



**Environmental
Planning
Commission**

**Agenda #: 3
Project #: PR-2019-002043
Case #: RZ-2019-00015
Hearing Date: April 11, 2019**

Staff Report

Agent	Modulus Architects, Inc.
Applicant	Carlisle Associates LP
Request	Zone Map Amendment (zone change)
Legal Description	Tract A, Carlisle and Indian School Subdivision, being a part of blocks 16 & 17 and a part of Blocks 14 & 15, Netherwood Park, Second Filing, excluding portions out to the ROW
Location	on Carlisle Blvd. NE, between Indian School Rd. NE and I-40
Size	Approximately 11 acres
Existing Zoning	MX-L
Proposed Zoning	MX-M

Staff Recommendation

APPROVAL of RZ-2019-00015, based on the Findings beginning on Page 20.

**Staff Planner
Catalina Lehner, AICP-Senior Planner**

Summary of Analysis

The request is for a zone map amendment for an approximately 11 acre site on Carlisle Blvd. NE, which contains a vacant big-box retail building and parking lot. The subject site was zoned MX-L upon adoption of the Integrated Development Ordinance (IDO). The applicant wants to change the subject site's zoning to MX-M to facilitate redevelopment with commercial uses. The existing MX-L zone allows General Retail, Small (up to 10,000 sf), but not General Retail, Medium (up to 50,000 sf).

The subject site is in an Area of Change and along a Major Transit corridor, as designated in the Comprehensive Plan. The zone map amendment has been adequately justified pursuant to the zone change criteria in the IDO.

The affected neighborhood organizations are the Altura Addition Neighborhood Association (NA), the Summit Park NA, and the District 7 Coalition, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A pre-application meeting was held. There is both opposition and support. Concerns were expressed about future uses, traffic, landscaping, and signage. Staff recommends approval.



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I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	MX-L	Area of Consistency	Existing large-box retail building (closed) and parking lot
North	Right-of-Way, MX-H	Area of Consistency	Interstate 40 Right-of-Way, Commercial
South	MX-L, R-1B	Area of Consistency	Commercial, single-family homes
East	PD	Area of Consistency	Multi-family
West	MX-L	Area of Consistency	Commercial, vacant

Request

The request is for a zone map amendment (zone change) for an approximately 11 acre site known as Tract A, Carlisle and Indian School Subdivision, being a part of blocks 16 & 17 and a part of Blocks 14 & 15, Netherwood Park, Second Filing, excluding portions out to the ROW (the “subject site”). The subject site is located on the eastern side of Carlisle Blvd. NE, between Interstate 40 and Indian School Rd. NE and is sometimes referred to as the Old Kmart site. The approximately 0.7 acre smaller site with the existing fast-food restaurant (Tract B) is not included.

The subject site is zoned MX-L. The applicant is requesting a zone change to MX-M (Mixed Use-Medium zone) in order to redevelop the subject site with commercial uses. The existing MX-L zone allows General Retail, Small (up to 10,000 sf), but does not allow General Retail, Medium (up to 50,000 sf). The first zone in which General Retail, Medium is allowed permissively is the MX-M zone.

The subject site qualifies for the voluntary zoning conversion process established via Resolution 18-29 (Enactment No. R-018-019). Upon adoption of the Integrated Development Ordinance (IDO), the existing, approximately 110,350 sf building became a non-conforming use because the MX-L zone does not allow a building of this size. However, the timeframe for completion of Batch 2, Phase 2 of the zoning conversions is anticipated to be late 2019, with the City Council making the final decision. The applicant wants to proceed with the redevelopment project sooner than the timeframe would allow.

EPC Role

The Environmental Planning Commission (EPC) is hearing this case because the EPC is required to hear all zone change cases, regardless of site size, in the City. The EPC is the final decision-making body unless its decision is appealed. If so, the Land Use Hearing Officer (LUHO) would

hear the appeal and make a recommendation to the City Council. The City Council would make then make the final decision. The request is a quasi-judicial matter.

Context

The subject site is located in an established area characterized by a variety of land uses. To the west are commercial retail uses, such as a convenience store, a gas station, and a grocery store. Directly north is the interchange of Interstate 40 with Carlisle Blvd. Further north are commercial uses and a flood control channel. East of the subject site is an apartment complex. South of the subject site, across Indian School Rd., are the single-family homes of the Altura Addition subdivision, though the lots fronting Carlisle Blvd. are developed with commercial services such as a gas station and a small strip mall.

The subject site is not located in a designated Activity Center. Carlisle Blvd. NE is a designated Major Transit Corridor.

History

The subject site is part of a larger annexation that occurred sometime in the 1950s. Most of the subject site was given R-1 zoning, except for the strip of lots that front Carlisle Blvd. that received C-1 zoning.

In August 1965, the City Planning Commission approved a request for a zone change, a vacation, and a site development plan for the subject site (Z-1512, V-526- see attachment). The zone change, from R-1 to C-1, encompassed approximately 10 acres and several platted, but vacant, residential lots. The vacation was of Euclid Ave. and Hermosa Dr., which used to run through the subject site as residential streets. The City Council approved the request via Ordinance 1493 in October, 1965 (see attachment).

It's unclear from the historic records exactly when the site development plan for the original K-Mart Shopping Center, made possible by the above-mentioned City Council action, was approved. Records from September 1965 show a site plan and a detailed landscaping plan, which was provided to address neighbors' concerns about buffering.

Records dated April 1968 indicate that neighbors appealed the decision and expressed concern that adequate buffering had not been provided. A field-inspection revealed that the landscaping plan wasn't followed; compliance became a condition of approval. Sometime after that, the original Kmart Shopping Center was constructed. It included a food area, a separate building on the site's SW corner, and the vast "sea of parking" characteristic of the era.

In September 1968, the City Planning Commission approved a request to amend the site development plan to include a gas station (Z-1512). In August 1977, an administrative amendment (AA) was approved to allow wall signs for the large-box building. The site development plan for the fast-food restaurant on Tract B is dated 1984.

In October 2001, the EPC approved a zone change to SU-1 for C-1 Uses with Liquor in Conjunction with a Full-Service Grocery Store and an amendment to the site development plan to

increase the square footage from 81,429 sf (existing at that time) to 140,226 sf (Project #1000695-see attachment). In April 2002, an AA was approved to decrease the building footprint.

Upon adoption of the Integrated Development Ordinance (IDO) in May 2017, which replaced the City's Zoning Code, the subject site's zoning converted to its current zoning of MX-L.

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classifications of roadways. Carlisle Blvd. and Indian School Rd. are both Minor Arterials.

Comprehensive Plan Corridor Designation

The subject site fronts Carlisle Blvd. NE, which the Comprehensive Plan designates as a Major Transit Corridor. Major Transit Corridors prioritize transit above other modes to ensure a convenient and efficient transit system. Walkability is the key to providing a safe and attractive pedestrian environment. Development along Major Transit Corridors should be transit and pedestrian-oriented near transit stops, while auto-oriented for other stretches of the corridor.

Trails/Bikeways

A designated bicycle lane runs along Indian School Rd., which abuts the subject site to the south. Carlisle Blvd. also has a designated bicycle lane, though it ends at Indian School Rd. A dedicated bicycle lane is proposed north of Indian School Rd.

Transit

Albuquerque Ride Route #5-Montgomery/Carlisle serves the subject site. This route offers both weekday and weekend service, running from early morning to late evenings during the week and from morning to evening on Saturdays and Sundays. Albuquerque Ride Route #6-Indian School also serves the subject site. It's a commuter route, so service is limited to two trips in the am and two trips in the pm, weekdays only.

Public Facilities/Community Services

Please refer to the Public Facilities Map (see attachment), which shows public facilities and community services located within one mile of the subject site.

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Definitions

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private. See also Alley, Multi-use Trail, Private Way, Public Right-of-Way, and Street.

General Retail: An establishment providing for the retail sale of general merchandise or food to the general public for direct use and not for wholesale; including but not limited to sale of general merchandise, clothing and other apparel, flowers and household plants that are not grown on-site,

dry goods, convenience and specialty foods, hardware and similar consumer goods, or other retail sales not listed as a separate use in Table 4-2-1. See also Adult Retail, Building and Home Improvement Materials Store, Large Retail Facility, Liquor Retail, and Grocery Store.

General retail is divided into 3 categories based on the size of the establishment or use (not the size of the structure):

1. General Retail, Small: An establishment with no more than 10,000 square feet of gross floor area.
2. General Retail, Medium: An establishment of more than 10,000 square feet of gross floor area and no more than 50,000 square feet of gross floor area.
3. General Retail, Large: An establishment of more than 50,000 square feet of gross floor area. See also *Large Retail Facility*.

Zoning

The subject site is currently zoned MX-L [Mixed-Use Low Intensity Zone District, IDO 14-16-2-4(B)], which was assigned upon adoption of the IDO. Primary land uses are non-destination retail and commercial uses, townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area. Specific permissive uses are listed in Table 4-2: Allowable Uses, IDO p. 130.

The request proposes to change the subject site's zoning to MX-M (Mixed Use, Medium Intensity Zone District, IDO 14-16-2-4(C)). The purpose of the MX-M zone is to provide a wide array of moderate-intensity retail, commercial, institutional, and moderate-density residential uses. Specific permissive uses are listed in Table 4-2 of the IDO.

A couple of key differences between the MX-L and the MX-M zones are general retail and grocery stores. The IDO defines three types of general retail: General Retail, Small; General Retail, Medium; and General Retail, Large (IDO, p. 464 and see above). In the MX-L zone, only General Retail, Small is allowed. In the MX-M zone, General Retail, Small and General Retail, Medium are allowed permissively. General Retail, Large is a conditional use. The IDO's assignment of MX-L zoning to the subject site made the existing large retail facility a non-conforming use.

There are other notable differences between the MX-L and the MX-M zones. A bar, light vehicle fueling station, and light vehicle sales and rental, mortuary, pawn shop, and transit facility are conditional uses in the MX-L zone (and require a hearing before the Zoning Hearing Examiner (ZHE)), but become permissive uses in the MX-M zone. Hospital, catering service, and nightclub are not allowed in MX-L but are permissive in MX-M. Liquor retail is an accessory use in MX-L and a permissive use in MX-M. A drive-through is a conditional use in MX-L and an accessory use in MX-M.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan designates as Area of Change. Applicable Goals and policies are listed below. Staff analysis follows in plain text.

When a Goal or policy is listed and is not applicable, it's because the applicant included it in the zone change justification letter. Other relevant Goals and policies not listed by the applicant are included at the end as Staff citations.

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.

The request would facilitate re-development of the subject site under the MX-M zone in an Area of Change and along a Major Transit Corridor where development is intended. Any future site plans would be subject to IDO requirements established specifically to protect the identity and cohesiveness of adjacent neighborhoods, which are intended to remain stable: Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6-(E)), mixed-use zone dimensional standards (Table 5-1-2), and building design standards (14-16-4-11). These requirements help ensure appropriate scale and location of development and character of building design. The request furthers Policy 4.1.4- Identity and Design.

Chapter 5: Land Use

Goal 5.1-Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is not located in a designated Activity Center. Rather, it is between two designated Activity Centers (American Square and Nob Hill) and is connected to them by a Major Transit Corridor, Carlisle Blvd. The request would foster redevelopment of the subject site, which would help the community grow in general, though the growth would be between designated Activity Centers and not in them as desired. The request partially furthers Goal 5.1-Centers & Corridors.

Policy 5.1.1- Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The subject site's location immediately adjacent to the Interstate 40/Carlisle Blvd. interchange gives it visibility and access directly from I-40. This could help future development capture regional growth along the Major Transit Corridor of Carlisle Blvd., which could generally contribute to shaping a sustainable development pattern. The request generally furthers Policy 5.1.1- Desired Growth.

Policy 5.1.2-Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The subject site is located along a designated Major Transit Corridor, Carlisle Blvd., which is intended to receive more intense growth. The MX-M zone would allow a variety of commercial, service, and residential uses to develop in an Area of Change, which would support and encourage transit usage. The surrounding residential areas (an Area of Consistency) would remain stable be protected by the Neighborhood Edge provisions of the

IDO (14-16-5-9), which include screening, buffering, and building height regulations that would help maintain an appropriate density and scale of development in the non-growth area. The request furthers Policy 5.1.2-Development Areas.

Policy 5.1.10- Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

The request would facilitate development of uses under the MX-M zone. Though similar to the MX-L zone, the MX-M zone is intended to provide moderate intensity retail uses and medium density residential uses. More intense uses (especially multi-family) are generally desirable along Major Transit Corridors because they would result in more people using transit and walking along the corridor. The request furthers Policy 5.1.10-Major Transit Corridors.

Goal 5.2-Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

The request to rezone the subject site to MX-M would allow a greater range of uses than the current zone. The purpose of the MX-M zone is to provide a wide variety of moderate-intensity retail, commercial, institutional, and moderate-density residential uses, which would facilitate re-development of the subject site and help foster sense of community. New commercial, institutional, and moderate-density residential uses could develop on the subject site and help strengthen the community by providing more opportunities where residents can live, work, learn, shop, and play together. The request generally furthers Goal 5.2-Complete Communities.

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 facilitate redevelopment of the subject site under the MX-M zone, which allows a variety of commercial, civic, institutional, and residential uses that could add to the mix of uses in this Area of Change. Future uses would generally help contribute to a healthy, sustainable, and distinct community because they would bring additional opportunities (services, jobs, residences) to the area and help contribute to its distinct character. The subject site's location along a Major Transit Corridor would help transit users, pedestrians, bicyclists, and residents from the surrounding neighborhoods to have convenient access to the uses. The request furthers Policy 5.2.1-Land Uses.

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

The request would facilitate redevelopment of the subject site, which is located in an area already served by existing infrastructure and public facilities. The additional growth would be considered infill development due to the subject site's location in an established urban area that has been developed since approximately the 1950s. The request furthers Policy 5.3.1-Infill Development.

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 designated an Area of Change and the surrounding, established neighborhoods are designated an Area of Consistency. The request would encourage and direct growth to an Area of Change, as desired by the Comprehensive Plan. Focusing growth in this location would also help direct pressure for development away from the surrounding neighborhoods, which are intended to remain stable in order to reinforce their character and maintain the low-intensity of the surrounding area. The request generally furthers Goal 5.6-City Development Areas.

Policy 5.6.2- Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The subject site is located in an Area of Change, along a designated Major Transit Corridor, where the Comprehensive Plan intends and encourages change to happen. The request would direct growth and more intense development to the subject site and accommodate it along a Major Transit Corridor, while directing growth away from the surrounding neighborhoods located in an Area of Consistency. The request furthers Policy 5.6.2- Areas of Change.

Chapter 6-Transportation

Policy 6.1.3-Auto Demand: Reduce the need for automobile travel by increasing mixed-use development, infill development within Centers, and travel demand management (TDM) programs.

The request could increase mixed-use development and infill development, which could generally help reduce the need for automobile travel. Though the development would not be in a designated Activity Center as intended, the subject site is located along a Major Transit Corridor that links two designated Activity Centers, which could encourage more transit usage. The request partially furthers Policy 6.1.3.

Chapter 7-Urban Design

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

The request is for a zone change, which does not include building elevations. There is no way to evaluate design at this stage, though the applicable IDO design standards (see 4.1.2-Identity and Design) would ensure higher quality design than what exists today. Therefore, the request partially furthers Policy 7.3.5- Development Quality.

Chapter 8- Economic Development

Goal 8.1-Placemaking: Create places where business and talent will stay and thrive.

The request could facilitate development of a place where business and talent will stay and thrive because the MX-M zone allows for a greater variety of business, commercial, and residential uses that would support such a place. Higher-density residential uses are considered a component of placemaking because they support business and may attract talent. However,

the same residential uses are allowed in the MX-L and MX-M zones. The request partially furthers Goal 8.1-Placemaking.

Policy 8.1.1 –Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

In general, the request could help foster a range of interesting places and contexts in the area. A wider variety of uses could develop under the MX-M zone, which differs from the nearby MX-L zone, and therefore could encourage economic development opportunities with different intensities, densities, and building scales as compared to the existing commercial and single-family residential uses in the area. The request generally furthers Policy 8.1.1 –Diverse Places.

Policy 8.1.2 -Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The request would encourage and facilitate redevelopment of the subject site, an economic development effort, which would generally contribute to improved quality of life for existing and new area residents. Redeveloping the subject site would clean it up and therefore improve quality of life. A wider variety of commercial, civic, and institutional uses would be possible under the MX-M zone, which would generally contribute to a robust, resilient, and diverse economy. The request generally furthers Policy 8.1.2-Resilient Economy.

Policy 8.1.3 -Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending.

Typically, economic base jobs are jobs in manufacturing and production. They provide a “base” to the economy that generates and supports retail and service jobs. The request would result in MX-M zoning on a relatively large site. Some permissive uses in the MX-M zone (not allowed in the MX-L zone) that could provide non-service and better paying jobs are hospital, personal and business services-large, and mortuary. These jobs would generally help strengthen and diversify the economy and reduce reliance on government spending, though they are not true economic base jobs. The request partially furthers Policy 8.1.3 -Economic Base.

Added by Staff

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 promote re-development of the subject site, which is an infill site because it’s located in an area of the City that has been developed since approximately the 1950s. Existing infrastructure and public facilities are already in place to serve the subject site; infill development is an efficient use of land that supports the public good because it promotes an efficient development pattern. The request furthers Goal 5.3- Efficient Development Patterns.

Integrated Development Ordinance (IDO) 6-7(F)(3)-Review and Decision Criteria for Zone Map Amendments

Requirements

The review and decision criteria outline requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.

Justification & Analysis

The zone change justification letter analyzed here, received on March 25, 2019, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned MX-L (Mixed-Use Low Intensity Zone). The requested zoning is MX-M (Mixed Use, Medium Intensity Zone). The reason for the request is to allow re-development of the subject site and include General Retail, Medium (up to 50,000 sf), which is not allowed in the MX-L zone.

The applicant believes that the proposed zone map amendment (zone change) meets the zone change decision criteria [14-16-6-7(F)(3)] as elaborated in the justification letter. The citation is from the IDO. The applicant's arguments are in *italics*. Staff analysis follows.

- A. A proposed zone change must be found to be consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

Applicant: The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comprehensive Plan. As demonstrated in our policy narrative, the proposed zone change would clearly facilitate the desired goals of the Comp Plan which provides a framework to guide private development land use decisions, and decision-makers as they contemplate new plans affecting the whole community.

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in a policy-based response, that the request would be consistent with the City's health, safety, morals and general welfare. The response to Criterion A is sufficient.

Applicable citations: Policy 4.1.2-Identity and Design; Goal 5.1-Centers & Corridors; Policy 5.1.2-Development Areas; Policy 5.1.10-Major Transit Corridor; Goal 5.2-Complete Communities; Policy 5.2.1-Land Uses; Policy 5.3.1-Infill Development; Policy 5.6.2-Areas of Change; Policy 6.1.3-Auto Demand; Goal 8.1-Placemaking; Policy 8.1.1-Diverse Places; Policy 8.1.2-Resilient Economy.

Non-applicable citations: Objective 5.1.13; Objective 5.1.1.4; Policy 8.1.1 Objective a.

Staff: The zone change to MX-M (Mixed-use medium zone) would allow a wider variety of non-residential uses to develop on the subject site than allowed by the current MX-L (Mixed-use low intensity) zoning and therefore would add variety and diversity to the area. Though the subject site is not in a designated Activity Center, it is in a designated Area of Change, where development is intended to occur. Directing development and re-development to Areas of Change helps Areas of Consistency to remain stable and unchanging. Carlisle Blvd. is a designated Major Transit Corridor, along which commercial uses and non-single family residential uses are intended to concentrate and develop.

- B. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site.
 3. A different zone district is more advantageous to the community as articulated by the ABC Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant: The criterion is not applicable as the proposed amendment is wholly in an Area of Change as shown in the ABC Comp Plan.

Staff: The subject site is located wholly in an Area of Change, so this criterion does not apply. The response to Criterion B is sufficient.

- C. If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting

the site that justifies this request.

3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant: The proposed amendment is located in an Area of Change. Our application demonstrates that (c), the change would be more advantageous to the community since many of the Comp Plan goals and policies will be furthered as articulated in the policy analysis section. This proposed zone change will allow for implementation of redevelopment and patterns of land use that are consistent with the Comp Plan conditions and historic land use, and will promote connectivity along the transit corridor as a destination for employment and services.

Staff: A different zone district (MX-M) would generally be more advantageous to the community as a whole than the existing zoning (MX-L), which the applicant’s policy analysis has shown to be inappropriate, because the request would help implement applicable Goals and policies that call for directing development to Areas of Change and along designated Transit Corridors. The MX-M zone allows Personal Services, Large and General Retail, Medium (General Retail, Large is a conditional use), which the MX-L zone does not. The additional uses allowed by the MX-M zone would help the intended development density and intensity become a reality in such areas. The response to Criterion C is sufficient.

- D. The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant: The permissive uses between the MX-L zoning designation and the MX-M zoning designation are very similar. I have outlined the permissive uses in MX- M in the following list:

<i>Dwelling, Townhouse</i>	<i>Dwelling, live-work</i>
<i>Dwelling, multi-family</i>	<i>Assisted living facility</i>
<i>Community residential facility, small</i>	<i>Community Residential facility, medium</i>
<i>Community residential facility, large</i>	<i>Group home, small</i>
<i>Group home, medium</i>	<i>Sorority or fraternity</i>
<i>Adult or child day care facility</i>	<i>Community center or library</i>
<i>Elementary or middle school</i>	<i>High school</i>
<i>Hospital</i>	<i>Museum or art gallery</i>
<i>Parks and open space</i>	<i>Religious institution</i>
<i>Sports field</i>	<i>University or college</i>
<i>Vocational school</i>	<i>Community garden</i>
<i>Veterinary hospital</i>	<i>Other pet service</i>
<i>Auditorium or theater</i>	<i>Bar</i>

<i>Catering service</i>	<i>Health club or gym</i>
<i>Nightclub</i>	<i>Residential community amenity</i>
<i>Restaurant</i>	<i>Tap room or tasting room</i>
<i>Other indoor entertainment</i>	<i>Hotel or motel</i>
<i>Car wash</i>	<i>Light vehicle fueling station</i>
<i>Light vehicle repairs</i>	<i>Light vehicle sales and rental</i>
<i>Paid parking lot</i>	<i>Parking structure</i>
<i>Bank</i>	<i>Club or event facility</i>
<i>Commercial services</i>	<i>Medical or dental clinic</i>
<i>Mortuary</i>	<i>Office</i>
<i>Personal business, small</i>	<i>Personal business, large</i>
<i>Bakery goods or confectionary shop</i>	<i>Farmers market</i>
<i>General retail, small</i>	<i>General retail, medium</i>
<i>Grocery store</i>	<i>Liquor retail</i>
<i>Pawn Shop</i>	<i>Park and ride lot</i>
<i>Transit facility</i>	<i>Artisan manufacturing</i>
<i>Solar energy generation</i>	<i>Utility, electric</i>
<i>Utility, other major</i>	

This property is underutilized and currently a boarded up vacant "big box" serving as a mecca for the homeless and as a dumping station. This zone map amendment and subsequent redevelopment will be a positive change as compared to if the property were to stay in its current condition. This opportunity for redevelopment will provide more mixed-use options, housing diversity options and commercial retail choices for the area. There is existing access from Interstate 1-40 and Carlisle, this access eliminates the need for vehicles to drive through any neighborhoods to access the project.

Future re-development and possible uses that could be considered harmful to adjacent property owners have been mitigated by specific use standards and regulations identified in the IDO. All uses shall comply with City ordinances regulating noise, odors, vibration, glare, heat, and other special nuisance conditions affecting other properties as well as use-specific standards.

Permissive uses that could be construed as having possible harmful effects such as a taproom, bar, nightclub, fueling station or retail liquor are regulated by local, state and federal requirements and must comply with all New Mexico state laws, including but not limited to any required spacing from other uses or facilities. They are also controlled by Specific-Use Standards found In the IDO to mitigate potential harmful effects on the surrounding area. Future development on the subject site under the MX-M zone would be subject to IDO requirements including Neighborhood Edges (14-16- S-9),the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6-(E), and building design standards (14-16-4-11) to help ensure appropriate scale and location of development and character of building design. These Use Standards include precautionary measures such as distance requirements, size restrictions, design standards, screening requirements, and various other

measures. Additionally, re-development of the subject site must still go through a rigorous site plan approval process at which time the public will be fully engaged.

