Environmental Planning Commission

Staff Report

Agent: Consensus Planning
Applicant: Solare Collegiate Charter School
Request: Zone Map Amendment (Zone Change)
Legal Description: Tract 12-B-1, Bulk Land Plat for El Rancho Grande
Location: Gibson Blvd SW, east of 98th St SW, and west of Barbados Ave SW
Size: Approximately 11 acres
Existing Zoning: PD
Proposed Zoning: MX-M

Summary of Analysis
The request is to re-zone the property from the existing PD, Planned Development Zone District, to MX-M, Mixed-Use Moderate Intensity Zone District. The applicant’s initial intention is to develop approximately 5 acres of the subject site into a charter school for 5th through 8th grader, and the remaining will be developed per the MX-M zone, if approved. The applicant notified property owners within 100 feet of the subject site as well as the South West Area Neighborhood Association (SWAN), the West Side Coalition, and the South Valley Coalition as required. The applicant met with SWAN three times.

Staff Recommendation
APPROVAL of Project # 2019-002042 RZ-2019-00013 based on the Findings and subject to the Conditions of Approval within this report.

Staff Planner
Cheryl Somerfeldt

Map
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Introduction

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Proposal

This is a request for a Zone Map Amendment (Zone Change) for approximately 11 acres located on Gibson Boulevard SW to the east of 98th Street SW / Snow Vista Boulevard SW and to the west of Barbados Avenue SW.

The request is to re-zone the property from the existing PD Planned Development Zone District, to the proposed MX-M Mixed-Use Moderate Intensity Zone District. The existing PD zone does not limit uses but requires EPC-Site Plan approval for development, whereas the MX-M zone permits a wide array of moderate-intensity retail, commercial, and moderate-density residential uses by right; and if approved would be reviewed administratively or by the Development Review Board (DRB) depending on certain thresholds and governed by IDO regulations. The applicant's initial intention is to develop approximately 5 acres of the subject site into a charter school for 5th through 8th grade, and the remainder of the 11 acres will be developed under the proposed MX-M zone.

The applicant notified property owners within 100 feet of the subject site as well as the South West Area Neighborhood Association (SWAN), the West Side Coalition, and the South Valley Coalition as required. The applicant met with SWAN several times (described under the Neighborhood/Public heading below).

EPC Role

The EPC is hearing this case because the IDO gives the EPC authority to hear all zone change cases in the City pursuant to Section 6-7(F) Zoning Map Amendment. The EPC is the final decision-making body unless the decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to City Council. The City Council would make the final administrative decision. This request is a quasi-judicial matter.

History/Background

In 1959, there were efforts to master plan a large portion of the SW mesa area, south of Central Ave., west of Coors Blvd. and north of a then-envisioned loop road into “Hoffman City” with schools, open space, and residential areas. In September 1960, the City Commission approved the “Snow Vista Master Plan” (Ordinance No. 1810,
AX-29, Z-986), which included a lot of the Hoffman City area. The core area inside the loop road (Redondo Dr.) roughly corresponds to the 98th/Gibson Community Activity Center, and was to contain a high school, junior high and elementary school, a church, park, garden apartments, shopping and office uses. Outside of the loop road, six villages of single-family homes were planned. Upon annexation, the area received zoning to allow the above-mentioned uses. The area NW and NE of Gibson Boulevard SE/98th Street SW including the subject site is shown as C-2 at that time. The area outside of the core was zoned R-1 for single-family home development. Though single-family homes have developed in the area, the vision for the core area has not come to fruition.

The Rio Bravo Sector Development Plan was adopted in 2000 (Council Bill NO. R-280, Enactment No. 4-2000), and amended in 2009 (Council Bill No R-08-170, Enactment No R-2009_036) to bring the plan into conformance with the Southwest Albuquerque Strategic Action Plan and the West Side Strategic Plan. The subject site was re-zoned from O-1 and C-2 to SU-1 Mixed Use to keep the “spirit” of the original urban center while slightly de-intensifying the anticipated land use and accommodating the “community scale” organization of lands and connectivity suggested in the Westside Strategic Plan.

In 2001, a Site Development for Subdivision including the subject site zoned SU-1 for Mixed Use zoning was approved by the EPC. The Site Plan for Subdivision shows a single family development to the north of the subject site and does not show any buildings or uses on the subject site (see attached).

In 2007, the Environmental Planning Commission (EPC) approved a request for a site development plan for subdivision and a site development plan for building permit for an ≈ 30 acre, shopping center site that was adjacent west of the subject site at the time (Project #1007504, 08EPC-40115/40116). Since then,98th Street SW was extended northward, across the Amole Arroyo, to connect with Snow Vista Boulevard SW.

The 2001 Site Plan for Subdivision mentions that the uses for the subject site were to be mixed with a maximum of 64% C-2 (commercial) uses. The Integrated Development Ordinance (IDO) established rules to convert each parcel in the City of Albuquerque to a new corresponding zone. The subject site followed Rule 6, which stated that SU-1 zones for uses not listed in the IDO or that are unknown, convert to PD.

Since the property is formerly a Special Use zone and is undeveloped, it is eligible for the Voluntary Conversion process; however the applicant is interested in an expedited process via this EPC Zone Map Amendment request in order to open the proposed charter school in Fall of 2019.

**Context**

The subject site, which is vacant, is located on Albuquerque’s SW mesa and part of a larger area known as the 98th/Gibson Community Activity Center that extends in a circular shape along Blake Road SW, across Gibson Boulevard SE to De Anza Drive SW. The subject property is located within the Southwest Mesa Community Planning
Area, the 98th/Gibson Activity Center, and in an Area of Change, as designated by the ABC Comprehensive Plan. It is on Gibson Boulevard SW, a designated Community Principal Arterial, and just east of 98th Street SW, also a designated Community Principal Arterial.

The area is characterized predominantly by single-family homes on small lots. To the north and to the east are subdivisions of single-family homes. The southern property line is bounded by Gibson Boulevard SW and across is another large vacant tract. The western property line is bounded by the Amole Arroyo Trail and across the trail lies the PNM Snow Vista Substation. Across 98th Street SW/Snow Vista Boulevard SW to the west lies a commercial pharmacy/retail.

Roadway System

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), includes existing roadways and future recommended roadways along with their regional role.

The LRRS designates Gibson Boulevard SW a Community Principal Arterial. The LRRS designates 98th Street SW/SnowVista Boulevard SW a Community Principal Arterial.

Comprehensive Plan Designations

Gibson Boulevard SW is not a Comprehensive Plan designated corridor. The subject site lies approximately a half mile from a Comprehensive Plan designated Major Transit Corridor that connects to Coors Boulevard SW to the east; therefore, the subject site lies near but not adjacent to major transit.

The subject site is located in the designated 98th/Gibson Activity Center. Activity Centers are intended to incorporate a mix of residential and convenient services at a neighborhood scale, serving neighborhoods within a 20-minute walk or short bike ride.

Trails/Bikeways

The Long Range Bikeway System (LRBS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies existing and proposed trails.

Gibson Boulevard SW shows an Existing Bicycle Lane and a Proposed Paved Trail. 98th Street SW / SnowVista Boulevard SW shows an Existing Bicycle Lane. The adjacent Amole Arroyo shows an Existing Paved Trail.

Transit

The project is located on Fixed Route 198, which runs from a turn-around at Rio Bravo and Prince to the Central and Unser Transit Center (CUTC) which gives access to multiple east-west and north-south routes. The nearest stop pair is on 98th Street either side of the 98th and Gibson intersection, about 1400 feet from the centroid of the site.

The Transit Department supports the change as the proposed land uses and land use intensity are more conducive to transit operations than the current zoning.
Public Facilities/Community Services

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

Analysis of City Plans and Ordinances

Integrated Development Ordinance (IDO)

The application for this request was submitted subsequent to the effective date on May 17, 2018 of the Integrated Development Ordinance, which replaced the City’s Zoning Code, and is therefore subject to its regulations.

Existing IDO Zoning

The purpose of the existing PD Planned Development Zone District (2-6(A)) is to accommodate small and medium-scale innovative projects that cannot be accommodated through the use of other base zone districts, provided that those projects are consistent with the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended and include standards that would not otherwise be required of the applicant in order to provide significant public, civic, or natural resource benefits. This zone district is applied on a case-by-case basis to reflect a negotiated agreement for uses and standards with the applicant. Allowable uses are negotiated but may not include any use that is not included in Table 4-2-1. Therefore, the PD zone does not have a set of uses but must submit a Site Plan for EPC review and approval prior to development. All IDO uses are potential uses in the PD zone.

Proposed IDO Zoning

The purpose of the requested MX-M Mixed Use – Moderate Intensity Zone District (2-4(C)) is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors.

Permitted Uses are:

- Dwelling, townhouse
- Dwelling, live-work
- Dwelling, multi-family
- Assisted living facility or nursing home
- Community residential facility, small
- Community residential facility, medium
- Community residential facility, large
- Group home, small
- Group home, medium
- Group home, large
- Sorority or fraternity
- Adult or child day care facility
- Community center or library
- Elementary or middle school
- High school
- Hospital
- Museum or art gallery
- Parks and open space
- Religious institution
- Sports field
- University or college
- Vocational school
- Community garden
- Veterinary hospital
- Other pet services
- Auditorium or theater
- Bar
- Catering service
The applicant proposes to develop the charter school on an approximately 5 acre portion of the subject site, and subdivide the remaining land for uses as described above, depending on demand and compatibility with the school.

Further development is subject to IDO regulations for process and development standards (process per Section 6-5(G) Site Plan – Administrative). Properties of less than 5 acres under certain thresholds such as: low-density residential development (townhouses), multi-family development of less than 50 units, and non-residential development of less than 50,000 square feet are eligible for the Site Plan Administrative process, whereas larger development will be reviewed by the Development Review Board (DRB).

The area is largely characterized by residential uses and it would be advantageous to the existing residents for commercial services to be located in close proximity. Staff notes that the NR-C Non-Residential Commercial would allow similar uses yet eliminate the option for residential uses as the requested MX-M zone. Staff supports the requested MX-M, because in general the Comprehensive Plan and IDO encourages mixed-use communities and options in development to support market demand, especially in designated Activity Centers.

*Overlays*

The subject site is not within the boundaries of a Character Protection Overlay (CPO), a Historic Protection Overlay (HPO), or a View Protection Overlay (VPO).
Definitions:

**Mixed-Use Development:** Properties with residential development and non-residential development on a single lot or premises. For the purposes of this IDO, mixed-use development can take place in the same building (i.e. vertical mixed-use) or separate buildings on the same lot or premises (i.e. horizontal mixed-use).

**Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)**

Note: Applicant’s Justification is in indented italics, Staff’s Analysis is in indented bold italics.

The subject site is located in an Area of Change as designated by the Comprehensive Plan. Areas of Change are intended to be the focus of urban-scale development that benefits job growth and housing opportunities. Applicable policies include:

CHAPTER 5: LAND USE

GOAL 5.1 Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

POLICY 5.1.1(c): Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The Zone Map Amendment will further this goal and policy by providing the appropriate zoning for property located within a designated Activity Center (98th/Gibson) and along 98th Street, a Principal Arterial, and Gibson Boulevard, a Major Collector. The overall property (Parcels 12-A and 12-B) has always been intended for mixed use development. The residential portion to the north has been built in accordance with the zoning established by the Rio Bravo Sector Development Plan and the land use established by the EPC-approved Site Plan for Subdivision.

The request furthers Goal 5.1 and Policy 5.1.1(c) because permitting the range of mixed uses permitted by the requested MX-M zone at the 98th/Gibson Activity Center and near the intersection of two Community Principle Arterials will contribute toward the growth of the surrounding community. The existing PD zone will also permit a range of uses, however the requested MX-M zone will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an EPC-Site Plan. The requested MX-M zone will encourage employment density, compact development, redevelopment, and infill in an Activity Center.

POLICY 5.1.1 (h): Encourage all new development, especially in designated Centers and Corridors, to address transit connections, linkages, and opportunities within the proposed development.

The subject site has excellent access to 98th Street and the ABO Ride Bus Route 198 (98th/Dennis Chavez), which has four routes and runs on Monday, Wednesday, Thursday, and Friday. The nearest bus stops are located on 98th Street just north and south of the Gibson Boulevard intersection.
The request furthers Policy 5.1.1(h) because the MX-M zone will encourage opportunities for new development by permitting an an efficient process for a property in the designated 98th/Gibson Activity Center. The project is located on Fixed Route 198, which gives access to multiple east-west and north-south routes. (The Transit Department supports the change since their view is that the proposed land uses and land use intensity are more conducive to transit operations than the current zoning.)

