



Environmental Planning Commission

Agenda Number: 2
Project #: 2019-003120
Case: RZ-2019-00070
Hearing Date: January 9, 2020

Staff Report

| | |
|--------------------------|--|
| Agent | Consensus Planning |
| Applicant | Unser & Sage LLC |
| Request | Zoning Map Amendment |
| Legal Description | Tracts A-1 and A-2, Plat of Tracts A-1 through 6, Unser & Sage Marketplace |
| Location | Located on Sage Rd SW between Unser Blvd SW and Sage Rd NW. |
| Size | Approximately 5.80 Acres |
| Existing Zoning | MX-L |
| Proposed Zoning | MX-T |

Staff Recommendation

APPROVAL of Project # 2019-003120 RZ-2019-00070 based on the Findings beginning on Page 17.

Staff Planner
Whitney Phelan

Summary of Analysis

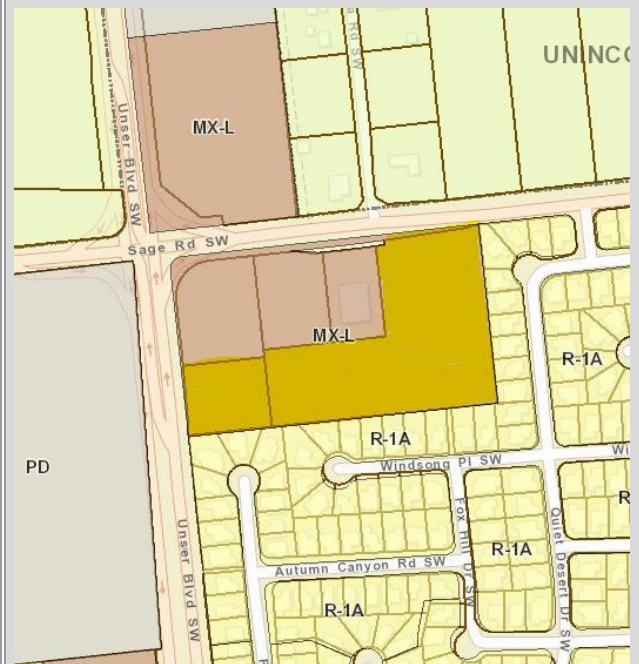
The request is for a zoning map amendment for an approximately 5.80-acre site located on Sage Rd SW, between Unser Blvd SW and Sage Rd SW, which is currently vacant and zoned MX-L. The applicant wants to change the subject site's zoning to MX-T in order to develop the lots with small scale commercial uses and lower density residential development to serve as a transition between the MX-L zoned properties to the north and west of the site and the R-1A zoned properties to the south and east.

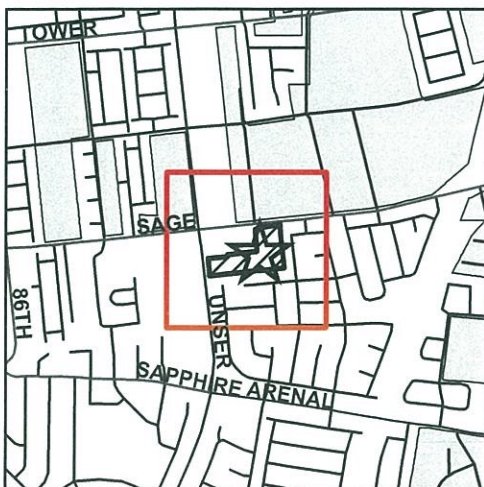
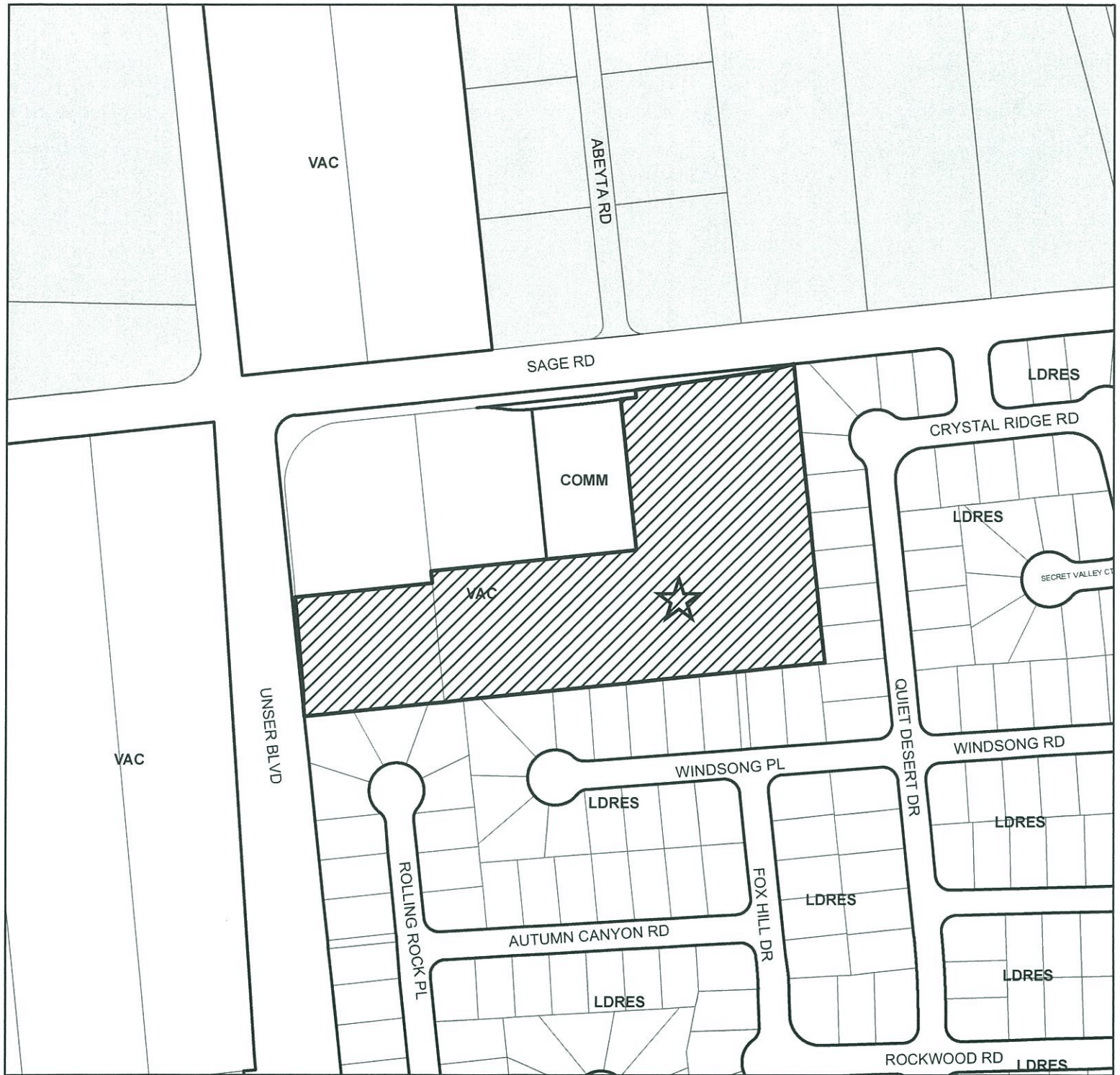
The subject site is in an Area of Consistency, as designated in the ABC Comp Plan. The zoning map amendment has been adequately justified pursuant to the IDO zone change criteria.

Property owners within 100 ft and the affected neighborhood associations, South West Alliance of Neighborhoods, Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations, Stinson Tower Neighborhood Association, Westgate Heights Neighborhood Association, were notified as required.

Staff recommends Approval.

Map





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 |

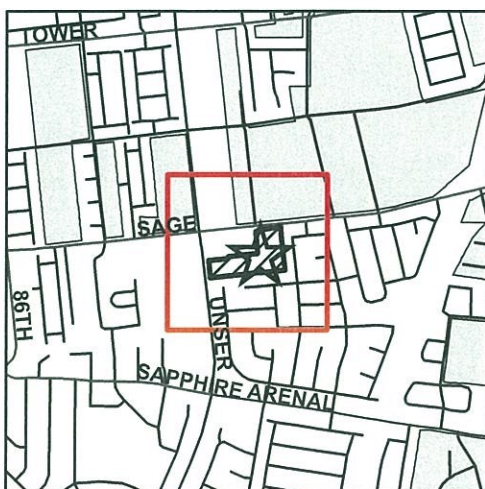
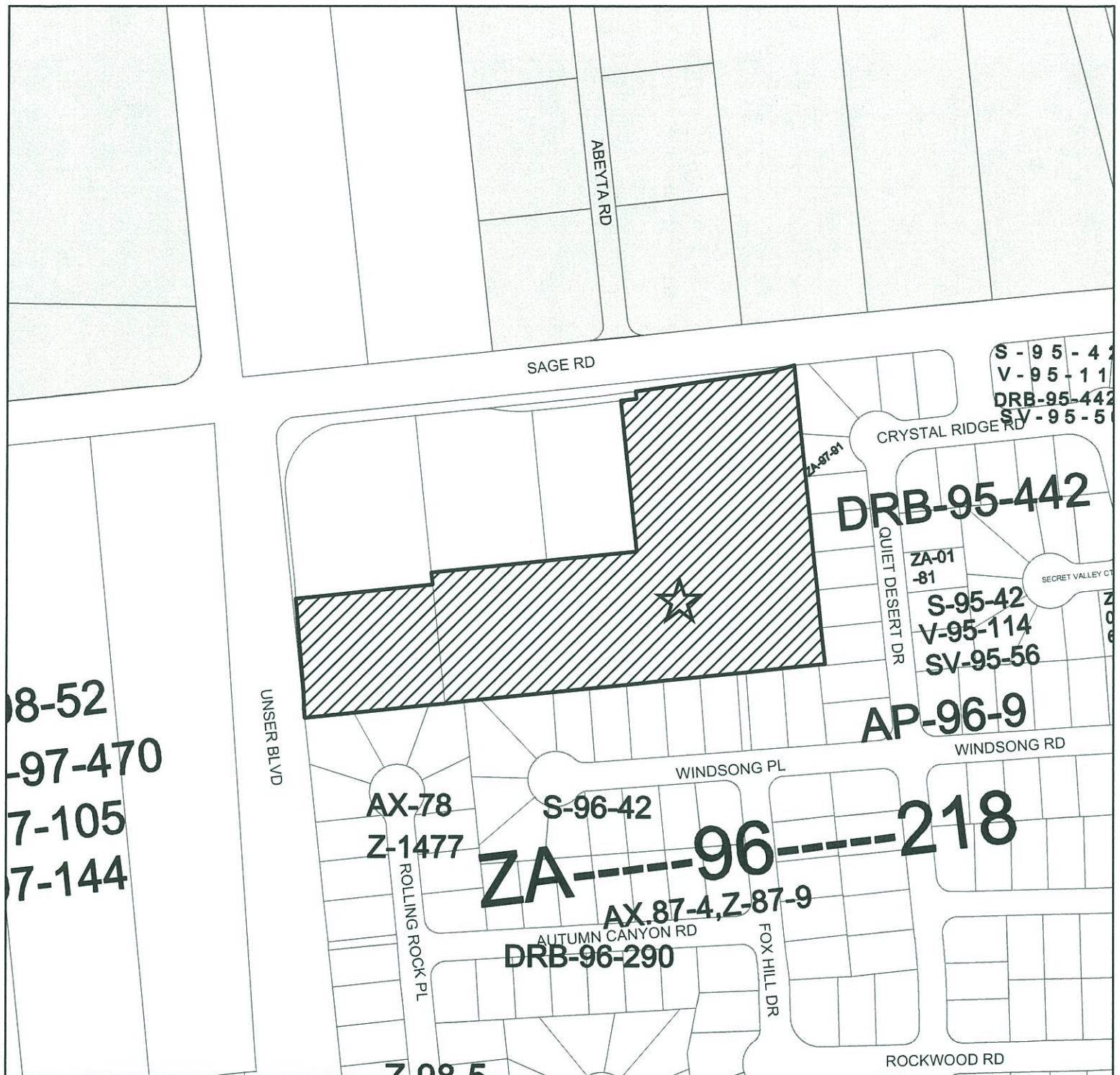


1 inch = 225 feet

Hearing Date:
1/9/2020

Project Number:
PR-2019-003120
Case Numbers:
RZ-2019-00070

Zone Map Page:
M-10



HISTORY MAP

Note: Gray shading
indicates County.



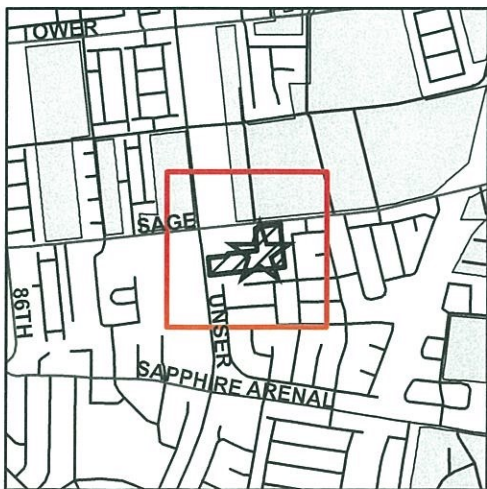
1 inch = 225 feet

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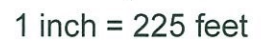
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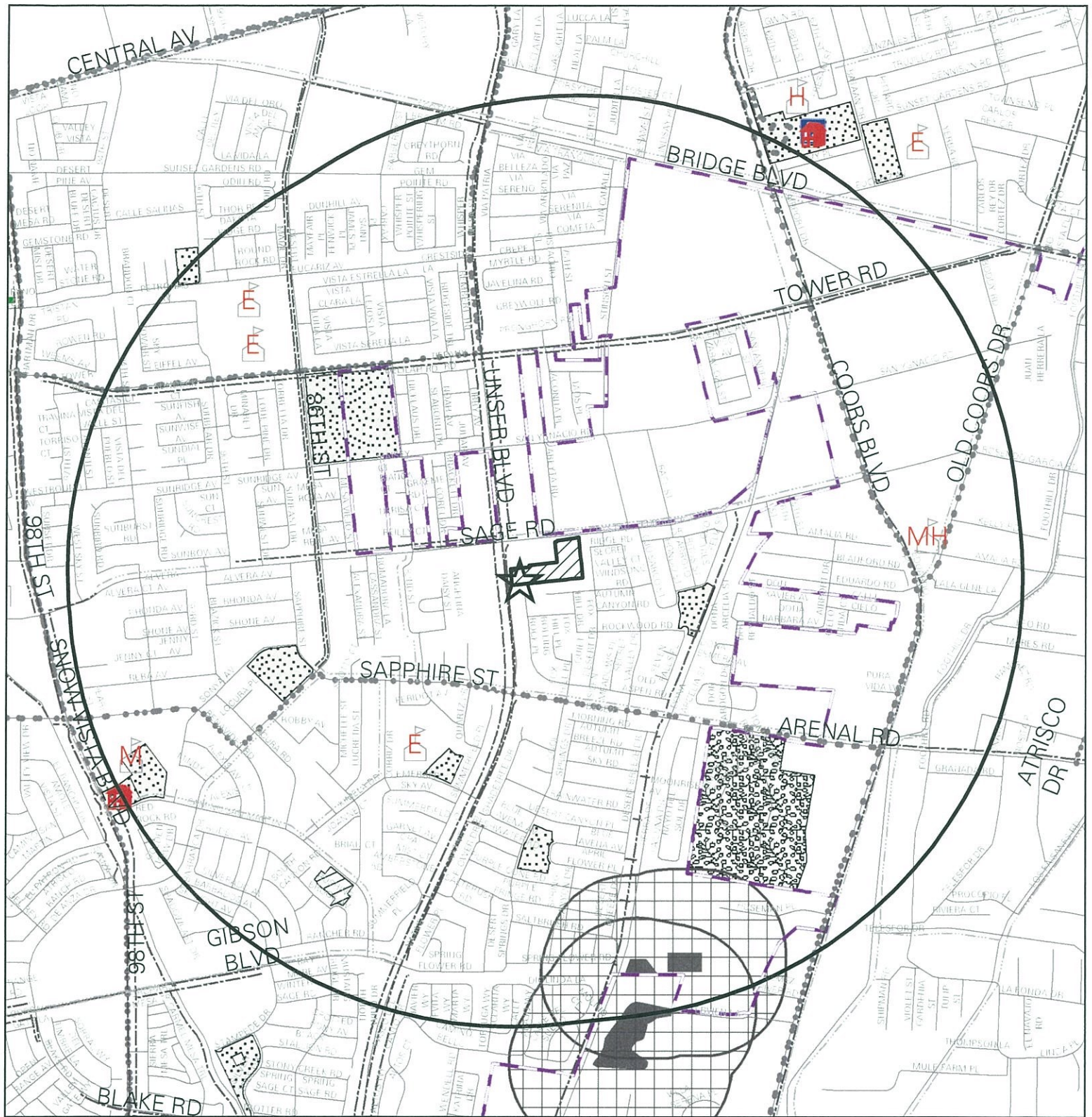
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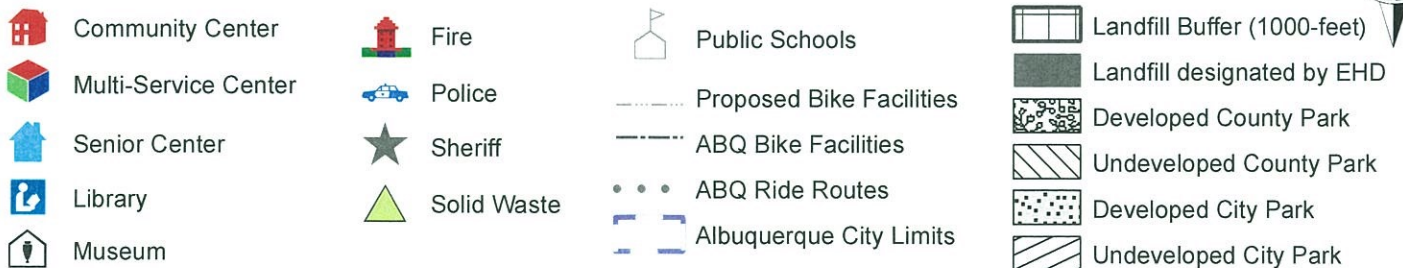
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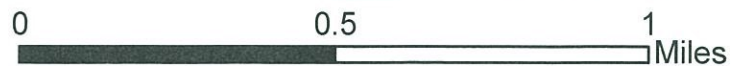
Zone Map Page:
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Public Facilities Map with One-Mile Buffer