Staff: The requested zone (MX-M) includes a greater variety of non-residential uses than the existing MX-L zone. Permissive residential uses are the same. The zones differ with respect to permissive commercial uses. In MX-L, only General Retail, Small is allowed. In MX-M, General Retail, Small and General Retail, Medium are allowed. General Retail, Large is a conditional use in MX-M.

Other differences between the two zones (mixed-use low intensity and mixed-use medium intensity) are as follows: a bar, light vehicle fueling station, and light vehicle sales and rental, mortuary, pawn shop, and transit facility are conditional uses in the MX-L zone but become permissive uses in the MX-M zone. Hospital, catering service, and nightclub are not allowed in MX-L, but are permissive in MX-M. Liquor retail is an accessory use in MX-L and a permissive use in MX-M. A drive-through is a conditional use in MX-L and an accessory use in MX-M.

The table above shows permissive uses in the MX-M zone. The following uses are often considered harmful to adjacent property, the neighborhood, or the community: bar, light vehicle fueling station, light vehicle sales and rental, pawn shop, nightclub, liquor retail, and drive through. Future development on the subject site would be required to comply with applicable IDO regulations that protect adjacent residential areas, such as Section 14-16-5-9: Neighborhood Edges, which requires building height stepdown, screening, and buffering. The single-family homes to the south would be afforded these protections.

Other City ordinances, such as the Noise Ordinance, and State regulations pertaining to alcohol licensing, for example, would also apply to future uses and serve to mitigate the potentially harmful impacts of such uses on the subject site. The response to Criterion D is sufficient.

- E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:
1. Have adequate capacity to serve the development made possible by the change of zone.
 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
 4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant.

Applicant: This request furthers this requirement because the City's existing infrastructure and public improvements currently have adequate capacity to serve the existing development, however, we fully understand that the redevelopment of this property may

require ungraded infrastructure, both public and/or private to adequately service the needs of the development. Although those improvements are unknown at this time, our clients have sufficient resources to guarantee any work needed via the Infrastructure Agreement process with the City of Albuquerque.

Staff: Requirements 1 and 4 apply. As an infill site that has been in use until recently, the subject site is served by existing infrastructure and is likely to have adequate capacity to serve development made possible by the request. If not, the applicant would be required to enter into a Development Agreement with the City to ensure that adequate infrastructure capacity will become available. The response to Criterion E is sufficient.

- F. The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

Applicant: The justification provided herein is not based on the property's location on a major street, but rather on a preponderance of applicable Goals and Policies of the Comp Plan as outlined in our policy narrative.

Staff: The applicant's justification is not completely based on the subject site's location on Carlisle Blvd. NE, a Minor Arterial. Rather, the justification is based on the request furthering a preponderance of applicable Comprehensive Plan Goals and policies as demonstrated in the response to Criterion A. The response to Criterion F is sufficient.

- G. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Applicant: Our justification is not based completely or predominately on the cost of land or economic considerations, but rather on a preponderance of applicable Goals and Policies of the Comp Plan as outlined in our policy narrative.

Staff: Economic considerations are a factor, but the applicant's justification is not completely or predominantly based on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies. The response to Criterion G is sufficient.

- H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:
1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
 2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.

3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

Applicant: Application of the MX-M zone may constitute a spot zone because it is different from the surrounding zones to the east and west. The requested change to MX-M will clearly facilitate implementation of the ABC Comp Plan, as amended, as discussed in the preponderance of goals and policies furthered by the change.

This proposal qualifies under criteria (c) in that the nature of structures already on the premises make it unsuitable for the uses allowed in any adjacent zone district, because the property is developed with an approximately 110,000 SF building. “General retail, large” is a nonconforming use in the MX-L zone. To be conforming in the MX-L zone, the building would have to be divided into over 11 separate establishments or tenant spaces. Even with two tenants, the building is larger than would be allowed as a “General retail, medium” use.

Staff: The request would result in a spot zone because it would apply a different zone (MX-M) to one premises and none of the properties nearby are zoned MX-M (MX-L, R-1B, and PD). However, as demonstrated by the policy analysis required by Criterion A, the request would clearly facilitate implementation of the Comp Plan and would meet subcriterion 3. The nature of the structure already on the premises, an approximately 100,000 large retail facility, makes the subject site unsuitable for the uses allowed in the adjacent zone districts (MX-L, R-1B, and PD). None of these zones allows General Retail, Large.

Also, an argument can be made that the area of the zone change is different from surrounding land because it could function as a transition between adjacent zone districts—the area of MX-L to the south and the area of MX-H zoning to the north (subcriterion 1, see definition of adjacent in Section II of this report). The response to Criterion H is sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other interested agencies reviewed this application from 2/4/2019 to 2/19/2019. Few agency comments were received. Long Range Planning notes that the site is on a Major Transit corridor and in an Area of Change. The MX-M zone allows a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses and is appropriate in this location.

NMDOT states that the 2 driveways that accesses Carlisle Blvd within the NMDOT interchange right of way limits are currently NOT permitted. The Transit Department notes that the subject site is along a Major Transit Corridor. The Water Utility Authority notes that the subject site is already receiving service.

PNM states that an existing electric transmission line is located on the south side of the subject site. An overhead distribution line is located along the eastern boundary of the subject site. It is the applicant’s obligation to abide by any conditions or terms of these easements or rights-of-way. The developer will need to contact PNM for new service delivery, and that ground-mounted

equipment screening will be designed to allow for access to utility facilities. Agency comments begin on p.27.

Neighborhood/Public

The Summit Park Neighborhood Association (NA), the Altura Addition NA, and the District 7 Coalition were required to be notified, which the applicant did (see attachments). Property owners within 100 feet of the subject site were also notified, as required (see attachments).

A pre-application neighborhood meeting was held on January 30, 2019 (see attachment). Fifteen community members attended from the following organizations: Altura Addition NA, McKinley NA, Summit Park NA, Altura Park NA, and the District 7 Coalition. The applicant provided information and responded to questions. Topics discussed included what is allowed under the current and proposed zoning, the existing sign, uses that neighbors consider harmful (ex. alcohol sales, night club, bar, taproom), traffic, square footage of new use(s), landscaping, and project timeline. A facilitated meeting during the EPC process was neither requested nor held.

As of this writing, Staff received two letters of opposition (see attachment). One is from the Altura Addition NA and the other is from an individual. The Altura Addition NA states that it would support re-development of the site under the MX-L zone and that there is existing MX-L zoning in the area. They are concerned that the MX-M zone would allow a higher intensity of use and the potential for more harmful uses (such as a nightclub, a taproom, a bar, and retail liquor without a grocery store) adjacent to an established residential area. Increased traffic and the potential for increased crime are major concerns. The letter, from a resident a half a block away, states concerns regarding permissive uses in the MX-M zone, increased traffic and congestion, and potential for higher crime rates (see attachment).

Another individual submitted a letter of support, stating that he'd like to see the subject site cleaned up and redeveloped and is not concerned about traffic (see attachment). He believes that anchor tenants will not consider the subject site if it is zoned MX-L.

IV. CONCLUSION

The request is for a zone map amendment (zone change) for an approximately 11 acre site located on the eastern side of Carlisle Blvd. NE, between Interstate 40 and Indian School Rd. NE (the "subject site"). The subject site is sometimes referred to as the Old Kmart site.

The subject site is zoned MX-L. The applicant is requesting the MX-M (Mixed Use-Medium Intensity) zone in order to re-develop the subject site with commercial uses (General Retail) up to 50,000 sf. Though the subject site qualifies for the voluntary zoning conversion process, the applicant wants to proceed sooner.

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria in 6-7(F)(3) based upon the proposed zone being more advantageous to the community than the current zoning.

The affected neighborhood organizations are the Summit Park Neighborhood Association (NA), the Altura Addition NA, and the District 7 Coalition, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A pre-application neighborhood meeting was held.

The Altura Addition NA and a nearby resident are opposed. They are concerned about uses considered harmful becoming permissive (ex. nightclub, a taproom, a bar, and retail liquor without a grocery store), increased traffic, and the potential for increased crime. Another resident supports the request and wants to see the subject site redeveloped and cleaned up and is not concerned about traffic.

Staff recommends approval.

FINDINGS - RZ-2019-00015, April 11, 2019- Zone Map Amendment (Zone Change)

1. The request is for a zone map amendment (zone change) for an approximately 11 acre site known as Tract A, Carlisle and Indian School Subdivision, being a part of blocks 16 & 17 and a part of Blocks 14 & 15, Netherwood Park, Second Filing, excluding portions out to the ROW (the “subject site”). The subject site is located on the eastern side of Carlisle Blvd. NE, between Interstate 40 and Indian School Rd. NE and is sometimes referred to as the Old Kmart site.
2. The subject site is in an area that the Comprehensive Plan designated an Area of Change. Carlisle Blvd. is designated as a Major Transit Corridor.
3. The subject site is zoned MX-L (Mixed-Use Low Intensity Zone). Primary land uses are non-destination retail and commercial uses, townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area. The applicant is requesting a zone change to MX-M (Mixed Use-Medium Intensity Zone) in order to re-develop the subject site. The purpose of the MX-M zone is to provide a wide array of moderate-intensity retail, commercial, institutional, and moderate-density residential uses.
4. The MX-L zone and the MX-M zone treat general retail and grocery stores differently. In the MX-L zone, only General Retail, Small (up to 10,000 sf) is allowed. In the MX-M zone, General Retail, Small and General Retail, Medium (up to 50,000 sf) are allowed permissively. General Retail, Large is a conditional use in the MX-M zone. Other notable differences are: a bar, light vehicle fueling station, and light vehicle sales and rental, mortuary, pawn shop, and transit facility are conditional uses in MX-L, but become permissive uses in MX-M. Hospital, catering service, and nightclub are not allowed in MX-L but are permissive in MX-M. Liquor retail is an accessory use in MX-L and a permissive use in MX-M. A drive-through is a conditional use in MX-L and an accessory use in MX-M.
5. The subject site qualifies for the voluntary zoning conversion process. The existing, approximately 110,350 sf building became a non-conforming use upon adoption of the IDO because the MX-L zone does not allow a building of this size. However, the applicant wants to proceed with the redevelopment project sooner than the anticipated timeframe for Batch 2 of the Phase 2 voluntary zoning conversions.
6. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. The request furthers the following, applicable Comprehensive Plan policies:
 - A. 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.

The request would facilitate re-development of the subject site under the MX-M zone in an Area of Change and along a Major Transit Corridor where development is intended, as opposed to in the neighborhoods. Any future site plans would be subject to IDO requirements established specifically to protect the identity and cohesiveness of neighborhoods, which are intended to remain stable: Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6-(E)), mixed-use zone dimensional standards (Table 5-1-2), and building design standards (14-16-4-11). These requirements would help ensure appropriate scale and location of development and character of building design.

- B. Policy 5.1.2-Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The subject site is located along a designated Major Transit Corridor, Carlisle Blvd., which is intended to receive more intense growth. The MX-M zone would allow a variety of commercial, service, and residential uses to develop in an Area of Change, which would support and encourage transit usage. The surrounding residential areas (an Area of Consistency) would remain stable be protected by the Neighborhood Edge provisions of the IDO (14-16-5-9), which include screening, buffering, and building height regulations that would help maintain an appropriate density and scale of development in the non-growth area.

- C. Policy 5.1.10- Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

The request would facilitate development of uses under the MX-M zone. Though similar to the MX-L zone, the MX-M zone is intended to provide moderate intensity retail uses and medium density residential uses. More intense uses (especially multi-family) are generally desirable along Major Transit Corridors because they would result in more people using transit and walking along the corridor. The request furthers Policy 5.1.10-Major Transit Corridors.

8. The request furthers the following, applicable Comprehensive Plan Goal and policy with respect to complete communities:

- A. Goal 5.2-Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

The request to rezone the subject site to MX-M would allow a greater range of uses than the current zone. The purpose of the MX-M zone is to provide a wide variety of moderate-intensity retail, commercial, institutional, and moderate-density residential uses, which would facilitate re-development of the subject site and help foster sense of community. New commercial, institutional, and moderate-density residential uses could develop on the subject site and help strengthen the community by providing more opportunities where residents can live, work, learn, shop, 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 facilitate redevelopment of the subject site under the MX-M zone, which allows a variety of commercial, civic, institutional, and residential uses that could add to the mix of uses in this Area of Change. Future uses would generally help contribute to a healthy, sustainable, and distinct community because they would bring additional opportunities (services, jobs, residences) to the area and help contribute to its distinct character. The subject site's location along a Major Transit Corridor would help transit users, pedestrians, bicyclists, and residents from the surrounding neighborhoods to have convenient access to the uses.

9. The request furthers the following, applicable Comprehensive Plan Goal and policies with respect to efficient development patterns:

- A. 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 promote re-development of the subject site, which is an infill site because it's located in an area of the City that has been developed since approximately the 1950s. Existing infrastructure and public facilities are already in place to serve the subject site; infill development is an efficient use of land that supports the public good because it promotes an efficient development pattern.

- B. Policy 5.3.1-Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request would facilitate redevelopment of the subject site, which is located in an area already served by existing infrastructure and public facilities. The additional growth would be considered infill development due to the subject site's location in an established urban area that has been developed since approximately the 1950s.

- C. Policy 5.1.1- Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The subject site's location immediately adjacent to the Interstate 40/Carlisle Blvd. interchange gives it visibility and access directly from I-40. This could help future development capture regional growth along the Major Transit Corridor of Carlisle Blvd., which could generally contribute to shaping a sustainable development pattern.

10. The request furthers the following, applicable Comprehensive Plan Goal and policy with respect to City development areas:

- A. 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 designated an Area of Change and the surrounding, established neighborhoods are designated an Area of Consistency. The request would encourage and direct growth to an Area of Change, as desired by the Comprehensive Plan. Focusing growth in this location would also help direct pressure for development away from the surrounding neighborhoods, which are intended to remain stable in order to reinforce their character and maintain the low-intensity of the surrounding area.

- B. Policy 5.6.2- Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The subject site is located in an Area of Change, along a designated Major Transit Corridor, where the Comprehensive Plan intends and encourages change to happen. The request would direct growth and more intense development to the subject site and accommodate it along a Major Transit Corridor, while directing growth away from the surrounding neighborhoods located in an Area of Consistency.

11. The request generally furthers the following, applicable policies from Comprehensive Plan Chapter 8- Economic Development:

- A. Policy 8.1.1 –Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

In general, the request could help foster a range of interesting places and contexts in the area. A wider variety of uses could develop under the MX-M zone, which differs from the nearby MX-L zone, and therefore could encourage economic development opportunities with different intensities, densities, and building scales as compared to the existing commercial and single-family residential uses in the area.

- B. Policy 8.1.2 -Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The request would encourage and facilitate redevelopment of the subject site, an economic development effort, which would generally contribute to improved quality of life for existing and new area residents. Redeveloping the subject site would clean it up and therefore improve quality of life. A wider variety of commercial, civic, and institutional uses would be possible under the MX-M zone, which would generally contribute to a robust, resilient, and diverse economy.

12. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 6-7(F)(3)-Review and Decision Criteria for Zone Map Amendments, as follows:

- A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and

policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in his policy-based response, that the request would be consistent with the City's health, safety, morals and general welfare.

- B. Criterion B: The subject site is located wholly in an Area of Change, so this criterion does not apply.
- C. Criterion C: A different zone district (MX-M) would generally be more advantageous to the community as a whole than the existing zoning (MX-L), which the applicant's policy analysis has shown to be inappropriate, because the request would help implement applicable Goals and policies that call for directing development to Areas of Change and along designated Transit Corridors. The MX-M zone allows Personal Services, Large and General Retail, Medium (General Retail, Large is a conditional use), which the MX-L zone does not. The additional uses allowed by the MX-M zone would help the intended development density and intensity become a reality in such areas.
- D. Criterion D: The requested zone (MX-M) includes a greater variety of non-residential uses than the existing MX-L zone. Permissive residential uses are the same. The zones differ with respect to permissive commercial uses. In MX-L, only General Retail, Small is allowed. In MX-M, General Retail, Small and General Retail, Medium are allowed. General Retail, Large is a conditional use in MX-M.

Other differences between the two zones (mixed-use low intensity and mixed-use medium intensity) are as follows: a bar, light vehicle fueling station, and light vehicle sales and rental, mortuary, pawn shop, and transit facility are conditional uses in the MX-L zone but become permissive uses in the MX-M zone. Hospital, catering service, and nightclub are not allowed in MX-L, but are permissive in MX-M. Liquor retail is an accessory use in MX-L and a permissive use in MX-M. A drive-through is a conditional use in MX-L and an accessory use in MX-M.

The table above shows permissive uses in the MX-M zone. The following uses are often considered harmful to adjacent property, the neighborhood, or the community: bar, light vehicle fueling station, light vehicle sales and rental, pawn shop, nightclub, liquor retail, and drive through. As the applicant stated, future development on the subject site would be required to comply with applicable IDO regulations that protect residential areas, such as 5-9: Neighborhood Edges, which requires building height stepdown, screening, and buffering. The single-family homes to the south would be afforded these protections.

Other City ordinances, such as the Noise Ordinance, and State regulations pertaining to alcohol licensing, for example, would also apply to future uses and serve to mitigate the potentially harmful impacts of such uses on the subject site.

- E. Criterion E: Requirements 1 and 4 apply. As an infill site that has been in use until recently, the subject site is served by existing infrastructure and is likely to have adequate capacity to serve development made possible by the request. If not, the applicant would be required to enter into a Development Agreement with the City to ensure that adequate infrastructure capacity will become available.

- F. Criterion F: The applicant's justification is not completely based on the subject site's location on Carlisle Blvd. NE, a Minor Arterial. Rather, the justification is based on the request furthering a preponderance of applicable Comprehensive Plan Goals and policies as demonstrated in the response to Criterion A.
- G. Criterion G: Economic considerations are a factor, but the applicant's justification is not completely or predominantly based on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies.
- H. Criterion H: The request would result in a spot zone because it would apply a different zone (MX-M) to one premises and none of the properties nearby are zoned MX-M (MX-L, R-1B, and PD). However, as demonstrated by the policy analysis required by Criterion A, the request would clearly facilitate implementation of the Comp Plan and would meet subcriterion 3. The nature of the structure already on the premises, an approximately 100,000 large retail facility, makes the subject site unsuitable for the uses allowed in the adjacent zone districts (MX-L, R-1B, and PD). None of these zones allows General Retail, Large.

Furthermore, the area of the zone change is different from surrounding land because it could function as a transition between adjacent zone districts—the area of MX-L to the south and the area of MX-H zoning to the north (subcriterion 1)

13. The applicant's policy analysis adequately demonstrates that the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with it. Based on this demonstration, the proposed zone category would be more advantageous to the community than the current zoning. The other criteria of Section 6-7(F)(3) are also adequately addressed.
14. The affected neighborhood organizations are the Summit Park Neighborhood Association (NA), the Altura Addition NA, and the District 7 Coalition, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
15. A pre-application neighborhood meeting, held on January 30, 2019, was attended by representatives from the Altura Addition NA, McKinley NA, Summit Park NA, Altura Park NA, and the District 7 Coalition. Topics included what is allowed under the current and proposed zoning, the existing sign, uses that neighbors consider harmful (ex. alcohol sales, night club, bar, taproom), traffic, square footage of new use(s), landscaping, and project timeline.
16. As of this writing, Staff has received two letters of opposition and one letter of support. The Altura Addition NA and a resident who lives near the subject site are opposed. They support re-development under the MX-L zone, and are concerned that the MX-M zone would allow more intense uses and more harmful uses (such as a nightclub, a taproom, a bar, and retail liquor without a grocery store) adjacent to an established residential area. Increased traffic and the

potential for increased crime are also concerns. The individual who supports the request would like the subject site cleaned up and re-developed and is not concerned about traffic. He believes that anchor tenants will not consider the subject site if it is zoned MX-L.

RECOMMENDATION - RZ-2019-00015, April 11, 2019

APPROVAL of Project #: 2019-002043, Case #: 2019-00015, a zone change from MX-L to MX-M, for Tract A, Carlisle and Indian School Subdivision, being a part of blocks 16 & 17 and a part of Blocks 14 & 15, Netherwood Park, Second Filing, excluding portions out to the ROW, an approximately 11 acre site located on Carlisle Blvd. NE, between Indian School Rd. NE and I-40, based on the preceding Findings.

***Catalina Lehner, AICP
Senior Planner***

Notice of Decision cc list:

Carlisle Associates LP, 33 South Service Rd, Jericho, NY 11753
Modulus Architects, Inc., 100 Sun Ave. NE, Suite 3305, ABQ, NM 87109
Summit Park NA, Jan Schuetz, 3501 Calle Del Ranchero Dr. NE, ABQ, NM 87016
Summit Park NA, Elisha Allen, 817 Amherst Dr. NE, ABQ, NM 87106
Altura Addition NA, Colin Adams, 1405 Solano Dr. NE, ABQ, NM 87110
Altura Addition NA, Denise Hammer, 1735 Aliso Dr. NE, ABQ, NM 87110
Dist. 7 Coalition of NAs, Lynne Martin, 1531 Espejo NE, ABQ, NM 87112
Dist. 7 Coalition of NAs, David Haughawout, 2824 Chama St. NE, ABQ, NM 87110
John Wright, Altura Addition Board Member, wright.js@gmail.com
John DuBois, jdubois@cabq.gov

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Office of Neighborhood Coordination

Long Range Planning

This request is for a zone map amendment from MX-L to MX-M. The property is developed with an approximately 110,000 SF building. “General retail, large” is a nonconforming use in the MX-L zone. To be conforming in the MX-L zone, the building would have to be divided into over 11 separate establishments or tenant spaces. Even with two tenants, the building is larger than would be allowed as a “General retail, medium” use.

This site would likely qualify to participate in the City’s Voluntary Zoning Conversion process under the Nonconforming Use criterion, since the use was allowed on this site prior to adoption of the IDO.

This site is within a Major Transit corridor and in an Area of Change. The MX-M zone allows a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses. The MX-M zone is appropriate in this location and would allow the vacant building to be used in a way consistent with its prior use and prior site plan approvals.

The following policies are applicable to this request:

ABC Comprehensive Plan Goal 5.1 Centers & Corridors *Grow as a community of strong Centers connected by a multi-modal network of Corridors.*

ABC Comprehensive Plan Policy 5.1.1 *Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.*

- c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

ABC Comprehensive Plan Policy 5.2.1 *Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.*

- a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.
- b) Encourage development that offers choice in transportation, work areas, and lifestyles.
- e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

ABC Comprehensive Plan Policy 5.6.2 *Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.*

CITY ENGINEER

Transportation Development

No objection to the request.

Hydrology Development

New Mexico Department of Transportation (NMDOT)

The 2 driveways that accesses Carlisle Blvd within the NMDOT interchange right of way limits are currently NOT permitted. The property owner must contact Margaret Haynes at Margaret.haynes@state.nm.us or 505-288-2086 to coordinate the submittal of an access permit application for approval and discuss the possibility of offsite improvements to existing infrastructure.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Per the 2040 Long Range Bicycle Map, a bicycle lane is proposed on Carlisle Blvd. adjacent the subject property and a paved trail is proposed along the northside of the subject property.

Traffic Engineering Operations (Department of Municipal Development)

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:

WATER UTILITY AUTHORITY

Utility Services

1. RZ-2019-00015 – Zone Map Amendment (Zone Change)
Identification: UPC – 101705904004630123
 - a. No adverse comment to the proposed zone change.
 - b. Site is currently receiving service.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION- Parks and Recreation has no comments on any of the March 2019 EPC cases.

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT- No comment.

Refuse Division- No comment.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Carlisle Blvd. is a Major Transit Corridor. Fixed Route 5 (on Carlisle) and Commuter Route 6 on Indian School. Route 5 has the second highest ridership in the Transit Department's system. It is one of the longest routes, going from Tramway and Montgomery to the Alvarado Transit Center. Commuter Route 6 runs from Tramway and Rover to the Alvarado Transportation Center. There are stop pairs for both routes either side of the Indian School / Carlisle intersection.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no objections.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. An existing electric overhead 115kV transmission line is located on the south side of the subject site along the north side of Indian School Blvd. NE and one overhead distribution line is located along the eastern boundary of the subject site. Underground electric feeder lines are also located on the north side of the property to serve the existing Burger King restaurant. It is the applicant's obligation to abide by any conditions or terms of these easements or rights-of-way.
2. Any potential encroachment to existing rights-of-way must be reviewed by PNM for compliance with National Electric Safety Code (NESC) requirements, as well as PNM access for maintenance or future use. This includes any proposed changes to the existing grade, existing or proposed signs, walls or fences, landscaping, lighting, access, parking and driveway.
3. It will be necessary for the developer to contact the PNM New Service Delivery Department when the site is to be developed in order to coordinate electric service. Contact:

Contact: Andrew Gurule, PNM Service Center
4201 Edith Boulevard NE Albuquerque, NM 87107
Phone: (505) 241-0589

4. 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 for specifications.



