



**Environmental
Planning
Commission**

**Agenda Number: 01
Project Number: 1011232
Case Number: 17EPC- 40011
Hearing Date: June 8, 2017**

Staff Report

Agent	Design Workshop
Applicant	Garcia Auto Group
Request	Zone Map Amendment (Zone Change)
Legal Description	Tracts 224D3B, 225B2A1A1 & 226C2B, 225B2A1A2, 225B2B, 225B2C, 225B2D, 225B2E, 225B2F & 225B2A2, 225B2G, 225B2H, 225B2I, 226A, 227, 228, 232, 233A, 236-A, 236-B, and Land of J A Garcia Tract A, MRGCD Map #35
Location	North of I-40 and East of Rio Grande Blvd between the Alameda Drain and Campbell Ditch
Size	20 acres
Existing Zoning	M-1 and R-1
Proposed Zoning	C-2 and R-2

Staff Recommendation

**APPROVAL of Project # 1011232
Case # 17EPC-40011
based on the
Findings and subject to the
Condition of Approval
included within this report**

**Staff Planner
Michael Vos, AICP – Planner**

Summary of Analysis

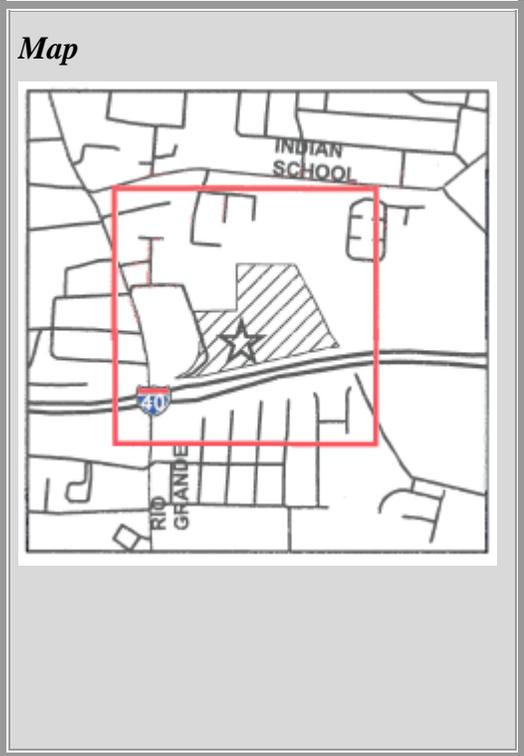
The request is for a Zone Map Amendment (Zone Change) for 21 contiguous parcels of land within MRGCD Map #35 containing approximately 20 acres.

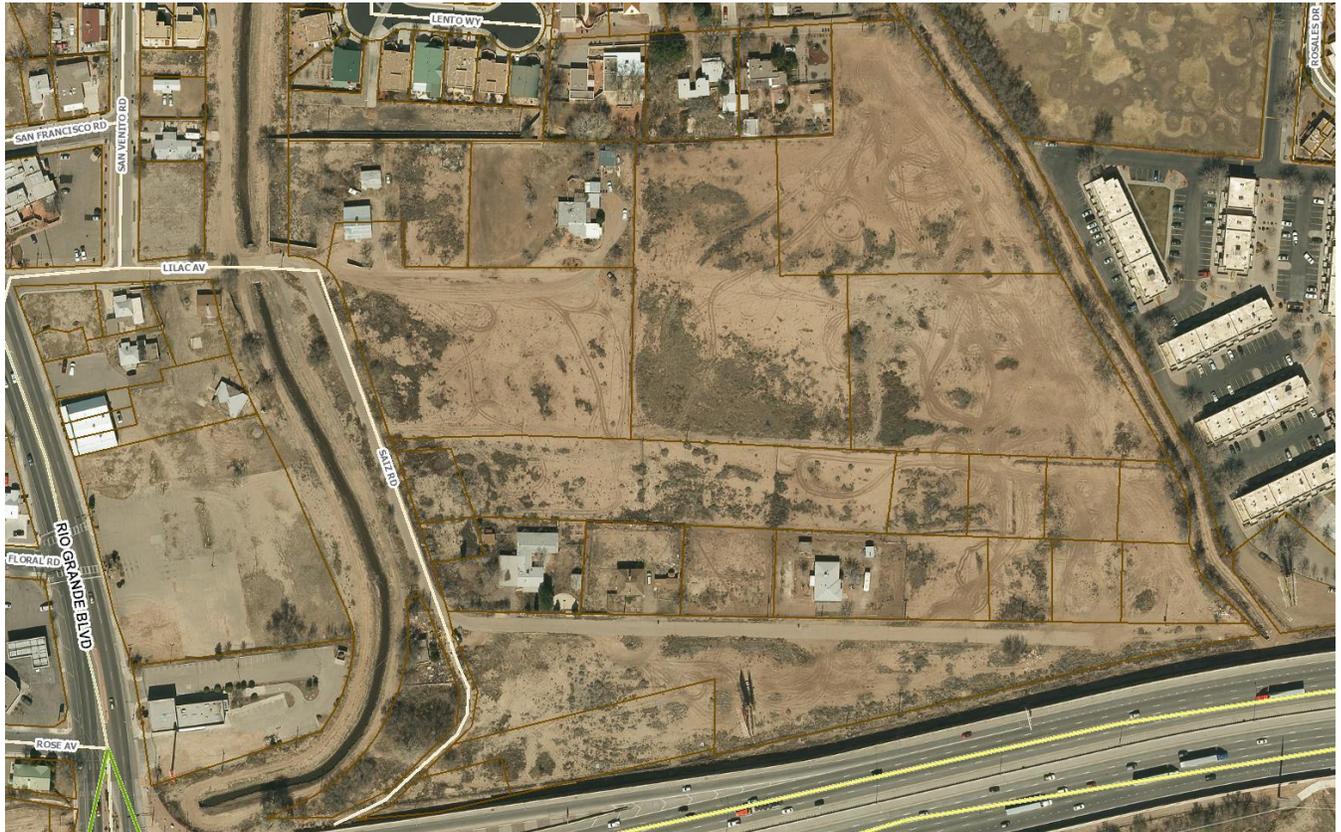
The applicant is proposing to change the zoning of the subject site from R-1 and M-1 to R-2 and C-2 to facilitate redevelopment of the subject site.

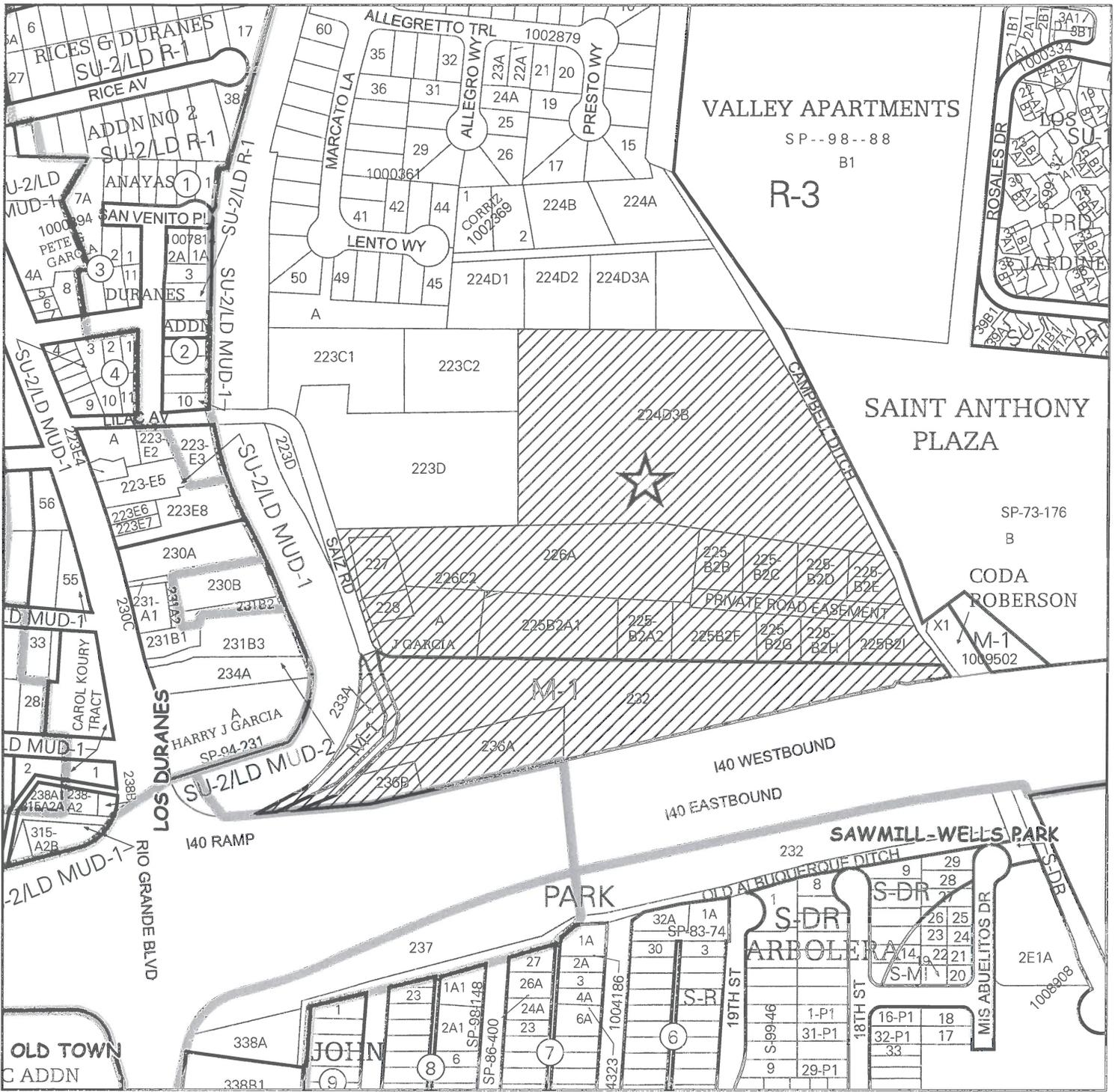
The request has been justified pursuant to R-270-1980 based on changed community conditions and the request being more advantageous to the community in accordance with the Comprehensive Plan and other applicable plans.

Six different neighborhood associations and property owners within 100 feet were notified and a facilitated meeting was held on May 23, 2017. There is known opposition to the request.

Staff recommends approval with the findings outlined in this report and subject to one condition of approval to replat the subject site in order to align the property lines with the new proposed zone boundaries.







ZONING MAP

Note: Grey shading indicates County.



1 inch = 300 feet

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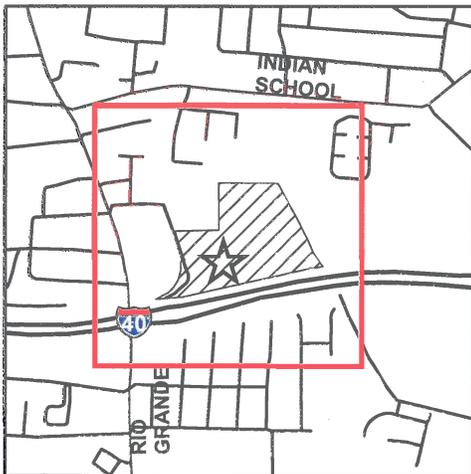
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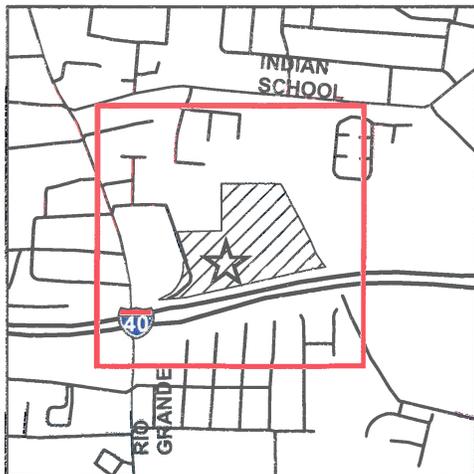
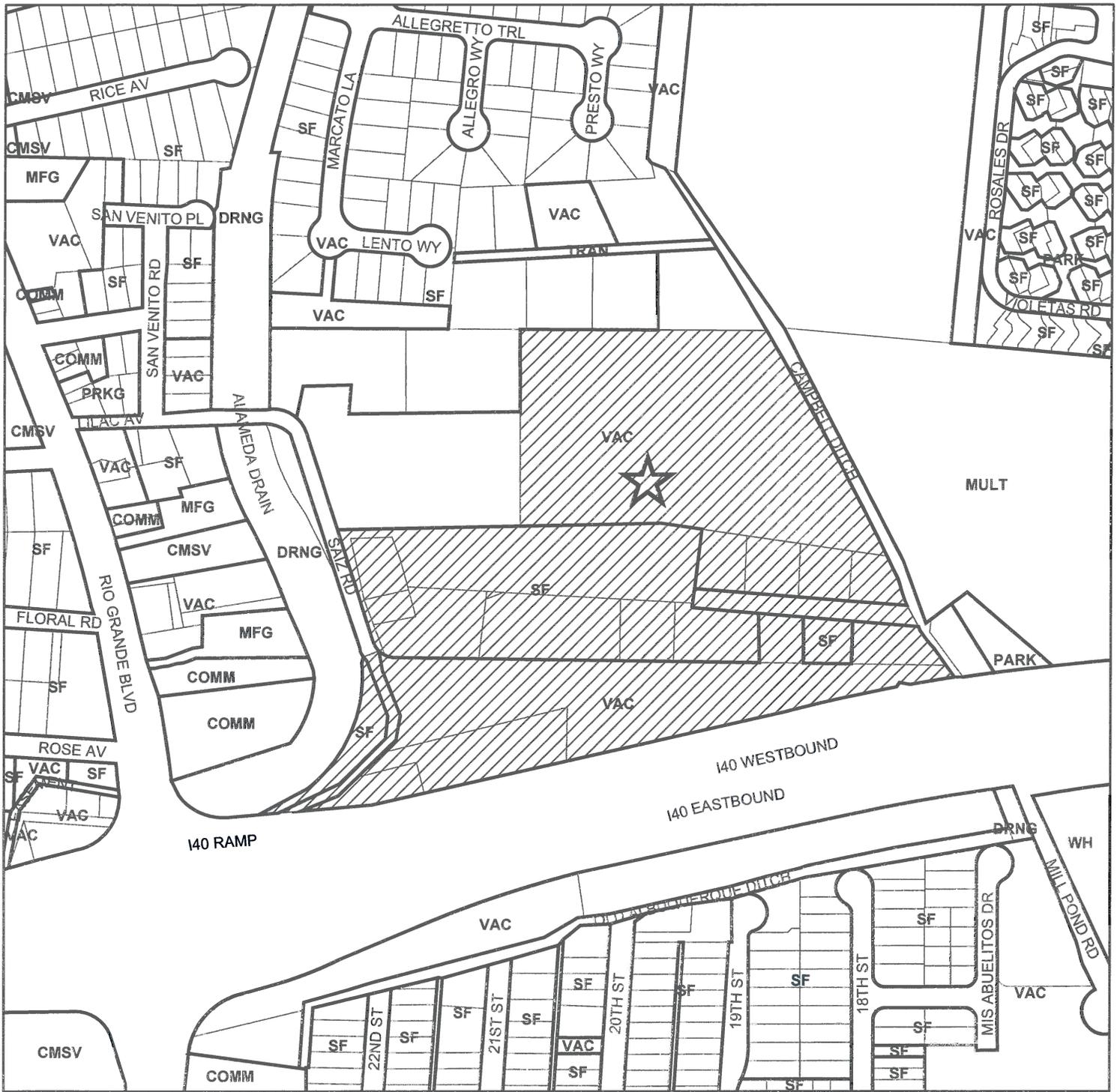
06/8/2017

Zone Map Page: H-13

Additional Case Numbers:

17EPC-40011





LAND USE MAP

Note: Grey 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

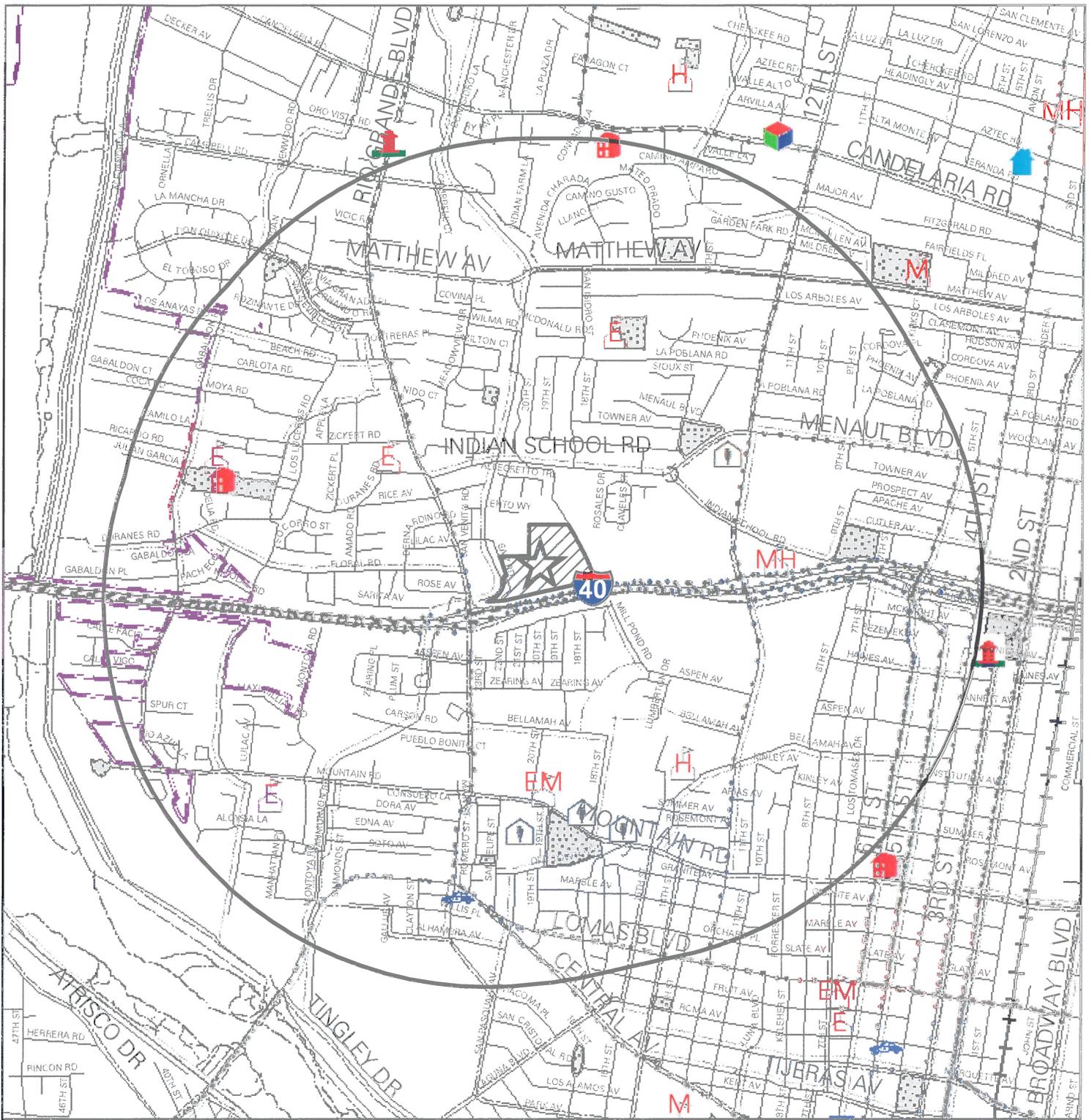


1 inch = 300 feet

Project Number:
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Public Facilities Map with One-Mile Buffer

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

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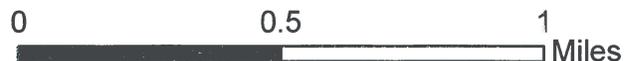


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I. INTRODUCTION

A. Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	M-1 and R-1	Area of Change and Area of Consistency; North Valley Area Plan (NVAP)	Vacant
North	R-1	Area of Consistency; NVAP	Single-Family Residential
South	S-R and S-DR	Area of Consistency; Sawmill-Wells Park SDP	Single-Family Residential
East	R-3	Area of Change; NVAP	Multi-Family Residential
West	SU-2 LD MUD-1 & MUD-2	Area of Change; NVAP; Los Duranes SDP & Rio Grande Blvd Corridor	Drainage, Commercial & Vacant

B. Proposal

The request is for a Zone Map Amendment (Zone Change) for 21 contiguous parcels of land within MRGCD Map #35, generally located to the north of Interstate 40 and east of Rio Grande Blvd between the Alameda Drain and Campbell Ditch containing approximately 20 acres (the “subject site”).

The property is currently zoned a combination of M-1 Light Industrial and R-1 Residential, and the applicant is proposing to change the zoning of 11.61 acres at the southern portion of the site to C-2 Community Commercial with approximately 7.85 acres of R-2 Residential located to the north of that. A portion of the subject properties closest to the existing single-family residential homes at the northern edge of the project are proposed to remain with R-1 zoning. The requested zones allow for a variety of commercial and residential uses, and the attached project letter indicates the applicant is exploring uses to include a grocery store and other retail options, a hotel, and a senior living facility.

C. EPC Role

The Environmental Planning Commission (EPC) is hearing this case because the EPC has the authority to hear all zone map amendment cases and make decisions on those cases that are for sites less than one block or 10 acres in size, or for any amendment not within a Sector Development Plan. As the subject property for this request is outside to boundaries of any Sector Plan, the EPC is the final decision-making body, unless the

decision is appealed, pursuant to Zoning Code Section 14-16-4-1 Amendment Procedure. If appealed, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council, which would make the final administrative decision pursuant to Zoning Code Section 14-16-4-4(A)(2) Appeal. This is a quasi-judicial matter.

D. History/Background

The R-1 zoning of the subject site is the original zoning of the property. The M-1 portion was also originally zoned R-1, but was subject to a zone change request in 1957 (Z-440). Plat maps included with the 1957 action show the properties before construction of Interstate 40 and other subsequent changes in the area.

E. Context

The subject site consists of approximately 20 acres of vacant land north of Interstate 40 between the Alameda Drain on the west and the Campbell Ditch to the east. Between the Alameda Drain and Rio Grande Blvd is commercially-zoned land within the Los Duranes Sector Development Plan (LSDSP) that is part of the overall development vision by the applicant, but is not part of this request. The zoning from the LSDSP for those properties is MUD-1 and MUD-2, which refer to the C-1 and C-2 categories of the Comprehensive Zoning Code, respectively. A portion of that land is also vacant, while a portion has recently been redeveloped with a restaurant and a small multi-tenant retail building.

To the east of the subject site across the Campbell Ditch are multiple existing multi-family apartment complexes with R-3 zoning. To the north is a combination of large lot single-family residential and smaller lot single-family within the private, gated Symphony community. The northwest corner of the subject site abuts a nearly 3 acre parcel of vacant land zoned R-1 that is not owned by the applicant and is not part of this request.

Finally, the subject site abuts Interstate 40 on its southern edge. Across I-40 is the Baron Burg Park and Arbolera de Vida subdivisions. Baron Burg Park is an older subdivision, while the Arbolera de Vida development is newer and part of the Sawmill Community Land Trust. Both subdivisions are within the Sawmill-Wells Park Sector Development Plan.

F. Transportation System

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

The LRRS designates Rio Grande Blvd as a Minor Arterial.

The LRRS designates Indian School Road over to Menaul Blvd as a Community Principal Arterial.

Interstate 40 is a limited-access freeway, and access to the subject site is currently from Lilac Ave and Saiz Road, which are both local roads.

G. Comprehensive Plan Corridor Designations

The Rio Grande Blvd and I-40 interchange is the nexus of three different corridor types in the Comprehensive Plan. Rio Grande Blvd immediately west of the subject site from I-40 going north and then east on Indian School Road is a Multi-Modal Corridor. Rio Grande Blvd south of I-40 and heading west on I-40 is designated a Major Transit Corridor. And I-40 east of Rio Grande Blvd is a Commuter Corridor.

H. Trails/Bikeways

There are existing bike lanes on Rio Grande Blvd, and a Complete Street Master Plan is being planned to enhance these facilities. Bike lanes are proposed for Indian School Road.

The Alameda Drain abuts the subject site on its west side, and a Master Plan has been created that calls for a paved multi-use trail paralleling the drain. The applicant has stated a desire to enhance that trail experience at their site.

Finally, a paved multi-use trail currently exists along the south side of I-40, connecting the Bosque Trail to Rio Grande and over to 7th Street. Future improvements would better connect this trail to the North Diversion Channel Trail.

I. Transit

The Route 36 bus travels down Rio Grande in one direction (counter-clockwise loop up 12th and down Rio Grande) with stops at Lilac and Floral closest to the subject site. ABQ Ride comments indicate a general level of support for additional housing density close to transit, as well as providing information that consideration is being given to “two-waying” this route.

J. Public Facilities/Community Services

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

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS AND POLICIES

A. Albuquerque Comprehensive Zoning Code

The current zoning of the subject site is a combination of R-1 and M-1. The R-1 zone is suitable for single-family houses, while the M-1 zone is suitable for heavy commercial and light manufacturing uses.

The proposed zoning is a combination of R-2 and C-2. The R-2 zone provides sites for houses, townhomes, and medium density apartments, while the C-2 zone generally allows for offices, most service and commercial activities, and some institutional uses.

Approval of the requested zones will allow for additional residential density at the subject site, as well as allow for a wider variety of commercial uses with less intensity than what could develop under the M-1 zoning. If approved, the C-2 zoning would qualify as a Shopping Center site, so those regulations would apply.