Project Number: PR-2019-003120



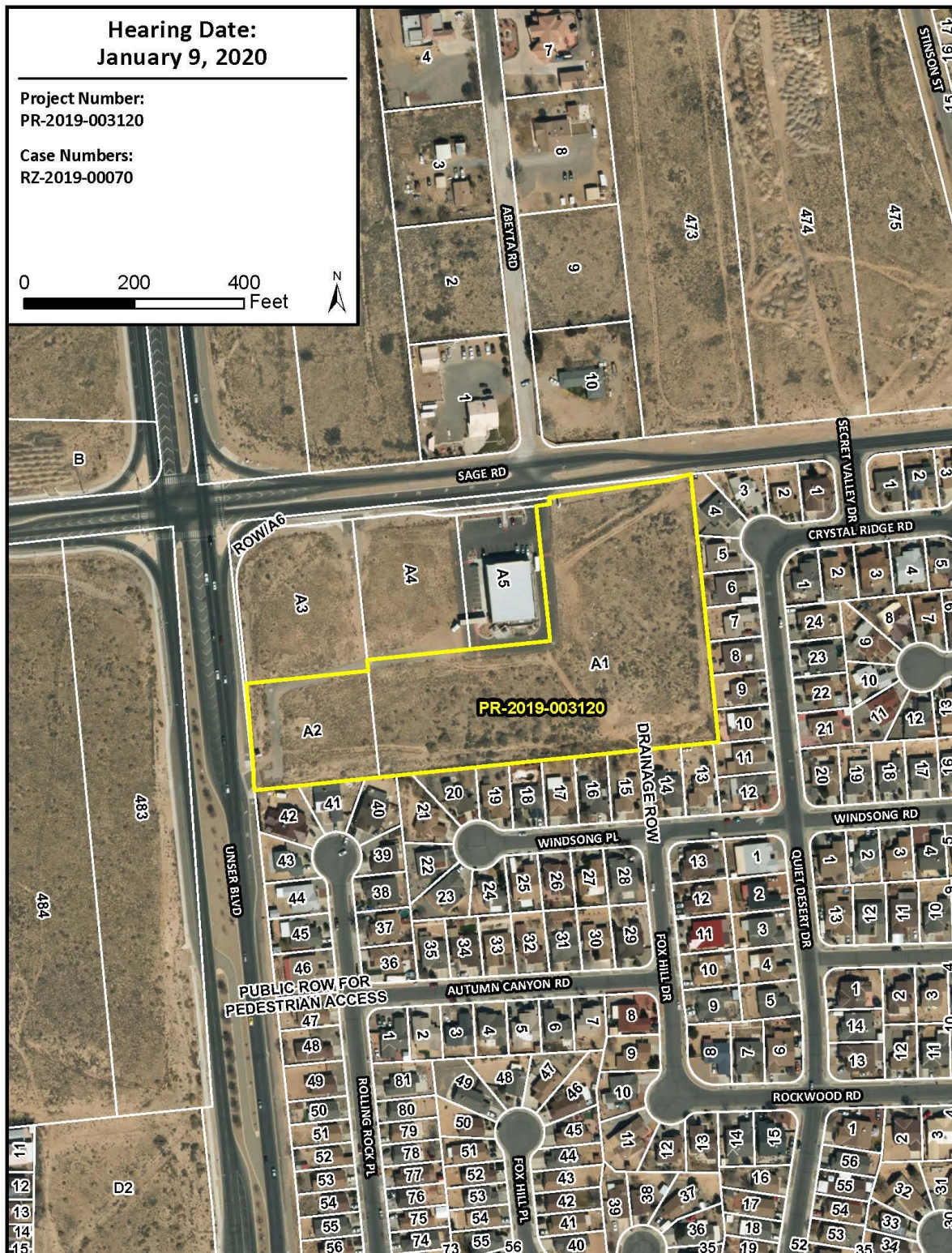


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I. Introduction

| | <i>IDO Zoning</i> | <i>Comprehensive Plan Area</i> | <i>Land Use</i> |
|---------------------|--------------------------|---------------------------------------|--|
| <i>Site</i> | MX-L | Area of Consistency | Vacant |
| <i>North</i> | MX-L & Bernalillo County | Area of Consistency | Family Dollar, Retail, Single Family Dwellings |
| <i>East</i> | R-1A | Area of Consistency | Single Family Dwellings |
| <i>South</i> | R-1A | Area of Consistency | Single Family Dwellings |
| <i>West</i> | PD | Area of Change | Vacant |

Proposal

The request is for a zoning map amendment (zone change) for an approximately 5.80-acre site known as Tracts A-1 and A-2, Plat of Tracts A-1 through 6, Unser & Sage Marketplace. The subject site is located on the south side of Sage Rd SW, between Unser Blvd SW and Sage Rd SW. The site is currently vacant.

The subject site is zoned MX-L (Mixed Use- Low Intensity Zone District) the purpose of the 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. The applicant is requesting a zone change to MX-T (Mixed-Use Transition Zone District) in order to develop the property with residential (low-density) and commercial uses. The purpose of the MX-T zone district is to provide a transition between residential neighborhoods and more intense commercial areas. Primary land uses include a range of low-density Multi-family residential and small-scale office, institutional, and Pedestrian-oriented commercial uses.

EPC Role

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

Council. The City Council would then make the final decision. The request is a quasi-judicial matter.

History/Background

The site was previously zoned C-1 which allowed commercial development. The site was converted to MX-L during the Phase I Zone Conversion upon adoption of the IDO. The site has a current Site Plan for Subdivision approved and has had infrastructure improvements that were required by the Development Review Board (DRB). The Subject Site is located to the south of other MX-L zoned lots which are primarily vacant, although one lot has been developed with a Family Dollar retail location. Many of the lots to the south and east of the site are developed with single-family homes and zoned R-1A (Residential). The lots adjacent to the site on the west across Unser are zoned PD, with County zoned C-1 property on the NW corner of the intersection.

Context

The subject site is currently vacant and contains two lots. The site is located within an Area of Consistency and located along a Commuter Corridor (Unser) as designated by the Comprehensive Plan, as amended. The lots to the north are zoned MX-L with County zoned A-1 and R-1 lots on the north side of Sage Rd. Lots to the east and south of the site are zoned R-1A and are developed with single-family dwellings. Properties to the northwest and west are zoned PD and C-1 (County). The PD and C-1 zoned lots are currently vacant.

Roadway System

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), includes existing roadways and future recommended roadways along with their regional role. The LRRS designates Sage Rd SW as a Major Collector. The LRRS designates Unser Blvd SW as a Regional Principal Arterial.

Comprehensive Plan Corridor Designation

The site is located along a Commuter Corridor as designated by the ABC Comp Plan.

Trails/Bikeways

The Long Range Bikeway System (LRBS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies existing and proposed trails.

Transit

Refer to Transit Agency comments

Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

II. Analysis of City Plans and Ordinances

Integrated Development Ordinance (IDO)

Pre-IDO Zoning

Prior to the effective date of the IDO on May 17, 2018, the subject site's zoning was C-1.

Existing Post-IDO Zoning

Current Zoning for the project site is MX-L.

Proposed Zoning

The proposed zoning for the site is MX-T.

Character Protection Overlay

There are no applicable historic or character protection overlays on the site.

Definitions

Dwelling, Single-family Detached: A residential building used for occupancy by 1 household that is not attached to any other dwelling unit through shared side or rear walls, floors or ceilings, or corner points.

Dwelling, Multi-family: A building, located on a single lot, containing 3 or more dwelling units, each of which is designed for or occupied by one family only, with separate housekeeping and cooking facilities for each, and that does not meet the definition of a townhouse dwelling.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

Note: Applicant's justification language is in italics.

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. In Areas of Consistency, the focus is on protecting and enhancing the character of single-family neighborhoods and green spaces. Revitalization and developments that do occur should be at a scale and density (or intensity) similar to immediately surrounding development in order to reinforce the existing character of established neighborhoods. The Goals and policies listed below are cited by the applicant in the zone change justification letter. Applicable goals and policies include:

Chapter 4: Community Identity

POLICY 4.1.2- Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request furthers this policy because it will allow for more permissive residential uses on a portion of the current site plan yet will retain zoning for commercial uses on the northwestern parcels of the current site plan. This transitional zoning would ensure the appropriate type and scale of land uses that will be conducive for quality development that is appropriate and cohesive within the current context and development of adjacent properties. The request will promote the protection and enhancement of neighborhood character by establishing a zone change that is compatible with the adjacent land uses and zoning patterns to the south and east.

Staff: The requested MX-T zoning would protect the identity and cohesiveness of the surrounding neighborhood. The purpose of the MX-T zoning district is to provide a transition between residential neighborhoods and more intense commercial areas. The current zoning, MX-L, is intended to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. This request furthers Policy 4.1.2 Identity and Design by creating a transition between higher intensity retail at the intersection corner and the residential lots to the south and east.

POLICY 4.1.4- Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The request will enhance, protect, and preserve the current residential neighborhoods by allowing for more appropriate transitional zoning and permissive uses between the current R-1A zoning to the south/east and the commercial zoning to the north.

Staff: The request generally furthers Policy 4.1.4. by allowing a mix of uses that can serve as a transition between MX-L zoning to the north and County designated C-1 to the northwest. Liquor Retail becomes a conditional use in the requested zone, MX-T, which will provide more protection from that use being developed adjacent to existing single-family homes, which was expressed as a concern by members of the neighborhood association.

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.

- 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.

The request furthers this goal and policy by encouraging infill development in an appropriate area that is at the urban edge along Unser Blvd, which is designated as a Commuter Corridor. The current transportation infrastructure at the intersection of Unser Blvd and Sage Rd already accounts for the anticipated increased development in this area and implements road sections that can handle the anticipated traffic patterns with multiple lanes to include thru-lanes, right and left turning lanes, transitional striping, bike paths, and pedestrian access/crossings at this intersection as well as along the Unser Blvd corridor to the north and south.

- g) Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership.

The request will support this policy by allowing for more permissive residential uses that would encourage residential infill in a neighborhood that is adjacent to Unser Blvd, which is identified as a Commuter Corridor and near both Coors and Arenal, which are Major Transit Corridors.

Staff: The request generally furthers Comp Plan Goal 5.1. and Policy 5.1.1. Unser Blvd is designated as a Commuter Corridor by the ABC Comp Plan, as amended. Commuter Corridors are intended for long-distance trips across town by automobile, including limited-access streets. These roads tend to be higher-speed and higher-traffic routes. Although the subject site is ripe for strip development, increasing retail uses along the corridor would decrease the utility of this corridor. MX-T allows multiple residential options as well as some commercial, like office and accessory retail uses, which generally require longer visits and would not generate as many vehicle trips as a retail or other more intense commercial uses. The requested zoning, MX-T, would support the type of development intended by the Comprehensive Plan for Commuter Corridors.

POLICY 5.1.2- Complete Communities: 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 furthers this policy by maintaining a stable scale of development with densities that reflect the adjacent neighborhoods near an established Commuter Corridor while lowering the land use intensity in an Area of Consistency to be compatible with those surrounding uses.

Staff: This request would allow development patterns that could maximize the utility of existing infrastructure and public facilities. While zone changes that allow more single-family dwellings on the Westside are to be discouraged, a down zone in an Area of Consistency located along a Commuter Corridor could be appropriate given the surrounding context. MX-T zoning would allow a variety of housing options that would

serve the needs of the market, while allowing the site to also be developed with commercial and office uses that could still create jobs and serve surrounding neighborhoods. Some of the more intense uses allowed in MX-L become conditional in MX-T, which creates an opportunity for this site to be a transition zone between more intense development and single-family dwellings to the south. This request generally furthers Policy 5.1.2- Complete Communities.

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.

The request furthers this policy by maintaining a stable scale of development with densities that reflect the adjacent neighborhoods near an established Commuter Corridor while lowering the land use intensity in an Area of Consistency to be compatible with those surrounding uses. The request encourages more productive uses of the currently vacant lots that are underutilized.

Staff: The request does not conflict with Goal 5.2 and Policy 5.2.1. The request for MX-T zoning would maintain many of the uses allowable under MX-L, while adding in more residential development options. MX-T has flexible dimensional standards that are not typical of R-1 or R-T zoned lots and will not hinder development on the remaining MX-L lots to the north of the site. MX-T zoning allows appropriate transitions along Unser Blvd, which is a Commuter Corridor to buffer the residential zoned properties to the east.

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.

The request furthers this policy allowing for more permissive residential uses, as well as maintaining some commercial uses, as a transitional zone for the R-1A housing to the south/east and the MX-L zoning that will be maintained on the two lots to the north.

POLICY 5.3.2- Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The request furthers this policy by allowing for development where there is existing infrastructure and public facilities.

Staff: The request generally furthers Goal 5.3 and Policy 5.3.1 by allowing more residential uses than MX-L and by creating an opportunity for transitions between the MX-L to the north and a buffer between Unser Blvd to the west and housing to the east of

the subject site. Infrastructure has already been improved on the site, therefore it will not create growth in areas without existing infrastructure.

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 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas, outside of Centers and Corridors, parks, and Major Public Open Space.

The request furthers this policy by reinforcing the character and intensity of the surrounding area by allowing for more transitional residential uses on a portion of the currently approved subdivision site plan.

Staff: The subject site is located in an Area of Consistency, where the Comprehensive Plan intends and encourages support of zone changes in predominantly single-family residential neighborhoods that help align the appropriate zone with existing land uses. It seeks to ensure that development will reinforce the scale, intensity, and setbacks of the immediately surrounding context. In areas with predominantly single-family residential uses, the Comp Plan intends that zone changes be considered that help align the appropriate zone with existing land uses. This request furthers Goal 5.6- City Development Areas and Policy 5.6.3- Areas of Consistency.

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.

The request furthers this policy by proposing an appropriate transitional area of MX-T between the existing single-family neighborhood and the remaining MX-L. The MX-T zone provides for an appropriate density and intensity of land uses and lower building heights that will protect the character and integrity of the adjacent residential area.

Staff: The request generally furthers Policy 5.6.4- Appropriate Transitions by creating a transition, MX-T, between MX-L zoned properties to the north of the subject site and R-1A zoned properties to the south. County zoned properties to the north are zoned for agricultural and residential uses as well.

Chapter 7-Urban Design

GOAL 7.3 -Sense of Place: Reinforce sense of place through context-sensitive design and development streetscapes.

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 furthers this goal and policy by allowing for zoning and redevelopment of the property in a way that is consistent with the existing neighborhood character and can maintain the existing development context further in a more appropriate transitional zone.

The request is for a zone change, which does not include building design or site planning. There is no way to evaluate future design at this stage, though the applicable IDO design standards (see 4.1.2-Identity and Design) would ensure higher quality design that would add to the existing community character. Therefore, the request partially furthers Goal 7.3- Sense of Place and Policy 7.3.4- Infill.

Chapter 9- Housing

GOAL 9.2- Sustainable Design: Promote housing design that is sustainable and compatible with the natural built environment.

POLICY 9.2.1- Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design and relationship to the street.

The request furthers this goal and policy by allowing transitional zoning to include more residential options that would encourage housing development that enhances the current neighborhood character and maintains compatibility with the surrounding land uses.

Staff: As the applicant states, the MX-T zone district allows more options for single-family residential development and duplexes. The design standards in the IDO would require that the new development match existing densities, scale, and setbacks as the surrounding single-family homes. The current MX-L zoning only allows townhomes and multi-family residential uses, which are not as closely aligned as the existing neighborhood character. The request generally furthers Goal 9.2- Sustainable Design and Policy 9.2.1- Compatibility.

III. Zoning Map Amendment (Zone Change)

Pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".

There are several criteria that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

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

Justification & Analysis

The zone change justification letter analyzed here, received on December 23, 2019, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned MX-L (Mixed Use- Low Intensity). The requested zoning is MX-T (Mixed-Use Transition). The reason for the request is to increase residential development options for a portion of the site, while still allowing some commercial uses to serve as a transition zone between MX-L zoned properties to the north and R-1A to the south of the subject site. The applicant believes that the proposed zoning map amendment (zone change) meets the IDO's zone change decision criteria [14-16-6-7(F)(3)] as elaborated in the justification letter. Citations are from the IDO.

Note: Applicant's Justification is in indented *italics*, Staff's Analysis indented regular text.

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

The proposed zone change is consistent with the health, safety, and general welfare of the City by creating a better transition to the existing neighbors and will further a preponderance of the following applicable goals and policies of the Comprehensive Plan.

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The Goals and policies listed here as applicable are relevant to the request; note that relevancy does not automatically mean that the Goal or policy is furthered.

Applicable Cited Goals and Policies: Policy 4.1.2- Identity and Design, Policy 4.1.4-Neighborhoods, Goal 5.1- Centers & Corridors, Policy 5.1.1- Desired Growth, Policy 5.2.1- Development Areas, Goal 5.2- Complete Communities, Policy 5.2.1-Land Uses, Goal 5.3- Efficient Development Patterns, Policy 5.3.1-Infill Development, Policy 5.3.2- Leapfrog Development, Goal 5.6-City Development Areas, Policy 5.6.3- Areas of Consistency, Policy 5.6.4-Appropriate

Transitions, Goal 7.3-Sense of Place, Policy 7.3.4-Infill, Goal 8.1- Placemaking, Policy 8.1.5-Available Land, Goal 9.2-Sustainable Design, Policy 9.2.1-Compatibility.