Figure 1: Looking east at the existing building, while standing on the subject site.

Figure 2: Looking north while standing on the subject site.



Figure 3: Looking west while standing on the subject site.



Figure 4: Looking south while standing on the subject site.

Figure 5: Looking at the existing fast-food restaurant on Tract B (not a part of the request) and the main access to the subject site, from across Carlisle Blvd.



Figure 6: Looking north at the subject site from Indian School Road.

ZONING

Please refer to the Integrated Development Ordinance (IDO)
for specifics regarding the MX-L and MX-M zones

HISTORY

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

March 14, 2019

Carlisle Associates LP
33 South Service Road
Jericho, NY 11753

Project #2019-002043
RZ-2019-00015 – Zone Map Amendment (Zone Change)

LEGAL DESCRIPTION:

The above action for Tract A, Carlisle and Indian School Subdivision, being a part of blocks 16 & 17 and a part of Blocks 14 & 15, Netherwood Park, Second Filing, excluding portions out to the ROW, zoned MX-L, to MX-M, located on Carlisle Blvd. NE, between Indian School Rd. NE and Interstate 40, containing approximately 11 acres (H-16)
Staff Planner: Catalina Lehner

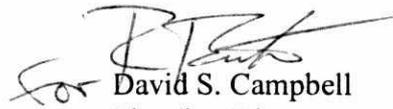
PO Box 1293

On March 14, 2019 the Environmental Planning Commission (EPC) voted to DEFER Project# 2019-002043/RZ-2019-00015, a Zone Map Amendment (Zone Change), for one month to the April 11, 2019 hearing.

NM 87103

www.cabq.gov

Sincerely,


David S. Campbell
Planning Director

DSC/CL

cc: Carlisle Associates LP, 33 South Service Rd, Jericho, NY 11753
Modulus Architects, Inc., 100 Sun Ave. NE, Suite 3305, ABQ, NM 87109
Summit Park NA, Jan Schuetz, 3501 Calle Del Ranchero Dr. NE, ABQ, NM 87016
Summit Park NA, Elisha Allen, 817 Amherst Dr. NE, ABQ, NM 87106
Altura Addition NA, Colin Adams, 1405 Solano Dr. NE, ABQ, NM 87110
Altura Addition NA, Denise Hammer, 1735 Aliso Dr. NE, ABQ, NM 87110
Dist. 7 Coalition of NAs, Lynne Martin, 1531 Espejo NE, ABQ, NM 87112
Dist. 7 Coalition of NAs, David Haughawout, 2824 Chama St. NE, ABQ, NM 87110
John DuBois, jdubois@cabq.gov

FOR INFO ONLY

REC'D JAN 25 2001

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

Date: January 19, 2001

OFFICIAL NOTIFICATION OF DECISION

Kmart Corp.
3100 West Big Beaver
Troy, MI 48084

FILE: 00110 00000 01022/00128 00000 01023
LEGAL DESCRIPTION: for Tract A,
Netherwood Park, second filing, located on
Carlisle Boulevard NE between I-40 and Indian
School Road, containing approximately 10.06
acres. (H-17) Russell Brito, Staff Planner
(DEFERRED FROM NOVEMBER 16, 2000)

On January 18, 2001, the Environmental Planning Commission voted to approve 00110 00000 01022, a zone map amendment from C-1 to SU-1 for C-1 Uses with Package Liquor Only in Conjunction with a Full Service Grocery Store, for Tract A, Netherwood Park, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a zone map amendment from C-1 to *SU-1 for C-1 Uses with Package Liquor Only in Conjunction with a Full Service Grocery Store* for an approximately ten acre site located on Carlisle Boulevard NE between I-40 and Indian School Road.
2. There is currently an 85 foot pole mounted sign on the premises. The height limitation for standing signage in the C-1 zone is 26 feet.
3. The requested SU-1 zoning category is accompanied by a site development plan for building permit.
4. The request furthers the applicable Goals and policies of the *Comprehensive Plan* by proposing a use that will respect existing neighborhood values, ensure the integrity of existing neighborhoods, and allow for: redevelopment and rehabilitation of older neighborhoods in the Established Urban Area; reduced travel needs; the promotion of alternate mobility to those who cannot be served by private automobiles; the promotion and integration of safe and pleasant non-motorized travel conditions; and a decrease in peak hour demands on the circulation system.
5. The request fulfills the policies and requirements of *Resolution 270-1980*: specifically, the applicant has shown that changed neighborhood and community conditions justify the change; a different use is more advantageous as articulated in the *Comprehensive Plan*; and the applicant is proposing a use that will not be harmful to adjacent property, the neighborhood or the community.

6. A zone map amendment is not necessary to implement the proposed remodel and refurbishment of the subject site shown on the accompanying site development plan for building permit, but there is a strong possibility that the applicant will not remodel and refurbish the site and may leave the area without the zone map amendment, leaving a vacant, outdated 30 year old building on the site.
7. There is neighborhood association and resident opposition and support for the applicant's request to expand the site's allowed uses to include package liquor only in conjunction with a full service grocery store.
8. The applicant has agreed to not sell the following types of liquor which should be prohibited: single beers (cans or quarts), miniature liquors, fortified wine, and liquor in half pints or pints.
9. There is a precedent for city regulation of the type of liquor that can be sold from a business in the 2010 Downtown Plan.
10. This zone map amendment is dependant on the implementation of the accompanying site development plan for building permit.

CONDITIONS:

1. The following types of liquor sales are prohibited: single beers (cans or quarts), miniature liquors, fortified wine, and liquor in half pints or pints.
2. This zone map amendment is dependant on the implementation of the accompanying site development plan for building permit.

On January 18, 2001, the Environmental Planning Commission voted to approve 00128 00000 01023, a site development plan for building permit for Tract A, Netherwood Park, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of an amendment to a site development plan for building permit to allow for the expansion of an existing retail store on an approximately ten acre site located on Carlisle Boulevard NE between I-40 and Indian School Road.
2. The site development plan amendment furthers the applicable Goals and policies of the *Comprehensive Plan* by creating a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and choice in transportation, work areas, and life styles, while creating a visually pleasing built environment. The design is appropriate to the plan area

3. The Summit Apartments and Kmart have agreed that there should be direct access if possible from the Summit Apartments to the Kmart site.
4. The landscaping proposed in the site plan is 12.2%, 15% landscaping is the standard for the C-1 zone.
5. The site development plan amendment will be adequate with some modifications and additions.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions; a letter shall accompany the submittal, indicating all modifications that have been made to the site plan since the EPC submittal, including how the site plan has been modified to meet each of the EPC conditions.
2. Pedestrian, bicycle and transit amenities:
 - a. All pedestrian walkways shall be of a paving material other than asphalt, with shade trees planted every twenty-five feet on-center in minimum 5'x5' planters.
 - b. Wherever a pedestrian walkway or sidewalk crosses a vehicular drive aisle or vehicular curb cut, it shall be at least six feet wide, of a paving material other than asphalt, and striped with white paint.
 - c. Bicycle parking calculations shall be shown to reflect the provided bicycle parking.
 - d. The building shall provide employee lockers and showers for those employees that wish to bike to work.
 - e. The applicant shall contact the Transit Department for specific shelter design and location approval.
 - f. The pedestrian walkway between the Kmart building and Burger King shall be extended to Carlisle Boulevard.
 - g. A pedestrian walkway, of a material other than asphalt, shall be designated from a gate along the eastern property line to the building entrance.
3. Lighting:
 - a. The 25-foot poles within 150 feet of Indian School Road shall be reduced to 20 feet to ensure that light intrusion onto the nearby residences is minimized. All other light poles can have a maximum height of 30 feet.
 - b. The site plan shall explicitly note the heights and types of lighting on the site with text and/or a typical detail.
 - c. The site plan shall have a note stating: "All new or replacement lighting fixtures, pole and building mounted, shall be full cut-off fixtures (e.g. shoebox) with a maximum mounting height of twenty feet within 150 feet of Indian School Road and a maximum height of thirty feet elsewhere."
4. Landscaping:
 - a. Additional landscaping shall be placed in the following locations:

- 1) Along the pedestrian walkway from the entry of the store to the fast food restaurant in the form of shade trees planted every twenty-five feet on-center in 5'x5' planters.
 - 2) Additional evergreen trees along Indian School Road from the vehicular access east to the edge of the site to provide a solid, unbroken "arboreal wall" to further buffer the neighborhood across the street.
 - b. All new and replacement shade trees shall have a caliper of at least three inches when planted.
 - c. The Arizona Ash trees shown on the landscape plan shall be replaced with similar low-water use, shade trees because of the current local infestation of the ash bark beetle.
 - d. Gardenwalls or landscaped berms, 2 ½ feet high minimum, shall be located along the frontages of Carlisle Boulevard and Indian School Road.
 - e. The applicant shall install a 15 foot wide strip of landscaping along the northern edge of the site in the adjacent Interstate right-of-way if approval and consent from the State Highway and Transportation Department is obtained.
 - f. The northeast and southeast corners of the site, outside of the truck turning radii, shall be landscaped.
5. Architecture and Signage:
- a. The elevations should note rooftop mechanical equipment as screened with a parapet wall.
 - b. All colors and materials of all façade elements should be clearly labeled on the elevations.
 - c. No plastic or vinyl building panels, awnings or canopies should be permitted.
 - d. Additional articulation of the rear (east) and south elevations is needed to "break up" the façade, as it will be visible from the adjacent and nearby residential properties.
 - e. Walls and roofs that are architecturally integrated with the building shall screen the loading docks, loading areas and delivery trucks, refuse and compactor equipment.
 - f. The development shall provide an outdoor, covered, 500 square foot sitting and eating area for employees.
 - g. The south elevation signs shall not be illuminated to minimize intrusion into the single-family neighborhood.
 - h. The pylon sign on Carlisle Boulevard that is currently 85 feet tall, shall be reduced in height to 50 feet.
 - i. No chain link fencing is allowed on this site.
6. Public Works Department Conditions:
- a. A TIS has been performed for this request. The implementation of and/or monetary contributions for mitigation measures as required by the *TIS negotiations* between the developer and the City must be completed prior to DRB sign-off.
 - b. The site access, circulation patterns, structure orientation / configurations must be constructed to the satisfaction of the Traffic Engineer.
 - c. Location, size and radii of driveways on Carlisle Boulevard and Indian School Road must be constructed to the satisfaction of the Traffic Engineer. Deceleration lanes will be required at both locations.

- d. The Carlisle entrance will be reconstructed with 25 foot corner radii, a deceleration lane, and a throat area of 100 feet, which is exclusive of intersecting drive aisles and parking spaces. (The Burger King site will be required to eliminate the parking spaces on the main entrance and modify their drive-thru aisle.)
 - e. The Indian School Road entrance will require channelization for left turns from the west.
 - f. The existing access to and parking for the Burger King pad site must be coordinated with the redevelopment of this site.
 - g. The service drive must be 30 feet in width and be unobstructed. Placement of 25 foot corner radii along truck routes and at entrances will be required. Development of the service area must be coordinated with the Traffic Engineer.
 - h. Construction of continuous pedestrian circulation facilities with handicapped features within the site and with connections to the adjacent streets. Uni-directional ramps are needed at several locations.
 - i. The sidewalk in front of the handicapped spaces must be flush with the parking surface. Wheel stops will be required.
 - j. End islands must be constructed to DPM Standards with a minimum 10 foot width and 15 foot corner radii.
 - k. The site plan must identify surrounding uses and provide dimensions where appropriate, i.e., structures, streets, medians, drive aisles, parking spaces, walls, signs, etc.
 - l. Location of walls, fences and signs must meet the clear sight distance requirements.
 - m. Location and dimension of proposed fire lanes must meet Fire Code requirements as per the DPM.
 - n. Coordination with the Solid Waste Department with regard to refuse container location and access.
 - o. Coordination with the Transit Department with regard to location of required bus facilities, with direct bicycle and pedestrian access, on the adjacent streets.
 - p. Placement of street trees on Interstate 40, Carlisle Boulevard and Indian School Road.
 - q. Prior to DRB review flow and hydrant placement requirements must be obtained from the Fire Marshals' Office, and forwarded to Utility Development for verification of system adequacy. Any required improvements must be financially guaranteed prior to DRB site plan sign off.
 - r. Design of the turn bays on Indian School Road must include proper treatment of the existing bike lanes.
 - s. The site plan needs to clarify the parking, circulation, trash pick-up, etc. at the north side of Burger King.
 - t. The site plan should show the existing configuration of median openings and the on-ramp at Carlisle and I-40.
 - u. Dedications of right-of-way for turn bays and the bus bay.
 - v. The NM State Highway and Transportation Department shall review this case.
7. No outside storage units are allowed on this site. Outdoor display of products is prohibited in the parking area.
 8. An additional 6 handicap accessible parking spaces shall be provided on the site near the building.

OFFICIAL NOTICE OF DECISION
00110 00000 01022/00128 00000 01023
JANUARY 18, 2001
PAGE 6

9. Six cart corrals shall be provided in the parking area in locations that allow for convenient collection of shopping carts.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY **FEBRUARY 2, 2001** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 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 Robert R. McCabe, AIA, APA
Planning Director

RM/RB/ac

cc: David Campbell, 6100 Uptown Blvd. NE, Albuquerque, NM 87110
Sites Southwest, 5150 A. San Francisco NE, Albuquerque, NM 87109
Chris Addis, Altura Addition Neigh. Assoc., 3708 Hannett Ave. NE, Albuquerque, NM 87110
Dan Shaffer, Summit Park Neigh. Assoc., 1432 Richmond NE, Albuquerque, NM 87106
Dennise Hammer, Altura Addition Neigh. Assoc., 1735 Aliso Dr. NE, Albuquerque, NM 87110

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JANUARY 18, 2001
PAGE 7

Georgianna Pena-Kues, Summit Park Neigh. Assoc., 3412 Calle del Norte NE, Albuquerque, NM 87106
Paul Kienzle, 2307 Hannett Ave. NE, Albuquerque, NM 87106
R. Rael, 1613 Richmond NE, Albuquerque, NM 87106
Patrick Florence, 1822 Hermosa NE, Albuquerque, NM 87110
Dr. William Miller, Dept. of Psychology, UNM, 87131-1161
Sara Hart, 2814 Bel Air NE, Albuquerque, NM 87106
Blake Jordan, 1838 Hermosa Dr. NE, Albuquerque, NM 87110
Denise Hammer, 1735 Aliso Dr. NE, Albuquerque, NM 87110
Lucerne Knight, 1718 Hermosa NE, Albuquerque, NM 87110
Ed Candelaria, 1714 Hermosa Dr. NE, Albuquerque, NM 87110
Bob Heiser, 934 Avenida Del Sol NE, Albuquerque, NM 87110
Deanna Archuleta-Loeser, 1509 Calle del Ranchero NE, Albuquerque, NM 87106
Harold Morgan, 1708 Vassar NE, Albuquerque, NM 87106
Myra Segal, 941 Avenida Manana NE, Albuquerque, NM 87110

PLANNING DEPARTMENT
CITY OF ALBUQUERQUE

Box 1293
Zip Code: 87103
Telephone 243-8861

Date: 9-20-68
File: 2-1567

Mr. Bud Lewis
1340 San Pedro NE
City

The Planning Commission made this recommendation at its meeting of September 16, 1968
BE IT RESOLVED THAT the revised development plans for 2-1512 be recommended to the City Commission for approval subject to the Traffic Engineer's comments, i.e., that a left-turn bay for counter-traffic must be installed in the Carlisle median opposite the main entrance to the K-Mart Shopping Center, or the City will either post a **NO LEFT TURN** sign or close the median; and subject to resolution of the sign size for the proposed service station by the City Planning Commission Chairman and the applicant prior to issuance of a building permit.

Should you wish to appeal this decision, you may do so by in the manner described below:

c. Appeals—Appeal of any denial by the Planning Commission may be submitted in writing to the City Commission...

If a written protest is signed by the owners of twenty per cent (20%) or more, either of the area of the lots or lands included in such proposed change, or of those immediately adjacent within one hundred (100) feet of the area proposed for change, disregarding public ways, such change to the Zone Map shall require the concurring vote of at least four (4) members of the City Commission.

(1) Written notice of appeal shall be filed with the Planning Director.

(2) Public notice of any appeal shall be given by legal advertisement in the manner prescribed for a change to the text of this ordinance. The Planning Director shall give written notice of any appeal together with notice of hearing date to the applicant, a representative of opponents, if any, and the appellant. The appeal shall be presented to the City Commission within three (3) months after the date of filing. Once the appeal is presented to the City Commission any request for delay in hearing the appeal shall be acted upon at a regular City Commission meeting.

If the application has been recommended for approval, it will be heard by the City Commission after proper advertisement, Monday, September 22, 1968 at City Hall, 400 Marquette, N.W.

C: new

Yours sincerely,

- cc: C. E. Whitehead, P.O. Box 1776, City Hernandez, Atkinson & Kelsey, 220 Gold SW
- Second NBS Associates, 7 So. Dearborn Chicago, Ill.
- Fifth Carlisle Corp., 511 Fifth Ave. By NYC
- S. S. Krosby Co., 5727 Second Ave., Detroit, Mich.
- Leonard Rosenthal, 1073 San Jacinto Bldg., Houston, Tex.
- Northwest Land & Dev. Co., 1601 Richmond Ave., Houston, Tex.
- J. H. Worful, K-Mart, 2100 Carlisle NE

RUBEN D. RAMIREZ
Planning Director

George L. Carnochan, Chief
Current Planning Division

Z

Letter of
Advice

CITY COMMISSION
October 12, 1965
Z-1512

ORDINANCE NO. 2741

AN ORDINANCE AMENDING THE ZONE OF THE CITY OF ALBUQUERQUE AS SHOWN IN ORDINANCE NO. 1493, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE, NEW MEXICO:

SECTION 1. The Zone Map referred to in Ordinance No. 1493 is amended as follows:

R-1 to C-1 for Lots 20 through 30, Block 14, Lots 19 through 24, Block 15; Lots 1 through 24, Block 16, and Lots 1 through 48, Block 17, all in the Netherwood Park Addition, Second Filing, filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 26, 1914.

SECTION 2. This ordinance is an emergency measure due to urgent public need and will be effective immediately upon publication in full.

ADOPTED October 12, 1965

Chairman, City Commission, Albuquerque, N. M.

ATTEST: _____, City Clerk

Published Nov 8, 1965 TRIBUNE

APPROVED AS TO FORM
Date: 10/14/65
Harley A. Lanning
for FRANK HORAN, CITY ATTORNEY

APPROVED AS TO DESCRIPTION
Date: 10-11-65
William T. Stevens
WILLIAM T. STEVENS, CITY ENGINEER

by [Signature]

PLANNING DEPARTMENT
CITY OF ALBUQUERQUE

Box 1293

Telephone 243-8661

Date: Sept. 27, 1965
File: Z-1512, S-1411

Hernandez & Atkinson
220 Gold SW
Albuquerque, New Mexico

Dear Sirs:

The Planning Commission made this recommendation at its meeting of Sept. 20, 1965

BE IT RESOLVED THAT Z-1512 be deferred to the October 4 City Planning Commission meeting; BE IT FURTHER RESOLVED THAT S-1411 be recommended to the City Commission for approval.

Should you wish to appeal this decision, you may do so by
in the manner described below:

_____ (date)

c. Appeals — Appeal of any denial by the Planning Commission may be submitted in writing to the City Commission ...

If a written protest is signed by the owners of twenty per cent (20%) or more, either of the area of the lots or lands included in such proposed change, or of those immediately adjacent within one hundred (100) feet of the area proposed for change, disregarding public ways, such change to the Zone Map shall require the concurring vote of at least four (4) members of the City Commission.

(1) Written notice of appeal shall be filed with the Planning Director.

(2) Public notice of any appeal shall be given by legal advertisement in the manner prescribed for a change to the text of this ordinance. The Planning Director shall give written notice of any appeal together with notice of hearing date to the applicant, a representative of opponents, if any, and the appellant. The appeal shall be presented to the City Commission within three (3) months after the date of filing. Once the appeal is presented to the City Commission any request for delay in hearing the appeal shall be acted upon at a regular City Commission meeting.

If the application has been recommended for approval, it will be heard by the City Commission after proper advertisement, Tuesday, _____ at the Municipal Office Building, 400 Marquette, NW.

Yours sincerely,

L. B. JONES
Planning Director

GLC:new

cc: File

Northwest Land & Dev. Co.
J. N. Timmons
F. E. Shover

By: _____
George L. Carruthers
Associate Director

Z Letter of
Advice

APPLICATION INFORMATION



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	Policy Decisions
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
Decisions Requiring a Public Meeting or Hearing	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Variance – DRB (Form V)	Appeals
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: Carlisle Associates LP	Phone: 516-281-1550
Address: 33 South Service Road	Email: drosen@rosenmgmt.com
City: Jericho State: NY	Zip: 11753
Professional/Agent (if any): Modulus Architects, Inc.	Phone: 505-338-1499
Address: 100 Sun Ave. NE #305	Email: awilliamson@modulusarchitects.com
City: Albuquerque State: NM	Zip: 87109
Proprietary Interest in Site: Agent	List all owners: Carlisle Associates LP

BRIEF DESCRIPTION OF REQUEST

Zone Map Amendment to MX-M

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: A3B	Block: 16317	Unit:
Subdivision/Addition: Carlisle & Indian School Subd.	MRGCD Map No.:	UPC Code: 00110 0000 01022/00128 00000 01023
Zone Atlas Page(s): H-16-Z	Existing Zoning: MX-L	Proposed Zoning: MX-M
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres): 10.2

LOCATION OF PROPERTY BY STREETS

Site Address/Street: **Carlisle** Between: **Indian School** and: **I40**

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

Z-1512 V-5216 DRB-93-136

Signature: Angela M. Williamson	Date: 1/31/19
Printed Name: Angela Williamson, CEO Modulus Architects	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees
RZ-2019-00015	ZMA	\$1,035.00
Meeting/Hearing Date: March 14, 2019		Fee Total: \$1,035.00
Staff Signature: [Signature]	Date: 1-31-19	Project # PR-2019-002043

Form Z: Policy Decisions

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)

- Interpreter Needed for Hearing? No if yes, indicate language: _____
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent
- Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN

ADOPTION OR AMENDMENT OF FACILITY PLAN

- ___ Plan, or part of plan, to be amended with changes noted and marked
- ___ Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
- ___ Required notices with content per IDO Section 14-16-6-4(K)(6)
 - ___ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - ___ Proof of emailed notice to affected Neighborhood Association representatives
 - ___ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

AMENDMENT TO IDO TEXT

- ___ Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked
- ___ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
- ___ Required notices with content per IDO Section 14-16-6-4(K)(6)
 - ___ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - ___ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

ZONING MAP AMENDMENT – EPC

ZONING MAP AMENDMENT – COUNCIL

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
- Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - Proof of emailed notice to affected Neighborhood Association representatives
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- Sign Posting Agreement

ANNEXATION OF LAND

- ___ Application for Zoning Map Amendment *Establishment of zoning must be applied for simultaneously with Annexation of Land.*
- ___ Petition for Annexation Form and necessary attachments
- ___ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
- ___ Board of County Commissioners (BCC) Notice of Decision

<i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i>	
Signature: <u>Angela Williamson, Agent</u>	Date: <u>1/7/19</u>
Printed Name: <u>Angela Williamson (Agent)</u>	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent
FOR OFFICIAL USE ONLY	
Project Number: <u>PR-2019-002043</u>	Case Numbers: <u>RZ-2019-00015</u>
Staff Signature: <u>[Signature]</u>	
Date: <u>1-31-19</u>	

City of Albuquerque
Planning & Development Services
Plaza del Sol, 600 Second NW, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, N.M. 87103
Telephone: (505) 924-3860
Mr. Russel Brito, Planning Manager

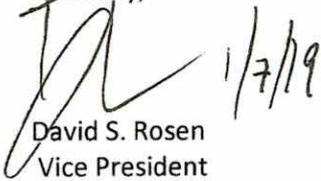
Re: Agent Authorization Notice – Zone Map Amendment Request

Commissioners,

Carlisle Associates LP hereby authorizes Modulus Architects to perform as the Agent of Record with the City of Albuquerque. It is our intention to file for a Zone Map Amendment for the property located 2100 Carlisle Blvd NE - Albuquerque, New Mexico, 87110 and legally described as: TR A PLT OF TRS A & B CARLISLE & INDIAN SCHOOL SUB'D BEING APART OF BLKS 16 & 17 & A PART OF BLKS 14 & 15 NETHERWOODPARK SECOND FILING EXCL PORTIONS OUT TO R/W CONT 10.0890 AC.