POLICY 5.1.6: Activity Centers: Foster mixed-use centers of activity with a range of services and amenities that support healthy lifestyles and meet the needs of nearby residents and businesses.

POLICY 5.1.6 (b): Provide neighborhood-oriented commercial, retail, institutional, and public services.

This policy is furthered by the MX-M zone and the Applicant’s plan of providing an institutional use on a portion of this property. The requested MX-M Zone will allow for a wide range of moderate intensity, commercial, retail, institutional, and public services. Located along two major corridors and within the 98th/Gibson Activity Center and an Area of Change, this site is an ideal location for an MX-M zone. The current zone of PO provides more uncertainty in future land use and requires unnecessary site plan review and approvals, contrary to the purpose and intent of the IDO.

The request furthers Policy 5.1.6 and Policy 5.1.6 (b) because the subject site is located in the 98th/Gibson Activity Center, and the request for MX-M, a mixed-use zone, permits a range of services and amenities near a trail system that will support a healthy lifestyle. The requested MX-M zone will permit neighborhood-oriented commercial, retail, institutional, and public services, and will permit an efficient process for development.

POLICY 5.1.6 (d): Ensure that Activity Centers are pedestrian-friendly and provide convenient pedestrian connections to nearby residential areas.

POLICY 5.1.6 (e): Provide good connectivity via bicycle between Activity Centers and nearby residential areas and multi-use trails.

Development of this site as a charter school will require pedestrian accessibility and connections via sidewalks and crosswalks to residential neighborhoods to the north, east, and south where they currently are lacking along Gibson Boulevard and the section of Barbados Avenue abutting the site.

One of the key attractions and strengths of this property is its excellent bicycle connectivity. It is adjacent to the Amole Arroyo Multi-Use Trail and designated bike lanes on 98th Street and Gibson Boulevard. The Amole Arroyo Multi-Use Trail to the west of the property is part of an extensive trail system that connects to Central Avenue to the north and Dennis Chavez Boulevard to the south.

Pedestrian and bicycle improvements listed on the 2040 Mid-Region Council of Governments MTP that will expand the connectivity of this property to the regional
trail system include:

- **98th Street Improvements from Rio Clara Avenue to Gibson Boulevard:** Additional driving lanes, bicycle facilities, sidewalks, landscaping, and other appurtenances. This project has a near-term time frame of 2015-2025.

- **Gibson Boulevard West Bike Trail from 98th Street to Unser Boulevard:** Construction of bike/multi-purpose trail. This project has a late-term time frame of 2025-2040.

- **Amole Arroyo Trail from Atrisco Vista Boulevard to 98th Street:** Construct bicycle/pedestrian facilities. This has a late-term time frame of 2025-2040.

The request furthers Policy 5.1.6 (d) and Policy 5.1.6 (e) because it is located in the 98th/Gibson Activity Center adjacent to the Amole Arroyo multi-use trail on the western edge of the subject site, which is part of an extensive trail system that connects APS schools to the north and south as well as Central Avenue to the north and Dennis Chavez Boulevard to the south. Infrastructure improvements will include the completion of the sidewalks and street trees thereby encouraging pedestrian activity on Gibson Boulevard SW.

GOAL 5.2: Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

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

The requested MX-M zone furthers this goal and policy by allowing for a wide range of uses that are lacking in this predominantly residential area, including food, beverage, and indoor entertainment; institutional and civic; commercial retail and services; offices and services; telecommunications, towers, and utilities; etc. The addition of a school in this area will help further a better mix of land uses than is currently existing. The location of the subject property along Gibson Boulevard near 98th Street provides excellent access and connectivity for surrounding neighborhoods.

The request furthers Goal 5.2 and Policy 5.2.1 because the requested MX-M zone will permit a mix of uses including live, work, learn, shop and play to create a healthy activity center conveniently accessible to the surrounding neighborhoods. The requested MX-M zone will eliminate the EPC-Site Plan requirement in the existing PD zone, making it a more efficient development process and encouraging smaller individual businesses to locate on the remaining parcel.

POLICY 5.2.1 (a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

This policy is furthered by the property’s excellent access to pedestrian and bicycle access along 98th Street, Gibson Boulevard, Barbados Avenue, and the Amole Arroyo Multi-Use Trail as previously described above. The MX-M zone will ensure
opportunities for commercial and institutional development that will bring goods and services to the nearby residential neighborhoods.

This goal is furthered by the request for MX-M zoning, which will ensure the property can develop with a mix of uses that will provide the surrounding neighborhoods with needed services. The vast majority of this area is single-family residential, with some higher density residential (townhomes).

Schools in the general area include Rudolfo Anaya and Mary Ann Binford Elementary Schools and Truman Middle School. These schools have high enrollment and are currently over capacity. The Applicant plans to develop a portion of the property for a charter school, which will help alleviate the capacity issues at the public schools, and sell or lease the remaining acreage for commercial or institutional use, all of which is consistent with the City’s plans and policies that have governed this area for years. Development of the subject property could spur other development in the area that would create a better mix of uses for surrounding neighborhoods.

The request further Policy 5.2.1 (a) because the requested MX-M zone permits a range of uses including the proposed charter school, providing an opportunity to learn. The subject site is in a conveniently accessible location to surrounding neighborhoods, therefore services are within walking and bicycling distances along the Amole Arroya multi-use trail as well as the neighborhood bike-lanes and sidewalks.

POLICY 5.2.1 (g): Locate quality commercial development and redevelopment in existing commercial zones and designated Centers and Corridors as follows:

POLICY 5.2.1 (g) i.: In Activity Centers with development to serve adjacent neighborhoods with an emphasis on pedestrian and bicycle connections to nearby residential areas;

POLICY 5.2.1 (g) ii.: In larger area-wide shopping centers located near intersections of arterial streets and provided with access via transit;

The subject property is located in the 98th/Gibson Activity Center and has excellent pedestrian and bicycle connections to nearby residential area via the Amole Arroyo Multi-Use Trail, 98th Street, Gibson Boulevard, and surrounding local street grid, as well as planned bicycle and pedestrian improvements in the 2040 MTP as previously discussed above.

The proposed zone change to MX-M will further this policy as it is located within a designated Activity Center and in close proximity to a 22-acre property that is zoned NR-C west of 98th Street. With conversion to an MX-M zone, the subject property would help advance the Activity Center goals and intents.

The request further Policy 5.2.1 (g) i and ii because the requested MX-M zone will permit a more efficient development process than the existing PD zone, and new development will be located in the existing 98th/Gibson Activity Center adjacent to the Amole Arroyo Multi-Use Trail providing pedestrian and bicycle activity. In
addition, the subject site is located near the intersection of 98th Street/Snow Vista Boulevard SW and Gibson Boulevard SW, two Community Principle Arterials with access to transit, but currently lacks a wide range of services.

POLICY 5.2.1 (h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The requested MX-M zone furthers this policy by allowing for institutional use in an area dominated by single-family development and lacking non-residential services. Children from the surrounding neighborhoods will have an opportunity to attend the Solare Collegiate Charter School. The MX-M zone and the intended use by the Applicant are compatible in form and scale to the surrounding development, which includes single family, one-story detached houses and townhouses, and limited commercial at the intersection (Walgreens).

The request furthers Policy 5.2.1 (h) because the requested MX-M zone will encourage development on an infill property with uses that are compatible in form and scale to the mix of uses partially constructed and zoned for the immediate area including the commercially zoned area on the west side of 98th Street SW / Snow Vista Boulevard SW. Much of the existing construction is single-family housing, and the MX-M zone will offer complementary uses.

POLICY 5.2.1 (k) Discourage zone changes to detached single-family residential uses on the West Side.

Staff notes that the Comprehensive Plan generally encourages job growth and commercial development on the West Side in place of residential. Although the requested MX-M zone would permit townhouse and multi-family versus a non-residential zone such as NR-C, the requested MX-M zone does not permit single-family residential development, which is specifically discouraged by this policy. The request furthers Policy 5.2.1 (k).

GOAL 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

POLICY 5.3.2: Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The goal and policy are furthered by growth and development in an area with existing infrastructure, including water, sewer, and transportation facilities. City park facilities in the area include Silver Tree Park located along the Amole Arroyo and Westgate Community Park.

The request furthers Goal 5.3 and Policy 5.3.2 because this property is well serviced by existing infrastructure and other public facilities including access roads, water, sewer, and community parks. In addition, the subject site is surrounded by existing residential zoning; therefore the requested MX-M zone will maximize an efficient development pattern of mixed uses on an infill property.
GOAL 5.4: Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

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

POLICY 5.4.2 (a): Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

POLICY 5.4.2 (b): Prioritize employment opportunities within Centers.

The requested MX-M zone will further this goal and policy by allowing for development that will create jobs on the West Side. The Applicant’s plan to develop the eastern portion of the subject property as a charter school will add a range of jobs for educators, administration, and support staff. Development of Solare Collegiate Charter School could spur further development on surrounding sites which have remained undeveloped for years.

The requested MX-M zone at this location in the 98th/Gibson Activity Center is far more suited to further this goal and policy than the current undefined PD zone by providing jobs for educators, administrators, and support staff related to the school and further employment opportunities on the remaining property.

The request partially furthers Goal 5.4, Policy 5.4.2, and Policy 5.4.2 (a) because the requested MX-M zone will encourage employment near residential on the West Side of the Rio Grande in the 98th/Gibson Activity Center. There is no guarantee that the remaining parcel will not be developed as townhouse or multi-family, but the proposed charter school will provide local jobs.

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

The proposed MX-M zone furthers this goal by directing growth and development within an Area of Change and bringing institutional and commercial services to an area that has been undeveloped for years. The Area of Consistency residential neighborhoods near the subject property are of mixed density, which is consistent with the intensity of development allowed in MX-M zone.

The request furthers Goal 5.6 because the subject site is in an Area of Change and the requested MX-M zone will offer an efficient development process for the subject site, thereby directing growth where it is expected and desired as well as reinforcing the character and intensity of the surrounding area.

POLICY 5.6.2 (b): Encourage development that expands employment opportunities.

As mentioned before, the designation of MX-M zoning will encourage commercial and institutional development that will expand employment opportunities in the area. Solare Collegiate Charter School will provide jobs to educators, administrators, and support staff.
The applicant’s response is sufficient.

POLICY 5.6.2 (g): Encourage development where adequate infrastructure and community services exist.

The policy is furthered by promoting appropriate zoning and development in an area with existing water and sewer services, transportation facilities (98th Street, Gibson Boulevard, and Barbados), transit (ABQ Bus Route 198--), community parks (Silver Tree and Westgate), and multi-use trails (Amole Arroyo).

The applicant’s response is sufficient.

POLICY 5.6.2 (h): Encourage development in areas with a highly connected street grid and frequent transit service.

The policy is furthered by zoning that will encourage development located along or near two major roadways, Gibson Boulevard and 98th Street. The ABQ Ride Route 198 (98th/Dennis Chavez) runs every 30 minutes, Monday-Sunday with bus stops on 98th Street at the intersection with Gibson Boulevard.

The applicant’s response is sufficient.

CHAPTER 7: URBAN DESIGN

GOAL 7.2: Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

POLICY 7.2.1: Walkability: Ensure convenient and comfortable pedestrian travel.

Currently, this vacant site located along Gibson Boulevard and Barbados lacks sidewalks. Development within the MX-M zone will require sidewalk construction by the developer along the property's street frontage, creating better pedestrian connectivity to surrounding residents. Pedestrian access is currently provided via the Amole Arroyo Multi-Use Trail and 98th Street, which has public sidewalks near the Gibson Boulevard intersection.

The request furthers Goal 7.2 and Policy 7.2.1 because the requested MX-M zone is expected to lead to development that will install sidewalks and street trees on Gibson Boulevard SW, and denser development with a mix of uses, creating more comfortable pedestrian travel on City Streets as well as the adjacent Amole Arroyo Multi-Use Trail.

POLICY 7.3.3: Place-making: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

Commercial development within the 98th/Gibson Activity Center has not materialized with the exception of a Walgreens on the northwest corner of 98th Street and Gibson Boulevard. The requested MX-M zone will further this policy in a more direct and consistent manner than the current zone of PD, which relies upon negotiating the land uses and is intended for development that cannot be accommodated in one of the IDO’s base zones.
The MX-M zone will encourage commercial and institutional development within the 98th/Gibson Activity Center as intended by the City's plans and policies contained in the ABC Comprehensive Plan, Rio Bravo Sector Development Plan, and the Site Plan for Subdivision approved by the EPC in 2001.