B. Definitions (Zoning Code Section 14-16-1-5)

SHOPPING CENTER SITE: A premises containing five or more acres; zoned P, C-1, C-2, C-3, M-1, M-2 or a combination thereof; or a large retail facility; but excluding premises used and proposed to be used only for manufacturing, assembling, treating, repairing, rebuilding, wholesaling, and warehousing.

C. Albuquerque / Bernalillo County Comprehensive Plan

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

The subject site is located in the areas designated Area of Change and Area of Consistency by the Comprehensive Plan. Applicable policies include:

Plan Element 5: Land Use

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

(c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The request furthers Policy 5.1.1 c) because the subject site is a large infill site in close proximity to multiple corridor types, including Major Transit, and the change in zoning will allow for additional employment and housing density in a location not at the urban edge.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

(b) Minimize negative impacts on nearby neighborhoods by providing transitions between development along Transit Corridors and abutting single-family residential areas.

The request furthers Policy 5.1.10 b) because the requested zone change creates a step-down from more intense commercial uses adjacent to I-40 and Rio Grande Boulevard to medium density residential down to single-family residential to the north.

(c) Encourage mixed-use development in Centers and near intersections.

The request furthers Policy 5.1.10 c) because the combination of Community Commercial and medium density multi-family development would foster more active mixed-use development near the intersection of three different Comprehensive Plan corridor types at the I-40 and Rio Grande Blvd interchange.

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.

The request furthers Policy 5.2.1 a) because the requested zone change will facilitate redevelopment of long vacant land with goods, services, and amenities that is accessible to nearby residents within the Los Duranes neighborhood, as well as farther away, via walking and along a number of existing and proposed bicycle facilities.

(b) Encourage development that offers choice in transportation, work areas, and lifestyles.

The request furthers Policy 5.2.1 b) because the subject site is within ¼ mile of multiple transit stops, adjacent to convenient bicycle facilities, and close to a major interchange between I-40 and an arterial roadway that offers easy access for automobiles allowing for choice in transportation and lifestyles for both those residents living in the proposed development and those who live elsewhere and will travel to the development for employment and other activities.

(d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request furthers Policy 5.2.1 d) because changing some of the zoning from R-1 to R-2 will allow for a wider variety of housing options than currently exists on the subject site including single-family houses, townhomes, and medium density apartments.

(e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request furthers Policy 5.2.1 e) because the combination of R-2 and C-2 zoning requested allows for a wide mix of uses that will benefit the surrounding neighborhoods that can access the site via automobile, transit, bicycle, or walking.

(f) Encourage higher density housing as an appropriate use in the following situations:

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

iv. In areas now predominately zoned single-family only where it comprises a complete block face and faces onto a similar or higher density development;

v. In areas where a transition is needed between single-family homes and much more intensive development;

The request furthers Policy 5.2.1 f) because it includes higher density housing at the subject site in an area with a mix of uses already established, infrastructure in place, is of a size comparable to an entire block face, and will abut and be a transition between more intensive commercial development and existing developed single-family homes.

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

The request furthers Policy 5.2.1 n) because it will facilitate redevelopment of long vacant and under-utilized lots.

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

The request furthers Policy 5.3.1 because rezoning the vacant subject site supports growth in an infill location surrounded by existing infrastructure including paved roads and various utilities.

Policy 5.6.1 Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan area as mapped in Figure 5-3.

(a) Maintain existing irrigation systems as Community Green Space and to help ensure agricultural lands in rural areas.

The request furthers Policy 5.6.1 a) because the development will maintain and enhance the Alameda Drain and Campbell Ditch adjacent to the subject site thus offering recreation and some visual relief from the surrounding urbanization, as well as contributing to the vision for this section of the Alameda Drain as described in the Alameda Drain and Trail Master Plan.

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 long vacant parcels with a more productive use, including commercial uses that will expand employment opportunities on land that is partially designated as an Area of Change thus furthering Policy 5.6.2 b).

(c) Foster a range of housing options at various densities according to each Center and Corridor type.

The request includes R-2 zoning, which allows for a variety of housing options and densities up to medium density apartments thus furthering Policy 5.6.2 c).

(d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

The request furthers Policy 5.6.2 d) because the combination of R-2 and C-2 zoning requested will allow for higher-density housing and mixed-use development that will support transit along Rio Grande Boulevard, as well as supporting the existing and future commercial and retail uses in the area.

(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 zoning steps down in intensity from south to north and development of the vacant parcels will add an additional buffer between the existing residential and Interstate 40. Future development proposals will need to address stormwater, lighting that is in compliance with Night Sky and zoning regulations, and traffic circulation. In particular, a Traffic Impact Study has begun to look at the best balance of density, access, parking, and traffic for the subject site and surrounding community and must be completed prior to development of the site 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 redevelopment of the subject site will utilize existing available infrastructure including water, sewer, and electricity, as well as better utilizing other existing services as an infill location rather than new edge development.

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

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

The requested R-2 and C-2 zones reinforce the surrounding context by allowing similar uses and intensities of development as the commercial zoning to the west and R-3 to the east, as well as creating a step-down transition of intensities to the existing R-1 located to the north of the subject site, so the request furthers Policy 5.6.3 b).

(c) Carefully consider zone changes from residential to non-residential zones in terms of scale, impact on land use compatibility with abutting properties, and context.

A portion of this request is to change the zoning from residential to commercial, and it has been considered carefully based on its context. The proposed zones are compatible with and reinforce the land uses on properties located immediately east and west of the subject site and step down in intensity to the properties to the north including leaving a portion of the applicant's property zoned R-1 to maintain land use compatibility thus furthering Policy 5.6.3 c).

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

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

The request furthers Policy 5.6.4 a) because the applicant has made a request with appropriate variations in housing densities and commercial intensity in appropriate locations as to effectively transition to the existing residential areas to the north of the subject site. In addition, the applicant will need to comply with all zoning standards for setbacks, height, landscaping, and buffering when the site is eventually developed.

Plan Element 9: Housing

Policy 9.1.1 Housing options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

(a) Increase the supply of housing that is affordable for all income levels.

The request furthers Policy 9.1.1 a) because the requested R-2 zone allows for a variety of housing types and densities such as single-family houses, townhomes, and apartments that allows for free-market housing options to suit various income levels.

(e) Provide for the development of quality housing for elderly residents.

The applicant indicates a desire to develop a senior living facility as allowed by the requested zoning that will provide for quality housing for elderly residents thus furthering Policy 9.1.1 e).

(i) Provide for the development of multi-family housing close to public services, transit, and shopping.

The request for R-2 adjacent to C-2 will allow for development of multi-family housing immediately adjacent to shopping options, and the proposed development will be in close proximity to transit options along Rio Grande Boulevard, so the request furthers Policy 9.1.1 i).

Policy 9.3.2 Other areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

(a) Encourage higher density residential and mixed use development as appropriate uses near existing public facilities, educational facilities, job centers, social services, and shopping districts.

The proposed mixed-use development is near to existing public facilities, educational facilities, job centers, and shopping districts such as Duranes Elementary School, which has capacity, the Indian Pueblo Cultural Center and new development along 12th Street between Menaul and I-40, and Old Town thus furthering Policy 9.3.2 a).

(b) Encourage multi-family and mixed use development in areas where a transition is needed between single-family homes and more intense development.

The request furthers Policy 9.3.2 b) because the proposed multi-family zoning is a transition between existing single-family residential and the proposed C-2 zoning and the Interstate 40 corridor.

Plan Element 10: Parks and Open Space

Policy 10.1.1 Distribution: Improve the community's access to recreational opportunities by balancing the City and County's parks and Open Space systems with the built environment.

The requested zone change will help better balance the parks and Open Space system by establishing more active commercial uses adjacent to the Alameda Drain and Trail system, which will encourage more users and activation of the future trail facility thus furthering Policy 10.1.1.

Plan Element 12: Urban Design

Policy 12.1.5 Irrigation System: Coordinate with MRGCD and other stakeholders to protect the irrigation system.

The request furthers Policy 12.1.5 because, in addition to being a stakeholder as a property owner abutting the Alameda Drain, the applicant has forged a relationship with MRGCD to support and protect the irrigation system abutting the subject site by improving access and generally supporting development of the Alameda Drain and Trail Master Plan.

Plan Element 13: Resilience and Sustainability

Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.

(b) Protect public health, safety, and welfare by discouraging incompatible land uses in close proximity, such as housing and industrial activity.

The request furthers Policy 13.5.1 b) because it will replace an incompatible industrial zone that is currently adjacent to residential with a more appropriate commercial zone, while creating an effective transition from the busy I-40 corridor and the commercial zoning down to the lower density single-family residential north of the subject site.

D. North Valley Area Plan (Rank 2)

The North Valley Area Plan was adopted in 1993 and lays out goals and policies to address issues identified by the community through the North Valley Citizens' Advisory Task Force and technical staff and preserve the unique qualities of the North Valley.

The request generally furthers the North Valley Area Plan goals and policies by providing a variety of choices for housing and lifestyles, planning to address land use conflicts such as between industrial and residential zoning, redevelopment of vacant land, promoting higher density development where there is adequate infrastructure, encouraging mixed use development, and promoting development that encourages more sustainable transportation options.

E. Alameda Drain and Trail Master Plan

The Alameda Drain & Trail Master Plan was adopted in late 2016 and creates a vision and implementation plan for the creation of a multi-use trail along the Alameda Drain Corridor.

The Alameda Drain and Trail Master Plan is primarily concerned with the design and routing of the proposed trail along the Alameda Drain, but it contemplated the future development of the subject site in its narrative stating the southern portion of the trail is fronted by vacant properties “with potential commercial uses.” The request furthers the Master Plan because the proposed development offers an opportunity to create additional amenities along the trail corridor, as well as provide access and a destination for future trail users.

F. 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; 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.

G. 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 zone change from M-1 and R-1 to Medium Density Residential (R-2) and Commercial (C-2) greatly improves the health, safety, morals, and welfare of the city, especially in the Los Duranes Neighborhood and Near North Valley Neighborhood. The zone change will allow for infill development consistent with the visions of the local community, Albuquerque’s Comprehensive Plan, Los Duranes Sector Plan, as well as the North Valley Area Plan for the site. The development will offer employment opportunities, dining opportunities, overnight lodging, and high-quality attainable housing options, as well as a much-needed grocery store. The site will serve the community, including 1,347 residents who currently reside within a 10-minute walk-shed.

The development anticipates that community health will improve because the new community destination is situated within a walkable and bikeable community where residents can access fresh food options and recreation opportunities along the cherished acequias. In addition, reconfiguring the zoning adjacencies in the zone map amendment area contribute to public health. The proposal removes the harmful adjacency of M-1 and R-1 and buffers the residential areas at a greater distance from the pollutants from Interstate 40.

The development will improve safety for community members by activating a long-abandoned and under-utilized landscape in the city. Currently in this area, reports of non-violent crimes and dilapidation among the homes on the site signal neglect and could lead to more unwanted community outcomes. The development will bring life back to these parcels and activate them throughout the day and into the evening, thus discouraging dubious behavior.

The proposal is aligned with the morals of the city. The development is an ideal scale and will offer basic services in addition to appropriate and desirable retail. In addition, this zoning proposal is a result of genuine conversations with the surrounding communities to arrive at a zoning approach that works for everyone now, and in the future. In addition, this zone map amendment proposal is aligned with the Comprehensive Plan, which illustrates an alignment with the morals of the city.

The development contributes to the general welfare within the community by offering employment opportunities, basic services such as a grocery store, and future retail and residential development within the area. Throughout the response to 270-1980, please refer to the above "Policy Analysis" for examples of the zone change contributing to the preponderance of specific Comprehensive Plan policies.

The applicant's justification letter and the policies cited substantiate the claim that the request is consistent with the health, safety, morals, and general welfare of the city.

- 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 zoning change contributes to the stability of land use and zoning within the area. The context of the development borders a Special Use zone along Rio Grande Boulevard, a Low Density Residential zone to the north, and a Medium Density Residential zone to the east. Currently, a Light Manufacturing zone exists to the south along Interstate 40, an incompatible use. This proposal seeks to provide the same logic to the zoning of this site that is described in the recently-adopted Comprehensive Plan. We assert that this zoning proposal contributes to the stability of the land use on this site and the introduction of a zoning strategy that is more compatible with the surrounding neighborhood compared to the existing zoned manufacturing area and the low-density residential. The current land use can be

considered unstable based on the fragmented development on the vacant and under-utilized parcels that has occurred thus far.

The proposed rezoning is a result of studying the zoning patterns of the surrounding community, in addition to meeting with community members to learn about their perception of the infill development concept. After integrating community members' concerns and learning the zoning patterns, the development team proposes to blend densities so that the lower densities about low density and the high densities about higher densities. A medium density zone change is proposed as a transition between the low density residential and the commercial zone. This application proposes a C-2 zone to the south that is adjacent to Interstate 40 and existing SU zone to the west. Just to the north of the C-2, an R-2 zone is proposed. The R-2 functions as a transition to some remaining R-1 area but also responds to the existing R-3 zone adjacent to the east.

Therefore, the Light Manufacturing zone and low-density housing designations are not only incompatible adjacencies but they no longer serve the needs of the community since housing diversity and retail options are more appropriate for this site.

The proposed zoning categories allow for the same or less intense uses as those surrounding the subject site – commercial to the west and multi-family residential to the east – and the request lays them out in a thoughtful manner stepping the intensity of the freeway to commercial zoning, followed by a medium density multi-family transition to the existing single-family residential located to the north of the subject site, which improves land use stability not found with vacant properties and industrial zoning adjacent to single-family residential.

- 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 the policy analysis section of the staff report, as well as the applicant's justification letter for a thorough review of applicable plans and policies.

- 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 existing zoning at the Rio Grande Crossing site is, in part, inappropriate because of "changed neighborhood or community conditions." In 2012, the Los Duranes Neighborhood Plan was adopted by the City of Albuquerque and the Board of County Commissioners. The zone map amendment area is adjacent to this sector plan

between Rio Grande Boulevard and the Alameda Drain, with Special Use zoning allowing for diverse development. This proposal seeks to build upon the catalyzing opportunities along Rio Grande Crossing by extending some of the dining and retail areas within the Los Duranes Special Use zone into the core of the site using a Commercial zoning strategy east of the Alameda Drain. The zoning proposal transitions from Commercial to Medium Density residential. From, the Medium Density residential, the development then transitions to an existing Low Density residential. The site borders an existing Low-Density residential area to the north and successfully transitions to this density in a logical, thoughtful way, in accordance with the Comprehensive Plan. The neighbors' support of this development hinges on the zoning transitions proposed for the site.

The existing zoning in this area is M-1 to the south and R-1. Many of these parcels have remained undeveloped or underdeveloped for many years. Since these parcels have not been developed under existing zoning, then by rezoning the parcels, new opportunities arise. By introducing compatible zoning categories of commercial and medium-density residential with a development vision, the site can better serve the community.

The proposed rezoning will be more advantageous to the community and is aligned with the Comprehensive Plan.

The existing zoning is inappropriate because it predates significant changes in the area, as well as the existing M-1 in particular being in an inappropriate location abutting single-family residential. Changed community conditions include the routing of Interstate 40 and the adoption of the Los Duranes Sector Development Plan by the City. The industrial zoning of the subject site was bisected by Interstate 40 when the highway was built, and the remaining portion is too small and inappropriately close to residential to be properly developed and utilized. Adoption of the plan, which affected the properties on the west side of the Alameda Drain and are not a part of this request, created zoning along Rio Grande Boulevard that allows for a mix of uses. The requested zone change would extend a mix of commercial and residential uses farther east and could lead to a more cohesive development with those other properties to the west. In addition, as shown in the policy analysis, the request furthers numerous policies of the Comprehensive Plan and generally supports the North Valley Area Plan and Alameda Drain and Trail Master Plan, so the requested use categories are more advantageous to the community.

- 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 development's proposed zoning change will not permit uses that would be "harmful to adjacent property, the neighborhood, or the community." Instead, the development team believes that the current zoning has proven to create harmful adjacencies for the surrounding context due to the undeveloped and underdeveloped parcels within the site. This vacancy and under-utilization leads to deterioration of

existing structures, trespassing, and non-violent crime. The approach of establishing the zoning proposal for this site resulted from studying the context land uses surrounding the site and integrating the policies set forth in the Comprehensive Plan. The zoning proposed in this application is reflective of the land use, scale, and character of those on immediately adjacent properties.

In a scenario where the parcels were to be developed under the existing zone map and zoning code, the M-1 parcels would present serious harm to the existing and adjacent R-1 parcels. The parcels zoned for Light Manufacturing Zone could introduce the following uses such as (4) automotive sales, rentals, service, repair, and storage or (5) automotive dismantling or (6) commercial agricultural activity and incidental structures (8) manufacturing, assembling, treating, repairing, or rebuilding articles. Many of these uses may have an enclosed 36-foot tall building and six foot walls. With noise, pollution, and land use that does not improve quality of life and access to basic services, the M-1 zone and R-1 zone combination offer a scenario of gross incompatibility. In comparison, the C-2, R-2, and R-1 development proposal is much more aligned with the Comprehensive Plan and the vision of the community members.

By expanding upon the surrounding development patterns with C-2 and R-2, the harmful adjacencies of M-1 and R-1 can be avoided. Although, the SU area within the Garcia Family parcels is underutilized and currently under development, these parcels have not proven harmful to the community. The existing SU zone indicates the compatibility of the future C-2 zone and provides an adequate benchmark. This development proposes to contribute to the diverse housing types mentioned in the Comprehensive Plan in order to accommodate shifting housing needs and demands for the future of Albuquerque.

The proposed R-2 and C-2 zones allow uses that will not be harmful to the adjacent property, neighborhood, or community because the uses of these two zones are the same or less harmful than the uses already allowed on the subject site in the M-1 zone or in the adjacent R-3 zone to the east and the SU-2 LD MUD-2, which refers to the C-2 zone to the west.

- 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 proposed zone change will not require major or unprogrammed capital improvements by the city. Expansion of any existing infrastructure and services will be the responsibility of the owner.

Approval of the requested amendment will not require any capital improvements because the site is located in an area that already has infrastructure. If future

development requires additional infrastructure the applicant will have to make those improvements themselves.

- 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 determining factor for the use change is not the cost of land or other economic considerations. The main motivation for the zone change is to provide a development for the community that offers basic services, retail options, employment opportunities, and high-quality housing communities. In addition, planned senior housing will allow area residents to age in place.

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

The proposed rezoning areas of the development are not located on a collector or major street.

The subject site does not front directly onto any major street except for I-40, which does not allow for direct access, and the request is not justified by the location. The request is justified based on changed community conditions and as being more advantageous to the community as articulated by the Comprehensive Plan.

- 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.

Does not apply.

The request is not creating a small area of zoning different from the surrounding zoning, so the request 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.

Does not apply.

The request is not for a strip of land along a street, so it does not constitute a request for strip zoning.

III.AGENCY & NEIGHBORHOOD CONCERNS

A. Reviewing Agencies

The Municipal Development Department and NMDOT submitted comments regarding transportation issues, but a TIS was not required for the zone change request, and those comments will be addressed by the TIS and related improvements. A TIS will be complete prior to development of the site. Other agency comments can be found at the end of this report.

B. Neighborhood/Public

The Near North Valley, Sawmill Area, Los Duranes, and West Old Town Neighborhood Associations, Symphony HOA, and the North Valley Coalition were notified of the request, as well as property owners within 100 feet.

A facilitated meeting was recommended for the request based on the size of the site and the early interest from neighbors. The facilitated meeting was held on May 23, 2017 and the meeting report is attached to this staff report. The primary concern with the request brought up at the facilitated meeting is related to traffic and the impacts development of commercial uses on the subject site will have on Rio Grande Blvd and the I-40 interchange, including a request that the application be deferred until a TIS can be completed. Other questions and comments included discussion about the height and density allowed by the R-2 zone, as well as the possibility of a grocery store and what type it could be. Finally, comments were made that more neighborhood input should be solicited for this request.

Staff has talked with 8 individuals about the request in person or over the phone as of the writing of this report. Five letters of support have been received, as well as four letters in opposition to the request – two of which are from the owner and family of the closest neighboring R-1 zoned properties. The letters in opposition question the intensity and allowed uses of the C-2 zone with some suggesting that the C-1 Neighborhood

Commercial zone may be more appropriate in this location, as well as reiterate the traffic concerns that were discussed extensively at the facilitated meeting.

IV. CONCLUSION

The request is for a Zone Map Amendment (Zone Change) for 21 contiguous parcels of land within MRGCD Map #35, generally located to the north of Interstate 40 and east of Rio Grande Blvd between the Alameda Drain and Campbell Ditch containing approximately 20 acres (the “subject site”).

The property is currently zoned a combination of M-1 Light Industrial and R-1 Residential, and the applicant is proposed to change the zoning of 11.61 acres at the southern portion of the site to C-2 Community Commercial with approximately 7.85 acres of R-2 Residential located to the north of that. A portion of the subject properties closest to the existing single-family residential homes at the northern edge of the project are proposed to remain with R-1 zoning. The requested zones allow for a variety of commercial and residential uses, and the attached project letter indicates the applicant is exploring uses to include a grocery store and other retail options, a hotel, and a senior living facility.

The request is generally consistent with and furthers numerous goals of the updated 2017 Comprehensive Plan, and is well justified in accordance with R-270-1980.

In order to align the proposed zoning boundaries with property lines, a condition for a replat is suggested.

Staff recommends approval of the request based on the findings and subject to the condition of approval outlined in this report.

FINDINGS, Zone Map Amendment

Project # 1011232, Case # 17EPC-40011

1. This is a request for a Zone Map Amendment (Zone Change) for Tracts 224D3B, 225B2A1A1 & 226C2B, 225B2A1A2, 225B2B, 225B2C, 225B2D, 225B2E, 225B2F & 225B2A2, 225B2G, 225B2H, 225B2I, 226A, 227, 228, 232, 233A, 236-A, 236-B, and Land of J A Garcia Tract A, MRGCD Map #35 located north of Interstate 40 and east of Rio Grande Blvd between the Alameda Drain and Campbell Ditch and containing approximately 20 acres.
2. The subject site is currently zoned a combination of R-1 (Residential Zone) and M-1 (Light Industrial Zone). The request is for a zone change for approximately 11.61 acres to C-2 (Community Commercial Zone) and 7.85 acres to R-2 (Residential Zone). The R-2 zone would allow townhomes and apartments in addition to what is currently allowed under the R-1 designation, and the C-2 zone would allow for a wide variety of office, commercial and service, and some institutional uses generally of a lower intensity than is allowed by the existing M-1 zone.
3. The existing R-1 zoning is the original zoning of the subject site. The M-1 zoning was the subject of a zone change request in 1957 (Z-440) and pre-dated the existence of I-40.
4. The 2017 Albuquerque/Bernalillo County Comprehensive Plan (Comprehensive Plan), North Valley Area Plan, Alameda Drain and Trail Master Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is just northwest of the I-40 and Rio Grande Blvd interchange, which is the nexus of three Comprehensive Plan Corridors. Rio Grande Blvd immediately west of the subject site from I-40 going north and then east on Indian School Road, which is a Multi-Modal Corridor, Rio Grande Blvd south of I-40 and heading west on I-40 is a Major Transit Corridor, and I-40 east of Rio Grande Blvd is a Commuter Corridor.
6. The subject site is within both the Area of Change and the Area of Consistency of the Comprehensive Plan. The request is in compliance with and furthers the following applicable goals and policies of the Comprehensive Plan:

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

(c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The request furthers Policy 5.1.1 c) because the subject site is a large infill site in close proximity to multiple corridor types, including Major Transit, and the change in zoning will allow for additional employment and housing density in a location not at the urban edge.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

(b) Minimize negative impacts on nearby neighborhoods by providing transitions between development along Transit Corridors and abutting single-family residential areas.

The request furthers Policy 5.1.10 b) because the requested zone change creates a step-down from more intense commercial uses adjacent to I-40 and Rio Grande Boulevard to medium density residential down to single-family residential to the north.

(c) Encourage mixed-use development in Centers and near intersections.

The request furthers Policy 5.1.10 c) because the combination of Community Commercial and medium density multi-family development would foster more active mixed-use development near the intersection of three different Comprehensive Plan corridor types at the I-40 and Rio Grande Blvd interchange.

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.

The request furthers Policy 5.2.1 a) because the requested zone change will facilitate redevelopment of long vacant land with goods, services, and amenities that is accessible to nearby residents within the Los Duranes neighborhood, as well as farther away, via walking and along a number of existing and proposed bicycle facilities.

(b) Encourage development that offers choice in transportation, work areas, and lifestyles.

The request furthers Policy 5.2.1 b) because the subject site is within ¼ mile of multiple transit stops, adjacent to convenient bicycle facilities, and close to a major interchange between I-40 and an arterial roadway that offers easy access for automobiles allowing for choice in transportation and lifestyles for both those residents living in the proposed development and those who live elsewhere and will travel to the development for employment and other activities.

(d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request furthers Policy 5.2.1 d) because changing some of the zoning from R-1 to R-2 will allow for a wider variety of housing options than currently exists on the subject site including single-family houses, townhomes, and medium density apartments.

(e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request furthers Policy 5.2.1 e) because the combination of R-2 and C-2 zoning requested allows for a wide mix of uses that will benefit the surrounding neighborhoods that can access the site via automobile, transit, bicycle, or walking.

(f) Encourage higher density housing as an appropriate use in the following situations:

- iii. In areas where a mixed density pattern is already established by zoning or by use, where it is compatible with existing area land uses, and where adequate infrastructure is or will be available;
- iv. In areas now predominately zoned single-family only where it comprises a complete block face and faces onto a similar or higher density development;
- v. In areas where a transition is needed between single-family homes and much more intensive development;

The request furthers Policy 5.2.1 f) because it includes higher density housing at the subject site in an area with a mix of uses already established, infrastructure in place, is of a size comparable to an entire block face, and will abut and be a transition between more intensive commercial development and existing developed single-family homes.

