



## ***Environmental Planning Commission***

***Agenda Number: 02  
Project #: PR-2020-003443  
Case #: RZ-2020-00005  
Hearing Date: April 23, 2020***

### ***Staff Report***

<b><i>Agent</i></b>	Jacqueline Fishman, Consensus Planning
<b><i>Request</i></b>	<b>Zoning Map Amendment (zone change)</b>
<b><i>Legal Description</i></b>	All or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont.
<b><i>Location</i></b>	On Unser NW, between Bandelier Drive NW, and McMahon Boulevard NW
<b><i>Size</i></b>	Approximately 19.1 acres
<b><i>Existing Zoning</i></b>	MX-L
<b><i>Proposed Zoning</i></b>	MX-M

### ***Staff Recommendation***

***APPROVAL of RZ-2020-00005,  
based on the Findings and subject to the  
Conditions of Approval within this report***

***Staff Planner  
Linda Rumpf***

### ***Summary of Analysis***

This is a request for a Zoning map amendment (zone change) for an approximately 19.1-acre vacant site located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west.

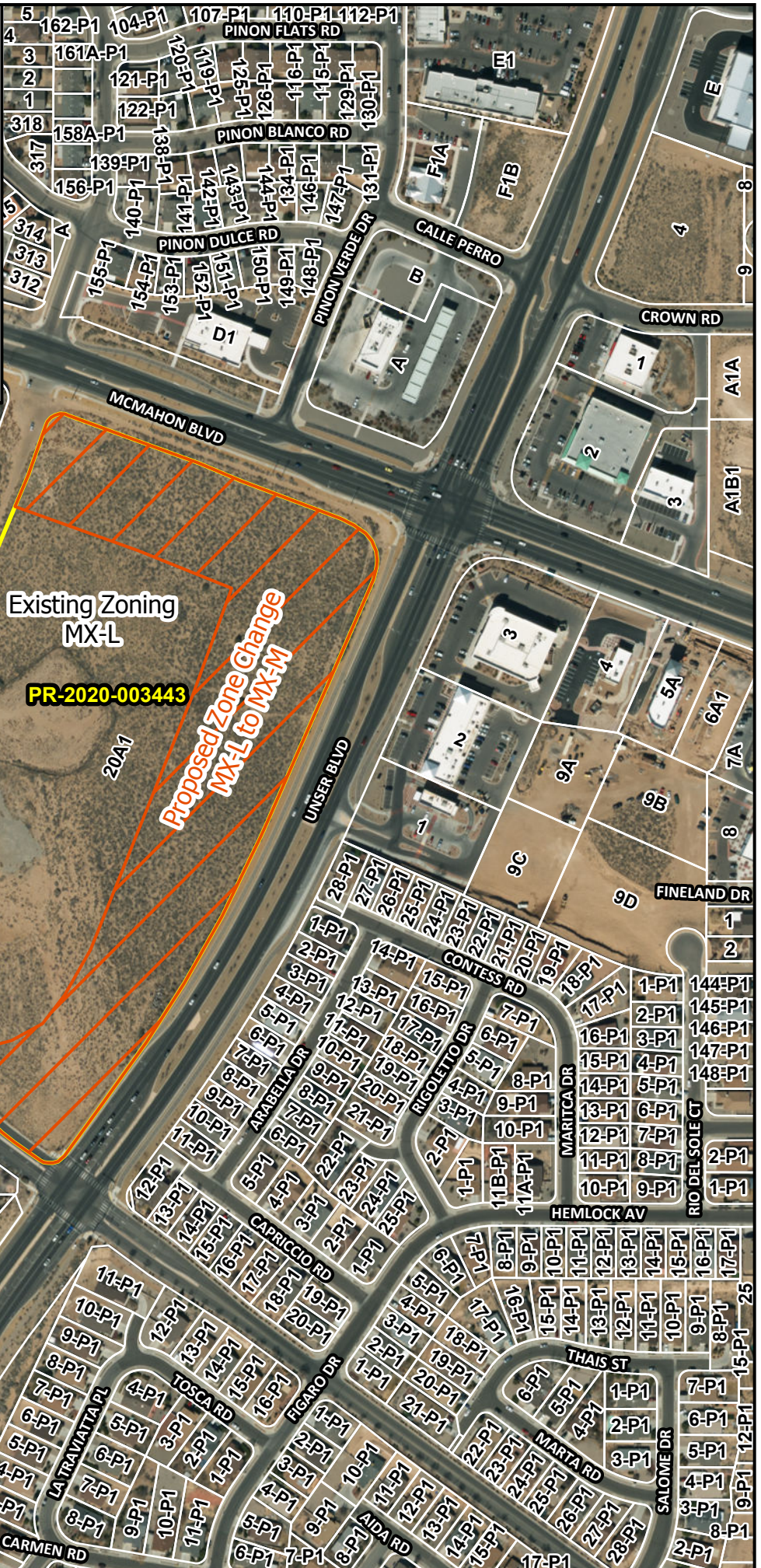
The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant is requesting MX-M (Mixed-Use Medium Intensity) zoning for the Unser and McMahon frontages to allow for a greater variety of commercial uses at this highly traveled intersection.

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes 6-7(F)(3).

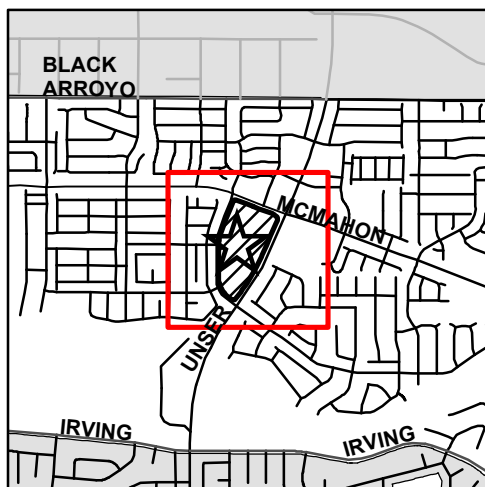
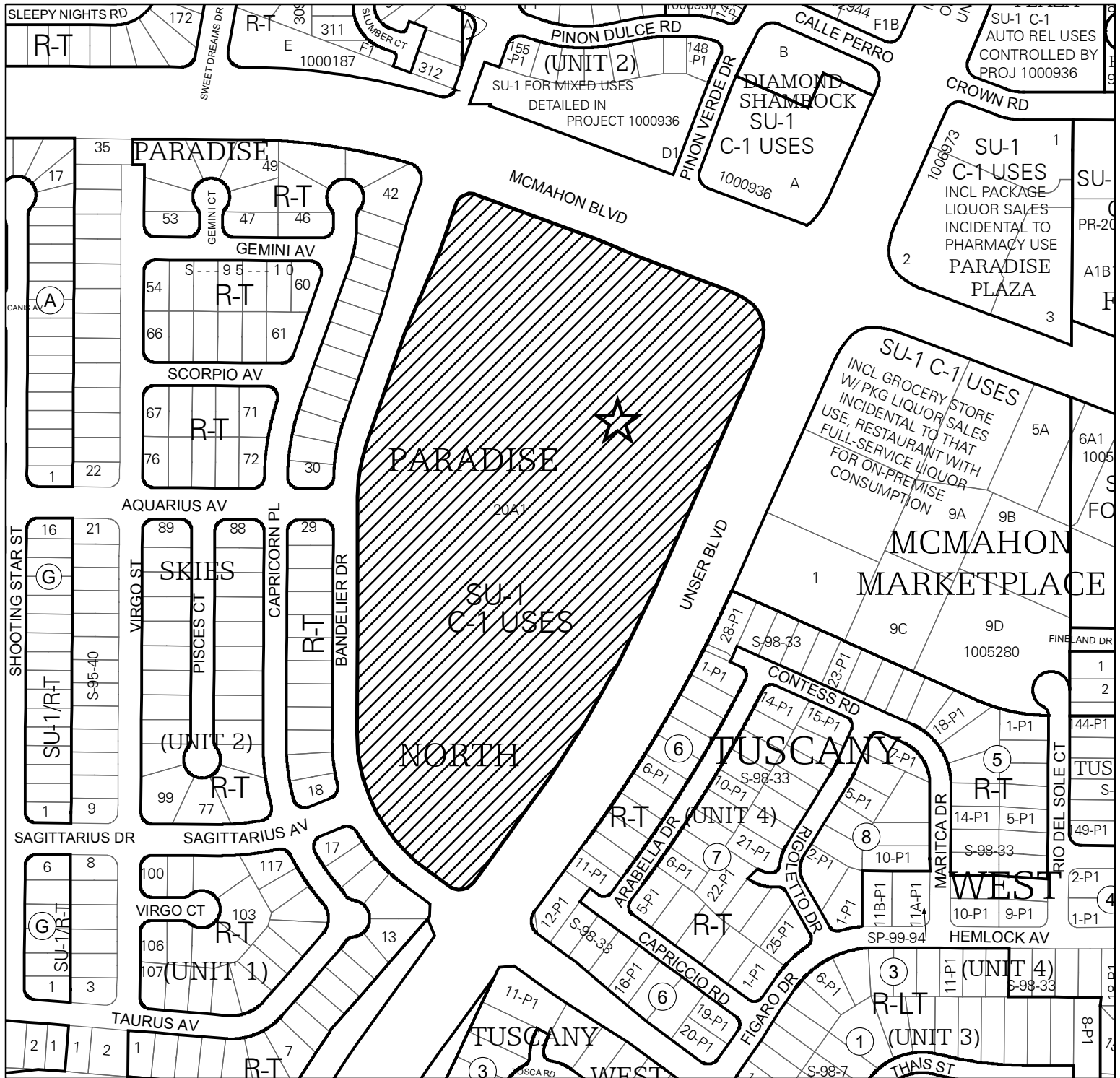
Neighborhood Associations were notified along with property owners within 100 feet of the site as required. There is no known opposition. Staff recommends approval.











## OLD ZONING MAP

Note: Gray shading  
indicates County.



1 inch = 300 feet

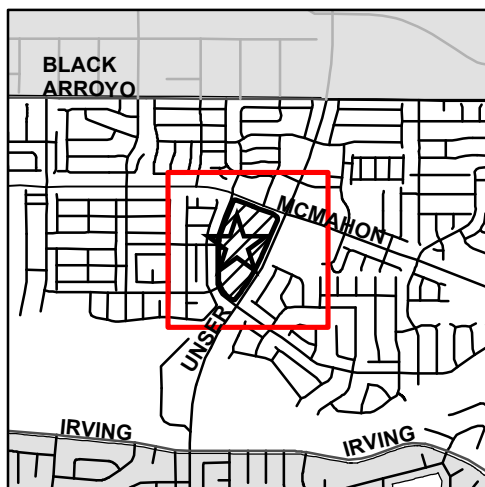
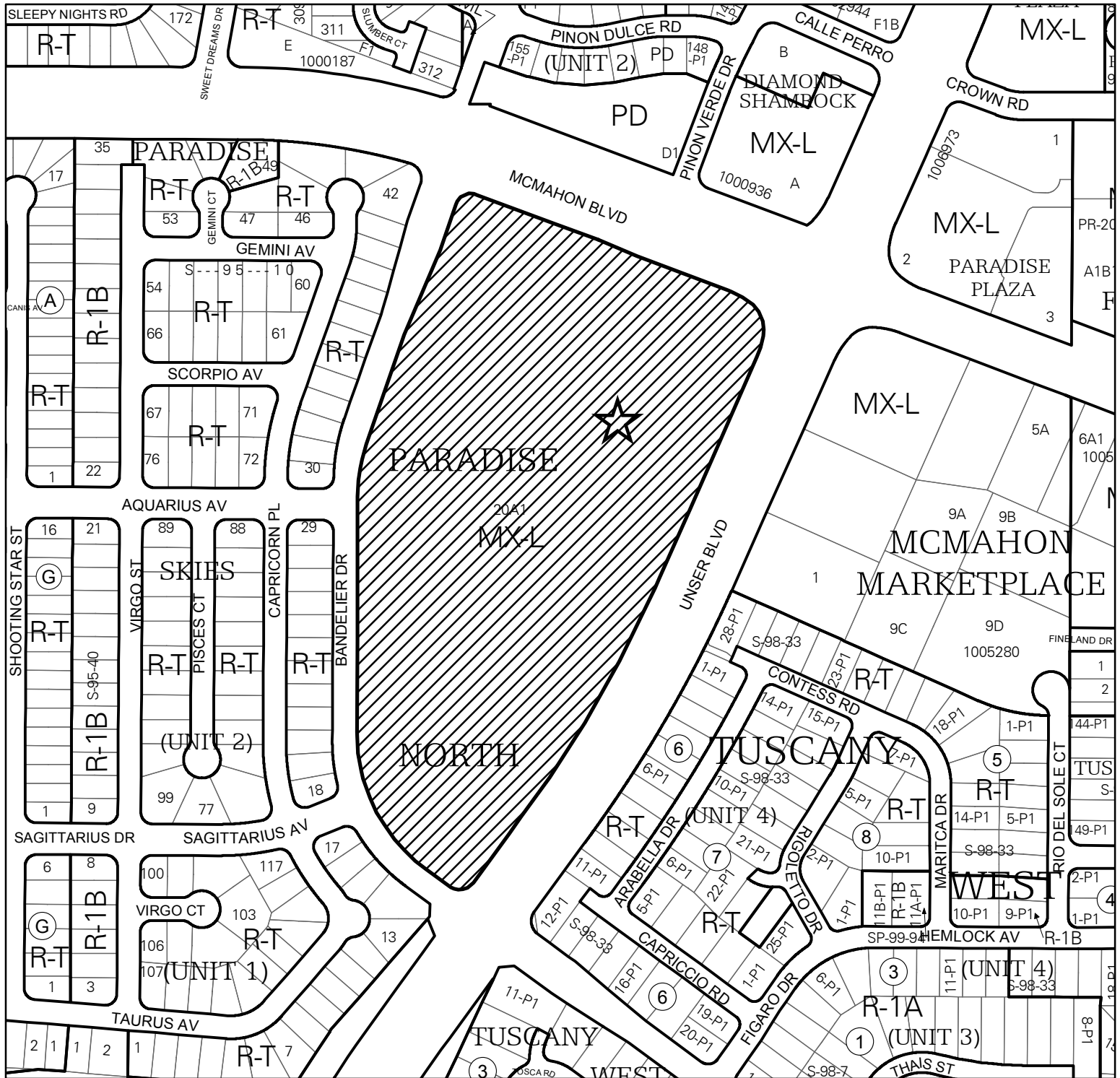
Hearing Date:  
4/23/2020

Project Number:  
PR-2020-003443

Case Numbers:  
RZ-2020-00005

Zone Atlas Page:  
A-11





## IDO ZONING MAP

Note: Gray shading indicates County.



1 inch = 300 feet

Hearing Date:

4/23/2020

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PR-2020-003443

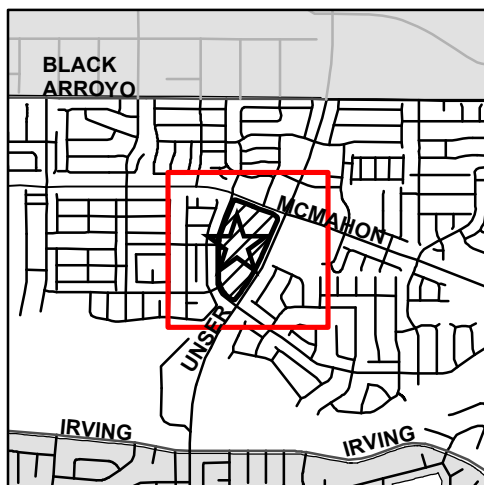
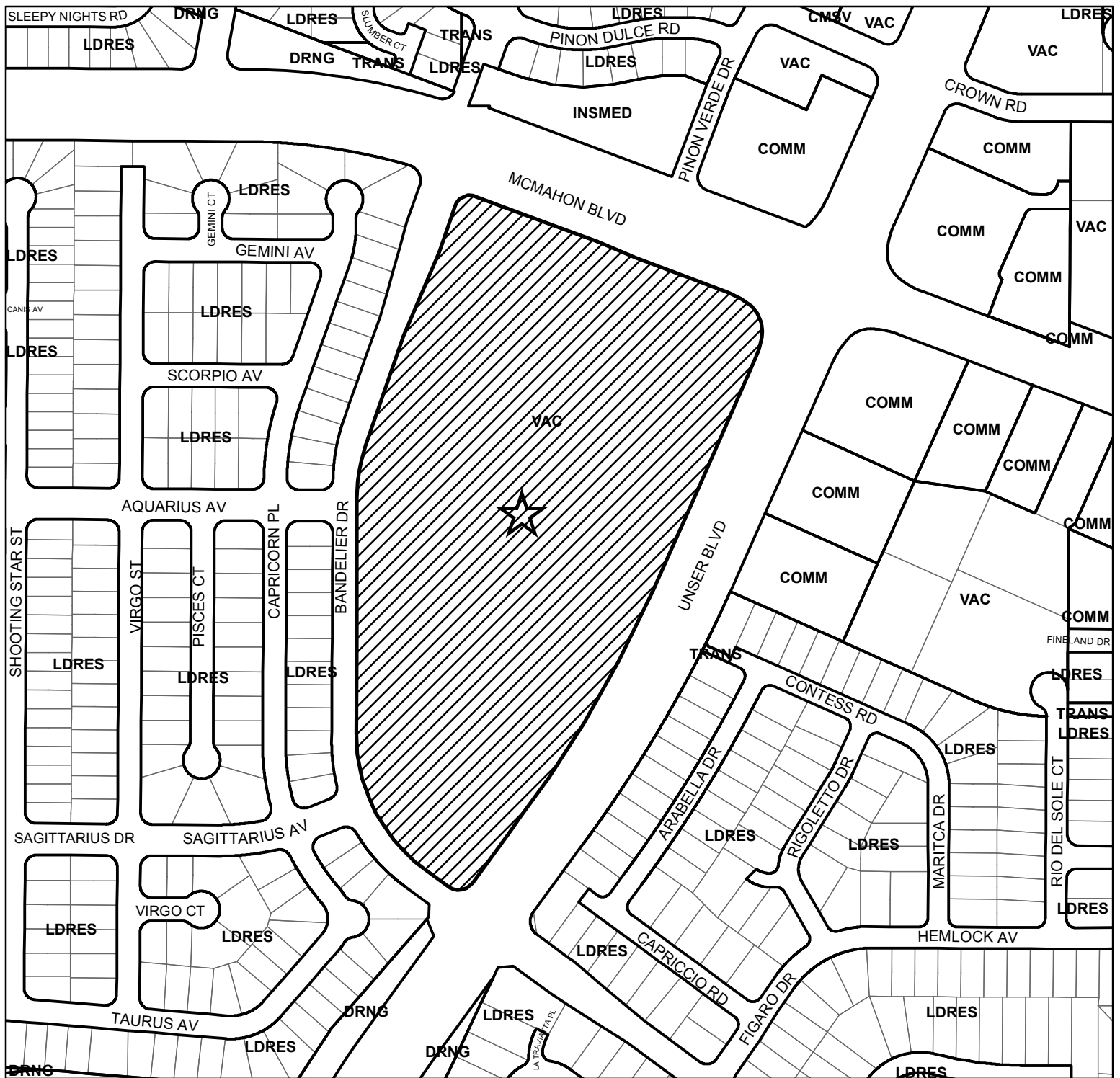
Case Numbers:

RZ-2020-00005

Zone Atlas Page:

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## LAND USE MAP

Note: Gray shading indicates County.

