



Environmental Planning Commission

***Agenda Number: 02
Project #: PR-2020-003550
Case #: RZ-2020-00006
Hearing Date: May 21, 2020***

Staff Report

<i>Agent</i>	Vince Carrica, Tierra West, LLC
<i>Applicant</i>	Aztec Village MHC LLC
<i>Request</i>	Zone Map Amendment (Zone Change)
<i>Legal Description</i>	PORTERS REPLAT PORTION SW1/4 SE1/4 SEC 3 T10N R3E
<i>Location</i>	On Southwest corner of Aztec Rd, NE and Lafayette Dr. NE (3000 Aztec Rd. NE)
<i>Size</i>	Approximately 19.75 acres
<i>Existing Zoning</i>	NR-C
<i>Proposed Zoning</i>	R-MC

Staff Recommendation

APPROVAL of RZ-2020-00006, based on the Findings on pg. 16 of this report.

***Staff Planner
Francine Pacheco***

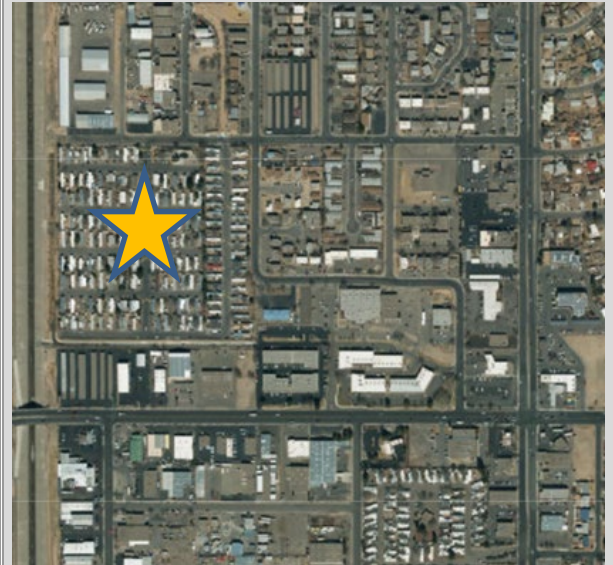
Summary of Analysis

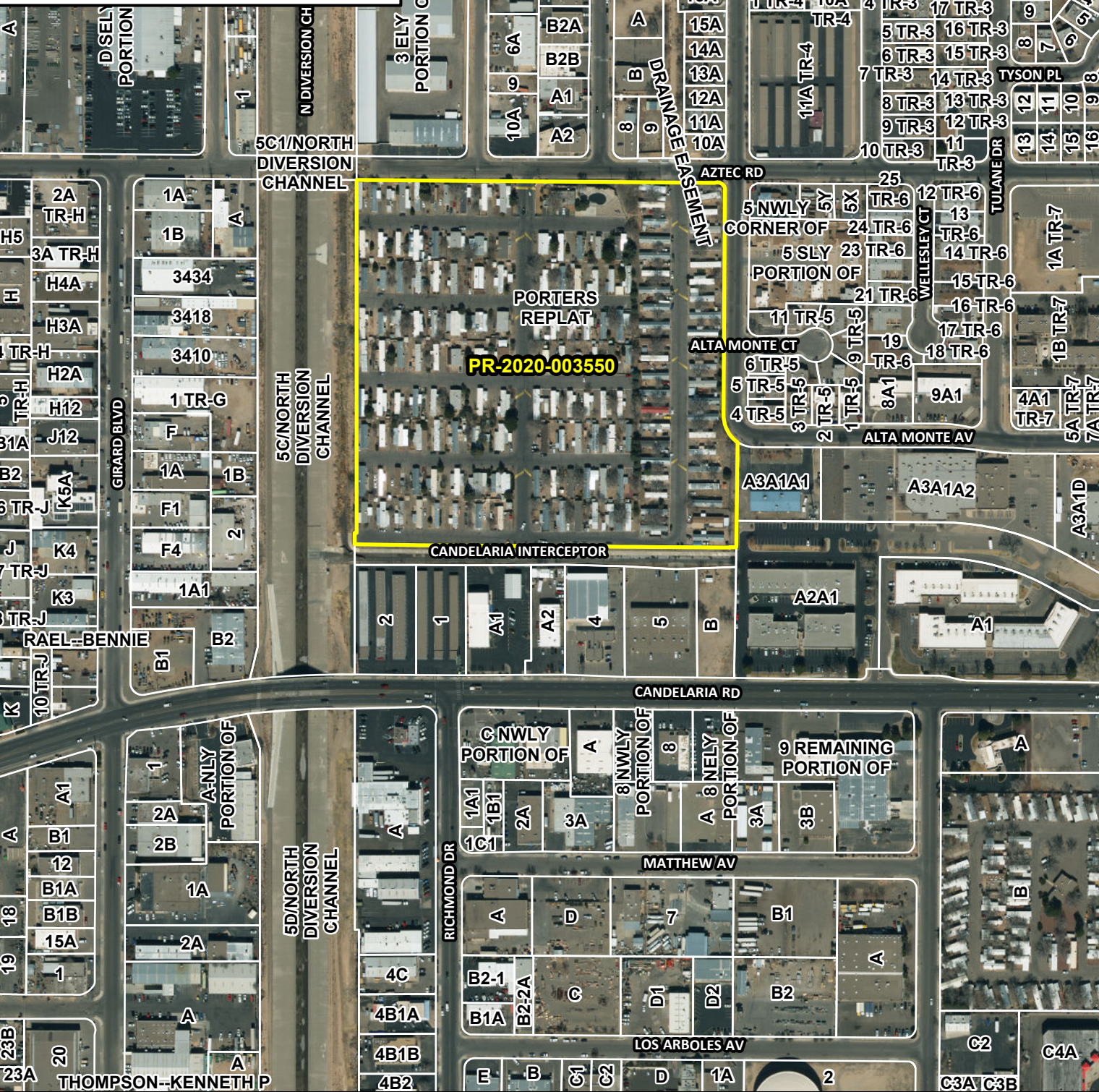
The request is for a zone change for a 19.67-acre site located at 3000 Aztec Rd NE in an Area of Consistency.

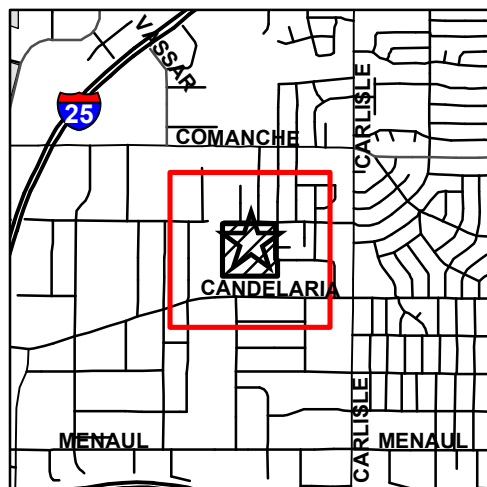
Currently a mobile home community exists on the subject site. The subject site was previously zoned C-3, which conditionally allowed the use of a mobile home community prior to the adoption of the Integrated Development Ordinance (IDO). Upon adoption of the IDO, the site was converted to NR-C, making the use nonconforming. The applicant is requesting a zone change to R-MC in order to make the residential use conforming.

This site has operated as a mobile home community for approximately 50 years, creating a strong sense of community and offering an important form of affordable housing. Upon the adoption of IDO, the City made the property non-conforming, which made the property eligible for the Batch 2 Zone Conversion. A downzone was not requested at the time resulting in this justified request for a Zone Map Amendment.

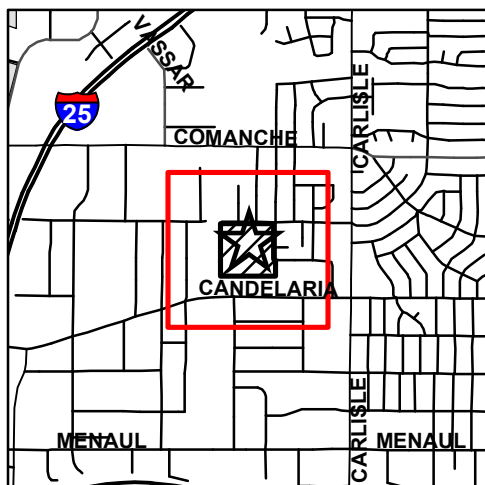
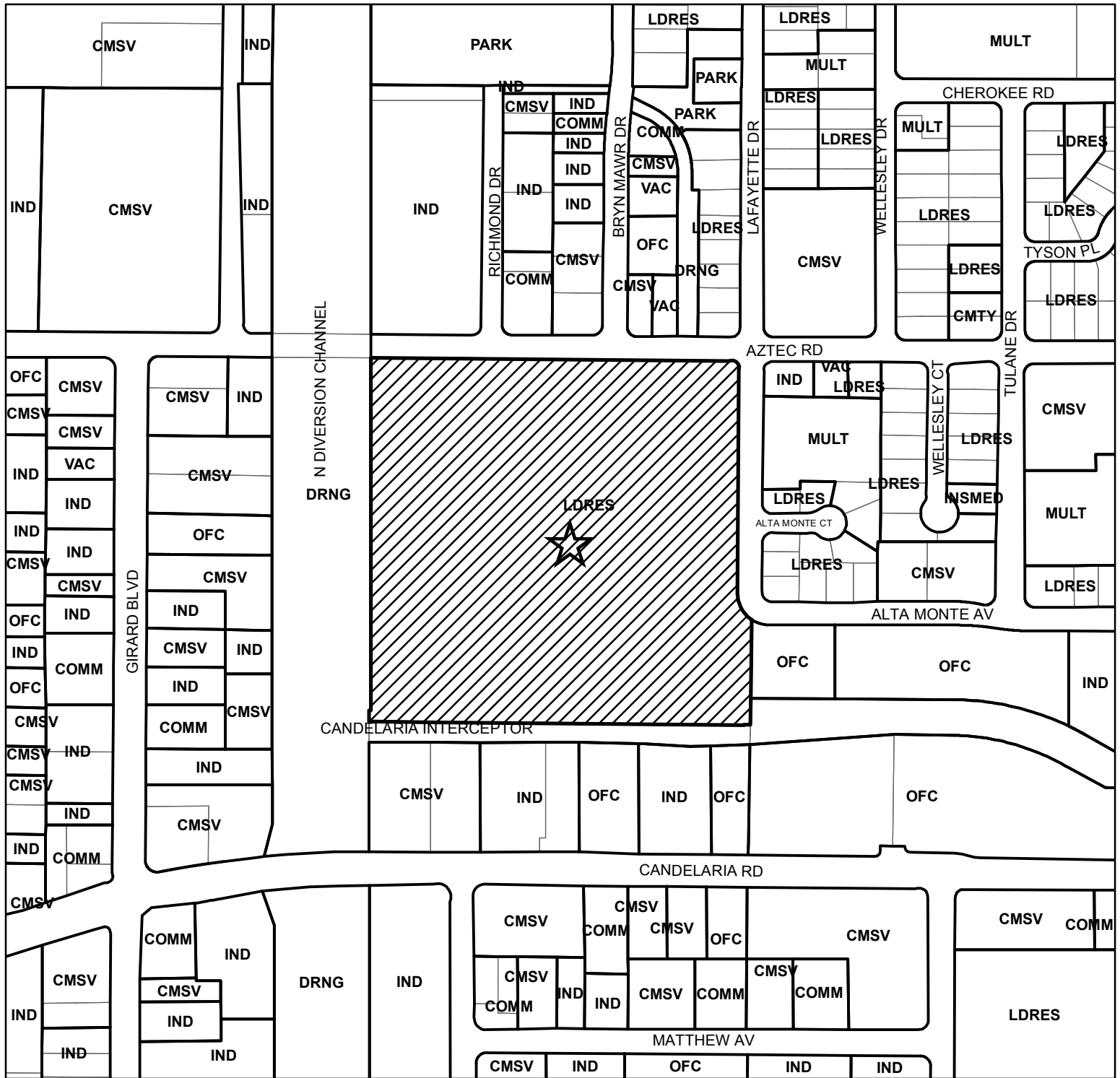
There are no known neighborhood concerns regarding the continued use of the site. Staff recommends approval.







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LAND USE MAP

Note: Gray shading indicates County.

Key to Land Use Abbreviations	
LDRES Low-density Residential	APRT Airport
MULT Multi-family	TRANS Transportation
COMM Commercial Retail	AGRI Agriculture
CMSV Commercial Services	PARK Parks and Open Space
OFC Office	DRNG Drainage
IND Industrial	VAC Vacant
INSMED Institutional / Medical	UTIL Utilities
ED Educational	CMTY Community
	KAFB Kirtland Air Force Base



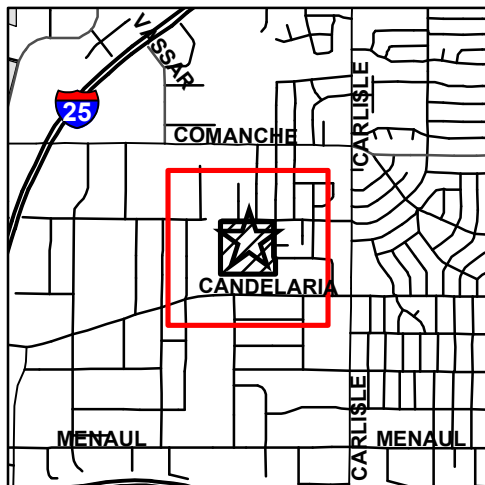
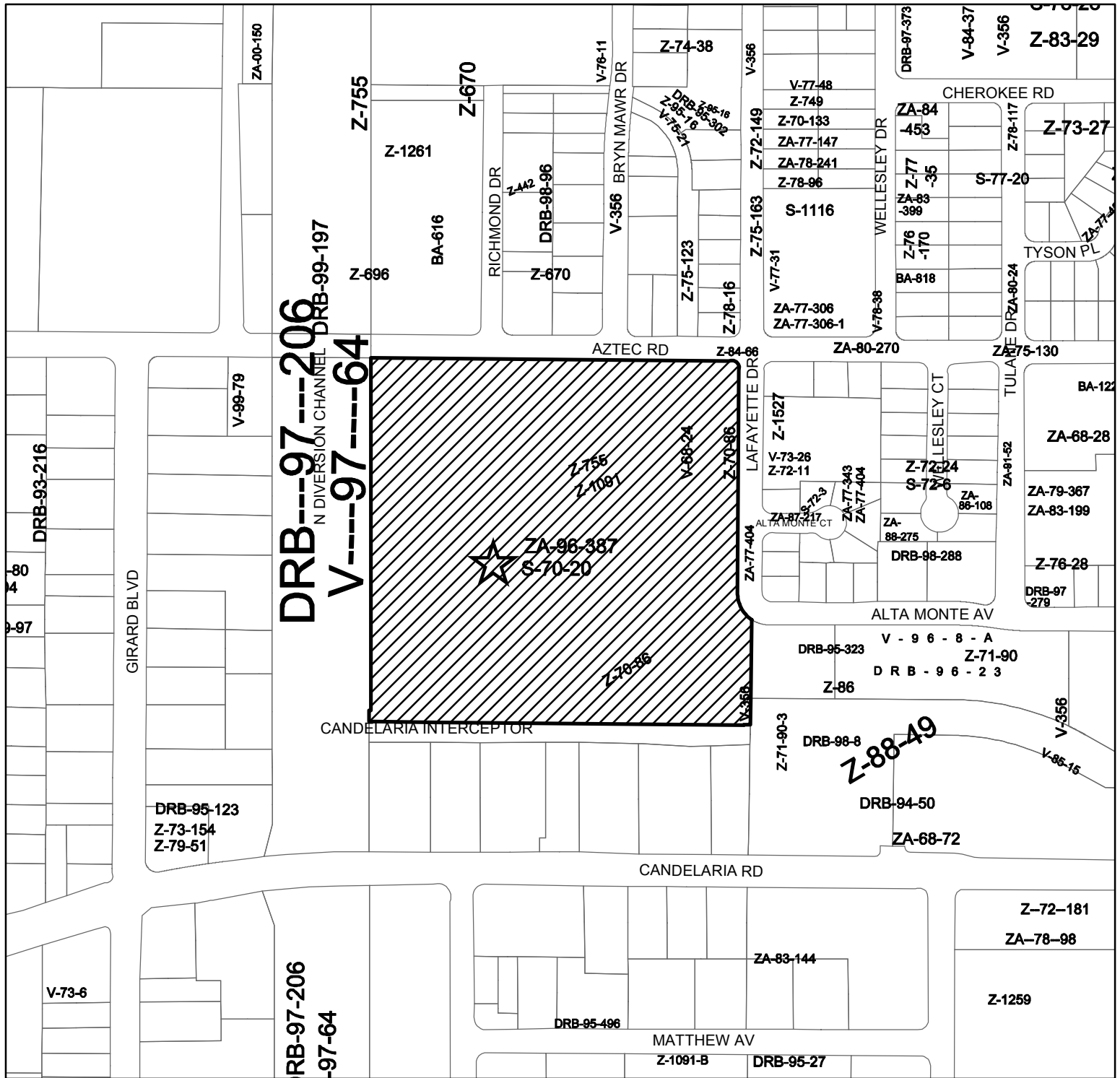
1 inch = 350 feet

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HISTORY MAP

Note: Gray shading
indicates County.



