

The proposed sidewalk waiver request along Menaul Blvd. NE and Americas Parkway NE for the minor subdivision at Coronado Mall is evaluated against the criteria listed below to ensure it aligns with the Integrated Development Ordinance (IDO) and other relevant policies. The requested waiver is for a sidewalk width of five feet and would deviate from the required ten-foot sidewalk width and aims to encourage flexibility and effective use of infill development while addressing pre-existing conditions. It ensures that the waiver will not adversely impact public safety, health, or welfare, nor will it cause significant material adverse impacts on surrounding properties. The waiver would support future planning and infrastructure improvements by allowing a minor subdivision to occur that would utilize existing infrastructure, and align with goals- *Centers and Corridors and Efficient Development Patterns* and policies-*Infill Development and Land Use* of the Albuquerque Comprehensive Plan, and does not promote undesired development in flood-prone areas. Additionally, the waiver is consistent with the purpose and intent of the IDO and the applicable zone district (MX-H), providing the minimum necessary requirements without conflicting with established development standards. The request is specific to a single site and does not create gaps in the existing sidewalk system, ensuring a cohesive and well-planned development within the MX-H zone district.

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

- **Response:** The sidewalk waiver would deviate from the IDO sidewalk requirements of having a width of ten feet and granting the waiver for a five-foot sidewalk but would encourage flexibility, resulting in the effective use of infill development in an already established area, such as Coronado Mall. Furthermore, there are pre-existing conditions that cannot easily be altered without economic distress because it would require loss of required parking and significant alteration of the landscaping and site layout. The waiver request is solely to move forward with the minor subdivision. No planned development is being made at this time.

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

- **Response:** The minor subdivision is already within a well-established shopping center and would not extend beyond the existing boundaries currently set in place. If the City felt that the existing sidewalk width was contrary to the public safety, health or welfare, then they would have altered

the sidewalk. Additionally, no development is proposed and therefore improvements don't appear to be justified. Therefore, the requested waiver would not be materially contrary to the public safety, health, or welfare.

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

- **Response:** The requested waiver would not cause significant adverse impacts on the surrounding properties because the minor subdivision would match the surrounding zoning, MX-H, which is defined as Mixed Use-High Intensity. The setbacks for this zoning classification require no setbacks; therefore, the sidewalk waiver would not impact surrounding properties.

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

- **Response:** The sidewalk waiver request would not hinder future planning or right-of-way acquisition because the same property owner will be subdividing the property. Additionally, granting the waiver would result in a minor subdivision, creating parcels of land for developers interested in developing within the subject site for infill.

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.

- **Response:** The waiver does not significantly conflict with the IDO but would deviate from the required sidewalk width minimally. Granting the sidewalk waiver would be consistent with existing infrastructure and align with goals and policies from the Albuquerque Comprehensive Plan, such as Goals 5.1 (Centers and Corridors) and 5.3 (Efficient Development Patterns), and policies 5.3.1 (Infill Development) and 5.2.1 (Land Uses).

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

- **Response:** The requested waiver would not grant undesired development in the 100-year floodplain because the minor subdivision is located in the "X" Floodplain zone, where there is a 0.2% chance of flooding. Floodplain zone "X" has a low to moderate chance of flooding.

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

- **Response:** The requested waiver would facilitate development within the MX-H zone district, classified as Mixed-Use High Intensity. The requested waiver would provide parcels for future development that would align with the MX-H Zone standards.
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(N) (Deviations) and is granted by the DHO as part of this approval.**
- **Response:** The requested waiver would not meet the development standards of the current IDO. However, if granted, the request would fall within the thresholds defined in Subsection 14-16-6-4(N), primarily Subsection 14-16-6-4(N)(3)(c). The request is for a single site and is not part of a pattern of similar requests for adjacent properties or nearby sites by the same property owner or within the same subdivision, Framework Plan area, or Master Development Plan area.
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).**
- **Response:** Granting the requested waiver would be the minimum necessary to address the current IDO Development Standards without being inconsistent with the provisions listed in Subsection 14-16-6-6(P) regarding access; sidewalk waiver. Currently, there are no specific developments planned for the site(s), but it would provide parcels for future development that would comply with the current zoning classification, Mixed-Use High Intensity (MX-H).
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 one or more sides of the subject property.**
- **Response:** The request for a sidewalk waiver would not contribute to the public welfare, and the absence of a sidewalk would not create a gap in the existing sidewalk system because the site is a single site. There is no absence of a sidewalk, just a deviation from the width requirements. The minor subdivision that is to occur would be within the site and not interfere

with the existing network of sidewalks. The parcels to be created would occur in parking spaces within the Coronado Mall Shopping Center. Any future development would be the responsibility of the developer who acquires the newly platted parcels and would comply with all applicable requirements of the IDO.