Relevant Goals and Policies Not Cited: Policy 5.1.12- Commuter Corridors, Policy 5.2.1.k- Discourage zone changes to detached single-family residential uses on the West Side.

Staff: The applicant has provided the required policy-based response and has adequately demonstrated that the request would generally further and not conflict with a preponderance of applicable Goals and policies. Although, there is sub-policy 5.2.1.k that conflicts with potential uses that would be allowable under the new zone district, MX-T. Single-family dwellings become an allowable use under MX-T, although it also allows duplex, townhome, apartments, and commercial and office uses.

The subject site is located within an Area of Consistency and is zoned MX-L and is surrounded by several different zone districts as well as County zoned properties that include residential, planned development, agricultural, and commercial zoning. Applicable Goals and policies cited above would generally be furthered by a zoning map amendment to the subject site from MX-L to MX-T, specifically policies for Commuter Corridors (Unser), transition zones and buffering, and quality development within Areas of Consistency. The neighborhood that the subject site is located adjacent (south) to follows a general pattern of extra-small lots developed with single-family dwellings. The applicant's justification is sufficient for Criterion A.

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

community as articulated by the ABC Comp Plan, including patterns of land use and development densities and intensities. As described in our policy analysis, the request furthers numerous Comp Plan goals and policies regarding infill development, land uses, Areas of Consistency, and transitions to existing residential areas. The requested MX-T zone will clearly reinforce and strengthen the established character of the surrounding low intensity commercial uses. The request will offer a transition and protections for existing residents, while allowing for flexibility in development of the subject property with appropriately-scaled uses.

Staff: The applicant's justification is sufficient. The subject site is located wholly in an Area of Consistency. A zone change from MX-L to MX-T would permit development that would reinforce and strengthen the established character of the surrounding parcels. The applicant has sufficiently shown that the current zoning of MX-L is inappropriate because MX-T is more advantageous to the community as articulated by the ABC Comp Plan, as amended. The adjacent R-1A lots have been developed with Single-family dwellings and the request will allow similar development to occur on the currently vacant site, while still allowing small neighborhood-scale commercial development to occur as a transition between residential uses to the south and commercial uses to the north of the site. Although Policy 5.2.1.k discourages zone map amendments that encourage more single-family residential development on the westside, zone map amendments are not based on the intended use and the allowable uses in MX-T only differ slightly from the current zoning and meets policies related to Areas of Consistency and Appropriate Transitions.

- 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 subject site is located wholly in an "Area of Consistency", all three of these criterion options do not apply.

Staff: The subject site is not located within an Area of Change; the applicant's justification of Criterion C is sufficient.

- D) The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4.3 associated with that use will adequately mitigate those harmful impacts.

Applicant: None of the permissive uses in the MX-T zone will be harmful to the adjacent property, neighborhood, or community, and in fact are more appropriate and less harmful than the uses allowed by the existing zoning. The zone change would allow for more permissive residential uses, while maintaining the neighborhood edge requirements to the adjacent R-1A zoning, lowering the development intensity, while decreasing the permissive commercial uses that are currently allowed by the current MX-L zoning.

For example, the proposed MX-T zoning would limit the ability for liquor retail sales for this portion of the property adjacent to the existing homes, which the neighborhood associations have previously opposed regarding a previous effort to develop the property. The proposed zone change would also eliminate the ability to have a car wash, light vehicle fueling station, and repair shop adjacent to the existing homes therefore decreasing the type and intensity of the adjacent development.

This request for a zone change will not change the owner's ability to develop both the subject site and the northern parcels with commercial uses, but changes the allowable uses for a better transitional zone between the existing R-1A residential neighbors and the adjacent mixed-use lots.

| IDO Zoning Comparison: MX-T vs. MX-L | | |
|---|-------------|-------------|
| Use | MX-T | MX-L |
| Dwelling, single-family detached | P | - |
| Dwelling, cluster/cottage development | P | - |
| Dwelling, two-family detached (duplex) | P | - |
| Dwelling, townhouse | P | P |
| Dwelling, live-work | P | P |
| Dwelling, multi-family | P | P |
| Community residential facility, medium or large | P | P |
| Group home, small or medium | P / C | P |
| Adult or child day care facility | P | P |
| Museum or art gallery | P | P |
| Veterinary hospital and Other pet services | C | P |
| Restaurant | C | P |
| Bank | P | P |
| Club or event facility | C | P |
| Commercial services | - | P |
| Medical or dental clinic | P | P |
| Office | P | P |
| Personal and business services, small | P | P |
| Bakery goods or confectionary shop | CV | P |
| General retail, small | A | P |
| Artisan manufacturing | C | P |
| Liquor retail | C | A |
| Car Wash | | P |
| Light vehicle fueling station | | C |
| Light vehicle repair | | P |

Staff: The applicant's justification is sufficient. The change in potential permissive uses from MX-L to MX-T create a predictable development pattern and decrease the bucket of potential uses in terms of commercial uses. Several uses, such as Car Wash, Light Vehicle Fueling and Light Vehicle Repair would no longer be permissive if the request is approved, which can sometimes be seen as nuisance uses by residential property owners. Additional permissive uses that would be allowed are dwelling, single-family and dwelling, duplex, both of which would match the surrounding context.

- 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 project site already has adequate capacity to serve the development for both the existing MX-L and the proposed MX-T zoning. The developer completed the necessary infrastructure improvements as required by the City when the original Site Plan for Subdivision (Project Number 1008203) was approved by the Development Review Board (DRB).

Staff: The applicant's justification is sufficient and shows that the City's existing infrastructure and public improvements will have adequate capacity to serve the development made possible by the change of zone (Criterion 1) because infrastructure improvements have already been required by the City.

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

Applicant: The subject property has already been reviewed and approved for a Site Development Plan with the appropriate improvements made to the adjacent streets. Any development will maintain and further improve access to the adjacent transportation system.

The request is based on the intent to have more transitional zoning that is more advantageous to the community as it furthers applicable Comprehensive Plan policies for land use, infill development, efficient development patterns, and placemaking.

Staff: The applicant's justification is sufficient. The justification for the request is not based on the property's location on a major street.

- 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 economic considerations are not the determining factor for this zone change request because the land is already zoned for commercial use. We are requesting to change the type of commercial zoning to allow for a better transition between the existing residential properties to the south and the commercial properties to the north allowing for the ability to strengthen the character of the surrounding Area of Consistency as identified in the Comp Plan goals and policies.

Staff: The applicant has sufficiently justified this criterion. The request is not based primarily upon the cost of land or economic considerations. The request would allow the site to serve as a transition zone between the MX-L to the north and the R-1A to the east and south, while also maintaining the context and scale and the surrounding land uses.

- 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: Criterion 1 applies because the request will clearly facilitate the Comprehensive Plan as described in the policy analysis in this justification letter providing for more advantageous transitional zoning, and by applying a different zone district (MX-T) to the property rather than the current MX-L zone. The request furthers numerous Comp Plan goals and policies related to Areas of Consistency, land uses, infill development, and transitions, and the request directly improve the transition between the adjacent zone districts by allowing for more transitional zoning options between the R-1A zoning to the south/east and the MX-L zoning to the north. The property is already zoned MX-L and the proposed zone change will not create a strip of land along a street, so it is not considered a strip zone.

Staff: The applicant has sufficiently justified this criterion. The request would result in a spot zone by applying a zone district different from surrounding zone districts to one small area or one premises, however, the area of the zone change can function as a transition between adjacent zone districts.

IV. Neighborhood Concerns

Neighborhood/Public

The applicant notified property owners within 100 feet as required by the IDO for a Zone Map Amendment-EPC application. The applicant also notified the affected neighborhood associations, Southwest Alliance of Neighborhoods, Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations,

Stinson Tower Neighborhood Association, and Westgate Heights Neighborhood Association.

As of this writing, staff has received no comment from the public in support or opposition for this request.

A neighborhood meeting was held with Stinson Tower Neighborhood Association on November 7, 2019. There were concerns raised about convenience stores with packaged liquor sales popping up in the area. Small general retail is a permissive accessory use in MX-T and permissive primary in MX-L. Liquor retail is conditional primary in MX-T and permissive accessory in MX-L.

Other concerns included proposed lot sizes, future uses, and wall requirements all of which cannot be decided at this phase of development. The neighborhood also requested a rough estimate as to how much commercial versus residential land uses would take place. Consensus Planning estimated that 2.4 acres would be developed for commercial land uses.

V. Conclusion

The request is for a zoning map amendment for an approximately 5.80-acre site located on Sage Rd SW, between Unser Blvd SW and Sage Rd SW, which is currently vacant and zoned MX-L. The applicant wants to change the subject site's zoning to MX-T in order to develop the lots with small scale commercial uses and lower density residential development to serve as a transition between the MX-L zoned properties to the north and west of the site and the R-1A zoned properties to the south and east. The subject site is in an Area of Consistency, as designated in the ABC Comp Plan.

The zoning map amendment has been adequately justified pursuant to the IDO Review and Decision criteria in 6-7(F)(3). The request generally furthers the Comprehensive Plan Goals and policies. The request for MX-T would facilitate a buffer zone between commercially zoned properties to the north and west from adjacent R-1A properties to the east and south. The site is located along a Commuter Corridor and located within an Area of Consistency as designated by the Comprehensive Plan. The request will allow more lower-density residential uses while limiting or prohibiting some commercial uses that will be more in keeping with the scale of the surround neighborhood and creating a buffer to the intersection at Unser and Sage.

Property owners within 100 ft and the affected neighborhood associations, South West Alliance of Neighborhoods, Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations, Stinson Tower Neighborhood Association, Westgate Heights Neighborhood Association, were notified as required.

Staff recommends approval.

Findings, Zoning Map Amendment (Zone Change)

Project #: 2019-003120, RZ: 2019-00070

1. This is a request for a Zoning Map Amendment (Zone Change) for a site approximately 5.80-acres known as Tracts A-1 and A-2, Plat of Tracts A-1 through 6, Unser & Sage Marketplace. The subject site is located on the south side of Sage Rd SW, between Unser Blvd SW and Sage Rd SW. The site is currently vacant and contains two lots.
2. The Environmental Planning Commission (EPC) is hearing this case as a quasi-judicial body pursuant to Section 6-7(F)(1) of the Integrated Development Ordinance. The subject site is less than 10 gross acres and is located wholly or partially in an Area of Consistency as shown in the ABC Comprehensive Plan, as amended.
3. The subject site is zoned MX-L (Mixed-Use Low Intensity); the intention of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of Collector intersections. The applicant is requesting a zone change to MX-T (Mixed-Use Transition) in order to provide a transition between residential neighborhoods and more intense commercial areas.
4. The subject site is located within an Area of Consistency and along a Commuter Corridor as designated in the Comprehensive Plan. The subject site is not located within an Overlay Zone.
5. There is MX-L and County designated residential zoning to the north of the site. Lots to the south and east of the subject site are zoned R-1A and developed with single-family dwellings. The property immediately adjacent to the west is zoned PD.
6. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Community Identity:
 - (a) POLICY 4.1.2: Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The requested MX-T zoning would protect the identity and cohesiveness of the surrounding neighborhood. The purpose of the MX-T zoning district is to provide a transition between residential neighborhoods and more intense commercial areas. The current zoning, MX-L, is intended to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. This request would create a transition between higher intensity retail at the intersection corner and the residential lots to the south and east.
 - (b) POLICY 4.1.4- Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The request would allow a mix of uses that can serve as a transition between MX-L zoning to the north and County designated C-1 to the northwest of the residential neighborhood to the south of the subject site.

8. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Land Use:

- (a) 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.

Commuter Corridors are intended for long-distance trips across town by automobile, including limited-access streets. These roads tend to be higher-speed and higher-traffic routes. Although the subject site is ripe for strip development, increasing retail uses along the corridor would decrease the utility of this corridor. MX-T allows multiple residential options as well as some commercial, like office and accessory retail uses, which generally require longer visits and would not generate as many vehicle trips as a retail or other more intense commercial uses. The requested zoning, MX-T, would support the type of development intended by the Comprehensive Plan for Commuter Corridors.

- (b) 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.

POLICY 5.3.2- Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The request allows more residential uses than MX-L and will create an opportunity for transitions between the MX-L to the north and a buffer between Unser Blvd to the west and housing to the east of the subject site. Infrastructure has already been improved on the site, therefore it will not create growth in areas without existing infrastructure.

- (c) 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 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas, outside of Centers and Corridors, parks, and Major Public Open Space.

The subject site is located in an Area of Consistency, where the Comprehensive Plan intends and encourages support of zone changes in predominantly single-

family residential neighborhoods that help align the appropriate zone with existing land uses. It seeks to ensure that development will reinforce the scale, intensity, and setbacks of the immediately surrounding context. In areas with predominantly single-family residential uses, the Comp Plan intends that zone changes be considered that help align the appropriate zone with existing land uses.

- (d) **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 generally furthers Policy 5.6.4- Appropriate Transitions by creating a transition, MX-T, between MX-L zoned properties to the north of the subject site and R-1A zoned properties to the south. County zoned properties to the north are zoned for agricultural and residential uses as well.

9. The request partially furthers the following, applicable Comprehensive Plan Goals and policies in regards to Urban Design:

GOAL 7.3: Sense of Place: Reinforce sense of place through context-sensitive design and development streetscapes.

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 is for a zone change, which does not include building design or site planning. There is no way to evaluate future design at this stage, though the applicable IDO design standards (see 4.1.2-Identity and Design) would ensure higher quality design that would add to the existing community character.

10. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Housing:

GOAL 9.2: Sustainable Design: Promote housing design that is sustainable and compatible with the natural built environment.

POLICY 9.2.1: Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design and relationship to the street.

The MX-T zone district allows more options for single-family residential development and duplexes. The design standards in the IDO would require that the new development match existing densities, scale, and setbacks as the surrounding single-family homes. The current MX-L zoning only allows townhomes and multi-family residential uses, which are not as closely aligned in density and scale as the existing single-family properties.

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

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

The request on conflicts with Subpolicy 5.2.1.k- Discourage zone changes to detached single-family residential uses on the West Side. However, the current development pattern to the east and south of the site (zoned R-1A) is single-family dwellings with extra-small lot sizes. The request from MX-L to MX-T zoning would allow for single-family dwellings of small lots sizes, duplexes, townhomes, apartments or a mix of all these uses to exist on the property. MX-T would also maintain many of the commercial and office uses allowed in MX-L, therefore allowing the site to be developed with both residential and commercial uses. The applicant has stated throughout the justification letter and at the neighborhood meeting that up to half of the site will be maintained for small-scale commercial uses permitted in MX-T. The change to MX-T would also allow the MX-L properties to the north of the site to develop as desired because the zoning would not trigger neighborhood edge provisions that the R-1 and R-T zoning districts would apply. The request furthers applicable Goals and Policies regarding Areas of Consistency, Commuter Corridors, Appropriate Transitions and Efficient Development Patterns

- B. Criterion B: The subject site is located wholly in an Area of Consistency. A zone change from MX-L to MX-T would permit development that would reinforce and strengthen the established character of the surrounding parcels. The applicant has sufficiently shown that the current zoning of MX-L is inappropriate because MX-T is more advantageous to the community as articulated by the ABC Comp Plan, as amended. The adjacent R-1A lots have been developed with Single-family dwellings and the request will allow similar development to occur on the currently vacant site, while still allowing small neighborhood-scale commercial development to occur as a transition between residential uses to the south and commercial uses to the north of the site. Although Policy 5.2.1.k discourages zone map amendments that encourage more single-family residential development on the westside, zone map amendments are not based on the intended use and the allowable uses in MX-T only differ slightly from the current zoning and meets policies related to Areas of Consistency and Appropriate Transitions.
- C. Criterion C: The subject site is located wholly in an Area of Consistency, so this criterion does not apply.

- D. Criterion D: The change in potential permissive uses from MX-L to MX-T create a predictable development pattern and decrease the bucket of potential uses in terms of commercial uses. Several uses, such as Car Wash, Light Vehicle Fueling and Light Vehicle Repair would no longer be permissive if the request is approved, which can sometimes be seen as nuisance uses by residential property owners. Additional permissive uses that would be allowed are dwelling, single-family and dwelling, duplex, both of which would match the surrounding context and not be harmful.
- E. Criterion E: The City's existing infrastructure and public improvements will have adequate capacity to serve the development made possible by the change of zone (Criterion 1) because the site already has adequate capacity to serve the development made possible by the change of zone.
- F. Criterion F: The justification for the request is not based on the property's location on a major street.
- G. Criterion G: The request is not based primarily upon the cost of land or economic considerations. The request would allow the site to serve as a transition zone between the MX-L to the north and the R-1A to the east and south, while also maintaining the context and scale and the surrounding land uses.
- H. Criterion H: The request would result in a spot zone by applying a zone district different from surrounding zone districts to one small area or one premises, however, the area of the zone change can function as a transition between adjacent zone districts (Criterion 1).
13. The applicant's policy analysis adequately demonstrates that the request generally furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with it. Based on this demonstration, the proposed zone category would be more advantageous to the community than the current zoning.
14. The affected neighborhood organizations are the Southwest Alliance of Neighborhoods, Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations, Stinson Tower Neighborhood Association, and Westgate Heights Neighborhood Association. Property owners within 100 feet of the subject site were also notified as required.
15. As of this writing, Staff has received no letters in support or opposition of this request.

