the DFT for final sign-off to ensure that EPC Conditions have been met. Pursuant to IDO section 14-16-6-6(I)(2)(m) Site Plans shall be reviewed administratively for compliance with conditions of approval, DPM, and zoning standards prior to the issuance of a building permit.
3. Pursuant to IDO section 14-16-6-4(O)(4) Any conditions shall be met within 1 year of the approval, unless stated otherwise in the approval. If any conditions are not met within that time, the approval is void. The Planning Director may extend the time limit up to an additional 1 year.
4. After approval by the Environmental Planning Commission (EPC), the applicant shall submit the proposed site plan to the Development Facilitation Team (DFT) for final sign-off. The reviewer will be responsible for ensuring that all EPC Conditions have been satisfied and that the IDO, DPM, and all other applicable City requirements have been met.
5. Heritage Marketplace Site Plan for Subdivision page numbers shall be updated to reflect 2 sheets (1 of 2, 2 of 2).
6. The text as part of “Proposed Changes: 2.”, as shown on Sheet 1, shall be removed as it is not applicable.
7. The Site Plan for Subdivision boundary shall be updated to show its new extent without Tract B.

---

***Catherine Heyne***

Catherine Heyne, Planner

Notice of Decision cc list:

Dekker, Will Gleason, WillG@dpsdesign.org  
Dekker, Jessica Lawlis, JessicaL@dpsdesign.org  
Ladera West NA, [laderawestna@gmail.com](mailto:laderawestna@gmail.com)  
Ladera West NA, Steven Collins, slcalbq@aol.com  
Ladera West NA, [Hope Eckert, hope1@swcp.com](mailto:Hope.Eckert@swcp.com)  
Laurelwood NA, [laurelwoodna@gmail.com](mailto:laurelwoodna@gmail.com)

Laurelwood NA, Igor Dernov, [wiseolga@gmail.com](mailto:wiseolga@gmail.com)  
Parkway NA, [parkwaypoint@yahoo.com](mailto:parkwaypoint@yahoo.com)  
Tres Volcanes NA, [info@tresvolcanesna.org](mailto:info@tresvolcanesna.org)  
Tres Volcanes NA, Thomas Borst, [t0m2pat@yahoo.com](mailto:t0m2pat@yahoo.com)  
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WSCONA, Jane Baechle, [jane.baechle@gmail.com](mailto:jane.baechle@gmail.com)  
Legal, [dking@cabq.gov](mailto:dking@cabq.gov)  
Legal, [acoon@cabq.gov](mailto:acoon@cabq.gov)  
EPC file

## ***Agency Comments***

### **PLANNING DEPARTMENT**

#### *Hydrology*

- Hydrology has an approved Conceptual Grading & Drainage Plan (HT # H09D029) for the site with an engineer's stamp dated 9/30/2022.
- Hydrology has no objection to the proposed Site Plan Amendment.
- For future development, prior to submitting for Site Plan approval or Building Permit, a licensed New Mexico civil engineer will need to submit a revised Grading & Drainage Plan to Hydrology for review & approval if one of these conditions is met. (500 cy of grading, 1,000 sf of proposed building, or 10,000 sf of proposed paving).

### **OTHER CITY OF ALBUQUERQUE DEPARTMENTS / OFFICES**

#### *Department of Municipal Development (DMD)*

No adverse comments. However, wanted to note that per the City of Albuquerque Vision Zero Year-in-Review/Action Plan Update, Unser Blvd. (adjacent to the site) is on the City's Prioritized High Fatal and Injury Network (HFIN). This section of Unser Blvd. spans an Index Score of >0.4 - 0.6 on the Social Vulnerability Index, with scores closer to one (1) meaning a higher vulnerability to traffic safety issues.

#### *Fire Department*

Review cannot be performed because the project does not have an associated Bluebeam Session. Please resubmit the project to Building to initiate a Bluebeam Session for review.

#### *Parks & Recreation, Urban Forestry*

- If approved, applicant will need to submit a landscape plan showing street tree requirements as site plan moves forward.
- Deviations in the tree species proposed within the Heritage Marketplace Site Development Plan are allowable. London Plane Tree are only conditionally recommended as they are very water consumptive, and the existing population is dying back. Please select another large shade tree during site plan development.
- Sensitive Lands Analysis requires detail. Please provide an updated Sensitive Lands Analysis with details about existing vegetation. Forestry will visit the site to inspect following a detailed Sensitive Lands Analysis.

#### *Solid Waste Department*

New school will be required to set up refuse service with City of Albuquerque solid waste department and meet all minimum trash enclosure requirements.

**OTHER AGENCIES**

*Albuquerque Metropolitan Arroyo Flood Control (AMAFCA)*

AMAFCA has no adverse comments to the Site Plan – EPC, Major Amendment.

The development of this site must conform to the overarching drainage master plan for Heritage Plaza which limits and directs site discharge to the City of Albuquerque storm drain running parallel to Hanover Rd.

*Bernalillo County Planning & Development Services*

No adverse comment.

*Bernalillo County Transportation*

No adverse comment. No nearby BC roads or intersections.

*New Mexico Department of Transportation (NMDOT)*

Please coordinate with NMDOT District 3 Assistant Traffic Engineer Margaret Haynes to discuss this development's potential impacts to Unser Blvd. and any improvement requirements: [Margaret.Haynes@dot.nm.gov](mailto:Margaret.Haynes@dot.nm.gov), cell: 505-288-2086.

*Public Service Company of New Mexico (PNM)*

There are PNM facilities and/or easements along the site's Hanover Rd. frontage and the site's northwest edge.

It is the applicant's obligation to determine if existing utility easements or rights-of-way are located within 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 any future Site Plan and any future Plat.

Structures, especially those made of metal like restrooms, storage buildings, and canopies, should not be within or near PNM easements without close coordination with and agreement from PNM.

Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities.

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://pnmnisd.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.

**A) PHOTOGRAPHS**

## HERITAGE MARKETPLACE – Unser & Ladera SE corner

**Figure 1:** Panoramic overview of the subject site - looking E from Unser Blvd.



**Figure 2:** Panoramic overview of the developed portion of the subject site - looking W from Market St.



**Figure 3:** Panoramic overview of subject site - looking N from Hannover Rd.



**Figure 4:** Panoramic overview of subject site - looking SSE from Ladera Dr.



## TRACT B – 1700 User Blvd NW

**Figure 5:** Panoramic overview of Tract B - looking S.



**Figure 6:** Panoramic overview of Tract B - looking NE.



B) HISTORY

**PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946**

## **OFFICIAL NOTIFICATION OF DECISION**

Bernco Investors LLC  
6900 Camelback Road Suite 607  
Scottsdale, AZ 85250

**Project# PR-2022-007141  
Application#  
SD-2022-00167 PRELIMINARY PLAT  
SD-2022-00170 VACATION OF PRIVATE  
EASEMENT (Drainage)  
SD-2022-00168 VACATION OF PUBLIC  
EASEMENT (Drainage)  
SD-2022-00171 VACATION OF PUBLIC  
EASEMENT (Water)**

### **LEGAL DESCRIPTION:**

For all or a portion of: **TRACT B-1, HERITAGE  
MARKETPLACE** zoned **MX-L**, located on **1700  
UNSER BLVD NW between I-40 and LADERA  
DR NW** containing approximately **9.05  
acre(s). (H-09)**

On November 30, 2022, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests based on the following Findings:

### **SD-2022-00167 PRELIMINARY PLAT**

1. This Preliminary Plat features the vacation of three easements, requiring a platting action. The infrastructure proposed on the associated Infrastructure List is considered major public infrastructure, requiring a Major Preliminary Plat application per 6-6(K)(1)(a)(3) of the IDO.
2. The property is zoned MX-L. Future development must be consistent with the underlying zoning.

3. An Infrastructure List was approved with this Plat. A recorded Infrastructure Improvements Agreement (IIA) must be submitted prior to the acceptance and processing of the Final Plat and placement on a DRB agenda.
4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**SD-2022-00170 VACATION OF PRIVATE EASEMENT (Drainage)**

1. The applicant proposes to vacate an existing 20-foot private drainage easement recorded on 4/10/15.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. This storm drain is private and does not benefit the general public. Coordination with Hydrology has preliminarily approved the proposed re-route of this private storm drain.

**SD-2022-00168 VACATION OF PUBLIC EASEMENT (Drainage)**

1. The applicant proposes to vacate a portion of an existing 30-foot drainage easement recorded on 5/13/82.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The public welfare does not require this easement to remain in its current state so long as the storm drain line is properly relocated and enters and exits the property in the same manner as it currently does. Coordination with Hydrology has preliminarily approved the proposed re-route of this public storm drain.

**SD-2022-00171 VACATION OF PUBLIC EASEMENT (Water)**

1. The applicant proposes to vacate a portion of an existing 20-foot public waterline easement recorded on 9/11/15.
2. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. This waterline will be required to continue service to the Heritage Marketplace properties. However, the waterline will be relocated and will have a new public water easement dedicated prior to a Final Plat approval and recording.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 16, 2022**. The date of the DRB'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.

Official Notice of Decision

Project # PR-2022-007141 Applications# SD-2022-00167, SD-2022-00170, SD-2022-00168, SD-2022-00171

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For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

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. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Jolene Wolfley  
DRB Chair

JW/jr

Tierra West, LLC, 5571 Midway Park Place NE, Albuquerque, NM 87109

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



## OFFICIAL NOTIFICATION OF DECISION

August 18, 2022

Keystone Homes  
7550 E. McDonald Dr., Suite G  
Scottsdale, AZ 85250

**Project # PR-2022-007141**  
RZ-2022-01298– Site Plan- Major Amendment

### LEGAL DESCRIPTION:

Consensus Planning, agent for Keystone Homes, requests a Site Plan- Major Amendment for all or a portion of Tracts A-1, A-2, A-3 and Tracts C-1, C-2, C-3 plat of tracts A-1 thru A-3 and C-1 thru C-3; and Tract B-1 (being a re-plat of Tract B), Heritage Marketplace, located at 1700 Unser Blvd. NW, between Hanover Rd. NW and Ladera Dr. NW, approximately 20 acres (H-09-Z)

Staff Planner: Leroy Duarte

On August 18, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007141/SI-2022-01298, a Site Plan- Major Amendment, based on the following Findings and subject to the following Conditions of Approval:

### Findings:

1. The request is for a Site Plan EPC-Major Amendment of a Pre IDO-Approval for an approximately 9.1-acre site legally described as Tracts A-1, A-2, A-3 and Tracts C-1, C-2, C-3 plat of tracts A-1 thru A-3 and C-1 thru C-3; and Tract B-1 (being a re-plat of Tract B), Heritage Marketplace, located at 1700 Unser Blvd. NW, between Hanover Rd. NW and Ladera Dr. NW (“the subject site”).
2. The subject site is zoned MX-L (Mixed-use – Low intensity), a zoning designation received upon adoption of IDO in May 2018.
3. The subject site is within the controlling Heritage Marketplace Site Development Plan for Subdivision (project#1003275), which has design standards. The subject site would remain in the Heritage Marketplace 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. Major Amendments of Pre-IDO Approvals return to the original decision-making body pursuant to 14-16-6-4(Z)(1)(b).

OFFICIAL NOTICE OF DECISION

Project # PR-2022-007141

August 18, 2022

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5. The subject site is in an area that the Comprehensive Plan designated an Area of Consistency. It is located along a Commuter 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 Goals and policies from Comprehensive Plan Chapter 5: Land Use:
  - A. Goal 5.1- Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

The request would facilitate future development of low-density townhomes that would complement the surrounding area which consists of multi-family development, commercial retail, and outdoor trails. The request would foster communities where residents can live, shop, learn and play together.

- B. 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 on a Commuter Corridor with access to existing paved bike trails and sidewalks that have connections to the surrounding neighborhoods.

- C. Sub-Policy (b)- 5.2.1 Land Use: Encourage development that offers choice in transportation, work areas, and lifestyles.

The request would facilitate the development of townhomes that would be adjacent to the Unser Commuter Corridor. The subject site is well served by bus routes 92 and 94 and provides a wide variety of commercial retail services including a grocery store. The development would offer a choice in transportation and work areas.

- D. 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 townhomes that would broaden housing options that meet a range of incomes and lifestyles ranging from 1-bedroom to 3-bedrooms.

- E. Sub-Policy (h) 5.2.1- Land Use: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request would facilitate the development of townhomes and add complementary uses to the surrounding area. The request would be compatible in form and scale because the surrounding development consists of multi-family and low-density residential housing.

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

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Project # PR-2022-007141

August 18, 2022

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The subject site is located along a Commuter Corridor, the request would encourage a productive use of what currently exists as an under-utilized lot to facilitate the development of approximately 129 townhomes. The low-density 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 various housing options that would maximize the existing infrastructure already in place within the Heritage Marketplace and also utilize public facilities and transportation that is along the subject site.

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

The request is located in an Area of Consistency and would facilitate low-density development that would reinforce the character and intensity of the surrounding area.

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

The request would protect and enhance the character of the existing neighborhood by adding more low-density residential housing to the area and would enhance the community by following the Heritage Marketplace Design Standards, thus keeping the character of the area consistent.

8. The request is consistent with the following policy from Comprehensive Plan Chapter 7: Urban 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 Consistency and on a designated Corridor, a prime infill location as highlighted by the Comprehensive Plan. The request is to facilitate low-density residential development-townhomes. The subject site would remain in the controlling Heritage Marketplace 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 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-L; therefore, this criterion does not apply.

C. 14-16-6-6(J)(3)(c) The proposed major amendment is to facilitate future development of approximately 129 townhomes. The subject site is within the controlling Site Development Plan for Subdivision Heritage Marketplace, which has design standards. The request would

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Project # PR-2022-007141

August 18, 2022

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comply with all applicable provisions of the IDO (when design standards are silent), DPM, and Heritage Marketplace 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 would enhance existing infrastructure (sidewalks) and the completed sidewalks would create connectivity to the regional trails at the end of Hanover Rd.
- E. 14-16-6-6(J)(3)(e) The applicant has demonstrated that the request would not negatively impact the surrounding area based on their responses to applicable Comp Plan Goals and Policies. The proposed major amendment would allow the change from multi-family to low-density residential uses and facilitate the development of approximately 129 townhomes on the subject site. The subject site is zoned MX-L in which townhouses are already permissive. The proposed development would comply with the design standards within the controlling Site Plan for Subdivisions and the IDO (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 Heritage Marketplace Site Development Plan for Subdivision and is zoned MX-L. The request to facilitate the development of approximately 129 townhomes on the subject site is permissible under this zone district pursuant to IDO 14-16-2-4-(B).
- 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.

10. The affected neighborhood organizations are the Laurelwood Neighborhood Association (NA), Westside Coalition of NA, and Parkway NA, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.

11. A pre-application neighborhood meeting was held on Tuesday June 7, 2022 from 5:30 pm to 7:30 pm via Zoom. Questions and concerns were expressed by neighbors regarding traffic, congestion, architectural aesthetics, and school capacity were answered during the meeting. There were no unresolved issues or concerns.

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

Conditions:

- 1. The EPC delegates final sign-off authority of this site plan to the Site Plan- Administrative Process as per IDO Section 14-16-6-5(G)(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.
- 3. Pedestrian Access:  
Pedestrian crossings must comply with design standards and be labeled on site plan.
- 4. Provide dumpster details.

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5. Landscape Plan:

Provide dimensions for all plant beds, distances between trees, etc.

6. Walls and fences:

Provide details of fencing and material type.

7. 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.

8. Signage:

A. Signage area calculations shall be provided.

B. Building mounted signs shall comply with design standards.

C. Provide signage details and information.

9. 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.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **September 2, 2022**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

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

OFFICIAL NOTICE OF DECISION

Project # PR-2022-007141

August 18, 2022

Page 6 of 6

Sincerely,

*Catalina Lehner*

for Alan M. Varela,  
Planning Director

AV/CL/LD

cc: Laurelwood NA, Frank Comfort, [laurelwoodna@gmail.com](mailto:laurelwoodna@gmail.com)

Laurelwood NA, Dagmar Nelson, [nelsondag@aol.com](mailto:nelsondag@aol.com)

Westside Coalition of Neighborhood Associations, Rene Horvath, [aboard111@gmail.com](mailto:aboard111@gmail.com)

Westside Coalition of Neighborhood Associations, Elizabeth Haley, [elizabethkayhaley@gmail.com](mailto:elizabethkayhaley@gmail.com)

Parkway NA, Mary Loughran, [marykloughran@comcast.net](mailto:marykloughran@comcast.net)

Parkway NA, Ruben Aleman, [m\\_raleman@yahoo.com](mailto:m_raleman@yahoo.com)

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

EPC file

Notice of Decision  
City Council  
City of Albuquerque  
May 17, 2017

2017 MAY 23 AM 11:12

RECEIVED

ALBUQUERQUE CITY CLERK

**AC-17-3** (Project #1003275/16EPC-40088) Laurelwood Neighborhood Association  
appeals the decision of the Environmental Planning Commission (EPC) to Approve a  
Site Development Plan for Building Permit for Tract A-2, Heritage Marketplace, located  
at Ladera Drive and Market Street NW

**Decision**

On May 15, 2017, by a vote of 7 FOR, 2 AGAINST, the City Council voted to deny the  
appeal and affirm the decision of the Environmental Planning Commission by accepting  
and adopting the recommendation and findings of the Land Use Hearing Officer.

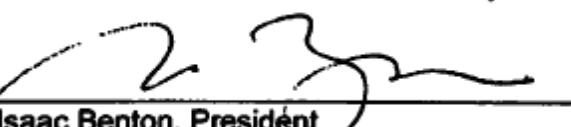
Against: Gibson, Sanchez

**IT IS THEREFORE ORDERED THAT THE APPEAL IS DENIED, THE EPC'S DECISION  
IS AFFIRMED, AND THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT IS  
APPROVED**

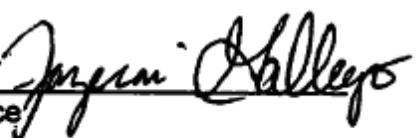
**Attachments**

1. Land Use Hearing Officer's Recommendation
2. Action Summary from the May 15, 2017 City Council Meeting

A person aggrieved by this decision may appeal the decision to the Second Judicial  
District Court by filing in the Court a notice of appeal within thirty (30) days from the  
date this decision is filed with the City Clerk.

  
Isaac Benton, President  
City Council

Date: 5-23-17

Received by:   
Jazmin Salley  
City Clerk's Office Date: 5/23/17

# CITY OF ALBUQUERQUE



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

## OFFICIAL NOTIFICATION OF DECISION

February 10, 2017

One Architecture  
Attn: Nathan Bisch  
8801 N. Central Ave, Suite 101  
Phoenix, AZ 85020

**Project# 1003275  
16EPC-40088 Site Development Plan for Building Permit**

PO Box 1293

### LEGAL DESCRIPTION:

The above action for all or a portion of Tract A-2, HeritageMarket Place, zoned SU-2/SU-1, Planned Office Park and Commercial Development to Include Full Service Alcohol Sales with a Sit Down Restaurant located on Southwest Corner of Ladera Drive NW and Market Street NW, containing approximately .94 acre. (H-9)

Staff Planner: Maggie Gould

On February 9, 2017 the Environmental Planning Commission (EPC) voted to **APPROVE** Project 1003275/16EPC-40088, a Site Development Plan for Building Permit, based on the following findings and conditions:

NM 87103

### **FINDINGS:**

www.cabq.gov

1. This is a request for a Site Development Plan for Building Permit for Tract A-2, Heritage Marketplace located on Ladera Drive NW, between Unser Boulevard and Market Street and containing approximately .94 acres.
2. The request will allow the development of 3,237 square foot restaurant with drive up service window and associated landscaping and parking areas.
3. In October of 2012, the City Code Compliance Manager confirmed that uses allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial Zone, and that the area within which the subject site is located may be developed with commercial uses pursuant to the C-1 zone. Therefore, the proposed restaurant with a drive-up service window and retail building on the subject site is permissive.
4. The subject site is located within the Heritage Marketplace Site Development Plan for Subdivision (13EPC-40148), and is subject to the approved design standards. The request is consistent with those standards.

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5. The site is within the boundaries of the Developing Urban area of the Comprehensive Plan, the Ladera Community of the West Side Strategic Plan and the El Rancho Atrisco III Sector Development Plan. The Heritage Marketplace Site Development Plan for Subdivision applies to the site and contains design requirements that development must comply with.
6. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase III Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.
8. The proposed Site Development Plan for Building Permit furthers the following 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 request generally furthers Policy II.B.5.d. The proposed development would be suitable in terms of its location and intensity as it is appropriately located within an existing area zoned for commercial uses. The subject site is not considered a scenic or natural environment, and is subject to the Heritage Marketplace design standards, which were established to respect neighborhood values and conditions of the area. However, there is concern about the impact of the traffic from the proposed development and the impact of the drive-use on the pedestrian safety.
  - 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 request furthers Policy II.B.5.e because the site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed Site Development Plan for Building Permit is required to adhere to the Heritage Marketplace Site Development Plan for Subdivision design standards as approved by the Environmental Planning Commission. These standards help to ensure quality development on the site.
  - 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.

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The request furthers Policy II.B.5.i. New development will add to the services available to area residents and provide job opportunities. The Heritage Marketplace Site Development Plan for Subdivision provides design standards that limit lighting near residential development and includes other standards to increase the design quality for the adjacent neighborhoods.

9. The proposed Site Development Plan for Building Permit furthers the following West Side Strategic Plan policies:
  - A. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The request furthers policy 3.23 because the proposed development adds commercial services on the western side of the Ladera Community within a neighborhood center. The site plan is generally consistent with the design standards in the Heritage Marketplace Site Development Plan for Subdivision. Extensive landscaping is provided along the northeast corner that will help the site relate to the neighborhood.
  - B. Policy 3.24: The area just west of Coors and north of I-40 up to a point of about 1000 feet south of Ladera Drive should be designated and developed as the Community Activity Center for Ladera.

The request furthers Policy 3.24 because the proposed commercial development will be located within the Unser / Ladera Neighborhood Center as shown on page 30 of the West Side Strategic Plan.
  - C. Policy 4.6.g: Create commercial developments that are or will be accessible by transit. Locate buildings adjacent to street frontages and place parking areas to the rear or sides of properties and/or on adjacent streets. Locate landscaping, walls, or fences so they do not create barriers for pedestrians. Parking shall not take precedence over pedestrian circulation.

The request partially furthers policy 4.6.g because the site is accessible by transit and the landscaping and walls do not create barriers for pedestrians. The building is close to the street, but has a drive up lane between the building and the street.
10. The request furthers the intent of El Rancho Atrisco Phase III Sector Plan because the proposed development complies with the intent of the land use plan contained within the El Rancho Atrisco Phase III Sector Plan.
11. The Laurelwood Neighborhood Association, Parkway Neighborhood Association and the Westside Coalition of Neighborhoods were notified.

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12. A facilitated meeting occurred on January 25, 2017. Neighbors expressed concern about the existing traffic in the area and additional traffic from the proposed use, including the volume of traffic, the function of the intersections, delivery trucks and the lack of a signal at Market Street because of the distance to Unser Boulevard. Attendees expressed opposition the drive-thru because it is not pedestrian friendly and they would prefer a sit down restaurant.
13. The original TIS, dated 2014, included two drive thru restaurant facilities for the entire site development plan for subdivision. With this project, the trip generation numbers were updated to add a third drive thru restaurant. According to the Traffic Engineer, there will be a negligible impact to traffic congestion in the area.
14. Changes and additions were proposed as a result of the facilitated meeting on January 25, 2017. The changes are reflected on Exhibit A as displayed at the hearing.

### **CONDITIONS:**

1. The EPC delegates final sign-off authority of this Site Development Plan for Building Permit 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. Provide a pedestrian connection from the building to Market Street if it can be designed to provide safe access, as determined by Planning and Transportation Development with input from the applicant and neighborhoods.
4. Update sheet La.01 to show corrected site square footage and required landscape.
5. Reduce screen wall height to 36 inches to comply with the approved Site Development Plan for Subdivision.
6. Add an additional shade tree on the west side of the patio.

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7. Future signage will be required to comply with SPS standards and a note shall be added to the site stating that future signage can be approved administratively if it complies with the required standards.
8. Conditions from Transportation Development:
  1. 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).
  2. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
  3. The applicant will address transportation comments prior to DRB sign off.
9. Conditions of Approval from PNM:
  1. 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.
  2. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.
10. 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.
11. Changes and additions proposed at the hearing as reflected on Exhibit A should be incorporated into the design of the site plan, where possible.
12. Depressed landscaping areas and benches will be added to the site plan.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **FEBRUARY 24, 2017**. 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

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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 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).

**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.

Sincerely,

  
Suzanne Lubar  
Planning Director

SL/MG

cc: One Architecture, Nathan Bisch, 8801 N. Central Ave, Suite 101, Phoenix, AZ 85020  
Laurel Wood N.A (LWD) "R", Candelaria Patterson, 7608 Elderwood Dr. NW, ABQ, New Mexico 87120  
Laurel Wood N.A (LWD) "R", Gregie Duran, 7525 Maplewood Dr. NW, ABQ, New Mexico 87120  
Parkway N.A (PKW) "R", Ruben Aleman, 8005 Fallbrook NW, Albuquerque, New Mexico 87120  
Parkway N.A (PKW) "R", Mary Loughran, 8015 Fallbrook NW, Albuquerque, New Mexico 87120  
Westside Coalition of N.A.'S, Harry Hendriksen, 10592 Rio Del Sole Ct. NW, ABQ, NM 87114  
Westside Coalition of N.A.'S, Rene Horvath, 5515 Palomino Dr. NW, ABQ, New Mexico 87120  
Frank Comfort, 7608 Elderwood Dr. NW, ABQ, NM 87120

# CITY OF ALBUQUERQUE



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

## OFFICIAL NOTIFICATION OF DECISION

January 13, 2017

ABQ Heritage Marketplace, LLC      Project #1003275  
2850 E. Camelback Rd, Suite 180      16EPC-40073 Site Development Plan for Building Permit  
Phoenix, AZ 85016

### LEGAL DESCRIPTION:

The above action for Tract C3, Heritage Marketplace, zoned SU-2/SU-1 for Planned Office Park and Commercial Development to Include Full Service Alcohol Sales with a Sit Down Restaurant (C-1), located on Unser Blvd., between Ladera Dr. NW and Hanover Rd. NW, containing approximately 1.3 acres. (H-09)

Staff Planner: Cheryl Somerfeldt

PO Box 1293

On January 12, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project 1003275/16EPC-40073, a Site Development Plan for Building Permit, based on the following findings Albuquerque and conditions:

### FINDINGS:

NM 87103

[www.cabq.gov](http://www.cabq.gov)

1. This is a request for a Site Development Plan for Building Permit for Tract C-3, Plat of Tracts A-1 Thru A-3 and C-1 Thru C-3, Heritage Marketplace located on Unser Boulevard NW between Ladera Drive NW and I-40 and containing approximately 1.13 acres.
2. The applicant is proposing to construct a 4,000 sf building divided into a 2,160 square foot restaurant with a drive up service window and a 1,840 square foot retail store.
3. In October of 2012, the City Code Compliance Manager confirmed that uses allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial Zone, and that the area within which the subject site is located may be developed with commercial uses pursuant to the C-1 zone. Therefore, the proposed restaurant with a drive-up service window and retail building on the subject site is permissive.
4. The subject site is located within the Heritage Marketplace Site Development Plan for Subdivision (13EPC-40148), and is subject to the approved design standards.
5. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase III, Heritage Marketplace Site Development Plan for Subdivision and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

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6. The proposed Site Development Plan for Building Permit furthers the following 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.
  - B. The requested action generally furthers Policy II.B.5.d. The proposed new development would be suitable in terms of its location and intensity as it is appropriately located within an existing subdivision shopping center site zoned SU-1 for C-1 uses. The subject site is not considered a scenic or natural environment, and is subject to the Heritage Marketplace design standards, which were established to respect neighborhood values and conditions of the area. Expression of concern was received from local Neighborhood Associations over multiple drive-through restaurants so close to each other and within the same subdivision. Although the tenant Starbucks meets neighborhood expectations, there is a large concern over the effect of drive-through service windows on existing traffic.
  - C. The Heritage Neighborhood Marketplace Traffic Impact Study (see attached) shows that two drive-up service establishments were included in the trip generation data (page 5 of the report). Since the Taco Bell drive-through has been approved for Tract C-2, this project would place the two proposed drive-through restaurants facing Unser Boulevard.
  - D. 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 request furthers Policy II.B.5.e because the subject site is contiguous to existing urban facilities and services. The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The integrity of the existing neighborhoods will be ensured because the proposed Site Development Plan for Building Permit is required to adhere to the Heritage Marketplace Site Development Plan for Subdivision design standards as approved by the Environmental Planning Commission.

- E. 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 request generally furthers Policy II.B.5.i. New development will add to the services available to area residents and provide job opportunities. The Heritage Marketplace Site Development Plan for Subdivision provides design standards that limit lighting near residential development and includes other standards to increase the design quality for the adjacent neighborhoods. Traffic will access the site from Unser Boulevard and Ladera Drive away from residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The neighborhoods are concerned that drive-through service windows will increase local traffic and put additional pressure on existing access points and intersections.

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7. The proposed Site Development Plan for Building Permit furthers the following West Side Strategic Plan policies:

A. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The request furthers policy 3.23 because the site is within a designated Neighborhood Center. A limited number of businesses along with chain franchises are located approximately one-quarter mile north of Ladera Drive on the east side of Unser Boulevard, however the majority of commercial shopping in the area occurs on Coors Boulevard. The proposed project would increase services and retail businesses west of the Ladera Golf Course in a designated Neighborhood Center, increasing options for surrounding residents. This project will be subject to the design standards of the approved Heritage Marketplace Site Development Plan for Subdivision.

B. Policy 3.24: The area just west of Coors and north of I-40 up to a point about 1000 feet south of Ladera Drive should be designated and developed as the Community Activity Center for Ladera.

The request furthers Policy 3.24 because the proposed commercial service and retail development will be located within the Unser / Ladera Neighborhood Center as shown on page 30 of the West Side Strategic Plan.

8. The proposed Site Development Plan for Building Permit furthers the following portions of El Rancho Atrisco Phase III Sector Plan:

A. The subject site for the request is within the boundaries of the adopted El Rancho Atrisco Phase III Sector Plan, first adopted in 1981. The Plan generally encompasses properties between Unser Boulevard on the west, Atrisco Rd. on the east, Hanover Rd. on the south and the Ladera Channel on the north. The Rank III Plan does not provide goals or policies but rather a land use plan adopted that includes the subject site and other properties within the Sector Plan boundaries.

The request furthers the intent of El Rancho Atrisco Phase III Sector Plan because the proposed development complies with the intent of the land use plan contained within the El Rancho Atrisco Phase III Sector Plan.

9. The Laurelwood Neighborhood Association, Parkway Neighborhood Association and the Westside Coalition of Neighborhood Associations as well as property owners within 100 feet of the subject site were all notified as required.

10. The project was recommended for facilitation, and a facilitated meeting was held on Wednesday December 28, 2016. A Facilitated Meeting Report has been made a part of the record for this case. The facilitated meeting participants expressed a concern with potential traffic generated by the drive-through service window and an interest in maintaining the safe movement of vehicles and pedestrians around the proposed restaurant and marketplace.

11. Conditions of approval are needed for clarification and to create compliance with the design standards.

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**CONDITIONS OF APPROVAL:**

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. The request shall comply with the design standards in the site development plan for subdivision for Heritage Marketplace.
4. Site Plan (BP1):
  - A. The refuse enclosure shall be moved (to the east property line) so that the refuse driver can service the dumpster off of the private access road rather than at the entrance to the drive-up service window queuing area.
  - B. The square footage for each use (restaurant and retail) shall be shown on the floor plan.
  - C. A signature block shall be added.
  - D. The pedestrian crossing at the northeast corner of the site shall be of textured colored concrete as required by design standard B.2. Add keyed note.
  - E. Keyed Note 18, "stripping" shall be revised to "striping".
  - F. The shaded patio area shall be dimensioned and clearly indicated.
5. Landscaping Plan (LS1):
  - A. A note shall be added to the Landscape Plan stating that the plan shall conform to the requirements of the City of Albuquerque's Water Conservation and Pollen Ordinance.
  - B. Chilopsis linearis shall be moved to be under the section "Trees" in the landscape legend.
  - C. Trees shall be added in the planter bordering the private drive adjacent to the sidewalk to be spaced 25' feet on center as required by design standard C.5 in accordance with section 14-16-3-1 of the Zoning Code.
  - D. One additional tree shall be added to the northwest portion of the site in the landscape planter bordering Unser Boulevard per design standard 3.2.
  - E. A note shall be added "Landscape beds shall be depressed below grade."
  - F. At least three curb notches shall be added into the landscape planters at appropriate locations and shown on the Landscape Plan and Grading Plan.
  - G. A curb notch detail shall be provided.

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H. Water conserving species shall be used:

- a. Tree #1 shall be revised from *Fraxinus* sp. to *Quercus* sp.
- b. Tree #2 shall be revised from *Pinus nigra* to *Pinus eldarica*.
- c. Tree #6 shall be revised from *Cercis reniformis* to *Cercis canadensis* var *mexicana*.
- d. Remove Tree #4 from the legend and replace on the plan with Tree #6.

6. Signage (A4.1):

I. The following notes shall be added:

J. Per design standard 5.13 "All Wall-mounted signs shall be individual type lettering."

K. Per design standard 5.14 "Wall mounted signs shall not project more than 1 foot."

7. Elevations (A4.0):

L. Per design standard E.1, the primary building finish material shall be stucco or integral color split face block. Per design standard E.2, revise metal paneling or siding to be approved material, except for accents such as the awning.

M. A note shall be added per design standards 7.3 and 9.7 "Roof-mounted mechanical equipment shall be visually screened."

N. A note shall be added per design standard 4.D.10 "Glazing shall be non-reflective."

O. Remove "(Final Color by Arch)" under Exterior Materials F-3.

8. Detail Sheets:

P. A bench is not currently shown on the site plan and shall be removed from the detail sheet Detail 10 Sheet A1.2.

Q. A color shall be specified for the retaining wall Detail 12 Sheet A1.3.

9. Conditions of Approval from the City Engineer:

A. 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).

B. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements including the Development Process Manual and current ADA criteria.

*The following comments need to be addressed prior to DRB:*

C. The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "Violators Are Subject to a Fine and/or Towing."

D. ADA truncated domes (detectable warning surfaces) should extend the full width of the ADA ramp.

E. Please dimension the sidewalk fronting the development.

F. Pedestrian paths cross slopes cannot exceed 2%.

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G. The ADA access aisles shall have the words "NO PARKING" in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tire would be placed. (66-1-4.1.B NMSA 1978)

**10. Conditions of Approval from Albuquerque / Bernalillo County Water Utility Authority:**

A. A request for an availability statement must be submitted. The submittal shall include an approved Fire Plan from the City's Fire Marshall's office.

**11. Conditions of Approval from Public Service Company of New Mexico:**

A. 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.

B. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:

Mike Moyer

PNM Service Center

4201 Edith Boulevard NE

Albuquerque, NM 87107 Phone: (505) 241-3697

C. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.

**12. 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.**

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JANUARY 27, 2017**. 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 14-16-4-4 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).

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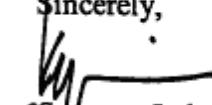
Project #1003275

January 12, 2017

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**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.

Sincerely,



Suzanne Lubar  
Planning Director

SL/CS

cc: ABQ Heritage Marketplace, LLC, 2850 E. Camelback Rd, Suite 180, Phoenix, AZ 85016  
Modulus Architects, Attn: Angela Williamson, 100 Sun Ave, Ste. 305, ABQ, NM 87109  
Laurel Wood N.A. (LWD) "R", Candelaria Patterson, 7608 Elderwood Dr. NW, ABQ, New Mexico 87120  
Laurel Wood N.A. (LWD) "R", Gregie Duran, 7525 Maplewood Dr. NW, ABQ, New Mexico 87120  
Parkway N.A. (PKW) "R", Ruben Aleman, 8005 Fallbrook NW, ABQ, New Mexico 87120  
Parkway N.A. (PKW) "R", Mary Loughran, 8015 Fallbrook NW, ABQ, New Mexico 87120  
Westside Coalition of N.A.'S, Harry Hendriksen, 10592 Rio Del Sole Ct. NW, ABQ, New Mexico 87114  
Westside Coalition of N.A.'S, Rene Horvath, 5515 Palomino Dr. NW, ABQ, New Mexico 87120

# CITY OF ALBUQUERQUE



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

## OFFICIAL NOTIFICATION OF DECISION

November 14, 2016

Palo Alto, Inc  
Attn: Jeff Geller  
924 W. Colfax Ave, Suite 203  
Denver, CO 80204

**Project# 1003275**  
**16EPC-40055 Site Development Plan for Building Permit**

PO Box 1293

### LEGAL DESCRIPTION:

The above action for all or a portion of Tract C-2, Plat of Tracts A-1 Thru A-3 and C-1 Thru C-3, Heritage Marketplace, zoned SU-2/SU-1 for Planned Office Park and Commercial Development to Include Full Service Alcohol Sales with a Sit Down Restaurant, located on Unser Blvd. NW, Between Ladera Dr. NW and I-40, containing approximately 1.1 acres. (H-9) Staff Planner: Vicente Quevedo

Albuquerque

On November 10, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1003275/16EPC-40055, a Site Development Plan for Building Permit, based on the following findings subject to the following conditions of approval:

### FINDINGS:

[www.cabq.gov](http://www.cabq.gov)

1. This is a request for a Site Development Plan for Building Permit for Plat of Tracts A-1 Thru A-3 and C-1 Thru C-3, Heritage Marketplace located on Unser Blvd. NW, Between Ladera Dr. NW and I-40 and containing approximately 1.1 acres.
2. The applicant is proposing to construct a 1,944 sf food service / retail building with a drive thru on the subject site.
3. In October 2012 the City Code Compliance Manager confirmed that activities allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial zone uses, and that the area within which the subject site is located may be developed with commercial uses pursuant to the C-1 zone. Therefore, the proposed food service / retail use with a drive thru on the subject site is permissive.

OFFICIAL NOTICE OF DECISION

Project #1003275

November 10, 2016

Page 2 of 7

4. The subject site is located within the Heritage Market Place Site Development Plan for Subdivision (13EPC-40148), and is subject to the approved design standards.
5. Planning Staff has concluded that the requested Site Development Plan for Building Permit generally conforms to the requirements of the design standards contained within the Heritage Market Place Site Development Plan for Subdivision
6. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase 3, Heritage Market Place Site Development Plan for Subdivision and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The proposed Site Development Plan for Building Permit furthers the following 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 furthers Policy II.B.5.d. because it is appropriately located adjacent to C-1 zoned lots. Carrying capacities are also appropriate for the area as evidenced by agency comments submitted by City Engineer stating that a Traffic Impact Study (TIS) was completed for the larger Heritage Market Subdivision Area, and all of the required improvements from that TIS have been implemented / constructed.
  - 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 request furthers Policy II.B.5.e. because the subject site is contiguous to existing urban facilities and services. The integrity of existing neighborhoods will be ensured because the proposed Site Development Plan for Building Permit is required to adhere to the EPC approved design standards contained within the Heritage Market Place Site Development Plan for Subdivision.
  - 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 request furthers Policy II.B.5.i. because the applicant is proposing a new commercial retail use for the subject site. The subject site is located adjacent to other C-1 zoned lots which are configured to complement nearby residential areas. The proposed development plan in conjunction with the EPC approved Heritage Market Place Site Development Plan for

OFFICIAL NOTICE OF DECISION

Project #1003275

November 10, 2016

Page 3 of 7

Subdivision design standards will serve to minimize any potential adverse impacts on residential environments.

8. The proposed Site Development Plan for Building Permit furthers the following West Side Strategic Plan policies:

A. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The request furthers WSSP Policy 3.23 because it will locate commercial service and retail development within the designated Unser / Ladera Neighborhood Center (as shown on page 30 of the West Side Strategic Plan). The uses for the subject site will be subject to the design standards of the EPC approved Heritage Market Place Site Development Plan for Subdivision.

B. Policy 3.24: The area just west of Coors and north of I-40 up to a point about 1000 feet south of Ladera Drive should be designated and developed as the Community Activity Center for Ladera.

The request furthers Policy 3.24 because the proposed commercial service and retail development will be located within the Unser / Ladera Neighborhood Center as shown on page 30 of the West Side Strategic Plan.

9. The proposed Site Development Plan for Building Permit furthers the following portions of El Rancho Atrisco Phase III Sector Plan:

A. The subject site for the request is within the boundaries of the adopted El Rancho Atrisco Phase III Sector Plan, first adopted in 1981. The Plan generally encompasses properties between Unser Blvd. on the west, Atrisco Rd. on the east, Hanover Rd. on the south and the Ladera Channel on the north. The Rank III Plan does not provide goals or policies but rather a land use plan adopted that includes the subject site and other properties within the Sector Plan boundaries.

The request furthers the intent of El Rancho Atrisco Phase III Sector Plan because the proposed development complies within the intent of the land use plan contained within El Rancho Atrisco Phase III Sector Plan.

10. The Laurelwood Neighborhood Association, Parkway Neighborhood Association and the Westside Coalition of Neighborhood Associations as well as property owner within 100 feet of the subject site were all notified as required.

11. The project was recommended for facilitation, and a facilitated meeting was held on Wednesday October 19, 2016.

**OFFICIAL NOTICE OF DECISION**

Project #1003275

November 10, 2016

Page 4 of 7

12. A Facilitated Meeting Report has been made a part of the record for this case.

13. All facilitated meeting participants expressed an interest in maintaining the safe movement of pedestrians around the proposed restaurant and marketplace.

14. There is no known neighborhood opposition to this request.

**CONDITIONS OF APPROVAL:**

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. A note shall be add to the Landscape Plan on Sheet L1.0 stating that the plan shall conform to the requirements of the City of Albuquerque's Water Conservation and Pollen Ordinance.
4. The exterior building elevations contained on Sheets A4.0 and A4.1 currently identifies the elevations according to right, left, front and rear side. The elevations shall be modified to read east, west, north and south elevations.
5. The signage proposed for the northern building façade on Sheet A4.1 calculates to 7.07% of the building façade and will need to be reduced to 6% or less so as not to exceed the design standards contained within the Heritage Marketplace Site Development Plan for Subdivision.
6. Conditions of Approval from City Engineer:
  - a. 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).
  - b. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

The following comments need to be addressed prior to DRB:

OFFICIAL NOTICE OF DECISION

Project #1003275

November 10, 2016

Page 5 of 7

- a. Minimum drive thru lane width is 12 feet with a 25 foot minimum radius (inside edge) for all turns.
- b. The ADA access aisles shall have the words "NO PARKING" in capital letters, each of which shall be at least one foot high and at least two inches wide, placed at the rear of the parking space so as to be close to where an adjacent vehicle's rear tire would be placed. (66-1-4.1.B NMSA 1978)
- c. The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "Violators Are Subject to a Fine and/or Towing." Please call out detail and location of HC signs.
- d. Define the Radii on all curbs especially drive thru lane
- e. Identify the right of way width, medians, curb cuts, street widths and street names.

7. Conditions of Approval from Albuquerque / Bernalillo County Water Utility Authority:

- a. All onsite water and sanitary sewer shall be considered private.
- b. Confirm if existing easements for existing public waterline and public sanitary sewer are in fact exclusive and granted to the Water Authority or if they are public utility easements as mentioned in the utility plan.

8. Conditions of Approval from City Refuse Division:

- a. Northern entrance appears to have a diagonal curb at entrance, creating a hindrance for truck access. Please remove curb and keep entrance dimensions at 27.14'. Move proposed refuse enclosure 2' to the North for truck access. Do not plant anything next to proposed refuse enclosure that will create an overhang. All new/proposed refuse enclosures must be built to COA minimum spec. requirements, need complete/detailed spec. sheet for proposed refuse enclosure, including a sanitary drain.

9. Conditions of Approval from Public Service Company of New Mexico:

- a. 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.
- b. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project! Contact:

Mike Moyer.  
PNM Service Center  
4201 Edith Boulevard NE  
Albuquerque, NM 87107 Phone: (505) 241-3697
- c. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow

**OFFICIAL NOTICE OF DECISION**

Project #1003275

November 10, 2016

Page 6 of 7

10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.

10. 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.
11. An additional sidewalk will be added from the restaurant building to connect to the existing sidewalk located along the northern portion of the private drive, as feasible and to address safety issues.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **November 28, 2016**. 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 14-16-4-4 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).

**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.

**OFFICIAL NOTICE OF DECISION**

Project #1003275

November 10, 2016

Page 7 of 7

Sincerely,

  
Suzanne Lubar  
Planning Director

**SL/VQ**

cc: Palo Alto, Inc, Jeff Geller, 924 W. Colfax Ave, Suite 203  
HCI Engineering, Cole C. Haberer, 621 Southpark Dr., #1600, Littleton, CO 80120  
Candelaria Patterson, Laurelwood NA, 7608 Elderwood Dr. NW, ABQ, NM 87120  
Gregie Duran, Laurelwood NA, 7525 Maplewood Dr. NW, ABQ, NM 87120  
Ruben Aleman, Parkway NA, 8005 Fallbrook NW, ABQ, NM 87120  
Mary Loughran, Parkway NA, 8015 Fallbrook NW, ABQ, NM 87120  
Harry Hendriksen, Westside Coalition of NA's, 10592 Rio Del Sole Ct, NW, ABQ, NM 87114-2701  
Rene Horvath, Westside Coalition of NA's, 5515 Palomino Dr. NW, ABQ, NM 87120

**Notice of Decision  
City Council  
City of Albuquerque  
April 8, 2016**

**AC-16-2 Project# 1003275/15EPC-40068 Western Albuquerque Land Holdings Appeals the Environmental Planning Commission's (EPC's) Denial of 15EPC-40068, a Site Development Plan for Building Permit, for all or a portion of Tract B-1, Heritage Market Place zoned SU-2, SU-1 for Planned Office Park and Commercial Development, located on Market Street between Hanover Road and Ladera Drive, containing approximately 9 acres**

## Decision

On April 4, 2016, by a vote of 7 FOR, 1 AGAINST, the City Council voted to accept the appeal and reverse the decision of the Environmental Planning Commission by accepting and adopting the recommendation and findings of the Land Use Hearing Officer.

Against: Peña  
Excused: Sanchez

**IT IS THEREFORE ORDERED THAT THE APPEAL IS GRANTED, THE EPC'S DECISION IS REVERSED, AND THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT IS APPROVED**

## Attachments

1. Land Use Hearing Officer's Recommendation
2. Action Summary from the April 4, 2016 City Council Meeting

A person aggrieved by this decision may appeal the decision to the Second Judicial District Court by filing in the Court a notice of appeal within thirty (30) days from the date this decision is filed with the City Clerk.

**Dan Lewis, President  
City Council**

Received by: Renee Yaduncia  
City Clerk's Office

Date: 4-15-16

Date: 4/13/14

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# CITY OF ALBUQUERQUE

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



## OFFICIAL NOTIFICATION OF DECISION

January 15, 2016

Western Albuq. Land Holdings LLC  
Jeff Garrett  
6969 E. Camelback, Suite D-212  
Scottsdale, AZ 85251

Project# 1003275  
15EPC-40068 Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

The above action for all or a portion of tract B-1, Heritage Market Place, zoned SU-2/SU-1 Planned Office Park & Commercial Development, located on Unser Blvd. between Ladera and Market, containing approximately 9<sup>1</sup> acres. (H & J-9) Staff Planner: Maggie Gould

PO Box 1293

On January 14, 2016, the Environmental Planning Commission (EPC) voted to DENY Project #1003275/15EPC-40068, a Site Development Plan for Subdivision, based on the following findings:

Albuquerque

New Mexico 87103

[www.cabq.gov](http://www.cabq.gov)

### FINDINGS:

1. This is a request for a Site Development for Building Permit for Tract B-1 of the Heritage Market Place Subdivision located on Unser Boulevard between Market Street and Ladera Road and containing approximately 9 acres zone SU-2, SU-1 for Planned Office Park and Commercial Development.
2. The applicant proposes to construct a 230 unit apartment complex. The use is allowed under the existing zone. A letter from the City Code Compliance Manager in 2012 confirms that the apartment use is allowed on the site.
3. The subject site is part of a larger subdivision containing approximately 20 acres governed by a Site Development Plan for Subdivision (13 EPC-40148).
4. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan and El Rancho Atrisco SDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

OFFICIAL NOTICE OF DECISION  
Project #1003275  
January 14, 2016  
Page 2 of 5

5. The subject site is within the Established Urban Area of the Comprehensive Plan. The Following policies are relevant to the request:

**Land Use**

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, or recreational concern.

*The intensity of the proposed project will not respect the existing values, carrying capacity and other area resources. The project will add additional housing on the west side of Albuquerque where there is currently an imbalance between jobs and housing, the project will add additional traffic to an already congested roadway system and will add additional students to an overcrowded school system. The request does not further 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 assured.

*Although the site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer, the proposed intensity of development will overtax these services. The site uses one access point that will funnel the traffic from the development onto Market Street. The additional traffic from the development will add to the existing traffic congestion in the area and negatively impact the neighborhoods. The request does not further Policy II.B.5.e.*

C. Policy II.B.5h: Higher density housing is most appropriate in the following situations:

- In designated Activity Centers
- In areas with excellent access to the major street network.
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

*The subject site has access to the major street network from Market Street to Ladera Drive. The site design directs all of the traffic onto Market Street from a single entry*

OFFICIAL NOTICE OF DECISION

Project #1003275

January 14, 2016

Page 3 of 5

*and exit point. The additional traffic from the single entry and exit point of the development will add to the existing traffic problems in the area. The request does not further Policy II.B.5h.*

Policy II.B.5k: 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 operations.

*The subject site is adjacent Unser Boulevard, an arterial street. Because Unser is a Limited Access Roadway the site does not have full access to Unser Boulevard. The proposed project will add additional traffic that will negatively impact the existing residential development and will add to the traffic congestion in the area. The request does not further Policy II.B.5k.*

Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

*The site plan provides pedestrian access, however the change in grade between the entry drive from Unser Boulevard and the proposed apartments makes it more difficult for pedestrians to access the small retail shops proposed along Unser Boulevard. The request partially furthers Policy II.D.4g.*

6. *The site is within the boundaries of the Westside Strategic Plan:*

- A. Policy 2.5: When considering approval of subdivisions or site development plans for residential development or zone changes to residential or higher density residential, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes.

*The proposed development will add students to the area. There is excess capacity at West Mesa High School, but SR Marmon Elementary and Jimmy Carter Middle School are overcrowded. The request is not consistent with policy 2.5.*

7. The proposed development complies with the underlying zoning in the El Rancho Atrisco Phase III Sector Plan, but the layout and quantity of housing is not appropriate for the area.
8. The Laurelwood Neighborhood Association, Parkway Neighborhood Association and Westside Coalition of Neighborhoods were notified. A facilitated meeting occurred on November 17th. Neighbors expressed concerns about parking on street, crime and traffic and a general decline in the quality of life in the area and several attendees were opposed to the project.

**OFFICIAL NOTICE OF DECISION**

Project #1003275

January 14, 2016

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9. Staff received letters from the S. R. Marmon Neighborhood Association, Laurelwood Park Neighborhood Association and members of the community expressing opposition to the request.
10. Several members of the public spoke in opposition to the request at the EPC hearing.

**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 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 14-16-4-4 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.

