



**Environmental  
Planning  
Commission**

**Agenda Number: 01  
Project Number: 1000162  
Case #: 16EPC- 40026  
July 14, 2016**

**Staff Report**

<b>Agent</b>	Consensus Planning
<b>Applicant</b>	Tirol Housing, LLC
<b>Request</b>	<b>Zone Map Amendment</b>
<b>Legal Description</b>	Tract A-2 Luecking Park
<b>Location</b>	Pan American Freeway between I-25 and the North Diversion Channel
<b>Size</b>	6.8 acres
<b>Existing Zoning</b>	SU-1 for IP Permissive uses with exclusions
<b>Proposed Zoning</b>	R-3

**Staff Recommendation**

**APPROVAL of 16 EPC 40026 based on the Findings beginning on Page 11.**

**Staff Planner**

**Maggie Gould, Planner**

**Summary of Analysis**

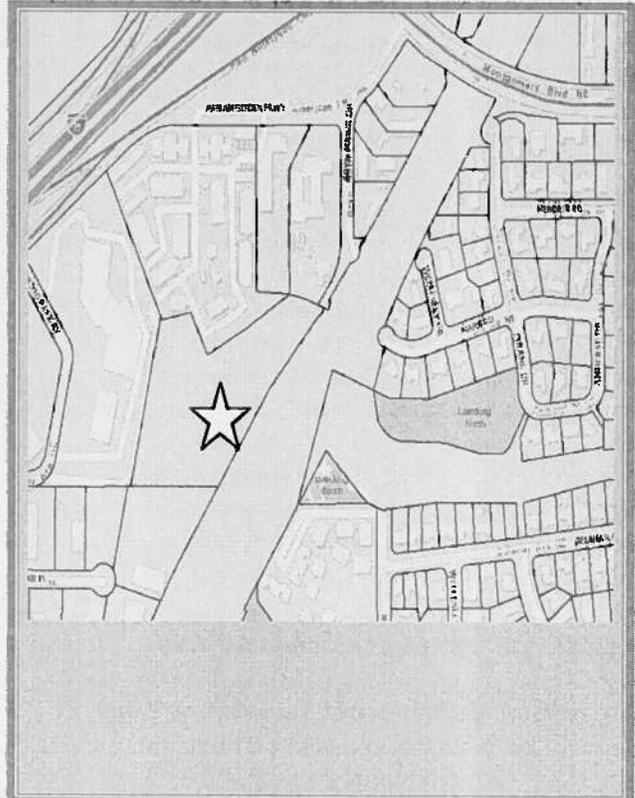
This is a request to amend the zoning on a 6.8 site from SU-1 for IP permissive uses with exclusions to R-3, (Residential zone) to allow the development of an apartment complex.

The site was zoned R-3 until 2003 when the current zoning was approved. The multifamily development is compatible with the existing development in the area. The applicant justified the request as being more advantageous to the community because it will provide an affordable housing option in close proximity to employment and services and be more compatible with the existing development. .

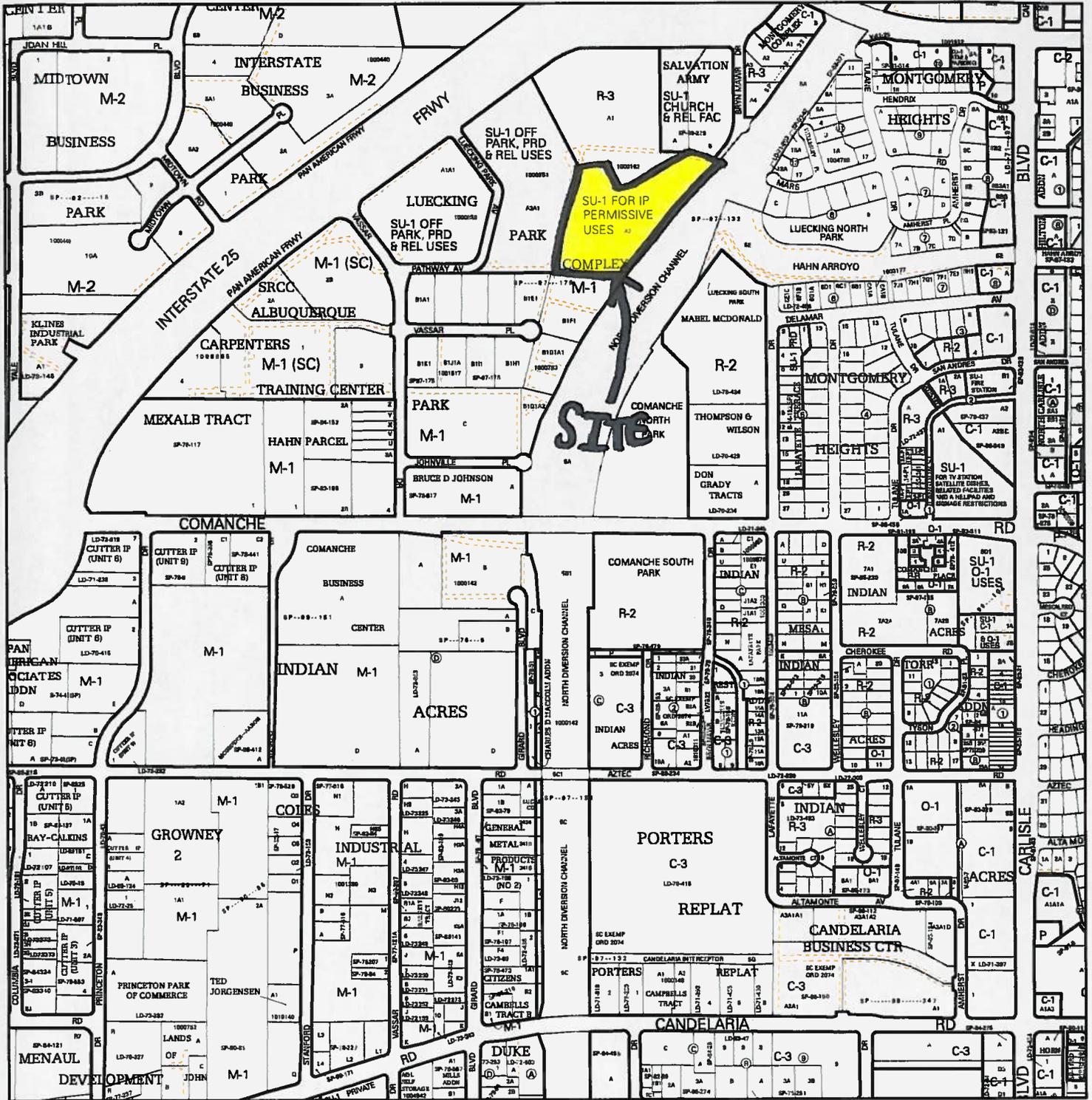
No individual Neighborhood or Homeowner Associations required notification. The District 7 Coalition of Neighborhood Associations was notified. A facilitated meeting was not recommended or requested.

Staff received an inquiry from a nearby property owner .

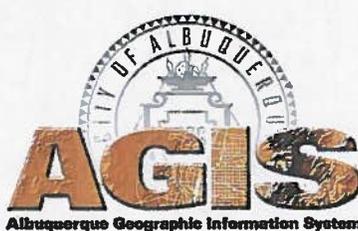
The applicant is requesting a straight zone no conditions will be imposed on the request. Staff is recommending approval.



City Departments and other interested agencies reviewed this application from 06/06/2016 to 06/17/2016  
Agency comments used in the preparation of this report begin on Page 15.



For more current information and details visit: <http://www.cabq.gov/gis>



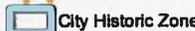
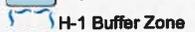
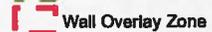
Map amended through: 1/28/2016



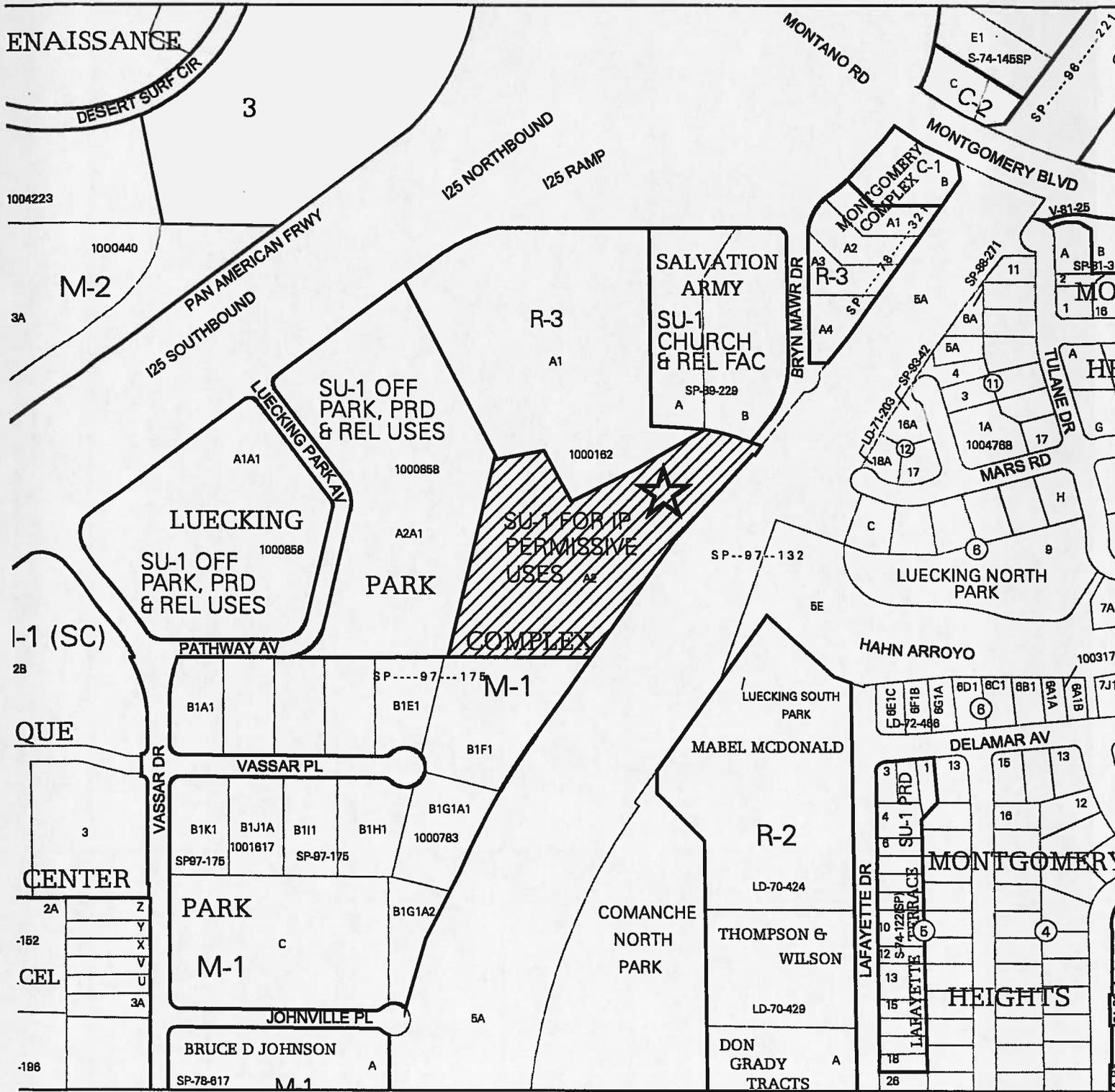
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**G-16-Z**

Selected Symbols

 SECTOR PLANS	 Escarpment
 Design Overlay Zones	 2 Mile Airport Zone
 City Historic Zones	 Airport Noise Contours
 H-1 Buffer Zone	 Wall Overlay Zone
 Petroglyph Mon.	