Recommendation – RZ-2019-00070, January 9, 2020

APPROVAL of Project #: 2019-003120, RZ-2019-00070, a request for Zoning Map Amendment from MX-L to MX-T for Tracts A-1 and A-2, Plat of Tracts A-1 through 6, Unser & Sage Marketplace, an approximately 5.80-acres site based on the preceding Findings.

A handwritten signature in black ink, reading "Whitney Phelan". The signature is written in a cursive, flowing style.

**Whitney Phelan
Staff Planner**

Notice of Decision cc list:

(List to be compiled after final decision)

Agency Comments

PLANNING DEPARTMENT

Long Range Planning

PR-2019-003120

Address: SAGE RD SW ALBUQUERQUE NM 87121

Legal Description:

TRACT A-2 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 1.0086 AC; AND, TRACT A-1 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 4.7931 AC.

IDO Zoning: MX-L

Request: Zone map amendment, convert two lots from MX-L to MX-T. If zone map amendment is approved, applicant intends to consolidate the parcels, which will require a separate review process.

LR Comments:

From a use perspective, there is no advantage in changing from MX-L to MX-T for non-residential uses, so the zone change is only needed to allow single-family dwellings, which are not allowed by MX-L. This zone change would directly conflict with several policies in the Comp Plan discouraging zone changes to allow more single-family development on the West Side. The West-Side already has an abundance of single-family, detached housing and could use more commercial or affordable multi-family residential development, as already allowed by the existing MX-L zoning. The existing zoning is in alignment with the Comp Plan and would allow for uses that offer goods and services needed by existing neighborhoods and that establish a proper transition to the abundant existing single-family housing abutting the subject property and in the surrounding area.

Hydrology

Transportation Development Services

PR-2019-003120

Unser and sage Marketplace

RZ-2019-00070 – Zone Map Amendment (Zone Change)

- No objection to the request.

Zoning / Code Enforcement

Project # 2019-003120 (ZONE CHANGE) NO COMMENT MUNICIPAL
DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION
TRANSIT DEPARTMENT
ABC WATER UTILITY AUTHORITY (ABCWUA)

- Identifier: 101005524548221179 & 101005519247421175
- No adverse comment to the proposed zone map amendment.
- For information only: it is understood that the intent is to eventually consolidate the two existing lots. There is currently a water line and sanitary sewer collector line adjacent to the north property line of both lots. This infrastructure shall remain unobstructed with the proposed consolidation.
- Once the site layout is known please request an Availability Statement. Requests can be made at the link below:
<https://hes32ctp.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fwww.abcwua.org%2fAvailability%5fStatements.aspx&umid=6ce9724a-192d-4227-b049-8c9a8f437e5b&auth=c5e193b2792d33bbda0d14ee5f909adbb398f028-f126ceb78cc99dcd64b698ae85ef64dccb7d0f12>
- Request shall include a zone map showing the site location, and proposed utility plan.

ALBUQUERQUE PUBLIC SCHOOLS

APS Case Comments: Increased housing densities enable potential residential development at this location. Future mixed-use development with a housing component will have impacts on all of these schools: Mary Ann Binford Elementary School, Truman Middle School, and Rio Grande High School. At present, Truman Middle School is functioning with enrollment above capacity and development will be a strain on this school. Residential development at this location impacts schools.

School Capacity

| School | 2019-2020 40 th Day Enrollment | Facility Capacity | Space Available |
|---------------------------------------|---|----------------------|--------------------|
| Mary Ann Binford Elementary School | 592 | 660 | 68 |
| Truman Middle School | 1036 | 900 | -136 |

| | | | |
|------------------------|------|------|-----|
| Rio Grande High School | 1598 | 1950 | 352 |
|------------------------|------|------|-----|

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
 - Construct new schools or additions
 - Add portables
 - Use of non-classroom spaces for temporary classrooms
 - Lease facilities
 - Use other public facilities
- Improve facility efficiency (short term solution)
 - Schedule Changes
 - Double sessions
 - Multi-track year-round
 - Other
 - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
 - Boundary Adjustments / Busing
 - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

PROJECT #2019-003120

MRMPO has no adverse comments.

For informational purposes:

- Unser Blvd is functionally classified as a principal arterial currently, and projected to be a regional principal arterial in the Long Range Roadway System. Sage Rd is functionally classified as a major collector currently and in the LRRS.
- The Long Range Bikeway System identifies Sage Rd to include a proposed bike lane in the project area.
- Unser Blvd SW is a limited access facility. The proposed access is allowed by current policy. Please contact Dave Pennella at 724-3621 or dpennella@mrcog-nm.gov with any questions about access control.
- Unser Blvd SW is an Intelligent Transportation System (ITS) Corridor. Please consult the reviewing agency's Traffic Engineering and/or ITS Department with any questions regarding ITS infrastructure.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Conditions for Approval for Project #2019-003120 (RZ-2019-00070) Zone map amendment (zone change) (from MX-L to MX-T located at the southeast corner of Sage Rd SW and Unser Blvd SW)

1. As development moves forward, the developer will need to contact PNM New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at www.pnm.com/erequest for PNM to review.
2. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

Site Photos

1



East of the Subject Site along Sage Rd



East of the Subject site from Unser Blvd

Site Photos

2



South of the Subject Site from Sage Rd



West of the Subject Site towards Unser Blvd

ZONING

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

APPLICATION INFORMATION



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

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

APPLICATION INFORMATION

| | | |
|---|------------------|---------------------------------|
| Applicant: Unser & Sage LLC. | | Phone: 505.764.9801 |
| Address: 6300 Jefferson St. NE | | Email: jd@AtlasResources.com |
| City: Albuquerque | State: NM | Zip: 87109-3480 |
| Professional/Agent (if any): Consensus Planning | | Phone: 505.764.9801 |
| Address: 302 Eighth Street NW | | Email: cp@consensusplanning.com |
| City: Albuquerque | State: NM | Zip: 87102 |
| Proprietary Interest in Site: Owner | List all owners: | |

BRIEF DESCRIPTION OF REQUEST

Down Zone Parcels from MX-L to MX-T to allow for more transitional uses between the current R-1A zoning to the south and MX-L zoning to the north.

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

| | | |
|--|-----------------------|--|
| Lot or Tract No.: A1 & A2 | Block: 0000 | Unit: 101005524548221179 & |
| Subdivision/Addition: Unser & Sage Marketplace | MRGCD Map No.: | UPC Code: 101005519247421175 |
| Zone Atlas Page(s): M-10-Z | Existing Zoning: MX-L | Proposed Zoning: MX-T |
| # of Existing Lots: 2 | # of Proposed Lots: 1 | Total Area of Site (acres): 5.80 Acres |

LOCATION OF PROPERTY BY STREETS

| | | |
|---------------------------------------|-----------------------------|----------------|
| Site Address/Street: 99999 Sage Rd SW | Between: Unser Boulevard SW | and: Sage Road |
|---------------------------------------|-----------------------------|----------------|

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

| | |
|----------------------------|---|
| 1008203 | |
| Signature: | Date: 11/27/2019 |
| Printed Name: Jim Strozier | <input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent |

FOR OFFICIAL USE ONLY

| Case Numbers | Action | Fees |
|---------------------------------------|------------------|--------------------------|
| R2-2019-00070 | ZMA | \$815 |
| | | |
| | | |
| Meeting/Hearing Date: January 9, 2019 | Fee Total: \$815 | |
| Staff Signature: | Date: 11-27-19 | Project # PR-2019-003/20 |

Form Z: Policy Decisions

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

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

☒ INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)

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

☐ ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN

☐ ADOPTION OR AMENDMENT OF FACILITY PLAN

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

☐ AMENDMENT TO IDO TEXT

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

☒ ZONING MAP AMENDMENT – EPC

☐ ZONING MAP AMENDMENT – COUNCIL

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

☐ ANNEXATION OF LAND

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

I, 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: _____

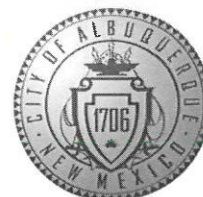
Date: 11.27.2019

Printed Name: James K. Strozier, FAICP

☐ Applicant or ☒ Agent

FOR OFFICIAL USE ONLY

| Project Number: | Case Numbers |
|------------------|--------------|
| | - |
| | - |
| | - |
| Staff Signature: | |
| Date: | |



Unser and Sage LLC.
6300 Jefferson St NE
Albuquerque, NM 87109-3480

November 22, 2019

Dan Serrano, Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87102

RE: Zone Map Amendment for Sage Road SW

Dear Mr. Serrano,

Unser and Sage LLC. hereby authorizes Consensus Planning Inc. to act as an agent and provide entitlement services relative to a Zone Map Amendment for the properties legally described as:

- TRACT A-2 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 1.0086 AC; AND,
- TRACT A-1 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 4.7931 AC.

Entitlement services shall include, but not be limited to: general correspondence, representation before the Environmental Planning Commission (EPC), and all application submittals.

Sincerely,
UNSER & SAGE LLC.

Signature:



Printed Name:

Demetrios Jimmy Daskalos

Title:

Managing Member

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Unser & Sage LLC DATE OF REQUEST: 11/22/2019 ZONE ATLAS PAGE(S): M-10-Z

CURRENT:

ZONING MX-L

PARCEL SIZE (AC/SQ. FT.) 5.80 Acres

LEGAL DESCRIPTION:

LOT OR TRACT # A1 & A2 BLOCK # 0000

SUBDIVISION NAME Unser and Sage Marketplace

REQUESTED CITY ACTION(S):

ANNEXATION []

ZONE CHANGE [X]: From MX-L To MX-T

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 [X]

NEW CONSTRUCTION []

EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:

OF UNITS: N/A

BUILDING SIZE: N/A (sq. ft.)

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

APPLICANT OR REPRESENTATIVE

Shawna Ballay

DATE

11/22/2019

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

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

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

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

Notes:

A new TIS form will be required when property is going into development.

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.**

TRAFFIC ENGINEER

DATE

11/22/19

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

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-310 Date: 10-22-19 Time: 1:30 pm

Address: Sage Rd + Unser Blvd SW (near SE corner)

AGENCY REPRESENTATIVES AT MEETING:

Planning: Catalina Lehner

Code Enforcement: Carl Garcia

Fire Marshall: _____

Transportation: Mojgan Medaandari

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: unspecified residential development

SITE INFORMATION:

Zone: MX-L (was C-1) Size: ≈ 6 acres

Use: vacant Overlay Zone: no

Comp Plan Area Of: consistency Comp Plan Corridor: no

Comp Plan Center: no MPOS or Sensitive Lands: no

Parking: table 5-5-1, p. 229 MR Area: no

Landscaping: 5-6, p. 251 Street Trees: 5-6(D), p. 258

Use Specific Standards: 4-3(B)-Residential Uses

Dimensional Standards: Table 5-1-2, p. 194

*Neighborhood Organization/s: Westside Coalition, SWAN, Westgate Heights

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

PROCESS:

Type of Action: zone change 6-7(F)

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

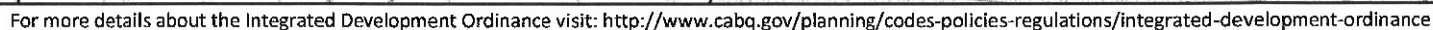
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-310 Date: 10-22-19 Time: 1:30 pm



Address: Sage Rd + Unser Blvd SW (near SE corner)


NOTES:


- in the MX-L zone, townhouse, live-work and multi-family are permissible uses
- MX-L allows single-family (also RT, ^{R-1MC} ~~R-1MC~~, ^{R-1MC} ~~R-1~~)
- clarify what the project is - not enough info given
- Dwelling Definitions - p. 458
- zone change, if desired - see the criteria in 6-7(F)(3), p. 427, and respond in writing
 - higher test for Areas of Consistency
- at building permit level, Neighborhood Edges - potential "heads up"
- if a prior approval exists (a site plan) = it remains valid per to 1-10(A), p. 4
- parcel is the whole "L" shape, extending all the way to Unser Blvd.
- hard corner - proposal for C-store w. liquor was denied
- access already devel, but not full access
- sidewalk exists, done
- notification required, p. 328





Gray Shading Represents Area Outside of the City Limits


 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





November 27, 2019

Dan Serrano, Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87102

Re: Sage Road SW (Unser & Sage) – Request for Zoning Map Amendment

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 the applicant & property owner, Unser & Sage LLC., Consensus Planning submits this request for approval of a Zoning Map Amendment – EPC. The purpose of this letter is to provide justification of our request by responding to the decision criteria specified in the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3) as well as outlining how this request supports the Comprehensive Plan's goals and policies. The subject site is approximately 5.80 acres and is located near the southeast corner of Unser Boulevard SW and Sage Rd SW (see Figure 1). The following is the subject site's legal description:

- *TRACT A-2 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 1.0086 AC; AND,*
- *TRACT A-1 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 4.7931 AC.*



Figure 1. Subject Site (in red outline)

PRINCIPALS

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

PROJECT SUMMARY

The applicant, Unser & Sage LLC, owns the four parcels as shown in Figure 2, respectively labeled 1-4. The focus of this application is to rezone the parcels labeled No. 3 & 4 in Figure 2 from their current MX-L designation to MX-T zoning that would allow for more appropriate transitional uses between the current R-1A zoning to the south/east and MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

The parcel labeled no. 5 in Figure 2 is owned by Realty Income Properties and is a Family Dollar Store on .83 acres.



Figure 2. Unser & Sage Parcels No 1-5 (County Parcel Boundaries Identified in Brown Outlines)

Although the zone change will limit some of the currently permissive commercial uses, it will provide more permissive residential uses that will not have some of the R-1A neighborhood edge setback restrictions on future MX-L commercial development to the north.

LAND USE CONTEXT

The property is located in an “Area of Consistency” as designated by the Comprehensive Plan. The area surrounding the subject site, as demonstrated in Figure 3 and Table 1, contains single-family residential to the south and east, vacant Planned Development (PD) land to the west, and MX-L to the north (vacant land and Family Dollar) as well as Unincorporated Bernalillo County tracts adjacent to the NW corner of the subject site.

TABLE 1. Surrounding Zoning & Land Use Context

| | | |
|--------------|--------------------------|---|
| NORTH | MX-L & Bernalillo County | Vacant, Family Dollar, and Unincorporated Bernalillo County |
| EAST | R-1A | Single-Family Residential |
| SOUTH | R-1A | Single-Family Residential |
| WEST | PD | Vacant Planned Development |

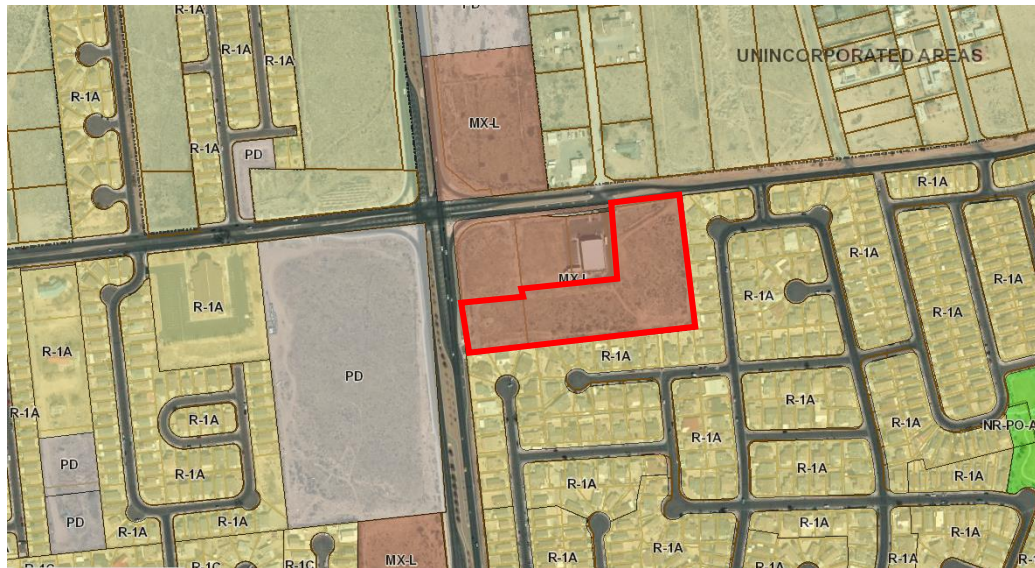


Figure 3. Current MX-L Zoning on Subject Property (in red outline)

SITE HISTORY

Based on a review of the subject site, Consensus Planning located the following case history for the 5.80-acre subject site:

- 1008203
 1. On April 8, 2010 the Environmental Planning Commission (EPC) voted to APPROVE Project 1008203 / 10EPC-40011, a site development plan for subdivision for all or a portion of Tract A PLAT OF Tracts A & B, Unit 1-B LANDS OF ALBUQUERQUE SOUTH zoned C-1.
 2. This site development plan required an approved infrastructure list that included improvements to both Sage Road and Unser Boulevard. The required improvements to include sidewalks, curb/gutter, and deceleration lanes were completed as shown and demonstrated in Figure 4.