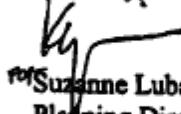
OFFICIAL NOTICE OF DECISION

Project #1003275

January 14, 2016

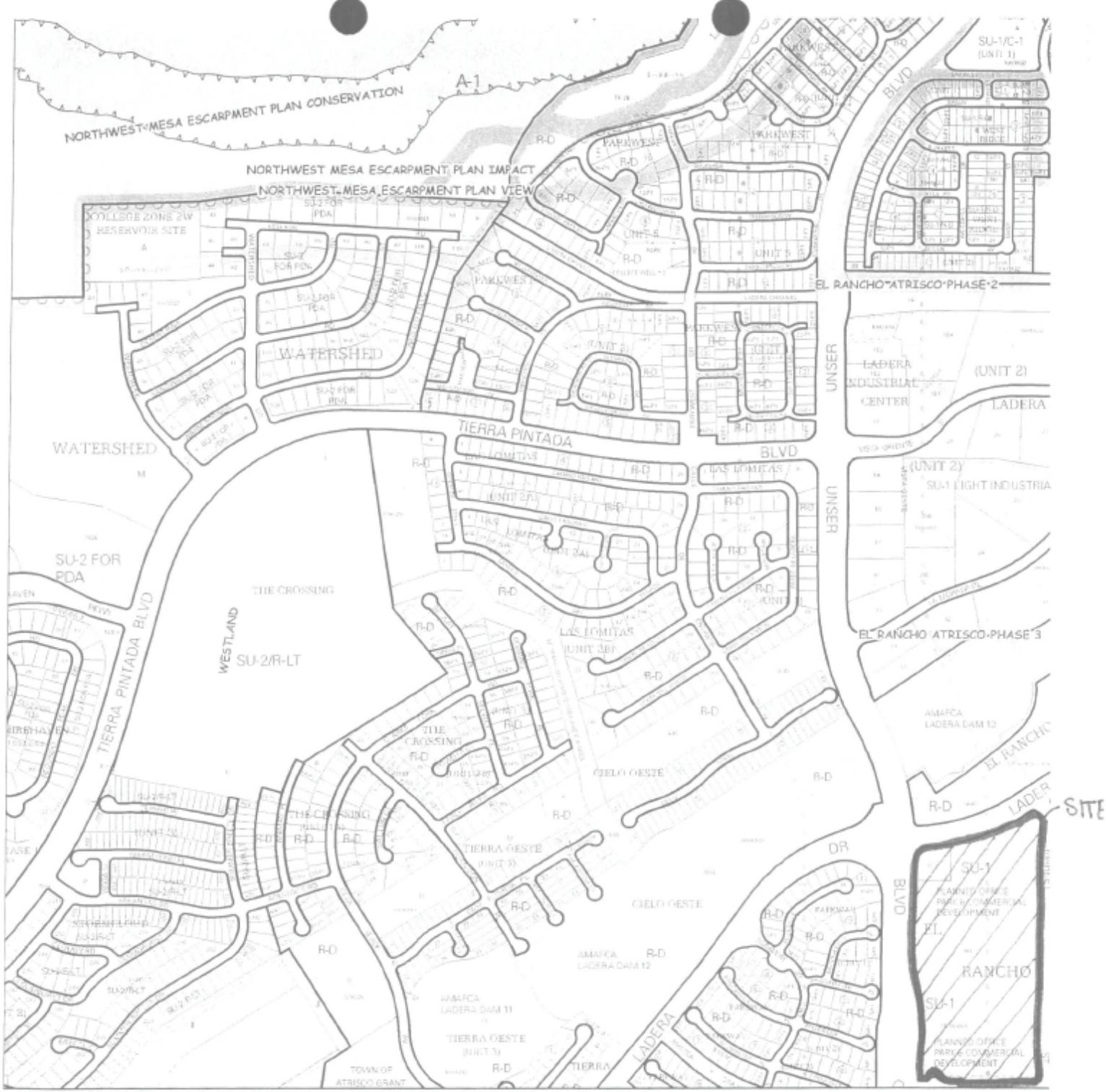
Page 5 of 5

Sincerely,

  
Suzanne Lubar  
Planning Director

SL/MG

cc: Western Albuq. Land Holdings LLC, Jeff Garrett, 6969 E. Camelback, suite D-212, Scottsdale, AZ 85251  
Tierra West, LLC, 5571 Midway Pk Place NE, ABQ, NM 87109  
Candelaria Patterson, Laurelwood NA, 7608 Elderwood Dr. NW, ABQ, NM 87120  
Greg Huston, Laurelwood NA, 7600 Sherwood Dr. NW, ABQ, NM 87120  
Ruben Aleman, Parkway NA, 8005 Fallbrook NW, ABQ, NM 87120  
Mary Loughran, Parkway NA, 8015 Fallbrook NW, ABQ, NM 87120  
Gerald Worrall, Westside Coalition of NA's, 1039 Pinatubo Pl NW, ABQ, NM 87120  
Harry Hendriksen, Westside Coalition of NA's, 10592 Rio Del Sole Ct, NW, ABQ, NM 87114-2701  
John Vrabec, 7721 Pinewood Dr NW, ABQ, NM 87120  
E. Ward, 1914 Moneda Dr NW, ABQ, NM 87120  
Phyllis Vilchuck, 7805 Springwood NW, ABQ, NM 87120  
Frank Comfort & Candelaria Patterson, 7608 Elderwood Dr NW, ABQ, NM 87120  
Joe Montano, 7705 Blossom Wood Pl NW, ABQ, NM 87120  
Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87120



For more current information and details visit: <http://www.cabq.gov/gis>

Zone Atlas Page:

H-09-Z



Man amended through: 9/2/2014

Note: Grey Shading  
Represents Area Outside  
of the City Limits

### Selected Symbols

The legend includes the following items:

- SECTOR PLANS**: Represented by a blue square icon.
- Design Overlay Zones**: Represented by a green square icon.
- City Historic Zones**: Represented by a red square icon.
- H-1 Buffer Zone**: Represented by a yellow square icon.
- Petroglyph Mon.**: Represented by a grey square icon.
- Escarptment**: Represented by a blue square icon.
- 2 Mile Airport Zone**: Represented by a green square icon.
- Airport Noise Contours**: Represented by a red square icon.
- Wall Overlay Zone**: Represented by a yellow square icon.

# CITY OF ALBUQUERQUE

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



## OFFICIAL NOTIFICATION OF DECISION

December 11, 2015

Western Albuq. Land Holdings LLC  
Jeff Garrett  
6969 E. Camelback, Suite D-212  
Scottsdale, AZ 85251

Project# 1003275  
15EPC-40068 Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

The above action for all or a portion of tract B-1, Heritage Market Place, zoned SU-2/SU-1 Planned Office Park & Commercial Development, located on Unser Blvd. between Ladera and Market, containing approximately 9 acres. (H & J-9) Staff Planner: Maggie Gould

PO Box 1293

On December 10, 2015, the Environmental Planning Commission (EPC) voted to CONTINUE Project #1005517/15EPC-40021, a Site Development Plan for Subdivision, based on the following findings:

Albuquerque

1. The EPC Continued this case to the January 14, 2016 hearing in order to entertain a motion based on new proposed Findings.

New Mexico 87103

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **DECEMBER 28, 2015**. 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 14-16-4-4 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

26

**OFFICIAL NOTICE OF DECISION**

Project #1003275

December 10, 2015

Page 2 of 2

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/MG

cc: Western Albuq. Land Holdings LLC, Jeff Garrett, 6969 E. Camelback, suite D-212, Scottsdale, AZ 85251  
Tierra West, LLC, 5571 Midway Pk Place NE, ABQ, NM 87109  
Candelaria Patterson, Laurelwood NA, 7608 Elderwood Dr. NW, ABQ, NM 87120  
Greg Huston, Laurelwood NA, 7600 Sherwood Dr. NW, ABQ, NM 87120  
Ruben Aleman, Parkway NA, 8005 Fallbrook NW, ABQ, NM 87120  
Mary Loughran, Parkway NA, 8015 Fallbrook NW, ABQ, NM 87120  
Gerald Worrall, Westside Coalition of NA's, 1039 Pinatubo Pl NW, ABQ, NM 87120  
Harry Hendriksen, Westside Coalition of NA's, 10592 Rio Del Sole Ct, NW, ABQ, NM 87114-2701  
John Vrabec, 7721 Pinewood Dr NW, ABQ, NM 87120  
E. Ward, 1914 Moneda Dr NW, ABQ, NM 87120  
Phyllis Vilchuck, 7805 Springwood NW, ABQ, NM 87120  
Frank Comfort & Candelaria Patterson, 7608 Elderwood Dr NW, ABQ, NM 87120  
Joe Montano, 7705 Blossom Wood Pl NW, ABQ, NM 87120  
Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87120



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

January 14, 2015

### Project# 1003275

14DRB-70358 PRELIMINARY/FINAL PLAT  
14DRB-70359 BULK LAND VARIANCE

TIERRA WEST LLC and CONSENSUS PLANNING agents for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC request the referenced/ above actions for Tract 1A1, **EL RANCHO ATRISCO PHASE 3** zoned SU-1, located on the south of LADERA DR NW between UNSER BLVD NW and MARKET ST NW containing approximately 19.98 acres. (H-9 & H-10) *[deferred from 11/12/14, 11/19/14, 12/3/14, 12/10/14, 12/31/14, 1/7/15]*

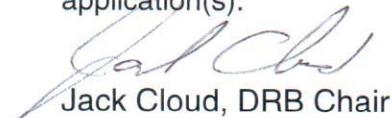
At the January 14, 2015 Development Review Board meeting, the Bulk Land Variance was approved subject to the Findings and Conditions of the Subdivision Ordinance as follows:

#### BULK LAND VARIANCE:

1. The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community.
2. The variance will not conflict significantly with the goals and provisions of any City, County or AMAFCA adopted plan or policy; the applicable zoning ordinance, or any other City code or ordinance.
3. The variance will not permit, encourage or make possible undesired development in the 100-year floodplain.
4. The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

The Preliminary/ Final Plat was approved with final sign off delegated to planning for AGIS .dxf, utility company signatures and expiration of the 15 day appeal period. If you wish to appeal this decision, you must do so by January 29, 2015 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. 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 within 60 days of its filing. You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

  
Jack Cloud, DRB Chair

# CITY OF ALBUQUERQUE

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



## OFFICIAL NOTIFICATION OF DECISION

December 12, 2014

Western Albuq. Land Holdings  
3131 Camelback Road, Suite 200  
Phoenix, AZ 85016

Project# 1003275  
14EPC-40079 Site Development Plan for Building Permit

PO Box 1293

### LEGAL DESCRIPTION:

For all or a portion of tract Tract 1A1 Plat of Tracts 1A1 & 1B1, El Rancho Atrisco Phase 3, zoned SU-2/SU-1 Planned Office Park and Commercial Development located on Unser Blvd., between Ladera Dr. and Market St., containing approximately 6 acres. (H-9 & H-10)

Staff Planner: Maggie Gould

On December 11, 2014, the Environmental Planning Commission (EPC), voted to **APPROVE** Project# 1003275, 14EPC-40079, a Site Development Plan for Building Permit, based on the following findings:

New Mexico 87103  
www.caibq.gov

1. This is a request for a Site Development Plan for Building Permit for a 41,000 square foot Grocery Store and a Fuel Station with 6 pumps and 700 square foot convenience store for (for Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco unit Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 6 acres Describe purpose of request.
2. The Zoning Hearing Examiner approved a conditional for a Drive up service window and a conditional use for the 6 gas pumps in October of 2014.
3. The subject is within the boundaries of Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase III Sector Plan.
4. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

OFFICIAL NOTICE OF DECISION

Project #1003275 14EPC-40079

December 11, 2014

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5. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

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.

Neighborhood values are respected with the requests. The surrounding area is currently under-served by neighborhood commercial and service businesses. The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS are minimal and will not alter the overall intent of the regulations. The request furtherns 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 assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will designed to lessen the impact on the neighborhoods. The request furtherns 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.

New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request furtherns Policy II.B.5.i.

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Project #1003275 14EPC-40079

December 11, 2014

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

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Bike racks will be provided with the retail development. The request further Policy II.B.5.j.

#### **Activity Centers**

E. Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing residential area, but will be accessible by area residents. The request further Policy II.B.7.f.

#### **Transportation**

F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request further Policy II.D.4.a.

#### **Economic Development**

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Project #1003275 14EPC-40079

December 11, 2014

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G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request further Policy II.D.6.a.

6. The request partially furthers goals and policies of the Comprehensive Plan:

A. Policy II.B.5k: 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 operations.

The site takes access from Unser Boulevard, this helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

7. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request further Objective 8.

B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density.

Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

OFFICIAL NOTICE OF DECISION

Project #1003275 14EPC-40079

December 11, 2014

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G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request further Policy II.D.6.a.

6. The request partially furthers goals and policies of the Comprehensive Plan:

A. Policy II.B.5k: 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 operations.

The site takes access from Unser Boulevard, this helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

7. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request further Objective 8.

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These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

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The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request further Policy 1.5.

D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.

E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request further Policy 1.1.

F. Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small

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December 11, 2014

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restaurants along with a park and/or school should be located central to surrounding neighborhoods.

The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

G. Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development.

The site is accessed from a collector street (Market St.) and two arterial streets (Unser Blvd. and Ladera Dr.). The development would provide internal sidewalk connections to the multi-use trail existing along Unser Blvd. and to sidewalks leading to single family residential neighborhoods to the east, south and west of the subject property. Staff finds the request furtherns Policy 1.16.

H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas.

The site is a designated neighborhood center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request furtherns Policy 3.16.

I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd. approximately one-quarter mile north of Ladera Rd., however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request furtherns Policy 3.23.

OFFICIAL NOTICE OF DECISION

Project #1003275 14EPC-40079

December 11, 2014

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J. Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

K. Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space identified in the Plan. Require trail access through neighborhoods according to "transit friendly" subdivision design policy in 6.13 above. Proposed trails west of 118th Street are largely not mapped, but they should generally follow open space areas, drainage ways, major land forms or limited access arterials. Generally, an attempt shall be made to provide trails at approximately 1.5 mile intervals. Dedication of right of- way and/or construction of trails may be required pursuant to Planned Communities Criteria and subject to impact fee policies.

8. A Zone Map Amendment ( 14EPC 40076) Site Development Plan for Subdivision Amendment (14 ECP-40077) will be heard by the EPC prior to this request. If these request are not approved the applicant may need to revise the applicable portions of the Site Development Plan for Building Permit.

9. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed development is consistent with the allowed commercial uses in the plan.

10. Alcohol sales on the site are contingent on the approval of 14 EPC 40076 and if approved are subject to all applicable federal, state and local regulations regarding alcohol sales.

11. A facilitated meeting occurred on December 1st. Meeting attendees expressed both support for and opposition to the request.

CONDITIONS of APPROVAL:

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.

OFFICIAL NOTICE OF DECISION

Project #1003275 14EPC-40079

December 11, 2014

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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. Add two additional bike racks near the front of the store.
4. The applicant will continue to work with City Engineer/Transportation Development to address the comments provided for this project.
5. Conditions based on comments from PNM.
  1. Existing underground electric distribution facilities are located on the west, south and north boundaries of the subject property. The applicant is responsible to abide by any conditions or terms of those easements.
  2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances. Contact:

PNM – Electric Service  
Mike Moyer  
4201 Edith Boulevard NE, Albuquerque, NM 87107  
Phone: (505) 241-3697
3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.
6. The front façade shall be modified so that it is better articulated with the addition of color, texture, breaks, an extended canopy or other features.
7. Dedicated bicycle trails along Unser Blvd and Ladera Dr. shall be installed by the applicant in coordination with the department of Municipal Development.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by December 26, 2014. The date of the EPC's decision is not included in the 15-day period for filing an

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Project #1003275 14EPC-40079

December 11, 2014

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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 14-16-4-4 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.

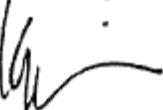
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of 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*  
Suzanne Lubar  
Planning Director

SL/MG

**OFFICIAL NOTICE OF DECISION**

Project #1003275 14EPC-40079

December 11, 2014

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cc:

Western Albuq. Land Holdings, Tierra West, LLC,	3131 Camelback Road, Suite 200, 5571 Midway Park Place, NE,	Phoenix, AZ ABQ, NM	85016 87109
John Vrabec	7721 Pinewood Dr. NE	ABQ, NM	87120
Frank Comfort	7608 Elderwood Dr NW	ABQ, NM	87120
Candelaria Patterson	7608 Elderwood Dr. NW	ABQ, NM	87120
Shariesse Taylor McCannon	2808 El Tesoro Escondido NW	ABQ, NM	87120

# CITY OF ALBUQUERQUE

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



## OFFICIAL NOTIFICATION OF DECISION

December 12, 2014

Western Albuq. Land Holdings  
3131 Camelback Road, Suite 200  
Phoenix, AZ 85016

**Project# 1003275**  
14EPC-40076, a Zone Map Amendment  
14EPC-40077, a Site Development Plan for Building Permit  
14EPC-40078, an Amendment to a Site Developmnet Plan  
for Subdivision

### LEGAL DESCRIPTION:

For all or a portion of tract Tract 1A1 Plat of Tracts 1A1 & 1B1, El Rancho Atrisco Phase 3, zoned SU-2\SU-1 Planned Office Park and Commercial Development located on Unser Blvd., between Ladera Dr. and Market St., containing approximately 6 acres. (H-9 & H-10)

Staff Planner: Maggie Gould

Albuquerque

On December 11, 2014, the Environmental Planning Commission (EPC), voted to **APPROVE** Project# 1003275, 14EPC-40076, a Zone Map Amendment, Project 14EPC-40077, a Site Development Plan for Building permit and 14EPC 40078, an Amendment to a Site developmnet Plan for Subdivision, based on the following findings:

### FINDINGS 14EPC- 40076, Zone Map Amendment

[www.abq.gov](http://www.abq.gov)

1. This is a request for a Zone Map Amendment from SU-2/SU-1 for Planned Office Park and Commercial Development to SU-2/SU-1 for Planned Office Park and Commercial Development to include sales of Package Liquor in association with a grocery store. Permittee shall not sell distilled spirits in any package that contains less than 750 milliliters (minibottles) and beer in any single container containing 16 or fewer ounces (singles) for Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 10 acres.
2. The request adds full service alcohol sales to a sit down restaurant use for pad sites A, B and C and E.

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Project #1003275 14EPC-40079

December 11, 2014

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- 3. The request adds sales of alcohol for off-premise consumption associated with a grocery store on pad site D.
- 4. The subject site is part of a larger 20 acre site governed by a Site Development Plan for Subdivision.
- 5. A Site Development Plan for Subdivision Amendment ( 14 EPC-40078) and a Site Development Plan for Building Permit (14 EPC-40077) are heard concurrently with this request.
- 6. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan and El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
- 7. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

- 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.

Neighborhood values are respected with the requests. The surrounding area is currently underserved by neighborhood commercial and service businesses. The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS are minimal and will not alter the overall intent of the regulations. The request furtherers 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 assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will be designed to lessen the impact on the neighborhoods. The request furtherers 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.

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New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request furtherns Policy II.B.5.i.

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

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Pedestrian access to the site provided via sidewalks around the perimeter of the site and walkways and sidewalks within the site. Bike racks will be provided with the retail development. The request furtherns Policy II.B.5.j.

### Activity Centers

E. Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing low density residential area, but will be accessible by area residents. The request furtherns Policy II.B.7.f.

### Transportation

F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

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The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request further Policy II.D.4.a.

**Economic Development**

G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request further Policy II.D.6.a.

8. The request partially furthers goals and policies of the Comprehensive Plan:

A. Policy II.B.5k: 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 operations.

The site takes access from Unser Boulevard, which helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera Drive and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

9. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request further objective 8.

B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential

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development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a 6 foot sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request further Policy 1.5.

D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.

E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs

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must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request furtherns Policy 1.9

F. Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.

The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

G. Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development.

The site is accessed from a collector street (Market St.) and two arterial streets (Unser Blvd. and Ladera Dr.). The development would provide internal sidewalk connections to the multi-use trail existing along Unser Blvd. and to sidewalks leading to single family residential neighborhoods to the east, south and west of the subject property. Staff finds the request furtherns Policy 1.16.

H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas.

The site is a designated Neighborhood Center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request furtherns Policy 3.16.

I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd., approximately one-quarter mile north of Ladera

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Drive, however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request furthers Policy 3.23.

J. Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

K. Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space identified in the Plan. Require trail access through neighborhoods according to "transit friendly" subdivision design policy in 6.13 above. Proposed trails west of 118th Street are largely not mapped, but they should generally follow open space areas, drainage ways, major land forms or limited access arterials. Generally, an attempt shall be made to provide trails at approximately 1.5 mile intervals. Dedication of right of- way and/or construction of trails may be required pursuant to Planned Communities Criteria and subject to impact fee policies.

The site is adjacent to a bike lane along Unser Blvd and a proposed bike lane along Ladera.

10. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed uses add to the allowed commercial uses in the plan and do not change the allowance of 50% of the site for commercial a development.

11. The applicant has justified the zone change request pursuant to R-270-1980 as follows:

A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The proposed uses are consistent with the health, safety, morals and general welfare of the city because the new uses will provide needed services, retail and restaurant uses and the new uses will allow these businesses to be successful and serve the community. The new uses are at a neighborhood scale and low intensity and will not disturb the surrounding residents.

B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

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The allowed uses are found in many neighborhood scale shopping centers city wide. The additional uses do not drastically alter the underlying zoning and may help the area to develop in more stable way by attracting and retaining tenants.

C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

The request is not in significant conflict with the applicable goals and policies and, in fact, clearly facilitates these goals and policies. The request furthers many policies of the Comprehensive Plan especially those regarding economic development, new growth and provision of services. The request furthers many goals of the WSSP, including those regarding jobs housing balance, economic development and activity centers. The applicant cites Comprehensive Plan policies II.B.5a, II.B.5d, II.B.5e, II.B.5i, II.B.5j, II.B.5k, II.B.5l, II.B.5m, II.B.7f, II.C.1b, the Noise goal, II.D.6.a, II.D.4a. The applicant cites WSSP objective 8, WSSP policies 1.5 1.9, 1.15, 1.16, 1.17, 3.16, 3.23, 4.6h, 4.10, 6.23 and 6.25 in support of the request.

Staff agrees with the majority of the policy justification. However, Comprehensive plan policy II.B.5l is not relevant because although the development will be appropriate for the site, it is not necessarily innovative. WSSP Policy 1.17 encourages the location of public facilities in neighborhood center and is not relevant to the request.

*Refer to policy analysis section for more detail.*

D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The proposed zoning is more advantageous to the community because it will allow the provision of services that are lacking in the area (full service grocery and restaurant) and provide employment opportunities and enhance the viability of the shopping center. The requests further and clearly facilitate goals and policies of the comprehensive plan and the West side Strategic Plan

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The existing alcohol regulations at the State level provide a measure of security for area residents. The SU-1 zone requires that future development or significant changes to the site undergo review by the EPC. The proposed uses are found in shopping areas throughout the city in close proximity to residential areas and are compatible with that development.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

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1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

All of the required site improvements will be constructed by the developer. All of the required utilities exist surrounding the site.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The request furthers goals and policies of the applicable plans. The cost of land is not part of the justification.

H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The location on the arterial is an important consideration. However, the request is not justified based solely on location. The request furthers goals and policies of the applicable plans and is not justified solely by location.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The request is not a spot zone because it is integrated into the shopping center design. It is not a change to one small area but to multiple parcels in a commercial center that will add additional uses to the existing commercial zoning on the site.

J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The proposed zone does not create a strip of land with a different zone. It is surrounded by land with similar zoning.

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12. The affected neighborhoods and property owners within 100 feet were notified.
13. A facilitated meeting occurred on December 1st. Meeting attendees expressed both support for and opposition to the request.

**CONDITIONS OF APPROVAL: 14EPC-40076 ZONE MAP AMENDMENT**

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

**FINDINGS : 14 EPC-40078 SITE DEVELOPMENT PLAN for SUBDIVISION AMENDMENT**

1. This is a request for an amendment to the approved Site Development Plan for Subdivision for Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco unit Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 20 acres.
2. The Site Development Plan for Subdivision was approved by the EPC in February of 2014 and was approved by the DRB in December of 2014.
3. The proposed changes will allow 3 signs on the commercial façade, small recesses and projections on building facades adjacent to drive-up windows, allow colored split face block as a building material, allow illumination of logos and allow light poles up to 28 feet in height.
4. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request is consistent with and furthers goals and policies of the Comprehensive Plan:
  - 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.

Neighborhood values are respected with the requests. The surrounding area is currently underserved by neighborhood commercial and service businesses. . The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS

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are minimal and will not alter the overall intent of the regulations. The request furtherers 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 assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will be designed to lessen the impact on the neighborhoods. The request furtherers 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.

New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request furtherers Policy II.B.5.i.

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

• In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling

• In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Pedestrian access to the site provided via sidewalks around the perimeter of the site and walkways and sidewalks within the site. Bike racks will be provided with the retail development. The request furtherers Policy II.B.5.j.

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E. Policy II.B.7.f. The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing low density residential area, but will be accessible by area residents. The request furthers Policy II.B.7.f.

#### **Transportation**

F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request furthers Policy II.D.4.a.

#### **Economic Development**

G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request furthers Policy II.D.6.a.

6. The request partially furthers goals and policies of the Comprehensive Plan:

A. Policy II.B.5k: 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 operations.

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The site takes access from Unser Boulevard, this helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera Drive and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

7. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.
  - A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request further objective 8.
  - B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1.
  - C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a six foot sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request further Policy 1.5.
  - D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.
  - E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

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Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request furthered Policy 1.9

F. Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.

The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

G. Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development. The site is accessed from a collector street (Market St.) and two arterial streets (Unser Blvd. and Ladera Dr.). The development would provide internal sidewalk connections to the multi-use trail existing along Unser Blvd. and to sidewalks leading to single family residential neighborhoods to the east, south and west of the subject property. Staff finds the request furthered Policy 1.16.

H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas.

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The site is a designated Neighborhood Center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request furtherns Policy 3.16.

I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area.

The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd., approximately one-quarter mile north of Ladera Drive, however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request furtherns Policy 3.23.

J. Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

K. Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space identified in the Plan. Require trail access through neighborhoods according to "transit friendly" subdivision design policy in 6.13 above. Proposed trails west of 118th Street are largely not mapped, but they should generally follow open space areas, drainage ways, major land forms or limited access arterials. Generally, an attempt shall be made to provide trails at approximately 1.5 mile intervals. Dedication of right of- way and/or construction of trails may be required pursuant to Planned Communities Criteria and subject to impact fee policies.

8. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed uses add to the allowed commercial uses in the plan and do not change the allowance of 50% of the site for commercial a development.

9. The site is adjacent to a bike lane along Unser Blvd and a proposed bike lane along Ladera.

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10. A Zone Map Amendment ( 14EPC 40076) Site Development Plan for Building Permit ( 14 EPC-40077) are heard concurrently with this request.
11. Alcohol sales on the site are contingent on the approval of 14 EPC 40076 and if approved are subject to all applicable federal, state and local regulation regarding alcohol sales.
12. A facilitated meeting occurred on December 1st. Meeting attendees expressed both support for and opposition to the request.

**CONDITIONS OF APPROVAL:** 14 EPC-40077 SITE DEVELOPMENT PLAN for SUBDIVISION

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. The zoning for the specific pad sites shall be listed in Section 1, Land Use on the Site Development Plan for Subdivision.
4. The Site Development Plan for Subdivision Design standards shall be modified as follows:

Section 4.D.4 add, " Major Facades shall break up the vertical mass ( height) in addition to the horizontal mass.

Section 4.D.6 add, "and or color " after inset.

Section 4.F.2 add , " If buildings are earth tone colors then the accent colors cannot be earth tone colors."

**FINDINGS:** 14 EPC-40077 –SITE DEVELOPMENT PLAN for BUILDING PERMIT

1. This is a request for a Site Development Plan for Building Permit Tract 1A1 Plat of Tracts 1A1 and 1B1, El Rancho Atrisco unit Phase 3 located on Unser Blvd. between Ladera Drive and Market Street and containing approximately 10 acres.
2. The applicant proposes to construct a 10,000 square foot retail building for multiple tenants.

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3. The Albuquerque/Bernalillo County Comprehensive Plan, Westside Strategic Plan, El Rancho Atrisco Phase 3 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:
  - 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.

Neighborhood values are respected with the requests. The surrounding area is currently underserved by neighborhood commercial and service businesses. . The new retail will provide additional options for west side residents and will be within walking distance of existing residential development. The additional uses, alcohol sales, will add to these options without adversely impacting the neighborhood. The development design standards of the SPS – for architecture, landscaping, and signage – will result in a building and site design theme consistent and complimentary to development in the surrounding area. The changes to the SPS are minimal and will not alter the overall intent of the regulations. The request furtherns 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 assured.

The site has access to a full range of existing urban services, including roads, electricity, transit and water and sewer. The proposed development will be compatible with the existing neighborhood development because it will offer needed services and will designed to lessen the impact on the neighborhoods. The request furtherns 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.

New development will add to the services available to area residents and provide job opportunities. The design standards in the SPS provide protection to the existing residential areas by limiting lighting near residential development and providing design standards to insure quality. Traffic will access the site from Unser Blvd. and Ladera Dr., away from the residential areas. Additional access points on Market Street may impact the existing multi-family development, but are separated from the development by an 86 foot wide street. The request furtherns Policy II.B.5.i.

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

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is residential development to the east and south within walking and biking distance of the site. Pedestrian access to the site provided via sidewalks around the perimeter of the site and walkways and sidewalks within the site. Bike racks will be provided with the retail development. The request furtherns Policy II.B.5.j.

### Activity Centers

E. Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is within a Neighborhood Center designated in the West Side Strategic Plan; the closest designated Major Activity Center is at Central Ave. and Unser Blvd. There is existing multi-family development between the proposed development and the existing single family development. The proposed building is not adjacent to the existing low density residential area, but will be accessible by area residents. The request furtherns Policy II.B.7.f.

### Transportation

F. Policy II.D.4.a: Ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section.

The subject site is within a designated Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The proposed new construction would be consistent with the Development Form details for an Express Transit corridor, including minimum sidewalk width and on-site pedestrian circulation. The SPS design standards are consistent with the Zoning Code general design standards for non-residential development. Staff finds the request furtherns Policy II.D.4.a.

### Economic Development

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G. Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs created convenient to areas of most need.

The subject site is located on the west side of Albuquerque, an area deficient in jobs relative to housing. The proposed non-residential uses, including retail, restaurant and service uses would provide a range of jobs potentially available to residents of the west side. The site is also served by transit, providing commuting options for future employees and residents at the site. Staff finds the request further Policy II.D.6.a.

5. The request partially furthers goals and policies of the Comprehensive Plan:

A. Policy II.B.5k: 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 operations.

The site takes access from Unser Boulevard, this helps to route traffic away from the neighborhoods to the east and south. The site also takes access from Ladera Drive and Market Street, closer to existing residential development. These access points also allow neighborhood entry to the site. The request partially furthers Policy II.B.5k.

6. The request is in general compliance with the following applicable goals and policies of the Westside Strategic Plan.

A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request will allow the development of new business and additional job opportunities on the west side. The request further Objective 8.

B. Policy 1.1: Thirteen distinct Communities shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

These requests allow the development of commercial activity (non-residential development) within a neighborhood center as designated by the Westside Strategic Plan. The requests further Policy 1.1

C. Policy 1.5: Community and Neighborhood Centers shall be required to provide pedestrian/bicycle access to key activity areas. Parking lots shall be carefully designed to facilitate trail access and pedestrian access between buildings.

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The proposed SPS design standards include a requirement for linking building entrances to the Unser Blvd. trail via six foot sidewalks. The Site Plan for Building Permit shows bike racks in front of the proposed retail buildings and a 6 foot sidewalk connection to Unser Blvd. There is direct access from the bike lane along Unser Blvd. to the site. Staff finds the request further Policy 1.5.

D. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

Commercial development on this portion site preserves the commercial use and adds to the job possibilities on the west side. The remainder of the site will be developed with residential uses and these uses will be compatible and complimentary to the commercial development. The requests further Policy 1.6.

E. Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County Comprehensive Plan, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

Neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily. Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas. Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connections among buildings and between buildings and parking areas.

The subject site is within a designated Neighborhood Center. The site vicinity has very limited commercial and service businesses available to surrounding residents; most daily needs must be met from businesses along Coors Blvd. Neighborhood-oriented commercial and service uses would be accommodated with development on the site. Two arterial roadways, Unser Blvd. and Ladera Rd., provide access to the project. Access is also from Market St. a collector street. The SPS identifies shared parking for commercial uses, and pedestrian connections to buildings as integral features of parking standards. Staff finds the request further Policy 1.9.

F. Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.

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The site is divided into smaller individual pad sites. There is access to the bike lane along Unser Blvd. and sidewalks are provided throughout the site. Policy 1.15 is furthered.

G. Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development. The site is accessed from a collector street (Market St.) and two arterial streets (Unser Blvd. and Ladera Dr.). The development would provide internal sidewalk connections to the multi-use trail existing along Unser Blvd. and to sidewalks leading to single family residential neighborhoods to the east, south and west of the subject property. Staff finds the request furthers Policy 1.16.

H. Policy 3.16: Multifamily development, public uses, educational and institutional facilities, and commercial or employment uses are all appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated into the design for these areas. The site is a designated Neighborhood Center in the WSSP, the proposed development will provide commercial and employment uses in a center with multi-modal access. The request furthers Policy 3.16.

I. Policy 3.23: Location of commercial services, multifamily development, and public facilities shall be encouraged on the western side of the Ladera Community or in its central area to reduce trips to Coors Boulevard and provide easier access to services for neighborhoods west of the Ladera Golf Course. This development would occur in Neighborhood Centers designed to relate to the surrounding neighborhoods and be consistent with design guidelines for the area near the escarpment. Strip commercial development will not be allowed in this area. The site is within a designated Neighborhood Center. The site vicinity is currently served by a limited number of neighborhood commercial businesses, consisting of some chain franchise businesses along the east side of Unser Blvd., approximately one-quarter mile north of Ladera Drive, however the majority of commercial shopping in the area occurs on Coors Blvd. The proposed site development would increase the number of retail and service businesses on a designated Neighborhood Center site west of the Ladera Golf Course, thereby increasing the available options for surrounding residents in closer proximity. The proposed development will include stand-alone retail and a group of shops; not a strip commercial development. Staff finds the request furthers Policy 3.23.

J. Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

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The site is well away from the National Monument boundary, and its development would not impact publicly-available views of the Escarpment from major public roads or City parks and open space. Staff finds the request does not conflict with Policy 3.25.

- K. Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space identified in the Plan. Require trail access through neighborhoods according to "transit friendly" subdivision design policy in 6.13 above. Proposed trails west of 118th Street are largely not mapped, but they should generally follow open space areas, drainage ways, major land forms or limited access arterials. Generally, an attempt shall be made to provide trails at approximately 1.5 mile intervals. Dedication of right of- way and/or construction of trails may be required pursuant to Planned Communities Criteria and subject to impact fee policies.
- 7. The site is within the boundaries of the El Rancho Atrisco Phase 3 Sector Development Plan; the proposed development is consistent with allowed commercial uses in the plan.
- 8. A Zone Map Amendment ( 14EPC 40076) and Site Development Plan for Subdivision Amendment ( 14 ECP-40077) are heard concurrently with this request.
- 9. A facilitated meeting occurred on December 1<sup>st</sup>. Meeting attendees expressed both support for and opposition to the request.

**CONDITIONS OF APPROVAL – 14EPC 40077- Site Development Plan for Building Permit**

- 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. Provide 2 additional bikes racks for the retail spaces.
- 4. The applicant will continue to work with City Engineer/Transportation Development to address the comments provided for this project.
- 5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board
- 6. Conditions of Approval based on comments from PNM:

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1. Existing underground electric distribution facilities are located on the west, south and north boundaries of the subject property. The applicant is responsible to abide by any conditions or terms of those easements.
2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances. Contact:

PNM – Electric Service

Mike Moyer Phone: (505) 241-3697

4201 Edith Boulevard NE, Albuquerque, NM 87107

3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.

7. Dedicated bicycle trails along Unser Blvd. and Ladera Dr. shall be installed by the applicant in coordination with the Department of Municipal Development.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **December 26, 2014**. 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 14-16-4-4 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

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Project #1003275 14EPC-40079

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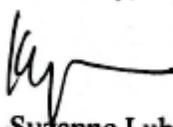
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person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months 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/MG

cc:

Western Albuq. Land Holdings,  
Tierra West, LLC,  
John Vrabec  
Frank Comfort  
Candelaria Patterson  
Shariesse Taylor McCannon

3131 Camelback Road, Suite 200,	Phoenix, AZ	85016
5571 Midway Park Place, NE,	ABQ, NM	87109
7721 Pinewood Dr. NE	ABQ, NM	87120
7608 Elderwood Dr NW	ABQ, NM	87120
7608 Elderwood Dr. NW	ABQ, NM	87120
2808 El Tesoro Escondido NW	ABQ, NM	87120

RESOLUTION  
of the  
TRANSPORTATION COORDINATING COMMITTEE  
of the  
METROPOLITAN TRANSPORTATION BOARD  
of the  
REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO  
(R-14-01 TCC)

**MODIFYING ACCESS ON UNSER BOULEVARD SOUTH OF LADERA DRIVE TO  
PROVIDE NORTHBOUND RIGHT-IN ACCESS AND ADDITIONAL ACCESS  
FURTHER SOUTH TO PROVIDE NORTHBOUND RIGHT-IN, RIGHT-OUT, AND  
SOUTHBOUND LEFT-IN ACCESS**

WHEREAS, Resolution UTPPB R-84-15 designated Unser Boulevard from Gun

15 Club Road to US 550 as a high-capacity limited access principal arterial with access  
16 limited to approximately one-quarter mile at-grade intersections; and

17 WHEREAS, Resolution R-05-09 MTB adopted policies for determining roadway  
18 access modifications in the Albuquerque Metropolitan Planning Area; and

19 WHEREAS it is the responsibility of the Transportation Coordinating Committee  
20 of the Metropolitan Transportation Board to affect any changes to the Limited Access  
21 Roadways in the Albuquerque Metropolitan Planning Area; and

22 WHEREAS this resolution would provide additional access on Unser Boulevard,

23 NOW, THEREFORE BE IT RESOLVED by the Transportation Coordinating

24 Committee of the Metropolitan Transportation Board of the Mid-Atlantic Region

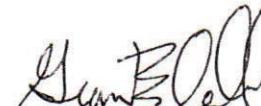
25 Governments of New Mexico that the Roadway Access Policies for the Albuquerque  
26 Metropolitan Planning Area are amended to permit on the eastside of Unser Boulevard  
27 northbound right-in only access with deceleration lane approximately five hundred

28 twenty-nine [529] feet south of Ladera Drive, and to permit northbound right-in access  
29 with deceleration lane along with northbound right-out egress and southbound left-in  
30 access with southbound deceleration lane to the access point approximately one  
31 thousand, forty [1,040] feet south of Ladera Drive.

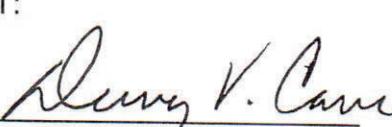
32 BE IT FURTHER RESOLVED the driveways and deceleration lanes shall be  
33 constructed to the design criteria and sight-distance criteria of the New Mexico  
34 Department of Transportation (NMDOT) and subject to their approval. Additionally,  
35 NMDOT shall include a clause in their access permit that reserves the right of NMDOT  
36 to close this access in the future should safety concerns develop as determined by the  
37 NMDOT District 3 Engineer.

38 PASSED, APPROVED, AND ADOPTED this 1st day of August 2014 by the  
39 Transportation Coordinating Committee of the Metropolitan Transportation Board of the  
40 Mid-Region Council of Governments of New Mexico.

41  
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43  
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46

  
Melissa Lozoya, Chair  
Transportation Coordinating Committee

47 ATTEST:

48   
49  
50  
51 Dewey V. Cave  
52 Executive Director of the Mid-Region Council of Governments



CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

WESTERN ALBUQUERQUE LAND HOLDINGS LLC (TIERRA WEST LLC, AGENT) requests a special exception to Section 14-16-2-16(B)(19): a CONDITIONAL USE to allow for drive-up service window for a pharmacy for all or a portion of Lot 1A1, EL RANCHO ATRISCO PHASE 3 zoned SU-1 PLANNED OFFICE PARK AND COMMERCIAL DEVELOPMENT, located on 1820 UNSER BLVD NW (H-09)

Special Exception No: ..... 14ZHE-80223  
Project No: ..... Project# 1010220  
Hearing Date: ..... 10-21-2014  
Closing of Public Record: ..... 10-21-2014  
Date of Decision: ..... 11-5-2014

On the 21st day of October, 2014 (hereinafter "Hearing") Tierra West LLC (hereinafter "Agent") acting as agent on behalf of the property owner Western Albuquerque Land Holdings LLC (hereinafter "Applicant") appeared before the Zoning Hearing Examiner (hereinafter "ZHE") requesting a CONDITIONAL USE to allow for drive-up service window for a pharmacy (hereinafter "Application") upon the real property located at 1820 Unser BLVD NW ("Subject Property"). Below are the findings of facts:

**FINDINGS:**

1. Applicant is requesting a CONDITIONAL USE to allow for drive-up service window for a pharmacy.
2. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (1) (a) "SPECIAL EXCEPTIONS" reads in part: "*A conditional use shall be approved if and only if, in the circumstances of the particular case and under conditions imposed, the use proposed will not be injurious to the adjacent property, the neighborhood, or the community.*"
3. Applicant testified at the Hearing that the Conditional Use, if approved, will not be injurious to the adjacent property, neighborhood, or the community because the drive up service window has a vehicle movement plan that was approved by Ms. Kristal Metro (City of Albuquerque Transportation) on September 4<sup>th</sup> with an email that states in part: "I read through the study provided, it says that a pharmacy has a standard design queue of 5 vehicles. I have no objection to the design queue." (See ZHE file). Additionally, the Agent states that the drive up service window for the pharmacy is located further than 75' away from the residential neighborhood (As required by 14-16-2-16). For these two reasons, the ZHE finds that the Application will not be injurious to the surrounding community.
4. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (1) (b) "SPECIAL EXCEPTIONS" reads in part: "*A conditional use shall be approved if and only if, in the circumstances of the particular case and under conditions imposed, the*

*use proposed will not be significantly damaged by surrounding structures or activities.”*

5. Applicant testified at the Hearing that the proposed conditional use, will not be significantly damaged by the surrounding structures or activities.
6. The yellow “Notice of Hearing” signs were posted for the required time period as articulated within City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.
7. The Applicant has adequately justified the Conditional Use request pursuant to City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.

**DECISION:**

**APPROVAL WITH CONDITIONS** of a CONDITIONAL USE to allow for drive-up service window for a pharmacy.

**CONDITIONS OF APPROVAL:**

- A. The Applicant shall ensure that the drive up service window (and any associated menu board) is located a minimum of 75 feet from any residential zone.
- B. The Applicant shall ensure that the vehicle movement plan is specifically reviewed and approved by the City of Albuquerque Traffic Engineer.

If you wish to appeal this decision, you may do so by 5:00 p.m., on November 21, 2014 in the manner described below:

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. Please present this letter of notification when filing an appeal. When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B), of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other 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. However,

the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Joshua J. Skarsgard, Esq.  
Zoning Hearing Examiner

cc: Zoning Enforcement  
ZHE File  
Western Albuquerque Land Holdings LLC, PO Box 56790 87187  
Tierra West, LLC, [rrb@tierrawestllc.com](mailto:rrb@tierrawestllc.com)

# CITY OF ALBUQUERQUE

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



## OFFICIAL NOTIFICATION OF DECISION

February 18, 2014

Western Albuquerque Land Holdings  
1130 Lanes End NW  
Albuquerque, NM 87114

Project# 1003275  
13EPC-40148 Site Development Plan for  
Subdivision

### LEGAL DESCRIPTION:

For all or a portion of lot I-A-1, El Rancho Atrisco Phase III, located on Unser Blvd NW between Hanover Rd NW and Ladera Dr NW containing approximately 19.98 acres.

Staff Planner: Chris Glore

PO Box 1293

Albuquerque

On February 13, 2014, the Environmental Planning Commission (EPC), voted to APPROVE Project 1003275, 13EPC-40148, a request for a Site Development Plan for Subdivision, based on the following Findings and Conditions:

New Mexico 87103

### FINDINGS:

[www.cabq.gov](http://www.cabq.gov)

1. This is a request for a Site Development Plan for Subdivision for Tract I-A-1, Plat of Tracts I-A-1 and I-B-1, El Rancho Atrisco Phase 3, containing approximately 19.98 acres located at the SE Corner of Unser Blvd. NW and Ladera Dr. NW.
2. The request involves design and development standards for Heritage Marketplace development, a mixed commercial, office and residential project. The applicant proposes to re-subdivide the property into two tracts, of which Tract A would be developed with office and/or multi-family residential uses and Tract B with commercial uses.
3. The subject site is located in the Developing Urban Area of the Comprehensive Plan, the Unser/Ladera Neighborhood Center of the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.

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Project #1003275

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4. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector 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 request furthers the following Comprehensive Plan policies:

Policy II.B.5.a: Full range of urban land uses. The request would provide urban-scale commercial and office/residential uses within an area with a range of residential density and few commercial uses. The subject property is adjacent to two arterial streets and has good access to the multi-modal transportation system.

Policy II.B.5.d: Development respects neighborhood values, environmental conditions, and scenic resources. The area is currently under-served by neighborhood commercial and service businesses. The SPS design standards would reflect design theme consistent and complimentary to the surrounding development.

Policy II.B.5.e: New growth shall be in areas contiguous to existing or programmed urban facilities and services and neighborhood integrity assured. Urban facilities and services consist of fully developed arterial roadways on two sides of the property, and the full range of utilities within surrounding streets. Project traffic would not need to travel through surrounding neighborhoods.

Policy II.B.5.h: Higher density housing is most appropriate with excellent access to major streets; mixed density pattern; similar or higher density development; and transition. The subject site is within the designated Unser/Ladera Neighborhood Center of the WSSP. The site is surrounded by residential land uses and existing infrastructure is in place. A mixed residential density exists in the surrounding area.

Policy II.B.5.j: Commercial development in centers with pedestrian and bicycle access; intersections of arterial streets and transit. The SPS commercial development would be at the intersection of two arterial streets and within an area of residential development.

Policy II.B.5.l: Quality and innovation in design. The SPS design requirements include the Zoning Code General Building and Site Design Regulations for Non-Residential Uses.

Policy II.B.5.m: Design improves the quality of the visual environment. The SPS would regulate building architecture, lighting, landscaping and signage in compliance with the Zoning Code.

Policy II.B.7.b: Net densities above 30 dwelling units per acre within Major Activity Centers. The site is designated Unser/Ladera Neighborhood Center per the WSSP. The SPS proposes maximum residential density of 30 dwelling units per acre.

Policy II.B.7.f: Intense uses in Activity Centers located away from low-density residential and buffered by a transition area. The subject site is bordered by two arterial roads, and multi-family residential and/or office uses would buffer adjacent lower intensity uses.

**OFFICIAL NOTICE OF DECISION**

Project #1003275

February 13, 2014

Page 3 of 8

Policy II.B.7.i: Multi-unit housing appropriate in Neighborhood, Community and Major Activity Centers. The SPS would allow multi-family residential development in a designated Neighborhood Center.

Policy II.C.1.b: Balanced land use/transportation system of housing, employment and services. The request would add commercial, services and housing within an area under-served by commercial and service uses.

Noise Goal: Protect the public health and welfare and quality of life. The multi-family residential and neighborhood-serving commercial uses would not operate at a level of intensity disturbing to surrounding residents.

Policy II.D.4.c: Dwelling units close to Major Transit and Enhanced Transit streets. Unser Blvd. is a designated Express Transit Corridor. The request would allow additional dwelling units along the Transit Corridor.

Policy II.D.6.a: New jobs created convenient to areas of need. The City's west side is deficient in jobs relative to housing. The proposed commercial and office uses would provide jobs on the west side.

6. The Site Development Plan for Subdivision request partially furthers the following Comprehensive Plan policies:

Policy II.B.5.i: Employment and service uses located to complement residential areas and minimize adverse effects of noise, lighting, pollution, and traffic. The SPS would be consistent with the intended land uses of a Neighborhood Center. Commercial and office development would be convenient to surrounding residents. A Traffic Impact Study is under review by the NMDOT. Traffic generated by the developments would potentially impact single-family residential from vehicular access at Hanover Rd.

Policy II.B.5.k: Minimize harmful effects of traffic; livability and safety of residential neighborhoods. Unser Blvd. is a Principal Urban Arterial. The SPS proposes multi-direction access to Unser Blvd. which is under State jurisdiction. The proposed access is a concern of City staff, MRCOG and the NMDOT and a concern of the neighborhood.

Policy II.D.4.a: Street design, transit service, and development form consistent with Corridors and Activity Centers. The site is within a Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The SPS design standards would be consistent with the Comprehensive Plan Development Form details. The SPS does not propose internal connecting sidewalks leading to public gathering spaces.

7. The Site Development Plan for Subdivision request furthers the following goals and policies of the West Side Strategic Plan:

Policy 1.1: Develop higher density in Community and Neighborhood Centers, surrounded by lower density.

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February 13, 2014

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Policy 3.8: The highest density in the Community and Neighborhood Centers, Multifamily housing and employment facilities are appropriate with commercial services.

Policy 3.16: Multifamily development and commercial or employment uses are appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated.

Policy 4.6.f: Locate multiple-family residential within Community and Neighborhood Centers and allow higher density so they serve as transit hubs.

Policy 4.10: Promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation.

Higher density residential and commercial development on the site would be within a designated Neighborhood Center. The SPS proposes a mix of commercial, office and multi-family residential development up to 30 dwelling units per acre. The development would be adjacent to Arterial roadways (Unser Blvd. and Ladera Dr.), a regional trail and two ABQ Ride express transit lines

Policy 1.9: In the Established and Developing Urban areas neighborhood and community centers may be developed at appropriate locations.

Policy 1.16: Neighborhood Centers on collector and arterial streets. Primary access by auto, with pedestrian and bicycle connections to adjacent neighborhoods.

The site is within a Neighborhood Center and would be accessed from a Collector street (Market St.) and Arterial streets (Unser Blvd. and Ladera Dr.) The development would provide sidewalk connections to the Unser Blvd. trail and to surrounding single family residential neighborhoods.

Policy 1.17: Encourage public services, parks, retail and commercial services in Activity Centers. There are no public facilities proposed. Retail and service uses and offices would be on a site within a Neighborhood Center.

Policy 3.23: Location of commercial services, multifamily development, and public facilities to reduce trips to Coors Boulevard and provide easier access. The development would increase retail and service businesses and would allow multi-family residential development on property in a Neighborhood Center west of Coors Blvd.

Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space. The SPS would require buildings to be linked via sidewalk to the Unser Blvd. trail and to existing sidewalks.

8. The Site Development Plan for Subdivision request partially furthers the following goals and policies of the West Side Strategic Plan:

Policy 1.15: Neighborhood Centers shall contain scale accommodating to pedestrians and bicyclists, including outdoor seating. Shared parking is proposed. The SPS does not commit to outdoor spaces for gathering aside from restaurant outdoor space.

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Project #1003275

February 13, 2014

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Policy 1.5: Community and Neighborhood Centers shall provide pedestrian/bicycle access to key activity areas. The SPS design standards require linking building entrances to the Unser Blvd. trail, however, there is not sufficient detail regarding access within parking lots and between buildings.

Policy 4.6.g: Commercial developments accessible by transit locate buildings adjacent to street frontages and parking to the rear or sides. The development would provide shopping and housing options for potential transit users. The location of buildings relative to street frontage and parking lots is not addressed by the SPS.

Policy 4.6.h: Limit parking spaces to 10% above Code requirements and provide safe, attractive, and efficient routes to streets and transit. The SPS references the Zoning Code for parking minimums and does not impose maximum parking. Through-site access is not addressed in the SPS.

Policy 6.25: Internal bicycle/pedestrian trails link to the primary trails network. Demonstrate connectivity of trails. The SPS design standards do not provide detail as to how internal pedestrian access would be accomplished.

9. The SPS proposed land uses are consistent with the El Rancho Atrisco Phase III Sector Plan designation for the subject site of Planned Office Park and Commercial Development – Not More Than 50% To Be Developed Commercially. Proposed uses including residential are consistent with the C-1 Zone.
10. At the Facilitated Meeting on January 28, 2014 Neighborhood Association members expressed concerns regarding the proposed vehicle access on Unser Blvd., potential multi-family residential development, and pedestrian and bicycle access.
11. The applicant requests delegation of approval authority Site Development Plan for Building Permit applications to the DRB.

**CONDITIONS OF APPROVAL:**

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

OFFICIAL NOTICE OF DECISION

Project #1003275

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4. Future development on the site will require EPC review of a Site Development Plan for Building Permit.
5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
6. The section of Unser Blvd referenced in the SPS is under the jurisdiction of the New Mexico Department of Transportation (NMDOT). Prior to DRB approval of any Site Development Plan for Building Permit, NMDOT shall have determined whether or not the requested access points on Unser Blvd. will be allowed, and if allowed the access request shall have been approved through the MRCOG Transportation Coordinating Committee process.
7. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the *Development Process Manual* and current ADA criteria.
8. New median cuts must be requested in writing to the Traffic Engineer, Development & Review Services. The construction of appropriate left turn lanes must be included with any new median cuts.
9. Access points must meet DPM's minimum distances from intersections. Proposed access 'H' must provide minimum of 100 ft. setback and proposed access 'G' must be a minimum of 200 ft. setback from projected intersecting flow lines.
10. Concurrent Platting Action required at Development Review Board (DRB).
11. A cross access easement and shared parking agreement shall be part of the platting process.
12. The text "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area" shall be added to Design Standards, Section 3 Landscape and Section 5 Signage, to demonstrate that the signs and landscaping will not interfere with the sight distance of the entrances.
13. Revise Site Plan sheet 1, under Building Heights and Setbacks, to delete the first two sentences and replace with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."
14. Revise Design Standards sheet 2, under Architecture, to delete 4.C.2 in its entirety and replace the first sentence of 4.C.1 with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."
15. The design of access to Unser Blvd. shall demonstrate consistency with AASHTO guidelines for bicycle safety.

OFFICIAL NOTICE OF DECISION

Project #1003275

February 13, 2014

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**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **FEBRUARY 28, 2014**. 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 14-16-4-4 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.

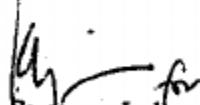
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of 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

**OFFICIAL NOTICE OF DECISION**

Project #1003275

February 13, 2014

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SL/CG/mc

cc: Steve Collins, 7517 Vista Alegre NW, Albuquerque NM 87120  
Sharise McCannon, 2808 El Tesoro Escondido NW, Albuquerque NM 87120  
Mary Loughran, 8015 Fallbrook NW, Albuquerque NM 87120  
James Larkin, 7304 Inwood NW, Albuquerque NM 87120  
John Vrabec, 7721 Pinewood Dr. NW, Albuquerque NM 87120  
Thomas Borst, 1908 Selway Pl. NW, Albuquerque NM 87120  
Jason Stone, 1136 Makian Pl. NW, Albuquerque NM 87120  
Candelaria Patterson, 7608 Elderwood NW, Albuquerque NM 87120  
Harry Hendrickson, 10592 Rio del Sol Ct. NW, Albuquerque NM 87120  
Jerry Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120



CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

WESTERN ALBUQUERQUE LAND HOLDINGS LLC (TIERRA WEST LLC, AGENT) requests a special exception to Section 14-16-2-16(B)(19): a CONDITIONAL USE to allow for drive-up service window for a pharmacy for all or a portion of Lot 1A1, EL RANCHO ATRISCO PHASE 3 zoned SU-1 PLANNED OFFICE PARK AND COMMERCIAL DEVELOPMENT, located on 1820 UNSER BLVD NW (H-09)

Special Exception No: ..... 14ZHE-80223  
Project No: ..... Project# 1010220  
Hearing Date: ..... 10-21-2014  
Closing of Public Record: ..... 10-21-2014  
Date of Decision: ..... 11-5-2014

On the 21st day of October, 2014 (hereinafter "Hearing") Tierra West LLC (hereinafter "Agent") acting as agent on behalf of the property owner Western Albuquerque Land Holdings LLC (hereinafter "Applicant") appeared before the Zoning Hearing Examiner (hereinafter "ZHE") requesting a CONDITIONAL USE to allow for drive-up service window for a pharmacy (hereinafter "**Application**") upon the real property located at 1820 Unser BLVD NW ("**Subject Property**"). Below are the findings of facts:

**FINDINGS:**

1. Applicant is requesting a CONDITIONAL USE to allow for drive-up service window for a pharmacy.
2. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (1) (a) "SPECIAL EXCEPTIONS" reads in part: "*A conditional use shall be approved if and only if, in the circumstances of the particular case and under conditions imposed, the use proposed will not be injurious to the adjacent property, the neighborhood, or the community.*"
3. Applicant testified at the Hearing that the Conditional Use, if approved, will not be injurious to the adjacent property, neighborhood, or the community because the drive up service window has a vehicle movement plan that was approved by Ms. Kristal Metro (City of Albuquerque Transportation) on September 4<sup>th</sup> with an email that states in part: "I read through the study provided, it says that a pharmacy has a standard design queue of 5 vehicles. I have no objection to the design queue." (See ZHE file). Additionally, the Agent states that the drive up service window for the pharmacy is located further than 75' away from the residential neighborhood (As required by 14-16-2-16). For these two reasons, the ZHE finds that the Application will not be injurious to the surrounding community.
4. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (1) (b) "SPECIAL EXCEPTIONS" reads in part: "*A conditional use shall be approved if and only if, in the circumstances of the particular case and under conditions imposed, the*

*use proposed will not be significantly damaged by surrounding structures or activities.”*

5. Applicant testified at the Hearing that the proposed conditional use, will not be significantly damaged by the surrounding structures or activities.
6. The yellow “Notice of Hearing” signs were posted for the required time period as articulated within City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.
7. The Applicant has adequately justified the Conditional Use request pursuant to City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.

