Staff Report

Agent: Strata Design, LLC
Applicant: Montaño Family Homes, LLC
Request: Zone Map Amendment (Zone Change)
Legal Description: All or a portion of Tract 6-A-2, Plat of Lots 6-A-1 and 6-A-2 North Fourth Street Homesites Addition
Location: 712 Montaño NW, between Villa Canela Ct., NW & 5th St. NW
Size: 1.711 acres
Existing Zoning: R-A (Residential)
Proposed Zoning: R-1C zoning. (Single Family (Large Lot)

Summary of Analysis
This is a request for a zone change from R-A to R-1C. The proposed R-1C furthers the goals and intentions of the Comprehensive Plan. A zone change from R-A to R-1C is consistent and compatible with adjacent R-1C zoning and addresses the previous R-A spot zone. The applicant reached out to neighborhood organizations, as well as property owners within 100 feet of the property as required. On August 28, 2018, Montaño Family Homes met with the zoning committee of the North Valley Neighborhood Coalition. Staff has not received any comments in support or opposition to the request.

The request meets the IDO’s zone change criteria and staff recommends approval.

Staff Recommendation
APPROVAL of
Project # 2018-001501
Re-Zone #: RZ-2018-00029
based on the Findings within this report

Staff Planner
Linda Rumpf

Map
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OLD ZONING MAP

Note: Gray shading indicates County.

1 inch = 150 feet

Hearing Date:
10/11/2018

Project Number:
PR-2018-001501 (1010023)

Case Numbers:
RZ-2018-00029

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LAND USE MAP

Note: Gray shading indicates County.

KEY to Land Use Abbreviations
AGRI Agriculture
COMM Commercial - Retail
CMSV Commercial - Service
DRNG Drainage
MFG Manufacturing
MULT Multi-Family or Group Home
PARK Park, Recreation, or Open Space
PRKG Parking
PUBF Public Facility
SF Single Family
TRAN Transportation Facility
VAC Vacant Land or Abandoned Buildings
WH Warehousing & Storage

1 inch = 150 feet

Hearing Date:
10/11/2018
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INTRODUCTION

Surrounding zoning, plan designations, and land uses:

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<td>West</td>
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<td>Area of Consistency</td>
<td>Single-family residential</td>
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Proposal

This is a request for TRACT 6-A-2 PLAT OFLOTS 6-A-1 AND 6-A-2 NORTH FOURTH STREET HOMESITES ADDN CONT to be considered for a Zoning Map Amendment from R-A (Rural and Agricultural District) to R-1C (Single-Family Zone District). The property is one (1) lot, consisting of 1.711 acres. The applicant, Montaño Properties, LLC wishes to build a cluster development on the site, consisting of six (6) to seven (7) single-family homes with two (2) to three (3) small homes or casitas. The intention is for the families of five siblings to live in the single-family homes with the additional homes and casitas to be available for in-laws as desired. Presently, the R-A zoning would allow for no more than six (6) single-family homes. The applicant states that this amount of housing does not meet the family’s needs, does not make the project economically viable, nor match the adjacent property density or land use. In addition, the applicant notes the R-A zone permits equestrian and agricultural uses that are undesirable and incompatible with the surrounding R-1C zoning.

EPC Role

The EPC has final review and decision authority for this request per the Integrated Development Ordinance section 14-16-6-7 (F), due to the size of the subject tracts (less than 10 acres of land located wholly or partially in an Area of Consistency). It is EPC’s responsibility to use the policies from the 2017 Albuquerque & Bernalillo County Comprehensive Plan to make a decision. This case is a quasi-judicial matter.
History/Background

The site is currently undeveloped. Previously, the parcel in question was platted for nine parcels and zoned R-1. Historical Zone Atlas maps indicate that in 2000, the parcel was zoned R-1 and then in 2001, the property was zoned R-A (see attached zone maps). The parcel is currently under contract by Montaño Properties, LLC, a local family business that is interested in developing a cluster development for their own families’ residences.

GIS records show that this property was changed from R-1 to RA-2 on October 27, 2000 (Z-99-133). See attached zone certification.

Context

The surrounding parcels to the west, south, and east are zoned R-1C. The parcels to the west have been developed as single-family homes accessed from Montaño Road via cul-du-sac. The parcel to the north is zoned MX-T and across Montaño to the north, the parcels are zoned MX-M. These lots support neighborhood services and St. Michael’s and All Angels church and school. Within 100’ feet of the site, a large development is zoned R-T and consists of townhouses.

Roadway System

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

- Montaño Rd NW is functionally classified as a Principal Arterial in the project area.
- Montaño Rd NW is an Intelligent Transportation System (ITS) Priority Corridor.

Comprehensive Plan Corridor Designation

The Comprehensive Plan identifies Montaño Boulevard as a Major Transit Corridor. A change in zone from R-A to R-1 could increase density along a transit corridor in an appropriate and context sensitive manner.

Trails/Bikeways

- Montaño Rd NW is identified in the Long Range Bikeway System to include an existing bike lane in the project area.

Transit

- Transit Corridor - On the Montaño Road Major Transit Corridor and proximate to the North Fourth Street Multi-Modal Corridor.
- Transit Route - Fixed Route 57 runs east -west along Montaño and Fixed Route 10 runs north-south on 4th Street. The combination creates excellent access to the rest of the transit system.
- Current Service/ Stops - Both routes have stop pairs at the 4th Street/Montaño Road intersection about 1/4 mile to the east.
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

Albuquerque Zoning Code – 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.

Historical Zoning

Previously, the parcel in question was platted for nine parcels and zoned R-1. Historical Zone Atlas maps indicate that in 2000, the parcel was zoned R-1 and in 2001, the property was zoned R-A (see attached zone maps). The parcel is currently under contract by Montaño Properties, a local family business that is interested in developing a cluster development for their own families’ residences.