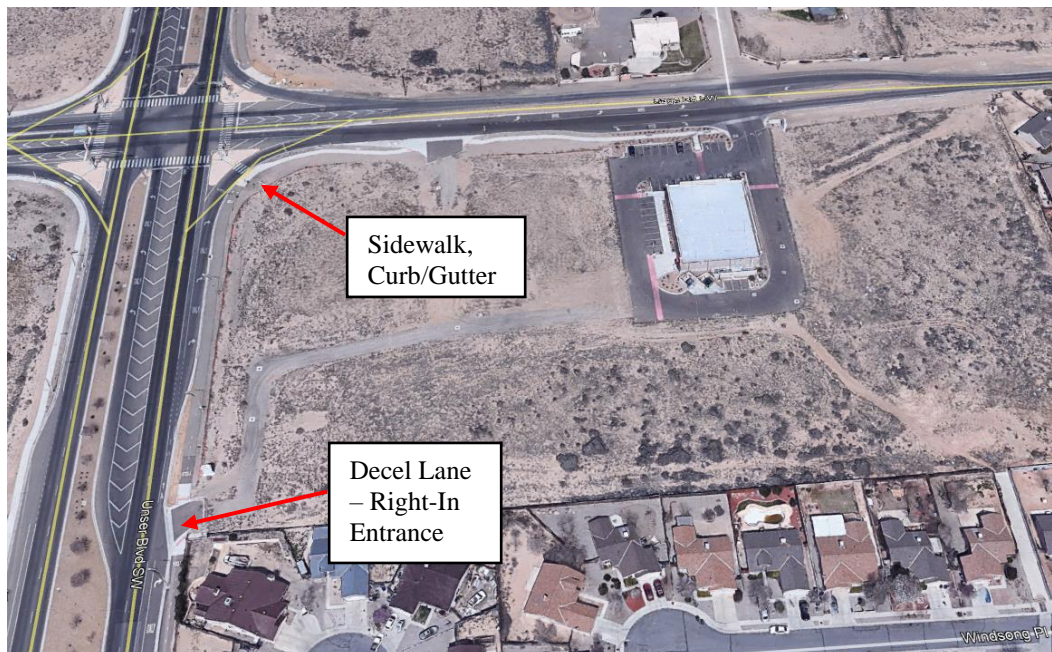


Figure 4. Aerial image that demonstrates the completed site improvements.



NEIGHBORHOOD ASSOCIATION NOTICES AND PROPERTY OWNER LETTERS

Consensus Planning sent the required notifications to the following Neighborhood Coalitions and Associations:

- South West Alliance of Neighborhoods (SWAN Coalition)
- Westside Coalition of Neighborhood Associations
- South Valley Coalition of Neighborhood Associations
- Stinson Tower Neighborhood Association
- Westgate Heights Neighborhood Association

In addition to sending out notifications, Consensus Planning met with the Stinson Tower Neighborhood Association on November 7, 2019 to provide information related to the Zoning Map Amendment as well as answer any questions by the attendees. A summary of the meeting minutes and sign-in sheet is included with this application.

Property owner letters were mailed on November 27, 2019 to all the property owners included within a 100' for the Zoning Map Amendment. The 100' buffer map and property owner list are both included with this application.

JUSTIFICATION – SECTION 14-16-6-7(f)(3) OF INTEGRATED DEVELOPMENT ORDINANCE

This request is well-supported by the Comprehensive Plan's goals and policies and meets the criteria for a Zoning Map Amendment – EPC per IDO Section 14-6-7(F)(3) as described further in this section.

- A. 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 by creating a better transition to the existing neighbors and will further a preponderance of the following applicable goals and policies of the Comprehensive Plan.*

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of a community.

Applicant Response: *The request continues to allow for some commercial uses and will allow for more transitional residential use options that match the current character of the neighborhood.*

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Applicant Response: *The request furthers this policy because it will allow for more permissive residential uses on a portion of the current site plan yet will retain zoning for commercial uses on the northwestern parcels of the current site plan. This transitional zoning would ensure the appropriate type and scale of land uses that will be conducive for quality development that is appropriate and cohesive within the current context and development of adjacent properties.*

The request will promote the protection and enhancement of neighborhood character by establishing a zone change that is compatible with the adjacent land uses and zoning patterns to the south and east.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Applicant Response: *The request will enhance, protect, and preserve the current residential neighborhoods by allowing for more appropriate transitional zoning and permissive uses between the current R-1A zoning to the south/east and the commercial zoning to the north.*

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.

- 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 request furthers this goal and policy by encouraging infill development in an appropriate area that is not at the urban edge along Unser Boulevard, which is designated as a Commuter Corridor.*

- g) Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support the transit ridership.**

Applicant Response: *The request will support this policy by allowing for more permissive residential uses that would encourage residential infill in a neighborhood that is adjacent to Unser Boulevard, which is identified as a Commuter Corridor and near both Coors and Arenal, which are Major Transit 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.

Applicant Response: *The request furthers this policy by maintaining a stable scale of development with densities that reflect the adjacent neighborhoods near an established Commuter Corridor while lowering the land use intensity in an Area of Consistency to be compatible with those surrounding uses.*

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.

- h) **Encourage infill development that adds complementary uses and is compatible in form and scale to the immediate surrounding development.**

Applicant Response: *The request furthers this policy by allowing for more permissive residential uses, as well as maintaining some commercial uses, as a transitional zone for the R-1A housing to the south/east and the MX-L zoning that will be maintained on the two lots to the north.*

- n) **Encourage more productive use of vacant lots and under-utilized lots, including surface parking.**

Applicant Response: *The request furthers this policy by encouraging more productive uses of the currently vacant lots that are underutilized.*

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 by supporting more options for compatible development within an infill development area that is currently supported by existing infrastructure and public facilities.*

Policy 5.3.2 Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

Applicant Response: *The request furthers this policy by allowing for development where there is existing infrastructure and public facilities.*

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Chance 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 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Center and Corridors, parks, and Major Public Open Space.

- b) **Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.**

Applicant Response: *The request furthers this policy by reinforcing the character and intensity of the surrounding area by allowing for more transitional residential uses on a portion of the currently approved subdivision site plan.*

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.**

Applicant Response: *The request furthers this policy by proposing an appropriate transitional area of MX-T between the existing single-family neighborhood and the remaining MX-L. The MX-T zone provides for an appropriate density and intensity of land uses and lower building heights that will protect the character and integrity of the adjacent residential area.*

Goal 6.1 Land Use – Transportation Integration: Plan, develop, operate, and maintain transportation system to support the planned character of existing and future land uses.

Policy 6.1.8 Commuter Corridor: Prioritize automobile travel in street design and improvements by allowing higher traffic speeds, managing access for autos and pedestrians, and improving safety and pedestrians at signalized intersections.

Applicant Response: *The request furthers this policy by maintaining the previously approved transportation improvements made on both Sage Road and Unser Boulevard that were incorporated in the approved 2010 Site Subdivision Plan that improved the safety for pedestrians, cyclists, and automobiles.*

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

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.

a) **Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designed, appropriately located, and consistent with the existing development context and neighborhood character.**

Applicant Response: *The request furthers this goal and policy by allowing for zoning and redevelopment of the property in a way that is consistent with the existing neighborhood character and can maintain the existing development context further in a more appropriate transitional zone.*

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

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

Applicant Response: *The request furthers this policy by maintaining some commercial uses on the existing parcel as well as maintaining the MX-L zoning on the northern properties for future employment growth in the area.*

Goal 9.2 Sustainable Design: Promote housing design that is sustainable and compatible with the natural and built environments.

Policy 9.2.1 Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design, and relationship to the street.

Applicant Response: *The request furthers this goal and policy by allowing transitional zoning to include more residential options that would encourage housing development that enhances the current neighborhood character and maintains compatibility with the surrounding land uses.*

- 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:**

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site.
3. A different zone district is more advantageous to the community as articulated by the ABC 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's Response: *The existing MX-L zoning is inappropriate because the proposed MX-T zone is more advantageous to the community as articulated by the ABC Comp Plan (Criterion #2), including patterns of land use and development densities and intensities. As described in our policy analysis, the request furthers numerous Comp Plan goals and policies regarding infill development, land uses, Areas of Consistency, and transitions to existing residential areas. The requested MX-T zone will clearly reinforce and strengthen the established character of the surrounding Area of Consistency, which includes small lot, single-family residential and low intensity commercial uses. The request will offer a transition and protections for existing residents, while allowing for flexibility in development of the subject property with appropriately-scaled uses.*

- 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 Response: *The subject site is located wholly in an "Area of Consistency", so this criterion does not apply.*

- 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's Response: *None of the permissive uses in the MX-T zone will be harmful to the adjacent property, neighborhood, or community, and in fact are more appropriate and less harmful than the uses allowed by the existing zoning.*

The zone change would allow for more permissive residential uses and would decrease the permissive commercial uses that are currently allowed by the current MX-L zoning.

This request for a zone change will not change the owner's ability to develop both the subject site and the northern parcels with commercial uses. The following table represents a sample of permissive uses within the MX-L zone compared to the current MX-T zone.

| IDO Zoning Comparison: MX-T vs. MX-L | | |
|---|-------------|-------------|
| Use | MX-T | MX-L |
| Dwelling, single-family detached | P | - |
| Dwelling, cluster/cottage development | P | - |
| Dwelling, two-family detached (duplex) | P | - |
| Dwelling, townhouse | P | P |
| Dwelling, live-work | P | P |
| Dwelling, multi-family | P | P |
| Community residential facility, medium or large | P | P |
| Group home, small or medium | P / C | P |
| Adult or child day care facility | P | P |
| Museum or art gallery | P | P |
| Veterinary hospital and Other pet services | C | P |
| Restaurant | C | P |
| Bank | P | P |
| Club or event facility | C | P |
| Commercial services | - | P |
| Medical or dental clinic | P | P |
| Office | P | P |
| Personal and business services, small | P | P |
| Bakery goods or confectionary shop | CV | P |
| General retail, small | A | P |
| Artisan manufacturing | C | P |

- 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's Response: *The proposed zone change will not require major and unprogrammed capital expenditures by the City. The applicant desires to use the property for residential and/or commercial purposes and is surrounded by existing infrastructure including roadways, water, sewer, and storm water facilities that can serve the future project. All development costs for the property will be the responsibility of the developer and not the City.*

- 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's Response: *The subject property has already been reviewed and approved for a Site Development Plan with the appropriate improvements made to the adjacent streets. Any development will maintain and further improve access to the adjacent transportation system.*

The request is based on the intent to have more transitional zoning that is more advantageous to the community as it furthers applicable Comprehensive Plan policies for land use, infill development, efficient development patterns, and placemaking.

- 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's Response: *The cost of land or economic considerations are not the determining factor for this zone change request. The applicant's goal is to allow for more transitional zoning to allow for more development options on currently vacant land directly adjacent to residential development and a Commuter Corridor.*

- 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's Response: *While the zone change applies a different zone district (MX-T) to the property than the surrounding MX-L and R-1A zones, the request will clearly facilitate the Comprehensive Plan as described in the policy analysis in this justification letter. The request furthers numerous policies related to Areas of Consistency, land uses, infill development, and transitions, and the request directly improves the transition between the*



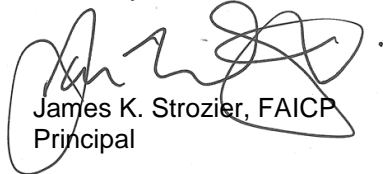
adjacent zone districts by allowing for more transitional zoning options between the R-1A zoning to the south/east and the MX-L zoning to the north. The request does not create a strip of land along a street, so it is not considered a strip zone.

CONCLUSION

On behalf of Unser & Sage LLC, we respectfully request that the Environmental Planning Commission approve this request for a Zoning Map Amendment for the subject site.

Thank you for your consideration.

Sincerely,



James K. Strozier, FAICP
Principal



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

November 27, 2019 (Revised December 23, 2019)

Dan Serrano, Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87102

Re: Sage Road SW (Unser & Sage) – Request for Zoning Map Amendment

Dear Mr. Chairman:

On behalf of the applicant & property owner, Unser & Sage LLC., Consensus Planning submits this request for approval of a Zoning Map Amendment – EPC. The purpose of this letter is to provide justification of our request by responding to the decision criteria specified in the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3) as well as outlining how this request supports the Comprehensive Plan's goals and policies. The subject site is approximately 5.80 acres and is located near the southeast corner of Unser Boulevard SW and Sage Rd SW (see Figure 1). The following is the subject site's legal description:

- *TRACT A-2 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 1.0086 AC; AND,*
- *TRACT A-1 PLAT OF TRACTS A-1 THRU A-6 UNSER & SAGE MARKETPLACE (BEING A REPLAT OF TRACT A UNIT 1-B LANDS OF ALBUQUERQUE SOUTH) CONTAINING 4.7931 AC.*



Figure 1. Subject Site (in red outline)

PRINCIPALS

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

PROJECT SUMMARY

The applicant, Unser & Sage LLC, owns the four parcels as shown in Figure 2, respectively labeled 1-4. The focus of this application is to rezone the parcels labeled No. 3 & 4 in Figure 2 from their current MX-L designation to MX-T zoning that would allow for more appropriate transitional uses between the current R-1A zoning to the south/east and MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

The parcel labeled no. 5 in Figure 2 is owned by Realty Income Properties and is a Family Dollar Store on .83 acres.



Figure 2. Unser & Sage Parcels No 1-5 (County Parcel Boundaries Identified in Brown Outlines)

Although the zone change will limit some of the currently permissive commercial uses, it will provide more permissive residential uses that will not have some of the R-1A neighborhood edge setback restrictions on future MX-L commercial development to the north.

LAND USE CONTEXT

The property is located in an “Area of Consistency” as designated by the Comprehensive Plan. The area surrounding the subject site, as demonstrated in Figure 3 and Table 1, contains single-family residential to the south and east, vacant Planned Development (PD) land to the west, and MX-L to the north (vacant land and Family Dollar) as well as Unincorporated Bernalillo County tracts adjacent to the NW corner of the subject site.

| TABLE 1. Surrounding Zoning & Land Use Context | | |
|--|--------------------------|---|
| NORTH | MX-L & Bernalillo County | Vacant, Family Dollar, and Unincorporated Bernalillo County |
| EAST | R-1A | Single-Family Residential |
| SOUTH | R-1A | Single-Family Residential |
| WEST | PD | Vacant Planned Development |

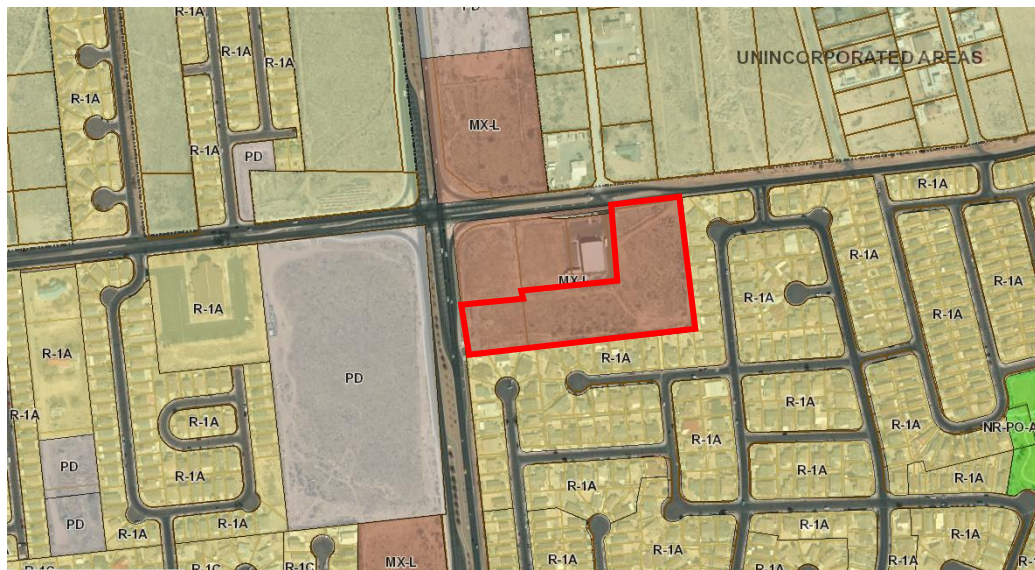


Figure 3. Current MX-L Zoning on Subject Property (in red outline)

SITE HISTORY

Based on a review of the subject site, Consensus Planning located the following case history for the 5.80-acre subject site:

- 1008203
 1. On April 8, 2010 the Environmental Planning Commission (EPC) voted to APPROVE Project 1008203 / 10EPC-40011, a site development plan for subdivision for all or a portion of Tract A PLAT OF Tracts A & B, Unit 1-B LANDS OF ALBUQUERQUE SOUTH zoned C-1.
 2. This site development plan required an approved infrastructure list that included improvements to both Sage Road and Unser Boulevard. The required improvements to include sidewalks, curb/gutter, and deceleration lanes were completed as shown and demonstrated in Figure 4.

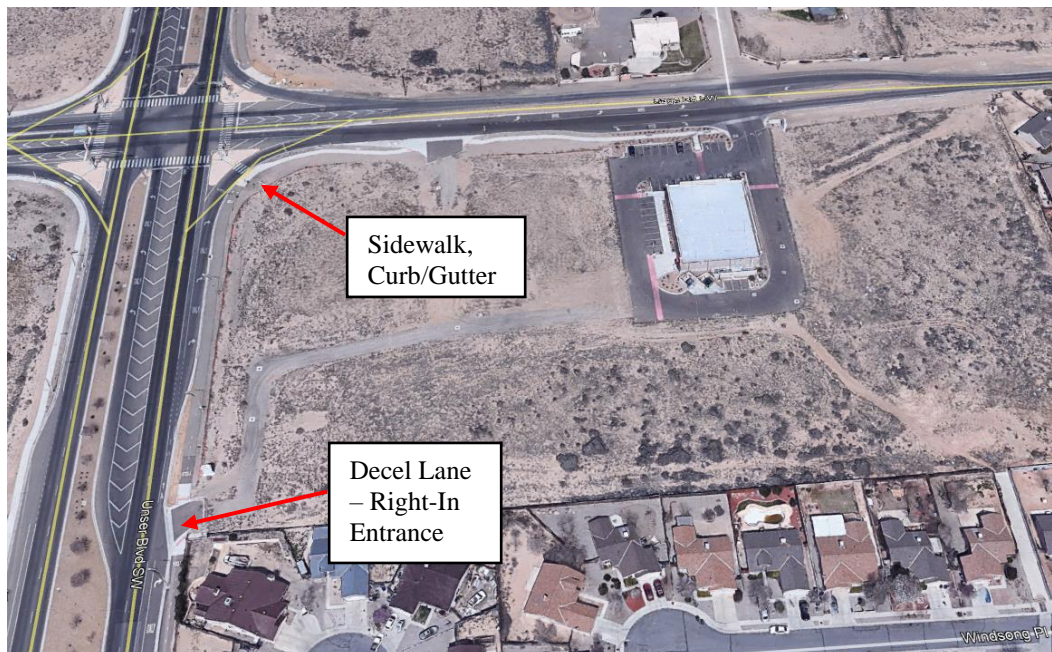


Figure 4. Aerial image that demonstrates the completed site improvements.