0 750 1,500 Feet



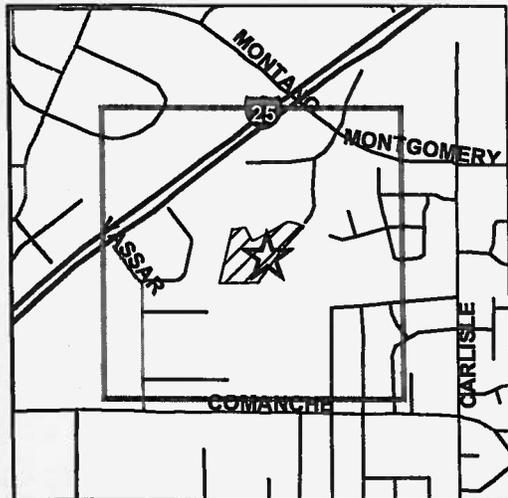
# ZONING MAP

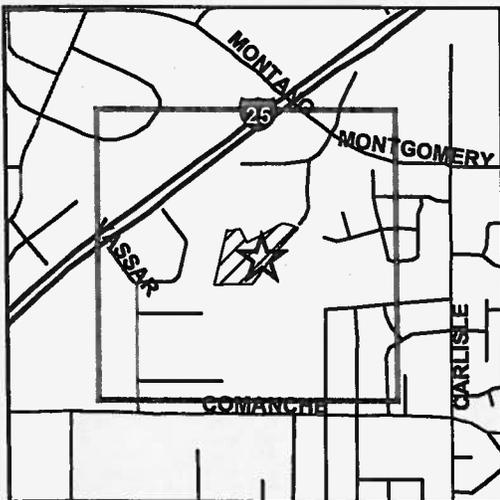
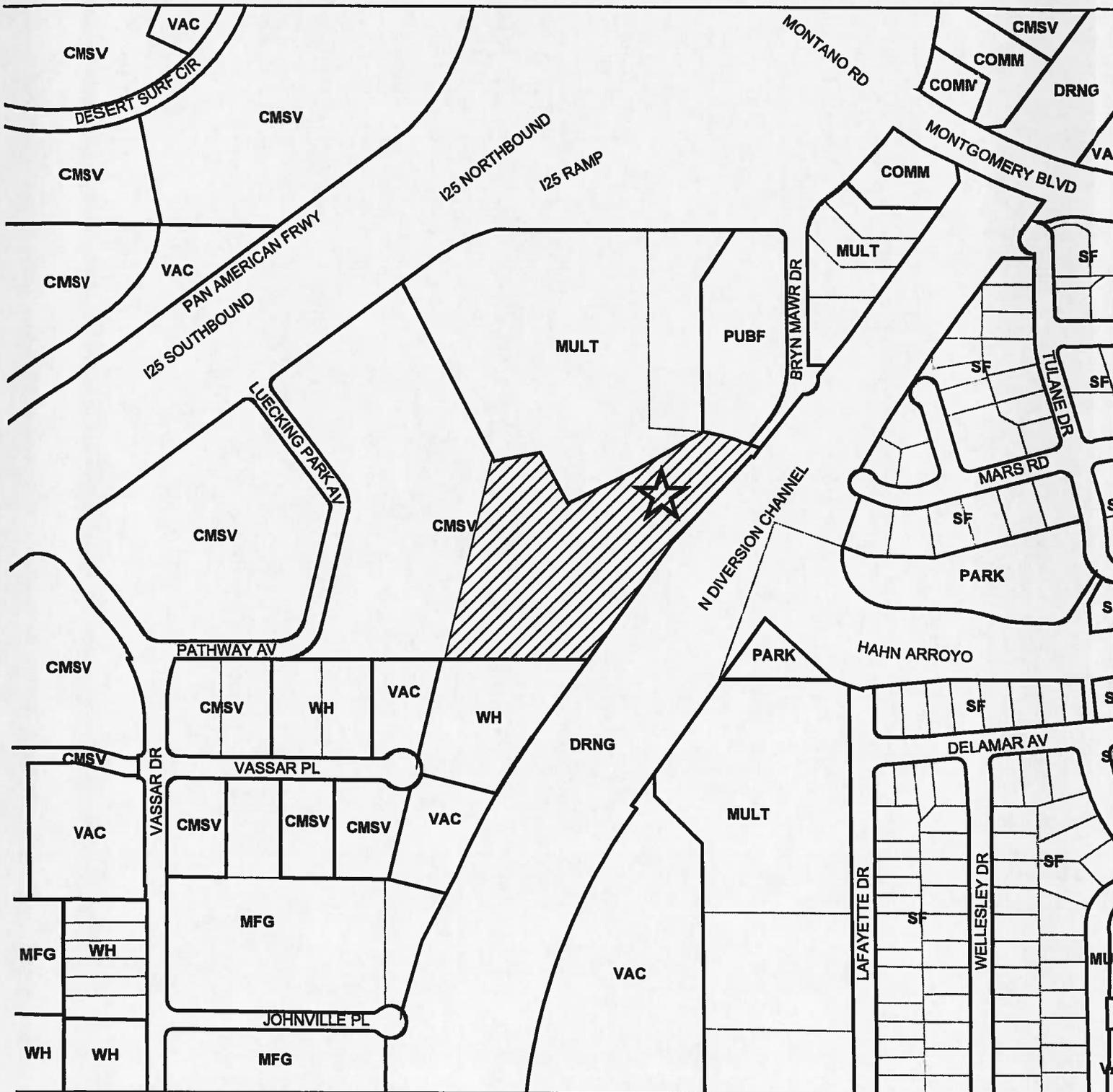
Note: Grey shading indicates County.



1 inch = 383 feet

Project Number:  
1000162  
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07/14/2016  
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# LANDUSE MAP

Note: Gray shading  
indicates County.

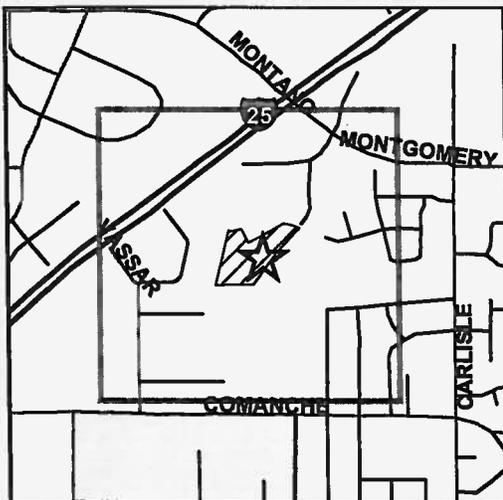
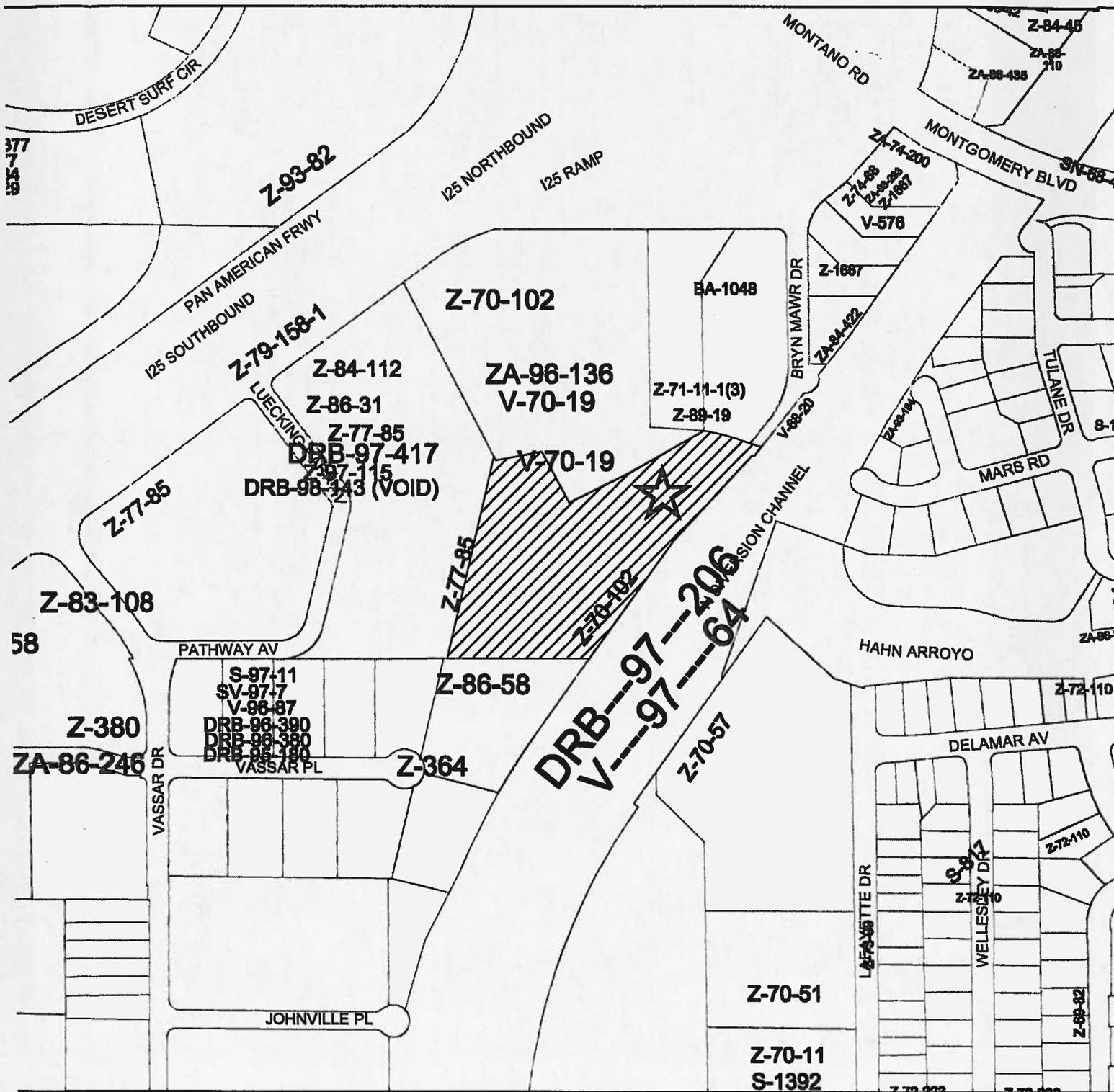
## KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



1 inch = 383 feet

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## HISTORY MAP

Note: Grey shading indicates County.

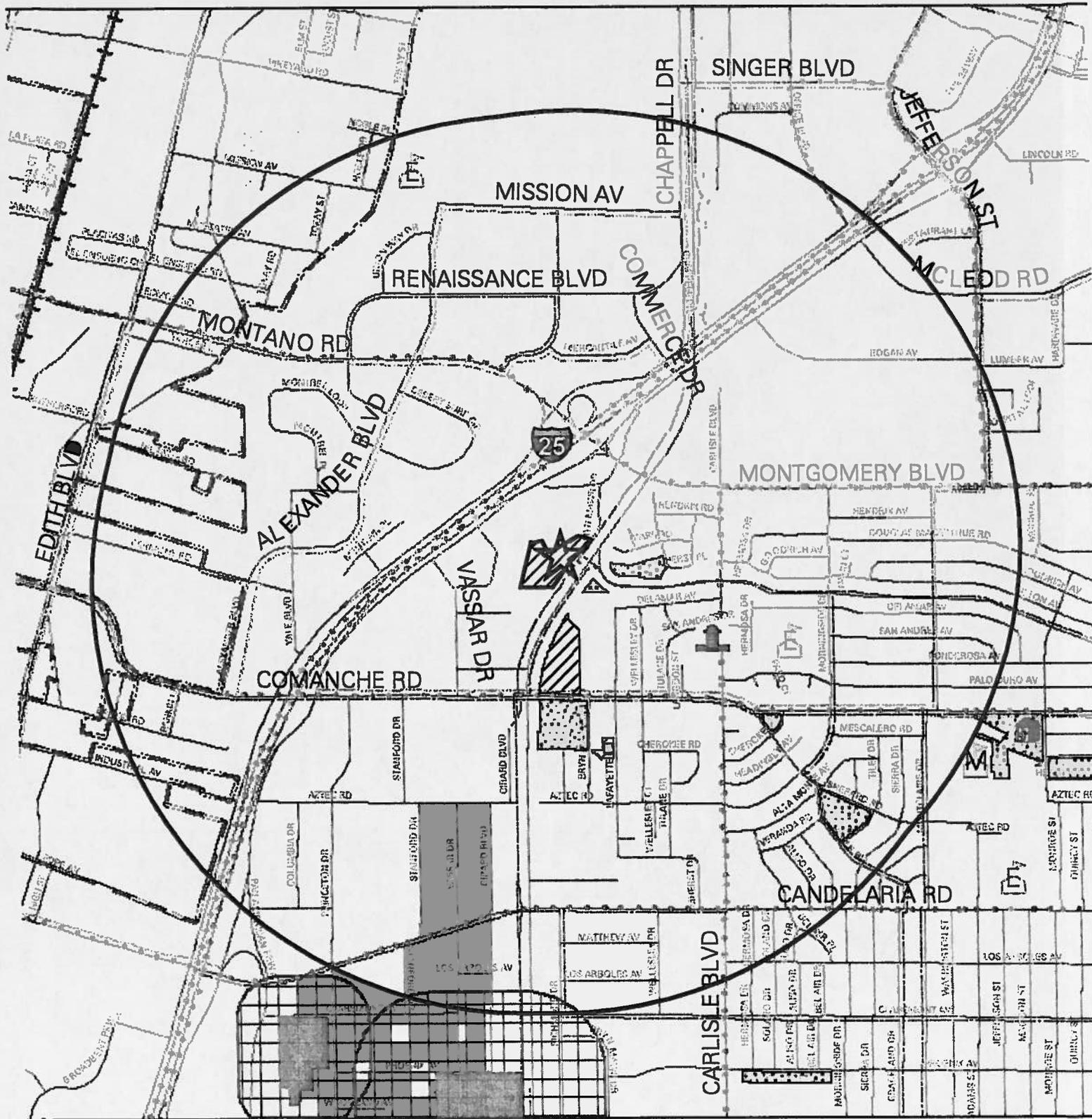


1 inch = 383 feet

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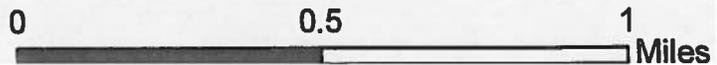
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## Public Facilities Map with One-Mile Buffer