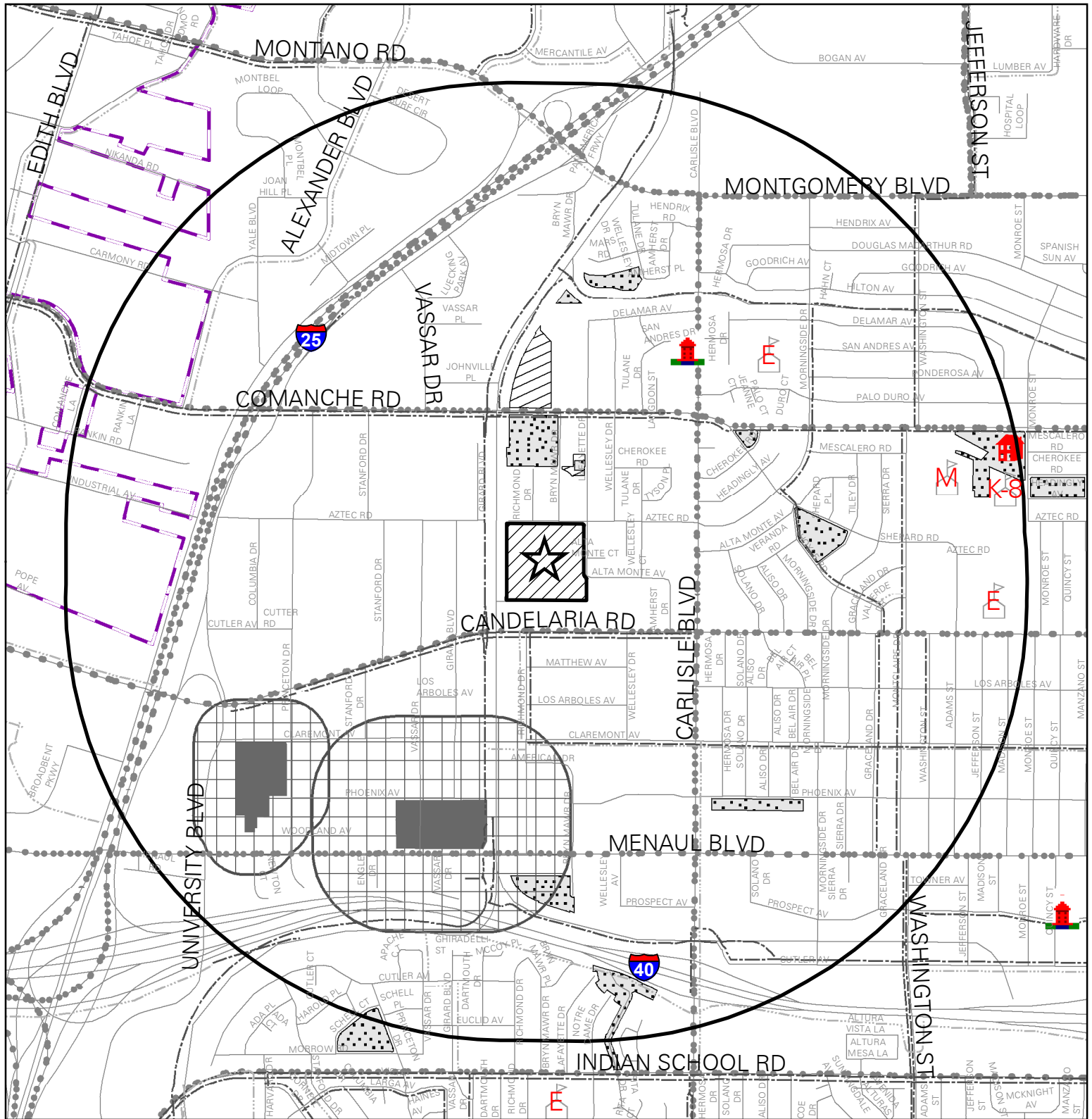
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

















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Public Facilities Map with One-Mile Buffer

- | | | | |
|--|---|--|---|
|  Community Center |  Fire |  Public School |  Landfill designated by EHD |
|  Multi-Service Center |  Police |  Proposed Bike Facilities |  Landfill Buffer (1000-feet) |
|  Senior Center |  Sheriff |  ABQ Bike Facilities |  Developed City Park |
|  Library |  Solid Waste |  ABQ Ride Route |  Undeveloped City Park |
|  Museum |  Albuquerque City Limits | |  Developed County Park |
| | | |  Undeveloped County Park |

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0 0.5 1 Miles

I. OVERVIEW

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Site</i>	NR-C	Area of Consistency	Low-Density Residential
<i>North</i>	NR-C and R-ML	Area of Consistency	Industrial/Manufacturing, General Retail, Commercial Services, Low-Density Residential, Drainage/Flood Control
<i>South</i>	NR-C	Area of Consistency	Commercial Services (self-storage), Industrial/Warehousing, Industrial/Wholesale and Distribution, and Office
<i>East</i>	NR-C and R-MH	Area of Consistency	Industrial/Manufacturing, Multi-family (2+ units), and Low-Density Residential)
<i>West</i>	No Zoning	Area of Consistency	North Diversion Channel

Request

The request is for a Zone Map Amendment (zone change) for an approximately 19.75 acres located on the southwest corner of side of Aztec Rd. NE and Lafayette Dr. NE (3000 Aztec Rd. NE) along the east bank of the North Diversion Channel. A mobile home community currently exists on the subject site. The subject site is zoned NR-C (nonresidential-commercial), which it received upon adoption of the Integrated Development Ordinance (IDO) as a conversion from the former zoning of C-3. This conversion changed the mobile home park from a C-3 allowed conditional use to a nonconforming use in the NR-C zoning district.

The applicant is requesting a zone change to R-MC (Residential – Mobile Home Community) in order to codify a conforming use status on the site.

EPC Role

The Environmental Planning Commission (EPC) is hearing this case because the EPC is required to hear all zone change cases, regardless of site size, in the City. Pursuant to IDO 6-7(G)(1)(a), the request is required to be forwarded to the City Council because it is located wholly in an Area of Consistency. The EPC is a recommending body and the City Council will make the final decision. Appeals of City Council decisions are heard by the District Court. The request is a quasi-judicial matter.

History

For over 50 years the site, Aztec Mobile Home Village has operated as a mobile home community as an allowed conditional use under the previous C-3 zoning. The Aztec Mobile Home Village is at full capacity with all 163 lots/spaces occupied with homes. When the Integrated Development Ordinance was adopted in May of 2017, the property's use became legally non-conforming that allows the current owner a 30-year grace period to transition the site to a conforming use. Given the established community that offers an affordable housing option to its residents, the property owner is seeking the Zone Map Amendment to secure continued use as a mobile home community beyond the year 2047.

Context

The subject site is located along Aztec Rd. NE. and sits between the bank of the North Diversion Channel and Lafayette Dr. NE. It is currently zoned NR-C and bordered by NR-C to north, south, and east with some R-ML to the north and R-MH to the east. Given the zoning, there is a mixture of uses in the immediate area ranging from office space, commercial retail, to manufacturing, but most importantly various options of affordable housing. East of the site is an assisted living facility, an apartment complex, and fourplexes, which all offer different types of affordable housing. Aztec Mobile Home Village, however, offers affordable housing at a larger scale with its 163 units. Mobile home communities are one of the only housing options that offers unsubsidized affordability, especially given many residents cannot afford to purchase their own private land. These types of communities provide homeownership without the high costs of a single-family home. It is important that affordable housing options, such as mobile home communities, like Aztec Village are preserved to prevent displacement and disenfranchisement of low-income populations.

Given the length of time Aztec Village has been in existence, it has also established a sense of community offering safety, stability, and familiarity amongst its residents. The site is enclosed and gated with only two entrances offering security and safekeeping of the premises. In addition to affordability, the sense of community stabilizes the neighborhood and minimizes high tenant turnover.

Albuquerque / Bernalillo County Comprehensive Plan (Rank I)

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. The Goals and policies analyzed below are cited by the applicant in the revised zone change justification letter dated May 8, 2020 (see attachment).

Chapter 4: Community Identity

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

Applicant: The request furthers Policy 4.1.4 because it will protect an existing stable, thriving residential neighborhood and preserve the neighborhood by not requiring the mobile home community to be removed from the area and the residents displaced. The primary goal of the requested zone change to R-MC is to do exactly what the policy requires; To keep the mobile home community in place so that the neighborhood and its residents can preserve and protect what they have spent over 50 years building.

Staff Response: This request furthers Goal 4.1 and Policy 4.1.4 because it would protect and preserve this distinct neighborhood and community in a mixed-use area that supports the city's long-term health and vitality.

Chapter 5: Land Use

Policy 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

Applicant: The site is not on a Transit Corridor but is near Carlisle and Comanche approximately ¼ of a mile distance. This affords a walkable distance to the corridors. The request furthers Policy 5.1.8 because the proposed zone change will bring the existing mobile home community use of the property out of nonconformance. It will allow affordable housing to remain in an area readily serviced by transit facilities within walking distance of the subject site.

Staff Response: This request furthers Goal 5.1 and Policy 5.1.8 by preserving an appropriate residential use near designated multi-modal corridors that provide multiple transportation options to residents including walking, driving, and transit access.

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

Applicant: the request furthers Policy 5.1.10 because it allows low income affordable residential units, which are currently nonconforming uses of the property in an area that should encourage residential communities within ¼ mile of multiple transit stops on Comanche Rd. and Carlisle Blvd. This encourages mixed-use development in the area, which is in support of this policy.

Staff Response: This request furthers Policy 5.1.10 because the site is within walking distance of transit service and non-residential development on Carlisle, Comanche, and Candelaria.

Policy 5.5.5 Developing and Established Urban Areas: Create a quality urban environment that perpetuates the tradition of identifiable, individual, compact, but integrated communities within the metropolitan area and that offers variety and maximum choice in housing, transportation, work areas, and lifestyles, while creating a visually pleasing built environment.

Staff Response: This policy applies to properties in the unincorporated areas of Bernalillo County; properties in the City's jurisdiction have Development Areas of either Change or Consistency (see below).

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

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

Staff Response: This request to preserve the existing housing use as conforming on the subject site furthers Goal 5.6 and Policy 5.6.3 by reinforcing the existing character and intensity of development on the site, which will protect and enhance the character of this existing residential neighborhood.

Policy 6.1.9 Other Arterials: Coordinate transportation planning at the regional level for arterials not designated as corridors in the Comp Plan.

a) Plan land adjacent to arterial streets to minimize harmful effects of traffic on nearby roadways and development.

Applicant: The existing manufactured home community ensures the livability and safety of surrounding neighborhoods by allowing affordable housing within an area that contains multiple job opportunities. This close proximity from housing to work helps mitigate any harmful effects of traffic traveling into the area for work from outside the community.

Staff Response: The subject site is not adjacent to any arterial streets, so this policy does not apply.

Policy 6.4.2 Air Quality: Reduce the adverse effects of automobile travel on air quality through coordinated land use and transportation that promote the efficient placement of housing, employment, and services and improve the viability of multi-modal transportation options

d) See Goal 6.2 above for policies to encourage a multi-modal system

Applicant: Bicycle, pedestrian and transit connections provide the means to neighborhood residents and employees to take public transportation or to walk or bicycle to obtain necessary daily services. The existing mobile home community has access to the existing pedestrian trail along the North Diversion Channel less than 500 feet from the park entrance and access to bicycle facilities along the same channel approximately 0.41 miles from the park entrances.

The distance to the City transit bus stop on Carlisle Blvd is less than 3 tenths of a mile from the park entrance.

f) See also Resilience & Sustainability Goal 13.5 for community health considerations.

Applicant: The connections noted above assist in the improvement of air quality by keeping area residents closer to their homes and not having to travel by vehicle, minimizing the adverse effects of motor vehicle pollution.

Staff Response: Policy 6.4.2 is furthered by this request because the location of the existing residential use is near transit service and bicycle trails, giving residents options that can reduce the adverse effects of automobile travel.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located

Applicant: Rezoning the subject property to allow the existing mobile home community to remain as a permissive use will help maintain the existing integrity of the area, providing a transition between the high to medium density residential units and the commercial areas.

Staff Response: The request would not facilitate infill because the site is already fully developed, therefore infill policies do not apply.

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

Applicant: The existing Aztec Mobile Home Community helps support diverse housing options within this area of the city. It ensures availability and affordability for not only the current residents within the existing park but for future residents as well. It provides lower income residents with an opportunity to own the unit within which they live rather than renting an apartment or single family detached house. It does so within an area that is close to public transit and is within walking distance to numerous job opportunities, which contributes to its affordability of the housing.

Staff Response: This request furthers Goal 9.1 and Policy 9.1.2 (a) by providing affordable housing options for a variety of income levels and types of residents and households, including manufactured housing options.

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

Applicant: The existing Aztec Mobile Home Community provides higher density, affordable residential opportunities near public transportation facilities in an area with considerable

job opportunities and available shopping. The site is within a half a mile of a retail/grocery supercenter and within three miles of the Coronado and Winrock malls. The subject property is currently served by public water and sanitary sewer as well as being served by PNM for electric services and NM Gas Co for gas services. As previously mentioned storm drain runoff from the property is captured in a public storm sewer and conveyed to the existing AMAFCA north diversion channel. The requested zone change will not require the construction of additional public or private infrastructure.

Staff Response: This request will hold the status quo of density and will not increase density as this is an Area of Consistency. Policy 9.3.2 does not apply

Goal 9.5 Vulnerable Populations: Expand capacity to provide quality housing and services to vulnerable populations.

Staff Response: Goal 9.5 is furthered by preserving affordable housing that the market would not otherwise be able to provide, especially for vulnerable populations and those who are of low-income status.