Key to Land Use Abbreviations	
LDRES   Low-density Residential	APRT   Airport
MULT   Multi-family	TRANS   Transportation
COMM   Commercial Retail	AGRI   Agriculture
CMSV   Commercial Services	PARK   Parks and Open Space
OFC   Office	DRNG   Drainage
IND   Industrial	VAC   Vacant
INSMED   Institutional / Medical	UTIL   Utilities
ED   Educational	CMTY   Community
	KAFB   Kirtland Air Force Base



1 inch = 300 feet

Hearing Date:  
4/23/2020

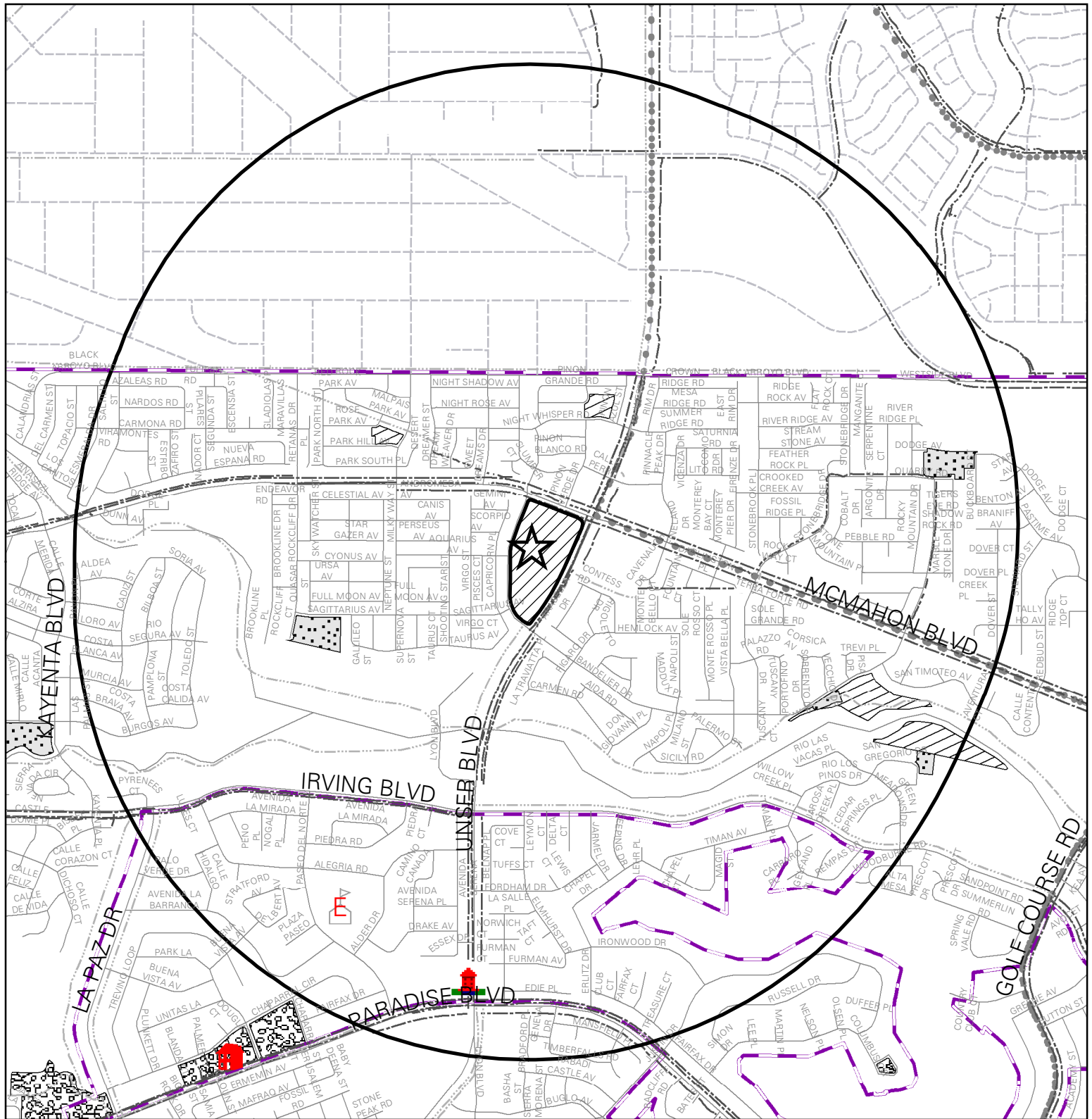
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










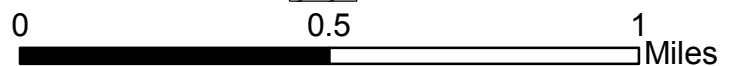


## Public Facilities Map with One-Mile Buffer

- |  |   |  |   |
|--|---|--|---|
|  Community Center     |  Fire                    |  Public School            |  Landfill designated by EHD  |
|  Multi-Service Center |  Police                  |  Proposed Bike Facilities |  Landfill Buffer (1000-feet) |
|  Senior Center        |  Sheriff                 |  ABQ Bike Facilities      |  Developed County Park       |
|  Library              |  Solid Waste             |  ABQ Ride Route           |  Undeveloped County Park     |
|  Museum               |  Albuquerque City Limits |  |  Developed City Park         |
|  |   |  |  Undeveloped City Park       |



Project Number: PR-2020-003443



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## **APPENDIX**



## **I. OVERVIEW**

### ***Surrounding zoning, plan designations, and land uses:***

	<b><i>Zoning</i></b>	<b><i>Comprehensive Plan Area</i></b>	<b><i>Land Use</i></b>
<b><i>Site</i></b>	MX-L	Area of Change	Vacant
<b><i>North</i></b>	MX-L and PD	Area of Change & Consistency	Dialysis center, animal clinic, gas station, and residential
<b><i>South</i></b>	R-T, R-A, and NR-PO-C	Area of Consistency	Single-Family Residential and drainage/flood control
<b><i>East</i></b>	MX-L and R-T	Area of Change & Consistency	Pharmacy, drive-thru restaurant, shopping center, and residential
<b><i>West</i></b>	R-T	Area of Consistency	Single-Family Residential

### ***Request***

The request is for a zoning map amendment (zone change) for an approximately 19.1-acre site known as: all or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., (the “subject site”). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west, which is currently vacant.

The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant, Holly Partners LLC, is requesting MX-M (Mixed-Use Medium Intensity) zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection. The proposed uses in the MX-M zone are compatible with the surrounding area and uses, including the existing retail, two brewery taprooms, multiple drive-through restaurants and pharmacies, and a gas station. Development of the site with additional commercial uses would provide new options that are closer to the large number of residents in the area.

As mentioned, the commercial zoning in the area previously consisted of a variety of SU-1 zones, and the subject site was previously SU-1 for C-1 Uses. Previously, the C-1 zone did not limit the size of retail uses. The IDO currently limits general retail establishments to 10,000 square feet, which means the adjacent Walgreen’s and CVS pharmacies are legally nonconforming as to standards under the IDO. The gas station located at the northwest corner of the intersection also has a liquor retail use that is not allowed by the MX-L zoning. These nearby uses are similar to those that will become permissive under the requested MX-M zoning.

The prior owners of the property were in the post-IDO zoning conversion process with a request for MX-M for the entire property. Planning staff recommended NR-C, which would have allowed more intense non-residential uses, but the owners did not want to give up the option for multi-family development, so they withdrew the conversion request.

The Applicant is considering a multi-family project for the portion of Tract 20A-1 that is not part of this zone change request. When combined with the zone change and the additional commercial development made possible by the request, this could create a horizontal mixed-use center at this major intersection.

### ***EPC Role***

The 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 the EPC 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 then make the final decision. The subject request is a quasi-judicial matter.

### ***Context***

The subject site is approximately 10.2 acres of the 19.1-acre parcel legally described as Tract 20A-1, Paradise North. The property is located on the west side of Unser Boulevard NW and north of the Calabacillas Arroyo between Bandelier Drive and McMahon Boulevard and is currently vacant.

The property is within the Northwest Mesa Community Planning Area and is designated as an “Area of Change” in the 2017 Albuquerque/Bernalillo County Comprehensive Plan. Adjacent to the site, Unser Boulevard and McMahon Boulevard are both designated as Commuter Corridors, and Unser Boulevard is also overlaid as a future Premium Transit Corridor heading into Rio Rancho.

The other three quadrants of the Unser and McMahon intersection are developed, or are being developed, with a variety of commercial retail and service uses, including a gas station, two pharmacy retail stores, drive-thru restaurants, brewery taprooms, and a coffee shop among others. Additionally, a senior age-restricted community has been built to the east of the subject site at the intersection of McMahon with Fineland Drive NW, and a self-storage facility has opened to the north at Unser and Summer Ridge Road.

The remaining land use in most of the surrounding area is single-family residential, which is adjacent to the subject site to the west across the Bandelier Drive NW right-of-way and to the southeast across Unser Boulevard.

The subject site is not located in a designated Activity Center. The site is adjacent Unser Boulevard and McMahon Boulevard, which are both designated as Commuter Corridors. In addition, Unser Boulevard is designated as a future Premium Transit Corridor.

### ***History***

The current zoning of the subject site and most of the commercial development around the Unser and McMahon intersection is MX-L, Mixed-Use Low Intensity with some PD, Planned Development. These zone categories were established upon the effective date of the IDO based on the previous zoning that consisted of a variety of SU-1 zones that primarily called out C-1 uses from the old Comprehensive Zoning Code as those allowed in the area.

The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313). This site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard.



While the surrounding residential development is predominantly single-family, the zoning consists of a variety of R-1, R-T, R-ML, and PD zones. Some R-A and NR-PO-C zoned property exists to the south along Unser Boulevard where it crosses the Calabacillas Arroyo, which is owned by AMAFCA as part of the Swinburne Dam and related facilities.

A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.

### ***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. Unser Boulevard NE and McMahon Boulevard are both Regional Principal Arterial roadways.

### ***Comprehensive Plan Corridor Designation***

The site is adjacent to Unser Boulevard and McMahon Boulevard, which the Comprehensive Plan designates as Commuter Corridors. Commuter Corridors are higher-speed and higher-traffic volume with routes for people going across town (e.g. limited-access roadways). These Corridors accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling. (See Comprehensive Plan, p. 3-5).

In addition, Unser Boulevard is designated as a future Premium Transit Corridor. Premium Transit Corridors are intended to be served eventually by high-quality, high-capacity, high-frequency public transit (e.g. bus rapid transit). These Corridors are planned for mixed-use and transit-oriented development within walking distance from transit stations at strategic locations along the corridor. (See Comprehensive Plan, p. 3-5).

### ***Transit***

The site is served by Fixed Route 155. The fixed portion of the route runs the length of Coors Boulevard between the Northwest Transit Center (NWTC) and a turn-around at Coors and Gun Club SW. In addition, Route 155 has a "commuter" leg from the NWTC to the Walmart at Unser and Southern in Rio Rancho.

The site is on the Unser and McMahon Commuter Corridors. It is also on the future Unser Premium Transit Corridor. It should be noted that the benefits of Premium Transit Corridor status are not invoked until the route has been determined and station areas have been defined. The latter test has not been met.

### ***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***

For analysis of the Integrated Development Ordinance (IDO), including Definitions, Zoning, Comparison of the MX-L and MX-M zones, and Use-Specific Standards:

***Integrated Development Ordinance (IDO)***

*Current 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. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Specific permissive uses are listed in Table 4-2-1: Allowable Uses, p. 130.

*Proposed Zoning*

The proposed zoning is MX-M [Mixed-Use Moderate Intensity Zone District, IDO 14-16-2-4(C)]. The purpose of the MX-M zone district 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. Allowable uses are shown in Table 4-2-1: Allowable Uses, p. 130.

*Comparison of MX-L and MX-M*

The West Side has an abundance of single family housing. Development on this site can bring services and some employment opportunities to an area that is lacking in both. The site is designated as an Area of Change.

Mixed-use – Low Intensity (MX-L) and Mixed-use Medium Intensity (MX-M) zone districts allow many of the same uses. MX-L is intended to promote neighborhood-scale development, while MX-M is intended to promote community-scale development. Key uses that would be added as allowable under the MX-M zone district include large personal and business services, medium and large general retail, building and home improvement materials store, nightclub, warehousing, and wholesaling and distribution center. Uses that change from conditional to permissive include light vehicle fueling station, light vehicle sales and rental, and bar, would become permissive, rather than conditional as it is in MX-L.

Generally speaking, the uses in the MX-M district would not be harmful to the surrounding neighborhood, as many of the land uses allowed in MX-M already exist on the other developed lots on the Unser Blvd. and McMahon Blvd. intersection. The EPC will need to consider whether the additional allowable uses in MX-M are appropriate in this location and serve to capture and promote development appropriate for the future Premium Transit Corridor (i.e. Unser Blvd., which is access-controlled) or whether the existing MX-L provides for neighborhood-scale development that is more appropriate, given the surrounding zoning and low-density single-family development.

If approved, this will be the only property zoned MX-M in the area; the surrounding MX-L properties would remain to provide a transition to the nearby low-density residential zones.

The chart below outlines the differences between the MX-L and the MX-M zones.



IDO Zoning Comparison: MX-L vs. MX-M		
Use	MX-L	MX-M
Hospital	-	P
Sports Field	C	P
University or College	C	P
Auditorium or Theater	A	P
Bar	C	P
Catering Service	-	P
Nightclub	-	P
Tap room or tasting room	C	P
Light vehicle fueling station	C	P
Light vehicle sales and rental	C	P
Mortuary	C	P
Personal and business services, large	-	P
General retail, medium	-	P
Liquor retail	A	P
Pawn shop	C	P
Park-and-ride lot	C	P
Transit facility	C	P
Drive-through or drive-up facility	CA	A
Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours	-	A

***Albuquerque / Bernalillo County Comprehensive Plan (Rank I)***

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. The Goals and policies analyzed below are cited by the applicant in the revised zone change justification letter dated February 27, 2020 (see attachment).

**Comprehensive Plan Goals and Policies:**

**Applicant justifications are summarized after each cited Goal and Policy. Staff response follows each.**

*Chapter 5: Land Use*

**Goal 5.1 Centers & Corridors:** Grow as a community of strong Centers connected by a multi-modal network of 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 site is adjacent to Unser Boulevard and McMahon Boulevard, which are both designated as Commuter Corridors. In addition, Unser Boulevard is designated as a future Premium Transit Corridor. The subject site is not located in a designated Activity Center but is located at the intersection of two Commuter Corridors and a future Premium Transit Corridor. The proposed zone change would allow for more variety and intensity of uses to provide for new growth and infill development occur along designated corridors.

**Staff response:** The request generally furthers Goal 5.1 Centers & Corridors and Policy 5.1.1 - Desired Growth because the zone change can support appropriate development along the Unser and McMahon Corridors and by helping to shape future development that supports the corridors.

**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 request would direct growth along multiple designated Corridors and in an Area of Change. Changing the zoning from MX-L to MX-M for a portion of the property will allow for more growth to occur.

**Staff response:** The request generally furthers Policy 5.1.2-Development Areas because the scale of development allowed in MX-M is appropriate along the Unser and McMahon Corridors.

**Policy 5.1.8 Premium Transit Corridors:** Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

The subject site is located along Unser Boulevard, which is designated as a future Premium Transit Corridor. While funding of the “locally preferred alternative” has not yet been allocated, the Applicant believes changing the zoning from MX-L to MX-M for a portion of the property supports the development of the site and will accommodate future high capacity service is established. Maintaining MX-L on the portion of the site closest to the adjacent single-family residential provides an appropriate transition between the MX-M and intensity of the Corridor to the neighborhood.

**Staff response:** Policy 5.1.8 Premium Transit Corridors is not applicable because station locations have not been identified and project funding for premium transit has not been allocated. Development of the subject site will likely occur long before a Premium Transit system is developed along Unser Boulevard.



Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

Both Unser Boulevard and McMahon Boulevard are designated Commuter Corridors in the Comprehensive Plan. As a site adjacent to two such corridors, it is appropriate for development of auto-oriented uses such as light vehicle fueling, drive-throughs, and other similar uses that are permissive under the requested MX-M zoning. The appropriate access and additional buffering can be coordinated during the site planning phase of future development.

**Staff response:** The request furthers Policy 5.1.12 Commuter Corridors because the automobile-oriented uses in the MX-M zone are appropriate along the Unser and McMahon Commuter Corridors.

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

The request would generally add to the mix of uses available in this community, which is characterized by a wide variety of commercial, office, institutional, and residential uses, and would foster more opportunities for residents to work, shop (and potentially learn and play) together.

**Staff response:** Staff agrees that the request generally furthers Goal 5.2-Complete Communities because the MX-M zoning district provides more opportunities for residents to live, work, learn, shop, and play in close proximity to growing communities and neighborhoods.

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 proposed zone change would allow for development of a wider variety of commercial uses at the intersection of two arterial streets and adjacent to large single-family subdivisions. The request would generally add to the mix of uses available to neighborhoods in the area. The subject site is conveniently accessible via both Unser and McMahon Boulevards., both designated Commuter Corridors, in a community characterized by a wide variety of commercial, office, institutional, and residential uses.

**Staff response:** The request generally furthers Policy 5.2.1-Land Uses because the MX-M zoning district allows for a greater mix of uses that would be accessible from surrounding neighborhoods.

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 generally contribute a development pattern that maximizes the use of existing infrastructure and the efficient use of land in an Area of Change already developed with a variety of commercial uses that are separated from the neighborhoods.

**Staff response:** The request generally furthers Goal 5.3- Efficient Development Patterns because the MX-M zoning district allow for a greater variety and intensity of uses that can more efficiently utilize existing infrastructure and public facilities along the Unser and McMahon Corridors.

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

The request would support development of the site, which is in a mostly developed area with access to existing infrastructure including multiple-lane arterial roadways, storm drainage facilities, water and sewer, and other utilities.

**Staff response:** The request furthers Policy 5.3.1-Infill Development because the subject site is appropriately located to accommodate additional growth with available infrastructure and public facilities along the Unser and McMahon Corridors.

**Goal 5.4 Jobs-Housing Balance:** Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing growth west of the Rio Grande.

While the existing zoning already allows for multi-family housing development and the primary purpose of this zone change is to allow for a wider range of permissive commercial, the proposed change is consistent with providing opportunities for concentrated higher-density housing near jobs, as well as more job growth west of the Rio Grande.

**Staff response:** The request furthers Goal 5.4 Jobs-Housing Balance because the more intense non-residential uses allowed in the MX-M zoning district may help balance jobs and housing on the City's west side.

**Policy 5.4.1 Housing near Jobs:** Allow higher-density housing and discourage single-family housing near areas of concentrated employment.

The combination of multi-family development on the portion of the site that is to remain MX-L along with any additional multi-family development and commercial uses that could develop with the proposed MX-M would allow higher densities in an area of concentrated employment because of the site's proximity to the Rust Medical Center just to the north in Rio Rancho and providing new jobs west of the Rio Grande.

**Staff response:** The request furthers Policy 5.4.1 Housing near Jobs because the MX-M zoning district may accommodate concentrated employment near already established and future residential uses.

**Policy 5.4.2 West Side Jobs:** Foster employment opportunities on the West Side.

Approving a change of zoning from MX-L to MX-M for a portion of the Applicant's property will further this policy by allowing a greater number of permissible commercial and office uses and additional job growth on the subject site, which is located west of the Rio Grande.

**Staff response:** The request furthers Policy 5.4.2 West Side Jobs because the more intense non-residential uses of the MX-M zoning district may foster new employment opportunities on the City's west side.

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.

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 proposed zone change would direct growth to an Area of Change where it is expected and desired, which generally helps to ensure that development near and in Areas of Consistency reinforces the character and intensity of the surrounding area. The request would direct more growth to a site designated within an Area of Change. Allowing a variety of commercial uses and higher density housing on the subject site would expand employment opportunities in the area and support the existing and future commercial uses, and ultimately, support future higher-capacity transit service as desired along Unser Boulevard. The subject site is along designated Commuter Corridors, Unser and McMahon Boulevards. Any growth resulting from the request would be directed to these areas, in which change is encouraged.

**Staff response:** The request generally furthers Goal 5.6 City Development Areas and Policy 5.6.2-Areas of Change because the site is an Area of Change where growth is expected and desired and the change to MX-M will direct more intense development to the Unser and McMahon Corridors.

Policy 5.6.4 Appropriate Transitions: Provide Transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

The Applicant has considered the transition between the subject site and neighboring low-density residential and has chosen to keep the existing MX-L zoning for the rear portion of the property closest to the existing residential area. This provides a step-down in intensity of uses and building height between this development and the R-T zoned lots to the west.

**Staff response:** The request furthers Policy 5.6.4 Appropriate Transitions because the proposed zoning boundaries of the requested MX-M zoning district will retain MX-L zoning along the Bandelier frontage to act as a transition to the existing residential neighborhood. The IDO's Neighborhood Edge protections will apply to both the retained MX-L and new MX-M zoning districts to ensure appropriate transitions to the protected R-T zoned properties to the west.

## *Chapter 7: Urban Design*

Policy 7.3.4-Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The proposed zone change would provide a location to plan a larger-scale development that will provide a mix of uses, housing options, and needed retail and services for the northwest part of the City; however, it is not possible to ascertain at this stage (no site plan) if it will enhance the built environment in the area of stylistically blend with surrounding structures on the block.



**Staff response:** The request partially furthers Policy 7.3.4-Infill because the development on the larger site will create a built environment that is unique to the large southwest quadrant of the Unser/McMahon intersection that will enhance development on the surrounding, already developed intersection quadrants.

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

The IDO's Building Standards apply City-wide and are intended to result in high-quality design. However, the subject site is not in a designated Center, Main Street, Premium Transit, or CPO that has additional design standards beyond the baseline standards.

**Staff response:** The request partially furthers Policy 7.3.5- Development Quality because the MX-M zoning district in this location is not subject to any special design standards, but the IDO's general standards will require a good quality of design that will enhance the Unser and McMahon Corridors.

## *Chapter 8: Economic Development*

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

**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.

Changing the zoning of the subject site from MX-L to MX-M will further this goal by fostering development of commercial uses that will complement existing commercial and service uses in the area and is anticipated to have sufficient impact. The zone change would further establish the area as an interesting place on Albuquerque's west side. A combination of these commercial uses with multi-family residential will create a mixed-use development near the intersection of two Commuter Corridors in an Area of Change that takes advantage of its location near a major employment anchor established by the Rust Medical Center.

**Staff response:** The request furthers Goal 8.1-Placemaking and Policy 8.1.1 Diverse Places because the MX-M zoning district allows for more intense uses that can accommodate a greater variety of businesses and more flexibility for building scale and densities that can encourage business retention and economic development.

**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 generally encourage economic development efforts that would add additional commercial or retail options to serve the neighborhood, which could help foster a more robust economy.

*Staff response:* The request furthers Policy 8.1.2-Resilient Economy because the MX-M zoning district will allow for more intense uses that will provide for more diverse economic potential.

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

**Requirements**

The review and decision criteria outline policies and 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 pursuant to Subsection 6-4(F)(2).

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.

***Justification & Analysis***

The subject site is currently zoned MX-L (Mixed-Use Low Intensity Zone). The proposed zoning is MX-M (Mixed-Use Medium Intensity Zone). The Applicant is requesting MX-M zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection.

The applicant's justification letter, analyzed here, was received on February 27, 2020 and was updated on April 2, 2020 in response to a letter issued by Staff dated March 6, 2020 (see attachments). Pursuant to the IDO Subsection 6-4(F)(2), the applicant bears the burden of providing a sound justification for the request, based on substantial evidence.

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 citations are from the IDO. The applicant's arguments are in *italics*. Staff analysis follows with the heading "Staff".

- A. 6-7(F)(3)(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 a preponderance of the applicable Comprehensive Plan goals and policies, as follows: (See **Albuquerque / Bernalillo County Comprehensive Plan (Rank I)** beginning on page 6 of this staff report).*

Staff: Criterion A is an important component of a zone change justification, though all criteria are required to be fulfilled adequately. 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 conflict with them.