- |  |                      |  |                         |  |                          |  |                             |
|--|----------------------|--|-------------------------|--|--------------------------|--|-----------------------------|
|  | COMMUNITY CENTER     |  | FIRE                    |  | APS Schools              |  | Landfill Buffer (1000 feet) |
|  | MULTI-SERVICE CENTER |  | POLICE                  |  | ABQ Ride Routes          |  | Landfills designated by EHD |
|  | SENIOR CENTER        |  | SHERIFF                 |  | ABQ Bike Facilities      |  | Developed County Park       |
|  | LIBRARY              |  | SOLID WASTE             |  | Proposed Bike Facilities |  | Undeveloped County Park     |
|  | MUSEUM               |  | Albuquerque City Limits |  |                          |  | Developed City Park         |
|  |                      |  |                         |  |                          |  | Undeveloped City Park       |

Project Number: 1000162



**I. AREA CHARACTERISTICS AND ZONING HISTORY**

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

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-1 for IP Permissive Uses Permissive uses with exclusions	Established Urban, no Area Plan or Sector Development Plan	Vacant
<b>North</b>	R-3, SU-1 for Church and Related Facilities		Multi-family , Institutional
<b>South</b>	M-1		Warehousing, Wholesale, Commercial/ Service
<b>East</b>	R-1, R-2		Single Family, Multi-family
<b>West</b>	SU-1 Office Park, PRD and related uses		Office, Commercial Service

**II. INTRODUCTION**

**Proposal**

This is a request to amend the zoning on the subject site from SU-1 for IP ( Industrial Park) Permissive uses with exclusions to the R-3, Residential zone to allow the development of an apartment complex.

**EPC Role**

EPC is hearing this case because the EPC has the authority to hear all Zone Map and Sector Development Plan Amendments within the City of Albuquerque. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

**History/Background**

The site was subdivided in 2003 into tract A-1 containing 8.7 acres, containing the Desert Creek Apartments and Tract A-2, 6.8 acres, the subject site. The subject site was originally zoned R-3 and then rezoned to the SU-1 for IP Permissive uses with exclusions, in 2003. The residents of the nearby apartments and the staff planner expressed concerns about the IP uses on the site in 2003. The concerns included the impact of specific IP uses; some these uses were excluded

from the final list of allowed uses. The findings for approval of the zone change indicate that the neighborhood association and nearby property owners still had concerns about the potential uses under the zone change.

The planer also expressed concerns regarding the use of the SU-1 zone for general uses rather than specific uses, such as SU-1 for Church or SU-1 for swimming pool.

The zone change and an accompanying Site Development Plan for Subdivision were approved, but the site has remained vacant. The approval of this zone change request would void any previously approved Site Development Plan for Subdivision or Building Permit. Also, the Site Development Plan for Subdivision was signed off by the DRB on February 2, 2004; since there has been no development on the site for more than 7 years the plan is now terminated subject to §14-16-3-11(C).

There are no area plans or Sector Development Plans that govern the site

### ***Context***

The subject site is currently vacant. The surrounding area is developed with a mixture of office, commercial, service and warehouse and storage use. The proposed use will be compatible with the existing development because it will be the same as the multi-family uses to the north. Also, the development of apartments on the site will place residents in close proximity to employment and services.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

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The Long Range Roadway System designates Carlisle Blvd as a Minor Arterial.

The Long Range Roadway System designates Montgomery Blvd. as a Principal Arterial.

The Long Range Roadway System designates Pan American Freeway and Vassar Dr. as Collector streets.

The Long Range Roadway System designates Luecking Parkway Ave. and Bryn Mawr Dr. as Local streets.

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

Montgomery is a designated Major Transit Corridor in the Comprehensive Plan.

### ***Trails/Bikeways***

The subject site is adjacent to the North Diversion Channel Trail. The Paseo del Nordeste trail connects to the North Diversion Channel Trail via the bridge across channel at the subject site.

***Transit***

The 157 bus stop on Montgomery Boulevard approximately .4 miles from the site. The 5 bus route stops on Carlisle Boulevard, approximately .4 miles from the site, measured using the bridge over the North Diversion Channel for access.

***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.

**III. ANALYSIS**

***APPLICABLE ORDINANCES, PLANS AND POLICIES***

***Albuquerque Comprehensive Zoning Code***

The site is currently zoned SU-1 for permissive IP uses. The approved SU-1 for IP uses zoning on this site excludes many of the permissive in the IP zone, but allows for a wide range of industrial and commercial and service uses, including warehouses, auto repair, adult uses, hotels, manufacturing and assembling within an enclosed building and office uses. The maximum allowed height is 120 feet, provided a building meets the required angle planes.

The proposed zone, R-3, provides suitable sites for the highest density housing outside of urban centers. It is most appropriately mapped adjacent to commercial, office, or employment centers. The zone allows apartments at up to 30 dwelling units per acre and a building height of up to 26 feet anywhere; additional height is allowed provided the building falls within the required angle plane. Limited incidental uses, such as restaurants, personal services and day care are allowed in apartments complexes with at least 100 units.

The existing zoning allows a variety of commercial and light industrial development, but does not allow the development of housing.

***Albuquerque / Bernalillo County Comprehensive Plan***

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.” Applicable policies include:

Policy II.B5d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.

***Policy II.B5d is furthered because proposed zone will allow development that is of a similar height and intensity as the surrounding development. The area to the east of the North Diversion channel is developed with both single family and multi-family development.***

Policy II.B5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

***Policy II.B.5e is furthered because site has full access to urban services including roads, water and electricity. Staff agrees that the North Diversion Channel could act as buffer for the single family uses developed on the east side of the channel.***

Policy II.B5h: Higher density housing is most appropriate in the following situations:

- In areas with excellent access to the major street network.

***Policy II.B.5h is furthered because the site has access to the major road network. Staff also believes that the third bullet point of the policy is relevant because the general area has a variety uses and housing density and the proposed use will be compatible with the existing land use.***

- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.

#### ***II.D4. Transportation and Transit***

The Goal is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy II.D.4c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

***Policy II.D.4c is furthered because the proposed zone will allow multi-family development near existing transit routes, but will not impact the neighborhoods to the east because the access from the apartments would be via the pedestrian bridge over the North Diversion Channel and there will no impact from car traffic.***

Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

***Policy II.D.4g is furthered by this request. The site has an existing access bridge over the north diversion channel and access to the trail along the channel. The North Diversion Channel Trail connects to the Paseo del Nordeste Trail, also a protected non-motorized Trail. Although this request is only for zoning and does not contain a Site Development Plan it is likely that trail adjacent to the site will be used by pedestrians and bicyclists.***

Policy II.D.4p: Efficient, safe access and transfer capability shall be provided between all modes of transportation.

*The applicant cites this policy in support of the request because the development will have access to the North Diversion Channel trail and bridge; this access will allow residents a safe path to transit along Montgomery Boulevard or Carlisle Boulevard. The North Diversion Channel Trail connects to the Paseo del Nordeste Trail also a protected non-motorized Trail. This request is only for zoning and does not contain a Site Development Plan, so it is not fully possible to confirm how the access will be designed. However, the Diversion Channel trail is protected, non-motorized trail and would be convenient for residents on foot or on bike to access the transit lines, existing roads and trails. The request furthers policy II.D.4p II.D.5. Housing*

The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

Policy II.D.5a: The supply of affordable housing shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

*The proposed zone will allow the development of multi-family housing. The applicant's proposed development would further this policy by providing an affordable option, but even a market rate development could provide an affordable option. Policy II.D.5a is furthered.*

#### ***Resolution 270-1980 (Policies for Zone Map Change Applications)***

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests 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: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

#### ***Analysis of Applicant's Justification***

**Note:** Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is in **bold italics**

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

*The proposed zoning will allow development that is consistent with the surrounding land uses (multi-family, office, services). The zoning will allow the development of multi-family housing in proximity to employment and services and is consistent with the intent of the Comprehensive Plan promote affordable housing.*

***The proposed zone will allow development that meets the intent of the Established Urban Area of Comprehensive Plan to have a mix of uses and a variety of housing choices. The uses allowed in the proposed zone are compatible with the surrounding zoning and land use.***

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

*The proposed zone change does not negatively affect the stability of land use and zoning in the area. It will allow for an affordable multi-family housing complex that will complement the area's existing land uses.*

*The proposed zone will not have a destabilizing impact on the area. The site was previously zoned R-3 and there is R-3 zoning and multifamily development in the area. The allowed uses in the R-3 are similar to the uses in the surrounding area; the additional residential development is complimentary to the area because residents will have access to a variety of employment and service opportunities. Additionally, the R-3 zone may be more compatible with the adjacent properties because it is a less intense use than the uses allowed in the I-P zone. The more industrial development (M-1 zone) is south of Pathway Ave.; the zone change reinforces this pattern of development.*

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

*Refer to policy analysis*

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or
  3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

*The applicant states that the request is more advantageous to the community as articulated in the Comprehensive Plan because it will allow for the development of affordable housing in proximity to employment and services and with access to bike path and transit.*

*Staff's Response (refer to policy analysis for more detail).*

*Staff agrees that the proposed zoning will allow development that meets the intent of the Comprehensive Plan. The existing zoning allows several uses, such as Adult Establishments, Auto Repair and Manufacturing, that are intense and would not be entirely compatible with the office, commercial and multifamily development in the area.*

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

*The permissive uses in the zone will not be harmful to adjacent property, the neighborhood, or the community. The proposed zone change will allow for an affordable multi-family project that will complement the surrounding area, such as the Desert Creek Apartments to the north and other multi-family developments on Montgomery. The North Diversion Channel separates the proposed development from less intensive single-family and multi-family uses, therefore minimizing harm to the neighborhood.*

*The approval of this zone change will improve the community. The site is located within walking distance of the new Main Event and will complement the proposed development by*

*providing safe, fun entertainment for children and adults. Other uses in the area, in addition to the existing multi-family, are typically office and industrial and will not be harmed by a multi-family residential development.*

*The proposed zone will allow uses that are the same or similar to what already exists in the area, the site to the north is zoned R-3 and the area is developed with office, service, commercial and light industrial/storage uses.*

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
  2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

*The infill project will maximize the use of the existing infrastructure and will not require unplanned expenditures on the part of the City.*

*The site has full access to existing City infrastructure and will be developed by the applicant. Staff agrees that the request will not create unprogrammed capital needs.*

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

*The cost of land and other economic considerations pertaining to the application are not the determining factor for the zone change. Prior to 2004, the site was zoned R-3 and was The site is ideally located for affordable housing, given its central location in the city and proximity to a variety of transit options for residents*

*Staff agrees that the applicant has not cited economics as the main factor in the justification of the request. The request is consistent with the applicable policies in the Comprehensive Plan.*

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

*The applicant states that site is not located on a collector or major street.*

*The applicant has not used the street classification as part of the justification. The request is consistent with applicable policies and is a compatible land use with the existing development.*

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

*The property to the north is zoned R-3 and therefore the subject site does not constitute a spot zone.*

*Staff agrees that the proposed zone would not constitute a spot zone because there is R-3 zoning directly adjacent to the subject site. Also, the site was zoned R-3 prior to 2003.*

***Staff's Response***

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

*The shape, use, and location of the site does not qualify it as a strip zone. The site is proposed to be used for residential purposes and is adjacent to an existing R-3 zone.*

*The proposed zone would not create a strip of land along a street with a zone different from surrounding zoning. The site is adjacent to R-3 zoning and was zoned R-3 prior to 2003.*

***Other Analysis***

The proposed zone will allow the development of housing on the east side of the river and help to address the jobs to housing balance between the east west sides of the river.