Current Zoning

The current zoning is R-A (Rural and Agricultural District). The surrounding parcels to the west, south, and east are zoned R-1C. The parcel to the north is zoned MX-T and across Montaño to the north, the parcels are zoned MX-M.

The R-1 zone district surrounding the site provides for neighborhoods of single-family homes on individual lots with a variety of lot sizes and dimensions. Primary land uses include single-family detached homes on individual lots, with limited civic and institutional uses to serve the surrounding residential area. The existing R-A zoning allows single-family residential as permissive, but with a larger minimum lot size.

Proposed Zoning

The request for the subject is for a zone change from R-A to R-1C. The current zoning allows 6 lots, and R-1C would allow up to eight (8) 7000 sq./ft. lots. Agricultural uses are severely limited in the R-1C zones.

Albuquerque / Bernalillo County Comprehensive Plan

Note: Applicant’s justifications are in italics and indented; and staff’s analyses are in plain text and indented.

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan with has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Applicable policies include:


POLICY 4.1.2: Identity and Design: Protect the identity and cohesiveness of the neighborhoods by ensuring the appropriate scale and location of development, mix of uses and character of building design.
Because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.

The request furthers Goal 4.1 and Policy 4.1.2 because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The context surrounding the site is R-1C, with a single lot of MX-T to the north/east. Across Montaño Blvd. the zoning is MX-M. Abutting land uses are single family with a beauty salon on the MX-T parcel. Across Montaño Blvd is St. Michael’s and All Angels church. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.


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

Because Montaño Boulevard is designated as a Major Transit Corridor, a change in zoning from R-A to R-1 would contribute to the sustainable development pattern of the area by reinforcing the adjacent R-1 land use and enabling additional growth capture through a higher density zone along a designated Major Transit Corridor.

The request furthers Goal 5.1 and Policy 5.1.1 because Montaño Boulevard is designated by the Comprehensive Plan as a Major Transit Corridor and a change in zoning from R-A to R-1C will contribute to a sustainable development pattern of the area by reinforcing the adjacent R-1C land use and enabling additional growth with a higher density zone along a designated Major Transit Corridor.

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

Because the site in question is in an area with existing infrastructure, increasing the zoning from R-A to R-1 in this area supports additional infill development.

The request furthers Goal 5.3 and Policy 5.3.1 because the site in question is in an area with existing infrastructure. A zone change from R-A to R-1C in this area supports additional infill development.
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 5.3.3: Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

Because enabling a cluster development at a higher density development offsets the costs of dedicating 30% of the land area as common space, a zone change to R-1 encourages compact development.

The request further Goal 5.3 and Policy 5.3.3 because higher density development and allows for clustering of buildings and common open space where infrastructure and services and already available.

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

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

Because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding neighborhoods. The zone change allows for the expansion of single-family neighborhood development in the area at the same density and intensity as abutting and adjacent properties.

The request further Goal 5.6 and Policy 5.6.3 because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding area. The zone change allows for the expansion of single-family neighborhood development at the same density and intensity as abutting and adjacent properties in this Area of Consistency.

GOAL 9.1. Supply - Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

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

Because the North Valley has a long tradition of clustered housing and family compounds, the R-1C zone would promote the creation of a cluster development by allowing for a density that would offset cost of the required 30% land area dedication while maintaining the density of the adjacent and abutting neighborhoods.
The request further Goal 9.1 and Policy 9.1.1 because the R-1C zone allows the creation of housing options, including a cluster development, while maintaining the density of the adjacent and abutting neighborhoods. The zone change to R-1C is in keeping with stabilizing land use and expanding housing options by allowing an increase in dwelling units on the property to match the density of abutting properties and the neighborhood.

GOAL 9.2. Sustainable Design. Promote housing design that is sustainable and compatible with the natural and built environments.

POLICY 9.2.1: Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design and relationship to the street.

Because the proposed zone change matches the surrounding and abutting densities and requires the same setbacks and lot sizes, it would allow development that is consistent with the recent development to west and the neighborhood to the south. R-A is a rural zone.

The request further Goal 9.2 and Policy 9.2.1 because the proposed zone change is compatible with the surrounding densities and requires the same setbacks and lot sizes. R-1C would allow development that is consistent with the recent development to the west and the neighborhood to the south. R-A is a rural zone with minimum lot sizes of 10,890 sq. ft. and deep setbacks that are appropriate for agricultural and equestrian uses. R-1C is a more compact and suburban development form with a higher allowable density more similar to the abutting development on 7,000 sq. ft. minimum lots. Adjacent, existing single family homes will be enhanced by the requested R-1C zoning.

GOAL 6.1. Land Use – Transportation Integration
Plan, develop, operate, and maintain a transportation system to support the planned character of existing and future land uses.

POLICY 6.1.2: Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along Transit Corridors.

Because the Comprehensive Plan identifies Montaño Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner.

The request further Goal 6.1 and Policy 6.1.2 because the Comprehensive Plan identifies Montaño Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner that can better support and be supported by the transit system.
Criteria for Zone Map Change Applications and Analysis of Applicant’s Justification

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

Note: Applicant’s justifications are in *italics* and indented; and staff’s analyses are in plain text and indented.

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 from R-A to R-1C is consistent with the health, safety, morals, and welfare of the city. The zone change will allow for uses consistent with the visions of the local community, Albuquerque’s Comprehensive Plan by ensuring development on the site is consistent in lot type and use with the abutting parcels zoned and developed R-1C Single Family Zone Districts.*

   The applicant’s response is sufficient.

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).

   *The proposed Zone Map Amendment is located wholly in an Area of Consistency (as shown in the ABC Comp Plan, as amended). The proposed zone reinforces the established character of the surrounding Area of Consistency and does not permit development that is significantly different from that character.*

   The applicant’s response is sufficient. The proposed R1-C zone is more advantageous to the community as articulated by the Comp Plan, its Vision, Goals, and Policies. See previous sections for that analysis.
C. Area of Change. This criteria is non-applicable because the proposed amendment is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended.