*Applicable citations: Goal 5.1 Centers & Corridors; Policy 5.1.1 Desired Growth; Policy 5.1.2 Development Areas; Policy 5.1.12 Commuter Corridors; Goal 5.2 Complete Communities; Policy 5.2.1 Land Uses; Goal 5.3 Efficient Development Patterns; Policy 5.3.1 Infill Development; Goal 5.4 Jobs-Housing Balance; Policy 5.4.1 Housing near Jobs; Policy 5.4.2 West Side Jobs; Goal 5.6 City Development Areas; Policy 5.6.2 Areas of Change; Policy 5.6.4 Appropriate Transitions; Policy 7.3.4 Infill; Policy 7.3.5 Development Quality; Goal 8.1 Placemaking; Policy 8.1.1 Diverse Places; Policy 8.1.2 Resilient Economy.*

**Staff response:** 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 because it would generally further a preponderance of applicable Comprehensive Plan Goals and policies. The main argument is that the request would support infill development and use existing infrastructure along a designated corridor in an Area of Change, where growth is generally desired. The response to Criterion A is sufficient.

B. 6-7(F)(3)(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:

- There was typographical or clerical error when the existing zone district was applied to the property.
- There has been a significant change in neighborhood or community conditions affecting the site.
- 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 subject site is not located in an Area of Consistency.*

**Staff response:** 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. 6-7(F)(3)(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 existing zoning is not appropriate for this large 19-acre subject property because a different zone district is more advantageous to the community as articulated by the Comprehensive Plan. It is not realistic for a property this large to be completely developed with small-scale uses allowable under the MX-L zone district. As evidenced with the surrounding developments, there are several uses already in the area that would not be allowed under the MX-L zoning such as General Retail, Medium and Liquor Retail. Changing the zoning from MX-L to MX-M furthers a preponderance of applicable goals and policies of the Albuquerque/Bernalillo County Comprehensive Plan as described in the response to criterion (a), including development along Commuter Corridors, infill development and land use patterns, variety of housing choices and locations, and supporting future transit along Unser Boulevard. The change to a more intense mixed-use zone district provides needed services to area residents and help establish a mixed-use center near the intersection of two Comprehensive Plan Corridors.*

*The Applicant's proposed zoning and the uses allowed by it will serve the surrounding and overall community with more commercial options and a variety of housing choices on a site that is considered an Area of Change and is well-served by existing infrastructure. The request provides a pattern of land use, density, and intensity that is advantageous by proposing the MX-M zone close to Unser Boulevard and McMahon Boulevard while keeping the existing MX-L zone for the portion of the property near existing single-family residential uses. Future site planning will further define access and traffic circulation along these limited access Corridors, as well as appropriate buffers.*

**Staff response:** The subject site is located in an Area of Change. The applicant chooses #3, that a different zone district is more advantageous to the community, as articulated in the Comprehensive Plan, than the current zoning. The applicant has adequately demonstrated, through the required policy analysis in the response to Criterion A, that the request would be generally more advantageous to the community as articulated in the Comprehensive Plan. The response to criterion C is sufficient.

- D. 6-7(F)(3)(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: None of the permissive uses in the MX-M zone will be harmful to the adjacent property, neighborhood, or community. The following table provides a comparison of the MX-L and MX-M zones, limited to those uses that are permissive in the MX-M zone that are not already permissive in the MX-L zone (i.e., all uses that are facilitated by this zone change that would not need to come back for Conditional Use approval later). Of these uses, many are already allowed conditionally in the MX-L zone, and several have already been developed on the neighboring properties, including light vehicle fueling station, tap room or tasting room,*

*liquor retail, and drive-through or drive-up facility and those uses have not proved harmful to the area. Many of the MX-M uses also have use-specific standards that mitigate their impacts, including the following:*

- *Hospital: limited to 20 overnight beds and no ambulance traffic allowed.*
- *Light vehicle fueling station: made a Conditional Use with additional screening requirements if adjacent to any residential zone district.*
- *Light vehicle sales and rental: extra screening requirements adjacent to residential.*
- *Liquor retail: Conditional Use within 500 feet of residential, which is the entire subject site except for a very small portion right on the corner of the Unser and McMahon intersection.*
- *Separation requirements for pawn shops.*

IDO Zoning Comparison: MX-L vs. MX-M		
Use	MX-L	MX-M
Hospital	-	P
Sports Field	C	P
University or College	C	P
Auditorium or Theater	A	P
Bar	C	P
Catering Service	-	P
Nightclub	-	P
Tap room or tasting room	C	P
Light vehicle fueling station	C	P
Light vehicle sales and rental	C	P
Mortuary	C	P
Personal and business services, large	-	P
General retail, medium	-	P
Liquor retail	A	P
Pawn shop	C	P
Park-and-ride lot	C	P
Transit facility	C	P
Drive-through or drive-up facility	CA	A

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Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours	-	A
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**Staff response:** The applicant provided a thorough discussion of the uses that would become permissive in the MX-M zone and addressed the issue of potential harm to adjacent property, the neighborhood, or the community. The applicant points out that some of the uses, such as artesian manufacturing and light vehicle fueling station, have applicable use-specific standards that contain requirements to mitigate potential, harmful effects on the surrounding area. The response to Criterion D is sufficient.

- E. 6-7(F)(3)(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: The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill development property that has long been planned for commercial uses. Projects around the Unser and McMahon intersection have been ongoing since the late 1990s, and adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Any required extension of these services, including the potential completion of the unpaved portion of Bandelier Drive adjacent to the subject site, will be the responsibility of the developer.*

**Staff response:** Requirement 1 applies. The applicant states that existing infrastructure and public improvements would have adequate capacity to serve development made possible by the proposed zone change. However, if the use change would cause the need for infrastructure improvements, the applicant would be responsible for providing them. The response to Criterion E is sufficient.

- F. 6-7(F)(3)(f) The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

*Applicant: While the property is located adjacent to Unser Boulevard and McMahon Boulevard, two arterial roadways, it is not the only reason for providing justification for the zone change to MX-M. As described earlier in this letter, the request is more advantageous to the community*

*as it furthers a preponderance of applicable Comprehensive Plan policies for Commuter Corridors, land use, infill development, and economic development.*

**Staff response:** The subject site is located on Unser Boulevard and McMahon Boulevard, which the Comprehensive Plan designates as Commuter Corridors. Blvd. NE, a Principal Arterial and multi-modal corridor, but that location is not being used as the primary justification for the request. The applicant has demonstrated that the request furthers a preponderance of applicable, Comprehensive Plan Goals and policies and does not conflict with them. The response to Criterion F is sufficient.

- G. 6-7(F)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

*Applicant: The cost of land or other economic considerations are not the determining factor for this zone change request. The requested zone change will allow larger retail businesses and additional commercial uses to develop that will provide additional needed services closer to residents in the northwest part of the City.*

**Staff response:** The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies (Criteria A, C, and D) and does not conflict significantly with them. The response to Criterion G is sufficient.

- H. 6-7(F)(3)(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: The area of the requested zone change is over 10 acres, which is greater than half of the subject site, so the zoning would not be applied to a small area. The request also keeps the zoning as a mixed-use zone not dissimilar to what is already in place but at a higher intensity. However, the request is for a single premise while the others around it are to remain MX-L, so the request constitutes a "spot zone." The Applicant believes this is a justifiable "spot zone" because it clearly facilitates implementation of the Comprehensive Plan by allowing uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area.*

*The site is also not suitable for the uses in the adjacent zone districts because of its size and the amount of traffic on the surrounding roadways. This location at the crossroads of two Commuter*



*Corridors that carry upwards of 30,000+ vehicle average weekday traffic (Unser Boulevard) is more suited to moderate to high intensity uses rather than the light intensity uses presently allowed. This is evidenced by the number of Conditional MX-L and legally nonconforming uses that are developed on neighboring properties. The subject site's size also makes it an ideal location to properly plan a larger-scale development that will provide a mix of uses, housing options, and needed retail and services for the northwest part of the City.*

**Staff response:** The request would result in a spot zone because it facilitates implementation of the Comprehensive Plan by allowing uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area. The response to Criterion H is sufficient.

### **III. AGENCY & NEIGHBORHOOD CONCERNS**

#### ***Reviewing Agencies***

City departments and other interested agencies reviewed this application prior to the EPC Hearing. Few agency comments were received and none were averse to the request. Refer to the agency comments at the end of the staff report.

#### ***Neighborhood/Public***

Consensus Planning notified the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations regarding this request. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association at the Starbucks located just east of the subject site. Notes from this meeting are included in the application for this Zone Map Amendment. They summarize the discussion, which included the site's history, the requested zoning and anticipated development, and site access. The neighbors indicated they would like to see a grocery store developed on the site; however, there has been no interest in this site from any grocery stores. Regardless, the neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning.

Property owners within 100 feet of the subject site were also notified, as required (see attachments).

No other neighborhood representatives requested a meeting or reached out for information about the request.

### **IV. CONCLUSION**

The request is for a zone map amendment (zone change) for an approximately 19.1-acre site known as: all or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., (the "subject site"). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west, which is currently vacant.

The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant is requesting MX-M (Mixed-Use Medium Intensity) zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection.

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes 6-7(F)(3).

The applicant notified the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations and property owners within 100 feet of the subject site as required. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association. Notes from this meeting are included in the application for this Zone Map Amendment. The neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning. No other neighborhood representatives requested a meeting or reached out for information about the request.

***FINDINGS - RZ-2020-00005, April 23, 2020, - Zoning Map Amendment (Zone Change)***

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes 6-7(F)(3).

1. The request is for a zone map amendment (zone change) for an approximately 19.1-acre site known as: all or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., (the “subject site”). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west, which is currently vacant.
2. The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant is requesting MX-M (Mixed-Use Medium Intensity) zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection.
3. The subject site is in an area that the Comprehensive Plan has designated an Area of Change. The site is on the Unser and McMahon Commuter Corridors. It is also on the future Unser Premium Transit Corridor. It should be noted that the benefits of Premium Transit Corridor status are not invoked until the route has been determined and station areas have been defined. The latter test has not been met.
4. 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.
5. The request furthers the following, applicable Goal and policies regarding Land Use:
  - A. Goal 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The request generally furthers Goal 5.1 Centers & Corridors because the zone change can support appropriate development along the Unser and McMahon Corridors and by helping to shape future development that supports the corridors.
  - B. 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 request generally furthers Policy 5.1.1 -Desired Growth because the zone change can support appropriate development along the Unser and McMahon Corridors and by helping to shape future development that supports the corridors.

- C. 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 request generally furthers Policy 5.1.2-Development Areas because the scale of development allowed in MX-M is appropriate along the Unser and McMahon Corridors.

- D. Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

The request furthers Policy 5.1.12 Commuter Corridors because the automobile-oriented uses, such as light vehicle fueling, drive-throughs, and other similar uses in the MX-M zone are appropriate along the Unser and McMahon Commuter Corridors. Appropriate access and buffering will be coordinated in future site planning and development review.

6. The request furthers the following, applicable Goal and policies regarding Complete Communities:

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

The request generally furthers Goal 5.2-Complete Communities because the MX-M zoning district provides more opportunities for residents to live, work, learn, shop, and play in close proximity to growing communities and neighborhoods.

- 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 generally furthers Policy 5.2.1-Land Uses because the MX-M zoning district allows for a greater mix of uses that would be accessible from surrounding neighborhoods.

7. The request furthers the following, applicable Goal and policies regarding 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 generally furthers Goal 5.3- Efficient Development Patterns because the MX-M zoning district allow for a greater variety and intensity of uses that can more efficiently utilize existing infrastructure and public facilities along the Unser and McMahon Corridors.



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

The request furthers Policy 5.3.1-Infill Development because the subject site is appropriately located to accommodate additional growth with available infrastructure and public facilities along the Unser and McMahon Corridors.

8. The request furthers the following, applicable Goal and policies regarding Jobs-Housing Balance:

- A. Goal 5.4 Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing growth west of the Rio Grande.

The request furthers Goal 5.4 Jobs-Housing Balance because the more intense non-residential uses allowed in the MX-M zoning district may help balance jobs and housing on the City's west side.

- B. Policy 5.4.1 Housing near Jobs: Allow higher-density housing and discourage single-family housing near areas of concentrated employment.

The request furthers Policy 5.4.1 Housing near Jobs because the MX-M zoning district may accommodate concentrated employment near already established and future residential uses.

- C. Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.

The request furthers Policy 5.4.2 West Side Jobs because the more intense non-residential uses of the MX-M zoning district may foster new employment opportunities on the City's west side.

9. The request furthers the following, applicable Goal and policies regarding 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 request generally furthers Goal 5.6 City Development Areas because the site is an Area of Change where growth is expected and desired and the change to MX-M will direct more intense development to the Unser and McMahon Corridors.

- 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 request generally furthers Policy 5.6.2-Areas of Change because the site is an Area of Change where growth is expected and desired and the change to MX-M will direct more intense development to the Unser and McMahon Corridors.

- C. Policy 5.6.4 Appropriate Transitions: Provide Transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

The request furthers Policy 5.6.4 Appropriate Transitions because the proposed zoning boundaries of the requested MX-M zoning district will retain MX-L zoning along the Bandelier frontage to act as a transition to the existing residential neighborhood. The IDO's Neighborhood Edge protections will apply to both the retained MX-L and new MX-M zoning districts to ensure appropriate transitions to the protected R-T zoned properties to the west.

10. The request furthers the following, applicable Goal and policies regarding Urban Design:

- A. Policy 7.3.4-Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The request partially furthers Policy 7.3.4-Infill because the development on the larger site will create a built environment that is unique to the large southwest quadrant of the Unser/McMahon intersection that will enhance development on the surrounding, already developed intersection quadrants.

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

The request partially furthers Policy 7.3.5- Development Quality because the MX-M zoning district in this location is not subject to any special design standards, but the IDO's general standards will require a good quality of design that will enhance the Unser and McMahon Corridors.

11. The request furthers the following, applicable Goal and policies regarding Placemaking:

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

The request furthers Goal 8.1-Placemaking because the MX-M zoning district allows for more intense uses that can accommodate a greater variety of businesses and more flexibility for building scale and densities that can encourage business retention and economic development.

- B. 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.

The request furthers Policy 8.1.1 Diverse Places because the MX-M zoning district allows for more intense uses that can accommodate a greater variety of businesses and more flexibility for building scale and densities that can encourage business retention and economic development.

- C. 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 furthers Policy 8.1.2-Resilient Economy because the MX-M zoning district will allow for more intense uses that will provide for more diverse economic potential.

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: 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.

The applicant has adequately demonstrated, in a policy-based response, that the request is consistent with the City's health, safety, morals and general welfare because it would generally further a preponderance of applicable Comprehensive Plan Goals and policies. The request would support infill development and use existing infrastructure along a designated corridor in an Area of Change, where growth is desired.

- B. Criterion B: This criterion does not apply because the subject site is not located in an Area of Consistency, either wholly or in part.

- C. Criterion C: The subject site is located in an Area of Change. The applicant chooses #3, that a different zone district is more advantageous to the community, as articulated in the Comprehensive Plan, than the current zoning. The applicant has adequately demonstrated, through the required policy analysis in the response to Criterion A, that the request would be generally more advantageous to the community as articulated in the Comprehensive Plan.

- D. Criterion D: The applicant provided a thorough discussion of the uses that would become permissive in the MX-M zone and addressed the issue of potential harm to adjacent property, the neighborhood, or the community. The applicant points out that some of the uses, such as artesian manufacturing and light vehicle fueling station, have applicable use-specific standards that contain requirements to mitigate potential, harmful effects on the surrounding area.

- E. Criterion E: Requirement 1 applies. The applicant states that existing infrastructure and public improvements would have adequate capacity to serve development made possible by the proposed zone change. However, if the use change would cause the need for infrastructure improvements, the applicant would be responsible for providing them.
  - F. Criterion F: The subject site is located on Unser Boulevard and McMahon Boulevard, which the Comprehensive Plan designates as Commuter Corridors. Blvd. NE, a Principal Arterial and multi-modal corridor, but that location is not being used as the primary justification for the request. The applicant has demonstrated that the request furthers a preponderance of applicable, Comprehensive Plan Goals and policies and does not conflict with them.
  - G. Criterion G: The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies (Criteria A, C, and D) and does not conflict significantly with them.
  - H. Criterion H: The request would result in a spot zone because it facilitates implementation of the Comprehensive Plan by allowing uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area.
13. The zone map amendment is adequately justified pursuant to the IDO Review and Decision criteria for zone changes in 14-16-6-7(F)(3). The policy analysis demonstrates that the request furthers a preponderance of applicable Goals and policies and does not conflict with them.
14. The affected neighborhood organizations are the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
15. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association. Notes from this meeting are included in the application for this Zone Map Amendment. The neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning. No other neighborhood representatives requested a meeting or reached out for information about the request.

***RECOMMENDATION - RZ-2020-00005, April 23, 2020***

**APPROVAL of Project #: 2020-003443 Case #: 2020-00005, a zone change from MX-L to MX-M, for an approximately 10.1 acre portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., , located on Unser NW, between Bandelier Drive NW, and McMahon Boulevard NW, based on the preceding Findings and subject to the following Conditions.**

**CONDITIONS OF APPROVAL**

1. The applicant shall meet with the Staff planner to ensure that all conditions of approval are met. Upon receiving final approvals, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.
2. The site shall be re-platted (minor subdivision) at the Development Review Board (DRB) per the sketch plat submitted to the DRB on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment (attached to the application).
3. CONDITIONS FROM PNM to be placed on all future Site Plans:
  - A. An existing overhead distribution line is located along the northwest side of the subject site. It is the applicant's obligation to abide by any conditions or terms of those easements.
  - B. As a condition, the developer shall contact PNM's New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at [www.pnm.com/erequest](http://www.pnm.com/erequest) for PNM to review.
  - C. 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 56 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](http://www.pnm.com) for specifications.



*Linda Rumpf*

**Linda Rumpf  
Staff Planner**

Notice of Decision cc list:

Liste will be finalized subsuequent to the EPC hearing on April 23, 2020.

## AGENCY COMMENTS

### PLANNING DEPARTMENT

#### *Long Range Planning*

The West Side has an abundance of single family housing. Development on this site can bring services and some employment opportunities to an area that is lacking in both. The site is designated as an Area of Change.

Mixed-use – Low Intensity (MX-L) and Mixed-use Medium Intensity (MX-M) zone districts allow many of the same uses. MX-L is intended to promote neighborhood-scale development, while MX-M is intended to promote community-scale development. Key uses that would be added as allowable under the MX-M zone district include large personal and business services, medium and large general retail, building and home improvement materials store, nightclub, warehousing, and wholesaling and distribution center. Uses that change from conditional to permissive include light vehicle fueling station, light vehicle sales and rental, and bar, would become permissive, rather than conditional as it is in MX-L.

Generally speaking, the uses in the MX-M district would not be harmful to the surrounding neighborhood, as many of the land uses allowed in MX-M already exist on the other developed lots on the Unser Blvd. and McMahon Blvd. intersection. The size of the site that is proposed to change to MX-M does not appear to be large enough for the larger-format uses allowed by MX-M. It may be that the property owner wants the zone map amendment for the uses that become permissive in MX-M rather than conditional in MX-L.

The EPC will need to consider whether the additional allowable uses in MX-M are appropriate in this location and serve to capture and promote development appropriate for the Premium Transit Corridor (i.e. Unser Blvd., which is access-controlled) or whether the existing MX-L provides for neighborhood-scale development that is more appropriate, given the surrounding zoning and low-density single-family development.

If approved, this will be the only property zoned MX-M in the area; the surrounding MX-L properties will provide a transition to the nearby low-density residential zones.

#### *Transportation Development Services*

No objection to the request.

### MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

No comments

### SOLID WASTE MANAGEMENT DEPARTMENT

No comments

TRANSIT DEPARTMENT

Transit Corridor?	Transit Route?	Current Service/Stops	Comments/Support/Requests
The site is on the Unser and McMahon Commuter Corridors. It is also on the future Unser Premium Transit Corridor. <b>It should be noted that the benefits of Premium Transit Corridor status are not invoked until the route has been determined and station areas have been defined. The latter test has not been met.</b>	The site is served by Fixed Route 155. The fixed portion of the route runs the length of Coors Boulevard between the Northwest Transit Center (NWTC) and a turn-around at Coors and Gun Club SW. In addition, Route 155 has a "commuter" leg from the NWTC to the Walmart at Unser and Southern in Rio Rancho.	The Fixed Route 155 has a stop pair immediately east of Unser on McMahon and a second stop pair on Unser at Summer Ridge. <b>These stops are only used when the commuter portion of the route is operating,</b> i.e. 5 trips southbound in the morning between 5:30 and 8:00 AM and 3 trips southbound between 4:45 and 6:00 PM. Northbound: one trip arrives at the Walmart in the morning, and 4 trips arrive between 4:45 and 6:30 PM.	ABQ RIDE supports this request. Commuter Corridors are intended primarily for transportation modes other than transit and transit service to the site is not robust. This situation is not likely to change in the foreseeable future. We agree with the applicant that the sorts of land use available through the MX-M designation better comport with the Commuter Corridor designation.

PARKS DEPARTMENT

PRD has no objection to the current re-zone request. Site to be re-platted through DRB process and requested to be re-zoned from MX-L to MX-M through EPC. Developers cannot alter the existing multi-purpose trail on the east property line at Unser Blvd NW, and must install street trees and landscaping upon development.

PARKS DEPARTMENT / OPEN SPACE

No comments

ABC WATER UTILITY AUTHORITY (ABCWUA)

No adverse comments to the proposed zone change from MX-L to MX-M.

ALBUQUERQUE PUBLIC SCHOOLS

APS Case Comments: The land as it is currently zoned, and as amended (if approved) will allow residential development. Potential impact to APS include the following schools: Sierra Vista Elementary School, James Monroe Middle School, and Cibola High School.