***IV. AGENCY & NEIGHBORHOOD CONCERNS***

***Reviewing Agencies***

There were no significant agency comments. The Parks Department and AMAFCA will coordinate with the applicant on the access to the North Diversion Channel.

***Neighborhood/Public***

There are no Neighborhood or Homeowner Associations with boundaries that include the subject site. The District 7 Coalition of Neighborhood Associations was notified. A facilitated meeting was not recommended or requested.

A representative of the Nusenda Credit Union inquired about the request and access to the north diversion channel trail. Staff has not received additional comments from them.

Staff has not received any other public comment as of this writing.

***V. CONCLUSION***

This is a request to amend the zoning on the subject site from SU-1 for IP ( Industrial Park) uses with exclusions to R-3, Residential zone in order to allow the development of an apartment complex.

The site was previously zoned R-3; this request will allow the development of the proposed affordable housing development or a market rate housing development. The multifamily development is compatible with the existing development in the area. The existing zone allows several higher intensity uses that are less compatible with the existing development than the proposed zone.

The applicant is requesting a straight zone, not SU-1, so no conditions will be imposed on the request.

***FINDINGS – 16 EPC- 40026 -Zone Map Amendment***

1. This is a request for a Zone Map amendment from SU-1 for IP uses to R-3 for Lot A-2 of the Luecking Park Subdivision, located on Pan American Freeway between I-25 and the North Diversion Channel and containing approximately 6.8 acres.
2. The subject site was originally zoned R-3; the zoning on the site was amended in 2003 to SU-1 for I-P uses.
3. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is within the Established Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:
  - A. Policy II.B5d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.

***Policy II.B5d is furthered because proposed zone will allow development that is of a similar height and intensity as the surrounding development. The area to the east of the North Diversion channel is developed with both single family and multi-family development.***
  - B. Policy II.B5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

***Policy II.B.5e is furthered because site has full access to urban services including roads, water and electricity. Staff agrees that the North Diversion Channel could act as buffer for the single family uses developed on the east side of the channel.***

- C. Policy II.B5h: Higher density housing is most appropriate in the following situations:
  - In areas with excellent access to the major street network.

***Policy II.B.5h is furthered because the site has access to the major road network. Staff also believes that the third bullet point of the policy (see below) is relevant because the general area has a variety of uses and housing density and the proposed use will be compatible with the existing land use.***

- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.

#### II.D.4. Transportation and Transit

- D. Policy II.D.4c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

*Policy II.D.4c is furthered because the proposed zone will allow multi-family development near existing transit routes, but will not impact the neighborhoods to the east because the access from the apartments would be via the pedestrian bridge over the North Diversion Channel and there will no impact from car traffic*

- E. Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

*Policy II.D.4g is partially furthered by this request. The site has an existing access bridge over the north diversion channel and access to the trail along the channel. This request is only for zoning and does not contain a Site Development Plan so it is not possible to confirm how the access will be designed.*

- F. Policy II.D.4p: Efficient, safe access and transfer capability shall be provided between all modes of transportation.

*The applicant cites this policy in support of the request because the development will have access to the North Diversion Channel trail and bridge; this access will allow residents a safe path to transit along Montgomery Boulevard or Carlisle Boulevard. This request is only for zoning and does not contain a Site Development Plan, so it is not fully possible to confirm how the access will be designed. However, the Diversion Channel trail is protected, non-motorized trail and would be convenient for residents on foot or on bike to access the transit lines, existing roads and trails. The request furthers policy II.D.4p.*

#### II.D.5. Housing

- G. Policy II.D.5a: The supply of affordable housing shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

*The proposed zone will allow the development of multi-family housing. The applicant's proposed development would further this policy by providing an affordable option, but even a market rate development could provide an affordable option. Policy II.D.5a is furthered.*

5. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:
  - A. The proposed zone will allow development that meets the intent of the Established Urban Area of Comprehensive Plan to have a mix of uses and a variety of housing choices. The uses allowed in the proposed zone are compatible with the surrounding zoning and land use.
  - B. The proposed zone will not have a destabilizing impact on the area. The site was previously zoned R-3 and there is R-3 zoning and multifamily development in the area. The allowed uses in the R-3 are similar to the uses in the surrounding area; the additional residential development is complimentary to the area because residents will have access to a variety of employment and service opportunities. Additionally, the R-3 zone may be more compatible with the adjacent properties because it is a less intense use than the uses allowed in the I-P zone. The more industrial development (M-1 zone) is south of Pathway Ave.; the zone change reinforces this pattern of development.
  - C. See Policy Analysis in finding 4.
  - D. The proposed zone is more advantageous to the community as articulated in the Comprehensive Plan because the proposed zoning will allow development that meets the intent of the Comprehensive Plan. The existing zoning allows several uses, such as Adult Establishments, Auto Repair and manufacturing that are intense and would not be entirely compatible with the office, commercial and multifamily development in the area.
  - E. The proposed zone will allow uses that are the same or similar to what already exists in the area, the site to the north is zoned R-3 and the area is developed with office, service, commercial and light industrial/storage uses.
  - F. The site has full access to existing City infrastructure and will be developed by the applicant. The request will not create unprogramed capital needs.
  - G. The applicant has not cited economics as the main factor in the justification of the request. The request is consistent with the applicable policies in the Comprehensive Plan.
  - H. The applicant has not used the street classification as part of the justification. The request is consistent with applicable policies and is a compatible land use with the existing development.
  - I. The proposed zone would not constitute a spot zone because there is R-3 zoning directly adjacent to the subject site. Also, the site was zoned R-3 prior to 2003.
  - J. The proposed zone would not create a strip of land along a street with a zone different from surrounding zoning. The site is adjacent to R-3 zoning and was zoned R-3 prior to 2003.
6. The Parks Department requests that the applicant coordinate with them regarding trail access to the North Diversion Trail.
7. The approved Site Development Plan for Subdivision (03 EPC-01667) is terminated pursuant to §14-16-3-11(C). The change of zoning would also void the previously approved Site Plans.

8. There are no Neighborhood or Homeowner Associations with boundaries that include the subject site. The District 7 Coalition of Neighborhood Associations was notified. A facilitated meeting was not recommended or requested. A representative of the Nusenda Credit Union inquired about the request and access to the north diversion channel trail. Staff has not received additional comments from them. Staff has not received any public comment as of this writing.

***RECOMMENDATION - 16EPC-40026, July 14<sup>th</sup>, 2016***

**APPROVAL of 16 EPC -40026, a request for Zone Map Amendment from SU-1 for IP uses to R-3 for Lot A-2 of the Luecking Park Subdivision, based on the preceding Findings.**

---

***Maggie Gould  
Planner***

***Notice of Decision cc list:***

Consensus Planning	302 8 <sup>th</sup> street NW,	ABQ NM	87102
Tirol Housing	4700 Macadam Ave, Suite 200	Portland OR	97239

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Enforcement***

#### ***Office of Neighborhood Coordination***

No Neighborhood and/or Homeowner Associations

District 7 Coalition of NA's

6/6/16 – Proof provided in packet that Agent/Applicant did contact ONC for their Inquiry Letter on 5/26/16 – siw

5/4/16 – Proof provided in packet that Agent/Applicant did send out certified mail to the NA's on 6/2/16 - siw

#### ***Long Range Planning***

- No comment

#### ***Metropolitan Redevelopment Agency***

### ***CITY ENGINEER***

#### ***Transportation Development***

#### ***Hydrology Development***

### ***DEPARTMENT of MUNICIPAL DEVELOPMENT***

#### ***Transportation Planning***

#### ***Traffic Engineering Operations***

### ***WATER UTILITY AUTHORITY***

#### ***Utility Services***

16EPC-40026 Zone Map Amendment

- a. Site is within Adopted Service Area, therefore a development agreement is not required.
- b. Once service is desired, an availability request shall be made and include fire marshal requirements.
- c. If the property qualifies as low income per the Water Authority Rate Ordinance, the development may qualify for low income UEC deferrals.

### ***ENVIRONMENTAL HEALTH DEPARTMENT***

### ***PARKS AND RECREATION***

#### ***Planning and Design***

Reviewed. No objection to the zone change request, however, as stated in the application, a connection from the proposed development to the North Diversion Channel Trail is quite desirable. Coordination with AMAFCA and the City Parks and Recreation Department is requested in the design phase.

**Open Space Division**

**City Forester**

**POLICE DEPARTMENT/Planning**

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

No Comment

**FIRE DEPARTMENT/Planning**

**TRANSIT DEPARTMENT**

<b>Project # 1000162 16EPC-40026 ZONE MAP AMENDMENT (ZONE CHANGE)</b>  FOR ALL OR A PORTION OF LOTS A-2, LUECKING PARK SUBDIVISION, ZONED SU-1 FOR IP USES, LOCATED ON PAN AMERICAN FREEWAY, BETWEEN MONTGOMERY BLVD. NE AND VASAR DR. NE CONTAINING APPROXIMATELY 7 ACRES (G-16)	Adjacent and nearby routes	None.
	Adjacent bus stops	None
	Site plan requirements	None.
	Large site TDM suggestions	None.
	Other information	None.

**COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY**

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

No comment on Zone Map Amendment. If there is a future trail connection to the North Diversion Channel trail, it should be maintained by the City. It will be added to the City's master trail license with AMAFCA.

**ALBUQUERQUE PUBLIC SCHOOLS**

The proposed zone change will allow for the development of an affordable apartment complex that will contain 190 apartments. Any residential development in this area will have impacts to the Mission Avenue Elementary School, Taft Middle School, and Valley High School. Currently, all three schools have excess capacity.

Loc No	School	2015-16 40th Day	Capacity	Space Available
309	Mission Avenue ES	406	460	54
455	Taft MS	454	797	343
560	Valley HS	1,131	1,700	569

**Residential Units: 190**

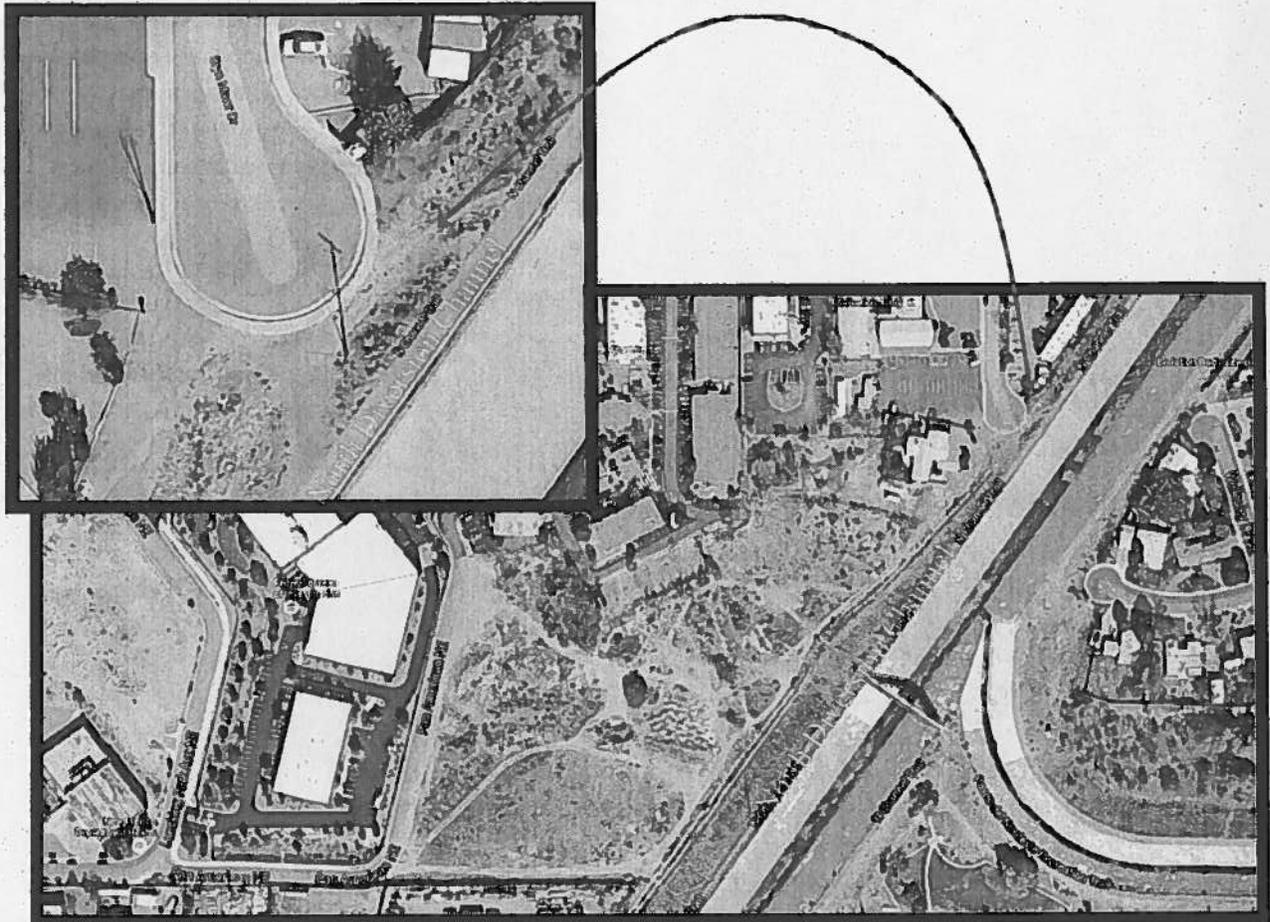
**Est. Elementary School Students: 49  
Est. Middle School Students: 21  
Est. High School Students: 21  
Est. Total # of Students from Project: 65**