The applicant’s response is sufficient.

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.

Because the proposed zone R-1C is the same zone as the abutting properties, the neighborhood to the south and is less intense that the zones across the street, it does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, see summary table below.

The applicant’s response is sufficient.
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.

Because the site is located in a developed area of Albuquerque, it meets the requirements of the above number 1 "Have adequate capacity to serve the development made possible by the change of zone." The City’s existing infrastructure has adequate capacity to serve the development made possible by the change of zone.

The applicant’s response is sufficient.

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

Because the proposed zone request is based on the desire to amend a prior spot zone to a zone congruent with abutting parcels to support a cluster development, and to remove potentially incompatible land uses from existing and future single family development, it is not due to its location on a major street. Montaño Road is classified by NMDOT and the Long Range Roadway system 2040 as a Principal Arterial. The Comprehensive Plan identifies Montaño Road as a Major Transit Corridor. The policies of the Comprehensive Plan support increases in infill development in areas with existing infrastructure and along Major Transit Corridors.

The zone request will reverse a prior spot zone to a zone congruent with abutting parcels to support appropriate development, and to remove potentially incompatible land uses from existing and future single family development; it is not due to its location on a major street.

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

Because the proposed zone request is based on the desire for a zone congruent with abutting parcels to support a higher density cluster development and to remove potential harmful land uses adjacent to single family uses, it is not based on the cost of land or economic considerations.

While economic considerations are always a factor with regard to development proposals, they are not the determining factor. The applicant has sufficiently shown that the request for a zone congruent with abutting parcels to support a higher density
cluster development and to remove potential harmful land uses adjacent to single family uses is the predominate justification.

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.

Because the zone change request is for a zone that is the same as abutting and adjacent zones, the proposed zone change does not create a “spot zone” or strip zone. The zoning on the site prior to 2001 was R-1, the zone change to R-A created a spot zone. The proposed Zone Map amendment from R-A back to R-1 is a request for the site to be made consistent with surrounding zone districts.

The zone change request reverses the prior spot zone.

AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

Prior to application, Montaño Family Homes, LLC reached out to the North Valley Neighborhood Coalition and Los Poblanos Neighborhood Association. On August 28, 2018, Montaño Family Homes met with the zoning committee of the NV Neighborhood Coalition, attended by Peggy Norton, President, and Doyle Kimbraugh and Jonathan Siegel, at Siegel Designs studio. They discussed the family’s intention to build 6-7 homes on the property, with three or more of the family’s own households on the property and family’s desire to preserve the existing fruit trees.

Neighborhood/Public

There was no opposition to the proposed zone change from the North Valley Neighborhood Coalition. Los Poblanos Neighborhood association responded via email that they appreciated being informed and had no questions at this time. 4 letters were returned with no comment. All correspondence is included in submittal packet.
CONCLUSION

This request for a zone change from R-A to R-1C is consistent with the health, safety, and general welfare of the City, furthers (and is 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 R-1 zone is in keeping with the goals and intentions of the North Valley and the Comprehensive Plan. A zone change from R-A to R-1C is consistent and compatible with adjacent and abutting R-1C zoning and rectifies the previous R-A spot zone. The proposed R-1C zone allows for development consistent and compatible in building placement, density and land use consistent adjacent and abutting development. By allowing an increase in single family density, it supports affordable housing choices, and increased opportunities for infill development along a major transit corridor and in an area with existing infrastructure. In addition, the requested zone change removes potentially harmful and incompatible agricultural and equestrian uses from existing residential areas within very close proximity to the site, as well as future residential development on the parcel in question.

By enabling a higher density, cluster development, the proposed R-1C zone allows for the conservation of larger areas of land for the continuation of wild life habitats, migratory patterns and the preservation of the agricultural character of the North Valley while increasing the housing opportunities in the area. The proposed family compound along a Major Transit Corridor at a density consistent with surrounding properties would provide an opportunity for a traditional residential form historically found in the North Valley. This furthers the Comprehensive Plan’s goal of providing a diversity of housing options that are affordable.
FINDINGS, Zone Map Amendment (Zone Change)

Project #: 2018-001501, Re-Zone #: RZ-2018-00029

1. This is a request for a zone map amendment for all or a portion of Tract 6-A-2, Plat of Lots 6-A-1 and 6-A-2 North Fourth Street Homesites Addition, located at 712 Montaño NW, between Villa Canela Ct., NW & 5th St. NW and containing approximately 1.711 acres.

2. The request is to change the exiting zone from R-A (Rural and Agricultural District) to R-1C (Single-Family Zone District).

3. The existing R-1 zone was established PRIOR to the Integrated Development Ordinance (IDO), effective May 17, 2018. City Council legislatively established rules to convert zones from the City’s Comprehensive Zoning Code, last amended in 2014 to the newly adopted IDO zones.

4. The Albuquerque/Bernalillo County Comprehensive Plan, the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.

5. The subject site is within an Area of Consistency as designated by the Comprehensive Plan and the following policies apply:
   a. The request furthers Goal 4.1 and Policy 4.1.2 because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The context surrounding the site is R-1C, with a single lot of MX-T to the north/east. Across Montaño Blvd. the zoning is MX-M. Abutting land uses are single family with a beauty salon on the MX-T parcel. Across Montaño Blvd is St. Michael’s and All Angels church. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.
   b. The request furthers Goal 5.1 and Policy 5.1.1 because Montaño Boulevard is designated by the Comprehensive Plan as a Major Transit Corridor, a change in zoning from R-A to R-1C will contribute to a sustainable development pattern of the area by reinforcing the adjacent R-1C land use and enabling additional growth with a higher density zone along a designated Major Transit Corridor.
   c. The request furthers Goal 5.3 and Policy 5.3.1 because the site in question is in an area with existing infrastructure. A zone change from R-A to R-1C in this area supports additional infill development.
   d. The request furthers Goal 5.3 and Policy 5.3.3 because higher density development and allows for clustering of buildings and common open space where infrastructure and services and already available.
   e. The request furthers Goal 5.6 and Policy 5.6.3 because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding area. The zone change allows for the expansion of single-family neighborhood development at the same density and intensity as abutting and adjacent properties in this Area of Consistency.
f. The request furthers Goal 9.1 and Policy 9.1.1 because the R-1C zone allows the creation of housing options, including a cluster development, while maintaining the density of the adjacent and abutting neighborhoods. The zone change to R-1C is in keeping with stabilizing land use and expanding housing options by allowing an increase in dwelling units on the property to match the density of abutting properties and the neighborhood.