**School Capacity**

School	2019-2020 40 <sup>th</sup> Day Enrollment	Facility Capacity	Space Available
Sierra Vista Elementary School	609	660	51
James Monroe Middle School	1029	1135	106
Cibola High School	1904	2160	256

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)**

No adverse comments

**PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM)**

Conditions for Approval for Project #2020-03445 (RZ-2020-00005) Zone Map Amendment/zone change (development that will allow for a greater variety of commercial uses located on Unser Blvd NW between Bandelier Dr NW and McMahon Blvd. NW)

1. An existing overhead distribution line is located along the northwest side of the subject site. It is the applicant’s obligation to abide by any conditions or terms of those easements.
2. As a condition, the developer shall contact PNM’s New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at [www.pnm.com/erequest](http://www.pnm.com/erequest) for PNM to review.
3. 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 56 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](http://www.pnm.com) for specifications.

**NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)**

No comments at this time

## **APPENDIX**

## SITE PHOTOS





View of southwest corner of Unser Blvd. and McMahon Blvd.



View at McMahon Blvd. and Bandelier Drive



View from McMahon and Bandelier west towards neighborhood



View across site from corner of McMahon and Bandelier



View across site from corner of Unser and Bandelier



View of site from southwest corner of Unser and McMahon





View south along Unser from southwest corner of Unser and McMahon



View to southeast from corner of Unser and McMahon of adjacent development

## HISTORY

## History:

The current zoning of the subject site and most of the commercial development around the Unser and McMahon intersection is MX-L, Mixed-Use Low Intensity with some PD, Planned Development. These zone categories were established upon the effective date of the IDO based on the previous zoning that consisted of a variety of SU-1 zones that primarily called out C-1 uses from the old Comprehensive Zoning Code as those allowed in the area.

The site had a Site Plan for Subdivision heard by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313) but was delegated to the DRB and never received final sign-off. The previous site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard at approved locations within the roadway access limitations set by the Mid-Region Metropolitan Planning Organization. The Applicant intends pursue and utilize this previously approved access to the adjacent limited access roadways for future development of the site.

While the surrounding residential development is predominantly single-family, the zoning consists of a variety of R-1, R-T, R-ML, and PD zones. Some R-A and NR-PO-C zoned property exists to the south along Unser Boulevard where it crosses the Calabacillas Arroyo, which is owned by AMAFCA as part of the Swinburne Dam and related facilities.

A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.



## ZONING

Please refer to §14-16-2-4(C)  
of the IDO for the MX-M zone

## 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.

<b>Administrative Decisions</b>	<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)	<b>Policy Decisions</b>
<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)
<b>Decisions Requiring a Public Meeting or Hearing</b>	<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)	<b>Appeals</b>
<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: Holly Partners, LLC		Phone: (505) 710-0307
Address: 904 Copperhead Ct. NE		Email: hollypartners@gmail.com
City: Albuquerque	State: NM	Zip: 87113
Professional/Agent (if any): Jacqueline Fishman, AICP, Consensus Planning, Inc.		Phone: (505) 764-9801
Address: 302 8th Street NW		Email: fishman@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site: Owner		List <u>all</u> owners:

### BRIEF DESCRIPTION OF REQUEST

Zoning map amendment from MX-L to MX-M for portion of site fronting on Unser Boulevard and McMahon Boulevard

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

Lot or Tract No.: 20A-1	Block:	Unit:
Subdivision/Addition: Paradise North	MRGCD Map No.:	UPC Code: 101106627731810201
Zone Atlas Page(s): A-11	Existing Zoning: MX-L	Proposed Zoning: MX-M
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): ~10.2 acres

### LOCATION OF PROPERTY BY STREETS

Site Address/Street: Unser Blvd NW Between: Bandelier Drive NW and: McMahon Blvd NW

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

Z-85-119 and 1004313

Signature:	Date: 2/27/2020
Printed Name: Jacqueline Fishman, AICP	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

### FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees
RZ-2020-00005	AZM	\$1,100
-		
-		
Meeting/Hearing Date: April 9, 2020	Fee Total: \$1,100	
Staff Signature:	Date: 2-27-2020	Project # PR-2020-3445



## 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](mailto: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, 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.

Signature: Jacqueline Fishman

Date: 2/27/2020

Printed Name: JACQUELINE FISHMAN

☐ Applicant or ☒ Agent

#### FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

PR-2020-003445

RZ-2020-00005

Staff Signature: [Signature]

Date: 2-27-2020



# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application for a \$10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter.

#### 1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

#### 2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

#### 3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

#### 4. TIME

Signs must be posted from March 25, 2020 To April 9, 2020

#### 5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

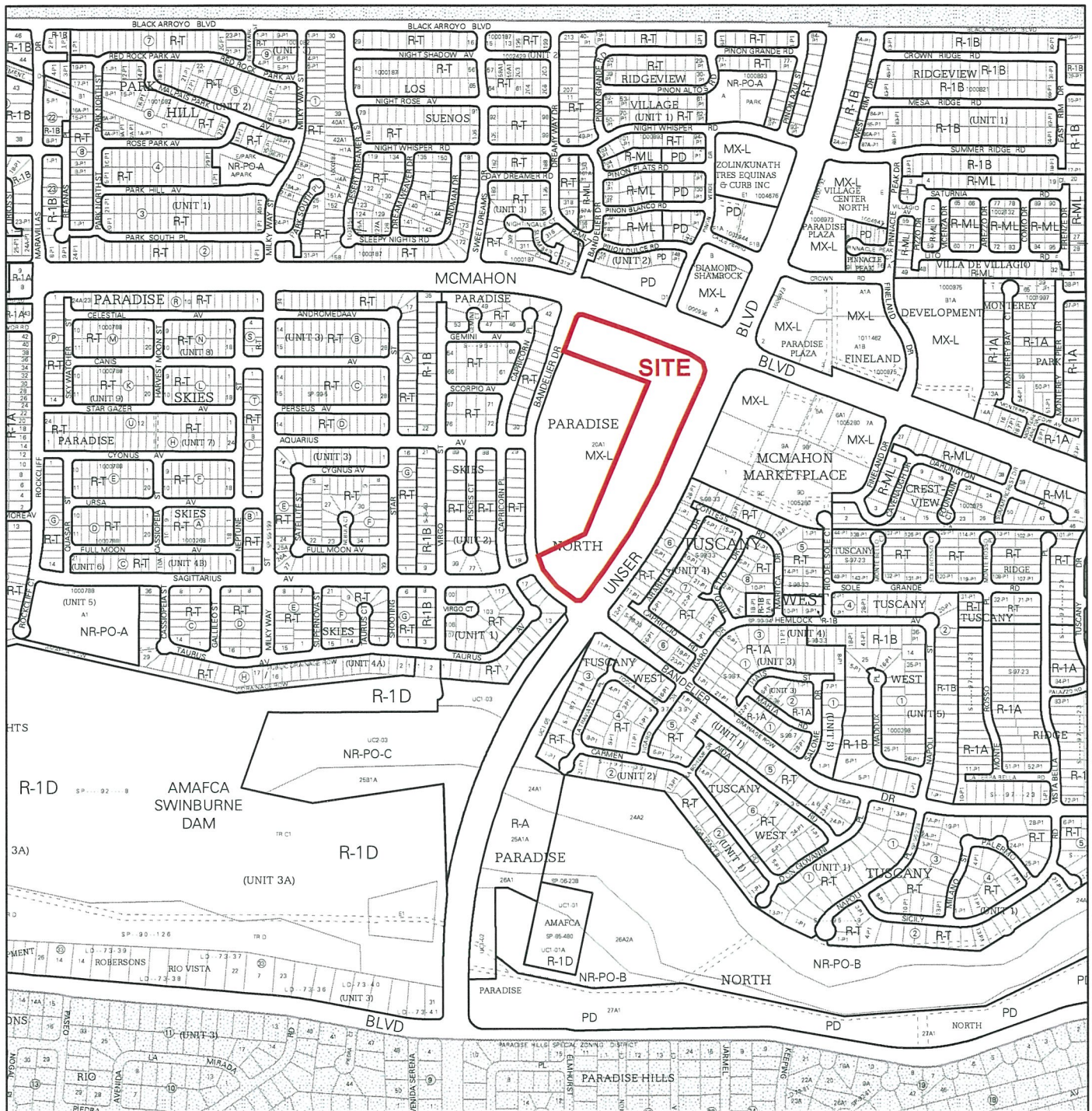
Michael J. Van  
(Applicant or Agent)

2/27/20  
(Date)

I issued 3 signs for this application, 2-27-2020, Vaf  
(Date) (Staff Member)

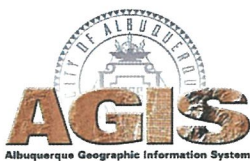
PROJECT NUMBER: PR-2020-003443



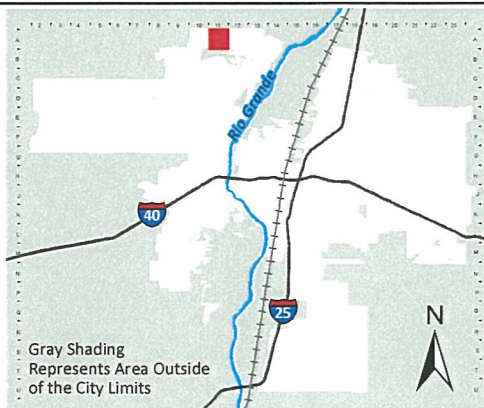


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones  
are established by the  
Integrated Development Ordinance (IDO).



Zone Atlas Page:

**A-11-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet



February 24, 2020

Dan Serrano, Chairman  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

RE: Unser and McMahon Boulevard NW – Request for Zoning Map Amendment

Dear Mr. Chairman:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as our agent on a zone change request from MX-L to MX-M for the property located at the southwest corner of Unser Boulevard and McMahon Boulevard NW.

The property is legally described as all or a portion of Tract 20A-1, Paradise North situated within the Town of Alameda Grant. Holly Partners is the owner of the property.

Thank you for your consideration.

Sincerely,



Jayesh Patel  
Member  
Holly Partners, LLC



April 2, 2020

Dan Serrano, Chairman  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

RE: Zoning Map Amendment for the Southwest Corner of Unser and McMahon

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Dear Mr. Chairman:

On behalf of Holly Partners LLC, Consensus Planning submits this request for approval of a Zoning Map Amendment – EPC. The purpose of this letter is to provide justification of the Applicant's request for a Zoning Map Amendment by responding to the decision criteria specified in Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west (see Figure 1). A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application. Completion of the platting will occur subsequent and as a condition of approval of this Zone Map Amendment.

*Figure 1. Subject site (approximate area of zone change bounded in red) and area context.*



## PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

## PROJECT CONTEXT AND SUMMARY

The subject site is approximately 10.2 acres of the 19.09-acre parcel with the following legal description: All or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant.



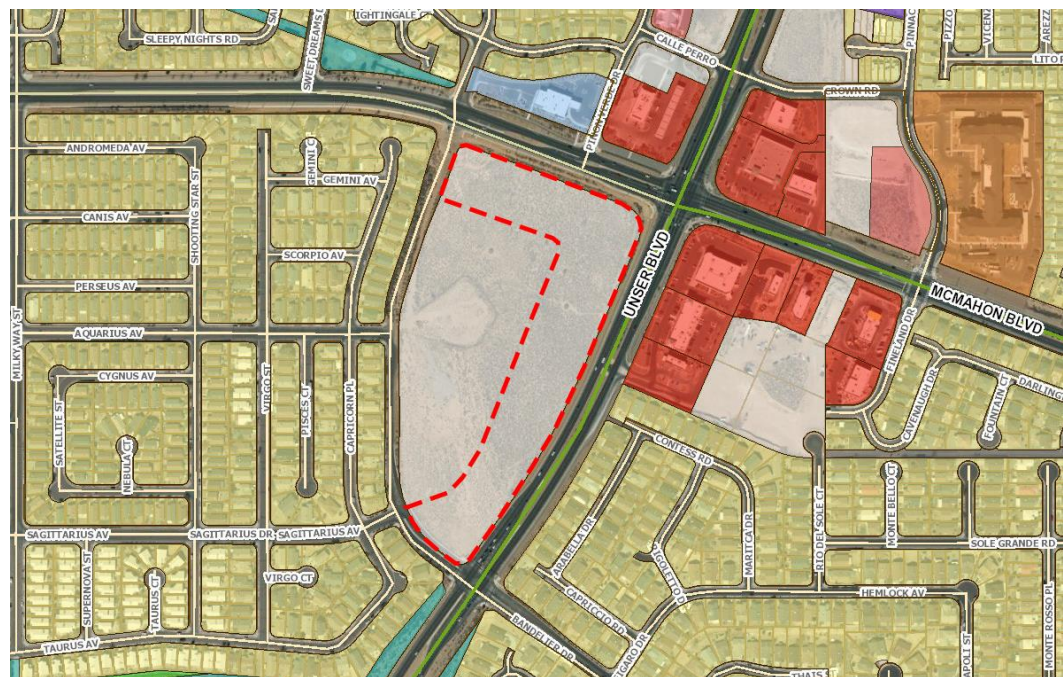
The property is located on the west side of Unser Boulevard NW and north of the Calabacillas Arroyo between Bandelier Drive and McMahon Boulevard and is currently vacant.

The property is within the Northwest Mesa Community Planning Area and is designated as an “Area of Change” in the 2017 Albuquerque/Bernalillo County Comprehensive Plan. According to Figure 5-4: Centers and Corridors from the Comprehensive Plan, Unser Boulevard and McMahon Boulevard are both designated as Commuter Corridors, and Unser Boulevard is also overlaid as a future Premium Transit Corridor heading into Rio Rancho.

The other three quadrants of the Unser and McMahon intersection are developed, or are being developed, with a variety of commercial retail and service uses, including a gas station, two pharmacy retail stores, drive-thru restaurants, brewery taprooms, and a coffee shop among others. Additionally, a senior age-restricted community has been built to the east of the subject site at the intersection of McMahon with Fineland Drive NW, and a self-storage facility has opened to the north at Unser and Summer Ridge Road.

The remaining land use in most of the surrounding area is single-family residential, which is adjacent to the subject site to the west across the Bandelier Drive NW right-of-way and to the southeast across Unser Boulevard.

*Figure 2. Land Use Context (approximate area of zone change bounded in red)*



## Site History and Zoning

The current zoning of the subject site and most of the commercial development around the Unser and McMahon intersection is MX-L, Mixed-Use Low Intensity with some PD, Planned Development. These zone categories were established upon the effective date of the IDO based on the previous zoning that consisted of a variety of SU-1 zones that primarily called out C-1 uses from the old Comprehensive Zoning Code as those allowed in the area.

The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313) but was delegated to the DRB and never received final sign-off. The previous site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard at approved locations within the roadway access limitations set by the Mid-Region Metropolitan Planning Organization. The Applicant intends pursue and utilize this previously approved access to the adjacent limited access roadways for future development of the site.

While the surrounding residential development is predominantly single-family, the zoning consists of a variety of R-1, R-T, R-ML, and PD zones. Some R-A and NR-PO-C zoned property exists to the south along Unser Boulevard where it crosses the Calabacillas Arroyo, which is owned by AMAFCA as part of the Swinburne Dam and related facilities.

**TABLE 1. Surrounding Zoning & Land Use**

<b>NORTH</b>	MX-L and PD	Dialysis center, animal clinic, gas station, and residential
<b>EAST</b>	MX-L and R-T	Pharmacy, drive-thru restaurant, shopping center, and residential
<b>SOUTH</b>	R-T, R-A, and NR-PO-C	Single-Family Residential and drainage/flood control
<b>WEST</b>	R-T	Single-Family Residential

*Figure 3. Existing Zoning (approximate area of zone change bounded in red)*



## Summary of Request

The Applicant is requesting MX-M, Mixed-Use Medium Intensity zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection. The Applicant is working on a multi-family project for the remaining



portion of Tract 20A-1 that is not part of this zone change request. The Zone Map Amendment and the additional commercial development made possible by the request will create a horizontal mixed-use center at this major intersection.

The proposed non-residential uses in the MX-M zone are compatible with the surrounding area and uses, including the existing retail, two brewery taprooms, multiple drive-through restaurants and pharmacies, and a gas station. Development of the site with additional commercial uses would provide new options that are closer to the large number of residents in the area.

As mentioned, the commercial zoning in the area previously consisted of a variety of SU-1 zones, and the subject site was previously SU-1 for C-1 Uses. Previously, the C-1 zone did not limit the size of retail uses. The IDO currently limits general retail to 10,000 square feet, which means the adjacent Walgreen's and CVS pharmacies are legally nonconforming uses under the IDO. The gas station located at the northwest corner of the intersection also has a liquor retail use that is not allowed by the MX-L zoning. These nearby uses are similar to those that will become permissive under the requested MX-M zoning, which reinforces that the uses in the MX-M zone will not be harmful to the neighborhood.

The prior owners of the property were in the post-IDO zoning conversion process with a request for MX-M for the entire property. Planning staff recommended NR-C, which would have allowed more intense non-residential uses, but the owners did not want to give up the option for multi-family development, so they withdrew the conversion request leading to the current owners making this Zone Map Amendment request for just the portion of the site where commercial development is desired.

This request is supported by Comprehensive Plan goals and policies and meets the requirements for a Zoning Map Amendment – EPC per IDO Section 14-16-6-7(F) as described below.

## JUSTIFICATION

This request for a Zoning Map Amendment complies with the criteria outlined in Section 14-16-6-7(F)(3) of the Integrated Development Ordinance (IDO) as follows:

**6-7(F)(3)(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.**

**Applicant's Response:** *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering a preponderance of the applicable Comprehensive Plan goals and policies, as follows:*

**Comprehensive Plan Policies (responses in italics):**

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



- a) Create walkable places that provide opportunities to live, work, learn, shop, and play.
- 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.

**Applicant Response:** *The subject site is located at the intersection of two Commuter Corridors and a future Premium Transit Corridor, so a zone change that allows for more variety and intensity of uses will help fulfill the desire for new growth and infill development to occur along designated corridors. While close to the City limits, the subject site is surrounded by other development on all sides and is therefore not at the urban edge. The nearest multi-family residential developments are between 1 to 2 miles away from this major intersection. Development of the site with multi-family residential and a greater variety of commercial will provide a horizontal mixed-use environment with opportunities for nearby residents to work, shop, and play close to their homes and potentially by walking rather than driving.*

**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.**

**Applicant Response:** *The subject site is located along multiple designated Corridors and is considered an Area of Change, so it is an appropriate site to direct more intense growth. Changing the zoning from MX-L to MX-M for a portion of the property will allow for that more intense growth to occur and could reduce the pressure for more intense growth on other sites that are not similarly situated along Corridors or in designated Areas of Change.*

**Policy 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.**

- b) Minimize negative impacts on nearby neighborhoods by providing transitions between development along Transit Corridors and abutting single-family residential areas.
- d) Apply Premium Transit policies after station locations have been identified and project funding has been allocated.

**Applicant Response:** *The subject site is located along Unser Boulevard, which is designated as a future Premium Transit Corridor, and the Unser and McMahon intersection is identified as a potential station area in the Paseo del Norte High Capacity Transit Study Alternatives Analysis Report (2014) that was prepared for the Rio Metro Regional Transit District. While funding of the "locally preferred alternative" from the study has not yet been allocated and this policy does not specifically apply, the Applicant believes changing the zoning from MX-L to MX-M for a portion of the property supports the near-term development of the site in its current automobile-oriented context under the Commuter Corridor designation while also maintaining the flexibility and intensity appropriate for when future high capacity service is established. This request does not take away from future opportunities to take advantage of the Premium Transit Corridor benefits when those eventually become available. Maintaining MX-L on the portion of the site closest to the*



*adjacent single-family residential provides an appropriate transition between the MX-M and intensity of the Corridor to the neighborhood.*

**Policy 5.1.12 Commuter Corridors:** Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

- a) Allow auto-oriented, single-use development, such as strip retail, large retail facilities, and business and institutional campuses along Commuter Corridors.
- b) Buffer residential land uses adjacent to Commuter Corridors.
- c) Support traffic flow by limiting new curb cuts, encouraging shared access of driveways and business access roads, or providing access from perpendicular local roads.