\*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

### ***MID-REGION COUNCIL OF GOVERNMENTS***

There appears to be several access and connectivity challenges to developing this site. If the site is to be developed as multi-family residential, roadway and pedestrian connections should be made to neighboring development wherever possible, including to Bryn Mawr Drive and the adjacent Desert Creek Apartments.

MRMPO recommends providing a maintained trail connection to the North Diversion Channel Trail in conjunction with this development. This site is located near two important trails that are part of MRMPO's network of bikeways identified as making regional connections. The North Diversion Channel Trail provides connects UNM and the Journal Employment Center along with several other destinations. This site is also located near the junction with the Paseo del Nordeste Trail that connects into Albuquerque's Northeast Heights. However, the site proposed for development does not currently have direct access to these trails. Currently there are several nearby "goat track" trails showing evidence that a formal trail connection is needed, and this need will be increased with the proposed additional residential development. Access to the trails is difficult because of the steep gradient of the channel levees, however, the best location for a trail connection appears to be at the end of Bryn Mawr Dr. cul- de-sac where there difference in elevation is minimized (see image below).



**Current "Goat Track"  
Trail Acces**



Looking northeast across the site towards the North Diversion Channel trail.  
Looking southeast across the site.





Looking east across the site





## HISTORY



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT, DEVELOPMENT REVIEW DIVISION  
P.O. BOX 1293, ALBUQUERQUE, NM 87103

March 23, 2004

Tim White  
177 N. 1<sup>st</sup> Street  
Mount Vernon, WA 98273

CERTIFICATE OF ZONING

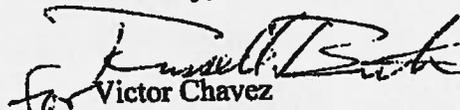
FILE: 03EPC 01668 (Project 1000162)  
DATE OF FINAL ACTION: December 18, 2003  
LEGAL DESCRIPTION: for all or a portion of Tract A-2,  
Luecking Park Complex, a zone map amendment from R-  
3 to SU-1 for IP Permissive Uses, located on PATHWAY  
AVE. NE, between PAN AMERICAN HIGHWAY and  
NORTH DIVERSION CHANNEL, containing  
approximately 7 acres. (G-16) Simon Shima, Staff Planner

THE POSSIBLE APPEAL PERIOD HAVING EXPIRED, THE ZONING ON THE ABOVE CITED  
PROPERTY IS NOW CHANGED AS FOLLOWS:

**FROM R-3**  
**TO SU-1 for IP Permissive Uses**

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of a zone map amendment does not constitute approval of plans for a building permit. Site and building plans need to be reviewed, approved and signed-off by the Environmental Planning Commission, the Development Review Board, the Design Review Committee and/or the Building and Safety Division, as applicable and as required by the site's zoning, before a building permit will be issued.

Sincerely,

  
Victor Chavez  
Planning Director

VC/ac  
cc: Zoning Code Services Division  
Neal Weinberg, AGIS Division



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

Date: December 19, 2003

## OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1000162 \***  
03EPC-01667 EPC Site Development Plan-  
Subdivision  
03EPC-01668 Zone Map Amendment

Tim White  
177 N. 1<sup>st</sup> Street  
Mount Vernon, WA 98273

**LEGAL DESCRIPTION:** for all or a portion of Tract A-2, **Luecking Park Complex**, a zone map amendment from R-3 to SU-1 for IP Permissive Uses, located on **PATHWAY AVE. NE**, between **PAN AMERICAN HIGHWAY** and **NORTH DIVERSION CHANNEL**, containing approximately 7 acres. (G-16) Simon Shima, Staff Planner

On December 18, 2003 the Environmental Planning Commission voted to approve Project 1000162/ 03EPC 01668, a Zone Map Amendment from R-3 to SU-1 for IP Permissive Uses with 13 Exclusions for Tract A-2, Luecking Park Complex based on the following Findings:

### FINDINGS:

1. This is a request for a zone map amendment from R-3 to SU-1 for IP Permissive Uses with 13 exclusions for Tract A-2, Luecking Park Complex, located east of Pathway Avenue NE, containing approximately 6.8 acres, hereinafter referred to as the "site".
2. Pathway Avenue NE and its easterly and westerly extension spanning the North Diversion Channel and I-25 demarcate the existing zoning between M-1 to the south, and SU-1 for Office Park, PRD & Related Uses, SU-1 for Church & Related Facility, and R-3 to the north.

3. The IP Permissive Uses designation allows a total of 28 diverse uses ranging from industrial to office uses. Pursuant to initial Planning staff's request and subsequent EPC's request for excluding certain uses to render the request more specific, the applicant submitted a list of 14 IP permissive uses to be excluded from the request for the zone map amendment. Those excluded uses are air separation plant for nitrogen, and argon only; auditorium, place of assembly; bottling plant; club; cold storage plant; golf course or golf driving range; park-and-ride temporary facilities; railroad right-of-way and incidental facilities, provided they are at least 100 feet from any residential zone or approved by master plan; retail sales of food and drink for consumption on premises, and of gasoline, oil, liquefied petroleum gas; sheet metal working; swimming pool; and wireless telecommunications facility.
  4. Section 14-16-2-22(A)(1) of the Zoning Code provides that "An application for a change to SU-1 zoning shall state the proposed use and must be accompanied by a plan including, at a minimum, all the elements of a Site Development Plan for Subdivision Purposes". Pursuant to the application, the proposed use is IP Permissive Uses with 13 exclusions, and a site development plan for subdivision, including design guidelines, has been submitted. Therefore, the submittals meet the requirements for an application for a change to SU-1 zoning.
  5. The proposed 13 use exclusions from the request would leave 15 other uses permissive under IP zoning. Those excluded uses are relatively infrequent occurrences, rendering the remaining 15 uses relatively more frequent or predictable occurrences. Nonetheless, they still constitute diverse and potentially uncertain uses rather than a specific use(s).
  6. Under the Zoning Code, the SU-1 Special Use Zone is intended to accommodate a specific use(s) for a specific site by way of a specific site development plan. In view of the intent of the Zoning Code, the Special Use Zone should be used for SU-1 for Church or for Swimming Pool, for instance, rather than SU-1 for IP Uses. Contrary to the express purpose of the Special Use Zone, however, SU-1 for IP or C-1 or C-2 Uses has been used in the City for some time. Re-assessment of such practice should be in order. Nevertheless, in light of such prevailing practice, the planning staff, with a great deal of reservation, considers the remaining 15 IP uses to be reasonably specific enough to recommend approval of the requested zone map amendment.
  7. The owners of the Cloverleaf Apartments located north of the site expressed opposition to the proposed zone change being a radical departure from the present use. The Montgomery Heights Neighborhood Association and the Salvation Army, located immediately north of the site, respectively, expressed concern regarding uncertainties involved in potential uses under the proposed zone change. The planning staff is in concurrence with such concern.
-

**OFFICIAL NOTICE OF DECISION  
DECEMBER 18, 2003  
PROJECT #1000162  
PAGE 3 OF 4**

On December 18, 2003 the Environmental Planning Commission voted to approve Project 1000162/ 03EPC 01667, a Site Development Plan for Subdivision for Tract A-2, Luecking Park Complex, based on the following Findings and subject to the following Condition:

**FINDINGS:**

1. This is a request for a site development plan for subdivision for Tract A-2, Luecking Park Complex, located east of Pathway Avenue NE, containing approximately 6.8 acres, hereinafter referred to as the "site".
2. The site plan including the design guidelines, meets the informational requirements under the Zoning Code.
3. The neighbors and the Montgomery Heights Neighborhood Association expressed concern over the traffic impacts from the proposed access to the site from Bryn Mawr Avenue. In response, the applicant's agent proposed a condition that prior to final sign-off by the Development Review Board, the applicant shall meet with City Transportation staff to determine if the Bryn Mawr Avenue access may be eliminated or restricted to "Limited Access Only".
4. A Site Development Plan for Building Permit is necessary in order to have an enforceable document for use by the Zoning Code Services.

**CONDITIONS:**

1. The Developer shall be responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-Of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for.
2. Platting shall be concurrent DRB action.
3. The Design Guidelines shall refer to "Tract A-2", not "Lot A".
4. Under the Landscape Concept, item #15, line 2 shall read "tree for each ten parking stalls" rather than "each twenty" to be in concert with item #2.
5. Under the Lighting Standards, item #1 shall specify the type of the proposed lighting fixtures.
6. The terms, "should" and "may", as used in the Design Guidelines, shall be replaced with "shall".

OFFICIAL NOTICE OF DECISION  
DECEMBER 18, 2003  
PROJECT #1000162  
PAGE 4 OF 4

7. Prior to final sign-off by the Development Review Board, the applicant shall meet with City Transportation staff to determine if the Bryn Mawr Avenue access may be eliminated or restricted to "Limited Access Only".

**IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JANUARY 2, 2004 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.**

**Appeal to the City Council:** Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

**YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).**

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,  
  
for Victor J. Chavez  
Planning Director

VJC/SS/ac

cc: Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102  
Bob Swartwood, Montgomery Heights NA, 3517 Hendrix Rd. NE, Albuquerque, NM 87107  
Chuck Campbell, Montgomery Heights NA, 4400 Tulane Dr. NE, Albuquerque, NM 87107  
Inge Montgomery, 4300 Bryn Mawr Fr. NE, Albuquerque, NM 87107

**FINAL ACTION TAKEN**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to defer Project 1000575/ 03EPC 01661, EPC Site Development Plan-Amendment to Building Permit to the Environmental Planning Commission Public Hearing on January 15, 2004.

MOVED BY COMMISSIONER McMAHAN  
SECONDED BY COMMISSIONER CHAVEZ

MOTION PASSED 5-1 (CHAIRMAN  
JESIONOWSKI VOTED NO.  
COMMISSIONER OWENS HAS LEFT)

**16. Project # 1000162 \***  
03EPC-01667 EPC Site Development  
Plan-Subdivision  
03EPC-01668 Zone Map Amendment

CONSENSUS PLANNING, INC. agents for TIM  
WHITE request the above actions for all or a portion of  
Tract A-2, **Luecking Park Complex**, a zone map  
amendment from R-3 to SU-1 for IP Permissive Uses,  
located on PATHWAY AVE. NE, between PAN  
AMERICAN HIGHWAY and NORTH DIVERSION  
CHANNEL, containing approximately 7 acres. (G-16)  
Simon Shima, Staff Planner **(APPROVED WITH  
CONDITIONS. ZONE MAP AMENDMENT  
APPROVED)**

**STAFF PRESENT:**

Simon Shima, Planning Department

**PERSON PRESENT TO SPEAK IN FAVOR OF THIS REQUEST:**

Jim Strozler, 924 Park Ave. SW

**THERE WAS NO ONE PRESENT TO SPEAK IN OPPOSITION OF THIS REQUEST:**

MR. SHIMA: Reiterated comments made in the staff report in which approval was recommended for the zone map amendment and site plan for subdivision.