This authorization is valid until further written notice from Angela Williamson, Principal at Modulus Architects (Agent) or Carlisle Associates LP. Please direct all correspondence and communication to our Agent for the purpose of this request for EPC approval.

Sincerely,



David S. Rosen
Vice President
Carlisle Associates LP
33 South Service Road
Jericho, NY 11753
516-281-1550 Direct
516-281-1551 Fax
drosen@rosenmgmt.com

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Modulus Architects DATE OF REQUEST: 1/7/19 ZONE ATLAS PAGE(S): H-16-2

CURRENT:

ZONING MX-L
PARCEL SIZE (AC/SQ. FT.) 10.2 Acres

LEGAL DESCRIPTION:

LOT OR TRACT # A & B BLOCK # 16 & 17
SUBDIVISION NAME Carlisle & Indian School Subd.

REQUESTED CITY ACTION(S):

ANNEXATION []
ZONE CHANGE : From MX-L To MX-M
SECTOR, AREA, FAC, COMP PLAN []
AMENDMENT (Map/Text) []

SITE DEVELOPMENT PLAN: N/A
SUBDIVISION* [] AMENDMENT []
BUILDING PERMIT [] ACCESS PERMIT []
BUILDING PURPOSES [] OTHER []

*includes platting actions

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT
NEW CONSTRUCTION []
EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:

OF UNITS: N/A
BUILDING SIZE: _____ (sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE Angela Williamson DATE 1/7/19
(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO BORDERLINE []

THRESHOLDS MET? YES [] NO MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: []

Notes: A new TIS form will be required if this site is redeveloped in the future

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. **Any subsequent changes to the development proposal identified above may require an update or new TIS.**

[Signature]
TRAFFIC ENGINEER

1/8/19
DATE

Required TIS **must be completed prior to applying to the EPC and/or the DRB**. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED / /
-FINALIZED / /

TRAFFIC ENGINEER _____

DATE _____



Mr. Derek Bohannon, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM. 87102

**RE: ZONE MAP AMENDMENT – EPC
2100 CARLISLE BLVD NE – ALBUQUERQUE, NM. 87110 (FORMER K MART DEVELOPMENT)
TR A PLT OF TRS A & B CARLISLE & INDIAN SCHOOL SUB'D BEING APART OF BLKS 16 & 17 & A
PART OF BLKS 14 & 15 NETHERWOODPARK SECOND FILING EXCL PORTIONS OUT TO R/W
CONT 10.0890**

Modulus Architects, Inc., hereafter referred to as “Agent” for the purpose of this request, represents Carlisle Associates, LP., hereafter referred to as “Applicant”. We, “Agent” is requesting approval of a Zone Map Amendment for 10.089 acres legally described as: TR A PLT OF TRS A & B CARLISLE & INDIAN SCHOOL SUB'D BEING APART OF BLKS 16 & 17 & A PART OF BLKS 14 & 15 NETHERWOODPARK SECOND FILING EXCL PORTIONS OUT TO R/W CONT 10.0890. The parcel (the “subject site”) is 10.089 acres in size, zoned MX-L and is located on the east side of Carlisle just North of Indian School. The subject site is currently developed as the former Kmart which is now permanently closed.

The purpose of this Zone Map Amendment is to change the current zoning of MX-L which we will demonstrate is not suitable for this property. The purpose of this letter is to provide the very pertinent background, policy support and justification for the proposed Zone Map Amendment request. This request is for a zone map amendment from MX-L to MX-M. The property is developed with an approximately 110,000 SF building. “General retail, large” is a nonconforming use in the MX-L zone. To be conforming in the MX-L zone, the building would have to be divided into over 11 separate establishments or tenant spaces. Even with two tenants, the building is larger than would be allowed as a “General retail, medium” use.

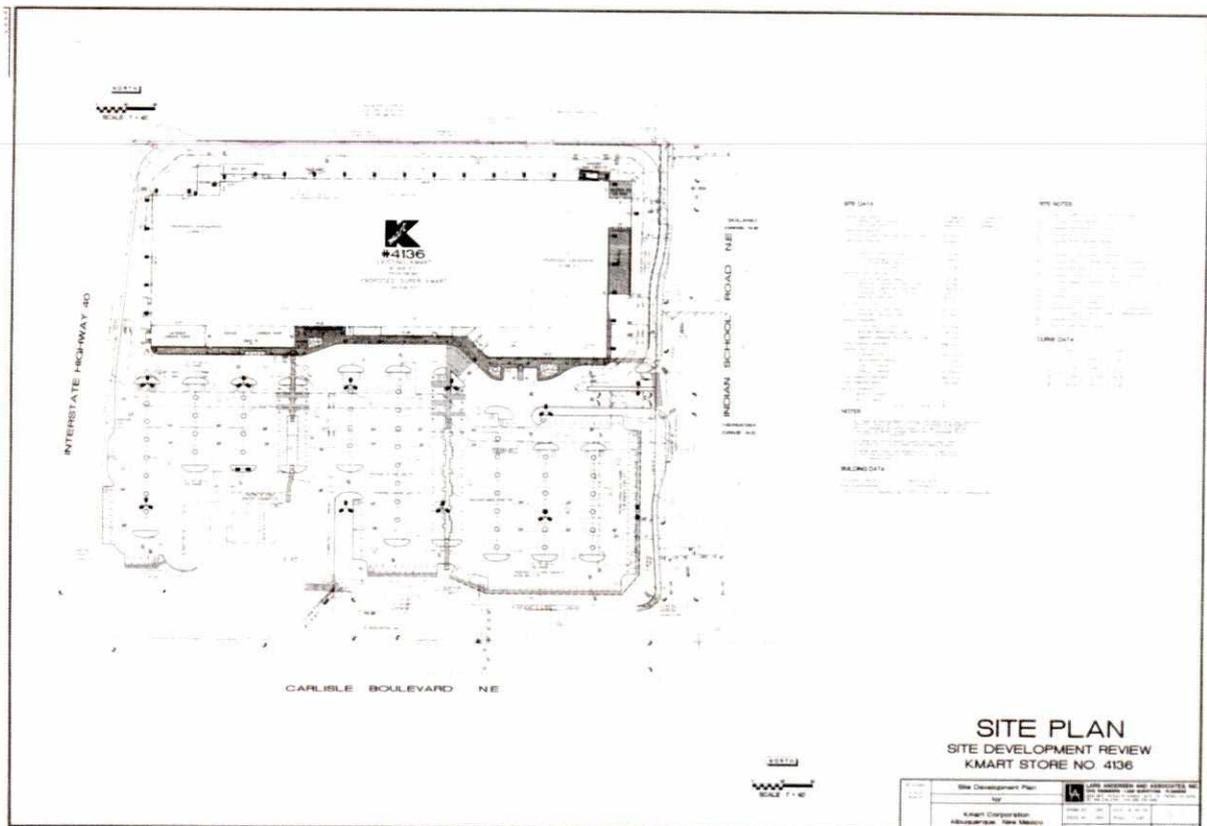
This site is within a Major Transit corridor and in an Area of Change. The MX-M zone allows a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses. The MX-M zone is appropriate in this location and would allow the vacant building to be used in a way consistent with its prior use and prior site plan approvals.

BACKGROUND

The subject site includes approximately 10 +/- acres at the northeast corner of Indian School and Carlisle. The site has been a retail plaza for approximately 58 years. Development of this 10-acre parcel began with a Zone Map Amendment in 1965 from R-1 (Residential) to C-1 (Commercial). This Zone Map Amendment was approved August 23, 1965 (Case No. Z-1512). The original development was approved for 110,350

square feet of building area. City Council approved this recommendation for the zone change on October 12, 1965 (City of Albuquerque Ordinance No. 1493).

On January 18, 2001, the Environmental Planning Commission (EPC) voted to approve another zone map amendment from C-1 to SU-1 for C-1 Uses with Package Liquor in Conjunction with a full-service Grocery Store, for Tract A, Netherwood Park. This included a Site Development Plan for Building Permit that would have allowed for the proposed Super Kmart adding the grocery store for a total square foot area of 140,226 square feet of building area.



Subsequent to the above outlined approvals, January 22, 2002 Kmart Corporation filed for Chapter 11 Bankruptcy protection with the United State Bankruptcy Court. As a result of the Bankruptcy filing ongoing construction by Kmart's contractor for this project was suspended. Under the direction of the Court, Kmart had only a limited amount of capital to expend in completing projects under construction. As a result of the bankruptcy and the restructuring Kmart requested ADMINISTRATIVE ADJUSTMENTS to the approved and permitted plans.

Kmart elected to defer construction of the grocery expansion. As a result of this decision, adjustments involving changes to the elevations of the building and postponement of improvements to the site plan were submitted for consideration. As of the date of this summary, these improvements have not been completed. In 2018, Kmart formerly closed its doors and shuttered this building.

In January 2015 the City of Albuquerque began the monumental task of simplifying the Zone Map from 840 zones to the Integrated Development Ordinance. This would culminate with the consolidation of multiple land use and transportation documents into a new, user-friendly Integrated Development Ordinance (IDO). The Environmental Planning Commission approved this new IDO on May 15, 2017.

- The zones in the City of Albuquerque Zone Map were converted to comparable zones.
- Matching “straight” or base” zones from the existing Zoning Code
- Matching permissive uses from 550 SU-1 zones (which this property is). In the case of this property, which was zoned SU-1 for C-1 Uses and off premise consumption with a grocery store, the zoning was transitioned to MX-L (Mixed Use Low Intensity).

The zoning conversions attempted to match existing zones with the IDO zones with the closest set of permissive uses. The intent was not to upzone, downzone, or make any discretionary change to existing zoning entitlements. All uses legal at the time of IDO adoption remain legal and can continue.

PROPOSED ZONING

This Zone Map Amendment requests seeks to “rezone” the subject property from MX-L to MX-M (Mixed Use Medium Intensity). The MX-M zone district is clearly more in line with redeveloping this property with what is currently allowed and is more advantageous to the community as articulated by the ABC Comp Plan goals and policies (*in italics*) noted in our policy justification portion of this letter and are furthered by the proposed zone change (**in bold**).

First and foremost, it must be made clear that the current development consists of one tenant building encompassing more than 100,000 square feet of building area, “premise”, all of which were PERMISSIVE in the C-1 zoning code. The property is developed with an approximately 110,000 SF building. “General retail, large” is a nonconforming use in the MX-L zone. To be conforming in the MX-L zone, the building would have to be divided into over 11 separate establishments or tenant spaces. Even with two tenants, the building is larger than would be allowed as a “General retail, medium” use.

This site would likely qualify to participate in the City’s Voluntary Zoning Conversion process under the Nonconforming Use criterion, since the use was allowed on this site prior to adoption of the IDO. However, due to the time constraints of the voluntary conversion process and our intended development plans, we have elected to pursue a Zone Map Amendment independently of the conversion process.

This site is within a Major Transit corridor and in an Area of Change. The MX-M zone allows a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses. The MX-M zone is appropriate in this location and would allow the vacant building to be used in a way consistent with its prior use and prior site plan approvals.

The obvious inconsistency in the conversion to the MX-L zone begins with the fact that this would no longer be allowed. Per the IDO Part 14-16-4 Use Regulations Table 4-2: Allowable Uses, General Retail Medium and General Retail Large are no longer Permissive or Conditional.

The IDO Part 14-16-7 7-1 (pg. 447) Definitions states that Retail, General is defined as an establishment providing for the retail sale of general merchandise or food to the general public for direct use and not for wholesale; including but not limited to sale of general merchandise, clothing and other apparel, flowers

and household plants that are not grown on-site, dry goods, convenience and specialty foods, hardware and similar consumer goods, or other retail sales not listed as a separate use in TABLE 4-2-1, and not including any adult retail use. See also Grocery Store.

General retail is divided into 3 categories based on the size of the establishment or use (not the size of the structure):

1. General Retail, Small: An establishment with no more than 10,000 square feet of gross floor area.
2. General Retail, Medium: An establishment of more than 10,000 square feet of gross floor area and no more than 50,000 square feet of gross floor area.
3. General Retail, Large: An establishment of more than 50,000 square feet of gross floor area. See also Large Retail Facility.

Part 14-16-4: Use Regulations

4-2: Allowable Uses

TABLE 4-2-1: Allowable Uses																			
P=Permissive Primary C=Conditional Primary A=Permissive Accessory CA=Conditional Accessory CV=Conditional if Structure Vacant for 5 years or more T=Temporary																			
NEW ZONE DISTRICT >>	Residential					Mixed-use				Non-Residential				Use-specific Standards					
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM		NR-GM	NR-SU	A	B	NR-PO
EXISTING ZONE DISTRICT >>	R-A1 & R-A2	R-1 & R-LT	MH	R-T	R-G & R-2	R-3	RC & O-1	C-1	C-2 E & C-2 PT W	C-3 C & C	C-2 W & C-3	IP	M-1	M-2	SU-1 Other				
LAND USE CATEGORY v																			
Stadium or race track															P	P			
Other outdoor entertainment	CA	CA	CA	CA	CA	CA	A	A	A	A	P	P	P	A		P		P	4-3(D)(31)
Retail Sales																			
Adult retail										P		P	P	P					4-3(D)(6)
Bakery goods or confectionery shop							CV	P	P	P	P	P	P	P					
Building and home improvement materials, large									C	C	P	P	P	C					4-3(D)(32)
Farmers' market	T		T	T	T	T	T	P	P	P	P	P	CV	CV		P	A	CA	4-3(D)(33)
General retail, small			A			A	A	P	P	P	P	P	P	P					4-3(D)(34)
General retail, medium										P	P	P	C	C					4-3(D)(34)
General retail, large										C	C	P	P						4-3(D)(34)
Grocery store								P	P	P	P		P	P					4-3(D)(35)
Liquor retail							C	A	P	P	P	C	C	C					4-3(D)(36)
Pawn shop								C	P	P	P	P	P	P					4-3(D)(37)

As currently zoned, redevelopment of this 10-acre parcel would only allow for only small retail, an establishment with no more than 10,000 square feet of gross floor area for a single tenant.

Additionally, the allowable uses for MX-L identify a Grocery store as “Permissive” but limits the size allowed to no more than 15,000 SF. 4-3(D) (35) Grocery Store 4-3(D)(35)(a) In the MX-L zone, this use is limited to establishments of no more than 15,000 square feet of gross floor area.

The prior zoning classification of this property had no restriction on the size of retail and did not limit the size of a grocery store, in fact, as shown, this project was previously approved for a 140,000 square foot Super Kmart and met all of the policy requirements for a Zone Change for this use, not once, but twice from the Environmental Planning Commission and City Council as well as being upheld by Second Judicial District Court, County of Bernalillo, State of New Mexico.

POLICY ANALYSIS

6-7(E)(3) AMENDMENT TO OFFICIAL ZONING MAP – EPC

An application for an Amendment to Official Zoning Map shall be approved if it meets all of the following criteria:

- A.** *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.*

The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comprehensive Plan.

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.

Future development on the subject site under the MX-M zone, which the request would make possible, would be subject to IDO requirements including Neighborhood Edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6-(E), and building design standards (14-16-4-11). These would help ensure appropriate scale and location of development and character of building design. The request furthers Policy 4.1.4.

POLICY 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern. [ABC]

This request furthers this policy because this property is located in “Area of Change” and would be an infill project located in a Major Transit Corridor, it would encourage employment density and redevelopment and would further this policy as this in an infill project in Major Transit Corridor and is the most appropriate area to accommodate growth and discourage the need for development at the urban edge. This request furthers Policy 5.1.1 – Land Use

5.1.1.3 Evaluate existing land uses and development trends to identify opportunities for increased land use intensity to support transit-oriented development within 660 ft. of transit stations along Premium or Major Transit Corridors. [ABC]

The Property has been utilized as a large retail shopping center for more than 58 years. This is clearly an opportunity to further this policy by increasing the land use intensity to support infill development within a Major Transit Corridor. This request furthers Policy 5.1.1.3 – Land Use.

5.1.1.4 Promote ongoing public-private cooperation necessary to create private market conditions that support intensified development of jobs and housing in Transit Corridors. [ABC]

The Property is located in a Major Transit Corridor adjacent to Interstate I-40. The ability to develop the Property in the future is crucial in maintaining its commercial viability in order to continue to provide employment and services necessary to create opportunities to live, learn and work. The location is most appropriate to accommodate development and encourage employment density in an infill location, in a Transit Corridor, and thus discourage the need for development at the urban edge.

Policy 5.1.2-Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The subject site is located in a designated Transit Corridor, and in An Area of Change that is intended to develop. The purpose of the MX-M zone is to provide for a wide array of moderate intensity retail, commercial, institutional and moderate density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Relative to the surrounding area, the more-intense development that the request would make possible would be along this Major Transit Corridor. The request furthers Policy 5.1.2-Development Areas.

GOAL 5.1 Centers & Corridors

Grow as a community of strong Centers connected by a multi-modal network of Corridors

This request is consistent with Goal 5.1 because the subject site, although not designated as an Activity Center, is nestled between two bustling Activity Centers. The American Square Activity Center just north of this site and the Nob Hill Activity Center just to the South, all three sites connected by a Major Transit Corridor creating a strong community of Centers. The Comprehensive Plan designates Centers as areas of more intense development with a variety of uses that allow many different activities connected by Corridors that include a mix of uses and transportation connections within walking distance.

POLICY 5.1.10 Major Transit Corridor

Foster corridors that prioritize high frequency transit service with pedestrian-oriented development

This request is consistent with Policy 5.1.10 because the subject site is located adjacent to and between two Major Transit Corridors fostering high frequency transit service with pedestrian-oriented development minimizing negative impacts on nearby neighborhoods by providing transitions between development along Transit Corridors and residential areas.

GOAL 5.2 Complete Communities

Foster communities where residents can live, work, learn, shop and play together.

POLICY 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. [ABC]

This request furthers Goal 5.2 and Policy 5.2.1 because the proposed zone change request for mixed-use zone of MX-M would allow for a mixture of non-residential and relatively dense residential uses that could help create a healthy, sustainable and distinct community in an Area of Change. The request would make possible development of commercial uses along I-40, Indian School and Carlisle and close to the surrounding neighborhoods on the north, east, south and west sides of this corridor which is conveniently accessible from surrounding neighborhoods. This will encourage redevelopment that brings goods and services within walking and biking distance of neighborhoods. The location within a transit corridor offers choice transportation to services and employment. Characteristics of the community will be maintained since the requested zoning is virtually equivalent to the historic zoning designation, and occur in an existing commercial zone within a transit corridor. The continued commercial viability of the Property is necessary to maintain productive use of the property and avoid the continued existence of a shuttered under-utilized property. This request furthers Policy 5.2.1 – Land Use

POLICY 5.3.1

Infill Development: Support additional growth in areas with existing infrastructure and public facilities. [ABC]

This request furthers Policy 5.3.1 because the proposed zone change will support additional growth in an Area of Change with existing infrastructure and public facilities. This request furthers Policy 5.3.1 – Land Use

GOAL 5.6 City Development Areas

Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development is and near Areas of Consistency reinforces the character and intensity of the surrounding area.

POLICY 5.6.2

Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged. [A]

The subject Property is located in an Area of Change and will direct growth and more intense development to this corridor where change is encouraged. Because the proposed zone change will encourage growth and high-quality future redevelopment in accordance with this policy in a Major Transit Corridor in an area with adequate infrastructure, the zone change from MX-L uses to the requested MX-M zoning will have the effect of discouraging zone changes from industrial uses to either mixed use or residential zones. This request furthers Policy 5.6.2 – Land Use

POLICY 6.1.3 – Auto Demand:

Reduce the need for automobile traveling by increasing mixed-use development, infill development within Centers and travel demand management (TDM) programs.

The request could increase mixed-use development and infill development which would reduce the need for automobile traveling. Because Carlisle Blvd. is a Major Transit Corridor. Fixed Route

5 (on Carlisle) and Commuter Route 6 on Indian School. Route 5 has the second highest ridership in the Transit Department's system. It is one of the longest routes, going from Tramway and Montgomery to the Alvarado Transit Center. Commuter Route 6 runs from Tramway and Rover to the Alvarado Transportation Center. There are stop pairs for both routes either side of the Indian School / Carlisle intersection. This request furthers Policy 6.1.3 – Auto Demand

POLICY 7.3.5

Development Quality: Encourage innovative and high-quality design in all development. [ABC]

The proposed zone change and subsequent redevelopment is being led by Modulus Architects, Inc. a local architecture firm with a long history of high-quality design such as the rebirth of Winrock Town Center, Sierra Vista Shopping Center which was the former Kmart at Montgomery and Eubank and West Central Plaza, the former Kmart at Central and Atrisco.

GOAL 8.1 Placemaking

Create places where business and talent will stay and thrive

POLICY 8.1.1 Diverse Places

Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

- a) *Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels. [ABC]*

This request furthers Goal 8.1 and Policy 8.1.1 because this request for a Zone Map Amendment to MX-M will foster a range of opportunities for different densities and uses in a location highly visible, accessible and central to all of Albuquerque for a rare opportunity to create a sense of “place” and encourage a diverse range of economic development opportunities in an Area of Change nestled between two Activity Centers and adjacent to a Major Transit Corridor.

POLICY 8.1.2

Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy. [ABC]

This request furthers this Policy because the proposed zone change will encourage economic development that will provide jobs, goods, and services which improve the life for new and existing residents and contribute to a diverse and vibrant economy by revitalizing a developed area with growth that is consistent with and enhances the establish character of existing development. This type of economic development is best suited for infill locations supported by commercial corridors. This subject site encompasses all aspects of successful economic development and furthers this Policy.

POLICY 8.1.3

Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending. [ABC]

This request furthers this Policy by allowing for future redevelopment of the property providing an incentive to local business to expand and diversify employment, promote local hiring, higher wages and business that contributes to the economic base of the community and region that helps reduce reliance on government spending.

As demonstrated in our policy narrative, the proposed zone change would further a preponderance of Goals and Policies found in the ABC Comprehensive Plan and would clearly facilitate the desired goals of the Comp Plan which provides a framework to guide private development land use decisions, and decision-makers as they contemplate new plans affecting the whole community.

- B.** If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:
- a. There was typographical or clerical error when the existing zone district was applied to the property.
 - b. There has been a significant change in neighborhood or community conditions affecting the site.
 - c. A different zone district is more advantageous to the community as articulated by the ABC Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

This criterion is not applicable as the proposed amendment is wholly in an Area of Change as shown on the ABC Comp Plan.

- C.** If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:
- a. There was typographical or clerical error (as opposed to an error in the judgment of the approving body) when the existing zone district was applied to the property.
 - b. There has been a significant change in neighborhood or community conditions affecting the site.
 - c. A different zone district is more advantageous to the community as articulated by the ABC Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The proposed amendment is located in an Area of Change (as shown in the ABC Comp Plan). Our application demonstrates that (c). The change would be more advantageous to the community since many of the ABC Comp Plan goals and policies will be furthered as articulated in the policy analysis section to follow. This proposed zone change will allow for the implementation of redevelopment and implementation of patterns of land use that are consistent with the Comp Plan conditions and historic land use, and will promote connectivity along the transit corridor as a destination for employment and services.

D. The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The permissive uses between the MX-L zoning designation and the MX-M zoning designation are very similar. For discussion, I have outlined the permissive uses in MX-M in the following bullet list as identified in Table 4-2-1 of the IDO (Allowable Uses):

MX-M Permissive

Dwelling, Townhouse	Dwelling, live-work
Dwelling, multi-family	Assisted living facility
Community residential facility small	Community Residential facility medium
Community residential facility, large	Group home, small
Group home, medium	Sorority or fraternity
Adult or child day care facility	Community center or library
Elementary or middle school	High school
Hospital	Museum or art gallery
Parks and open space	Religious institution
Sports field	University or college
Vocational school	Community Garden
Veterinary hospital	Other pet services
Auditorium or theater	Bar
Catering service	Health club or gym
Nightclub	Residential Community amenity
Restaurant	Tap room or tasting room
Other indoor entertainment	Hotel or motel
Car wash	Light vehicle fueling station
Light vehicle repairs	Light vehicle sales
Paid parking lot	Parking structure
Bank	Club or event facility
Commercial services	Medical or dental clinic
Mortuary	Office
Personal business, small	Personal business large
Bakery goods	Farmers Market
General retail, small	General retail, medium
Grocery store	Liquor retail
Pawn Shop	Park and ride
Transit facility	Artisan manufacturing
Solar energy generation	Utility, electric
Utility, other major	

This property is underutilized and currently a boarded up vacant “big box” serving as a mecca for the homeless and as a dumping station. This zone map amendment and subsequent redevelopment will be a positive change as compared to if the property were to stay in its current condition. This opportunity for redevelopment will provide more mixed-use options, housing diversity options and commercial retail choices for the area. There is existing access from Interstate I-40 and Carlisle, this access eliminates the need for vehicles to drive through any neighborhoods to access the project.

