

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
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## OFFICIAL NOTIFICATION OF DECISION

January 10, 2019

Clearbrook Invest., Inc.  
8801 Jefferson Street NE #A  
Albuquerque, NM 87113

**Project #2018-001842**  
RZ-2018-00055 – Zone Map Amendment (Zone Change)  
SI-2018-00257 – Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

The above action for all or a portion of Tract 4, corrected Plat for Tracts 1, 2, 3, and 4 Land of IHS Acquisition No 120 Incorporated, zoned NR-LM to MX-M, located on Horizon Blvd., NE, between Alameda NE and Balloon Museum Dr., NE, containing 5.9 acres.

(C-17) Staff Planner: Linda Rumpf

PO Box 1293

Albuquerque On January 10, 2019 the Environmental Planning Commission (EPC) voted to APPROVE Project 2018-001842/RZ-2018-00055, A Zone Map Amendment (Zone Change); and WITHDRAW SI-2018-00257, a Site Development Plan for Building Permit, based on the following Findings and Conditions:

NM 87103 FINDINGS

### *Findings, Zoning Map Amendment (Zone Change)*

www.cabq.gov

Project #: 2018-001842, RZ: 2018-00055

1. This is a two part zoning request for all or a portion of Tract 4, corrected Plat for Tracts 1, 2, 3, and 4 Land of IHS Acquisition No 120 Incorporated located on Horizon Boulevard NE and containing approximately 5.9 acres. The western portion of the property (2.92 acres) is proposed to change from NR-LM to R-ML. The Eastern portion of the property (3.02 acres) is proposed to change from NR-LM to MX-M.
2. The subject site abuts the boundary of an activity center that includes the Balloon Museum and the Albuquerque Balloon Fiesta Park.
3. The property falls within the North I-25 Community Planning Area between the railroad tracks to the west and I-25 to the east, which is characterized by business and industrial parks and some residential neighborhoods.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Balloon Fiesta Park Master Development Plan, and the City of Albuquerque Integrated Development

OFFICIAL NOTICE OF DECISION

Project #2018-001842

January 10, 2019

Page 2 of 4

Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.

5. The subject site is within an Area of Consistency as designated by the Comprehensive Plan and the following policies apply:

- a) *This request furthers Policy 5.1.12 because The subject site is adjacent to a designated Commuter Corridor, which are intended for long-distance trips across town by automobile, including limited-access streets. These roads tend to be higher-speed and higher-traffic volume routes.*
- b) *This request furthers Policy 5.2.1 because the development would broaden housing options to meet a range of incomes and lifestyles as well as provide a compatible form and scale to the surrounding area.*
- c) *This request furthers GOAL 5.4 because the proposed zone change adds another residential option near the existing North I-25 Employment Center.*
- d) *This request furthers GOAL 9.1 because the additional residential options will contribute to the range of high-quality housing types that meet current and future needs.*
- e) *This request furthers Policy 9.1.1 because the proposed zone change supports the development of new paired and residential uses that adds to the variety of housing options in this area.*
- f) *This request furthers Policy 9.1.2 because this zone change allows for the appropriate addition of residential in an existing mixed-use area (not in an employment center) and allows for a currently underrepresented set of housing products –townhomes, apartments and mixed-uses.*
- g) *This request furthers GOAL 9.2 because the future development will be sustainably designed through collocation of commercial/office uses that will serve the future residents. These uses will be within walking distance of the new residents.*

6. The applicant has adequately justified the request 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".

- a) Criterion A: the proposed zone change is consistent with the health, safety, and general welfare of the City by demonstrating that applicable Comp Plan Goals and Polices are furthered.

**OFFICIAL NOTICE OF DECISION**

**Project #2018-001842**

**January 10, 2019**

**Page 3 of 4**

- b) **Criterion B:** this subject area is in an Area of Consistency. The existing zoning is inappropriate because a different use category is more advantageous to the community as shown by the furtherance of applicable Comp Plan Goals and Polices. CPO-9 and IDO standards will ensure the consistency of development with the area.
- c) **Criterion C:** this criterion does not apply because the subject site is not in an Area of Change.
- d) **Criterion D:** The proposed zoning for the subject property does not allow uses that are potentially harmful to the existing adjacent uses that include a nursing facility, assisted living, and office uses.
- e) **Criterion E:** The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill redevelopment property and adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Any required extension of these services will be the responsibility of the developer.
- f) **Criterion F:** The current zoning request is to allow for future R-M Land MX-M uses, including residential and commercial retail uses. Future development by the MX-M zone will further multiple goals and policies of the Comprehensive Plan and will serve as low impact neighbor to the surrounding uses.
- g) **Criterion G:** The cost of land or other economic considerations are not the determining factor for this zone change request.
- h) **Criterion H:** The proposed zone change is considered a spot zone. However, the area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts and uses.

7. There were no neighborhood or facilitated meetings requested. There is no known neighborhood opposition to the request.

***Conditions of Approval - Zoning Map Amendment (Zone Change)***

**Project #: 2018-001842, Re-Zone #: 2018-00055, Zone Map Amendment**

- 1. The applicant shall coordinate with the staff planner to ensure that all Conditions of Approval are met.
- 2. The site shall be re-platted to create lot lines that correspond to the submitted zone change exhibit.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JANUARY 25, 2019**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6 of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation

**OFFICIAL NOTICE OF DECISION**

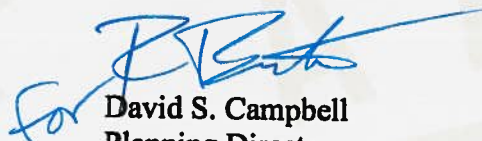
**Project #2018-001842**

**January 10, 2019**

**Page 4 of 4**

can be filed within the 15 day period following the EPC's recommendation. You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,

  
David S. Campbell  
Planning Director

DSC/RB

cc: Clearbrook Investments, INC., 8801 Jefferson St. NE, #A, ABQ, NM 87113  
Consensus Planning, Inc, 302 Eight St., NW, ABQ, NM 87102  
Alameda North Valley Assoc., Steve Wentworth, 8919 Boe Lane NE, ABQ, NM 87113  
Alameda North Valley Assoc., Mark Rupert, 909 Tijeras Ave. NW, ABQ, NM 87102  
North Edith Commercial Corridor Assoc., Christine Benavidez, 10417 Edith Blvd. NE, ABQ, NM 87113  
North Edith Commercial Corridor Assoc., Robert Warrick, 444 Niagara NE, ABQ, NM 87113  
Vista Del Norte Alliance, Fred Harsany, P.O. Box 6270, ABQ, NM 87197  
Vista Del Norte Alliance, Janelle Johnson, P.O. Box 6270, ABQ, NM 87197  
Wildflower Area NA, Larry Caudill, 4915 Watercress Dr. NE, ABQ, NM 87113  
Wildflower Area NA, Charles Bates, 5000 Watercress Dr. NE, ABQ, NM 87113  
North Valley Coalition, Doyle Kimbrough, 2327 Campbell Rd NW, ABQ, NM 87104  
North Valley Coalition, Peggy Norton, P.O. Box 70232, ABQ, NM 87199  
Dist. 4 Coalition of NA's, Daniel Regan, 4109 Chama St. NE, ABQ, NM 87109  
Dist. 4 Coalition of NA's, Michael Pridham, 6413 Northland Ave., NE, ABQ, NM 87109  
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