**Applicant Response:** *Both Unser Boulevard and McMahon Boulevard are designated Commuter Corridors in the Comprehensive Plan. As a site adjacent to two such corridors, it is appropriate for development of auto-oriented uses such as light vehicle fueling, drive-throughs, and other similar uses that are permissive under the requested MX-M zoning. Adjacent residential land uses are buffered by a large portion of the site that will remain MX-L along Bandelier Drive. The appropriate access and additional buffering can be coordinated during the site planning phase of future development. Unser and McMahon are both access-controlled roadways and the development is restricted to full access from Bandelier Drive around the rear of the property. One right-in, right-out, left-in access to Unser was included as part of a previous site plan approval process in 2005. The Applicant also intends to request an access to McMahon Boulevard from the City of Albuquerque with future platting or site plan applications. This access was also shown on the 2005 site plan.*

**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.

- 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.
- g) Locate quality commercial development and redevelopment in existing commercial zones and designated Centers and Corridors as follows:
  - ii. In larger area-wide shopping centers located near intersections of arterial streets and provided with access via transit;
  - iii. Next to another shopping center at an intersection only when safe pedestrian crossings are provided to encourage shoppers to “park once” and walk to multiple stores;

- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.**
- n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.**

**Applicant Response:** *The request furthers this goal and policy and numerous sub-policies by allowing for development of a wider variety of commercial uses and intensity at the intersection of two arterial streets and adjacent to multiple large single-family subdivisions. The site is also located in proximity to a shopping center located on the east side of Unser Boulevard, so shoppers may be able to “park once” and safely cross at the signalized intersection of Unser and McMahon to visit stores and restaurants located in both developments. Allowing for more intense development will catalyze future development of a currently and long vacant site that will bring new goods, services, and amenities to the northwest part of the city. Many neighbors will have the option to walk or bike to this new development that is conveniently accessible to their homes. In addition, the Applicant is proposing a multi-family residential development for the portion of the property not included in the zone change, so this will create a horizontal mix of uses with additional density and residents near the commercial uses surrounding the Unser and McMahon intersection.*

**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.**

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

**Applicant Response:** *The request furthers this goal and policy because the change would support development of the site, which is in a mostly developed area with access to existing infrastructure including multiple-lane arterial roadways, storm drainage facilities, water and sewer, and other utilities.*

**Goal 5.4 Jobs-Housing Balance, Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing growth west of the Rio Grande.**

**Policy 5.4.1 Housing near Jobs: Allow higher-density housing and discourage single-family housing near areas of concentrated employment.**

**Applicant Response:** *While the existing zoning already allows for multi-family housing development and the primary purpose of this zone change is to allow for a wider range of permissive commercial, the proposed change is consistent with providing opportunities for concentrated higher-density housing near jobs, as well as more job growth west of the Rio Grande. The combination of multi-family development on the portion of the site that is to remain MX-L along with any additional multi-family development and additional commercial uses that could develop with the proposed MX-M, furthers this policy by allowing higher densities in an area of concentrated employment because of the site’s proximity to the Rust Medical Center just to the north in Rio Rancho and providing new jobs west of the Rio Grande.*



**Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.**

- a) **Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.**

**Applicant Response:** *Approving a change of zoning from MX-L to MX-M for a portion of the Applicant's property will further this policy by allowing a greater number of permissible commercial and office uses and additional job growth on the subject site, which is located west of the Rio Grande.*

**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.**

**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.**

- b) **Encourage development that expands employment opportunities.**
- c) **Foster a range of housing options at various densities according to each Center and Corridor type.**
- d) **Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.**
- f) **Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic.**
- g) **Encourage development where adequate infrastructure and community services exist.**

**Applicant Response:** *The request furthers this goal and policy by directing more intense growth to a site designated within an Area of Change. Allowing larger and a greater variety of commercial uses and higher density housing on the subject site will expand employment opportunities in the area and support the existing and future commercial uses, and ultimately, support future higher-capacity transit service as desired along Unser Boulevard and expressed in the ABC Comp Plan. Keeping the existing MX-L on the rear portion of the property along Bandelier Drive will minimize the potential negative impacts of the additional uses allowed by the MX-M zoning by creating a buffer and transition to the existing low-density residential uses to the west.*

**Policy 5.6.4 Appropriate Transitions: Provide Transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.**

- a) **Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.**



- b) Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.**

**Applicant Response:** *The Applicant has carefully considered the transition between the subject site and neighboring low-density residential and has chosen to keep the existing MX-L zoning for the rear portion of the property closest to the existing residential area. This provides a step-down in intensity of uses and building height between this development and the R-T zoned lots to the west. Future construction of the remaining portion of Bandelier Drive connecting to McMahon Boulevard and site planning will address mitigation of any adverse impacts on individuals and neighborhoods, particularly with respect to traffic circulation.*

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

**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.**

- a) Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels.**
- b) Support a variety of lower-density, lower-intensity services, jobs, and housing outside of Centers.**

**Applicant Response:** *Changing the zoning of the subject site from MX-L to MX-M will further this goal and policy by fostering development of commercial uses that will complement existing commercial and service uses around the Unser and McMahon intersection and further establish the area as an interesting place for this portion of Albuquerque's west side. A combination of these commercial uses with multi-family residential will create a truly mixed-use development near the intersection of two Corridors in an Area of Change that takes full advantage of its location near a major employment anchor established by the Rust Medical Center.*

**6-7(F)(3)(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:**

**Applicant's Response:** *The subject site is located wholly in an Area of Change, so this criterion does not apply.*

**6-7(F)(3)(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 Response:** *The existing zoning is not appropriate for this large 19-acre subject property because a different zone district is more advantageous to the community as articulated by the Comprehensive Plan. It is not realistic for a property this large to be completely developed with small-scale uses allowable under the MX-L zone district. As evidenced with the surrounding developments, there are several uses already in the area that would not be allowed under the MX-L zoning such as General Retail, Medium and Liquor Retail. Changing the zoning from MX-L to MX-M furthers a preponderance of applicable goals and policies of the Comprehensive Plan as described in the response to criterion (a), including development along Commuter Corridors, infill development and land use patterns, variety of housing choices and locations, and supporting future transit along Unser Boulevard. The change to a more intense mixed-use zone district provides needed services to area residents and help establish a mixed-use center near the intersection of two Comprehensive Plan Corridors.*

*The Applicant's proposed zoning and the uses allowed by it will serve the surrounding and overall community with more commercial options and a variety of housing choices on a site that is considered an Area of Change and is well-served by existing infrastructure. The request provides a pattern of land use, density, and intensity that is advantageous by proposing the MX-M zone close to Unser Boulevard and McMahon Boulevard while keeping the existing MX-L zone for the portion of the property near existing single-family residential uses. Future site planning will further define access and traffic circulation along these limited access Corridors, as well as appropriate buffers.*

**6-7(F)(3)(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's Response:** *None of the permissive uses in the MX-M zone will be harmful to the adjacent property, neighborhood, or community. The following table provides a comparison of the MX-L and MX-M zones, limited to those uses that are permissive in the MX-M zone that are not already permissive in the MX-L zone (i.e., all uses that are facilitated by this zone change that would not need to come back for Conditional Use approval later). Of these uses, many are already allowed conditionally in the MX-L zone, and several have already been developed on the neighboring properties, including light vehicle fueling station, tap room or tasting room, liquor retail, and drive-through or drive-up facility and those uses have not proved harmful to the area. Many of the MX-M uses also have use-specific standards that mitigate their impacts, including the following:*

- *Hospital: limited to 20 overnight beds and no ambulance traffic allowed.*
- *Light vehicle fueling station: made a Conditional Use with additional screening requirements if adjacent to any residential zone district.*
- *Light vehicle sales and rental: extra screening requirements adjacent to residential.*

- *Liquor retail: Conditional Use within 500 feet of residential, which is the entire subject site except for a very small portion right on the corner of the Unser and McMahon intersection.*
- *Separation requirements for pawn shops.*

<b>IDO Zoning Comparison: MX-L vs. MX-M</b>		
<b>Use</b>	<b>MX-L</b>	<b>MX-M</b>
Hospital	-	P
Sports Field	C	P
University or College	C	P
Auditorium or Theater	A	P
Bar	C	P
Catering Service	-	P
Nightclub	-	P
Tap room or tasting room	C	P
Light vehicle fueling station	C	P
Light vehicle sales and rental	C	P
Mortuary	C	P
Personal and business services, large	-	P
General retail, medium	-	P
Liquor retail	A	P
Pawn shop	C	P
Park-and-ride lot	C	P
Transit facility	C	P
Drive-through or drive-up facility	CA	A
Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours	-	A

**6-7(F)(3)(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's Response:** *The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill development property that has long been planned for commercial uses. Projects around the Unser and McMahon intersection have been ongoing since the late 1990s, and*



adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Any required extension of these services, including the potential completion of the unpaved portion of Bandelier Drive adjacent to the subject site, will be the responsibility of the developer.

**6-7(F)(3)(f) The applicant's justification for the requested zone change is not completely based on the property's location on a major street.**

**Applicant's Response:** *While the property is located adjacent to Unser Boulevard and McMahon Boulevard, two arterial roadways, it is not the only reason for providing justification for the zone change to MX-M. As described earlier in this letter, the request is more advantageous to the community as it furthers a preponderance of applicable Comprehensive Plan policies for Commuter Corridors, land use, infill development, and economic development.*

**6-7(F)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.**

**Applicant's Response:** *The cost of land or other economic considerations are not the determining factor for this zone change request. The requested zone change will allow larger retail businesses and additional commercial uses to develop that will provide additional needed services closer to residents in the northwest part of the City.*

**6-7(F)(3)(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's Response:** *The area of the requested zone change is over 10 acres, which is greater than half of the subject site, so the zoning would not be applied to a small area. The request also keeps the zoning as a mixed-use zone not dissimilar to what is already in place but at a higher intensity. However, the request is for a single premise while the others around it are to remain MX-L, so the request constitutes a "spot zone." The Applicant believes this is a justifiable "spot zone" because it clearly facilitates implementation of the Comprehensive Plan by allowing more community-scale uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area.*

*The site is also not suitable for the uses in the adjacent zone districts because of its size and the amount of traffic on the surrounding roadways. This location at the crossroads of two Commuter Corridors that carry upwards of 30,000+ vehicle average weekday traffic (Unser Boulevard) is more suited to moderate to high intensity uses rather than the light intensity uses presently allowed. This is evidenced by the number of Conditional MX-L and legally nonconforming uses that*



*are developed on neighboring properties. The subject site's size also makes it an ideal location to properly plan a larger-scale development that will provide a mix of uses, housing options, and needed retail and services for the northwest part of the City.*

## **NEIGHBORHOOD OUTREACH**

Consensus Planning notified the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations regarding this request. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association at the Starbucks located just east of the subject site. Notes from this meeting are included in the application for this Zone Map Amendment. They summarize the discussion, which included the site's history, the requested zoning and anticipated development, and site access. The neighbors indicated they would like to see a grocery store developed on the site; however, there has been no interest in this site from any grocery stores. Regardless, the neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning. No other neighborhood representatives requested a meeting or reached out for information about the request.

## **CONCLUSION**

On behalf of Holly Partners LLC, we respectfully request that the Environmental Planning Commission approves this request for a Zoning Map Amendment for the subject site.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacqueline Fishman', with a long horizontal line extending to the right.

Jacqueline Fishman, AICP  
Principal



VICINITY MAP  
FROM ZONE ATLAS PAGE A-11-Z  
N.T.S.

SUBDIVISION DATA

1. DRB NO. \_\_\_\_\_
2. ZONE ATLAS MAP NO. A-11; ZONING: SU-1.
3. GROSS SUBDIVISION ACREAGE: 19.089 ACRES.
4. TOTAL NUMBER OF LOTS/TRACTS CREATED: NINE (9) TRACTS.
5. DATE OF SURVEY: JANUARY 2020
6. PLAT IS LOCATED WITHIN CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
7. THIS PLAT SHOWS ALL PLOTTABLE EASEMENTS OF RECORD.

PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO REPLAT ONE EXISTING TRACT (TRACTS 20A-1) AS DESCRIBED IN THAT PLAT OF PARADISE NORTH FILED IN THE RECORDS OF BERNALILLO COUNTY CLERK'S OFFICE ON AUGUST 08, 1990, BOOK 90C, PAGE 182 INTO TWO NEW TRACTS.

NOTES

1. BEARINGS SHOWN ON THIS PLAT ARE NEW MEXICO STATE PLANE GRID BEARINGS, CENTRAL ZONE, NAD 1983.
2. DISTANCES ARE GROUND DISTANCES (U.S. FOOT).
3. THIS SURVEY IS BASED UPON THE PLAT OF PARADISE NORTH RECORDED IN DOCUMENT NO. 1990061878 OF THE RECORDS OF BERNALILLO COUNTY CLERK'S OFFICE RECORDED ON AUGUST 08, 1990, RECORD BEARING AND DISTANCES ARE SHOWN ON THIS PLAT.
4. SOLAR NOTE - PURSUANT TO SECTION 14-14-4-7 OF THE CITY OF ALBUQUERQUE CODE OF ORDINANCE, "NO PROPERTY WITHIN THE AREA OF THIS PLAT SHALL AT ANY TIME BE SUBJECT TO A PERMANENT EASEMENT OR ENCUMBRANCE FOR THE INSTALLATION OF PRE-ENGINEERED SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OR TRACTS WITHIN THE AREA OF PROPOSED PLAT.
5. GRID TO GROUND SCALE FACTOR USED IS 0.999670857 AS PUBLISHED BY ACS MONUMENT "9-A11".
6. DATA IN PARENTHESIS IS RECORD OBTAINED FROM THE PLAT OF PARADISE NORTH, RECORDED AUGUST 08, 1990, IN DOCUMENT NO. 1990061878.

DESCRIPTION  
TRACT 20A-1, OF THE PLAT OF PARADISE NORTH SITUATE WITHIN SECTION 2, T. 11 N., R. 2 E., N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON AUGUST 08, 1990 IN PLAT BOOK 90C, PAGE 182.

THIS TRACT CONTAINS 19.089 ACRES (831,504 SQ. FT.) MORE OR LESS.

SKETCH PLAT OF  
TRACTS 20A-1A & 20A-1B  
PARADISE NORTH  
WITHIN THE TOWN OF ALAMEDA GRANT  
PROJECTED SECTION 2, TOWNSHIP 11 NORTH, RANGE 2 EAST, N.M.P.M.  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
FEBRUARY 2020

APPROVALS:

FREE CONSENT

SURVEYED AND SUB-DIVIDED AND NOW COMPRISING,

"PLAT OF TRACTS 20A-1A THRU 20A-1I, PARADISE NORTH, WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S), THE EXECUTION OF THIS PLAT IS THEIR FREE ACT AND DEED.

SAID OWNER(S) AND PROPRIETOR(S) DO HEREBY WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE LAND SUB-DIVIDED.

SAID OWNER(S) AND PROPRIETOR(S) DO HEREBY CONSENT TO ALL OF THE FOREGOING AND DO HEREBY REPRESENT THAT THEY ARE SO AUTHORIZED TO ACT.

TRES ESQUINAS LIMITED COMPANY,

BY: \_\_\_\_\_

MANAGING MEMBER

ACKNOWLEDGEMENT:

STATE OF \_\_\_\_\_ )

SS. )

COUNTY OF \_\_\_\_\_ )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, BEFORE ME

PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION \_\_\_\_\_

EXPIRES: \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

M.R.G.C.D.

TREASURER'S OFFICE CERTIFICATION

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND

PAID ON UPC # \_\_\_\_\_

PROPERTY OWNER OF RECORD \_\_\_\_\_

BERNALILLO COUNTY

TREASURER'S OFFICE \_\_\_\_\_

DATE \_\_\_\_\_



Fierro & Company

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6300 MONTANO ROAD, NW, SUITE C

ALBUQUERQUE, NM 87120

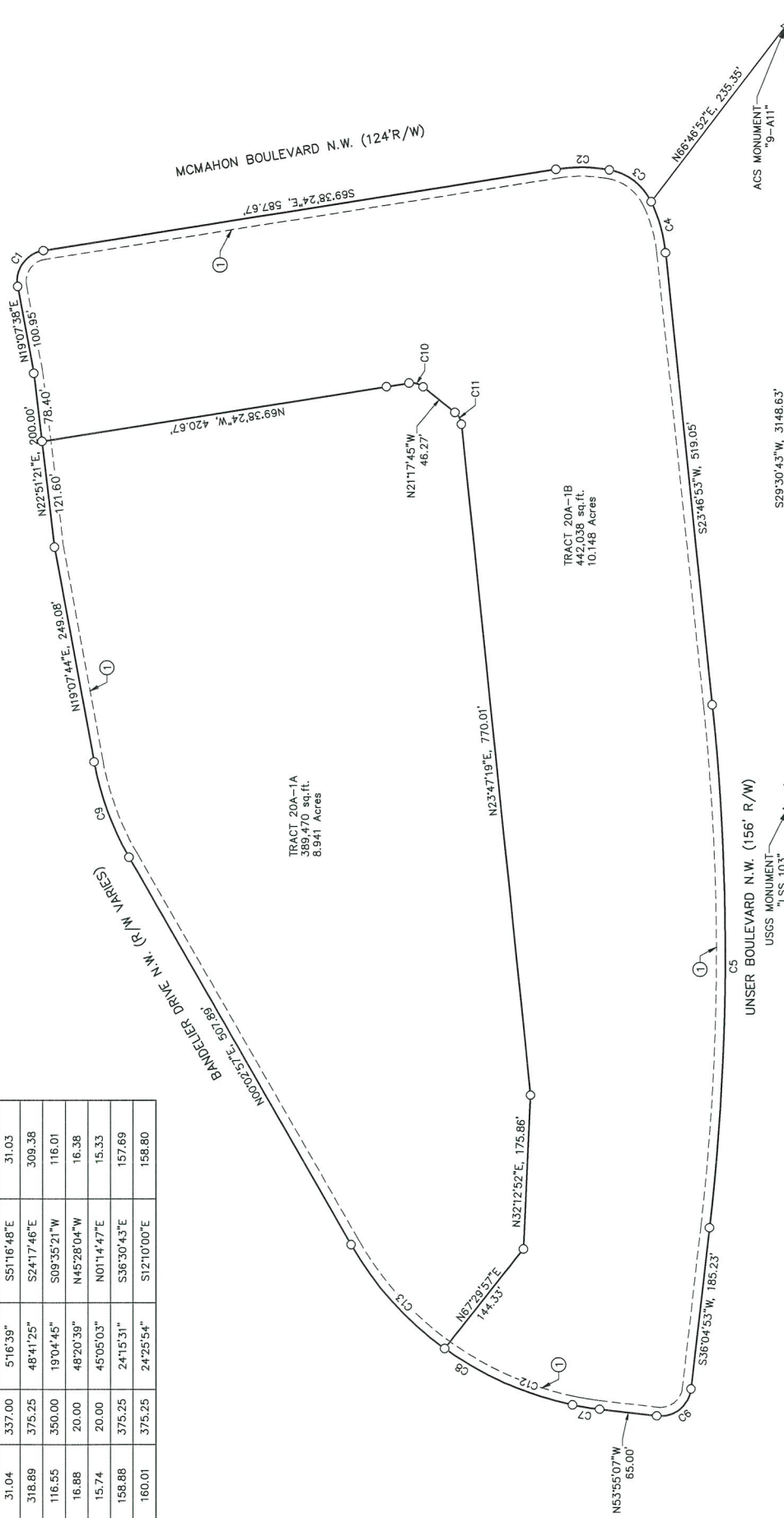
PH 505.352.8930

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CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	55.74	35.00	91°14'22"	S64°44'40"W
C2	60.81	180.00	19°21'22"	N59°57'44"W
C3	62.07	65.00	54°42'53"	N22°55'58"W
C4	60.81	180.00	19°21'22"	N14°06'13"E
C5	598.26	2786.79	121°8'00"	N29°55'53"E
C6	54.98	35.00	90°00'21"	N81°04'53"E
C7	31.04	337.00	51°16'39"	S51°16'48"E
C8	318.89	375.25	48°41'25"	S24°17'46"E
C9	116.55	350.00	19°04'45"	S09°35'21"W
C10	16.88	20.00	48°20'39"	N45°28'04"W
C11	15.74	20.00	45°05'03"	N01°14'47"E
C12	158.88	375.25	24°15'31"	S36°30'43"E
C13	160.01	375.25	24°25'54"	S12°10'00"E

SKETCH PLAT OF  
TRACTS 20A-1A & 20A-1B  
PARADISE NORTH  
WITHIN THE TOWN OF ALAMEDA GRANT  
PROJECTED SECTION 2, TOWNSHIP 11 NORTH, RANGE 2 EAST, N.M.P.M.  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
FEBRUARY 2020

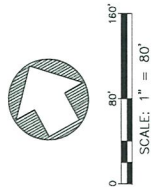


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ALBUQUERQUE, NM 87120  
PH: 505.352.8930  
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USGS MONUMENT "LSS 103"  
NM STATE PLANE COORDINATES (CENTRAL ZONE)  
PUBLISHED DATA IN NAD 1983  
Y=1530466.034 U.S. SURVEY FEET  
X=1505019.995 U.S. SURVEY FEET  
DELTA ALPHA= -015°40'72"  
GROUND TO GRID FACTOR= 0.999671640  
PUBLISHED DATA IN NAD 1983  
ELEVATION= 5295.137 U.S. SURVEY FEET

ACS MONUMENT "9-A11"  
NM STATE PLANE COORDINATES (CENTRAL ZONE)  
PUBLISHED DATA IN NAD 1983  
Y=1533206.142 U.S. SURVEY FEET  
X=1506571.019 U.S. SURVEY FEET  
DELTA ALPHA= -015°40'72"  
GROUND TO GRID FACTOR= 0.999670857  
PUBLISHED DATA IN NAD 1988  
ELEVATION= 5301.647 U.S. SURVEY FEET





SKETCH PLAT OF  
TRACTS 20A-1A & 20A-1B  
PARADISE NORTH  
WITHIN THE TOWN OF ALAMEDA GRANT  
PROJECTED SECTION 2, TOWNSHIP 11 NORTH, RANGE 2 EAST, N.M.P.M.  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
FEBRUARY 2020



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# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Holly Partners DATE OF REQUEST: 01/22/20 ZONE ATLAS PAGE(S): A-11

### CURRENT:

ZONING MX-L

PARCEL SIZE (AC/SQ. FT.) 19.09 acres

### LEGAL DESCRIPTION:

LOT OR TRACT # 20A-1 BLOCK #

SUBDIVISION NAME Paradise North

### REQUESTED CITY ACTION(S):

ANNEXATION ☐

ZONE CHANGE ☒: From MX-L To MX-M

SECTOR, AREA, FAC, COMP PLAN ☐

AMENDMENT (Map/Text) ☐

### SITE DEVELOPMENT PLAN:

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:

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 Michael J. V.

DATE 1/22/20

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -  
2<sup>ND</sup> Floor West, 600 2<sup>nd</sup> 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:

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

01-22-20  
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

Revised January 20, 2011



**CITY OF ALBUQUERQUE**  
**PLANNING DEPARTMENT**

---

DATE: March 4, 2020  
TO: Jacqueline Fishman, Consensus Planning  
FROM: Linda Rumpf, Planner  
City of Albuquerque Planning Department  
(505) 924-3342, email: [lrumpf@cabq.gov](mailto:lrumpf@cabq.gov)  
RE: Project #2020-003445 (RZ-2020-00005), Unser Zone Change – EPC

---

Jackie, I've completed a first review of the proposed zone change request. I have a few questions and some suggestions that will help strengthen the submittal. I am available to answer questions about the process and requirements. Please provide the following:

⇒ A revised project letter and materials pursuant to the zone change amendment (one copy) by:

**12 pm on Monday, March 9, 2020**

Note: If you have trouble with this deadline, please let me know.