The request furthers Policy 7.3.3 because the requested MX-M zone will permit a more efficient development process while still permitting a mix of commercial uses appropriate for an Activity Center, which will strengthen both the existing center and surrounding neighborhoods.

POLICY 7.3.4: 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.

POLICY 7.3.4 (a): For Activity and Village Centers, ensure that infill and redevelopment is compatible with the character of the surrounding context and similar in height mass and volume to adjacent development.

POLICY 7.3.4 (b): Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood scale.

Moderate-intensity development allowed in the MX-M zone is appropriate for the subject property located within an Activity Center. The original residential portion of the 24-acre property has long been developed. This is an opportunity to finally see a project develop that is not single family, but rather, will provide appropriate institutional development in an area with available infrastructure and municipal services. The IDO Development Standards will ensure that commercial use will be developed in a sensitive and thoughtful way that complements the adjacent homes.

The request furthers Policy 7.3.4, Policy 7.3.4 (a), and Policy 7.3.4 (b) because the requested MX-M zone will permit a more efficient development process with mixed-uses in an infill location. IDO regulations will encourage development that enhances the built environment and is compatible with the character of the surrounding context and similar in height mass and volume to adjacent development.

Zone Map Amendment (Zone Change) Criteria

Pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".

There are several criteria that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

Note: Applicant’s Justification is in indented italics, Staff’s Analysis is in indented bold italics.
(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 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, as shown in the section above.

(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 Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Not applicable, the subject property is located in an Area of Change.

The applicant’s response is sufficient.

(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 requested Zone Map Amendment from PO to MX-M is more advantageous to the community because it will provide consistency of land uses in an area that lacks commercial, retail, and institutional development and is dominated by residential use. The MX-M Zone is appropriate and will provide a mix of uses land uses consistent
with its pre-IDO zoning. If the Applicant had more time to wait, it is without doubt that this property previously zoned SU-1 for Mixed Use would be appropriate for a Phase 2 IDO conversion to MX-M.

The subject property's location on Gibson Boulevard and near 98th Street is an ideal location for mixed-use moderate intensity, is more advantageous to the community than the PO zone, and furthers the goals and policies in the Comprehensive Plan as follows:

- The subject property is located in an Area of Change;
- The subject property is located within the 98th/Gibson Activity Center, intended for higher density and institutional and commercial development;
- Development will be located near two major roadways (98th Street and Gibson Boulevard) and served by transit;
- Development on this site will add jobs on the West Side and further City goals for a jobs/housing balance;
- Base zones contained in the IDO, in particular the MX-M zone, can accommodate the intended development of institutional use on this property;
- The Amole Arroyo Multi-Use Trail, and bike lanes in 98th Street and Gibson Boulevard provide excellent pedestrian and bicycle connectivity to the subject property; and
- Surrounding commercial zoning is MX-M and NR-C, consistent with the requested zone change for this property.

There is a long history of this subject property being seen as appropriate for mixed-use development. The Rio Bravo Sector Development Plan first identified the property for O-1 and C-2 uses. In 1999, the SDP was amended and rezoned this property to SU-1 for Mixed-Use. The EPC subsequently approved a Site Plan for Subdivision and associated design standards in 2001 that further delineated how the uses would function together.

As previously mentioned, this property would be appropriate for the IDO Phase 2 conversion process due to its prior Special Use zoning. However, the Applicant wants to move forward in a more expedited Zone Map Amendment process.

The applicant refers to sub-criterion 3, that a different zone district is more advantageous to the community as articulated by the ABC Comp Plan, including implementation of patterns of land use, development density and intensity, and connectivity. The applicant justifies the request by stating it will provide consistency of land uses in an area that lacks commercial, retail, and institutional development and is dominated by residential use. The applicant has shown in criterion a) that the request furthers a preponderance of applicable Comprehensive Plan Goals and Policies. The uses permitted by the requested MX-M zone are shown to be advantageous to the community. Staff finds the requested MX-M zone more advantageous in process than the existing PD zone.
(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 uses allowed within the MX-M zone district will have harmful effects on adjacent properties, neighborhood, or community. These include: moderate intensity residential; community facilities such as schools, libraries, or churches; restaurants and food service; retail sales; medical and professional offices; telecommunications and towers; etc. Again, this property has long been intended for commercial development that would serve the surrounding residential development. Use specific standards and development standards for properties adjacent to residential development contained in the IDO provide protection from any negative impacts.

All uses permitted in the requested MX-M zone are also permitted in the existing PD zone. PD uses are determined on a case-by-case basis; however, the negotiated uses are required to be shown on a Site Plan, reviewed and approved by the EPC, prior to development. The requested MX-M zone permits a variety of commercial uses plus the potential for residential uses from townhouse to higher density multi-family, as well as an efficient process of development. The area is largely characterized by residential uses and it would be advantageous to the existing residents for commercial services to be located in close proximity.

Staff supports the requested MX-M zone because the Comprehensive Plan and IDO generally encourage mixed-use communities and responding to market demand rather than exerting restrictions as long as the permitted uses are not harmful to the adjacent communities. In addition, IDO regulations will provide design controls for both high-density residential and commercial development.

(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.
The subject property has primary access from Gibson Boulevard, a designated Major Collector, and Barbados Avenue, a local street. Gibson Boulevard has four traffic lanes, bicycle lanes, and pedestrian crossings. 98th Street and Gibson Boulevard have adequate capacity to handle vehicular traffic coming to and from this property. This property is also well served by bicycle and pedestrian facilities, including bike lanes and a multi-use regional trail.

The applicant refers to sub-criterion 1, that the subject site has adequate infrastructure capacity to serve the proposed development. This area has sufficient infrastructure to support the uses of the requested MX-M zone on the approximately 11 acre subject site.

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

The Applicant chose this property to develop a charter school based on its location to surrounding neighborhoods, which include families with school-aged children that would benefit from a school at this site and help address capacity issues at APS schools.

Gibson Boulevard SW and 98th Street SW are both Community Principal Arterials, which contribute to the viability of the MX-M zone to provide goods and services to the surrounding residential neighborhoods. However, the request is not completely based on the property’s location on a major street, because the first intended project, a charter school, would not necessarily require access to a major street, rather other factors such as the existing trail system make the site attractive for this use. The request furthers a preponderance of applicable Comprehensive Plan Goals and Policies for Land Use and Urban Design.

(g) The applicant’s justification is not based completely or predominantly on the cost of land or economic considerations.

The Applicant chose this location for its proximity to local neighborhoods and strong potential to develop this site for a charter school and other uses. The cost of land is not the primary determining factor in the pursuit of appropriate zoning.

While economic considerations are a factor to changing the zone from PD to MX-M due to the different development processes, the applicant’s justification is not based completely on economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies regarding Land Use and Urban Design. In addition, the applicant states the subject parcel’s location near convenient pedestrian, bicycle, and transit options is a positive attribute for the requested MX-M zone and the initial charter school project.

(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:
This request for a Zone Map Amendment to MX-M is will not create a "spot or strip zone". The subject property is located just east of other properties zoned MX-M within the 98th Street/Gibson Activity Center.

This zone change request does not apply a zone district different from surrounding districts to the subject parcel, because the requested MX-M zone is also located across the Amole Arroyo to the west.

Agency & Neighborhood Concerns

Reviewing Agencies

Albuquerque Public Schools verbally commented that relief from public school overcrowding should not be used for justification of the zone change because the proposed charter is state issued, and it is not an APS charter. Charter school students may be accepted from any area, and therefore existing public school enrollment may or may not be affected by charter school enrollment. Staff notes that the applicant appropriately justifies the MX-M zone and all of its potential uses above with the understanding that any MX-M use could occupy the site in the future, if approved.

Refer to the remaining agency comments at the end of the staff report.

Neighborhood/Public

The applicant notified the Southwest Alliance of Neighborhoods, the Westside Coalition of Neighborhood Associations, and the South Valley Coalition of Neighborhood Associations as well as property owners within 100-feet of the subject site as required. Rachael Sewards, Founder and Head of Solare Collegiate Charter School, provided various newsletters and updates to SWAN as part of the School's communication with the greater community, and met with SWAN on the following dates:

• March 6, 2018 - Presentation to SWAN on the idea of the school
• January 8, 2019 - Attended SWAN meeting
• February 5, 2019 - Presentation to SWAN

The project team attended SWAN's February 5, 2019 neighborhood meeting to further discuss the zone map amendment and project for Solare Collegiate Charter School (meeting notes or minutes were not submitted with this request).

Conclusion

This is a request for a Zone Map Amendment (Zone Change) for an approximately 11 acre property located at on Gibson Boulevard SW to the east of 98th Street SW / Snow Vista Boulevard SW and to the west of Barbados Avenue SW.

The primary difference between the existing PD zone and the requested MX-M zone is that the existing PD zone requires an EPC approved Site Plan and the requested MX-M zone would proceed to either administrative approval or the Development Review Board (DRB) depending on thresholds. Therefore, the EPC will not review the Site Plan.
In conclusion, staff finds that the request furthers and is not in conflict with a preponderance of Comprehensive Plan Goals and Policies regarding Land Use and Urban Design. In addition the request will not result in a spot zone and will continue to meet the intent of the original zoning. The project would have been eligible for the Voluntary Zone Conversion process, however, the applicant wished to pursue an EPC Zone Map Amendment for expediency.

Staff has not received public comment in support or opposition to the request although the project team has mentioned that SWAN is in support.
Findings, Zoning Map Amendment (Zone Change)

Project #: 2018-002042, RZ: 2018-00013

1. This is a request for a Zone Map Amendment (Zone Change) for Tract 12-B-1, Bulk Land Plat for El Rancho Grande located on Gibson Boulevard SW, east of 98th Street SW, and west of Barbados Avenue SW, and containing approximately 11 acres.

2. The request is to re-zone the property from the existing PD, Planned Development Zone District, to MX-M, Mixed-Use Moderate Intensity Zone District.

3. The applicant's initial intention is to develop approximately 5 acres of the subject site into a charter school for 5th through 8th grade, and the remainder of the 11 acres will develop under the MX-M zone.

4. In 2000, the Rio Bravo Sector Development Plan re-zoned the subject site from O-1 and C-2 to SU-1 Mixed Use to keep the “spirit” of the original urban center while slightly de-intensifying the anticipated land use and accommodating the “community scale” organization of lands and connectivity suggested in the Westside Strategic Plan.

5. In 2001, a Site Development for Subdivision including the subject site zoned SU-1 for Mixed Use zoning was approved by the EPC. The Site Plan for Subdivision shows the single family development to the north of the subject site, which is currently built-out, and does not show any buildings or uses on the subject site (see attached).

6. The 2001 Site Plan for Subdivision mentions that the uses for the subject site were to be mixed with a maximum of 64% C-2 (commercial) uses.

7. Upon effectiveness of the Integrated Development Ordinance (IDO) in March of 2018, the subject site followed Rule 6, which stated that SU-1 zones for uses not listed in the IDO or that are unknown, convert to PD.

8. Since the property is formerly a Special Use zone and is undeveloped, it is eligible for the Voluntary Conversion process; however the applicant is interested in an expedited process via this EPC Zone Map Amendment request in order to open the proposed charter school in Fall of 2019.

9. 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.