**DECISION:**

**APPROVAL WITH CONDITIONS** of a CONDITIONAL USE to allow for drive-up service window for a pharmacy.

**CONDITIONS OF APPROVAL:**

- A. The Applicant shall ensure that the drive up service window (and any associated menu board) is located a minimum of 75 feet from any residential zone.
- B. The Applicant shall ensure that the vehicle movement plan is specifically reviewed and approved by the City of Albuquerque Traffic Engineer.

If you wish to appeal this decision, you may do so by 5:00 p.m., on November 21, 2014 in the manner described below:

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

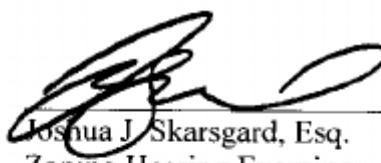
An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B), of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other 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. However,

the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

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Joshua J. Skarsgard, Esq.  
Zoning Hearing Examiner

cc: Zoning Enforcement  
ZHE File  
Western Albuquerque Land Holdings LLC, PO Box 56790 87187  
Tierra West, LLC, [rrb@tierrawestllc.com](mailto:rrb@tierrawestllc.com)



CITY OF ALBUQUERQUE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ZONING HEARING EXAMINER  
NOTIFICATION OF DECISION

WESTERN ALBUQUERQUE LAND HOLDINGS LLC (TIERRA WEST LLC, AGENT) requests a special exception to Section 14-16-2-16(B)(19); a CONDITIONAL USE to allow retail sales of gasoline with 6 two-sided fueling dispenser units for all or a portion of Lot 1A1, EL RANCHO ATRISCO PHASE 3 zoned SU-1 PLANNED OFFICE PARK AND COMMERCIAL DEVELOPMENT, located on 1820 UNSER BLVD NW (H-09)

Special Exception No: ..... 14ZHE-80222  
Project No: ..... Project# 1010220  
Hearing Date: ..... 10-21-2014  
Closing of Public Record: ..... 10-21-2014  
Date of Decision: ..... 11-5-2014

On the 21st day of October, 2014 (hereinafter “**Hearing**”) Tierra West LLC (hereinafter “**Agent**”) acting as agent on behalf of the property owner Western Albuquerque Land Holdings LLC (hereinafter “**Applicant**”) appeared before the Zoning Hearing Examiner (hereinafter “**ZHE**”) requesting a CONDITIONAL USE to allow retail sales of gasoline with 6 two-sided fueling dispenser units (hereinafter “**Application**”) upon the real property located at 1820 Unser BLVD NW (“**Subject Property**”). Below are the findings of facts:

**FINDINGS:**

1. Applicant is requesting a CONDITIONAL USE to allow retail sales of gasoline with 6 two-sided fueling dispenser units.
2. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (1) (a) “**SPECIAL EXCEPTIONS**” reads in part: “*A conditional use shall be approved if and only if, in the circumstances of the particular case and under conditions imposed, the use proposed will not be injurious to the adjacent property, the neighborhood, or the community.*”
3. Applicant testified at the Hearing that the Conditional Use, if approved, will not be injurious to the adjacent property, neighborhood, or the community because the Agent (Tierra West – Ron Bohannan, P.E.) Stated that “special care was taken in the site design process to avoid and/or mitigate potential impacts” of this gasoline service station. Additionally, the Agent stated that the fueling station will be located within the parking lot and that will create less traffic problems for adjacent public streets. Additionally, the ZHE is mindful of the fact that if there were 6 or less pumps at this gasoline station it would be a permissive use, and the Applicant is requesting six (two-sided pumps). The Agent indicated that a traffic impact study and access justification study was performed and submitted to the NMDOT. For these reasons, the ZHE finds that the Application will not be injurious to the community.

4. The ZHE received an email from Ms. Kristal Metro that states that the vehicle movement plan was approved by the City of Albuquerque (email dated September 4<sup>th</sup>).
5. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (1) (b) "SPECIAL EXCEPTIONS" reads in part: "*A conditional use shall be approved if and only if, in the circumstances of the particular case and under conditions imposed, the use proposed will not be significantly damaged by surrounding structures or activities.*"
6. Applicant testified at the Hearing that the proposed conditional use, will not be significantly damaged by the surrounding structures or activities.
7. The yellow "Notice of Hearing" signs were posted for the required time period as articulated within City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.
8. The Applicant has adequately justified the Conditional Use request pursuant to City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.

**DECISION:**

**APPROVAL WITH CONDITIONS** of a CONDITIONAL USE to allow retail sales of gasoline with 6 two-sided fueling dispenser units.

If you wish to appeal this decision, you may do so by 5:00 p.m., on November 21, 2014 in the manner described below:

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

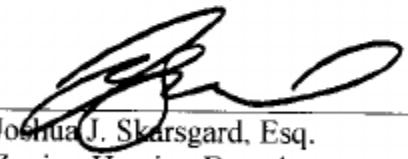
An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B), of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

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public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

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\_\_\_\_\_  
Joshua J. Skarsgard, Esq.  
Zoning Hearing Examiner

cc: Zoning Enforcement  
ZHE File  
Western Albuquerque Land Holdings LLC, PO Box 56790 87187  
Tierra West, LLC, [rrb@tierrawestllc.com](mailto:rrb@tierrawestllc.com)

# CITY OF ALBUQUERQUE

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

February 18, 2014

Western Albuquerque Land Holdings  
1130 Lanes End NW  
Albuquerque, NM 87114

Project# 1003275  
13EPC-40148 Site Development Plan for  
Subdivision

PO Box 1293

### LEGAL DESCRIPTION:

For all or a portion of lot 1-A-1, El Rancho Atrisco Phase III, located on Unser Blvd NW between Hanover Rd NW and Ladera Dr NW containing approximately 19.98 acres.

Staff Planner: Chris Glore

Albuquerque

On February 13, 2014, the Environmental Planning Commission (EPC), voted to APPROVE Project 1003275, 13EPC-40148, a request for a Site Development Plan for Subdivision, based on the following Findings and Conditions:

New Mexico 87103

### FINDINGS:

[www.cabq.gov](http://www.cabq.gov)

1. This is a request for a Site Development Plan for Subdivision for Tract 1-A-1, Plat of Tracts 1-A-1 and 1-B-1, El Rancho Atrisco Phase 3, containing approximately 19.98 acres located at the SE Corner of Unser Blvd. NW and Ladera Dr. NW.
2. The request involves design and development standards for Heritage Marketplace development, a mixed commercial, office and residential project. The applicant proposes to re-subdivide the property into two tracts, of which Tract A would be developed with office and/or multi-family residential uses and Tract B with commercial uses.
3. The subject site is located in the Developing Urban Area of the Comprehensive Plan, the Unser/Ladera Neighborhood Center of the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.

OFFICIAL NOTICE OF DECISION

Project #1003275

February 13, 2014

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4. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, and the El Rancho Atrisco Phase III Sector 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 request **further**s the following Comprehensive Plan policies:

Policy II.B.5.a: Full range of urban land uses. The request would provide urban-scale commercial and office/residential uses within an area with a range of residential density and few commercial uses. The subject property is adjacent to two arterial streets and has good access to the multi-modal transportation system.

Policy II.B.5.d: Development respects neighborhood values, environmental conditions, and scenic resources. The area is currently under-served by neighborhood commercial and service businesses. The SPS design standards would reflect design theme consistent and complimentary to the surrounding development.

Policy II.B.5.e: New growth shall be in areas contiguous to existing or programmed urban facilities and services and neighborhood integrity assured. Urban facilities and services consist of fully developed arterial roadways on two sides of the property, and the full range of utilities within surrounding streets. Project traffic would not need to travel through surrounding neighborhoods.

Policy II.B.5.h: Higher density housing is most appropriate with excellent access to major streets; mixed density pattern; similar or higher density development; and transition. The subject site is within the designated Unser/Ladera Neighborhood Center of the WSSP. The site is surrounded by residential land uses and existing infrastructure is in place. A mixed residential density exists in the surrounding area.

Policy II.B.5.j: Commercial development in centers with pedestrian and bicycle access; intersections of arterial streets and transit. The SPS commercial development would be at the intersection of two arterial streets and within an area of residential development.

Policy II.B.5.l: Quality and innovation in design. The SPS design requirements include the Zoning Code General Building and Site Design Regulations for Non-Residential Uses.

Policy II.B.5.m: Design improves the quality of the visual environment. The SPS would regulate building architecture, lighting, landscaping and signage in compliance with the Zoning Code.

Policy II.B.7.b: Net densities above 30 dwelling units per acre within Major Activity Centers. The site is designated Unser/Ladera Neighborhood Center per the WSSP. The SPS proposes maximum residential density of 30 dwelling units per acre.

Policy II.B.7.f: Intense uses in Activity Centers located away from low-density residential and buffered by a transition area. The subject site is bordered by two arterial roads, and multi-family residential and/or office uses would buffer adjacent lower intensity uses.

OFFICIAL NOTICE OF DECISION

Project #1003275

February 13, 2014

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Policy II.B.7.i: Multi-unit housing appropriate in Neighborhood, Community and Major Activity Centers. The SPS would allow multi-family residential development in a designated Neighborhood Center.

Policy II.C.1.b: Balanced land use/transportation system of housing, employment and services. The request would add commercial, services and housing within an area under-served by commercial and service uses.

Noise Goal: Protect the public health and welfare and quality of life. The multi-family residential and neighborhood-serving commercial uses would not operate at a level of intensity disturbing to surrounding residents.

Policy II.D.4.c: Dwelling units close to Major Transit and Enhanced Transit streets. Unser Blvd. is a designated Express Transit Corridor. The request would allow additional dwelling units along the Transit Corridor.

Policy II.D.6.a: New jobs created convenient to areas of need. The City's west side is deficient in jobs relative to housing. The proposed commercial and office uses would provide jobs on the west side.

6. The Site Development Plan for Subdivision request **partially furthers** the following Comprehensive Plan policies:

Policy II.B.5.i: Employment and service uses located to complement residential areas and minimize adverse effects of noise, lighting, pollution, and traffic. The SPS would be consistent with the intended land uses of a Neighborhood Center. Commercial and office development would be convenient to surrounding residents. A Traffic Impact Study is under review by the NMDOT. Traffic generated by the developments would potentially impact single-family residential from vehicular access at Hanover Rd.

Policy II.B.5.k: Minimize harmful effects of traffic; livability and safety of residential neighborhoods. Unser Blvd. is a Principal Urban Arterial. The SPS proposes multi-direction access to Unser Blvd. which is under State jurisdiction. The proposed access is a concern of City staff, MRCOG and the NMDOT and a concern of the neighborhood.

Policy II.D.4.a: Street design, transit service, and development form consistent with Corridors and Activity Centers. The site is within a Neighborhood Center. Unser Blvd. is a designated Express Transit Corridor. The SPS design standards would be consistent with the Comprehensive Plan Development Form details. The SPS does not propose internal connecting sidewalks leading to public gathering spaces.

7. The Site Development Plan for Subdivision request **further** the following goals and policies of the West Side Strategic Plan:

Policy 1.1: Develop higher density in Community and Neighborhood Centers, surrounded by lower density.

OFFICIAL NOTICE OF DECISION

Project #1003275

February 13, 2014

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Policy 3.8: The highest density in the Community and Neighborhood Centers. Multifamily housing and employment facilities are appropriate with commercial services.

Policy 3.16: Multifamily development and commercial or employment uses are appropriate in the Community or Neighborhood Centers. Mixed-use and multi-modal access shall be incorporated.

Policy 4.6.f: Locate multiple-family residential within Community and Neighborhood Centers and allow higher density so they serve as transit hubs.

Policy 4.10: Promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation.

Higher density residential and commercial development on the site would be within a designated Neighborhood Center. The SPS proposes a mix of commercial, office and multi-family residential development up to 30 dwelling units per acre. The development would be adjacent to Arterial roadways (Unser Blvd. and Ladera Dr.), a regional trail and two ABQ Ride express transit lines

Policy 1.9: In the Established and Developing Urban areas neighborhood and community centers may be developed at appropriate locations.

Policy 1.16: Neighborhood Centers on collector and arterial streets. Primary access by auto, with pedestrian and bicycle connections to adjacent neighborhoods.

The site is within a Neighborhood Center and would be accessed from a Collector street (Market St.) and Arterial streets (Unser Blvd. and Ladera Dr.) The development would provide sidewalk connections to the Unser Blvd. trail and to surrounding single family residential neighborhoods.

Policy 1.17: Encourage public services, parks, retail and commercial services in Activity Centers. There are no public facilities proposed. Retail and service uses and offices would be on a site within a Neighborhood Center.

Policy 3.23: Location of commercial services, multifamily development, and public facilities to reduce trips to Coors Boulevard and provide easier access. The development would increase retail and service businesses and would allow multi-family residential development on property in a Neighborhood Center west of Coors Blvd.

Policy 6.23: Require trail access to the regional trail network, through the Community Centers, Employment Centers, Neighborhood Centers, and parks and open space. The SPS would require buildings to be linked via sidewalk to the Unser Blvd. trail and to existing sidewalks.

8. The Site Development Plan for Subdivision request partially furthers the following goals and policies of the West Side Strategic Plan:

Policy 1.15: Neighborhood Centers shall contain scale accommodating to pedestrians and bicyclists, including outdoor seating. Shared parking is proposed. The SPS does not commit to outdoor spaces for gathering aside from restaurant outdoor space.

OFFICIAL NOTICE OF DECISION

Project #1003275

February 13, 2014

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Policy 1.5: Community and Neighborhood Centers shall provide pedestrian/bicycle access to key activity areas. The SPS design standards require linking building entrances to the Unser Blvd. trail, however, there is not sufficient detail regarding access within parking lots and between buildings.

Policy 4.6.g: Commercial developments accessible by transit locate buildings adjacent to street frontages and parking to the rear or sides. The development would provide shopping and housing options for potential transit users. The location of buildings relative to street frontage and parking lots is not addressed by the SPS.

Policy 4.6.h: Limit parking spaces to 10% above Code requirements and provide safe, attractive, and efficient routes to streets and transit. The SPS references the Zoning Code for parking minimums and does not impose maximum parking. Through-site access is not addressed in the SPS.

Policy 6.25: Internal bicycle/pedestrian trails link to the primary trails network. Demonstrate connectivity of trails. The SPS design standards do not provide detail as to how internal pedestrian access would be accomplished.

9. The SPS proposed land uses are consistent with the El Rancho Atrisco Phase III Sector Plan designation for the subject site of Planned Office Park and Commercial Development – Not More Than 50% To Be Developed Commercially. Proposed uses including residential are consistent with the C-1 Zone.
10. At the Facilitated Meeting on January 28, 2014 Neighborhood Association members expressed concerns regarding the proposed vehicle access on Unser Blvd., potential multi-family residential development, and pedestrian and bicycle access.
11. The applicant requests delegation of approval authority Site Development Plan for Building Permit applications to the DRB.

**CONDITIONS OF APPROVAL:**

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

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Project #1003275

February 13, 2014

Page 6 of 8

4. Future development on the site will require EPC review of a Site Development Plan for Building Permit.
5. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
6. The section of Unser Blvd referenced in the SPS is under the jurisdiction of the New Mexico Department of Transportation (NMDOT). Prior to DRB approval of any Site Development Plan for Building Permit, NMDOT shall have determined whether or not the requested access points on Unser Blvd. will be allowed, and if allowed the access request shall have been approved through the MRCOG Transportation Coordinating Committee process.
7. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the *Development Process Manual* and current ADA criteria.
8. New median cuts must be requested in writing to the Traffic Engineer, Development & Review Services. The construction of appropriate left turn lanes must be included with any new median cuts.
9. Access points must meet DPM's minimum distances from intersections. Proposed access 'H' must provide minimum of 100 ft. setback and proposed access 'G' must be a minimum of 200 ft. setback from projected intersecting flow lines.
10. Concurrent Platting Action required at Development Review Board (DRB).
11. A cross access easement and shared parking agreement shall be part of the platting process.
12. The text "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area" shall be added to Design Standards, Section 3 Landscape and Section 5 Signage, to demonstrate that the signs and landscaping will not interfere with the sight distance of the entrances.
13. Revise Site Plan sheet 1, under Building Heights and Setbacks, to delete the first two sentences and replace with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."
14. Revise Design Standards sheet 2, under Architecture, to delete 4.C.2 in its entirety and replace the first sentence of 4.C.1 with the following: "Maximum building heights for all buildings shall be per the SU-1 zone."
15. The design of access to Unser Blvd. shall demonstrate consistency with AASHTO guidelines for bicycle safety.

OFFICIAL NOTICE OF DECISION

Project #1003275

February 13, 2014

Page 7 of 8

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **FEBRUARY 28, 2014**. 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 14-16-4-4 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

OFFICIAL NOTICE OF DECISION

Project #1003275

February 13, 2014

Page 8 of 8

SL/CG/mc

cc: Steve Collins, 7517 Vista Alegre NW, Albuquerque NM 87120  
Sharise McCannon, 2808 El Tesoro Escondido NW, Albuquerque NM 87120  
Mary Loughran, 8015 Fallbrook NW, Albuquerque NM 87120  
James Larkin, 7304 Inwood NW, Albuquerque NM 87120  
John Vrabec, 7721 Pinewood Dr. NW, Albuquerque NM 87120  
Thomas Borst, 1908 Selway Pl. NW, Albuquerque NM 87120  
Jason Stone, 1136 Makian Pl. NW, Albuquerque NM 87120  
Candelaria Patterson, 7608 Elderwood NW, Albuquerque NM 87120  
Harry Hendrickson, 10592 Rio del Sol Ct. NW, Albuquerque NM 87120  
Jerry Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120

# CITY OF ALBUQUERQUE



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

## OFFICIAL NOTIFICATION OF DECISION

December 12, 2013

Western Albuquerque Land Holdings  
1130 Lanes End NW  
Albuquerque, NM 87114

**Project# 1003275**  
13EPC-40148 Site Development Plan for  
Subdivision

### LEGAL DESCRIPTION:

For all or a portion of lot 1-A-1, El Rancho Atrisco Phase III, located on Unser Blvd NW between Hanover Rd NW and Ladera Dr NW containing approximately 19.98 acres.

Staff Planner: Chris Glore

PO Box 1293

Albuquerque, New Mexico 87103 On December 12, 2013, the Environmental Planning Commission (EPC), voted to DEFER Project 1003275, 13EPC-40148, a request for a Site Development Plan for Subdivision, to the EPC Hearing on February 13, 2014, based on the following Findings:

www.cabq.gov

### FINDINGS:

1. This is a request for a site development plan for subdivision (SPS). The subject site is undeveloped and located at the southeast corner of Unser Blvd. NW and Ladera Dr. NW and contains approximately 19.98 acres.
2. The property owner's agents request that this matter be deferred to February 13, 2014 in order to work with the NMDOT regarding access to Unser Blvd. and to allow more time to schedule a facilitated meeting.
3. The Planning Department does not object to the request for deferral.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **DECEMBER 27, 2013**. 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

OFFICIAL NOTICE OF DECISION

Project #1003275

December 12, 2013

Page 2 of 3

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **DECEMBER 27, 2013**. 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 14-16-4-4 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 thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

**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 CG/mc

cc: Steve Collins, 7517 Vista Alegre NW, Albuquerque NM 87120

OFFICIAL NOTICE OF DECISION

Project #1003275

December 12, 2013

Page 3 of 3

Sharise McCannon, 2808 El Tesoro Escondido NW, Albuquerque NM 87120

Mary Loughran, 8015 Fallbrook NW, Albuquerque NM 87120

James Larkin, 7304 Inwood NW, Albuquerque NM 87120

John Vrabec, 7721 Pinewood Dr. NW, Albuquerque NM 87120

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Candelaria Patterson, 7608 Elderwood NW, Albuquerque NM 87120

Harry Hendrickson, 10592 Rio del Sol Ct. NW, Albuquerque NM 87120



City of Albuquerque  
Planning Department  
Development Review Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: September 19, 2008

**OFFICIAL NOTIFICATION OF DECISION**

FILE: **Project# 1003275**  
07EPC-40078 SECTOR DEVELOPMENT  
PLAN MAP AMENDMENT  
07EPC-40092 SITE DEVELOPMENT -  
SUBDIVISION  
07EPC-40094 SITE DEVELOPMENT -  
BUILDG PRMT

Sun Cal Companies  
401 Coors Blvd. NW  
Albuq. NM 87121

LEGAL DESCRIPTION: for all or a portion of Tract 1-A-1, EL RANCHO ATRISCO PHASE III from SU-1 for Office and Commercial w/ not more than 50% to be developed Commercially to SU-1 for C-1 Uses with package liquor associated with a full-service grocery store within 500' of a residential zone, located on UNSER BLVD NW BETWEEN HANOVER RD NW AND LADERA DR NW containing approximately 20 acres. (N-9) Anna DiMambro, Staff Planner

On September 18, 2008 the Environmental Planning Commission voted to accept withdrawal of Project 1003275/07EPC-40078, sector development plan amendment, 07EPC-40092, site development plan for subdivision and 07EPC-40094, site development plan for building permit at the request of the agent.

**PROTEST: 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, WHICH IS BY OCTOBER 3, 2008.**

**APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY OCTOBER 3, 2008 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.**

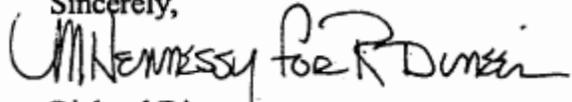
OFFICIAL NOTICE OF DECISION  
SEPTEMBER 18, 2008  
PROJECT #1003275  
PAGE 2 OF 2

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code 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. 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,



Richard Dineen  
Planning Director

RD/AD/ac

cc: Consensus Planning, Inc., 302 8<sup>th</sup> St. NW, Albuq. NM 87102  
Robert Gaugh, Laurelwood NW, 7625 Maplewood NW, Albuq. NM 87120  
Phyllis Vilchuck, Laurelwood NW, 7805 Springwood Rd. NW, Albuq. NM 87120  
Bob McCannon, Ladera West NA, 2808 El Tesoro Escondido NW, Albuq. NM 87120  
Dan Serrano, Ladera West NA, 3305 Ronda De Lechusas NW, Albuq. NM 87120  
Carol Cunningham, Parkway NA, 8012 Bridgewater NW, Albuq. NM 87120  
Palmira Perea-Hay, Parkway NE, 8039 Waterbury NW, Albuq. NM 87120  
Jerry Worrall, Tres Volcanes NA, 1039 Pinatubo Pl. NW, Albuq. NM 87120  
Tom Borst, Tres Volcanes, NA, 1908 Selway Pl. NW, Albuq. NM 87120  
Dr. Joe Valles, 5020 Grande Vista NW, Albuq. NM 87120  
Matt Schmaeder, Open Space  
Rene Horvath, 5515 Palomino Dr., Albuq. NM 87120  
Carol Nordengren, 8032 Petroglyph Ave. NW, Albuq. NM 87120



City of Albuquerque  
Planning Department  
Development Review Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: June 20, 2008

**OFFICIAL NOTIFICATION OF DECISION**

FILE: **Project# 1003275**  
07EPC-40078 SECTOR DEVELOPMENT  
PLAN MAP AMENDMENT  
07EPC-40092 SITE DEVELOPMENT -  
SUBDIVISION  
07EPC-40094 SITE DEVELOPMENT -  
BUILDG PRMT

Sun Cal Companies  
401 Coors Blvd. NW  
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**LEGAL DESCRIPTION:** for all or a portion of Tract 1-A-1, EL RANCHO ATRISCO PHASE III from SU-1 for Office and Commercial w/ not more than 50% to be developed Commercially to SU-1 for C-1 Uses with package liquor associated with a full-service grocery store within 500' of a residential zone, located on UNSER BLVD NW BETWEEN HANOVER RD NW AND LADERA DR NW containing approximately 20 acres. (N-9) Anna DiMambro, Staff Planner

On June 19, 2008 the Environmental Planning Commission voted to 1003275/ 07EPC-40078, sector development plan amendment, 07EPC-40092, site development plan for subdivision and 07EPC-40094, site development plan for building permit to the Environmental Planning Commission Public Hearing on September 18, 2008.

**There is a \$110.00 fee when a deferral is made at the request of an applicant/agent. Payment is due by July 7, 2008 and may be paid at the Land Development Coordination counter at the Plaza del Sol Building. Failure to pay may result in removal from the agenda.**

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JULY 7, 2008 IN THE MANNER DESCRIBED BELOW. 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.**

OFFICIAL NOTICE OF DECISION  
JUNE 19, 2008  
PROJECT #1003275  
PAGE 2 OF 2

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code 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. 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,



Richard Dineen  
Planning Director

RD/AD/ac

cc: Consensus Planning, Inc., 302 8<sup>th</sup> St. NW, Albuq. NM 87102  
Robert Gaugh, Laurelwood NW, 7625 Maplewood NW, Albuq. NM 87120  
Phyllis Vilchuck, Laurelwood NW, 7805 Springwood Rd. NW, Albuq. NM 87120  
Bob McCannon, Ladera West NA, 2808 El Tesoro Escondido NW, Albuq. NM 87120  
Dan Serrano, Ladera West NA, 3305 Ronda De Lechusas NW, Albuq. NM 87120  
Carol Cunningham, Parkway NA, 8012 Bridgewater NW, Albuq. NM 87120  
Palmira Perea-Hay, Parkway NE, 8039 Waterbury NW, Albuq. NM 87120  
Jerry Worrall, Tres Volcanes NA, 1039 Pinatubo Pl. NW, Albuq. NM 87120  
Tom Borst, Tres Volcanes, NA, 1908 Selway Pl. NW, Albuq. NM 87120  
Dr. Joe Valles, 5020 Grande Vista NW, Albuq. NM 87120  
Matt Schmaeder, Open Space  
Rene Horvath, 5515 Palomino Dr., Albuq. NM 87120  
Carol Nordengren, 8032 Petroglyph Ave. NW, Albuq. NM 87120



City of Albuquerque  
Planning Department  
Development Review Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: December 21, 2007

**OFFICIAL NOTIFICATION OF DECISION**

FILE: **Project# 1003275**  
07EPC-40078 SECTOR DEVELOPMENT  
PLAN MAP AMENDMENT

Sun Cal Companies  
401 Coors Blvd. NW  
Albuq. NM 87121

**LEGAL DESCRIPTION:** for all or a portion of Tract 1-A-1, EL RANCHO ATRISCO PHASE III from SU-1 FOR OFFICE AND COMMERCIAL w/ NOT MORE THAN 50% TO BE DEVELOPED COMMERCIALLY to SU-1 FOR COMMERCIAL USES located on UNSER BLVD NW BETWEEN HANOVER RD NW AND LADERA DR NW containing approximately 20 acres. (N-9) Anna DiMambro, Staff Planner

On December 20, 2007 the Environmental Planning Commission voted to defer Project 1003275/07EPC 40078, sector development plan amendment to the Environmental Planning Commission Public Hearing on January 17, 2008.

**There is a \$110.00 fee when a deferral is made at the request of an applicant/agent. Payment is due by January 4, 2008 and may be paid at the Land Development Coordination counter at the Plaza del Sol Building. Failure to pay may result in removal from the agenda.**

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **JANUARY 4, 2008** IN THE MANNER DESCRIBED BELOW. 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.

OFFICIAL NOTICE OF DECISION  
DECEMBER 20, 2007  
PROJECT #1003275  
PAGE 2 OF 2

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code 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. 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,



Richard Dineen  
Planning Director

RD/AD/ac

cc: Consensus Planning, Inc., 302 8<sup>th</sup> St. NW, Albuq. NM 87102  
Robert Gaugh, Laurelwood NW, 7625 Maplewood NW, Albuq. NM 87120  
Phyllis Vilchuck, Laurelwood NW, 7805 Springwood Rd. NW, Albuq. NM 87120  
Bob McCannon, Ladera West NA, 2808 El Tesoro Escondido NW, Albuq. NM 87120  
Dan Serrano, Ladera West NA, 3305 Ronda De Lechusas NW, Albuq. NM 87120  
Carol Cunningham, Parkway NA, 8012 Bridgewater NW, Albuq. NM 87120  
Palmira Perea-Hay, Parkway NE, 8039 Waterbury NW, Albuq. NM 87120  
Jerry Worrall, Tres Volcanes NA, 1039 Pinatubo Pl. NW, Albuq. NM 87120  
Tom Boprst, Tres Volcanes, NA, 1908 Selway Pl. NW, Albuq. NM 87120



City of Albuquerque  
Planning Department  
Development Review Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: September 17, 2004

**OFFICIAL NOTIFICATION OF DECISION**

**FILE: Project # 1003275**

04EPC 00282 Sector plan Amendment

04EPC 00283 Zone Map Amendment

04EPC-00540 EPC Site Development Plan-Subdivision

Westland Development Company, Inc.  
401 Coors Blvd. NW  
Albuq. NM 87121

**LEGAL DESCRIPTION:** for all or a portion of Tract(s) 1A1, **El Rancho Atrisco Phase III**, located on SE CORNER OF LADERA NW, and UNSER BLVD. NW, containing approximately 20 acres. (H-9) Carmen Marrone, Staff Planner

On September 16, 2004 the Environmental Planning Commission voted to accept withdrawal of Project 1003275/04EPC 00282 Sector plan Amendment/04EPC 00283 Zone Map Amendment and 04EPC-00540 EPC Site Development Plan-Subdivision at the request of the agent.

Sincerely,

  
For Richard Dineen  
Planning Director

RD/CM/ac

cc: Community Sciences Corp., P.O. Box 1328, Corrales NM 87048  
Dan Serrano, Ladera West NA, 3305 Rhonda de la Chusas NW, Albuq. NM 87120  
Barry King, Ladera West NA, 3808 Todos Santos NW, Albuq. NM 87120  
Steve Tardy, Laurelwood NA, 7424 Lynwood Dr. NW, Albuq. NM 87120  
Nancy Treviso, Laurelwood NA, 7812 Sherwood Dr. NW, Albuq. NM 87120  
Karen Wade, Parkway NA, 8100 Westover Pl. NW, Albuq. NM 87120



City of Albuquerque  
Planning Department  
Development Services Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: May 21, 2004

**OFFICIAL NOTIFICATION OF DECISION**

**FILE: Project # 1003275**

04EPC 00282 Sector plan Amendment

04EPC 00283 Zone Map Amendment

04EPC-00540 EPC Site Development Plan-Subdivision

Westland Development Company, Inc.  
401 Coors Blvd. NW  
Albuquerque, NM 87121

**LEGAL DESCRIPTION:** for all or a portion of Tract(s) 1A1, El Rancho Atrisco Phase III, located on SE CORNER OF LADERA NW, and UNSER BLVD. NW, containing approximately 20 acres. (H-9) Carmen Marrone, Staff Planner

On May 20, 2004 the Environmental Planning Commission voted to defer Project 1003275/04EPC 00282 Sector plan Amendment, 04EPC 00283 Zone Map Amendment and 04EPC-00540 EPC Site Development Plan-Subdivision to the Environmental Planning Commission Public Hearing on September 16, 2004.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JUNE 4, 2004 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.**

**Appeal to the City Council:** Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code 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. 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. 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 45 days of its filing.

OFFICIAL NOTICE OF DECISION  
MAY 20, 2004  
PROJECT #1003275  
PAGE 2 OF 2

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

  
For **Richard Dineen**  
Planning Director

RD/CM/ac

cc: Community Sciences Corp., P.O. Box 1328, Corrales NM 87048  
Dan Serrano, Ladera West NA, 3305 Rhonda de la Chusas NW, Albuq. NM 87120  
Barry King, Ladera West NA, 3808 Todos Santos NW, Albuq. NM 87120  
Steve Tardy, Laurelwood NA, 7424 Lynwood Dr. NW, Albuq. NM 87120  
Nancy Treviso, Laurelwood NA, 7812 Sherwood Dr. NW, Albuq. NM 87120  
Karen Wade, Parkway NA, 8100 Westover Pl. NW, Albuq. NM 87120



City of Albuquerque  
Planning Department  
Development Services Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Westland Development Company, Inc.  
401 Coors Blvd. NW  
Albuquerque, NM 87121

Date: April 16, 2004

**OFFICIAL NOTIFICATION OF DECISION**

FILE: **Project # 1003275**  
04EPC-00282 EPC Sector Development Plan  
04EPC-00283 Zone Map Amendment

LEGAL DESCRIPTION: for all or a portion of  
Tract(s) 1A1, **El Rancho Atrisco Phase III**,  
located on SE CORNER OF LADERA NW, and  
UNSER BLVD. NW, containing approximately  
20 acres. (H-9) Carmen Marrone, Staff Planner

On April 15, 2004 the Environmental Planning Commission voted to defer Project 1003275/04EPC 00282 and 04EPC 00283 to the Environmental Planning Commission Public Hearing on May 20, 2004.

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY APRIL 30, 2004  
IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE  
CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS  
REQUIRED AT THE TIME THE APPEAL IS FILED.**

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code 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. 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. 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 45 days of its filing.

OFFICIAL NOTICE OF DECISION  
PROJECT #1003275  
APRIL 15, 2004  
PAGE 2 OF 2

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

  
for Richard Dineen  
Planning Director

RD/CM/ac

cc: Community Sciences Corp., P.O. Box 1328, Corrales NM 87048  
Dan Serrano, Ladera West NA, 3305 Rhonda de la Chusas NW, Albuq. NM 87120  
Barry King, Ladera West NA, 3808 Todos Santos NW, Albuq. NM 87120  
Steve Tardy, Laurelwood NA, 7424 Lynwood Dr. NW, Albuq. NM 87120  
Nancy Treviso, Laurelwood NA, 7812 Sherwood Dr. NW, Albuq. NM 87120  
Karen Wade, Parkway NA, 8100 Westover Pl. NW, Albuq. NM 87120



City of Albuquerque  
Planning Department  
Development Services Division  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Date: January 16, 2004

## **OFFICIAL NOTIFICATION OF DECISION**

**FILE: Project # 1003097**

03EPC-01908 EPC Sector Development Plan  
03EPC-01909 Zone Map Amendment  
03EPC-01910 EPC Site Development Plan-Subdivision

Diamond Shamrock  
P.O. Box 690007  
San Antonio, Tx 78269-0007

**LEGAL DESCRIPTION:** for all or a portion of Lot 1-C, **El Rancho Atrisco Phase III**, zoned RD, located on LADERA DRIVE NW, between COORS BLVD. NW and MARKET ST. NW, containing approximately 1 acre. (H-9) Russell Brito, Staff Planner **(DEFERRED FROM DECEMBER 18, 2003)**

On January 15, 2004 the Environmental Planning Commission voted to deny Project 1003097/03EPC-01908, an amendment to the zone map of the El Rancho Atrisco Sector Development Plan, from SU-1 for Planned Office Park and Commercial Development to SU-1 for Gasoline Service Station, Convenience Store & alcoholic drink sales limited to package beer, for consumption off premises, for Tract 1-C, El Rancho Atrisco Phase III, based on the following Findings:

### **FINDINGS:**

1. This is a request for an amendment to the zone map of the El Rancho Atrisco Phase III Sector Development Plan from SU-1 for Planned Office Park and Commercial Development to SU-1 for Gasoline Service Station, Convenience Store & alcoholic drink sales limited to package beer, for consumption off premises for an approx. 0.855-acre site at the intersection of Ladera Drive& Unser Blvd. NW.
2. The request does not further all of the applicable Goals and policies of the *Comprehensive Plan* by proposing a use category that does not respect and may threaten the integrity of the exiting residential area (Established Urban Policies d and e).

OFFICIAL NOTICE OF DECISION

JANUARY 15, 2004

PROJECT #1003097

PAGE 2 OF 4

3. The Activity Center Goal of the *Comprehensive Plan* does not require or promote liquor sales as part of a concentration of mixed land use in a designated activity center.
4. The site's location in the designated neighborhood center in the western side of the Ladera Community does not require a liquor sales in order to further *West Side Strategic Plan Policies* 1.3 and 3.23.
5. The *El Rancho Atrisco Phase III Sector Development Plan* does not propose liquor sales or any uses more intense than those allowed under the C-1 zone in this location.
6. This request does not further the criteria and policies of *R-270-1980*, specifically Section 1.C and 1.D.; the proposed use category is not advantageous as articulated in the *Comprehensive Plan*, the *West Side Strategic Plan* and the *El Rancho Atrisco Phase III Sector Development Plan*.
7. There is neighborhood opposition to this request.

---

On January 15, 2004 the Environmental Planning Commission voted to deny Project 1003097/03EPC-01909, a zone map amendment from R-D to SU-1 for Gasoline Service Station, Convenience Store & alcoholic drink sales limited to package beer, for consumption off premises, for Tract 1-C, El Rancho Atrisco Phase III, based on the following Findings:

**FINDINGS:**

1. This is a request for a zone map amendment from SU-1 for Planned Office Park and Commercial Development to SU-1 for Gasoline Service Station, Convenience Store & alcoholic drink sales limited to package beer, for consumption off premises for an approximately 0.855-acre site at the intersection of Ladera Drive and Unser Boulevard NW.
2. The request does not further all of the applicable Goals and policies of the *Comprehensive Plan* by proposing a use category that does not respect and may threaten the integrity of the existing residential areas (Established Urban Policies d and e).
3. The Activity Center Goal of the *Comprehensive Plan* does not require or promote liquor sales as part of a concentration of mixed land use in a designated activity center.
4. The site's location in the designated neighborhood center in the western side of the Ladera Community does not require a liquor sales use in order to further *West Side Strategic Plan Policies* 1.3 and 3.23.

OFFICIAL NOTICE OF DECISION  
JANUARY 15, 2004  
PROJECT #1003097  
PAGE 3 OF 4

5. The *El Rancho Atrisco Phase III Sector Development Plan* does not proposed liquor sales or any uses more intense than those allowed under the C-1 zone in this location.
6. This request does not further the criteria and policies of *R-270-1980*, specifically Section 1.D.; the proposed use category is not advantageous as articulated in the *Comprehensive Plan*, the *West Side Strategic Plan* and the *El Rancho Atrisco Phase III Sector Development Plan*.
7. There is neighborhood opposition to this request.

---

On January 15, 2004 the Environmental Planning Commission voted to deny Project 1003097/03EPC-DENIAL of 03EPC-01910, a site development plan for subdivision, for Tract 1-C, El Rancho Atrisco Phase III, based on the following Findings:

**FINDINGS:**

1. This is a request for approval of a site development plan for subdivision for an approximately 0.855-acre site at the intersection of Ladera Drive and Unser Boulevard NW.
2. The accompanying sector development plan and zone map amendment requests do not further all of the applicable Goals and policies of the *Comprehensive Plan* by proposing a use category that does not respect and may threaten the integrity of the existing residential area (Established Urban Policies d and e).
3. The Activity Center Goal of the *Comprehensive Plan* does not require or promote liquor sales as part of a concentration of mixed land use in a designated activity center.
4. The site's location in the designated neighborhood center in the western portion of the Ladera Community does not require a liquor sales use in order to further *West Side Strategic Plan Policies* 1.3 and 3.23.
5. The *El Rancho Atrisco Phase III Sector Development Plan* does not propose liquor sales or any uses more intense than those allowed under the C-1 zone in this location.
6. The accompanying sector development plan and zone map amendment requests do not further the criteria and policies of *R-270-1980*, specifically Section 1.D.; the proposed use category is not advantageous as articulated in the *Comprehensive Plan*, the *West Side Strategic Plan* and the *El Rancho Atrisco Phase III Sector Development Plan*.
7. There is neighborhood opposition to this request.

OFFICIAL NOTICE OF DECISION  
JANUARY 15, 2004  
PROJECT #1003097  
PAGE 4 OF 4

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **JANUARY 30, 2004** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code 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. 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. 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 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

  
for Victor J. Chavez  
Planning Director

VJC/RB/ac

cc: DAC Enterprises, Inc., P.O. box 16658, Albuq. NM 87191  
Dan Serrano, Ladera West, 3305 Rhonda de la Chusas NW, Albuq. NM 87120  
Barry King, Ladera West, 3808 Todos Santos NW, Albuq. NM 87120  
Steve Tardy, Laurelwood, 7424 Lynwood Dr. NW, Albuq. NM 87120  
Nancy Treviso, Laurelwood, 7812 Sherwood Dr. NW, Albuq. NM 87120  
Karen Wade, Parkway, 8100 Westover Pl. NW, Albuq. NM 87120  
Eric Vaccio, Parkway, 1004 Tessa Dr. NW, Albuq. NM 87120  
Mary Laoughran, 8015 Fallbrook NW, Albuq., NM 87120  
Nadine & Bob Milford, 7424 Maplewood Dr. NW, Albuq. NM 87120  
Steve Harrell, 8320 Gardenbrook Pl. NW, Albuq. NM 87120  
John Kilmer, 7319 Willow wood NW, Albuq. NM 87120  
Robert Stroup, 12716 Punta de Vista Pl. NE, A Ibuq. NM 87112



# OFFICIAL NOTIFICATION OF DECISION

City of Albuquerque  
Municipal Development Department  
Planning Division  
P.O. Box 1239, Albuquerque, New Mexico 87103

Westland Development Co., Inc.  
401 Coors Blvd. N.M.  
Albuquerque, N.M. 87105

Date: July 19, 1985

## NOTIFICATION OF DECISION

File: Z-81-49-2

Location: Tract 1, El Rancho Atrisco  
Phase III, zoned SU-1 for C-1 and O-1  
uses located at the southeast corner of  
Unser Boulevard and Ladera Drive N.M.,  
containing approximately 25 acres.  
(384-9610)

On July 18, 1985, the Environmental Planning Commission voted to approve your Site Development Plan on the above referenced property.

THE THEREFORE, BE IT RESOLVED THAT Z-81-49-2 be approved based on the following Findings and subject to the following Conditions.

### Findings:

1. This is a conceptual site plan for 25 acres and a specific site development plan for approximately 4.5 acres.
2. The site plan shows an appropriate mix of uses for the approved zoning.
3. The site plan for Phase I is complete except for minor details.
4. Refuse containers may need to be relocated.

### Conditions:

1. Refuse locations must be satisfactory to the Refuse Department.
2. Dimensions for internal sidewalks must be shown on the plan.
3. Concerns of the Traffic Engineer and City Engineer must be met prior to final plan sign-off.
4. Transportation comments indicate additional right-of-way needs at the corner of Ladera and Unser. Because of this, the site plan for the commercial area might need to be modified.
5. Specific site plans must be reviewed by the Environmental Planning Commission.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY 8/2/85 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$40 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Any person aggrieved with any determination of the Environmental Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission'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. 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 NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Sincerely,


  
Phil Garcia  
Assistant City Planner

PG/djr  
cc: Boehning, Protz, Cook and Associates, PA, 110 Second Street SW, Suite 500, 87102

# EL RANCHO ATRISCO, PHASE III

## AMENDED LAND USE WITHIN PHASE III

PARCEL	DESCRIPTION	SYMBOL
SU-1	LIGHT INDUSTRIAL & COMMERCIAL MIX	
	PUBLIC LANDS & PARKS	
R-3	36 to 40 DU/AC (MULTI-FAMILY)	
C-1	NEIGHBORHOOD COMMERCIAL	
C-2	COMMERCIAL	
R-2	26 to 30 DU/AC (MULTI-FAMILY)	
R-T	HIGH DENSITY	
	11 to 15 DU/AC	
	COMMON WALL TOWNHOUSE	
RLT	LOW DENSITY	
	3 to 5 DU/AC	
	SINGLE-FAMILY DETACHED	
MEDIUM DENSITY	6 to 10 DU/AC	
	SINGLE-FAMILY DETACHED OR	
	ZERO LOT LINE	



ANDS  
OF  
WESTLAND  
DEVELOPMENT  
COMPANY  
INC.

COMPANY INC

## DEVELOPMENT

# WESTLAND

LANDS



# FOURTH COUNCIL

COUNCIL BILL NO. R-473 ENACTMENT NO. 170-1981

SPONSORED BY:

CITY COUNCIL APPROVAL

ERA III Sector Plan Adoption

1

## RESOLUTION

2 ADOPTING THE SECTOR DEVELOPMENT PLAN (SD-81-1) FOR THE LAND  
3 DESCRIBED IN THE SUMMARY PLAT OF EL RANCHO ATRISCO, PHASE III,  
4 CONTAINING APPROXIMATELY 348 ACRES.

5 WHEREAS, the Council, the Governing Body of the City of  
6 Albuquerque has the authority to adopt master plans for physical  
7 development or areas within the planning and platting jurisdiction  
8 of the City as authorized by New Mexico Statutes, Section 3-19-5,  
9 and by the City Charter as allowed under home rule provisions of the  
10 Constitution of New Mexico; and

11 WHEREAS, a Sector Development Plan has been prepared for the  
12 land described in the Summary Plat of El Rancho Atrisco, Phase III;  
13 and

14 WHEREAS, the Environmental Planning Commission in its  
15 advisory role on all matters related to planning, zoning, and  
16 environmental protection, conducted public hearings on April 16,  
17 1981 and June 18, 1981, recommended the adoption of the El Rancho  
18 Atrisco, Phase III, Sector Development Plan subject to certain  
19 findings; and

20 WHEREAS, the City Council has the sole authority to adopt  
21 Sector Development Plans containing zone changes other than R-D.

22 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
23 ALBUQUERQUE:

24 Section 1. The El Rancho Atrisco, Phase III, Sector  
25 Development Plan, as amended by the Council, is hereby adopted as a  
26 guide to the partial implementation of the Albuquerque/Bernalillo

Underlined Material - New  
[Bracketed Material] - Deletion

1 County Comprehensive Plan subject to the findings of the Environmental  
2 Planning Commission which are incorporated by reference herein and  
3 amended as follows:

4 ① Delete finding number two.

5 ② Amend finding number 3g to read as follows:

6 "Ladera Drive between 72nd and Ouray should be in a paving  
7 district and the developer will improve the paving to Ladera Drive  
8 between 72nd and Unser pursuant to standard City policies."

9 ③ Delete finding number 3i."

10 Section 2. All development and improvement activities in the area  
11 shall be guided by the Sector Development Plan.

12 Section 3. The Official Zone Map, adopted by 7-14-46.C R.O. 1974  
13 is hereby amended to reflect the zoning as shown on Sheet 5, Land Use  
14 and Transportation Map, El Rancho Atrisco, Phase III.

15 PASSED AND ADOPTED THIS 3rd day of August, 1981.  
16

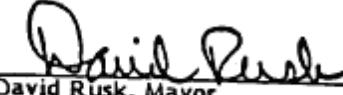
17 BY A VOTE OF 7 FOR AND 0 AGAINST

18 Yes: 7

19 Excused: Hill, Hoover

  
20  
21 Marion M. Cottrell  
22 City Council  
23

24 APPROVED this 11th day of August, 1981.  
25

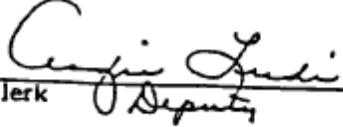
  
26  
27 David Rusk, Mayor  
28 City of Albuquerque  
29

30 ATTEST:

31

32

33

  
Connie Luei

City Clerk

Deputy

*Deleted by Council!*

*Deleted  
by  
Council*

The following priority is established for open space requirements in this sector plan and any future submittals of the Westland Development Company: a. the escarpment, b. land above the escarpment, c. additional right-of-way on drainage systems.

3. A revised Sector Development Plan shall be submitted to:
  - a. Show the 25 acre property at the southeast corner of Unser Boulevard and Ladera Road zoned SU-1 (Special Use for Neighborhood Commercial and Offices Uses), with not more than 50% of this property to be developed commercially
  - b. Include a bikeway network
  - c. The amount of park land in the sector plan shall be increased to ten acres.
  - d. Provision for public right-of-way access to the 3-acre park site north of Ladera Road shall be provided.
  - e. State that final sign-off on the Sector Development Plan shall be contingent upon approval of drainage plans for this area by the City Engineer and AMAFCA. Possible positive drainage back into the existing Ladera System shall be investigated.
  - f. Show the 93 acre property on the north side of the Plan zoned SU-1 (Special Use for Light Industrial)
  - g. State that only 20 percent of the residential units and the C-1 designated property shall be developed prior to start of construction of the Unser/I-40 interchange  
Indicate that the developer will construct Ladera Drive west of Ouray Road and provide temporary paving for unpaved portions of Ouray Road prior to occupancy of any units.
  - h. Show Ladera Drive within a 100' right-of-way and 72nd, 76th, 80th, Hanover and Juniper Streets with a 86' right-of-way

*Deleted  
by Council*

*i? Deleted by Council!*

~~OFFICIAL NOTICE~~  
~~E.P.C. APPROVAL~~

CITY OF ALBUQUERQUE  
MUNICIPAL DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
P.O. Box 1293, Albuquerque, New Mexico 87103

RECEIVED

*Area III Sector* JUN 29 1981  
*Plans.*

WESTLAND DEVELOPMENT CO., INC.

DATE: June 22, 1981

## NOTIFICATION OF DECISION

File: SD-81-1

Location: The Sector

Development Plan for the land  
described in the Summary Plat of  
El Rancho Atrisco, Phase III

Westland Development Company, Inc.  
401 Coors Road N.W.  
Albuquerque, New Mexico 87105

On June 18, 1981, the Environmental Planning Commission approved the above mentioned sector development plan as presented subject to the following Findings:

1. Acreage in the Multi-Use Flood Management System and the Ladera Golf Course shall not be counted towards meeting the Open Space requirements of this sector development plan.

SEE REVERSE FOR ADDITIONAL FINDINGS.

If you wish to appeal this decision, you must do so by 7-6-81 in the manner described below. A non-refundable filing fee of \$40 is required at the time the appeal is filed.

Appeal to the City Council. Any person aggrieved with any determination of the Environmental Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission'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. 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 any other 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).

IF YOU RECEIVE APPROVAL FOR ANY REQUEST WHICH REQUIRES A SITE DEVELOPMENT PLAN, SEE ATTACHED SHEET FOR FURTHER INFORMATION.

Sincerely,

*Gloria Cruz*  
Gloria Cruz  
Secretary

Letter of  
Advice

cc: Fred Denney and Associates, 2400 Comanche N.E.; 87107

**C) APPLICATION INFORMATION**

April 25, 2025

City of Albuquerque Planning Department  
600 Second St NW  
Albuquerque, NM 87102

**Re: Letter of Authorization  
RioGAFA – Site Plan and Related Approvals  
1700 Unser Blvd NW, Albuquerque NM 87120**

To whom it may concern,

I hereby authorize Dekker, Ltd. and Bohannan Huston, Inc. to act as our designated agents in all matters related to development approvals for the property located at 1700 Unser Blvd, Albuquerque, NM.

This authorization includes, but is not limited to, the preparation, submission, and representation of applications and associated documentation before City of Albuquerque approval bodies in connection with the RioGAFA project. These bodies include, but are not limited to, the Environmental Planning Commission (EPC), the Development Facilitation Team (DFT), and the Development Hearing Officer (DHO).

Dekker, Ltd. and Bohannan Huston, Inc. are authorized to coordinate with City staff, attend hearings and meetings, and submit any forms, materials, or revisions required as part of the approval process.

If you have any questions regarding this authorization, please contact me directly.

Sincerely,



Rebecca Salvo  
Senior Vice President  
CSDCPC RioGAFA, LLC  
rsalvo@22beacon.org

When recorded mail to:

CSDCPC RIOGAF, LLC  
7320 East Deer Valley Road, Suite 110  
Scottsdale, AZ 85255  
Attn: Laura Fiemann

### SPECIAL WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, **BERNCO INVESTORS LLC**, a New Mexico limited liability company, the Grantor, does hereby convey to and **CSDCPC RIOGAF, LLC**, a Delaware limited liability company, the Grantee, the following real property situated in Bernalillo County, New Mexico ("Property"), together with all rights and privileges appurtenant thereto and any improvements located thereon:

SEE EXHIBIT A ATTACHED HERETO AND  
INCORPORATED HEREIN BY THIS REFERENCE.

The Property does not include and, notwithstanding anything to the contrary, Grantor expressly reserves onto Grantor, (a) all appurtenant water rights and any non-appurtenant water rights owned by Grantor, for their associated purposes of use whether for irrigation, ranching, stock, game, wildlife, domestic, commercial, recreation or other purposes, and from all sources whether surface water, groundwater, or springs, whether permitted or unpermitted by the New Mexico Office of the State Engineer, and all claims for water rights, and (b) all minerals, oil, gas, and other hydrocarbon substances and geothermal resources and mineral rights, on, over, in, under, or that may be produced from the Property (collectively, the "Mineral Rights").

WITH Special Warranty Covenants as provided under New Mexico Statutes § 47-1-38 (2021).

SUBJECT TO all general and special real property taxes and other assessments; reservations in patents; easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, obligations, liabilities and other matters as may appear of record; all matters that would be disclosed by an accurate ALTA/NSPS survey or inspection of the Property, and the applicable zoning and use regulations of any municipality, county, state or the United States affecting the Property.