Integrated Development Ordinance (IDO) 6-7(F)(3)-Review and Decision Criteria for Zone Map Amendments

Requirements

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made pursuant to Subsection 6-4(F)(2).

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

Justification & Analysis

The subject site is currently zoned NR-C (Non-Residential - Commercial). The proposed zoning is R-MC (Residential – Mobile Home Community). The reason for the request is to bring the property to a conforming use status. Currently, due to the existing use the property is legally a nonconforming use.

The applicant's justification letter, analyzed here, was received on May 8, 2020 and is a response to letters issued by Staff on April 27, 2020 and May, 4, 2020(see attachment). Pursuant to the IDO Subsection 6-4(F)(2), the applicant bears the burden of providing a sound justification for the request, based on substantial evidence.

The applicant believes that the proposed zone map amendment (zone change) meets the zone change decision criteria [14-16-6-7(F)(3)] as elaborated in the justification letter. The citations are from the IDO. The applicant's arguments are in *italics*. Staff analysis follows with the heading "**Staff Response**".

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

Applicant: The zone change request is consistent with the health, safety, and general welfare of the City as demonstrated by this letter which provides analysis of policies from the ABC Comp Plan related to the request. The zone change will allow a mobile home community to continue to thrive in a section of town that has numerous employment opportunities as well as many City services available to them including public transportation within walking distance of the property. Having affordable housing close to commercial areas and close to public transportation decreases the long-distance travel for employees to get to their work place. Keeping the existing mobile home community in place will avoid displacing residents who would have a difficult time finding alternate affordable low-income housing. This would decrease the burden on the City programs that are in place to help families that can't afford a place to live.

Staff Response: This request will preserve the health, safety, and general welfare of city residents by allowing the site to continue operating as mobile home community which provides affordable housing and avoid displacement. It is important that affordable housing options like the Aztec Village remain protected to prevent homelessness and provide shelter, which is a major component of health, safety, and general welfare. A preponderance of applicable Comp Plan Goals and Policies are furthered by the request.

- B. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

- There was typographical or clerical error when the existing zone district was applied to the property.
- There has been a significant change in neighborhood or community conditions affecting the site.
- A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant: Per Criteria 3, the subject property is located in an Area of Consistency and the requested change to R-MC zoning furthers the goals outlined in the Comp Plan. It strengthens the community by providing an alternate to housing type that are advantages to lower income families or individuals in a section of the city that contains opportunities for employment and easy access to public transit, pedestrian and bicycle facilities, and to shopping centers. These strengths and opportunities would be lost under the current zoning NR-C zoning, in which these residential uses are not allowed.

The existing and proposed uses in the RM-C zone are compatible with the surrounding area and uses as evidenced by the existing adjacent MX-T, R-MH and R-ML zoned properties. The R-MC zoning would provide a transition between these properties and the properties zoned NR-C and NR-LM.

Staff Response: This request demonstrates that the R-MC will be more advantageous by preserving an existing use that will continue to offer affordable housing options to community members. Additionally, it will not allow for an increase in density or intensity of use. The use will be strictly limited to residential with the option of adding amenities such as a club house, pool, or recreation center. The requested zoning district is more advantageous to the community as articulated by the ABC Comp Plan.

- C. If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant: The subject property is located wholly in an Area of Consistency and this criterion does not apply

Staff Response: This section is not applicable.

- D. The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant: None of the permissive uses in the R-MC zone (listed in below zoning comparison table) will be harmful to the adjacent property, neighborhood or community. The majority of uses allowed under the requested R-MC zoning are also allowed in the

existing NR-C Zoning or the uses are more restrictive. The uses that are indicated in the table below as being less restrictive under the requested zoning are Accessory or Temporary uses that would have no harmful effect on the neighborhood or community. New uses that differ from the existing use would have to come to the City for Conditional Use approval at which time their effect on the adjacent property can be evaluated.

In comparison, the uses permissive to the new zoning NR-C (listed in below zoning comparison table) established with the adoption of the IDO would significantly change the characteristics of the existing neighborhood. It would displace residents within the property itself and isolate the adjacent residential properties by decreasing the R-MC zoning which currently help to establish a buffer zone between them and the properties with commercial uses. The neighborhood and surrounding community may be subject to increased traffic, noise, storm runoff and crime if the site is redeveloped with uses that are permissive to the newly adopted NR-C zoning.

Staff Response: Applicant has made sufficient comparison and full table of uses can be found on Justification Letter dated May 8, 2020, pg. 8-9 (see attached). Overall, the number and intensity of uses will decrease dramatically. The only permitted uses are residential and site amenities (pool, club house etc.) It is important to note property owner is giving up a lot of entitlements to ensure no harm or adverse effects can be a consequence of zoning. This is a significant downzone that will be not be harmful to those residing on the site, nor to adjacent properties.

- E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:
1. Have adequate capacity to serve the development made possible by the change of zone.
 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
 4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant.

Applicant: Per Requirement 1. the proposed zone change will not require major and programmed capital expenditures by the City. This is an existing mobile home community that the owner wishes to keep intact and the current infrastructure capacity is sufficient to serve the existing development. The existing infrastructure is sufficient as evidenced by its ability to service the existing mobile home community that to date is at or near full occupancy. This includes adequate roadways, wet and dry utilities and drainage infrastructure.

Staff Response: This existing, fully developed land use on the subject site will not require any capital expenditure by the City.

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

Applicant: The subject property is not within a designated Comprehensive Plan Corridor area. The location of the property is not the sole justification for the zone change request. The request is mainly based on the owner's desire to maintain the current use of the property as a mobile home community, which furthers a preponderance of applicable Comprehensive Plan policies for land use and infill development as demonstrated in the response to Criterion A. The property is located on Aztec Road, which is classified as a local street in the Long Range Roadway Plan. Comanche Rd is located ¼ of a mile to the north and Carlisle Blvd is located ¼ of a mile to the east from the entrances to the property. Both of these main roadways are designated as minor arterials. Access to Candelaria Rd (principle arterial) located less than a tenth of a mile to the south is less direct. The route from the park entrance to Candelaria Rd is just under ½ a mile. These three major roadways contain bus routes and do provide more than adequate circulation from the subject site to the surrounding areas as well as convenient access to both Interstate 25 to the west and Interstate 40 to the south. There are existing bicycle lanes on both Comanche Rd and Candelaria Rd.

Staff Response: This request is based on securing conforming use status of the site and to preserve and protect an already limited supply of affordable housing and not on the property's location on a major street.

- G. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Applicant: Cost of land or other economic considerations are not the determining factors for the zone change request. The predominant factor for the zone change request is to allow the continued use of the property as a mobile home community, which furthers the wellbeing of the neighborhood and the community.

Staff Response: The applicant's justification is not based completely or predominantly on the cost of land or economic considerations because it will allow the continued use of the property as a manufactured home community, which is a significant downzone from the allowed commercial uses of the NR-C zone to the limited uses allowed in the R-MC zone.

- H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

Applicant: The area surrounding the subject site contains a variety of residential and commercial uses. The lots directly east of the subject property are zoned R-MH, the majority of the surrounding land is zoned NR-C, therefore the request for a zone change would apply a zone district to the subject site (19.67 acres) that is different from the majority of the surrounding zone districts. Criterion #1 would apply because the area of the zone change is different from the majority of the surrounding land because it will help transition from the residential use to the commercial uses. The request would result in a spot-zone that would add to the limited like-zoned properties in the area, which function as a transition zone for surrounding properties. The historic and current use of the site as a mobile home community is shown to be the best use of the property at this time.

Staff Response: This request will create a “spot zone” that aligns with 6-7(F)(3)(h)(3) as the existing mobile home community makes the premises unsuitable for the uses allowed in any other zoning district of adjacent properties.

III. AGENCY & NEIGHBORHOOD CONCERNS

For comments from Reviewing Agencies, please refer to p. 19 of this Staff report.

Neighborhood/Public

No known concerns have been made regarding this Zone Map Amendment.

IV. CONCLUSION

The request is for a zone change for a 19.67-acre site located on the southwest corner of Aztec Rd. NE and Lafayette Dr. NE (3000 Aztec Rd NE). A 163-unit mobile community is existing on the subject site.

The subject site is zoned NR-C, received upon adoption of the IDO making the property legally nonconforming. The applicant is requesting a zone change to R-MC (Residential – Mobile Home Community) in order to attain conforming status. By obtaining R-MC status, affordable housing will be secured, which is vital to the health, safety, and welfare of the community. No adverse impacts will be of consequence of this zone change as this is a significant down zone. By downzoning to R-MC, this will significantly limit future development of the site as this zone will only permit residential or site amenities to complement the residential use. Overall, no adverse impacts will be absorbed by the community, including adjacent property sites.

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes 6-7(F)(3).

Staff recommends approval of the zone change request.

FINDINGS - RZ-2019-00021, October 10, 2019- Zone Map Amendment (Zone Change)

1. The request is for a zone map amendment (zone change) for a 19.67acre site known as Porters Replat Portion SW1/4 SE1/4 SEC 3 T10N R3E (the “subject site”). The subject site is located on On Southwest corner of Aztec Rd, NE and Lafayette Dr. NE (3000 Aztec Rd. NE).
2. The subject site is zoned N-RC (nonresidential-commercial), which it received upon adoption of the Integrated Development Ordinance (IDO) as a conversion from the former zoning of C-3. This conversion changed the mobile home park from a C-3 allowed conditional use to a nonconforming use in the NR-C zoning district.
3. For over 50 years the site, Aztec Mobile Home Village has operated as a mobile home community as an allowed conditional use under the previous C-3 zoning. The Aztec Mobile Home Village is at full capacity with all 163 lots/spaces occupied with homes. Given the established community that offers an affordable housing option to its residents, the property owner is seeking the Zone Map Amendment to secure continued use as a mobile home community beyond the year 2047.
4. The subject site is in an area that the Comprehensive Plan has designated an Area of Consistency.
5. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. This Zone Map Amendment request furthers ABC Comp Plan Goal 4.1 and Policy 4.1.4 because it would protect and preserve this distinct neighborhood and community in a mixed-use area that supports the city’s long-term health and vitality.
7. This request furthers ABC Comp Plan Goal 5.1 and Policy 5.1.8 by preserving an appropriate residential use near designated multi-modal corridors that provide multiple transportation options to residents including walking, driving, and transit access.
8. This request furthers ABC Comp Plan Policy 5.1.10 because the site is within walking distance of transit service and non-residential development on Carlisle, Comanche, and Candelaria.
9. The Zone Map Amendment would preserve the existing housing use as conforming on the subject site furthers ABC Comp Plan Goal 5.6 and Policy 5.6.3 by reinforcing the existing character and intensity of development on the site, which will protect and enhance the character of this existing residential neighborhood.

10. This request would continue to provide affordable housing options for a variety of income levels and types of residents and households, including manufactured housing options furthering ABC Comp Plan Goal 9.1 and Policy 9.1.2 (a).
11. ABC Comp Plan Goal 9.5 is furthered by preserving affordable housing that the market would not otherwise be able to provide, especially for vulnerable populations and those who are of low-income status.
12. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 6-7(F)(3)-Review and Decision Criteria for Zone Map Amendments, as follows:
 - A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them. The applicant has adequately demonstrated that the request would be consistent with the City's health, safety, morals and general welfare by fully analyzing and showing conformance with applicable Comprehensive Plan Goals and policies.

The applicant has demonstrated his request will preserve the health, safety, and general welfare of city residents by allowing the site to continue operating as mobile home community which provides affordable housing and avoid displacement. It is important that affordable housing options like the Aztec Village remain protected to prevent homelessness and provide shelter, which is a major component of health, safety, and general welfare. A preponderance of applicable Comp Plan Goals and Policies are furthered by the request. The response to Criterion A is sufficient.
 - B. Criterion B: The applicant has demonstrated that the R-MC will be more advantageous by preserving an existing use that will continue to offer affordable housing options to community members. Additionally, it will not allow for an increase in density or intensity of use. The use will be strictly limited to residential with the option of adding amenities such as a club house, pool, or recreation center. The requested zoning district is more advantageous to the community as articulated by the ABC Comp Plan
 - C. Criterion C: This criterion does not apply as the subject site is not located in an Area of Change.
 - D. Criterion D: Sufficient comparison has been thoroughly demonstrated on the table of uses provided by the applicant which can be found on Justification Letter dated May 8, 2020, pg. 8-9 (see attached). Overall, the number and intensity of uses will decrease dramatically. The only permitted uses are residential and site amenities (pool, club house etc.) It is important to note property owner is giving up a lot of entitlements to ensure no harm or adverse effects can be a consequence of zoning. This is a significant downzone that will be not be harmful to those residing on the site, nor to adjacent properties.

- E. Criterion E: This criterion does not apply due to the site being fully developed. and use on the subject site will not require any capital expenditure by the City.
- F. Criterion F: This request is not based on locality. This request is based on securing conforming use status of the site and to preserve and protect an already limited supply of affordable housing and not on the property's location on a major street.
- G. Criterion G: Considering this request is a downzone, the applicant's justification is not based completely or predominantly on the cost of land or economic considerations because it will allow the continued use of the property as a manufactured home community. This request is a significant downzone from the allowed commercial uses of the NR-C zone to the limited uses allowed in the R-MC zone.
- H. Criterion H: This request will create a "spot zone" that aligns with 6-7(F)(3)(h)(3) as the existing mobile home community makes the premises unsuitable for the uses allowed in any other zoning district of adjacent properties.

13. There is no known opposition to this request.

RECOMMENDATION - RZ-2019-00021, May 21, 2020

APPROVAL of Project #: 2020-003550, Case #: 2020-00006, a zone change from NR-C to R-MC, for Porters Replat Portion SW1/4 SE1/4 SEC 3 T10N R3E located on the southwest corner of Aztec Rd, NE and Lafayette Dr. NE (3000 Aztec Rd. NE).), based on the preceding Findings.


**Francine Pacheco
Planner**

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Office of Neighborhood Coordination

Long Range Planning

Discussion

The site was previously zoned C-3 (Heavy Commercial) under the Comprehensive Zoning Code (Zoning Code). Under the IDO, the C-3 zone district was converted to MX-H in Centers and Corridors and NR-C in all other locations. This site was zoned NR-C because it is not in a Center or Corridor.

The Zoning Code allowed the “Mobile home development” use conditionally when it was built. (See Zoning Code Subsection 14-16-2-18(B)(1) and Subsection 14-16-2-17(B)(11)). Under the Zoning Code, this use included both mobile homes and manufactured home developments. The development is currently considered to be legally nonconforming per the criteria in Subsection 6-8(C) of the IDO, since the NR-C zone district does not allow the “Dwelling, mobile home” use or manufactured home communities, but they were allowed under the site’s previous C-3 zoning. The current NR-C zone district is intended “to accommodate medium-scale retail, office, commercial, and institutional uses” (IDO, Subsection 2-5(A)(1)). The requested R-MC zoning is the only zone district in the IDO that allows the “Dwelling, mobile home” use and a manufactured home community, pursuant to the R-MC zone district standards.

Dwelling, Mobile Home. A transportable structure that does not meet the construction safety standards of the federal Manufactured Housing Act of 1974.

In the March 24, 2020 letter to EPC Chair Serrano, the applicant states, “The IDO allows for a 30-year period for the use to transition to a conforming use or to rezone the property to a zoning classification to which the use would conform. The Village is already a residential use that can legally continue for the end of the 30-year period (approximately till the year 2048). The owners desire to maintain the existing residential use and would like to secure a zone map amendment that will bring the park into a conforming use status.”