10. The subject site is within an Area of Change as designated by the Comprehensive Plan and the following policies apply:

   a) The request furthers Goal 5.1 and Policy 5.1.1(c) because permitting the range of mixed uses permitted by the requested MX-M zone at the 98th/Gibson Activity Center and near the intersection of two Community Principle Arterials will contribute toward the growth of the surrounding community. The existing PD zone will also permit a range of uses, however the requested MX-M zone will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an
EPC-Site Plan. The requested MX-M zone will encourage employment density, compact development, redevelopment, and infill in an Activity Center.

b) The request furthers Policy 5.1.1(h) because the MX-M zone will encourage opportunities for new development by permitting and an efficient process for a property in the designated 98th/Gibson Activity Center. The project is located on Fixed Route 198, which gives access to multiple east-west and north-south routes. (The Transit Department supports the change since their view is that the proposed land uses and land use intensity are more conducive to transit operations than the current zoning.)

c) The request furthers Policy 5.2.1 (h) because the requested MX-M zone will encourage development on an infill property with uses that are compatible in form and scale to the mix of uses partially constructed and zoned for the immediate area including the commercially zoned area on the west side of 98th Street SW / Snow Vista Boulevard SW. Much of the existing construction is single-family housing, and the MX-M zone will offer complementary uses.

d) The request furthers Policy 5.1.6 and Policy 5.1.6 (b) because the subject site is located in the 98th/Gibson Activity Center, and the request for MX-M, a mixed-use zone, permits a range of services and amenities near a trail system that will support a healthy lifestyle. The requested MX-M zone will permit neighborhood-oriented commercial, retail, institutional, and public services, and will permit an efficient process for development.

e) The request furthers Policy 5.1.6 (d) and Policy 5.1.6 (e) because it is located in the 98th/Gibson Activity Center adjacent to the Amole Arroyo multi-use trail on the western edge of the subject site, which is part of an extensive trail system that connects APS schools to the north and south as well as Central Avenue to the north and Dennis Chavez Boulevard to the south. Infrastructure improvements will include the completion of the sidewalks and street trees thereby encouraging pedestrian activity on Gibson Boulevard SW.

f) The request furthers Goal 5.2 and Policy 5.2.1 because the requested MX-M zone will permit a mix of uses including live, work, learn, shop and play to create a healthy activity center conveniently accessible to the surrounding neighborhoods. The requested MX-M zone will eliminate the EPC-Site Plan requirement in the existing PD zone, making it a more efficient development process and encouraging smaller individual businesses to locate on the remaining parcel.

g) The request furthers Policy 5.2.1 (a) because the requested MX-M zone permits a range of uses including the proposed charter school, providing an opportunity to learn. The subject site is in a conveniently accessible location to surrounding neighborhoods, therefore services are within walking and bicycling distances along the Amole Arroya multi-use trail as well as the neighborhood bike-lanes and sidewalks.
h) The request furthers Policy 5.2.1 (g) i and ii because the requested MX-M zone will permit a more efficient development process than the existing PD zone, and new development will be located in the existing 98th/Gibson Activity Center adjacent to the Amole Arroyo Multi-Use Trail providing pedestrian and bicycle activity. In addition, the subject site is located near the intersection of 98th Street / Snow Vista Boulevard SW and Gibson Boulevard SW, two Community Principle Arterials with access to transit, but currently lacks a wide range of services.

i) The request furthers Policy 5.2.1 (h) because the requested MX-M zone will encourage development on an infill property with uses that are compatible in form and scale to the mix of uses partially constructed and zoned for the immediate area including the commercially zoned area on the west side of 98th Street SW / Snow Vista Boulevard SW. Much of the existing construction is single-family housing, and the MX-M zone will offer complementary uses.

j) Staff notes that the Comprehensive Plan generally encourages job growth and commercial development on the West Side in place of residential. Although the requested MX-M zone would permit townhouse and multi-family versus a non-residential zone such as NR-C, the requested MX-M zone does not permit single-family residential development, which is specifically discouraged by this policy. The request furthers Policy 5.2.1 (k).

k) The request furthers Goal 5.3 and Policy 5.3.2 because this property is well serviced by existing infrastructure and other public facilities including access roads, water, sewer, and community parks. In addition, the subject site is surrounded by existing residential zoning; therefore the requested MX-M zone will maximize an efficient development pattern of mixed uses on an infill property.

l) The request partially furthers Goal 5.4, Policy 5.4.2, and Policy 5.4.2 (a) because the requested MX-M zone will encourage employment near residential on the West Side of the Rio Grande in the 98th/Gibson Activity Center. There is no guarantee that the remaining parcel will not be developed as townhouse or multi-family, but the proposed charter school will provide local jobs.

m) The request furthers Goal 5.6 because the subject site is in an Area of Change and the requested MX-M zone will offer an efficient development process for the subject site, thereby directing growth where it is expected and desired as well as reinforcing the character and intensity of the surrounding area.

n) The request furthers Policy 5.6.2 (b) because the requested MX-M zone will encourage commercial and institutional development that will expand employment opportunities in the area. Solare Collegiate Charter School will provide jobs to educators, administrators, and support staff.

o) The request furthers Policy 5.6.2(g) because the requested MX-M zone will promote appropriate zoning and development in an area with existing water and sewer services, transportation facilities (98th Street, Gibson Boulevard, and Barbados),
transit (ABQ Bus Route 198--), community parks (Silver Tree and Westgate), and multi-use trails (Amole Arroyo).

p) The request furthers Policy 5.6.2 (h) because the requested MX-M zone will encourage development located along or near two major roadways, Gibson Boulevard and 98th Street. The ABQ Ride Route 198 (98th/Dennis Chavez) runs every 30 minutes, Monday-Sunday with bus stops on 98th Street at the intersection with Gibson Boulevard.

q) The request furthers Goal 7.2 and Policy 7.2.1 because the requested MX-M zone is expected to lead to development that will install sidewalks and street trees on Gibson Boulevard SW, and denser development with a mix of uses, creating more comfortable pedestrian travel on City Streets as well as the adjacent Amole Arroyo Multi-Use Trail.

r) The request furthers Policy 7.3.3 because the requested MX-M zone will permit a more efficient development process while still permitting a mix of commercial uses appropriate for an Activity Center, which will strengthen both the existing center and surrounding neighborhoods.

s) The request furthers Policy 7.3.4, Policy 7.3.4 (a), and Policy 7.3.4 (b) because the requested MX-M zone will permit a more efficient development process with mixed-uses in an infill location. IDO regulations will encourage development that enhances the built environment and is compatible with the character of the surrounding context and similar in height mass and volume to adjacent development.

11. Pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".

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, as shown in the section above.

b) Not applicable, the subject property is located in an Area of Change.

c) The applicant refers to sub-criterion 3, that a different zone district is more advantageous to the community as articulated by the ABC Comp Plan, including implementation of patterns of land use, development density and intensity, and connectivity. The applicant justifies the request by stating it will provide consistency of land uses in an area that lacks commercial, retail, and institutional development and is dominated by residential use. The applicant has shown in criterion a) that the request furthers a preponderance of applicable Comprehensive Plan Goals and Policies. The uses permitted by the requested MX-M zone are shown to be advantageous to the community. Staff finds the requested MX-M zone more advantageous in process than the existing PD zone.
d) All uses permitted in the requested MX-M zone are also permitted in the existing PD zone. PD uses are determined on a case-by-case basis; however, the negotiated uses are required to be shown on a Site Plan, reviewed and approved by the EPC, prior to development. The requested MX-M zone permits a variety of commercial uses plus the potential for residential uses from townhouse to higher density multi-family, as well as an efficient process of development. The area is largely characterized by residential uses and it would be advantageous to the existing residents for commercial services to be located in close proximity.

Staff supports the requested MX-M zone because the Comprehensive Plan and IDO generally encourage mixed-use communities and responding to market demand rather than exerting restrictions as long as the permitted uses are not harmful to the adjacent communities. In addition, IDO regulations will provide design controls for both high-density residential and commercial development.

e) The applicant refers to sub-criterion 1, that the subject site has adequate infrastructure capacity to serve the proposed development. This area has sufficient infrastructure to support the uses of the requested MX-M zone on the approximately 11 acre subject site.

f) Gibson Boulevard SW and 98th Street SW are both Community Principal Arterials, which contribute to the viability of the MX-M zone to provide goods and services to the surrounding residential neighborhoods. However, the request is not completely based on the property’s location on a major street, because the first intended project, a charter school, would not necessarily require access to a major street, rather other factors such as the existing trail system make the site attractive for this use. The request furthers a preponderance of applicable Comprehensive Plan Goals and Policies for Land Use and Urban Design.

g) While economic considerations are a factor to changing the zone from PD to MX-M due to the different development processes, the applicant's justification is not based completely on economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies regarding Land Use and Urban Design. In addition, the applicant states the subject parcel’s location near convenient pedestrian, bicycle, and transit options is a positive attribute for the requested MX-M zone and the initial charter school project.

h) This zone change request does not apply a zone district different from surrounding districts to the subject parcel, because the requested MX-M zone is also located across the Amole Arroyo to the west.

12. The applicant notified property owners within 100 feet of the subject site as well as the South West Area Neighborhood Association (SWAN), the West Side Coalition, and the South Valley Coalition as required. The applicant met with SWAN several times. Staff has not received comments in support or opposition.
Recommendation

APPROVAL of Project #: 2018-002042, RZ-2018-00013, a request for Zoning Map Amendment from PD to MX-M for Tract 12-B-1, Bulk Land Plat for El Rancho Grande, based on the preceding Findings.

Cheryl Somerfeldt
Current Planner

Notice of Decision cc list:
List will be finalized subsequent to the EPC hearing on March 14, 2019.
Agency Comments
(Delete heading if no comments received.)

PLANNING DEPARTMENT

Long Range Planning

This request is for a zone map amendment from PD to MX-M. The property was previously zoned SU-1 for Mixed Uses and has an existing site plan approved by the Environmental Planning Commission. The applicant intends to develop a charter school at this location. The applicant could develop pursuant to the existing site plan. A zone change to MX-M would allow the applicant to develop pursuant to IDO standards and processes. The proposed use is permissive in the MX-M zone. A new site plan approval would be required to replace the existing site plan. The new site plan would either be approved administratively by staff or by the DRB, pursuant to the size thresholds established in the IDO in Subsection 14-16-6-5(G).

This property qualifies to participate in the City’s Voluntary Zoning Conversion process under the Prior Special Use criterion, because it is undeveloped land that was previously zoned SU-1.

This site is in an Area of Change and is within the 98th/Gibson Activity Center. The approved Site Plan allows C-2 and O-1 uses to develop at this location. A zone map amendment to MX-M would be consistent with the current entitlements for this property. The MX-M zone allows a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses. The MX-M zone is appropriate in this location and would allow the undeveloped land to be used in a way consistent with its prior site plan approvals while developing per the new IDO zoning and dimensional standards.

The following policies are applicable to this request:

**ABC Comprehensive Plan Goal 5.1 Centers & Corridors** Grow as a community of strong Centers connected by a multi-modal network of Corridors.

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

**ABC Comprehensive Plan Policy 5.1.6 Activity Centers:** Foster mixed-use centers of activity with a range of services and amenities that support healthy lifestyles and meet the needs of nearby residents and businesses.

**ABC Comprehensive Plan Goal 5.2 Complete Communities:** Foster communities where residents can live, work, learn, shop, and play together.

**ABC Comprehensive Plan Policy 5.2.1 Land Uses:** Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.
a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

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

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

**Transportation Development Services**

No objection to the request.

**MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION**

No comment.

**PARKS AND RECREATION**

No comment.

**SOLID WASTE MANAGEMENT DEPARTMENT**

No comment.

**TRANSIT DEPARTMENT**

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Brief Description of Request</th>
<th>Transit Corridor?</th>
<th>Transit Route?</th>
<th>Current Service/Stops</th>
<th>Comments/Support/Requests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project #2019-002042, 1000152, 1002822,1000152 RZ-2019-00013 – Zone Map Amendment</td>
<td>Zone Map Amendment from PD to MX-M for Solaire Charter School; 11 acres at 98th Street and Gibson Boulevard</td>
<td>Not on a Corridor</td>
<td>On Fixed Route 198, which runs from a turn-around at Rio Bravo and Prince to the Central and Unser Transit Center (CUTC) which gives access to multiple east-west and north-south routes.</td>
<td>The nearest stop pair is on 98th Street either side of the 98th and Gibson intersection, about 1400 feet from the centroid of the site.</td>
<td>The Transit Department supports the change as the proposed land uses and land use intensity are more conducive to transit operations than the current zoning.</td>
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**ALBUQUERQUE PUBLIC SCHOOLS**

Applicant claims building a charter school at this location will alleviate crowding at nearby public schools. Albuquerque Public Schools requests the applicant discuss this matter with the District before making any future claims implying representation. Albuquerque Public Schools also reserves the right to comment at such time in the future if and when the site is further developed.
ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

Reviewed, no objections.

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

MRMPO has no adverse comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Zone map Amendment – Zone Change (Solare Collegiate Charter School located at Gibson Blvd SW between 98th St SW and Barbados Ave SW)

1. Two existing electric overhead 115kV transmission lines are located on the west side of the subject site east of the Amole Arroyo which is in a protected corridor as referenced in the Rank II Facility Plan Electric System Transmission and Generation (2010-2020). There is an existing underground distribution line is located on the property that parallels the east side of the transmission lines and an existing substation is located west of the property west of the arroyo. It is the applicant’s obligation to abide by any conditions or terms of these easements or rights-of-way.