**1) Introduction:**

- A. Though I've done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. Legal Description: Please clarify for correctness. Your legal description does not match what is in the Zoning Advanced Map Viewer.

**Your Project letter:** Tract 20A-1, Paradise North

Per the AGIS Zoning Advanced Map Viewer, this is the **Legal Description:** TRACT 20A-1 VACATION AMENDED PLAT & REPL OF PARADISE NORTH SITUATED WITHIN THE TOWN OF ALMENDA GRANT CONT 19.088 AC M/LOR 831,473 SQ FT M/L

**Our LEGAL AD (draft):** Consensus Planning, agent for Holly Partners LLC, request the above action for all or a portion of **Lot 20A-1 Block 0000 of Paradise North Subdivision**, Located on Unser NW, between Bandelier Drive NW, and McMahon Boulevard NW, approximately **19.09** acres (A-11 )

I need to finalize the LEGAL AD text by **Monday, March 9.**

- C. Please tell me about the project that the proposed site plan amendment will make possible. What is the ultimate plan? Is this only for commercial uses / not apartments?

**2) Process:**

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:

<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

- B. Timelines and EPC calendar: the EPC public hearing is scheduled for **April 9, 2020**. Final staff reports will be available one week prior, on **April 2**.
- C. Agency comments are due to me by **March 9, 2020**. I will email you a copy of the comments and will forward any late comments to you.

### **3) Notification & Neighborhood Issues:**

*Notification requirements for a zone change are found in Table 6-1-1 (IDO, p. 328) and are explained in Section 6-4(K), Public Notice (IDO, p. 345).*

- A. I see that you conducted an informal meeting with representatives from the Tuscan Neighborhood Association and included the meeting notes in your submittal packet. Have any other neighborhood representatives or members of the public contacted you? Are you aware of any concerns? As of this writing, no one has contacted me.
- B. To be consistent with our process, please use the attached Buffer Map and list of property owners provided by Diego Ewell with the Planning Department. What you provided is slightly different. There may be a few more notifications to send out. I would prefer a larger font for the property owner addresses, since I have to cross reference with the notification receipts.

### **4) Zone Map Amendment – Project Letter**

- A. Page 1: update the legal description, if revised. Please add text “Legal Description: ....” to draw attention.
- B. Page 1: What is the status of the sketch plat? The copy is not signed.  
“A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.”
- C. Page 3: In your letter, you mentioned a previous site plan:  
“The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313). This site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard.”  
Please indicate that the site plan is no longer valid (see the PRT notes).
- D. Add a brief summary to the project letter describing neighborhood notifications and concerns (if any).
- E.

Thanks,  
Linda

\*\*\*



**CITY OF ALBUQUERQUE**  
**PLANNING DEPARTMENT**

---

DATE: March 6, 2020  
TO: Jacqueline Fishman & Michael Vos, Consensus Planning  
FROM: Linda Rumpf, Planner  
City of Albuquerque Planning Department  
(505) 924-3342, email: [lrumpf@cabq.gov](mailto:lrumpf@cabq.gov)  
RE: Project #2020-003445 (RZ-2020-00005), Unser Zone Change – EPC

---

Updated 3/6/20

Jackie, I've completed a first review of the proposed zone change request. I have a few questions and some suggestions that will help strengthen the submittal. I am available to answer questions about the process and requirements. Please provide the following:

⇒ A revised project letter and materials pursuant to the zone **map** amendment (one copy) by:

**12 pm on Monday, March 9, 2020**

Note: If you have trouble with this deadline, please let me know.

**1) Introduction:**

- A. Though I've done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. Legal Description: ~~Please clarify for correctness. Your legal description does not match what is in the Zoning Advanced Map Viewer.~~

~~**Your Project letter:** Tract 20A-1, Paradise North~~

~~Per the AGIS Zoning Advanced Map Viewer, this is the **Legal Description:** TRACT 20A-1 VACATION AMENDED PLAT & REPL OF PARADISE NORTH SITUATED WITHIN THE TOWN OF ALMENDA GRANT CONT 19.088 AC M/LOR 831,473 SQ FT M/L~~

~~**Our LEGAL AD (draft):** Consensus Planning, agent for Holly Partners LLC, request the above action for all or a portion of **Lot 20A-1 Block 0000 of Paradise North Subdivision**, Located on Unser NW, between Bandelier Drive NW, and McMahon Boulevard NW, approximately **19.09** acres (A-11)~~

~~I need to finalize the LEGAL AD text by **Monday, March 9.**~~

**Per Russell Brito, we'll use this legal description: All or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont.**

- C. Please tell me about the project that the proposed zone map amendment will make possible. What is the ultimate plan? Is this only for commercial uses / not apartments?

## 2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:  
<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing is scheduled for **April 9, 2020**. Final staff reports will be available one week prior, on **April 2**.
- C. Agency comments are due to me by **March 16, 2020**. I will email you a copy of the comments and will forward any late comments to you.

## 3) Notification & Neighborhood Issues:

*Notification requirements for a zone change are found in Table 6-1-1 (IDO, p. 328) and are explained in Section 6-4(K), Public Notice (IDO, p. 345).*

- A. I see that you conducted an informal meeting with representatives from the Tuscan Neighborhood Association and included the meeting notes in your submittal packet. Have any other neighborhood representatives or members of the public contacted you? Are you aware of any concerns? As of this writing, no one has contacted me.
- ~~B. To be consistent with our process, please use the attached Buffer Map and list of property owners provided by Diego Ewell with the Planning Department. What you provided is slightly different. There may be a few more notifications to send out. I would prefer a larger font for the property owner addresses, since I have to cross reference with the notification receipts.~~

*Note: Your version of the buffer map and notifications is acceptable.*

## 4) Zone Map Amendment – Project Letter

- A. Page 1: update the legal description. Please add text “Legal Description: ....” to draw attention.
- B. Page 1: What is the status of the sketch plat? The copy is not signed.  
“A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.”
- C. Page 2: Please tell me where this language came from. I don’t see this on the Commuter Corridor on the Centers and Corridors map. Commuter Corridors are not listed on that map.  
“Adjacent to the site, Unser Boulevard and McMahon Boulevard are both designated as Commuter Corridors, and Unser Boulevard is also overlaid as a Premium Transit Corridor.”*
- D. Page 3: In your letter, you mentioned a previous site plan:  
“The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313). This site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard.”  
Please indicate that the site plan is no longer valid (see the PRT notes). I suggest you remove this text and any references to it.
- E. Add a brief summary to the project letter describing neighborhood notifications and concerns (if any).

*Thanks, Linda*



## PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. **PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval.** Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).

When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a \$50 PRT fee.

PA#: <u>20-011</u>	Received By: <u>Diego Enell</u>	Date: <u>1-22-2020</u>
APPOINTMENT DATE & TIME: <u>Tuesday January 28, 2020 @ 2:30pm</u>		

Applicant Name: Consensus Planning, Inc. Phone#: (505) 764-9801 Email: fishman@consensusplanning.com  
for Holly Partners

### PROJECT INFORMATION:

**For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.**

Size of Site: 19.09 acres Existing Zoning: MX-L ☐ Proposed Zoning: MX-M ☐

Previous case number(s) for this site: 1004313, Z-85-119

Applicable Overlays or Mapped Areas: Unser Blvd Area (signs)

Residential – Type and No. of Units: \_\_\_\_\_

Non-residential – Estimated building square footage: \_\_\_\_\_ No. of Employees: \_\_\_\_\_

Mixed-use – Project specifics: Multi-family development along Bandelier and commercial uses along Unser and McMahon

### LOCATION OF REQUEST:

Physical Address: SWC Unser and McMahon Zone Atlas Page (Please identify subject site on the map and attach) A-11

### BRIEFLY DESCRIBE YOUR REQUEST (What do you plan to develop on this site?)

Zoning Map Amendment from MX-L to MX-M for portion of property along Unser and McMahon frontages to be developed with commercial uses.

### QUESTIONS OR CONCERNS (Please be specific so that our staff can do the appropriate research)

What is the minimum necessary documentation of the portion of site intended for the zone change for advertisement purposes?

What is the status of previous site plan for shopping center? Site Plan - DRB to develop site after zone change?

Prior approval may never have been signed-off. Are there any specific use or design standards from the prior approval to be aware of, status notwithstanding?



PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-011 Date: 28 Jan 2020 Time: 2:30 pm

Address: \_\_\_\_\_

**AGENCY REPRESENTATIVES AT MEETING:**

Planning: Russell Brito

Code Enforcement: \_\_\_\_\_

Fire Marshall: \_\_\_\_\_

Transportation: Morgan Mandandaur

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:** \_\_\_\_\_

**SITE INFORMATION:**

Zone: MX-L Size: \_\_\_\_\_

Use: \_\_\_\_\_ Overlay Zone: \_\_\_\_\_

Comp Plan Area Of: \_\_\_\_\_ Comp Plan Corridor: \_\_\_\_\_

Comp Plan Center: \_\_\_\_\_ MPOS or Sensitive Lands: \_\_\_\_\_

Parking: \_\_\_\_\_ MR Area: \_\_\_\_\_

Landscaping: \_\_\_\_\_ Street Trees: \_\_\_\_\_

Use Specific Standards: \_\_\_\_\_

Dimensional Standards: \_\_\_\_\_

\*Neighborhood Organization/s: \_\_\_\_\_

*\*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](http://www.cabq.gov/neighborhoods/resources).*

**PROCESS:**

Type of Action: Zoning Map Amendment

Review and Approval Body: EPC Is this PRT a requirement? Yes

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-011 Date: 28 Jan 2020 Time: 2:30 pm

Address: \_\_\_\_\_

- NOTES:
- Use the entire 19+ acres for notice and advertisement purposes
  - Previous site plan is no longer valid
    - did not receive DRB sign-off
    - Not a Prior Approval
    - any use or design standards are not valid ✓
  - Access From Unser will be determined at time of potential replat
  - Zoning Map Amendment (6-7(F)(3))

## NEIGHBORHOOD INFORMATION

**From:** [Baca, Vanessa](#)  
**To:** [Michael Vos](#)  
**Subject:** RE: 9999 Unser NW\_Neighborhood Meeting Inquiry  
**Date:** Tuesday, January 21, 2020 1:14:25 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

Yes, sorry about that. I am still getting used to doing these. Here is the Tuscany NA information. Let me know if you need anything else.

Tuscany NA  
[tuscanylandscape@me.com](mailto:tuscanylandscape@me.com)  
P.O. Box 6270  
Albuquerque, NM 87197

Harry Hendriksen  
[hlhen@comcast.net](mailto:hlhen@comcast.net)  
10592 Rio Del Sol NW  
Albuquerque, NM 87114  
505-890-3481

Janelle Johnson  
[vistadelnorte@me.com](mailto:vistadelnorte@me.com)  
P.O. Box 6270  
Albuquerque, NM 87197  
505-34-0822

**From:** Michael Vos [mailto:[Vos@consensusplanning.com](mailto:Vos@consensusplanning.com)]  
**Sent:** Friday, January 17, 2020 4:03 PM  
**To:** Baca, Vanessa <[vanessabaca@cabq.gov](mailto:vanessabaca@cabq.gov)>  
**Subject:** RE: 9999 Unser NW\_Neighborhood Meeting Inquiry

Thanks, Vanessa. I just listened to your voicemail, and have a question: don't we have to notify the association(s) across the street too? If so, we are happy to do that if you also send us the Tuscany contacts. No rush to get them today – Tuesday is fine with us since we will probably wait until next week sometime to send the notification offering the meeting.

Best,  
Michael Vos, AICP  
CONSENSUS PLANNING, INC.  
302 Eighth Street NW  
Albuquerque, NM 87102  
phone (505) 764-9801  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

**From:** Baca, Vanessa <[vanessabaca@cabq.gov](mailto:vanessabaca@cabq.gov)>  
**Sent:** Friday, January 17, 2020 3:19 PM  
**To:** Michael Vos <[Vos@consensusplanning.com](mailto:Vos@consensusplanning.com)>  
**Subject:** 9999 Unser NW\_Neighborhood Meeting Inquiry

Dear Michael:

See list of associations below and attached regarding your Public Notice Inquiry. 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	Alternative Email	Address Line 1	City	State	Zip	Phone
Westside Coalition of Neighborhood Associations	Rene	Horvath	<a href="mailto:aboard111@gmail.com">aboard111@gmail.com</a>	<a href="mailto:land@trna.org">land@trna.org</a>	5515 Palomino Drive NW	Albuquerque	NM	87120	5058982114
Westside Coalition of Neighborhood Associations	Harry	Hendriksen	<a href="mailto:hlhen@comcast.net">hlhen@comcast.net</a>		10592 Rio Del Sol NW	Albuquerque	NM	87114	5058903481

**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>

**Vanessa Baca**  
Neighborhood Communication Liaison, Office of Neighborhood Coordination (ONC)  
City Council Department  
(505) 768-3331 Office  
Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



**From:** [webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org) [mailto:[webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org)] On Behalf Of [webmaster@cabq.gov](mailto:webmaster@cabq.gov)  
**Sent:** Friday, January 17, 2020 12:58 PM  
**To:** Office of Neighborhood Coordination <[vos@consensusplanning.com](mailto:vos@consensusplanning.com)>  
**Cc:** Office of Neighborhood Coordination <[onc@cabq.gov](mailto: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

Michael Vos

Telephone Number

5057649801  
Email Address  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)  
Company Name  
Consensus Planning, Inc.  
Company Address  
302 8th Street NW  
City  
Albuquerque  
State  
NM  
ZIP  
87102

Legal description of the subject site for this project:  
TRACT 20A-1 VACATION AMENDED PLAT & REPL OF PARADISE NORTH SITUATED WITHIN THE TOWN OF ALAMEDA GRANT  
Physical address of subject site:  
99999 UNSER BLVD NW  
Subject site cross streets:  
Unser and McMahon Blvd  
Other subject site identifiers:  
SWC of the referenced intersection  
This site is located on the following zone atlas page:  
A-11

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

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



## Michael Vos

---

**From:** Michael Vos  
**Sent:** Tuesday, January 21, 2020 6:05 PM  
**To:** aboard111@gmail.com; land@trna.org; Harry; tuscanylandscape@me.com; vistadelnorte@me.com  
**Cc:** Jackie Fishman  
**Subject:** Pre-Application Notification - Unser and McMahon  
**Attachments:** ZoneAtlasPage\_A-11\_Site.pdf

Tracking:	Recipient	Read
	aboard111@gmail.com	
	land@trna.org	
	Harry	
	tuscanylandscape@me.com	
	vistadelnorte@me.com	
	Jackie Fishman	Read: 1/21/2020 6:11 PM

Dear Neighbors:

This email is notification that Consensus Planning is preparing an application for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Holly Partners.

The subject site is a portion of the vacant 19.09-acre tract located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW. The legal description is Tract 20A1, Paradise North.

The site is currently zoned MX-L. The applicant is proposing a Zoning Map Amendment from the MX-L zone to the MX-M zone for a portion of the property to allow for additional commercial uses along the Unser and McMahon street frontages for future development of the site.

As part of the IDO regulations, we are providing you an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please do not hesitate to email us at [vos@consensusplanning.com](mailto:vos@consensusplanning.com), or [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com), or contact us by phone at 505-764-9801. Per the IDO, you have 15 days or until February 5, 2020 to request a meeting. If you do not want to schedule a meeting, or support our request, please also let us know.

Sincerely,  
**Michael Vos, AICP**  
**CONSENSUS PLANNING, INC.**  
302 Eighth Street NW  
Albuquerque, NM 87102  
phone (505) 764-9801  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

## Michael Vos

---

**From:** Harry <hlhen@comcast.net>  
**Sent:** Tuesday, January 21, 2020 6:49 PM  
**To:** Michael Vos  
**Subject:** Re: Pre-Application Notification - Unser and McMahon

I request a meeting for the Application  
Harry Hendriksen  
Tuscany

On 1/21/2020 6:04 PM, Michael Vos wrote:

Dear Neighbors:

This email is notification that Consensus Planning is preparing an application for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Holly Partners.

The subject site is a portion of the vacant 19.09-acre tract located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW. The legal description is Tract 20A1, Paradise North.

The site is currently zoned MX-L. The applicant is proposing a Zoning Map Amendment from the MX-L zone to the MX-M zone for a portion of the property to allow for additional commercial uses along the Unser and McMahon street frontages for future development of the site.

As part of the IDO regulations, we are providing you an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please do not hesitate to email us at [vos@consensusplanning.com](mailto:vos@consensusplanning.com), or [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com), or contact us by phone at 505-764-9801. Per the IDO, you have 15 days or until February 5, 2020 to request a meeting. If you do not want to schedule a meeting, or support our request, please also let us know.

Sincerely,  
**Michael Vos, AICP**  
**CONSENSUS PLANNING, INC.**  
302 Eighth Street NW  
Albuquerque, NM 87102  
phone (505) 764-9801  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)



---

## MEETING MINUTES

---

**Project** Unser and McMahon Zoning Map Amendment - EPC

**Subject** Neighborhood Association Pre-Application Meeting

**Date** Thursday, February 6, 2020

**Attendance** Harry Hendriksen, Tuscany NA and WSCONA  
Janice Bauer, Tuscany NA  
Jackie Fishman, Consensus Planning  
Michael Vos, Consensus Planning

### Summary

Consensus Planning contacted representatives from Tuscany Neighborhood Association and the West Side Coalition to inform them of an upcoming zone change application for the 19-acre property at the southwest corner of Unser and McMahon Boulevards. Harry Hendriksen requested an informal meeting with Consensus Planning, which was held at the Starbucks located nearby the proposed project site.

### Discussion Items

- New owners recently purchased the property.
- The zoning proposal is for MX-M along the Unser and McMahon street frontages and keeping approximately 9 acres of MX-L to the rear adjacent to the existing houses.
- The applicant is proposing multi-family residential with a maximum height of 35 feet on the existing MX-L.
- The MX-M zone will allow for a wider variety of commercial uses permissively for the edges of the property. Prior owners were in the zoning conversion process and staff recommended NR-C, which would have allowed more intense non-residential. However, the owners did not want to give up the multi-family option, so the conversion was withdrawn.
- The neighbors would like to see a grocery store develop such as Trader Joe's or a neighborhood-style Walmart; however, there has been no interest in this site from any grocery stores.
- The developer will likely be required to finish the construction of Bandelier Drive.
- Access points were discussed as Unser is a limited access facility controlled by the Roadway Access Control Committee of the Mid-Region Council of Governments. The previously approved site plan showed access along Unser Boulevard and McMahon Boulevard.

### Concerns

- No concerns noted.

**Areas of Agreement**

- Would like to see the long vacant lot built out.
- Neighbors supported the proposed rezoning.

**Next Steps**

- Submitting an application on February 27<sup>th</sup> for a hearing on April 9<sup>th</sup>.



**From:** [Carmona, Dalaina L.](#)  
**To:** [Michael Vos](#)  
**Subject:** 99999 UNSER BLVD NW Public Notice Inquiry  
**Date:** Monday, February 24, 2020 4:09:07 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

Dear Applicant,

See list of associations below regarding your Public Notice Inquiry. 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 Line 1	City	State	Zip	Phone
Tuscany NA	Harry	Hendriksen	hlhen@comcast.net	10592 Rio Del Sol NW	Albuquerque	NM	87114	5058903481
Tuscany NA	Janelle	Johnson	vistadelnorte@me.com	PO Box 6270	Albuquerque	NM	87197	5053440822
Westside Coalition of Neighborhood Associations	Harry	Hendriksen	hlhen@comcast.net	10592 Rio Del Sol NW	Albuquerque	NM	87114	5058903481
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120	5058982114

**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>

Thanks,



*Dalaina L. Carmona*

Senior Administrative Assistant  
Office of Neighborhood Coordination  
Council Services Department  
1 Civic Plaza NW, Suite 9087, 9<sup>th</sup> Floor  
Albuquerque, NM 87102  
505-768-3334  
[dlcarmona@cabq.gov](mailto:dlcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)  
Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



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and destroy all copies of this message.

**From:** [webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org) [mailto:[webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org)] On Behalf Of [webmaster@cabq.gov](mailto:webmaster@cabq.gov)

**Sent:** Monday, February 24, 2020 10:48 AM

**To:** Office of Neighborhood Coordination <[vos@consensusplanning.com](mailto:vos@consensusplanning.com)>

**Cc:** Office of Neighborhood Coordination <[onc@cabq.gov](mailto:onc@cabq.gov)>

**Subject:** Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Michael Vos

Telephone Number

5057649801

Email Address

[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

Company Name

Consensus Planning, Inc.

Company Address

302 8th Street NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

Tract 20A-1, Paradise North

Physical address of subject site:

99999 UNSER BLVD NW

Subject site cross streets:

Unser and McMahon Blvd

Other subject site identifiers:

Southwest corner of the intersection

This site is located on the following zone atlas page:

A-11

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

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



February 27, 2020

Harry Hendriksen  
Westside Coalition  
10592 Rio Del Sol NW  
Albuquerque, NM 87114

Landscape Architecture  
Urban Design  
Planning Services

Rene Horvath  
Westside Coalition  
5515 Palomino Drive NW  
Albuquerque, NM 87120

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Dear Neighbors:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC. We met with members of the Tuscany Neighborhood Association on February 6, 2020 and they indicated support for this request. Notes from that meeting are included with our application.

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

**The EPC Public Hearing for this application will be held on April 9, 2020 starting at 8:30 am in the Basement Hearing Room at Plaza del Sol, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.**

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone 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)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3337.

Sincerely,

Jaqueline Fishman, AICP  
Principal

PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

Attached: Zone Atlas Map A-11



Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

February 27, 2020

Harry Hendriksen  
Tuscany NA  
10592 Rio Del Sol NW  
Albuquerque, NM 87114

Janelle Johnson  
Tuscany NA  
PO Box 6270  
Albuquerque, NM 87197

Dear Neighbors:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC. Thank you for your support of this request expressed at our February 6, 2020 Neighborhood Meeting. Notes from that meeting are included with our application.