g. The request furthers Policy 9.2.1 because the proposed zone change matches the surrounding and abutting densities and requires the same setbacks and lot sizes, it would allow development that is consistent with the recent development to west and the neighborhood to the south. R-A is a rural zone. It assumes lot sizes of a minimum of 10,890 sq. ft. with deep 20’ minimum front, 25’ minimum rear setbacks and 10’ minimum side yard setbacks. This development pattern allows for larger distance between homes and separation between homes while permitting agricultural and equestrian uses. R-1C is a more compact and suburban development form with a higher allowable density that may not be compatible with some uses permitted in R-A. Because abutting zoning is R-1C, the development to the west has front and rear minimum setbacks of 15’ and side setbacks of 5’ on 7,000 sq. ft. minimum lots. Adjacent, existing single family homes within less than 15’ of the property, as well as future homes developed on the site, could be subject to the ill effects of agricultural and equestrian uses.

h. The request furthers Policy 6.1.2 because the Comprehensive Plan identifies Montaño Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner.

6. 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 from R-A to R-1C is consistent with the health, safety, morals, and welfare of the city. The zone change will allow for uses consistent with the visions of the local community, Albuquerque’s Comprehensive Plan by ensuring development on the site is consistent in lot type and use with the abutting parcels zoned and developed R-1C Single Family Zone Districts.

b. The proposed Zone Map Amendment is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended. The proposed zone reinforces the established character of the surrounding Area of Consistency and does not permit development that is significantly different from that character.

c. Area of Change. This criteria is non-applicable because the proposed amendment is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended.

d. The proposed zone R-1C is the same zone as the abutting properties, the neighborhood to the south and is less intense that the zones to the north, it does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community.

e. The site is located in a developed area of Albuquerque. The City’s existing infrastructure has adequate capacity to serve the development made possible by the change of zone.

f. The proposed zone request is based on the desire to change a prior spot zone to a zone congruent with abutting parcels to support a cluster development, and to remove
potentially incompatible land uses from existing and future single family development; it is not completely based on the property’s location on a major street. The Comprehensive Plan identifies Montaño Road as a Major Transit Corridor. The policies of the Comprehensive Plan support increases in infill development in areas with existing infrastructure and along Major Transit Corridors.

g. The proposed zone request is based on the desire for a zone congruent with abutting parcels to support a higher density cluster development and to remove potentially incompatible land uses adjacent to single family uses; it is not based completely or predominately on the cost of land or economic considerations.

h. The zone change request is for a zone that is the same as abutting and adjacent zones, the proposed zone change does not create a “spot zone” or “strip zone”. The zoning on the site prior to 2001 was R-1, the zone change to R-A created a spot zone. This proposed Zone Map amendment from R-A to R-1C will make the sites consistent with surrounding properties.

7. There is no known opposition to the proposed zone change.

RECOMMENDATION

APPROVAL of Project #: 2018-001501, Re-Zone #: RZ-2018-00029, a request for Zone Amendment for (All or a portion of Tract 6-A-2, Plat of Lots 6-A-1 and 6-A-2 North Fourth Street Homites Addition), based on the preceding Findings.

Linda Rumpf
Planner

Notice of Decision cc list:
List will be finalized subsequent to the EPC hearing on xxx.
AGENCY COMMENTS

PLANNING DEPARTMENT

Long Range Planning

This site is a small island of R-A surrounded by R-1C, abutting an MX-T property to the east, and adjacent to MX-M to the north. While the ABC Comprehensive Plan generally encourages the preservation of agricultural uses in the North Valley, the R-A zone still allows single-family as permissive. The latest trends show that more people are choosing to living in rural areas, so housing options are needed that can accommodate more people while still respecting and enhancing the rural feel of the area. Cluster development, as the property owner indicated interest in during the PRT, may be a good option to serve this purpose. The site is within an Area of Consistency, and R-1C seems consistent with the immediately surrounding area.

CITY ENGINEER

No response

DEPARTMENT of MUNICIPAL DEVELOPMENT (DMD)

Transportation section – no comment

WATER UTILITY AUTHORITY

- No adverse comments to the proposed Zone Change
- Coordinate with the Water Authority New Services Department if service is desired for this lot.

POLICE DEPARTMENT/Planning

No response

SOLID WASTE MANAGEMENT DEPARTMENT

No response

TRANSIT DEPARTMENT

No comments

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

AMAFCA has no objections to this case.