2. Any potential encroachment to existing rights-of-way must be reviewed by PNM for compliance with National Electric Safety Code (NESC) requirements, as well as PNM access for maintenance or future use. This includes any proposed changes to the existing grade, existing or proposed signs, walls or fences, landscaping, lighting, access, parking and driveway.

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.

4. It will be necessary for the developer to contact the PNM New Service Delivery Department when the site is to be developed in order to coordinate electric service. Contact: Andrew Gurule, PNM Service Center, 4201 Edith Boulevard NE, Albuquerque, NM 87107

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

NMDOT has no comments at this time.
Looking east at the subject site from the adjacent PNM site to the west with the Amole Arroyo Multi-Use Trail in the foreground.

Looking north at the subject site from Gibson Boulevard SW.
Looking west at the subject site from Barbados Avenue SW.

Looking west at the subject site from the intersection of Gibson Boulevard SW and Barbados Avenue SW.
Looking south from the subject site.

Looking east from the subject site.
APPLICATION INFORMATION
# DEVELOPMENT REVIEW APPLICATION

**City of Albuquerque**

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**APPLICATION INFORMATION**

**Applicant:** Solare Collegiate Charter School  
**Address:** 1623 La Vega Drive SW  
**City:** Albuquerque  
**State:** NM  
**Zip:** 87105  
**Professional/Agent (if any):** Consensus Planning  
**Address:** 302 Eighth Street NW  
**City:** Albuquerque  
**State:** NM  
**Zip:** 87102  
**Proprietary Interest In Site:** Contract Purchaser  
**List all owners:** Thai Pham

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**BRIEF DESCRIPTION OF REQUEST**

Zone Map Amendment from PD to MX-M

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

**Lot or Tract No.:** 12 B-1  
**Subdivision/Addition:** El Rancho Grande  
**MRGCD Map No.:** 100905538003040125  
**Zone Atlas Page(s):** M-09  
**Existing Zoning:** PD  
**Proposed Zoning:** MX-M  
**# of Existing Lots:** 1  
**Total Area of Site (acres):** 10.9992

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**LOCATION OF PROPERTY BY STREETS**

**Site Address/Street:** Gibson Boulevard SW  
**Between:** 98th Street  
**and:** Barbados Avenue

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

1001450, 1000152, 1002822, 1000152

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**FOR OFFICIAL USE ONLY**

**Case Numbers**

**Action**

**Fees**

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**Meeting/Hearing Date:**  
**Staff Signature:**  
**Date:**  
**Project #**

---

**Signature:**  
**Printed Name:** Jacqueline Fishman, AICP  
**Date:** January 31, 2019  
**Applicant or Agent**
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)
  ☐ 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 mailed 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: __________
Printed Name: ________________________
□ Applicant or □ Agent

FOR OFFICIAL USE ONLY

Project Number: ________________ Case Numbers __________________________

__________________________ __________________________
Staff Signature: ____________________________ Date: ____________________________

Effective 5/17/18
CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Solare Collegiate Charter School  DATE OF REQUEST: 1 / 31/2019  ZONE ATLAS PAGE(S): M-09

CURRENT:
ZONING PD
PARCEL SIZE (AC/SQ. FT.) 10.9992

REQUESTED CITY ACTION(S):
ANNEXATION [ ]
ZONE CHANGE [X] FROM PD TO MX-M
SECTOR, AREA, FAC, COMP PLAN [ ]
AMENDMENT (Map/Text) [ ]

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT [x]
NEW CONSTRUCTION [ ]
EXPANSION OF EXISTING DEVELOPMENT [ ]

LEGAL DESCRIPTION:
LOT OR TRACT # 12 B-1  BLOCK #
SUBDIVISION NAME El Rancho Grande

SITE DEVELOPMENT PLAN:
SUBDIVISION* [ ] AMENDMENT [ ]
BUILDING PERMIT [ ] ACCESS PERMIT [ ]
BUILDING PURPOSES [ ] OTHER [ ]
*includes platting actions

GENERAL DESCRIPTION OF ACTION:
# OF UNITS: ________
BUILDING SIZE: __________ (sq. ft.)

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

APPLICANT OR REPRESENTATIVE: __________________________ DATE 1/31/19
(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, B7102, phone 924-3994

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

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

Notes:
A NIA (Neighborhood Impact Assessment) will be required at DRB.

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 1/31/19

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

TIS -SUBMITTED / / -FINALIZED / / TRAFFIC ENGINEER DATE

Revised January 20, 2011
January 7, 2019

Derek Bohannan, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Dear Mr. Chair:

As the property owner, I authorize Consensus Planning to act as agent on a request for Zoning Map Amendment for the property located at the northeast corner of 98th Street and Gibson Boulevard N.W. The legal description for the property is: TR 12-B-1 BULK LAND PLAT FOR EL RANCHO GRANDE 1 PARCELS5-A AND 12-B-1.

Sincerely,

[Signature]
1/9/2019
January 4, 2019

Derek Bohannan Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Dear Mr. Chair:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as the agent on this request for a Zoning Map Amendment for the property located at 98th Street and Gibson Boulevard N.W. Homewise Collegiate Charter School is the contract purchaser for the property. The legal description of this property is: TR 12-B-1 BULK LAND PLAT FOR EL RANCHO GRANDE 1 PARCELS 5-A AND 12-B-1.

Sincerely,

[Signature]
PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval. Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).

When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a $50 PRT fee.

PA#: 18-3570 Received By: j.dilgo@ M. Official Use only Date: 12/4/16

APPOINTMENT DATE & TIME: Dec 11, 2018 @ 200PM

Applicant Name: Mullen Heller Architecture Phone#: 505-268-4144 Email: doug@mullenheller.com

PROJECT INFORMATION:
For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.

Size of Site: 10.99 acres Existing Zoning: PD Proposed Zoning: PD

Previous case number(s) for this site: Project Number 1001154 and 1001450

Applicable Overlays or Mapped Areas: NA

Residential -- Type and No. of Units: NA

Non-residential -- Estimated building square footage: ±100,000 sf complete No. of Employees: ______________________

Mixed-use -- Project specifics: 50,000 sf charter school and future commercial uses

LOCATION OF REQUEST:
Physical Address: no address per Zoning Zone Atlas Page (Please identify subject site on the map and attach) M-09

BRIEFLY DESCRIBE YOUR REQUEST (What do you plan to develop on this site?)
Legal Description: TRACT 12-B-1 BULK LAND PLAT FOR EL RANCHO GRANDE 1 PARCELS 5 AND 12-B-1 CONT.

Development includes a phased charter school and potential commercial spaces, first phase is a perm modular building.

QUESTIONS OR CONCERNS (Please be specific so that our staff can do the appropriate research)

What is the approval process for the site plan, i.e. EPC since the site is zoned PD?
How do we confirm that an Elementary/Middle School is an Allowable Use in the PD?

How is the 'case-by-case' basis determined for Allowable Uses per 2-6(A)(1)?

What Development Standard are applicable to this PD as noted in Table 2-6-1?
Is the maximum area limited to 4-3(C)(9)(b) or 4-3(C)(9)(c)?

Do we assume we are in the Non-Residential Zone district for Development Standards per Section 5-1(E)?
**PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES**

PA# 18-350  Date: 11 Dec 2018  Time: 2:00

Address: 

**AGENCY REPRESENTATIVES AT MEETING:**

Planning: Russell Brito

Code Enforcement: 

Fire Marshall: 

Transportation: 

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:** Zone Map Amendment

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**SITE INFORMATION:**

Zone:  Size:  

Use:  Overlay Zone:  

Comp Plan Area Of:  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.*

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**PROCESS:**  

Type of Action: Zone Map Amendment  

Review and Approval Body: EPC  

Is this PRT a requirement? Yes
PA#: 18-350  Date: 11 Dec 2018  Time: 2:00 pm

Address:

NOTES:
• PD requires EPC site plan approval
• Zone change to MX-M or NR-C would remove PD and site plan requirement
• MX-M and NR-C both allow school permissively
• Subdivision at DRB
  - Sketch Plat
  - Infrastructure improvements
January 31, 2019

Mr. Derek Bohannan, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Re: Zone Map Amendment – Solare Collegiate Charter School

Dear Mr. Chairman:

The purpose of this letter is to provide justification for a Zone Map Amendment (ZMA) for property located on Gibson Boulevard just east of 98th Street S.W., on behalf of Solare Collegiate Charter School. The property is legally described as Tract 12-B-1 Bulk Land Plat for El Rancho Grande 1 and is approximately 11 acres in size. The property is currently zoned PD (Planned Development). The Applicant’s request is to change the zoning to MX-M (Mixed Use-Moderate Intensity). The Applicant intends to use a portion of the property for a 5-8 grade charter school and provide the area with other future non-residential opportunities.

Figure 1: Subject Property

HISTORY
1999: The zoning for the subject parcel (SU-1 for Mixed Use) was established with an amendment to the Rio Bravo Sector Development Plan (SD-87-4-1/Z-99-58). The purpose of the 1999 amendment was to make the Rio Bravo Sector Development Plan more closely aligned with the West Side Strategic Plan.

The Rio Bravo Sector Development Plan described mixed use as follows: “In an effort to maintain the spirit of the original Plan’s design philosophy, areas containing a combination of Commercial, Office, and Residential zoning designations in close proximity are prescribed in Parcels 1 [12], 5, and 34, allowing intensities to C-2 and R-2 (SU-1 zoned). Likewise, Parcels 6 and 16 are more akin to “Adjacent” areas found in the West Side Strategic Plan and are planned for SU-1, mixed use to C-1 and RT intensities”.

Solare Collegiate Charter School – ZMA
2001: A Site Development Plan for Subdivision for 24 acres (including the subject property) of mixed use was approved by the EPC (01128-01250). The Site Plan delineated land uses as follows: Parcel 12-A, R-2 Land Use (13.10 acres) and Parcel 12-B, C-2 and O-1 Land Uses (10.84 acres). The land use designations allowed for permissive and conditional uses in all three of the referenced zones. The EPC’s Finding #5 stated “The submittal meets the intent of the Rio Bravo Sector Development Plan’s design philosophy by providing areas containing a combination of Commercial, Office, and Residential zoning designations in close proximity to each other”. The EPC’s Condition #1 stated: “The office use and the commercial use on Parcel 12 shall be combined to form one bulk tract for mixed C-2 and O-1 uses with a maximum of 64% of C-2 uses and 36% of O-1 uses”. The Site Plan for Subdivision limited Parcel 12-A (to the north of the subject property) to a maximum of 84 residential units, and was subsequently platted and developed. Parcel 12-A (subject property) has remained vacant.

2018: On May 17, 2018, the Integrated Development Ordinance (IDO) converted the zoning on the subject property from SU-1 Mixed-Use to PD-Planned Development. The PD zone requires negotiation of land uses on a case-by-case basis and EPC approval of a site plan. It is not the preferred zone going forward by either the Planning Department staff or the Applicant. The requested Zone Map Amendment to MX-M is more consistent with the original SU-1 Mixed-Use zoning established by the Rio Bravo Sector Development Plan and the Site Development Plan for Subdivision. The Applicant’s project, a charter school, can be accommodated through other base zones, including the MX-M zone.

*PD Zone Purpose:* “The purpose of the PD zone district is to accommodate small- and medium-scale innovative projects that cannot be accommodated through the use of other base zone districts, provided that those projects are consistent with the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as
amended and include standards that would not otherwise be required of the applicant in order to provide significant public, civic, or natural resource benefits. This zone district is applied on a case-by-case basis to reflect a negotiated agreement for uses and standards with the applicant. Allowable uses are negotiated on a case-by-case basis but may not include any use that is not included in Table 4-2-1.

EXISTING CONDITIONS
The subject property is located within the Southwest Mesa Community Planning Area, the 98th/Gibson Activity Center, and in an Area of Change, as designated by the ABC Comprehensive Plan. It is just east of 98th Street, a designated Principal Arterial and Gibson Boulevard, a designated Major Collector. CABQ Ride Bus Local Route 198 runs along 98th Street with bus stops near the subject property. Both 98th Street and Gibson Boulevard have designated bike lanes and Gibson Boulevard has designated bicycle or pedestrian crossings near the subject property. The Amole Arroyo Trail, a paved Multiple Use Trail, runs along the western edge of the property.

Adjacent properties are zoned PD to the north and the land use is single family residential; PD, R-ML, R-T to the south and the land use is townhomes (Diamond Mesa), vacant, and single family; R-1A to the east and the land use is single family residential; and MX-M and NR-C to the west and the land use is drainage facility (Amole Arroyo), vacant, and commercial (Walgreens).

