

# CITY OF ALBUQUERQUE



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

July 14, 2017

Buttry & Brown Dev. LLC  
Attn: Steve Buttry  
6520 Preston Way  
El Dorado Hills, CA 95762

**Project# 1011268**  
17EPC-40016 Zone Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

The above action for all or a portion of Tract 2-A-2-A, Black Ranch zoned SU-1 for C-1 Permissive Uses and Hotel not to exceed two stories and Restaurants with full service liquor to SU-1 for C-1 Permissive Uses and Hotel not to exceed two stories and Restaurants with full service liquor and Hospital located on Valley View Drive NW north of Paseo del Norte and east of Coors Blvd NW, containing approximately 1.40 acre(s). (C-13)  
Staff Planner: Michael Vos

PO Box 1293

Albuquerque On July 13, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project 1011268/17EPC-40016, a Zone Map Amendment (Zone Change), based on the following findings and subject to the following conditions of approval:

NM 87103

### FINDINGS:

1. This is a request for a Zone Map Amendment (Zone Change) for Tract 2-A-2-A, Black Ranch located on Valley View Drive NW, east of Coors Blvd NW and north of Paseo del Norte containing approximately 1.40 acres.
2. The subject site is currently zoned SU-1 for C-1 Permissive Uses and Hotel not to exceed two stories and Restaurants with full service liquor. The proposed zoning retains the SU-1 designation and currently allowed uses while adding an additional hospital use. Hospitals are a listed special use within the SU-1 zone and are not otherwise allowed in another zone under current regulations.
3. The existing SU-1 zoning is the original zoning of the subject site from annexation. Other recent requests near the subject included zone changes to facilitate development including for the

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shooting range to the northeast of the subject site (Project #1001206, 13EPC-40150) and for properties located east of the subject site (Project #1011130, 17EPC-40002).

4. In order to finalize the zone change, a Site Development Plan for Building Permit is required to be approved by the EPC within six months in accordance with Section 14-16-4-1 Amendment Procedure (C) (16). The applicant's intent is to bring forward an amendment to the site development plan for building permit that was approved for the existing retail store.
5. The 2017 Albuquerque/Bernalillo County Comprehensive Plan (Comprehensive Plan), West Side Strategic Plan, Coors Corridor Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within the Area of Change of the Comprehensive Plan. The request is in compliance with and furthers the following applicable goals and policies of the Comprehensive Plan:

**Plan Element 5: Land Use**

**Policy 5.1.6 Activity Centers:** Foster mixed-use centers of activity with a range of services and amenities that support healthy lifestyles and meet the needs of nearby residents and businesses. The request furthers Policy 5.1.6 because the subject site, while not within the designated Coors/Paseo del Norte activity center, is adjacent to the activity center within a commercial development, and the proposed use will provide new medical services to meet the needs of nearby residents.

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

- (a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.
- (b) The request furthers Policy 5.2.1 a) because the requested zone change will encourage development that will bring services that are easily accessed by all residents. The proposed use of the subject site will add to a mix of uses conveniently accessible from the Northwest Mesa and North Valley via Coors Blvd and Paseo del Norte.

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

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The request furthers Policy 5.3.1 because rezoning the subject site supports renovation of an existing building in an area with existing infrastructure including paved roads and utilities.

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

The request furthers Goal 5.4 because the zone change request will allow for a micro-hospital that will create additional high paying medical jobs west of the Rio Grande.

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

(c) Prioritize incentives and support for employers providing base employment on the West Side.

The request furthers Policy 5.4.2 c) because approval of the request supports the provision of jobs on the West Side.

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

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

(b) Encourage development that expands employment opportunities.

The request will allow for development of a micro-hospital that will provide additional employment opportunities in an area designated as an Area of Change that is currently dominated by retail and restaurant jobs thus furthering Policy 5.6.2 b).

(f) Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic.

The proposed use will have minimal impacts on adjacent properties. In particular, the tenant will enter into a contract with an ambulance company, which will minimize the noise and light impacts associated with such use thus furthering Policy 5.6.2 f).

(g) Encourage development where adequate infrastructure and community services exist.

The request furthers Policy 5.6.2 g) because the subject site is located in a developed area with existing infrastructure and community services.

(h) Encourage development in areas with a highly connected street grid and frequent transit service.

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The request furthers Policy 5.6.2 h) because the subject site is located just north of the intersection of Coors Blvd and Paseo del Norte, two major roadways, and multiple transit routes pass by the site along Coors Blvd.

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

The request furthers Policy 5.6.4 because the subject site does not immediately abut an Area of Consistency, but also the applicant is not proposing changes to the existing building height or massing as shown in the conceptual site plan and elevation drawings associated with this request. The existing site improvements provide an appropriate buffer between the residential uses to the east and the busy Coors Blvd roadway and other commercial development to the west.

Plan Element 11: Heritage Conservation

Policy 11.3.5 Sandia Mountains: Protect views of the Sandia Mountains from key vantages within public rights-of-way, along corridors, and from strategic locations as an important cultural feature of the region.

The request furthers Policy 11.3.5 because the subject is along Coors Boulevard and is subject to the Coors Corridor Plan view regulations through an approved Site Development Plan for Building Permit, and any future development or changes to the site must also comply through the site development plan process.

Plan Element 12: Infrastructure, Community Facilities & Services

Policy 12.3.3 Fire and Rescue: Provide comprehensive fire and rescue and emergency medical services to save and protect lives, property, and the environment in cooperation with the public and other agencies.

The request furthers Policy 12.3.3 because the proposed micro-hospital will provide additional emergency medical services not offered by urgent care clinics in an area where such services are not available in close proximity as the nearest hospitals – Lovelace Westside and Presbyterian Rust Medical Center – are located more than two miles away and there are no hospitals west of the Rio Grande located south of the subject site.