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

No response

ALBUQUERQUE PUBLIC SCHOOLS

APS Case Comments: The request for a zone change from R-A to R-1C, to increase building density for the construction of a residential development, has the potential to directly
impacting the Albuquerque Public Schools. This residential development will have impacts on MacArthur Elementary School, Taft Middle School, and Valley High School.

i. Residential Units: 7
ii. Est. Elementary School Students: 2
iii. Est. Middle School Students: 1
iv. Est. High School Students: 1
v. Est. Total # of Students from Project: 4

*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

### School Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>2017-2018 40th Day Enrollment</th>
<th>Facility Capacity</th>
<th>Space Available</th>
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<tr>
<td>MacArthur Elementary School</td>
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<td>405</td>
<td>158</td>
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<tr>
<td>Taft Middle School</td>
<td>380</td>
<td>600</td>
<td>220</td>
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<tr>
<td>Valley High School</td>
<td>1098</td>
<td>1800</td>
<td>702</td>
</tr>
</tbody>
</table>

MID-REGION COUNCIL OF GOVERNMENTS
MRMPO has no adverse comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO
No response
Photos

712 Montaño, standing on sidewalk looking at site - southbound

712 Montaño, entrance to the property - southbound
CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
CURRENT PLANNING SECTION

ENVIRONMENTAL PLANNING COMMISSION
Project #: 2018-001501, Re-Zone #: RZ-2018-00029
Hearing Date: October 11, 2018

712 Montaño

Beauty Salon adjacent / east of property
Villa Canela Ct., adjacent / west of property

Rear View, Douglas MacArthur at 7th Ct. (hard to see). This backs up to the rectangular lot between this and the subject site.
CERTIFICATION OF ZONING

FILE: Z-99-133
DATE OF FINAL ACTION: December 16, 1999
LEGAL DESCRIPTION: For a portion of lot 6A, North Fourth St. Homesites Addition, located on Montano Road NW between 4th Street and 9th Street, containing approximately 1.7 acres. (F-14) Debbie Stover, Staff Planner

THE POSSIBLE APPEAL PERIOD HAVING EXPIRED, THE ZONING ON THE ABOVE CITED PROPERTY IS NOW CHANGED AS FOLLOWS:

FROM R-1 TO RA-2

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. SU-1 zoning requires site development plan approval prior to submittal of plans to the building & Inspection Division of the City to initiate a building permit.

Sincerely,

Robert R. McCabe, AIA, APA
Planning Director

BM/ac
cc: Zoning
Neal Weinberg/AGIS
APPLICATION
INFORMATION
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 PLNDPS@calgary.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? Yes, ____________ if yes, indicate language:

X Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)

X Letter of authorization from the property owner if application is submitted by an agent

X Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)

X 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

☐ AMENDMENT TO IDO TEXT

☐ ZONING MAP AMENDMENT – EPC

☐ ZONING MAP AMENDMENT – COUNCIL

☐ ANNEXATION OF LAND

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 hearing or hearing, if required, or otherwise processed until it is complete.

Signature: ____________________________ Date: August 27, 2018

Printed Name: Michelle Negrette

☑ Applicant or ☐ Agent

FOR OFFICIAL USE ONLY

Project Number: ____________________________ Case Numbers: ____________________________

Staff Signature: ____________________________ Date: ____________________________

Effective 5/17/18
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 18-216 Date: July 30, 2018 Time: 1PM
Address: 712 Montano NW

AGENCY REPRESENTATIVES AT MEETING:
Planning: Maggie Gruen b
Code Enforcement: Ricardo Vialpando
Fire Marshall: Megan Noonan
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: Residential Development, Cluster Dev.

as Zost Chnge

SITE INFORMATION:
Zone: RA Size: 1.7
Use: Housing Overlay Zone:
Comp Plan Area Of: Consistency Comp Plan Corridor: Major Transit - Montano
Comp Plan Center: — MPOS or Sensitive Lands:
Parking: see table 5-1-1 MR Area: —
Landscaping: see section 5-6 Street Trees: —
Use Specific Standards: Section 6-5(B)(2) Cluster Dev 4-3(B)(4) Single
Dimensional Standards: Table 5-1-1

*Neighborhood Organization/s: 

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

PROCESS:
Type of Action: Plat, Zone Change, Conditional Use
Review and Approval Body: ZHE - Conditional Use
Is this PRT a requirement? ZHE

---

for EPC
Cluster Development would be allowed on the site with up to 6 units, see 4-3(B)(2) for requirements.

A zone change to R-1C maybe possible. The request must meet the criteria in 6-7(F)(3), Zone Map Amendment EPC. The request must address 6-7(F)(3)(b). R-1C requires 7,000 square feet lots.

A subdivision of land minus through the Development Review Board would be required to create new lots or majors if infrastructure or streets.

An Accessory Dwelling Unit without a kitchen is a conditional use and requires approval from the Zoning Hearing Examiner, see 6-6(A)(3). A second kitchen within a dwelling is alleviated.

See Section 6-1-1 for notice requirements - these will vary depending on the process you go through.

Will need to pave first 25 feet of private road.

Check with Fire Marshall for layout comments.

Will need water availability.
6-7(F) ZONING MAP AMENDMENT - EPC

All applicable provisions of Section 14-16-6-4 (General Procedures) apply unless specifically modified by the provisions of this Subsection 14-16-6-7(F).

6-7(F)(1) Applicability

6-7(F)(1)(a) This Subsection 14-16-6-7(F) applies to any application:

1. That would amend the Official Zoning Map to change less than 10 gross acres of land located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended) or less than 20 gross acres of land in any zone district located entirely in an Area of Change (as shown in the ABC Comp Plan, as amended) to a different zone district.

2. That does not create or amend any text or map of any Overlay zone.

6-7(F)(1)(b) An application to amend the Official Zoning Map by any entity other than the City may not be submitted within 12 consecutive months after the date of final action by the City denying or approving (with or without conditions) a prior application to amend the Official Zoning Map with the same requested change.

6-7(F)(2) Procedure

6-7(F)(2)(a) The City Planning Department staff shall review the application and forward a recommendation to the EPC pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).

6-7(F)(2)(b) If the application is for a zone change to an MX-FB, NR-SU, or PD zone district, the associated Site Plan – EPC shall be reviewed and decided simultaneously pursuant to all applicable provisions of Section 14-16-6-6(H) (Site Plan – EPC). A denial of either requested action shall result in the denial of all associated requests.

6-7(F)(2)(c) The EPC shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 14-16-6-4 (General Procedures).

6-7(F)(2)(d) The City shall provide a zoning certificate to the applicant that documents the new zone district designation.