<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>PD</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>South</td>
<td>R-ML, PD, R-T</td>
<td>Vacant, Single Family Townhomes</td>
</tr>
<tr>
<td>East</td>
<td>R-1A</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>MX-M</td>
<td>Amole Arroyo, Vacant</td>
</tr>
</tbody>
</table>

Figure 3: Existing Zoning
RESPONSE TO 6-7(F)(3)-REVIEW AND DECISION CRITERIA

This request for a Zone Map Amendment meets the Review and Decision Criteria outlined in the IDO, Section 6-7(F)(3) as follows:

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 proposed Zone Map Amendment is consistent with the health, safety, and general welfare of the City by furthering the ABC Comprehensive Plan in the following goals and policies:

Land Use Goal 5.1 Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.1(c): Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

Applicant Response: The Zone Map Amendment will further this goal and policy by providing the appropriate zoning for property located within a designated Activity Center (98th/Gibson) and along 98th Street, a Principal Arterial, and Gibson Boulevard, a Major Collector. The overall property (Parcels 12-A and 12-B) has always been intended for mixed use development. The residential portion to the north has been built in accordance with the zoning established by the Rio Bravo Sector Development Plan and the land use established by the EPC-approved Site Plan for Subdivision.
(h): Encourage all new development, especially in designated Centers and Corridors, to address transit connections, linkages, and opportunities within the proposed development.

**Applicant Response:** The subject site has excellent access to 98th Street and the ABQ Ride Bus Route 198 (98th/Dennis Chavez), which has four routes and runs on Monday, Wednesday, Thursday, and Friday. The nearest bus stops are located on 98th Street just north and south of the Gibson Boulevard intersection.

Policy 5.1.6: Activity Centers: Foster mixed-use centers of activity with a range of services and amenities that support healthy lifestyles and meet the needs of nearby residents and businesses. [ABC]

(b): Provide neighborhood-oriented commercial, retail, institutional, and public services.

**Applicant Response:** This policy is furthered by the MX-M zone and the Applicant's plan of providing an institutional use on a portion of this property. The requested MX-M Zone will allow for a wide range of moderate intensity, commercial, retail, institutional, and public services. Located along two major corridors and within the 98th/Gibson Activity Center and an Area of Change, this site is an ideal location for an MX-M zone. The current zone of PD provides more uncertainty in future land use and requires unnecessary site plan review and approvals, contrary to the purpose and intent of the IDO.

(d): Ensure that Activity Centers are pedestrian-friendly and provide convenient pedestrian connections to nearby residential areas.

(e): Provide good connectivity via bicycle between Activity Centers and nearby residential areas and multi-use trails.

**Applicant Response:** Development of this site as a charter school will require pedestrian accessibility and connections via sidewalks and crosswalks to residential neighborhoods to the north, east, and south where they currently are lacking along Gibson Boulevard and the section of Barbados Avenue abutting the site.

One of the key attractions and strengths of this property is its excellent bicycle connectivity. It is adjacent to the Amole Arroyo Multi-Use Trail and designated bike lanes in 98th Street and Gibson Boulevard. The Amole Arroyo Multi-Use Trail to the west of the property is part of an extensive trail system that connects to Central Avenue to the north and Dennis Chavez Boulevard to the south.

Pedestrian and bicycle improvements listed on the 2040 Mid-Region Council of Governments MTP that will expand the connectivity of this property to the regional trail system include:

- **98th Street Improvements from Rio Clara Avenue to Gibson Boulevard:** Additional driving lanes, bicycle facilities, sidewalks, landscaping, and other appurtenances. This project has a near-term time frame of 2015-2025.
- Gibson Boulevard West Bike Trail from 98th Street to Unser Boulevard: Construction of bike/multi-purpose trail. This project has a late-term time frame of 2025-2040.
- Amole Arroyo Trail from Atrisco Vista Boulevard to 98th Street: Construct bicycle/pedestrian facilities. This has a late-term time frame of 2025-2040.

Land Use Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

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

Applicant Response: The requested MX-M zone furthers this goal and policy by allowing for a wide range of uses that are lacking in this predominantly residential area, including food, beverage, and indoor entertainment; institutional and civic; commercial retail and services; offices and services; telecommunications, towers, and utilities; etc. The addition of a school in this area will help further a better mix of land uses than is currently existing. The location of the subject property along Gibson Boulevard near 98th Street provides excellent access and connectivity for surrounding neighborhoods.

(a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

Applicant Response: This policy is furthered by the property’s excellent access to pedestrian and bicycle access along 98th Street, Gibson Boulevard, Barbados Avenue, and the Amole Arroyo Multi-Use Trail as previously described above. The MX-M zone will ensure opportunities for commercial and institutional development that will bring goods and services to the nearby residential neighborhoods.

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

Applicant Response: This goal is furthered by the request for MX-M zoning, which will ensure the property can develop with a mix of uses that will provide the surrounding neighborhoods with needed services. The vast majority of this area is single-family residential, with some higher density residential (townhomes).

Schools in the general area include Rudolfo Anaya and Mary Ann Binford Elementary Schools and Truman Middle School. These schools have high enrollment and are currently over capacity. The Applicant plans to develop a portion of the property for a charter school, which will help alleviate the capacity issues at the public schools, and sell or lease the remaining acreage for commercial or institutional use, all of which is consistent with the City’s plans and policies that have governed this area for years. Development of the subject property could spur other development in the area that would create a better mix of uses for surrounding neighborhoods.
(g) Locate quality commercial development and redevelopment in existing commercial zones and designated Centers and Corridors as follows:

i. In Activity Centers with development to serve adjacent neighborhoods with an emphasis on pedestrian and bicycle connections to nearby residential areas;

Applicant Response: The subject property is located in the 98th/Gibson Activity Center and has excellent pedestrian and bicycle connections to nearby residential area via the Amole Arroyo Multi-Use Trail, 98th Street, Gibson Boulevard, and surrounding local street grid, as well as planned bicycle and pedestrian improvements in the 2040 MTP as previously discussed above.

ii. In larger area-wide shopping centers located near intersections of arterial streets and provided with access via transit;

Applicant Response: The proposed zone change to MX-M will further this policy as it is located within a designated Activity Center and in close proximity to a 22-acre property that is zoned NR-C west of 98th Street. With conversion to an MX-M zone, the subject property would help advance the Activity Center goals and intents.

(h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

Applicant Response: The requested MX-M zone furthers this policy by allowing for institutional use in an area dominated by single-family development and lacking non-residential services. Children from the surrounding neighborhoods will have an opportunity to attend the Solare Collegiate Charter School. The MX-M zone and the intended use by the Applicant are compatible in form and scale to the surrounding development, which includes single family, one-story detached houses and townhouses, and limited commercial at the intersection (Walgreens).

Land Use Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.2: Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

Applicant Response: The goal and policy are furthered by growth and development in an area with existing infrastructure, including water, sewer, and transportation facilities. City park facilities in the area include Silver Tree Park located along the Amole Arroyo and Westgate Community Park.

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

Policy 5.4.2: West Side Jobs: Foster employment opportunities on the West Side.
(a): Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

**Applicant Response:** The requested MX-M zone will further this goal and policy by allowing for development that will create jobs on the West Side. The Applicant’s plan to develop the eastern portion of the subject property as a charter school will add a range of jobs for educators, administration, and support staff. Development of Solare Collegiate Charter School could spur further development on surrounding sites which have remained undeveloped for years.

(b): Prioritize employment opportunities within Centers.

**Applicant Response:** The requested MX-M zone at this location in the 98th/Gibson Activity Center is far more suited to further this goal and policy than the current undefined PD zone by providing jobs for educators, administrators, and support staff related to the school and further employment opportunities on the remaining property.

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

**Applicant Response:** The proposed MX-M zone furthers this goal by directing growth and development within an Area of Change and bringing institutional and commercial services to an area that has been undeveloped for years. The Area of Consistency residential neighborhoods near the subject property are of mixed density, which is consistent with the intensity of development allowed in MX-M zone.

**Policy 5.6.2(b): Encourage development that expands employment opportunities.**

**Applicant Response:** As mentioned before, the designation of MX-M zoning will encourage commercial and institutional development that will expand employment opportunities in the area. Solare Collegiate Charter School will provide jobs to educators, administrators, and support staff.

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

**Applicant Response:** The policy is furthered by promoting appropriate zoning and development in an area with existing water and sewer services, transportation facilities (98th Street, Gibson Boulevard, and Barbados), transit (ABQ Bus Route 198), community parks (Silver Tree and Westgate), and multi-use trails (Amole Arroyo).

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

**Applicant Response:** The policy is furthered by zoning that will encourage development located along or near two major roadways, Gibson Boulevard and 98th Street. The ABQ Ride Route 198 (98th/Dennis Chavez) runs every
30 minutes, Monday-Sunday with bus stops on 98th Street at the intersection with Gibson Boulevard.

**Urban Design Goal 7.2: Pedestrian-Accessible Design:** Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

**Policy 7.2.1: Walkability:** Ensure convenient and comfortable pedestrian travel.

**Applicant Response:** Currently, this vacant site located along Gibson Boulevard and Barbados lacks sidewalks. Development within the MX-M zone will require sidewalk construction by the developer along the property’s street frontage, creating better pedestrian connectivity to surrounding residents. Pedestrian access is currently provided via the Amole Arroyo Multi-Use Trail and 98th Street, which has public sidewalks near the Gibson Boulevard intersection.

**Policy 7.3.3: Placemaking:** Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

**Applicant Response:** Commercial development within the 98th/Gibson Activity Center has not materialized with the exception of a Walgreens on the northwest corner of 98th Street and Gibson Boulevard. The requested MX-M zone will further this policy in a more direct and consistent manner than the current zone of PO, which relies upon negotiating the land uses and is intended for development that cannot be accommodated in one of the IDO’s base zones.

The MX-M zone will encourage commercial and institutional development within the 98th/Gibson Activity Center as intended by the City’s plans and policies contained in the ABC Comprehensive Plan, Rio Bravo Sector Development Plan, and the Site Plan for Subdivision approved by the EPC in 2001.

**Policy 7.3.4: 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.**

(a): For Activity and Village Centers, ensure that infill and redevelopment is compatible with the character of the surrounding context and similar in height mass and volume to adjacent development.

(b): Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood scale.

**Applicant Response:** Moderate-intensity development allowed in the MX-M zone is appropriate for the subject property located within an Activity Center. The original residential portion of the 24-acre property has long been developed. This is an opportunity to finally see a project develop that is not single family, but rather, will provide appropriate institutional development in an area with available infrastructure and municipal services. The IDO Development Standards will ensure that commercial use will be developed in a sensitive and thoughtful way that complements the adjacent homes.

6-7(F)(3)(b) Not applicable, the subject property is located in an Area of Change.
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).

**Applicant Response:** The requested Zone Map Amendment from PD to MX-M is more advantageous to the community because it will provide consistency of land uses in an area that lacks commercial, retail, and institutional development and is dominated by residential use. The MX-M Zone is appropriate and will provide a mix of uses land uses consistent with its pre-IDO zoning. If the Applicant had more time to wait, it is without doubt that this property previously zoned SU-1 for Mixed Use would be appropriate for a Phase 2 IDO conversion to MX-M.

The subject property's location on Gibson Boulevard and near 98th Street is an ideal location for mixed-use moderate intensity, is more advantageous to the community than the PD zone, and furthers the goals and policies in the Comprehensive Plan as follows:

- The subject property is located in an Area of Change;
- The subject property is located within the 98th/Gibson Activity Center, intended for higher density and institutional and commercial development;
- Development will be located near two major roadways (98th Street and Gibson Boulevard) and served by transit;
- Development on this site will add jobs on the West Side and further City goals for a jobs/housing balance;
- Base zones contained in the IDO, in particular the MX-M zone, can accommodate the intended development of institutional use on this property;
- The Amole Arroyo Multi-Use Trail, and bike lanes in 98th Street and Gibson Boulevard provide excellent pedestrian and bicycle connectivity to the subject property; and
- Surrounding commercial zoning is MX-M and NR-C, consistent with the requested zone change for this property.

There is a long history of this subject property being seen as appropriate for mixed-use development. The Rio Bravo Sector Development Plan first identified the property for O-1 and C-2 uses. In 1999, the SDP was amended and rezoned this property to SU-1 for Mixed-Use. The EPC subsequently approved a Site Plan for Subdivision and associated design standards in 2001 that further delineated how the uses would function together.