Future re-development of this property and possible uses that could be considered harmful to adjacent property owners have been mitigated by specific use standards and regulations identified in the

Integrated Development Ordinance. All uses shall comply with City ordinances regulating noise, odors, vibration, glare, heat, and other special nuisance conditions affecting other properties as well as use-specific standards.

Permissive uses that could be construed as having possible harmful effects such as a taproom, bar, nightclub, fueling station or retail liquor are regulated by local, state and federal requirements and must comply with all New Mexico state laws, including but not limited to any required spacing from other uses or facilities. They are also controlled by Specific-Use Standards found in the IDO to mitigate potential harmful affects on the surrounding area. Future development on the subject site under the MX-M zone would be subject to IDO requirements including Neighborhood Edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6-(E), and building design standards (14-16-4-11). These would help ensure appropriate scale and location of development and character of building design. These Use Standards include precautionary measures such as distance requirements, size restrictions, design standards, screening requirements and various other measures. Additionally, re-development of this subject site must still go through a rigorous site planning approval process at which time the public will be fully engaged.

- E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 the following requirements:
- a. Have adequate capacity to serve the development made possible by the change of zone.
 - b. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 - c. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
 - d. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.

This request furthers this requirement because the City's existing infrastructure and public improvements currently have adequate capacity to serve the existing development, however, we fully understand that the redevelopment of this property may require ungraded infrastructure, both public and/or private to adequately service the needs of the development. Although those improvements are unknown at this time, our clients have sufficient resources to guarantee any work needed via the Infrastructure Agreement process with the City of Albuquerque.

- F. The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

The justification provided herein is not based on the property's location at the intersection of a Major Transit Corridor and Commuter Corridor, but rather on a preponderance of applicable Goals and Policies of the Comp Plan as outlined in our policy narrative. The current zoning request is to allow for future MX-M uses, future development permissive by the MX-M zone will further multiple goals and policies of the Comprehensive Plan and will serve as an excellent redevelopment opportunity. This zone change seeks to provide use options that are in demand in the surrounding area and the City as a whole. While the location of the property at the intersection of a Commuter Corridor and Major Transit Corridor, is not the main reason for providing justification for commercial zoning; however, it does provide rationale for why this site

is suitable for the proposed MX-M zoning and associated uses. Access and connectivity are important considerations for mixed-use development.

- G. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

This justification is not based completely or predominantly on the cost of land or other economic considerations and are not the determining factor for this zone change request. The requested zone change will allow MX-M uses to develop, thereby providing more commercial, retail, and mixed-use housing choices in an area of Albuquerque currently underserved by such facilities.

- H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

- a. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
- b. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
- c. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

Application of the MX-M zone may constitute a spot zone because it is different from the surrounding zones to the east and west. The requested change to MX-M will clearly facilitate implementation of the ABC Comp Plan, as amended, as discussed in the preponderance of goals and policies further by the change.

This proposal qualifies under criteria (c) in that the nature of structures already on the premises make it unsuitable for the uses allowed in any adjacent zone district, because the property is developed with an approximately 110,000 SF building. "General retail, large" is a nonconforming use in the MX-L zone. To be conforming in the MX-L zone, the building would have to be divided into over 11 separate establishments or tenant spaces. Even with two tenants, the building is larger than would be allowed as a "General retail, medium" use.

The approval of this request for a zone change to MX-M for the subject property will ensure that a very important and crucial property in Albuquerque remains a viable project prime for redevelopment. We respectfully request that the EPC support this request with an approval.

Sincerely,

Angela M. Williamson, CEO/Principal
Modulus Architects, Inc.
100 Sun Ave NE, Suite 305
Albuquerque, New Mexico 87109
Office: 505.338.1499 ext. 1000
Cell: 505.999.8016
Email: awilliamson@modulusarchitects.com

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 18-359 Date: 12-17-2018 Time: 2:00 pm

Address: 2100 Carlisle

AGENCY REPRESENTATIVES AT MEETING:

Planning: Cheryl Sommerfeldt

Code Enforcement: _____

Fire Marshall: _____

Transportation: _____

Other: _____

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!

THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL..

Additional research may be necessary to determine the exact type of application and/or process needed. Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: MX-L zones to MX-M zones

could go for Voluntary Zone Conversion

Old Zoning: SU-1 for C-1 use w/ package liquor only in conjunction

SITE INFORMATION: w/ Full Service Grocery

Zone: MX-L Size: 1/2 acres

Use: Commercial Retail Overlay Zone: N/A

Comp Plan Area Of: Change Comp Plan Corridor: Carlisle - Major Transit Corridor

Comp Plan Center: VA MPOS or Sensitive Lands: N/A

Parking: _____ MR Area: N/A

Landscaping: _____ Street Trees: _____

Use Specific Standards: N/A

Dimensional Standards: N/A Altura Addition N/A

*Neighborhood Organization/s: District 7 Coalition of Neighborhood Association

*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at www.cabq.gov/neighborhoods/resources.

PROCESS:

Type of Action: EPC Zone Change or Voluntary Zone Conversion

Review and Approval Body: _____ Is this PRT a requirement? _____

Over 5 acres - DRB Site Plan

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 18-359 Date: 12-17-2018 Time: 2:00pm

Address: 2100 Carlisle

NOTES: _____

MX-M

We does not go away for 2 years
construction continues non conformance
looking for 200,000 gsf

:2001 SDP Approved - Voided now

• What exists - as built

• 10% expansion administratively 14,000 gsf

• 25% via ZHE expansion of nonconforming

• Voluntary Zone Change Conversion to MX-M

• send examples - of Zone Change letters to me 11/1

• sign existing nonconforming - allowed to continue

• everything in 7 yr old approval is void

• still considered SU-1 (1965) § 2001 - Void

NEIGHBORHOOD NOTIFICATION

Angela Williamson

From: Quevedo, Vicente M. <vquevedo@cabq.gov>
Sent: Thursday, December 20, 2018 3:21 PM
To: Angela Williamson
Subject: Neighborhood Meeting Inquiry_2100 CARLISLE BLVD NE_EPC
Attachments: IDOZoneAtlasPage_H-16-Z.PDF; Neighborhood Meeting Inquiry_2100 CARLISLE BLVD NE_EPC.xlsx

Angela,

See list of associations below and attached regarding your EPC submittal. In addition, we have included web links below that will provide you with additional details about the new Integrated Development Ordinance (IDO) requirements. The web links also include notification templates that you may utilize when contacting each association. Thank you.

Association Name	First Name	Last Name	Email	Address
✓ Summit Park NA	Jan	Schuetz	jschuetz@unm.edu	3501 Calle Del F NE
✓ Summit Park NA	Elisha	Allen	elisha@unm.edu	817 Amherst Dr
✓ Altura Addition NA	Colin	Adams	colinadams@earthlink.net	1405 Solano Dr
✓ Altura Addition NA	Denise	Hammer	ArchHero@aol.com	1735 Aliso Drive
✓ District 7 Coalition of Neighborhood Associations	Lynne	Martin	lmartin900@aol.com	1531 Espejo NE
✓ District 7 Coalition of Neighborhood Associations	David	Haughawout	davidh2420@comcast.net	2824 Chama Str

IDO – Public Notice Requirements & Template: <https://www.cabq.gov/planning/urban-design-development/public-notice>

IDO – Neighborhood Meeting Requirements & Template: <https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

IDO - Administration & Enforcement section: <http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17-Part6.pdf>

Respectfully,

Vicente M. Quevedo, MCRP
Neighborhood Liaison
Office of Neighborhood Coordination
City of Albuquerque – City Council
(505) 768-3332

Website: www.cabq.gov/neighborhoods



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From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov
Sent: Wednesday, December 19, 2018 10:35 AM
To: Office of Neighborhood Coordination <AWILLIAMSON@MODULUSARCHITECTS.COM>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:

Environmental Planning Commission

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

Contact Name

ANGELA WILLIAMSON

Telephone Number

505.338.1499

Email Address

AWILLIAMSON@MODULUSARCHITECTS.COM

Company Name

MODULUS ARCHITECTS

Company Address

100 SUN AVE NE, SUITE 305

City

ALBUQUERQUE

State

NM

ZIP

87109

Legal description of the subject site for this project:

TR A PLT OF TRS A & B CARLISLE & INDIAN SCHOOL SUB'D BEING APART OF BLKS 16 & 17 & A PART OF BLKS 14 & 15 NETHERWOODPARK SECOND FILING EXCL PORTIONS OUT TO R/W CONT 10.0890 AC

Physical address of subject site:

2100 CARLISLE BLVD NED

Subject site cross streets:

CARLISLE AND INDIAN SCHOOL

Other subject site identifiers:

KMART DEVELOPMENT

This site is located on the following zone atlas page:

H-16-Z

=====
This message has been analyzed by Deep Discovery Email Inspector.

Angela Williamson

From: Angela Williamson
Sent: Monday, January 7, 2019 3:22 PM
To: 'jschuetz@unm.edu'
Cc: Stephen Dunbar; Ashlea Stewart
Subject: Emailed Notice per Albuquerque's Integrated Development Ordinance 14-16-6-4(K)(2)

Dear Mrs. Jan Schuetz,

As the recognized representative of the Summit Park Neighborhood Association, we are notifying you that we will be submitting an application for a Zone Map Amendment to the Environmental Planning Commission. This application is for the property located at 2100 Carlisle Blvd NE - Albuquerque, New Mexico. Our request is based on the wrong zoning designation being applied to this property during the recent City of Albuquerque Integrated Development Ordinance Zoning Conversion process. It is our position that the zoning was incorrectly applied in that it would not allow for medium or large retail establishments or grocery stores over 10,000 square feet. Obviously this is in direct conflict with what has already been approved for this site and what is currently on the site. The current zoning is MX-L and we intend to pursue a change in zoning to MX-M.

The property owner for this request is Carlisle Associates, LP., I will represent this property owner as the Agent for this request.

Subject Property Address: 2100 Carlisle Blvd NE. – Albuquerque, New Mexico

The anticipated public hearing before the Environmental Planning Commission will be held on March 14, 2019 in the Hearing Room (Basement Level) of Plaza Del Sol, 600 2nd St NW, Albuquerque, NM 87102. You can check the agenda for the relevant decision-making body online here: <https://www.cabq.gov/planning/boards-commissions> or call the Planning Department at 505-924-3860

You may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Section 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetingsfor-proposed-development>

Please contact me with any questions or concerns at 338-1499 ext. 1000 or you can respond to this email: awilliamson@modulusarchitects.com

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



Angela Williamson

From: Angela Williamson
Sent: Monday, January 7, 2019 3:23 PM
To: 'elisha@unm.edu'
Cc: Stephen Dunbar
Subject: Emailed Notice per Albuquerque's Integrated Development Ordinance 14-16-6-4(K)(2)

Dear Ms. Elisha Allen,

As the recognized representative of the Summit Park Neighborhood Association, we are notifying you that we will be submitting an application for a Zone Map Amendment to the Environmental Planning Commission. This application is for the property located at 2100 Carlisle Blvd NE - Albuquerque, New Mexico. Our request is based on the wrong zoning designation being applied to this property during the recent City of Albuquerque Integrated Development Ordinance Zoning Conversion process. It is our position that the zoning was incorrectly applied in that it would not allow for medium or large retail establishments or grocery stores over 10,000 square feet. Obviously this is in direct conflict with what has already been approved for this site and what is currently on the site. The current zoning is MX-L and we intend to pursue a change in zoning to MX-M.

The property owner for this request is Carlisle Associates, LP., I will represent this property owner as the Agent for this request.

Subject Property Address: 2100 Carlisle Blvd NE. – Albuquerque, New Mexico

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Please contact me with any questions or concerns at 338-1499 ext. 1000 or you can respond to this email: awilliamson@modulusarchitects.com

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



Angela Williamson

From: Angela Williamson
Sent: Monday, January 7, 2019 3:24 PM
To: 'colinadams@earthlink.net'
Cc: Stephen Dunbar
Subject: Emailed Notice per Albuquerque's Integrated Development Ordinance 14-16-6-4(K)(2)

Dear Mr. Adams,

As the recognized representative of the Altura Addition Neighborhood Association, we are notifying you that we will be submitting an application for a Zone Map Amendment to the Environmental Planning Commission. This application is for the property located at 2100 Carlisle Blvd NE - Albuquerque, New Mexico. Our request is based on the wrong zoning designation being applied to this property during the recent City of Albuquerque Integrated Development Ordinance Zoning Conversion process. It is our position that the zoning was incorrectly applied in that it would not allow for medium or large retail establishments or grocery stores over 10,000 square feet. Obviously this is in direct conflict with what has already been approved for this site and what is currently on the site. The current zoning is MX-L and we intend to pursue a change in zoning to MX-M.

The property owner for this request is Carlisle Associates, LP., I will represent this property owner as the Agent for this request.

Subject Property Address: 2100 Carlisle Blvd NE. – Albuquerque, New Mexico

The anticipated public hearing before the Environmental Planning Commission will be held on March 14, 2019 in the Hearing Room (Basement Level) of Plaza Del Sol, 600 2nd St NW, Albuquerque, NM 87102. You can check the agenda for the relevant decision-making body online here: <https://www.cabq.gov/planning/boards-commissions> or call the Planning Department at 505-924-3860

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Please contact me with any questions or concerns at 338-1499 ext. 1000 or you can respond to this email: awilliamson@modulusarchitects.com

All my best,
Angela

**ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.**

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



Angela Williamson

From: Angela Williamson
Sent: Monday, January 7, 2019 3:25 PM
To: 'ArchHero@aol.com'
Subject: FW: Emailed Notice per Albuquerque's Integrated Development Ordinance 14-16-6-4(K)
(2)

Dear Mrs. Denise Hammer,

As the recognized representative of the Altura Addition Neighborhood Association, we are notifying you that we will be submitting an application for a Zone Map Amendment to the Environmental Planning Commission. This application is for the property located at 2100 Carlisle Blvd NE - Albuquerque, New Mexico. Our request is based on the wrong zoning designation being applied to this property during the recent City of Albuquerque Integrated Development Ordinance Zoning Conversion process. It is our position that the zoning was incorrectly applied in that it would not allow for medium or large retail establishments or grocery stores over 10,000 square feet. Obviously this is in direct conflict with what has already been approved for this site and what is currently on the site. The current zoning is MX-L and we intend to pursue a change in zoning to MX-M.

The property owner for this request is Carlisle Associates, LP., I will represent this property owner as the Agent for this request.

Subject Property Address: 2100 Carlisle Blvd NE. – Albuquerque, New Mexico

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Please contact me with any questions or concerns at 338-1499 ext. 1000 or you can respond to this email: awilliamson@modulusarchitects.com

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



Angela Williamson

From: Angela Williamson
Sent: Monday, January 7, 2019 3:26 PM
To: 'lmartin900@aol.com'
Subject: Emailed Notice per Albuquerque's Integrated Development Ordinance 14-16-6-4(K)(2)

Dear Lynne Martin,

As the recognized representative of the District 7 Coalition of Neighborhood Associations, we are notifying you that we will be submitting an application for a Zone Map Amendment to the Environmental Planning Commission. This application is for the property located at 2100 Carlisle Blvd NE - Albuquerque, New Mexico. Our request is based on the wrong zoning designation being applied to this property during the recent City of Albuquerque Integrated Development Ordinance Zoning Conversion process. It is our position that the zoning was incorrectly applied in that it would not allow for medium or large retail establishments or grocery stores over 10,000 square feet. Obviously this is in direct conflict with what has already been approved for this site and what is currently on the site. The current zoning is MX-L and we intend to pursue a change in zoning to MX-M.

The property owner for this request is Carlisle Associates, LP., I will represent this property owner as the Agent for this request.

Subject Property Address: 2100 Carlisle Blvd NE. – Albuquerque, New Mexico

The anticipated public hearing before the Environmental Planning Commission will be held on March 14, 2019 in the Hearing Room (Basement Level) of Plaza Del Sol, 600 2nd St NW, Albuquerque, NM 87102. You can check the agenda for the relevant decision-making body online here: <https://www.cabq.gov/planning/boards-commissions> or call the Planning Department at 505-924-3860

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Please contact me with any questions or concerns at 338-1499 ext. 1000 or you can respond to this email: awilliamson@modulusarchitects.com

All my best,
Angela

**ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.**

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



Angela Williamson

From: Angela Williamson
Sent: Monday, January 7, 2019 3:27 PM
To: 'davidh2420@comcast.net'
Cc: Stephen Dunbar
Subject: Emailed Notice per Albuquerque's Integrated Development Ordinance 14-16-6-4(K)(2)

Dear David,

As the recognized representative of the District 7 Coalition of Neighborhood Associations, we are notifying you that we will be submitting an application for a Zone Map Amendment to the Environmental Planning Commission. This application is for the property located at 2100 Carlisle Blvd NE - Albuquerque, New Mexico. Our request is based on the wrong zoning designation being applied to this property during the recent City of Albuquerque Integrated Development Ordinance Zoning Conversion process. It is our position that the zoning was incorrectly applied in that it would not allow for medium or large retail establishments or grocery stores over 10,000 square feet. Obviously this is in direct conflict with what has already been approved for this site and what is currently on the site. The current zoning is MX-L and we intend to pursue a change in zoning to MX-M.

The property owner for this request is Carlisle Associates, LP., I will represent this property owner as the Agent for this request.

Subject Property Address: 2100 Carlisle Blvd NE. – Albuquerque, New Mexico

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Please contact me with any questions or concerns at 338-1499 ext. 1000 or you can respond to this email: awilliamson@modulusarchitects.com

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



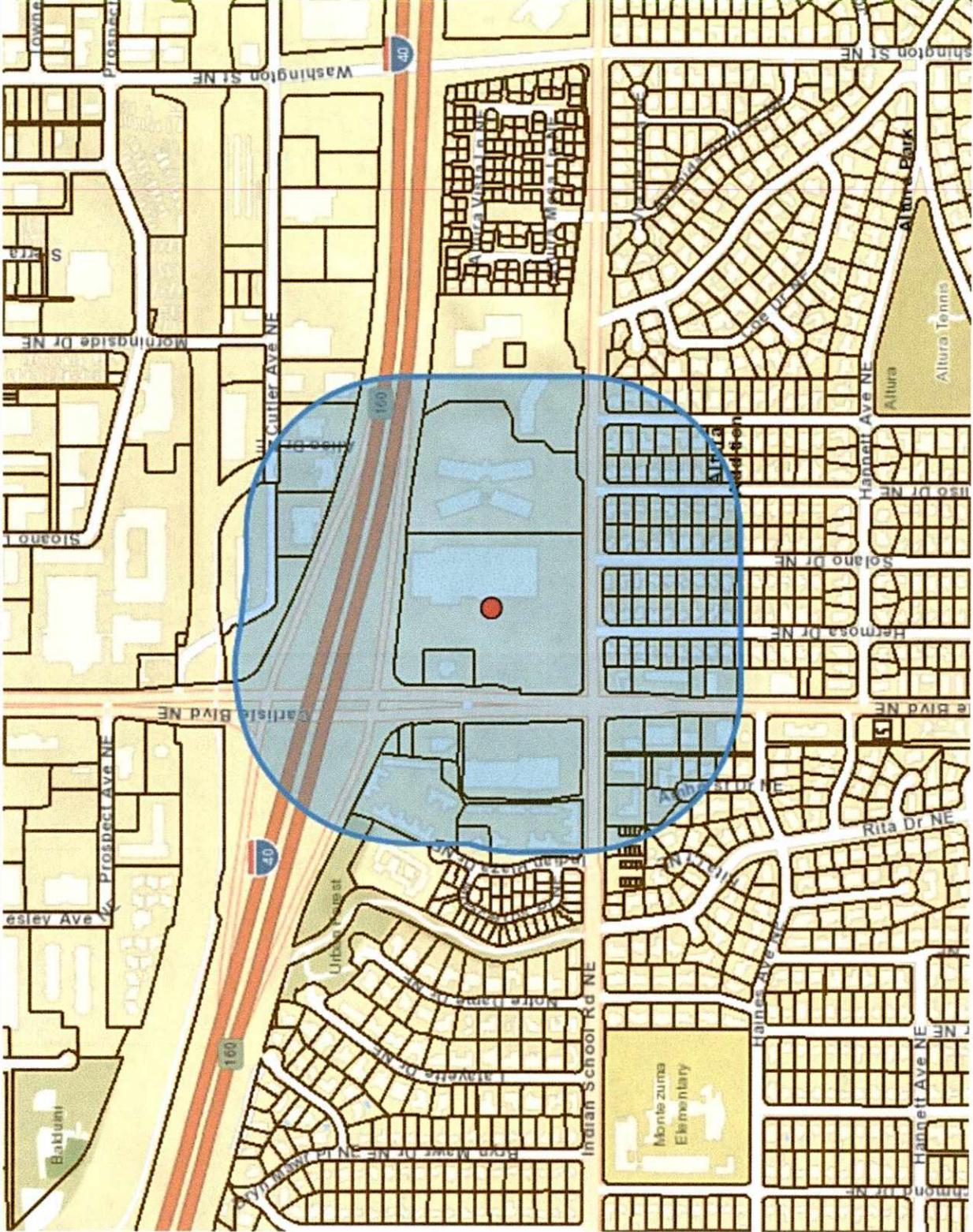


2100 Carlisle Blvd. NE



Legend

- Bernalillo County Parcels
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED
- World Street Map**



Notes

Buffer: 645ft.
ROW: 1-40 545ft.