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Sincerely,

Jaqueline Fishman, AICP  
Principal

Attached: Zone Atlas Map A-11

#### PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

W  
87102

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Harry Hendriksen  
Tuscany NA and WSCONA  
10592 Rio Del Sol NW  
Albuquerque, NM 87114

ning  
JW  
87102

FIRST-CLASS



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Janelle Johnson  
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PO Box 6270  
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ng  
W  
87102

FIRST-CLASS



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0002118651 FEB 27 2020  
MAILED FROM ZIP CODE 87102

Rene Horvath  
Westside Coalition  
5515 Palomino Drive NW  
Albuquerque, NM 87120



## Michael Vos

---

**From:** Jackie Fishman  
**Sent:** Thursday, February 27, 2020 10:58 AM  
**To:** hlhen@comcast.net; aboard111@gmail.com  
**Cc:** Michael Vos  
**Subject:** Application Notification - Unser/McMahon  
**Attachments:** ZoneAtlasPage\_A-11\_Site.pdf

Dear Neighbors:

This email is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC. We met with members of the Tuscany Neighborhood Association on February 6, 2020 and they indicated support for this request. Notes from that meeting are included with our application.

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Sincerely,

**Jacqueline Fishman, AICP**  
Principal  
Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102  
P: 505.764.9801



## Michael Vos

---

**From:** Jackie Fishman  
**Sent:** Thursday, February 27, 2020 11:00 AM  
**To:** hlhen@comcast.net; vistadelnorte@me.com  
**Cc:** Michael Vos  
**Subject:** Application Notification - Unser/McMahon  
**Attachments:** ZoneAtlasPage\_A-11\_Site.pdf

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This email is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC. Thank you for your support of this request expressed at our February 6, 2020 Neighborhood Meeting. Notes from that meeting are included with our application.

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Sincerely,

**Jacqueline Fishman, AICP**  
Principal  
Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102  
P: 505.764.9801



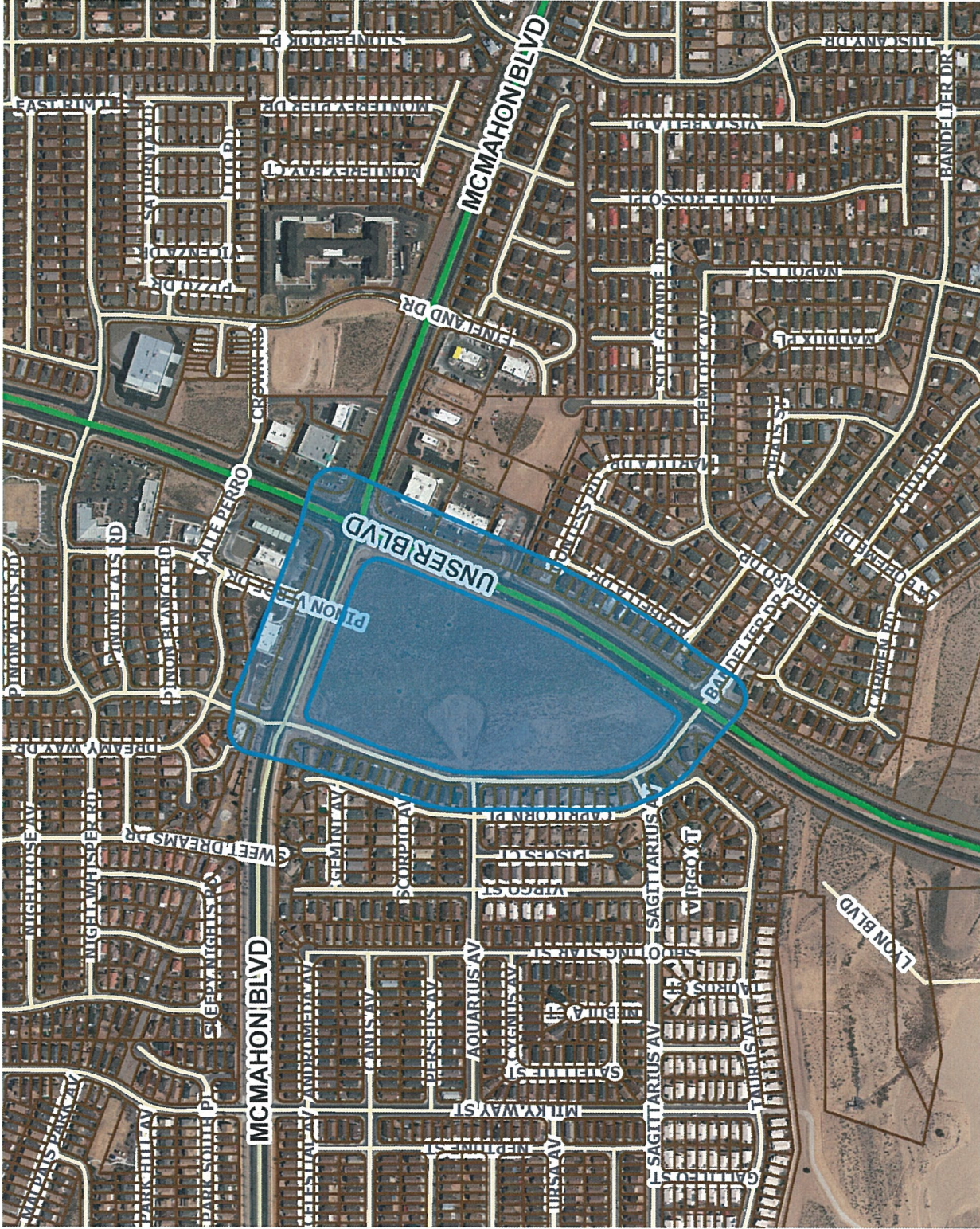


# Property Owner Buffer Map



## Legend

- Bernalillo County Parcels
- Primary Streets
- Freeway
- Principal Arterial
- Minor Arterial
- Local Streets
- BN and SF Railroad
- Other Streets
- Municipal Limits
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED
- World Street Map



1,202 601 1,202 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
2/24/2020  
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1: 7,213

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

Prepared by Consensus Planning  
2/24/2020  
100 feet excluding rights-of-way.



UPC	Owner	Owner Address	Owner Address 2	SITUS Address	SITUS Address 2	Legal Description	Acres
101106634732210403	CVS PHARMACY INC	1 CVS DR	WOONSOCKET RI 02895	10700 UNSER BLVD NW	ALBUQUERQUE NM 87114	LT 3 PLAT OF MCMAHON MARKETPLACE (BEING A 1	1.6599
101106633037610501	DIAMOND SHAMROCK STATIONS INC ATTN: REAL ESTATE DEPT	1 VALERO WAY	SAN ANTONIO TX 78249-1616	10801 UNSER BLVD NW	ALBUQUERQUE NM 87114	TR A PLAT OF TRS A & B DIAMOND SHAMROCK SUE	1.7772
101106624921031404	MONTVOYA CHRISTOPHER J & MONTVOYA ALICIA D	10500 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3400	10500 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 14 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.21	0.2057
101106624021731402	THOMPSON IVAN F & GEORGINNA	10508 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10508 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 16 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1176
101106627418541210	TORRES MARY ROSALITA	10515 LA TRAVIATTA PL NW	ALBUQUERQUE NM 87114	10515 LA TRAVIATTA PL NW	ALBUQUERQUE NM 87114	LOT 10P1 BLK 3 PLAT OF TUSCANY WEST UNIT 2 CON	0.218
101106627819141211	FELDER KATHLEEN M	10519 LA TRAVIATTA PL NW	ALBUQUERQUE NM 87114-3855	10519 LA TRAVIATTA PL NW	ALBUQUERQUE NM 87114	LT 11P1 BLK 3 PLAT OF TUSCANY WEST UNIT 2 CON	0.3324
101106629521742310	SMITH ROSE ELLEN	10600 ARABELLA DR NW	ALBUQUERQUE NM 87114	10600 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 11-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.147
1011066234239321201	WILSON EDDIE T	10600 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3401	10600 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 18 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1265
101106629722242311	GURULE MIKE A & MARTHA V	10604 ARABELLA DR NW	ALBUQUERQUE NM 87114-2707	10604 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 10-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
1011066232249321203	GALLEGOS CHRIS W & JULIANNA	10608 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10608 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 20 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1162
101106630323042313	ORTIZ JOE LARRY & KATE M	10616 ARABELLA DR NW	ALBUQUERQUE NM 87114	10616 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 8-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
101106623225321205	GRANT MARY C	10616 ARABELLA DR NW	ALBUQUERQUE NM 87114	10616 ARABELLA DR NW	ALBUQUERQUE NM 87114	LOT 22 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106630523542314	GODWIN NICHOLAS A & TASHA	10620 ARABELLA DR NW	ALBUQUERQUE NM 87114-3401	10620 ARABELLA DR NW	ALBUQUERQUE NM 87114	LOT 27-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
101106630823942315	TRUJILLO JEANETTE MARIA ELENA	10624 ARABELLA DR NW	ALBUQUERQUE NM 87114	10624 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 6-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
101106623226321207	LOMAX PHIL	10624 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10624 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 24 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106631124342316	MUELLER RICHARD D & KAMDEN C	10628 ARABELLA DR NW	ALBUQUERQUE NM 87114	10628 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 5-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
101106632322821208	JOHNSON-GONZALES KALEY & GONZALES VICTORIA	10628 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3402	10628 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 25 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106631324742317	VALDEZ TIMOTHY A & OWEN ALICIA V & RICHARD	10632 ARABELLA DR NW	ALBUQUERQUE NM 87114-2707	10632 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 4-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
101106623227321209	ZAMBRANO RICHARD & RAQUEL	10632 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10632 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 26 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106631625242318	LAWSON JACKIE LYN	10636 ARABELLA DR NW	ALBUQUERQUE NM 87114	10636 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 3-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
101106623227212120	RICHARDS TAMELIA & EDWARD S JR	10636 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10636 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 27 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106632026142320	MIDDAUGH JUAN JAVIER & LILY ANN	10644 ARABELLA DR NW	ALBUQUERQUE NM 87114	10644 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 1-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.157
101106623228821212	ANAYA PEGGY	10644 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10644 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 29 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1201
101106623230120801	CRANDALL PATRICIA RIVERA	10700 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10700 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 30 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1237
101106623230620802	GATIER MANUELA	10704 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10704 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 31 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1174
101106623431120803	BECKETT GINGER S	10708 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10708 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 32 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1174
101106623531320804	BONNIN EDUARDO A & LADONNA M	10712 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3403	10712 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 33 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1153
101106623732220805	CAMPBELL DAVID	10716 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3403	10716 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 34 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106623932620806	SLEMP STEVE D	10720 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3403	10720 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 35 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106624033120807	CRANER PAULLETTE MARIE	10724 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3403	10724 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 36 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106624233620808	TOTMAN ROBERT L & MARY J	10728 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10728 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 37 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106624334120809	WANDYKE ALAN	10732 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3403	10732 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 38 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1137
101106624534620810	DORSEY BRUCE L & SYLVIA M	10736 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10736 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 39 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1101
101106624635120811	HALSEY BARRY A	10740 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10740 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 40 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1106
101106625036420813	JONES DARRELL & BARBARA S	10748 CAPRICORN PL NW	ALBUQUERQUE NM 87114-3404	10748 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 42 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.2	0.2544
101106624437120814	LOPEZ CHARLIE N	10752 CAPRICORN PL NW	ALBUQUERQUE NM 87114	10752 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 43 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1537
101106626039420514	LARSON SHELLEY	10800 SLUMBER CT NW SUITE 200	ALBUQUERQUE NM 87114-5230	10800 SLUMBER CT NW	ALBUQUERQUE NM 87114	LT 312 PLAT OF LOS SUEÑOS SUBDIVISION UNIT 30	0.115
101106626140020513	RAMOS IVONNE	10804 SLUMBER CT NW	ALBUQUERQUE NM 87114	10804 SLUMBER CT NW	ALBUQUERQUE NM 87114	LT 313 PLAT OF LOS SUEÑOS SUBDIVISION UNIT 30	0.1063
101106623224821204	LHUPCHUG DAWA N & BHUTTI T TRUSTEES LHUPCHUG RVT	11400 EAGLE ROCK AVE NE	ALBUQUERQUE NM 87112-4114	10612 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 21 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106623228321211	LSF9 MASTER PARTICIPATION TRUST C/O CALIBER HOME LOANS INC	13801 WIRELESS WAY	OKLAHOMA CITY OK 73134-2500	10640 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 28 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106633830110402	PETERSON INV-MCMAHON LLC C/O JAMES A PETERSON C/O PETERSON	2325 SAN PEDRO DR NE SUITE 2-A	ALBUQUERQUE NM 87110-4121	10660 UNSER BLVD NW	ALBUQUERQUE NM 87114	LT 2 PLAT OF MCMAHON MARKETPLACE (BEING A 1	1.2102
101106631825642319	WYMER JOSEPH J & MONICA L	25891 CENTURY OAKS BLVD	HOCKLEY TX 77447	N/A	ALBUQUERQUE NM 87114	LT 2-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
10110662415540165	AMAFCA	2600 PROSPECT AVE NE	ALBUQUERQUE NM 87107-1836	N/A	ALBUQUERQUE NM 87114	TRACT UC-1-05 VACATION AMENDED PLAT & REPL	1.42
101106625439920508	LOS SUEÑOS DE ALBO HOMEOWNERS ASSOC C/O AMMRE INC	2823 RICHMOND DR NE	ALBUQUERQUE NM 87107-1918	WOODSIDE CA 94062	ALBUQUERQUE NM 87114	TR A PLAT FOR RIDGEVIEW VILLAGE UNIT 2 BEING F	0.0439
101106624321431403	LEA JEFFREY & DIANE TOBY	3 MEADOW RD	WOODSIDE CA 94062	10504 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 15 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1187
101106623225821206	GIP HIEN ANH & KIM S UNG TRUSTEES GIP FAMILY TRUST	408 BRIARWOOD DR	SOUTH SAN FRANCISCO CA 94080	10620 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 23 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1148
101106628839111906	ORONA JESSICA R	5760 PINON DULCE RD NW	ALBUQUERQUE NM 87114	5760 PINON DULCE RD NW	ALBUQUERQUE NM 87114	LT 153 P-1 PLAT FOR RIDGEVIEW VILLAGE UNIT 2 BI	0.0984
101106628339211907	CURTIS ALISIA	5762 PINON DULCE RD NW	ALBUQUERQUE NM 87114	5762 PINON DULCE RD NW	ALBUQUERQUE NM 87114	LT 154 P-1 PLAT FOR RIDGEVIEW VILLAGE UNIT 2 BI	0.0985
101106627739311908	SANCHEZ ANITA	5764 PINON DULCE RD NW	ALBUQUERQUE NM 87114-4859	5764 PINON DULCE RD NW	ALBUQUERQUE NM 87114	LT 155 P-1 PLAT FOR RIDGEVIEW VILLAGE UNIT 2 BI	0.12
101106624820331405	SCHWAB ROBERT A & LINDA M	5800 TAURUS AVE NW	ALBUQUERQUE NM 87114	5800 TAURUS AVE NW	ALBUQUERQUE NM 87114	TR D-1 BULK LAND PLAT TRACTS H-1 & D-1 LANDS C	1.61
101106631038410510	RIO RANCHO EAGLE LLC % DOUG ARMINTROUT	617 EASTLAKE AVE E SUITE 305	SEATTLE WA 98109-5682	5751 MCMAHON BLVD NW	ALBUQUERQUE NM 87114	LOT 13 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1669
101106628621042309	LEVEILLE DAVID R & KAREN	6232 CAPRICCIO RD NW	ALBUQUERQUE NM 87114	6232 CAPRICCIO RD NW	ALBUQUERQUE NM 87114	LT 12-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.211
101106632927142322	WEBER SUSAN C	6239 CONTESS RD NW	ALBUQUERQUE NM 87114-2710	6239 CONTESS RD NW	ALBUQUERQUE NM 87114	LT 27-P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4	0.12
10110662327242321	WAYNE ROBERT R & CHERYL L	6243 CONTESS RD NW	ALBUQUERQUE NM 87114	6243 CONTESS RD NW	ALBUQUERQUE NM 87114	LT 27-P1 BLK 5 PLAT OF TUSCANY WEST UNIT 4	0.177
101106623822231401	DOMINGUEZ RONALD A & VIVIAN	774 E KAIBAB DR SUITE 18-204	CHANDLER AZ 85249-3072	10514 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 17 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1232
101106624735720812	DIPPPIA FRANK P	7905 W WALKER DR	LITTLETON CO 80123-3547	10744 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 14 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1215
101106628920542308	DOMENICI CARLA PRANDO	802 PARKLAND CIR SE	ALBUQUERQUE NM 87108-3321	6228 CAPRICCIO RD NW	ALBUQUERQUE NM 87114	LT 13-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.126
101106623223821202	ROTTINGHAUS MATTHEW & JENNIFER	8020 E SNAKEROOT DR	TUCSON AZ 85710-8562	10604 CAPRICORN PL NW	ALBUQUERQUE NM 87114	LOT 19 PLAT FOR PARADISE SKIES UNIT 1 CONT 0.1	0.1176
101106630022642312	BASSALLECK KEVIN	8432 CHAMBERS CT NE	ALBUQUERQUE NM 87114-2166	10608 ARABELLA DR NW	ALBUQUERQUE NM 87114	LT 9-P1 BLK 6 PLAT OF TUSCANY WEST UNIT 4	0.127
101106632928310401	ALVARADO DEVELOPMENT LLC	924 W COLFAX AVE SUITE 302	DENVER CO 80204-2629	10600 UNSER BLVD NW	ALBUQUERQUE NM 87114	LT 1 PLAT OF MCMAHON MARKETPLACE (BEING A 1	1.1358
1011066363636010110	MAK REALTYMEDTECH HOLDINGS LLC C/O WALGREEN CO ATTN: TA	P O BOX 901	DEERFIELD IL 60015-0901	10800 UNSER BLVD NW	ALBUQUERQUE NM 87114	TR 2 PLAT OF TRS 1, 2, 3 & 4 PARADISE PLAZA CON	1.7149
101106627731810201	TRES ESCUINAS LIMITED COMPANY	PO BOX 6548	ALBUQUERQUE NM 87197-6548	UNSER BLVD NW	ALBUQUERQUE NM 87114	TRACT 20A-1 VACATION AMENDED PLAT & REPL OI	19.09



February 27, 2020

Property Owner:

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, April 9, 2020 at 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following item.

#### EPC RULES OF CONDUCT OF BUSINESS

A copy of the Rules of Conduct is posted on the Planning Department's website at <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission> and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact Russell Brito, Current Planning Division Manager, at (505) 924-3337 or at [rbrito@cabq.gov](mailto:rbrito@cabq.gov).

Staff reports and supplemental materials are posted on the City website, <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>, on Thursday, April 2, 2020.

#### REQUEST

Consensus Planning, agent for Holly Partners LLC, requests a Zoning Map Amendment - EPC for Tract 20A-1, Vacation Amended Plat & Replat of Paradise North situated within the Town of Alameda Grant, zoned MX-L (Mixed-Use Low Intensity), located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and bounded by Bandelier on its south and west, containing 19.09 acres. The request is for a zone change to MX-M (Mixed-Use Moderate Intensity) for an approximately 10.2 portion of the property along the Unser and McMahon frontages (see attached zone atlas page) to allow for a greater variety of commercial uses in development of the property. The remaining 8.89 acres will retain its MX-L zoning.

If you have questions or need additional information regarding this request contact Mr. Russell Brito, City Planning at (505) 924-3337 or at [rbrito@cabq.gov](mailto:rbrito@cabq.gov).

Sincerely,

Consensus Planning, Inc.

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ALBUQUERQUE NM 87114



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LAWSON JACKIE LYN  
10636 ARABELLA DR NW  
ALBUQUERQUE NM 87114

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JOHNSON-GONZALES KALEY &  
GONZALES VICTORIA  
10628 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3402

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GAITER MANUELA  
10704 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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ALBUQUERQUE NM 87114

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10600 ARABELLA DR NW  
ALBUQUERQUE NM 87114



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10515 LA TRAVIATTA PL NW  
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ATTN: REAL ESTATE DEPT  
1 VALERO WAY  
SAN ANTONIO TX 78249-1616

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DENVER CO 80204-2629

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DOMENICI CARLA PRANDO  
802 PARKLAND CIR SE  
ALBUQUERQUE NM 87108-3321

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BASSALLECK KEVIN  
8432 CHAMBERS CT NE  
ALBUQUERQUE NM 87111-2166

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ROTTINGHAUS MATTHEW & JENNIFER  
8020 E SNAKEROOT DR  
TUCSON AZ 85710-8562

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DIPIPPA FRANK P  
7905 W WALKER DR  
LITTLETON CO 80123-3547

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6243 CONTESS RD NW  
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CHANDLER AZ 85249-3072

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ALBUQUERQUE NM 87114



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WEBER SUSAN C  
6239 CONTESS RD NW  
ALBUQUERQUE NM 87114-2710

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617 EASTLAKE AVE E SUITE 305  
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5764 PINON DULCE RD NW  
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WOODSIDE CA 94062

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ALBUQUERQUE NM 87107-1918

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LHUPCHUG DAWA N & BHUTI T  
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11400 EAGLE ROCK AVE NE  
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10736 CAPRICORN PL NW  
ALBUQUERQUE NM 87114



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PETERSON INV-MCMAHON LLC C/O  
JAMES A PETERSON C/O PETERSON  
PROPERTIES  
2325 SAN PEDRO DR NE SUITE 2-A  
ALBUQUERQUE NM 87110-4121

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RAMOS YVONNE  
10804 SLUMBER CT NW  
ALBUQUERQUE NM 87114

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JONES DARRELL & BARBARA S  
10748 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3404

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ALBUQUERQUE NM 87107-1836

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LSF9 MASTER PARTICIPATION TRUST  
C/O CALIBER HOME LOANS INC  
13801 WIRELESS WAY  
OKLAHOMA CITY OK 73134-2500

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VANDYKE ALAN  
10732 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

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LARSON SHELLEY  
10800 SLUMBER CT NW SUITE 200  
ALBUQUERQUE NM 87114-5230

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HALSEY BARRY A  
10740 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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ALBUQUERQUE NM 87114

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FELDER KATHLEEN M  
10519 LA TRAVIATTA PL NW  
ALBUQUERQUE NM 87114-3855

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C/O WALGREEN CO ATTN: TAX DEPT  
P O BOX 901  
DEERFIELD IL 60015-0901

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CRANER PAULLETTE MARIE  
10724 CAPRICORN PL NW  
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BONNIN EDUARDO A & LADONNA M  
10712 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403



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CRANDALL PATRICIA RIVERA  
10700 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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RICHARDS TAMELA & EDWARD S JR  
10636 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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VALDEZ TIMOTHY A & OWEN ALICIA V  
& RICHARD  
10632 ARABELLA DR NW  
ALBUQUERQUE NM 87114-2707

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LOMAX PHIL  
10624 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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GRANT MARY C  
10616 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3401

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GURULE MIKE A & MARTHA V  
10604 ARABELLA DR NW  
ALBUQUERQUE NM 87114-2707

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SLEMP STEVE D  
10720 CAPRICORN PL NW  
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MONTROYA CHRISTOPHER J &  
MONTROYA ALICIA D  
10500 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3400

April 7, 2020

Note to file:

Due to warnings issued regarding the CCOVID-19 (coronavirus) situation, the EPC Hearing was delayed. Because of that, the Applicant had to re-notice the Neighborhood Associations and property owners.