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

The request furthers Policy 5.2.1 n) because it will facilitate redevelopment of long vacant and under-utilized lots.

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

The request furthers Policy 5.3.1 because rezoning the vacant subject site supports growth in an infill location surrounded by existing infrastructure including paved roads and various utilities.

Policy 5.6.1 Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan area as mapped in Figure 5-3.

(a) Maintain existing irrigation systems as Community Green Space and to help ensure agricultural lands in rural areas.

The request furthers Policy 5.6.1 a) because the development will maintain and enhance the Alameda Drain and Campbell Ditch adjacent to the subject site thus offering recreation and some visual relief from the surrounding urbanization, as well as contributing to the vision for this section of the Alameda Drain as described in the Alameda Drain and Trail Master Plan.

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 long vacant parcels with a more productive use, including commercial uses that will expand employment opportunities on land that is partially designated as an Area of Change thus furthering Policy 5.6.2 b).

(c) Foster a range of housing options at various densities according to each Center and Corridor type.

The request includes R-2 zoning, which allows for a variety of housing options and densities up to medium density apartments thus furthering Policy 5.6.2 c).

(d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

The request furthers Policy 5.6.2 d) because the combination of R-2 and C-2 zoning requested will allow for higher-density housing and mixed-use development that will support transit along Rio Grande Boulevard, as well as supporting the existing and future commercial and retail uses in the area.

(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 zoning steps down in intensity from south to north and development of the vacant parcels will add an additional buffer between the existing residential and Interstate 40. Future development proposals will need to address stormwater, lighting that is in compliance with Night Sky and zoning regulations, and traffic circulation. In particular, a Traffic Impact Study has begun to look at the best balance of density, access, parking, and traffic for the subject site and surrounding community and must be completed prior to development of the site 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 redevelopment of the subject site will utilize existing available infrastructure including water, sewer, and electricity, as well as better utilizing other existing services as an infill location rather than new edge development.

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

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

The requested R-2 and C-2 zones reinforce the surrounding context by allowing similar uses and intensities of development as the commercial zoning to the west and R-3 to the east, as well as creating a step-down transition of intensities to the existing R-1 located to the north of the subject site, so the request furthers Policy 5.6.3 b).

(c) Carefully consider zone changes from residential to non-residential zones in terms of scale, impact on land use compatibility with abutting properties, and context.

A portion of this request is to change the zoning from residential to commercial, and it has been considered carefully based on its context. The proposed zones are compatible with and reinforce the land uses on properties located immediately east and west of the subject site and step down in intensity to the properties to the north including leaving a portion of the applicant's property zoned R-1 to maintain land use compatibility thus furthering Policy 5.6.3 c).

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

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

The request furthers Policy 5.6.4 a) because the applicant has made a request with appropriate variations in housing densities and commercial intensity in appropriate locations as to effectively transition to the existing residential areas to the north of the subject site. In addition, the applicant will need to comply with all zoning standards for setbacks, height, landscaping, and buffering when the site is eventually developed.

Policy 9.1.1 Housing options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

(a) Increase the supply of housing that is affordable for all income levels.

The request furthers Policy 9.1.1 a) because the requested R-2 zone allows for a variety of housing types and densities such as single-family houses, townhomes, and apartments that allows for free-market housing options to suit various income levels.

(e) Provide for the development of quality housing for elderly residents.

The applicant indicates a desire to develop a senior living facility as allowed by the requested zoning that will provide for quality housing for elderly residents thus furthering Policy 9.1.1 e).

(i) Provide for the development of multi-family housing close to public services, transit, and shopping.

The request for R-2 adjacent to C-2 will allow for development of multi-family housing immediately adjacent to shopping options, and the proposed development will be in close proximity to transit options along Rio Grande Boulevard, so the request furthers Policy 9.1.1 i).

Policy 9.3.2 Other areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

(a) Encourage higher density residential and mixed use development as appropriate uses near existing public facilities, educational facilities, job centers, social services, and shopping districts.

The proposed mixed-use development is near to existing public facilities, educational facilities, job centers, and shopping districts such as Duranes Elementary School, which has capacity, the Indian Pueblo Cultural Center and new development along 12th Street between Menaul and I-40, and Old Town thus furthering Policy 9.3.2 a).

(b) Encourage multi-family and mixed use development in areas where a transition is needed between single-family homes and more intense development.

The request furthers Policy 9.3.2 b) because the proposed multi-family zoning is a transition between existing single-family residential and the proposed C-2 zoning and the Interstate 40 corridor.

Policy 10.1.1 Distribution: Improve the community's access to recreational opportunities by balancing the City and County's parks and Open Space systems with the built environment.

The requested zone change will help better balance the parks and Open Space system by establishing more active commercial uses adjacent to the Alameda Drain and Trail system, which will encourage more users and activation of the future trail facility thus furthering Policy 10.1.1.

Policy 12.1.5 Irrigation System: Coordinate with MRGCD and other stakeholders to protect the irrigation system.

The request furthers Policy 12.1.5 because, in addition to being a stakeholder as a property owner abutting the Alameda Drain, the applicant has forged a relationship with MRGCD to support and protect the irrigation system abutting the subject site by improving access and generally supporting development of the Alameda Drain and Trail Master Plan.

Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.

(b) Protect public health, safety, and welfare by discouraging incompatible land uses in close proximity, such as housing and industrial activity.

The request furthers Policy 13.5.1 b) because it will replace an incompatible industrial zone that is currently adjacent to residential with a more appropriate commercial zone, while

creating an effective transition from the busy I-40 corridor and the commercial zoning down to the lower density single-family residential north of the subject site.

7. The subject site is within the boundaries of the North Valley Area Plan. The request generally furthers the North Valley Area Plan goals and policies by providing a variety of choices for housing and lifestyles, planning to address land use conflicts such as between industrial and residential zoning, redevelopment of vacant land, promoting higher density development where there is adequate infrastructure, encouraging mixed use development, and promoting development that encourages more sustainable transportation options.
8. The subject site abuts the Alameda Drain on its west side, so considerations of the Alameda Drain and Trail Master Plan apply. The Alameda Drain and Trail Master Plan is primarily concerned with the design and routing of the proposed trail along the Alameda Drain, but it contemplated the future development of the subject site in its narrative stating the southern portion of the trail is fronted by vacant properties “with potential commercial uses.” The request furthers the Master Plan because the proposed development offers an opportunity to create additional amenities along the trail corridor, as well as provide access and a destination for future trail users.
9. The zone change request has been justified pursuant to *R-270-1980* as follows:
 - A. The applicant’s justification letter and the policies cited and analyzed in Findings 6 through 8 substantiate the claim that the request is consistent with the health, safety, morals, and general welfare of the city.
 - B. The proposed zoning categories allow for the same or less intense uses as those surrounding the subject site – commercial to the west and multi-family residential to the east – and the request lays them out in a thoughtful manner stepping the intensity of the freeway to commercial zoning, followed by a medium density multi-family transition to the existing single-family residential located to the north of the subject site, which improves land use stability not found with vacant properties and industrial zoning adjacent to single-family residential.
 - C. The request is consistent with and furthers adopted plans and policies, including the Comprehensive Plan, North Valley Area Plan, and Alameda Drain and Trail Master Plan as summarized in Findings 6 through 8.
 - D. The existing zoning is inappropriate because it predates significant changes in the area, as well as the existing M-1 in particular being in an inappropriate location abutting single-family residential. Changed community conditions include the routing of Interstate 40 and the adoption of the Los Duranes Sector Development Plan by the City. The industrial zoning of the subject site was bisected by Interstate 40 when the highway was built, and the remaining portion is too small and inappropriately close to residential to be properly developed and utilized. Adoption of the plan, which affected the properties on the west side of the Alameda Drain and are not a part of this request, created zoning along Rio Grande Boulevard that allows for a mix of uses. The requested zone change would extend a mix of commercial and residential

- uses farther east and could lead to a more cohesive development with those other properties to the west. In addition, as shown in the policy analysis, the request furthers numerous policies of the Comprehensive Plan and generally supports the North Valley Area Plan and Alameda Drain and Trail Master Plan, so the requested use categories are more advantageous to the community.
- E. The proposed R-2 and C-2 zones allow uses that will not be harmful to the adjacent property, neighborhood, or community because the uses of these two zones are the same or less harmful than the uses already allowed on the subject site in the M-1 zone or in the adjacent R-3 zone to the east and the SU-2 LD MUD-2, which refers to the C-2 zone to the west.
 - F. Approval of the requested amendment will not require any capital improvements because the site is located in an area that already has infrastructure. If future development requires additional infrastructure the applicant will have to make those improvements themselves.
 - 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 subject site does not front directly onto any major street except for I-40, which does not allow for direct access, and the request is not justified by the location. The request is justified based on changed community conditions and as being more advantageous to the community as articulated by the Comprehensive Plan.
 - I. The request is not creating a small area of zoning different from the surrounding zoning, so the request does not constitute a spot zone.
 - 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 Near North Valley, Sawmill Area, Los Duranes, and West Old Town Neighborhood Associations, Symphony HOA, and the North Valley Coalition, as well as property owners within 100 feet were notified of the request, as required.
 11. A facilitated meeting was held on May 23, 2017. The meeting report submitted by the facilitator indicates a primary concern of the neighbors related to traffic and what the impacts development of commercial uses on the subject site will have on Rio Grande Blvd and the I-40 interchange, including a request that the application be deferred until a Traffic Impact Study can be completed. Other questions and comments included discussion about the height and density allowed by the R-2 zone, as well as the possibility of a grocery store and what type it could be.
 12. Staff has talked with 8 individuals about the request in person or over the phone as of the writing of the staff report showing varying levels of support and concern over aspects of the proposal. Five written letters of support have been received, as well as four letters in

opposition to the request – two of which are from the owner and family of the closest neighboring R-1 zoned properties. The letters in opposition question the intensity and allowed uses of the C-2 zone, as well as reiterate the traffic concerns that were discussed extensively at the facilitated meeting.

13. A Traffic Impact Study (TIS) was not required by Transportation Development for this zone change request, which is for a portion of the entire development. A TIS is required prior to development of the subject properties based on more concrete users and anticipated traffic generation.
14. The requested C-2 zoning is greater than 5 acres in size, which under the current Zoning Code constitutes a Shopping Center site and future development would have to comply with those regulations.
15. The requested zones do not completely align with existing lot lines, so a replat will be necessary to accurately establish the new zone boundaries.

RECOMMENDATION

APPROVAL of 17EPC-40011, a request for Zone Map Amendment from M-1 and R-1 to C-2 and R-2 for Tracts 224D3B, 225B2A1A1 & 226C2B, 225B2A1A2, 225B2B, 225B2C, 225B2D, 225B2E, 225B2F & 225B2A2, 225B2G, 225B2H, 225B2I, 226A, 227, 228, 232, 233A, 236-A, 236-B, and Land of J A Garcia Tract A, MRGCD Map #35, based on the preceding Findings and subject to the following Condition of Approval.

CONDITION OF APPROVAL, Zone Map Amendment

Project # 1011232, Case # 17EPC-40011

1. Zone Map Amendment does not become effective until a replat of the subject site is completed to align the proposed zoning boundaries with platted property lines. If such requirement is not met within six months after the date of EPC approval, 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.
-



***Michael Vos, AICP
Planner***

Notice of Decision cc list:

Ed Garcia, Garcia Auto Group, LLC, 8100 Lomas Blvd NE, ABQ, NM 87110
Kurt Culbertson, Design Workshop, Inc., 120 East Main Street, Aspen, CO 81611
Near North Valley N.A.
Sawmill Area N.A.
Los Duranes N.A.
West Old Town N.A.
Symphony HOA
North Valley Coalition

AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No adverse comments.

Office of Neighborhood Coordination

Long Range Planning

Thank you for using the new Comprehensive Plan.

Metropolitan Redevelopment Agency

CITY ENGINEER

Transportation Development

A Traffic Impact Study (TIS) will be required for further development

No objection to the request.

Hydrology Development

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

The subject site fronts onto Rio Grande Blvd., which is designated a Minor Arterial on MRCOG's 2040 Long Range Roadway System Map. Rio Grande also contains existing Bicycle lanes.

The proposed change in land uses is expected to increase traffic entering and exiting the site to/from Rio Grande, the magnitude of which cannot be fully evaluated without a traffic impact study. DMD Engineering is concerned about the increased traffic without an indication as to how the future impacts along Rio Grande will be mitigated, especially in close proximity to the I-40 interchange where significant congestion occurs. In cooperation with Council Services, DMD is in the process of modifying the first median opening north of I-40 so that existing operational deficiencies at this location can be addressed. Traffic Engineering Operations

WATER UTILITY AUTHORITY

Utility Services

1. 17EPC-70011 Zone Map Amendment (Zone Change)
 - i. Several properties in the area of interest owe pro-rata. Prior to plat approval (if applicable) or sale of service these properties will need to pay the pro-rata in full.
 - ii. As part of the Water Authorities Legislations and Ordinances the properties to be designated as commercial properties will need to have backflow preventers installed by a

licensed and bonded utility contractor and inspected by the Water Authorities Cross Connection Team prior to service. Point of contact Robert Apodaca 1.505.289.3465

1. If a property is being designated as commercial and has existing service please contact the Water Authorities Cross Connection Team for inspection of the backflow prevention assembly. Point of contact Robert Apodaca 1.505.289.3465

iii. For those commercial properties desiring service: submit a request for an availability statement at the link below. The submittal shall include an approved Fire 1 Plan from the City Fire Marshal’s office as well as a zone map.

1. http://www.abcwua.org/Availability_Statements.aspx

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No comment.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Transit Corridor?	Transit Route?	Current Service / Stops	Comments
Rio Grande Enhanced Transit Corridor	Fixed Route 36 (a one-way counterclockwise loop)	There are south-bound Route 36 stops at the Lilac and Floral intersections with Rio Grande Boulevard. Consideration is being given to "two-waying" the Route 36.	Densification of a Corridor is always beneficial to public transit. There is no clear description of what land-use product will operate on what part of the site, but we ABQ RIDE is hopeful that as such details emerge, the developer will consider [1] maintaining the direct connection along Lilac Street to Rio Grande and [2] will create a new pedestrian connection directly to the Floral Street stop, as Floral Street is signalized and has pedestrian crosswalks.

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

ALBUQUERQUE PUBLIC SCHOOLS

Any residential development in this area will have impacts to Duranes Elementary School, Garfield Middle School, and Valley High School. Currently, all three schools have excess capacity.

School Capacity

Loc No	School	2016-17 40th Day	Capacity	Space Available
249	Duranes ES	231	409	178
410	Garfield MS	372	540	168
560	Valley HS	1133	1800	667

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

For informational purposes:

- Rio Grande Blvd NW is functionally classified as a Minor Arterial in the project area.
- The Long Range Bikeways system identifies a proposed trail along the Alameda Drain in the project area.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

NMDOT

NMDOT is requiring the owner complete the State Access Management Manual's Site Threshold Assessment (STH) and schedule an appointment with Nancy Perea or Margaret Haynes to discuss this development's potential impacts to the I-40 and Rio Grande Interchange.

PUBLIC SERVICE COMPANY OF NEW MEXICO



View looking east across the subject site.



View looking west from the subject site toward Rio Grande Blvd.



View looking north from the subject site at the two existing residences located at the northwest corner of the subject site.



View looking southwest from the subject site toward the Rio Grande and I-40 interchange.



View looking southeast from the subject site toward I-40.



View looking north along the Alameda Drain at the western edge of the subject site.



View looking toward the northeast at the three houses left on the subject site.



View to the southeast toward the subject site from the corner of Lilac Ave and Saiz Rd.

ZONING

Existing: Please refer to Sections 14-16-2-6 and 14-16-2-20 of the Comprehensive Zoning Code for specifics of the R-1 Residential and M-1 Light Industrial zones.

Proposed: Please refer to Sections 14-16-2-11 and 14-16-2-17 of the Comprehensive Zoning Code for specifics of the R-2 Residential and C-2 Community Commercial zones.

APPLICATION INFORMATION



SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- Administrative Approval (DRT, URT, etc.)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental Form (SF)

S Z ZONING & PLANNING

- Annexation
- V** Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- P** Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- D** Street Name Change (Local & Collector)
- L A** **APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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, 600 2nd 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): Design Workshop Inc. PHONE: 970-925-8354
 ADDRESS: 120 East Main Street FAX: _____
 CITY: Aspen STATE CO ZIP 81611 E-MAIL: kculbertson@designworkshop.com
 APPLICANT: Edward T. Garcia c/o Garcia Auto Group LLC PHONE: 505-260-5188
 ADDRESS: 8100 Lomas Blvd NE FAX: 505-260-5018
 CITY: Albuquerque STATE NM ZIP 87110 E-MAIL: egarcia@garciacars.com

Proprietary interest in site: fee simple interest/owner List all owners: Garcia Real Estate Investments LLC; G3 Investors LLC; Dos Vientos LLC; Sinclair Properties LLC

DESCRIPTION OF REQUEST: Zone Map Amendment

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. see attached parcels diagrams in the Developer Inquiry Block: Unit: _____
 Subdiv/Addn/TBKA: Sheet section
 Existing Zoning: M-1 and R-1 Proposed zoning: C-2 and R-2 MRGCD Map No _____
 Zone Atlas page(s): H - 13 Z UPC Code: see County Parcel Diagram for 21 UPC Codes in the Developer Inquiry Sheet section (A PARCEL)

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): none

CASE INFORMATION:

Within city limits? Yes No Within 1000FT of a landfill? NO YES
 No. of existing lots: 21 county parcels No. of proposed lots: tbd Total site area (acres): 19.46 acres (area to be rezoned)
 LOCATION OF PROPERTY BY STREETS: On or Near: North of I-40 and east of Rio Grande Boulevard
 Between: Lilac Dr NW borders to north and Campbell Ditch borders to east
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: 02/01/2017

SIGNATURE Kurt Culbertson DATE 04/27/2017
 (Print Name) Kurt Culbertson Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers
~~40011~~ 40011
17EPC

Action
AZM
ADY
CME

S.F.	Fees
_____	885.00
_____	<u>75.00</u>
_____	<u>50.00</u>
_____	\$ _____
_____	\$ _____
_____	Total
_____	<u>\$1010.00</u>

Hearing date June 8, 2017

4-27-17
 Staff signature & Date

Project # 1011232

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.

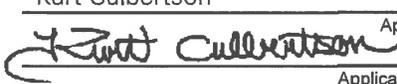
- SDP PHASE I – DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
 - SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
 - SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)
 - Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review 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.

Kurt Culbertson

 Applicant name (print) 04/27/2017
 Applicant signature & Date



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

Revised: June 2011

 Staff signature & Date 4-27-17
 Project # 1011232

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Garcia Family Real Estate Holdings DATE OF REQUEST: 03/31/17 ZONE ATLAS PAGE(S): H - 13 (exhibit A)

CURRENT:

ZONING M-1 and R-1
PARCEL SIZE (AC/SQ. FT.) 29.55 ac / 1,287,319.86 sf

LEGAL DESCRIPTION:

LOT OR TRACT # 30.01 or 30.02 BLOCK # _____
SUBDIVISION NAME _____

REQUESTED CITY ACTION(S):

ANNEXATION []
ZONE CHANGE [X]: From M-1, R-1 To C-2, R-2
SECTOR, AREA, FAC, COMP PLAN [] (exhibit C)
AMENDMENT (Map/Text) []

SITE DEVELOPMENT PLAN:

SUBDIVISION* [] AMENDMENT []
BUILDING PERMIT [] ACCESS PERMIT []
BUILDING PURPOSES [] OTHER []

*includes platting actions

PROPOSED DEVELOPMENT:

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

GENERAL DESCRIPTION OF ACTION:

OF UNITS: TBD
BUILDING SIZE: TBD (sq. ft.)

*FOR zone CHANGE of 1/4
SITE PLAN after
REZONING
adv!
3/31/17*

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

APPLICANT OR REPRESENTATIVE

DATE 3-31-17

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

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

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

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

Notes:
TIS will be required for full development.

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

TRAFFIC ENGINEER

3/31/17
DATE

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

TIS -SUBMITTED / /
-FINALIZED / /

TRAFFIC ENGINEER _____

DATE _____

Revised January 20, 2011



April 27, 2017

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

Dear Chairperson Hudson:

As the legal owners of the properties described on Exhibit A, we authorize Design Workshop, Inc. to represent us in all matters regarding the Zone Map Amendment application, processing, and representation before the City of Albuquerque Environmental Planning Commission for such properties, which are located at approximately 1100 Rio Grande Blvd. NW in Albuquerque, New Mexico. This authorization includes any subsequent related action through DRB.

The properties are legally described on attached Exhibit A, which is incorporated herein by this reference.

Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'E. T. Garcia', is written over a horizontal line.

Edward T. Garcia, Managing Member
Garcia Real Estate Investments, LLC

A handwritten signature in blue ink, appearing to read 'E. T. Garcia', is written over a horizontal line.

Edward T. Garcia, Managing Member
G3 Investors, LLC

A handwritten signature in blue ink, appearing to read 'E. T. Garcia', is written over a horizontal line.

Edward T. Garcia, Managing Member
Dos Vientos, LLC

A handwritten signature in blue ink, appearing to read 'E. T. Garcia', is written over a horizontal line.

Edward T. Garcia, Managing Member
Sinclair Properties, LLC

May 30, 2017

120 E. Main St.
Aspen, CO 81611
970.925.8354
970.920.1387 fax

Karen Hudson, Chair
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Re: Zone Map Amendment

Asheville

Aspen

Austin

Chicago

Denver

Dubai

Houston

Lake Tahoe

Los Angeles

Shanghai

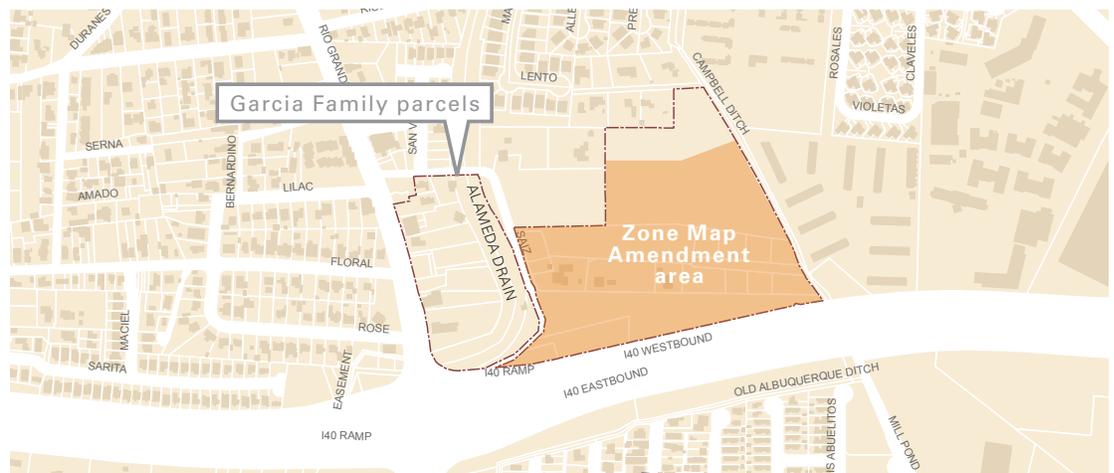
Dear Chairperson Hudson and Commissioners:

This letter and the supporting materials are submitted to you as fulfillment of the requirements necessary for a Zone Map Amendment for parcels located northeast of Interstate 40 and Rio Grande Boulevard, owned by Edward Garcia. The subject property for rezoning consists of twenty contiguous city parcels currently zoned as M-1 Light Manufacturing Zone and R-1 Residential Zone. The proposed area to be rezoned is part of a larger infill mixed-use development vision that extends to Rio Grande Boulevard, and currently referred to as: Rio Grande Crossing. The entire development boundary is indicated in the exhibit below as "Garcia Family parcels." The parcels proposed for a zone map amendment are located between the Alameda Drain and the Campbell Ditch. Note that the northwest R-1 parcels as well as the SU parcels west of the Alameda Drain within the ownership boundary are not part of the Zone Map Amendment proposal.