NEIGHBORHOOD ASSOCIATION NOTICES AND PROPERTY OWNER LETTERS

Consensus Planning sent the required notifications to the following Neighborhood Coalitions and Associations:

- South West Alliance of Neighborhoods (SWAN Coalition)
- Westside Coalition of Neighborhood Associations
- South Valley Coalition of Neighborhood Associations
- Stinson Tower Neighborhood Association
- Westgate Heights Neighborhood Association

In addition to sending out notifications, Consensus Planning met with the Stinson Tower Neighborhood Association on November 7, 2019 to provide information related to the Zoning Map Amendment as well as answer any questions by the attendees. A summary of the meeting minutes and sign-in sheet is included with this application.

Property owner letters were mailed on November 27, 2019 to all the property owners included within a 100' for the Zoning Map Amendment. The 100' buffer map and property owner list are both included with this application.

As of December 23, 2019, there have been no additional questions or concerns resulting from the IDO required notice at the time of application.

JUSTIFICATION – SECTION 14-16-6-7(f)(3) OF INTEGRATED DEVELOPMENT ORDINANCE

This request is well-supported by the Comprehensive Plan's goals and policies and meets the criteria for a Zoning Map Amendment – EPC per IDO Section 14-6-7(F)(3) as described further in this section.

- A. 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 by creating a better transition to the existing neighbors and will further a preponderance of the following applicable goals and policies of the Comprehensive Plan.*

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of a community.

Applicant Response: *The request continues to allow for some commercial uses and will allow for more transitional residential use options that match the current character of the neighborhood.*

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Applicant Response: *The request furthers this policy because it will allow for more permissive residential uses on a portion of the current site plan yet will retain zoning for commercial uses on the northwestern parcels of the current site*

plan. This transitional zoning would ensure the appropriate type and scale of land uses that will be conducive for quality development that is appropriate and cohesive within the current context and development of adjacent properties. The request will promote the protection and enhancement of neighborhood character by establishing a zone change that is compatible with the adjacent land uses and zoning patterns to the south and east.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Applicant Response: *The request will enhance, protect, and preserve the current residential neighborhoods by allowing for more appropriate transitional zoning and permissive uses between the current R-1A zoning to the south/east and the commercial zoning to the north.*

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.

- 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 request furthers this goal and policy by encouraging infill development in an appropriate area that is at the urban edge along Unser Boulevard, which is designated as a Commuter Corridor. The current transportation infrastructure (See Figure 5) at the intersection of Unser Boulevard and Sage Road already accounts for the anticipated increased development in this area and implements road sections that can handle the anticipated traffic patterns with multiple lanes to include thru-lanes, right and left turning lanes, transitional striping, bike paths, and pedestrian access/crossings at this intersection as well as along the Unser Boulevard corridor to the north and south.*



Figure 5. Aerial view of the Unser Boulevard and Sage Road Intersection.

- g) Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support the transit ridership.**

Applicant Response: *The request will support this policy by allowing for more permissive residential uses that would encourage residential infill in a neighborhood that is adjacent to Unser Boulevard, which is identified as a Commuter Corridor and near both Coors and Arenal, which are Major Transit 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.

Applicant Response: *The request furthers this policy by maintaining a stable scale of development with densities that reflect the adjacent neighborhoods near an established Commuter Corridor while lowering the land use intensity in an Area of Consistency to be compatible with those surrounding uses.*

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.

- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediate surrounding development.**

Applicant Response: *The request furthers this policy by allowing for more permissive residential uses, as well as maintaining some commercial uses, as a transitional zone for the R-1A housing to the south/east and the MX-L zoning that will be maintained on the two lots to the north.*

- n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.**

Applicant Response: *The request furthers this policy by encouraging more productive uses of the currently vacant lots that are underutilized.*

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 by supporting more options for compatible development within an infill development area that is currently supported by existing infrastructure and public facilities.*

Policy 5.3.2 Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

Applicant Response: *The request furthers this policy by allowing for development where there is existing infrastructure and public facilities.*

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Chance 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 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Center and Corridors, parks, and Major Public Open Space.

- b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

Applicant Response: *The request furthers this policy by reinforcing the character and intensity of the surrounding area by allowing for more transitional residential uses on a portion of the currently approved subdivision site plan.*

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.

Applicant Response: *The request furthers this policy by proposing an appropriate transitional area of MX-T between the existing single-family neighborhood and the remaining MX-L. The MX-T zone provides for an appropriate density and intensity of land uses and lower building heights that will protect the character and integrity of the adjacent residential area.*

Goal 6.1 Land Use – Transportation Integration: Plan, develop, operate, and maintain transportation system to support the planned character of existing and future land uses.

Policy 6.1.8 Commuter Corridor: Prioritize automobile travel in street design and improvements by allowing higher traffic speeds, managing access for autos and pedestrians, and improving safety and pedestrians at signalized intersections.

Applicant Response: *The request furthers this policy by maintaining the previously approved transportation improvements made on both Sage Road and Unser Boulevard that were incorporated in the approved 2010 Site Subdivision Plan that improved the safety for pedestrians, cyclists, and automobiles.*

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

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.

- a) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designed, appropriately located, and consistent with the existing development context and neighborhood character.

Applicant Response: *The request furthers this goal and policy by allowing for zoning and redevelopment of the property in a way that is consistent with the existing neighborhood character and can maintain the existing development context further in a more appropriate transitional zone.*

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

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

Applicant Response: *The request furthers this policy by maintaining some commercial uses on the existing parcel as well as maintaining the MX-L zoning on the northern properties for future employment growth in the area.*

Goal 9.2 Sustainable Design: Promote housing design that is sustainable and compatible with the natural and built environments.

Policy 9.2.1 Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design, and relationship to the street.

Applicant Response: *The request furthers this goal and policy by allowing transitional zoning to include more residential options that would encourage housing development that enhances the current neighborhood character and maintains compatibility with the surrounding land uses.*

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:

1. There was typographical or clerical error when the existing zone district was applied to the property.

Applicant's Response: *This criterion is not applicable to this zone change request.*

2. There has been a significant change in neighborhood or community conditions affecting the site.

Applicant's Response: *This criterion is not applicable to this zone change 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's Response: *The existing MX-L zoning is inappropriate because the proposed MX-T zone is more advantageous to the community as articulated by the ABC Comp Plan (Criterion #2), including patterns of land use and development densities and intensities. As described in our policy*

analysis, the request furthers numerous Comp Plan goals and policies regarding infill development, land uses, Areas of Consistency, and transitions to existing residential areas. The requested MX-T zone will clearly reinforce and strengthen the established character of the surrounding Area of Consistency, which includes small lot, single-family residential and low intensity commercial uses. The request will offer a transition and protections for existing residents, while allowing for flexibility in development of the subject property with appropriately-scaled uses.

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 Response: *The subject site is located wholly in an “Area of Consistency”, all three of these criterion options do not apply.*

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’s Response: *None of the permissive uses in the MX-T zone will be harmful to the adjacent property, neighborhood, or community, and in fact are more appropriate and less harmful than the uses allowed by the existing zoning. The zone change would allow for more permissive residential uses, while maintaining the neighborhood edge requirements to the adjacent to the R-1A zoning, lowering the development intensity, while decreasing the permissive commercial uses that are currently allowed by the current MX-L zoning.*

For example, the proposed MX-T zoning would limit the ability for liquor retail sales for this portion of the property adjacent to the existing homes, which the neighborhood associations have previously opposed regarding a previous effort to develop the property. The proposed zone change would also eliminate the ability to have a car wash, light vehicle fueling station, and repair shop adjacent to the existing homes therefore decreasing the type and intensity of the adjacent development.

This request for a zone change will not change the owner’s ability to develop both the subject site and the northern parcels with commercial uses, but changes the allowable uses for a better transitional zone between the existing R-1A residential neighbors and the adjacent mixed-use commercial lots.

The following table represents a sample of permissive uses within the MX-L zone compared to the current MX-T zone.

| IDO Zoning Comparison: MX-T vs. MX-L | | |
|---|-------------|-------------|
| Use | MX-T | MX-L |
| Dwelling, single-family detached | P | - |
| Dwelling, cluster/cottage development | P | - |
| Dwelling, two-family detached (duplex) | P | - |
| Dwelling, townhouse | P | P |
| Dwelling, live-work | P | P |
| Dwelling, multi-family | P | P |
| Community residential facility, medium or large | P | P |
| Group home, small or medium | P / C | P |
| Adult or child day care facility | P | P |
| Museum or art gallery | P | P |
| Veterinary hospital and Other pet services | C | P |
| Restaurant | C | P |
| Bank | P | P |
| Club or event facility | C | P |
| Commercial services | - | P |
| Medical or dental clinic | P | P |
| Office | P | P |
| Personal and business services, small | P | P |
| Bakery goods or confectionary shop | CV | P |
| General retail, small | A | P |
| Artisan manufacturing | C | P |
| Liquor retail | C | A |
| Car Wash | | P |
| Light vehicle fueling station | | C |
| Light vehicle repair | | P |

- 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.**

Applicant's Response: *The project site already has adequate capacity to serve the development for both the existing MX-L and the proposed MX-T zoning. The developer completed the necessary infrastructure improvements as required by the City when the original Site Plan for Subdivision (Project Number 1008203) was approved by the Development Review Board (DRB).*

2. **Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.**

Applicant's Response: *The proposed zone change will not require major and unprogrammed capital expenditures by the City and has already completed the necessary infrastructure improvements required by the City. The current improvements will facilitate development of the proposed MX-T zoning.*

3. **Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.**

Applicant's Response: *The project site already has adequate capacity to serve the proposed MX-T zone change. The developer completed the necessary infrastructure improvements as required by the City when the original Site Plan for Subdivision (Project Number 1008203) was approved by the Development Review Board (DRB).*

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: *As previously stated, the proposed zone change will have adequate capacity since the applicant has already met and constructed the City's required infrastructure improvement requirements as part of the original Site Plan for Subdivision (Project Number 1008203).*

- 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's Response: *The subject property has already been reviewed and approved for a Site Development Plan with the appropriate improvements made to the adjacent streets. Any development will maintain and further improve access to the adjacent transportation system.*

The request is based on the intent to have more transitional zoning that is more advantageous to the community as it furthers applicable Comprehensive Plan policies for land use, infill development, efficient development patterns, and placemaking.

- 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's Response: *The cost of land or economic considerations are not the determining factor for this zone change request because the land is already zoned for commercial use. We are requesting to change the type of commercial zoning to allow for a better transition between the existing residential properties to the south and the commercial properties to the north allowing for the ability to strengthen the character of the surrounding Area of Consistency as identified in the Comp Plan goals and policies.*

- 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.

Applicant's Response: *Criterion No. 1 applies because the request will clearly facilitate the Comprehensive Plan as described in the policy analysis in this justification letter providing for more advantageous transitional zoning, and by applying a different zone district (MX-T) to the property rather than the current MX-L zone. The request furthers numerous Comp Plan goals and policies related to Areas of Consistency, land uses, infill development, and transitions, and the request directly improves the transition between the adjacent zone districts by allowing for more transitional zoning options between the R-1A zoning to the south/east and the MX-L zoning to the north. The property is already zoned MX-L and the proposed zone change will not create a strip of land along a street, so it is not considered a strip zone.*

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.

Applicant's Response: *This criterion is not applicable to this zone change request.*

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

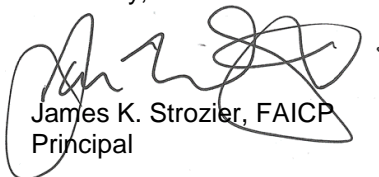
Applicant's Response: *This criterion is not applicable to this zone change request.*

CONCLUSION

On behalf of Unser & Sage LLC, we respectfully request that the Environmental Planning Commission approve this request for a Zoning Map Amendment for the subject site.

Thank you for your consideration.

Sincerely,



James K. Strozier, FAICP
Principal

NOTIFICATION

Shawna Ballay

From: Quevedo, Vicente M. <vquevedo@cabq.gov>
Sent: Wednesday, October 9, 2019 8:37 AM
To: Shawna Ballay
Subject: Public Notice Inquiry_Sage Rd / Unser Boulevard_EPC
Attachments: Sage & Unser_APage_M-10-Z.PDF; Public Notice Inquiry_Sage Rd and Unser Boulevard_EPC.xlsx

Shawna,

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

| Association Name | First Name | Last Name | Email | Address Line 1 | City |
|---|------------|-------------|-----------------------------|---------------------------|-------------|
| South West Alliance of Neighborhoods (SWAN Coalition) | Cherise | Quezada | cherquezada@yahoo.com | 10304 Paso Fino Place SW | Albuquerque |
| South West Alliance of Neighborhoods (SWAN Coalition) | Jerry | Gallegos | jgallegoswccdg@gmail.com | 5921 Central Avenue NW | Albuquerque |
| Westside Coalition of Neighborhood Associations | Harry | Hendriksen | hlhen@comcast.net | 10592 Rio Del Sol NW | Albuquerque |
| Westside Coalition of Neighborhood Associations | Rene | Horvath | aboard10@juno.com | 5515 Palomino Drive NW | Albuquerque |
| South Valley Coalition of Neighborhood Associations | Roberto | Roibal | rroibal@comcast.net | 2233 Don Felipe Road SW | Albuquerque |
| South Valley Coalition of Neighborhood Associations | Marcia | Fernandez | mbfernandez1@gmail.com | 2401 Violet SW | Albuquerque |
| Stinson Tower NA | Eloy | Padilla Jr. | eloygdav@gmail.com | 7619 Greywolf Road SW | Albuquerque |
| Stinson Tower NA | Dan | Sosa III | sosalaw@msn.com | 3615 Tower Road SW | Albuquerque |
| Westgate Heights NA | Matthew | Archuleta | mattearchuleta1@hotmail.com | 1628 Summerfield Place SW | Albuquerque |
| Westgate Heights NA | Eric | Faull | dunduen@outlook.com | 1335 El Rancho Drive SW | Albuquerque |

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

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

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

Respectfully,

| Association Name | First Name | Last Name | Email | Address Line 1 | City | State | Zip |
|---|------------|-------------|-----------------------------|---------------------------|-------------|-------|-------|
| South West Alliance of Neighborhoods (SWAN Coalition) | Cherise | Quezada | cherquezada@yahoo.com | 10304 Paso Fino Place SW | Albuquerque | NM | 87121 |
| South West Alliance of Neighborhoods (SWAN Coalition) | Jerry | Gallegos | jgallegoswccdg@gmail.com | 5921 Central Avenue NW | Albuquerque | NM | 87105 |
| Westside Coalition of Neighborhood Associations | Harry | Hendriksen | hlhen@comcast.net | 10592 Rio Del Sol NW | Albuquerque | NM | 87114 |
| Westside Coalition of Neighborhood Associations | Rene | Horvath | aboard10@juno.com | 5515 Palomino Drive NW | Albuquerque | NM | 87120 |
| South Valley Coalition of Neighborhood Associations | Roberto | Roibal | rroibal@comcast.net | 2233 Don Felipe Road SW | Albuquerque | NM | 87105 |
| South Valley Coalition of Neighborhood Associations | Marcia | Fernandez | mbfernandez1@gmail.com | 2401 Violet SW | Albuquerque | NM | 87105 |
| Stinson Tower NA | Eloy | Padilla Jr. | eloygdav@gmail.com | 7619 Greywolf Road SW | Albuquerque | NM | 87121 |
| Stinson Tower NA | Dan | Sosa III | sosalaw@msn.com | 3615 Tower Road SW | Albuquerque | NM | 87121 |
| Westgate Heights NA | Matthew | Archuleta | mattearchuleta1@hotmail.com | 1628 Summerfield Place SW | Albuquerque | NM | 87121 |
| Westgate Heights NA | Eric | Faul | dunduen@outlook.com | 1335 El Rancho Drive SW | Albuquerque | NM | 87121 |

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

Website: www.cabq.gov/neighborhoods



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From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov
Sent: Tuesday, October 08, 2019 4:24 PM
To: Office of Neighborhood Coordination <ballay@consensusplanning.com>
Cc: Office of Neighborhood Coordination <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

Shawna Ballay

Telephone Number

(505)764-9801

Email Address

ballay@consensusplanning.com

Company Name

Consensus Planning

Company Address

302 Eighth Street NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

Lot 1: TR A-2 Plat of TRS A-1 thru A-6 Unser & Sage Marketplace (Being a repl of TR A Unit 1-B Lands of Albuquerque South)

Lot 2: TR A-1 Plat of TRS A-1 Thru A-6 Unser & Sage Marketplace (Being a repl of TR A Unit 1-B Lands of Albuquerque South)

Physical address of subject site:

Sage Rd SW Albuquerque NM 87121

Subject site cross streets:

Sage Rd / Unser Boulevard

Other subject site identifiers:

This site is located on the following zone atlas page:

M-10-Z

=====

This message has been analyzed by Deep Discovery Email Inspector.