6-7(F)(2)(e) A final decision by EPC can be protested pursuant to Subsection 14-16-6-7(G)(1)(c), in which case, the application shall proceed through the process set forth in Subsection 14-16-6-7(G)(2)(h) (Procedure).
6-7(F)(3)

**Review and Decision Criteria**

An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria:

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.

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

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

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).

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.
July 16, 2018


To Whom it May Concern:

This correspondence shall serve as notice that we, Tim Nisly and Nathan Troyer, as owners of Montano Family Homes, LLC, a fully authorized agent of the referenced property located at 712 Montano Road NW, hereby appoint Michelle Negrette and Strata Design, LLC as our authorized agents in the matters related to rezoning the property. Montano Family Homes, LLC is authorized to appoint additional agents to assist in this process.

Sincerely,

Nathan Troyer

Tim Nisly
712 Montano Letter of Agent Authorization

Whom it May Concern:

I, Jeffrey Parks, as representative of the Sarita R Perla Irrevocable Trust, do provide Montano Family Homes, LLC, and their managers Nathan Troyer and Tim Nisly full authorization to serve as my agent for all matters related to the rezone, replat, and development of 712 Montano NW, Albuquerque, NM 87107.

Signed,

Jeffrey Parks

Successor Trustee of the Sarita R Perla Irrevocable Trust

Dated

7/23/18
CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Michelle Seghetti
DATE OF REQUEST: 1/1
ZONE ATLAS PAGE(S): F-14

CURRENT:
ZONING: R-A
PARCEL SIZE (AC/SQ. FT.): 1.7 acres

REQUESTED CITY ACTION(S):
ANNEXATION [ ]
ZONE CHANGE [ ] FROM R-A TO R-1C
SECTOR, AREA, FAC, COMP PLAN [ ]
AMENDMENT (Map/Text) [ ]

LEGAL DESCRIPTION:
LOT OR TRACT #: 6-A-2
BLOCK #: A
SUBDIVISION NAME: NORTH FORST STREET ADD.

SITE DEVELOPMENT PLAN:
SUBDIVISION* [ ]
AMENDMENT [ ]
BUILDING PERMIT [ ]
ACCESS PERMIT [ ]
BUILDING PURPOSES [ ]
OTHER [ ]
*Includes plating actions

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

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: [Signature]
DATE: Aug 23, 2018

(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, Plaz de Sol Building, City, 87102, 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: As site develops, re-submit TIS Form to determine if TIS required.

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: [Signature]
DATE: 8/23/18

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: [Signature]
DATE: 

Revised January 20, 2011
Michelle,

For your records. Thanks.

Respectfully,

Vicente M. Quevedo, MCRP
Neighborhood Liaison
Office of Neighborhood Coordination
City of Albuquerque – City Council
(505) 768-3332

Website: www.cabq.gov/neighborhoods

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From: Carmona, Dalaina L.  
Sent: Wednesday, August 22, 2018 1:11 PM  
To: troyerhomesllc@gmail.com  
Subject: Neighborhood Meeting Inquiry_712 Montano NW_EPC

Hi Nathan,

Thank you for the call back in regards to the correct address of 712 Montano NW for your request.

See list of applicable associations below and attached related to your scheduling of a Neighborhood Meeting. Please also review the attached instruction sheet.

<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 Phone</th>
<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>North Valley Coalition</td>
<td>Peggy</td>
<td>Norton</td>
<td><a href="mailto:peggyorton@yahoo.com">peggyorton@yahoo.com</a></td>
<td>P.O. Box 70232</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87197</td>
<td>5058509293</td>
<td>5053459567</td>
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<td>North Valley Coalition</td>
<td>Doyle</td>
<td>Kimbrough</td>
<td><a href="mailto:newmexmba@aol.com">newmexmba@aol.com</a></td>
<td>2327</td>
<td>Campbell Road NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87104</td>
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<tr>
<td>Los Poblanos NA</td>
<td>Don</td>
<td>Newman</td>
<td><a href="mailto:don.newman@mac.com">don.newman@mac.com</a></td>
<td>5723 Guadalupe Trail NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87107</td>
<td>5053443900</td>
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<tr>
<td>Los Poblanos NA</td>
<td>Karon</td>
<td>Boutz</td>
<td><a href="mailto:kjboutz@gmail.com">kjboutz@gmail.com</a></td>
<td>1007 Sandia Road NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87107</td>
<td>5053456002</td>
<td></td>
</tr>
</tbody>
</table>

Have a wonderful day!

Dalaina L. Carmona
Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dlcarmona@cabq.gov or ONC@cabq.gov
Website: www.cabq.gov/neighborhoods

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Neighborhood Meeting Inquiry For:
   Environmental Planning Commission

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:
   We are planning on rezoning property.

Contact Name
   Nathan Troyer

Telephone Number
   5053856736

Email Address
   troyerhomesllc@gmail.com

Company Name
   Montano Family Homes LLC

Company Address
   1926 Indian School Rd. NW, Troyer Homes LLC

City
   Albuquerque

State
   NM

ZIP
   87104

Legal description of the subject site for this project:

Physical address of subject site:
   1926 Indian School Rd. NW

Subject site cross streets:
   Troyer Homes LLC

Other subject site identifiers:
This site is located on the following zone atlas page:
   F14

This message has been analyzed by Deep Discovery Email Inspector.
Neighborhood Meeting Request to Applicable Associations

For those types of applications where TABLE 6-1-1 of the Integrated Development Ordinance requires a meeting with a neighborhood, the applicant shall offer at least one meeting to all Recognized and Non-recognized Neighborhood Associations whose boundaries include or are adjacent to the subject project site before filing the application. In such cases, project applications will not be accepted until a neighborhood meeting has been held or the requirements for a reasonable attempt have been met (see the Integrated Development Ordinance (IDO) Subsection 14-16-4.C (C)(3)).