1,202 Feet

601

0



WGS_1984_Web_Mercator_Auxiliary_Sphere
12/19/2018
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1: 7,212

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

geometry	UPC	Owner
Geocortex.	101705805052721518	SHOVER KERRY B TRUSTEE ALICE M MEAD SHOVER RVT
Geocortex.	101705812650421844	SZAUTER PAUL G & MERI FOX
Geocortex.	101705801145921425	ADELANTE DEVELOPMENT CENTER INC
Geocortex.	101605846951612850	ABBAY LORIN E
Geocortex.	101705803950921522	BYRD KAYLA SUZANNE TRUSTEE BYRD RVT
Geocortex.	101705807950321614	STEPHENSON NINA KAY TRUSTEE STEPHENSON TRUST
Geocortex.	101705809649721723	STARNER ROBERT J
Geocortex.	101705810851121715	PADILLA JOHN M
Geocortex.	101705812650521843	PARADA ALISHA N
Geocortex.	101605847251212829	HAINES PARK TOWNHOME ASSOC
Geocortex.	101705809652721718	JULIAN SERENA Y
Geocortex.	101705901506330139	CARLSLE ASSOCIATES LTD PTNS C/O ROSEN ASSOC MGMT CO
Geocortex.	101705806852121620	LEVEQUE TESSA FAYE & BEIERLEIN EDWARD
Geocortex.	101705805048521511	KNOX MARY E
Geocortex.	101705802151521416	PITTS ELMER R & LENA W
Geocortex.	101605850148812809	TENZIN TSEWANG & TSEWANG TSUNDUE S
Geocortex.	101705807952121617	LAMB AARON W & MAUREEN E
Geocortex.	101705806850321623	ROYMAN SHARON MARIE & RICHARD T
Geocortex.	101705802152821418	MOORE WILLIAM R & HELEN J
Geocortex.	101705812652721840	ALBA JUDY G & ARMANDO
Geocortex.	101705803948521526	KABOUREK JOSEPH BERNARD III & CRABB MARGARET JAYNE
Geocortex.	101705807947321609	BURKHARDT LEAH C
Geocortex.	101705809649021724	CAIRD IAN A & ROXANNA E S
Geocortex.	101705806848521626	MATTOX ROBERT C
Geocortex.	101605848451412826	ROMANOWSKI JEFFREY J & DARLENE
Geocortex.	101705810852721717	BELL DAVID P C/O BRUNI KARR AGENCY
Geocortex.	101705905514731013	NICKEL & COMPANY LLC
Geocortex.	101605846850312839	GIBEL LAWRENCE J & ROSALIND E CO-TRUSTEES GIBEL TRUST
Geocortex.	101605847451412848	LOKEN ERIC D & LORETTA R
Geocortex.	101705802147921410	CHAVEZ THOMAS E & LOPEZ-CHAVEZ CELIA B
Geocortex.	101605950106140215	RANDYS INVESTMENTS LLC C/O WILD OATS MARKETS INC ATTN LEASE ADM
Geocortex.	101705908015931006	AMAFCA
Geocortex.	101605850049812808	PACE ROY A & JEANETTE A

Geocortex. 101605851548012815	PUMA BRUCE & KATHRYN MYERS
Geocortex. 101705801147521426	CARLO INC
Geocortex. 101605949007540212	CEDARS MFA INVESTMENT GROUP LLC
Geocortex. 101705806847921627	SUNWEST TRUST INC CUST BARBARA BLOUNT IRA 25.6% INT & SUNWEST TR INC CUST ETAL
Geocortex. 101705805051521516	PALLARDY MARK A & SUSAN E PAGE
Geocortex. 101605951308040209	STATE HIGHWAY COMM
Geocortex. 101705803949721524	BRENNAN MARIA TRUST & BRENNAN GERARD DEL C/O KATHLEEN MARIA BRENNAN
Geocortex. 101705814152421822	STARZYNSKI JAMES S & READ JOY
Geocortex. 101705801052521419	ALAM LLC
Geocortex. 101705801150421423	CARLISLE SHOPS LLC C/O PETERSON PROP REAL ESTATE SERVICES INC
Geocortex. 101705805049121512	HALCLI PATRICIA
Geocortex. 101705809650221722	OSOFSKY WILLIAM
Geocortex. 101705805047921510	ESTRADA STANLEY H & DIANE
Geocortex. 101705802148521411	PARKER RICHARD
Geocortex. 101605950603640205	RANDYS INVESTMENTS LLC C/O WILD OATS MARKETS INC ATTN LEASE ADM
Geocortex. 101605947105040214	CEDARS MFA INVESTMENT GROUP LLC
Geocortex. 101605951108640210	STATE HIGHWAY COMM
Geocortex. 101705802147321409	HARRIS PAMELA DEGARMO TRUSTEE HARRIS RVT
Geocortex. 101605946208040213	CEDARS MFA INVESTMENT GROUP LLC
Geocortex. 101705809647821726	OWEN MICHAEL TYLER
Geocortex. 101605945610640204	CEDARS MFA INVESTMENT GROUP LLC
Geocortex. 101705807949721613	HAHN DONALD L & MARGARET P C/O DAVID HAHN
Geocortex. 101705810748521711	CHALVERUS KAREN M & WILLIAM A
Geocortex. 101705810849021712	YEE ELLEN F T & PIERRE LANTHIEZ
Geocortex. 101705810850521714	BLEICHER DAVID W & RUBIN HELENE G TRUSTEES BLEICHER TRUST
Geocortex. 101705807950821615	STOCKTON TOMAS B
Geocortex. 101705802149721413	CORDOVA MANUEL ETUX
Geocortex. 101705806849121625	ORTIZ IGNACIO J & ANNA M
Geocortex. 101705810851921716	SUMMERS CRAIG ETUX
Geocortex. 101705810849821713	DWYER KAREN L
Geocortex. 101705805050921515	YOCHEs BETTY G
Geocortex. 101605840950612807	3500 INDIAN SCHOOL LLC
Geocortex. 101705801049121424	CARLO INC
Geocortex. 101705804947321509	BASSETT RALPH ALBERT & MARYANN CO-TRUSTEES BASSETT FAMILY TRUST

Geocortex. 101705906512431011	REULE LLC	
Geocortex. 101705803952621519	MANSOUR RAFAT M	
Geocortex. 101605847451212847	MIRABAL CHERYL S & RALPH JOSEPH MIRABAL JR	
Geocortex. 101705807951421616	WOLSIEFER-LEAK HANNAH	
Geocortex. 101605851546812813	BALDONADO ESTHER LLC	
Geocortex. 101705904513431010	GREEN JEANS LLC	
Geocortex. 101705802150921415	PAGE ABBY	
Geocortex. 101605847451612849	GUILLOT DALE J	
Geocortex. 101705806849721624	JONES JACQUELINE W	
Geocortex. 101605851551512822	PADILLA VICTOR & DEBRA MEDINA CO-TRUSTEES DOROTHY PADILLA RVT ET AL	
Geocortex. 101605850148112810	FRITZ JANE F	
Geocortex. 101705803952121520	SANCHEZ FRANCISCO M	
Geocortex. 101605947814640211	CEDARS MFA INVESTMENT GROUP LLC	
Geocortex. 101705806851521621	WILLIAMS ARVIS G JR	
Geocortex. 101605850147412811	GETER MATTHEW & MARIANNA	
Geocortex. 101705802150321414	1823 HERMOSA LLC	
Geocortex. 101705805052121517	NAZARIAN HARUTIUN & TANYA	
Geocortex. 101705806847321628	MUSSMANN SHARON P	
Geocortex. 101705809648521725	MELNIKOFF ARNOL E	
Geocortex. 101705908504330110	SR ALBUQUERQUE APARTMENTS LLC C/O TOWN MANAGEMENT LLC	
Geocortex. 101705802149121412	VIGIL DOLORES	
Geocortex. 101705803950321523	SNYDER PATRICIA	
Geocortex. 101705805049721513	SHADLE RICHARD P	
Geocortex. 101705911411630810	FRATERNAL ORDER OF POLICE ALBUQUERQUE LODGE NO I	
Geocortex. 101705913411430820	STONE AGE REAL ESTATE LLC	
Geocortex. 101605847451012846	DIAZ TRUMAN ROSEMARY	
Geocortex. 101705804950321514	BOOKS GENEVI LEE	
Geocortex. 10170591400383010911	NETHERWOOD PARTNERS	
Geocortex. 101605848648512804	BURKI ELIZABETH A	
Geocortex. 101705807949021612	MARRON BRUCE D	
Geocortex. 101705807948521611	PATCHELL JOHN CLIFTON & HELEN LOUISE	
Geocortex. 101705812651721841	GWENDOLYN K BRANCH TRUST BRANCH TRUSTEE	
Geocortex. 101705806852721619	PLAMAN JILL	
Geocortex. 101705809652121719	OLSON KRISTINE M	

Geocortex. 101605951307040206 SULLIVAN LTD
Geocortex. 101605850151512824 3500 INDIAN SCHOOL LLC
Geocortex. 101705904004630123 CARLISLE ASSOC LP C/O KMART CORP PROP TAX COMPLIANCE DEPT 768TAX B2-116A
Geocortex. 101605848850112806 SCHULTZ DONNA T & SCHULTZ JEFFREY W
Geocortex. 101605851650212820 2001 CARLISLE LLC
Geocortex. 101705809651421720 STOFF JUDY K
Geocortex. 101605851549012818 BAUGHMAN KAROL A TRUSTEE BAUGHMAN LVT
Geocortex. 101705908712231012 CHECK WITH ME LLC
Geocortex. 101705807952721618 BILL LILY H & NATHANIEL O KILGO-BILL
Geocortex. 101705806850821622 WRIGHT JONATHAN & AMANDA
Geocortex. 101705803951521521 GALLEMORE MARY M
Geocortex. 101705802152221417 MERKLEY HONG T
Geocortex. 101705809650921721 SMITH KATHLEEN B
Geocortex. 101705803949121525 KENNEDY BRANDON S
Geocortex. 101705807947921610 WRIGHT JAMES L & HAMMER DENISE L
Geocortex. 101605848449412805 WELLMAN NORMAN E & MARJORIE E
Geocortex. 101705803947921527 MCCONNELL BRUCE
Geocortex. 101705812651021842 MAESTAS BELINDA T
Geocortex. 101705803947321528 CONGREGATION B'NI ISRAEL
Geocortex. 101605847649712840 REYNOLDS WILLIAM M

Owner Address	Owner Add	SITUS Addr	Tax District	Legal Descr	Property Cl	Acres
1839 SOLANO DR NE	ALBUQUER 1839 SOLA	ALBUQUER A1A		* 001 B ALTR		0.1653
1908 MORNINGSIDE DR NE	ALBUQUER 1908 MORI	ALBUQUER A1A		* 006 E ALTR		0.1928
3900 OSUNA RD NE	ALBUQUER 1816 CARLI	ALBUQUER A1A		TR A1B PLAC		0.6696
3406 INDIAN SCHOOL RD NE APT A	ALBUQUER 3406 A IND	ALBUQUER A1A		* 1 9 SUMNR		0.0217
1826 HERMOSA DR NE	ALBUQUER 1826 HERM	ALBUQUER A1A		* 030 B ALTR		0.1653
1823 ALISO DR NE	ALBUQUER 1823 ALISC	ALBUQUER A1A		* 005 C ALTR		0.1653
1818 ALISO DR NE	ALBUQUER 1818 ALISC	ALBUQUER A1A		* 028 D ALTR		0.1653
1917 MORNINGSIDE DR NE	ALBUQUER 1917 MORI	ALBUQUER A1A		ALTURA AC R		0.1928
1912 MORNINGSIDE DR NE	ALBUQUER 1912 MORI	ALBUQUER A1A		* 005 E ALTR		0.259
3408 INDIAN SCHOOL RD NE APT D	ALBUQUER N/A	ALBUQUER A1A		TR A BLK 9 R		0.2994
1838 ALISO DR NE	ALBUQUER 1838 ALISC	ALBUQUER A1A		* 033 D ALTR		0.1653
33 S SERVICE RD	JERICHO N 2110 CARLI	ALBUQUER A1A		TR B PLT OIC		0.667
1834 SOLANO DR NE	ALBUQUER 1834 SOLA	ALBUQUER A1A		* 032 C ALTR		0.1653
1811 SOLANO DR NE	ALBUQUER 1811 SOLA	ALBUQUER A1A		* 008 B ALTR		0.1653
1831 HERMOSA DR NE	ALBUQUER 1831 HERM	ALBUQUER A1A		* 003 A ALTR		0.1653
6337 JAGUAR DR	SANTA FE N 1916 AMHI	ALBUQUER A1A		* 004 001P R		0.1607
1835 ALISO DR NE	ALBUQUER 1835 ALISC	ALBUQUER A1A		* 002 C ALTR		0.1653
1822 SOLANO DR NE	ALBUQUER 1822 SOLA	ALBUQUER A1A		* 029 C ALTR		0.1653
1839 HERMOSA DR NE	ALBUQUER 1839 HERM	ALBUQUER A1A		* 001 A ALTR		0.1653
1924 MORNINGSIDE DR NE	ALBUQUER 1924 MORI	ALBUQUER A1A		* 001 E ALTR		0.2393
1810 HERMOSA DR NE	ALBUQUER 1810 HERM	ALBUQUER A1A		* 026 B ALTR		0.1653
1731 ALISO DR NE	ALBUQUER 1731 ALISC	ALBUQUER A1A		* 010 C ALTR		0.1653
1814 ALISO DR NE	ALBUQUER 1814 ALISC	ALBUQUER A1A		* 027 D ALTR		0.1653
1810 SOLANO DR NE	ALBUQUER 1810 SOLA	ALBUQUER A1A		* 026 C ALTR		0.1653
4125 CHERRYDALE CT NW	ALBUQUER 3410 INDIA	ALBUQUER A1A		* 20 9 LOTS C		0.6136
12412 MENAUL BLVD NE	ALBUQUER 1925 MORI	ALBUQUER A1A		* 001 D ALTR		0.1928
PO BOX 35547	TULSA OK 72300 CARLI	ALBUQUER A1A		TRACT A-1-C		2.7492
1909 RITA CT NE	ALBUQUER 1909 RITA	ALBUQUER A1A		* 017 009H R		0.2121
3431 E LAS ROCAS DR	PHOENIX A 3408 INDIA	ALBUQUER A1A		* 6 9 SUMNR		0.0217
1735 HERMOSA DR NE	ALBUQUER 1735 HERM	ALBUQUER A1A		* 009 A ALTR		0.1653
550 BOWIE ST	AUSTIN TX CARLISLE E	ALBUQUER A1A		001TR B IN V		0.126
2600 PROSPECT AVE NE	ALBUQUER N/A	ALBUQUER A1A		PARCEL B-1V		4.4498
1920 AMHERST DR NE	ALBUQUER 1920 AMHI	ALBUQUER A1A		* 005 001P R		0.388

10128 MASTERS DR NE	ALBUQUER 1909 CARLI ALBUQUER A1A	*A-2 1 REP C	0.4562
PO BOX 25966	ALBUQUER 1900 CARLI ALBUQUER A1A	TR A1A PLAC	0.3306
700 N COLORADO BLVD NO. 277	DENVER CC 1700 INDIA ALBUQUER A1A	TRACT B 1 R	2.6369
P O BOX 36371	ALBUQUER 1734 SOLA ALBUQUER A1A	* 025 CALTR	0.1653
1831 SOLANO DR NE	ALBUQUER 1831 SOLA ALBUQUER A1A	* 003 B ALTR	0.1653
PO BOX 1149	SANTA FE CARLISLE E ALBUQUER A1A	* 029 A MILV	0.1653
4836 PLATINUM LP NE	RIO RANCH 1818 HERN ALBUQUER A1A	* 028 B ALTR	0.1653
1824 LAYFAYETTE DR NE	ALBUQUER 4005 GRAC ALBUQUER A1A	LT F LOTS " V	0.168
2016 CARLISLE BLVD NE	ALBUQUER 2016 CARLI ALBUQUER A1A	LT 33-A BLTC	0.2688
2325 SAN PEDRO DR NE SUITE 2-A	ALBUQUER 2000 CARLI ALBUQUER A1A	LT 28-A BLTC	0.5946
1815 SOLANO DR NE	ALBUQUER 1815 SOLA ALBUQUER A1A	* 007 B ALTR	0.1653
PO BOX 7095	ALBUQUER 1822 ALISC ALBUQUER A1A	* 029 D ALV	0.1653
1735 SOLANO DR NE	ALBUQUER 1735 SOLA ALBUQUER A1A	* 009 B ALTR	0.1653
1811 HERMOSA DR NE	ALBUQUER 1811 HERN ALBUQUER A1A	* 008 A ALR	0.1653
550 BOWIE ST	AUSTIN TX 2101 CARLI ALBUQUER A1A	TR C & TR FC	4.853
700 N COLORADO BLVD NO. 277	DENVER CC 1700 INDIA ALBUQUER A1A	TRACT 0 SLC	0.3717
PO BOX 1149	SANTA FE CARLISLE E ALBUQUER A1A	* 028 A MILV	0.1492
1731 HERMOSA DR NE	ALBUQUER 1731 HERN ALBUQUER A1A	* 010 A ALR	0.1653
700 N COLORADO BLVD NO. 277	DENVER CC 1901 INDIA ALBUQUER A1A	TRACT C-1 R	1.92
1734 ALISO DR NE	ALBUQUER 1734 ALISC ALBUQUER A1A	* 025 D ALR	0.1653
700 N COLORADO BLVD NO. 277	DENVER CC N/A ALBUQUER A1A	TRACT C-2 V	1.4
10909 HAGEN RD NE	ALBUQUER 1819 ALISC ALBUQUER A1A	* 006 CALTR	0.1653
1901 MORNINGSIDE DR NE	ALBUQUER 1901 MORI ALBUQUER A1A	* 008 D ALR	0.1653
1905 MORNINGSIDE DR NE	ALBUQUER 1905 MORI ALBUQUER A1A	* 007 D ALR	0.1928
1913 MORNINGSIDE DR NE	ALBUQUER 1913 MORI ALBUQUER A1A	* 005 D ALR	0.1928
1827 ALISO DR NE	ALBUQUER 1827 ALISC ALBUQUER A1A	* 004 CALTR	0.1653
1819 HERMOSA DR NE	ALBUQUER 1819 HERN ALBUQUER A1A	* 006 A ALR	0.1653
1814 SOLANO DR NE	ALBUQUER 1814 SOLA ALBUQUER A1A	* 027 CALTR	0.1653
1921 MORNINGSIDE DR NE	ALBUQUER 1921 MORI ALBUQUER A1A	* 002 D ALR	0.1928
1909 MORNINGSIDE DR NE	ALBUQUER 1909 MORI ALBUQUER A1A	* 006 D ALR	0.1928
1827 SOLANO DR NE	ALBUQUER 1827 SOLA ALBUQUER A1A	* 004 B ALTR	0.1653
4709 15TH AVE NE	RIO RANCH 3500 INDIA ALBUQUER A1A	001PACE SIC	0.0775
PO BOX 25966	ALBUQUER CARLISLE E ALBUQUER A1A	* 027 A ALV	0.1653
1808 COE CT NE	ALBUQUER 1731 SOLA ALBUQUER A1A	* 010 B ALTR	0.1653

1213 PARSIFAL ST NE	ALBUQUER 4100 CUTLI ALBUQUER A1A	TRA-1-B-2 C	1.1482
1838 HERMOSA DR NE	ALBUQUER 1838 HERN ALBUQUER A1A	* 033 B ALTR	0.1653
8808 NEW HAMPTON RD NE	ALBUQUER 3408 INDIA ALBUQUER A1A	* 7 9 SUMMR	0.0217
1831 ALISO DR NE	ALBUQUER 1831 ALISC ALBUQUER A1A	* 003 C ALTR	0.1653
1208 PINNACLE VIEW DR NE	ALBUQUER 1901 CARLI ALBUQUER A1A	* B REPLAT C	0.2324
2929 MONTE VISTA BLVD NE	ALBUQUER 3600 CUTLI ALBUQUER A1A	TR A-1-B-1 C	1.4958
4090 COOKS FARM DR NW	KENNESAW 1827 HERN ALBUQUER A1A	* 004 A ALTR	0.1653
3408 INDIAN SCHOOL RD NE APT A	ALBUQUER 3408 INDIA ALBUQUER A1A	* 5 9 SUMMR	0.0217
1818 SOLANO DR NE	ALBUQUER 1818 SOLA ALBUQUER A1A	* 028 C ALTR	0.1653
12636 YORBA LINDA DR SE	ALBUQUER 2019 CARLI ALBUQUER A1A	TR A BLK 1 C	0.4779
1912 AMHERST DR NE	ALBUQUER 1912 AMHI ALBUQUER A1A	* 003 001P R	0.1607
1834 HERMOSA DR NE	ALBUQUER 1834 HERN ALBUQUER A1A	* 032 B ALTR	0.1653
700 N COLORADO BLVD NO. 277	DENVER CC 1700 INDIA ALBUQUER A1A	LTS 1 THRUR	1.72
2422 W TUSCHMAN DR	PEARLAND 1830 SOLA ALBUQUER A1A	* 031 C ALTR	0.1653
1906 AMHERST DR NE	ALBUQUER 1906 AMHI ALBUQUER A1A	* 002 001P R	0.1033
4409 CHINLEE AVE NE	ALBUQUER 1823 HERN ALBUQUER A1A	* 005 A ALTR	0.1653
3017 GOLDMINE RD	BROOKEVIL 1835 SOLA ALBUQUER A1A	* 002 B ALTR	0.1653
1730 SOLANO DR NE	ALBUQUER 1730 SOLA ALBUQUER A1A	* 024 C ALTR	0.1653
1800 ALISO DR NE	ALBUQUER 1800 ALISC ALBUQUER A1A	* 026 D ALTR	0.1653
3330 DUNDEE RD SUITE S1	NORTHBRC 3901 INDIA ALBUQUER A1A	TRACT A TFR	7.0339
1815 HERMOSA DR NE	ALBUQUER 1815 HERN ALBUQUER A1A	* 007 A ALTR	0.1653
1822 HERMOSA DR NE	ALBUQUER 1822 HERN ALBUQUER A1A	* 029 B ALTR	0.1653
1819 SOLANO DR NE	ALBUQUER 1819 SOLA ALBUQUER A1A	* 006 B ALTR	0.1653
4120 CUTLER AVE NE	ALBUQUER 4120 CUTLI ALBUQUER A1A	LOT 1 BLK C	1.2015
10 TWIN TREE CT	CEDAR CRE 4130 CUTLI ALBUQUER A1A	LOT 2 BLK C	1.3466
3408 INDIAN SCHOOL RD NE D	ALBUQUER 3408 INDIA ALBUQUER A1A	* 8 9 SUMMR	0.0238
1823 SOLANO DR NE	ALBUQUER 1823 SOLA ALBUQUER A1A	* 005 B ALTR	0.1653
4101 INDIAN SCHOOL RD NE	ALBUQUER 4001 INDIA ALBUQUER A1A	LAND & PA C	6.9681
1913 AMHERST DR NE	ALBUQUER 1913 AMHI ALBUQUER A1A	* 023 009P R	0.1768
1815 ALISO DR NE	ALBUQUER 1815 ALISC ALBUQUER A1A	* 007 C ALTR	0.1653
1811 ALISO DR NE	ALBUQUER 1811 ALISC ALBUQUER A1A	* 008 C ALTR	0.1653
1920 MORNINGSIDE DR NE	ALBUQUER 1920 MORI ALBUQUER A1A	* 002 E ALTR	0.2314
1442 HONEYSUCKLE DR NE	ALBUQUER 1838 SOLA ALBUQUER A1A	* 033 C ALTR	0.1653
1834 ALISO DR NE	ALBUQUER 1834 ALISC ALBUQUER A1A	* 032 D ALTR	0.1653

2137 CARLISLE BLVD NE	ALBUQUER 2137 CARLI/ALBUQUER A1A	LT 30-A BL/C	0.5965
4709 15TH AVE NE	RIO RANCH 3500 INDIA ALBUQUER A1A	* 006 001P C	0.4224
PO BOX 927000	HOFFMAN 2100 CARLI/ALBUQUER A1A	TR A PLT O/C	10.089
1925 AMHERST DR NE	ALBUQUER 1925 AMHI/ALBUQUER A1A	* 021 009P R	0.316
1776 MONTANO RD NW SUITE 24	LOS RANCF 2001 CARLI/ALBUQUER A1A	* 014 001G C	0.4752
1830 ALISO DR NE	ALBUQUER 1830 ALISC ALBUQUER A1A	* 031 D AL R	0.1653
7309 DELLWOOD RD NE	ALBUQUER 1921 CARLI/ALBUQUER A1A	* A-1 1 REP C	0.2711
4110 CUTLER AVE NE	ALBUQUER 4110 CUTLI/ALBUQUER A1A	TR A-1-B-3-C	1.0836
1839 ALISO DR NE	ALBUQUER 1839 ALISC ALBUQUER A1A	* 001 C AL R	0.1653
1826 SOLANO DR NE	ALBUQUER 1826 SOLA/ALBUQUER A1A	* 030 C AL R	0.1653
1110 ROMA AVE NE	ALBUQUER 1830 HERN/ALBUQUER A1A	* 031 B AL R	0.1653
1835 HERMOSA DR NE	ALBUQUER 1835 HERN/ALBUQUER A1A	* 002 A AL R	0.1653
1826 ALISO DR NE	ALBUQUER 1826 ALISC ALBUQUER A1A	* 030 D AL R	0.1653
1814 HERMOSA DR NE	ALBUQUER 1814 HERN/ALBUQUER A1A	* 027 B AL R	0.1653
1735 ALISO DR NE	ALBUQUER 1735 ALISC ALBUQUER A1A	* 009 C AL R	0.1653
1921 AMHERST DR NE	ALBUQUER 1921 AMHI/ALBUQUER A1A	* 022 009P R	0.1607
1734 HERMOSA DR NE	ALBUQUER 1734 HERN/ALBUQUER A1A	* 025 B AL R	0.1653
1916 MORNINGSIDE DR NE	ALBUQUER 1916 MORI/ALBUQUER A1A	* 004 E AL R	0.241
4401 INDIAN SCHOOL RD NE	ALBUQUER 1730 HERN/ALBUQUER A1A	* 024 B AL R	0.1653
1908 RITA CT NE	ALBUQUER 1908 RITA /ALBUQUER A1A	* 016 009H R	0.2761



CPU ALL TYPE
 5720 OSUNA RD NE
 ALBUQUERQUE
 NM
 87109-3368
 340128-5557
 (800)275-8777

01/08/2019 1:22 PM

Product Description	Sale Qty	Final Price
US Flag Coil/1 00 100 (Unit Price:\$50.00)	1	\$50.00
US Flag Bklt/2 0 20 (Unit Price:\$10.00)	1	\$10.00
Love Flourishes 1 (Unit Price:\$0.50)	1	\$0.50

Total \$60.50

Credit Card Remitd ~~Added Postage~~ \$60.50

All sales final on stamps and postage
 Thank you for your business

Bill #: 840-28520440-1-1386582-1
 Login ID: CLERK1

121 sent total



CPU ALL TYPE
5720 OSUNA RD NE
ALBUQUERQUE
NM
87109-3368
340128-5557
(800)275-8777

01/08/2019 1:22 PM

Product Description	Sale Qty	Final Price
US Flag Coil/1 00 100 (Unit Price:\$50.00)	1	\$50.00
US Flag Bklt/2 0 20 (Unit Price:\$10.00)	1	\$10.00
Love Flourishes (Unit Price:\$0.50)	1	\$0.50

Total \$60.50

Credit Card Remitd ~~XXXXXXXXXX~~ \$60.50

All sales final on stamps and postage
Thank you for your business

Bill #: 840-28520440-1-1386582-1
Login ID: CLERK1

121 sent total

NEIGHBORHOOD MEETING AND LETTERS



From: Jamo And Denise <archhero@aol.com>
Sent: Friday, January 18, 2019 2:51 PM
To: Angela Williamson <awilliamson@modulusarchitects.com>
Cc: cadams@colinadamslaw.com; jadams@swcp.com; Stephen Dunbar <sdunbar@modulusarchitects.com>
Subject: Re: 2100 Carlisle Blvd. NE

Hello Angela,

I would like to thank you for all your assistance, and I would like to assure you that our community wholly appreciates and supports your interest in developing this very important property in our community.

