



Development Facilitation Team (DFT) – Review Comments

Reviewer: David G. Gutierrez, P.E. | Phone: 505-289-3381 | dggutierrez@abcwua.org

Project No: PR-2023-008552 Date: 07/12/2023 Agenda Item: #2 Zone Atlas Page: K-15

Legal Description: [TRACT 4 PLAT OF THE HIGHLANDS]

Location: [NORTH OF CENTRAL and WEST OF CEDAR ST.]

Application For: VA-2023-00171 – IDO WAIVER TO SIDEWALK AND BUFFER WIDTHS (DHO)

1. Water Authority defers to City of Albuquerque for the proposed waiver.

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2023-008552
1111 Central

AGENDA ITEM NO: 2

SUBJECT: Sidewalk and Buffer Waiver

ENGINEERING COMMENTS:

1. Transportation is satisfied with the justifications given. No objection.

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

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

DATE: July 12, 2023

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)

DEVELOPMENT HEARING OFFICER - HYDROLOGY SECTION
Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2023-008552 Hearing Date: 07-12-2023
Project: Residence Inn & Food Hall Agenda Item No: 2

<input type="checkbox"/> Minor Preliminary / Final Plat	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Temp Sidewalk Deferral	<input type="checkbox"/> Sidewalk Waiver/Variance	<input type="checkbox"/> Bulk Land Plat
<input checked="" type="checkbox"/> IDO Waiver	<input type="checkbox"/> Vacation of Public Easement	<input type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology has an approved Conceptual Grading & Drainage Plan (K15D034D) with engineer's stamp 11/30/2022.
- Hydrology defers to Transportation on the IDO Waiver to sidewalk and Buffer widths.

- Comment – Prior to submitting for Building Permit, a licensed New Mexico civil engineer will need to submit a Grading & Drainage Plan to Hydrology for review & approval.

APPROVED
 DENIED

DELEGATED TO: TRANS HYD WUA PRKS PLNG
Delegated For: _____
SIGNED: I.L. SPSP SPBP FINAL PLAT
DEFERRED TO _____

DEVELOPMENT HEARING OFFICER

Code Enforcement Comments

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

Jeff Palmer-Code Enforcement Supervisor
Planning Department
jppalmer@cabq.gov

DATE: 7/12/2023

AGENDA ITEM NO: 2

DHO PROJECT NUMBER:

[PR-2023-008552](#)

[VA-2023-00171](#) - IDO WAIVER TO SIDEWALK AND BUFFER WIDTHS

PROJECT NAME:

CONSENSUS PLANNING, INC. agent for **CEDAR INVESTORS LLC C/O TITAN DEVELOPMENT** requests the aforementioned action(s) for all or a portion of: **TRACT 4 PLAT OF THE HIGHLANDS** zoned **MX-M** located **NORTH OF CENTRAL** and **WEST OF CEDAR** containing approximately 1.71 acre(s). (K-15)

PROPERTY OWNERS: CEDAR INVESTORS LLC ATTN: ARGUS DEVELOPMENT COMPANY

REQUEST: TWO IDO WAIVERS TO THE SIDEWALK AND LANDSCAPE BUFFER WIDTHS ALONG CENTRAL AVE IN ASSOCIATION WITH A SITE PLAN DFT FOR A NEW FOOD HALL AND HOTEL

COMMENTS:

1. Code Enforcement has no comments and no objections to the proposed waivers.



DEVELOPMENT FACILITATION TEAM

Planning - Case Comments

HEARING DATE: 7/12/23 -- **AGENDA ITEM:** DHO

Project Number: PR-2023-008552

Application Numbers: SI-2023-00780

Project Name: Central west of Cedar St.

Requests: Waiver of sidewalk widths along Central Avenue for a Food Hall and Hotel

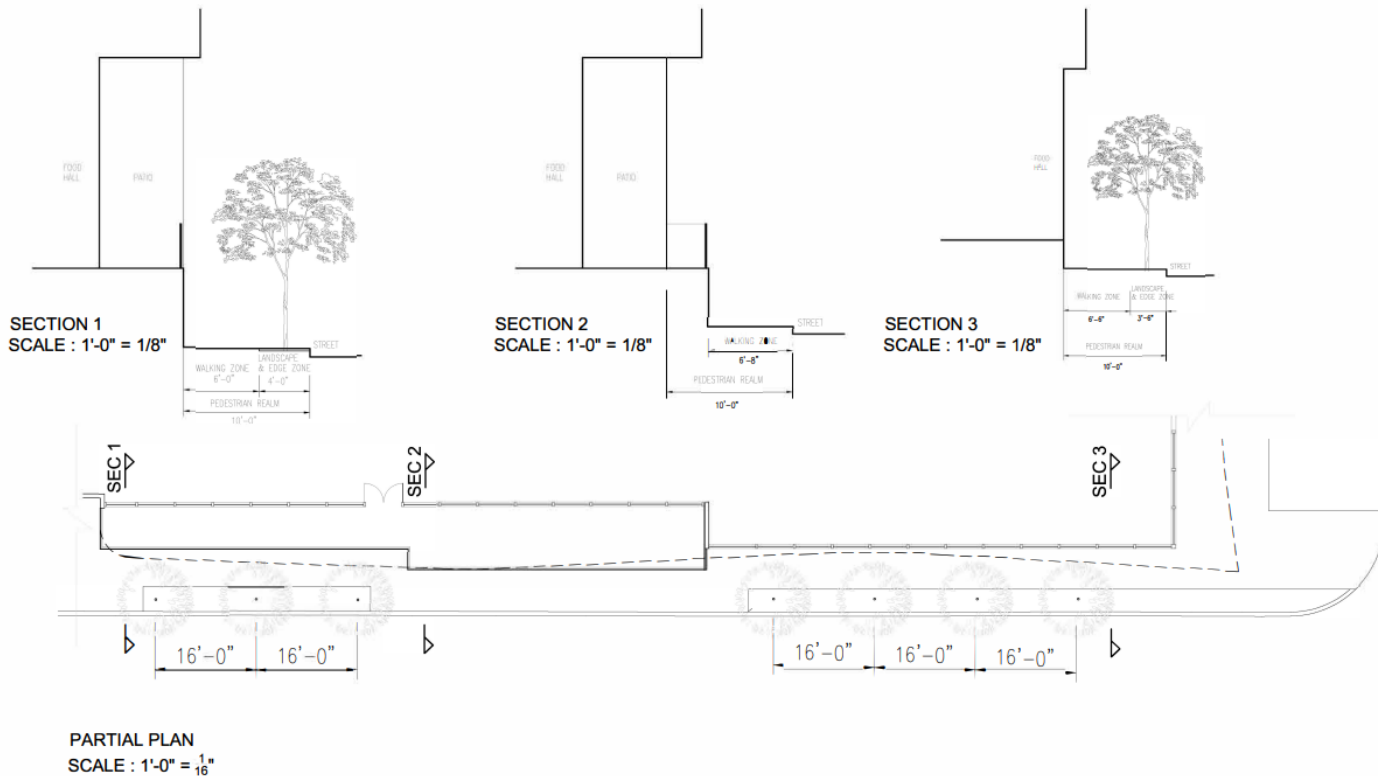
These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals. **Sentences in bold face require additional applicant response.*