Shawna Ballay

From: Jim Strozier
Sent: Thursday, October 10, 2019 6:43 PM
To: cherquezada@yahoo.com; jgallegoswccdg@gmail.com; hlhen@comcast.net; aboard10@juno.com; rroibal@comcast.net; Marcia Fernandez; eloygdav@gmail.com; mattearchuleta1@hotmail.com; dunduen@outlook.com
Cc: Shawna Ballay
Subject: IDO Pre-Application Notification
Attachments: Sage & Unser_APage_M-10-Z.pdf

Dear Neighbors,

This email is notification that Consensus Planning will be preparing an application on behalf of Unser & Sage LLC. for an approximate 5.8-acre site located near the SE intersection of Sage Road SW and Unser Boulevard SW (see attached Zone Atlas Page). The property consists of two parcels that are currently zoned MX-L. The application will be to the Environmental Planning Commission (EPC) for a zone map amendment from MX-L to MX-T.

The applicant is seeking this down-zoning to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

As part of 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 cp@consensusplanning.com or ballay@consensusplanning.com. You may also contact us by phone at 505-764-9801. Per the IDO, you have 15 days or until October 25, 2019 to request a meeting. If you do not want to schedule a meeting, or support the project, please let us know.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

Shawna Ballay

From: Jim Strozier
Sent: Wednesday, October 16, 2019 3:15 PM
To: chavezantaandemilio@msn.com
Cc: rizzierinm@gmail.com; eloygdav@gmail.com; Shawna Ballay
Subject: Neighborhood Meeting

Mr. Chavez,

It was a pleasure talking with you yesterday regarding setting up a meeting to discuss Mr. Daskalos' proposed zone change for the property at the southeast corner of Sage and Unser.

As we discussed, we have not made an application to the City of Albuquerque yet, but plan to request a zone change to downzone a portion of the property (the southern and eastern portion) from MX-L to MX-T. The owner, Jimmy Daskalos is exploring options to develop residential as a transition to the existing homes to the south and MX-L only allows multi-family housing. The MX-T zone allows for more residential products including single family homes and townhouses.

Based on our conversation, there is a potential to meet on Thursday, November 7th at 6:30 pm at our office, which is located at:

302 8th Street NW
Southeast Corner of 8th and Tijeras
Parking – Plenty of on-street parking on 8th and Tijeras and a small parking lot on the south side of the building (Kent Street)

Please let me know once you have confirmed the meeting date and time with your group.

Thank you.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

From: [Microsoft Outlook](#)
To: aboard10@juno.com
Subject: Relayed: IDO Pre-Application Notification
Date: Thursday, October 10, 2019 6:43:03 PM
Attachments: [IDO Pre-Application Notification .msg](#)

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aboard10@juno.com (aboard10@juno.com) <<mailto:aboard10@juno.com>>
Subject: IDO Pre-Application Notification

From: Microsoft Outlook
To: hlhen@comcast.net; rroibal@comcast.net
Subject: Relayed: IDO Pre-Application Notification
Date: Thursday, October 10, 2019 6:43:02 PM
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rroibal@comcast.net (rroibal@comcast.net) <mailto:rroibal@comcast.net>
Subject: IDO Pre-Application Notification

From: Microsoft Outlook
To: jgallegoswccdg@gmail.com; Marcia Fernandez; eloygdav@gmail.com
Subject: Relayed: IDO Pre-Application Notification
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eloygdav@gmail.com (eloygdav@gmail.com) <mailto:eloygdav@gmail.com>
Subject: IDO Pre-Application Notification

From: Microsoft Outlook
To: cherquezada@yahoo.com
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From: postmaster@outlook.com
To: dunduen@outlook.com
Subject: Delivered: IDO Pre-Application Notification
Date: Thursday, October 10, 2019 6:43:18 PM
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From: postmaster@outlook.com
To: mattearchuleta1@hotmail.com
Subject: Delivered: IDO Pre-Application Notification
Date: Thursday, October 10, 2019 6:43:09 PM
Attachments: [IDO Pre-Application Notification .msg](#)

Your message has been delivered to the following recipients:
mattearchuleta1@hotmail.com (mattearchuleta1@hotmail.com) <<mailto:mattearchuleta1@hotmail.com>>
Subject: IDO Pre-Application Notification



Sage & Unser 100' Neighborhood Buffer Map

Legend

- Bernalillo County Parcels



Notes

Map created by Consensus Planning on 11/21/2019. Property includes a 100' buffer with both the Sage & Unser Right-of-Ways

601 0 301 601 Feet



WGS_1984_Web_Mercator_Auxiliary_Sphere
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1:3,607

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Property Owner
Labels

OTERO KENNETH R JR
401 MERLIDA RD SW
ALBUQUERQUE NM 87121

TINAJERO YVONNE
7605 WINDSONG PL SW
ALBUQUERQUE NM 87121

GRIEGO CLAUDIO & DOLORES S
7809 WINDSONG PL SW
ALBUQUERQUE NM 87121

SIMKINS HOWARD F & TAWNY J
35 ANNE PICKARD LP
TIJERAS NM 87059

BURNS JERRY GAIL
5420 LAS TRAMPAS WAY NW
ALBUQUERQUE NM 87120-2324

PEREA ROBERTO & SANCHEZ KIMBERLY
7705 WINDSONG PL SW
ALBUQUERQUE NM 87121

RIVERA OMAR & POWELL BRITTNEY D
7515 CRYSTAL RIDGE RD SW
ALBUQUERQUE NM 87121-3504

RAMIREZ EFRAIN & JACQUIE
1305 QUIET DESERT DR SW
ALBUQUERQUE NM 87121-3507

FIERRO TERESA I
1301 QUIET DESERT DR SW
ALBUQUERQUE NM 87121

CASTILLO FABRICIO
1329 QUIET DESERT DR SW
ALBUQUERQUE NM 87121

LERMA DANIEL
7709 WINDSONG PL SW
ALBUQUERQUE NM 87121

MIRELES MARIA C GRANDARA
1405 ROLLING ROCK PL SW
ALBUQUERQUE NM 87121-3540

MARTINEZ ANDREW MARK & MARIA
DELIA
7701 WINDSONG PL SW
ALBUQUERQUE NM 87121-3531

WADE DANIEL B JR
7805 WINDSONG PL SW
ALBUQUERQUE NM 87121

BEDNORZ MICHAEL C JR
1408 ROLLING ROCK PL SW
ALBUQUERQUE NM 87121

VALADEZ EDGAR
7715 WINDSONG PL SW
ALBUQUERQUE NM 87121-3531

SOLIS IVAN & ELIZABETH
118 ORTEGA RD NW TRLR #4
ALBUQUERQUE NM 87114-1500

LEDEZMA MARIA D
1400 ROLLING ROCK PL SW
ALBUQUERQUE NM 87121

AMIRHAMZEH ENTERPRISES LLC
9605 SOMMER PL
OAKDALE CA 95361

LOPEZ RACHEL M & VIGIL MICHAEL
EUGENE & LOPEZ CARLA B
7509 CRYSTAL RIDGE RD SW
ALBUQUERQUE NM 87121

ESTRADA EMETERIO
1404 ROLLING ROCK PL SW
ALBUQUERQUE NM 87121

GARCIA DANTE M & DEBORAH L
6600 NATALIE AVE NE
ALBUQUERQUE NM 87110-1312

GUAJARDO RUBEN A SR & HORTENSIA
GUAJARDO & RUBEN A GUAJARDO JR &
ENEDELIA
5620 MILNE RD NW
ALBUQUERQUE NM 87120-1610

KENNEDY NANCY C/O SANCHEZ JESUS M
& REYNA KARINA GONZALES
1401 ROLLING ROCK PL SW
ALBUQUERQUE NM 87121

GARCIA DARLENE R
7801 WINDSONG PL SW
ALBUQUERQUE NM 87121

MARTINEZ DOMINIC J & VIOLA MARIE
ULIBARR
1309 QUIET DESERT DR SW
ALBUQUERQUE NM 87121

REALTY INCOME PROPERTIES 19 LLC
11995 EL CAMINO REAL
SAN DIEGO CA 92130-2539

JIMENEZ ANGELICA
1323 QUIET DESERT DR SW
ALBUQUERQUE NM 87121

MARQUEZ ANACLETO & ALICIA
3901 SAGE RD SW
ALBUQUERQUE NM 87105

UNSER & SAGE LLC
6300 JEFFERSON ST NE
ALBUQUERQUE NM 87109-3480

Neighborhood
Association +
Coalition LABELS

South West Alliance of Neighborhoods
Cherise Quezada
10304 Paso Fino Place SW
Albuquerque, NM 87121

South West Alliance of Neighborhoods
Jerry Gallegos
5921 Central Avenue NW
Albuquerque, NM 87105

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

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

South Valley Coalition of Neighborhood
Associations
Robert Roibal
2233 Don Felipe Road SW
Albuquerque, NM 87105

South Valley Coalition of Neighborhood
Associations
Marcia Fernandez
2401 Violet SW
Albuquerque, NM 87105

Stinson Tower NA
Eloy Padilla Jr.
7619 Greywolf Road SW
Albuquerque, NM 87121

Stinson Tower NA
Dan Sosa III
3615 Tower Road SW
Albuquerque, NM 87121

Westgate Heights NA
Matthew Archuleta
1628 Summerfield Place SW
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Westgate Heights NA
Eric Faull
1335 El Rancho Drive SW
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UNSER & SAGE LLC
 6300 JEFFERSON ST NE
 ALBUQUERQUE NM 87109-3480

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☐ Certified Mail Restricted Delivery \$0.00

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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$6.85

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Ser

Str

City

PS

WADE DANIEL B JR
7805 WINDSONG PL SW
ALBUQUERQUE NM 87121

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Postage \$0.55

Total Postage and Fees \$6.85

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Str

City

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RAMIREZ EFRAIN & JACQUE
1305 QUIET DESERT DR SW
ALBUQUERQUE NM 87121-3507

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EUGENE & LOPEZ CARLA B
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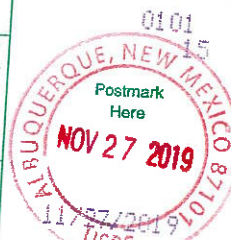
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SOLIS IVAN & ELIZABETH
118 ORTEGA RD NW TRLR #4
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 GUAJARDO & RUBEN A GUAJARDO JR &
 ENEDELIA
 5620 MILNE RD NW
 ALBUQUERQUE NM 87120-1610

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OTERO KENNETH R JR
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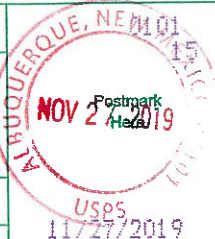
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7809 WINDSONG PL SW
ALBUQUERQUE NM 87121

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ALBUQUERQUE NM 87105

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1301 QUIET DESERT DR SW
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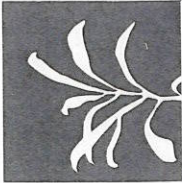
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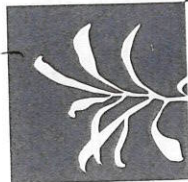


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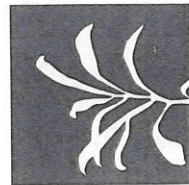
Westgate Heights NA
Eric Faull
1335 El Rancho Drive SW
Albuquerque, NM 87121

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Albuquerque, NM 87102

PLANNING

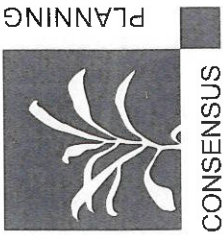


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Stinson Tower NA
Dan Sosa III
3615 Tower Road SW
Albuquerque, NM 87121

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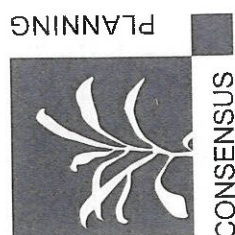
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Westgate Heights NA
Matthew Archuleta
1628 Summerfield Place SW
Albuquerque, NM 87121



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Stinson Tower NA
Eloy Padilla Jr.
7619 Greywolf Road SW
Albuquerque, NM 87121



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Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

November 26, 2019

Westgate Heights Neighborhood Association
Matthew Archuleta
1628 Summerfield Place SW
Albuquerque, NM 87121

Westgate Heights Neighborhood Association
Eric Faull
1335 El Rancho Drive SW
Albuquerque, NM 87121

Re: Sage Road SW – Zoning Map Amendment

Dear Mr. Archuleta, Mr. Faull, and the Westgate Heights Neighborhood Association:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Unser & Sage LLC.

The subject property is located on the southeast side of Unser Boulevard and Sage Road SW and contains approximately 5.80 acres. The request is for a zone change from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition) to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

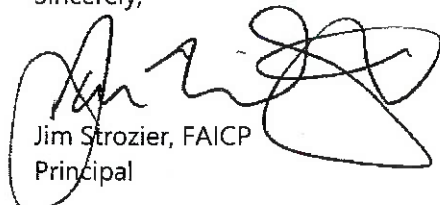
The EPC Public Hearing for this application will be held on January 9, 2020 starting at 8:30 a.m. in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

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) 924-3955 or devhelp@cabq.gov.

PRINCIPALS

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

Sincerely,



Jim Strozier, FAICP
Principal

Attached: Zone Atlas Map M-10-Z

From: [Jim Strozier](#)
To: sosalaw@msn.com; eloygdav@gmail.com
Cc: [Shawna Ballay](#)
Subject: IDO Notification - Application to the EPC for a Zone Map Amendment
Date: Wednesday, November 27, 2019 10:36:00 AM
Attachments: [IDOZoneAtlasPage M-10-Z.pdf](#)

Dear Mr. Padilla Jr., Mr. Sosa III, and the Stinson Tower Neighborhood Association:

We want to take this opportunity to thank you for allowing Consensus Planning to meet with the Stinson Tower Neighborhood Association on November 7, 2019 to provide information on the subject property and project.

This email is notification that Consensus Planning has applied for a Zone Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Unser & Sage LLC.

The subject property is at 99999 Sage Road SW, located on the southeast corner of Unser Boulevard and Sage Rd., and contains approximately 5.80 acres. The request is for a zone change from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition). The applicant is seeking this down-zoning to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

The EPC Public Hearing for this application will be held on January 9, 2020 starting at 8:30am in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2nd 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) 924-3955 or devhelp@cabq.gov.

Do not hesitate to contact me as well if you have any questions.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

From: [Jim Strozier](#)
To: [cherquezada@yahoo.com](#); [jgallegoswccdg@gmail.com](#); [hlhen@comcast.net](#); [aboard10@juno.com](#); [rrolbal@comcast.net](#); [Mardia.Fernandez](#); [mattearchuleta1@hotmail.com](#); [dunduen@outlook.com](#)
Cc: [Shawna Ballay](#); [soslaw@msn.com](#); [eloygdav@gmail.com](#)
Subject: IDO Notification - Application to the EPC for a Zone Map Amendment
Date: Wednesday, November 27, 2019 10:36:00 AM
Attachments: [IDOZoneAtlasPage M-10-Z.pdf](#)

South West Alliance of Neighborhood Associations, Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations, and Westgate Heights NA:

This email is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Unser & Sage LLC.

The subject property is at 99999 Sage Road SW, located on the southeast side of Unser Boulevard and Sage Rd., and contains approximately 5.80 acres. The request is for a zone change from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition). The applicant is seeking this down-zoning to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

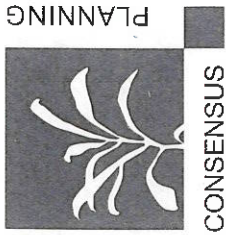
We had a pre-application meeting with the Stinson Tower NA on November 7th where the project was discussed.

The EPC Public Hearing for this application will be held on January 9, 2020 starting at 8:30am in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2nd 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) 924-3955 or devhelp@cabq.gov.

Do not hesitate to contact me as well if you have any questions.

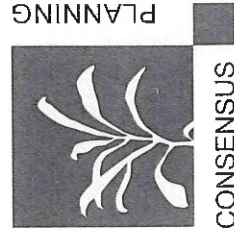
Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801



302 Eighth St. NW
Albuquerque, NM 87102



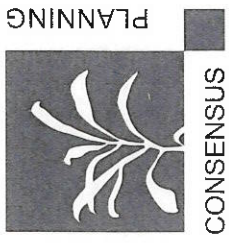
Westside Coalition of Neighborhood
Associations
Harry Hendriksen
10592 Rio Del Sol NW
Albuquerque, NM 87114



302 Eighth St. NW
Albuquerque, NM 87102



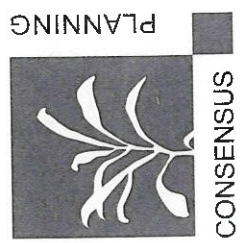
Westside Coalition of Neighborhood
Associations
Rene Horvath
5515 Palomino Drive NW
Albuquerque, NM 87120



302 Eighth St. NW
Albuquerque, NM 87102



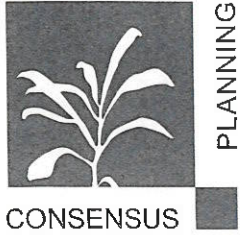
South West Alliance of Neighborhoods
Jerry Gallegos
5921 Central Avenue NW
Albuquerque, NM 87105



302 Eighth St. NW
Albuquerque, NM 87102



South West Alliance of Neighborhoods
Cherise Quezada
10304 Paso Fino Place SW
Albuquerque, NM 87121



November 26, 2019

Re: Public Notice of Zoning Map Amendment - EPC for Sage Rd SW

Dear Neighbor:

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(K)(2) Mailed Public Notice, we are notifying you as an adjacent property owner that Consensus Planning LLC., acting as an agent on behalf of the applicant and property owner, Unser & Sage LLC., will be submitting an application for a Zoning Map Amendment - EPC for two parcels located on the southeast corner of Unser Boulevard and Sage Rd SW.

PUBLIC NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the City of Albuquerque Environmental Planning Commission (EPC) will hold a **Public Hearing on Thursday, January 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 Zoning Map Amendment - EPC.