Notwithstanding any covenant or warranty that may otherwise be implied from the use of any word, phrase or clause herein, the Grantor only binds itself and its successors to warrant and defend the title as against all acts of the Grantor herein and no other, subject to the matters above set forth.

### RELINQUISHMENT AND WAIVER OF SURFACE RIGHTS

Notwithstanding anything to the contrary contained in this Special Warranty Deed,

Grantor, for itself and its successors and assigns, hereby relinquishes and waives all rights of Grantor and its successors and assigns to enter upon and use the Surface (as defined below) of all or any portion of the Property for any purpose, including without limitation, the right to enter upon, into or through the Surface of the Property for the development or removal of any of the Mineral Rights. For clarity, such Surface waiver does not prohibit subterranean underground activities that begin upon and are conducted from the surface of real property other than the Property. The term "Surface" means from the finished grade of the Property to five hundred (500) feet below the finished grade of the Property.

DATED: March 31, 2025.

[Balance of the Page Intentionally Left Blank; Signature Page Follows]

**GRANTOR:**

**BernCo Investors LLC**, a New Mexico limited liability company

By: GDC-NM LLC, a New Mexico limited liability company  
Its: Manager

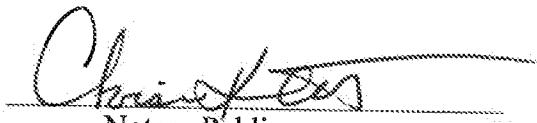
By:

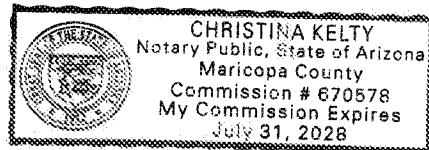
Jeffrey D. Garrett, Manager

STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

This instrument was acknowledged before me this 27<sup>th</sup> day of March, 2025,  
by Jeffrey D. Garrett, the Manager of GDC-NM LLC, a New Mexico limited liability company,  
the Manager of BernCo Investors LLC, a New Mexico limited liability company, for and on behalf  
thereof.

My commission expires: 7/31/28

  
Notary Public



**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY**

Tract lettered "B-1" of HERITAGE MARKETPLACE, as the same is shown on the Replat of Tract B, Heritage Marketplace, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 11, 2015 in plat Volume 2015C, folio 109 as Document No. 2015079607.

## PRE-APPLICATION REVIEW NOTES

PA#: PA-2025-00068 Notes Provided (date): 04/2/2025

Site Address and/or Location: 1700 Unser Blvd NW (Maps H-10-Z/H-09-Z/J-09-Z/J-10-Z)

Pre-application notes are for informational purposes only and are non-binding and do not constitute any type of approval and are not certificates of zoning. Additional research may be necessary to determine the exact type of process and/or application required. Factors unknown and/or thought of as minor at this time could become significant as a case progresses.

Request: New Charter School

### Basic Site Information

Current Use: Vacant Size (acreage): approx. 9 acres  
Zoning: MX-L Overlay Zone: N/A

### Comprehensive Plan Designations

Development Area: West Mesa CPA Corridors: N/A  
Area of Consistency Near Major Public Open Space (MPOS)? N/A  
Center: N/A

### Integrated Development Ordinance (IDO)

Please refer to the IDO for requirements regarding dimensional standards, parking, landscaping, walls, signage, etc. <https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

Proposed Use(s): New Charter School

Use Specific Standards: IDO§14-16-4-3(C)(2) – Elementary or Middle School; IDO§14-16-4-3(C)(3) – High School

### Applicable Definition(s)

**School:** An accredited public or private institution offering a course of education recognized by the State as leading to a high school diploma or equivalent. Accessory uses may include student sports fields or facilities, playgrounds, gardens, and an accessory dwelling unit for a caretaker.

This use is divided into:

1. Elementary or middle school: An educational facility for grades kindergarten through 8.
2. High school: An educational facility for grades 9 through 12.

**Amendment:** Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of any zone district or Overlay zone; or any repeal or abolition of any map, part thereof, or addition thereto.

**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.

## Process

Decision Type(s) (see IDO Table 6-1-1): 1. Major Amendment – EPC ; 2. Site Plan -Administrative

Specific Procedure(s)\*: 1. IDO §14-16-6-6(I) Major Amedment – EPC; 2. IDO §14-16-6-5(G) Site Plan – Administrative

\*Please refer to specific procedures for relevant decision criteria required to be addressed.

Decision Making Body/ies: EPC, Staff Is this a PRT requirement? No

## Handouts Provided

<input type="checkbox"/> Zoning Map Amendment	<input checked="" type="checkbox"/> Major-Minor Amendment	<input type="checkbox"/> Site Plan- MDP	<input type="checkbox"/> Site Plan- DHO
<input checked="" type="checkbox"/> Site Plan- Administrative	<input type="checkbox"/> Variance-ZHE	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Site History/Research	<input type="checkbox"/> Transportation	<input type="checkbox"/> Hydrology	<input type="checkbox"/> Fire

*If you have additional questions after reviewing these notes, or would like to schedule a follow up call or meeting, please contact Staff at [planningprt@cabq.gov](mailto:planningprt@cabq.gov). Please include the PA# with your inquiry.*

## Additional Notes:

- *History:*
  - On February 13, 2014, the Environmental Planning Commission (EPC) approved the Heritage Marketplace Site Plan for Subdivision. Project number: #100275; 13EPC-40148.
- *Development Standards:*
  - Subject site is within the Unser Boulevard Small Area. You may view specific development standards in regards to On & Off-Premise Signs on [Table II](#).
  - The subject site is within the Heritage Marketplace Site Development Plan and is required to meet all design and land use guidelines as defined in the approved Site Development Plan.

## Applicant Questions:

1. The Heritage Marketplace Site Development Plan did not anticipate the proposed use, but it is permitted under the site's zoning district MX-L. Can the Applicant apply for a Site Plan – Major Administrative Amendment application through DFT? What would be triggers that would require a Major Amendment through EPC Site Plan approval process vs. DFT?

A.) Per [IDO§14-16-6-4\(X\)\(2\)\(12\)](#) a change of permissive uses to allow a school use on the Site Development Plan would require a Major Amendment, which is determined by EPC. DFT can only process Minor Amendments.

[Table 6-4-4: Allowable Minor Amendments](#), provides information as to what will trigger a Minor vs. Major Amendment. It is also recommended you review the following sections for Minor vs Major Amendments – [14-16-6-4\(X\)\(2\) – Minor Amendments](#); [14-16-6-4\(X\)\(3\) – Major Amendments](#); and [14-16-6-4\(Y\) – Amendments of Pre-IDO Approvals](#).

2. We assume that a Minor Administrative Amendment would still be required to ensure compliance with the Design Standards of the approved Site Plan for Subdivision. If deviations from these design standards are needed, what is the process for requesting and obtaining approval for those deviations?

A.) Pursuant to [IDO§14-16-6-4\(N\) - Deviations](#); deviations are only allowed to IDO specific design standards, deviations of Site Development Plan design standards are not allowed.

3. If this is a Major Amendment that requires EPC approval, does the new site plan become an independent governing document, or does it remain subject to the design standards of the previous approval? Additionally, what steps would be necessary to opt out of the previous site plan approval and gain approval for a fully independent new site plan?

A.) Following a Major Amendment, the site will remain subject to the design standards of the previously approved site development plan.

Should the subject site repeal itself from the Heritage Marketplace Site Development Plan, which would require a EPC – Major Amendment per [IDO§14-16-6-4\(X\)\(3\)\(b\)](#), then the new site plan, and future development on the site, would be subject to the development and design requirements of the MX-L zone district, Unser Boulevards Small Map Area and Integrative Development Ordinance (IDO).

Alternatively, should you decide to request an Major Amendment – EPC, to change the allowed uses in the Heritage Marketplace Site Development Plan, if approved, you can proceed to a Site Plan-Administrative for Site Plan approval, however, adherence to all Heritage Marketplace standards would still apply.

4. The Applicant is looking at leasing a portion of the ~9 AC property and subdividing. Could the platting action take place on a parallel track with DHO?

A.) No, a replat will need to be requested through EPC as a Major Amendment to the Heritage Marketplace Site Development Plan. When the Site Development Plan was approved, along with the land uses and development standards, the established tracts and overall boundaries of the plan were also a part of that approval and the site plan would need to be amended in order to subdivide any portion of the lots.

5. The school is wanting to place murals on street-facing frontages. Is that something that would be permissive via the IDO / Marketplace standards?

A.) Generally speaking, yes murals would be allowed, however, depending on the context of the mural, it could be considered a sign, and sign standards in the Heritage Marketplace Site Development Plan would need to be reviewed and met.

June 6, 2025

Environmental Planning Commission  
City of Albuquerque  
600 2nd St NW, Albuquerque, NM 87102

RE: RioGAFA,  
1700 Unser Blvd (UPC# 100905952600140105)  
EPC Site Plan Major Amendment

Dear Planning Commission Members,

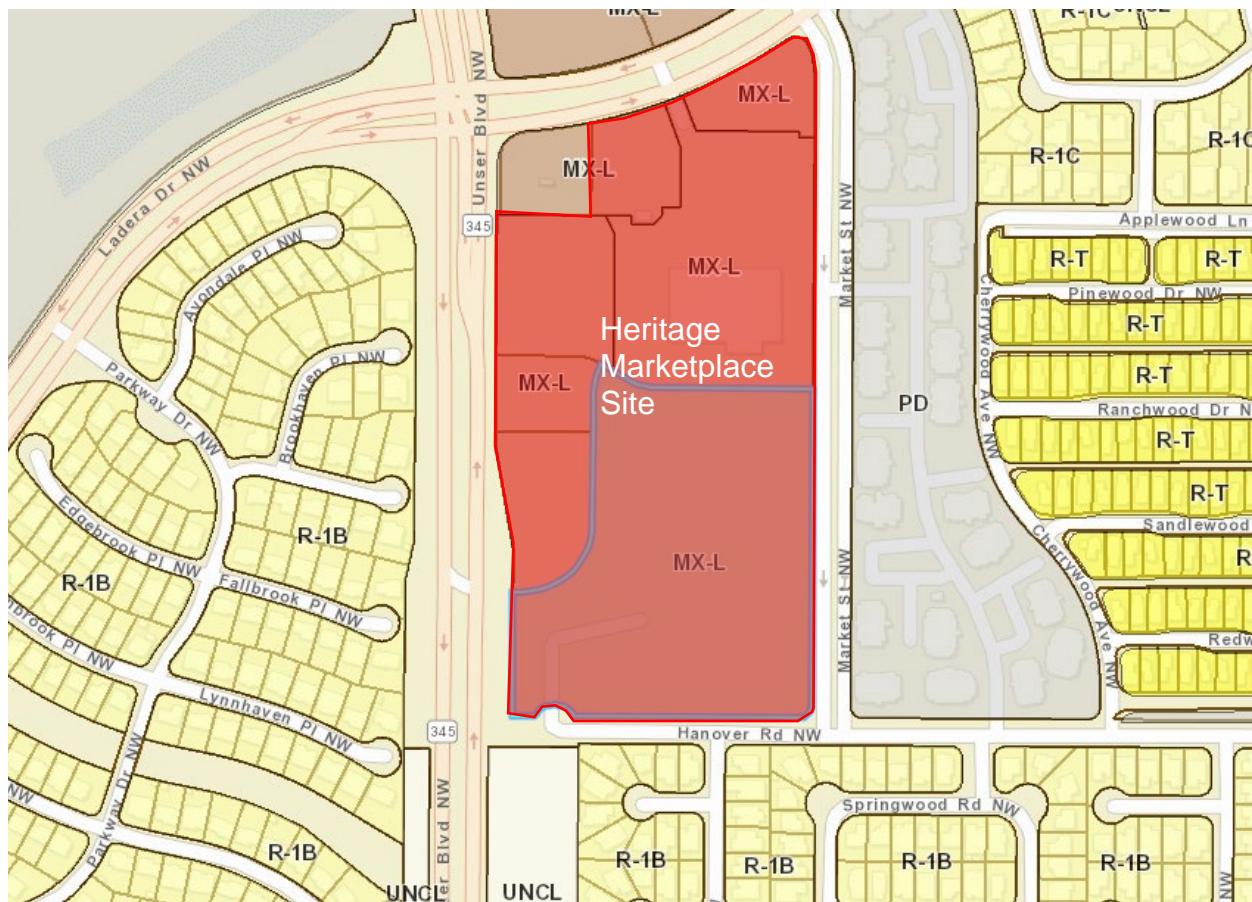
Dekker, as the agent for Rio Grande Academy of Fine Arts (RioGAFA), is seeking EPC approval to remove the property located at 1700 Unser Blvd from the approved Heritage Marketplace Site Plan for Subdivision and its associated design standards.

**Location:**

The vacant subject site located at 1700 Unser Blvd (UPC# 100905952600140105) is approximately 20 acres. The property is located next to major crossroads of Unser Blvd and Ladera Dr with Market St NW located on the east property line and Hanover Rd on the NW property line.

**Zoning:**

The subject site is zoned MX-L, Mixed-use Low Intensity Zone District and not within any overlay zones.



**Comprehensive Plan Designations:**

The subject property is located in the West Mesa Community Planning Area (CPA) and within an Area of Consistency.

**Surrounding Area:**

The subject property is currently within the Heritage Marketplace Site Plan for Subdivision which consists of commercial uses such as retail, restaurant, medical office, and personal services. The chart below depicts applicable zoning districts and uses surrounding the property.

Direction	North	South	East	West
Zone	MX-L	R-1B	PD	R-1B
Use	Commercial	Single-family	Apartments	Single-family

**Request:**

This request is for a Major Amendment to an approved EPC Site Plan to remove the subject property from the approved Heritage Marketplace Site Plan for Subdivision and its associated design standards. Prior to the adoption of the IDO in 2018, the City utilized a two-tiered site plan approval process; Site Plan for Subdivision that accompanied subdivision actions, and Site Plans for Building Permit that were similar to the site plan reviews/approval framework of the IDO. The subject site is governed by the Heritage Marketplace Site Plan for Subdivision, which was originally adopted in 2015 and included 8 parcels intended for commercial uses to facilitate the creation of a neighborhood commercial center. As was common for Site Plan for Subdivisions, this site plan included associated design standards that governed future development. It includes standards for building design, landscaping, etc.

The Heritage Marketplace Site Plan for Subdivision has been amended several times over the years to accommodate new tenants. Most recently in 2022, the Environmental Planning Commission (EPC) voted to approve a Site Plan – Major Amendment for Project # PR-2022-007141 for a townhouse development. The approval delegated final sign-off authority of the Development Facilitation Team (DFT). The applicant could not locate a DFT signed site plan and therefore assumes that final approvals for the townhouse development were never finalized. Additionally, the Preliminary Plat and Vacation of Easements associated with the townhome development have expired. The applicant understands these approvals are therefore no longer valid and is not relying on the approvals Project # PR-2022-007141 for this request. The current developer is ultimately seeking to build a charter school on the subject site. The applicant team anticipates a future Site Plan – DFT to entitle the proposed charter school subsequent of this request.

The current Heritage Marketplace design standards heavily restrict the exterior material choices which are tailored for commercial uses to create a shopping center with a consistent “look” with color, roofing, building façade materials, and sign requirements. The applicant is requesting to remove themselves from the Heritage Marketplace Site Plan for Subdivision to provide more flexibility in site development that will still be informed by the surrounding land uses but not be required to mimic a commercial storefront in its choice of exterior finishes.

The approved Heritage Marketplace Site Plan for Subdivision allows for uses as enumerated under a C-1 Neighborhood Zone. When the City adopted the IDO, the C-1 Zone District was converted to MX-L, for which the site is currently zoned so permissive uses are compatible between current and past approvals.

Approval of this request complies with the criteria of IDO 6-6(I)(3) Review and Decision Criteria for a Site Plan - EPC approval of the IDO as outlined below.

---

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

**Applicant Response:** The RioGAFA – EPC Site Plan Major Amendment to removal from the Heritage Marketplace Site Plan for Subdivision is consistent with the ABC Comp Plan, furthering the outlined goals and policies as follows:

*P 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:** The vacant subject site is located at the southern end of the Heritage Marketplace and surrounded by existing residential neighborhoods to the east and south. The Heritage Marketplace Site Plan for Subdivision allows permissive uses consistent with the former C-1 Neighborhood Commercial zone and office uses. With the adoption of the Integrated Development Ordinance (IDO), the site was converted to Mixed-Use Low (MX-L), which allows a similar mix of neighborhood-serving uses that were originally intended for the site.

*The requested action therefore maintains the existing zoning and range of uses and seeks to incentivize the development of the permissive non-commercial uses by removing overly prescriptive design standards specifically written for commercial development from the previously approved site plan. Incentivizing a greater mix of neighborhood-serving uses that are conveniently accessible to surrounding neighborhoods supports the development of a healthy, sustainable, and walkable community where residents can access goods and services by walking or biking rather than relying solely on a car.*

*If approved, the request to remove the subject site from the governing site plan, would mean that future development is compliant with the standards of the IDO, rather than those of the Heritage Marketplace Site Plan for Subdivision. This change therefore facilitate and encourages the development of healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods as desired in Policy 5.2.1.*

*G 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 subject site is within a fully developed portion of Albuquerque's West Side, surrounded by existing residential neighborhoods and a commercial center. All major public infrastructure is in place. The request to remove the subject site from the Heritage Marketplace Site Plan does not alter the site's zoning or introduce new land uses – similar land uses that were originally intended to be served on site and therefore wouldn't increase necessary infrastructure capacities.

Allowing development under the current MX-L zoning facilitates the efficient infill development of a range of neighborhood-serving on a site integrated into the existing commercial center and fully utilizes existing infrastructure. This supports cost-effective

infill development and avoids the need for public investment in new infrastructure. In this way, the request directly supports Goal 5.3 by promoting efficient development patterns that maximize existing public investment and make productive use of underutilized land.

*P 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.*

**Applicant Response:** The subject site is located within a developed urban area, surrounded by established residential and commercial uses that is well served by existing infrastructure. Despite past delays on development, this site remains ideal due to its location and existing infrastructure.

Removing this infill site from the Heritage Marketplace Site Plan and its associated design standards that were written specifically for commercial uses may incentivize development of a greater range of uses permitted under the MX-L zones. Doing so supports additional infill development in areas with existing infrastructure and public facilities and is consistent with the policy to promote growth in such locations.

*G 5.4 Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.*

**Applicant Response:** The site is situated on Albuquerque's West Side, an area where residential development has historically outpaced employment opportunities. Removing the subject site from the current Heritage Marketplace Site Plan allows for more flexible development under MX-L zoning, including office, commercial, or community-serving uses that can generate jobs. This flexibility helps attract investment in employment-supportive uses in a location already surrounded by housing, directly supporting the goal of balancing jobs and housing, particularly west of the Rio Grande.

*P 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.*

**Applicant Response:** The West Side includes a high concentration of housing and a relatively lower concentration of employment centers. Allowing development of a mix of uses permissive under MX-L zoning, free from the design requirements in the Heritage Marketplace Site Plan clearly written for commercial uses that may not apply, enhances the site's viability for job-creating uses. This flexibility supports development that can attract employers and accommodate a local workforce, directly advancing the policy goal to foster more employment opportunities on the West Side.

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

**Applicant Response:** The site is located within an Area of Consistency, where development should maintain the existing scale and character of the surrounding neighborhoods. The existing Heritage Marketplace Site Plan includes commercial standards that may not apply to the greater mix of use allowed in the MX-L zone. Removing the parcel from the Site Plan allows for development under MX-L standards that more appropriately reflect those uses. Future development would still need to comply with the design standards of the IDO, which includes protections to ensure

future development in and near Areas of Consistency reinforces the character and intensity of the surrounding area as required by Goal 5.6.

**Policy 5.6.3 – Area of Consistency: *Ensure that development reinforces the scale, intensity, and character of the surrounding built environment.***

**Applicant Response:** The subject site is located within an Area of Consistency, where development is expected to align with the existing character, scale, and intensity of the surrounding built environment. The request to remove the Heritage Marketplace Site Plan and instead apply the IDO MX-L zone standards does not introduce new land uses or change the underlying zoning. The site will continue to operate under the same base zone, MX-L, which directly corresponds to the former C-1 zone under the previous zoning code.

The original C-1 zoning, which was converted to MX-L under the IDO, primarily permitted commercial uses. The IDO's MX-L zone maintains this commercial intent but expands flexibility to allow a broader range of low-intensity, neighborhood-scale uses. Notably, some uses that were previously permitted by right, such as alcohol sales or vehicle dealerships, now require a Conditional Use approval, providing additional safeguards. Lower intensity residential uses such as single-family dwellings, townhouse, limited multi-family previously prohibited, are now allowed in limited forms, to promote a more integrated, mixed-use development pattern consistent with contemporary planning goals. **This request does not propose a zone change or introduce any new permissive uses to the site.** Instead, it removes the site from having to comply with the specific Heritage Marketplace Design Standards for items like building design and landscape. If approved, future development to be guided by the general IDO regulations applicable citywide. The IDO includes specific design standards intended to ensure new development remains compatible with surrounding neighborhoods. For example, step-down requirements for building heights and required landscape buffers directly address transitions between commercial development and adjacent residential areas. These provisions help ensure that any future development will continue to reinforce the scale, intensity, and character of the surrounding environment, in direct support of Policy 5.6.3.

**Use Comparison: Former C-1 vs. Current MX-L (IDO Table 4-2-1 Categories)**

IDO Use Category	Former C-1 (Permissive Uses)	MX-L (IDO)	MX-L Permissions
Residential	Not allowed	Dwelling, single-family, townhouse, multi-family (limited to smaller-scale configurations)	P (with limits by building type)
Group Living	Not allowed	Assisted living, small group homes	C
Civic and Institutional	Libraries, churches, community centers	Schools, day care (child/adult), religious facilities, community centers	P
Recreation and Entertainment	Studios, small gyms	Fitness, dance, yoga, martial arts studios	P
Retail Sales	Grocery stores, general merchandise, pharmacies	General retail under 15,000 sf  Alcohol package sales	P  C (with distance standards)
Food and	Restaurants, cafes,	Restaurants, bars/taprooms,	P (bars: C in

IDO Use Category	Former C-1 (Permissive Uses)	MX-L (IDO)	MX-L Permissions
Beverage	bakeries	bakeries	some cases)
Lodging	Hotels and motels	Hotels and motels	P
Office	Medical and professional offices, financial institutions	Offices (professional, medical/dental), financial institutions	P
Services – Personal/Repair	Dry cleaning, tailoring, shoe/key/watch repair, small appliance services	Personal and business services, salons, laundromats, repair services	P
Vehicle and Equipment	New car dealerships with ancillary automobile servicing	Light vehicle sales/rental Vehicle repair	C N
Industrial – Artisan	Not permitted	Artisan manufacturing (e.g., small-scale fabrication)	P
Agricultural	Not addressed	Community gardens, urban agriculture (as accessory use)	P (Accessory)
Infrastructure / Utilities	Parking lots, wireless telecommunication facilities	Structured and surface parking, wireless telecommunication facilities (as accessory, subject to standards)	P (Accessory)
Temporary Uses	Not typically specified	Temporary outdoor sales/events (with standards)	P

**Goals 6.2 – Multi-Modal Systems:** Encourage walking, biking, and transit, especially at peak-hour commuting times, to enhance access and mobility for people of all ages and abilities.

**Applicant Response:** A broader mix of uses enabled by removing outdated design standards supports local services and employment options closer to residential areas, encouraging walkable access and shorter trips. This aligns with transportation goals and reduces reliance on auto-oriented development.

**POLICY 6.2.3 Pedestrian & Bicycle Connectivity:** Provide direct pedestrian and bicycle access to and circulation within Centers, commercial properties, community facilities, and residential neighborhoods.

**Applicant Response:** By removing the site from the Heritage Marketplace plan, future development will be governed by IDO requirements, which include standards for pedestrian and bicycle access. These updated regulations will ensure that any new development provides direct connectivity to surrounding neighborhoods and supports active transportation—consistent with the policy to improve pedestrian and bicycle circulation in developed areas.

**Policy 6.4.2 – Air Quality:** Reduce the adverse effects of automobile travel on air quality through coordinated land use and transportation that promote the efficient placement of housing, employment, and services and improve the viability of multi-modal transportation options.

**Applicant Response:** Removing the site from the Heritage Marketplace Site Plan may incentivize infill development with a range of low-intensity land uses on a vacant infill

site located near established neighborhoods and a commercial center. The site's location near housing and commercial uses supports land use patterns that reduce vehicle trips and travel distances. This coordinated approach helps minimize automobile dependency and emissions, directly supporting the policy goal to improve air quality through efficient land use and transportation decisions.

**P 7.3 – Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.**

**Applicant Response:** The original intent of the Heritage Marketplace Site Plan for Subdivision was to establish a commercial center that would serve nearby residential neighborhoods. The uses envisioned under the former C-1 zoning—now converted to MX-L—were neighborhood-scale commercial and office uses designed to meet everyday needs within a walkable distance. That foundational intent remains unchanged.

What has changed is the understanding of how a neighborhood center can best serve its community. While the original design focused on a more uniform, retail-centric model, current planning principles and community needs point toward more diverse, mixed-use centers that go beyond shopping to include educational, civic, and light industrial uses. These centers are central to creating complete communities, where residents can live, work, learn, and gather in a safe, attractive, and cohesive environment.

The proposed removal of the site plan for Tract B would not alter the types of uses allowed; it would simply remove design standards that are overly focused on a single development typology. Under MX-L zoning, the site can still accommodate neighborhood-serving commercial uses while also supporting additional community-beneficial uses—such as schools, community centers, or artisan businesses—that reinforce local identity and build a stronger sense of place.

Allowing the site to develop under current IDO standards promotes a more flexible, context-sensitive approach that reflects how the community has grown and what it now needs. This shift supports the City's long-term vision of walkable, mixed-use nodes that feel authentic to their surroundings and adaptable over time. In this way, the proposed action advances—not departs from—the original purpose of the site, while aligning more fully with contemporary goals for placemaking and complete communities.

**P 7.3.2 Community Character:** Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

**Applicant Response:** The Heritage Marketplace design standards were originally created to support a commercial center model typical of early 2000s development trends—focused on retail uses along high-traffic corridors like Unser Boulevard. These standards sought to promote a cohesive, car-oriented shopping experience through requirements such as tiled roofs and uniform façade treatments. This approach helped establish the successful retail node to the north of the site.

However, the site's context and community needs have evolved. Today, there is a growing emphasis on creating complete communities—places that offer a broader mix of goods, services, and public uses that are easily accessible to surrounding residential neighborhoods. The existing standards, narrowly tailored to a traditional shopping center model, no longer reflect this direction.

The proposed removal of the Site Plan for Subdivision for Tract B would not introduce any new uses; the site has long permitted commercial and community-serving uses under the existing MX-L zoning. What the removal would provide is greater design flexibility—allowing future development to establish an identity that is complementary, but not duplicative of the adjacent commercial center. Instead of replicating a retail-only environment, the site could accommodate a more diverse, sustainable, and community-responsive mix of uses, such as educational, civic, or artisan components.

The MX-L zoning framework ensures that any future development will be held to high design and compatibility standards while also being adaptable to changing community needs. Removing the restrictive Heritage Marketplace standards will enable the site to evolve in a way that reinforces the area's distinct identity, enhances walkability and safety, and ultimately results in a more attractive and locally relevant community hub.

*P 7.3.3 – Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods. [ABC]*

**Applicant Response:** The IDO includes design and compatibility standards that support placemaking through human-scaled development, walkability, and contextual transitions. Removing the site from the plan allows future development to respond to local context and incorporate modern placemaking strategies. These could include neighborhood-oriented uses, varied building forms, and public-facing open spaces—all of which help strengthen district identity. This supports Policy 7.3.3 by facilitating a more authentic and enduring sense of place.

*POLICY 7.3.5 Development Quality: Encourage innovative and high quality design in all development. [ABC]*

**Applicant Response:** The Heritage Marketplace design requirements are written for commercial uses. The MX-L zoning allows a greater mix of neighborhood serving uses that may be better served under the IDO standards which provide more flexibility. By removing the site from this plan, future development will follow the citywide IDO standards, which provide a flexible framework for achieving both high-quality and innovative design. Design standards of the IDO include building articulation, transparency requirements, pedestrian orientation, and buffering to promote development that meets contemporary expectations for quality and performance. The proposal directly supports Policy 7.3.5 by enabling the site to evolve in a way that encourages design excellence and innovation.

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

**Applicant Response:** The request seeks to remove the subject site from the previously approved Site Plan for Subdivision. Upon removal, the site will comply with the standards and regulations of the underlying zone district as established by the IDO. To the applicant's knowledge there was no previous approval of prior NR-SU or PD zoning.

*6-6(l)(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:** Any future Site Plans for the subject property will be required to comply with all applicable provisions of the IDO, the DPM, and other relevant City regulations. No prior conditions of approval will remain in effect following the removal of the existing Site Plan for Subdivision.

**6-6(l)(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 applicant is actively working to obtain all required pre-approvals from relevant City departments to ensure that any proposed development on the site can be adequately supported by existing infrastructure systems, including streets, sidewalks, drainage, and other public improvements. Any deficiencies in infrastructure, such as areas where sidewalks are currently non-existent, will be addressed and improved as part of a future Site Plan-DFT process. All necessary infrastructure will be provided in accordance with applicable IDO and DPM standards to ensure adequate service and connectivity.

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

**Applicant Response:** This request to remove the existing Site Plan for Subdivision does not propose any physical development at this time. However, the applicant is committed to ensuring that any future development will be subject to Site Plan – DFT review and will fully comply with all applicable City regulations, including those related to traffic, drainage, infrastructure, and buffering.

To proactively address potential concerns, the applicant has initiated outreach to the applicable neighborhood associations and offered to meet and discuss any proposed development and its use—exceeding the engagement requirements of the IDO. This early and voluntary engagement demonstrates a commitment to transparency and collaboration. The applicant will continue working closely with adjacent neighbors and stakeholders throughout the approval process to ensure that any impacts are thoughtfully considered and mitigated to the maximum extent practicable.

**6-6(l)(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 subject property is not located within the boundaries of an approved Master Development Plan. Therefore, this criterion does not apply. Any future development on the site will comply with all applicable standards of the underlying zone district and the Integrated Development Ordinance (IDO). The subject site is currently a MX-L zone district, all site access will comply with MX-L requirements with minimal impact on surrounding neighborhoods. Any additional traffic impacts will be governed through the site plan approval process.

Any area in which there is a natural landscape present will only be traversed via sidewalk or footpath for minimal impact on undisturbed native plants.

**6-6(l)(3)(g)** *If a cumulative impact analysis is required in the Railroad and Spur Small 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 subject property is not within a Railroad and Spur Small Area therefore a cumulative impact analysis is not required.

*6-6(l)(3)(h) – If an outdoor or site lighting performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of Section 14-16-5-2(E) without sufficient mitigation and benefits that outweigh the expected impacts.*

**Applicant Response:** At this stage, no specific development is proposed. However, any future development on the site will be required to demonstrate full compliance with the outdoor lighting standards established in Section 14-16-5-2(E) of the Integrated Development Ordinance (IDO). These standards are intended to minimize light trespass, glare, and sky glow—especially in proximity to residential areas—while ensuring appropriate lighting levels for safety, security, and visibility.

If a lighting performance analysis is required during site plan review, it will be provided to verify compliance. The use of fully shielded, cut-off fixtures and context-sensitive lighting design will ensure that potential impacts are appropriately mitigated. Any proposed lighting will be evaluated to confirm that the benefits to site users and the broader community outweigh any potential impacts to adjacent properties or the night sky.

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**Engagement:**

The project team provided adjacent Neighborhood Associations within 660', as provided by the ONC, notice to meet ahead of application submittal to gather public input. Any requests for meetings, sign-in sheets, and facilities meetings will be provided to Planning Staff for review and documentation.

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**Conclusion:**

Based upon the rationale presented in this letter, we respectfully request approval of this Site Plan Major Amendment – EPC to removal 1700 Unser Blvd from the Heritage Marketplace Site Plan for Subdivision. If you have any questions or need clarification of anything contained herein, please contact me at [willg@dekkerdesign.org](mailto:willg@dekkerdesign.org) or at (505) 761-9700.

Sincerely,



Will Gleason, AICP  
Principal, Dekker  
Agent for RioGAFA



# City of Albuquerque

Planning Department  
Development Review Services Division

## Traffic Scoping Form (REV 05/2024)

**Project Title:** Rio Grande Academy of Fine Arts

Zone Atlas Page: H9, H10, J9, J10 DFT/DHO #: PA-2025-00068. BP #:

Development Street Address: 1700 Unser Blvd NW, Albuquerque, NM 87120

(If no City Address include a Vicinity Map with site highlighted and legible street names)

**Applicant:** Bohannan Huston Contact: Kelly Klein

Address: 7500 Jefferson St NE, Albuquerque, NM 87109

Phone#: 505-823-1000 E-mail: [kklein@bhinc.com](mailto:kklein@bhinc.com)

Traffic Engineer: Jonathon Kruse, Lee Engineering

### Development Information

Build out/Implementation Year: 2026

Existing Use: Vacant

Describe Proposed Development and Uses:  
Charter School (K-12) with 1100 Students

Days and Hours of Operation (if known):

### Facility

Building Size (sq. ft.): 73000 - 95000 SF

Number of Residential Units: 0

Number of Commercial Units: 0

### Traffic Considerations

Expected Number of Daily Visitors/Patrons (if known):\* 1100 Students

Expected Number of Employees (if known):\*

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

Trip Generations during PM/AM Peak Hour and ITE # (if known):\* ITE 538 - 1034(AM) / 803(PM)

Driveway(s) Located on: Street Name Unser Blvd, Market St, Hanover Rd

Adjacent Roadway(s) Posted Speed: Street Name Unser Blvd Speed 45 mph

Street Name Market St Speed 30 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 (e.g. Main Street, Major Transit, N/A): **N/A**

<https://cabq.maps.arcgis.com/apps/webappviewer/index.html?id=53bf716981b14d25a31e7a2549c2d61b>

Comprehensive Plan Center Designation (e.g. urban center, Downtown, N/A): **N/A**

<https://cabq.maps.arcgis.com/apps/webappviewer/index.html?id=53bf716981b14d25a31e7a2549c2d61b>

Street Functional Classification (e.g. Principal Arterial, Collector): **Regional Principal Arterial**

<https://cabq.maps.arcgis.com/apps/webappviewer/index.html?id=53bf716981b14d25a31e7a2549c2d61b>

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

Adjacent Roadway(s):

Name: **Unser Blvd** Traffic Volume: **18467** Volume-to-Capacity Ratio (v/c): **0.32/0.52**

Name: **Market St** Traffic Volume: **N/A** Volume-to-Capacity Ratio (v/c):

Traffic Volume and V/C Ratio: <https://www.mrcog-nm.gov/623/Traffic-Flow-Maps-and-Busiest-Intersecti> and <https://mrcog-nm.gov/574/Transportation-Analysis-and-Querying-App>

Adjacent Transit Service(s): **N/A** Nearest Transit Stop(s): **Central & Unser**  
<https://www.cabq.gov/gis/advanced-map-viewer>

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

<https://cabq.maps.arcgis.com/apps/webappviewer/index.html?id=53bf716981b14d25a31e7a2549c2d61b>

Current/Proposed Bicycle Infrastructure: **Existing bike lanes on Unser Blvd and Ladera Dr**

Bikeways: <https://mrcog-nm.gov/544/Long-Range-System-maps>

Current/Proposed Sidewalk and buffer Infrastructure: **6' SW, 6-8' Buffer**

Sidewalk and buffer width : DPM Table 7.2.29

Submit by email to Traffic Engineer Curtis Cherne: [ccherne@cabq.gov](mailto:ccherne@cabq.gov). Email or call 505-924-3986 for information.

**For City Personnel Use:**

### 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 [ ] No [ ]**

Thresholds Met? Yes [ ] No [ ]

Mitigating Reasons for Not Requiring TIS and/or Notes:

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TRAFFIC ENGINEER

---

DATE

## PROJECT DATA

APN: 100905952600140105  
394,165 SF / 9.048 ACRES  
ZONING: MX-L  
SPECIAL USE: HERITAGE MARKETPLACE

## APPROX. BUILDING AREAS:

ADMIN BLDG 4,500 SF  
CLASSROOM BLDG 1 18,500 SF  
FUTURE PERFORMANCE HALL 8,000 SF  
FUTURE CLASSROOM BLDG 2 18,500 SF  
FUTURE CLASSROOM BLDG 3 18,500 SF  
FUTURE ADMIN EXPANSION 1,500 SF  
FUTURE PRE-K 4,000 SF  
**TOTAL BLDG SF 73,500 - 90,000 SF**

## PROJECT DESCRIPTION

A new charter school campus for Rio Grande Academy of Fine Arts to house up to 1100 students from grades Pre-K to 12th.

The initial construction will support their current K-8 students and will consist of an approximately 18,500sf classroom building with approximately 20 classrooms and a second 4,500sf building to house the administrative, kitchen, and cafeteria needs for the students.

The campus is designed to be able to grow over time as the student enrollment increases each year. Eventually adding a dedicated middle school building, high school building, and performance hall.

## PARKING CALCULATIONS

ALBUQUERQUE, NM / 5-5(C) Minimum Off-street Parking  
IDO PARKING REQ. - K-8 School / 2 stalls per Classroom  
IDO PARKING REQ. - High School / 1 stall per 4 Occ. in Assembly

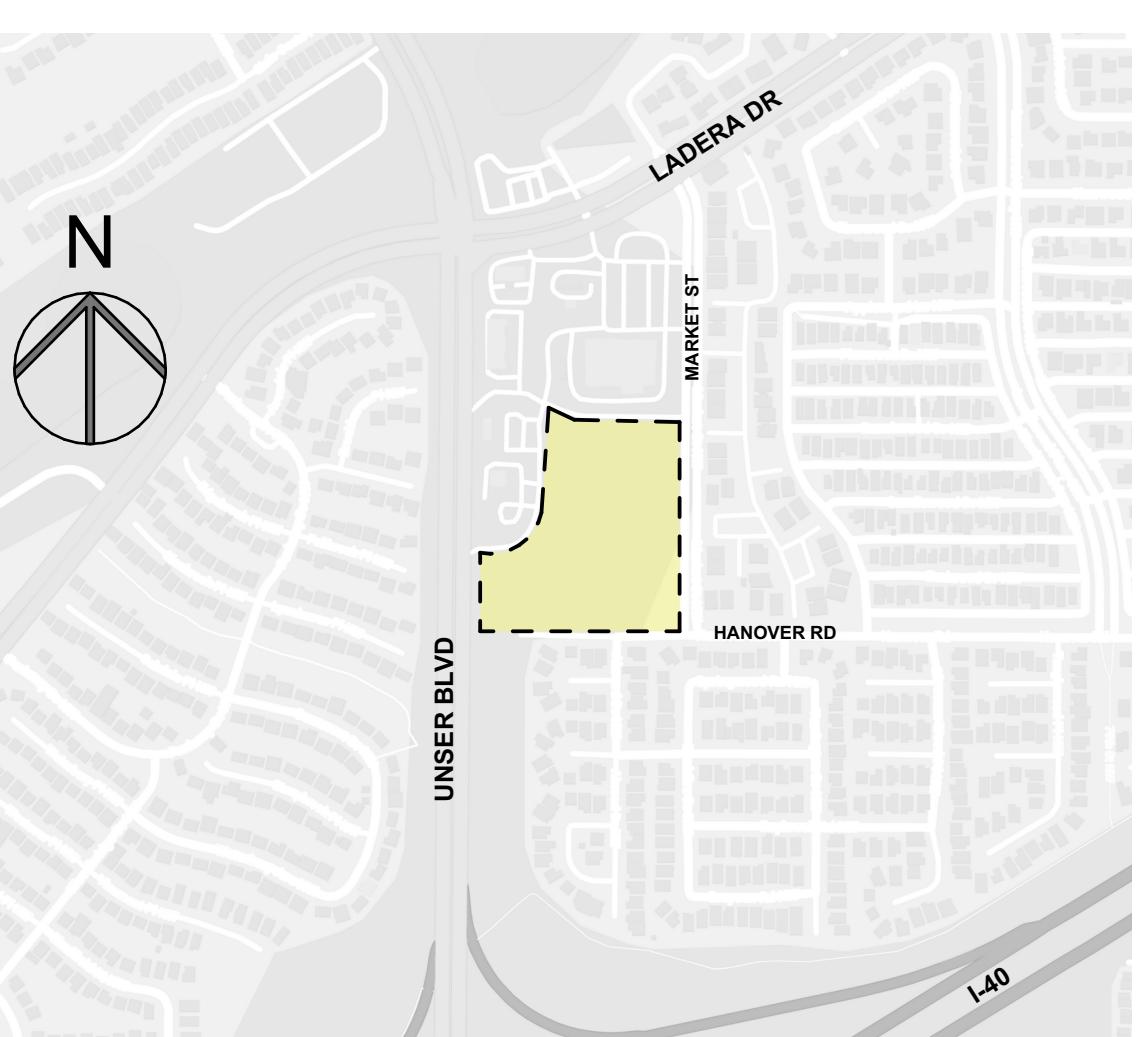
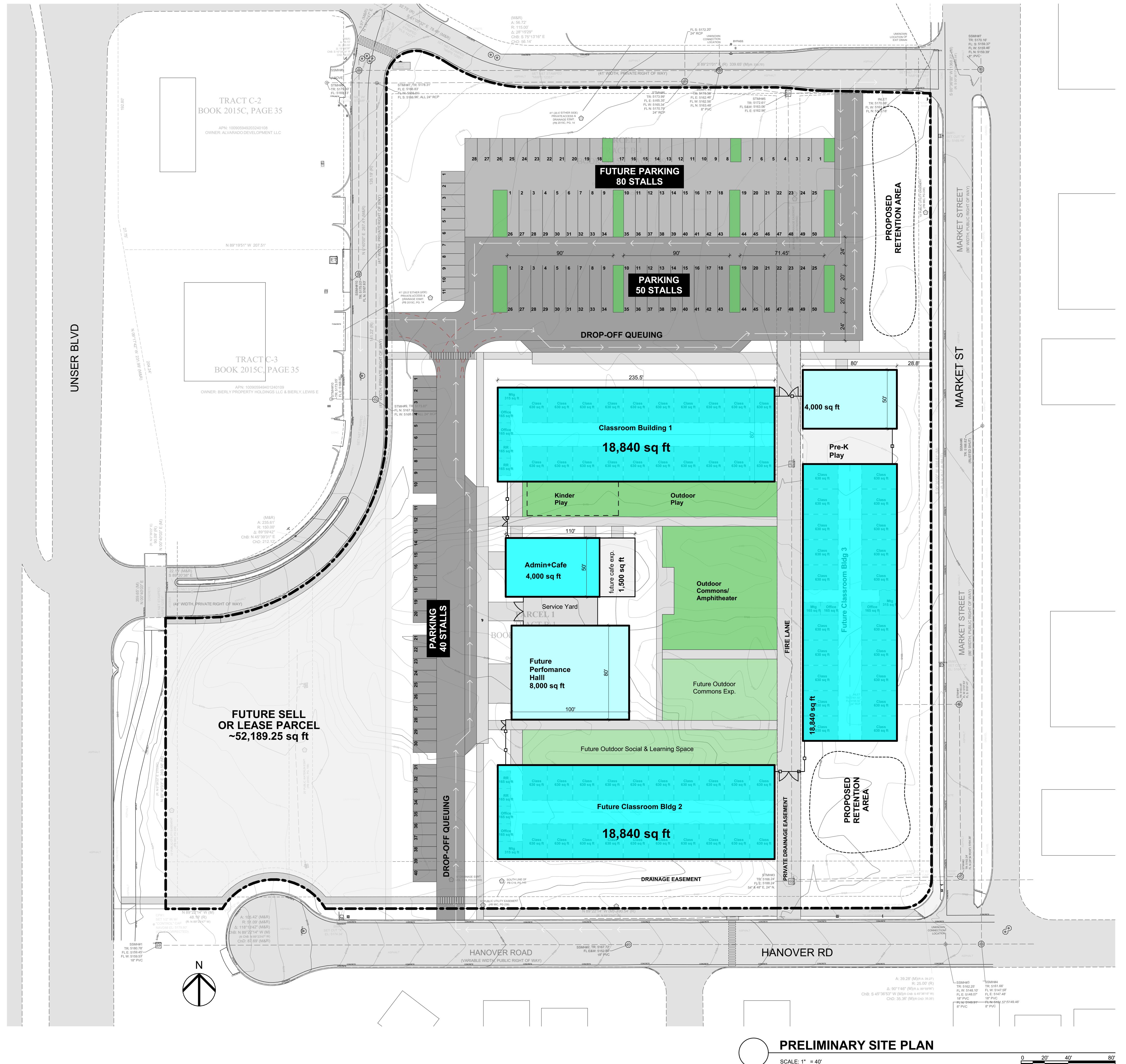
### K-8 School

Classrooms - 40  
Required Parking Estimate - 80 stalls  
Provided Parking - 90 stalls

### High School

Assembly Seating Capacity - 400  
Required Parking Estimate - 100 stalls  
Provided Parking - 100 stalls

**Total Estimated Required Parking: 180 Stalls**  
**TOTAL PARKING PROVIDED: 180 Stalls**



Rio Grande Academy Fine Arts NIA  
ITE Trip Generation Manual 12th Edition  
Jonathon Kruse, PE PTOE  
Lee Engineering

### Trip Generation

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Use	Units											
		Weekday AM Peak Hour					Weekday PM Peak Hour					
		Total	Enter	Exit	In	Out	Total	Enter	Exit	In	Out	
ITE 538 - Charter School (K-12)	1100	Students	1034	53%	47%	548	486	803	50%	50%	401	402



4/10/2025

# Land Use: 538

## Charter School (K-12)

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### Description

A charter school (K-12) is a school that is publicly funded and privately managed. The school serves students attending kindergarten through the 12th grade. The school may also offer extended care and day care. Elementary school (Land Use 520), middle school/junior high school (Land Use 522), high school (Land Use 525), private school (K-8) (Land Use 530), private school (K-12) (Land Use 532), private high school (Land Use 534), and charter elementary school (Land Use 536) are related uses.

### Additional Data

The sites were surveyed in the 2010s in Minnesota and Nevada.