**FINAL ACTION TAKEN**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission voted to approve Project 1000162/ 03EPC 01668, a Zone Map Amendment from R-3 to SU-1 for IP Permissive Uses with 13 Exclusions for Tract A-2, Luecking Park Complex based on the following Findings:

## ZONING

Please refer to the Zoning Code for specifics of  
The SU-1, and R-3 zones

**APPLICATION INFORMATION**



Supplemental Form (SF)

<b>SUBDIVISION</b>	<b>S</b>	<b>Z</b>	<b>ZONING &amp; PLANNING</b>
<input type="checkbox"/> Major subdivision action			<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action			
<input type="checkbox"/> Vacation	<b>V</b>	<b>X</b>	<input checked="" type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)			<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
<b>SITE DEVELOPMENT PLAN</b>	<b>P</b>		<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
<input type="checkbox"/> for Subdivision			
<input type="checkbox"/> for Building Permit			
<input type="checkbox"/> Administrative Amendment (AA)			
<input type="checkbox"/> Administrative Approval (DRT, URT, etc.)			
<input type="checkbox"/> IP Master Development Plan	<b>D</b>		<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	<b>L</b>	<b>A</b>	<b>APPEAL / PROTEST of...</b>
<b>STORM DRAINAGE (Form D)</b>			<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 800 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

Professional/Agent (if any): Consensus Planning PHONE: 505-764-9001  
 ADDRESS: 302 8<sup>th</sup> St NW FAX: —  
 CITY: ALBUQUERQUE STATE: NM ZIP: 87102 E-MAIL: cp@consensusplanning.com  
 APPLICANT: Tison Housing LLC PHONE: 505-332-6582  
 ADDRESS: 4700 SW MACADAM AVE, SUITE 200 FAX: —  
 CITY: PORTLAND STATE: OR ZIP: 97239 E-MAIL: ccameron@pavilionconstruction.com  
 Proprietary interest in site: CONTRACT PURCHASER List all owners: —

DESCRIPTION OF REQUEST: ZONE MAP AMENDMENT FROM SU-1 for IP Uses TO R-3.

Is the applicant seeking incentives pursuant to the Family Housing Development Program?  Yes.  No.

**SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.**

Lot or Tract No. A-2 Block: — Unit: —  
 Subdiv/Addn/TBKA: LUCKING PARK SUBDIVISION  
 Existing Zoning: SU-2 for IP Uses Proposed zoning: R-3 MRGCD Map No. —  
 Zone Atlas page(s): G-16 UPC Code: 101606031742420205

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z, V, S, etc.): 1000162

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 6.77 acres  
 LOCATION OF PROPERTY BY STREETS: On or Near: PAN AMERICAN FREEWAY NE  
 Between: MONTGOMERY BLVD NE and VASSAR DR NE  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: —

**SIGNATURE**

[Signature] DATE June 2, 2016  
 (Print Name) James K. Strozier, AICP Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>16 EPC - 40026</u>	<u>AZM</u>	—	<u>\$625.00</u>
<input type="checkbox"/> All fees have been collected	—	<u>CMF</u>	—	<u>\$50.00</u>
<input type="checkbox"/> All case #s are assigned	—	<u>ADU</u>	—	<u>\$75.00</u>
<input type="checkbox"/> AGIS copy has been sent	—	—	—	\$
<input type="checkbox"/> Case history #s are listed	—	—	—	\$
<input type="checkbox"/> Site is within 1000ft of a landfill	—	—	—	\$
<input type="checkbox"/> F.H.D.P. density bonus	—	—	—	\$
<input type="checkbox"/> F.H.D.P. fee rebate	—	—	—	\$
	Hearing date <u>July 14, 2016</u>			Total <u>\$750.00</u>
	<u>6-2-16</u>	Project # <u>1000162</u>		
	Staff signature & Date			

Revised: 11/2014

**FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS**

**ANNEXATION (EPC08)**

- Application for zone map amendment including those submittal requirements (see below).  
*Annexation and establishment of zoning must be applied for simultaneously.*
  - Petition for Annexation Form and necessary attachments
  - Zone Atlas map with the entire property(ies) clearly outlined and indicated  
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
  - Letter describing, explaining, and justifying the request  
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
  - Letter of authorization from the property owner if application is submitted by an agent
  - Board of County Commissioners (BCC) Notice of Decision
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

- SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
  - SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
  - SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)
  - Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
  - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
  - Zone Atlas map with the entire plan area clearly outlined and indicated
  - Letter describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
  - Traffic Impact Study (TIS) form (for EPC public hearing only)
  - Fee for EPC final approval only (see schedule)
  - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.* Your attendance is required.

**AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)**

- Zone Atlas map with the entire property clearly outlined and indicated
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

**AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)**

**AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)**

- Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
  - Plan to be amended with materials to be changed noted and marked
  - Zone Atlas map with the entire plan/amendment area clearly outlined
  - Letter of authorization from the property owner if application is submitted by an agent (map change only)
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
  - Traffic Impact Study (TIS) form
  - Sign Posting Agreement
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

**AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)**

- Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
  - Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
  - Letter describing, explaining, and justifying the request
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

James K. Strozier, AICP  
Applicant name (print)

[Signature] 6-2-2016  
Applicant signature & Date

Revised: June 2011

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers  
16 EPC 40026

[Signature] 6-2-16  
Staff signature & Date

Project # 1000162



# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Consensus Planning DATE OF REQUEST: 5/31/16 ZONE ATLAS PAGE(S): G-16

**CURRENT:**

ZONING SU-2 for IP Uses  
PARCEL SIZE (AC/SQ. FT.) 6.77 acres

**LEGAL DESCRIPTION:**

LOT OR TRACT # A-2 BLOCK # —  
SUBDIVISION NAME LUCKING PARK

**REQUESTED CITY ACTION(S):**

ANNEXATION [ ]  
ZONE CHANGE []: From Current To R-3  
SECTOR, AREA, FAC, COMP PLAN [ ]  
AMENDMENT (Map/Text) [ ]

**SITE DEVELOPMENT PLAN:**

SUBDIVISION\* [ ] AMENDMENT [ ]  
BUILDING PERMIT [ ] ACCESS PERMIT [ ]  
BUILDING PURPOSES [ ] OTHER []  
\*includes platting actions ZMA

**PROPOSED DEVELOPMENT:**

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

**GENERAL DESCRIPTION OF ACTION:**

# OF UNITS: 190  
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 SL Peña DATE 5/31/16

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

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

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

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

Does not meet threshold

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

[Signature]  
TRAFFIC ENGINEER

5/31/16  
DATE

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

TIS -SUBMITTED \_\_\_/\_\_\_/\_\_\_  
-FINALIZED \_\_\_/\_\_\_/\_\_\_

TRAFFIC ENGINEER

DATE

Tirol Housing, LLC  
4700 SW Macadam Ave. Ste. 200  
Portland, OR 97239

May 27, 2016

City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

To whom it may concern,

The purpose of this letter is to authorize Consensus Planning, Inc., to act as agents for all EPC, DRB, and ZHE cases related to the development of the properties legally described as Lot A2, Luecking Park Subdivision. We are the contract purchaser and the contract authorizes us to make all necessary zoning applications.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Derek Mannelin', written in a cursive style.

Derek Mannelin  
Tirol Housing, LLC  
4700 SW Macadam Avenue, Suite 200  
Portland, OR 97239

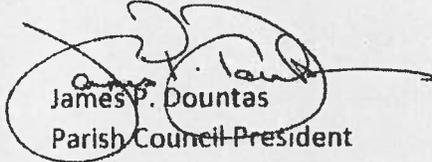
June 14, 2016

City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

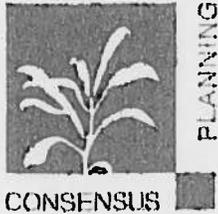
To whom it may concern,

As owners of the property, we hereby authorize Consensus Planning to represent Pavilion Construction for all EPC, DRB, and ZHE cases related to the development of the property legally described as Lot A2, Luecking Park Subdivision.

Sincerely,

A handwritten signature in black ink, appearing to read "James P. Dountas", is written over a circular stamp. The signature is fluid and cursive.

James P. Dountas  
Parish Council President  
St. George Greek Orthodox  
Church of Albuquerque,  
New Mexico



June 15, 2016

Ms. Karen Hudson, Chair  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

**Re: Luecking Park Apartments Zone Map Amendment**

Landscape Architecture  
Urban Design  
Planning Services

Dear Chairman Hudson,

302 English St. NW  
Albuquerque, NM 87102

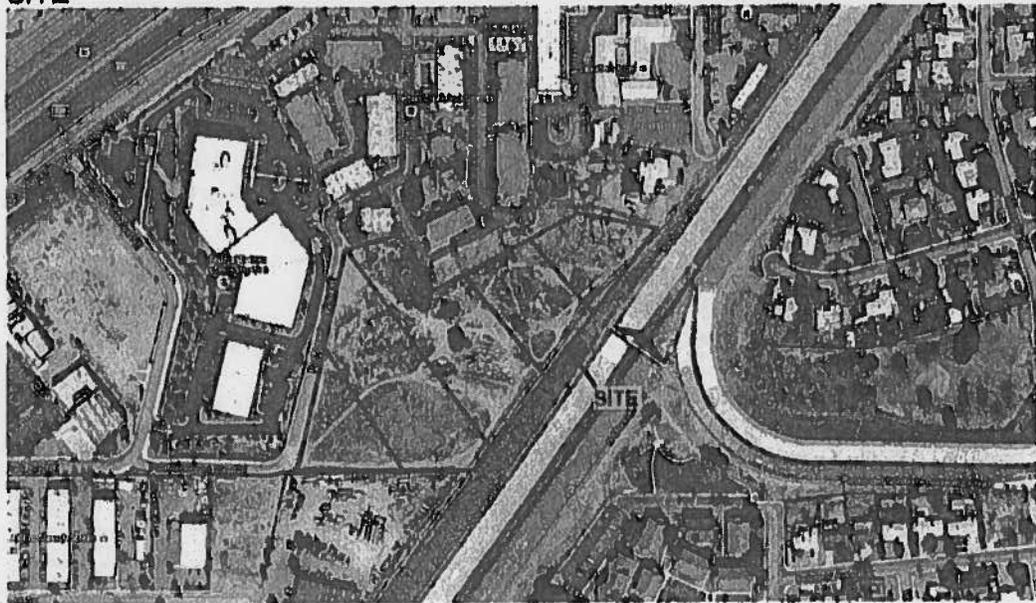
(505) 764-9801

Fax 842-5495

cp@consensusplanning.com  
www.consensusplanning.com

This is a request for a Zone Map Amendment for the property located between the Federal Bureau of Investigation building and the North Diversion Channel. The site is legally described as Lot A-2 of the Luecking Park Subdivision. The site is currently zoned SU-1 for IP Uses and is 6.77 acres. The site is not located within any neighborhood association or sector plan boundary. The requested zoning is R-3, Multi-Family Residential.

**SITE**



**SITE DESCRIPTION**

The property is located in a central part of the City, directly behind the Federal Bureau of Investigation building off of Interstate 25. The site is currently vacant and appears to have a number of nuisance uses including, dumping, transient residence, and dirt biking. The site is situated between the F.B.I. building, Desert Creek Apartments, the Salvation Army, a landscaping company, and the North Diversion Channel. It has prime access to Interstate 25 and Montgomery Boulevard, which are two of the most heavily traveled roadways in New Mexico. The site will include a connection to the bike path along North Diversion Channel, which connects several job centers including the Journal Center and UNM and allows for access to many other areas across the City.

**PRINCIPALS**

James K. Smolzer, AICP  
Christopher J. Green, P.L.A.  
A.S.T.A., F.L.U.D.A.P.  
Jacqueline Fishman, AICP  
Laurie Einar, P.L.A., A.S.T.A.