Each requested Neighborhood Meeting Notice shall include (see IDO Subsection 14-16-4.A.(IV)):

1. The address of the property listed in the application;
2. The name of the property owner;
3. The name of the applicant;
4. Applicant mailing address;
5. Applicant telephone number and/or email address;
6. A short summary of the approval being requested;
7. Website where additional information about the project can be obtained, if applicable.

Neighborhood Meeting Notice Checklist

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

- A copy of the OMC’s ‘Neighborhood Meeting Notice Email’ including any applicable associations;
- Proof that the meeting occurred, including:
  - A sign-in sheet of attendance, meeting location, date, and time; summary of discussion, including concerns raised, areas of agreement and disagreement, and next steps identified, if any;
  - Identification of any design accommodations that may have been made as a result of the meeting;
- If the concerns raised at the meeting have not yet been accommodated, the applicant must identify the site or project constraints that limit the ability to address those concerns;
- See Subsection 14-16-4.C (C) of the IDO for more details regarding Neighborhood Meetings via the following weblink: https://infozone.com/
<table>
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<td>NM</td>
<td>87107</td>
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</tbody>
</table>
712 Montano Rezone

Tim Nisly <tnisly@gmail.com>

To: don newman <don.newman@mac.com>
Cc: Michelle Negrette <mnegrett@mac.com>, Nathan Troyer <troyerhomesllc@gmail.com>

My apologies, Don, you'll get a notice when the EPC (Environmental Planning Commission) meeting is scheduled. The Development Review Board is for a different process.

-Tim

On Tue, Jul 31, 2018 at 9:00 AM, Tim Nisly <tnisly@gmail.com> wrote:

Thank you, Don. You'll get another notice when the formal meeting with the Development Review Board is scheduled.

Meantime, we'll keep you posted as our plans develop. And for now we won't schedule a formal meeting with Los Poblanos Neighborhood Association.

-Tim

On Mon, Jul 30, 2018 at 9:06 PM, don newman <don.newman@mac.com> wrote:

Tim, Keep us posted, if we have concerns we then could meet with city.

Don

On Jul 30, 2018, at 8:33 PM, Tim Nisly <tnisly@gmail.com> wrote:

Good afternoon!

Great to talk to you last week, Don. We're moving forward with the design, and will keep you posted as that gets built out.

The city has asked us to confirm whether or not you all would like a formal meeting. Is that something you'd like to set up? Either way, just let us know and we're happy to oblige. Thanks!

-Tim

On Mon, Jul 23, 2018 at 8:32 AM Tim Nisly <tnisly@gmail.com> wrote:

Good morning, Don and Karon!

My name is Tim Nisly. I used to be active in the NNVA, but I'm not sure if our paths have crossed. My brother-in-law, Nathan Troyer, and I are working on re-zoning the 712 Montano property to build homes for ourselves and a few others, and the first step in that process is to let you all know what we're doing.

Attached is a letter that explains this a bit more.

Thank you!

-Tim
Tim Nisly  
505.750.8466  
tnisly@gmail.com

The sender has requested a read receipt. If you do not wish to provide one, click here.
July 19, 2018

To the Los Poblanos Neighborhood Association:

My name is Tim Nisly. My brother-in-law, Nathan Troyer, and I are the agents for the property located at 712 Montano NW, Albuquerque, NM, 87102.

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a zone change to allow us to change the zoning on 712 Montano from R-A to R-1C to match the surrounding area and allow us to build homes for ourselves, our family, and possibly to sell to other families.

If the neighborhood association would like to meet about this project, we’d be happy to do so. By ordinance, just let us know by Friday, August 7th, and we’d be happy to meet, share our plans, and answer any questions you might have.

Thank you,

Tim Nisly
Tnisly@gmail.com
505.328.8848

For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or suzannasanchez@cabq.gov.
August 22, 2018

To the North Valley Neighborhood Coalition:

My name is Tim Nisly. My brother-in-law, Nathan Troyer, and I are the agents for the property located at 712 Montano NW, Albuquerque, NM, 87102.

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a zone change to allow us to change the zoning on 712 Montano from R-A to R-1C to match the surrounding area and allow us to build homes for ourselves, our family, and possibly to sell to other families.

If the neighborhood association would like to meet about this project, we’d be happy to do so. By ordinance, just let us know by Wednesday, August 29th, and we’d be happy to meet, share our plans, and answer any questions you might have.

Thank you!

Tim Nisly
Tnisly@gmail.com
505.328.8848

For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or suzannasanchez@cabq.gov.
I'd be happy to come to that. Nathan and Michelle are both out of town, but I'm good to speak for the group. If there's a time that works for you all from 10 - 4, that'd be best for me. I'm pretty flexible Wednesday as well if that's better for you.

Appreciate it!

-Tim

On Mon, Aug 27, 2018 at 8:12 PM Doyle Kimbrough <newmexmba@aol.com> wrote:
Jonathan Siegel has offered his office for a meeting tomorrow or Thursday afternoons. Can all of you make it?
Jonathan says anytime up until 7:30 PM would be fine.

The address is 1006 Park SW

Thanks,

Doyle

On Aug 22, 2018 5:16 PM, Tim Nisly <tnisly@gmail.com> wrote:
Good morning, Peggy and Doyle!

My name is Tim Nisly. I used to be active in the NNVA, but I'm not sure if our paths have crossed. My brother-in-law, Nathan Troyer, and I are working on rezoning the 712 Montano property to build homes for ourselves and a few others, and the first step in that process is to let you all know what we're doing.

Attached is a letter that explains this a bit more.

Thank you!

-Tim

Tim Nisly
505.750.8466
tnisly@gmail.com
I'll be there. I have invited Pat Martinez and Peggy Gilbert - will let you know if they will attend.

Peggy Norton, President
North Valley Coalition

On Tuesday, August 28, 2018 9:19 AM, Jonathan Siegel <jonathan@siegeldesignarchitects.com> wrote:

This will work fine for me.
We are 1 block south of Central and a few doors west of 10th St.