### Source Numbers

1039, 1047

# Charter School (K-12) (538)

Vehicle Trip Ends vs: Students

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: 2

Avg. Num. of Students: 613

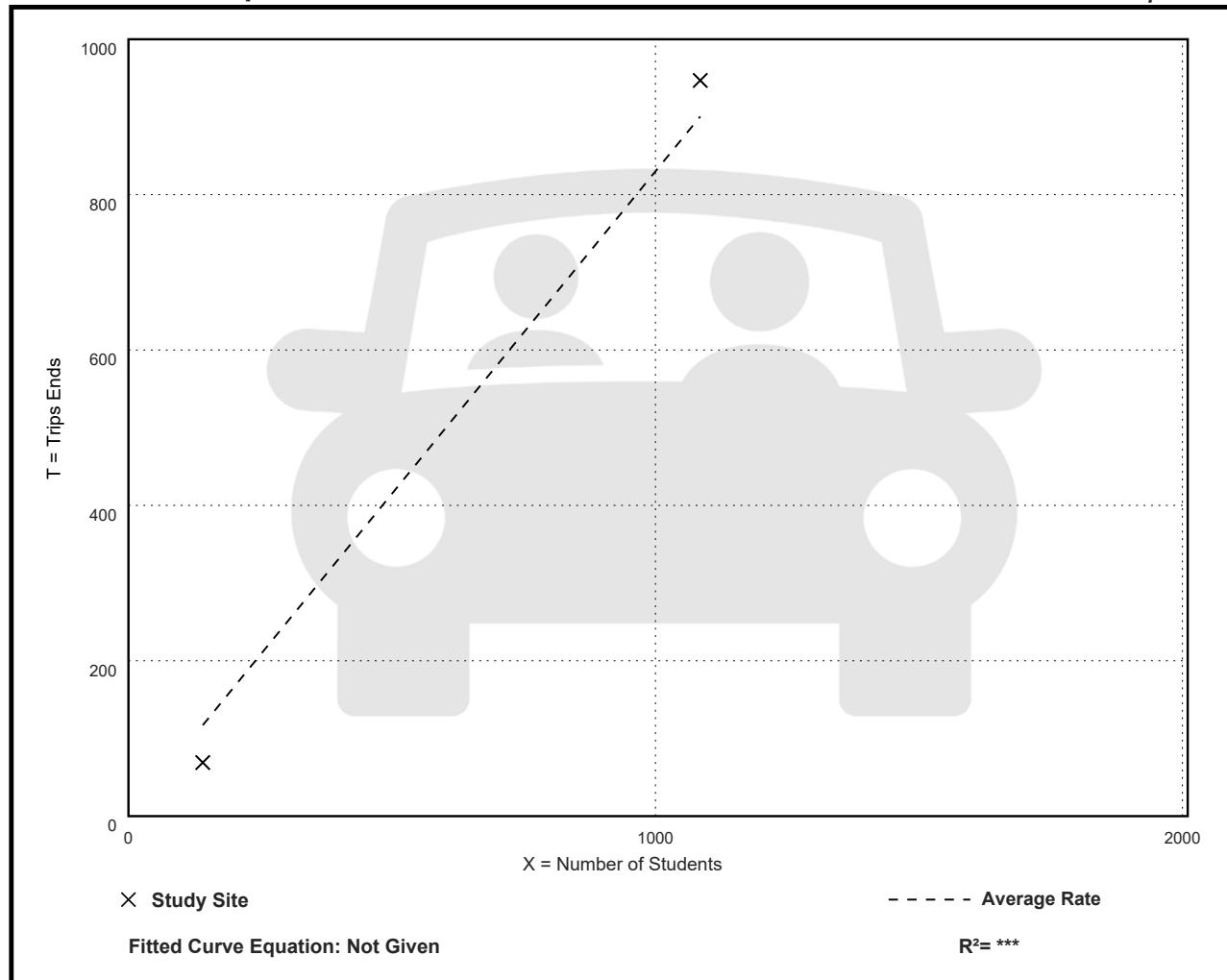
Directional Distribution: 51% entering, 49% exiting

## Vehicle Trip Generation per Student

Average Rate	Range of Rates	Standard Deviation
0.83	0.49 - 0.87	***

## Data Plot and Equation

*Caution – Small Sample Size*



# Charter School (K-12) (538)

Vehicle Trip Ends vs: Students  
On a: Weekday,  
AM Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 4

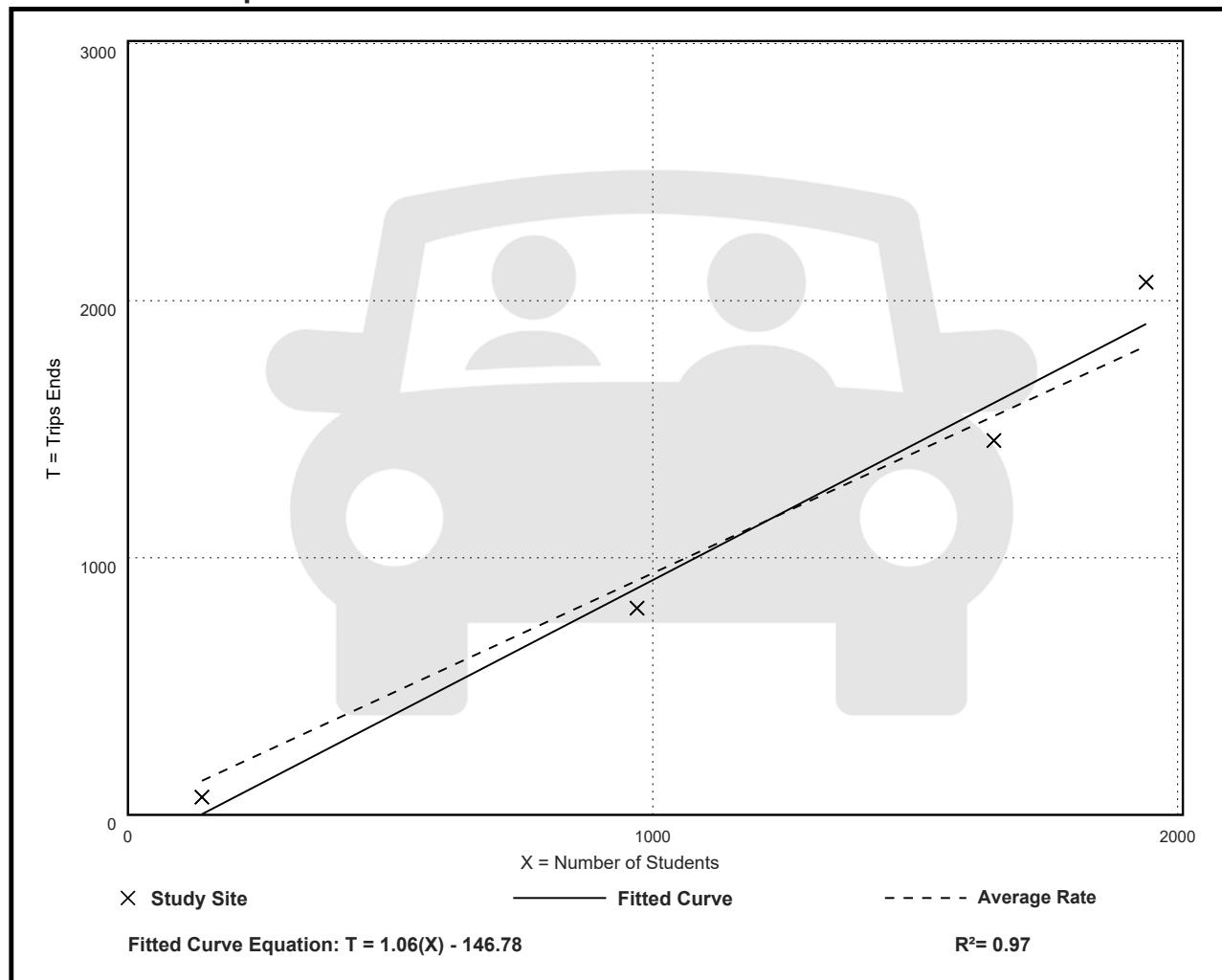
Avg. Num. of Students: 1175

Directional Distribution: 53% entering, 47% exiting

## Vehicle Trip Generation per Student

Average Rate	Range of Rates	Standard Deviation
0.94	0.49 - 1.07	0.15

## Data Plot and Equation



# Charter School (K-12) (538)

Vehicle Trip Ends vs: Students  
On a: Weekday,  
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 4

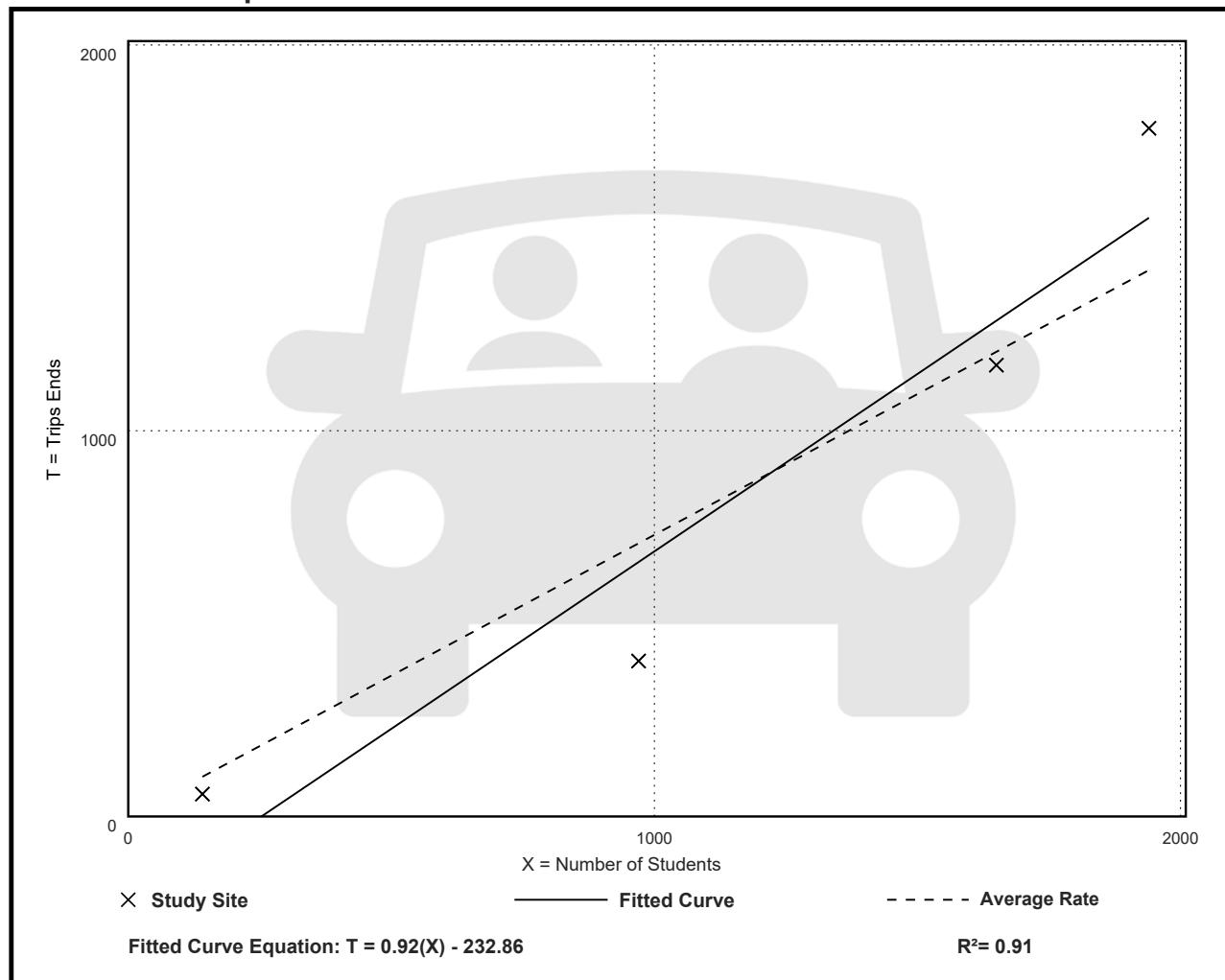
Avg. Num. of Students: 1175

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Student

Average Rate	Range of Rates	Standard Deviation
0.73	0.41 - 0.92	0.23

## Data Plot and Equation



# Charter School (K-12) (538)

Vehicle Trip Ends vs: Employees  
On a: Weekday,  
AM Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 3

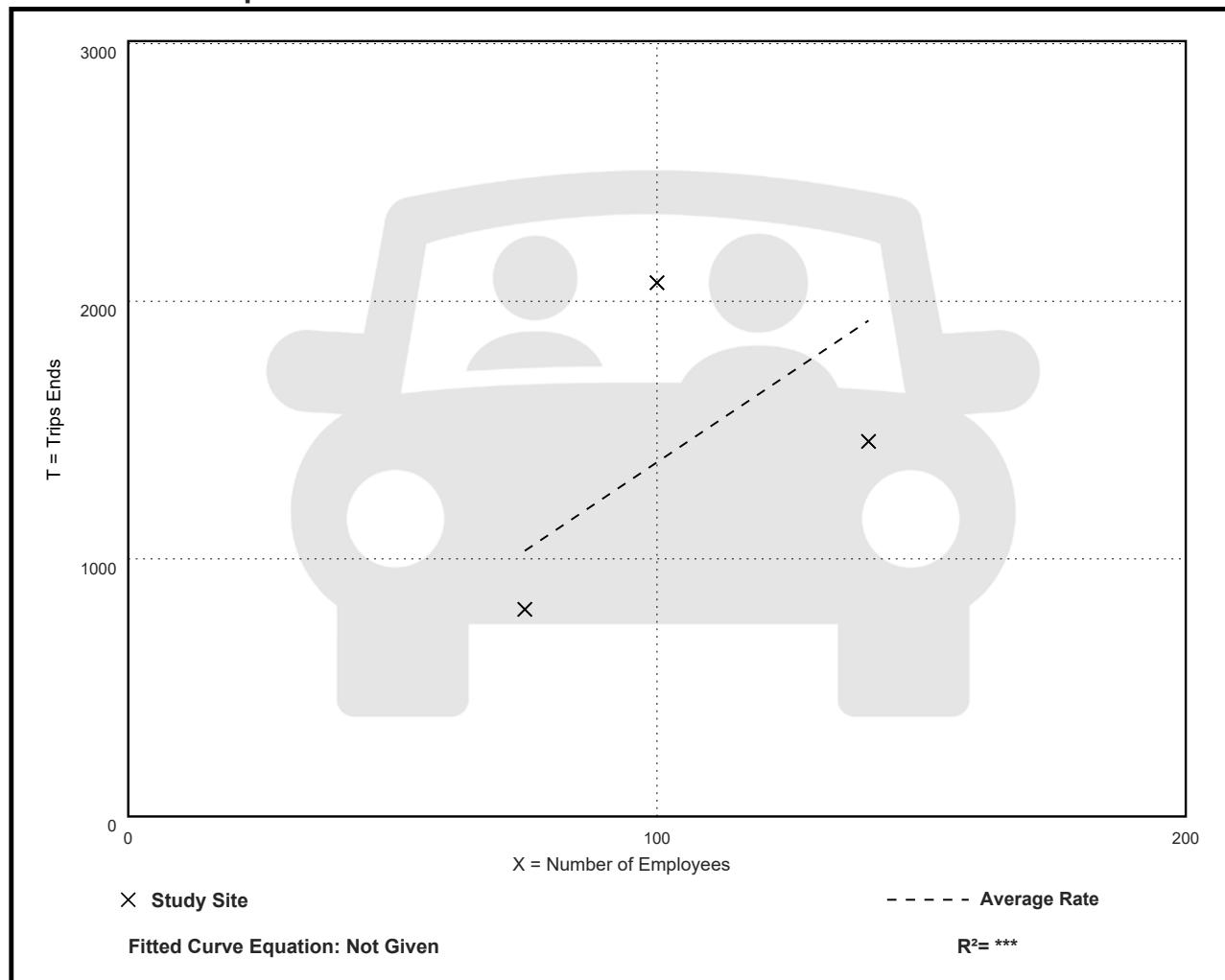
Avg. Num. of Employees: 105

Directional Distribution: 53% entering, 47% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
13.75	10.40 - 20.72	5.82

## Data Plot and Equation



# Charter School (K-12) (538)

Vehicle Trip Ends vs: Employees  
On a: Weekday,  
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 3

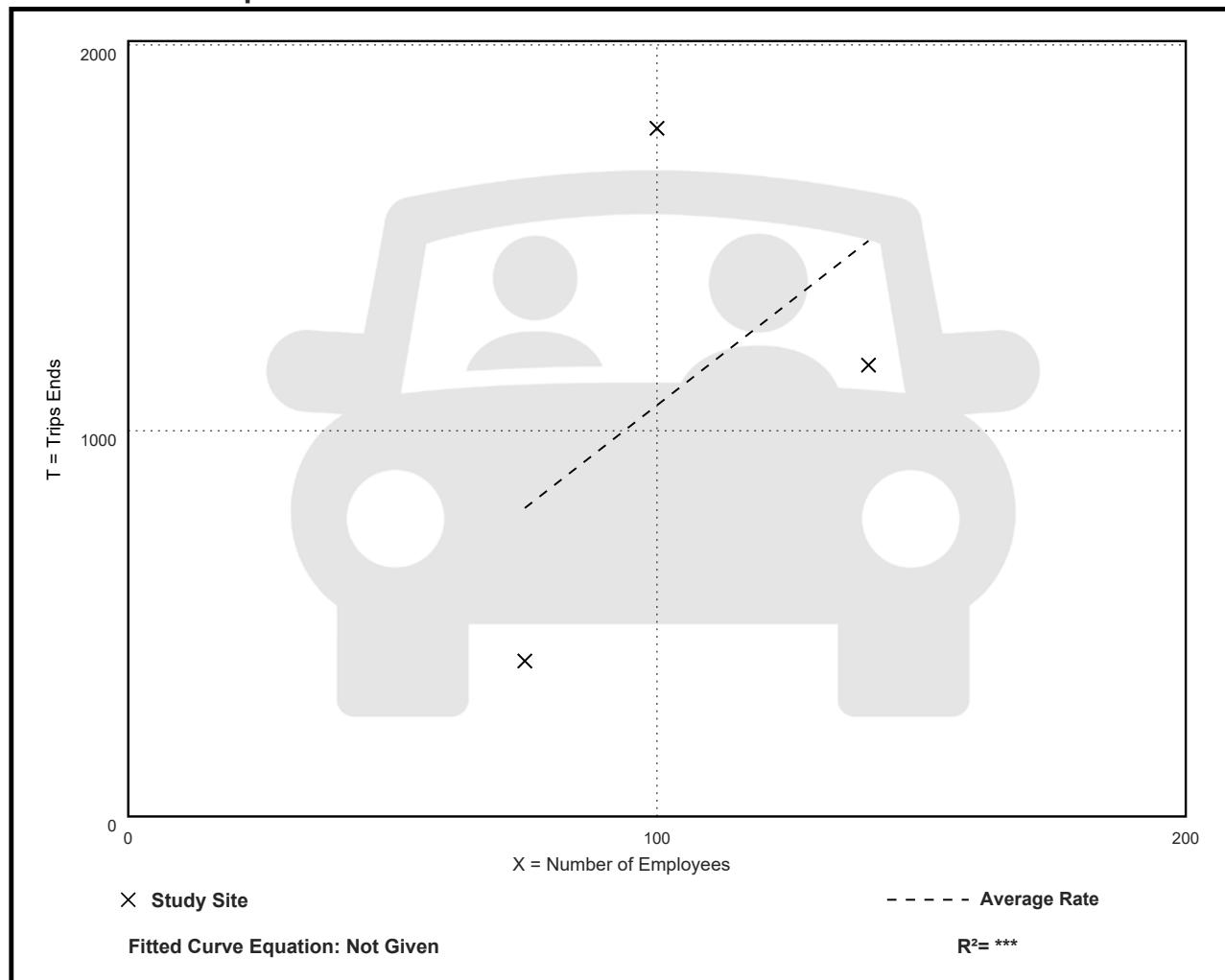
Avg. Num. of Employees: 105

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
10.66	5.37 - 17.84	6.17

## Data Plot and Equation





### SENSITIVE LANDS ANALYSIS FORM

The following administrative instructions outline submittal requirements that must accompany an application for subdivision of land or site design, as applicable, for sensitive lands (ref. §14-16-5-2 of the IDO). The analysis should be conducted and signed by the professional(s) skilled in that landform, i.e., civil engineer, landscape architect, or geotechnical engineer.

Applications must include:

1. An inventory of each sensitive land feature, including:
  - a. Location of features on a scaled map overlaid on an aerial photo;
  - b. Photographs to capture all angles of the feature(s);
  - c. Pertinent dimensional descriptions (see detail in table); and
  - d. Other details (see table).
2. For each sensitive land featured, identify those features that will be saved. Identify how the feature will be protected during construction. For any features that will not be saved, provide justification as to why it is not practicable to save this feature.

Sensitive Lands Table

FEATURE	MAP LOCATION	PHOTOS	DIMENSIONS	OTHER DETAILS
Floodplains and flood hazard areas	X			FEMA map, LOMR
Steep slopes	X	X	Percentage or vertical to horizontal rise	Description of erosive forces
Unstable soils	X	X	Geotechnical report ref. existence of clay, blowing sand, and/or high-water table	Description of soil characteristics
Wetlands (constant supply of water)	X	X		Description of animal and plant species in ecosystem
Arroyos	X	X	Historical CFS Side slopes Width and depth	Identify the arroyo in the natural drainage system
Irrigation facilities (acequias)	X	X	Height and width of levee Location of toe of slope Is it a community or MRGCD facility?	Identify the acequia in the irrigation system
Escaracement	X	X	Slope Length	Existence of petroglyphs; description of escaracement face
Rock outcroppings	X	X	Height, length and width	Describe co-existence of trees and shrubs
Large stands of mature trees	X	X	Trunk caliper by species Number in each cluster Native species and non-native species?	Identify tree species and health <i>*Evaluation of City Forrester required</i>
Archeological sites	X			>5 acres, archeological certificate

The Sensitive Lands Analysis is based on these Comprehensive Plan Goals:

#### POLICY 11.3.1

##### Natural and Cultural Features:

Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes. [ABC]

- a) Minimize negative impacts and maximize enhancements and design that complement the natural environment, particularly features unique to Albuquerque, in development and redevelopment in light of the relationship to and effect upon the following:
  - i. Indigenous vegetation and other materials appropriate to landscapes;
  - ii. Topography and landscape features such as arroyos, the Rio Grande and Bosque, the foothills, and escarpments;
  - iii. Soils and erosion potential;
  - iv. Colors and textures of the natural environment; and
  - v. Scenic views from the public right-of-way
- b) Minimize the visibility of structures in highly scenic areas and on the western horizon as seen throughout the city through building design and materials that blend with the natural colors of the landscape and limit reflectivity.
- c) Protect important views from public rights-of-way through regulations on street orientation, site layout, building height, and signs.
- d) Encourage site design that enhances and leverages views to cultural landscapes.
- e) Encourage appropriate edge treatments, transitions, and buffers through site design and development standards for development adjacent to Open Space.
- f) Plat single-loaded streets to maintain scenic edges next to Open Space.
- g) Encourage reconstruction and revegetation to a natural setting.

11.3.1.1 Adopt site development standards and/or view protection overlays for orientation of new streets, building and wall height and placement, massing, frontage, color, signs, utilities, and/or tree preservation as needed to protect cultural landscapes and significant views from the public right-of-way along key corridors. [ABC]

#### POLICY 11.3.3

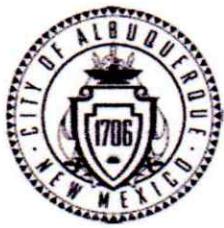
Bosque: Regulate development on adjacent lands to preserve and enhance the Bosque as an important cultural landscape that contributes to the history and distinct identity of the region, as well as nearby neighborhoods. [ABC]

- a) Minimize grading, changes to natural topography, and land disturbance to preserve natural features.
- b) Encourage reconstruction and revegetation to a natural setting on lands adjacent to the Bosque.

#### POLICY 11.3.6

Volcano Mesa: Preserve open space, natural and cultural landscapes, and other features of the natural environment within Volcano Mesa. [A]

- a) Respect Albuquerque's culture and history, including Hispanic and Native American, through context-sensitive development.
- b) Encourage development that is sensitive to the open, natural character of the area and geological and cultural conditions.
- c) Protect important views, vistas, and view corridors from within Volcano Mesa to the Rio Grande basin, across the city of Albuquerque, and to the Sandia Mountains.
- d) Protect the area's natural and archaeological resources, including the Monument and significant rock outcroppings, while encouraging urban development in the Volcano Heights Urban Center to create a vibrant, walkable district with an identity, character, and sense of place inextricably linked to the volcanic landscape.



**Tim Keller, Mayor**  
**Sarita Nair, CAO**

**City of Albuquerque**  
P.O. Box 1293 Albuquerque, NM 87103  
**Planning Department**  
Alan Varela, Interim Director

**DATE:** April 29, 2025

**SUBJECT:** Albuquerque Archaeological Ordinance - Compliance Documentation

**Case Number(s):** PR-2022-007141, AC-2025-00003

**Agent:** Dekker

**Applicant:** CSDCPC RioGAFA, LLC

**Legal Description:** TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B,

**Zoning:** MX-L

**Acreage:** 9.054

**Zone Atlas Page(s):** H-09-Z

**CERTIFICATE OF NO EFFECT:**  Yes  No

**CERTIFICATE OF APPROVAL:**  Yes  No

**SUPPORTING DOCUMENTATION:**

Historic Google Earth images, ARMS/NMCRIS Records

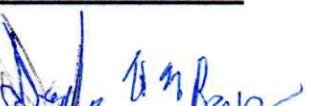
**SITE VISIT:** N/A

**RECOMMENDATIONS:**

The property was surveyed in 2013 under NCMRIS 128219. One site, LA 157788 was identified, an historic artifact scatter that has been determined ineligible for nomination to the NRHP. Therefore:

CERTIFICATE OF NO EFFECT ISSUED-under 6-5(A) (3)(a) criterion 1 "an archaeological investigation has been conducted..."

**SUBMITTED BY:**

 4/29/2025  
Douglas H. M. Boggess, MA, RPA Date

Senior Principal Investigator  
Acting City Archaeologist  
Lone Mountain Archaeological Services, Inc.

**SUBMITTED TO:**

Planning, Development Services

**D) STAFF INFORMATION**

May 27, 2025

TO: Jessica Lawlis, DPS Design  
Will Gleason, DPS Design

FROM: Catherine Heyne, Planner  
City of Albuquerque Planning Department

TEL: (505) 924-3310, [cheyne@cabq.gov](mailto:cheyne@cabq.gov)

RE: Site Plan - Major Amendment, 1700 Unser Blvd NW (SP-2025-00041)

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I've completed a first review of your request to remove 1700 Unser Blvd NW (SP-2025-00041) from the Heritage Marketplace Site Development Plan. We have a few questions and suggestions for the process. Following this review, we will be available to answer any questions. Please provide the following:

- ⇒ Revised Justification Letter uploaded to ABQ-Plan
- ⇒ Updated Site Development Plan Drawings

by **noon (12p), Tuesday, June 3, 2025.**

Note: If you have difficulty with this deadline, please let us know.

## 1) Introduction

- A. Although I've done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. This is what we have for the legal description for the Site Plan – EPC:
  1. **All or a portion of Tracts A-1, A-2, A-3, C-1, C-2, and C-3 Plats of Tracts A-1 thru A-3 and C-1 thru C-3 Heritage Marketplace (Being a Replat of Tracts A and C, Heritage Marketplace) and Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of TRACT B, Heritage Marketplace),** containing approximately 20.4 acres.
  2. **NOTE:** The entire Heritage Market Site Development Plan and associated property should be included as part of this project.
- C. It my understanding that you submitted a Major Amendment to the Heritage Market Site Development Plan to remove **all or a portion of Tract B-1 Plat of Tract B-1 Heritage Marketplace (Being a Replat of Tract B, Heritage Marketplace) containing approximately 9.1 acres** from the existing Site Development Plan for Subdivision so that the proposed future use of a Charter School would not have to conform to commercial design.
- D. The subject site is zoned MX-L in an Area of Consistency and West Mesa Community Planning Area. The subject site is not within an overlay zone, center, or corridor.
- E. Is there anything else you'd like to tell us about the request?

## 2) Process

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:  
<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing for June is the 26st. Final staff reports will be available one week prior, on June 18<sup>th</sup>\* at:  
<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>
- C. Staff will post agency comments to ABQ-Plan by the end of day on Wednesday, June 11, 2025. Any comments received by Staff after this date will be added to the case through ABQ-Plan online as soon as possible.

## 3) Application

We received the following materials as part of your Development Review Application:

1. **Letter of Authorization from Property Owner:** signed 04/25/25.
2. **Proof of Public Notification:** see point 4 below.
3. **Justification Letter:** see point 5 below.
4. **Zone Atlas Map:** see point 4.B below.
5. **Sign Posting Agreement:** see 4.D below.
6. **Proposed Site Plan:** see point 8 below.
7. **Archaeological Certificate:** Certificate of No Effect.
8. **Traffic Scoping Form:** see point 7 below.
9. **Sensitive Land Site Analysis**

## 4) Public Notification & Neighborhoods

Notification requirements for a Major Amendment are explained in Section 14-16-6-4(J) Public Notice (IDO, p. 422). The required notification consists of (1) an emailed letter to neighborhood representatives indicated by the ONC (IDO §14-16-6-4(J)(2)), (2) a mailed letter (first-class) to property owners within 100 feet of the subject site (6-4(J)(3)), and (3) a yellow sign posting (6-4(J)(4)). A Post-submittal Facilitated Meeting shall also be offered if requested by property owners within 330 feet and Neighborhood Associations within 660 feet in any direction of the subject property (IDO §14-16-6-4(K)).

- A. According to the ONC, there are five affected registered neighborhood organizations: Ladera West, Laurelwood, Parkway, Tres Volcanes, and Westside Coalition of NAs.
  1. You provided emails sent to the provided contacts dated 05/13/25 in addition to a page labeled “Relayed” on the Subject line. Please explain.
  2. A letter dated May 14, 2025 was included as a “Neighborhood Meeting Offer”. Please explain why this was added when an email is sufficient.
- B. Per the submitted IDO Zone Atlas page (H-09-Z), property owners within a 100 ft buffer around the parcel that will be removed were notified; however, the property of concern

should contain all parcels that are part of the Heritage Marketplace. Minimally, property owners who have not already received notification shall be informed about the project at least 15 calendar days before a monthly public hearing (IDO §6-4(J)(3)(a)(3)).

1. Please resend the notice per IDO 6-4(J)(3)(a)(1), including the entire Heritage Market Site Development Plan and associated property, and resubmit via Plan-ABQ.
2. The quality of submitted photos confirming property owner outreach is low resolution, and can't be verified against the provided notification labels. Please submit legible photos/proof of mailing.

C. At this time, there has been no Post-Submittal Facilitated Meeting requested.

D. The signs must be posted on or before 9:00 am on Wednesday, June 11, 2025 and should be left up until **Friday, July 11, 2025** (15 days before and 15 days after the EPC hearing date).

1. A signed Sign Posting Agreement was included. Staff will complete the agreement by filling in the posting date, project number, sign issue date, sign number, and Staff member who dispensed the signs.
2. We encourage applicants to take a photo at the time the signs are posted to demonstrate that this step has been fulfilled. Please submit these photos via ABQ-Plan by the end of day, Wednesday, June 11, 2025.
3. Four signs shall be posted, and one each should be placed facing Unser Blvd, Ladera Dr, Market St, and Hanover Rd. For additional information regarding sign posting locations, please see:  
[https://documents.cabq.gov/planning/online-forms/PublicNotice/Posted\\_Sign\\_Requirement-Instructions.pdf](https://documents.cabq.gov/planning/online-forms/PublicNotice/Posted_Sign_Requirement-Instructions.pdf)
4. The sign description should be for a "Request for a Major Amendment to remove the subject property from the existing Site Plan for Subdivision". You do not need to add "to develop a Charter School" as that is not part of this request.

## 5) Project Justification Letter

The project letter seems to be generally complete, and we have included revision recommendations and guidance questions in the sections below.

### A. General Recommendations

Per §14-16-6-4(E)(3), the applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence.

The applicant needs to add more about the following:

1. Please include a bit more detail about the Heritage Market Site Plan for Subdivision, e.g., multiple parcels, surrounding development detail, the original purpose of the Site Plan for Subdivision, etc.
2. There is a Site Development Plan approved for this site (PR-2022-007141) that will need to be recognized. Comments were provided by the DRB; do you have any evidence that there was a final approval/sign off?

3. The Preliminary Plat and Vacation of Easements have expired for the subject site.

## **B. Site Plan – EPC Review & Decision Criteria**

The Site Plan – EPC shall be approved if it meets all of the criteria presented in 6-6(I)(3)(a-h). Please amend responses in a revised Justification Letter based upon the points below.

### **C. Responses to 6-6(I)(3)(a):**

1. The task in a justification is to choose applicable Goals and Policies from the Comprehensive Plan that directly relate to the circumstances of the subject site and demonstrate how the request is consistent with (makes a reality) each applicable Goal and Policy.
  - Re-phrasing the requirement itself in the response by tailoring the response to match the wording of the Goal or Policy.
  - It is also important not to simply restate the Goal, Policy, or Sub-policy, but make supporting statements as to *how* allowing additional uses would be consistent with the presented Goals/Policies.
  - Please read through your responses to the criteria and be confident that you have provided sound justification for the proposed amendment and tie it back to your request and reasoning. To strengthen all provided responses, it will help to include the language directly from the goals and/ or policies.
2. Goal 5.6: Response indicates low-intensity residential use; to east is PD multi-family use.
3. Policy 5.6.3: what about neighborhoods to west?
4. Goal 7.3: “proposed use” of site instead of “intended use”?
5. Policy 7.3.2: what is the historical reasoning for the use at this site?
6. Policy 7.3.3: why would this be more appropriate than the current use/ doesn’t this take away from original purpose?

### **D. Response to 6-6(I)(3)(b)**

- The concluding sentence makes it sound as though these parcels were once NR-SU or PD. Please include that in the project history if true, reword, or remove.

### **E. Response to 6-6(I)(3)(c & d): Sufficient**

### **F. Response to 6-6(I)(3)(e)**

1. How might subject site access impact the adjacent neighborhood?
2. This undisturbed area with native plants/ natural landscape seems to be used recreationally, please address potential impacts.

### **G. Response to 6-6(I)(3)(f & g): Sufficient**

### **H. Response to 6-6(I)(3)(h).**

- This response is missing. Please add.

**6) Sensitive Lands Analysis Form**

- The Sensitive Lands Analysis Form does not seem to contain data relevant to this project, but is not required for this review.

**7) Traffic Impact Study (TIS)**

- This form will need to be completed and signed when a Site Plan is submitted in the future.

**8) Site Plan for Subdivision – Provided Drawings**

1. The complete Site Plan for Subdivision should be included with the application. The Site Plan for Subdivision provided includes Page 1 of 3 and Page 2 of 3. Is there a Page 3 of 3? If this page exists, it should be added to the submission with any proposed updates added.
2. The provided Conceptual Utility Plan is not needed as it is conceptual and will need to be updated with any future proposed Site Plan.
3. The Site Plan for Subdivision acreage will change with the removal of the subject site. Please update the acreage under “THE SITE:” on Page 1 of 3 of the provided plans.

June 4, 2025

TO: Jessica Lawlis, DPS Design  
Will Gleason, DPS Design

FROM: Catherine Heyne, Planner  
City of Albuquerque Planning Department

TEL: (505) 924-3310, [cheyne@cabq.gov](mailto:cheyne@cabq.gov)

RE: Site Plan - Major Amendment, 1700 Unser Blvd NW (SP-2025-00041)

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Thank you for submitting a second version of your request to remove 1700 Unser Blvd NW (SP-2025-00041) from the Heritage Marketplace Site Development Plan. I've completed a review and have additional notes. Please reach out if you have any questions.

Please provide the following:

⇒ Revised Justification Letter uploaded to ABQ-Plan (or emailed if the system is not working)  
by noon (12p), Friday, June 6, 2025.

## 1) Overview

The entire Heritage Market Site Development Plan and associated property should be included as the subject site in this request.

1. There are several typos regarding the subject site description and the location of Hanover in the Location description.
2. See Memo 1 for Information regarding the EPC process, including the calendar and current Staff reports, and timelines.

## 2) Public Notification & Neighborhoods

A. We received:

1. Proof of updated subject site material appropriate for letters to neighborhood associations and property owners.

B. We are waiting for:

1. Copies of the updated emails sent to neighborhood representatives.
2. Photos of the date-stamped mailed letters.
3. Sign posting (6-4(J)(4)). Please see Memo 1 for more detail.
4. Any Post-submittal Facilitated Meeting notes if requested.

### 3) Project Justification Letter

#### A. Responses to 6-6(I)(3)(a):

1. General: The task in a justification is to choose both applicable Goals and Policies from the Comprehensive Plan that directly relate to the circumstances of the subject site and demonstrate how the request is consistent with (makes a reality) each applicable Goal and Policy, in this case, the removal (not repeal) of 1700 Unser NW from the existing Site Development Plan for Subdivision.
  - Re-phrasing the requirement itself in the response by tailoring the response to match the wording of the Goal or Policy.
  - It is also important not to simply restate the Goal, Policy, or Sub-policy, but make supporting statements as to *how* allowing additional uses would be consistent with the presented Goals/Policies.
  - Please read through your responses to the criteria and be confident that you have provided sound justification for the proposed amendment and tie it back to your request and reasoning. To strengthen all provided responses, it will help to include the language directly from the goals and/ or policies.
  - a) **Please update:** Policies were submitted as part of the Justification that do not exist in the Comp Plan as presented. These include:
    - POLICY 5.1.2
    - POLICY 5.2.2
    - POLICY 6.1.4
    - POLICY 6.4.2
    - POLICY 7.3.3
    - POLICY 13.2.1
  - b) **Please update:** Goal 5.6 City Development Areas was omitted.
  - c) Here is the link for the current [Comp Plan: ABC Comprehensive Plan — City of Albuquerque](#)
2. The West Side Strategic Plan (WSSP) was mentioned several times, and although I think the intent to link the subject site's historical context, it is important to note that the WSSP has been repealed.

E) PUBLIC NOTICE

[Note: Items with an asterisk (\*) are required.]

## Public Notice of a Hearing in the City of Albuquerque for a Policy Decision

Date of Notice\*: \_\_\_\_\_

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [IDO §14-16-6-4\(K\)](#).<sup>1</sup>

- Emailed / mailed notice to Neighborhood Association Representatives on the attached list from the Office of Neighborhood Coordination.\*
- Mailed notice to Property Owners within 100 feet of the Subject Property.

### Information Required by [IDO §14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* \_\_\_\_\_

Location Description \_\_\_\_\_

2. Property Owner\* \_\_\_\_\_

3. Agent/Applicant [if applicable] \_\_\_\_\_

4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]

- Zoning Map Amendment \_\_\_\_\_ (EPC or Council)
- Other: \_\_\_\_\_

Summary of project/request<sup>2</sup>\*:

\_\_\_\_\_  
\_\_\_\_\_

5. This application will be decided at a public hearing by\*:

- Environmental Planning Commission (EPC)
- City Council

This application will be first reviewed and recommended by:

- Environmental Planning Commission (EPC)
- Landmarks Commission (LC)
- Not applicable (Zoning Map Amendment – EPC only)

Hearing Date/Time\*: \_\_\_\_\_

Location<sup>3</sup>\*: \_\_\_\_\_

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

<sup>1</sup> Please mark as relevant. See [IDO Table 6-1-1](#) for notice requirements.

<sup>2</sup> Attach additional information, as needed to explain the project/request.

<sup>3</sup> Physical address or Zoom link

[Note: Items with an asterisk (\*) are required.]

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860 and select the option for "Boards, Commissions, and ZHE signs."

6. Where more information about the project can be found\*:

Preferred project contact name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Online website or project page: \_\_\_\_\_

Attachments: \_\_\_\_\_

**Information Required for Mail/Email Notice by [IDO §14-16-6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)\*<sup>4</sup> \_\_\_\_\_

2. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):  Yes  No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

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[Note: The meeting report is required to be provided in the application materials.]

**Additional Information from IDO Zoning Map<sup>5</sup>:**

1. Area of Property [*typically in acres*] \_\_\_\_\_
2. IDO Zone District \_\_\_\_\_
3. Overlay Zone(s) [*if applicable*] \_\_\_\_\_
4. Center or Corridor Area [*if applicable*] \_\_\_\_\_
5. Current Land Use(s) [*vacant, if none*] \_\_\_\_\_

**NOTE:** Pursuant to [IDO §14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting up to 15 calendar days before the public hearing date. Contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3860 and select the option for "Boards, Commissions, and ZHE signs."

**Integrated Development Ordinance (IDO):** <https://ido.abc-zone.com>

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<sup>4</sup> Available online here: <http://data.cabq.gov/business/zoneatlas>

<sup>5</sup> Available here: <https://tinyurl.com/idozoningmap>

# Language Access Notice:

We provide free interpretation services to help you communicate with us. If you need help, you can request interpretation at any service counter in our Department, located in the Plaza Del Sol building, 600 2nd Street NW, Albuquerque, NM 87102.

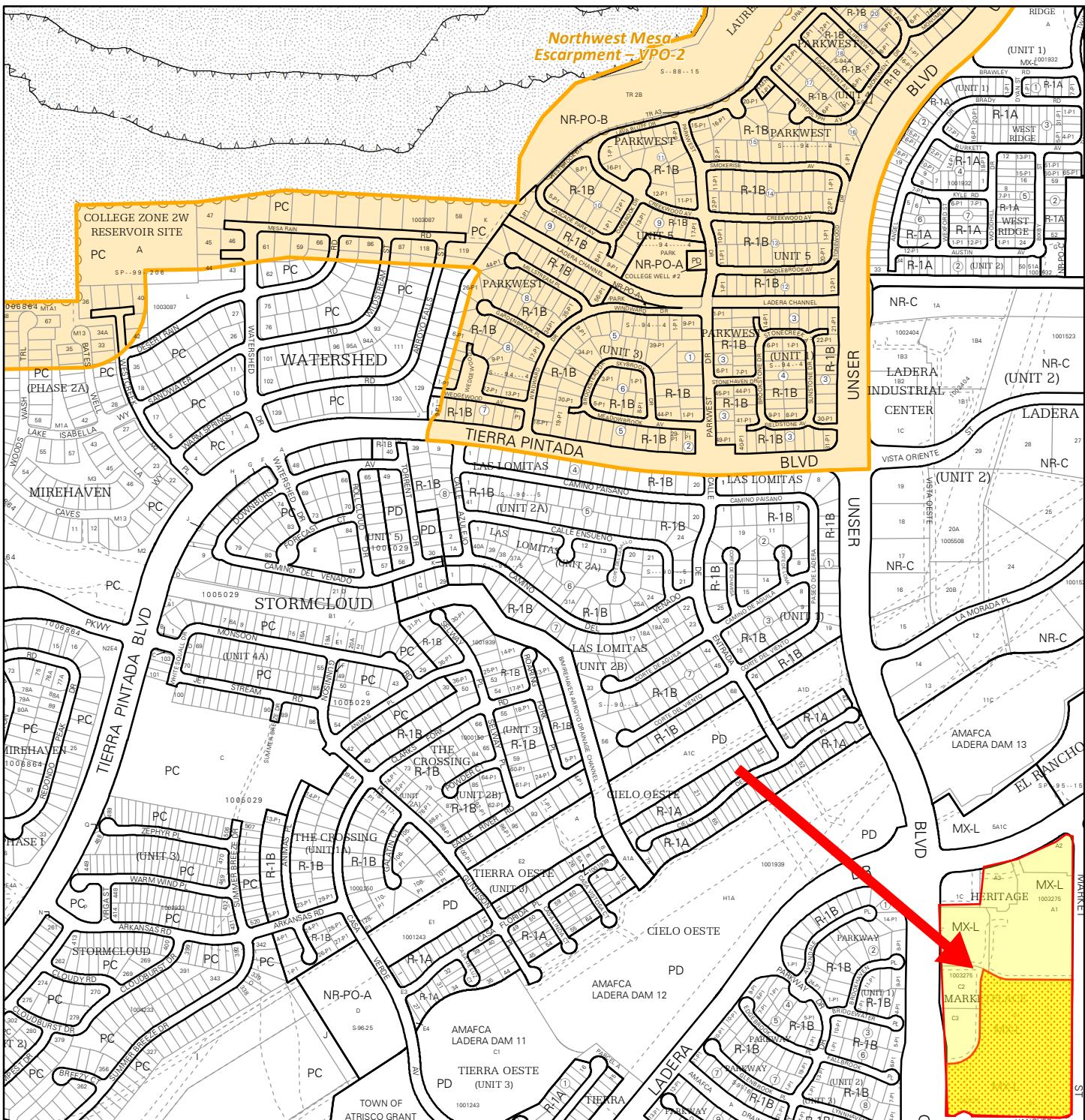
## Notificación de Acceso Lingüístico.

Ofrecemos servicios gratuitos de interpretación para ayudarlo a comunicarse con nosotros. Si necesita ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

語言輔助通知。我們提供免費口譯服務，以幫助你與我們溝通。如果你需要幫助，你可以在我們部門的任何服務台請求口譯，服務台位於 Plaza Del Sol大樓，600 2nd Street NW，阿爾伯克基，NM 87102。

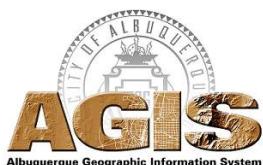
Thông báo về cách Tiếp cận Ngôn ngữ. Chúng tôi cung cấp các dịch vụ thông dịch miễn phí để giúp quý vị giao tiếp với chúng tôi. Nếu quý vị cần giúp đỡ, quý vị có thể yêu cầu thông dịch tại bất cứ quầy dịch vụ nào trong Sở của chúng tôi, tọa lạc tại tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaasdzil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i dzaadi! Dzaadi! Danihi dahoontahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di niihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.



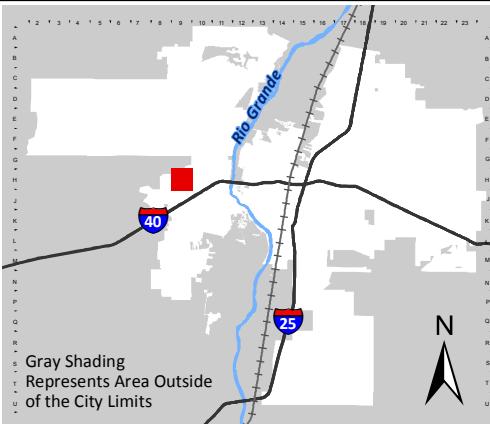
For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018

The Zone Districts and Overlay Zones  
are established by the  
Integrated Development Ordinance (IDO).

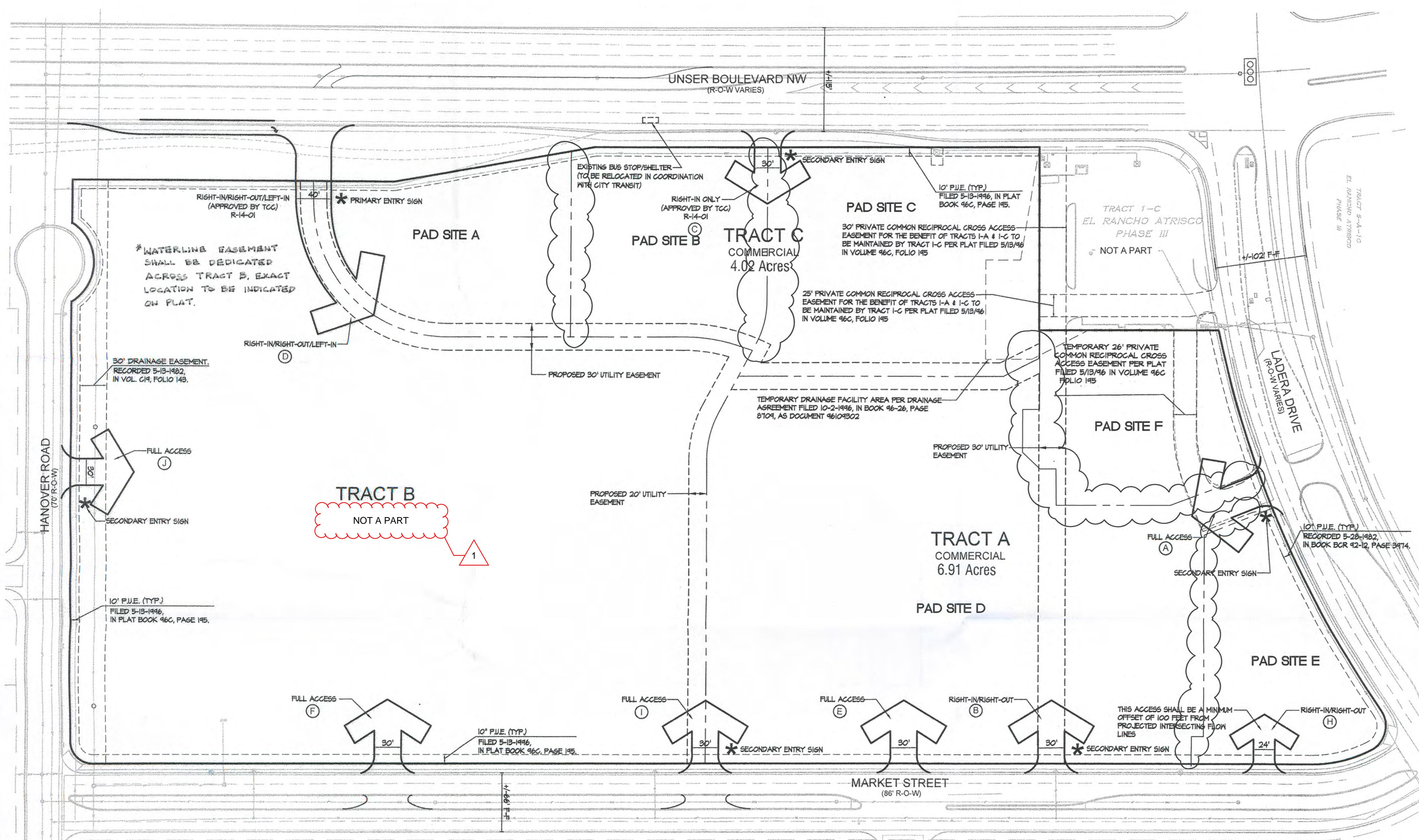


Zone Atlas Page:

**H-09-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet



#### SITE PLAN FOR SUBDIVISION - REQUIRED INFORMATION

##### THE SITE:

The Site consists of approximately 10.946 ac. The property is bounded on the west by Unser Boulevard, to the north by Ladera Drive, to the east by Market Street, and to the south by Hanover Road. There is an existing out parcel at the southeast corner of Unser Boulevard and Ladera Drive developed with a gas station and convenience store.

##### ZONING AND PROPOSED USE:

The Site is zoned SU-2 /SU-1 Special Use for Neighborhood Commercial and Office Uses within the El Rancho Atrisco Phase III Sector Development Plan (1981). The site is a designated neighborhood activity center in the West Side Strategic Plan.

Development of the property can only occur through an approved site development plan as regulated by Section 14-16-2-22 of the Comprehensive City Zoning Code. Activities allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial zone and office uses.

A maximum of 50 percent (12.5 acres) of the original 25-acre site as referenced on Sheet 5 of the El Rancho Atrisco Phase III Sector Development Plan is eligible for development with retail and service-type uses consistent with those of the C-1 zone. The existing gas station and convenience store located on Lot IC (.85 acres) toward the northwest corner of the original 25-acre site is considered "commercial development". As such, an additional 11.65 acres - may be developed with commercial uses pursuant to the C-1 zone.

The remaining area of the property can be developed with office or residential uses, or a combination thereof. Residential development on this portion shall be regulated by Section 14-16-2-16(A)(7) of the Comprehensive City Zoning Code.

##### APPLICABLE PLANS:

City of Albuquerque/Bernalillo County Comprehensive Plan (Rank I); West Side Strategic Plan (Rank II); and the El Rancho Atrisco Phase III Sector Development Plan (Rank III).

##### PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS:

Vehicular Access and Circulation - The proposed development has access to adjacent streets on all four sides of the property. Limited access to Unser Boulevard (a limited access principal arterial) has been approved by the Transportation Coordinating Committee of the Metropolitan Transportation Board of the Mid-Region Council of Governments (R-14-01 TCC). Access includes a right-in, right-out, and left-in access (approximately 1,040 feet south of Ladera) and an additional right-in access (approximately 529 feet south of Ladera) to serve the proposed development. There are existing access points on the north side of the property to Ladera Drive that remain. Additional access is shown on Ladera Drive, Market Street, and Hanover Road. Final design and location of these access points will be determined by future Site Development Plans for Building Permit. New median cuts must be requested in writing to the Traffic Engineer, Development and Review Services. The construction of appropriate left turn lanes must be included with any new median cuts.

Transit - The property is currently served by two existing bus routes; 92 Taylor Ranch Express and 94 Unser Express. Both routes have a bus stop adjacent to the subject property. Route 92 also travels along Ladera Boulevard adjacent to the site and existing bus stops are east of Market Street. Unser and I-40 are designated Express Transit Corridors.

Bicycle Facilities - Unser Boulevard has on-street bike lanes and an off-street multi-use trail on the east side of the street. The Unser Trail connects to the I-40 Regional Trail that runs along the north side of Interstate 40.

Pedestrian Facilities - Internal sidewalk and pedestrian facilities will be designed consistent with the design guidelines included in this site plan and future site plans for building permits.

##### BUILDING HEIGHTS AND SETBACKS:

Maximum building heights for all buildings shall be per the SU-1 zone. Setbacks shall be as provided in the O-1 and R-3 zones as enumerated in the Comprehensive City Zoning Code. Specific design restrictions for new residential shall be as provided in the C-2 zone (specific to Activity Centers and Transit Corridors).

##### MAXIMUM FAR/DENSITY:

Commercial buildings shall not exceed a maximum FAR of .30. Residential shall be as provided in the C-2 Zone and shall have a minimum FAR of .3 and a maximum density of 30 dwelling units per acre.

##### LANDSCAPE PLAN:

Landscape plans shall be submitted with future Site Plans for Building Permit and shall be consistent with the Water Conservation Landscaping and Water Waste Ordinance, Pollen Control Ordinance, and the Design Standards (Sheet 2).

##### Notes:

1. A cross access easement and shared parking agreement shall be part of the platting process at DRB. Future development on the site will require EPC review of the Site Development Plan for Building Permit(s).
2. Stormwater control measures shall be designed to manage the first flush and control runoff generated by contributing impervious surfaces.

1 Proposed Changes:  
 1. Indicate Tract B as "NOT A PART" on Sheet 1 of 3 as it is being repealed from the Site Plan.  
 2. Indicate Tract A as "NOT A PART" on Sheet 3 of 3 as it is being repealed from the Site Plan.

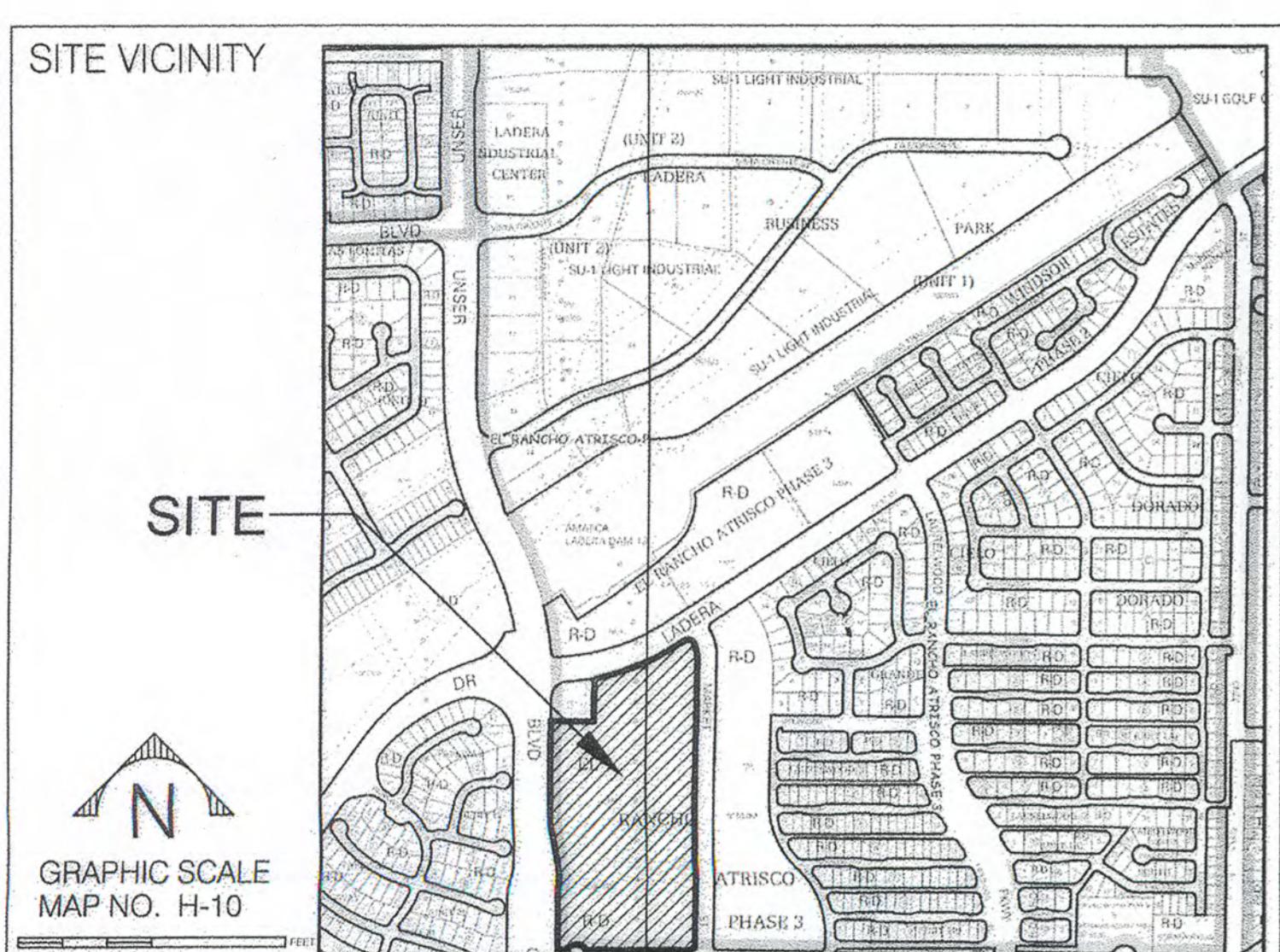
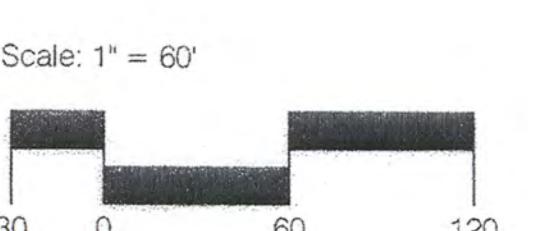
# HERITAGE

# MARKETPLACE

## SITE PLAN FOR SUBDIVISION

Prepared For:  
 Garrett Development Corporation  
 1130 Lanes End NW  
 Albuquerque, NM 87114

Prepared By:  
 Consensus Planning, Inc.  
 302 Eighth Street NW  
 Albuquerque, NM 87102



PROJECT NUMBER: 1003275  
 APPLICATION NUMBER: 14EPC-40078, 15DRB-70052

This plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated February 13, 2014 and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? ( ) Yes ( ) No If yes, then a set of approved DRC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

#### DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

02-25-15  
 Traffic Engineer, Transportation Division  
 Alan Carter  
 Water Utility Development  
 Carol S. Dumont  
 Parks & Recreation Department  
 Curt A. Chen  
 City Engineer  
 \* Environmental Health Department (conditional)  
 Solid Waste Management  
 Del Chay  
 DRB Chairperson, Planning Department

\* Environmental Health, if necessary

02-25-15  
 Date  
 02/25/15  
 Date  
 2-25-15  
 Date  
 2-25-15  
 Date  
 \* Environmental Health Department (conditional)  
 Solid Waste Management  
 Del Chay  
 DRB Chairperson, Planning Department

12-10-14  
 Date  
 12/10/14  
 Date  
 ABCWUA  
 Carol S. Dumont  
 Parks and Recreation Department  
 Curt A. Chen  
 City Engineer  
 NM  
 Solid Waste Management  
 Del Chay  
 DRB Chairperson, Planning Department





Outlook

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## FW: Notice of EPC Application for RioGAFA Charter School

---

**From** Jessica Lawlis <JessicaL@dekkerdesign.org>

**Date** Wed 6/11/2025 3:34 PM

**To** laderawestna@gmail.com <laderawestna@gmail.com>; slcnalbq@aol.com <slcnalbq@aol.com>; hope1@swcp.com <hope1@swcp.com>

**Cc** Nathaniel Wurster <NathanielW@DekkerDesign.org>

3 attachments (4 MB)

02\_1700 Unser Blvd NW\_ZoneAtlas H-09-Z\_EPC.pdf; 05\_Emailed-Mailed-Notice-PolicyDecisions-Print&Fill.pdf; Amended Heritage MarketPlace Site Plan for Subdivision and Design Standards 06 03 2025v2.pdf;

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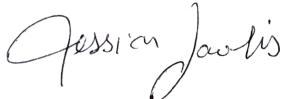
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*Sincerely,*



**Jessica Lawlis, AICP**  
Studio Manager, Urban Planning

**Attachments: Required Notice of Hearing Form, Site Plan Amendments, Zone Atlas Map**

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**Jessica Lawlis, AICP**  
Studio Manager, Urban Planning | [Dekker](#)

---

**From:** Jessica Lawlis  
**Sent:** Wednesday, June 11, 2025 1:39 PM  
**To:** slcnalbq@aol.com; hope1@swcp.com  
**Cc:** Nathaniel Wurster <NathanielW@DekkerDesign.org>  
**Subject:** Notice of EPC Application for RioGAFA Charter School

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Outlook

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## FW: Neighborhood Meeting Follow-Up & Notice of EPC Application for RioGAFA Charter School

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**From** Jessica Lawlis <JessicaL@dekkerdesign.org>

**Date** Wed 6/11/2025 3:33 PM

**To** laurelwoodna@gmail.com <laurelwoodna@gmail.com>; Igor Dernov <wiseolga@gmail.com>; laurelwoodna@gmail.com <laurelwoodna@gmail.com>

**Cc** Nathaniel Wurster <NathanielW@DekkerDesign.org>

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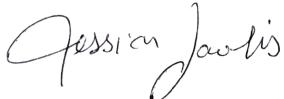
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**From:** Jessica Lawlis  
**Sent:** Wednesday, June 11, 2025 1:39 PM  
**To:** Igor Dernov <wiseolga@gmail.com>; laurelwoodna@gmail.com  
**Cc:** Nathaniel Wurster <NathanielW@DekkerDesign.org>  
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## **Rio Grande Academy of Fine Arts (RioGAFA) Neighborhood Meeting**

**June 10<sup>th</sup>, 2025**

### **Requested by:**

- Laurelwood Neighborhood Association
- West Side Coalition of Neighborhood Associations (WSCONA)

### **Attendance:**

- Phillip Crump (Facilitator)
- Gregg Wills (Facilitator)
- Jessica Lawlis (Dekker)
- Nathaniel Wurster (Dekker)
- James E. Zavala (22Beacon)
- Jordan Franco (RioGAFA)
- Michele Platis (RioGAFA)
- Kelly Klein (Bohannon Huston)
- Matt Johnson (FFKR)
- Chris Carro (Waltz Construction)
- Jane Baechle (WSCONA)
- Rene' Horvath (WSCONA)
- Ginny Forrest (Cibola Loop NA)
- Janyce Wallace (Laurelwood NA)
- Candy Patterson (Laurelwood NA)
- Frank Comfort (Laurelwood Na)
- Michael Shynkar (Parkway NA)
- Rick Holmes (no affiliation provided)
- Phyllis V. (no surname provided) (no affiliation provided)
- Perea (no surname provided) (no affiliation provided)
- Tammy (no surname provided) (no affiliation provided)
- Jenny (no surname provided) (no affiliation provided)

### **Meeting Summary & Outcome:**

The neighborhood meeting for the Rio Grande Academy of Fine Arts (RioGAFA) provided an overview of three anticipated development requests: a proposed Major Amendment to the existing Heritage Marketplace Site Plan for Subdivision to remove Tract B, the subdivision of Tract B into two parcels, and a DFT site plan. The presentation outlined each request along with the expected entitlement timeline.