As previously mentioned, this property would be appropriate for the IDO Phase 2 conversion process due to its prior Special Use zoning. However, the Applicant wants to move forward in a more expedited Zone Map Amendment process.
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.

Applicant Response: None of the uses allowed within the MX-M zone district will have harmful effects on adjacent properties, neighborhood, or community. These include: moderate intensity residential; community facilities such as schools, libraries, or churches; restaurants and food service; retail sales; medical and professional offices; telecommunications and towers; etc. Again, this property has long been intended for commercial development that would serve the surrounding residential development. Use specific standards and development standards for properties adjacent to residential development contained in the IDO provide protection from any negative impacts.

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 of the following requirements:

1. Have adequate capacity to serve the development made possible by the change of zone.

Applicant Response: The subject property has primary access from Gibson Boulevard, a designated Major Collector, and Barbados Avenue, a local street. Gibson Boulevard has four traffic lanes, bicycle lanes, and pedestrian crossings. 98th Street and Gibson Boulevard have adequate capacity to handle vehicular traffic coming to and from this property. This property is also well served by bicycle and pedestrian facilities, including bike lanes and a multi-use regional trail.

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.

Applicant Response: The Applicant chose this property to develop a charter school based on its location to surrounding neighborhoods, which include families with school-aged children that would benefit from a school at this site and help address capacity issues at APS schools.

6-7(F)(3)(g) The applicant’s justification is not based completely or predominantly on the cost of land or economic considerations.

Applicant Response: The Applicant chose this location for its proximity to local neighborhoods and strong potential to develop this site for a charter school and other uses. The cost of land is not the primary determining factor in the pursuit of appropriate zoning.

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.

Applicant Response: This request for a Zone Map Amendment to MX-M is will not create a "spot or strip zone". The subject property is located just east of other properties zoned MX-M within the 98th Street/Gibson Activity Center.

NEIGHBORHOOD COORDINATION

The project team has coordinated with the SouthWest Area Neighborhood Association (SWAN) regarding the project. Rachael Sewards, Founder and Head of Solare Collegiate Charter School, has met with and communicated with SWAN as follows:

- March 6, 2018 - Presentation to SWAN - Idea of the school
- April 26, 2018 - Letter of Support for application from SWAN
- January 8, 2019 - Attended SWAN meeting
- February 5, 2019 - Presentation to SWAN

Ms. Sewards has also provided various newsletters and updates to SWAN as part of the School's communication with the greater community. In addition, Consensus Planning provided pre-application notification to SWAN, West Side Coalition, South Valley Coalition in accordance with IDO requirements. We are scheduled to attend SWAN's February 5, 2019 meeting to further discuss the zone map amendment and project for Solare Collegiate Charter School.

We respectfully request that the Environmental Planning Commission approve the request for this Zone Map Amendment. Thank you for your consideration.

Sincerely,

Jacqueline Fishman, AICP
Principal
January 31, 2019

Jerry Gallegos
5921 Central Avenue NW
Albuquerque, NM 87105

Johnny Peña
6525 Sunset Gardens SW
Albuquerque, NM 87121

Dear Mr. Gallegos, Mr. Peña, and the South West Association of Neighborhoods Coalition:

This letter is notification that Consensus Planning has submitted a request for a Zone Map Amendment to the Environmental Planning Commission (EPC) on behalf of Solare Collegiate Charter School.

The site is located on the north side of Gibson Boulevard SW, east of 98th Street and west of Barbados Avenue. The site is currently zoned PD (Planned Development) and is within the 98th/Gibson Activity Center, which is intended for mixed-use development. The applicant is requesting to change the zoning to MX-M (Mixed-Use Moderate Intensity). The Applicant intends to develop the eastern portion of the property as a 5th-8th grade Charter School. The remaining western section would be available for other commercial, institutional, or residential uses.

The EPC hearing for this application will be held on March 14, 2019, at 8:30 a.m. at the Plaza del Sol Building, located at 600 2nd Street NW.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Please note, affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at thummell@cabq.gov, by phone at (505) 768-4660. A facilitated meeting request must be received by ADR by February 15, 2019.

Sincerely,

[Signature]

Jacqueline Fishman, AICP
Principal

Enclosed: Zone Atlas M-09
SITE PLAN FOR SUBDIVISION
Parcel 12
El Rancho Grande I

El Rancho Grande I

El Rancho Grande I

El Rancho Grande I

El Rancho Grande I
5. LIGHTING
In order to enhance the safety, security, and visual esthetics of the property, careful consideration must be given to the selection of outdoor lighting design, the number, and the type of fixtures. It is important to counter the adverse appearance of all materials.

Standards:
- Placement of fixtures and standards shall conform to state and local safety and illumination requirements.
- A design objective of the exterior lighting system must be to maintain public safety by not reflecting objectionable properties, buildings, or structures with unwarranted glare or reflection. All lights shall be shielded standards. Special care shall be taken to eliminate light pollution or light fixtures that are "dead space.
- Indirect site lighting standards shall be based on the physical characteristics of the building and other site elements.
- The maximum length for the lighting fixture shall be
  - 10 feet high for walkways and entry places
  - 20 feet for site lights and parking spaces (including minimum 15 feet from 10 feet light standard). Acceptance standards for above street level
- Sodium lighting a prohibited.
- Ensure you can design that is both competitive and consistent with the lighting design of other projects within the development. Exterior lighting fixtures should provide a significant edge in the architecture of the exterior buildings. No light from steel lighting should complement the architectural character of the building.
- In addition to lighting, the major entry steps shall include entrance furniture, benches, and bicycle storage.

6. LANDSCAPE
The development of a successful landscape concept will establish a framework that allows the entire property. To achieve a cohesive development, all areas of design need to be coordinated and responsive to existing environmental conditions and local building policies. These standards are to be used in addition to the City requirements for the City Conservation Landscape and Water Conservation. The Maine Ordinance and other local regulations included in the City of Albuquerque Comprehensive City Zoning Code.

Standards:
- Landscape materials shall be used in a transition between land uses, with specific attention to the transition between residential and non-residential areas. A minimum landscaping buffer of 10 feet shall be provided between urban and rural areas.
- Street trees shall be provided along Fifth Boulevard, and new interior streets at a ratio of one tree per 30 linear feet. Street trees are defined as being within 30 feet of the property line.
- No parking areas shall be provided in the front yard.
- In order to provide proper lighting for pedestrian and vehicular traffic, there shall be one street light provided per 100 feet.
- Landscape design along the right-of-way shall be consistent throughout the development. Landscape elements that enhance the right-of-way are encouraged.
- A minimum of 15 percent of the site area (minus the building square footage) shall be devoted to landscape materials with an emphasis placed on areas with at least 100 feet exposure.
- Shading of pedestrian zones with landscaping, and the use of pedestrian-oriented lighting along the commercial fronts is required.
- All interior parking connectors shall be lined with shade trees to a maximum of 30 feet on center.
- Using vegetative materials shall cover a minimum of 30 percent of the required landscape area. The total cover and percentage is calculated based on the total canopy size of all plant material.
- All planting areas not covered shall have a ground covering of cracked rock, rock mulch, ground cover, or another material with minimal weed growths. Such materials may be used under all paved surfaces. However, these materials shall not be used in a critical landscape area.
- Landscape barriers shall be used to separate the area from surrounding areas. Hedges should be either 5' x 5' concrete, block wall by wall, or 1' x 4' steel construction.
- To reduce and mitigate the negative visual impact of large spaces of paved and/or unpaved areas shall not exceed 100 feet from a tree.
- A minimum of 5 percent of the paved portion of streets shall be decorative and shall have a minimum height of control at least 10 feet.
NEIGHBORHOOD INFORMATION
Charlene,

See list of associations below and attached regarding your EPC submittal. 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.

<table>
<thead>
<tr>
<th>Association Name</th>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Address Line 1</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Mobile</th>
<th>Phone</th>
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<tbody>
<tr>
<td>South West Alliance of Neighborhoods (SWAN Coalition)</td>
<td>Jerry</td>
<td>Gallegos</td>
<td><a href="mailto:jgallegoswsc@gmail.com">jgallegoswsc@gmail.com</a></td>
<td>5825 Central Avenue SW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>5053858909</td>
<td>5053862935</td>
</tr>
<tr>
<td>South West Alliance of Neighborhoods (SWAN Coalition)</td>
<td>Johnny</td>
<td>Feen</td>
<td><a href="mailto:johnnyfeen@comcast.net">johnnyfeen@comcast.net</a></td>
<td>6255 Sunset Gardens SW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>5053213551</td>
<td>5053851347</td>
</tr>
<tr>
<td>Worldwide Coalition of Neighborhood Associations</td>
<td>Pete</td>
<td>Roven</td>
<td><a href="mailto:abeenerdj@ymail.com">abeenerdj@ymail.com</a></td>
<td>5515 Panamint Drive NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>5058821014</td>
<td>5058821850</td>
</tr>
<tr>
<td>Worldwide Coalition of Neighborhood Associations</td>
<td>Harry</td>
<td>Hendren</td>
<td><a href="mailto:hhendren01@comcast.net">hhendren01@comcast.net</a></td>
<td>39690 Rio Del Sol NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>5052831522</td>
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</tr>
<tr>
<td>South Valley Coalition of Neighborhood Associations</td>
<td>Marcia</td>
<td>Fernandez</td>
<td><a href="mailto:mbfernandez@gmail.com">mbfernandez@gmail.com</a></td>
<td>2401 Vezel SW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>5058979227</td>
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</tr>
<tr>
<td>South Valley Coalition of Neighborhood Associations</td>
<td>Rod</td>
<td>Mabioney</td>
<td><a href="mailto:rmabioney01@comcast.net">rmabioney01@comcast.net</a></td>
<td>1818 Sedona Road SW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>5058911069</td>
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</table>


Respectfully,

Vicente M. Quevedo, MCRP
Neighborhood Liaison
Office of Neighborhood Coordination
City of Albuquerque – City Council
(505) 768-1332

Visit: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)

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mbfernandez1@gmail.com
rmahoney01@comcast.net

Dear Ms. Fernandez and Mr. Mahoney and the South Valley Coalition of Neighborhood Associations,

This email is notification that Consensus Planning is preparing an application for a zone map amendment to the Environmental Planning Commission (EPC) on behalf of Homewise/Solare Collegiate Charter School. This site is located at Gibson at 98th Street and Gibson Boulevard (please see attached Zone Atlas page) and is currently zoned PD (Planned Development). The applicant intends to develop the site for a charter school. As such, the applicant is requesting to rezone the property to MX-M (Mixed Use-Medium, which will allow for a school as a permissive use. Currently, the property is vacant.

Your association may request a meeting regarding this project by replying to this email at fishman@consensusplanning.com, or by phone at (505) 764-9801. A meeting request must be received by Tuesday January 1, 2019 and the meeting must be scheduled within 30 days of the request, per the IDO requirements.
Dear Mr. Gallegos and Mr. Pena and the South West Alliance of Neighbors,

This email is notification that Consensus Planning is preparing an application for a zone map amendment to the Environmental Planning Commission (EPC) on behalf of Homewise/Solare Collegiate Charter School. The project site is located at Gibson at 98th Street and Gibson Boulevard, is currently vacant, and is zoned PD (Planned Development). The applicant intends to develop the site for a charter school. As such, the applicant is requesting to rezone the property to MX-M (Mixed Use-Medium), which will allow for a school as a permissive use.

Your association may request a meeting regarding this project by replying to this email at fishman@consensusplanning.com, or by phone at (505) 764-9801. A meeting request must be received by Tuesday January 1, 2019 and the meeting must be scheduled within 30 days of the request, per the IDO requirements.

Sincerely,

Jacqueline Fishman, AICP
Principal
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
P: 505.764.9801
f: 505.842.5495
Dear Ms. Horvath and Mr. Hendriksen and the Westside Coalition of Neighborhood Associations,

This email is notification that Consensus Planning is preparing an application for a zone map amendment to the Environmental Planning Commission (EPC) on behalf of Homewise/Solare Collegiate Charter School. The project site is located at Gibson at 98th Street and Gibson Boulevard, is currently vacant, and is zoned PD (Planned Development) (see attached Zone Atlas map). The applicant intends to develop the site for a charter school. As such, the applicant is requesting to rezone the property to MX-M (Mixed Use-Medium, which will allow for school as a permissive use.

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Sincerely,

Jacqueline Fishman, AICP
Principal
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
P: 505.764.9801
f: 505.842.5495
I got a call today from Jerry Gallegos (SWAN) who would like to meet with us. He said they’ve met with Rachel a while ago, but would like to further discuss. I don’t think there’s a problem, they just seem to want more info.