7. The subject site is within Paradise Community of the West Side Strategic Plan (WSSP) and furthers the following goals of the plan:

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**Plan Goal 6:** Protecting significant natural assets of the West Side (escarpment, bosque, open space, views, clean air and water) is a primary goal of long range planning efforts in the area. The request furthers Plan Goal 6 because changing the zoning for the proposed use will not impact the Bosque, open space, or views of the Sandia Mountains as the subject site is already developed and future development will be in conformance with an approved site development plan that will maintain view planes as also discussed in the finding for Comprehensive Plan Policy 11.3.5.

**Plan Goal 10:** The Plan should create a framework to build a community where its citizens can live, work, shop, play, and learn together while protecting the unique quality of life and natural and cultural resources for West Side residents.

The request furthers Plan Goal 10 because the proposed hospital use will complement other uses in the area, thus creating a more complete community where residents can live, work, shop, and play within the Paradise community area of the Westside Strategic Plan.

8. The request is within the boundaries of and generally furthers the Coors Corridor Plan by maintaining its limited access to Coors Boulevard, a principal arterial, and by providing a use designated in the plan as part of a workable land use program. The development will continue to comply with the Coors Corridor view regulations as any changes to the site will undergo a review as part of a Site Development Plan for Building Permit.
9. The zone change request has been justified pursuant to *R-270-1980* as follows:
  - A. The applicant's updated justification letter dated June 30, 2017 and the policies cited substantiate the claim that the request is consistent with the health, safety, morals, and general welfare of the city.
  - B. The proposed zoning will allow for the same uses as allowed by the current SU-1 zone plus a singular additional use as a hospital. Allowing the proposed micro-hospital will provide significant site improvements, stabilize the area with a long-term tenant, and provide needed services to the area leading to land use stability.
  - C. The request is consistent with and furthers adopted plans and policies, including the Comprehensive Plan, Westside Strategic Plan, and Coors Corridor Plan as summarized in Findings 6 through 8.
  - D. The existing zoning is inappropriate because it predates significant growth that has occurred in the area since the subject site was annexed. Changed community conditions include continued growth of both single-family and multi-family residential thus increased demand for medical services on the West Side. The requested zone will allow for development of a needed hospital use. In addition to changed community conditions, the

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proposed hospital use furthers numerous goals and policies of the Comprehensive Plan and other plans as shown in Findings 6 through 8, thus the request is more advantageous to the community.

- E. The proposed zone will allow for only one additional use from what is currently allowed at the subject site. That use, a hospital, will have minimal traffic impacts that are dispersed throughout the day and any noise and lights associated with the use will be minimal.
  - F. Approval of the requested amendment will not require any capital improvements because the site is located in an area that already has infrastructure.
  - G. Economic considerations are not the determining factor in the request, rather the request is justified based on changed community conditions and being more advantageous to the community in accordance with the policies of the Comprehensive Plan.
  - H. The request is not justified by its location along Coors Blvd. Instead, the request is justified based on changed community conditions and as being more advantageous to the community as articulated by the Comprehensive Plan.
  - I. While SU-1 zones are all "spot zones" by nature, the requested SU-1 zone is substantially similar to the surrounding zones that are also SU-1. In addition, the requested hospital use must be accomplished through the SU-1 zone in order to comply with the Zoning Code, and the applicant has justified the change showing that the proposed zone and use clearly facilitates realization of the Comprehensive Plan and other applicable plans as outlined in Findings 6 through 8.
  - J. The request is not for a strip of land along a street, so it does not constitute a request for strip zoning.
10. The Paradise Hills Civic Association, Riverfronte Estates Neighborhood Association, Taylor Ranch Neighborhood Association, and Westside Coalition of Neighborhood Associations were notified of the request, as well as property owners within 100 feet. A facilitated meeting was not recommended nor held for this request. There is no known opposition to the request.

**CONDITIONS:**

- 1. The required SU-1 Site Development Plan for Building Permit is delegated to staff because there is an existing previously approved site plan for the subject site and there are minimal proposed changes to the exterior of the building and site.
- 2. The site plan must be approved six months after the date of EPC approval, or the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

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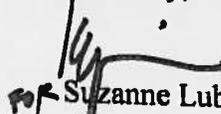
**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JULY 28, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced applications.

**ZONE MAP AMENDMENTS:** Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

Sincerely,

  
FOR Suzanne Lubar  
Planning Director

SL/MV

cc: Buttry & Brown Dev. LLC, Attn: Steve Buttry, 6520 Preston Way, El Dorado Hills, CA 95762  
Wilson & Co., Engineers & Architects, Donald Duneman, 4900 Lang Ave NE, ABQ, NM 87109  
Paradise Hills Civic Assoc, Tom Anderson, 10013 Plunkett Dr NW, ABQ, NM 87114  
Paradise Hills Civic Assoc, Maria Warren, 5020 Russell NW, ABQ, NM 87114  
Riverfronte Estates NA, Matt Dotson, 1739 Rusty Rd NW, ABQ, NM 87114  
Riverfronte Estates NA, JoAnn McNeil, 1610 Lyria Rd NW, ABQ, NM 87114  
Westside Coalition of NA's, Jerry Worrall, 1039 Pinatubo Pl NW, ABQ, NM 87120  
Westside Coalition of NA's, Harry Hendriksen, 10592 Rio Del Sole Ct NW, ABQ, NM 87114-2701  
Taylor Ranch, NA, Jolene Wolfley, 7216 Carson Trl NW, ABQ, NM 87120  
Taylor Ranch, Rene Horvath, 5515 Palomino Dr. NW, ABQ, NM 87120