

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

RE: Site Plan - Major Amendment, 1700 Unser Blvd NW (SP-2025-00041)

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 18th* 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
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.