He asked if we are willing to meet with them even though it wasn’t within the 15 day notice period. I told him we would be willing to meet. Their next meeting is tomorrow night, so he’s going to ask the board if he can put us on the agenda for the Tuesday, February 5th meeting. Are you both available that night?

Jacqueline Fishman, AICP
Principal
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
P: 505.764.9801
f: 505.842.5495

--
Rachael Sowards | Founder and Head of School | Solare Collegiate Charter School | 505.917.6442 | www.solarecollegiate.org
I am free and will plan to be there.

On Mon, Jan 7, 2019 at 5:11 PM Jackie Fishman <fishman@consensusplanning.com> wrote:

I’m not sure of the time, but let’s assume 6 pm for now and then I will confirm when he calls me back.

Jacqueline Fishman, AICP
Principal
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
P: 505.764.9801
f: 505.842.5495

From: Doug Heller <Doug@mullenheller.com>
Sent: Monday, January 7, 2019 5:09 PM
To: Jackie Fishman <fishman@consensusplanning.com>; rsewards@solarecollegiate.org
Cc: Charlene Johnson <Johnson@consensusplanning.com>; Antonio Vigil <Antonio@mullenheller.com>; Michele Mullen <Michele@mullenheller.com>
Subject: RE: SWAN

Sorry for the confusion...Michele had checked into their next board meeting which is tomorrow. I made the assumption they wanted us at that one. 2/5 looks fine.
ALBUQUERQUE • NM 87121

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Adult Signature Restricted Delivery $0.00
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01/31/2019

Johnny Perez
1526 Sunset Gardens SW
Albuquerque, NM 87121

PS Form 3800, April 2015 753-02-00-00047 See Reverse for Instructions

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Postage $0.05
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Rod Mahoney
1838 Sadora Road SW
Albuquerque, NM 87105

PS Form 3800, April 2015 753-02-00-00047 See Reverse for Instructions

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Total Postage and Fees $6.85

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Rene Holan
5115 Palomita Dr, NW
Albuquerque, NM 87120

PS Form 3800, April 2015 753-02-00-00047 See Reverse for Instructions

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Adult Signature Restricted Delivery $0.00
Postage $0.05
Total Postage and Fees $6.85

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01/31/2019

Harry Hendriksen
10592 Rio del Sol NW
Albuquerque, NM 87114

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ALBUQUERQUE • NM 87105

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Postmark Here
01/31/2019

Jerry Gallegos
5211 Central Ave NW
Alb, NM 87105

PS Form 3800, April 2015 753-02-00-00047 See Reverse for Instructions
Charlene,

See list of associations below and attached regarding your EPC application. 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.

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<tr>
<td>South-West Alliance of Neighborhoods (SWAN) Coalition</td>
<td>Jerry</td>
<td>Gallegos</td>
<td><a href="mailto:jgallegos1964@gmail.com">jgallegos1964@gmail.com</a></td>
<td>5921 Central Avenue NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87113</td>
<td>505-380-4207</td>
<td>505-583-6284</td>
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<tr>
<td>South-West Alliance of Neighborhoods (SWAN) Coalition</td>
<td>Johnny</td>
<td>Pena</td>
<td><a href="mailto:johnnypena@comcast.net">johnnypena@comcast.net</a></td>
<td>6525 Sunset Gardens SW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87121</td>
<td>505-324-3055</td>
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<tr>
<td>Westside Coalition of Neighborhood Associations</td>
<td>Rene</td>
<td>Huertas</td>
<td><a href="mailto:ahuertas1@linc.com">ahuertas1@linc.com</a></td>
<td>5525 Peralta Drive NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87114</td>
<td>505-886-814</td>
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<tr>
<td>Westside Coalition of Neighborhood Associations</td>
<td>Harry</td>
<td>Hendriksen</td>
<td><a href="mailto:nhn@comcast.net">nhn@comcast.net</a></td>
<td>30992 Rio del Sol NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87114</td>
<td>505-221-6003</td>
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<td>South Valley Coalition of Neighborhood Associations</td>
<td>Maria</td>
<td>Fernandez</td>
<td><a href="mailto:mfernandez12@gmail.com">mfernandez12@gmail.com</a></td>
<td>2461 Vierin NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>505-887-927</td>
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<tr>
<td>South Valley Coalition of Neighborhood Associations</td>
<td>Rod</td>
<td>Maneney</td>
<td><a href="mailto:cmanseney106@comcast.net">cmanseney106@comcast.net</a></td>
<td>2509 Sandia Road SW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87105</td>
<td>505-581-6800</td>
<td>505-842-1340</td>
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**IDO - Public Notice Requirements & Template:** [https://www.cabq.gov/planning/urban-design-development/notice_requirements.pdf](https://www.cabq.gov/planning/urban-design-development/notice_requirements.pdf)

**IDO - Neighborhood Meeting Requirements & Template:** [https://www.cabq.gov/planning/urban-design-development/notice_requirements.pdf](https://www.cabq.gov/planning/urban-design-development/notice_requirements.pdf)


Respectfully,

Vincente M. Gomeda, MCRP

Neighborhood Liaison

Office of Neighborhood Coordination

City of Albuquerque – City Council

(505) 766-3332

Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)

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From: webmaster@cabq.gov to: webmaster@cabq.gov

Sent: Friday, December 15, 2018 10:59 AM

Public Notice Inquiry For:

Environmental Planning Commission

If you selected "Others" in the question above, please describe what you are seeking a Public Notice inquiry for below:

Contact Name: Charlene Johnson

Telephone Number: 505-764-8981

Email Address: johnson@enviroplanning.com

Company Name: Converse Planning, Inc.

Company Address: 302 Eighth Street NW

City: Albuquerque

State: NM

ZIP: 87102

Legal description of the subject site for this project:

TR 12-B-1 BULK LAND PLAT FOR EL RAMCHO GRANDE 1 PARCELS A AND 12-B-1 CONT 19 9992 AC

Physical address of subject site:

GIBSON BLVD SW ALBUQUERQUE NM 87121

Subject site cross streets:

Gibson Boulevard and 98th Street

Other subject site information:

This site is located on the following map sheet:

M-9

This message has been analyzed by Deep Discovery Email Inspector.
<table>
<thead>
<tr>
<th>Owner</th>
<th>Owner Address</th>
<th>Owner Address 2</th>
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<td>RIVERA ANGEL</td>
<td>8928 BENAVIDES AVE SW</td>
<td>ALBUQUERQUE NM 87121</td>
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<tr>
<td>SALAS VALDEZ JESUS &amp; DELGADO ORTIZ JUANA</td>
<td>1859 SHADOWCAST DR SW</td>
<td>ALBUQUERQUE NM 87121-2098</td>
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<td>ALIRES TIMOTHY E &amp; MELISSA R</td>
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<td>SOUTHBAY INVESTMENTS LLC</td>
<td>1195 CLEAR LAKE CT</td>
<td>MILPITAS CA 95035-7015</td>
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<td>ALBUQUERQUE NM 87121</td>
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<td>BANK OF AMERICA</td>
<td>7105 CORPORATE DR</td>
<td>PLANO TX 75024-4100</td>
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<td>BAYLON ELEUTERIO</td>
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<td>ROGERS MARTHA L</td>
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<td>ALBUQUERQUE NM 87121</td>
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<td>LARA MARIO A &amp; ORTEGA MINERVA I</td>
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<td>MIDLAND TX 79703-6505</td>
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<td>CHAVEZ COSME C &amp; ROSA I</td>
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<td>GYORGY WILHELM</td>
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<td>ALBUQUERQUE NM 87121</td>
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<td>SANDOVAL MATTHEW</td>
<td>8732 BENAVIDES AVE SW</td>
<td>ALBUQUERQUE NM 87121</td>
</tr>
</tbody>
</table>
January 31, 2019

Dear Property Owner:

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Public Hearing on March 14, 2019 at 9:00 a.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following item.

EPC RULES OF CONDUCT OF BUSINESS

A copy of the Rules of Conduct is posted on the Planning Department’s website at http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact Russell Brito, Current Planning Division Manager, at (505) 924-3337 or at rbrito@cabq.gov.

Staff reports and supplemental materials are posted on the City website, https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports, on March 7, 2019 at 3:00 p.m.

REQUEST

Consensus Planning, agent for Solare Collegiate Charter School, requests approval of a Zone Map Amendment from PD (Planned Development) to MX-M (Mixed-Use Moderate Intensity) for Tract 12-B-1 Bulk Land Plat for El Rancho Grande 1 Parcels 5-A and 12-B-1 (see attached Zone Atlas page). The property is located on the north side of Gibson Boulevard S.W., east of 98th Street and west of Barbados Avenue. For more information on the uses allowed in the MX-M Zone District, please refer to the City of Albuquerque Integrated Development Ordinance at www.cabq.gov/planning.

If you have questions or need additional information regarding this request contact Jacqueline Fishman, Principal at (505) 764-9801 or at fishman@consensusplanning.com.

Sincerely,

Consensus Planning, Inc.

Attached: Zone Atlas M-09-Z
United States Postal Service

Certificate Of Mailing

This Certificate Of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From:

- CONSENSUS PLANNING
  302 EIGHTH ST. NW
  ALBUQUERQUE, NM 87102

To:

- ORTIZ ROBERT J & HERRERA CRYSTAL
  LEE ANN
  8808 SILVERADO AVE SW
  ALBUQUERQUE NM 87121

PS Form 3817, April 2007 PSN 7530-02-000-9065

United States Postal Service

Certificate Of Mailing

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From:

- CONSENSUS PLANNING
  302 EIGHTH ST. NW
  ALBUQUERQUE, NM 87102

To:

- RAEL ALBERT A
  1843 SHADOWCAST DR SW
  ALBUQUERQUE NM 87121

PS Form 3817, April 2007 PSN 7530-02-000-9065

United States Postal Service

Certificate Of Mailing

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From:

- CONSENSUS PLANNING
  302 EIGHTH ST. NW
  ALBUQUERQUE, NM 87102

To:

- GALLARDO VICKY
  1523 SILENT MEADOW PL SW
  ALBUQUERQUE NM 87121

PS Form 3817, April 2007 PSN 7530-02-000-9065
To: ROGERS MARTHA L
8724 BENAVIDES AVE SW
ALBUQUERQUE NM 87121

From:

Certification Of Mailing
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PS Form 3817, April 2007 PSN 7536-02-000-9065

To: LEE EDWARD S & CHACON-LAUPER ROSALINDA M
8508 SILVERADO AVE SW
ALBUQUERQUE NM 87121

From:

Certification Of Mailing
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PS Form 3817, April 2007 PSN 7530-02-000-9065

To: GIBSON-STAMPEDE LLC
PO BOX 11591
ALBUQUERQUE NM 87192-0591

From:

Certification Of Mailing
This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

PS Form 3817, April 2007 PSN 7536-02-000-9065

To: CHAVEZ COSME C & ROSALINDA M
1871 SHADOWCAST DR SW
ALBUQUERQUE NM 87121

From:

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PS Form 3817, April 2007 PSN 7530-02-000-9065

To: EARL DALE R
1863 SHADOWCAST DR SW
ALBUQUERQUE NM 87121

From:

Certification Of Mailing
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PS Form 3817, April 2007 PSN 7530-02-000-9065
UNIVERSAL POSTAL SERVICE
Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing. This form may be used for domestic and international mail.

From:

| Consensus Planning, Inc.                |
| 302 8th Street NW                      |
| Albuquerque, NM 87102                  |
|                                         |

To:

PARRA SUSANA
8400 SILVERADO AVE SW
ALBUQUERQUE NM 87121

PS Form 3817, April 2007 P3N 7530-02-000-9085

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UNIVERSAL POSTAL SERVICE
Certificate Of Mailing

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From:

| CONSSENSUS PLANNING                     |
| 302 EIGHTH ST, NW                      |
| ALBUQUERQUE, NM 87102                  |
|                                         |

To:

CAVAZOS ESTHER
8600 SILVERADO AVE SW
ALBUQUERQUE NM 87121-5804

PS Form 3817, April 2007 P3N 7530-02-000-9085
SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

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

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

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

4. TIME
   Signs must be posted from ______________ To ______________

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

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

(Applicant or Agent) ______________  (Date) ______________

I issued _____ signs for this application, ______________, ______________, ______________.

(Date) ______________  (Staff Member) ______________

PROJECT NUMBER: ______________

Rev. 1/11/05