The applicant is likely referring to Subsection 6-8(C)(6)(b) in the IDO, which states, “A nonconforming use of land and incidental structures consisting of a mobile home development may remain for the life of the structures, which shall never be more than

30 years” if three provisions are met, including continued operation for 12 consecutive months, maintenance of private streets, and skirting homes with specific materials within 2 years of becoming nonconforming.

A zone change to R-MC would make the mobile homes permissive in the R-MC zone district and would be more appropriate for the development as a whole, whether the individual dwellings be mobile homes or manufactured homes.

In accordance with 6-7(F)(3)(b) of the IDO, “the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character” (p. 427). The Comp Plan designation of Area of Consistency indicates a focus on maintaining the established character of the area. The surrounding zones are NR-C and R-ML to the north, NR-C to the south, and NR-C and R-MH to the east. The west side of the site is bordered by the North Diversion Channel. The current surrounding uses include primarily commercial uses to the north and south and primarily residential uses to the east. Because this area has both commercial and residential zones and uses, a zone change from NR-C to R-MC would reinforce the established character of the neighborhood, since the zone would change to match the existing use of the property.

Conclusion

The request for a Zoning Map Amendment to R-MC does not present concerns regarding allowable uses since very few uses are allowed in that zone district, and the existing uses on the site are allowed permissively. The R-MC zone district is also consistent with the existing uses on the site and is compatible with nearby residential zone districts, such as R-ML to the north and R-MH to the east. The Zoning Map Amendment request from NR-C to R-MC aligns with its Area of Consistency designation by allowing its existing use to match the requested zone district, which would allow for its established character to remain in perpetuity.

CITY ENGINEER

Transportation Development

No objection to request.

Hydrology Development

New Mexico Department of Transportation (NMDOT)

Transportation Planning

Traffic Engineering Operations (Department of Municipal Development)

No comment.

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER: none.

WATER UTILITY AUTHORITY

Utility Services

No adverse comment for the proposed zone map amendment from NR-C to RM-C

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

No comment

Open Space Division

No adverse comment

City Forester

POLICE DEPARTMENT/Planning

No comment.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

PR#2020-003550- (Zone Change)- Existing commercial refuse service will remain regardless of zone change from (NR-C) to (R-MC).

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

ABQ RIDE has no substantive comment on either case

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

1. Project #2020-003550

- a. EPC Description: RZ-2020-00006 – Zone Map Amendment (Zone Change).
- b. Site Information: Porters Replat Portion Subdivision, Lot SW1/4 SE ¼ SEC 3 T10N R3E, Block 0000.
- c. Site Location: 3000 Aztec Road NE, between Aztec Road NE and Lafayette Drive NE.
- d. Request Description: Request for a zone change from NR-C (Non-Residential Commercial) to R-MC (Manufactured Home Community) on approximately 19.67 acres of land. The request is to bring the mobile home village into compliance with the updated IDO.
- e. APS Case Comments: No adverse impacts.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

Conditions for approval for Project #2020-003550 (RZ-2020-00006) Zone Map Amendment/Zone Change located at 3000 Aztec Rd NE, between Aztec Rd NE, and Lafayette Dr:

1. An existing overhead distribution line is located along the north side of the subject site with underground lines within the site serving the existing mobile homes. It is the applicant's obligation to abide by any conditions or terms of those easements.
2. As a condition, the developer shall contact PNM's New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at www.pnm.com/erequest for PNM to review.
3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

May 21, 2020



Figure 1: Looking south, from inside main entrance of the subject site.



Figure 2: Looking south from across Aztec Rd towards subject site entry gate.

May 21, 2020

Figure 3: Looking
southeast between lots of
the subject site.



Figure 4: Looking
northwest across site
playground and pool
area.

May 21, 2020

Figure 5: Looking northwest across Aztec from subject site.



Figure 6: Looking north along Lafayette, subject site's eastern boundary.

May 21, 2020



Figure 7:
Looking east
from southern
edge of property
along arroyo.

Figure 8: Looking
south along western
property line, along
arroyo.



ZONING

Please refer to the Integrated Development Ordinance (IDO)
for specifics regarding the NR-C and R-MC zones

APPLICATION INFORMATION



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

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

APPLICATION INFORMATION

Applicant: Aztec Village MHC LLC		Phone:
Address: 3000 Aztec Rd NE		Email:
City: Albuquerque	State: NM	Zip: 87107
Professional/Agent (if any): Tierra West, LLC		Phone: 505-858-3100
Address: 5571 Midway Park NE		Email: vcarrica@tierrawestllc.com
City: Albuquerque	State: NM	Zip: 87107
Proprietary Interest in Site: Owner		List <u>all</u> owners:

BRIEF DESCRIPTION OF REQUEST

Zoning Map Amendment - Council

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

Lot or Tract No.: SW1/4 SE1/4 SEC 3 T10N R3E CONT	Block:	Unit:
Subdivision/Addition: Porters Replat Portion	MRGCD Map No.:	UPC Code: 101606035309040213
Zone Atlas Page(s): G-16-Z	Existing Zoning: NR-C	Proposed Zoning: RM-C
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): 19.67 acres

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 3000 Aztec Rd NE	Between: Aztec Rd NE	and: Lafayette DR NE
--	-----------------------------	-----------------------------

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

Z-70-86, S-70-20, ZA-96-387, Z-755, Z-1091, V-68-24, Z-70-86

Signature:	Date: 3/23/2020
Printed Name: Ronald R. Bohannon	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date: Project #

Form Z: Policy Decisions

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

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

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

- N/A Interpreter Needed for Hearing? _____ if yes, indicate language: _____
- ☒ Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- ☒ Letter of authorization from the property owner if application is submitted by an agent
- ☒ Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- ☒ Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

☐ **AMENDMENT TO IDO TEXT**

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

☐ **ZONING MAP AMENDMENT – EPC**

☒ **ZONING MAP AMENDMENT – COUNCIL**

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

☐ **ANNEXATION OF LAND**

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

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: _____

Date: 3/23/2020

Printed Name: Ronald R. Bohannon

☐ Applicant or ☒ Agent

FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

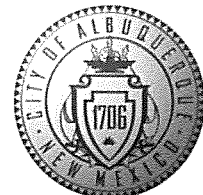
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-

-

Staff Signature: _____

Date: _____



3/6/2020

Mr. Darren Serrano, Chair
Environmental Planning Commission
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: APPROVAL OF ZONING MAP AMENDMENT- CITY COUNCIL
3000 AZTEC RD NE ALBUQUERQUE, NM 87107
PORTERS REPLAT PORTION SW1/4 SE1/4 SEC 3 T10N R3E**

Dear Mr. Serrano:

The purpose of this letter is to authorize Tierra West LLC to act as agent on behalf of Aztec Village MHC LLC pertaining to any and all submittals made to the City of Albuquerque for the above-referenced site.

Richard Nodel
Print Name
[Signature]
Signature
Member
Title
March 6, 2020
Date

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

ARTEL

APPLICANT: Tierra West, LLC DATE OF REQUEST: 3 / 5 / 2020 ZONE ATLAS PAGE(S): G-16-Z

CURRENT:

ZONING NR-C

LEGAL DESCRIPTION:

LOT OR TRACT # _____ BLOCK # _____

Porters Replat Portion SW 1/4 SE 1/4 SEC 3 TION R3E

PARCEL SIZE (AC/SQ. FT.) 19.67 acres

SUBDIVISION NAME see above information

REQUESTED CITY ACTION(S):

ANNEXATION []

SITE DEVELOPMENT PLAN:

ZONE CHANGE ☒ : From NR-C To R-MC

SUBDIVISION* [] AMENDMENT ☒

SECTOR, AREA, FAC, COMP PLAN []

BUILDING PERMIT [] ACCESS PERMIT []

AMENDMENT (Map/Text) []

BUILDING PURPOSES [] OTHER []

*includes platting actions

PROPOSED DEVELOPMENT:

GENERAL DESCRIPTION OF

ACTION:

NO CONSTRUCTION/DEVELOPMENT ☒

OF UNITS: 163

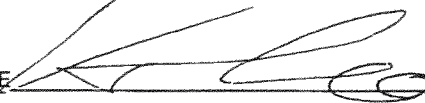
NEW CONSTRUCTION []

BUILDING SIZE: Varies (sq. ft.)

EXPANSION OF EXISTING DEVELOPMENT []

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

APPLICANT OR REPRESENTATIVE



DATE 3/10/2020

(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:

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



TRAFFIC ENGINEER

DATE

3-11-2020

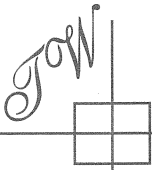
Required TIS **must be completed prior to applying to the EPC and/or the DRB.** Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS

-SUBMITTED / /

-FINALIZED / /

TRAFFIC ENGINEER
DATE



TIERRA WEST, LLC

May 8, 2020

Mr. Dan Serrano, Chair
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: ZONING MAP AMENDMENT- COUNCIL
AZTEC VILLAGE MHC - 3000 AZTEC RD NE
PORTERS REPLAT PORTION SW1/4 SE1/4 SEC 3 T10N R3E
ZONE ATLAS MAP G-16-Z**

Dear Chairman Serrano:

Tierra West, LLC on behalf of Aztec Village MHC LLC, requests approval of a Zoning Map Amendment for the above referenced site from Non-Residential Commercial (NR-C) to Residential Manufactured Home Community (R-MC).

Site Location & History

The project site is located on Aztec Road NE adjacent to the east bank of the North Diversion Channel and consists of approximately 19.67 acres. The site is bordered on the north and east by various commercial uses as well as residential fourplex units. It is bordered on the south by several commercial uses that front and take access off Candelaria Road. Various commercial uses exist west of the property and the diversion channel. These properties front and take access off Girard Blvd. The subject property is currently developed as a manufactured home village. The village was constructed in 1970 and has therefore been in existence for over 50 years.

The existing mobile home village was a permissive use under the previous zoning, C-3 Commercial. With the adoption of the Integrated Development Ordinance (IDO) in 2017, the existing Aztec Mobile Home Village was rezoned to NR-C and became a legal non-conforming use. The IDO allows for a 30-year period for the use to transition to a conforming use or to rezone the property to a zoning classification to which the use would conform. The Village is already a residential use that can legally continue for the end of the 30-year period (approximately till the year 2047). The owners desire to maintain the existing residential use and would like to secure a zone map amendment that will bring the park into a conforming use status.

Site Orientation and Pedestrian Circulation

The site is currently developed as a manufactured home village. The village has been in existence for over 50 years. The two existing accesses to the village are located off Aztec Rd on the park's north property line. Both accesses are gated. Pedestrian circulation into and out of the park is limited to these two gated access points.

5571 Midway Park Pl. NE
Albuquerque, NM 87109
(505) 858-3100 fax (505) 858-1118
tierrawestllc.com

Traffic Impact and On-Site Parking

The existing site plan meets the parking required for the proposed mobile home park use at each existing space, with two parking spaces available off the access roads at each manufactured home space. Handicap parking is available at the office/club house. The two existing driveways do meet minimum requirements for fire and emergency access. Because this is an existing manufactured home village, there will be no increase in traffic to the surrounding street network. The surrounding street network is sufficient to handle the existing traffic from the village.

Drainage and Landscaping

The site is currently fully developed as a manufactured home village. Topography generally slopes from southwest to northeast where it exits the village onto Aztec Road. There the runoff is captured by an existing storm drain that conveys the flow north into the existing diversion channel.

The village is currently landscaped with mature bushes and trees throughout the park. Minor areas of turf exist in several of the existing manufactured home spaces.

The landscape plan provides site landscaping that meets the landscape requirements of the City of Albuquerque. Landscape buffers are also designed to meet the requirements of the City Zoning Code. Plants shown on the plan are low to medium water use, thereby promoting water conservation while creating an attractively landscaped site.

Water harvesting is present throughout the village with runoff from the internal roadways and from individual spaces being used to irrigate the mature trees and shrubs. Active landscape irrigation systems within the village are minimal.

Elevations and Signage

The village grounds are maintained to enhance the appearance of the property. The perimeter fencing around the village consists primarily of a 6' chain link fence with a small portion being a wooden opaque panel fence.

The two entrances off Aztec are gated and landscaped. The west entrance is equipped with a push button coded access. A slump block monument sign exists at each of the two entrances into the park.

Albuquerque/ Bernalillo County Comprehensive Plan

The subject site is classified as Established Urban by the Albuquerque/Bernalillo County Comprehensive Plan. The primary goal of the requested zone change from NR-C to R-MC is to allow the existing use to remain and to allow the park to remain a part of the community as it has been for over 50 years. Reaching this goal will avoid uprooting the residents of this community and avoid asking them to seek affordable housing somewhere else in the City, which would disrupt their lives and disrupt the surrounding community. The request to rezone the property and keep the existing manufactured home village furthers or partially furthers the following policies. Responses to all Policies are in bold.

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

The request furthers Policy 4.1.2 because it will allow for the appropriate type and scale of uses to take advantage of the existing identity and character of the neighborhood which provides affordable housing in a location where it exists today within a transition zone between various residential uses and commercial uses. Rezoning the site to R-MC will allow the existing mobile home community to remain in tack as it has for over 50 years. The area will not be disrupted by the removal and relocation of existing community or the relocation of existing residents. This use also allows affordable housing opportunities within the community.

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

The request furthers Policy 4.1.4 because it will protect an existing stable, thriving residential neighborhood and preserve the neighborhood by not requiring the existing mobile home community to be removed from the area and the residents displaced. The primary goal of the requested zone change to R-MC is to do exactly what this policy requires: To keep the mobile home community in place so that the neighborhood and its residents can preserve and protect what they have spent over 50 years building.

Policy 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

The site is not on a Transit Corridor but is near Carlisle and Comanche approximately ¼ mile distance. This affords a walkable distance to the corridors. The request furthers Policy 5.1.8 because the proposed zone change will bring the existing mobile home community use of the property out of nonconformance. It will allow affordable housing to remain in an area readily serviced by transit facilities within walking distance of the subject site.

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

The request furthers Policy 5.1.10 because it allows low income affordable residential units, which are currently nonconforming uses of the property in an area that should encourage residential communities within ¼ mile of multiple transit stops on Comanche Rd, and Carlisle Blvd. This encourages mixed-use development in the area, which is in support of this policy.

Policy 5.5.5 Developing & Established Urban Areas

Create a quality urban environment that perpetuates the tradition of identifiable, individual, compact, but integrated communities within the metropolitan area and that offers variety and maximum choice in housing transportation, work areas, and lifestyles, while creating a visually pleasing built environment.

The Aztec Mobile Home Village has been in existence for over 50 years. It is integrated in an area of the city that contains numerous employment opportunities within close proximity to the park. The park offers affordable housing opportunities that complement the surrounding fourplex units and the existing Carlisle Plaza Senior Mobile Home Park located approximately 0.15 miles to the southeast.

The park is not just an affordable option for low income families, it is a tight knit community where residents know and look out for each other in an area where they can feel safe and protected. It is a place where access is restricted by the gated entrance and the aesthetics

are well managed by the rules and regulations of the park. The residents opt to live in a community scenario for the social and emotional benefits of such a network, which can be extraordinary. It is this tradition and atmosphere that the zone request seeks to preserve.

Policy b - a full range of urban land uses resulting in an overall gross density up to five dwelling units per acre within Developing and established Urban Areas as shown by the Plan map, with higher densities specified in area or sector plans.