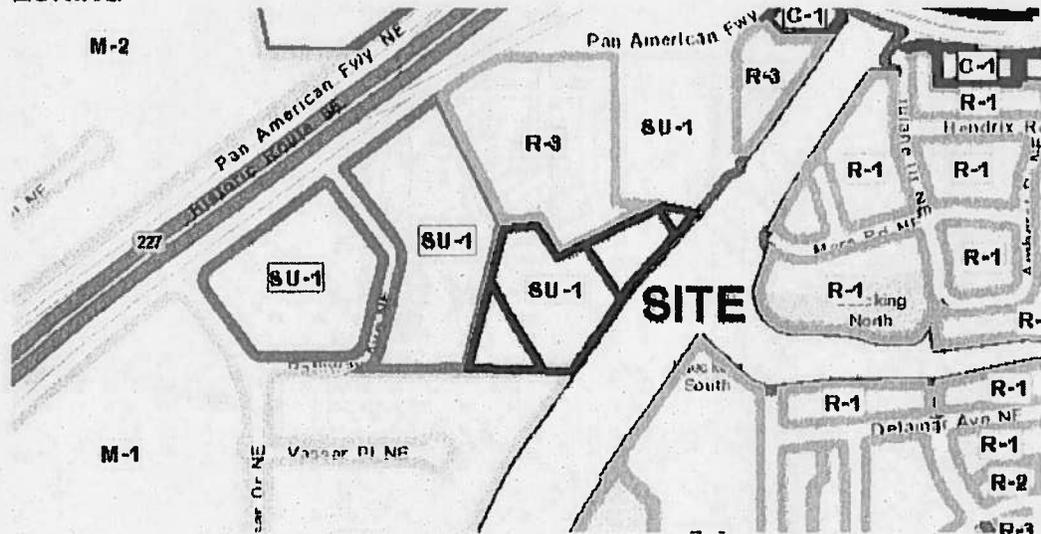
CONSENSUS

PLANNING

The site was previously zoned R-3. In 2004, the Environmental Planning Commission approved a zone change from R-3 to SU-1 for IP Uses and IP Master Development Plan. The Desert Creek Apartments to the north were also zoned R-3 at this time, but was not included in the zone change. The subject property was never developed under the new zoning.

Surrounding Zoning and Land Use		
North	R-3 and SU-1	Desert Creek Apartments; Salvation Army
East	R-1 & R-2	North Diversion Channel, Hahn Arroyo, Single Family & Apartments
South	M-1	Westwind Landscape Construction
West	SU-1	FBI Building

**ZONING**



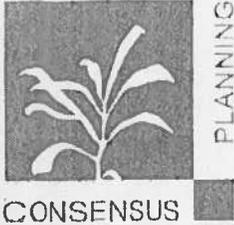
**REQUEST**

We would like to respectfully request approval of a Zone Map Amendment from SU-1 for IP Uses to R-3. The proposed zone change will allow for the development of an affordable apartment complex that will contain 190 apartments. The complex is anticipated to include five, three-story buildings, with a one story office and pool at the entrance to the property. The property is proposed to have two access points, one primary access from the north off of the cul-de-sac on Bryn Mawr Drive and a secondary access point to the west from Pan American Freeway Road NE. The site is an ideal location for high density housing, based off of its proximity to services and jobs, and major roadways and non-automobile travel options.

**JUSTIFICATION**

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

**Applicant's Response:** *The proposed zone change is consistent with the health, safety, morals, and general welfare of the city. The proposed zone change will allow for the development of affordable housing in an ideal location in Albuquerque. The site is currently vacant, and appears to be utilized as a dumping ground and temporary residence for transients, which*



are inconsistent with the health, safety, and general welfare of the community. The zone change will create a new, quality affordable multi-family housing complex that will provide for an additional housing option in the Albuquerque metro.

The Albuquerque/Bernalillo Comprehensive Plan promotes the development of affordable housing throughout the city. The site is ideally located for affordable housing and is consistent with nearby land uses. Located adjacent to an existing apartment complex and several other nearby multi-family developments proximate to the intersection of Montgomery and Carlisle, the proposed development will enhance the area as a place for additional quality multi-family housing.

The North Diversion Channel, public transit along Montgomery Avenue, and easy access to Interstate 25 and Montgomery Boulevards, will allow for a variety of transportation options for residents and visitors. Transit options are necessary near affordable housing as some residents may not be able to afford vehicles.

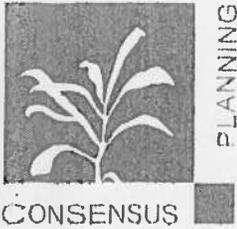
The site is just blocks away from the new Main Event, an entertainment venue that features bowling, arcades, laser tag, and other youth and adult games. The proposed development will complement this use in that it will provide safe, fun entertainment options for residents of the complex within an easy walking distance.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

**Applicant's Response:** The proposed zone change does not negatively affect the stability of land use and zoning in the area. It will allow for an affordable multi-family housing complex that will complement the area's existing land uses. As stated before, the site is located next to the Desert Creek Apartments. The North Diversion Channel separates the site from less intensive single-family and multi-family uses, thus providing a buffer between the uses. The site is an ideal location for affordable, higher density housing. The complex will be in close proximity to quality jobs, services, and public transit.

As previously mentioned, the site is located to the north of industrial development and east of the F.B.I. Building. These uses are primarily daytime uses that will generally not interfere with the proposed residential development. Residential development is primarily active during the early morning, evening, and night, while the industrial uses are primarily active during the day. The subject site is also located adjacent to the Desert Creek apartments (zoned R-3) and Salvation Army, which are both compatible uses with the R-3 zone.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.



## Albuquerque/Bernalillo County Comprehensive Plan

### 5. Developing and Established Urban Areas

The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

Policy d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.

***Applicant's Response:*** *The North Diversion Channel separates the proposed development from less intense single-family and multi-family uses, and will respect the values of that neighborhood by nature of this buffer. Adjacent development, such as the F.B.I. Building and the Desert Creek Apartments, are similar in intensity to the proposed development. The site is located in close proximity to the new Main Event, which will provide ample opportunity for fun and safe entertainment. Access to the North Diversion Trail will provide recreational opportunities for residents.*

Policy e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

***Applicant's Response:*** *The site is an island of vacant land amongst existing development. Due to its proximity to transit, services, and jobs, this site is ideal for affordable housing and will ensure the integrity of existing neighborhoods. The site has a natural buffer, in the North Diversion Channel, that will transition the site from less intensive residential uses. The site is located in a developed part of the city and is near a plethora of services, such as Sam's Club, CostCo, Home Depot, PetSmart, REI, Main Event, Wal-Mart, and other restaurants.*

Policy h: Higher density housing is most appropriate in the following situations:

- In areas with excellent access to the major street network.

***Applicant's Response:*** *The R-3 zone allows for higher density residential, including both market rate and affordable housing. The site has easy access to both Montgomery Boulevard and Interstate 25. These thoroughfares are two of the busiest in the City. According to the MRCOG's annual traffic flows map, in 2014, this stretch of Interstate 25 carried 164,300 vehicles on average per weekday, while Montgomery Boulevard carried 41,660 vehicles. Besides Paseo Del Norte, Coors Boulevard, and Interstate 40, these two thoroughfares were the most heavily traveled in the City.*

### 4. Transportation and Transit



The Goal is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

**Applicant's Response:** *The proposed development will add transit ridership in the area. The site is located within blocks of Montgomery Boulevard, which is designated as a Major Transit Corridor by the City's Comprehensive Plan. Additionally, Bus Routes 157 and 5 have stops within walking distance of the proposed development along Montgomery and Carlisle Boulevards. Residents of the future development will have a number of opportunities to access transit from this location.*

Policy g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

**Applicant's Response:** *The site is bordered by the North Diversion Channel along the east side and will have a path going up to the bike trail. Residents will have the opportunity to walk, run, or bike along the already heavily utilized path.*

Policy p: Efficient, safe access and transfer capability shall be provided between all modes of transportation.

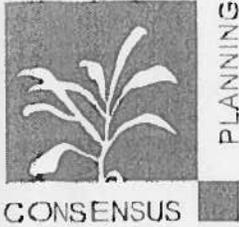
**Applicant's Response:** *Residents at the complex will have a variety of transit options to reach destinations around the City. For example, to access the bus stop for Bus 157, a resident will need to walk 3-4 minutes (or less if utilizing a bicycle) along the diversion channel, take the path to access the sidewalk along Montgomery Boulevard, then walk one block to the bus stop. This transfer to the bus stop is safe and quick and minimizes time spent walking along the busy road.*

## 5. Housing

The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

Policy a: The supply of affordable housing, shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

**Applicant's Response:** *The proposed development will provide 190 units of affordable housing for residents in the Albuquerque metro. The site is an ideal location for affordable housing based on its proximity to transit, services, and jobs. The proposed development will provide housing for those individuals who are considered cost burdened and currently pay more than 30% of their household income toward housing expenses.*



*Although market rate housing is not proposed for the site, it is allowed per the R-3 regulations. Multi-family housing is generally cheaper than single-family housing. Approving the subject zone change will allow for a more affordable housing option for future residents.*

Policy c: The displacement of low income households, shall be ameliorated and the objectives of historic preservation and conservation of affordable housing balanced.

***Applicant's Response:*** *The proposed development will balance the share of affordable housing within the City. The complex will provide quality housing for individuals who are displaced because they do not have the means to pay for housing in Albuquerque. Future residents will be provided with new, quality housing in a desirable area of the City.*

Policy d: Availability of a wide distribution of decent housing for all persons regardless of race, color, religion, sex, national origin, ancestry, or handicapped status shall be assured.

***Applicant's Response:*** *The proposed development will not discriminate based on race, color, religion, sex, national origin, ancestry, or handicapped status.*

D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

***Applicant's Response:*** *(3) A different use category is more advantageous to the community. The site is ideally located for affordable housing. With a variety of transit options, residents will have easy access to two major thoroughfares through the City. Montgomery Boulevard and Interstate 25 are two of the busiest roads in the City and have easy access to public transportation. According to the MRCOG's annual traffic flows map, in 2014, this stretch of Interstate 25 carried 164,300 vehicles on average per weekday, while Montgomery Boulevard carried 41,660 vehicles. Besides Paseo Del Norte, Coors Boulevard, and Interstate 40, these two thoroughfares were the most heavily traveled in the City. Bus Routes 157 and 5 have stops within walking distance of the proposed development along Montgomery and Carlisle Boulevards. Residents of the future development will have a number of opportunities to access transit from this location.*

*Additionally, businesses located along the nearby Montgomery Boulevard will provide a complete spread of services for residents. Just west of the Interstate 25 and Montgomery Boulevard intersection are several major retailers, such as Home Depot, Sam's Club, CostCo, REI, Sportsman Warehouse, and PetSmart. In terms of employment, two nearby industrial and office job centers, Midtown and the Journal Center, can provide a*



*variety of quality and well-paying jobs for residents. These two areas are home to many of the larger employers in the state, including many of the call centers. Lastly, the Mid-Region Council of Governments 2040 Metropolitan Transportation Plan has identified affordable housing with access to transit as a regional need within the Albuquerque metro.*

*The R-3 zone also allows for market rate housing, and although this is not planned for the site, it furthers Section D (3). The site is located near two major arterials that allow for quick access to anywhere in the City. Two major job centers, the Journal Center and Downtown, are just a short drive away from the property. Any multi-family residential development will be more advantageous than the current zoning. Based on the comments provided above, this site is more than suitable for both market rate or affordable high-density housing.*

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

***Applicant's Response:*** *The permissive uses in the zone will not be harmful to adjacent property, the neighborhood, or the community. The proposed zone change will allow for an affordable multi-family project that will complement the surrounding area, such as the Desert Creek Apartments to the north and other multi-family developments on Montgomery. The North Diversion Channel separates the proposed development from less intensive single-family and multi-family uses, therefore minimizing harm to the neighborhood.*

*The approval of this zone change will improve the community. The site is located within walking distance of the new Main Event and will complement the proposed development by providing safe, fun entertainment for children and adults. Other uses in the area, in addition to the existing multi-family, are typically office and industrial and will not be harmed by a multi-family residential development.*

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
  2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

***Applicant's Response:*** *The proposed zone change will not incur any unprogrammed capital expenditures by the city. In fact, as an infill location it will maximize the use of existing infrastructure.*

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

***Applicant's Response:*** *The cost of land and other economic considerations pertaining to the application are not the determining factor for the zone change. Prior to 2004, the site was zoned R-3 and was*



*planned for multi-family development. The site is ideally located for affordable housing, given its central location in the city and proximity to a variety of transit options for residents.*

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

***Applicant's Response:*** *The site is not directly located along a collector or major street.*

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
  - 1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
  - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

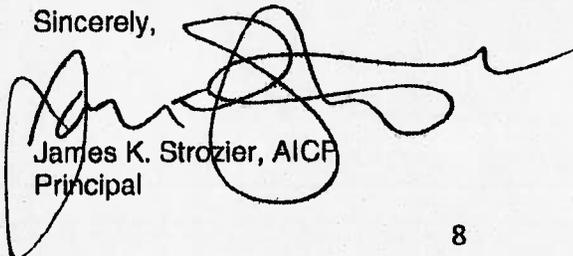
***Applicant's Response:*** *The property to the north is zoned R-3 and therefore the subject site does not constitute a spot zone.*

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
  - 1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
  - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

***Applicant's Response:*** *The shape, use, and location of the site does not qualify it as a strip zone. The site is proposed to be used for residential purposes and is adjacent to an existing R-3 zone.*

Based on the evidence provided above, we would like to respectfully request approval of this zone map amendment. Please call me at (505) 764-9801 if you have any further questions.