FINDINGS:

- On May 19th, members of the Project Development Team and City Planning/DFT staff met to review the Planning Department's comments related to the DFT Site Plan and Landscaping Plan, and comments were made regarding changes that need to be made in order for the design to be compliant with the planning and landscaping requirements of the IDO.
- Per **IDO 5-3(D)(2)(b) Sidewalks in Mixed Use Development** and **DPM 7.2.29** for Central as a Main Street, outside of a Center, 10-foot-wide sidewalks with a 5-6-foot landscape buffer zone are required.
The project team is requesting a Waiver on sidewalk width requirements as the project team believes the current design fulfills the purpose of improving walkability and the pedestrian experience. The landscape buffer zone width can be a DHO Determination.
- The property is located within a Main Street/Premium Transit Corridor Area, and is not located in a Center. The property is not located in an IDO Overlay.
- The property is located in an Area of Change and all adjacent and abutting parcels are also Area of Change.
- The Applicant has provided proof of a Pre-Submittal Neighborhood Meeting per IDO 14-16-6-4(C).

**(See additional comments on next page)*

- Applicant is proposing the following design for the project frontage along Central Avenue:



Titan Food Hall and Residence Inn: Central Avenue Sidewalk and Landscape Waiver Exhibit

COMMENTS:

According to staff analysis, the waiver criteria has been met:

- Per 6-6(P)(3)(a) of the IDO, an application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.

a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.

In their memo, applicant articulated that along Central Avenue the ART project impacts the project due to its built condition, utility easements in the north edge of the property cause limitations and the building cannot be moved in that direction, extreme grade changes across the site has created complexities making the shifting of large elements impossible.

**(See additional comments on next page)*

b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.

This criterion is not applicable.

c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.

This criterion is not applicable.

d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

In their memo, the Applicant explained that their design team has strived to propose a creative design that enhances the walkability and interconnectivity within and adjacent to the project. The pedestrian connection to Cedar Street and elements like outdoor seating are examples of conveniences considered in this design.

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

The Waiver is consistent with the public safety, health, and welfare of the city. The Applicant explains in their memo that developing this property will help enhance the condition of the area.

3. The Waiver does not cause significant material adverse impacts on surrounding properties.

The Waiver will not have any adverse impacts on surrounding properties.

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

The Applicant explains that The City recently undertook a major overhaul of Central Avenue in association with the ART project improvements. The owner cooperated with the city and dedicated right-of-way for the project.

5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

**(See additional comments on next page)*

The Applicant explains in their memo that the proposed sidewalks are compliant with accessibility requirements and include landscaping and high-end pavers, improving the public realm.

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

This criterion is not applicable.

7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

The Applicant articulates that the uses proposed are consistent with the MX-M zone and provide excellent connectivity (via the skybridge and Central Avenue) to the adjacent multi- 3 family, hotel, and hospital uses. The proposed design along Central Ave. will still provide an appropriate sidewalk and landscape buffer.

8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(P) (Deviations) and is granted by the DHO as part of this approval.

This Waiver does not affect the project meeting an applicable development standard for the zone district.

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

The Applicant has met with City staff to ensure that the waivers and the associated sidewalk and landscape buffers are appropriate for this section of Central Avenue adjacent to the City's ART station. And is the minimum necessary to provide redress.

10. If the request is for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

The sidewalk was developed as part of the ART project and provides adequate sidewalk area that is complemented by outdoor dining. There is no gap in the sidewalk system.

**(See additional comments on next page)*



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FROM: Jay Rodenbeck/Jolene Wolfley/Hannah Aulick
Planning Department

DATE: 7/12/23

**(See additional comments on next page)*



DEVELOPMENT HEARING OFFICER (DHO)

Parks and Recreation Department

<https://www.cabq.gov/parksandrecreation>

PR-2023-008552

VA-2023-00171 - IDO WAIVER TO SIDEWALK AND BUFFER WIDTHS

IDO – 2021

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Comments:

07-12-2023

No Comments or Objections to the Requested Waivers.

Comments provided by Whitney Phelan, Senior Planner, CABQ Parks & Recreation Department. Please contact via wphelan@cabq.gov or 505-768-5378 with questions or concerns.