The existing manufactured mobile home park is currently at capacity with no vacant spaces. The existing 163 spaces results in an 8.3 DU's per acre. These existing dwelling units are adjacent to existing multi-family housing consisting of mainly fourplex units. The combination of multi-family units and manufactured home units bring the overall gross density closer to the recommended five dwelling units per acre.

Policy f – Encourage the location, intensity, and design of new development to respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resources, acequia easements, and resources of other social, cultural, and recreational concern.

The proposed Zone Change furthers this policy because it will not adversely affect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural and recreational concerns. The proposed zone change would allow for the continued use of the existing manufactured home village and would continue to provide affordable housing and services to the existing and future residents. Neighborhood values will be respected by the continued uses of the village which will accommodate uses complimentary to the neighborhood and facility. The site is located along an urban local road, which will continue to serve the development. Because the park is existing and no increase in density is expected, the existing facility presents no significant adverse impact to the adjacent transportation system.

Policy 6.1.9 Other Arterials

Coordinate Transportation planning at the regional level for arterials not designated as corridors in the Comp Plan.

Policy a - Plan Land adjacent to arterial streets to minimize harmful effects of traffic on nearby roadways and development.

The existing manufactured home community ensures the livability and safety of surrounding neighborhoods by allowing affordable housing within an area that contains multiple job opportunities. This close proximity from housing to work helps mitigate any harmful effects of traffic traveling into the area for work from outside the community.

Policy 6.4.2 Air Quality

Reduce the adverse effects of automobile travel on air quality through coordinated land use and transportation that promote the efficient placement of housing, employment, and services and improve the viability of multi-modal transportation options.

Policy d – See Goal 6.2 above for policies to encourage a multi – modal system.

Policy 6.2 Encourage walking, bicycling and transit, especially at peak-hour commuting times, to enhance access and mobility for people of all ages and abilities.

Bicycle, pedestrian and transit connections provide the means to neighborhood residents and employees to take public transportation or to walk or bicycle to obtain necessary daily services. The existing mobile home community has access to the existing pedestrian trail along the North Diversion Channel less than 500 feet from the park entrance and access to bicycle facilities along the same channel approximately 0.41 miles from the park entrances. The distance to the City transit bus stop on Carlisle Blvd is less than 3 tenths of a mile from the park entrance.

Policy f – See also Resilience & Sustainability Goal 13.5 for community health considerations
Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.

Policy c- Mitigate potential adverse impacts-including noise, emissions, and glare- of new development on surrounding land uses during and after construction through land use regulations, environmental permitting, and enforcement.

The connections noted above assist in the improvement of air quality by keeping area residents closer to their homes and not having to travel by vehicle, minimizing the adverse effects of motor vehicle pollution.

Policy 7.3.4 Infill-

Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

Rezoning the subject property to allow the existing mobile home community to remain as a permissive use will help maintain the existing integrity of the area, providing a transition between the high to medium density residential units and the commercial areas.

Housing Supply

The goal of the Housing Supply policies is to ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

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.

The existing Aztec Mobile Home Community helps support diverse housing options within this area of the city. It ensures availability and affordability for not only the current residents within the existing park but for future residents as well. It provides lower income residents with an opportunity to own the unit within which they live rather than renting an apartment or single family detached house. It does so within an area that is close to public transit and is within walking distance to numerous job opportunities, which contributes to its affordability of the housing.

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

The existing Aztec Mobile Home Community provides higher density, affordable residential opportunities near public transportation facilities in an area with considerable job opportunities and available shopping. The site is within a half a mile of a retail/grocery supercenter and within three miles of the Coronado and Winrock malls.

The subject property is currently served by public water and sanitary sewer as well as being served by PNM for electric services and NM Gas Co for gas services. As previously mentioned storm drain runoff from the property is captured in a public storm sewer and conveyed to the existing AMAFCA north diversion channel. The requested zone change will not require the construction of additional public or private infrastructure.

Integrated Development Ordinance

Per section 14-16-6 Administration and Enforcement in the IDO. The Zone map amendment shall be approved if it meets all the following criteria. Responses to all criteria are in bold.

Criterion A. 6-7(G)(3)(a)

The criteria for approval of a Zoning Map Amendment- EPC in Subsection 14-16-6-7(F)(3)

Criterion A. 6-7 (F)(3)(a)

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

The zone change request is consistent with the health, safety, and general welfare of the City as demonstrated by this letter which provides analysis of policies from the ABC Comp Plan related to the request. The zone change will allow a mobile home community to continue to thrive in a section of town that has numerous employment opportunities as well as many City services available to them including public transportation within walking distance of the property. Having affordable housing close to commercial areas and close to public transportation decreases the long distance travel for employees to get to their work place. Keeping the existing mobile home community in place will avoid displacing residents who would have a difficult time finding alternate affordable low income housing. This would decrease the burden on the City programs that are in place to help families that can't afford a place to live.

Criterion B. 6-7 (F)(3)(b)

If the proposed amendment is located wholly or partially in an Area of Consistency(as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The application must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s)

Per Criteria 3, the subject property is located in an Area of Consistency and the requested change to R-MC zoning furthers the goals outlined in the Comp Plan. It strengthens the community by providing an alternate to housing type that are advantages to lower income families or individuals in a section of the city that

contains opportunities for employment and easy access to public transit, pedestrian and bicycle facilities, and to shopping centers. These strengths and opportunities would be lost under the current zoning NR-C zoning, in which these residential uses are not allowed.

The existing and proposed uses in the RM-C zone are compatible with the surrounding area and uses as evidenced by the existing adjacent MX-T, R-MH and R-ML zoned properties. The R-MC zoning would provide a transition between these properties and the properties zoned NR-C and NR-LM.

Criterion C, 6-7(F)(3)(c)

If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The subject property is located wholly in an Area of Consistency and this criterion does not apply.

Criterion D, 6-7(F)(3)(d)

The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

None of the permissive uses in the R-MC zone (listed in below zoning comparison table) will be harmful to the adjacent property, neighborhood or community. The majority of uses allowed under the requested R-MC zoning are also allowed in the existing NR-C Zoning or the uses are more restrictive. The uses that are indicated in the table below as being less restrictive under the requested zoning are Accessory or Temporary uses that would have no harmful effect on the neighborhood or community. New uses that differ from the existing use would have to come to the City for Conditional Use approval at which time their effect on the adjacent property can be evaluated.

In comparison, the uses permissive to the new zoning NR-C (listed in below zoning comparison table) established with the adoption of the IDO would significantly change the characteristics of the existing neighborhood. It would displace residents within the property itself and isolate the adjacent residential properties by decreasing the R-MC zoning which currently help to establish a buffer zone between them and the properties with commercial uses. The neighborhood and surrounding community may be subject to increased traffic, noise, storm runoff and crime if the site is redeveloped with uses that are permissive to the newly adopted NR-C zoning.

IDO ZONING LIST OF USES:			
Use	R-MC	NR-C	Comparison
			R-MC vs. NR-C
Residential Uses			
Dwelling, single-family detached	P	P	No change
Dwelling, mobile home	P	P	No change
Dwelling, cottage development	P	P	No change
Civic and Institutional Uses			
Adult or child day care facility	C	P	More restrictive
Commercial Uses			
Community garden	P	P	No change
Health club or gym	A	P	More restrictive
Residential community amenity	P	-	Less Restrictive
Paid parking lot	A	P	More restrictive
Parking structure	A	P	More restrictive
Farmer's market	T	P	More restrictive
General retail, small	A	P	More restrictive
Industrial Uses			
Telecommunications, Towers, and Utilities			
Geothermal energy generation	A	A	No change
Solar Energy generation	P	P	No change
Utility, electric	P	P	No change
Utility, other major	P	P	No change
Wireless Telecommunications Facility			
Architecturally Integrated	A	A	No change
Co-location	A	A	No change
Roof mounted	A	A	No change
Public utility co-location	A	A	No change
Accessory Uses			
Agriculture sales stand	A	A	No change
Animal Keeping	A	A	No change
Automated Teller Machine	A	A	No change
Family care facility	A	-	Less Restrictive
Family home daycare	A	-	Less Restrictive
Garden	A	A	No change
Hobby Breeder	A	-	Less Restrictive
Home Occupation	A	-	Less Restrictive
Mobile food truck	A	A	No change
Parking of non-commercial vehicle	A	-	Less Restrictive
Parking of recreational vehicle, boat, and / or recreational trailer	A	-	Less Restrictive
Second kitchen in a dwelling	A	-	Less Restrictive
Other use accessory to residential primary use	A	-	Less Restrictive
Temporary Uses			
Construction staging area, trailer or office	T	T	No change
dwelling unit, temporary	T	T	No change

Fair, festival or theatrical performance	T	T	No change
Garage or yard sale	T	-	Less Restrictive
Hot air balloon takeoff/landing	T	T	No change
Real estate office or model home	T	T	No change
Temporary use not listed	T	T	No change

Criterion E, 6-7(F)(3)(e)

The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet the following requirements:

1. Have adequate capacity to serve the development made possible by the change of zone.
2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant

Per Requirement 1. the proposed zone change will not require major and programmed capital expenditures by the City. This is an existing mobile home community that the owner wishes to keep intact and the current infrastructure capacity is sufficient to serve the existing development. The existing infrastructure is sufficient as evidenced by its ability to service the existing mobile home community that to date is at or near full occupancy. This includes adequate roadways, wet and dry utilities and drainage infrastructure.

Criterion F, 6-7(F)(3)(f)

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

The subject property is not within a designated Comprehensive Plan Corridor area. The location of the property is not the sole justification for the zone change request. The request is mainly based on the owner's desire to maintain the current use of the property as a mobile home community, which furthers a preponderance of applicable Comprehensive Plan policies for land use and infill development as demonstrated in the response to Criterion A. The property is located on Aztec Road, which is classified as a local street in the Long Range Roadway Plan. Comanche Rd is located ¼ of a mile to the north and Carlisle Blvd is located ¼ of a mile to the east from the entrances to the property. Both of these main roadways are designated as minor arterials. Access to Candelaria Rd (principle arterial) located less than a tenth of a mile to the south is less direct. The route from the park entrance to Candelaria Rd is just under ½ a mile. These three major roadways contain bus routes and do provide more than adequate circulation from the subject site to the surrounding areas as well as convenient access to both Interstate 25 to the west and Interstate 40 to the south. There are existing bicycle lanes on both Comanche Rd and Candelaria Rd.

Criterion G. 6-7(F)(3)(g)

The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Cost of land or other economic considerations are not the determining factors for the zone change request. The predominant factor for the zone change request is to allow the continued use of the property as a mobile home community, which furthers the wellbeing of the neighborhood and the community.

Criterion H. 6-7(F)(3)(h)

The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

The area surrounding the subject site contains a variety of residential and commercial uses. The lots directly east of the subject property are zoned R-MH, the majority of the surrounding land is zoned NR-C, therefore the request for a zone change would apply a zone district to the subject site (19.67 acres) that is different from the majority of the surrounding zone districts. Criterion #1 would apply because the area of the zone change is different from the majority of the surrounding land because it will help transition from the residential use to the commercial uses. The request would result in a spot-zone that would add to the limited like-zoned properties in the area, which function as a transition zone for surrounding properties. The historic and current use of the site as a mobile home community is shown to be the best use of the property at this time.

Criterion B. 6-7(G)(3)(b)

If the application is for creation or amendment of an NR-BP zone district, all of the following criteria:

1. The NR-BP zone district and Master Development Plan will result in an internally coordinated system of land uses, development intensities, and open spaces that is more consistent with the adopted ABC Comp Plan, as amended, that promotes economic development of the City better, than could be achieved without the NM-BP zone district.
2. The NR-BP zone district and Master Development Plan will result in street, circulation, open space, and storm drainage systems that connect and integrate with the City's existing systems.
3. The City and other service providers have adequate infrastructure and public service capacity to serve the proposed development without decreasing service quality to existing City residents or increasing financial burdens on existing City residents, or the applicant has made adequate financial commitments to ensure this result.

This application is not for creation of amendment of an NR-BP zone district and therefore this criterion does not apply.

Criterion B. 6-7(G)(3)(b)

If the application is for the creation or amendment of a PC zone district, all of the following requirements must be met:

1. The proposed amendment and related Framework Plan meet any criteria for approval of a Planned Community adopted by City Council.
2. The Framework Plan for the property will result in street, circulation, open space, and storm drainage systems that connect and integrate with the City's existing system.
3. The Framework Plan for the property accommodates reasonably anticipated growth off the City in a manner that is more consistent with the ABC Comp Plan, as amended, than the accommodation of such growth that could be achieved without the PC zone district.
4. The City and other service providers have adequate infrastructure and public service capacity to serve the proposed development without decreasing service quality to existing City residents or increasing financial burdens on existing City residents, or the applicant has made adequate financial commitments to ensure this result.

This application is not for creation of amendment of a PC zone district and therefore this criterion does not apply.

Summary

We respectfully request approval of the proposed zone change from Non-Residential Commercial (NR-C) to Residential Manufactured Home Community (R-MC), which allow for the existing Aztec Village Mobile Home Community to remain. The existing village furthers numerous policies of applicable plans and also provides for an increase in housing opportunities for area residents within close proximity to numerous job opportunities.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Richard Nodel

JN: 2017034

RRB/vc/jg

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19.269 Date: 09.10.2019 Time: 2:00pm

Address: 3000 Aztec Rd NE

AGENCY REPRESENTATIVES AT MEETING:

Planning: Whitney Phelan

Code Enforcement: Carl Garcia

Fire Marshall: _____

Transportation: Morgan

Other: _____

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!

THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL..

Additional research may be necessary to determine the exact type of application and/or process needed.

Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: More Map Amendment - Council

SITE INFORMATION:

Zone: NR-C Size: 19 acres

Use: Mobile Home Park Overlay Zone: _____

Comp Plan Area Of: Consistency Comp Plan Corridor: _____

Comp Plan Center: _____ MPOS or Sensitive Lands: _____

Parking: _____ MR Area: _____

Landscaping: _____ Street Trees: _____

Use Specific Standards: _____

Dimensional Standards: _____

*Neighborhood Organization/s: _____

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

PROCESS:

Type of Action: Zone Map Amendment - Council

Review and Approval Body: Council Is this PRT a requirement? Yes
EPC for Review

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-269 Date: 9/10/19 Time: 2pm

Address: 3000 Aztec Rd NE

NOTES:

- ~~Area of Consistency~~
- Process to ~~change~~ ^{change} Zone - no sunset clause 6.7.6.1 p. 429
- ~~# EPC Zone Map Amendment~~ - EPC - Council
- p. 429 - process
- No Existing Overlay Zones
- Zone Cert completed shows history - C-3 allowed Conditional Use
- R-ME p. 16 District Standards
- Threshold for size for Site Plan process

* 14-16-6-7(F)(3) Pg 427

16-7(F)(3)(d) list uses and how they will not be harmful

STAFF INFORMATION



**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

P R O J E C T - M E M O R A N D U M

DATE: May 4, 2020
TO: Vince Carrica, Tierra West LLC
FROM: Francine Pacheco, Long Range Planner
RE: Project #2020-003550/RZ-2020-00006, 3000 Aztec Rd NE

This memo is to serve as second notice requesting proof of notification per IDO Section 6-4(K)(7)(a) as well as all items listed below from the original project memo sent on April 27, 2020. The EPC Public Hearing scheduled for May 14, 2020 has been rescheduled for May 21, 2020, thus **extending the deadline to submit all requested documentation no later than May 6, 2020**. At this time, we will consider recommending denial if we have not received the requested information verifying proof of notification and adequate justification of the requested Zone Map Amendment per IDO Section 6-7(G)(3). Please see below for original memo detailing updated application requirements to render this application complete.