The meeting was facilitated by Philip Crump, an independent mediator contracted by the city, with co-facilitation by Greg Wills. The Major Amendment seeks to remove Tract B from the current approved Site Plan for Subdivision, allowing RioGAFA to develop the site and construct several buildings without adhering to the existing design standards.

Representatives from Dekker, the agency supporting the application, were present, along with members of several neighborhood associations, including Laurelwood, Parkway, Cibola Loop,

and WSCNA. Key topics of discussion included the school's operations and traffic-related concerns, which had been outlined in advance by the Laurelwood Neighborhood Association. The meeting structure featured a presentation by Dekker and affiliated members of the design team, who addressed the pre-submitted questions, particularly those regarding traffic impacts, a primary concern among residents.

Additionally, time was set aside for open questions, answers, and general discussion. Community members asked several questions about the school, all of which were addressed by RioGAFA administrators. At the conclusion of the meeting, community members expressed their appreciation to the design team for the opportunity to be engaged and included in the process. There was a shared sentiment that the school's mission and program would offer meaningful benefits to the community, outweighing the anticipated adverse impacts such as traffic and congestion.

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#### Questions & Answers

1. **Has a recent Traffic Impact Study been conducted to determine the effect this proposal may have on the surrounding area?**  
A Traffic Impact Study is currently underway and is being coordinated with the City of Albuquerque. A Traffic Scoping Meeting was held with the City to determine the key intersections for analysis. The study will evaluate the potential effects of the proposed charter school at the following intersections:
  - Unser Blvd & Ladera Dr
  - Market St & Ladera Dr
  - Market St & Hanover Rd
  - Private Drive West & Unser Blvd
  - Private Drive North & Market St
  - Private Drive North & Unser Blvd
2. **Are there Traffic and Pedestrian mitigation plans to address those issues at Ladera and Market; Hanover and Market; and other egress/ ingress points to the proposed development and the effect on the adjacent property access roads to Heritage MarketPlace?**  
The Traffic Impact Study will determine whether improvements are warranted at any of the study intersections. These recommendations will guide mitigation measures to ensure safe and efficient access for all users.  
In addition, the proposed site plan includes:
  - **5-foot sidewalks** with a **4-foot landscaped buffer** along both Hanover Rd and Market St
  - A **multi-use sidewalk/trail** connecting the school to the existing Unser Blvd trail via Private Drive 1
3. **Addressing the concerns of the Laurelwood Neighborhood on the Charter School staff, students, parents and deliveries using the Laurelwood Parkway as an alternative route through the Neighborhood to access the Charter School?**

No. The school will not use Laurelwood Parkway for access. Primary access to the school will be via:

- Unser Blvd → Private Drive 1
- Ladera Dr → Market St → Private Drive 2

We do not anticipate school traffic traveling through the Laurelwood neighborhood. Final details on delivery vehicle routing are still being confirmed and will be coordinated with the school's operations team.

**4. School hours?**

Students 8-3:30, staff is there from 7:45 to 4:00

**5. Drop off / Pick up location and circulation**

The proposed site plan includes clearly designated drop-off and pick-up areas for students, along with a defined circulation route for both personal vehicles and school buses. The layout is designed to:

- Minimize conflicts between vehicles and pedestrians
- Reduce queuing impacts on surrounding streets
- Support safe and efficient traffic flow on-site

Access to the school campus will occur via:

- Unser Blvd → Private Drive 1
- Ladera Dr → Market St → Private Drive 2

All access points and circulation patterns are illustrated on the proposed site plan.

**6. Egress / Ingress locations**

Indicated on the site plan, see above.

**7. There's approximately 1.2 acres of vacant property adjacent to the proposed development. Is this property reserved for possible expansion of the Charter School.**

No. The approximately 1.2-acre parcel is not included in the charter school proposal. It will remain a separate lot and is anticipated to be sold for future commercial development by a private entity.

**8. Type of Charter School?**

RioGAFA is a public, tuition-free charter school that offers an arts-integrated curriculum. It is open to all students in New Mexico and emphasizes creative learning through visual and performing arts.

**9. Total number of Students and Staff?**

For the current school year: 203 students and 25 staff members

**10. Is this open enrollment to any child / student in the Neighborhood(s), City and County?**

Yes. RioGAFA is a state-authorized charter school and is open to any student in the State of New Mexico, regardless of residence.

**11. How do students get to school?**

Transportation methods include:

- 2 school buses (a third is expected next year)
- Personal vehicles for drop-off/pick-up

As enrollment grows, the school anticipates operating 6 to 8 buses to serve a broader area.

**12. Are there after school activities?**

Yes. The school plans to expand after-school programming in the coming years. There is potential for shared community use of school facilities for events or programs, pending further coordination.

**From:** [Jessica Lawlis](#)  
**To:** [parkwaypoint@yahoo.com](mailto:parkwaypoint@yahoo.com)  
**Cc:** [Nathaniel Wurster](#)  
**Subject:** Neighborhood Meeting Follow-Up & Notice of EPC Application for RioGAFA Charter School  
**Date:** Wednesday, June 11, 2025 1:39:00 PM  
**Attachments:** [image001.png](#)  
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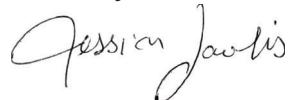
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**From** Jessica Lawlis <JessicaL@dekkerdesign.org>

**Date** Wed 6/11/2025 3:31 PM

**To** t0m2pat@yahoo.com <t0m2pat@yahoo.com>; randm196@gmail.com <randm196@gmail.com>; info@tresvolcanesna.org <info@tresvolcanesna.org>

**Cc** Nathaniel Wurster <NathanielW@DekkerDesign.org>

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**Sent:** Wednesday, June 11, 2025 1:40 PM  
**To:** t0m2pat@yahoo.com; randm196@gmail.com  
**Cc:** Nathaniel Wurster <NathanielW@DekkerDesign.org>  
**Subject:** Neighborhood Meeting Follow-Up & Notice of EPC Application for RioGAFA Charter School

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*Sincerely,*



*Jessica Lawlis, AICP  
Studio Manager, Urban Planning*

**Attachments: Required Notice of Hearing Form, Site Plan Amendments, Zone Atlas Map**



Outlook

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## FW: Neighborhood Meeting Follow-Up & Notice of EPC Application for RioGAFA Charter School

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**From** Jessica Lawlis <JessicaL@dekkerdesign.org>

**Date** Wed 6/11/2025 3:29 PM

**To** aboard111@gmail.com <aboard111@gmail.com>; Jane Baechle <jane.baechle@gmail.com>; wescona0@gmail.com <wescona0@gmail.com>

**Cc** Nathaniel Wurster <NathanielW@DekkerDesign.org>

3 attachments (4 MB)

02\_1700 Unser Blvd NW\_ZoneAtlas H-09-Z\_EPC.pdf; 05\_Emailed-Mailed-Notice-PolicyDecisions-Print&Fill.pdf; Amended Heritage MarketPlace Site Plan for Subdivision and Design Standards 06 03 2025v2.pdf;

Dear Jane and Renee,

We were recently informed by City staff that all official notices must include the neighborhood association's designated email address. Apologies for the multiple rounds of communication on this item —we appreciate your patience and continued engagement.

Thank you for taking the time to meet with us yesterday and for sharing your concerns regarding the proposed development. We appreciate your engagement and want to assure you that we'll keep you informed of upcoming actions as the project moves forward. In that vein, we're writing to inform you that Dekker, acting as agent for Beacon 22—the owner of the property located at 1700 Unser Blvd—is proceeding with an application to the Environmental Planning Commission (EPC) for a Site Plan – Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. This amendment would support the development of a charter school on a portion of Tract B, as shown on the Heritage Marketplace Site Plan for Subdivision.

This subject site is currently zoned Mixed-Use Low Density (MX-L), which allows school use under the City's Integrated Development Ordinance (IDO). Prior to adoption of the IDO, the property was zoned SU-1 and was included in the approved Heritage Marketplace Site Plan for Subdivision. That site plan contains seven commercial lots and established associated site development standards for things like building design. The subject site, known as Tract B on that Site Plan for Subdivision, was initially approved for commercial uses and amended in 2014 to allow multifamily residential development.

The application requests to amend the existing approval to remove the subject property, Tract B, to indicate "Not A Part" on the Site Plan. This will allow the applicant to proceed with the application for a site plan approval of a charter school on a portion of Tract B. Because the original site plan did not anticipate this use, a Major Amendment is required.

To streamline the process and ensure consistency with current zoning and review procedures, the following development actions are proposed:

- Major Amendment to EPC to remove Tract B from the approved Heritage Marketplace Site Plan for Subdivision
- Subdivision request to the Development Hearing Officer (DHO) to divide Tract B into two separate lots
- Site Plan application to the Development Facilitation Team (DFT) for review and approval of the proposed charter school

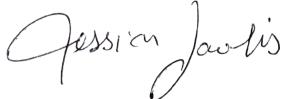
This approach consolidates what would otherwise require multiple EPC applications, helping conserve both applicant and City resources.

**As required by IDO Table 6-1-1, the EPC Meeting date will be June 26, 2025, beginning at 8:40 AM via ZOOM at which time the application will be reviewed and decided on by the City of Albuquerque. You can retrieve the appropriate meeting information at the DFT website found at: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>.**

The project is in early design phase and will not have a completed site design until after EPC at the DFT submittal level. A preliminary site plan of the charter school is included in this notice for point of reference.

If you have any questions, please contact me at [jessical@dekkerdesign.org](mailto:jessical@dekkerdesign.org) or 505-761-9700.

*Sincerely,*



*Jessica Lawlis, AICP*  
Studio Manager, Urban Planning

**Attachments: Required Notice of Hearing Form, Site Plan Amendments, Zone Atlas Map**

**Jessica Lawlis, AICP**  
Studio Manager, Urban Planning | **Dekker**

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**From:** Jessica Lawlis  
**Sent:** Wednesday, June 11, 2025 1:40 PM  
**To:** 'aboard111@gmail.com' <aboard111@gmail.com>; Jane Baechle <jane.baechle@gmail.com>  
**Cc:** Nathaniel Wurster <NathanielW@DekkerDesign.org>  
**Subject:** Neighborhood Meeting Follow-Up & Notice of EPC Application for RioGAFA Charter School

Dear Jane and Renee,

Thank you for taking the time to meet with us yesterday and for sharing your concerns regarding the proposed development. We appreciate your engagement and want to assure you that we'll keep you informed of upcoming actions as the project moves forward. In that vein, we're writing to inform you that Dekker, acting as agent for Beacon 22—the owner of the property located at 1700 Unser Blvd—is proceeding with an application to the Environmental Planning Commission (EPC) for a Site Plan – Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. This amendment would support the development of a charter school on a portion of Tract B, as shown on the Heritage Marketplace Site Plan for Subdivision.

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*Sincerely,*



*Jessica Lawlis, AICP  
Studio Manager, Urban Planning*

**Attachments: Required Notice of Hearing Form, Site Plan Amendments, Zone Atlas Map**

[Note: Items with an asterisk (\*) are required.]

## Public Notice of a Hearing in the City of Albuquerque for a Policy Decision

Date of Notice\*: \_\_\_\_\_

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [IDO §14-16-6-4\(K\)](#).<sup>1</sup>

- Emailed / mailed notice to Neighborhood Association Representatives on the attached list from the Office of Neighborhood Coordination.\*
- Mailed notice to Property Owners within 100 feet of the Subject Property.

### Information Required by [IDO §14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address\* \_\_\_\_\_

Location Description \_\_\_\_\_

2. Property Owner\* \_\_\_\_\_

3. Agent/Applicant [if applicable] \_\_\_\_\_

4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]

- Zoning Map Amendment \_\_\_\_\_ (EPC or Council)
- Other: \_\_\_\_\_

Summary of project/request<sup>2</sup>\*:

\_\_\_\_\_  
\_\_\_\_\_

5. This application will be decided at a public hearing by\*:

- Environmental Planning Commission (EPC)
- City Council

This application will be first reviewed and recommended by:

- Environmental Planning Commission (EPC)
- Landmarks Commission (LC)
- Not applicable (Zoning Map Amendment – EPC only)

Hearing Date/Time\*: \_\_\_\_\_

Location<sup>3</sup>\*: \_\_\_\_\_

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

<sup>1</sup> Please mark as relevant. See [IDO Table 6-1-1](#) for notice requirements.

<sup>2</sup> Attach additional information, as needed to explain the project/request.

<sup>3</sup> Physical address or Zoom link

[Note: Items with an asterisk (\*) are required.]

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860 and select the option for "Boards, Commissions, and ZHE signs."

6. Where more information about the project can be found\*:

Preferred project contact name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Online website or project page: \_\_\_\_\_

Attachments: \_\_\_\_\_

**Information Required for Mail/Email Notice by [IDO §14-16-6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)\*<sup>4</sup> \_\_\_\_\_

2. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):  Yes  No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

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[Note: The meeting report is required to be provided in the application materials.]

**Additional Information from IDO Zoning Map<sup>5</sup>:**

1. Area of Property [*typically in acres*] \_\_\_\_\_
2. IDO Zone District \_\_\_\_\_
3. Overlay Zone(s) [*if applicable*] \_\_\_\_\_
4. Center or Corridor Area [*if applicable*] \_\_\_\_\_
5. Current Land Use(s) [*vacant, if none*] \_\_\_\_\_

**NOTE:** Pursuant to [IDO §14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting up to 15 calendar days before the public hearing date. Contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3860 and select the option for "Boards, Commissions, and ZHE signs."

**Integrated Development Ordinance (IDO):** <https://ido.abc-zone.com>

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<sup>4</sup> Available online here: <http://data.cabq.gov/business/zoneatlas>

<sup>5</sup> Available here: <https://tinyurl.com/idozoningmap>

# Language Access Notice:

We provide free interpretation services to help you communicate with us. If you need help, you can request interpretation at any service counter in our Department, located in the Plaza Del Sol building, 600 2nd Street NW, Albuquerque, NM 87102.

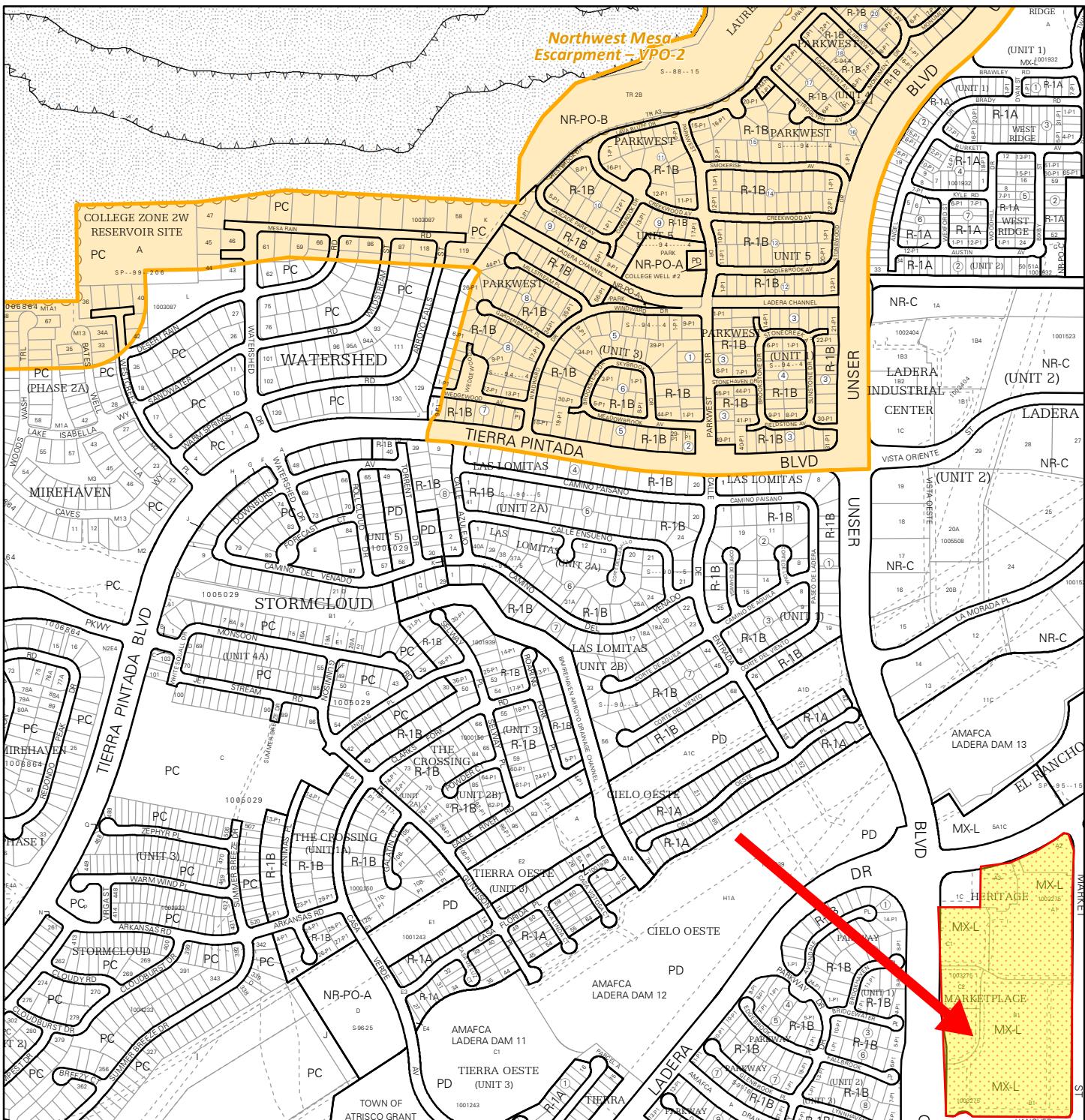
## Notificación de Acceso Lingüístico.

Ofrecemos servicios gratuitos de interpretación para ayudarlo a comunicarse con nosotros. Si necesita ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

語言輔助通知。我們提供免費口譯服務，以幫助你與我們溝通。如果你需要幫助，你可以在我們部門的任何服務台請求口譯，服務台位於 Plaza Del Sol大樓，600 2nd Street NW，阿爾伯克基，NM 87102。

Thông báo về cách Tiếp cận Ngôn ngữ. Chúng tôi cung cấp các dịch vụ thông dịch miễn phí để giúp quý vị giao tiếp với chúng tôi. Nếu quý vị cần giúp đỡ, quý vị có thể yêu cầu thông dịch tại bất cứ quầy dịch vụ nào trong Sở của chúng tôi, tọa lạc tại tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaasdzil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i dzaadi! Dzaadi! Danihi dahoontahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di niihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.



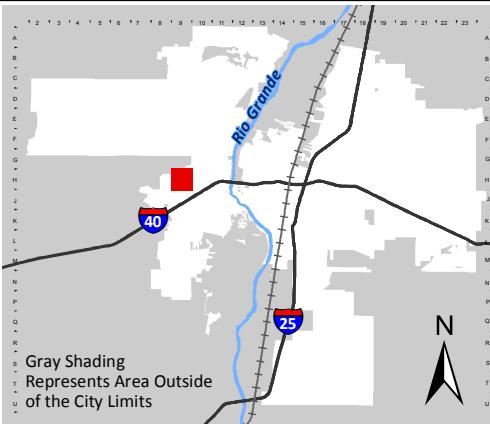
For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018

The Zone Districts and Overlay Zones  
are established by the  
Integrated Development Ordinance (IDO).



Zone Atlas Page:

**H-09-Z**

----- Easement      V V Escarpment

○○○ Petroglyph National Monument

Areas Outside of City Limits

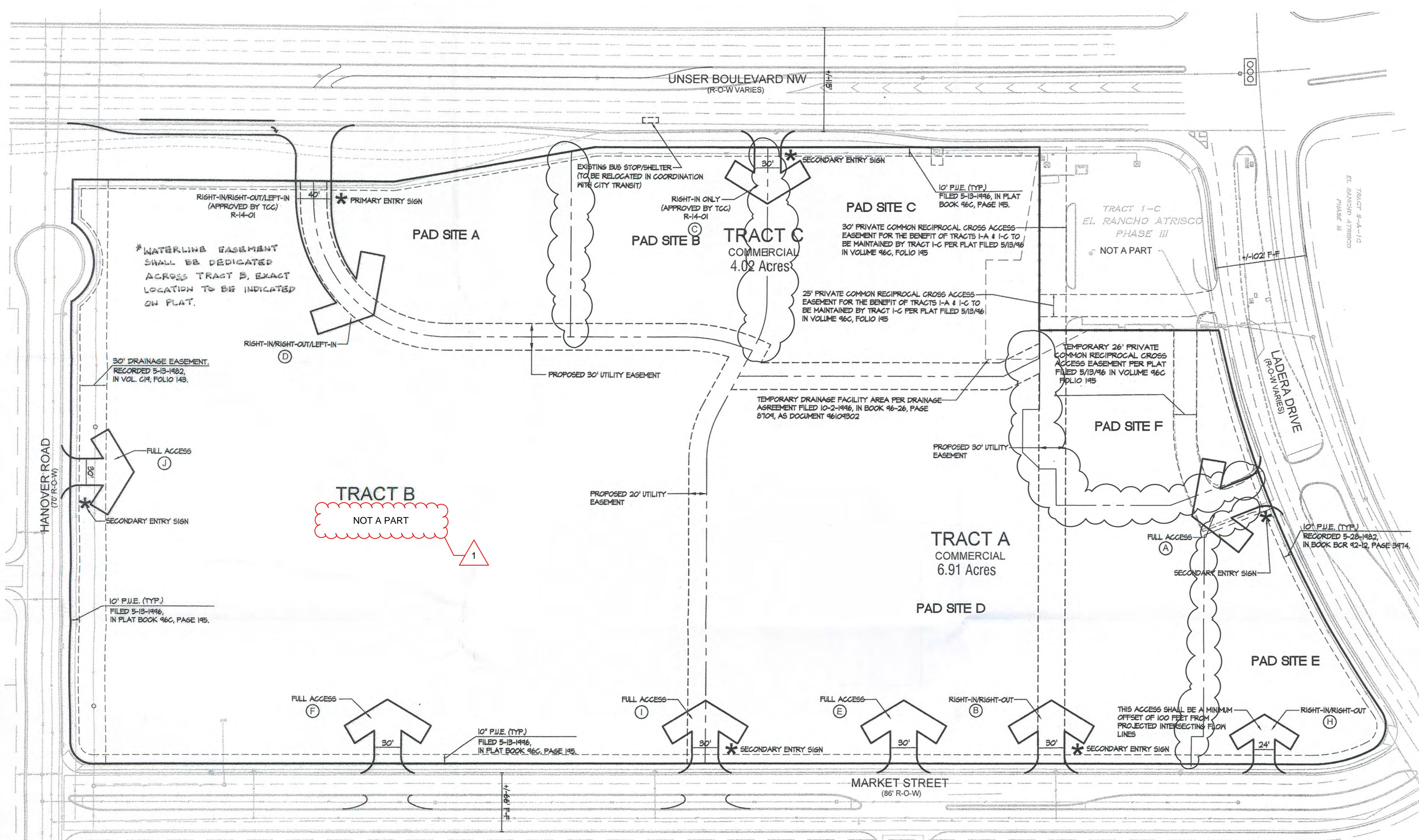
Airport Protection Overlay (APO) Zone

Character Protection Overlay (CPO) Zone

Historic Protection Overlay (HPO) Zone

View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet



#### SITE PLAN FOR SUBDIVISION - REQUIRED INFORMATION

##### THE SITE:

The Site consists of approximately 10.946 ac. The property is bounded on the west by Unser Boulevard, to the north by Ladera Drive, to the east by Market Street, and to the south by Hanover Road. There is an existing out parcel at the southeast corner of Unser Boulevard and Ladera Drive developed with a gas station and convenience store.

##### ZONING AND PROPOSED USE:

The Site is zoned SU-2 /SU-1 Special Use for Neighborhood Commercial and Office Uses within the El Rancho Atrisco Phase III Sector Development Plan (1981). The site is a designated neighborhood activity center in the West Side Strategic Plan.

Development of the property can only occur through an approved site development plan as regulated by Section 14-16-2-22 of the Comprehensive City Zoning Code. Activities allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial zone and office uses.

A maximum of 50 percent (12.5 acres) of the original 25-acre site as referenced on Sheet 5 of the El Rancho Atrisco Phase III Sector Development Plan is eligible for development with retail and service-type uses consistent with those of the C-1 zone. The existing gas station and convenience store located on Lot IC (.85 acres) toward the northwest corner of the original 25-acre site is considered "commercial development". As such, an additional 11.65 acres - may be developed with commercial uses pursuant to the C-1 zone.

The remaining area of the property can be developed with office or residential uses, or a combination thereof. Residential development on this portion shall be regulated by Section 14-16-2-16(A)(7) of the Comprehensive City Zoning Code.

##### APPLICABLE PLANS:

City of Albuquerque/Bernalillo County Comprehensive Plan (Rank I); West Side Strategic Plan (Rank II); and the El Rancho Atrisco Phase III Sector Development Plan (Rank III).

##### PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS:

Vehicular Access and Circulation - The proposed development has access to adjacent streets on all four sides of the property. Limited access to Unser Boulevard (a limited access principal arterial) has been approved by the Transportation Coordinating Committee of the Metropolitan Transportation Board of the Mid-Region Council of Governments (R-14-01 TCC). Access includes a right-in, right-out, and left-in access (approximately 1,040 feet south of Ladera) and an additional right-in access (approximately 529 feet south of Ladera) to serve the proposed development. There are existing access points on the north side of the property to Ladera Drive that remain. Additional access is shown on Ladera Drive, Market Street, and Hanover Road. Final design and location of these access points will be determined by future Site Development Plans for Building Permit. New median cuts must be requested in writing to the Traffic Engineer, Development and Review Services. The construction of appropriate left turn lanes must be included with any new median cuts.

Transit - The property is currently served by two existing bus routes; 92 Taylor Ranch Express and 94 Unser Express. Both routes have a bus stop adjacent to the subject property. Route 92 also travels along Ladera Boulevard adjacent to the site and existing bus stops are east of Market Street. Unser and I-40 are designated Express Transit Corridors.

Bicycle Facilities - Unser Boulevard has on-street bike lanes and an off-street multi-use trail on the east side of the street. The Unser Trail connects to the I-40 Regional Trail that runs along the north side of Interstate 40.

Pedestrian Facilities - Internal sidewalk and pedestrian facilities will be designed consistent with the design guidelines included in this site plan and future site plans for building permits.

##### BUILDING HEIGHTS AND SETBACKS:

Maximum building heights for all buildings shall be per the SU-1 zone. Setbacks shall be as provided in the O-1 and R-3 zones as enumerated in the Comprehensive City Zoning Code. Specific design restrictions for new residential shall be as provided in the C-2 zone (specific to Activity Centers and Transit Corridors).

##### MAXIMUM FAR/DENSITY:

Commercial buildings shall not exceed a maximum FAR of .30. Residential shall be as provided in the C-2 Zone and shall have a minimum FAR of .3 and a maximum density of 30 dwelling units per acre.

##### LANDSCAPE PLAN:

Landscape plans shall be submitted with future Site Plans for Building Permit and shall be consistent with the Water Conservation Landscaping and Water Waste Ordinance, Pollen Control Ordinance, and the Design Standards (Sheet 2).

##### Notes:

1. A cross access easement and shared parking agreement shall be part of the platting process at DRB. Future development on the site will require EPC review of the Site Development Plan for Building Permit(s).
2. Stormwater control measures shall be designed to manage the first flush and control runoff generated by contributing impervious surfaces.

1 Proposed Changes:  
 1. Indicate Tract B as "NOT A PART" on Sheet 1 of 3 as it is being repealed from the Site Plan.  
 2. Indicate Tract A as "NOT A PART" on Sheet 3 of 3 as it is being repealed from the Site Plan.

# HERITAGE MARKETPLACE

## SITE PLAN FOR SUBDIVISION

Prepared For:  
 Garrett Development Corporation  
 1130 Lanes End NW  
 Albuquerque, NM 87114

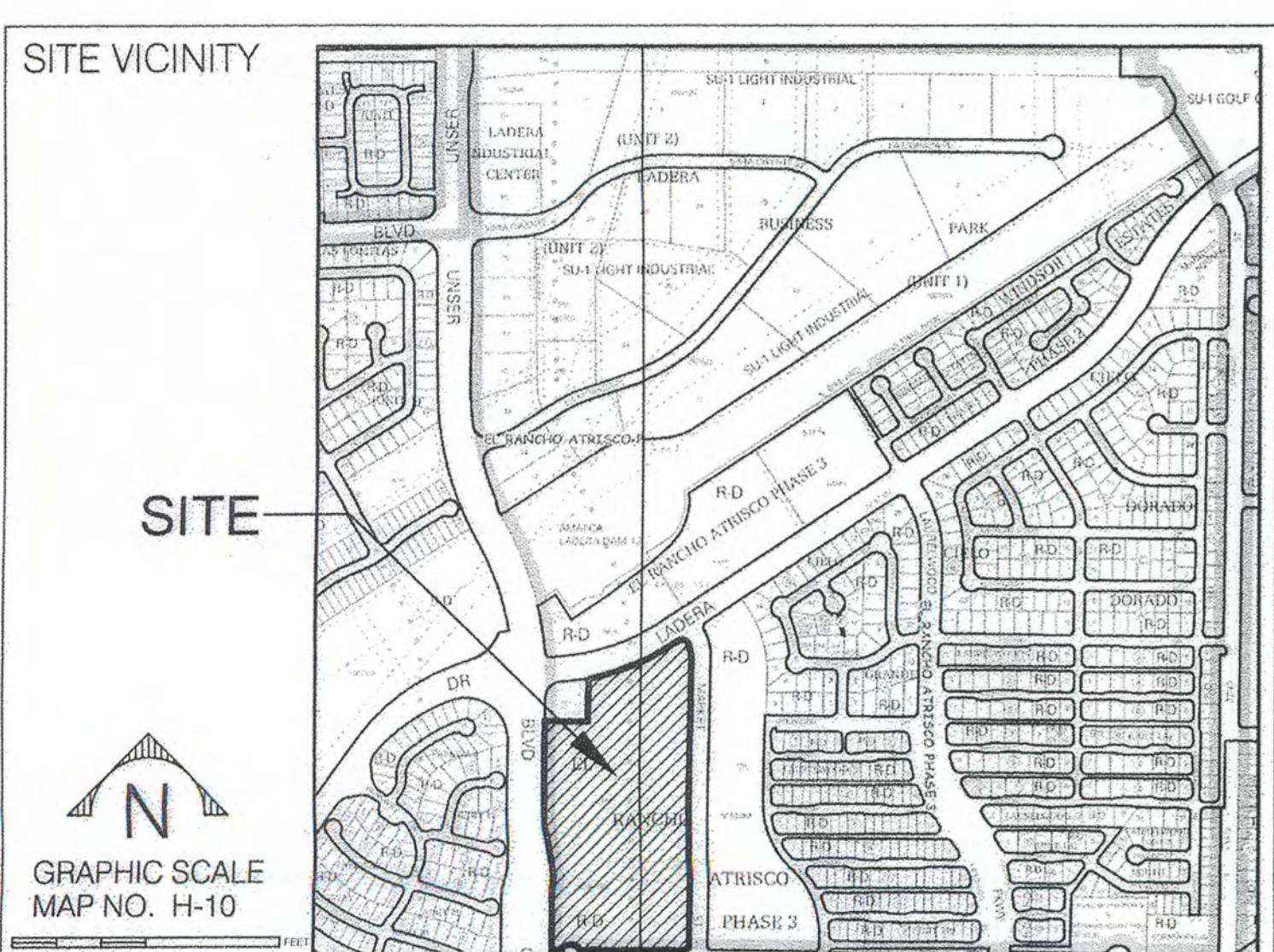
Prepared By:  
 Consensus Planning, Inc.  
 302 Eighth Street NW  
 Albuquerque, NM 87102

Scale: 1" = 60'



December 8, 2014

Sheet 1 of 3



PROJECT NUMBER: 1003275  
 APPLICATION NUMBER: 14EPC-40078, 15DRB-70052

This plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated February 13, 2014 and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? ( ) Yes ( ) No If yes, then a set of approved DRC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

#### DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

*Alan Carter* 02-25-15 Date  
 Traffic Engineer, Transportation Division  
*Carol S. Dumont* 02-25-15 Date  
 Water Utility Development  
*Carol S. Dumont* 02-25-15 Date  
 Parks & Recreation Department  
*Curtis A. Chen* 02-25-15 Date  
 City Engineer  
 \* Environmental Health Department (conditional) Date  
*Del Clark* 04-9-15 Date  
 Solid Waste Management  
*Del Clark* 04-9-15 Date  
 DRB Chairperson, Planning Department

\* Environmental Health, if necessary

PROJECT NUMBER: 1003275  
 Application Number: 13EPC-40148

This Plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated February 13, 2014 and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? ( ) Yes ( ) No If yes, then a set of approved DRC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

#### DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

*Alan Carter* 12-10-14 Date  
 Traffic Engineering, Transportation Division  
*Carol S. Dumont* 12-10-14 Date  
 Parks and Recreation Department  
*Curtis A. Chen* 12-10-14 Date  
 City Engineer  
*Del Clark* 12-10-14 Date  
 Solid Waste Management  
*Del Clark* 12-10-14 Date  
 DRB Chairperson, Planning Department

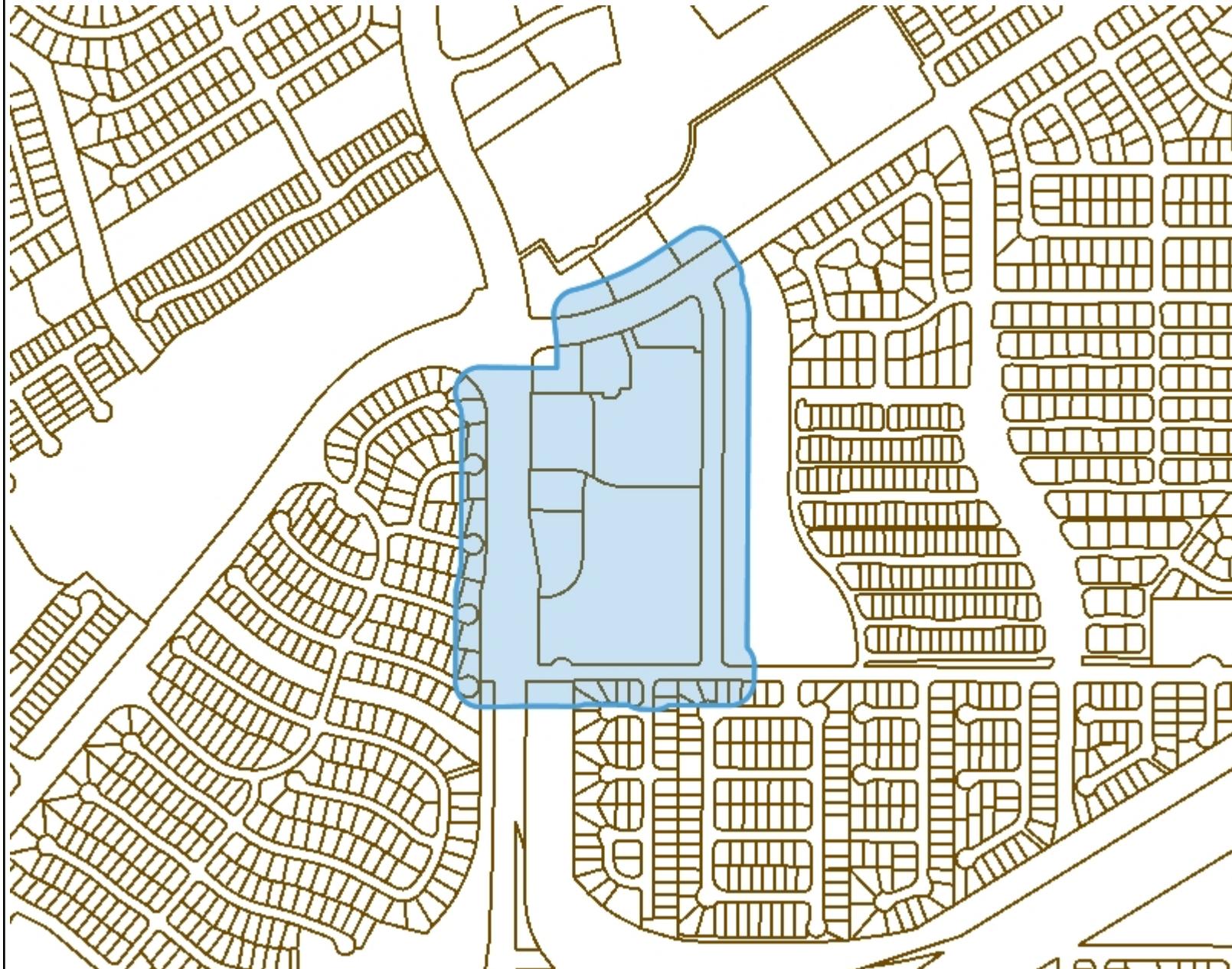


# 1700 Unser Blvd NW



## Legend

Bernalillo County Parcels



1,183

0

591

1,183 Feet

## Notes

Buffer: 100 Ft.  
ROW: Hanover Rd. NW; Ladera Dr NW;  
Market St NW; Unser Blvd NW.

2004 WAKIMOTO FAMILY LP C/O WAL-MART PROP TAX DEPT STORE #87370 ATTN: MS 0555 PO BOX 8050 BENTONVILLE AR 72716-8050	ALEMAN RUBEN & MARIA M 8005 FALLBROOK PL NW ALBUQUERQUE NM 87120-8016	ALVARADO DEVELOPMENT LLC 5654 GREENWOOD PLAZA BLVD GREENWOOD VILLAGE CO 80111-2310
AMAFCA 2600 PROSPECT AVE NE ALBUQUERQUE NM 87107-1836	BIERLY PROPERTY HOLDINGS LLC & BIERLY LEWIS E PO BOX 91090 ALBUQUERQUE NM 87199-1090	BROWN STERLING & SUSAN 8004 BRIDGEWATER PL NW ALBUQUERQUE NM 87120-8001
CHAVEZ ANNA MARIE 7827 SPRINGWOOD RD NW ALBUQUERQUE NM 87120-5556	COHN WILLIAM & BRIDGET 8000 FALLBROOK PL NW ALBUQUERQUE NM 87120-8015	COZBY CARINA TRUSTEE COZBY RVT 9600 TOUCAN PL NW ALBUQUERQUE NM 87114-3654
CSDCPC RIOGAF LLC ATTN: LAURA FIERMANN 7320 E DEER VALLEY RD SUITE 1106 SCOTTSDALE AZ 85255-7453	DANN REBECCA & ROBERT E 7819 SPRINGWOOD RD NW ALBUQUERQUE NM 87120	DIAMOND SHAMROCK REFINING & MARKETING CO ATTN: CIRCLE K STORES INC DC-17 PO BOX 52085 PHOENIX AZ 85072-2085
ENNIS PAMELA ANN & ENNIS THOMAS 8000 LYNNHAVEN PL NW ALBUQUERQUE NM 87120-5502	GOMEZ ANDREA 7831 SPRINGWOOD RD NW ALBUQUERQUE NM 87120-5556	GRILL SHARON E & JAMES E 7909 LOCKWOOD CT NW ALBUQUERQUE NM 87120-4081
JACKSON VIRGINIA M 8004 LYNNHAVEN PL NW ALBUQUERQUE NM 87120	KERSUL JOSEPH A & AUDREY M 8615 WARM SPRINGS NW ALBUQUERQUE NM 87120	LCA ARROWHEAD LP ATTN: LAKESIDE CAPITAL ADVISORS LP 6150 N KILPATRICK AVE CHICAGO IL 60646-5043
LCA RIO VOLCAN LP ATTN: LAKESIDE CAPITAL ADVISORS LP 6150 N KILPATRICK AVE CHICAGO IL 60646-5043	LEAL RICHARD D SR & CIRILA D 7915 LOCKWOOD CT NW ALBUQUERQUE NM 87120	LUCERO CHRISTOPHER & CASIAS- LUCERO MARY ORLINDA 1416 ALWOOD DR NW ALBUQUERQUE NM 87120-4084
MARTINEZ CARLOS V 7823 SPRINGWOOD RD NW ALBUQUERQUE NM 87120-5556	MCDONALDS REAL ESTATE COMPANY ATTN: DEPT 27 RE TAX 110 N CARPENTER ST CHICAGO IL 60607-4106	MONTELONGO JAVIER ALONSO & TRILLO MARGARITA LICANO 8005 BRIDGEWATER PL NW ALBUQUERQUE NM 87120-8001
MOQUINO BORIS D 1938 AVONDALE PL NW ALBUQUERQUE NM 87120-8004	NIETO ALEX JOSEPH 1931 BROOKHAVEN PL NW ALBUQUERQUE NM 87120-8006	ODONALD ELENA R 1927 BROOKHAVEN PL NW ALBUQUERQUE NM 87120-8006
PEREZ ABIGAIL & GONZALEZ ABEL 7905 LOCKWOOD CT NW ALBUQUERQUE NM 87120-4081	PETERSON TERRY L 8001 BRIDGEWATER PL NW ALBUQUERQUE NM 87120-8001	POUGES ANGELA G PO BOX 13821 ALBUQUERQUE NM 87192

QUEZADA ALTURO & ROSARIO  
8005 LYNNHAVEN PL NW  
ALBUQUERQUE NM 87120

QUINTANA GUALTERIO A & STELLA M  
7919 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120-4081

ROMERO OSCAR  
11418 ROSEMONT AVE NE  
ALBUQUERQUE NM 87112-5642

ROSALES DAVID  
7901 LOCKWOOD LN NW  
ALBUQUERQUE NM 87120

ROYBAL JOSEPH G & MICHELLE T  
1951 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8003

RSM WILDCAT VENTURES NO 3 LLC  
512 THUNDER CREST LN  
EL PASO TX 79912-4251

SAIZ ROBIN JEAN TRUSTEE SAIZ RVT  
1926 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8005

SHAW TYLER P  
8002 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120

SPARKS REBEKAH M  
1419 DUSKFIRE DR NW  
ALBUQUERQUE NM 87120-5554

TERRELL CHEO L  
1922 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8005

TITAN LADERA SS LLC 6890 S 2300 E  
PO BOX 71870  
SALT LAKE CITY UT 84171-0870

ULIBARRI ANNA MARIE  
8001 FALLBROOK AVE NW  
ALBUQUERQUE NM 87120

WOLFE STACY  
1947 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8003

WOOLFOLK IVY & VASQUEZ ELOISA  
7815 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

YELLEN STUART & ANN TRUSTEES  
YELLEN FAMILY 1999 TRUST  
11588 VIA RANCHO SAN DIEGO A2009  
EL CAJON CA 92019-5277

June 4, 2025

2004 WAKIMOTO FAMILY LP C/O WAL-MART PROP TAX DEPT STORE #87370 ATTN: MS 0555  
PO BOX 8050  
BENTONVILLE AR 72716-8050

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear 2004 WAKIMOTO FAMILY LP C/O WAL-MART PROP TAX DEPT STORE #87370 ATTN: MS 0555,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

This subject site is currently zoned Mixed-Use Low Density (MX-L), which allows school use under the City's Integrated Development Ordinance (IDO). Prior to adoption of the IDO, the property was zoned SU-1 and was included in the approved Heritage Marketplace Site Plan for Subdivision. That site plan contains seven commercial lots and established associated site development standards for things like building design. The subject site, known as Tract B on that Site Plan for Subdivision, was initially approved for commercial uses and amended in 2014 to allow multifamily residential development.

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To streamline the process and ensure consistency with current zoning and review procedures, the following development actions are proposed:

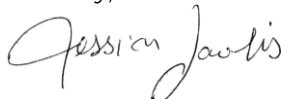
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This approach consolidates what would otherwise require multiple EPC applications, helping conserve both applicant and City resources.

The project is in early design phase and will not have a completed site design until after EPC at the DFT submittal level. A preliminary site plan of the charter school is included in this notice for point of reference.

If you have any questions, please contact me at [jessical@dekkerdesign.org](mailto:jessical@dekkerdesign.org) or 505-761-9700.

Sincerely,



Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

ALEMAN RUBEN & MARIA M  
8005 FALLBROOK PL NW  
ALBUQUERQUE NM 87120-8016

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ALEMAN RUBEN & MARIA M,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

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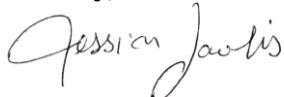
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June 4, 2025

ALVARADO DEVELOPMENT LLC  
5654 GREENWOOD PLAZA BLVD  
GREENWOOD VILLAGE CO 80111-2310

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ALVARADO DEVELOPMENT LLC,

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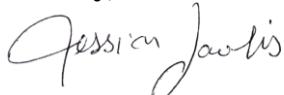
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Studio Manager, Urban Planning  
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June 4, 2025

AMAFCA  
2600 PROSPECT AVE NE  
ALBUQUERQUE NM 87107-1836

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear AMAFCA,

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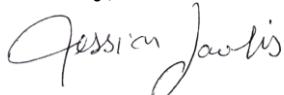
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June 4, 2025

BIERLY PROPERTY HOLDINGS LLC & BIERLY LEWIS E  
PO BOX 91090  
ALBUQUERQUE NM 87199-1090

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear BIERLY PROPERTY HOLDINGS LLC & BIERLY LEWIS E,

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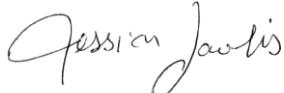
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Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

BROWN STERLING & SUSAN  
8004 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120-8001

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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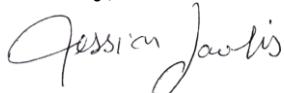
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Studio Manager, Urban Planning  
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**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

CHAVEZ ANNA MARIE  
7827 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear CHAVEZ ANNA MARIE,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

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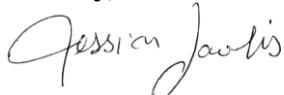
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June 4, 2025

COHN WILLIAM & BRIDGET  
8000 FALLBROOK PL NW  
ALBUQUERQUE NM 87120-8015

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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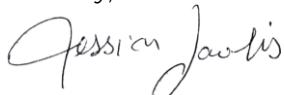
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June 4, 2025

COZBY CARINA TRUSTEE COZBY RVT  
9600 TOUCAN PL NW  
ALBUQUERQUE NM 87114-3654

**Re: Property Owner Notice**  
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**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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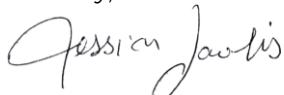
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June 4, 2025

CSDCPC RIOGAF A LLC ATTN: LAURA FIERMANN  
7320 E DEER VALLEY RD SUITE 1106  
SCOTTSDALE AZ 85255-7453

**Re: Property Owner Notice**  
**RioGAF A Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear CSDCPC RIOGAF A LLC ATTN: LAURA FIERMANN,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

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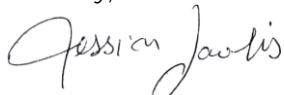
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June 4, 2025

DANN REBECCA & ROBERT E  
7819 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120

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**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear DANN REBECCA & ROBERT E,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

This subject site is currently zoned Mixed-Use Low Density (MX-L), which allows school use under the City's Integrated Development Ordinance (IDO). Prior to adoption of the IDO, the property was zoned SU-1 and was included in the approved Heritage Marketplace Site Plan for Subdivision. That site plan contains seven commercial lots and established associated site development standards for things like building design. The subject site, known as Tract B on that Site Plan for Subdivision, was initially approved for commercial uses and amended in 2014 to allow multifamily residential development.

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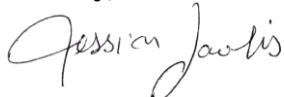
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This approach consolidates what would otherwise require multiple EPC applications, helping conserve both applicant and City resources.

The project is in early design phase and will not have a completed site design until after EPC at the DFT submittal level. A preliminary site plan of the charter school is included in this notice for point of reference.

If you have any questions, please contact me at [jessical@dekkerdesign.org](mailto:jessical@dekkerdesign.org) or 505-761-9700.

Sincerely,



Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

DIAMOND SHAMROCK REFINING & MARKETING CO ATTN: CIRCLE K STORES INC DC-17  
PO BOX 52085  
PHOENIX AZ 85072-2085

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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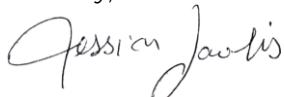
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June 4, 2025

ENNIS PAMELA ANN & ENNIS THOMAS  
8000 LYNNHAVEN PL NW  
ALBUQUERQUE NM 87120-5502

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ENNIS PAMELA ANN & ENNIS THOMAS,

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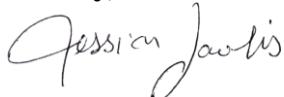
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June 4, 2025

GOMEZ ANDREA  
7831 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
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**UPC #100905952600140105**  
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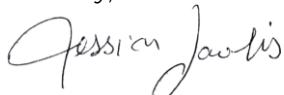
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June 4, 2025

GRILL SHARON E & JAMES E  
7909 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120-4081

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
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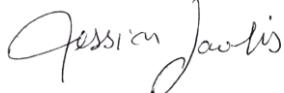
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June 4, 2025

JACKSON VIRGINIA M  
8004 LYNNHAVEN PL NW  
ALBUQUERQUE NM 87120

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
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**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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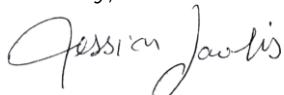
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June 4, 2025

KERSUL JOSEPH A & AUDREY M  
8615 WARM SPRINGS NW  
ALBUQUERQUE NM 87120

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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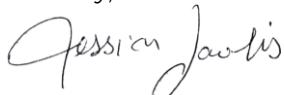
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June 4, 2025

LCA ARROWHEAD LP ATTN: LAKESIDE CAPTIAL ADVISORS LP  
6150 N KILPATRICK AVE  
CHICAGO IL 60646-5043

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**UPC #100905952600140105**  
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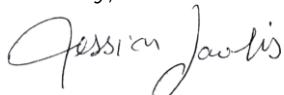
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June 4, 2025

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6150 N KILPATRICK AVE  
CHICAGO IL 60646-5043

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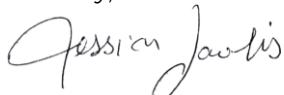
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June 4, 2025

LEAL RICHARD D SR & CIRILA D  
7915 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120

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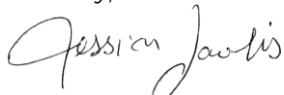
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Dekker, Agent for RioGAFA

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June 4, 2025

LUCERO CHRISTOPHER & CASIAS-LUCERO MARY ORLINDA  
1416 ALWOOD DR NW  
ALBUQUERQUE NM 87120-4084

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear LUCERO CHRISTOPHER & CASIAS-LUCERO MARY ORLINDA,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

This subject site is currently zoned Mixed-Use Low Density (MX-L), which allows school use under the City's Integrated Development Ordinance (IDO). Prior to adoption of the IDO, the property was zoned SU-1 and was included in the approved Heritage Marketplace Site Plan for Subdivision. That site plan contains seven commercial lots and established associated site development standards for things like building design. The subject site, known as Tract B on that Site Plan for Subdivision, was initially approved for commercial uses and amended in 2014 to allow multifamily residential development.

