



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

March 14, 2019

John & Jasmine Pitcher  
9208 Lona Lane NE.  
Albuquerque, NM 87111

**Project #2019-002038**  
RZ-2019-00011 – Zone Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

The above action for Tract C-2-A-1 PLAT OF Tracts C-2-A-1 & C-2-A-2 Sauvignon Subdivision, zoned PD to R-1D, located at 12000 San Antonio DR NE, between Juan Tabo Blvd. NE and Tramway Blvd. NE, containing 1.75 acres. (E-22)  
Staff Planner: Linda Rumpf

PO Box 1293  
On March 14, 2019 the Environmental Planning Commission (EPC) voted to APPROVE Project 2019-0002038/RZ-2019-00011, a Zone Map Amendment (Zone Change), based on the following findings:

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

#### *Project #: 2019-002038, RZ/SI-2019-00011*

NM 87103

www.cabq.gov

1. The request is for a zone map amendment (zone change) for an approximately 12000 San Antonio Dr. NE, between Juan Tabo Blvd. NE and Tramway Blvd. NE, The applicant purchased the vacant lot and wants to build their family home on the property.
2. The subject site is zoned PD (Planned Development Zone District). The PD zone does not allow single-family homes. The applicant is requesting a zone change to R-1D (Single-Family Zone District) in order to build their family home on the property.
3. The request qualifies for a City-sponsored zone change because it meets the criteria for a voluntary downzone: it's a residential use in an Area of Consistency and the property owner wants a lesser zone. However, the applicant does not want to wait for the City to take the zone changes through the process.
4. The subject site is in an area that the Comprehensive Plan has designated an Area of Consistency. It is not in a designated Activity Center or along a designated Corridor. No overlay zones apply.
5. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of

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the record for all purposes.

6. The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 4: Community Identity:
  - A. This request furthers Goal 4.1 and Policy 4.1.1 because the subject site is in one of Albuquerque's newer, distinct communities in Albuquerque Acres. The request would contribute to enhancing, protecting, and preserving this community by allowing a residential use to continue and by building a home on the presently vacant site. The applicant intends to build one single-family dwelling, which would match the development pattern on the north side of San Antonio, which is developed with homes on one acre lots. This development intensity is permissive with the R-1D zone.
  - B. This request furthers Goal 4.1 and Policy 4.1.2 because a change from PD to R-1D is consistent with adjacent and abutting R-1D zoning, the proposed zone change defines the existing and desired character of areas within the CPA. The context surrounding the site is R-1D and NR-C which consists of golf course use belonging to the Tanoan Country. Across San Antonio Dr. is an existing single-family development on approximately 1 acre lots outside of the city limits. The proposed Zone Map Amendment to R-1D is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.
  - C. This request furthers Goal 4.1 and Policy 4.1.4 because the site in question is requested to be zoned R-1D which is consistent with the R-1D zoning and land use on adjacent and abutting properties it respects the existing neighborhood values and social, cultural, recreation resources and supports improvements that protect stable, thriving residential neighborhoods and enhances their attractiveness.
7. The request furthers the following, applicable Goal and policy in Comprehensive Plan Chapter 5: Land Use, regarding Complete Communities:
  - A. This request furthers Goal 5.2 and Policy 5.2.1 because the zone change will allow R-1 D uses, which are Single-Family Zone District uses. The subject site's residential use would help foster communities where residents can live, work, and learn because these uses are considered compatible with existing neighborhoods and would add variety to the community in a way that is consistent with the subject site's surroundings. The requested R-1 D zone is in keeping with the adjacent and abutting R-1 D zoning, it maintains the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development in the area and the requested zone change to R-1D encourages infill development by developing a vacant and adds complimentary uses and is compatible in form and scale to the immediately surrounding development by permitting the same allowable uses as the adjacent and abutting land uses, the proposed zone change is consistent with the health, safety, and general welfare of the City.