I have completed an initial review the proposed zone map amendment request, however, additional items may arise as the case progresses. In the event any additional items that need to be addressed arise, I will inform you as soon as possible. Upon this first review, I have identified items that are insufficient and need further details in order to fulfill the application requirements. Until these items are addressed, this application is rendered incomplete. Below I have listed the items to be provided in order to complete this process and further strengthen your justification.

1) Notification

As discussed in our previous conversation, there are a few items that need to be addressed in order to consider the notification process complete. In order to move forward with this application, please provide:

- a) In order to remain compliant with **IDO Section 6-4(K)(7)(a)**, proof of notification to property owners must include:
 - i) Copies of each individual envelope mailed and/or
 - ii) Read receipts for each e-mail address if notified electronically
- b) Notification letter **MUST** include updated meeting policies and guidelines regarding COVID-19 and Zoom Meetings. Here is the information that **MUST** be included on all notices and sign postings:

EPC Public Hearing on Zoom, Thursday 14 May 2020, 8:40am:

Join Zoom Meeting

<https://cabq.zoom.us/j/993370335>

Meeting ID: 993 370 335

Dial in: 1 301 715 8592 US

Visit www.cabq.gov/planning for more virtual meeting information.

- c) Notification letter is to be no older than 30 days.
- d) Notification letter is clear and concise regarding the subject matter of the EPC Hearing, in this case it is just the Zone Map Amendment request. The additional information regarding Conditional Use Permit and Site Development Plan for Building Permit can be confusing and misleading to community members and property owners. If you have any questions regarding content of the notification, please see **IDO Section 6-4(K)(6)**.
- e) As a suggestion to strengthen your notification and demonstrate due diligence, it may be help to address why this is a Zone Map Amendment – Council (not Administrative). This may help property owners understand this is a two-step process that will be initially heard in front of the EPC and a second time in front of City Council. By helping property owners understand the process, it shows a sign of good faith while adding transparency of the process.

Please submit the updated notification requirements **no later than April 29, 2020** in order to remain compliant with IDO standards by giving notice no later than 15 days prior to the scheduled hearing.

NOTE: Failure to do so will result in the inability to proceed with the case before the EPC and a city staff will request a deferral.

2) ABC Comprehensive Plan Policy Analysis

Your application has provided an analysis of the ABC Comprehensive Plan and relevant policies to your case; however, they are lacking adequate justification as to how these policies apply or arguments need to be strengthened to justify relevance.

- a) Although the application includes numerous policies from the ABC Comprehensive Plan, there needs to be more land use policies cited from Chapter 5.
- b) The argument for this section needs to make a stronger connection between the policy and request

ABC Comprehensive Policy 5.5.5 Developing Established Urban Areas: Create a quality urban environment that perpetuates the tradition of identifiable, individual, compact, but integrated communities within the metropolitan area and that offers variety and a maximum choice in housing, transportation, work areas, and lifestyles, while creating a visually pleasing environment.

- c) This section is irrelevant since this request is not for a site plan

ABC Comprehensive Policy 7.5.1 Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance sense of place.

- d) The application has a considerable amount of policies from the ABC Comprehensive Plan, yet there are no specific goals mentioned, particularly regarding land use. It is highly encouraged a revision of this section include stronger analysis of how the request connects with not just policies, but will also include goals from the ABC Comprehensive Plan.

3) Integrated Development Ordinance

Please see the following criteria from application that need supplementary justification or additional information for further consideration.

a) Criterion A as listed by applicant:

IDO Section 6-7(F)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

“The zone change request is consistent with the health, safety, and general welfare of the City as demonstrated by this letter which provides analysis of policies from the ABC Comp Plan related to the request. The request will further a preponderance of the applicable policies in the Comp Plan.”

Please provide actual evidence as to how the request is consistent with health, safety, and general welfare. Upon review, this has not proven but also lacks policy analysis of actual goals from the Comprehensive Plan. There is insufficiency in making connection between the request and ABC Comp Plan goals.

b) Criterion B as listed by applicant:

IDO Section 6-7(F)(3)(b) If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

- 1. There was typographical or clerical error when the existing zone district was applied to the property.*
- 2. There has been a significant change in neighborhood or community conditions affecting the site.*
- 3. A different zone district is more advantageous to the community as articulated by the ABC Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).*

“The subject property is located in an Area of Consistency and the requested change to R-MC zoning furthers the goals outlined in the Comp Plan. It strengthens the community by providing an alternate to housing type that are advantages to lower income families or individuals in a section of the city that contains opportunities for employment and easy access to public transit, pedestrian and bicycle facilities, and to shopping centers. These strengths and opportunities would be lost under the current zoning NR-C zoning, in which these residential uses are not allowed.

The existing and proposed uses in the R-MC zone are compatible with the surrounding area and uses as evidenced by the existing adjacent MX-T, R-MH, and R-ML zoned properties. The R-MC would provide a transition between these properties and the properties zoned NR-C and NR-LM.”

Please be sure to explicitly identify which of the three criteria under IDO Section 6-7(F)(3)(b) applicant is choosing.

c) Criterion D as listed by applicant:

IDO Section 6-7(F)(3)(d) The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

“None of the permissive uses in the R-MC zone will be harmful the adjacent property, neighborhood, or community. This is evidenced by the existing use of the property as a mobile home community that has been an integral part of the neighborhood for over 50 years. New uses that differ from the existing use

would have to come back for Conditional Use approval at which time their effect on the adjacent property can be evaluated.”

Applicant needs to provide a table of all uses that will become permissible under R-MC and discuss each uses impact.

d) Criterion E as listed by applicant:

IDO Section 6-7(F)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 the following requirements:

- 1. Have adequate capacity to serve the development made possible by the change of zone.*
- 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.*
- 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.*
- 4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.*

In addition to applicant’s response to this section, applicant needs to also specify which of the four criteria in this section they are choosing.

e) Criterion F as listed by applicant:

IDO Section 6-7(F)(3)(f) The applicant’s justification for the requested zone change is not completely based on the property’s location on a major street.

“The subject property is not within a designated Comprehensive Plan Corridor area. The location of the property is not the sole justification for the zone change request. The request is mainly based on the owner’s desire to maintain the current use of the property as a mobile home community, which further a preponderance of applicable Comprehensive Plan policies for land use and infill development as demonstrated in Criterion A.”

Applicant needs to identify which streets are within the area and identify whether or not if they are Major Transit, Main Street, etc. to ensure full analysis is made accordingly.

f) Criterion H as listed by applicant:

IDO Section 6-7(F)(3)(h) The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a “spot zone”) or to a strip of land along a street (i.e. create a “strip zone”) unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

- 1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.*
- 2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.*
- 3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.*

In addition to applicant’s response to this section, applicant needs to also specify which of the four criteria in this section they are choosing.



**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

P R O J E C T - M E M O R A N D U M

TO: Vince Carrica
FROM: Francine Pacheco, Long Range Planner
RE: Project #2020-003550/RZ-2020-00006, 3000 Aztec Rd NE

I have completed an initial review the proposed zone map amendment request, however, additional items may arise as the case progresses. In the event any additional items that need to be addressed arise, I will inform you as soon as possible. Upon this first review, I have identified items that are insufficient and need further details in order to fulfill the application requirements. Until these items are addressed, this application is rendered incomplete. Below I have listed the items to be provided in order to complete this process and further strengthen your justification.

1) Notification

As discussed in our previous conversation, there are a few items that need to be addressed in order to consider the notification process complete. In order to move forward with this application, please provide:

- a) In order to remain compliant with **IDO Section 6-4(K)(7)(a)**, proof of notification to property owners must include:
 - i) Copies of each individual envelope mailed and/or
 - ii) Read receipts for each e-mail address if notified electronically
- b) Notification letter **MUST** include updated meeting policies and guidelines regarding COVID-19 and Zoom Meetings. Here is the information that **MUST** be included on all notices and sign postings:

EPC Public Hearing on Zoom, Thursday 14 May 2020, 8:40am:

Join Zoom Meeting

<https://cabq.zoom.us/j/993370335>

Meeting ID: 993 370 335

Dial in: 1 301 715 8592 US

Visit www.cabq.gov/planning for more virtual meeting information.

- c) Notification letter is to be no older than 30 days.
- d) Notification letter is clear and concise regarding the subject matter of the EPC Hearing, in this case it is just the Zone Map Amendment request. The additional information regarding Conditional Use Permit and Site Development Plan for Building Permit can be confusing and misleading to community members and property owners. If you have any questions regarding content of the notification, please see **IDO Section 6-4(K)(6)**.

- e) As a suggestion to strengthen your notification and demonstrate due diligence, it may be help to address why this is a Zone Map Amendment – Council (not Administrative). This may help property owners understand this is a two-step process that will be initially heard in front of the EPC and a second time in front of City Council. By helping property owners understand the process, it shows a sign of good faith while adding transparency of the process.

Please submit the updated notification requirements **no later than April 29, 2020** in order to remain complaint with IDO standards by giving notice no later than 15 days prior to the scheduled hearing.

NOTE: Failure to do so will result in the inability to proceed with the case before the EPC and a city staff will request a deferral.

2) ABC Comprehensive Plan Policy Analysis

Your application has provided an analysis of the ABC Comprehensive Plan and relevant policies to your case; however, they are lacking adequate justification as to how these polices apply or arguments need to be strengthened to justify relevance.

- a) Although the application includes numerous policies from the ABC Comprehensive Plan, there needs to be more land use policies cited from Chapter 5.
- b) The argument for this section needs to make a stronger connection between the policy and request

ABC Comprehensive Policy 5.5.5 Developing Established Urban Areas: Create a quality urban environment that perpetuates the tradition of identifiable, individual, compact, but integrated communities within the metropolitan area and that offers variety and a maximum choice in housing, transportation, work areas, and lifestyles, while creating a visually pleasing environment.

- c) This section is irrelevant since this request is not for a site plan

ABC Comprehensive Policy 7.5.1 Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance sense of place.

- d) The application has a considerable amount of policies from the ABC Comprehensive Plan, yet there are no specific goals mentioned, particularly regarding land use. It is highly encouraged a revision of this section include stronger analysis of how the request connects with not just policies, but will also include goals from the ABC Comprehensive Plan.

3) Integrated Development Ordinance

Please see the following criterions from application that need supplementary justification or additional information for further consideration.

- a) Criterion A as listed by applicant:

IDO Section 6-7(F)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

“The zone change request is consistent with the health, safety, and general welfare of the City as demonstrated by this letter which provides analysis of policies from the ABC Comp Plan related to the request. The request will further a preponderance of the applicable policies in the Comp Plan.”

Please provide actual evidence as to how the request is consistent with health, safety, and general welfare. Upon review, this has not proven but also lacks policy analysis of actual goals from the Comprehensive Plan. There is insufficiency in making connection between the request and ABC Comp Plan goals.

b) Criterion B as listed by applicant:

IDO Section 6-7(F)(3)(b) If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

- 1. There was typographical or clerical error when the existing zone district was applied to the property.*
- 2. There has been a significant change in neighborhood or community conditions affecting the site.*
- 3. A different zone district is more advantageous to the community as articulated by the ABC Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).*

“The subject property is located in an Area of Consistency and the requested change to R-MC zoning furthers the goals outlined in the Comp Plan. It strengthens the community by providing an alternate to housing type that are advantages to lower income families or individuals in a section of the city that contains opportunities for employment and easy access to public transit, pedestrian and bicycle facilities, and to shopping centers. These strengths and opportunities would be lost under the current zoning NR-C zoning, in which these residential uses are not allowed.

The existing and proposed uses in the R-MC zone are compatible with the surrounding area and uses as evidenced by the existing adjacent MX-T, R-MH, and R-ML zoned properties. The R-MC would provide a transition between these properties and the properties zoned NR-C and NR-LM.”

Please be sure to explicitly identify which of the three criteria under IDO Section 6-7(F)(3)(b) applicant is choosing.

c) Criterion D as listed by applicant:

IDO Section 6-7(F)(3)(d) The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

“None of the permissive uses in the R-MC zone will be harmful the adjacent property, neighborhood, or community. This is evidenced by the existing use of the property as a mobile home community that has been an integral part of the neighborhood for over 50 years. New uses that differ from the existing use would have to come back for Conditional Use approval at which time their effect on the adjacent property can be evaluated.”

Applicant needs to provide a table of all uses that will become permissible under R-MC and discuss each uses impact.

d) Criterion E as listed by applicant:

IDO Section 6-7(F)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 the following requirements:

- 1. Have adequate capacity to serve the development made possible by the change of zone.*
- 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.*

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

4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.

In addition to applicant's response to this section, applicant needs to also specify which of the four criteria in this section they are choosing.

e) Criterion F as listed by applicant:

IDO Section 6-7(F)(3)(f) The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

"The subject property is not within a designated Comprehensive Plan Corridor area. The location of the property is not the sole justification for the zone change request. The request is mainly based on the owner's desire to maintain the current use of the property as a mobile home community, which further a preponderance of applicable Comprehensive Plan policies for land use and infill development as demonstrated in Criterion A."

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In addition to applicant's response to this section, applicant needs to also specify which of the four criteria in this section they are choosing.

NEIGHBORHOOD NOTIFICATION

Jaimie Garcia

From: Baca, Vanessa <vanessabaca@cabq.gov>
Sent: Monday, March 9, 2020 1:08 PM
To: Jaimie Garcia
Subject: 3000 Aztec NE_Public Notice Inquiry for EPC

Jaimie:

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

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

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

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

Association Name	First Name	Last Name	Email	Alternative Email	Address Line 1
District 7 Coalition of Neighborhood Associations	Lynne	Martin	lmartin900@aol.com		1531 Espejo NE ABQ NM 87112
District 7 Coalition of Neighborhood Associations	David	Haughwout	davidh.d7@comcast.net	davidh2420@comcast.net	2824 Chama Street NE ABQ NM 87110



Vanessa Baca

Physical address of subject site:

3000 Aztec Rd NE Albuquerque NM 87107

Subject site cross streets:

Aztec Rd NE and Lafayette Dr NE

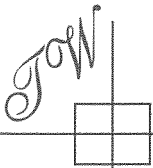
Other subject site identifiers:

This site is located on the following zone atlas page:

G-16-Z

=====

This message has been analyzed by Deep Discovery Email Inspector.



TIERRA WEST, LLC

April 28, 2020

Mr. David Haughawout
District 7 Coalition of NA
2824 Chama Street NE
Albuquerque, NM 87110

**RE: REQUEST FOR ZONE MAP AMENDMENT
AZTEC MOBILE HOME PARK -3000 AZTEC RD NE
PORTERS REPLATT PORTION SW1/4 SE1/4 SEC 3 T10N R3E
ZONE ATLAS MAP: G-16-Z**

Dear Mr. Haughawout

An application has been submitted to the City of Albuquerque Environmental Planning Commission (EPC) for a request for Zone Map Amendment, to be heard by EPC on May 14th, 2020 at 8:40 AM. The request is to change the existing Non-Residential Commercial, NR-C zoning to Residential Manufacture Home Community, R-MC.

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-4(K) (2) Mailed Public Notice**, we are notifying you as a Neighborhood Association Representative/nearby Property Owner that Tierra West, LLC submitted an application(s) for Aztec Village MHC LLC per Table 6-1-1 to be reviewed and decided by the Reviewing body/Decision-maker per Table 6-1-1. This is an update to our neighborhood notification letter that was sent to you on October 1, 2019. We submitted the request for zone map amendment on March 24, 2020 to EPC/City Council for this site. There are new City procedures in place related to social distancing requirements (see below). The hearing date for the Environmental Planning commission will now be heard on May 14, 2020.