Sincerely,



James K. Strozier, AICP  
Principal

NOTIFICATION &  
NEIGHBORHOOD INFORMATION



## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

May 26, 2016

Sal Perdomo  
Consensus Planning  
302 8<sup>th</sup> Street NW/87102  
Phone: (505) 764-9801/Fax: 842-5495  
E-mail: [perdomo@consensusplanning.com](mailto:perdomo@consensusplanning.com)

Dear Sal:

Thank you for your inquiry of May 26, 2016 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(EPC SUBMITTAL) – LOT A2, LUECKING PARK SUBDIVISION, LOCATED ON PAN AMERICAN FREEWAY NE BETWEEN MONTGOMERY BOULEVARD NE AND VASSAR DRIVE NE** zone map **G-16**.

Our records indicate that the **Neighborhood and/or Homeowner Associations and Coalitions** affected by this submittal and the contact names are as follows:

### **NO Neighborhood and/or Homeowner Associations**

#### **DISTRICT 7 COALITION OF N.A.'S**

Janice Arnold-Jones, 7713 Sierra Azul NE/87110 379-0902 (c)  
Lynne Martin, 1531 Espejo NE/87112 294-0435 (h)

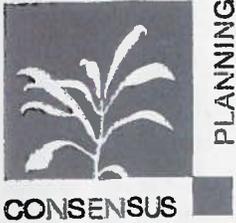
Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing (**please attach: 1) Copy of this letter; 2) Copy of letters sent to NA/HOA's and 3) Copy of White Receipts showing proof that you sent certified mail.**) If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov) or by fax at (505) 924-3913.

Sincerely,

*Stephani Winklepleck*  
Stephani Winklepleck  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**PLEASE NOTE:** The NA/HOA information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office.

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NA/HOA AND/OR COALITIONS FOR THIS PLANNING SUBMITTAL.**



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

#### PRINCIPALS

James K. Strozier, AICP  
Christopher J. Green, P.L.A.,  
ASLA, LEED AP  
Jacqueline Fishman, AICP  
Laurie Firor, P.L.A., ASLA

*typical*

Ms. Janice Arnold-Jones  
District 7 Coalition of N.A.'s  
7713 Sierra Azul NE  
Albuquerque, NM 87110

Ms. Lynne Martin  
District 7 Coalition of N.A.'s  
1531 Espejo NE  
Albuquerque, NM 87112

Dear Ms. Martin,

The purpose of this letter is to inform you and the District 7 Coalition of Neighborhood Associations that we have submitted a request to the Environmental Planning Association (EPC) for a Zone Map Amendment. The request is for a 6.77 acre site behind the Federal Bureau of Investigation (F.B.I) Building off of Interstate 25. The site is currently vacant and is legally described as Lot A-2 of the Luecking Park subdivision.

The request is to rezone the property from SU-1 for IP Uses to R-3 to allow for the development of multi-family residential. The vacant property has had numerous nuisance uses including dumping, transients, and off-road vehicles. The development of this property with quality multi-family will be a benefit to the property and the surrounding areas.

The EPC hearing will be located in the basement of the Plaza del Sol Building at 600 North 2<sup>nd</sup> Street at 8:30am on July 14, 2016. We have included the Zone Atlas Page for your review. If you have any questions or would like to schedule a meeting, please contact me at (505) 764-9801.

Sincerely,

James K. Strozier, AICP  
Principal at Consensus Planning

Attached: Zone Atlas Page G-16

7012 1640 0001 8697 6031

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Total Postage & Fees	\$6.47



Sent To **Lynne Martin**  
 Street, Apt. No., or PO Box No. **1531 Espejo NE**  
 City, State, ZIP+4 **Albuquerque, NM 87112**

PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 8697 6024

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ALBUQUERQUE, NM 87110

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Certified Fee	\$2.70
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.47



Sent To **Janice Arnold-Jones**  
 Street, Apt. No., or PO Box No. **7713 Sierra Azul NE 87111**  
 City, State, ZIP+4 **Albuquerque, NM 87105-0869**

PS Form 3800, August 2006 See Reverse for Instructions

**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
PROPERTY OWNERSHIP LIST**

**Meeting Date:** Thursday, July 14, 2016

**1000162**

**Zone Atlas Page:** G-16-Z

**Notification Radius:** Neighborhood Associations  
**100ft plus r.o.w**

**Cross Reference and Location:** Pan American Fwy NE between  
Montgomery Blvd. NE and Vassar Dr. NE

**Applicant:** Tirol Housing LLC  
4700 SW Macadam Drive Suite 200  
Portland OR 97239

**Agent:** Consensus Planning  
302 8<sup>th</sup> Street  
Albuquerque, NM 87102

**Special Instructions:**

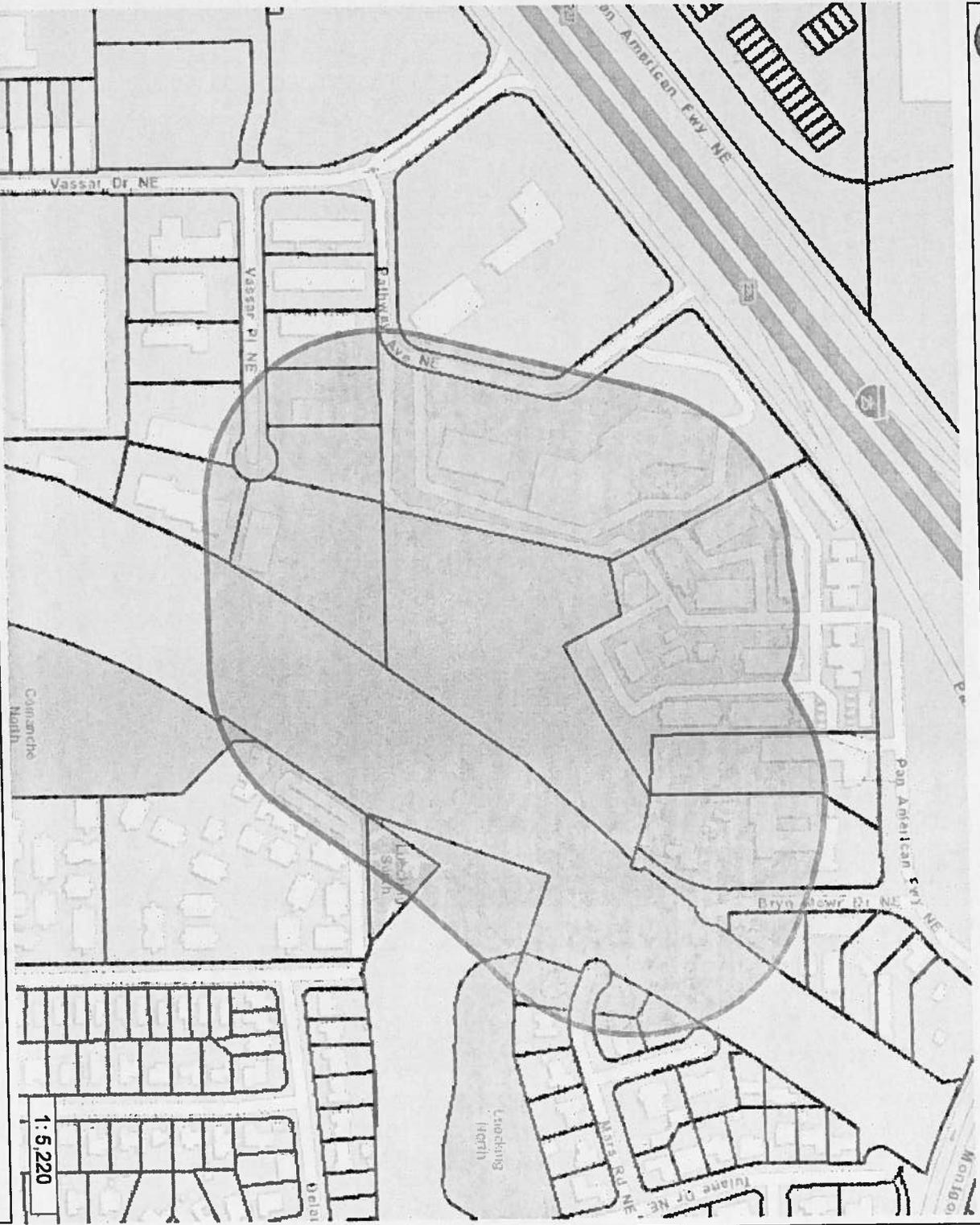
**Notice must be mailed from the  
City 15 days prior to the meeting.**

**Date Mailed:** 6/21/16

**Signature:** boj



# 1000162 - Pan Amer. Fwy between Montgomery and Vassar



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
6/8/2016  
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**THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES**

1:5,220

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

### Notes

Distance: 431

Owner  
 CLARK LAURA W & DANIEL PYZEL CO-TRUSTEES LAURA W CLARK TRUST  
 JLA PARTNERS LLC  
 KOENEKER SUSAN D & JOHNSTON JOHN J  
 LAFAYETTE SQUARE HOUSING PARTNERS LP C/O LOGAN PROPERTY MANAGEMENT  
 LEWIS ALFRED BRUCE & JAMES V LEWIS & ALETA LEWIS  
 MONTGOMERY LOREN P & INGE TRUSTEES MONTGOMERY RVT  
 NEW MEXICO EDUCATORS FEDERAL CREDIT UNION  
 NGR V ALBUQUERQUE NMI LLC C/O NGR V FUND LLC  
 NIELSEN MARILYN J  
 PYZEL DANIEL & BILLIE R  
 RUTHERFORD ENTERPRISES LLC  
 RYAN STEPHEN E & CHERYL L  
 SAINT GEORGE GREEK ORTHODOX CHURCH % PEGGY DASKALOS  
 SALVATION ARMY  
 SALVATION ARMY SILVERCREST  
 SAND MECH INVESTMENTS LLC  
 SUNSCAPE G&G PARTNERS  
 TERRELL MICHAEL E & PATTI K CO TRUSTEES LIVING TRUST  
 WESTWIND INVESTMENT LLC  
 Sai Perdomo  
 Tirol Housing  
 Janice Arnold-Jones  
 Lynne Martin  
 EPC Case #13000162

NAME

Consensus Planning  
 District 7 Coalition of N.A.'s  
 District 7 Coalition of N.A.'s

Owner Address	Owner Address 2
3312 MANS RD NE	ALBUQUERQUE NM 87107
2724 VASSAR PL NE	ALBUQUERQUE NM 87107
3309 MANS RD NE	ALBUQUERQUE NM 87107-4816
PO BOX 880367	SAN DIEGO CA 92168
1005 8TH ST NW	ALBUQUERQUE NM 87102
4300 BRYN MAWR DR NE	ALBUQUERQUE NM 87198-8530
PO BOX 8530	MC LEAN VA 22102
1650 TYSONS BLVD SUITE 200	ALBUQUERQUE NM 87107
3313 MANS RD NE	ALBUQUERQUE NM 87107
4305 WELLESLEY DR NE	ALBUQUERQUE NM 87109
7116 ARROYO DEL OSO AVE NE	ALBUQUERQUE NM 87107
2723 VASSAR PL NE	ALBUQUERQUE NM 87102
308 HIGH ST SE	ALBUQUERQUE NM 87125-7690
PO DRAWER 27690	ALBUQUERQUE NM 87107-4761
4400 PAN AMERICAN FWY NE	ALBUQUERQUE NM 87199
PO BOX 90250	APTOS CA 95003
7255 VIEWPOINT RD	ALBUQUERQUE NM 87110
3405 STARDUST CT NE	ALBUQUERQUE NM 87107
2739 VASSAR PL NE	Albuquerque, NM 87 102
302 8th Street NW	Portland, OR 97239
4700 SW Macadam Avenue Suite 200	Albuquerque, NM 87 110
7713 Sierra Azul NE	Albuquerque, NM 87 112
1531 Espejo NE	