However, in reviewing the information, we have some questions/concerns that the requested change from MX-L (C-1 uses) to MX-M (C-2 uses) would allow several uses of the site which may not be very advantageous to our neighborhood. In an attempt to better understand how the changes in uses might affect our neighborhood, and also potentially explore any other possible options (Site Development Plan revisions, etc.) which would allow you to appropriately develop this property while still protecting our neighborhood, I would like to request a Neighborhood Meeting where we might be able to better discuss your proposed Zone Map Amendment request.

I would like to request that in addition to the Altura Addition NA, you also invite the Summit Park NA, the Altura Park NA, and the District 7 Coalition. I would also like to respectfully request that you invite the appropriate representative from the City of Albuquerque who may be able to assist with information related to the IDO Zoning and your proposed Zone Map Amendment request. I have sent email notification of our request for a meeting to the Summit Park NA, the Altura Park NA, and the District 7 Coalition, along with the information you provided. I have not yet heard back from them, but I would only anticipate about 4-8 neighborhood representatives. I understand that time is of the essence, and we will make every attempt to expedite this meeting.

Thank you again for all you help, and we look forward to meeting you.

Denise Hammer
Altura Addition NA, VP
archhero@aol.com

-----Original Message-----

From: Angela Williamson <awilliamson@modulusarchitects.com>
To: Jamo And Denise <archhero@aol.com>
Cc: cadams@colinadamslaw.com <cadams@colinadamslaw.com>; jadams@swcp.com <jadams@swcp.com>; Stephen Dunbar <sdunbar@modulusarchitects.com>
Sent: Fri, Jan 18, 2019 12:13 pm
Subject: Re: 2100 Carlisle Blvd. NE

I am available if you have any questions whatsoever. You can email or call my cell phone at 505.999.8016.

All my best, Angela

Get [Outlook for Android](#)

On Fri, Jan 18, 2019 at 12:04 PM -0700, "Jamo And Denise" <archhero@aol.com> wrote:

Hello Angela,

Thank you for the thorough documentation. We are sorting through it, and will get back to you soon.

Thank you again,
James Wright And Denise Hammer
archhero@aol.com

-----Original Message-----

From: Angela Williamson <awilliamson@modulusarchitects.com>

To: 'Jamo And Denise' <archhero@aol.com>

Cc: cadams@colinadamslaw.com <cadams@colinadamslaw.com>; jadams@swcp.com <jadams@swcp.com>; Stephen Dunbar <sdunbar@modulusarchitects.com>

Sent: Wed, Jan 16, 2019 8:54 am

Subject: RE: 2100 Carlisle Blvd. NE

Good morning James and Denise,

In 2001 this property zoning was changed from C-1 to SU-1 for C-1 Uses with Liquor in conjunction with a full service grocery store. There was no limitation on the size of the grocery store and there was no limitation on the size of the retail. I have attached the Official Notice of Decision for this Zone Map Amendment. This remained the zoning for this parcel until September of 2018 when the IDO became effective. The "Conditions of Approval" for this Zone Map were only for the Site Plan development and subsequent construction but did not affect the Zone Change approval.

I have attached the IDO comparable table of zoning and allowable uses for your review and a side by side comparison of the current MX-L zoning to the requested MX-M zoning. I have highlighted the allowable use pages and attached all of that here. Our issues, which I have highlighted on the attachments are the following:

1. **General Retail, Medium is not Permissive (was permissive before the IDO conversion) I have attached the C-1 zoning code that was in place prior to the IDO**
2. **General Retail, Large is not Permissive (was permissive before the IDO conversion)**
3. **Grocery Store in the MX-L zone is limited to no more than 15,000 square feet. (there was no limit on this prior to the IDO conversion).**

I have added the definitions from the IDO to this email as well. They read as follows:

1. General Retail, Small: An establishment with no more than 10,000 square feet of gross floor area.
2. General Retail, Medium: An establishment of more than 10,000 square feet of gross floor area and no more than 50,000 square feet of gross floor area.
3. General Retail, Large: An establishment of more than 50,000 square feet of gross floor area.

When I said that there was an obvious error in the transition of zoning, it is based on the facts outlined above. All of these uses were afforded this property prior to the establishment of the IDO, we are requesting the Zone Map Amendment to get the zoning in line with what was previously allowed. We do this in an effort to redevelop this property in the future and provide a quality development that would service the needs of the surrounding residents.

Please do not hesitate to reach out to me to discuss further. I am available to by phone, email or would be happy to meet with you in person.

All my best,

Angela

**ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.**

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



From: Jamo And Denise <archhero@aol.com>
Sent: Saturday, January 12, 2019 4:33 PM
To: Angela Williamson <awilliamson@modulusarchitects.com>
Cc: cadams@colinadamslaw.com; jadams@swcp.com; Stephen Dunbar <sdunbar@modulusarchitects.com>
Subject: Re: 2100 Carlisle Blvd. NE

Hello Angela,

Thank you for your response.

It is not obvious to us that the IDO Zone of MX-L was done incorrectly. To the best of our recollection, the original zoning for this site was C-1, and in 2000/2001 it was changed to SU-1 with C-1 uses to add packaged liquor sales in a grocery store under 10,000 sf, which was contingent in part upon a number of site improvements. In fact, neither the grocery store with liquor sales, nor the site improvements were ever implemented. If the property was originally zoned C-1, it seems appropriate for the IDO to assign the zone of MX-L. Your request may be completely appropriate, but without specific information, we are unable to reasonably understand your position. Can you please provide us with more specific information that supports your request to adjust the current zoning from MX-L to MX-M, including a copy of your submittal package to the EPC?

Thank you for your help,

James Wright And Denise Hammer
archhero@aol.com

-----Original Message-----

From: Angela Williamson <awilliamson@modulusarchitects.com>
To: 'Jamo And Denise' <archhero@aol.com>
Cc: cadams <cadams@colinadamslaw.com>; jadams <jadams@swcp.com>; Stephen Dunbar <sdunbar@modulusarchitects.com>
Sent: Wed, Jan 9, 2019 2:06 pm
Subject: RE: 2100 Carlisle Blvd. NE

Good afternoon James and Denise,

Thank you for responding to my email notification. At this time, I am only requesting a correction in the zoning that occurred with the IDO transition. We have not started planning this site yet as the owner needs to have the correct zoning in place first.

There is not project or even a conceptual site plan being proposed at this time, the owners cant move forward with any planning until this is resolved. The IDO placed a zone of MX-L (Mixed Use Low Intensity) on this property. That zone does not allow for medium sized retail establishments or large retail establishments and does not allow for a grocery store over 10,000 square feet. Obviously, this was done incorrectly since there is already a large retail facility on this property and it was zoned to allow for a grocery store. We are instead requesting a zone of MX-M (Mixed Use Medium Intensity).

Once we correct this, we can beginning planning the redevelopment of this property. At that time, I would come back to the Neighborhood Associations with a proposed site plan and development plan for your input and review and would be required to make a new submittal to the Development Review Board.

I am happy to address any comments or questions you may have if this does not address your concerns. I understand that this property and the possible redevelopment has a significant impact on your neighborhood and we intend to do the best possible job once we have the zoning modified.

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL

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From: Jamo And Denise <archhero@aol.com>
Sent: Wednesday, January 9, 2019 1:47 PM
To: Angela Williamson <awilliamson@modulusarchitects.com>
Cc: cadams@colinadamslaw.com; jadams@swcp.com
Subject: 2100 Carlisle Blvd. NE

Hello Angela,

We are in receipt of your letter regarding the zoning issue located at 2100 Carlisle Blvd NE which will be presented to the EPC on March 14th, and are requesting additional information. You reference a proposed project, and the owner being Carlisle Associates. We are unable to find any information on a company named Carlisle Associates. We are also board members of the Altura Addition Neighborhood Association, and we may want to request a facilitated meeting; however, if you can first please send us any information that you may have to clarify the proposal for this site and the potential impacts of the proposed zone change and associated project, it will be very helpful to us in determining the need for a meeting.

Thank you for your help,

James Wright And Denise Hammer
1735 Aliso Drive NE
archhero@aol.com

Angela Williamson

From: Angela Williamson
Sent: Wednesday, January 23, 2019 2:08 PM
To: 'Colin Adams'; 'jschuetz@unm.edu'; 'elisha@unm.edu'; 'Jamo And Denise'; 'Imartin900@aol.com'; 'davidh2420@comcast.net'; 'davidh.d7@comcast.net'
Cc: 'Quevedo, Vicente M.'; Stephen Dunbar
Subject: Meeting Invitation - 2100 Carlisle

Good afternoon Jan, Elisha, Colin, Denise, Lynne and David, (Representatives from the District 7 Coalition, Summit Park Neighborhood Association and Altura Addition Neighborhood Association)

Please accept my invitation to meet regarding our Zone Map Amendment request for the property located at 2100 Carlisle Blvd. – Albuquerque, NM.

Neighborhood Meeting Invitation

DATE: WEDNESDAY - JANUARY 30, 2019
TIME: 6:00 PM
LOCATION: CROWN PLAZA HOTEL (SANTA CLARA MEETING ROOM)
ADDRESS: 1901 UNIVERSITY BOULEVARD NE – ALBUQUERQUE, NM.

I have scheduled this meeting at a location as close to our project site as possible. I have selected the date and time based on the responses I have received from everyone. If this date and time does not work for everyone who would like to attend, please let me know as soon as possible so I can make other arrangements.

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
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Office 505.338.1499 (Ext. 1000)



From: Angela Williamson
Sent: Wednesday, January 23, 2019 10:32 AM
To: 'Colin Adams' <colinadams@earthlink.net>; jschuetz@unm.edu; elisha@unm.edu; 'Jamo And Denise' <archhero@aol.com>; lmartin900@aol.com; davidh2420@comcast.net
Cc: 'Quevedo, Vicente M.' <vquevedo@cabq.gov>
Subject: RE: 2100 Carlisle Blvd. NE

Good morning All,

Based on the responses I have received, it looks like everyone can meet next week. I am suggesting a meeting on **Wednesday, January 30th at 6:00 PM.**

I will find a suitable location close to our project location and email the location unless one of you has a suggestion for a meeting location. Please advise if this will be members of the Board only or if I need to accommodate for a larger group?

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL

MODULUS ARCHITECTS, INC.

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From: Colin Adams <colinadams@earthlink.net>
Sent: Wednesday, January 23, 2019 6:26 AM
To: Angela Williamson <awilliamson@modulusarchitects.com>; jschuetz@unm.edu; elisha@unm.edu; 'Jamo And Denise' <archhero@aol.com>; lmartin900@aol.com; davidh2420@comcast.net
Cc: 'Quevedo, Vicente M.' <vquevedo@cabq.gov>
Subject: RE: 2100 Carlisle Blvd. NE

Angela,

Denise Hammer is taking the lead on this matter for the Altura Addition NA. When a meeting date and time is set, I will attend if possible.

Colin Adams

From: Angela Williamson [<mailto:awilliamson@modulusarchitects.com>]
Sent: Tuesday, January 22, 2019 9:27 AM
To: 'jschuetz@unm.edu'; 'elisha@unm.edu'; 'colinadams@earthlink.net'; 'Jamo And Denise'; 'lmartin900@aol.com'; 'davidh2420@comcast.net'
Cc: 'Quevedo, Vicente M.'
Subject: FW: 2100 Carlisle Blvd. NE

Good morning Jan, Elisha, Colin, Denise, Lynne and David,

Per the email string below between Denise Hammer (Altura Addition NA, VP) and myself as well as the Neighborhood Coordinator for the City of Albuquerque I am once again reaching out to you collectively in offer of a Neighborhood Meeting. This is an informal meeting to allow us to discuss any questions you may have regarding our request for a Zone Map Amendment at the former Kmart site. I am available to meet anytime this week or next week at your convenience.

Please indicate some dates and times that work for you and I will make the arrangements. Per the City IDO policies, at this point in the process, this would be a meeting with just myself as the "Agent" and those of you that would like to attend.

All my best,
Angela

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MODULUS ARCHITECTS, INC.

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Office 505.338.1499 (Ext. 1000)



From: Quevedo, Vicente M. <vquevedo@cabq.gov>
Sent: Tuesday, January 22, 2019 8:34 AM
To: Angela Williamson <awilliamson@modulusarchitects.com>; 'Jamo And Denise' <archhero@aol.com>
Cc: cadams@colinadamslaw.com; jadams@swcp.com; Stephen Dunbar <sdunbar@modulusarchitects.com>
Subject: RE: 2100 Carlisle Blvd. NE

Good morning everyone,

I would like to briefly clarify that per the Integrated Development Ordinance (IDO) the offer and acceptance of a meeting ahead of an application being submitted to the Planning Department for review is characterized and defined as a

Neighborhood Meeting. Section 14-16-6-4(C)(1) through (6) outline the requirements for these types of meetings. Once an application has been submitted, a facilitated meeting can be requested, however it is up to the Planning Department as to whether one will be required. The City of Albuquerque generally does not send staff members to neighborhood meetings as these are intended to be a discussion and dialogue between the applicant and any affected associations. I have included the IDO text below from my previous citation. Thank you.

14-16-6-4(C) NEIGHBORHOOD MEETING

6-4(C)(1) For those types of applications where TABLE 6-1-1 requires a meeting with a neighborhood, the applicant shall offer at least 1 meeting to all Recognized and Non-recognized Neighborhood Associations whose boundaries include or are adjacent to the subject project site before filing the application. In such cases, project applications will not be accepted until a neighborhood meeting has been held, or the requirements for a reasonable attempt in Subsection (3) below have been met.

6-4(C)(2) If the project is not located within or adjacent to the boundaries of any Recognized or Non-Recognized Neighborhood Association, the applicant shall have at least 1 meeting with a Neighborhood Association whose boundaries include land within $\frac{1}{4}$ mile of the project site. If no Neighborhood Association has land within that distance of the project site, no neighborhood meeting shall be required.

6-4(C)(3) A meeting request shall be sent to the 2 representatives on file at the ONC for all applicable Recognized or Non-recognized Neighborhood Associations via certified letter, return receipt requested, or via email with timestamp, read receipt requested. Either method constitutes a reasonable attempt to notify a Neighborhood Association of a meeting request. The requirements of Subsection 14-16-6-4(K)(7) (Documentation of Good Faith Effort Required) also apply.

6-4(C)(4) If the Recognized or Non-Recognized Neighborhood Association chooses to meet, the Neighborhood Association must respond within 15 consecutive days of the certified letter being sent. The meeting must be scheduled for a date within 30 consecutive days of the meeting request being accepted by the Neighborhood Association.

6-4(C)(5) At the neighborhood meeting, the applicant shall provide information about the proposed project, including but not limited to the scope of uses, approximate square footages for different uses, general site layout, design guidelines, architectural style, conceptual elevations, and conceptual landscaping plans.

6-4(C)(6) Where TABLE 6-1-1 requires that a neighborhood meeting be held, and a meeting was held, the applicant shall provide, as part of the project application, proof that the meeting occurred, including a sign-in sheet of attendance; meeting location, date, and time; summary of discussion, including concerns raised, areas of agreement and disagreement, and next steps identified, if any; and identification of any design accommodations that may have been made as a result of the meeting. If the concerns raised at the meeting have not been accommodated, the applicant must identify the site or project constraints that limit the ability to address those concerns.

Respectfully,

Vicente M. Quevedo, MCRP

Neighborhood Liaison
Office of Neighborhood Coordination
City of Albuquerque – City Council
(505) 768-3332

Website: www.cabq.gov/neighborhoods



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From: Angela Williamson [<mailto:awilliamson@modulusarchitects.com>]

Sent: Monday, January 21, 2019 9:51 AM

To: 'Jamo And Denise' <archhero@aol.com>; Quevedo, Vicente M. <vquevedo@cabq.gov>

Cc: cadams@colinadamslaw.com; jadams@swcp.com; Stephen Dunbar <sdunbar@modulusarchitects.com>

Subject: RE: 2100 Carlisle Blvd. NE

Good morning Denise,

I will work on getting the facilitated meeting process started. Normally, the City does not get involved at this juncture with COA representatives at a meeting other than the meeting facilitator who does not get involved in the policy discussion but I have copied Vicente Quevedo on this email for his input as he is the Neighborhood Coordinator with the City of Albuquerque

Vicente, we would like to schedule a facilitated meeting as soon as possible for members of the neighborhood groups outlined in Denise's email below. Can you please address their request for someone from the City to be there to address the IDO policy concerns?

All my best,
Angela

ANGELA M. WILLIAMSON, CEO/PRINCIPAL

MODULUS ARCHITECTS, INC.

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NEIGHBORHOOD MEETING SIGN IN SHEET

Crowne Plaza Hotel
 1901 University Blvd. NE
 Albuquerque, NM 87102
 Santa Clara Meeting Room
 January 30, 2019 – 6:00 pm

NAME	BOARD/NEIGHBORHOOD ASSOC./COMPANY	EMAIL
* Richard Royman	Altura Addition	rroyman@comcast.net
Jacqueline Jones	"	mjjones70@aol.com
* Marjorie Padilla	McKinley Neighborhood Assoc	mp1646@gmail.com
* Geri Greig	McKinley Neighborhood Assoc	geriggrig@comcast.net
* David Haughwout	D-7 Coalition	davidh.17@comcast.net
* Jon Wright	Altura Addition	wright.js@gmail.com
* DENISE HAMMER	ALTURA ADDITION	denise.hammer@modulus.com ArchHero@aol.com
* JAMES WRIGHT	"	ArchHero@aol.com
* Donna Thomas	Altura Addition	ttoad30@gmail.com
* Elisha Allen	Summit Park	elisha@unm.edu
- JOEL PIAROWSKI	MODULUS	jtpiarowski@gmail.com
* Joyce Kolberg	Altura Park	joyce.kolberg@gmail.com
* Reid Jackson	" "	RAJACKSO@MSN.COM
* Joan Marie Hart	Summit Park	jmhartnm@gmail.com
* Juan Larrange	" "	LarrangeJuan@comcast.net
* Patrick Scott	Summit Park	pat301970@gmail.com



VOLUNTARY NEIGHBORHOOD MEETING NOTES

Crowne Plaza Hotel - 1901 University Blvd. NE - Albuquerque, NM 87102

Santa Clara Meeting Room

January 30, 2019 – 6:00 pm

ATTENDING (18):

On Behalf of Altura Addition:

Richard Royman

Jacqueline Jones

Jon Wright

Denise Hammer

James Wright

Donna Thomas

On Behalf of McKinley Neighborhood Association:

Marjorie Padilla

Geri Griego

On Behalf of D-7 Coalition:

David Haughauont

On Behalf of Summit Park:

Elisha Allen

Joan Marie Hart

Juan Larranga

Patrick Scott

On Behalf of Altura Park:

Joyce Kolberg

Robert Jackson

On Behalf of Modulus Architects, Inc.

Angela Williamson

Joel Piarowski

Ashlea Stewart

AGENDA/PURPOSE OF MEETING:

Voluntary neighborhood meeting to answer any questions and address any concerns of the surrounding associations pertaining to the 2100 Carlisle project a/k/a KMART.



MEETING COMMENCED WITH INTRODUCTIONS FROM MODULUS ARCHITECTS, INC. AND FROM EACH MEMBER IN ATTENDANCE FOR THEIR RESPECTIVE NEIGHBORHOOD ASSOCIATIONS.

Questions and concerns were then addressed by Angela Williamson on behalf of Modulus Architects, Inc. while Ashlea Stewart kept notes.

ALTURA ADDITION:

Richard – Wanted clarification on if the standing KMART building has to be remodeled and if the building is allowed currently under the new zoning. Traffic increases will create a huge inconvenience. Wanted more information on the traffic study and how intensive the study actually is since traffic is already an issue.

Modulus – Keeping the current structure is to be determined. A traffic study is required before DRB. The traffic study is conducted by an engineer that is hired by the client. The scope of the TIS is determined by the City Engineer. We can disclose the 2001 traffic study that was conducted for any member to review.

Jacqueline – KMART sign by I40 on the site, they will oppose maintaining the sign.

Modulus – It is grandfathered in but we are not sure of it will be kept since we are only in the zone change stages, we do not have signage, site plan, etc. as of yet.

John – Requested information on the square footage of Smith's.

Modulus – Unsure but guessing about 50,000-60,000 maybe.

Denise – Concerned that if the zone change is approved then they cannot undo the zone change. The uses are the biggest concern. The new zone would allow for a bar, nightclub or taproom. Alcohol sales are a concern. Concerned that the neighborhoods and members won't have a say about what happens with this development. Concerned with the implications of the new zone and the future uses. Discussion about a potential Home Depot or Lowes being a concern for the site as well. Wanted clarification on the intention of a drive through on the site.

Modulus – The client is ready to do what is necessary to develop this site. We are not intending to use for a nightclub. All members are welcome to attend the public hearing. We would hope they are in support but they are welcome to voice their support or the opposition of the development. Alcohol sales and drive through are unknown at this time.

James – More traffic would be a huge inconvenience. Concerned about the potential uses. The increase in traffic and activity will have a huge impact on the quality of the neighborhoods.

Donna – Concerned as well about the zone change and uses. Concerned about residential or apartments being built.

Modulus – We are not looking to do residential or apartments at this time. We have no control about the focus of where the development faces.

MCKINLEY NEIGHBORHOOD ASSOCIATION:

Geri – Wanted to know if the use could potentially be similar to a Savers or some other similar thrift type store.



Modulus – We do not anticipate the use being similar to Savers.

D-7 COALITION:

David – Concerned about the use. Traffic is already a concern and issue. Concerned about any potential alcohol sales on the premises. How do the public hearings work or how are they conducted?

Modulus – There is a lengthy amount of work with regard to the traffic study to assess concerns by the new development. It is required and will be public information for all to review once it is complete. It will go over how it will impact the area and circulation. We have no control over the results, it is a separate traffic engineer. The current study will be public once it is conducted and the old study from 2001 is available and it can be shared with any member. We are trying to work with the neighborhood and give something to the neighborhood that is wanted. Modulus, myself (Angela) will be acting as Agent for the client. The City has a mediator attend and facilitate the meetings. The City Planner reviews and gives their recommendation of approval or for denial. From there, the Commissioners review and they take a vote. We would be more than happy to share the hearing schedule with any member and it is also public record/information.

SUMMIT PARK:

Joan – Wanted to know the use and square feet. They want updated landscaping. Concerned about height of the signage for the site.

Modulus – Maybe approx. +/- 100,000 sq. ft. There will be multiple users/tenants but we do not know of who yet. We are still in the very beginning stages and don't have a Site Plan as of yet. The new IDO there would require landscaping changes.

Patrick – Will there be upgraded landscaping, parking?

Modulus –Yes, the new IDO would require everything to be updated.

ALTURA PARK:

Joyce – Concerned that the neighborhood and members will not have a say in potential uses. The current sign on the lot by I40 being kept.

Modulus – The City will conduct a public hearing in which all neighborhoods and members are welcome to come and voice their opinions whether it is for or against this development. The sign being kept is unknown at this time.

Robert – Requested more information about proposed sq. ft. and uses. Wanted to know if they are keeping existing structure. Concerned about new signage. Requested an idea of the timeline if everything were to get approved, how long before construction and opening would happen.

Modulus – Maybe approx. +/- 100,000 sq. ft. estimate. Next a Site Plan, color Elevations, landscaping, etc. so they can review. We cannot confirm if the current sign will be kept.

SUMMARY:

MAIN CONCERNS PERTAIN TO THE INCREASE OF TRAFFIC AND ACTIVITY IN THE AREA, ALCOHOL SALES, UNKNOWN USES, AND SIGNAGE.