The existing mobile home village was a permissive use under the previous zoning, C-3 Commercial. With the adoption of the Integrated Development Ordinance (IDO) in 2017, the existing Aztec Mobile Home Village was rezoned to NR-C and became a legal non-conforming use. The IDO allows for a 30-year period for the use to transition to a conforming use or to rezone the property to a zoning classification to which the use would conform. The Village is already a residential use that can legally continue for the end of the 30-year period (approximately till the year 2047). The owners desire to maintain the existing residential use and would like to secure a zone map amendment that will bring the park into a conforming use status. As part of the submittal(s), Tierra West LLC, on behalf of Aztec Village MHC LLC, requests zone map amendment to the above property which is currently zoned NR-C and we request approval to have the property zoned RM-C.

Due to the updated meeting policies and guidelines regarding COVID-19 Zoom meetings will take the place of the normal EPC hearing that is held at Plaza Del Sol. Below please find the login information for the City of Albuquerque's Environmental Planning Commission public hearing for Thursday May 14, 2020, 8:40 am :

5571 Midway Park Pl. NE
(505) 858-3100
Albuquerque, NM 87109
fax (505) 858-1118
1-800-245-3102
tierrawestllc.com

Join Zoom Meeting
<https://cabq.zoom.us/j/993370335>

Meeting ID: 993 370 335

Dial in: 1 301 715 8592 US


Visit www.cabq.gov/planning for more virtual meeting information.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me or Vincent Carrica.

Tierra West LLC Contact(s):
Ronald R. Bohannon, PE
5571 Midway Park Place NE
Albuquerque, NM 87109
rrb@tierrawestllc.com
505-858-3100

Vince Carrica
5571 Midway Park Place NE
Albuquerque, NM 87109
vcarrica@tierrawestllc.com
505-858-3100

Sincerely,


For: Ronald R. Bohannon, P.E.

Enclosure/s

cc: Lynne Martin- District 7 Coalition of NA
David Haughawout- District 7 Coalition of NA

JN: 2017034

RRB/vc/kw



TIERRA WEST, LLC

May 6, 2020

Mr. David Haughwout
District 7 Coalition of NA
2824 Chama Street NE
Albuquerque, NM 87110

**RE: REQUEST FOR ZONE MAP AMENDMENT
EPC HEARING RESCHEDULED
AZTEC MOBILE HOME PARK -3000 AZTEC RD NE
PORTERS REPLATT PORTION SW1/4 SE1/4 SEC 3 T10N R3E
ZONE ATLAS MAP: G-16-Z**

Dear Mr. Haughwout:

Tierra West, LLC received notification from the City of Albuquerque, of a change in the Environmental Planning Commission Hearing which was to be heard on May 14th, 2020 at 8:40 AM. **The hearing has been rescheduled and will now be heard on May 21st, 2020 at 8:40 AM.** The Zoom meeting procedures remains the same and are reiterated below.

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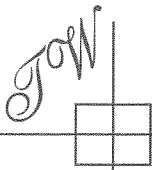
Vince Carrica, P.E.
5571 Midway Park Place NE
Albuquerque, NM 87109
vcarrica@tierrawestllc.com
505-858-3100

Sincerely,

Ronald R. Bohannon, P.E.

cc: Lynne Martin- District 7 Coalition of NA
JN: 2017034
RRB/vc/jg

5571 Midway Park Pl. NE
Albuquerque, NM 87109
(505) 858-3100 fax (505) 858-1118
tierrawestllc.com



TIERRA WEST, LLC

April 28, 2020

Ms. Lynne Martin
District 7 Coalition of NA
1531 Espejo NE
Albuquerque, NM 87112

**RE: REQUEST FOR ZONE MAP AMENDMENT
AZTEC MOBILE HOME PARK -3000 AZTEC RD NE
PORTERS REPLATT PORTION SW1/4 SE1/4 SEC 3 T10N R3E
ZONE ATLAS MAP: G-16-Z**

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Albuquerque, NM 87109
rrb@tierrawestllc.com
505-858-3100

Vince Carrica
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Albuquerque, NM 87109
vcarrica@tierrawestllc.com
505-858-3100

Sincerely,


For: Ronald R. Bohannon, P.E.

Enclosure/s

cc: Lynne Martin- District 7 Coalition of NA
David Haughawout- District 7 Coalition of NA

JN: 2017034

RRB/vc/kw



TIERRA WEST, LLC

May 6, 2020

Ms. Lynne Martin
District 7 Coalition of NA
1531 Espejo NE
Albuquerque, NM 87112

**RE: REQUEST FOR ZONE MAP AMENDMENT
EPC HEARING RESCHEDULED
AZTEC MOBILE HOME PARK -3000 AZTEC RD NE
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Albuquerque, NM 87109
rrb@tierrawestllc.com
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Vince Carrica, P.E.
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Albuquerque, NM 87109
vcarrica@tierrawestllc.com
505-858-3100

Sincerely,

Ronald R. Bohannon, P.E.

cc: David Haughawout- District 7 Coalition of NA
JN: 2017034
RRB/vc/jg

5571 Midway Park Pl. NE
Albuquerque, NM 87109
(505) 858-3100 fax (505) 858-1118
tierrawestllc.com



TIERRA WEST, LLC

March 23, 2020

Mr. Darren Serrano
Environmental Planning Commission
P.O. Box 1293
Albuquerque, NM 87103

RE: **ENVIRONMENTAL PLANNING COMMISSION (EPC)
GOOD FAITH ATTEMPT OF PUBLIC NOTICE
ZONE MAP AMENDMENT-EPC
3000 AZTEC RD NE ALBUQUERQUE, NM 87107
ZONE ATLAS PAGE# G-16-Z**

Dear Mr. Serrano:

This letter is to inform you that on October 2, 2019 a required public notice was sent by certified mail to the following Neighborhood Associations per the City of Albuquerque's Integrated Development Ordinance (IDO):

- District 7 Coalition of Neighborhood Associations

The neighborhood associations were notified of a pending request to the City for a request for a Zoning Map Amendment for EPC. Per IDO section 14-16-6 6-4(K)(2)(e) the applicant shall be required to provide public notice 15 consecutive days before a monthly public meeting or hearing. Our good faith attempt to provide the information to the neighborhood associations was completed and within the requested timeframe. As of present day we have NOT received a response from any of the above listed Neighborhood Associations. Attached, please find evidence of the stamped certified mail receipt for your records and submission of the Zone Map Amendment to EPC.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

Ronald R. Bohannon, P.E.

cc: Richard Nodel

Enclosure/s:

JN: 2017034-Aztec
RRB/vc/jg

5571 Midway Park Pl. NE
Albuquerque, NM 87109
(505) 858-3100 fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

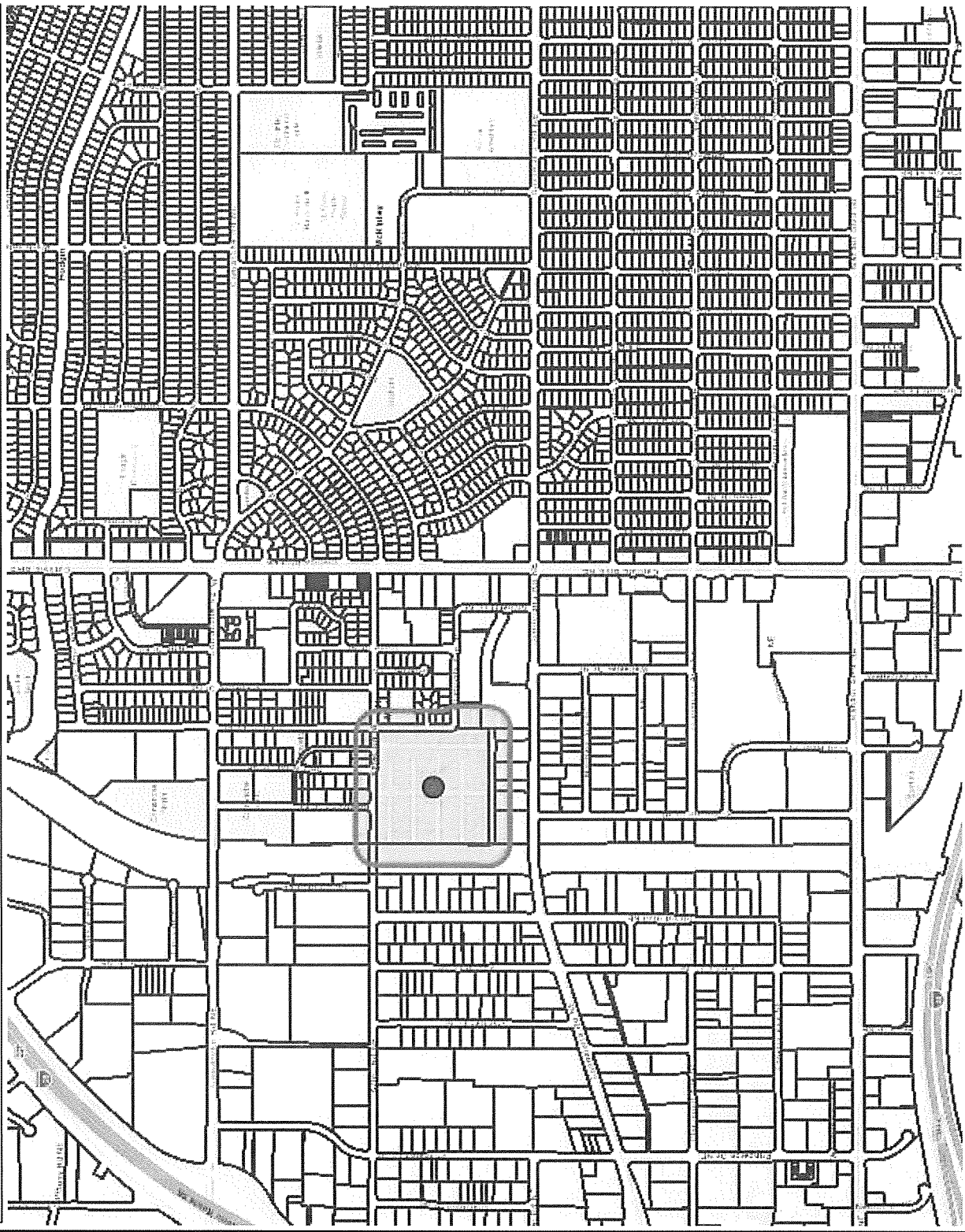


3000 Aztec Rd NE



Legend

- ☐ Bernalillo County Parcels



Notes

Buffer: 175 Ft
ROW Eubank: 75 Ft

2,404 0 1,202 2,404 Feet

WG5_1984_Web_Mercator_Auxiliary_Sphere
3/5/2020 © City of Albuquerque

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

CBP LLC C/O THOMAS F KELEHER
PO BOX 3507
ALBUQUERQUE NM 87190-3507

THOMPSON FAMILY LIMITED
PARTNERSHIP
2524 CUTLER CT NE
ALBUQUERQUE NM 87106

LOPEZ RAY JOHNNY & DE JESUS LOPEZ
MARIA
PO BOX 36975
ALBUQUERQUE NM 87176-6975

MONTANO PATRICK
1334 QUARTZ DR SW
ALBUQUERQUE NM 87121

AZTEC SELF STORAGE LLC
2390 TERRACE DR
MOAB UT 84532

AMAFCA
2600 PROSPECT AVE NE
ALBUQUERQUE NM 87107-1836

ASHCRAFT/BOND LLC
1617 LAFAYETTE DR NE
ALBUQUERQUE NM 87106-1160

THOMPSON FAMILY LIMITED
PARTNERSHIP
2524 CUTLER CT NE
ALBUQUERQUE NM 87106

MARTINEZ NOE S & PATRICIA E RIVAN
MARTINEZ
8404 BAY MARE AVE SW
ALBUQUERQUE NM 87121-3597

RRB LLC
PO BOX 22044
ALBUQUERQUE NM 87154

CONWAY THOMAS A & LESLIE B
1204 DIAMONDBACK DR NE
ALBUQUERQUE NM 87113-2293

AMAFCA
2600 PROSPECT AVE NE
ALBUQUERQUE NM 87107-1836

MEYERSON SAMUEL D ETAL C/O
EDWARD L WOLF /C & D AVIATION
1776 EASTOAKS DR
FRUIT HEIGHTS UT 84037-2740

CHAVEZ JOHNNY J
3328 GRACE VIGIL RD SW
ALBUQUERQUE NM 87121-5173

AMAFCA
2600 PROSPECT AVE NE
ALBUQUERQUE NM 87107-1836

MALCOLM DAVID A & MALCOLM
DIANA L TRUSTEES MALCOLM RVT
PO BOX 6362
ALBUQUERQUE NM 87197

WINKLER MICHAEL V
611 SPRUCE ST NE
ALBUQUERQUE NM 87106

ESPINOZA ARTURO P
3204 ALTA MONTE CT NE
ALBUQUERQUE NM 87107

JAMESON JOE
8904 CORONA AVE NE
ALBUQUERQUE NM 87122-2666

AMAFCA
2600 PROSPECT AVE NE
ALBUQUERQUE NM 87107-1836

GARCIA DANIEL M & LESLIE K
1006 COTTONWOOD DR NW
LOS RANCHOS NM 87107

PIMENTEL RICARDO
1021 ANN AVE SW
ALBUQUERQUE NM 87105

AZTEC VILLAGE MHC LLC
38505 WOODWARD AVE SUITE 275
BLOOMFIELD HILLS MI 48304-5096

AD INVESTMENTS LLC
8604 RANCHERS RD SW
ALBUQUERQUE NM 87121-8622

MINI WAREHOUSE LLC C/O THOMAS F
KELEHER
PO BOX 3507
ALBUQUERQUE NM 87190-3507

VALDEZ FLOYD
3001 AZTEC RD NE A
ALBUQUERQUE NM 87107-4311

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1840 UNIVERSITY BLVD SE
ALBUQUERQUE NM 87106-3919

THOMPSON HOLDINGS LLC
PO BOX 36000
ALBUQUERQUE NM 87176-6000

AB&H LLC
3009 AZTEC RD NE
ALBUQUERQUE NM 87107-4301

ENCHANTED SOLAR LLC
3409 BRYN MAWR DR NE
ALBUQUERQUE NM 87107-4305

CBP LLC C/O THOMAS F KELEHER
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MARIA
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MONTANO PATRICK
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AZTEC SELF STORAGE LLC
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MOAB UT 84532

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RRB LLC
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ENCHANTED SOLAR LLC
3409 BRYN MAWR DR NE
ALBUQUERQUE NM 87107-4305



TIERRA WEST, LLC

April 28, 2020

**RE: REQUEST FOR ZONE MAP AMENDMENT
AZTEC MOBILE HOME PARK -3000 AZTEC RD NE
PORTERS REPLATT PORTION SW1/4 SE1/4 SEC 3 T10N R3E
ZONE ATLAS MAP: G-16-Z**

To Whom It May Concern:

An application has been submitted to the City of Albuquerque Environmental Planning Commission (EPC) for a request for Zone Map Amendment, to be heard by EPC on May 14th, 2020 at 8:40 AM. The request is to change the existing Non-Residential Commercial, NR-C zoning to Residential Manufacture Home Community, R-MC.

