



City of Albuquerque
Planning Department
Development Review Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: April 20, 2007

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1000762*
07EPC-00255 Zone Map Amendment

First Baptist Church
P.O. Box 26446
Albuq. NM 87125

LEGAL DESCRIPTION: for all or a portion of Tracts B, Richland Hills, Unit 1 and a portion of Tracts B1A and C1a, Albuquerque West, Unit 1, a zone map amendment from SU-1 PDA to include C-3 Uses to SU-1 IP Uses w/Exceptions, located on PASEO DEL NORTE NW, between RICHLAND HILLS ROAD NW and EAGLE RANCH ROAD NW, containing approximately 2.5 acres. (C-12) Stephanie Shumsky, Staff Planner

On April 19, 2007 the Environmental Planning Commission voted to approve Project 1000762/ 07EPC-00255, a zone map amendment, for all or a portion of Tract B, Richland Hills Subdivision, Unit 1 and a portion of Tract(s) B1A and C1A, Albuquerque West, Unit 1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This request is for a zone map amendment for a portion of Tract(s) B1A and C1A, Albuquerque West Subdivision, Unit 1, an approximately 2-acre site, **from** SU-1 PDA to Include C-3 Uses to SU-1 for IP Uses with Exceptions. The exceptions are: bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair. The site is located on Paseo del Norte between Richland Hills Road and Eagle Ranch Road NW.
2. This request is related to a recently EPC approved request for a zone map amendment, a site development plan for subdivision, and a site development plan for building permit (06EPC-01712/01710/01711). Approval of this request will void the previously approved zone map amendment request. Since the changes to the site development plan for subdivision and site development plan for building permit are very minor, the applicant may amend those plans administratively.

3. The subject site is currently part of the Fountain Hills development area. A site plan for the Fountain Hills area was approved by the EPC (1003445). This plan will need to be amended in order to reflect the exclusion of the subject site and the inclusion of the portion of Tract B into Tract C1A. A zone change from SU-1 for IP Uses with Exceptions (bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair on the subject site) to SU-1 for PDA to Include C-3 Uses will also need to be requested in order to make the zoning on the 1.4-acre parcel consistent with the zoning on Tract C1A. Application for this amendment will need to occur for the July 19, 2007 EPC hearing as required by a condition of approval for the previously approved site development plan for subdivision and site development plan for building permit (6 months from January 18, 2007).
4. The applicant justified the request as required by Resolution 270-1980:
 - a. Policy A because the zone change requested does not violate the health, safety, morals, or general welfare of the City. The existing zoning to the south of the site is also SU-1 for IP Uses with Exceptions, which requires EPC review of a site development plan to ensure that the surrounding neighborhoods and the City are protected from any adverse effects from the uses.
 - b. Policy B because the zone change contributes to the stability of land use and the principles of effective zoning. The zone change will allow for consistent development over the subject site and the parcel to the south without substantially altering development plans for adjacent parcels (Fountain Hills). While, the site's zoning will allow a variety of IP uses the intent of the request is to facilitate the development of a church and related facilities as evidenced in the application materials. A church is generally a stabilizing force for a neighborhood and for the wider community. Many IP Uses are also viable at the site because of the sites proximity to several Major Transit Corridor.
 - c. Policy C because the requested zoning is not in significant conflict with applicable elements of the City's Comprehensive Plan, West Side Strategic Plan, or Riverview Sector Development Plan. The proposed zoning is the same as zoning to the south and is similar to zoning to the north. Commercial Uses are allowed by the proposed zoning as well as within the surrounding SU-1 for PDA to Include C-3 Uses zone.
 - d. Policy D.3 because the applicant cited Comprehensive Plan, Established Urban Area Policies d and i, West Side Strategic Plan Policy 3.8, and applicable sections of the Riverview Sector Development Plan as being furthered by this request. In addition, staff provided analysis of policies that are furthered or partially furthered. Specifically;
 - i. The Comprehensive Plan's Established Urban Area goal and policies a and d, are furthered because the proposed zoning will allow for uses that will contribute to the variety of land uses in the area and provide employment and service opportunities in an area of need. The SU-1 designation associated with the zoning will ensure minimal impact on adjacent residential and commercial uses.
 - ii. The Comprehensive Plan's Activity Center goal and policy a are furthered because the proposed zoning will allow uses that contribute to the mix of higher density land uses in the Paseo del Norte/Eagle Ranch/Coors Community Activity Center area and will reduce the distance west side residents need to travel to services.

- iii. The Comprehensive Plan's Transportation and Transit goal is furthered because Paseo del Norte is an Express Transit Corridor and the proposed zoning will allow employment and service uses in close proximity to this corridor.
 - iv. The West Side Strategic Plan's general goals 6 and 12 are furthered because the proposed zoning allows uses that will contribute to the long-term economic sustainability on the west side. Uses as allowed by the proposed zoning are needed in this area.
 - v. The West Side Strategic Plan's Paradise Community policy 3.8 is furthered because the allowed commercial, employment, and services uses are called for within this community.
 - vi. The request does not significantly conflict with the zoning identified for the site in the Riverview Sector Development Plan.
- e. Policy E because the permissive uses allowed by the proposed zoning will not be harmful to the adjacent community. The site's SU-1 designation requires EPC review and approval of a site plan that must incorporate measures to reduce any adverse effects that development on the site could have on the adjacent neighborhood and community. In addition, the proposed zoning excludes potentially harmful uses such as bottling plant, cold storage, golf course or golf driving range, railroad R-O-W, gasoline or oil sales, auto washing or repair on the subject site.
 - f. Policy F because the proposed zone change does not require unprogrammed capital expenditures by the City. The applicant is responsible for infrastructure improvements associated with development on the site.
 - g. Policy G because the cost of land was not a factor in this zone change request. The land swap that took place between the applicant and an adjacent property owner initiated the request.
 - h. Policy H because the applicant did not use the site's location on a Transportation Corridor as a reason for this request.
 - i. Policy I because the proposed zoning will not create a spot zone. The proposed zoning is the same as adjacent zoning to the south and is similar to adjacent zoning to the north. The request furthers some goals, objectives, and policies of the Comprehensive Plan and other applicable plans as evidenced in the applicant's letter of justification and in preceding sections of this report.
 - j. Policy J because the proposed zoning will not create a spot or a strip zone.
5. The Piedras Marcadas, Eagle Ranch, Paradise Hills Civic Association, Taylor Ranch, Las Terrazas, and Rancho Sereno Neighborhood Associations as well as property owners within 100' of the subject site were notified of the request. There is no known neighborhood or other opposition to this request.

CONDITIONS:

1. Approval of this request supersedes the previously EPC approved zone map amendment (Project 1000762/06EPC-01712) and makes it null and void.

OFFICIAL NOTICE OF DECISION
APRIL 19, 2007
PROJECT #1000762
PAGE 4 OF 5

- 2. Replat of the subject shall be a concurrent DRB action. The site shall be incorporated into Tract B, Richland Hills Subdivision, Unit 1.
- 3. In accordance with conditions of approval for the previously approved, site development plan for