See the attached documents for proof of the Applicant's re-notice to the neighborhood associations and surrounding property owners. Note: on the property owner list, the Applicant received several letters returned from the first mailing, so they accessed the County Assessor information and updated accordingly. The yellow highlighted ones are the same owner as before with an updated address and teal highlight is a different owner since the AGIS data appears to be slightly outdated

*Linda Rumpf*

*Staff Planner*

## Michael Vos

---

**From:** Michael Vos  
**Sent:** Monday, April 6, 2020 3:06 PM  
**To:** aboard111@gmail.com; Harry; vistadelnorte@me.com  
**Cc:** Jackie Fishman  
**Subject:** Updated Notice for Zone Map Amendment at Unser and McMahon  
**Attachments:** ZoneAtlasPage\_A-11\_Site.pdf

Dear Neighbors:

This email serves to update you on our application for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC.

The originally scheduled EPC hearing on April 9<sup>th</sup> was postponed due to the ongoing COVID-19 situation and rescheduled for a remote hearing via the software Zoom (see information below).

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

**The EPC Public Hearing for this application will be held on Thursday, April 23, 2020 starting at 8:40 am via the below Zoom remote-meeting link and call-in numbers. You may join the remote meeting using a computer with a microphone and/or camera or by phone audio using the following information:**

Join Zoom Meeting

<https://cabq.zoom.us/j/822925114>

Meeting ID: 822 925 114

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+1 669 900 6833 US (San Jose)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US

+1 301 715 8592 US

Meeting ID: 822 925 114

Find your local number: <https://cabq.zoom.us/j/822925114>

Sincerely,

**Michael Vos, AICP**

**CONSENSUS PLANNING, INC.**

302 Eighth Street NW

Albuquerque, NM 87102

phone (505) 764-9801

[vos@consensusplanning.com](mailto:vos@consensusplanning.com)





Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

April 6, 2020

Dear Neighbors:

This letter serves to update you on our application for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC, which you expressed support for at our February 6, 2020 Neighborhood Meeting.

The originally scheduled EPC hearing on April 9<sup>th</sup> has been postponed due to the ongoing COVID-19 situation and rescheduled for a remote hearing via the software Zoom (see information below).

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

**The EPC Public Hearing for this application will be held on Thursday, April 23, 2020 starting at 8:40 am via the below Zoom remote-meeting link and call-in numbers. You may join the remote meeting using a computer with a microphone and/or camera or by phone audio using the following information:**

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Meeting ID: 822 925 114

Find your local number: <https://cabq.zoom.us/j/822925114>

#### PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

Sincerely,

Jacqueline Fishman, AICP  
Principal

Attached: Zone Atlas Map A-11



Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

April 6, 2020

Dear Neighbors:

This letter serves to update you on our application for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC. We met with members of the Tuscany Neighborhood Association on February 6, 2020, where they indicated support for our request.

The originally scheduled EPC hearing on April 9<sup>th</sup> has been postponed due to the ongoing COVID-19 situation and rescheduled for a remote hearing via the software Zoom (see information below).

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

**The EPC Public Hearing for this application will be held on Thursday, April 23, 2020 starting at 8:40 am via the below Zoom remote-meeting link and call-in numbers. You may join the remote meeting using a computer with a microphone and/or camera or by phone audio using the following information:**

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+1 253 215 8782 US

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Meeting ID: 822 925 114

Find your local number: <https://cabq.zoom.us/j/822925114>

#### PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

Sincerely,

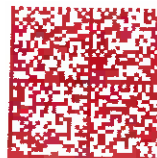
Jacqueline Fishman, AICP  
Principal

Attached: Zone Atlas Map A-11

Janelle Johnson  
Tuscany Neighborhood Association  
PO Box 6270  
Albuquerque, NM 87197

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Rene Horvath  
Westside Coalition  
5515 Palomino Drive NW  
Albuquerque, NM 87120

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Harry Hendriksen  
Tuscany NA and WSCONA  
10592 Rio Del Sol NW  
Albuquerque NM 87114

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April 6, 2020

Property Owner:

#### UPDATED NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, April 23, 2020 at 8:40 a.m.** to consider the following item. **Due to the ongoing COVID-19 situation, this will be a remote public hearing via the below Zoom remote-meeting link and call-in numbers. You may join the remote meeting using a computer with a microphone and/or camera or by phone audio using the following information:**

Join Zoom Meeting

<https://cabq.zoom.us/j/822925114>

Meeting ID: 822 925 114

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+16699006833,,822925114# US (San Jose)

Dial by your location

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+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US

+1 301 715 8592 US

Meeting ID: 822 925 114

Find your local number: <https://cabq.zoom.us/j/822925114>

#### EPC RULES OF CONDUCT OF BUSINESS

A copy of the Rules of Conduct is posted on the Planning Department's website at <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>.

For more information, please contact Russell Brito, Current Planning Division Manager, at (505) 924-3337 or at [rbrito@cabq.gov](mailto:rbrito@cabq.gov).

Staff reports and supplemental materials are posted on the City website, <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>, on Thursday, April 16, 2020.

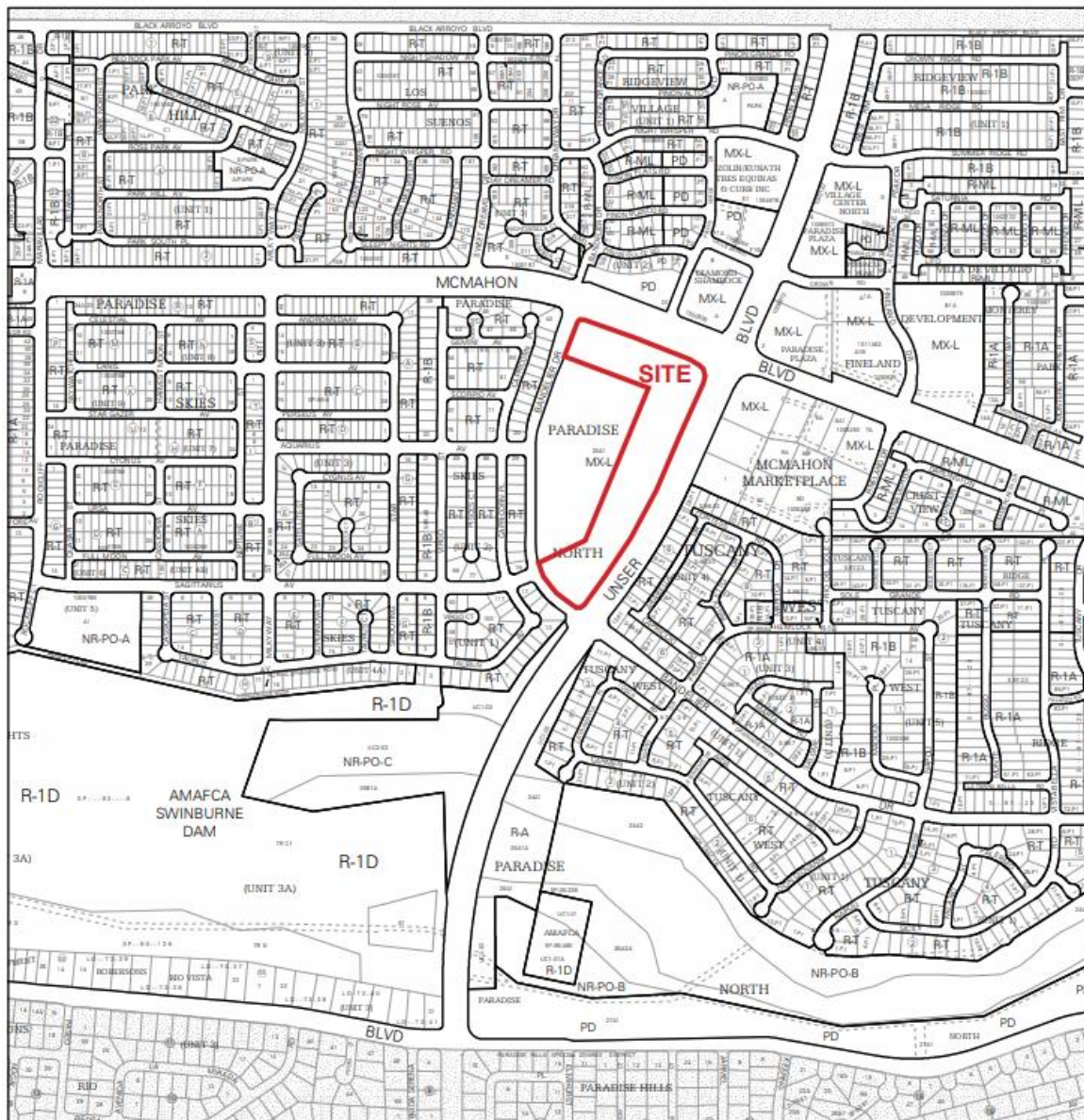
#### REQUEST

Consensus Planning, agent for Holly Partners LLC, requests a Zoning Map Amendment - EPC for Tract 20A-1, Vacation Amended Plat & Replat of Paradise North situated within the Town of

Alameda Grant, zoned MX-L (Mixed-Use Low Intensity), located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and bounded by Bandelier on its south and west, containing 19.09 acres. The request is for a zone change to MX-M (Mixed-Use Moderate Intensity) for an approximately 10.2 portion of the property along the Unser and McMahon frontages (see attached zone atlas page) to allow for a greater variety of commercial uses in development of the property. The remaining 8.89 acres will retain its MX-L zoning.

If you have questions or need additional information regarding this request contact Mr. Russell Brito, City Planning at (505) 924-3337 or at [rbrito@cabq.gov](mailto:rbrito@cabq.gov).

Sincerely,  
Consensus Planning, Inc.



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>



CVS PHARMACY INC  
1 CVS DR  
WOONSOCKET RI 02895

DIAMOND SHAMROCK STATIONS INC  
ATTN: REAL ESTATE DEPT  
PO Box 690110  
SAN ANTONIO TX 78269-0110

MONTOYA CHRISTOPHER J &  
MONTOYA ALICIA D  
10500 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3400

THOMPSON IVAN F & GEORGIANNA  
10508 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

TORRES MARY ROSALITA  
10515 LA TRAVIATTA PL NW  
ALBUQUERQUE NM 87114

FELDER KATHLEEN M  
10519 LA TRAVIATTA PL NW  
ALBUQUERQUE NM 87114-3855

SMITH ROSE ELLEN  
10600 ARABELLA DR NW  
ALBUQUERQUE NM 87114

WILSON EDDIE T  
10600 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3401

GURULE MIKE A & MARTHA V  
10604 ARABELLA DR NW  
ALBUQUERQUE NM 87114-2707

QUINONEZ GILBERTO  
1301 W AVENIDA PL NW Unit L  
Lovington NM 88260

ORTIZ JOE LARRY & KATE M  
10616 ARABELLA DR NW  
ALBUQUERQUE NM 87114

GRANT MARY C  
10616 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3401

GOODWIN NICHOLAS A & TASHA  
10620 ARABELLA DR NW  
ALBUQUERQUE NM 87114

TRUJILLO JEANETTE MARIA ELENA  
10624 ARABELLA DR NW  
ALBUQUERQUE NM 87114

LOMAX PHIL  
10624 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

MUELLER RICHARD D & KAMDEN C  
10628 ARABELLA DR NW  
ALBUQUERQUE NM 87114

JOHNSON-GONZALES KALEY &  
GONZALES VICTORIA  
10628 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3402

VALDEZ TIMOTHY A & OWEN ALICIA V  
& RICHARD  
10632 ARABELLA DR NW  
ALBUQUERQUE NM 87114-2707

ZAMBRANO RICHARD & RAQUEL  
10632 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

LAWSON JACKIE LYN  
10636 ARABELLA DR NW  
ALBUQUERQUE NM 87114

RICHARDS TAMELA & EDWARD S JR  
10636 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

MIDDAUGH JUAN JAVIER & LILY ANN  
10644 ARABELLA DR NW  
ALBUQUERQUE NM 87114

ANAYA PEGGY  
10644 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

CRANDALL PATRICIA RIVERA  
10700 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

GAITER MANUELA  
10704 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

BECKETT GINGER S  
10708 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

BONNIN EDUARDO A & LADONNA M  
10712 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

CAMPBELL DAVID  
10716 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

SLEMP STEVE D  
10720 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

CRANER PAULLETTE MARIE  
10724 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

TOTMAN ROBERT L & MARY J  
10728 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

VANDYKE ALAN  
10732 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

DORSEY BRUCE L & SYLVIA M  
10736 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

HALSEY BARRY A  
10740 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

JONES DARRELL & BARBARA S  
10748 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3404

LOPEZ CHARLIE N  
10752 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

LARSON SHELLEY  
10800 SLUMBER CT NW SUITE 200  
ALBUQUERQUE NM 87114-5230

RAMOS YVONNE  
10804 SLUMBER CT NW  
ALBUQUERQUE NM 87114

LHUPCHUG DAWA N & BHUTI T  
TRUSTEES LHUPCHUG RVT  
11400 EAGLE ROCK AVE NE  
ALBUQUERQUE NM 87122-4114

LSF9 MASTER PARTICIPATION TRUST  
C/O CALIBER HOME LOANS INC  
13801 WIRELESS WAY  
OKLAHOMA CITY OK 73134-2500

PETERSON INV-MCMAHON LLC C/O  
JAMES A PETERSON C/O PETERSON  
PROPERTIES  
2325 SAN PEDRO DR NE SUITE 2-A  
ALBUQUERQUE NM 87110-4121

WYMER JOSEPH J & MONICA L  
25891 CENTURY OAKS BLVD  
HOCKLEY TX 77447

AMAFCA  
2600 PROSPECT AVE NE  
ALBUQUERQUE NM 87107-1836

LOS SUENOS HOMEOWNERS ASSOC  
PO Box 67590  
ALBUQUERQUE NM 87193-7590

LEA JEFFREY & DIANE TOBY  
3 MEADOW RD  
WOODSIDE CA 94062

GIP HIEN ANH & KIM S UNG TRUSTEES  
GIP FAMILY TRUST  
408 BRIARWOOD DR  
SOUTH SAN FRANCISCO CA 94080

ORONA JESSICA R  
5760 PINON DULCE RD NW  
ALBUQUERQUE NM 87114

CURTIS ALISIA  
5762 PINON DULCE RD NW  
ALBUQUERQUE NM 87114

SANCHEZ ANITA  
5764 PINON DULCE RD NW  
ALBUQUERQUE NM 87114-4859

DURAN ARTHUR L & JOSEPHINE  
OLYMPIA  
5800 TAURUS AVE NW  
ALBUQUERQUE NM 87114-3426

RIO RANCHO EAGLE LLC % DOUG  
ARMINTROUT  
617 EASTLAKE AVE E SUITE 305  
SEATTLE WA 98109-5682

LEVEILLE DAVID R & KAREN  
6232 CAPRICCIO RD NW  
ALBUQUERQUE NM 87114

WEBER SUSAN C  
6239 CONTESS RD NW  
ALBUQUERQUE NM 87114-2710

WAYNE ROBERT R & CHERYL L  
6243 CONTESS RD NW  
ALBUQUERQUE NM 87114

DOMINGUEZ RONALD A & VIVIEN  
774 E KAIBAB DR SUITE 18-204  
CHANDLER AZ 85249-3072

DIPIPPA FRANK P  
7905 W WALKER DR  
LITTLETON CO 80123-3547

DOMENICI CARLA PRANDO  
802 PARKLAND CIR SE  
ALBUQUERQUE NM 87108-3321

ROTTINGHAUS MATTHEW & JENNIFER  
4166 Douglass Way  
USAF Academy CO 80840-1007

BASSALLECK KEVIN  
821 SALAMANCA ST NW  
ALBUQUERQUE NM 87107-5640

ALVARADO DEVELOPMENT LLC  
924 W COLFAX AVE SUITE 302  
DENVER CO 80204-2629

MAK REALTYMEDTECH HOLDINGS LLC  
C/O WALGREEN CO ATTN: TAX DEPT  
P O BOX 901  
DEERFIELD IL 60015-0901

TRES ESQUINAS LIMITED COMPANY  
PO BOX 6548  
ALBUQUERQUE NM 87197-6548

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ALBUQUERQUE NM 87114-3426

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PETERSON INV-MCMAHON LLC C/O  
JAMES A PETERSON C/O PETERSON  
PROPERTIES  
2325 SAN PEDRO DR NE SUITE 2-A  
ALBUQUERQUE NM 87110-4121

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ALBUQUERQUE NM 87114

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MAILED FROM ZIP CODE 87102

JONES DARRELL & BARBARA S  
10748 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3404



NW  
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DOMINGUEZ RONALD A & VIVIEN  
774 E KAIBAB DR SUITE 18-204  
CHANDLER AZ 85249-3072

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USAF Academy CO 80840-1007

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VANDYKE ALAN  
10732 CAPRICORN PL NW  
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LEVEILLE DAVID R & KAREN  
6232 CAPRICCIO RD NW  
ALBUQUERQUE NM 87114

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5764 PINON DULCE RD NW  
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GIP FAMILY TRUST  
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SOUTH SAN FRANCISCO CA 94080

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LSF9 MASTER PARTICIPATION TRUST  
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13801 WIRELESS WAY  
OKLAHOMA CITY OK 73134-2500

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LARSON SHELLEY  
10800 SLUMBER CT NW SUITE 200  
ALBUQUERQUE NM 87114-5230

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HALSEY BARRY A  
10740 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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TOTMAN ROBERT L & MARY J  
10728 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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VALDEZ TIMOTHY A & OWEN ALICIA V  
& RICHARD  
10632 ARABELLA DR NW  
ALBUQUERQUE NM 87114-2707

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RICHARDS TAMELA & EDWARD S JR  
10636 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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CRANDALL PATRICIA RIVERA  
10700 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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BONNIN EDUARDO A & LADONNA M  
10712 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403



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CRANER PAULLETTE MARIE  
10724 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

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MONTOYA CHRISTOPHER J &  
MONTOYA ALICIA D  
10500 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3400

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FELDER KATHLEEN M  
10519 LA TRAVIATTA PL NW  
ALBUQUERQUE NM 87114-3855

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GURULE MIKE A & MARTHA V  
10604 ARABELLA DR NW  
ALBUQUERQUE NM 87114-2707

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GRANT MARY C  
10616 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3401

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ALBUQUERQUE NM 87114

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BECKETT GINGER S  
10708 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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t NW  
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SLEMP STEVE D  
10720 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

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NW  
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ANAYA PEGGY  
10644 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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LAWSON JACKIE LYN  
10636 ARABELLA DR NW  
ALBUQUERQUE NM 87114

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GONZALES VICTORIA  
10628 CAPRICORN PL NW  
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SAN ANTONIO TX 78269-0110

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10515 LA TRAVIATTA PL NW  
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WILSON EDDIE T  
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ORTIZ JOE LARRY & KATE M  
10616 ARABELLA DR NW  
ALBUQUERQUE NM 87114



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TRUJILLO JEANETTE MARIA ELENA  
10624 ARABELLA DR NW  
ALBUQUERQUE NM 87114

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et NW  
NM 87102

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GAITER MANUELA  
10704 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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MIDDAUGH JUAN JAVIER & LILY ANN  
10644 ARABELLA DR NW  
ALBUQUERQUE NM 87114

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ZAMBRANO RICHARD & RAQUEL  
10632 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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MUELLER RICHARD D & KAMDEN C  
10628 ARABELLA DR NW  
ALBUQUERQUE NM 87114

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NW  
1 87102

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CAMPBELL DAVID  
10716 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403

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st NW  
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THOMPSON IVAN F & GEORGIANNA  
10508 CAPRICORN PL NW  
ALBUQUERQUE NM 87114

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SMITH ROSE ELLEN  
10600 ARABELLA DR NW  
ALBUQUERQUE NM 87114

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et NW  
NM 87102

GOODWIN NICHOLAS A & TASHA  
10620 ARABELLA DR NW  
ALBUQUERQUE NM 87114

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1301 W AVENIDA PL NW Unit L  
Lovington NM 88260

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