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-4(K) (2) Mailed Public Notice**, we are notifying you as a Neighborhood Association Representative/nearby Property Owner that Tierra West, LLC submitted an application for Aztec Village MHC LLC per Table 6-1-1 to be reviewed and decided by the Reviewing body/Decision-maker per Table 6-1-1. This is an update to our neighborhood notification letter that was sent to you on October 1, 2019. We submitted the request for zone map amendment on March 24, 2020 to EPC/City Council for this site. There are new City procedures in place related to social distancing requirements (see below). The hearing date for the Environmental Planning commission will now be heard on May 14, 2020.

The existing mobile home village was a permissive use under the previous zoning, C-3 Commercial. With the adoption of the Integrated Development Ordinance (IDO) in 2017, the existing Aztec Mobile Home Village was rezoned to NR-C and became a legal non-conforming use. The IDO allows for a 30-year period for the use to transition to a conforming use or to rezone the property to a zoning classification to which the use would conform. The Village is already a residential use that can legally continue for the end of the 30-year period (approximately till the year 2047). The owners desire to maintain the existing residential use and would like to secure a zone map amendment that will bring the park into a conforming use status. As part of the submittal(s), Tierra West LLC, on behalf of Aztec Village MHC LLC, requests zone map amendment to the above property which is currently zoned NR-C and we request approval to have the property zoned RM-C.

Due to the updated meeting policies and guidelines regarding COVID-19 Zoom meetings will take the place of the normal EPC hearing that is held at Plaza Del Sol. Below please find the login information for the City of Albuquerque's Environmental Planning Commission public hearing for Thursday May 14, 2020, 8:40 am :

Join Zoom Meeting

<https://cabq.zoom.us/j/993370335>

Meeting ID: 993 370 335

Dial in: 1 301 715 8592 US

Visit www.cabq.gov/planning for more virtual meeting information.

5571 Midway Park Pl. NE Albuquerque, NM 87109
(505) 858-3100 fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me or Vincent Carrica.

Tierra West LLC Contact(s):
Ronald R. Bohannon, PE
5571 Midway Park Place NE
Albuquerque, NM 87109
rrb@tierrawestllc.com
505-858-3100

Vince Carrica
5571 Midway Park Place NE
Albuquerque, NM 87109
vcarrica@tierrawestllc.com
505-858-3100

Sincerely,



RR: Ronald R. Bohannon, P.E.

Enclosure/s

cc: Richard Nodel

JN: 2017034

RRB/vc/kw



TIERRA WEST, LLC

May 6, 2020

**RE: REQUEST FOR ZONE MAP AMENDMENT
EPC HEARING RESCHEDULED
AZTEC MOBILE HOME PARK -3000 AZTEC RD NE
PORTERS REPLATT PORTION SW1/4 SE1/4 SEC 3 T10N R3E
ZONE ATLAS MAP: G-16-Z**

To Whom It May Concern:

Tierra West, LLC received notification from the City of Albuquerque, of a change in the Environmental Planning Commission Hearing which was to be heard on May 14th, 2020 at 8:40 AM. **The hearing has been rescheduled and will now be heard on May 21st, 2020 at 8:40 AM.** The Zoom meeting procedures remains the same and are reiterated below.

Due to the updated meeting policies and guidelines regarding COVID-19 Zoom meetings will take the place of the normal EPC hearing that is held at Plaza Del Sol. Below please find the login information for the City of Albuquerque's Environmental Planning Commission public hearing for Thursday May 21st, 2020, 8:40 AM:

Join Zoom Meeting

<https://cabq.zoom.us/j/993370335>

Meeting ID: 993 370 335

Dial in: 1 301 715 8592 US

Visit www.cabq.gov/planning for more virtual meeting information.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me or Vincent Carrica.

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rrb@tierrawestllc.com
505-858-3100

Vince Carrica, P.E.
5571 Midway Park Place NE
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vcarrica@tierrawestllc.com
505-858-3100

Sincerely,

Ronald R. Bohannon, P.E.

cc: David Haughawout- District 7 Coalition of NA
Lynne Martin- District 7 Coalition of NA

JN: 2017034
RRB/vc/jg

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MARIA
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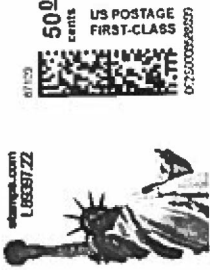
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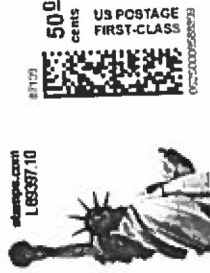


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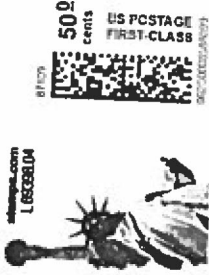
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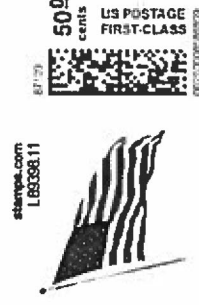
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CBP LLC C/O THOMAS F KELEHER
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TIERRA WEST, LLC



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TIERRA WEST, LLC



MALCOLM REVOCABLE TRUST
PO BOX 6362
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TIERRA WEST, LLC



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38505 WOODWARD AVE STE 275
BLOOMFIELD, MI 48304-5096

TIERRA WEST, LLC



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TIERRA WEST, LLC



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TIERRA WEST, LLC



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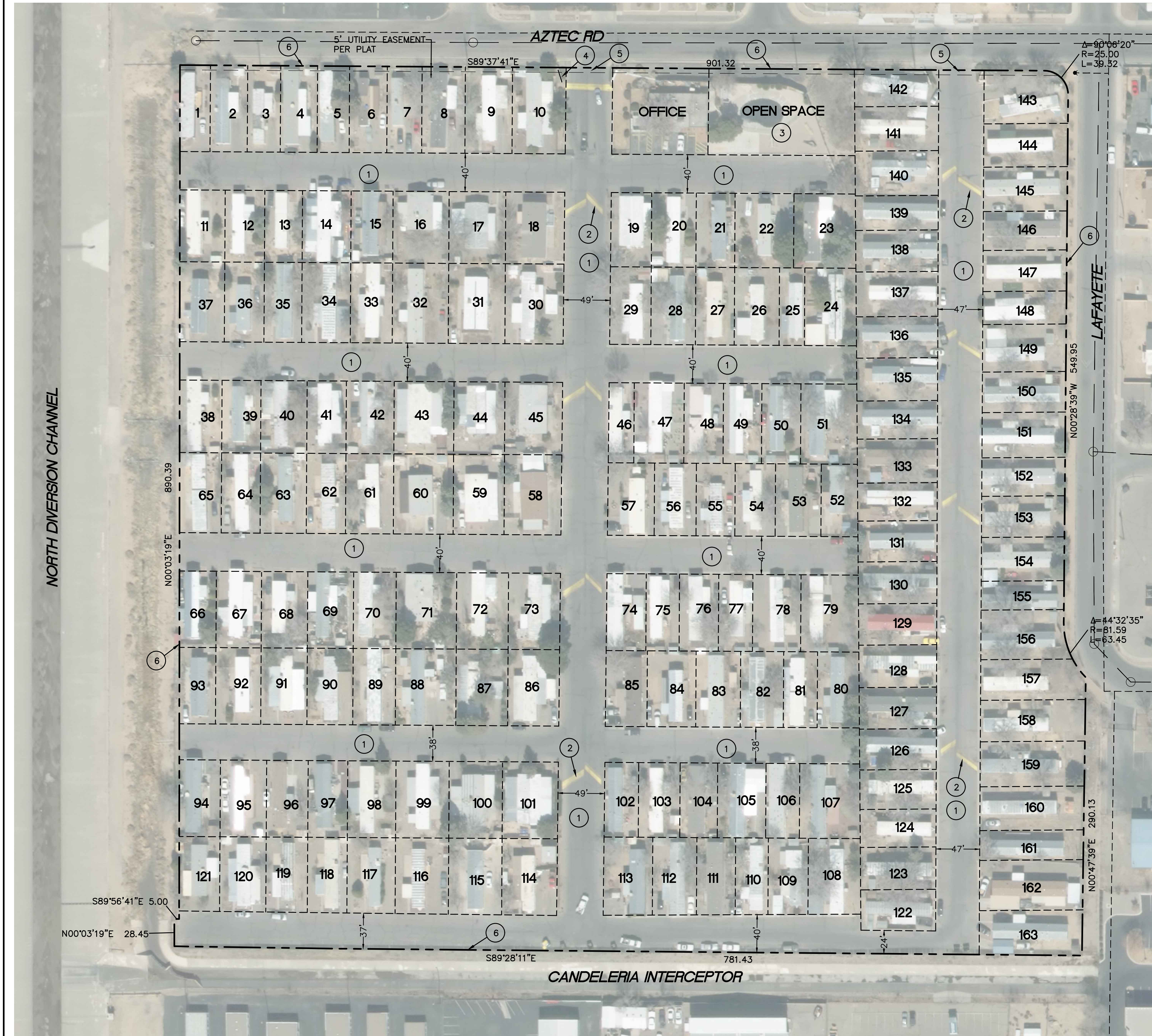


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PO BOX 36000
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TIERRA WEST, LLC



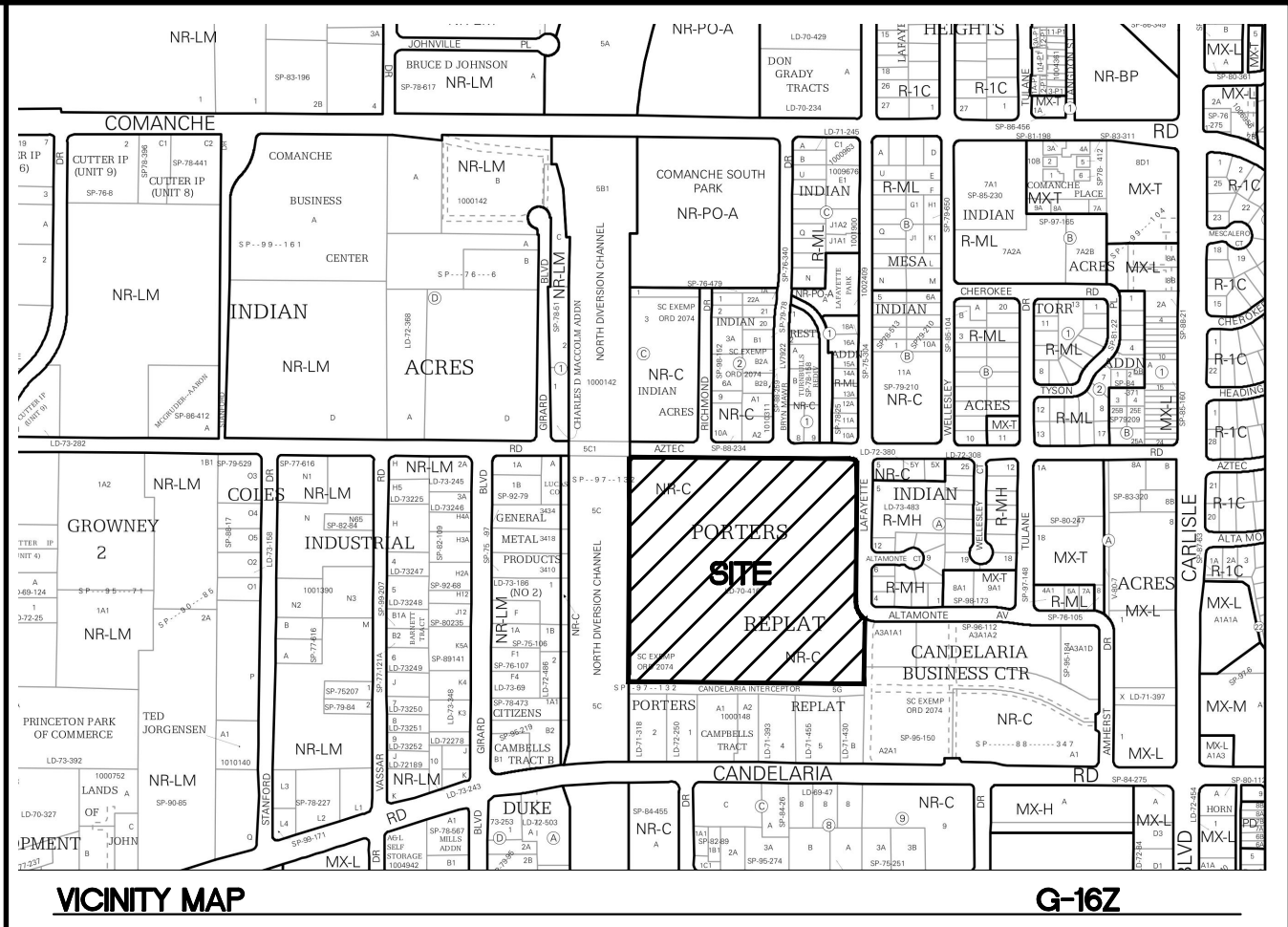
AB&H LLC
3009 AZTEC RD NE
ALBUQUERQUE, NM 87107-4301



LEGEND

- BOUNDARY LINE
- EASEMENT LINE
- MH SPACE BOUNDARY

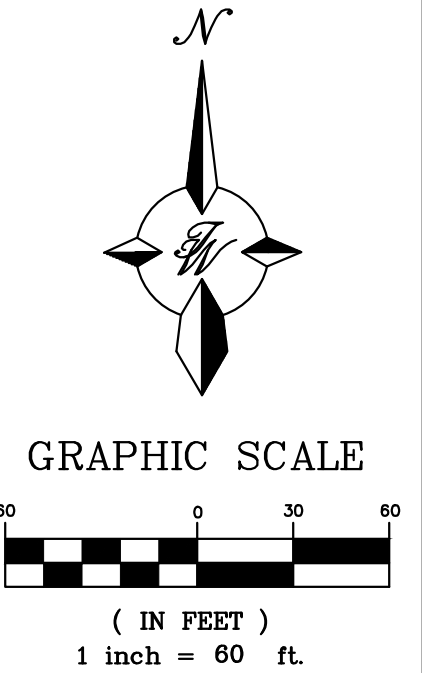
- KEYED NOTES**
- 1 ASPHALT PAVING
 - 2 SPEED HUMP (TYP)
 - 3 OPEN AREA (PLAYGROUND, POOL ETC)
 - 4 MONUMENT SIGN (23' LONG X 5' TALL)
 - 5 GATED ENTRANCE
 - 6 PERIMETER FENCE




LEGAL DESCRIPTION

REPLAT OF PARCEL 4 AND PORTION OF PARCEL 2 AND 3 OF SUBDIVISION OF TRACTS 2, 3, 4 AND 6, BLOCK A OF REPLAT OF TRACT 8 AND PROTION OF TRACT B, BLOCK A INDIAN ACRES SUBDIVISION

SITE DATA	
ZONING	NR-C
SITE AREA	857032 SF (19.67 AC)
EXISTING USAGE	MOBILE HOME PARK



ENGINEER'S SEAL	AZTEC MHP ALBUQUERQUE, NM	DRAWN BY pm
		DATE 3-23-2020
	SITE PLAN	DRAWING 2017034-SP
		SHEET # SP-1
	 <i>TIERRA WEST, LLC</i> 5571 MIDWAY PARK PL NE ALBUQUERQUE, NEW MEXICO 87109 (505) 858-3100 www.tierrawestllc.com	JOB # 2017034
RONALD R. BOHANNAN P.E. #7868		