Lehner, Catalina L.

From: Angela Williamson <awilliamson@modulusarchitects.com>
Sent: Wednesday, February 13, 2019 12:26 PM
To: 'rroyman@comcast.net'; 'rroyman@comcast.net'; 'rjjones70@aol.com'; 'rjjones70@aol.com'; 'wright.js@gmail.com'; 'wright.js@gmail.com'; 'archhero@aol.com'; 'archhero@aol.com'; 'archhero@aol.com'; 'archhero@aol.com'; 'ttoad30@gmail.com'; 'mp1646@gmail.com'; 'griegocruz@comcast.net'; 'davidh.D7@comcast.net'; 'elisha@unm.edu'; 'jmhartnm@gmail.com'; 'larranga@unm.edu'; 'patso1970@gmail.com'; 'joyce.kolberg@gmail.com'; 'rajackso@msn.com'
Cc: Lehner, Catalina L.; Stephen Dunbar; Ashlea Stewart
Subject: Update - 2100 Carlisle Blvd. Zone Change Request

Good Morning Neighborhood Members,

I am emailing all of you that attended the meeting to discuss our zone change request for the Kmart property. As I said in my previous email, I have made the official submittal to the City of Albuquerque.

This project has been assigned to Ms. Catalina Lehner, Senior Planner with the City of Albuquerque. She will be writing the staff report and providing an impartial recommendation to the Planning Commission based on her findings regarding this request. I thought it would be prudent to give you her contact information so that you could contact her directly if you have any questions or concerns as we move forward in this process (she is also copied on this email).

I remain dedicated to working in unison with all of you, not just on this zone change request, but moving forward with development of this property.

Contact Information:

Ms. Catalina Lehner, Senior Planner
City of Albuquerque Planning Department
Phone: (505) 924-3935
Email: CLehner@cabq.gov

All my best,
Angela

**ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.**

100 Sun Avenue NE, Suite 305
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Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



From: Ashlea Stewart <astewart@modulusarchitects.com>
Sent: Wednesday, February 13, 2019 12:07 PM
To: Angela Williamson <awilliamson@modulusarchitects.com>
Subject: FW: Follow Up from Neighborhood Meeting RE: 2100 Carlisle Blvd.
Importance: High

**ASHLEA R. STEWART, OFFICE MANAGER
MODULUS ARCHITECTS, INC.**

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Office 505.338.1499 (Ext. 1008)
Mobile + Text 505.717.9679



From: Angela Williamson <awilliamson@modulusarchitects.com>
Sent: Thursday, January 31, 2019 1:24 PM
To: 'rroyman@comcast.net' <rroyman@comcast.net>; 'rjjones70@aol.com' <rjjones70@aol.com>; 'wright.js@gmail.com' <wright.js@gmail.com>; 'archhero@aol.com' <archhero@aol.com>; 'archhero@aol.com' <archhero@aol.com>; 'ttoad30@gmail.com' <ttoad30@gmail.com>; 'mp1646@gmail.com' <mp1646@gmail.com>; 'griegocruz@comcast.net' <griegocruz@comcast.net>; 'davidh.D7@comcast.net' <davidh.D7@comcast.net>; 'elisha@unm.edu' <elisha@unm.edu>; 'jmhartnm@gmail.com' <jmhartnm@gmail.com>; 'larranga@unm.edu' <larranga@unm.edu>; 'patso1970@gmail.com' <patso1970@gmail.com>; 'joyce.kolberg@gmail.com' <joyce.kolberg@gmail.com>; 'rajackso@msn.com' <rajackso@msn.com>
Cc: Ashlea Stewart <astewart@modulusarchitects.com>; 'Quevedo, Vicente M.' <vquevedo@cabq.gov>
Subject: Follow Up from Neighborhood Meeting RE: 2100 Carlisle Blvd.
Importance: High

Hi Everyone,

I would like to thank everyone for their time last night. As promised, I am sending each of the a copy of our notes from the meeting last night, the sign-in sheet and a copy of the TIS (Traffic Impact Study) that was done for the previously planned Kmart expansion that would have encompassed +/- 140,000 SF. I am also sending a copy of the previously approved Site Development Plan that was never completed due to Kmart's bankruptcy.

FYI – The complete Traffic Study that was done for the Kmart expansion in October of 2000 is titled: Kmart_TIS. It is very lengthy, the conclusions and recommendations of the study are on page 12.

To reiterate, the EPC Hearing for this request will be held on March 14, 2019 starting at 9:00 AM. Please do not hesitate to reach out to me should you have any more questions.

All my best,
Angela

**ANGELA M. WILLIAMSON, CEO/PRINCIPAL
MODULUS ARCHITECTS, INC.**

100 Sun Avenue NE, Suite 305
Albuquerque, NM 87109
Mobile + Text 505.999.8016
Office 505.338.1499 (Ext. 1000)



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This message has been analyzed by Deep Discovery Email Inspector.

Lehner, Catalina L.

From: Jamo And Denise <archhero@aol.com>
Sent: Friday, March 01, 2019 5:31 PM
To: Lehner, Catalina L.
Cc: awilliamson@modulusarchitects.com
Subject: 2100 Carlisle NE - old KMART
Attachments: K-Mart Zone Map Amendment.pdf

Hello Ms.Catalina Lehner,

Attached is the Altura Addition Neighborhood Association's letter in response to the Zone Map Amendment requested by Modulus Architects for Carlisle Associates, LLC. for the property located at 2100 Carlisle Blvd NE (the old KMART).

I don't have the Project # for this Zone Map Amendment request, and it does not appear that the Agenda for the March 14th hearing has been published on the website. I understand that the deadline for submittal of communication related to the March 14th hearing is Monday, March 4th. Please let me know if I need to resend this letter with the Project # identified within the heading.

Can you also, please let me know that you have received this letter and that it has been included in the record?

Thank you for any assistance that you may be able to offer.

Thank you again kindly,
Denise Hammer, Vice President
Altura Addition Neighborhood Association

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This message has been analyzed by Deep Discovery Email Inspector.

THE ALTURA ADDITION

NEIGHBORHOOD ASSOCIATION
P.O. BOX 30884 ALBUQUERQUE, NEW MEXICO 87190

25 February, 2019

Environmental Planning Commission, City Planning Department
600 Second Street, N.W.
Albuquerque, N.M. 87102

Re: APPLICATION FOR ZONE MAP AMENDMENT
2100 Carlisle Blvd. NE (Former K-Mart Development)

To The Honorable Members of the Environmental Planning Commission:

On February 13, 2019, the Altura Addition Neighborhood Association Board of Directors voted (5 to 1) to oppose the zone map amendment requested by Carlisle Associates, LP represented by Modulus Architects, to rezone the property at 2100 Carlisle Blvd. NE from MX-L to MX-M.

The Altura Addition NA is at the heart of the deeply-rooted residential community flanking Carlisle Boulevard, just south of I-40. This venerable group of neighborhoods dates back to the 1930's and consists predominantly of R-1 properties extending from Carlisle Boulevard east to San Mateo and west to the AMAFCA drainage ditch; and from I-40 south to Central Avenue; together with of a small strip of light neighborhood-oriented business for several blocks along Carlisle. This community currently sits solidly within an **Area of Consistency**, protected by an important buffer of less-intense MX-L and MX-T neighborhood businesses that border the southern edge of I-40. There are no MX-M properties whatsoever within this border area. Conversely, the closest MX-M and MX-H properties are situated north of I-40, where no R-1 properties are located within or adjoining that highly commercial area – no residential neighborhood such as ours, requiring a buffer zone for protection from a higher intensity of traffic, noise, toxic fumes, alcohol consumption, and crime rates that harm the health, safety and enjoyment of our residential properties.

The property at 2100 Carlisle fronts directly on Carlisle Boulevard between Indian School Road and the west-bound on-ramp to I-40, and is an important gateway into our well-established residential community, currently providing the most minimal of buffers between the freeway interchange on the north corner of the property and the R-1 residences on the south corner.

Based on meetings and communications with the Owner's Architects, we understand that Carlisle Associates, LP seeks to establish a 50,000 SF anchor tenant on this site with multiple smaller tenant spaces. It is our understanding that under the existing Site Development Plan for that property, it is possible to renovate the existing building and construct new additions for a total of 140,000 SF on the site. However, Carlisle Associates, LP prefers not to renovate the existing building, intending instead to demolish the entire structure to construct a new building complex of approximately 124,000 SF. Under the current MX-L zone, construction of an entirely-new complex would only allow for numerous 10,000 SF tenants, but not the 50,000 SF anchor tenant they desire. This proposed anchor tenant is apparently the sole basis for requesting this Zone Map Amendment.

The Altura Addition NA cannot stress enough how much our community would like this property at 2100 Carlisle to be developed as a thriving and successful component of our

neighborhood, and the possibility of a 50,000 SF anchor tenant is not the focus of our concern. If there could be some way of allowing the proposed Carlisle Associates, LP development to proceed under the existing MX-L zoning, the Neighborhood Association would be interested in working with and supporting the Developer toward that goal. The Neighborhood's concern and opposition is solely with the request to amend the zone map to MX-M which would allow both a much higher intensity of use and the potential for much more harmful uses at this critically important entrance into our residential community.

If you review the existing zone map of our area, you will find that MX-L is the highest intensity zone along the whole of Carlisle between I-40 and Central Avenue. The old K-Mart, Whole Foods, Smiths, Walgreens all have existed for many years on MX-L zoned property. Even the large Whole Foods commercial complex at the corner of Academy Road and Wyoming Boulevard, which Modulus Architects' cites as an example of the type of development they intend to design at 2100 Carlisle, still exists on an MX-L zoned property.

There is an exceptionally-well-thought-out principle that supports having these properties remain MX-L, that specifically being the need to buffer and protect the R-1 residences directly adjacent to these commercial properties from higher-intensity uses.

Of primary concern to our neighborhood are the numerous Permitted Uses in the proposed MX-M zone, not permitted in the MX-L zone, which pose a potential for significant harm when located directly adjacent to our R-1 residential properties. These Permitted Uses have little or no Use Standards to protect our community, and include:

- a. Nightclub 4-3(D)(8);
- b. Bar 4-3(D)(8);
- c. Tap Room 4-3(D)(8);

(Note that NM State law does not govern the proximity of these alcohol establishments to residences, instead relying on the City Zoning Code to protect our residential properties through the use of the MX-L zone, which specifically does not allow such establishments.)

- d. Retail Liquor (without a grocery store) 4-3(D)(36);

The original MX-L zoning of this site importantly recognizes the difficulty and responsibility that our community has in managing the availability of liquor to vulnerable segments of our population. MX-L does not permit retail liquor sales without a grocery store, but under the proposed MX-M zone, retail liquor sales without a grocery store would become a permitted use within the boundaries of this property. It is easy to understand the potential harm that packaged liquor sales have on our ever-multiplying homeless population which at this moment is frequently sheltering under the freeway overpass at Carlisle Blvd. and I-40 – directly adjacent to the new Green Jeans bar and tap room.

In fact, since Carlisle Associates, LP appears to have ceased maintaining this property since K-Mart closed, the homeless population in the parking lot has grown exponentially, and 311 calls have had no effect, relying instead upon 911 calls to deal with the resulting increase in vagrancy, public intoxication, solicitation and even a recent homicide. What messages are sent to the

neighborhood and the community when a business turns a blind eye to the harmful activity on their property that threatens the health and safety of our neighborhood?

Alcohol plays a large role in criminal activities and violence. Excessive drinking has a tendency to lower inhibitions, impair a person's judgment, and increase aggressive behaviors. Alcohol use has been linked to increased robberies, property related crimes, aggravated assault, and even homicide. This risk is not reasonable, nor is it fair to the R-1 families that would be forced to reside directly adjacent to these harmful activities.

While the allowed liquor-related uses under this proposal would be the most egregious and harmful to our adjoining neighborhood, the remaining Permitted Uses under the requested MX-M zone change also offer few or no Use Standards to protect our adjoining community from consequential harm:

- e. Transit Facility (**no use standards**);
- f. Park and Ride Lot 4-3(D)(40);
- g. Vehicle sales and rental 4-3(D)(19);
- h. Fueling Station 4-3(D)(17);
- i. Auditorium or theater 4-3(D)(7);
- j. University or College (**no use standards**);
- k. Sports Field (**no use standards**);
- l. Hospital 4-3(C)(5);
- m. Mortuary (**no use standards**).

Increased traffic is also a major concern. Already crammed within a mere 1000 linear feet of road between the I-40 Freeway and Indian School Road are the I-40 on-and off-ramps, entrance to the corner gas station, entrance to the Whole Foods, entrance to the old K-Mart, traffic to and from the existing Burger King drive-in restaurant, a transit stop, a series of traffic lights, 2 more gas stations with convenience stores, significant pedestrian crossings, and a currently robust homeless population. The more-intensive uses in a MX-M zone, together with frontage on and direct access to the freeway, have the potential for significantly more traffic, causing higher levels of traffic congestion, higher levels of traffic noise, increased traffic accidents, higher levels of toxic fumes. It is easy to see the harmful effects of these traffic related consequences when you observe the conditions created at the corner of Carlisle and Constitution by the Smiths Fueling Station that has severely and negatively affected the surrounding neighborhoods and small businesses which are inhaling exhaust fumes, disturbed by beeping truck-fueling noises, surrounded by ugly traffic barriers (often missing components due to traffic mishaps and accidents), and forced to build excessively high walls around their residential properties in an attempt to protect their families from the harmful toxic effects.

The Altura Addition Neighborhood Association has worked hard and devoted much time and effort to prevent the deterioration of our neighborhood, and with our Association boundaries which include I-40 and Carlisle Boulevard, this is a constant and difficult endeavor. A Zone Map Amendment of this property to MX-M would clearly constitute spot zoning, would open the door to other nearby property owners requesting the same higher intensity zoning, and directly contradict the order and protections that the Zoning Code is specifically intended to provide and preserve. It will be impossible for our community to maintain its hugely-significant **Area of Consistency** if a higher intensity of MX-M use is allowed on this important property at the crossroads to our community.

This being said, the Altura Addition NA again states a desire to have this property at 2100 Carlisle be developed in a manner that meets both the objectives of the current property owner, and the protections of the adjoining residential neighborhoods that are afforded by the underlying principles of the Zoning Code. We understand the creative challenges of working within the existing zoning; however, destroying the basic zoning fabric by eliminating the MX-L buffer that our City Officials wisely intended to protect our community is not the answer to successful development of this site. If the IDO no longer permits a collaborative process that can eliminate harmful uses and balance the benefits to the neighborhood with the benefits of the Developers, and instead sets up a scenario with only Winners and Losers, our family neighborhood should not be the Loser. We are ready to work together toward a compromise solution, and we implore both Carlisle Associates, LP and the City of Albuquerque to find, together with us, that solution which offers a sustainable commercial site without the potential harm to the fabric of our neighborhood community.

However, without the opportunity for such compromise at this time, the Altura Addition NA sincerely asks the Environmental Planning Commission to deny approval of this zone map amendment in an effort to help us protect our neighborhood from the negative impact of potentially harmful activity so abruptly adjacent to the families in our community.

Thank you kindly,

The Altura Addition Neighborhood Association Board

A handwritten signature in black ink, reading "Denise Hammer". The signature is written in a cursive, flowing style with a long horizontal flourish at the end.

Denise Hammer, Board Vice President
Altura Addition NA

Lehner, Catalina L.

From: Jamo <Jamo@WrightandHammer.com>
Sent: Sunday, March 03, 2019 3:45 PM
To: Lehner, Catalina L.
Subject: K-Mart - 2100 Carlisle NE
Attachments: K-Mart Zone Map Amendment JLW.pdf

Dear Ms. Lehner,

Attached is a letter with my concerns regarding the zone map amendment requested for the K-Mart property located at 2100 Carlisle NE. Please let me know that you have received my letter, and that it will be added to the record for the upcoming EPC Hearing on March 14, 2019. Thank you.

Sincerely,
James L. Wright

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This message has been analyzed by Deep Discovery Email Inspector.

2 March, 2019

James L. Wright
1735 Aliso Drive NE
Albuquerque, NM 87110

Environmental Planning Commission, City Planning Department
600 Second Street, N.W.
Albuquerque, N.M. 87102

Re: APPLICATION FOR ZONE MAP AMENDMENT
2100 Carlisle Blvd. NE (Former K-Mart Development)

Dear Environmental Planning Commission:

As a home owner residing ½-block from the old K-Mart property, I would like to express my concerns regarding the zone map amendment requested by Carlisle Associates, LP, represented by Modulus Architects, to rezone the property at 2100 Carlisle Blvd. NE from MX-L to MX-M.

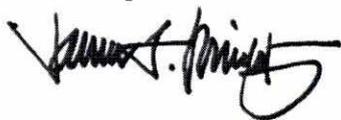
Contrary to the principles and protections of the City Zoning Code, this zone change would inappropriately allow a number of MX-M uses to directly front on a long-established R-1-zoned residential neighborhood. The alcohol-related Permitted Uses that would be allowed under the MX-M Zoning is of significant concern, especially the Nightclub, Bar, Tap Room, and general Retail Liquor uses. On-site liquor sales in establishments that do not serve food easily lead to intoxication where belligerent behavior can lead to violence and higher crime rates.

I also have concerns regarding MX-M Permitted Uses that will allow increased vehicular activity on this site, such as a Transit Facility, Park & Ride, Vehicle Sales, and a Fueling Station. These potential uses, along with the increased traffic itself will increase noise, harmful fumes, and congestion. I understand that there will be improvements that result from a traffic Study; however, this intersection is already highly congested and experiences an excessive number of accidents due to the constricted nature of this stretch of road caused by the I-40 interchange, the Whole Foods, the Burger King, the old K-Mart entrances, three fuel related facilities, and a significant pedestrian population at the Indian School intersection. I myself have experienced near accidents involving both vehicles and pedestrians.

My own home is ½ block away, but there are numerous families living directly across the street which will be made even more vulnerable to increased crime and traffic-related health issues, and reduced enjoyment of their own property.

In order to better protect the home owners directly adjacent to the old K-Mart property, please seriously consider denial of this zone map amendment request.

Sincerely,



James L. Wright

Lehner, Catalina L.

From: Jon Wright <wright.js@gmail.com>
Sent: Thursday, March 07, 2019 5:40 AM
To: Lehner, Catalina L.; awilliamson@modulusarchitects.com
Subject: 2100 Carlisle Redevelopment - Supporting Opinion

Ms. Lehner:

A week ago you received a letter from the Altura Addition Neighborhood Association Board in opposition to the redevelopment zoning change on 2100 Carlisle. I am also a board member and represent the dissenting opinion (and the opinion of numerous others in the neighborhood). Attached is my letter highlighting my support for the rezone.

Please let me know if you have any questions,

Jon Wright

Jon Wright, PhD
Altura Addition Neighborhood Association Board

wright.js@gmail.com

 JWright-AlturaAddition-DevSupport-03052019

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This message has been analyzed by Deep Discovery Email Inspector.

28 February, 2019

Environmental Planning Commission, Albuquerque City Planning Department
600 Second Street NW
Albuquerque, NM 87102

Re: APPLICATION FOR ZONE MAP AMENDMENT
2100 Carlisle Blvd. NE (Former K-Mart Development)

Honorable Members of the Albuquerque Environmental Planning Commission:

My colleagues of the Altura Addition Neighborhood Association Board of Directors have presented you with their opposition to the zone map amendment requested by Carlisle Associates, LP represented by Modulus Architects, to rezone property at 2100 Carlisle Blvd. NE from MX-L to MX-M. I am the dissenting vote per that meeting and wish to present the commission with detail and justification **for supporting the decision** of Carlisle Associates to rezone the property.

The current property at 2100 Carlisle Blvd. NE is now an eyesore. The AANA Letter describes Carlisle Associates as having ceased to maintain this property since K-Mart closure, however there is no business to maintain. The property as per landlord parcel ownership is worth as much today as it was when occupied by K-Mart. The value of the property lies only in its ability to be developed. If the property is not developed and the zone left unreformed to welcome interest to legitimate prospective clients, it is reasonable to assume the landlord will be content to let the property stay fallow and empty perpetually. Regardless of the AANA Board's viewpoint that a zone change represents an unacceptable risk to the "deterioration of the neighborhood", it is even further inconceivable the damage possible to the surrounding area if this property remains empty. The AANA Board is right, the location has become a focus for vagrants. However, left undeveloped and without a change in zoning, the property will become more run-down and crime in the immediate surrounding area may very well increase.

The AANA Board suggests the property may be renovated, and crime eliminated, without a zoning change. These ideas put forward by the AANA Board Letter for redevelopment of the K-Mart property without changing to MX-M type zoning are simply not consistent with reality. The IDO has limited zoning options; attempting to convince a prospective group of clients to redevelop the site for MX-L use will be difficult for Carlisle Associates, let alone anyone. Majority funding for redevelopment is generally brought to bear by an anchor client of a prospective site. Limiting the property to MX-L will prevent anchor tenants from considering the site and prevent a serious consideration of property use for businesses by preventing large-scale funding and providing enough cash to consider all aspects of redevelopment. In meetings, Carlisle Associates alluded to a prospective anchor client spending \$25 million + for redevelopment of the 2100 Carlisle Blvd. property. Companies interested in MX-L zoning generally do not spend \$25 million to redevelop anything. If there was serious interest in MX-L use of the property, re-development would already be on-going.

Similarly, simply avoiding rezoning and using the grandfathered property to attract new tenants is sticking our heads in the sand. Quite honestly, if the existing building was as attractive to businesses as the AANA Board would have you believe, there would already be business there and there would be no need to rezone the site. As I mention above, the landlord is likely perfectly content to let the property remain as-is if they avoid fighting City Government. The landlord is not anti-business, but they are anti-conflict. Conflict is expensive; paying property taxes on a 50-year-old site is cheap. If a new business

was truly interested in the K-Mart property as-is, it very likely would have moved in months ago. The fact no businesses have renovated the existing building and/or moved-in seems self-evident of the need for consideration of zoning changes on that parcel.

Unlike my esteemed friends on the AANA Board, I am not as fearful or concerned with the potential eventual use of the 2100 Carlisle Blvd. NE site as a MX-M zoned area. The idea that a \$25 million redevelopment would be immediately repurposed as a nightclub for example, especially in that particular area, seems ridiculous. The largest, most popular, nightclubs in Albuquerque have all long closed. Regardless, although 2100 Carlisle Blvd. NE is an attractive MX-M type business location, having the property across the street from R-1 residential housing is not attractive to a nightclub in the first place. [How many nightclubs do you know of across the street from single-family homes]? Similarly, most self-respecting bars and taprooms I know of actually chase away vagrants and riff-raff. Problems with crime at Green Jeans has not been because of the taproom, but rather in-spite of it. Personally, I feel much more comfortable outside on the patio at Green Jeans than I would sitting in the empty parking lot of the abandon K-Mart. That's somewhat an unfair comparison, but it's really not. I would feel more comfortable with any business development on the K-Mart property than I would with a growing homeless population behind the building. As with the rest of the AANA Board, I fully support a 50,000 square foot business on the property, but I also understand that landing that business requires the zone to change. If Smiths or Whole Foods were to move in TODAY at their respective property sizes under similar circumstances, the same zoning changes would be necessary for these well-founded and well-supported businesses.

Outside of feared usage, the AANA Board would also have you believe re-development of the property would lead to an unacceptable increased in traffic. This concern is also unfounded. All proposed redevelopments per the new IDO code must complete a city approved traffic study *and* implement any required traffic changes before development begins. Transportation and Traffic Management has evolved considerably since the original intersection at Carlisle and Indian School was laid out. It's a fair thought that as much as a new development could increase traffic along this corridor, it may redevelop traffic patterns to reduce congestion and harmful activity(s). The assumption that just because something changes, it automatically gets worse is as dangerous to the economic well-being of the AANA Board as it is to the entire neighborhood.

Finally, when considering the entire neighborhood, I want to emphasize the AANA Board letter represents the position of the board, but does not represent the position of the entire Altura Addition neighborhood. While the AANA Board's opinions and thoughts are developed and explained, they are not canvassed across the population of the neighborhood and do not represent all residents. There are others, many others, just like me who live in the neighborhood and would gladly see the K-Mart property zone changed. Please consider everyone in the Altura Addition and surrounding neighborhood communities when acting on the zone change proposal.

Thank you for your time. I encourage you to contact me with any questions or further information.

Jonathan Wright, Altura Addition Neighborhood Association Board, Dissenting Member

Jonathan Wright, PhD, PMP
Altura Addition Neighborhood Association
(989) 859-8457; wright.js@gmail.com