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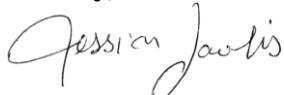
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The project is in early design phase and will not have a completed site design until after EPC at the DFT submittal level. A preliminary site plan of the charter school is included in this notice for point of reference.

If you have any questions, please contact me at [jessical@dekkerdesign.org](mailto:jessical@dekkerdesign.org) or 505-761-9700.

Sincerely,



Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

MARTINEZ CARLOS V  
7823 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear MARTINEZ CARLOS V,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

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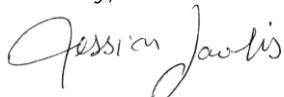
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June 4, 2025

MCDONALDS REAL ESTATE COMPANY ATTN: DEPT 27 RE TAX  
110 N CARPENTER ST  
CHICAGO IL 60607-4106

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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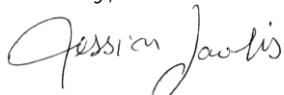
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June 4, 2025

MONTELONGO JAVIER ALONSO & TRILLO MARGARITA LICANO  
8005 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120-8001

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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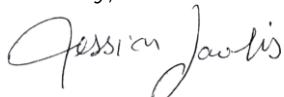
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June 4, 2025

MOQUINO BORIS D  
1938 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8004

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear MOQUINO BORIS D,

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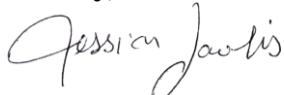
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June 4, 2025

NIETO ALEX JOSEPH  
1931 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8006

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear NIETO ALEX JOSEPH,

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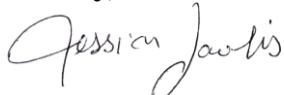
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June 4, 2025

ODONALD ELENA R  
1927 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8006

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ODONALD ELENA R,

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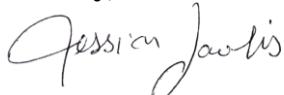
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June 4, 2025

PEREZ ABIGAIL & GONZALEZ ABEL  
7905 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120-4081

**Re: Property Owner Notice**  
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**1700 Unser Blvd**  
**UPC #100905952600140105**  
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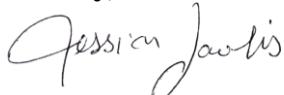
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June 4, 2025

PETERSON TERRY L  
8001 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120-8001

**Re: Property Owner Notice**  
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**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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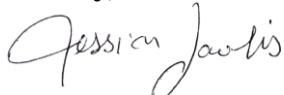
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June 4, 2025

POUGES ANGELA G  
PO BOX 13821  
ALBUQUERQUE NM 87192

**Re: Property Owner Notice**  
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**1700 Unser Blvd**  
**UPC #100905952600140105**  
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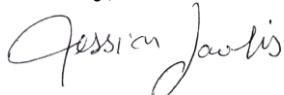
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If you have any questions, please contact me at [jessical@dekkerdesign.org](mailto:jessical@dekkerdesign.org) or 505-761-9700.

Sincerely,



Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

QUEZADA ALTURO & ROSARIO  
8005 LYNNHAVEN PL NW  
ALBUQUERQUE NM 87120

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear QUEZADA ALTURO & ROSARIO,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

This subject site is currently zoned Mixed-Use Low Density (MX-L), which allows school use under the City's Integrated Development Ordinance (IDO). Prior to adoption of the IDO, the property was zoned SU-1 and was included in the approved Heritage Marketplace Site Plan for Subdivision. That site plan contains seven commercial lots and established associated site development standards for things like building design. The subject site, known as Tract B on that Site Plan for Subdivision, was initially approved for commercial uses and amended in 2014 to allow multifamily residential development.

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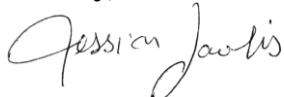
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June 4, 2025

QUINTANA GUALTERIO A & STELLA M  
7919 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120-4081

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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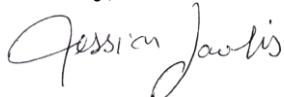
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June 4, 2025

ROMERO OSCAR  
11418 ROSEMONT AVE NE  
ALBUQUERQUE NM 87112-5642

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ROMERO OSCAR,

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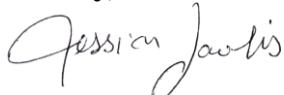
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June 4, 2025

ROSALES DAVID  
7901 LOCKWOOD LN NW  
ALBUQUERQUE NM 87120

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ROSALES DAVID,

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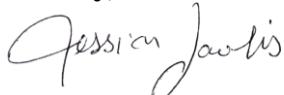
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June 4, 2025

ROYBAL JOSEPH G & MICHELLE T  
1951 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8003

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ROYBAL JOSEPH G & MICHELLE T,

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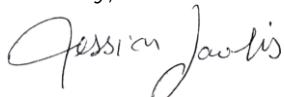
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June 4, 2025

RSM WILDCAT VENTURES NO 3 LLC  
512 THUNDER CREST LN  
EL PASO TX 79912-4251

**Re: Property Owner Notice**  
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**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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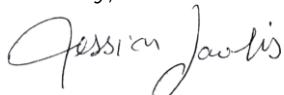
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June 4, 2025

SAIZ ROBIN JEAN TRUSTEE SAIZ RVT  
1926 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8005

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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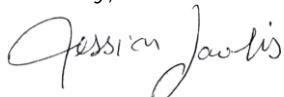
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June 4, 2025

SHAW TYLER P  
8002 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120

**Re: Property Owner Notice**  
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**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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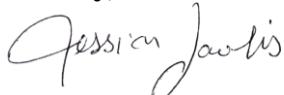
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June 4, 2025

SPARKS REBEKAH M  
1419 DUSKFIRE DR NW  
ALBUQUERQUE NM 87120-5554

**Re: Property Owner Notice**  
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**1700 Unser Blvd**  
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**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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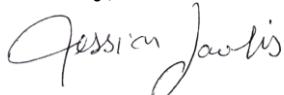
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June 4, 2025

TERRELL CHEO L  
1922 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8005

**Re: Property Owner Notice**  
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**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

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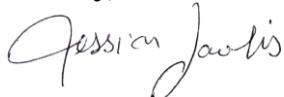
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The project is in early design phase and will not have a completed site design until after EPC at the DFT submittal level. A preliminary site plan of the charter school is included in this notice for point of reference.

If you have any questions, please contact me at [jessical@dekkerdesign.org](mailto:jessical@dekkerdesign.org) or 505-761-9700.

Sincerely,



Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

TITAN LADERA SS LLC 6890 S 2300 E  
PO BOX 71870  
SALT LAKE CITY UT 84171-0870

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear TITAN LADERA SS LLC 6890 S 2300 E,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

This subject site is currently zoned Mixed-Use Low Density (MX-L), which allows school use under the City's Integrated Development Ordinance (IDO). Prior to adoption of the IDO, the property was zoned SU-1 and was included in the approved Heritage Marketplace Site Plan for Subdivision. That site plan contains seven commercial lots and established associated site development standards for things like building design. The subject site, known as Tract B on that Site Plan for Subdivision, was initially approved for commercial uses and amended in 2014 to allow multifamily residential development.

The application requests to amend the existing approval to remove the subject property, Tract B, to indicate "Not A Part" on the Site Plan. This will allow the applicant to proceed with the application for a site plan approval of a charter school on a portion of Tract B. Because the original site plan did not anticipate this use, a Major Amendment is required.

To streamline the process and ensure consistency with current zoning and review procedures, the following development actions are proposed:

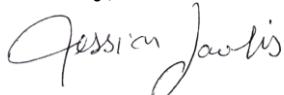
- Major Amendment to EPC to remove Tract B from the approved Heritage Marketplace Site Plan for Subdivision
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Sincerely,



Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

ULIBARRI ANNA MARIE  
8001 FALLBROOK AVE NW  
ALBUQUERQUE NM 87120

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear ULIBARRI ANNA MARIE,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

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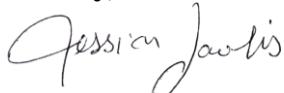
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Sincerely,



Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

WOLFE STACY  
1947 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8003

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear WOLFE STACY,

The purpose of this letter is to inform you, as a property owner, within 100' feet of 1700 Unser Blvd which is applying for a EPC – Site Plan Major Amendment to the approved Heritage Marketplace Site Plan for Subdivision. The amendment will support the development of a charter school on a portion of Tract B located as shown on the Heritage Marketplace Site Plan for Subdivision.

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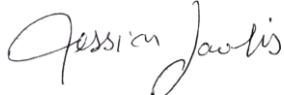
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Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

June 4, 2025

WOOLFOLK IVY & VASQUEZ ELOISA  
7815 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear WOOLFOLK IVY & VASQUEZ ELOISA,

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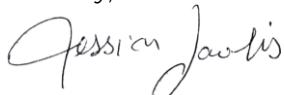
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Dekker, Agent for RioGAFA

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June 4, 2025

YELLEN STUART & ANN TRUSTEES YELLEN FAMILY 1999 TRUST  
11588 VIA RANCHO SAN DIEGO A2009  
EL CAJON CA 92019-5277

**Re: Property Owner Notice**  
**RioGAFA Charter School – EPC Site Plan Major Amendment Application**  
**1700 Unser Blvd**  
**UPC #100905952600140105**  
**Legal Description: TR B-1 PLAT OF TRACT B-1 HERITAGE MARKETPLACE (BEING AREPLAT OF TRACT B, HERITAGE MARKETPLACE) CONT 9.0540 AC**

Dear YELLEN STUART & ANN TRUSTEES YELLEN FAMILY 1999 TRUST,

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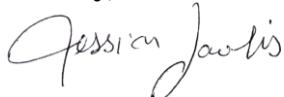
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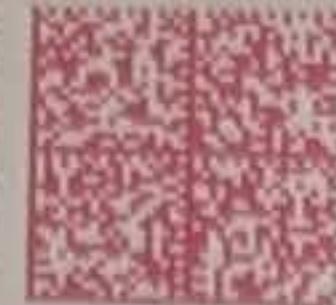
Jessica Lawlis, AICP  
Studio Manager, Urban Planning  
Dekker, Agent for RioGAFA

**Attachments:** Zone Atlas Map, Buffer Map, Public Notice of Hearing Form, Public Notice Checklist Form, Preliminary Site Plan, and Proposed Amended Heritage Marketplace Site Plan for Subdivision

**Dekker**  
Architecture in Progress

PETERSON TERRY L  
8001 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120-8001

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028W000210590  
2020427202  
ZIP 87108  
JUN 04 2020



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Architecture in Progress

KERSUL JOSEPH A & AUDREY M  
8615 WARM SPRINGS NW  
ALBUQUERQUE NM 87120

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028W000211590  
2020427202  
ZIP 87108  
JUN 04 2020



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Architecture in Progress

ODONALD ELENA R  
1927 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8006

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028W000210590  
2020427202  
ZIP 87108  
JUN 04 2020



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NIETO ALEX JOSEPH  
1931 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8006

PITNEY BOWES  
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US POSTAGE  
FIRST-CLASS  
028W000211590  
2020427202  
ZIP 87108  
JUN 04 2020



**Dekker**  
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DIAMOND SHAMROCK REFINING &  
MARKETING CO ATTN: CIRCLE K STORES  
INC DC-17  
PO BOX 52085  
PHOENIX AZ 85072-2085

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028W000210590  
2020427202  
ZIP 87108  
JUN 04 2020



**Dekker**  
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TITAN LADERA SS LLC 6890 S 2300 E  
PO BOX 71870  
SALT LAKE CITY UT 84171-0870

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US POSTAGE  
FIRST-CLASS  
028W000211590  
2020427202  
ZIP 87108  
JUN 04 2020



**Dekker**  
Architecture in Progress

WOLFE STACY  
1947 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8003

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028W000210590  
2020427202  
ZIP 87108  
JUN 04 2020



**Dekker**  
Architecture in Progress

CHAVEZ ANNA MARIE  
7827 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028W000211590  
2020427202  
ZIP 87108  
JUN 04 2020



**Dekker**  
Architecture in Progress

YELLEN STUART & ANN TRUSTEES  
YELLEN FAMILY 1999 TRUST  
11588 VIA RANCHO SAN DIEGO A2009  
EL CAJON CA 92019-5277

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
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2020427202  
ZIP 87108  
JUN 04 2020



**Dekker**  
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LEAL RICHARD D SR & CIRILA D  
7915 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028W000211590  
2020427202  
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JUN 04 2020



**Dekker**  
Architecture in Progress

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028WV000211081  
200427202  
ZIP 87109  
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ALEMAN RUBEN & MARIA M  
8005 FALLBROOK PL NW  
ALBUQUERQUE NM 87120-8016

**Dekker**  
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PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
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028WV000211089  
200427202  
ZIP 87109  
JUN 04 2025



TERRELL CHEO L  
1922 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8005

**Dekker**  
Architecture in Progress

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\$0.97 0  
US POSTAGE  
FIRST-CLASS  
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028WV000211081  
200427202  
ZIP 87109  
JUN 04 2025



MOQUINO BORIS D  
1938 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8004

**Dekker**  
Architecture in Progress

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US POSTAGE  
FIRST-CLASS  
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028WV000211089  
200427202  
ZIP 87109  
JUN 04 2025



QUEZADA ALTURO & ROSARIO  
8005 LYNNHAVEN PL NW  
ALBUQUERQUE NM 87120

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
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028WV000211081  
200427202  
ZIP 87109  
JUN 04 2025



ENNIS PAMELA ANN & ENNIS THOMAS  
8000 LYNNHAVEN PL NW  
ALBUQUERQUE NM 87120-5502

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
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028WV000211089  
200427202  
ZIP 87109  
JUN 04 2025



JACKSON VIRGINIA M  
8004 LYNNHAVEN PL NW  
ALBUQUERQUE NM 87120

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV000211081  
028WV000211081  
200427202  
ZIP 87109  
JUN 04 2025



SHAW TYLER P  
8002 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120

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Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV000211089  
028WV000211089  
200427202  
ZIP 87109  
JUN 04 2025



LCA ARROWHEAD LP ATTN: LAKESIDE  
CAPITAL ADVISORS LP  
6150 N KILPATRICK AVE  
CHICAGO IL 60646-5043

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV000211081  
028WV000211081  
200427202  
ZIP 87109  
JUN 04 2025



DANN REBECCA & ROBERT E  
7819 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV000211089  
028WV000211089  
200427202  
ZIP 87109  
JUN 04 2025



ROSALES DAVID  
7901 LOCKWOOD LN NW  
ALBUQUERQUE NM 87120

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



MONTELONGO JAVIER ALONSO &  
TRILLO MARGARITA LICANO  
8005 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120-8001

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



MCDONALDS REAL ESTATE COMPANY  
ATTN: DEPT 27 RE TAX  
110 N CARPENTER ST  
CHICAGO IL 60607-4106

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



RSM WILDCAT VENTURES NO 3 LLC  
512 THUNDER CREST LN  
EL PASO TX 79912-4251

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



POUGES ANGELA G  
PO BOX 13821  
ALBUQUERQUE NM 87192

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



ROYBAL JOSEPH G & MICHELLE T  
1951 AVONDALE PL NW  
ALBUQUERQUE NM 87120-8003

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PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
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028WV0002310683  
2000427202  
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JUN 04 2025



GOMEZ ANDREA  
7831 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

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PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



GRILL SHARON E & JAMES E  
7909 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120-4081

**Dekker**  
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PITNEY BOWES  
\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



ROMERO OSCAR  
11418 ROSEMONT AVE NE  
ALBUQUERQUE NM 87112-5642

**Dekker**  
Architecture in Progress

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\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



ULIBARRI ANNA MARIE  
8001 FALLBROOK AVE NW  
ALBUQUERQUE NM 87120

**Dekker**  
Architecture in Progress

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\$0.97 0  
US POSTAGE  
FIRST-CLASS  
028WV0002310683  
028WV0002310683  
2000427202  
ZIP 87108  
JUN 04 2025



QUINTANA GUALTERIO A & STELLA M  
7919 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120-4081

**Dekker**  
Architecture in Progress

PITNEY BOWES  
\$0.97 0  
US POSTAGE FIRST-CLASS  
028WV0002310943  
028WV0002310943  
2000427202  
ZIP 87109  
JUN 04 2025



WOOLFOLK IVY & VASQUEZ ELOISA  
7815 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

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\$0.97 0  
US POSTAGE FIRST-CLASS  
028WV0002310943  
028WV0002310943  
2000427202  
ZIP 87109  
JUN 04 2025



ALVARADO DEVELOPMENT LLC  
5654 GREENWOOD PLAZA BLVD  
GREENWOOD VILLAGE CO 80111-2310

**Dekker**  
Architecture in Progress

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\$0.97 0  
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**Dekker**  
Architecture in Progress

PITNEY BOWES  
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ZIP 87109  
JUN 04 2025



COHN WILLIAM & BRIDGET  
8000 FALLBROOK PL NW  
ALBUQUERQUE NM 87120-8015

BIERLY PROPERTY HOLDINGS LLC &  
BIERLY LEWIS E  
PO BOX 91090  
ALBUQUERQUE NM 87199-1090

**Dekker**  
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ZIP 87109  
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MARTINEZ CARLOS V  
7823 SPRINGWOOD RD NW  
ALBUQUERQUE NM 87120-5556

LUCERO CHRISTOPHER & CASIAS-  
LUCERO MARY ORLINDA  
1416 ALWOOD DR NW  
ALBUQUERQUE NM 87120-4084

**Dekker**  
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JUN 04 2025



BROWN STERLING & SUSAN  
8004 BRIDGEWATER PL NW  
ALBUQUERQUE NM 87120-8001

AMAFCA  
2600 PROSPECT AVE NE  
ALBUQUERQUE NM 87107-1836

**Dekker**  
Architecture in Progress

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028WV0002310943  
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ZIP 87109  
JUN 04 2025



CSDCPC RIOGAFALLC ATT: LAURA  
FIERMANN  
7320 E DEER VALLEY RD SUITE 1106  
SCOTTSDALE AZ 85255-7453

**Dekker**  
Architecture in Progress

PITNEY BOWES  
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US POSTAGE FIRST-CLASS  
028WV0002310943  
028WV0002310943  
2000427202  
ZIP 87109  
JUN 04 2025



COZBY CARINA TRUSTEE COZBY RVT  
9600 TOUCAN PL NW  
ALBUQUERQUE NM 87114-3654

**Dekker**  
Architecture in Progress

2004 WAKIMOTO FAMILY LP C/O WAL-  
MART PROP TAX DEPT STORE #87370  
ATTN: MS 0555  
PO BOX 8050  
BENTONVILLE AR 72716-8050

PITNEY BOWES  
\$0.97 0  
US POSTAGE<sup>TM</sup>  
FIRST-CLASS  
028WV0002311069  
200427202  
ZIP 87109  
JUN 04 2025



**Dekker**  
Architecture in Progress

LCA RIO VOLCAN LP ATTN: LAKESIDE  
CAPITAL ADVISORS LP  
6150 N KILPATRICK AVE  
CHICAGO IL 60646-5043

PITNEY BOWES  
\$0.97 0  
US POSTAGE<sup>TM</sup>  
FIRST-CLASS  
028WV002310168  
200427202  
ZIP 87109  
JUN 04 2025



**Dekker**  
Architecture in Progress

SAIZ ROBIN JEAN TRUSTEE SAIZ RVT  
1926 BROOKHAVEN PL NW  
ALBUQUERQUE NM 87120-8005

PITNEY BOWES  
\$0.97 0  
US POSTAGE<sup>TM</sup>  
FIRST-CLASS  
028WV002310853  
200427202  
ZIP 87109  
JUN 04 2025



**Dekker**  
Architecture in Progress

PEREZ ABIGAIL & GONZALEZ ABEL  
7905 LOCKWOOD CT NW  
ALBUQUERQUE NM 87120-4081

PITNEY BOWES  
\$0.97 0  
US POSTAGE<sup>TM</sup>  
FIRST-CLASS  
028WV002310854  
200427202  
ZIP 87109  
JUN 04 2025



**Dekker**  
Architecture in Progress

SPARKS REBEKAH M  
1419 DUSKFIRE DR NW  
ALBUQUERQUE NM 87120-5554

PITNEY BOWES  
\$0.97 0  
US POSTAGE<sup>TM</sup>  
FIRST-CLASS  
028WV0002310300  
200427202  
ZIP 87109  
JUN 04 2025



# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. 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. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public 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 at a charge of \$3.75 each.

#### 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 June 11, 2025 To July 11, 2025

#### 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)

5/15/2025

(Date)

I issued 4 signs for this application, May 21, 2025, Catherine Heyne  
(Date) (Staff Member)

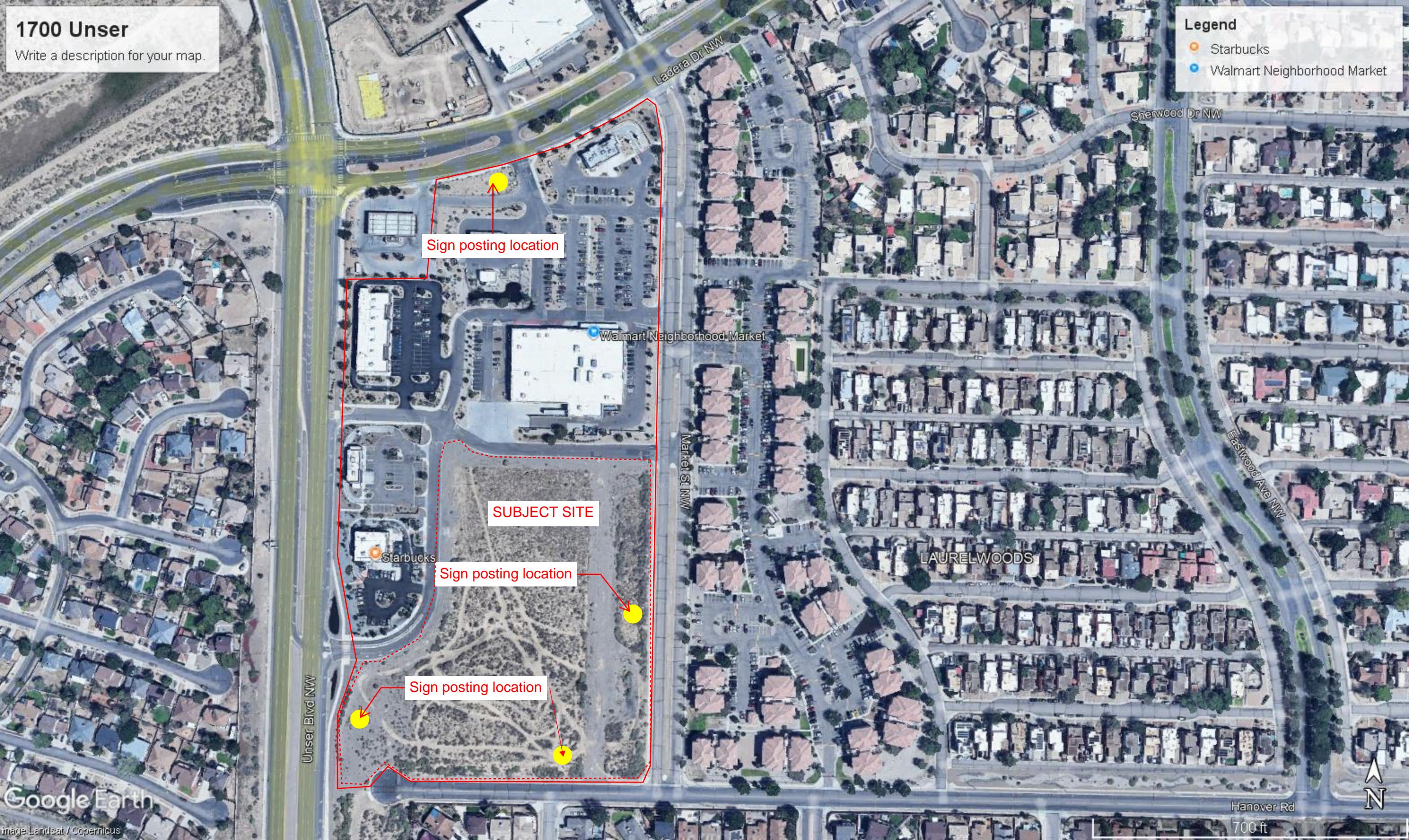
**PROJECT NUMBER:** SP-2025-00041

# 1700 Unser

Write a description for your map.

## Legend

- Starbucks
- Walmart Neighborhood Market











**F) NEIGHBORHOOD MEETING REPORT**

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1700 Unser Blvd NW**

**Project #:** Rio Grande Academy of Fine Arts (RioGAFA)

**Property Description/Address:** 1700 Unser Blvd NW

**Date Submitted:** 12 June 2025

**Submitted By:** Philip Crump

**Meeting Date/Time:** Tuesday 10 June 2025, 5:30-7:30 pm

**Meeting Location:** Via Zoom

**Facilitators:** Philip Crump, Gregg Wills

**Applicant/Agent:** RioGAFA, Dekker

**Neighborhood Associations/Interested Parties:** Laurelwood NA, West Side Coalition of NAs

**Background/Meeting Summary:**

This meeting was held to review the application and proposed school use in advance of an EPC hearing for a Major amendment to the existing Heritage Marketplace site plan. If that application is approved by the EPC, there will be a subsequent subdivision submission to the Development Hearing Officer for a lot split, and administrative action by the Development Facilitation Team for site plan approval.

The purpose of the applications is to allow construction of a new campus for the three-year-old free public school Rio Grande Academy of Fine Arts (hereinafter RioGAFA), chartered by the state and not by APS. Currently housed in the South Valley on Coors, school administrators looked for a suitable property on the West Side. They determined that this location was best, due to good access from the freeway and a conducive neighborhood. While the coming year will include classes K-4 and 6-8 and a little more than 200 students, the ultimate goal is a K-12 school with a maximum of 1144 students in separate buildings for elementary, middle school, and high school. The school provides free lunches to all students and offers free bus transportation ((West Side and East Side). Students come from all over the area, including Rio Rancho and Pueblos.

In addition to details about the school—its operation and safety—the neighbors were primarily concerned with the impact of additional traffic in the area. While the school architect emphasized the campus design will include drop-off and pick-up queuing within the campus, residents noted that there will be an increasing number of private vehicles entering and leaving the campus. A Traffic Impact Study currently underway will determine whether traffic infrastructure changes are called for.

**Outcome:**

The neighbors expressed gratitude for having this meeting and agreed that they support education and believe RioGAFA would be a good addition to the neighborhood. As one attendee said, “I think it sounds like a wonderful place to be. I’m ready to go to school.” Another said, “I like that you guys are coming forward and being candid with us.”

They also agree that the increase in traffic congestion remains a major concern, but that it is outweighed by the positive contribution of the school.

**Meeting Specifics:**

**1) The School**

- a) Rio Grande Academy of Fine Arts (RioGAFA) opened in August 2022 and focuses on “creativity and rigorous, arts-integrated learning.”
  - i) Their current location is too small for their anticipated size and offers no room for expansion.
- b) This will be the only public New Mexico K-12 arts-focused school with a broad arts focus, not just a single art.
  - i) They hope to make the West Side an arts hub; currently, there are no arts facilities in the area.
  - ii) Arts—including creative writing, culinary, dance, drama, music, and visual arts—are to be a vehicle for learning in all areas.

(1) The school hopes to cultivate characteristics in their graduates: Reflective learners, Expressive creators, Prepared scholars, Inspired communicators, Good people, and Community leaders.

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1700 Unser Blvd NW**

- iii) The school's diverse (primarily Hispanic) students have met or exceeded the performance of charter schools in the area.
- c) Even students who not especially arts-inclined may apply and may feel more comfortable in the school's caring environment.
  - i) Ifs a student does not wish to be involved directly in arts that is okay.
    - (1) People are creative in lots of ways.
  - ii) Their practice includes recognition that all students have differing needs and abilities, so while the challenges for each student may vary, all will have access to high-quality education.
    - (1) Data indicate that RioGAFA's Special Education population of 35% (one of the highest in New Mexico), outperforms the state.
      - (a) Some Special Ed students grow two or three reading levels ion one year.
- d) Admission to the school is through a lottery open to anyone in New Mexico; after the lottery has closed there is open enrollment—any student may apply.
  - i) The school day extends from 8 to 3:30, with a half-day Friday.
- e) Free transportation is provided by two (soon to be three) buses which pick up and drop off 50 or 60 students at designated locations on the east and west sides of the city.
  - i) Some students attend after-school activities at the nearby community center.
  - ii) The private vehicles which transport the remainder of the students often carry several students from the same family.
    - (1) Parents text teachers when they are on the way, so that the students will be ready for pick up, reducing the number of vehicles in the queue.
- f) The school provides free lunches for every student.
  - i) There is a cafeteria planned for the new campus; currently, they use a big meeting room.
    - (1) All food is prepared on campus.
- g) Currently, the school teaches grades K-4 and 6-8.
  - i) They add grades each year, hoping to have a full K-12 school by the 2028-29 school year.
    - (1) Based on the original charter, there is an absolute cap of 1144 students.
- h) The school community is very supportive.
  - i) There are many events throughout the year, with well-attended performances and other ways that students can show off their accomplishments.
  - ii) For the school, the arts change every year.
    - i) The school contracts with local artists to teach students during the artistry block at the end of the year.
      - (1) They have had everything from painting to culinary arts to poetry to dance and fiber arts, mural making and cultural storytelling

**2) School Design**

- a) The architect described some of the parameters incorporated into the school campus design.
  - i) These include welcoming to the community, being pedestrian-friendly, scaled appropriately with the neighborhood features, and just generally respectful to the character of the neighborhood.
- b) The design is described as contemporary, while being sensitive to the neighborhood.
  - i) The buildings will have modified clerestory roofs and be clad in durable modern materials.
    - (1) The classroom, studio, and collaborative learning areas will all have natural daylighting.
- c) The completed plan for the school—in three phases—includes about 77,000 square feet of building, about 179 parking spaces, open spaces, and a playground.
  - i) The initial phase includes a classroom building and a performing arts center.
  - ii) The second phase adds a classroom building and expands the parking area.
  - iii) Phase three adds another classroom building.
    - (1) Each phase must be completed before the next phase is initiated.
- d) There will be a playground and open spaces, but no track or other sports facilities.

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1700 Unser Blvd NW**

- i) They really are focused on the arts.

**3) The Applications**

- a) The application to EPC requests a Major Amendment to the original 20 acre Heritage Marketplace site plan.
  - i) The parcel labeled Tract B is 9.054 acres, owned by RioGAFA and zoned MX-L.
  - ii) The amendment would separate the tract from the larger Heritage Marketplace Site Plan for Subdivision and its associated design standards.
    - (1) The standards are suitable for commercial development but not appropriate for the school.
      - (a) The amendment would allow the more flexible IDO standards for the school.
      - (i) These include building design and various site design elements such as landscaping and parking
- b) Successful application to the Development Hearing Officer would allow a lot split.
  - i) A 1.2 acre portion of Tract B adjacent to Unser could be sold for future private commercial purposes
- c) The third request would be for Site Plan administrative review by the Development Facilitation Team, to ensure compliance with the IDO.

**4) Traffic Circulation and Issues**

- a) A Traffic Impact Study (TIS) is currently underway, with focus on the intersections needing analysis,
  - i) Analysis will be based on queuing data, number of trips, access analysis, safety concerns, and crash data.
    - (1) The intersections that the engineers and the City have identified are:
      - (a) Ladera and Unser
      - (b) Ladera and Market
      - (c) Market and Hanover
      - (d) Unser and Private (internal) Drive West and Private Drive North
      - (e) Market and Private Drive North
    - (2) The TIS will indicate improvements needed at any intersection.
  - ii) Pedestrian access will be provided with sidewalks along Hanover and Market.
    - (1) Those locations will have four foot wide sidewalks, with five foot landscape buffers between the street and the sidewalks.
  - iii) Access could be from Ladera to the Private Drive North (or from Unser to the Private Drive North) and pick up/drop off at the north side of the main classroom building,
    - (1) Alternative access could be from Ladera to Market and then to Hanover and enter the campus from the south.
- b) Neighbors are very concerned about congestion and accidents, especially during the morning rush hour.
  - i) Market and Ladera was previously classified as a “failed intersection,” along with others.
    - (1) There has been an increase in accidents at that intersection, with the increased development.
      - (a) It is too close to Unser and Ladera for a traffic signal.
        - (i) Even though neighbors think RioGAFA is a great school, they are still worried about the increase in traffic.
  - ii) Especially when the school develops the high school, those students may also be drivers, adding to the potential congestion.

**5) Other Issues**

- a) Funding.
  - i) The school is funded through the statewide public school formula, not by property taxes as is common in other states.

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**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1700 Unser Blvd NW**

- (1) They have also secured multiple charter school grants that pay for supplies, food for the students, as well as transportation.
- ii) The cost of construction—approximately 8.5 million for Phase I—comes from several sources, such as 22 Beacon (previously Charter School Development Corporation) and not including the state.
- b) Impact on nearby homes.
  - i) A concern was expressed that there could be negative impact on the market value and property taxes of adjacent residences.
    - (1) The agent suggested that the commercial development would more likely increase property taxes than the school.
    - (2) Another team member said that in 20 years' experience, he has found that schools increase the value of the area, partly by creating a sense of community.
- c) Security.
  - i) School safety is a big priority for the school.
    - (1) The school property will be fenced.
    - (2) Access into the school buildings will be only via key card.
      - (a) All visitors must show ID.
        - (i) Anyone entering the building has to be identified by front office staff.
        - (ii) If there is an issue, local security is called.
        - (iii) There will also be cameras all around the campus.
    - (3) Students will not have backpacks.
      - (a) All needed supplies are furnished by the school.
    - (4) Because a messy campus is not pleasing, a landscaper is contracted to keep the campus neat.
  - ii) There was concerns that students, especially high schoolers might be disruptive in the area if they ditch classes—“doing what kids do.”
    - (1) A school administrator said that while students will be out of the school buildings after school, the school has a very strong connection with the community and with families, so that if there are issues, they are able to address them.
- d) Dual language.
  - i) The school will not be dual-language, at least at present.
    - (1) They are focused on arts integration, though dual language may occur in the future.
- e) Class-separation of students.
  - i) A neighbor was concerned about separating the students, especially elementary students from older ones, to keep them safe.
    - (1) Currently, in the small school facility, teachers monitor restrooms and other areas to be certain that elementary and middle school students do not mix.
      - (a) Lunches are held separately.
    - (2) In the future, there will be separate buildings for the elementary, middle school, and high school students.
  - ii) At the same time, there is purposeful intermingling, such as middle school reading buddies for the younger kids.

**Next Steps:** The Traffic Impact Study must be completed prior to the DFT process.

**EPC Application Hearing Details:**

EPC Hearing scheduled for (3<sup>rd</sup> Thursday date—26 June 2025)

1. Hearing Time:
  - a. All meetings are currently held via Zoom: <https://cabq.zoom.us/j/2269592859>
  - b. The Commission will begin hearing applications at 8:30 a.m.

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**  
**1700 Unser Blvd NW**

- c. The actual time this application will be heard by the Commission will depend on the applicant's position on the Commission's schedule
- 2. Hearing Process:
  - a. Comments from facilitated meetings will go into a report which goes to the City Planner.
  - b. City Planner includes facilitator report in recommendations.
  - c. The Commission will make a decision and parties have 15 days to appeal the decision.
- 3. Resident Participation at Hearing:
  - a. Written comments must be received by (insert date—10 days prior) and may be sent to: (insert Name, phone, & email of Staff Planner), 600 2<sup>nd</sup> St., 3<sup>rd</sup> floor, Albuquerque, NM, 87102 OR, EPC Chair, c/o Planning Department, 600 2<sup>nd</sup> St., 3<sup>rd</sup> floor, Albuquerque, NM, 87102

**Names & Affiliations of Attendees\* (and other interested parties):**

*Jordan Franco	RioGAFA
*Michele Platis	RioGAFA
*James E. Zavala	22 Beacon
Taylee Lawson	22 Beacon
Nathaniel Wurster	Dekker
Will Gleason	Dekker
*Jessica Lawlis	Dekker
Jennifer Restrepo	Bohannan Huston
*Kelly Klein	Bohannan Huston
*Chris Carro	Walz Construction
Connor Waltz	Walz Construction
Dominic Chapman	Walz Construction
*Dylan Baer	Walz Construction
Ghian Snyman	Walz Construction
Jake Bodell	FFKR Architects
*Matt Johnson	FFKR Architects
*Rene' Horvath	WSCONA
*Jane Baechle	WSCONA
*Frank Comfort	Laurelwood NA
*Candy Patterson	Laurelwood NA
Igor Dernov	Laurelwood NA
Matt Candelaria	Laurelwood NA
Laurelwood NA	Laurelwood NA
Richard Schaefer	Vista Grande NA
*Ginny Forrest	Cibola Loop NA
*Michael Shynkar	Parkway NA
Tyson Hummell	CABQ ADR Coordinator
Krista Baca	ADR Paralegal
*Gregg Wills	Facilitator
*Philip Crump	Facilitator

# CITY OF ALBUQUERQUE

## AMENDMENT to Land Use Facilitated Meeting Report

**Project:** 1700 Unser NW RioGAFA

**Meeting Date and Time:** Tuesday 12 June 2025, 5:30-7:30 pm

**Date Submitted:** 13 June 2025

**Original Submission:** 12 June 2025

**Submitted By:** Philip Crump

**Facilitator:** Philip Crump

*Corrections/changes/additions are shown in **BOLD**.*

### 2. School Design

- c. The completed plan for the school—in three phases—includes about 77,000 square feet of building, about 179 parking spaces, open spaces, and a playground.
  - i) The initial phase includes a classroom building and a **performing arts center**.
  - ii) The second phase adds a classroom building and expands the parking area.
  - iii) Phase three adds another classroom building.
    - (1) Each phase must be completed before the next phase is initiated.

Based on the drawing shown in the presentation, should read

- c. The completed plan for the school—in three phases—includes about 77,000 square feet of building, about 179 parking spaces, open spaces, and a playground.
  - i) The initial phase includes a classroom building and a **performing arts center cafeteria / administrative building**.
  - ii) The second phase adds a classroom building, **a performance hall**, and expands the parking area.
  - iii) Phase three adds **another the third** classroom building **with an optional small Pre-K Building**.
    - (1) Each phase must be completed before the next phase is initiated.

## **Rio Grande Academy of Fine Arts (RioGAFA) Neighborhood Meeting**

**June 10<sup>th</sup>, 2025**

### **Requested by:**

- Laurelwood Neighborhood Association
- West Side Coalition of Neighborhood Associations (WSCONA)

### **Attendance:**

- Phillip Crump (Facilitator)
- Gregg Wills (Facilitator)
- Jessica Lawlis (Dekker)
- Nathaniel Wurster (Dekker)
- James E. Zavala (22Beacon)
- Jordan Franco (RioGAFA)
- Michele Platis (RioGAFA)
- Kelly Klein (Bohannon Huston)
- Matt Johnson (FFKR)
- Chris Carro (Waltz Construction)
- Jane Baechle (WSCONA)
- Rene' Horvath (WSCONA)
- Ginny Forrest (Cibola Loop NA)
- Janyce Wallace (Laurelwood NA)
- Candy Patterson (Laurelwood NA)
- Frank Comfort (Laurelwood Na)
- Michael Shynkar (Parkway NA)
- Rick Holmes (no affiliation provided)
- Phyllis V. (no surname provided) (no affiliation provided)
- Perea (no surname provided) (no affiliation provided)
- Tammy (no surname provided) (no affiliation provided)
- Jenny (no surname provided) (no affiliation provided)

### **Meeting Summary & Outcome:**

The neighborhood meeting for the Rio Grande Academy of Fine Arts (RioGAFA) provided an overview of three anticipated development requests: a proposed Major Amendment to the existing Heritage Marketplace Site Plan for Subdivision to remove Tract B, the subdivision of Tract B into two parcels, and a DFT site plan. The presentation outlined each request along with the expected entitlement timeline.

The meeting was facilitated by Philip Crump, an independent mediator contracted by the city, with co-facilitation by Greg Wills. The Major Amendment seeks to remove Tract B from the current approved Site Plan for Subdivision, allowing RioGAFA to develop the site and construct several buildings without adhering to the existing design standards.

Representatives from Dekker, the agency supporting the application, were present, along with members of several neighborhood associations, including Laurelwood, Parkway, Cibola Loop,

and WSCNA. Key topics of discussion included the school's operations and traffic-related concerns, which had been outlined in advance by the Laurelwood Neighborhood Association. The meeting structure featured a presentation by Dekker and affiliated members of the design team, who addressed the pre-submitted questions, particularly those regarding traffic impacts, a primary concern among residents.

Additionally, time was set aside for open questions, answers, and general discussion. Community members asked several questions about the school, all of which were addressed by RioGAFA administrators. At the conclusion of the meeting, community members expressed their appreciation to the design team for the opportunity to be engaged and included in the process. There was a shared sentiment that the school's mission and program would offer meaningful benefits to the community, outweighing the anticipated adverse impacts such as traffic and congestion.

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### Questions & Answers

1. **Has a recent Traffic Impact Study been conducted to determine the effect this proposal may have on the surrounding area?**  
A Traffic Impact Study is currently underway and is being coordinated with the City of Albuquerque. A Traffic Scoping Meeting was held with the City to determine the key intersections for analysis. The study will evaluate the potential effects of the proposed charter school at the following intersections:
  - Unser Blvd & Ladera Dr
  - Market St & Ladera Dr
  - Market St & Hanover Rd
  - Private Drive West & Unser Blvd
  - Private Drive North & Market St
  - Private Drive North & Unser Blvd
2. **Are there Traffic and Pedestrian mitigation plans to address those issues at Ladera and Market; Hanover and Market; and other egress/ ingress points to the proposed development and the effect on the adjacent property access roads to Heritage MarketPlace?**  
The Traffic Impact Study will determine whether improvements are warranted at any of the study intersections. These recommendations will guide mitigation measures to ensure safe and efficient access for all users.  
In addition, the proposed site plan includes:
  - **5-foot sidewalks** with a **4-foot landscaped buffer** along both Hanover Rd and Market St
  - A **multi-use sidewalk/trail** connecting the school to the existing Unser Blvd trail via Private Drive 1
3. **Addressing the concerns of the Laurelwood Neighborhood on the Charter School staff, students, parents and deliveries using the Laurelwood Parkway as an alternative route through the Neighborhood to access the Charter School?**

No. The school will not use Laurelwood Parkway for access. Primary access to the school will be via:

- Unser Blvd → Private Drive 1
- Ladera Dr → Market St → Private Drive 2

We do not anticipate school traffic traveling through the Laurelwood neighborhood. Final details on delivery vehicle routing are still being confirmed and will be coordinated with the school's operations team.

**4. School hours?**

Students 8-3:30, staff is there from 7:45 to 4:00

**5. Drop off / Pick up location and circulation**

The proposed site plan includes clearly designated drop-off and pick-up areas for students, along with a defined circulation route for both personal vehicles and school buses. The layout is designed to:

- Minimize conflicts between vehicles and pedestrians
- Reduce queuing impacts on surrounding streets
- Support safe and efficient traffic flow on-site

Access to the school campus will occur via:

- Unser Blvd → Private Drive 1
- Ladera Dr → Market St → Private Drive 2

All access points and circulation patterns are illustrated on the proposed site plan.

**6. Egress / Ingress locations**

Indicated on the site plan, see above.

**7. There's approximately 1.2 acres of vacant property adjacent to the proposed development. Is this property reserved for possible expansion of the Charter School.**

No. The approximately 1.2-acre parcel is not included in the charter school proposal. It will remain a separate lot and is anticipated to be sold for future commercial development by a private entity.

**8. Type of Charter School?**

RioGAFA is a public, tuition-free charter school that offers an arts-integrated curriculum. It is open to all students in New Mexico and emphasizes creative learning through visual and performing arts.

**9. Total number of Students and Staff?**

For the current school year: 203 students and 25 staff members

**10. Is this open enrollment to any child / student in the Neighborhood(s), City and County?**

Yes. RioGAFA is a state-authorized charter school and is open to any student in the State of New Mexico, regardless of residence.

**11. How do students get to school?**

Transportation methods include:

- 2 school buses (a third is expected next year)
- Personal vehicles for drop-off/pick-up

As enrollment grows, the school anticipates operating 6 to 8 buses to serve a broader area.

**12. Are there after school activities?**

Yes. The school plans to expand after-school programming in the coming years. There is potential for shared community use of school facilities for events or programs, pending further coordination.

**G) PUBLIC COMMENT**

To: Honorable Daniel Aragon, EPC Chair  
600 2<sup>nd</sup> St., 3<sup>rd</sup> Floor  
Albuquerque, NM, 87102

Attn: Ms Catherine Heyne, EPC Planner

Re: SP-2025-00041  
Heritage Marketplace

On Tuesday June 10, 2025, a facilitated Zoom meeting conducted by Facilitators Crump and Wills was held with Applicant/Agent Rio Grande Academy of Fine Arts (RioGAFA), DEKKER plus other project Associates.

Representatives of the Laurelwood Neighborhood Association (LNA), Westside Coalition of Neighborhood Associations (WSCONA), Parkway Neighborhood Association (PNA) and other interested community members were in attendance.

The presentation was in reference to a proposed charter school development for RioGAFA within the boundaries of the Laurelwood Neighborhood Association.

Upon reviewing the Facilitated Report along with the initial proposal, the proposed removal of Tract B from the Heritage Marketplace Site Plan would:

1. Allow a Charter School
2. Allow the maximum number of 1144 Students plus Staff
3. Allow changes to building architecture, landscaping, etc.

**The Laurelwood Neighborhood Association (LNA) opposes the removal of Tract B from the Heritage Marketplace Site Plan:**

The LNA doesn't oppose the Charter School, in fact it was welcomed. However, there are deep concerns about traffic congestion that are stated in the Facilitated Report due to the number of 1144 Students plus Staff in a concentrated area.

The Heritage Marketplace Site is a high traffic area with a Neighborhood Walmart, a Walmart and Circle K gas station with a total of 20 pumps, Strip Mall and 3-drive throughs within the boundary of the Laurelwood Neighborhood which consists of 289-apartment dwellings on Market St., and approximately 840 single family homes.

Since the Heritage Marketplace was established, the area generates a high volume of traffic causing traffic congestion especially at peak hours and an increase in APD traffic calls for service. This is compounded by APS Cluster Neighborhood schools, SR Marmon with 507

students, east side of the Laurelwood Neighborhood, bell time 9:15 am-4 pm; Painted Sky with 545 students, bell time 7:30 am-2:15 pm; Tres Volcanes with 867 students, bell time 8:05 am-2:50 pm; Jimmy Carter with 434 students, bell time 8:05-2:50 pm and West Mesa HS with 1553 students, bell time 8:40 am-3:25 pm. All of these use Ladera Dr and Unser Blvd as their primary transportation corridors for their buses, staff, parents and student drivers and are less than 3 miles from Laurelwood. All these Neighborhood schools serve the Laurelwood Neighborhood including the surrounding Community.

In addition, the APS Westside Transportation Center (which was also created to reduce the carbon footprint) houses 200+ buses near West Mesa HS, that provides student transportation services across the Westside up to the Sandoval County line where APS schools are located, utilize Unser Blvd and Coors Blvd as their primary transportation corridor during peak time.

High Traffic congestion/volume has plagued the Heritage Marketplace area (Unser Blvd/ Ladera Dr/ Market St.) since its development in a small, concentrated area with failed intersections, limited access and an additional drive through on the NE corner of Ladera and Unser.

Allowing the removal of Tract B will allow the Charter Schools 1144 Students plus Staff to exacerbate the already high traffic congestion, increase traffic accidents and increase pedestrian safety issues in this area. There are a number of reasons that have been cited why this request for the removal of Tract B should not move forward.

Please do not approve the removal of Tract B of the Heritage Marketplace Site Plan.

Respectfully,  
On behalf of the Laurelwood Neighborhood Association  
Frank Comfort  
505-321-6886  
[Fcomfort94@gmail.com](mailto:Fcomfort94@gmail.com)

Candy Patterson  
505-321-1761  
[Candypatt50@gmail.com](mailto:Candypatt50@gmail.com)

Attachments:  
APD Traffic Calls  
LNA-Letter of Authorization  
Aerial Map

**Laurelwood Neighborhood Association**

2003 Pinonwood Ave NW

Albuquerque, NM, 87120

laurelwoodna@gmail.com

**Date:** 6/14/2025

To Whom It May Concern,

This letter serves as formal confirmation that **Frank Comfort** and **Candy Patterson** are authorized to represent the **Laurelwood Neighborhood Association (LNA)** in matters related to the proposed development at **1700 Unser Blvd**, including attending meetings, asking questions, and conveying the concerns and input of our residents.

Both Frank and Candy are active and trusted members of the LNA Board, and I have full confidence in their ability to speak on behalf of the Association in a thoughtful and professional manner.

Should you have any questions or need additional confirmation, please feel free to contact me directly.

Sincerely,  
Igor Dernov  
President  
Laurelwood Neighborhood Association



# Ladera Dr & Unser Blvd – Ladera Dr Market St Traffic Calls for Service

Prepared by the Crime Analysis Unit on 06/9/2025

The request is for traffic calls for service from 2024 - 2025 at the intersection and surrounding area of Ladera Dr NW and Unser Blvd NW & Laders Dr NW and Market St NW.

YTD (01/01-06/04)	STREET	# of crashes
2024	UNSER BLVD NW & LADERA DR NW	18
2024	LADERA DR NW & MARKET ST NW	3
2025	UNSER BLVD NW & LADERA DR NW	17
2025	LADERA DR NW & MARKET ST NW	11

The timeframes in which the most crashes happen are tricky given that there aren't too many to begin with, so they were pretty scattered:

2024:

UNSER BLVD NW & LADERA DR NW – Fridays between 5-6pm

LADERA DR NW & MARKET ST NW – inconclusive (occurred on 3 separate days)

2025:

UNSER BLVD NW & LADERA DR NW – Thursdays between 10-11am

LADERA DR NW & MARKET ST NW – times were inconclusive, but the days those crashes occurred the most on were Mondays, Tuesdays, and Saturdays

Numbers are preliminary and are subject to change

Search was made using area search some calls may come from the surrounding streets

These statistics are based off of Calls for Service

The date range is 01/01/2024 – 06/04/2025

For Internal use only, not for public release

Developed by the Crime Analysis Unit, Real Time Crime Center, Albuquerque Police Department on 06/09/2025.

# Ladera Dr & Unser Blvd – Ladera Dr & Market St

## Traffic Calls for Service

Prepared by the Crime Analysis Unit on 06/9/2025

(Search radius set to 0.1 miles)



Numbers are preliminary and are subject to change

Search was made using area search some calls may come from the surrounding streets

These statistics are based off of Calls for Service

The date range is 01/01/2024 – 06/04/2025

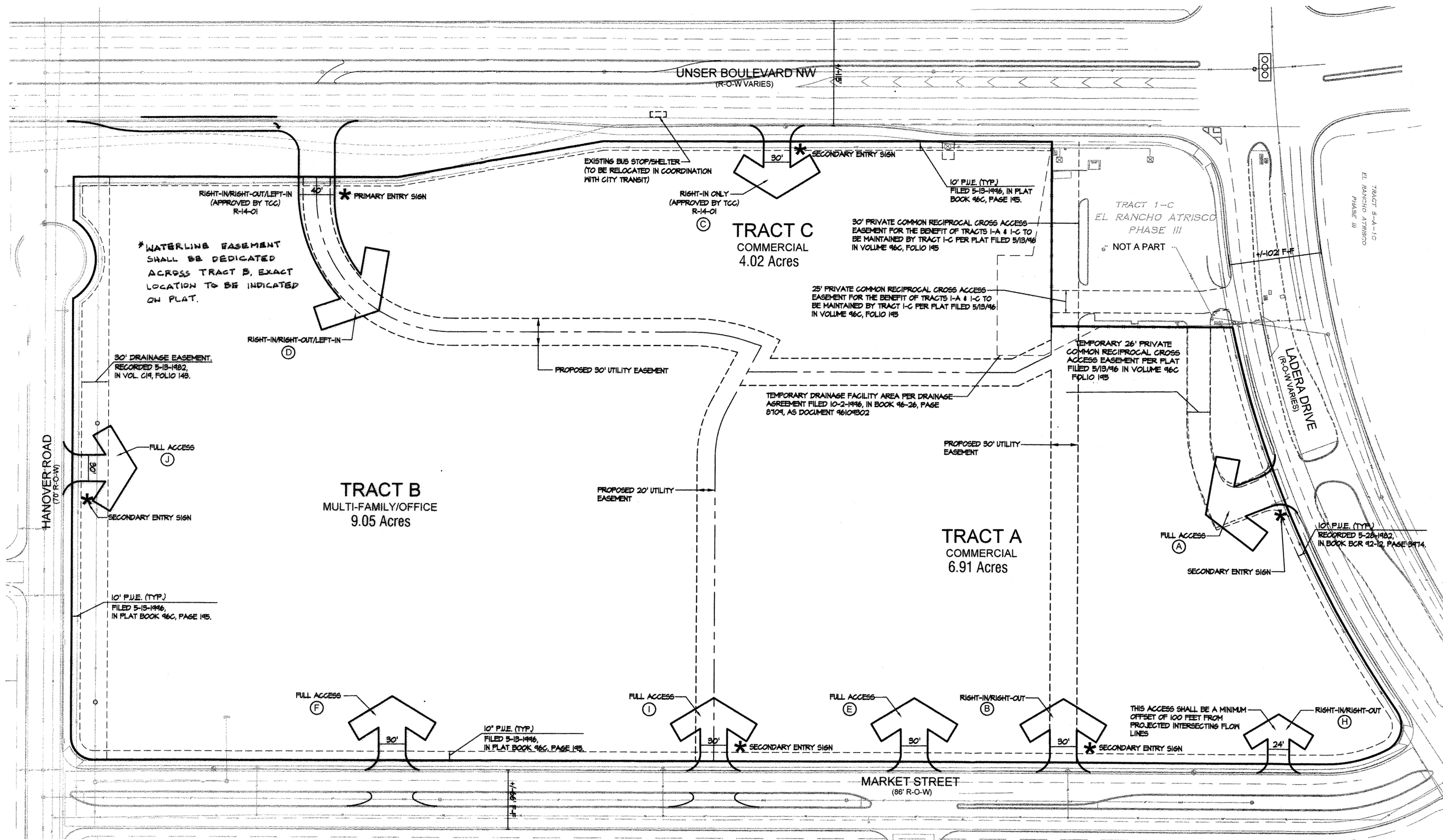
For Internal use only, not for public release

Developed by the Crime Analysis Unit, Real Time Crime Center, Albuquerque Police Department on 06/09/2025.