This document will refer to "Garcia Family parcels" when discussing the entire development, while the "zone map amendment area" will specifically discuss the parcels proposed for rezoning.

designworkshop.com

ZONE MAP AMENDMENT AREA

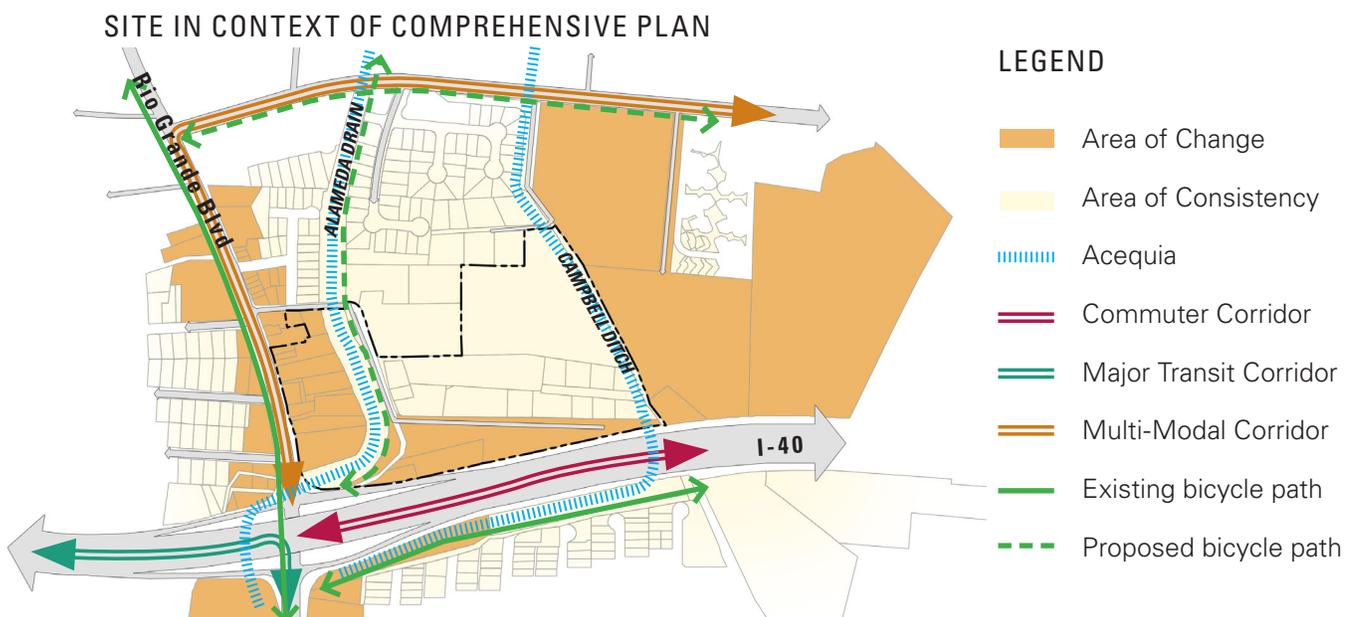


OVERVIEW CONTEXT LOCATION AND COMPREHENSIVE PLAN CLASSIFICATIONS

This zone map amendment application provides a rare opportunity to combine and replat a large number of otherwise small and fragmented parcels using a systematic zoning plan to allow for a planned and cohesive mixed-use development.

The major reasons driving this zone map amendment request are as follows:

1. **Current development conditions burden the surrounding neighborhoods.** For decades, only four of the subject parcels have been developed as private homes while the remaining parcels remain vacant. The conditions of these homes showcase a sense of neglect with apparent dilapidation to the structures as well as unkempt properties with weeds and trash. The condition of development on these parcels are in direct contrast to the neighboring Symphony development to the north and the quality attainable housing in the nearby Los Duranes neighborhood. The existing patch of underutilized subject parcels result in local accounts of attracting homeless populations. Overall the existing zoning at the subject parcels has only resulted in a burdensome area within the community.
2. **The existing M-1 and R-1 zoning is an inappropriate land use adjacency and inappropriate land use location.** In the Policy Analysis section that follows, the goals and policies from the Comprehensive Plan indicate the incompatibility of locating manufacturing and industry adjacent to residential. Please see response to Policy 13.5.1 for a robust narrative on the topic. In addition to an inappropriate land use adjacency, the location of these land use types are simply remnants. To elaborate, the parcels zoned as M-1 have been reduced in size since the routing of the Interstate 40 corridor when land was acquired through this part of the City. The existing R-1 parcels are also remnant from a time in history when relatively large tracts were required for agricultural purposes along the acequias. The contemporary value systems surrounding the acequias is no longer aligned with agricultural

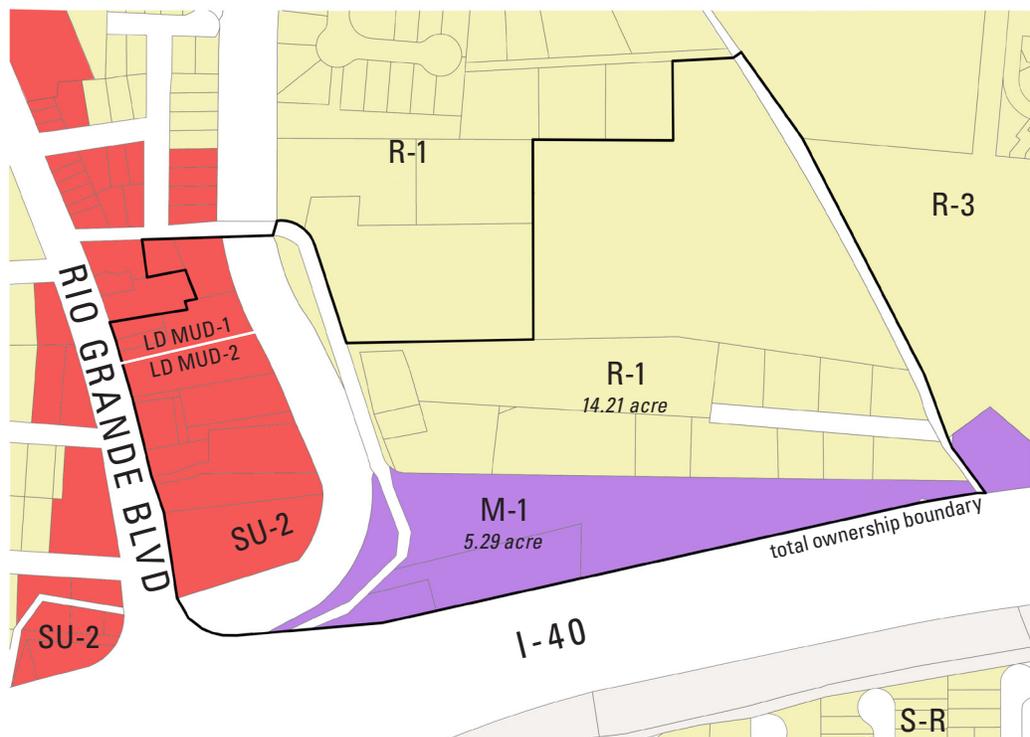


practices but instead focuses on cultural history, active recreation, and community green spaces. These themes clearly emerge in the Comprehensive Plan as well as the Alameda Drain and Trail Master Plan document. We understand the goal is to provide better access to these cherished acequias. By rezoning the surrounding subject parcels from limited-access M-1 and R-1 to more inviting and walkable commercial areas and denser, high-quality multi-family developments, the area will better celebrate the acequias for the broader community.

3. The existing lot dimensions and irregular platting of the zone map amendment area is unmarketable and offers only very limited access. The area of the M-1 zoned parcels totals about 5.5 acres and the dimensions of the parcels range from about 300' deep near the Alameda Drain and only 30' deep near the Campbell Ditch. The area and dimensions of this collection of "Area of Change" parcels are currently not a marketable area for almost any land use - manufacturing or commercial - based on the area and shape. Housing is not compatible for these "Area of Change" parcels because of the adjacency to Interstate 40 and will be discussed further in the Policy Analysis section. In addition to the dimensions of the "Area of Change" parcels, the location and limited access to these parcels are also barrier to development. Ideally, the "Area of Change" parcels will have direct access to Rio Grande Boulevard. For safety and clearance from Interstate 40, a four-way intersection will

CURRENT ADJACENT ZONING AND LAND USE

DIRECTION	EXISTING ZONING	LAND USE
North	R-1	Single-family residential
South	I-40 ROW and S-R	Single-family residential (Sawmill Community)
East	R-3	Multi-family residential
West	SU-2	Mixed-use commercial (currently in development)



be evaluated at Floral Rd NW and Rio Grande Boulevard with the intention of providing direct access to the proposed C-2 zone. This analysis of the marketability of the existing M-1 “Area of Change” parcels illustrates the need to expand a zone map amendment area to include some of the “Area of Consistency” parcels to the north. The major reason for including “Area of Consistency” parcels is to provide a transition of density, as supported by the Comprehensive Plan. This will be adequately discussed in the Policy Analysis section.

4. This zone map amendment request is a significant opportunity to introduce land uses aligned with the “highest and best use” for development at Rio Grande Crossing. Throughout this document, the benefits of the zone change are discussed in categories like local economy, quality housing, community greenspace, public health and active living, sustainable infill, as well as context-sensitive placemaking. Local economy will benefit from additional commercial areas and good jobs in hospitality, service, retail, management, and health care sectors. Quality and diverse housing types provide attainable choices for local residents. Greenspaces along the acequias introduce park-like amenities for existing neighbors and new residents. A walkable block structure and connected trail system encourages public health and active living choices. The infill nature of this project provides a preferable alternative to suburban sprawl. Urban design details and high-quality construction contribute to a sense of place. Overall, this exciting development will provide a lasting legacy for the local community to live, shop, work, and play.

The parcels submitted for rezoning in this application are part of a larger infill development vision within the Garcia Family parcels. The total area for development is bordered by Rio Grande Boulevard to the west and the Campbell Ditch to the east. The parcels between the Alameda Drain and Rio Grande Boulevard are currently zoned SU LD MUD-2 and LD MUD-1 for mixed use development under the Los Duranes Sector Plan. These parcels will remain zoned as Special Use. To realize a vision of infill development that is more advantageous to the community and that better supports the recently adopted Comprehensive Plan, the applicant proposes that the parcels between the Alameda Drain and Campbell Ditch be rezoned. See the “zone map amendment area” on the previous page.

The site proposed for rezoning is located at the northeast intersection of I-40 and Rio Grande Boulevard. According to the recently adopted Comprehensive Plan, this site is at the nexus of three different corridor types. To the south, I-40 is designated a Commuter Corridor. To the west, Rio Grande Boulevard is defined as a Multi-Modal Corridor. And just the southwest, Rio Grande Boulevard is considered a Major Transit Corridor.

In addition, this site is partly considered an “Area of Change” at the parcels currently zoned M-1 and lies adjacent to other Garcia Family parcels considered “Area of Change” to the east. These Special Use parcels west of the Alameda Drain have “Area of Change” designation, as well, but those are not intended to be rezoned by this application. To fulfill the goals in the Comprehensive Plan of directing meaningful development efforts to “Areas of Change,” this application requests that the “Area of Change” parcels and a portion of the “Area of Consistency” parcels be rezoned.

By limiting rezoning to the “Area of Change” M-1 parcels, it will prevent this private development team from implementing a project that benefits local community, public health, local economy, sustainability, and quality of life. By including a portion of the R-1 “Area of Consistency” within this zone map amendment, we can better serve our neighbors and contribute to the goals and policies outlined within the Comprehensive Plan.

As required by Resolution 270-1980, the zone changes required for this project are not in conflict with the Comprehensive Plan. Furthermore, the zone changes are supported by other requirements of the Resolution as outlined in this letter. The following narratives will support that the proposed rezoning at the future Rio Grande Crossing development is considered in accordance with the recently adopted City of Albuquerque Comprehensive Plan and existing Zoning Code as articulated by our responses.

COMPREHENSIVE PLAN POLICY ANALYSIS

Elements in this section from the recently-adopted Comprehensive Plan are in bold and our analysis is in regular font.

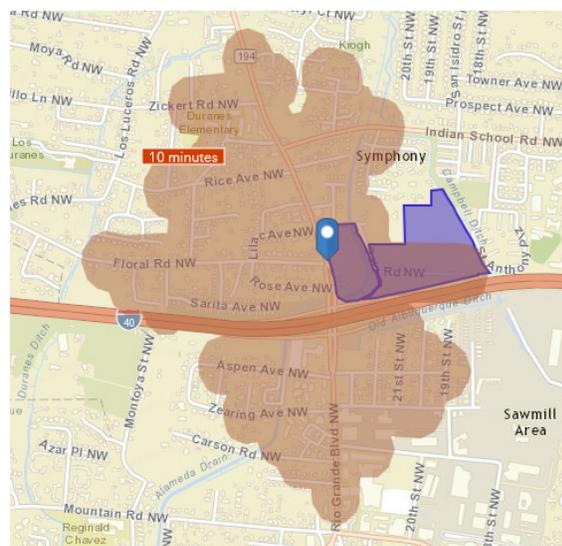
Plan Element 5: Land Use

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

(c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

According to the recently adopted Comprehensive Plan, the Garcia Family parcels are located at the nexus of three different corridor types. To the south, I-40 is designated a Commuter Corridor. To the west, Rio Grande Boulevard is defined as a Multi-Modal Corridor. And just to the southwest, Rio Grande Boulevard is considered a Major Transit Corridor. The methodology to determine “Areas of Change” is partly determined by proximity to Corridors. The M-1 “Area of Change” parcels as well as some R-1 parcels to the north are within 660 feet of the Major Transit Corridor, making this site suitable for mixed use infill development that addresses numerous issues including improved employment opportunities, increased density through compact development, and reduced negative impacts from sprawl.

TEN-MINUTE WALKING RADIUS (WALK SHED) WITH 2010 CENSUS PROFILE



Population: 1,347
Households: 559
Housing units: 618
Population 18+: 1,039
Population 65+: 181
Average household size: 2.37

Map and data from ESRI

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

(b) Minimize negative impacts on nearby neighborhoods by providing transitions between development along Transit Corridors and abutting single-family residential areas.

This zone map amendment will increase density in the southern portion of the site by introducing development land uses permissible on a C-2 zone. In order to provide an adequate transition to existing R-1 zone to the north, a zone of R-2 is proposed as a buffer. This approach of transitioning from C-2 in the south to R-2 in the center and R-1 to the north is supported by the neighbors directly adjacent to the development to the north. Please refer to attached letter from Nathan Bush dated September 25, 2016, and see the narrative listed under number 4.

(c) Encourage mixed-use development in Centers and near intersections.

The zone map amendment area is partially included within the 660 foot buffer from the centerline of a Major Transit Corridor. The development proposes to introduce a mixed-use development at the northeast quadrant of the intersection of Interstate 40 and Rio Grande Boulevard.

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 promotes good access for all residents.

The proposed rezoning will foster infill development and will serve the 1,347 residents who live within a 10-minute walking distance. Rezoning is the first step to activating the site. Key elements of the plan include uses that better serve the community such as a diversity of housing, basic services including a grocery store, and a senior living facility for residents to age in place (13.4% of residents within a 10-minute walk are 65 or older).

(b) Encourage development that offers choice in transportation, work areas, and lifestyles.

This zone map amendment application is proposing a development that offers choice in transportation, work areas, and lifestyles. First, the developer values a multi-modal community. The majority of the zone map amendment area of the site is located within 1/4 mile of the transit stop along Rio Grande Boulevard for easy access to the transit system. Other transportation modes are supported as well including driving, cycling, and walking. The development is proposed with the value system of short and walkable block structure and multi-use paths along the Alameda Drain and Campbell Ditch. Additional work areas will be introduced to the neighborhood in retail, hospitality, health care, and management sectors. Retail units are also planned for the site and will support local entrepreneurs. Choice in lifestyle is supported through diverse and quality housing options.

(d) encourage development that broadens housing options to meet a range of incomes and lifestyles.

See response to 9.1.1 for a narrative about housing products that the new zoning would support.

(e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

This zone map amendment application intends to introduce a development with a mix of uses that is conveniently located near Interstate 40 and Rio Grande Boulevard. This development will introduce basic services retail and other retail for residents who currently live in the neighborhood and future residents who will live in the proposed walkable community. The site can be accessed easily through transit along Rio Grande Boulevard, bicycle along the future trails along Alameda Drain and Campbell Ditch, or walking along the trails or sidewalks. Active transportation such as cycling and walking fosters healthy lifestyles and sustainable communities.

(f) Encourage higher density housing as an appropriate use in the following situations:

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

iv. In areas now predominately zoned single-family only where it comprises a complete block face and faces onto a similar or higher density development

v. In areas where a transition is needed between single-family homes and much more intensive development.

This rezoning proposal requests an increase in housing density from R-1 to R-2 for a portion of the site. The increase in housing density is appropriate to function as a transition between the higher intensity C-2 zoning proposed to the south. See response to Policy 5.3.1 for a narrative about access to adequate infrastructure.

The surrounding areas to the north are zoned R-1. The team considered the surrounding context and community input when developing this proposal. The northern-most areas at the site are part of the development but not proposed to be rezoned. These areas will serve as a buffer and transition to the single-family homes to the north. In this way, the adjacent single-family homes will share a property line with similar density development. Multi-family homes "comprises a complete block face and faces onto a similar or higher density development" and will occur within the project.

See also response to Policy 5.6.3 for a narrative about appropriate transitions between densities.

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

As stated in the overview section, this zone map amendment application provides a rare opportunity to combine and replat a large number of otherwise small and fragmented parcels using a systematic zoning plan to allow for a planned and cohesive mixed use development.

The site is appropriate for a zone change to introduce land uses that aligns with community demands and marketability. For years, these parcels have been mostly vacant and under-utilized resulting in neglect, trespassing, and non-violent crime. See response to Policy 5.3.1 for a narrative that expands on this idea.

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

The site proposed for rezoning is one of the largest continuous tracts of undeveloped and underdeveloped lands within the borders of the City of Albuquerque. The development will take advantage of existing utilities already servicing the site such as sewage, water, and electricity. According the Comprehensive Plan, “low density, single-use development... is associated with high transportation and infrastructure costs, negative social impacts, higher water use, and higher consumption of natural resources than targeted investment in mixed-use, infill development. Identifying and supporting opportunities to create great places throughout our region is paramount” (5-2). This rezoning proposal fulfills this vision of quality and more sustainable infill development and offers a preferred alternative to the existing under-utilized lots.

5.6.1 Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas...

(a) Maintain existing irrigation systems as Community Green Space and to help ensure agricultural lands in rural areas.

The development team values placemaking and the creation of community identity for the parcels at Rio Grande Boulevard and north of I-40. This site is distinct with the Alameda Drain at the center-west of the site and the Campbell Ditch bordering to the east. The vision seeks to enhance the accessibility and quality of the acequias at the site supporting Policy 5.6.1 Community Green Space.

Although the acequia areas are not within the zone map amendment area, the acequia areas are within the Garcia Family parcels and thought to be critical amenities within the proposed development. The “Alameda Drain and Trail Master Plan” identifies the area of the trail with the Garcia Family parcels to be “1-40 - Mildred Avenue” and notes the suitability for commercial land uses (page 5). The description states, “...beginning north of I-40 and east of Rio Grande Boulevard... the first south-north section of Alameda Drain and Trail corridor is fronted by a number of vacant parcels with potential commercial uses.” The document further states that the plan “...could include trails and amenities along both sides of the Drain.” Potential amenities could include park-like features such as public seating, landscaping, bicycle racks, public art, pedestrian lighting, in addition to the trail facilities. The Master Plan does not identify the Garcia Family parcels as a location for a linear park, however, the development team intends to provide an enhanced trail experience at the site.

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.

By supporting this zone map amendment, more employment opportunities will be introduced in the area. The rezoning will support employment sectors for retail, services, management, and health care. A variety of retail spaces will provide a venue for local entrepreneurs to open businesses in their neighborhood.

(c) Foster a range of housing options at various densities according to each Center and Corridor type.

This zone map amendment application fosters a range of housing options based on the gradient of residential densities on the site. The proposed R-2 zone can accommodate multi-family housing and a neighborhood-scale assisted living facility. To the north, the existing R-1 zone will accommodate single-family home owners.

(d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

Quality higher-density housing is a need within the community. Higher-density housing is appropriate as a transition between the proposed C-2 zone and the existing R-1 zone to the north. The mix of these zones is well-positioned about 1/4 mile from the existing and potentially expanding transit route along Rio Grande Boulevard. The increased density housing also supports the adjacent retail including existing and developing retail along Rio Grande Boulevard as well as the proposed C-2 retail.

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

This zone map amendment application intends to minimize any negative impacts on existing residential neighborhoods. The development intends to follow noise mitigation practices. Stormwater has been studied at the site and a preliminary plan has been developed to reduce stormwater runoff and improve water quality at the site. Site lighting will be designed in a thoughtful way that balances public safety with lighting pollution. Traffic is an ongoing discussion amongst the development team and the surrounding community. Preliminary traffic analysis resulted in a suitable outcome for access to Rio Grande Boulevard. A more robust Traffic Impact Study is currently underway to determine the best balance of density, parking, and traffic.

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

See response to Policy 5.3.1 to understand how the zone map amendment will foster infill development with access to infrastructure and existing community services.

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

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

The zone map amendment proposal carefully considered the surrounding context. First, we recognized the "Area of Change" located at the incompatible M-1 parcels. Rezoning these parcels to C-2 responds to the existing SU context to the west along Rio Grande

Boulevard. Next, we added part of the adjacent “Area of Consistency” in order to align with marketability of the C-2 zone and ease of access to the site. Then, the goal to adequately transition to the existing R-1 zone to the north required preserving R-1 zone on the property and introducing a proposed buffer of R-2 in the center. The proposed R-2 zone area directly responds to the eastern context of existing R-3 zone. Please see response to 5.6.4 (a) to learn more about appropriate transitions.

(c) Carefully consider zone changes from residential to non-residential zones in terms of scale, impact on land use compatibility with abutting properties, and context.

This application is proposing a zone change from residential to non-residential within the zone amendment area of the Garcia Family parcels. We believe that the intent of the Comprehensive Plan supports this change because it is the result of using “Area of Change” parcels in addition to a portion of “Area of Consistency” parcels. The purpose of including the “Area of Consistency” parcels is to provide parcels in shape and scale that will be marketable and developed in a meaningful way for the benefit of the community. The proposal accounts for an adequate transition of density as well. In addition, the zones proposed are compatible with existing abutting land uses. Refer to the response to Policy 5.6.4 (a) for a narrative about appropriate transitions and refer to the Overview section for a justification regarding the the inclusion of “Area of Consistency” in the zone map amendment request.

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

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

The rezoning plan emerged from a careful study of surrounding land uses as well as from valuable conversations with residents in neighborhoods such as Los Duranes and Near North Valley. Through the process, the development team determined that commercial uses were more appropriate and more supported by the community if located in the southern portion of the site, adjacent to I-40 and adjacent existing multifamily development to the east. Compatible multi-family residential development achieves a gradient of density and is proposed as a transition between the proposed commercial areas and the existing single-family areas to the north.

Plan Element 9: Housing

Policy 9.1.1 Housing options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

(a) Increase the supply housing affordable for all income levels.

(e) Provide for the development of quality housing for elderly residents.

(i) Provide for the development of multi-family housing close to public services, transit, and shopping

The Comprehensive Plan identifies a strategy to fulfill housing goals: “[support] diverse housing options, especially in areas well-served by transit” (9-5). Transit and multi-modal options along Rio Grande Boulevard will be located about 600 to 1000 feet from potential future residents at the site. Quality housing options planned for the site include small lot single family residential and multi-family apartments to suit a variety of income levels. In addition to free-market housing options, the development will also introduce a senior living facility that will invite the local aging population to “age in place” (13.4% of residents within a 10-minute walk-shed are 65 or older). By re-zoning the site to accommodate housing options other than only large-lot residential, various housing typologies can be introduced that will serve as a model for future development in Albuquerque.

Policy 9.3.2 Other areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

(a) Encourage higher density residential and mixed use development as appropriate uses near existing public facilities, educational facilities, job centers, social services, and shopping districts

(b) Encourage multi-family and mixed use development in areas where a transition is needed between single-family homes and more intense development

Rezoning will foster the development of quality diverse housing options not currently available to the residents within this community.

The various housing products proposed to be available at the site within the proposed R-2 zone have a symbiotic relationship with the proposed retail to the south where the existing neighborhood desires additional basic services and retail within walking distance. The increased housing will allow more residents to take advantage of the shopping destinations. See the response to Policy 5.6.4 for a narrative about providing transitions between different densities.

The commercial areas proposed to the south respond directly to the Special Use zone that exists along Rio Grande Boulevard. The expansion of the commercial areas will allow for meaningful retail to serve the existing neighborhoods as well as provide future residents with a grocery store, pharmacy, restaurants, and other local shops.

The development can support about 333 future residents using an estimate of future housing units with the average household size of homes within a 10-minute walking distance. These residents would enjoy living in a multi-generational community with retail, transit, and basic services just a short walk away.

Plan Element 10: Parks and Open Space

Policy 10.1.1 Distribution: Improve the community’s access to recreational opportunities by balancing the City and County’s parks and Open Space systems with the built environment.

The site rezoning effectively supports Policy 10.1.1 as the infill development of commercial and higher density housing prioritizes a balance of the built environment with the open space assets of the Alameda Drain and the Campbell Ditch. Although the proposed rezoning does not request a change in zoning of the canal easements, the proposed rezoning does support

additional access and improved quality of the existing canal assets. Currently the drainage areas are cultural landscapes within the community, however, with added investment and improved access and site activation, the canals can achieve their potential as a community amenity. Investment, access, and activation can all be fostered through a zone amendment. The development proposes park-like areas along the canals with trails and public gathering nodes. The rezoning to C-2 and R-2 provides more equitable access to the acequias as a result of more residents and visitors feeling welcome and comfortable visiting the site and using the trails.

Plan Element 12: Urban Design

Policy 12.1.5 Irrigation System: Coordinate with MRGCD and other stakeholders to protect the irrigation system.

The development team has forged an active partnership with Mid Rio Grande Conservancy District to support and contribute to Alameda Drain and Trail Master Plan through the site. Although, the canal parcels are not proposed to be rezoned, the proposed rezoning will provide additional access and improved placemaking along the canals with trails and gathering nodes. See Policy 10.1.1 for a narrative about the connection between this rezoning proposal and the canal system. See response to Policy 5.6.1(a) for more details about how the development intends to support the Alameda Drain and Trail Master Plan.

Plan Element 13: Resilience and Sustainability

Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.

(b) Protect public health, safety, and welfare by discouraging incompatible land uses in close proximity, such as housing and industrial activity.

In Plan Element 13 Resilience and Sustainability, the Comprehensive Plan connects negative health outcomes and proximity to pollutants. Typical conditions in the built environment that influence health outcomes include proximity to transportation corridors with sustained heavy and/or high-speed traffic. The parcels proposed in this rezoning application are located adjacent and to the north of I-40, which is classified as a Commuter Corridor. A Commuter Corridor is defined as "...higher-speed and higher-traffic volume with routes for people going across town (e.g. limited-access roadways). These corridors accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling" (3-5). The collection of parcels adjacent to I-40 is at risk for negative health outcomes for long-term residents. By transitioning the parcels closest to the highway to commercial, the community will not be burdened with the negative health implications of traffic by residing in this location. By rezoning to commercial zoning, more appropriate land uses such as a grocery store and retail can be introduced to this area closest to the Commuter Corridor.