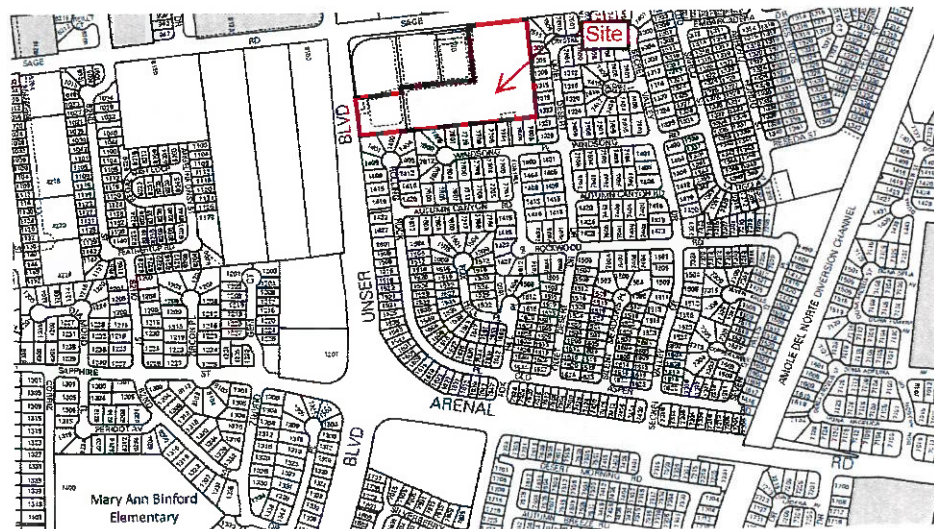
ENVIRONMENTAL PLANNING COMMISSION

Information regarding the EPC 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 devhelp@cabq.gov.

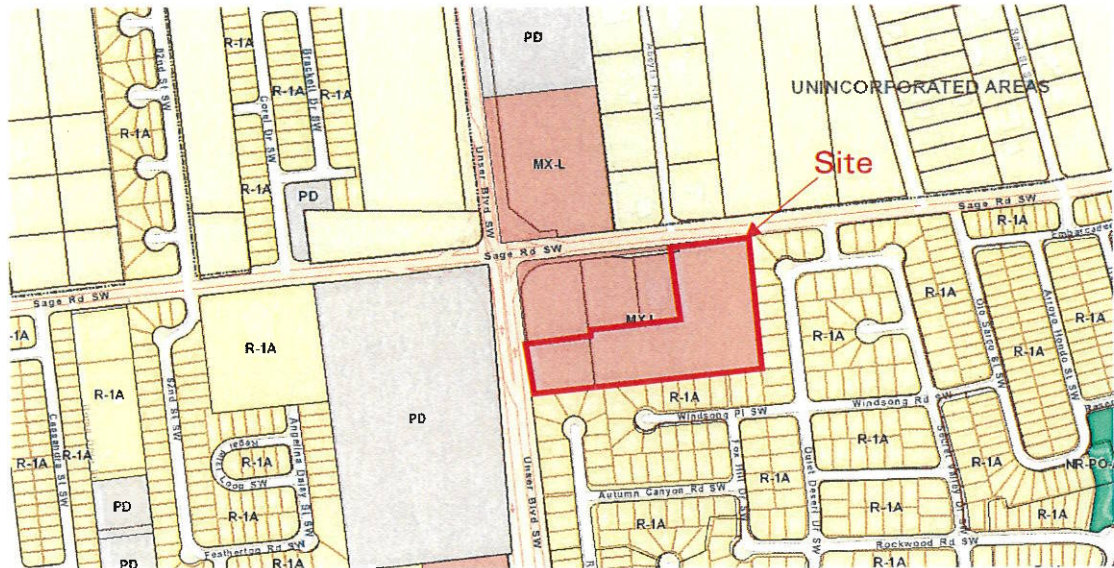
The agenda, staff reports, and supplemental materials will be posted on the City website, <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports>, on Thursday, January 2, 2020.

THE REQUEST

Consensus Planning, agent for Unser & Sage LLC., requests a Zoning Map Amendment - EPC for an approximate 5.8-acre site located near the SE intersection of Sage Road SW and Unser Boulevard SW (see attached Zone Atlas Page).



The property consists of two parcels that are currently zoned MX-L. The application is to the EPC for a zoning map amendment from MX-L (Mixed Use – Low Intensity) to MX-T (Mixed-Use Transition). The applicant is seeking this down-zoning to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).



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) 924-3955 or devhelp@cabq.gov.

Sincerely,

Consensus Planning, Inc.



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

November 26, 2019

South West Alliance of Neighborhoods
Cherise Quezada
10304 Paso Fino Place SW
Albuquerque, NM 87121

South West Alliance of Neighborhoods
Jerry Gallegos
5921 Central Avenue NW
Albuquerque, NM 87105

Re: Sage Road SW – Zoning Map Amendment

Dear Ms. Quezada, Mr. Gallegos, and the South West Alliance of Neighborhoods:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Unser & Sage LLC.

The subject property is located on the southeast side of Unser Boulevard and Sage Road SW and contains approximately 5.80 acres. The request is for a zone change from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition) to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

The EPC Public Hearing for this application will be held on January 9, 2020 starting at 8:30 a.m. in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2nd 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) 924-3955 or devhelp@cabq.gov.

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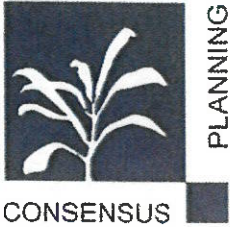


Jim Strozier, FAICP
Principal

Attached: Zone Atlas Map M-10-Z

PRINCIPALS

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



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November 26, 2019

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

Westside Coalition of Neighborhood Associations
Rene Horvath
5515 Palomino Drive NW
Albuquerque, NM 871120

Re: Sage Road SW – Zoning Map Amendment

Dear Mr. Hendriksen, Ms. Horvath, and the Westside Coalition of Neighborhood Associations:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Unser & Sage LLC.

The subject property is located on the southeast side of Unser Boulevard and Sage Road SW and contains approximately 5.80 acres. The request is for a zone change from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition) to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

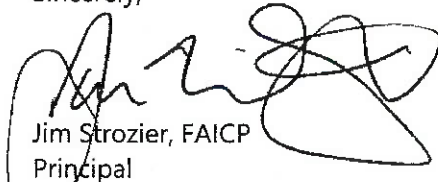
The EPC Public Hearing for this application will be held on January 9, 2020 starting at 8:30 a.m. in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

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) 924-3955 or devhelp@cabq.gov.

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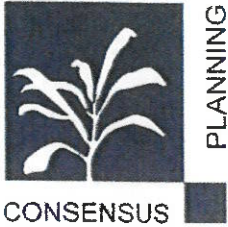
James K. Strozier, F/
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November 26, 2019

South Valley Coalition of Neighborhood Associations
Roberto Roibal
2233 Don Felipe Road SW
Albuquerque, NM 87105

South Valley Coalition of Neighborhood Associations
Marcia Fernandez
2401 Violet SW
Albuquerque, NM 87105

Re: Sage Road SW – Zoning Map Amendment

Dear Ms. Roibal, Ms. Fernandez, and the South Valley Coalition of Neighborhood Associations:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Unser & Sage LLC.

The subject property is located on the southeast side of Unser Boulevard and Sage Road SW and contains approximately 5.80 acres. The request is for a zone change from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition) to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

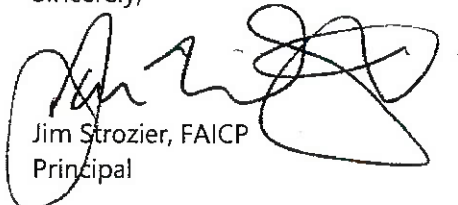
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Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood 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) 924-3955 or devhelp@cabq.gov.

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November 26, 2019

Stinson Tower Neighborhood Association
Eloy Padilla Jr.
7619 Greywolf Road SW
Albuquerque, NM 87121

Stinson Tower Neighborhood Association
Dan Sosa III
3615 Tower Road SW
Albuquerque, NM 87121

Re: Sage Road SW – Zoning Map Amendment

Dear Mr. Padilla Jr., Mr. Dan Sosa III, and the Stinson Tower Neighborhood Association:

We want to take this opportunity to thank you for providing an opportunity for Consensus Planning to meet with you and members of the Stinson Tower Neighborhood Association on November 7, 2019 to provide information on the subject property and project. This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Unser & Sage LLC.

The subject property is located on the southeast side of Unser Boulevard and Sage Road SW and contains approximately 5.80 acres. The request is for a zone change from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition) to allow for more appropriate transitional uses on the two parcels between the current R-1A zoning to the south and the MX-L zoning to the north. If the zone change is approved, the existing parcels are proposed to be consolidated into one single lot with access from both Sage and Unser, which will require a minor subdivision action by the Development Review Board (DRB).

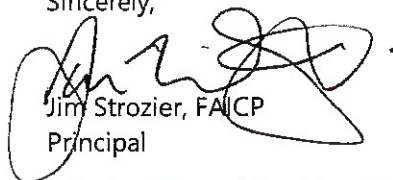
The EPC Public Hearing for this application will be held on January 9, 2020 starting at 8:30 a.m. in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

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) 924-3955 or devhelp@cabq.gov.

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Sincerely,



Jim Strozier, FAICP
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Attached: Zone Atlas Map M-10-Z

NEIGHBORHOOD MEETING AND LETTERS



11/07/2019 Meeting Minutes

Project: Unser / Sage Zoning Downgrade

Subject: Neighborhood Association (NA) Pre-Application Meeting

Meeting Date/Time: November 7, 2019 @ 5:45 p.m.

Attendance

- Jim Strozier, Consensus Planning
- Shawna Ballay, Consensus Planning
- Scott Culler, Consensus Planning
- Bruce Rizzieri, Stinson Tower Neighborhood Association
- Michael Bednorz, Stinson Tower Neighborhood Association
- Gloria Baros, Stinson Tower Neighborhood Association
- Barbara Chavez, Stinson Tower Neighborhood Association
- Anita Chavez, Stinson Tower Neighborhood Association
- Emilio Chavez, Stinson Tower Neighborhood Association
- Eloy Padilla, Stinson Tower Neighborhood Association

Summary

Consensus Planning was contacted by the Stinson Tower Neighborhood Association (NA) regarding a pre-application notice they received. The NA requested a meeting, which was hosted at Consensus Planning's Office on Thursday, November 7, 2019. The purpose of the meeting was to provide an overview of the proposed zone map amendment at the southeast corner of Unser & Sage.

Discussion Items

- Jim Strozier gave a brief presentation on the following items:
 - Summary of the City of Albuquerque's Integrated Development Ordinance (IDO) and the requirements for both the pre-application and application process;
 - Indicated that the property owner, Mr. Jimmy Daskalos, is exploring ideas to downzone a portion of the property from MX-L to MX-T to allow for more residential options including single family homes and townhouses as a transition between commercial use on the NW corner of the property;
 - Summarized the current permissive uses allowed in the existing MX-L zone;
 - Identified how the reduced zoning would limit some of the currently permissive uses; and
 - Explained the different setback requirements related to the neighborhood edge restrictions for MX-T vs. R-1.

Concerns/Questions (Responses in Italics)

- NA Attendees brought up concerns about the following:
 - Current drag racing that is happening on Unser Boulevard.

- *Recognized this concern, but it doesn't directly impact the proposed zone change.*
- They reiterated their previous opposition to the idea of package liquor sales.
 - Recognized that this concern and position remains as it relates to the remaining commercial (MX-L) property.
- If a portion of the lot is used for residential, how much of the property will remain for Commercial?
 - *Approximately 2.4 acres.*
- Can you provide us names of developers and the anticipated price ranges of the homes? What do you think the lot sizes will be?
 - *We are not sure if there is a specific developer that is considering this area, but we assume the lot sizes will be similar to the adjacent residential properties that are zoned R1-A. He also explained the approval process required to approve a subdivision plat for residential development will require additional neighborhood association involvement. Future subdivision will be reviewed and approved by the Development Review Board (DRB).*
- What type of wall would be considered adjacent to the existing residential properties? Could we request for a block wall?
 - *Yes, there are opportunities to discuss having a block wall built around any future proposed residential development.*
- How will the residential development get access off Sage Rd?
 - *We are not 100% certain what the final ingress/egress requirements will be until plans are submitted to the DRB as part of any future subdivision review process.*
- What type of businesses are being considered?
 - *Based on previous experience, we know that gas stations will not consider this property without the ability to sell packaged liquor. The property owner has worked with several commercial real-estate brokers in the past and nothing has come to fruition.*

Areas of Agreement

- Transitional zoning that allowed for single-family residential would be preferred over zoning that only allows multi-family residential;
- Development on the NW Corner that includes a restaurant that could include beer and wine provided as part of their menu is more favorable than a gas station (or any other business) that sells packaged liquor; and
- The NA would like to discuss options for commercial businesses with the property owner. They would like to provide a list of businesses that they would like to see there and support.

Areas of Disagreement

- None noted.

Next Steps

- Consensus Planning intends to submit an application to the City of Albuquerque for the Zone Map Amendment by November 28, 2019 for the January 9, 2020 EPC hearing date.

Attachments

- Sign-In Sheet



Date/Time: November 7, 2019 at 5:45 p.m.

[illegible]

STAFF INFORMATION

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
CURRENT PLANNING SECTION**

**ENVIRONMENTAL PLANNING COMMISSION
Project #: 2019-003120, Case #: RZ-2019-00070
Hearing Date: January 9, 2020**

December 18, 2019

TO: Consensus Planning, Agent for Unse & Sage, LLC.
FROM: Whitney Phelan, Planner
City of Albuquerque Planning Department

TEL: (505) 924-3844

RE: **Project #2019-003120 (RZ-2019-00070)**, Zone Map Amendment

I've completed a first review of the proposed zone map amendment (zone change request). I have some questions and suggestions that will help strengthen the justification. I am available to answer questions about the process and requirements. Please provide the following:

⇒ A revised Zone Map Amendment justification letter pursuant to the zone change criteria, Subsection 14-16-6-7(F)(3) on Pg. 427 of the Integrated Development Ordinance (IDO). (1 copy) by:

12 PM on Tuesday December 24th, 2019

1. Introduction: (Good)
 - a. Although I have done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
2. Legal Description: TR A-1 and A-2 PLAT OF TRS A-1 THRU A-6 UNSER & SAGE MARKETPLACE
3. 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 for January 9, 2019 Final staff reports will be available one week prior, on January 2, 2019.
 - c. A pre-application review team (PRT) meeting is required. I found the PRT notes in the file.
 - d. I will email you any pertinent Agency Comments.
4. Notification & Neighborhood Issues: *Notification requirements for a zone change are found in Table 6-1-1 (IDO, pg. 328) and are explained in Section 6-4(K), Public Notice (IDO, pg. 345).*
 - a. The required notification consists of an emailed letter to neighborhood representatives indicated by the ONC and a mailed letter (first-class) to property owners within 100 feet

of the subject site. It appears that letters were sent via certified mail to all Neighborhood Association Reps and property owners within 100 feet, as required.

- b. Do you anticipate that a facilitated meeting will be requested? Are you aware of any concerns?
 - c. Have any neighborhood representatives or members of the public contacted you so far?
5. Project Letter: (Okay)
- a. Explain any neighborhood support you may have received, if any.
 - b. In the context of the surrounding properties/zones/uses, why do you need a zone change rather than pursuing other options or changing the design? (Site constraints, neighboring zoning and uses, how is this appropriate given the surrounding context?)
6. Zone Map Amendment (zone change)- General:
- a. A zone change justification is all about the requirements of the zone change criteria in the IDO at 6-7(F)(3) and how the applicant can demonstrate that the request fulfills them.
 - b. The task is to choose applicable **Goals** and **policies** from the Comprehensive Plan and show how the request does or does not further them. How does the request relate to the Goal or policy and make it a reality?
 - c. Responding to the A-H of the zone change criteria is both a legal exercise and a planning exercise. It is critical to "hit the nail on the head" conceptually and in terms of form. This can be done by:
 - i. Responding to each requirement in the customary way (see examples).
 - ii. Using conclusory statements such as "because _____".
 - iii. Re-phrasing the requirement itself in the response, and
 - iv. Choosing an option when needed to respond to a requirement (ex. Criterion B, E and H).
7. Zone Map Amendment (zone change)- Concepts and Research:
- a. A thorough, substantiated, and well-thought out zone change justification essay is expected of all applicants.

Please review recent zone change cases and see how other applicants have presented justifications (note that each case is different). Old EPC cases are available to the public at: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

The links are listed by hearing date. Each contains a Staff report and attachments. The applicant's justification essay, which is evaluated in the associated Staff report, is found in the attachments.
8. Zone Map Amendment (zone change) Criterion:
- a. Criterion A: (Okay) Criterion A is where a fully-developed policy analysis goes to support the request. The requirement reads "a preponderance of applicable Goals and Policies." Therefore, do not cite guiding principles, objectives, or texts as they are not included in the requirement.

Tip: I would encourage you to review the response to each policy or goal citation and be more specific at how the policy relates specifically to the subject site. Discuss the abutting and adjacent zone districts, uses, and traffic patterns. It might be useful to restate the policy in your answer to really develop how the policy is *furthered* by the request.

- b. Criterion B: Good.
 - c. Criterion C: Good.
 - d. Criterion D: Okay, are there any Use-Specific Standards that might help mitigate any potential impacts? If not, okay, but may be able to address the potential harm part of the question a little more.
 - e. Criterion E: Okay. Which sub-criteria applies? State it blatantly and why/how.
 - f. Criterion F: Good.
 - g. Criterion G: Okay. More development options as justification sounds more like economic considerations... which is always a factor, but how does the request meet the other criteria more or further certain Goals and policies more?
 - h. Criterion H: Good, but be more specific, which sub-criteria applies?
9. Overall Notes: Generally okay justification, but please review suggestions and try to expand and be more clear at how the request specifically meets each criteria and be really clear when additional sub-criteria must be met.

Bernalillo County Zoning Map