## H) SITE PLAN

- Heritage Marketplace Site Plan for Subdivision (2014)
- Proposed Amended Heritage Marketplace SPS



#### SITE PLAN FOR SUBDIVISION - REQUIRED INFORMATION

##### THE SITE:

The Site consists of approximately 20 acres. The property is bounded on the west by Unser Boulevard, to the north by Ladera Drive, to the east by Market Street, and to the south by Hanover Road. There is an existing out parcel at the southeast corner of Unser Boulevard and Ladera Drive developed with a gas station and convenience store.

##### ZONING AND PROPOSED USE:

The Site is zoned SU-2/SU-1 Special Use for Neighborhood Commercial and Office Uses within the El Rancho Atrisco Phase III Sector Development Plan (1981). The site is a designated neighborhood activity center in the West Side Strategic Plan.

Development of the property can only occur through an approved site development plan as regulated by Section 14-16-2-22 of the Comprehensive City Zoning Code. Activities allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial zone and office uses.

A maximum of 50 percent (12.5 acres) of the original 25-acre site as referenced on Sheet 5 of the El Rancho Atrisco Phase III Sector Development Plan that is eligible for development with retail and service-type uses consistent with those of the C-1 zone. The existing gas station and convenience store located on Lot IC (.85 acres) toward the northwest corner of the original 25-acre site is considered "commercial development". As such, an additional 11.65 acres - may be developed with commercial uses pursuant to the C-1 zone.

The remaining area of the property can be developed with office or residential uses, or a combination thereof. Residential development on this portion shall be regulated by Section 14-16-2-16(A)(7) of the Comprehensive City Zoning Code.

##### APPLICABLE PLANS:

City of Albuquerque/Bernalillo County Comprehensive Plan (Rank I); West Side Strategic Plan (Rank II); and the El Rancho Atrisco Phase III Sector Development Plan (Rank III).

##### PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS:

Vehicular Access and Circulation - The proposed development has access to adjacent streets on all four sides of the property. Limited access to Unser Boulevard (a limited access principal arterial) has been approved by the Transportation Coordinating Committee of the Metropolitan Transportation Board of the Mid-Region Council of Governments (R-14-01 TCC). Access includes a right-in, right-out, and left-in access (approximately 1,040 feet south of Ladera) and an additional right-in access (approximately 529 feet south of Ladera) to serve the proposed development. There are existing access points on the north side of the property to Ladera Drive that remain. Additional access is shown on Ladera Drive, Market Street, and Hanover Road. Final design and location of these access points will be determined by future Site Development Plans for Building Permit. New median cuts must be requested in writing to the Traffic Engineer, Development and Review Services. The construction of appropriate left turn lanes must be included with any new median cuts.

Transit - The property is currently served by two existing bus routes; 92 Taylor Ranch Express and 94 Unser Express. Both routes have a bus stop adjacent to the subject property. Route 92 also travels along Ladera Boulevard adjacent to the site and existing bus stops are east of Market Street. Unser and I-40 are designated Express Transit Corridors.

Bicycle Facilities - Unser Boulevard has on-street bike lanes and an off-street multi-use trail on the east side of the street. The Unser Trail connects to the I-40 Regional Trail that runs along the north side of Interstate 40.

Pedestrian Facilities - Internal sidewalk and pedestrian facilities will be designed consistent with the design guidelines included in this site plan and future site plans for building permits.

##### BUILDING HEIGHTS AND SETBACKS:

Maximum building heights for all buildings shall be per the SU-1 zone. Setbacks shall be as provided in the O-1 and R-3 zones as enumerated in the Comprehensive City Zoning Code. Specific design restrictions for new residential shall be as provided in the C-2 zone (specific to Activity Centers and Transit Corridors).

##### MAXIMUM FAR/DENSITY:

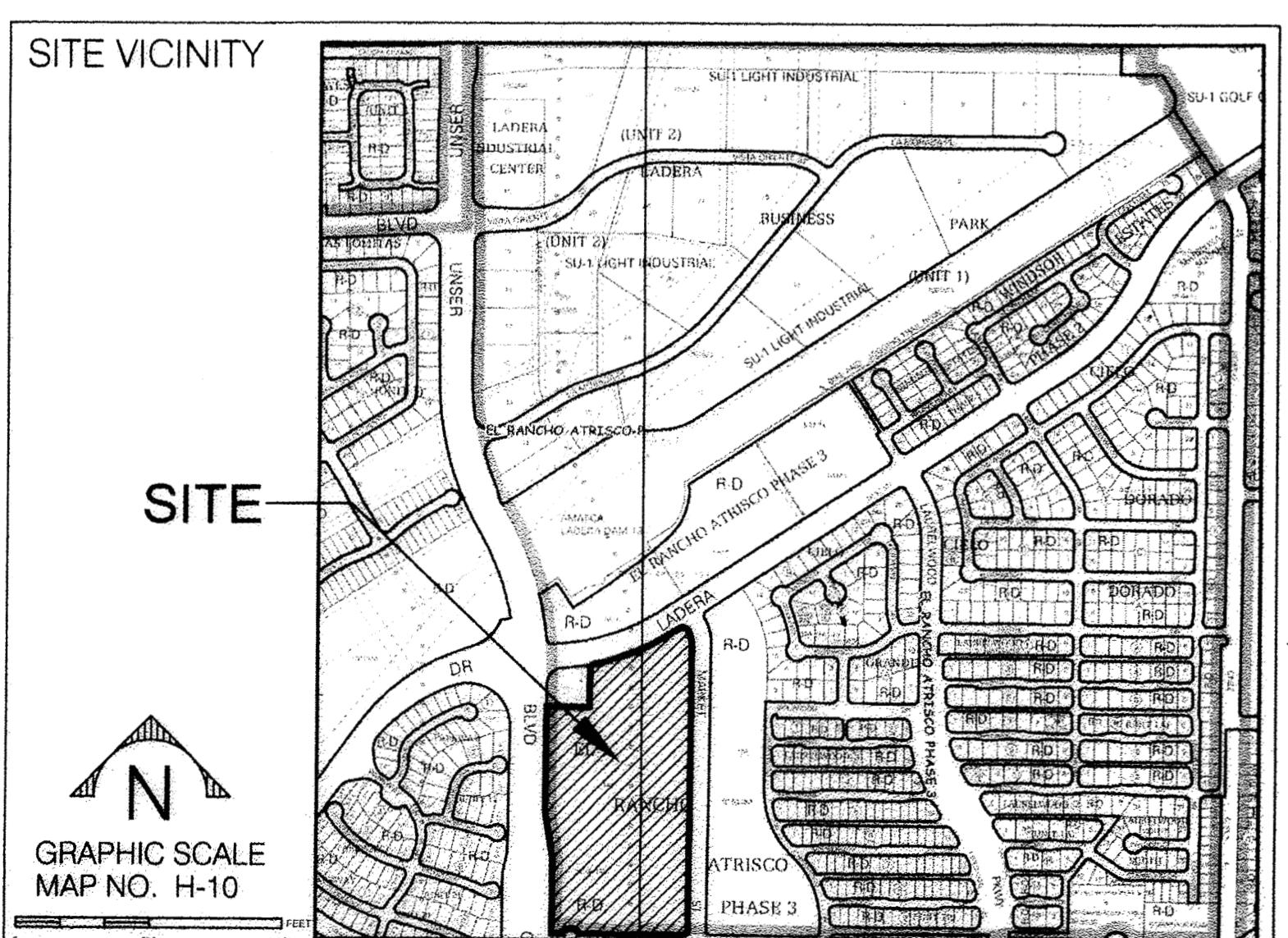
Commercial buildings shall not exceed a maximum FAR of .30. Residential shall be as provided in the C-2 Zone and shall have a minimum FAR of .3 and a maximum density of 30 dwelling units per acre.

##### LANDSCAPE PLAN:

Landscape plans shall be submitted with future Site Plans for Building Permit and shall be consistent with the Water Conservation Landscaping and Water Waste Ordinance, Pollen Control Ordinance, and the Design Standards (Sheet 2).

##### Notes:

1. A cross access easement and shared parking agreement shall be part of the platting process at DRB. Future development on the site will require EPC review of the Site Development Plan for Building Permit(s).
2. Stormwater control measures shall be designed to manage the first flush and control runoff generated by contributing impervious surfaces.



PROJECT NUMBER: 1003275  
Application Number: 13EPC-40148

This Plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated February 13, 2014 and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? ( ) Yes ( ) No If yes, then a set of approved DRC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

##### DRB SITE DEVELOPMENT PLAN SIGNOFF-APPROVAL:

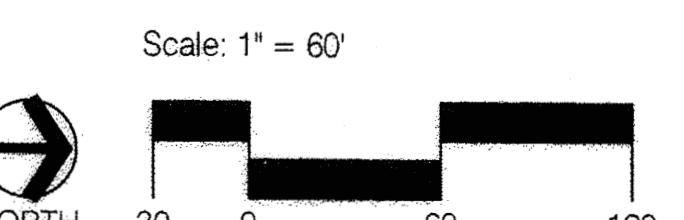
	12-10-14
ABCWUA	Date
	12-10-14
City Engineer	Date
	12-10-14
DRB Chairperson, Planning Department	Date

# HERITAGE MARKETPLACE

## SITE PLAN FOR SUBDIVISION

Prepared For:  
Garrett Development Corporation  
1130 Lanes End NW  
Albuquerque, NM 87114

Prepared By:  
Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102



1003275  
GLEE001

# HERITAGE MARKETPLACE DESIGN STANDARDS

These Design Standards are intended to provide guidance to designers in understanding the vision and development goals for the property. These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for the Heritage Marketplace for both non-residential and multi-family residential projects.

Subsequent Site Development Plans for Building Permits shall be consistent with the design standards established by this Site Development Plan for Subdivision and shall be delegated to the Development Review Board. Minor amendments to this Site Development Plan for Subdivision shall be approved administratively by the Planning Director in accordance with the Comprehensive City Zoning Code, Section 14-16-2-22 (A)(6) Special Use Zone, and major amendments shall be approved by the Environmental Planning Commission.

Unless otherwise noted, the following Design Standards shall apply to all commercial and residential projects:

## 1. LAND USE

1. Permissive land uses for Heritage Marketplace are per the C-1 Zone. As such, residential uses permissible in the R-3 are allowed per Section (A) (7); however, there shall be no single-family houses allowed at Heritage Marketplace.
2. Residential use shall achieve a maximum density of 30 dwelling units per acre and a minimum floor area ratio (FAR) of .30.

## 2. SITE PLANNING

### A. MINIMUM BUILDING SETBACKS

1. Unser and Ladera Boulevards: 20 feet
2. Market Street: 10 feet
3. Internal roads: 10 feet
4. Internal side yards: 5 feet

### B. SIDEWALKS / WALKWAYS

1. A minimum of one ADA route will be provided to the principal entrance of all buildings (see Americans with Disabilities Act Criteria for Barrier-Free Design).
2. Pedestrian crossings, 6 feet in width, shall have a contrasting color and surface from the adjacent pavement where they cross vehicular entrances and drive aisles.
3. Buildings shall be linked to public sidewalks and the Unser Boulevard Trail via six foot sidewalks.

### C. PARKING

**GENERAL**

1. All off-street parking areas shall be designed in accordance with the City Comprehensive Zoning Code, Section 14-16-3-1 Off-Street Parking Regulations, including provisions for accessible parking, except as provided below.
2. In order to lessen the visual impact of parking areas, parking fields shall be broken up into a series of smaller areas in order to lessen the visual impact of parking areas through the use of landscape and pedestrian areas, buildings, and/or plazas.
3. Parking for all commercial tenants will be shared. A cross access easement and shared parking agreement shall be part of the platting process.
4. Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, parking areas, sidewalks, and pathways.
5. Sidewalks connecting public sidewalks to buildings shall be shaded with trees spaced at 25 feet on center, in accordance with the City Comprehensive Zoning Code, Section 14-16-3-1 Off-Street Parking Regulations.
6. Parking lots adjacent to and at grade with public streets shall be screened with either an earthen berm, evergreen landscaping, or wall or combination at a minimum height of 30 inches and maximum height of 36 inches. Screen walls, if used, shall be consistent with materials and colors of the buildings.

### COMMERCIAL

7. Secure bicycle storage racks shall be located near building entrances. The minimum number of bicycle racks shall be determined by the number of parking spaces provided, consistent with the City Zoning Code.

### RESIDENTIAL

8. One vehicular parking space per unit.
9. On street parking credit is allowed in accordance with the C-1 zone.
10. One bicycle space per every two units.

### D. OUTDOOR SPACES

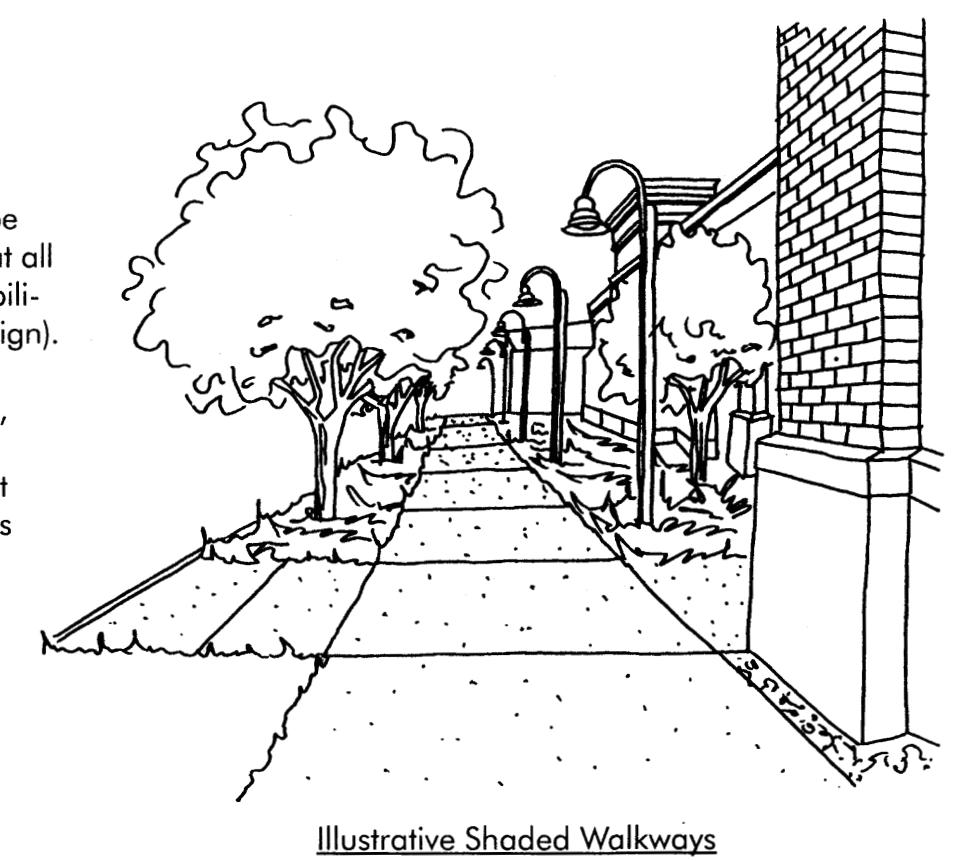
Outdoor spaces should be designed with consideration towards sun and wind exposure, and pedestrian and visual accessibility.

#### GENERAL

1. Site amenities, such as benches, trash receptacles, and lighting, shall be compatible with the architectural and landscape treatments on each commercial pad or residential site.

#### COMMERCIAL

2. Freestanding restaurants, if proposed by subsequent Site Plans for Building Permits, shall provide outdoor patios with a minimum size of 200 square feet for restaurants up to 4,000 square feet, and a minimum size of 300 square feet for restaurants larger than 4,000 square feet.
3. Outdoor patios shall be shaded either by trees and/or a shade structure that is architecturally integrated with building architecture.



Illustrative Shaded Walkways

### 3. LANDSCAPE

The landscape environment is intended to enhance the aesthetics of the development, aid in reinforcing the street edge and pedestrian environment, and provide a welcoming retreat from sun exposure and glare.

#### GENERAL

1. Landscape plans shall comply with Section 14-16-3-10 Landscaping Regulations Applicable to Apartment and Non-residential Development of the Comprehensive City Zoning Code and the Water Conservation Ordinance and Pollen Ordinance with regard to plant species, installed sizes and quantities, landscape area, and irrigation systems.

2. Street trees shall be provided along public rights-of-way with either even spacing or in random clusters. The spacing of evenly spaced street trees shall be no greater than the diameter of the street tree canopy at full maturity (i.e., smaller trees require closer spacing than larger trees). Where street trees are randomly clustered, the number of street trees shall be equal to or exceed the number required if trees were evenly spaced; however, gaps between randomly spaced street trees that exceed 80 feet are prohibited.

3. A fully automated irrigation system shall be installed as part of the landscaping for all commercial pad sites and multi-family development. The system shall be designed to avoid overspraying walkways, buildings, fences, etc.

4. Gravel, colored rock, and similar mulch materials are acceptable as a top dressing for landscape areas, however, they shall not be considered a focal landscape element.

5. Steel, brick, or equivalent landscape headers shall be used to separate any turf and shrub / ground-cover areas.

6. Timing of Installation. All landscaping must be completed no later than two months after completion of construction of the site improvements.

7. Landscaping and signage will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.

### 4. ARCHITECTURE

The architectural standards are intended to describe the general characteristics of the structures to be built within Heritage Marketplace. While all of the buildings will reflect these standards, it is not the intent of these design standards to prohibit a certain amount of individual expression and creativity. The use of various architectural details and materials shall be consistent when used on various elevations.

#### A. GENERAL

1. Commercial buildings shall comply with Section 14-16-3-18, General Building and Site Design Regulations for Non-Residential Uses of the Comprehensive City Zoning Code, as well as other local building and fire codes.

2. Generic franchise architecture is prohibited.

3. No freestanding cell towers or antennas are allowed; antenna shall be integrated with the building architecture.

#### B. BUILDING ORIENTATION

1. Building elements such as windows, displays, and entries shall be oriented to pedestrian connections and public areas.

#### C. BUILDING HEIGHT

1. Maximum building height for all buildings shall be per the SU-1 zone. Architectural accents such as towers and entry elements may extend above the maximum parapet height. The maximum height of a pitched roof building shall be based on the average height between the plate and ridge.

2. Maximum building height for multi-family residential is per the R-3 zone.

#### D. BUILDING MASSING AND ARTICULATION

1. Residential and non-residential buildings shall be articulated with a variety of massing changes both in plan and elevation to relate the buildings to the scale of pedestrians.

2. Non-residential uses shall be horizontally connected in a variety of ways, such as the use of arcades or porticos, controlled plaza elements, pavement, and sitting areas.

3. All sloped roof lines must overhang a minimum of 3 feet and provide appropriate detailing either with rafter tails or cornices.

4. Major facades (greater than 100 feet in length) shall break up building mass in conformance with Section 14-16-3-18, General Building and Site Design Regulations for Non-Residential Uses. In addition, all front facades less than 100 feet in length shall be subject to the same requirements as stated in the preceding sentence, except the frequency of wall plane projections or recesses of at least 2 feet in depth shall occur every 50 feet and shall extend at least 25% of the length of the facade.

5. Columns, arcades, corner articulation, overhangs, awnings, marquees, gutters and scuppers, breezeways, and soffits shall be dimensioned and detailed to provide a human scale and visual interest.

6. Entryways shall be clearly defined by the use of awnings, canopy, or inset, and shall be lighted.

7. Awnings are permitted above window areas on non-residential and residential buildings.

- a. Commercial awnings with painted or embossed corporate logos or signage are permitted provided the area when added to all other wall signage does not exceed the allowable sign area of building wall.
- b. Illumination of commercial awnings shall be from pendant mounted fixtures located above the awning. Accent colors on awnings shall be compatible with the general color palette.
- c. No plastic or vinyl awnings or canopies are allowed.

8. Entries shall be clearly defined and connect to pedestrian linkages.

9. The use of contrasting colors between roofs and walls shall be used to further differentiate the planes of building masses.

10. Reflective glazing is prohibited. Clear and bronze tinted glass is permitted.

#### E. BUILDING MATERIALS

All of the exterior materials and colors employed in the future construction of buildings and improvements for shall be of a consistent color and material palette.

1. The primary building finish material shall be stucco. Manufactured stone and brick veneer shall be used as an accent feature and be a consistent color style and typical throughout Heritage Marketplace. The stone veneer shall not comprise more than 20% of the exterior construction.

2. Materials prohibited as the main architectural feature include the following:

- exposed, untreated precision block or wood walls
- highly reflective surfaces
- chain link fence or barbed wire
- metal paneling or siding, except accents for trim and minor elements are allowed

### F. BUILDING COLORS

1. Primary - The wall colors shall be earth tones, light tans, browns, and reds, with an accent veneer of either manufactured brick or stone. Each building palette shall be consistent in tonal quality with other buildings within the project.

2. Accent - a variety of colors may be used to accent architectural features such as entries, window trim, awnings, fascias, and other traditional southwestern architectural features. Colors allowed are typical southwestern colors of earth tones, white, green, red, blue, and brown ranges.

### G. ROOF MATERIALS AND COLORS

1. Roofs may be flat, pitched (tile), or a combination of both and shall be made of non-reflective materials. Roof color shall be terra-cotta blend.

### H. COLUMNS

1. The following are appropriate column forms:

- Square stucco
- Round stucco
- Masonry
- Round classical with smooth shafts in Doric or simple contemporary order

2. The following shall not be allowed:

- Corinthian
- Ionic
- Tuscan
- Egyptian

### 5. SIGNAGE

The following signage standards were developed to regulate the size, location, type, and quality of sign elements within Heritage Marketplace. The goal is to provide a signage program that is of high quality, maintains a consistent style, creates a sense of arrival, and complements the visual character of the property.

#### GENERAL

1. All signage shall be in compliance with Section 14-16-3-5 General Sign Regulations of the Comprehensive City Zoning Code and the Unser Boulevard Design Overlay Zone requirements unless otherwise noted herein.

2. Banners, pennants, ribbons, streamers, strings of light bulbs and spinners (except during holiday season or special thematic events); brashly colored signs with moving or flashing lights; signs which are animated in any manner; or portable signs are prohibited.

3. Off-premise signs are prohibited.

4. No sign may overhang a right-of-way or property line, or intrude upon any architectural features, including windows, columns, moldings, or any decorative features.

#### FREESTANDING SIGNS - COMMERCIAL and RESIDENTIAL

5. Signage at the project entries shall be coordinated in appearance (i.e., proportions, color, material, text height and style, etc.) and shall be internally lit.

6. For Unser Boulevard: one 12-foot tall project monument sign, 75 square feet in sign area, is allowed at the primary entry to Heritage Marketplace and one 10-foot tall project monument sign, 50 square feet in sign area, is allowed at the secondary entry.

7. For Ladera Boulevard and Hanover: one 10-foot tall project monument sign, 50 square feet in sign area, is allowed on each street frontage.
8. For Market Street: two 10-foot tall project monument signs, 50 square feet in sign area, are allowed.

9. There is no limit on the number of panels within each project monument sign.

10. Each commercial building pad is permitted to have one 30 square foot monument sign adjacent to the internal site drive.

#### WALL-MOUNTED SIGNS - COMMERCIAL and RESIDENTIAL

11. One wall-mounted sign shall be permitted per commercial facade, per business. The sign area shall not exceed 6 percent of each building facade.

12. For buildings with multiple commercial tenants, the sign area for individual tenants shall be based on the portion of the facade directly related to that tenant.

13. All wall-mounted signs on commercial buildings shall be individual type lettering. The following types of letters are acceptable:

- Type 1: Opaque lettering indirectly illuminated by goose neck type lighting;
- Type 2: Channel letters internally illuminated with letter sides to match letter face colors;
- Type 3: Same as 2 except halo lit; and
- Type 4: halo lit letters cut out of solid metal background spaced off the face of the building.

Can type signs are prohibited. Any logos associated with a specific tenant shall be non-illuminated.

14. Wall-mounted signs shall not project more than 1 foot. All canopy and marquee signs shall be included in the total area count allowed for all signs.

15. Signs perpendicular to an elevation shall only occur under an awning or canopy / portal and shall not be more than eight square feet. These signs may not project past the overhang.

16. Each residential building shall be allowed to include building identification signage (e.g., address or building number). Individual type lettering shall be required.

### 6. WALLS

1. All walls shall comply with Section 14-16-3-19 General Height and Design Regulations for Walls, Fences, and Retaining Walls of the Comprehensive City Zoning Code.

2. Any site walls shall be constructed of materials which match the predominant material of the building to which they are adjacent.

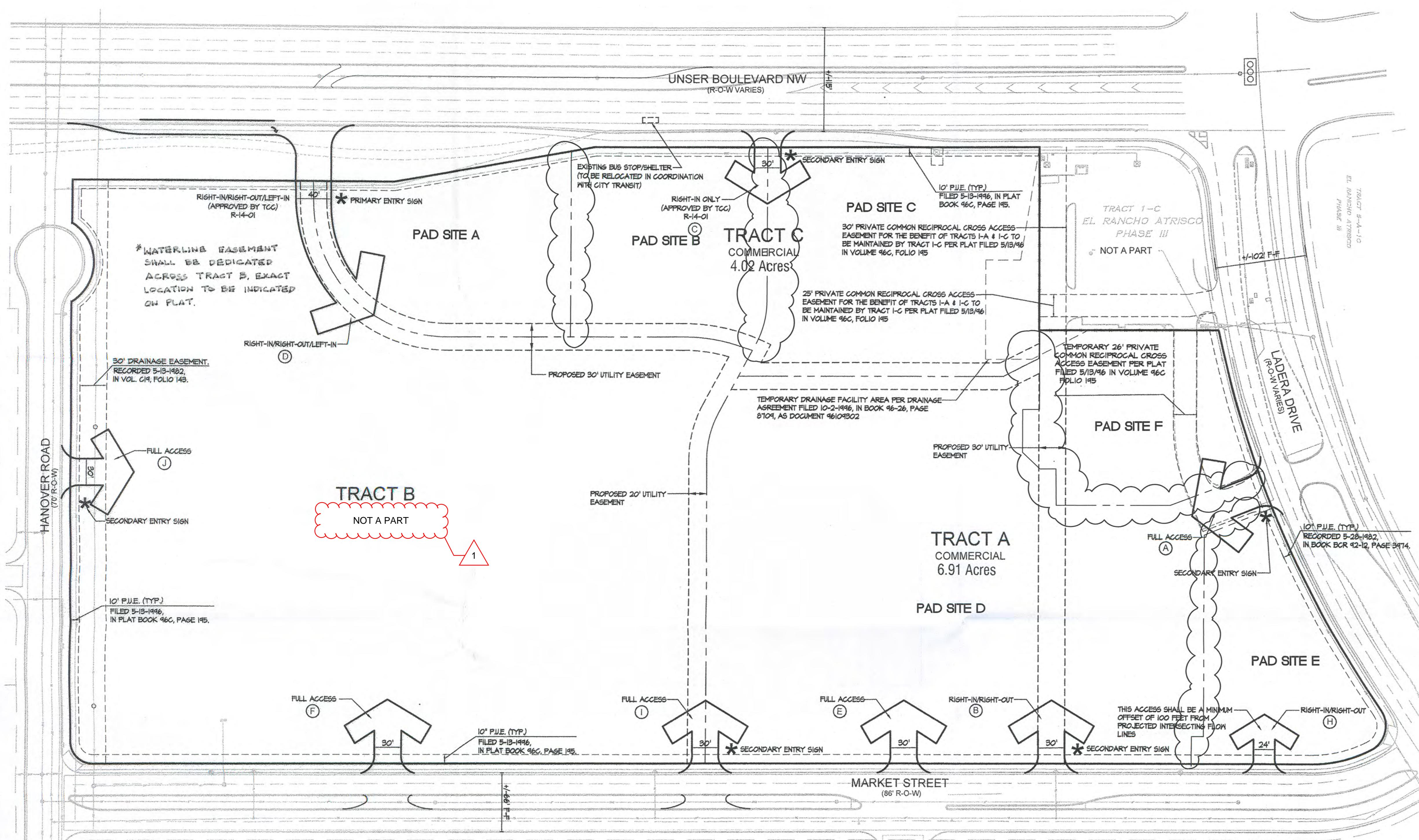
3. Except for screen walls that shield equipment and operations in loading areas, no site walls shall exceed 6 feet in height. Site walls shall be constructed of cast stone, brick, masonry finished with stucco, or combination thereof, with the finish materials to match the predominant material of the building.

## 7. SCREENING

1. No refuse enclosures shall be oriented towards Unser Boulevard or Ladera Drive.
2. Loading areas, exterior storage yards and refuse containers shall be fully screened from public view by an enclosure. Materials used for the enclosure shall be compatible with the building materials and architecture.
3. Roof mounted mechanical equipment shall be visually screened from public right-of-way when viewing from ground level by the use of parapets or other structural or architectural features.
4. The use of chain link, barbed wire, or wood fencing is prohibited.

## 8. LIGHTING

1. All lighting shall comply with Section 14-16-3-9, Area Lighting Regulations of the Comprehensive City Zoning Code. Placement of fixtures and standards shall conform to state and local safety and illumination standards.
2. All lights shall be shielded source with glare cut off angles to prevent spillage onto adjoining properties or light pollution of the existing "dark sky". Cobra and sodium lights are prohibited.
3. Individual site lighting standards shall blend with the architectural character of the buildings and other site fixtures.
4. The location of light fixtures shall be identified on subsequent Site Plans for Building Permits. The maximum height for pedestrian scale lights shall be 16 feet. The maximum height for parking lot lights



#### SITE PLAN FOR SUBDIVISION - REQUIRED INFORMATION

##### THE SITE:

The Site consists of approximately 10.946 ac. The property is bounded on the west by Unser Boulevard, to the north by Ladera Drive, to the east by Market Street, and to the south by Hanover Road. There is an existing out parcel at the southeast corner of Unser Boulevard and Ladera Drive developed with a gas station and convenience store.

##### ZONING AND PROPOSED USE:

The Site is zoned SU-2/SU-1 Special Use for Neighborhood Commercial and Office Uses within the El Rancho Atrisco Phase III Sector Development Plan (1981). The site is a designated neighborhood activity center in the West Side Strategic Plan.

Development of the property can only occur through an approved site development plan as regulated by Section 14-16-2-22 of the Comprehensive City Zoning Code. Activities allowed on the site must correspond to those enumerated in the C-1 Neighborhood Commercial zone and office uses.

A maximum of 50 percent (12.5 acres) of the original 25-acre site as referenced on Sheet 5 of the El Rancho Atrisco Phase III Sector Development Plan is eligible for development with retail and service-type uses consistent with those of the C-1 zone. The existing gas station and convenience store located on Lot IC (.85 acres) toward the northwest corner of the original 25-acre site is considered "commercial development". As such, an additional 11.65 acres may be developed with commercial uses pursuant to the C-1 zone.

The remaining area of the property can be developed with office or residential uses, or a combination thereof. Residential development on this portion shall be regulated by Section 14-16-2-16(A)(7) of the Comprehensive City Zoning Code.

##### APPLICABLE PLANS:

City of Albuquerque/Bernalillo County Comprehensive Plan (Rank I); West Side Strategic Plan (Rank II); and the El Rancho Atrisco Phase III Sector Development Plan (Rank III).

##### PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS:

Vehicular Access and Circulation - The proposed development has access to adjacent streets on all four sides of the property. Limited access to Unser Boulevard (a limited access principal arterial) has been approved by the Transportation Coordinating Committee of the Metropolitan Transportation Board of the Mid-Region Council of Governments (R-14-01 TCC). Access includes a right-in, right-out, and left-in access (approximately 1,040 feet south of Ladera) and an additional right-in access (approximately 529 feet south of Ladera) to serve the proposed development. There are existing access points on the north side of the property to Ladera Drive that remain. Additional access is shown on Ladera Drive, Market Street, and Hanover Road. Final design and location of these access points will be determined by future Site Development Plans for Building Permit. New median cuts must be requested in writing to the Traffic Engineer, Development and Review Services. The construction of appropriate left turn lanes must be included with any new median cuts.

Transit - The property is currently served by two existing bus routes; 92 Taylor Ranch Express and 94 Unser Express. Both routes have a bus stop adjacent to the subject property. Route 92 also travels along Ladera Boulevard adjacent to the site and existing bus stops are east of Market Street. Unser and I-40 are designated Express Transit Corridors.

Bicycle Facilities - Unser Boulevard has on-street bike lanes and an off-street multi-use trail on the east side of the street. The Unser Trail connects to the I-40 Regional Trail that runs along the north side of Interstate 40.

Pedestrian Facilities - Internal sidewalk and pedestrian facilities will be designed consistent with the design guidelines included in this site plan and future site plans for building permits.

##### BUILDING HEIGHTS AND SETBACKS:

Maximum building heights for all buildings shall be per the SU-1 zone. Setbacks shall be as provided in the O-1 and R-3 zones as enumerated in the Comprehensive City Zoning Code. Specific design restrictions for new residential shall be as provided in the C-2 zone (specific to Activity Centers and Transit Corridors).

##### MAXIMUM FAR/DENSITY:

Commercial buildings shall not exceed a maximum FAR of .30. Residential shall be as provided in the C-2 Zone and shall have a minimum FAR of .3 and a maximum density of 30 dwelling units per acre.

##### LANDSCAPE PLAN:

Landscape plans shall be submitted with future Site Plans for Building Permit and shall be consistent with the Water Conservation Landscaping and Water Waste Ordinance, Pollen Control Ordinance, and the Design Standards (Sheet 2).

##### Notes:

1. A cross access easement and shared parking agreement shall be part of the platting process at DRB. Future development on the site will require EPC review of the Site Development Plan for Building Permit(s).
2. Stormwater control measures shall be designed to manage the first flush and control runoff generated by contributing impervious surfaces.

1 Proposed Changes:  
 1. Indicate Tract B as "NOT A PART" on Sheet 1 of 3 as it is being repealed from the Site Plan.  
 2. Indicate Tract A as "NOT A PART" on Sheet 3 of 3 as it is being repealed from the Site Plan.

# HERITAGE MARKETPLACE

## SITE PLAN FOR SUBDIVISION

Prepared For:  
 Garrett Development Corporation  
 1130 Lanes End NW  
 Albuquerque, NM 87114

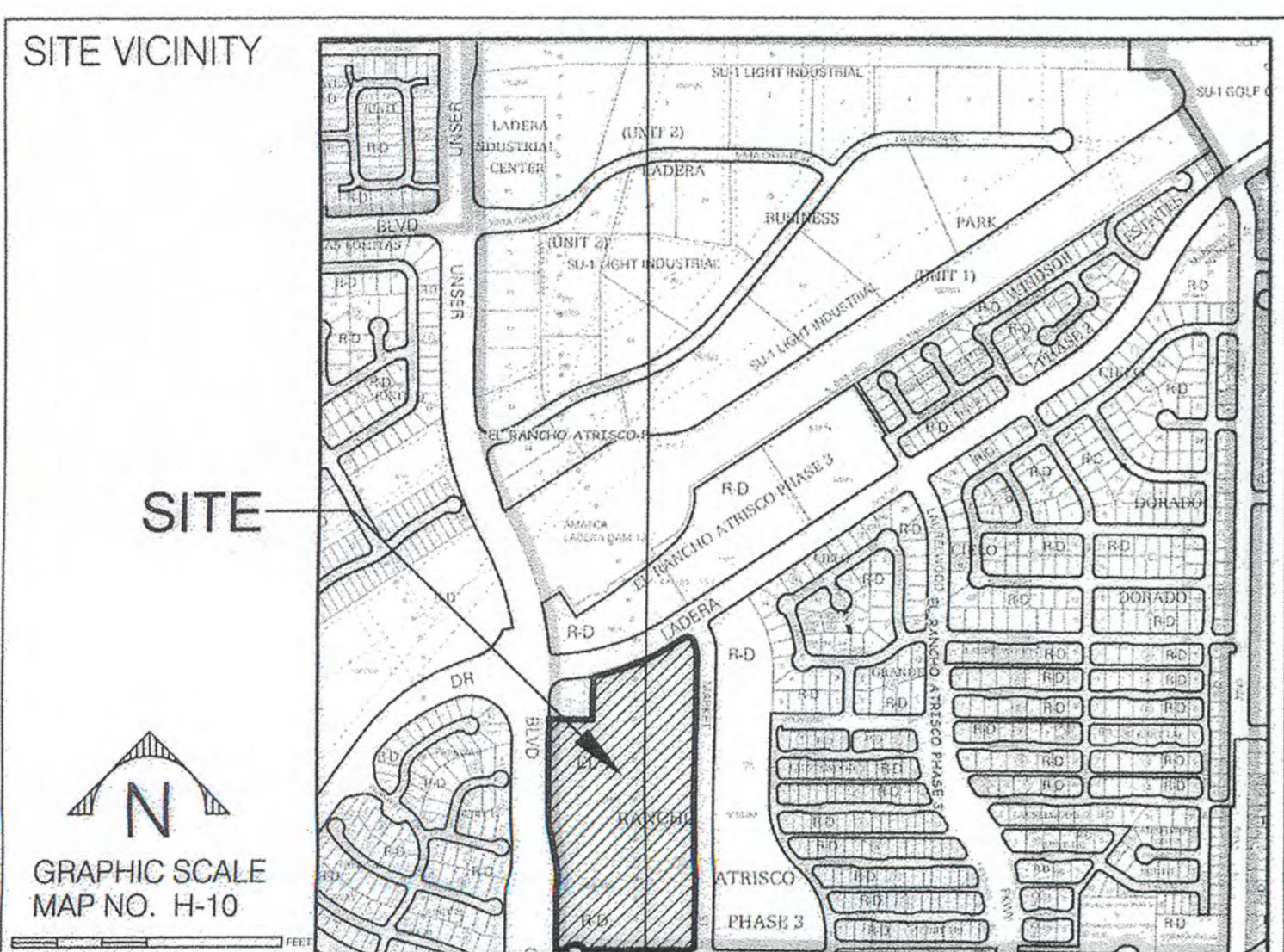
Prepared By:  
 Consensus Planning, Inc.  
 302 Eighth Street NW  
 Albuquerque, NM 87102

Scale: 1" = 60'



December 8, 2014

Sheet 1 of 3



PROJECT NUMBER: 1003275  
 APPLICATION NUMBER: 14EPC-40078, 15DRB-70052

This plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated February 13, 2014 and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? ( ) Yes ( ) No If yes, then a set of approved DRC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

#### DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

02-25-15  
 Traffic Engineer, Transportation Division  
 Alan Carter  
 Water Utility Development  
 Carol S. Dumont  
 Parks & Recreation Department  
 Curt A. Chen  
 City Engineer  
 \* Environmental Health Department (conditional)  
 Solid Waste Management  
 Del Chay  
 DRB Chairperson, Planning Department

\* Environmental Health, if necessary

02-25-15  
 Date  
 02-25-15  
 Date  
 2-25-15  
 Date  
 2-25-15  
 Date  
 4-9-15  
 Date

12-10-14  
 Traffic Engineering, Transportation Division  
 Alan Carter  
 ABCWUA  
 Carol S. Dumont  
 Parks and Recreation Department  
 Curt A. Chen  
 City Engineer  
 NM  
 Solid Waste Management  
 Del Chay  
 DRB Chairperson, Planning Department

12-10-14  
 Date  
 12-10-14  
 Date  
 12-10-14  
 Date  
 12-10-14  
 Date  
 12-10-14  
 Date



# HERITAGE MARKETPLACE DESIGN STANDARDS

These Design Standards are intended to provide guidance to designers in understanding the vision and development goals for the property. These standards address the issues of landscape, setbacks, pedestrian amenities, screening, lighting, signage, and architecture that will create the visual image desired for the Heritage Marketplace for both non-residential and multi-family residential projects.

Subsequent Site Development Plans for Building Permits shall be consistent with the design standards established by this Site Development Plan for Subdivision and shall be delegated to the Development Review Board. Minor amendments to this Site Development Plan for Subdivision shall be approved administratively by the Planning Director in accordance with the Comprehensive City Zoning Code, Section 14-16-2-22 (A)(6) Special Use Zone, and major amendments shall be approved by the Environmental Planning Commission.

Unless otherwise noted, the following Design Standards shall apply to all commercial and residential projects:

## 1. LAND USE

1. Permissive land uses for Heritage Marketplace are per the C-1 Zone. As such, residential uses permissive in the R-3 are allowed per Section (A) (7); however, there shall be no single-family houses allowed at Heritage Marketplace.
2. Residential use shall achieve a maximum density of 30 dwelling units per acre and a minimum floor area ratio (FAR) of .30.

## 2. SITE PLANNING

### A. MINIMUM BUILDING SETBACKS

1. Unser and Ladera Boulevards: 20 feet
2. Market Street: 10 feet
3. Internal roads: 10 feet
4. Internal side yards: 5 feet

### B. SIDEWALKS / WALKWAYS

1. A minimum of one ADA route will be provided to the principal entrance at all buildings (see Americans with Disabilities Act Criteria for Barrier-Free Design).
2. Pedestrian crossings, 6 feet in width, shall have a contrasting color and surface from the adjacent pavement where they cross vehicular entrances and drive aisles.
3. Buildings shall be linked to public sidewalks and the Unser Boulevard Trail via six foot sidewalks.

### C. PARKING

**GENERAL**

1. All off-street parking areas shall be designed in accordance with the City Comprehensive Zoning Code, Section 14-16-3-1 Off-Street Parking Regulations, including provisions for accessible parking, except as provided below.
2. In order to lessen the visual impact of parking areas, parking fields shall be broken up into a series of smaller areas in order to lessen the visual impact of parking areas through the use of landscape and pedestrian areas, buildings, and/or plazas.
3. Parking for all commercial tenants will be shared. A cross access easement and shared parking agreement shall be part of the platting process.
4. Pedestrian connections to buildings should be provided in parking lots with greater than 50 spaces and should connect to adjacent roadways, parking areas, sidewalks, and pathways.
5. Sidewalks connecting public sidewalks to buildings shall be shaded with trees spaced at 25 feet on center, in accordance with the City Comprehensive Zoning Code, Section 14-16-3-1 Off-Street Parking Regulations.
6. Parking lots adjacent to and at grade with public streets shall be screened with either an earthen berm, evergreen landscaping, or wall or combination at a minimum height of 30 inches and maximum height of 36 inches. Screen walls, if used, shall be consistent with materials and colors of the buildings.

**COMMERCIAL**

7. Secure bicycle storage racks shall be located near building entrances. The minimum number of bicycle racks shall be determined by the number of parking spaces provided, consistent with the City Zoning Code.

**RESIDENTIAL**

8. One vehicular parking space per unit.
9. On street parking credit is allowed in accordance with the C-1 zone.
10. One bicycle space per two units.

### D. OUTDOOR SPACES

Outdoor spaces should be designed with consideration towards sun and wind exposure, and pedestrian and visual accessibility.

**GENERAL**

1. Site amenities, such as benches, trash receptacles, and lighting, shall be compatible with the architectural and landscape treatments on each commercial pad or residential site.

**COMMERCIAL**

2. Freestanding restaurants, if proposed by subsequent Site Plans for Building Permits, shall provide outdoor patios with a minimum size of 200 square feet for restaurants up to 4,000 square feet, and a minimum size of 300 square feet for restaurants larger than 4,000 square feet.

3. Outdoor patios shall be shaded either by trees and/or a shade structure that is architecturally integrated with building architecture.

## 3. LANDSCAPE

The landscape environment is intended to enhance the aesthetics of the development, aid in reinforcing the street edge and pedestrian environment, and provide a welcoming retreat from sun exposure and glare.

### GENERAL

1. Landscape plans shall comply with Section 14-16-3-10 Landscaping Regulations Applicable to Apartment and Nonresidential Development of the Comprehensive City Zoning Code and the Water Conservation Ordinance and Pollen Ordinance with regard to plant species, installed sizes and quantities, landscape area, and irrigation systems.

2. Street trees shall be provided along public rights-of-way with either even spacing or in random clusters. The spacing of evenly spaced street trees shall be no greater than the diameter of the street tree canopy at full maturity (i.e., smaller trees require closer spacing than larger trees). Where street trees are randomly clustered, the number of street trees shall be equal to or exceed the number required if trees were evenly spaced; however, gaps between randomly spaced street trees that exceed 80 feet are prohibited.

3. A fully automated irrigation system shall be installed as part of the landscaping for all commercial pad sites and multi-family development. The system shall be designed to avoid overspraying walks, buildings, fences, etc.

4. Gravel, colored rock, and similar mulch materials are acceptable as a top dressing for landscape areas, however, they shall not be considered a focal landscape element.

5. Steel, brick, or equivalent landscape headers shall be used to separate any turf and shrub / ground-cover areas.

6. Timing of Installation. All landscaping must be completed no later than two months after completion of construction of the site improvements.

7. Landscaping and signage will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.

## 4. ARCHITECTURE

The architectural standards are intended to describe the general characteristics of the structures to be built within Heritage Marketplace. While all of the buildings will reflect these standards, it is not the intent of these design standards to prohibit a certain amount of individual expression and creativity. The use of various architectural details and materials shall be consistent when used on various elevations.

### A. GENERAL

1. Commercial buildings shall comply with Section 14-16-3-18, General Building and Site Design Regulations for Non-Residential Uses of the Comprehensive City Zoning Code, as well as other local building and fire codes.
2. Generic franchise architecture is prohibited.

3. No freestanding cell towers or antennas are allowed; antenna shall be integrated with the building architecture.

### B. BUILDING ORIENTATION

1. Building elements such as windows, displays, and entries shall be oriented to pedestrian connections and public areas.

### C. BUILDING HEIGHT

1. Maximum building height for all buildings shall be per the SU-1 zone. Architectural accents such as towers and entry elements may extend above the maximum parapet height. The maximum height of a pitched roof building shall be based on the average height between the plate and ridge.

2. Maximum building height for multi-family residential is per the R-3 zone.

### D. BUILDING MASSING AND ARTICULATION

1. Residential and non-residential buildings shall be articulated with a variety of massing changes both in plan and elevation to relate the buildings to the scale of pedestrians.

2. Non-residential uses shall be horizontally connected in a variety of ways, such as the use of arcades or porticos, controlled plaza elements, pavement, and sitting areas.

3. All sloped roof lines must overhang a minimum of 3 feet and provide appropriate detailing either with rafter tails or cornices.

Major facades shall break up the vertical mass (height) in addition to the horizontal mass.

4. Major facades (greater than 100 feet in length) shall break up building mass in conformance with Section 14-16-3-18, General Building and Site Design Regulations for Non-Residential Uses. In addition, all front facades less than 100 feet in length shall be subject to the same requirements as stated in the preceding sentence, except the frequency of wall plane projections or recesses of at least 2 feet in depth shall occur every 50 feet and shall extend at least 25% of the length of the facade. Facades adjacent to drive up windows may break up building mass with wall plane projections or recesses of at least 8" in depth.

5. Columns, arcades, corner articulation, overhangs, awnings, marqueses, gutters and scuppers, breezeways, and soffits shall be dimensioned and detailed to provide a human scale and visual interest.

6. Entryways shall be clearly defined by the use of awnings, canopy, or inset, and/or color and shall be lighted.

7. Awnings are permitted above window areas on non-residential and residential buildings.

- Commercial awnings with painted or embossed corporate logos or signage are permitted provided the area when added to all other wall signage does not exceed the allowable sign area of building wall.
- Illumination of commercial awnings shall be from pendant mounted fixtures located above the awning. Accent colors on awnings shall be compatible with the general color palette.
- No plastic or vinyl awnings or canopies are allowed.

8. Entries shall be clearly defined and connect to pedestrian linkages.

9. The use of contrasting colors between roofs and walls shall be used to further differentiate the planes of building masses.

10. Reflective glazing is prohibited. Clear and bronze tinted glass is permitted.

### E. BUILDING MATERIALS

All of the exterior materials and colors employed in the future construction of buildings and improvements for shall be of a consistent color and material palette.

or integral color split face block . or  
1. The primary building finish material shall be stucco/Manufactured stone and brick veneer shall be used as an accent feature and be a consistent color style and typical throughout Heritage Marketplace. The stone veneer shall not comprise more than 20% of the exterior construction.

2. Materials prohibited as the main architectural feature include the following:

- exposed, untreated precision block or wood walls
- highly reflective surfaces
- chain link fence or barbed wire
- metal paneling or siding, except accents for trim and minor elements are allowed

## F. BUILDING COLORS

1. Primary - The wall colors shall be earth tones, light tans, browns, and reds, with an accent veneer of either manufactured brick or stone. Each building palette shall be consistent in tonal quality with other buildings within the project.

2. Accent - a variety of colors may be used to accent architectural features such as entries, window trim, awnings, fascias, and other traditional southwestern architectural features. Colors allowed are typical southwestern colors of earth tones, white, green, red, blue, and brown ranges.

### G. ROOF MATERIALS AND COLORS

1. Roofs may be flat, pitched (tile), or a combination of both and shall be made of non-reflective materials. Roof tile color shall be terra-cotta blend.

### H. COLUMNS

1. The following are appropriate column forms:

- Square stucco
- Round stucco
- Masonry
- Round classical with smooth shafts in Doric or simple contemporary order

### I. COLUMNS

1. The following shall not be allowed:

- Corinthian
- Ionic
- Tuscan
- Egyptian

## 5. SIGNAGE

The following signage standards were developed to regulate the size, location, type, and quality of sign elements within Heritage Marketplace. The goal is to provide a signage program that is of high quality, maintains a consistent style, creates a sense of arrival, and complements the visual character of the property.

### GENERAL

1. All signage shall be in compliance with Section 14-16-3-5 General Sign Regulations of the Comprehensive City Zoning Code and the Unser Boulevard Design Overlay Zone requirements unless otherwise noted herein.

2. Banners, pennants, ribbons, streamers, strings of light bulbs and spinners (except during holiday season or special thematic events); brashly colored signs with moving or flashing lights; signs which are animated in any manner; or portable signs are prohibited.

### OFF-PREMISE SIGNS - COMMERCIAL and RESIDENTIAL

5. Signage at the project entries shall be coordinated in appearance (i.e., proportions, color, material, text height and style, etc.) and shall be internally lit.

### FREESTANDING SIGNS - COMMERCIAL and RESIDENTIAL

6. For Unser Boulevard: one 12-foot tall project monument sign, 75 square feet in sign area, is allowed at the primary entry to Heritage Marketplace and one 10-foot tall project monument sign, 50 square feet in sign area, is allowed at the secondary entry.

### WALL-MOUNTED SIGNS - COMMERCIAL and RESIDENTIAL

11. One wall-mounted sign shall be permitted per commercial facade, per business. The sign area shall not exceed 6 percent of each building facade.

### ILLUSTRATIVE MONUMENT SIGN AT PRIMARY UNSER ENTRY

Illustrative Monument Sign at Primary Unser Entry

WALL-MOUNTED SIGNS - COMMERCIAL and RESIDENTIAL

12. For buildings with multiple commercial tenants, the sign area for individual tenants shall be based on the portion of the facade directly related to that tenant.

13. All wall-mounted signs on commercial buildings shall be individual type lettering. The following types of letters are acceptable:

- Type 1: Opaque lettering indirectly illuminated by goose neck type lighting;

- Type 2: Channel letters internally illuminated with letter sides to match letter face colors;

- Type 3: Same as 2 except halo lit; and

- Type 4: halo lit letters cut out of solid metal background spaced off the face of the building.

Can type signs are prohibited. Any logos associated with a specific tenant shall be non-illuminated.

Illumination from wall-mounted signs shall not shine directly on existing residential areas.

14. Wall-mounted signs shall not project more than 1 foot. All canopy and marquee signs shall be included in the total area count allowed for all signs.

15. Signs perpendicular to an elevation shall only occur under an awning or canopy / portal and shall not be more than eight square feet. These signs may not project past the overhang.

16. Each residential building shall be allowed to include building identification signage (e.g., address or building number). Individual type lettering shall be required.

### WALLS

1. All walls shall comply with Section 14-16-3-19 General Height and Design Regulations for Walls, Fences, and Retaining Walls of the Comprehensive City Zoning Code.

2. Any site walls shall be constructed of materials which match the predominant material of the building to which they are adjacent.

3. Except for screen walls that shield equipment and operations in loading areas, no site walls shall exceed 6 feet in height. Site walls shall be constructed of cast stone, brick, masonry finished with stucco, or combination thereof, with the finish materials to match the predominant material of the building.

## 7. SCREENING

1. No refuse enclosures shall be oriented towards Unser Boulevard or Ladera Drive.
2. Loading areas, exterior storage yards and refuse containers shall be fully screened from public view by an enclosure. Materials used for the enclosure shall be compatible with the building materials and architecture.
3. Roof mounted mechanical equipment shall be visually screened from public right-of-way when viewing from ground level by the use of parapets or other structural or architectural features.
4. The use of chain link, barbed wire, or wood fencing is prohibited.

## 8. LIGHTING

1. All lighting shall comply with Section 14-16-3-9, Area Lighting Regulations of the Comprehensive City Zoning Code. Placement of fixtures and standards shall conform to state and local safety and illumination standards.
2. All lights shall be shielded source with glare cut off angles to prevent spillage onto adjoining properties or light pollution of the existing "dark sky". Cobra and sodium lights are prohibited.
3. Individual site lighting standards shall blend with the architectural character of the buildings and other site fixtures.
4. The location of light fixtures shall be identified on subsequent Site Plans for Building Permits. The maximum height for pedestrian scale lights shall be 16 feet. The maximum height for parking lot lights shall be a maximum of 25 feet.
5. The maximum height of a light pole, measured from the finished grade to the top of the pole, within 100 feet of a residential zone shall be 16 feet.

## 9. UTILITIES

To ensure the overall aesthetic quality of the property and the natural environment, the visual impact of utilities and equipment should be minimized by the following:</p