In addition to the inappropriate adjacency of R-1 and the I-40 Commuter Corridor. The existing M-1 is an inappropriate adjacency to the existing R-1. In the Land Use section, the Comprehensive Plan articulates "...land use conflicts, such as those between industrial and residential uses..." (page 5-23 and 5-24). The Resilience and Sustainability section identifies that proximity to sites with a higher risk of pollution, such as contamination from operating or former industries will negatively influence health outcomes (page 13-18). This language

from the Comprehensive Plan clearly does not support the existing zoning adjacency of M-1 and R-1. By reviewing the Comprehensive Plan policies and goals in addition to studying the existing surrounding land use context, the proposed C-2 to R-2 to R-1 is more appropriate than the existing M-1 and R-1 zoning.

RESPONSE TO OTHER REQUIREMENTS OF RESOLUTION 270-1980

The following narratives will provide evidence that the proposed rezoning at the future Rio Grande Crossing development is considered in accordance with the recently adopted City of Albuquerque Comprehensive Plan.

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

The proposed zone change from M-1 and R-1 to Medium Density Residential (R-2) and Commercial (C-2) greatly improves the health, safety, morals, and welfare of the city, especially in the Los Duranes Neighborhood and Near North Valley Neighborhood. The zone change will allow for infill development consistent with the visions of the local community, Albuquerque's Comprehensive Plan, Los Duranes Sector Plan, as well as the North Valley Area Plan for the site. The development will offer employment opportunities, dining opportunities, overnight lodging, and high-quality attainable housing options, as well as a much-needed grocery store. The site will serve the community, including 1,347 residents who currently reside within a 10-minute walk-shed.

The development anticipates that community health will improve because the new community destination is situated within a walkable and bikeable community where residents can access fresh food options and recreation opportunities along the cherished acequias. In addition, reconfiguring the zoning adjacencies in the zone map amendment area contribute to public health. The proposal removes the harmful adjacency of M-1 and R-1 and buffers the residential areas at a greater distance from the pollutants from Interstate 40.

The development will improve safety for community members by activating a long-abandoned and under-utilized landscape in the city. Currently in this area, reports of non-violent crimes and dilapidation among the homes on the site signal neglect and could lead to more unwanted community outcomes. The development will bring life back to these parcels and activate them throughout the day and into the evening, thus discouraging dubious behavior.

The proposal is aligned with the morals of the city. The development is an ideal scale and will offer basic services in addition to appropriate and desirable retail. In addition, this zoning proposal is a result of genuine conversations with the surrounding communities to arrive at a zoning approach that works for everyone now, and in the future. In addition, this zone map amendment proposal is aligned with the Comprehensive Plan, which illustrates an alignment with the morals of the city.

The development contributes to the general welfare within the community by offering employment opportunities, basic services such as a grocery store, and future retail and residential development within the area. Throughout the response to 270-1980, please refer to the above "Policy Analysis" for examples of the zone change contributing to the preponderance of specific Comprehensive Plan policies.

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 zoning change contributes to the stability of land use and zoning within the area. The context of the development borders a Special Use zone along Rio Grande Boulevard, a Low Density Residential zone to the north, and a Medium Density Residential zone to the east. Currently, a Light Manufacturing zone exists to the south along Interstate 40, an incompatible use. This proposal seeks to provide the same logic to the zoning of this site that is described in the recently-adopted Comprehensive Plan. We assert that this zoning proposal contributes to the stability of the land use on this site and the introduction of a zoning strategy that is more compatible with the surrounding neighborhood compared to the existing zoned manufacturing area and the low-density residential. The current land use can be considered unstable based on the fragmented development on the vacant and under-utilized parcels that has occurred thus far.

The proposed rezoning is a result of studying the zoning patterns of the surrounding community, in addition to meeting with community members to learn about their perception of the infill development concept. After integrating community members' concerns and learning the zoning patterns, the development team proposes to blend densities so that the lower densities about low density and the high densities about higher densities. A medium density zone change is proposed as a transition between the low density residential and the commercial zone. This application proposes a C-2 zone to the south that is adjacent to Interstate 40 and existing SU zone to the west. Just to the north of the C-2, an R-2 zone is proposed. The R-2 functions as a transition to some remaining R-1 area but also responds to the existing R-3 zone adjacent to the east.

Therefore, the Light Manufacturing zone and low-density housing designations are not only incompatible adjacencies but they no longer serve the needs of the community since housing diversity and retail options are more appropriate for this site.

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.

The proposed rezoning amendment is not in conflict with adopted elements of the Comprehensive Plan. The narrative above in the Policy Analysis section establishes a preponderance of many goals and policies found in the Comprehensive Plan.

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 (1) or (2) do not apply.

The existing zoning at the Rio Grande Crossing site is, in part, inappropriate because of "changed neighborhood or community conditions." In 2012, the Los Duranes Neighborhood Plan was adopted by the City of Albuquerque and the Board of County Commissioners. The zone map amendment area is adjacent to this sector plan between Rio Grande Boulevard and the Alameda Drain, with Special Use zoning allowing for diverse development. This proposal

seeks to build upon the catalyzing opportunities along Rio Grande Crossing by extending some of the dining and retail areas within the Los Duranes Special Use zone into the core of the site using a Commercial zoning strategy east of the Alameda Drain. The zoning proposal transitions from Commercial to Medium Density residential. From, the Medium Density residential, the development then transitions to an existing Low Density residential. The site borders an existing Low-Density residential area to the north and successfully transitions to this density in a logical, thoughtful way, in accordance with the Comprehensive Plan. The neighbors' support of this development hinges on the zoning transitions proposed for the site.

The existing zoning in this area is M-1 to the south and R-1. Many of these parcels have remained undeveloped or underdeveloped for many years. Since these parcels have not been developed under existing zoning, then by rezoning the parcels, new opportunities arise. By introducing compatible zoning categories of commercial and medium-density residential with a development vision, the site can better serve the community.

The proposed rezoning will be more advantageous to the community and is aligned with the Comprehensive Plan.

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 development's proposed zoning change will not permit uses that would be "harmful to adjacent property, the neighborhood, or the community." Instead, the development team believes that the current zoning has proven to create harmful adjacencies for the surrounding context due to the undeveloped and underdeveloped parcels within the site. This vacancy and under-utilization leads to deterioration of existing structures, trespassing, and non-violent crime. The approach of establishing the zoning proposal for this site resulted from studying the context land uses surrounding the site and integrating the policies set forth in the Comprehensive Plan. The zoning proposed in this application is reflective of the land use, scale, and character of those on immediately adjacent properties.

In a scenario where the parcels were to be developed under the existing zone map and zoning code, the M-1 parcels would present serious harm to the existing and adjacent R-1 parcels. The parcels zoned for Light Manufacturing Zone could introduce the following uses such as (4) automotive sales, rentals, service, repair, and storage or (5) automotive dismantling or (6) commercial agricultural activity and incidental structures (8) manufacturing, assembling, treating, repairing, or rebuilding articles. Many of these uses may have an enclosed 36-foot tall building and six foot walls. With noise, pollution, and land use that does not improve quality of life and access to basic services, the M-1 zone and R-1 zone combination offer a scenario of gross incompatibility. In comparison, the C-2, R-2, and R-1 development proposal is much more aligned with the Comprehensive Plan and the vision of the community members.

By expanding upon the surrounding development patterns with C-2 and R-2, the harmful adjacencies of M-1 and R-1 can be avoided. Although, the SU area within the Garcia Family parcels is underutilized and currently under development, these parcels have not proven harmful to the community. The existing SU zone indicates the compatibility of the future C-2 zone and provides an adequate benchmark. This development proposes to contribute to the diverse housing types mentioned in the Comprehensive Plan in order to accommodate shifting housing needs and demands for the future of Albuquerque.

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 proposed zone change will not require major or unprogrammed capital improvements by the city. Expansion of any existing infrastructure and services will be the responsibility of the owner.

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

The determining factor for the use change is not the cost of land or other economic considerations. The main motivation for the zone change is to provide a development for the community that offers basic services, retail options, employment opportunities, and high-quality housing communities. In addition, planned senior housing will allow area residents to age in place.

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

The proposed rezoning areas of the development are not located on a collector or major street.

Note: Item I and Item J regarding spot zoning and strip zoning does not apply.

CONCLUSION

This project holds the potential to serve as an exemplary infill development that will be pursued in accordance with the recently-adopted City of Albuquerque Comprehensive Plan. As previously mentioned, the proposed zoning change will result in a community commercial destination with diverse housing and access to trails and open space serving the 1,300 residents within a 10-minute walking distance plus the additional residents who will call this site home.

We request that the Environmental Planning Commission approve this application for a Zone Map Amendment. We thank you for your consideration.

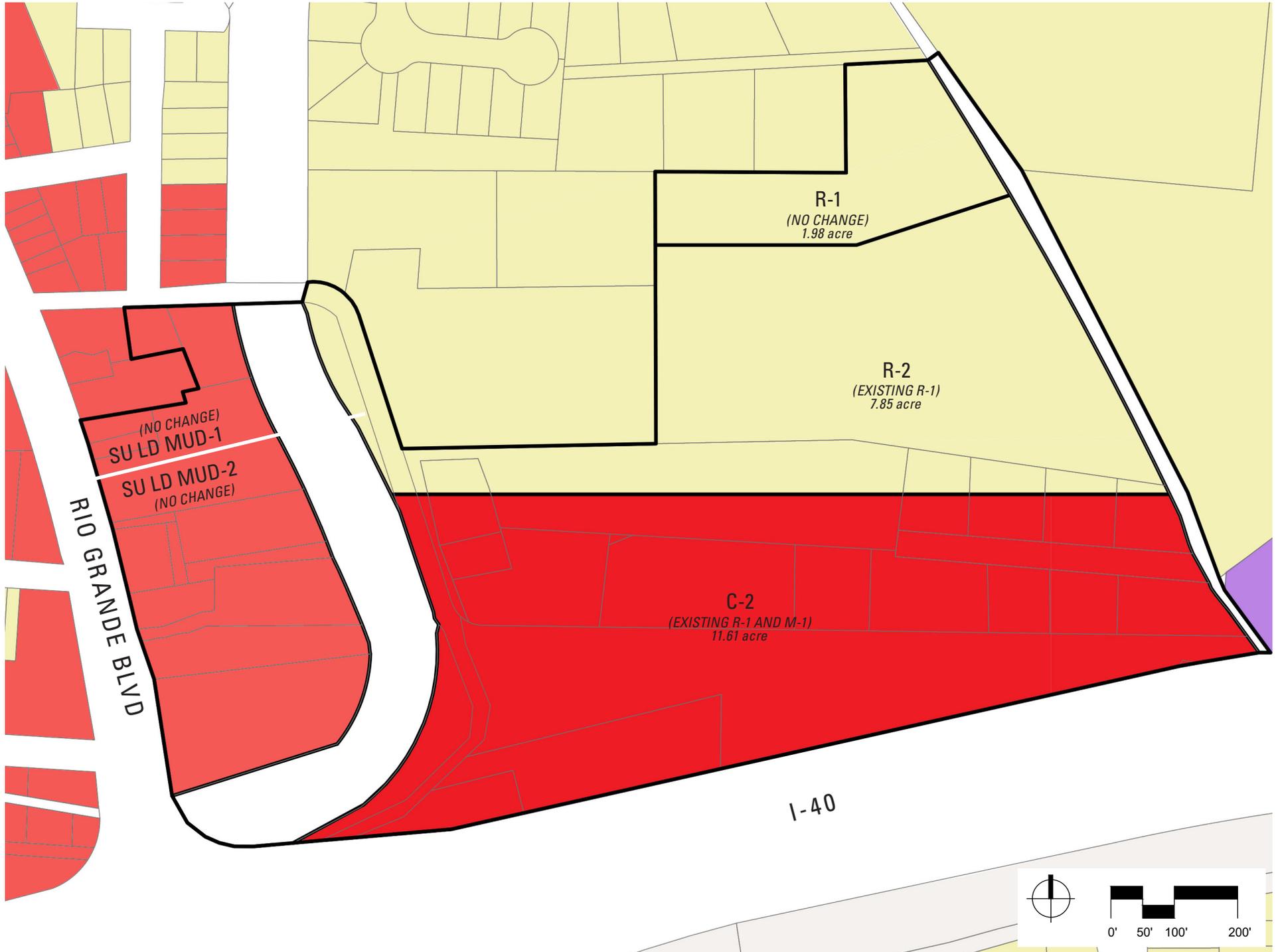
Sincerely,



Kurt Culbertson

Principal

ZONE CHANGE EXHIBIT



LETTER FROM NATHAN BUSH AND NEIGHBORS

Sept 25, 2016

We, the undersigned neighbors who access our properties via a narrow dirt/gravel road running south along a Middle Rio Grande Conservancy ditch (known by some as the Campbell Ditch or the Old Albuquerque Ditch) from the 1900 block of Indian School Rd. NW, hosted a meeting on July 13, 2016 on our dirt lane to talk to the project development team for the Garcia-owned properties being considered for residential and commercial development, immediately to our south. The project development team that we met with was led by Curt Culbertson of Design Workshop and Herb Denish of Denish Consulting LLC, both consultants to the Garcia family. Sheilah Garcia and Ed Garcia (son of Sheilah), the clients of the project development team, were also in attendance.

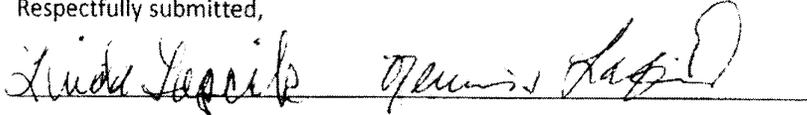
After this meeting with the project development team, the neighbors here reconvened among ourselves and developed the list following list of questions and unresolved issues that we have in regards to the general concepts presented to us by the developer's team. Most of these questions stem from the lack of specifics for the development to date, and also the fact that no maps or plans of the development have been shared with us for comment or review. To date, all the discussions have been conceptual in nature, and our meeting with the project development team centered around an otherwise blank aerial satellite photo as our singular point of shared reference for that discussion between the developers and the neighbors on this lane.

1. We are concerned about the potential effects of the development on our dirt road that we must use as the only to access our homes:
 - a. We would like to limit the quantity of traffic and see no significant changes to the amount of traffic on our narrow and semi-private road.
 - b. We would like to maintain the current road surface quality while ensuring appropriate road drainage and access for us to reach Indian School Rd. on foot, bicycle, motorcycle, and automobiles, and trucks.
 - c. City garbage trucks, UPS/Fedex, police, fire, and other vehicles must also have their access maintained. Right now, their access is borderline adequate.
 - d. We currently experience a fair degree of litter and garbage dumping on our access road, and we'd like to see that situation improve or at least not deteriorate further.
 - e. We are concerned how the development might create conditions that would cause additional concerns beyond our current safety issues we experience during the day and at night with some occasionally unfriendly transients and vagrants passing through, primarily on foot.
 - f. We need to have some ability for garbage trucks, UPS/Fedex vehicles, bottled water delivery trucks, and other commercial vehicles to turn around on our dead-end dirt road.
2. The developers mentioned they might want to build a "buffer road" that would create a buffer zone between our homes and the residential homes that would likely be built immediately to our south. We are instead requesting that our back yards abut the back yards of the new homes that the development team said would likely be built adjacent to our homes.
3. We are unsure what the plan would be for any perimeter fences or walls around the new development as they would adjoin our residential properties and our existing perimeter walls and fencing.

4. We request that the new houses for this development, as they were described to us by the development team to likely be built immediately adjacent to our half-acre parcels, be limited to one-story residential buildings on properties zoned R-1, as is the current zoning for all the properties that adjoin our homes and our dirt access road west of the Campbell Ditch. If multi-story homes are to be built adjacent to us, we ask that the second story construction be minimized in its scope and footprint so that there are no big boxy homes looking down on our back yards.
5. The development team mentioned a possible orchard that would be planned for cultivation near our homes as part of the development. We would want some reassurances that such a parcel of vacant land will not attract more vagrants. Homeless camps have been a problem in the empty fields behind our homes in recent years.
6. We understand there may be a bike and/or pedestrian thru-way being contemplated for some corridors through the development. We are in favor of the bike and walking paths the developer said could be planned along Alameda Drain, but if other paths are planned closer to our homes or our access road, we are concerned about what foot traffic may loiter along the Campbell Ditch and other thru-ways to our east, and the same concerns apply to a smaller ditch easement that runs just to the north of our properties between our homes and the Symphony subdivision.
7. We have concerns about construction truck and heavy equipment traffic. Our current dirt road access from Indian School Rd. NW would not be appropriate for heavy truck traffic. Is there a plan for how those trucks will get in/out of the development? Will any of that construction traffic utilize our narrow and unimproved dirt road access?
8. What are the plans to mitigate airborne dust, construction noise, and construction heavy equipment vibrations during the construction phase? Some of the homes here on the lane are built with adobe bricks and already sustained some damage during the construction of the Centex "Symphony" Subdivision immediately to our north and west, approximately 15 years ago.
9. Our neighborhood is very rural in its character and, and because it is quiet, secluded, and relatively "green" due to adjacent MRGCD ditch water rights enjoyed by many of the neighbors here, we are aware that wildlife inhabits and also nests in and among many of our properties. Every spring and summer, we see hawks that nest in the elms along the Campbell Ditch just to the south of where our access road crosses the ditch. Cattle egrets and herons can also be seen on that stretch of the ditch. Owls, songbirds, turtles, and roadrunners all occupy the area, many breeding here as well. We would want that green belt preserved as wildlife habitat and as a quality-of-life measure for the historical residents on the lane here.
10. If additional major access points or emergency access points are required by the city in order to approve the new development, we ask that those be constructed in a place and manner that does not disrupt nor cause hardship for the seven residential properties on our dirt lane, either short term or long-term.
11. Lastly, we are not aware of when the project development team may approach City of Albuquerque officials to ask for a zone change or multiple zone changes, or exactly what that zone change request would entail. The developer mentioned this could happen in the next few months.

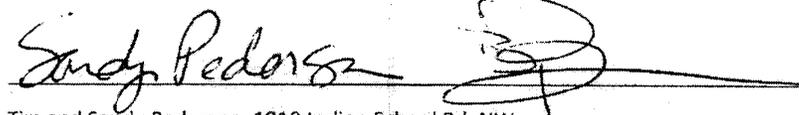
We thank you for your interest in cooperative efforts to help the planning, design, and construction of this development reach its full potential to add value and quality-of-life for the property owners and homeowners who will be most impacted by the development design and construction. Please don't hesitate to contact us if you have questions about any of the information presented here.

Respectfully submitted,



Dennis and Linda Lapcik, 1916 Indian School Rd. NW

9-28-16
Date



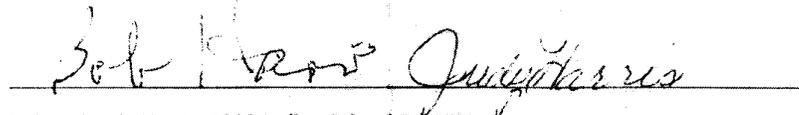
Tim and Sandy Pederson, 1918 Indian School Rd. NW

9-28-16
Date



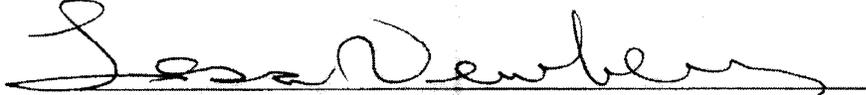
Nathan Bush and Sarah Robinson, 1920 Indian School Rd. NW

10/11/16
Date



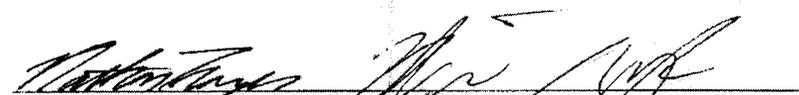
Bob and Judy Harris, 1922 Indian School Rd. NW

9-28-16
Date



Lesa Newberry, 1924 Indian School Rd. NW

10-2-16
Date



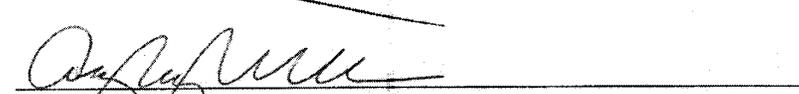
Nate and Maribeth Troyer, 1926 Indian School Rd. NW

10-1-16
Date



Daniel and Linda Padilla, 1930 Indian School Rd. NW

10-2-16
Date



Angelica Anaya-Affen, 1900 Lilac Dr. NW*

10-14-16
Date

* Ms. Allen was not able to join the July 13 meeting between the neighbors and the developer's team, but some of her utilities do run down our access road and her property is immediately adjacent to the planned development, and she would like to be involved in these discussions accordingly.

NOTIFICATION & NEIGHBORHOOD INFORMATION



DEVELOPER INQUIRY SHEET

To obtain NA/HOA Contact Information for Application Submittal to the Planning Department.

The Office of Neighborhood Coordination (ONC) located in Room 440 (4th floor) of the Plaza Del Sol Building, 600 Second Street NW is where you obtain neighborhood and homeowner association information for your planning submittal.

You can submit your *Developer Inquiry Sheet* in the following ways: 1) In person at the address listed above; 2) Fax it to (505) 924-3913; or 3) E-mail it with the zone map to BOTH: Stephani Winklepleck at swinklepleck@cabq.gov and Dalaina Carmona at dlcarmona@cabq.gov.

ONC will need the following information BEFORE any neighborhood or homeowner association information is released you. If you have questions, please feel free to contact our office at (505) 924-3914.

Zone map and this Developer Inquiry Sheet MUST be provided with request

Please mark zone map to indicate where the property is located

Developer Inquiry is for the following (mark the one that applies):

Cell Tower Submittal: Free-Standing Tower -OR- Concealed Tower

EPC Submittal DRB Submittal LUCC Submittal Liquor Submittal

AA Submittal City Project Submittal ZHE Submittal (need address/zone map # only)

Contact Name: Edward T. Garcia

Company Name: Garcia Family Real Estate Holdings

Address/Zip: 8100 Lomas Blvd NE, Albuquerque, NM 87110

Phone: 505-260-5188 Fax: 505-260-5018 E-mail: EGarcia@garciacars.com

Legal Description Information

Describe the legal description of the subject site for this project below:

(i.e., Lot A, Block A, of the XYZ Subdivision)

See attached City Parcels Diagram and County Parcels Diagram

Located On _____

street name (ex. - 123 Main St. NW) or other identifying landmark

Between _____ and

street name or other identifying landmark

street name or other identifying landmark

The site is located on the following zone atlas page (H - 13 Z).



City of Albuquerque

***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.

April 25, 2017

Edward T. Garcia
Garcia Family Real Estate Holdings
8100 Lomas Blvd. NE
Albuquerque, NM 87110
505-260-5188
egarcia@garciacars.com

Dear Edward:

Thank you for your inquiry requesting the names of ALL Neighborhood and/or Homeowner Associations who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed **[EPC Submittal]** project recorded as **[see attachment for legal descriptions]** located on **[Garcia properties]** zone map **H-13**.

This correspondence serves as your "Notification Inquiry Letter" from the Office of Neighborhood Coordination, and must be included as part of your application. **Please see Page 5 of this letter for a list of NA's / HOA's that must be contacted regarding this submittal.**

Please note that according to Section §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify **both** of these contact persons by **certified mail, return receipt requested**, before the Planning Department will accept your application. Please see Page 2 of this letter for additional requirements. If you have any questions about the information provided please contact our office at (505) 768-3334 or ONC@cabq.gov

Sincerely,

Office of Neighborhood Coordination
Council Services Department

Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), or approval of a Wireless Telecommunication Facility (WTF) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision;
3. A physical description of the location, referenced to streets and existing land uses;
4. A complete and detailed description of the action(s) being requested;
5. ***** NEW*** Facilitated Meeting Information** – All notification letters must include the following text:
Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 768-3334.

A facilitated meeting request must be received by ONC by: **Monday May 8, 2017.**

Neighborhood Notification Checklist

The following information must be included for **each** application packet submitted to the City of Albuquerque Planning Department.

1. ONC's "Notification Inquiry Letter" outlining any affected Neighborhood and/or Homeowner Associations.

*Note: If your ONC letter is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact our office at (505) 768-3334 or ONC@cabq.gov.

Thank you for your cooperation on this matter.