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- B. This request furthers Goal 5.3 and Policy 5.3.1 because it would facilitate re-development of a site that is already served by existing infrastructure and public facilities, which generally would promote the efficient use of land to support the public good. Because the site in question is in an area with existing infrastructure and because it does not meet existing minimum lot sizes requirements for its current zoning designation of PD, down zoning from PD to R-1D allows the site to be developed supporting additional infill development.
- C. This request furthers Goal 5.6 and Policy 5.6.3 because the subject site and the surrounding area is designated an Area of Consistency and is characterized by residential uses. The request would allow R-1D uses on the subject site, which are residential uses that are generally considered compatible with existing residential uses, and therefore would reinforce the character and intensity of the surrounding area. The request for R-1D zoning on the approximately 1.75 acre subject site would allow residential uses that are generally considered compatible with existing residential uses. Therefore, the request would contribute to protecting and enhancing the character of the surrounding, existing single-family neighborhood in this area outside of a designated Activity Center and not along a designated Corridor.
8. The request furthers the following, applicable Goal and policy in Comprehensive Plan Chapter 7: Urban Design, regarding Sense of Place and Community Character.
- A. This request furthers Goal 7.3 and Policy 7.3.2 because the requested R-1D zone is a low density zone requiring a large lot in an area with single family homes on one acre lots with mountain views, it supports design development that reflects the character of the surrounding area and protects and enhances views.
9. The request furthers the following, applicable Goal and policy in Comprehensive Plan Chapter 9: Housing, regarding Sustainable Design and Compatibility.
- A. This request furthers Goal 9.2 and Policy 9.2.1 because the requested R-1D zone enhances the neighborhood character by maintain compatibility with surrounding land uses and responds to the development context by matching adjacent densities and site design.
10. 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 applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in s policy-based response, that the request would be consistent with the City's health, safety, morals and general welfare.
- B. Criterion B. The zone change to R-1D would be more advantageous to the community than the current zoning (PD) because the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and

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- does not significantly conflict with it, as shown in the applicant's policy analysis in the response to Criterion A.
- C. Criterion C. This criterion does not apply because the subject site is not located in an Area of Change, either wholly or in part.
- D. Criterion D. The requested R-1D (Single-Family Zone District) includes fewer permissive uses than the PD (Planned Development Zone District) zone, which would be harmful to adjacent property. That purpose would be achieved with the proposed zone change.
- E. Criterion E. The applicant refers to sub-criterion 1, that the subject has adequate infrastructure capacity to serve development that the request would make possible. Though the applicant intends to re-use the existing single-family home, it is important to remember that a zone change to R-1D would allow all the permissive uses in the R-1D zone, which includes -single-family home residential uses. This established urban area has sufficient infrastructure to support such uses on the approximately 1.75 acre subject site.
- F. Criterion F. The subject site's location on 12000 San Antonio Dr. NE, classified as a Local Road, is not being used as justification for the zone change request. Rather, the justification is based on the request furthering a preponderance of applicable Comprehensive Plan policies as demonstrated in the response to Criterion A.
- G. Criterion G. Economic considerations are a factor, but the applicant's justification is not completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies.
- H. Criterion H. The request would not result in a spot zone because the zone change request is for a zone that is the same as abutting and adjacent zones. The applicant has demonstrated, in a policy-based analysis, that the request would clearly facilitate implementation of the Comprehensive Plan and that sub criteria 1 applies.
11. The District 8 Coalition and Antelope Run Neighborhood Association were notified, as required. There has been no request to meet regarding the proposed zone change. As of this writing, Staff has not received any comments. There is no known opposition.
12. The applicant will need to coordinate development on the site with PNM.

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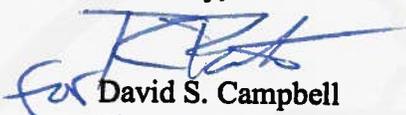
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**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **MARCH 29, 2019**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6 of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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

Sincerely,

  
for David S. Campbell  
Planning Director

DSC/LR

cc: John & Jasmine Pitcher, 9308 Lona Lane NE, ABQ, NM 871111

Strata Design, LLC, 711 Amherst SE, ABQ, NM 87106

North Albuquerque Acres Community Assoc., Lori Zumwalt, 11304 Eagle Rock NE, ABQ, NM 87122

North Albuquerque Acres Community Assoc., Carol Ambado, 8921 Glendale NE, ABQ, NM 87122

Antelope Run, Alex Robinson, 12033 Ibex Ave. NE, ABQ, NM 87111

Antelope Run, Monica Camarillo, 12008 Caribou Ave NE., ABQ, NM 87111

District 8 Coalition of NA's, Donald Couchman, 6441 Concordia Rd. NE, ABQ, NM 87111

District 8 Coalition of NA's, Mary Kurkjian, 13709 Canada del Oso NE, ABQ, NM 87111

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