(ONC use only)

Date Processed: **04/26/17** ONC Staff Initials: **VMQ**

ATTACHMENT A

LEGAL DESCRIPTIONS

ID	OWNER / UPC	LEGAL DESCRIPTION	PROPERTY CLASS	ACRES
1	Garcia Real Estate Investments LLC (101305915615732803)	TR 233A MRGCD MAP #35 EXCAN ADDITIONAL SLY PORT OUT TO R/WCONT0.7960ACM/LOR 34,674SQ FT M/L	R	0.796
2	Garcia Real Estate Investments LLC (101305916524632801)	TR 236-B MRGCD MAP #35 EXCAN ADDITIONAL PORTOUTTOR/WCONT 0.1622 AC M/LOR 7,065 SQ FT M/L	V	0.1622
3	Garcia Real Estate Investments LLC (101305918615432802)	TR 236-A MRGCD MAP #35 EXC AN ADDITIONAL SLY PORT OUT TO R/W I-40CONT0.7720ACM/LOR 33,628 SQ FT M/L	V	0.77
4	Garcia Real Estate Investments LLC (101305922016632804)	MAP 35 TRACT 232 LESS PART TO R/W CONT 3.85 ACRES	V	3.85
5	Garcia Real Estate Investments LLC (101305916418632811)	TR 228 MRGCD MAP 35 CONT 5,096 SQ FT +- / 0.117 AC +-	V	0.117
6	G3 Investors (101305917818332810)	LAND OF J A GARCIA TR A MRGCD MAP 35 LESS PORT SOLD	R	0.6
7	Dos Vientos LLC (101305919218032818)	MRGCD MAP 35 TRACTS 225B2A1A1 & 226C2B CONTAINING 0.58 ACRES	R	0.58
8	Dos Vientos LLC (101305920817932809)	TR 225B2A1A2 CONT 0.42 ACRES T10N R3E SEC 7 D821 P490	V	0.42
9	Dos Vientos LLC (101305923117932808)	MAP 35 TR 225 B2F 225 B2 A2 0.95 AC	R	0.95
10	Sinclair Properties LLC (101305925017832807)	MAP 35 TR 225 B2F 225 B2 A2 0.95 AC	V	0.22
11	G3 Investors LLC (101305926017832806)	MAP 35 TR 225 B2 H	V	0.24
12	G3 Investors LLC (101305927417732805)	TRACT 225 B 2 I MAP 35	V	0.347
13	Garcia Real Estate Investments LLC (101305916119432812)	MAP 35 TR 227	V	0.27
14	Garcia Real Estate Investments LLC (101305920319632813)	TR 226A MRGCD MAP 35 CONT 1.97 AC +- / 85,900 SQ FT +-	V	1.97
15	G3 Investors (101305923719432814)	MAP 35 TR 225 B 2 B	V	0.232

ID	OWNER / UPC	LEGAL DESCRIPTION	PROPERTY CLASS	ACRES
16	G3 Investors (101305924919332815)	MAP 35 TRACT 225 B2C	V	0.268
17	G3 Investors (101305926019232816)	MAP 35 TR 225 B 2 D	V	0.29
18	G3 Investors (101305927119132817)	MAP 35 TR 225 B 2 E	V	0.1641
19	Garcia Real Estate Investments LLC (101305920722032822)	WLYPOROFTR224D3BMRGCD MAP 35 CONT 3.00 AC	V	3
20	Garcia Real Estate Investments LLC (101305924021532824)	SELYPOROFTR224D3BMRGCD MAP 35 CONT 2.553 AC	V	2.05
21	Garcia Real Estate Investments LLC (101305923024432823)	NELYPOROFTR224D3BMRGCD MAP 35 CONT 2.49 AC	V	2.49

AFFECTED NEIGHBORHOOD ASSOCIATIONS

NEAR NORTH VALLEY N.A. (NNV) "R"

Joe Sabatini *e-mail:* jsabatini423@gmail.com
3514 6th St. NW/87107 344-9212 (h) 850-7455 (c)
Randy Cole *e-mail:* rkcole@swcp.com
1501 Los Arboles NW/87107 344-8548 (h)

Website: www.nnvna.org

Council District: 2
County District: 1
Police Beat: 236/VA
Zone Map #: G-H-13-14

SAWMILL AREA N.A. (SMA) "R"

***Julie Henss** *e-mail:* juliehenss@hotmail.com
1724 Band Saw Pl. NW/87104 710-7024 (c)
Dianne Jones *e-mail:* diannemichellejones@msn.com
1400 Lumberton Dr. NW/87104 934-3076 (h)

Website: www.sawmillna.org

Council District: 2
County District: 1
Police Beat: 232/VA
Zone Map #: H-J-13

LOS DURANES N.A. (LDU) "R"

***Jose Viramontes** *e-mail:* joseviramontes@hotmail.com
1317 Gabaldon Dr. NW/87104 239-8449 (w)
William C. Herring *e-mail:* billherring@comcast.net
3104 Coca Rd. NW/87104 243-4664 (w)

Council District: 2&County
County District: 1
Police Beat: 235/VA
Zone Map #: G-H-12-13

SYMPHONY H.O.A., INC. (SYH)

***Charles Hostetler**
1908 Allegretto Trl. NW/87104 242-6221 (h)
Bernadette Sanchez
2012 Allegretto Trl. NW/87104 270-6952 (h)

Council District: 2
County District: 1
Police Beat: 235/VA
Zone Map: H-13

WEST OLD TOWN N.A. (WOT) "R"

Benjamin Lovato *e-mail:* bengpl150@comcast.net
2820 Azar Pl. NW/87104 321-1909 (c)
Glen Effertz *e-mail:* gteffertz@gmail.com
2918 Mountain Rd. NW/87104 980-0964 (h)

Council District: 2
County District: 1
Police Beat: 231/VA
Zone Map: H-J-12-13

NORTH VALLEY COALITION

***Peggy Norton**, P.O. Box 70232/87197 345-9567 (h)
Doyle Kimbrough, 2327 Campbell Rd. NW/87104 249-0938 (h) *e-mail:* newmexmba@aol.com
Website: www.bit.ly/nvcabqweb **E-mail:** nvcabq@gmail.com

Design Workshop, Inc.

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April 27, 2017

Joe Sabatini
3514 6th Street NW
Albuquerque, NM 87107

Re: Zone Map Amendment

Dear Mr. Sabatini:

We are writing to inform you and Near North Valley Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

Please refer to the attachments for all parcel information regarding this request. The attachments specify legal descriptions, lot or tract numbers, block numbers, and subdivision names.

This request will be presented to the Environmental Planning Commission on Thursday, June 8, 2017 at Plaza del Sol located at 600 Second Street NW. The hearing commences at 8:30 a.m.

The current zoning for the parcels is M-1 and R-1 and they currently remain mostly vacant. The total area proposed for rezoning is 19.46 acres. The Zone Map Amendment request is to change the existing zoning to C-2 and R-2 to accommodate community demands for neighborhood retail and housing options following the policies set forth in the recently-adopted City of Albuquerque Comprehensive Plan.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 768-3334.

A facilitated meeting request must be received by ONC by: Monday May 8, 2017.

You may also contact me directly at (970) 315-3993 with any questions.

Sincerely,



Kurt Culbertson

Principal

Attachments: Copy of the Zone Atlas Page H-13-Z, Attachment A: Legal Descriptions

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April 27, 2017

Randy Cole
1501 Los Arboles NW
Albuquerque, NM 87107

Re: Zone Map Amendment

Dear Mr. Cole:

We are writing to inform you and Near North Valley Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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Sincerely,



Kurt Culbertson

Principal

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April 27, 2017

Julie Henss
1724 Band Saw Pl. NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Ms. Henss:

We are writing to inform you and Sawmill Area Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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You may also contact me directly at (970) 315-3993 with any questions.

Sincerely,



Kurt Culbertson

Principal

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April 27, 2017

Dianne Jones
1400 Lumberton Dr. NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Ms. Jones:

We are writing to inform you and Sawmill Area Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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You may also contact me directly at (970) 315-3993 with any questions.

Sincerely,



Kurt Culbertson

Principal

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April 27, 2017

Jose Viramontes
1317 Gabaldon Dr. NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Mr. Viramontes:

We are writing to inform you and Los Duranes Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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A facilitated meeting request must be received by ONC by: Monday May 8, 2017.

You may also contact me directly at (970) 315-3993 with any questions.

Sincerely,



Kurt Culbertson

Principal

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April 27, 2017

William C. Herring
3104 Coca Rd. NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Mr. Herring:

We are writing to inform you and Los Duranes Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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You may also contact me directly at (970) 315-3993 with any questions.

Sincerely,



Kurt Culbertson

Principal

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April 27, 2017

Charles Hostetler
1908 Allegretto Trl. NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Mr. Hostetler:

We are writing to inform you and Symphony Home Owner's Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

Please refer to the attachments for all parcel information regarding this request. The attachments specify legal descriptions, lot or tract numbers, block numbers, and subdivision names.

This request will be presented to the Environmental Planning Commission on Thursday, June 8, 2017 at Plaza del Sol located at 600 Second Street NW. The hearing commences at 8:30 a.m.

The current zoning for the parcels is M-1 and R-1 and they currently remain mostly vacant. The total area proposed for rezoning is 19.46 acres. The Zone Map Amendment request is to change the existing zoning to C-2 and R-2 to accommodate community demands for neighborhood retail and housing options following the policies set forth in the recently-adopted City of Albuquerque Comprehensive Plan.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 768-3334.

A facilitated meeting request must be received by ONC by: Monday May 8, 2017.

You may also contact me directly at (970) 315-3993 with any questions.

Sincerely,



Kurt Culbertson

Principal

Attachments: Copy of the Zone Atlas Page H-13-Z, Attachment A: Legal Descriptions

Design Workshop, Inc.

Landscape Architecture
Planning
Urban Design

120 E. Main St.
Aspen, CO 81611
970.925.8354
970.920.1387 fax

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April 27, 2017

Bernadette Sanchez
2012 Allegretto Trl. NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Mr. Sanchez:

We are writing to inform you and Symphony Home Owner's Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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April 27, 2017

Benjamin Lovato
2820 Azar PI NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Mr. Lovato:

We are writing to inform you and West Old Town Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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April 27, 2017

Glen Effertz
2918 Mountain Rd. NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Mr. Effertz:

We are writing to inform you and West Old Town Neighborhood Association that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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Kurt Culbertson

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April 27, 2017

Peggy Norton
PO Box 70232
Albuquerque, NM 87197

Re: Zone Map Amendment

Dear Ms. Norton:

We are writing to inform you and North Valley Coalition that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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Sincerely,



Kurt Culbertson

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April 27, 2017

Doyle Kimbrough
2327 Campbell Rd NW
Albuquerque, NM 87104

Re: Zone Map Amendment

Dear Mr. Kimbrough:

We are writing to inform you and North Valley Coalition that Design Workshop Inc. has submitted a Zone Map Amendment application on behalf of Edward T. Garcia and the Garcia Family Real Estate Holdings Group. The parcels proposed for rezoning are located northeast of the intersection of Interstate 40 and Rio Grande Boulevard, specifically between the Alameda Drain and the Campbell Ditch. The street addresses include street numbers 1214, 1212, 1210, 1308, 1120, 1200, 1120, 1116, 1112, 1108, 1104, 1110, and 1113 Saiz Road NW.

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Sincerely,



Kurt Culbertson

Principal

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Sent To: Glen Ellertz
 Street and Apt. No., or PO Box No.: 2412 Mountain Rd
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Sent To: Charles Hostetler
 Street and Apt. No., or PO Box No.: 1308 Allegretto Trl NW
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Sent To: Benjamin Lovato
 Street and Apt. No., or PO Box No.: 2821 Cedar Pl NW
 City, State, ZIP+4®: Albuquerque NM 87104

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Sent To: Doule Kimbrough
 Street and Apt. No., or PO Box No.: 232 Campbell Rd NW
 City, State, ZIP+4®: Albuquerque NM 87104

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Sent To: Dianne Jones
 Street and Apt. No., or PO Box No.: 1400 Lumberport Dr NW
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Sent To: Joe Sabatini
 Street and Apt. No., or PO Box No.: 3911 Lakes Dr NW
 City, State, ZIP+4®: Albuquerque NM 87107

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Postage \$0.70

Total Postage and Fees \$4.05

Sent To: Peary Norton
 Street and Apt. No., or PO Box No.: 4032 Box 10132
 City, State, ZIP+4®: Albuquerque NM 87197

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Sent To: Julie Tenos
 Street and Apt. No., or PO Box No.: 1729 Sand Saw Pl NW
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Sent To: William C. Herring
 Street and Apt. No., or PO Box No.: 2104 Co. A Rd NW
 City, State, ZIP+4®: Albuquerque NM 87104

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Sent To: Bernadette Sanchez
 Street and Apt. No., or PO Box No.: 2011 Allegretto Trl NW
 City, State, ZIP+4®: Albuquerque NM 87104

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CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

Project #: 1011232
Property Description/Address: 21 contiguous parcels located northeast of I-40 and Rio Grande Blvd.; see application for legal descriptions.

Date Submitted: May 24, 2017
Submitted By: Philip Crump

Meeting Date/Time: May 23, 2017
6:00 PM

Meeting Location: Los Duranes Community Center
Facilitator: Philip Crump
Co-facilitator: Jessie Lawrence

Parties (individual names and affiliations are listed at the end of the report):

- **Applicant:**
 - o Edward T. Garcia c/o Garcia Auto Group LLC
- **Agent:**
 - o Design Workshop, Inc.
- **Affected Neighborhood Associations:**
 - o Near North Valley N.A.
 - o Sawmill Area N.A.
 - o Los Duranes N.A.
 - o Symphony H.O.A., Inc.
 - o West Old Town N.A.
 - o North Valley Coalition
 - o Alvarado Gardens N.A.

Background/Meeting Summary:

Applicant requests a zone map amendment for 21 contiguous parcels located northeast of I-40 and Rio Grande Blvd., currently zoned M-1 and R-1, to be changed to C-2 and R-2. The proposed zone change is part of a larger infill mixed-use development plan, currently called Rio Grande Crossing. Applicant stated that the project could include a grocery store, other retail, a hotel, and/or multi-family residential.

Neighbors in attendance expressed strong concerns about traffic and how current traffic problems would be exacerbated by the project. Meeting participants expressed concerns that additional traffic would further clog Rio Grande Blvd. and the existing intersections and could increase traffic in nearby neighborhoods.

Neighbors would like to see a full traffic study and plan in place before a zone change is considered and the project can move forward. Applicant did not agree with deferring the application, stating that there would always be reasons to delay and he hoped to move forward with planning for the property, and stated that the traffic study would still affect decisions about what could be developed on the site.

Meeting participants also expressed traffic-related concerns about bicycle and pedestrian connections and the risk of traffic being completely clogged in certain situations.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

In addition, some meeting participants expressed opposition to the potential uses of a grocery store (in particular a Walmart market), hotel, or multi-family residential. Some meeting participants also expressed a desire to see more information via site development plans before development proceeds.

Outcome:

- *Areas of Agreement*
 - o None noted at the meeting.
- *Outstanding Issues and Concerns*
 - o Many meeting participants expressed concerns about potential traffic generated by the project, how it would impact existing traffic bottlenecks, particularly along Rio Grande Blvd., and whether or not it could be mitigated. There is an existing traffic study in progress by the applicant, and neighbors expressed the opinion that the zoning decision should be deferred until this study is complete.
 - o Some meeting participants expressed concerns about the proposed uses for the site. There was some opposition to any grocery store, and additional opposition to a Walmart full store or marketplace grocery. There was also some opposition to a hotel and to multi-family residential development, particularly if it was at the high end of the permitted density.
- *Other Key Points*
 - o Neighbors expressed concern that they may receive less information and have less opportunity for community involvement in land use decisions under the City's changes to its land use procedures.

Meeting Specifics:

1) Overview of Request

- a) Ed Garcia, Applicant, stated that they are requesting the zone change because the M-1 zone is inappropriate in this location.
 - i) The changed zoning will include a section of C-2 zoning and a section of R-2 zoning and will keep the current R-1 zoning where it exists now.
- b) This project will not be a 75K+ square foot big box.
- c) Applicant is looking at the possibility of a community-scale grocery store, 35K to 55K square feet.
- d) Applicant is interested in working with neighbors to discuss possible uses and address concerns about traffic.
- e) Herb Denish, on the applicant team, stated that the area of the C-2 zoning would be 11.6 acres, the area of the R-2 zoning would be 7.85 acres, and the remaining R-1 zoning is approximately 2 acres.
 - i) Mr. Denish stated that he is willing to meet with individuals or small groups to continue to discuss this project.
 - ii) He stated that the big difference between C-2 and C-1 zoning is the type of liquor sale permitted, full liquor vs. beer and wine.
 - iii) For 5 or more acres of C-2 zoning, there will be a public process for approval, and neighbors will receive notice of plans.
 - (1) Jackie Fishman, on the applicant team, said that under the shopping center regulations, a site development plan of more than 5 acres would need to be approved by the EPC

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

before anything could be built, and the neighborhood associations would be notified and able to weigh in on those plans.

- f) This application is for a straight zone change, per the City of Albuquerque's recommendation.
- g) These plans will not affect the Rio Grande Blvd. frontage, which is covered by the Los Duranes sector development plan.

2) **Questions and Concerns Related to Traffic**

- a) Multiple meeting participants asked how traffic would get in and out of the area and stated that traffic on Rio Grande Blvd., and particularly ingress and egress, is already awful.
- b) Terry Brown, on the applicant team, said that he has started on a traffic study that will determine which access can be implemented and how.
 - i) The process of the study will involve coordination with the City and NMDOT, collection of actual current traffic volumes at AM and PM peak hours, projection for additional traffic volume in the year 2022 at current conditions and with development, and attempts to develop solutions to mitigate traffic problems.
 - ii) The City has defined the scope of the study, which includes the signalized intersections nearest the site, Indian School and Rio Grande, and 12th and Menaul.
 - iii) The process will involve negotiations with the City and NMDOT, and residents can be involved in the process.
 - iv) A meeting participant asked if the study could incorporate school traffic at Duranes Elementary and the Montessori school.
 - (1) Mr. Brown said that school traffic has not been included in the scope defined by the City, but he could try to incorporate that traffic into the traffic counts.
 - v) A meeting participant said that neighbors have requested a traffic study at previous neighborhood association meetings, and asked if the study would be done before the June 8 EPC hearing.
 - (1) Mr. Brown said that he expected the study to be done between June 15 and June 20.
 - vi) A meeting participant asked who the contacts are at the City for the traffic study.
 - (1) Mr. Brown said Raquel Michel or Logan Patz.
 - vii) A meeting participant said that when there are accidents, access is difficult and it's necessary to go all the way around.
 - (1) Mr. Brown said the study would not address accident conditions or unusual incidents.
 - viii) A meeting participant asked if the traffic study would include ingress and egress from the Los Duranes neighborhood at the relevant intersections.
 - (1) Mr. Brown said that the traffic counts would include traffic from all directions.
 - (2) The meeting participant suggested that all intersections along Rio Grande Blvd. from I-40 to Indian School should be studied.
- c) A number of meeting participants said that the zone changes would have an impact on traffic and that a zone change shouldn't be approved without a clear plan to alleviate traffic.
 - i) Multiple meeting participants asked that the application be deferred until the traffic study is complete and can be reviewed.
 - (1) Mr. Garcia said that they are reluctant to delay the project more than they already have and are concerned that they will never make everyone happy. He said that if the study said that the development could not be done, they would not proceed.
 - (2) A meeting participant suggested that deferring would demonstrate the applicant's concern for the neighbors and their access.
 - (3) A meeting participant suggested that the data will help the project and the neighbors.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

- (4) A meeting participant suggested that submitting the application with the traffic study would be the responsible thing to do.
- d) A meeting participant suggested that the project should be pedestrian-friendly.
 - i) Mr. Denish said that they hope to create a walkable trail system using the Alameda Drain, the Campbell Acequia, and the area near the freeway.
 - e) A meeting participant said that if traffic is blocked because of a crash, it could be impossible for emergency vehicles to get into the site.
 - f) A meeting participant said that traffic conditions are dangerous at peak hours because traffic coming from I-40 on the exit ramp doesn't obey the signals.
 - g) A meeting participant asked for an estimate of the average daily usage for this sort of project.
 - i) Mr. Brown estimated that a 55K square foot grocery store might generate 150 or more entering trips and 150 exiting trips at a peak hour, for a total of 300-400 trips per hour at peak.
 - h) A meeting participant asked if the applicant was considering using the ditches for ingress/egress.
 - i) Andres Aragon Viamonte, on the applicant team, said that use of the Alameda Drain had been discussed at a previous meeting, but there is already a plan for the drain.
 - ii) Applicant would like to develop a portion of the canal for non-vehicle uses and recreation.
 - i) A meeting participant expressed concern that even if the project is designed to invite bicycles and pedestrians, additional traffic on the streets will make Indian School and other roads less inviting.
 - j) A meeting participant said that ART construction on Central has had a large negative impact on the north valley, and that road construction on Rio Grande Blvd. would also have an impact on quality of life that she did not want to support.
 - k) A meeting participant noted that the Symphony HOA streets are private and cannot be used by this traffic.
 - l) A meeting participant stated that a discussion of suggested uses is useless until the traffic study is complete and there is information about the potential traffic impacts.
 - m) A meeting participant asked if the community liaison on the applicant team, as someone who lives in the neighborhood, is concerned about the traffic.
 - i) Ms. Fishman said she is also anxious to see the results of the traffic study and said that she challenged Mr. Brown to see what could be done to mitigate the traffic issues.
 - n) A meeting participant said that traffic already breaks down at certain times of day, at special events, or at school times, and expressed concern that it could not be slowed any more.
 - o) A meeting participant asked about NMDOT's jurisdiction over traffic issues.
 - i) Mr. Brown said NMDOT's role mostly exists at evaluation of the interchange, and NMDOT jurisdiction doesn't extend much past the right of way access control line.
 - p) A meeting participant requested commitment to a bicycle level of service and input on that for the traffic study.
 - i) Mr. Brown said that he could look at bicycle level of service in the study.
- 3) Other Questions and Concerns**
- a) A meeting participant asked about the maximum height and density in R-2 zoning.
 - i) Mr. Denish said the maximum would be 30 dwelling units per acre and three stories, and most of their work has a maximum of 22-25 dwelling units per acre.
 - ii) Another meeting participant noted that at the maximum, 7.85 acres of R-2 zoning could hold 235.5 dwelling units.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

- b) A meeting participant who lives in the “cutout” area to the north of the property asked how close a commercial parking lot could be to her property.
 - i) Mr. Viamonte said that the goal of the multiple zones is to create a buffer from the commercial area, and they would work with neighbors to look at landscaping, setbacks, and other tools to serve as buffers.
- c) A meeting participant asked what uses the applicant was considering for the site.
 - i) Applicant stated that they were looking at one grocery store of approximately 55K square feet and one additional retailer for the commercial uses.
 - ii) For the R-2 area, applicant is looking at aging in place concepts.
- d) A meeting participant asked about the possibility of a hotel on the site.
 - i) Applicant stated that they are considering a hotel on a 2.5 acre piece of land if the traffic study, business plan, and level of interest make sense.
 - ii) If a hotel is built, it would be a relatively small hotel concept.
- e) A meeting participant asked if a site development plan would be required for any multi-family residential development.
 - i) Ms. Fishman said that it would not; it would be required for commercial development in excess of 5 acres.
- f) A meeting participant asked if, under the changes to the City process, a site development plan would go through the EPC or the DRB.
 - i) Ms. Fishman said that the process is in flux and the decision hasn’t been made, but if the site development plan goes through the DRB, they would operate as if they were the planning commission.
- g) A meeting participant asked what grocery stores were being considered for the site.
 - i) Mr. Garcia said that they have not spoken with any, but the major players are likely to include Kroger, Albertsons, Walmart Neighborhood Market, Trader Joes, Vitamin Cottage, or Whole Foods.
 - (1) Multiple people indicated that they did not support the Walmart Neighborhood Market.
- h) A meeting participant suggested that there should be a park on this property.
- i) A meeting participant asked, if the difference between C-1 and C-2 is liquor, why the request is for C-2.
 - i) Mr. Garcia said that there are no existing plans, but it would be more consistent with the full liquor at the existing Range restaurant and the current M-1 zone.
- j) A meeting participant asked about the vision for the property.
 - i) Mr. Garcia said that they are interested in the concepts of aging in place and walking to retail, and they think density will improve quality of life and people will want to be there.
- k) A meeting participant suggested that there are examples from other states of listening to the neighboring residents and using their input to create a project that works, and expressed concern that didn’t seem to be happening here.

Application Hearing Details:

1. The Environmental Planning Commission (EPC) is an appointed, 9-member, volunteer citizen board with authority on many land use and planning issues. The EPC was formed in 1972 per City of Albuquerque Ordinance #294-1972. Members:
 - Karen Hudson, Chair, Council District 8
 - Derek Bohannon, Vice Chair, Council District 5
 - Dan Serrano, Council District 1
 - Moises Gonzalez, Council District 2

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PROJECT MEETING REPORT

- Vacant, Council District 3
 - Peter Nicholls, Council District 4
 - Maia Mullen, Council District 6
 - James Peck, Council District 7
 - Bill McCoy III, Council District 9
2. Hearing Time:
- i. The hearing is scheduled for June 8, 2017.
 - ii. The Commission will begin hearing applications at 8:30 a.m.
 - iii. The actual time this application will be heard by the Commission will depend on the applicant's position on the Commission's schedule.
 - iv. The agenda is posted on <http://www.cabq.gov/planning/boards-and-commissions/environmental-planning-commission> on the Friday immediately prior to the EPC Hearing.
3. Hearing Process:
- i. Comments from facilitated meetings will go into a report which goes to the City Planner.
 - ii. City Planner includes the facilitator report in recommendations.
 - iii. The Commission will make a decision and parties have 15 days to appeal the decision.
4. Comment Submission:
- i. Comments may be sent to:

Michael Vos, Staff Planner
600 2nd Street NW, Third Floor
Albuquerque, NM 87102
mvos@cabq.gov
(505) 924-3055

OR

Karen Hudson, Chair, EPC
Derek Bohannon, Vice Chair, EPC
c/o Planning Department
600 2nd St, NW, Third Floor
Albuquerque, NM 87102

Names & Affiliations of Attendees (If no affiliation given, the attendee is likely a neighbor; not everyone indicated):

Applicant Team--

*Andres Aragon Viamonte	Engineer
*Ed Garcia	Applicant
*Herb Denish	Agent
*Jackie Fishman	Planner/N'hood liaison
*Jason Kent	Garcia Family attorney
*Jim Strozier	Planner
*Terry Brown	Transportation Engineer

Citizen attendees:

Carolyn Siegel	Alvarado Gardens NA
Diane Dolan	Councilor Benton office
Alex Alley	Los Duranes NA
Eddie Lopez	Los Duranes NA

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J Greigo	Los Duranes NA
Lee Gamelsky	Los Duranes NA
Pat Archuleta	Los Duranes NA
Paula Spooner	Los Duranes NA
R Garner	Los Duranes NA
Rose Morin	Los Duranes NA
Steve Williams	Los Duranes NA
T Neville	Los Duranes NA
Vera Olson	Los Duranes NA
William Herring	Los Duranes NA

Antoinette Lopez
Barbie Brennan
Belinda Barreras-Medrano
Carla Baron
Carolyn Gonzalez
Debbie Freeman
Dede Feldman
Dennis Lafscik
Eli Maestas
Georgette Gurule
Hope Chavez
Jeannie Gonzalez
Jennifer Navarrete
Joella Apodaca
John Niwa
John Padilla
John Souza
Kim Calander
Libby Anderson

Marc Baca
Marianne Dickinson
Mario Castro
Marit Tully
Mary Niwa
Michelle Lonbard
Mike Jones
Mimi Greenwood
Mimi Lopez
Pat Mehlhop
Paul Neville
Paula Butterworth
Phillip Goetze
Renee Colantori
Scott Hale
Sue DeWalt
Susan Selbin
Theresa Anaya
Virginia Lawlor

FACILITATED MEETING REPORT AMENDMENT

Project 1011232 17EPC-40011

Date Submitted: 26 May 2017
Original Submission: 24 May 2017
Submitted By: Philip Crump
Facilitator: Philip Crump
Co-facilitator: Jessie Lawrence
Meeting Date and Time: 23 May 2017 6-8 pm

Contact information for Planner Michael Vos was incorrect.
Telephone was given as 924-3055

Actually:

Michael Vos, Staff Planner
600 2nd Street NW, Third Floor
Albuquerque, NM 87102
mvos@cabq.gov
(505) 924-3955

508 Laguna Seca Ln NW
Albuquerque, NM 87104

May 16, 2017

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

**Re: Project #1011232: 17EPC-40011 Zone Map Amendment
Submitted by Garcia Family and Design Workshop, Inc.**

Dear Ms. Hudson:

My wife and I recently learned of the Garcia Family proposal to develop the property northeast of Interstate 40 and Rio Grande Boulevard.

As long-time residents of Old Town, we are very excited about a project that would bring needed services and stability to an area that has been ignored and underdeveloped for far too long. While we welcome tourists to Old Town south of the interstate, beautification and activity north of the interstate has been a long time in coming. The recent addition of The Range restaurant has certainly been welcome to many and has created hope in the community that we will soon be able to enjoy an atmosphere of additional neighbor-friendly activities, leisure time and much-needed and essential retail shopping. Moreover, this is a project that can bring neighbors and city commuters together for the benefit of the community at large.

As a user of the open spaces, bosque and acequia trails surrounding our neighborhood, we are grateful for the partnership between the Garcia Family and the Middle Rio Grande Conservancy District to enhance the open space and trail amenities to the site. As taxpayers, we encourage public/private partnerships such as these to maximize our precious resources.

We look forward to having a project completed that will not only enhance our quality of life, but also underscore the beauty and nature of our City.

Without hesitation, we offer our support of the proposed zone map amendment presented to the Environmental Planning Commission for consideration, and we respectfully request approval.

Sincerely,



William W. Deaton
(505) 898-2970

Frank H. Martinez
501 Edith Blvd. NE
Albuquerque, NM 87102

May 25, 2017

Karen Hudson, Chair
Environmental Planning Commission
City of Albuquerque
600 Second St. N. W.
Albuquerque, NM 87102

Hand-delivered

Dear Chairperson Hudson and Commissioners:

I am writing this letter in support of the Garcia Family Project on Rio Grande NW. PROJECT #1011232

Although I do not live in the project area, I wanted to convey how important I believe the Garcia Family has been to our area and the City of Albuquerque.

Presently the Garcia family is developing a project called "Glorieta District" adjacent to Martineztown. The project is located south of Lomas and west of Broadway on the railroad tracks. This area has been vacant for many years and now will add to our neighborhood, Downtown, and the rapidly developing Innovate Albuquerque District.

The Garcia family has a strong commitment to Albuquerque and that ongoing commitment is reflected in the work they have undertaken in both Downtown and on Rio Grande N. W.

I will be unable to attend the hearing on June 8th, but I would respectfully request that my letter be entered into the record.

Thank you for your consideration.

Sincerely yours,



Frank H. Martinez

May 23, 2017

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

Ms. Hudson,

I am writing in regard to *PROJECT #1011232: 17EPC-40011 ZONE MAP AMENDMENT SUBMITTED BY GARCIA FAMILY AND DESIGN WORKSHOP, INC.*

I am a native New Mexican born and raised on the property that the Garcia Family is trying to rezone. This has been family land for generations. My sister and her children still reside at 1900 Lilac Ave. NW. Margie Anaya, my grandmother lived next door to us at 2000 Lilac Ave. NW.

This land and the residential buildings have a historical and cultural background grounded in the history of Albuquerque. The Anaya Family is an old and original New Mexican Family.

This tradition and the ongoing use of the land and residences speaks to our heritage and pride in New Mexico and the Duranes neighborhood.

We are devastated at the thought of a large, commercial project that will ruin the neighborhood. It would make our land uninhabitable. There will be noise, congestion and commercialism. The traffic would be intolerable in an already congested area.

This project will not fill any needs. There is a large Walmart less than 2 miles away. There are small grocery stores within 1-2 miles (La Montanita and John Brooks). There are bike paths less than a mile away in the bosque. There are multiple hotels within 0.2 miles. The goals in the plan also include a goal of increasing open space – this would infill all of this beautiful existing open space.

This is a purely profit driven endeavor not taking into consideration the devastation that this will wreak on my elderly mother and other adjacent landowners who are longstanding Albuquerque natives

I still spend many wonderful hours on the family property. I am very against the idea of the Rio Grande Crossings. Please keep me informed of meetings regarding this.

A handwritten signature in cursive script, appearing to read "Kathleen Allen", followed by a long horizontal flourish line.

Dr. Kathleen Allen
721 17th Street NW
Albuquerque, NM 87104

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

**Re: Project #1011232: 17EPC-40011 Zone Map Amendment
Submitted by Garcia Family and Design Workshop, Inc.**

Chairperson Hudson:

I am writing in support of the recently submitted Zone Map Amendment proposal by the Garcia Family and Design Workshop, Inc. on April 27, 2017.

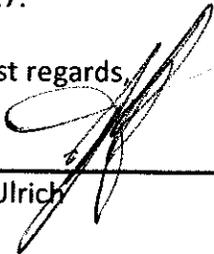
The development team has proven their commitment to surrounding neighborhoods through ongoing community meetings as well as their willingness to listen and their availability to respond thoughtfully to our concerns. This is exactly the type of team we would welcome to develop the parcels at the northeast intersection of Rio Grande Boulevard and Interstate 40.

I believe the zone map amendment at these parcels will benefit the community in the following ways:

- A reduction in crime by introducing land uses aligned with "highest and best use"
- An increase in greenspace and bicycle facilities along our community's cherished acequias
- A quality development poised to attract retailers aligned with the community's needs such as a grocery store and an assisted living facility
- An increase in job creation and entrepreneurship through retail opportunities resulting from additional commercial zoning
- An increase in middle-income families through the additional quality housing types such as single-family homes and multi-family homes

These are just some of the reasons that I support this project and I hope you and the Environmental Planning Commission will also support this development at the hearing on June 8, 2017.

Kindest regards,



John Ulrich

Date

5/25/2017

John P. Ulrich 1805 Rio Grande Blvd. NW 87104

May 30th, 2017

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

RE: Project 1011232 17EPC-40011 Zone Map Amendment
Rio Grand Crossing development Zone change approval.

Dear Ms. Hudson:

I wanted you to be aware of a few things that this zone change would do to our neighborhood.

Our Neighborhood is right next to Rio Grande Blvd. close to I-40. Rio Grande Blvd. is a unique area because it is a mixture of residents, businesses and the beautiful nature of the Bosque. People exercise, walk dogs and ride horses along the Alameda Drain; it is quite a community building area where we see our neighbors and the beautiful nature.

I am not against developing areas for business or building new places of residence. What I am not please with is the extent and the size of the Ed Garcia project. The 21.44 acre project wants 25 3 story residential houses, senior citizen living facility, a hotel, retail shops and a grocery store. WOW! thats a lot for a small area. there are very small roads leading in and out of this little area. Grocery stores need 18 wheel trucks to deliver the goods for the grocery store; senior citizen living needs adequate roads for emergency vehicles; Residents need an easy way out to the street to get on with their lives.

Another concern is one of the reasons of the zone change. The reason is to change the current zone to a C-2 Zone so that the grocery store can sell all types of alcoholic beverages, not just beer and wine. We have a growing problem of Alcohol addicted homeless people in our neighborhood and with this addition of cheap alcohol it will get worse, and closer to elementary schools and Old Town.

Ed Garcia said he had done 2 Traffic studies and said that Traffic would not be a problem but he would not show us the study. He also hired a team from Santa Fe to do another traffic test for the city. The man doing the study was very unaware of the area and the schools in the neighborhood. The study will only reflect rush hour traffic to and from work; it will not reflect what happens during school times. What is worse, It will not be ready before you are to make a decision about this zone change.

Ed Garcia also told us the grocery stores contending for the spot is Smiths, Albertsons, and WALMART!!! We all know that Smiths and Albertsons do not do 5500sq. feet stores; Its obvious that it will be Walmart. That store brings a lot of challenges to neighborhoods and brings down property values. We need a mix of residents here, low, mid and high income because we want our property values up, and to have sufficient amounts of property taxes to fund our schools.

The last point is the community trails; we love walking, bicycling etc. around here! Its beautiful, especially around fall when all the cottonwoods turn yellow. It will become more difficult to enjoy all this if trucks are backing up traffic, increased car volumes and the bigger chances for accidents.

I hope you have time to consider all these points. I think Ed Garcia needs to keep the zone the way it is, and to create on a smaller scale.

Thank you for your time
Hope Chavez
1405 Marcato Lane NW
87104

May 30, 2017

VIA CERTIFIED MAIL AND HAND DELIVERY

<p>[# 7016-0910-0002-1806-4519] Ms. Karen Hudson, Chair Environmental Planning Commission Planning Department 600 2nd Street NW, Third Floor Albuquerque, NM 87102</p>	<p>[# 7016-0910-0002-1806-4540] Mr. Michael Vos, Staff Planner Environmental Planning Commission Planning Department 600 2nd Street NW, Third Floor Albuquerque, NM 87102</p>
--	---

Re: Project #1011232: 17EPC-40011 Zone Map Amendment
(Rio Grande Crossing)

To Whom It May Concern:

This office represents Ms. Darlene Anaya, the property owner at 2000 Lilac Avenue, NW, in Albuquerque (the “Anaya Property”). Ms. Anaya's property is in the immediate vicinity of the proposed zone map amendment referenced above. This letter voices our concerns regarding the proposed amendment.

As set forth in detail further below, the proposed C-2 use, in particular,

- 1) is inconsistent with the current residential and semi-rural character of the area;
- 2) is inconsistent with existing planning guidelines for this area; and
- 3) does not meet the requirements of resolution 270-1980.

Instead, a neighborhood commercial zoning (C-1) is more consistent with existing use; would allow for more responsible neighborhood-scale commercial use; and would prevent a spot-zone of C-2 use in this area.

I. Existing Use – Residential and Semi-Rural

A. Existing Residential Use

The existing use of this area is overwhelmingly residential. (*See*, Appendix A, depicting existing residences near the proposed amendment).

As already noted, the Anaya Property, a single family residence, is located in the immediate vicinity of the proposed zoning map amendment. However, in addition to the Anaya Property, there are dozens of single family residences in the immediate vicinity of the proposed zone map amendment, including the Symphony residential development, residences along San Francisco Road, and residences along Indian School Boulevard. In addition to these single

family residences, there are also hundreds of residential apartments that make up the Valley Apartments (located immediately east of the proposed amendment) and the St. Anthony Apartments (also located immediately east of the proposed amendment). (See, Appendix A, depicting existing residences near the proposed amendment).

In sum, the proposed amendment is located in an area overwhelmingly residential.

B. Existing semi-rural character

The proposed zoning map amendment is situated in the North Valley and particularly, the Near North Valley. The Comprehensive Plan as adopted by the City Council in March 2017 (“Comprehensive Plan”) acknowledges the existing residential and semi-rural use of this area.

According to the Comprehensive Plan, “The North Valley retains its semi-rural, light agricultural character.” (Comprehensive Plan, section 4.1.3, page 4-19 through 4-20).

The Near North Valley, in particular, is described in the Comprehensive Plan as:

*A semi-rural area that relates strongly to the Rio Grande.
An intricate ditch irrigation system, extensive vegetation
and evidence of its historic Hispanic traditions set it apart.*

(Comprehensive Plan, section 4.1.3.2, page 4-26).

The semi-rural nature of this area is also evidenced by two historic acequias that run immediately east and west of the proposed amendment. The Alameda Drain, on the west, and the Campbell Ditch, on the east. (See, Appendix B, depicting an acequia on either side of the proposed amendment).

In sum, the proposed amendment is located in an area that retains a semi-rural character.

II. The Proposed C-2 use is Inconsistent with the Existing Use and Character

The proposed zoning map amendment proposes a large C-2 use. This proposed C-2 use, in particular, is inconsistent with the existing use and character of the area.

A. Inconsistent with Residential Use

The proposed C-2 use is inconsistent because the overwhelming use in this area is residential, including the Anaya Property, residences along San Francisco Road and Indian School Boulevard, the nearby Symphony residential development, and the Valley and St. Anthony Apartments. (See, Appendix A).

B. Inconsistent with Semi-rural character

The proposed C-2 use is inconsistent because the character of this area, is semi-rural. As noted, the Comprehensive Plan acknowledges the semi-rural nature of this area, generally. (See, Comprehensive Plan, pages 4-19, 4-20, and 4-26).

C. Inconsistent given proximity to Acequias

Third, the proposed C-2 use is inconsistent because it is situated immediately between two historic acequias, the Alameda Drain, on the west, and the Campbell Ditch, on the east. (See, Appendix B).

The Alameda Drain, in particular, is part of the Alameda Drain & Trail Master Plan developed by Bernalillo County, the City of Albuquerque, and the Middle Rio Grande Conservancy District (MRGCD). According to the Alameda Drain & Trail Master Plan:

The proposed trail along the Alameda Drain would continue the trend to enhance the greenways along the channel as a recreational corridor.

(Alameda Drain & Trail Master Plan, August 2016, pg. 4.)

The Alameda Drain also makes up the eastern-most border of the Los Duranes Sector Development Plan (LSDSP). The LSDSP identifies special protection for acequias within its boundaries, including the Alameda Drain. (See, LSDSP, pg. 2, Plan Boundaries). The goal of the LSDSP with respect to acequias is to:

Preserve the acequia system by increasing neighborhood awareness and increasing participation in using and maintaining the acequias/ditches.

///

For Los Duranes, the preservation of existing open space and acequia system is also critical to its sense of place and history.

(LSDSP, pgs. 60 and 128)

The proposed C-2 use is inappropriate given the proximity to the Alameda and Campbell ditches and the planning documents that seek to preserve the character of the acequias as community and recreational areas.

III. C-1 Neighborhood Commercial is more appropriate zoning for this area.

A. C-1 is more consistent with existing residential and semi-rural use

As noted, the overwhelming use of this area is residential and semi-rural. (See, Appendices A and B.) Accordingly, a less intensive, neighborhood commercial zoning (C-1) is more appropriate for this area.

B. C-1 is more consistent with the design guidelines for the Near North Valley as contained in the Comprehensive Plan

The property at issue in the zone map amendment is in the Near North Valley. Design guidelines for commercial development in the Near North Valley stress “small-scale centers.” (Comprehensive Plan, pg. 4-26). The proposed C-2 use is inconsistent with “small-scale centers.”

Furthermore, according to these same design guidelines, commercial use in the Near North Valley should only be situated “along major streets.” (Comprehensive Plan, pg. 4-26). Here, the proposed C-2 zoning is inappropriate because it is not along a “major street.” The closest street is Saiz Road, which is a small two-lane residential street.

C. C-1 is more appropriate given the traffic constraints in this area.

The proposed zone map amendment is located close to an area already saturated with traffic: Interstate 40 and Rio-Grande Boulevard. The proposed C-2 zoning would bring more traffic and more congestion to an area already saturated with traffic.

IV. Resolution 270-1980

The burden is on the applicant to demonstrate that Resolution 270-1980 has been met. *Albuquerque Commons Partnership v. City Council of the City of Albuquerque*, 146 N.M. 568, 573, 1130 (2009).

(A) **“A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.”**

The proximity of the proposed intensive C-2 commercial use to predominantly residential and semi-rural areas is not consistent with the health, safety, morals, or general welfare of the city. (See, Appendixes A and B).

(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 applicant largely argues that a change in zoning is appropriate because: (1) a very small portion of light manufacturing exists adjacent to Interstate 40; and (2) some commercial needs have been identified by the community.

However, the applicant assumes, automatically, that an intensive C-2 commercial use is appropriate for this area, without any consideration of the suitability of a neighborhood-oriented C-1 use. As noted, the proposed C-2 use is inconsistent with the residential and semi-rural character of this area, as well as the planning guidelines that recognize the existing character.

Accordingly, the applicant has not met its burden that a C-2 commercial use is appropriate for this area, over a neighborhood-oriented C-1 commercial use, given the residential and semi-rural character of this area.

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

The proposed zone map amendment conflicts with the Comprehensive Plan, because the Comprehensive Plan acknowledges the semi-rural nature of this area, generally. (*See*, Comprehensive Plan, pages 4-19, 4-20, and 4-26).

The proposed C-2 use also conflicts with the Alameda Drain & Trail Master Plan and the LDSDP given its proximity to two acequias, the Alameda Drain and the Campbell Ditch, both of which contribute to the semi-rural character of this area.

- (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 1 or 2 above do not apply.**

The applicant argues that there has been “changed neighborhood or community conditions” and cites the Los Duranes Sector Development Plan.

However, the Los Duranes Sector Development Plan does not support the applicant's position for three important reasons. First, while the LDSDP supports commercial uses on Rio Grande Boulevard, the property at issue here is not on Rio Grande or any other major street. Second, the commercial interests supported by the LDSDP are generally “neighborhood scale commercial uses”, not intensive C-2 commercial uses. (LDSDP, pg. 18). Lastly, where the LDSDP supports commercial development, it advocates, again, for “neighborhood-oriented commercial and office uses” to “create a transition zone between the rural residential character of the neighborhood and the more urban character and intensities of development ...” (LDSDP, pg. 83). Here, there is no meaningful transition, because the applicant argues for intensive C-2 commercial use in an otherwise residential and semi-rural 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.”**

First, the proposed C-2 use will be harmful to the existing residential neighborhood in this area. (Appendix A). Second, the proposed C-2 use will be harmful to the existing semi-rural character of this area, as recognized by the Comprehensive Plan. Thirdly, the proposed C-2 use will be harmful given its proximity to two historic acequias and the Alameda Drain & Trail Plan's intent to preserve the area as a 'recreational corridor.' (Appendix B).

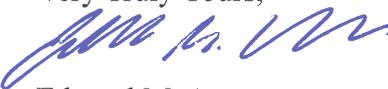
- (I) “A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a “spot zone.” Such a change of zone may be approved only when: (1) The change will clearly facilitate realization of the Comprehensive 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 applicant bypasses any discussion of a possible spot-zone. However, as noted, the proposed C-2 use, in particular, is inconsistent with the surrounding zoning, which is uniformly residential (R-1). Accordingly, the proposed C-2 use in this otherwise residential zone would tend to create a spot zone. Furthermore, unlike the commercial zoning along Rio Grande Boulevard, the proposed zoning here is not along any major street or traditionally commercial area, and an intensive C-2 commercial use here would lack the road infrastructure necessary to support itself.

V. Conclusion

The proposed C-2 use is inconsistent with the existing residential and semi-rural character of this area. To the extent that commercial uses are appropriate, a less-intensive C-1 neighborhood commercial zone is warranted.

Very Truly Yours,



Edward M. Anaya

EMA:

[2017.05.30.Letter.to.EPC.re.Garcia.Development.doc]

REFERENCES

Alameda Drain & Trail Master Plan, dated August 2016
Comprehensive Plan, dated March 2017
Los Duranes Sector Development Plan, adopted March and April 2012

APPENDICES

Appendix A – depicting existing residential use in area of proposed zone map amendment.
Appendix B – depicting existing acequias in area of proposed zone map amendment.



Appendix A

Depiction of existing residential use immediately proximate to the proposed C-2 zone. Existing residential uses include the Anaya Property, numerous single family residences on San Francisco Road and Indian School Boulevard, the Symphony homes development, and the Valley and St. Anthony Apartments.



Appendix B

Two historic acequias run on either side of the proposed C-2 zoning amendment, which contribute to the existing semi-rural character of this area. The Alameda Drain, on the west, and the Campbell Ditch, on the east.

May 30, 2017

Karen Hudson, Chair
Environmental Planning Commission

email to: Michael Vos, mvos@cabq.gov

Project #1011232

The North Valley Coalition, through its Executive Committee, asks that you defer or deny the zone map amendment requested for the Rio Grande Crossing development at Interstate 40 and Rio Grande Boulevard NW. This is a development with long-ranging impacts on the North Valley, particularly on the Rio Grande Boulevard corridor. There is no reason to rush this project. Additionally, the applicants have never approached the North Valley Coalition to do a presentation at one of our board/community meetings.

We share the concerns raised by the community during last week's facilitated meeting. Traffic on this already burdened roadway must be addressed prior to approval of any zone change. According to Enactment 270-1980, 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. It is the responsibility of the applicant to prove that the uses would not be harmful. Without a definitive site plan, and a traffic study determining the effects of that site plan, this determination can not be accomplished. It is obvious from the facilitated meeting that traffic was a major concern of attendees. And how to mitigate the impacts from traffic has not been addressed. Planning for this large-scale project would be better handled through SU zoning, with the site planning done at the same time as the traffic analysis and zone map amendments.

The applicant attempted to justify its C-2 zoning request by equating this zone category to the Range Cafe. However, the Range Cafe serves alcohol in a restaurant; C-2 allows package alcohol sales. C-2 permissive uses, as opposed to C-1 permissive uses, were not made clear in the facilitated meeting.

We are concerned about the impacts this development will have on the Alameda Drain and Campbell Ditch. We strongly oppose any use of these ditches for traffic from the development. The North Valley Area Plan recognizes the ditches as a key element of the valley's character, and one that makes the valley attractive to old and new residents. For decades, residents have said preservation of the ditches is essential to maintaining the valley's quality of life. The section of the Alameda Drain that goes through the development is part of a planned 9-mile recreational trail by the City, County and Middle Rio Grande Conservancy District.

Please take non-compliance with Enactment 270-1980 and also community concerns into account and defer or deny this zone change request.

Sincerely,

Peggy Norton, President
North Valley Coalition

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

**Re: Project #1011232: 17EPC-40011 Zone Map Amendment
Submitted by Garcia Family and Design Workshop, Inc.**

Chairperson Hudson:

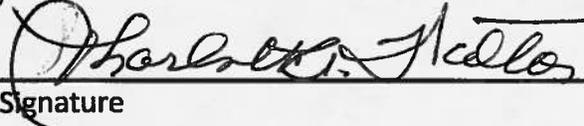
I am writing to express my support of the recent Zone Map Amendment proposal submitted to the Environmental Planning Commission by the Garcia Family and Design Workshop, Inc. on April 27, 2017.

I fully support this effort because it will bring much-needed community retail, basic services, and quality housing to an underdeveloped group of parcels at the northeast of Interstate 40 and Rio Grande Boulevard between the Alameda Drain and Campbell Ditch. We embrace the opportunity for the Garcia Family to introduce a cohesive vision on otherwise fragmented parcels.

Additionally, the Garcia Family is supporting the Alameda Drain and Trail project by partnering with Middle Rio Grande Conservancy District to introduce enhanced open space and trail amenities to the site.

I respectfully request that the Environmental Planning Commission support the Garcia Family's Zone Map Amendment proposal.

Best regards,


Signature

May 30, 2017
Date

CHARLOTTE WALTON
Printed Name and Address of Residence

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

**Re: Project #1011232: 17EPC-40011 Zone Map Amendment
Submitted by Garcia Family and Design Workshop, Inc.**

Chairperson Hudson:

I am writing in support of the recently submitted Zone Map Amendment proposal by the Garcia Family and Design Workshop, Inc. on April 27, 2017.

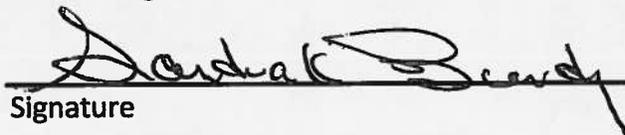
The development team has proven their commitment to surrounding neighborhoods through ongoing community meetings as well as their willingness to listen and their availability to respond thoughtfully to our concerns. This is exactly the type of team we would welcome to develop the parcels at the northeast intersection of Rio Grande Boulevard and Interstate 40.

I believe the zone map amendment at these parcels will benefit the community in the following ways:

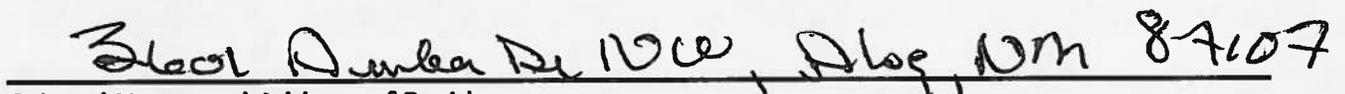
- A reduction in crime by introducing land uses aligned with "highest and best use"
- An increase in greenspace and bicycle facilities along our community's cherished acequias
- A quality development poised to attract retailers aligned with the community's needs such as a grocery store and an assisted living facility
- An increase in job creation and entrepreneurship through retail opportunities resulting from additional commercial zoning
- An increase in middle-income families through the additional quality housing types such as single-family homes and multi-family homes

These are just some of the reasons that I support this project and I hope you and the Environmental Planning Commission will also support this development at the hearing on June 8, 2017.

Kindest regards,


Signature


Date


Printed Name and Address of Residence

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

Hearing Date: Thursday, June 8, 2017 **1011232**

Zone Atlas Page: H-13

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

Cross Reference and Location: On or near North of I-40 and east of Rio Grande Blvd.
between Lilac Dr. NW and Campbell Ditch Border

Applicant: Edward T. Garcia c/o Garcia Auto Group LLC
8100 Lomas Blvd. NE
ABQ, NM 87110

Agent: Design Workshop Inc.
120 East Main St.
Aspen, CO 81611

Special Instructions:

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

Date Mailed: 05/17/17

Signature: 



1011232



Legend

- Bernalillo County Parcels
- Zone Grid
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED
- World Street Map

Notes

Buffer: 525ft.
ROW: I-40 425ft.

0.2 0 0.08 0.2 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
4/28/2017 © City of Albuquerque

This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES

1:7,691

GRIEGO JUANITA A
1040 19TH ST NW
ALBUQUERQUE NM 87104

JACOBSON JEAN & JANICE
1044 19TH ST NW
ALBUQUERQUE NM 87104

MARTINEZ JOSEPH A
1127 18TH ST NW
ALBUQUERQUE NM 87104

GURULE DANIELLE J
1123 18TH ST NW
ALBUQUERQUE NM 87104

GARCIA DENNIS MICHAEL
1119 18TH ST NW
ALBUQUERQUE NM 87104

HOGUE REBECCA F
1115 18TH ST NW
ALBUQUERQUE NM 87104

GOLDEN ESTHER T
1132 18TH ST NW
ALBUQUERQUE NM 87104

SANDOVAL EMMA J
1128 18TH ST NW
ALBUQUERQUE NM 87104

FERGUSON RACHEL M
1124 18TH ST NW
ALBUQUERQUE NM 87104

COULTAS KRISTEN A
1120 18TH ST NW
ALBUQUERQUE NM 87104

TUCKER MEREDITH I
1116 18TH ST NW
ALBUQUERQUE NM 87104

MAES NATALIE R
1131 MIS ABUELITOS DR NW
ALBUQUERQUE NM 87104

WILLETTO WENDI R
1127 MIS ABUELITOS DR NW
ALBUQUERQUE NM 87104

TORRES CHRISTOPHER & AMANDA ELYSE
1123 MIS ABUELITOS DR NW
ALBUQUERQUE NM 87104

DAVENPORT JAMES M
1815 AGUA FRESCA DR NW
ALBUQUERQUE NM 87104

JARAMILLO ANNETTE M
1119 MIS ABUELITOS DR NW
ALBUQUERQUE NM 87104

MAESTAS CATHERINE P
2411 ROSE AVE NW
ALBUQUERQUE NM 87104

LUCERO MAGDALENE MADRID
PO BOX 7235
ALBUQUERQUE NM 87194-7235

RIO GRANDE NEW MEXICO PROPERTY LLC
PO BOX 50620
IDAHO FALLS ID 83405

G3 INVESTORS LLC
8301 LOMAS BLVD NE
ALBUQUERQUE NM 87110-7908

STATE HIGHWAY DEPT
PO BOX 1149
SANTA FE NM 87504-1149

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

G3 INVESTORS LLC C/O ED GARCIA
PO BOX 26207
ALBUQUERQUE NM 87125-6207

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

N M STATE HWY DEPT
PO BOX 1641
SANTA FE NM 87501

SUNSET NON-PROFIT HOUSING ASSOCIATION
7700 OURAY RD NW
ALBUQUERQUE NM 87120

PAVLANTOS KIKI
1401 MARCATO LN NW
ALBUQUERQUE NM 87104

BLATCHFORD KENNETH NORMAN
1018 20TH ST NW
ALBUQUERQUE NM 87104-2013

G3 INVESTORS
PO BOX 26207
ALBUQUERQUE NM 87125

CONTROL SYSTEMS PROPERTIES LLC
4020 VASSAR DR NE SUITE H
ALBUQUERQUE NM 87107

SIRL-MOORE CURTIS J
1500 ALLEGRO WAY NW
ALBUQUERQUE NM 87104

SALAZAR MONICA T
1032 20TH ST NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

JONES AMALIA S
2004 LENTO WAY NW
ALBUQUERQUE NM 87104

HOSTETLER SUSAN B & CHARLES M
1908 ALLEGRETTO TRL NW
ALBUQUERQUE NM 87104

SINCLAIR PROPERTIES LLC C/O MURRAY N
THAYER
2021 MOUNTAIN RD NE
ALBUQUERQUE NM 87106

DOS VIENTOS LLC C/O EDWARD T GARCIA
P O BOX 26207
ALBUQUERQUE NM 87125-6207

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

GARCIA JAMES P
3305 DON QUIXOTE DR NW
ALBUQUERQUE NM 87104-3025

CHAVEZ ERIC J & CIANCI SERGIO A
1724 VIOLETAS RD NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

GARDENER ANN M
2012 LENTO WAY NW
ALBUQUERQUE NM 87104-2392

LAPCIK ZDENEK V & LAPCIK LINDA G ATKINS
TRUSTEES LAPCIK TRUST
1916 INDIAN SCHOOL RD NW
ALBUQUERQUE NM 87104-2314

DIMIT PAULA & NEWBERRY LESA
1924 INDIAN SCHOOL RD NW
ALBUQUERQUE NM 87104-2314

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCAI SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

GONZALES CARL L & VERONICA A
2000 LENTO WAY NW
ALBUQUERQUE NM 87104-2392

LOS JARDINES HOMEOWNER'S ASSOCIATION
2823 RICHMOND DR NE
ALBUQUERQUE NM 87107-1918

NCA VENTURE LLC
1306 RIO GRANDE BLVD NW
ALBUQUERQUE NM 87104

G3 INVESTORS LLC
PO BOX 26207
ALBUQUERQUE NM 87125-6207

SMITH TIMOTHY A & ATANASOVA TEODORA L
1028 21ST ST NW
ALBUQUERQUE NM 87104

LOMBARD MICHELE D
1512 PRESTO WAY NW
ALBUQUERQUE NM 87104

BARELA MARK E & CELENE M
1504 PRESTO WAY NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
P. O. BOX 25181
ALBUQUERQUE NM 87125

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

GARCIA REAL ESTATE INV LLC C/O ED GARCIA
PO BOX 26207
ALBUQUERQUE NM 87125-6207

PEDERSON TIMOTHY SCOTT & SANDRA G
1918 INDIAN SCHOOL RD NW
ALBUQUERQUE NM 87104-2314

SAWMILL COMMUNITY LAND GRANT
PO BOX 25181
ALBUQUERQUE NM 87125

STATE HIGHWAY DEPARTMENT
PO BOX 1149
SANTA FE NM 87504-1149

PRANDO CARLA
1409 MARCATO LN NW
ALBUQUERQUE NM 87104

JACKSON DANIEL M & RICHARD L KLOTZ
1720 VIOLETAS RD NW
ALBUQUERQUE NM 87104-2362

ROGER COX LIMITED PARTNERSHIP 1984-2
1717 LOUISIANA BLVD NE SUITE 111
ALBUQUERQUE NM 87110

SANCHEZ PERFIDIA
1500 SAUNDERS RD SW
ALBUQUERQUE NM 87105

SAWMILL COMMUNITY LAND GRANT
PO BOX 25181
ALBUQUERQUE NM 87125

TROYER NATHAN & MARIBETH
1204 11TH ST NW
ALBUQUERQUE NM 87104

SLADEK VIRGINIA ANNE
1026 22ND ST NW
ALBUQUERQUE NM 87104

VICK PATRICIA P
1500 MARCATO LN NW
ALBUQUERQUE NM 87104

G3 INVESTORS
PO BOX 26207
ALBUQUERQUE NM 87125

ANAYA MARGARITA G
683 LONDON ST
SAN FRANCISCO CA 94112

G3 INVESTORS LLC
PO BOX 26207
ALBUQUERQUE NM 87125-6207

HENRY VINCENT TRADING & CONSULTING LLC
2400 ROSE AVE NW
ALBUQUERQUE NM 87104

CHRISTIANSSEN BRETT
1025 20TH ST NW
ALBUQUERQUE NM 87104

CANSINO CARLOS E & ROSE V
1306 SAN VENITO RD NW
ALBUQUERQUE NM 87104-2547

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

COOPER CHAD
1412 MARCATO LN NW
ALBUQUERQUE NM 87104

LONG VIRGINIA
2009 LENTO WAY NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

DUVAL JAMES K
1508 PRESTO WAY NW
ALBUQUERQUE NM 87104

LINDBERG PAUL W
PO BOX 7955
ALBUQUERQUE NM 87194

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

G3 INVESTORS LLC ATTN: ED GARCIA
PO BOX 26207
ALBUQUERQUE NM 87125-6207

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

SYMPHONY HOMEOWNERS ASSOC INC %
CANYON GATE REAL ESTATE SVCS
PO BOX 93488
ALBUQUERQUE NM 87199

MARTINEZ CYNTHIA S
9609 SUNDORO PL NW
ALBUQUERQUE NM 87120

SALAZAR MONICA T
1032 20TH ST NW
ALBUQUERQUE NM 87104

N M STATE HWY DEPT
PO BOX 1641
SANTA FE NM 87501

CHAVEZ JUAN X CECILIA
323 ATRISCO DR SW
ALBUQUERQUE NM 87105-2649

ANAYA MARGARITA G C/O PATRICIA ALLEN
710 16TH ST NW
ALBUQUERQUE NM 87104

MCRAE HEARD
1027 21ST ST NW
ALBUQUERQUE NM 87104

VAN DER GAARDEN KARIN
1735 VIOLETAS RD NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

CHITCHAKKOL SUVADIT & SUWINEE
1408 MARCATO LN NW
ALBUQUERQUE NM 87104

PETERSON GARY L TRUSTEE PETERSON RVT
1512 ALLEGRO WAY NW
ALBUQUERQUE NM 87104

WILSON ANDREW T & CAT L
2005 LENTO WAY NW
ALBUQUERQUE NM 87104

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

SORRELL LINCOLN J
1500 PRESTO WAY NW
ALBUQUERQUE NM 87104

GARCIA REAL ESTATE INVESTMENTS LLC C/O ED
GARCIA
PO BOX 26207
ALBUQUERQUE NM 87125-6207

MIDDLE RIO GRANDE CONSERVANCY DISTRICT
PO BOX 581
ALBUQUERQUE NM 87103-0581

MARQUEZ RALPH E
1509 ALLEGRO WAY NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

THOMPSON SAMUEL MORRIS & DOROTHY
DAVIS THOMPSON
1508 ALLEGRO WAY NW
ALBUQUERQUE NM 87104

HENRY VINCENT TRADING & CONSULTING LLC
889 S RAINBOW BLVD 599
LAS VEGAS NV 89145

JONES LISA E
2016 LENTO WAY NW
ALBUQUERQUE NM 87104

SYMPHONY HOMEOWNERS ASSOC INC %
CANYON GATE REAL ESTATE SVCS
PO BOX 93488
ALBUQUERQUE NM 87199

G3 INVESTORS LLC C/O ED GARCIA
PO BOX 26207
ALBUQUERQUE NM 87125-6207

G3 INVESTORS
PO BOX 26207
ALBUQUERQUE NM 87125

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

U S DEPT OF LABOR C/O JOB CORPS
525 GRIFFIN ST 403
DALLAS TX 75202

GRANDISON PAULA SPOONER
1218 RIO GRANDE BLVD NW
ALBUQUERQUE NM 87104-2631

GARCIA NATHAN M & LORETTA L
1034 20TH ST NW
ALBUQUERQUE NM 87104

LOS JARDINES HOMEOWNER'S ASSOCIATION
2823 RICHMOND DR NE
ALBUQUERQUE NM 87107-1918

DOS VIENTOS LLC C/O EDWARD T GARCIA
P O BOX 26207
ALBUQUERQUE NM 87125-6207

POTTER HOPE E
1405 MARCATO LN NW
ALBUQUERQUE NM 87104

DOS VIENTOS LLC C/O EDWARD T GARCIA
P O BOX 26207
ALBUQUERQUE NM 87125-6207

HIX JULIANNE
1732 VIOLETAS RD NW
ALBUQUERQUE NM 87104

GARCIA NATHANIEL M & LORETTA
1036 1/2 20TH ST NW
ALBUQUERQUE NM 87104

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

G3 INVESTORS
PO BOX 26207
ALBUQUERQUE NM 87125

G3 INVESTORS LLC
PO BOX 26207
ALBUQUERQUE NM 87125-6207

ZIMMER MICHAEL L II & SHANNON M
1728 VIOLETAS RD NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
P O BOX 25181
ALBUQUERQUE NM 87125

HAGMAN MELVIN A & ERNESTINE B & HAGMAN
ROGER E
8 SLOMAN CT
SANTA FE NM 87507

MATTEUCCI PETER P & CLARA A
1515 ALLEGRO WAY NW
ALBUQUERQUE NM 87104

GARCIA REAL ESTATE INVESTMENTS LLC C/O
EDWARD T GARCIA
PO BOX 26207
ALBUQUERQUE NM 87125-6207

POPKY JOSHUA
1024 22ND ST NW
ALBUQUERQUE NM 87104

ANAYA ESTER E & VALLEJOS CECILIA A
417 47TH ST NW
ALBUQUERQUE NM 87105

SALAZAR MONICA T
1028 20TH ST NW
ALBUQUERQUE NM 87104

BACA THERESA M
1900 ALLEGRETTO TRL NW
ALBUQUERQUE NM 87104

DONOHUE LARRY DENNIS
1027 20TH ST NW
ALBUQUERQUE NM 87104

HOLGUIN ANDREA & CHAVEZ ANITA
1508 MARCATO LN NW
ALBUQUERQUE NM 87104

RICHARDS URSULA J
1904 ALLEGRETTO TRL NW
ALBUQUERQUE NM 87104

PADILLA DANIEL C & LINDA K CUTLER-PADILLA
PO BOX 26911
ALBUQUERQUE NM 87125

CAVALIER DENNIS J & ARMIDA L & TRUJILLO
HELEN
1017 22ND ST NW
ALBUQUERQUE NM 87104

G3 INVESTORS LLC C/O EDWARD GARCIA
PO BOX 26207
ALBUQUERQUE NM 87125-6207

G3 INVESTORS
PO BOX 26207
ALBUQUERQUE NM 87125

LUDWIG DANA D
1012 A FUNSTON AVE
PACIFIC GROVE CA 93950

VALLEY LTD PARTNERSHIP C/O N TEXAS
TEAM/MARVIN F POER & CO
PO BOX 802206
DALLAS TX 75380

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

ARAGON PAT & THERESA M
1029 20TH ST NW
ALBUQUERQUE NM 87104

SALAZAR MONICA T
1028 20TH ST NW
ALBUQUERQUE NM 87104

GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

BUSH NATHAN D
1920 INDIAN SCHOOL RD NW
ALBUQUERQUE NM 87104

ALLEN PATRICIA A
710 16TH ST NW
ALBUQUERQUE NM 87104

PATTERSON CARLENE
1501 PRESTO WAY NW
ALBUQUERQUE NM 87104

GARCIA STEVEN C & ANGELIQUE N
1504 MARCATO LN NW
ALBUQUERQUE NM 87104

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

SAWMILL COMMUNITY LAND TRUST
P. O. BOX 25181
ALBUQUERQUE NM 87125

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

RUIZ BEN & MARGARET J
6625 COORS RD NW
ALBUQUERQUE NM 87120

BIRDWELL STEPHANIE E
5240 SAINT GENEVIEVE PL
ALEXANDRIA VA 22315-3932

KIDWELL JEFFERY A & MICHELLE L
1022 21ST ST NW
ALBUQUERQUE NM 87104

GARCIA REAL ESTATE INVESTMENTS LLC %
GARCIA SHEILAH P
PO BOX 26207
ALBUQUERQUE NM 87125-6207

FANKAM USA LLC
PO BOX 1204
BELEN NM 87002

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

SAWMILL COMMUNITY LAND TRUST
PO BOX 25181
ALBUQUERQUE NM 87125

Near North Valley N.A.
Joe Sabatini
3514 6th St. NW
ABQ, NM 87107

Near North Valley N.A.
Randy Cole
1501 Los Arboles NW
ABQ, NM 87107

Sawmill Area N.A.
Julie Henss
1724 Band Saw Pl. NW
ABQ, NM 87104

Sawmill Area N.A.
Dianne Jones
1400 Lumberton Dr. NW
ABQ, NM 87104

Los Duranes N.A
Jose Viramontes
1317 Gabaldon Dr. NW
ABQ, NM 87104

Los Duranes N.A
William C. Herring
3104 Coca Rd. NW
ABQ, NM 87104

Symphony H.O.A., Inc.
Charles Hostetler
1908 Allegretto Trl. NW
ABQ, NM 87104

Symphony H.O.A., Inc.
Bernadette Sanchez
2012 Allegretto Trl. NW
ABQ, NM 87104

West Old Town N.A.
Benjamin Lovato
2820 Azar Pl. NW
ABQ, NM 87104

West Old Town N.A.
Glen Effertz
2918 Mountain R. NW
ABQ, NM 87104

North Valley Coalition
Peggy Norton
PO Box 70232
ABQ, NM 87197

North Valley Coalition
Doyle Kimbrough
2327 Campbell Rd. NW
ABQ, NM 87104

Design Workshop Inc.
120 East Main St.
Aspen, CO 81611

Edward T. Garcia c/o Garcia Auto Group LLC
8100 Lomas Blvd. NE
ABQ, NM 87110

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from 5/24/17 To 6/8/17

5. REMOVAL

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

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

Design Workshop Inc 04-28-17
(Applicant or Agent) (Date)

I issued 2 signs for this application, 4/27/17, Michael A. Van
(Date) (Staff Member)

PROJECT NUMBER: 1011232

ADDITIONAL STAFF INFORMATION

Vos, Michael J.

From: Jackie Fishman <fishman@consensusplanning.com>
Sent: Thursday, May 25, 2017 10:43 AM
To: Lee Gamelsky; philip@pcmediate.com; aav@aavconsult.com; egarcia@garciacars.com; hmd@denishconsulting.com; jkent@nmlex.com; Jim Strozier; tobe@swcp.com; crsiegel@swcp.com; Dolan, Diane R.; alalley505@gmail.com; elopez1045@comcast.net; ejgriego@gmail.com; patarchuleta41646@gmail.com; pspooner117@gmail.com; rawng@msn.com; rosemarymorin@comcast.net; stevew1956@live.com; terineville@gmail.com; rvanolson@comcast.net; billherring@comcast.net; antoinette1130@gmail.com; barbiebrennan@comcast.net; insurance@askbelinda.com; gonzalez_c@aps.edu; dfreeman2809@comcast.net; dedefeld@comcast.net; lindalafcik@yahoo.com; elmaestas@aol.com; ggurule13@gmail.com; imhoper@hotmail.com; meanniejarie202@gmail.com; jlnavarrete@comcast.net; apodacajoella@hotmail.com; Niwa, John A.; atroadrunner@comcast.net; jrs2368@gmail.com; kcalander@hotmail.com; diegojonz@gmail.com; gothotshoes@aol.com; mamocana8@yahoo.com; marit.tully@gmail.com; mdickinson8@comcast.net; mgree64@yahoo.com; patmehlhop@gmail.com; paulab718@yahoo.com; pneville@cdac.unm.edu; prgoetze@comcast.net; renee.colantori@gmail.com; scott_hale@me.com; sselbin@hotmail.com; titaniumsu@msn.com; tonieBaca@yahoo.com; vmldreaming@yahoo.com
Cc: Hummell, Tyson; Quevedo, Vicente M.; Triplett, Shannon; Vos, Michael J.; Jessie Lawrence; Deborah Ridley
Subject: RE: 1011232 Facilitated Meeting--additional info regarding plan process

No, I don't believe that's the intent, Lee. If the intent is to build a shopping center with associated infrastructure, you would be required to go through the site plan approval process with DRB. Right now the R-2 wouldn't have to go through any public process. You are welcome to follow up with the IDO team and/or with Michael Vos on your additional questions.

Jacqueline Fishman, AICP

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From: Lee Gamelsky [mailto:lee@lganm.com]
Sent: Thursday, May 25, 2017 10:12 AM
To: philip@pcmediate.com; aav@aavconsult.com; egarcia@garciacars.com; hmd@denishconsulting.com; Jackie Fishman <fishman@consensusplanning.com>; jkent@nmlex.com; Jim Strozier <cp@consensusplanning.com>; tobe@swcp.com; crsiegel@swcp.com; ddolan@cabq.gov; alalley505@gmail.com; elopez1045@comcast.net; ejgriego@gmail.com; patarchuleta41646@gmail.com; pspooner117@gmail.com; rawng@msn.com; rosemarymorin@comcast.net; stevew1956@live.com; terineville@gmail.com; rvanolson@comcast.net; billherring@comcast.net; antoinette1130@gmail.com; barbiebrennan@comcast.net; insurance@askbelinda.com; gonzalez_c@aps.edu; dfreeman2809@comcast.net; dedefeld@comcast.net; lindalafcik@yahoo.com; elmaestas@aol.com; ggurule13@gmail.com; imhoper@hotmail.com; meanniejarie202@gmail.com;

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Cc: Tyson Hummell ABQ LUF <thummell@cabq.gov>; Vicente Quevedo CABQ <vquevedo@cabq.gov>; Shannon Triplett <striplett@cabq.gov>; Michael J Vos CABQ <mvos@cabq.gov>; Jessie Lawrence <jessie@lawrencemeetingresources.com>; Deborah Ridley <dlrhealing@aol.com>; Lee Gamelsky <lee@lganm.com>
Subject: RE: 1011232 Facilitated Meeting--additional info regarding plan process

ALL

That is concerning.

Are you saying : If there are multiple 49,995 sf commercial (C-2) buildings within a parcel or parcels that is over 5 acres , a site development plan would NOT be required. ?

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From: Philip Crump [mailto:phcrumpsf@gmail.com]

Sent: Thursday, May 25, 2017 10:07 AM

To: aav@aavconsult.com; egarcia@garciacars.com; hmd@denishconsulting.com; fishman@consensusplanning.com; jkent@nmlex.com; cp@consensusplanning.com; tobe@swcp.com; crsiegel@swcp.com; ddolan@cabq.gov; alalley505@gmail.com; elopez1045@comcast.net; ejgriego@gmail.com; lee@lganm.com; patarchuleta41646@gmail.com; pspooner117@gmail.com; rawng@msn.com; rosemarymorin@comcast.net; steve1956@live.com; terineville@gmail.com; rvanolson@comcast.net; billherring@comcast.net; antoinette1130@gmail.com; barbiebrennan@comcast.net; insurance@askbelinda.com; gonzalez_c@aps.edu; dfreeman2809@comcast.net; dedefeld@comcast.net; lindalafscik@yahoo.com; elmaestas@aol.com; ggurule13@gmail.com; imhoper@hotmail.com; meanniejarie202@gmail.com; jlnavarrete@comcast.net; apodacajoella@hotmail.com; janiwa@cabq.gov; atroadrunner@comcast.net; jrs2368@gmail.com; kcalander@hotmail.com; diegojonz@gmail.com; gothotshoes@aol.com; mamocana8@yahoo.com; marit.tully@gmail.com; mdickinson8@comcast.net; mgree64@yahoo.com; patmehlhop@gmail.com; paulab718@yahoo.com; pneville@cdac.unm.edu; prgoetze@comcast.net; renee.colantori@gmail.com; scott_hale@me.com; sselbin@hotmail.com; titaniumsu@msn.com; tonieBaca@yahoo.com; vmldreaming@yahoo.com

Cc: Tyson Hummell ABQ LUF; Vicente Quevedo CABQ; Shannon Triplett; Michael J Vos CABQ; Jessie Lawrence; Deborah Ridley

Subject: 1011232 Facilitated Meeting--additional info regarding plan process

Dear All:

Planner Jackie Fishman has provided some additional detail regarding the plan review process--

In response to items 3E and 3F [*see below*], Ms. Fishman followed up with the City's Integrated Development Ordinance (IDO) team to determine how the site plan review process and requirements are currently proposed to change in the proposed Integrated Development Ordinance (IDO).

It should be clear that the IDO has not been adopted by the City Council.

Instead of the acreage threshold currently contained in the Zoning Code (and referenced at the facilitated meeting), the IDO proposes that commercial buildings over 50,000 SF and multi-family projects over 50 dwelling units will be required to have a site development plan approved by the Development Review Board (DRB).

This would apply to the properties within the Los Duranes Sector Plan along Rio Grande Boulevard (zoned MUD 1 and MUD 2), and the proposed C-2 and R-2 properties currently proposed by the applicant.

e) A meeting participant asked if a site development plan would be required for any multi-family residential development.

i) Ms. Fishman said that it would not; it would be required for commercial development in excess of 5 acres.

f) A meeting participant asked if, under the changes to the City process, a site development plan would go through the EPC or the DRB.

i) Ms. Fishman said that the process is in flux and the decision hasn't been made, but if the site development plan goes through the DRB, they would operate as if they were the planning commission.

--



PHILIP CRUMP, Mediator & Facilitator

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When I walked out of the gate, I knew that if I continued to hate these people, I would still be in prison. --Nelson Mandela