Jonathan Siegel, AIA
Siegel Design Architects, LLC
1006 Park Avenue SW
Albuquerque, New Mexico 87102
505-243-4501
505-243-4504 fax
www.siegeldesignarchitects.com

On 8/28/2018 9:13 AM, Doyle Kimbrough wrote:

Shall we meet at Jonathan's office at 2:00 this afternoon? His address is: 1006 Park SW.

Please RSVP as I am having email/laptop problems this morning.

Jonathan: could you let Peggy know? I can't bring up her email address. She will also bring a neighbor who is interested.
Thanks,

Doyle

On Aug 28, 2018 8:46 AM, Jonathan Siegel <jonathan@siegeldesignarchitects.com> wrote:

Nice to hear from you, Michelle -  
We will be taking this up with a newly formed North Valley Coalition Zoning Committee.

It's a bit of a test case for us as a group and perhaps for the City as well.

Jonathan Siegel, AIA  
Siegel Design Architects, LLC  
1006 Park Avenue SW  
Albuquerque, New Mexico 87102  
505-243-4501  
505-243-4504 fax  
www.siegeldesignarchitects.com

On 8/27/2018 10:18 PM, Michelle Negrette wrote:

Hi Jonathan,

Hope all is well with you! I have the wonderful opportunity to work with a great family, lead by Tim Nisly and Nathan Troyer, who are interested in developing the 1.7 acre parcel across from St. Michaels and All Angels into a cluster community for their families. Our first step is a zone change, from R-A back to the previous R-1 zoning. They need to have a higher density in order to justify the dedication of 30% of the property to open space and to build houses for the families of 5 siblings and parents and in-laws. They have a deep respect for the valley and are interested in preserving as much of the established trees on the site and the wooded areas. I believe Tim has reached out for a meeting with the NV neighborhood coalition this week. Unfortunately, I am unable to attend, as I am in Carlsbad this week for some work with the NM MainStreet program. I did want to reach out to you, since I won’t be able to make the meeting, to let you know that I am working with them and am happy to answer any questions.

Kind regards as always,

Michelle Negrette  
Strata Design, LLC  
505.710.4221
# Meeting Sign-In Sheet

**Project:** 712 Montano Re-zone  
Meeting with North Valley Coalition  
**Meeting Date:** 8/28/18  
**Place/Room:** 1006 Park SW

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<th>Name</th>
<th>Affiliation</th>
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</tr>
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<tbody>
<tr>
<td>Doyle Kimbrough</td>
<td>NVC</td>
<td>249-0938</td>
<td><a href="mailto:newmexmba@aol.com">newmexmba@aol.com</a></td>
</tr>
<tr>
<td>Jonzthea Siegel</td>
<td>NVC</td>
<td>243-4501</td>
<td><a href="mailto:jsiegel@swcp.com">jsiegel@swcp.com</a></td>
</tr>
<tr>
<td>Manibeth Troyer</td>
<td>Mustard Pot</td>
<td>306-0567</td>
<td><a href="mailto:manibeth.troy@gmail.com">manibeth.troy@gmail.com</a></td>
</tr>
<tr>
<td>Tim Nish</td>
<td></td>
<td>328-8848</td>
<td></td>
</tr>
<tr>
<td>Peggy Norton</td>
<td>NVC</td>
<td>345-9575</td>
<td><a href="mailto:peggy.norton@yahoo.com">peggy.norton@yahoo.com</a></td>
</tr>
</tbody>
</table>

(1) zoning committee of North Valley Coalition
The North Valley Coalition, represented by Peggy Norton, president, and Doyle Kimbraugh and Jonathan Spiegel of the NVC Zoning Committee, met with Montano Family Homes, represented by Maribeth Troyer and Tim Nisly and discussed the zone change, site layout, lot sizes, and the IDO zoning code.

The underlying zone was R-A at one time, spot zoned in 2000 from R-1. With current zoning the property allows 5 units, and R-1C would allow for 7000sq/ft units.

Notes:

- NVC appreciated the meeting, and noted that the applicant has been forthcoming and responsive.
- Los Poblanos and adjacent neighbors have been notified
- Applicant intends to have 3 or more family households on the property
- Applicant intends to build 6-7 houses on the property
- Applicant shared map of surrounding zoning (below) showing the R-1C nature of the surrounding properties
- Lot is in an area of consistency
- The number of stories on the houses is undecided
- Applicant has discussed saving fruit and cottonwood trees with neighbors
August 30, 2018

To Whom it May Concern,

This is a request for TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH FOURTH STREET HOMESITES ADDN CONT to be considered for a Zoning Map Amendment from R-A (Rural and Agricultural District) to R-1C (Single-Family Zone District). The property is one (1) lot, consisting of 1.75 acres. The client, Montano Properties, LLC wishes to build a cluster development on the site, consisting of six (6) to seven (7) single-family homes with two (2) to three (3) small homes or casitas. It is the intention, for the families of five siblings to live in the single-family homes with the additional homes and casitas to be available for in-laws as desired. Presently, the R-A zoning would allow for no more than six (6) single-family homes. This amount of housing does not meet the family’s needs, does not make the project economically viable, nor match the adjacent property density or land use. In addition, the R-A zone permits equestrian and agricultural uses that are undesirable and incompatible with R-1 zoning.

Surrounding Context
The surrounding parcels to the west, south, and east are zoned R-1C. The parcels to the west have been developed as single-family homes accessed via cul-du-sac. The parcel to the north is zoned MX-T and across Montano to the north, the parcels are zoned MX-M. These lots support neighborhood services and St. Michael’s and All Angels church and school. Within 100’ feet of the site, a large development is zoned R-T and consists of townhouses.

Site History
The site is currently undeveloped. Previously, the parcel in question was platted for nine parcels and zoned R-1. Historical Zone Atlas maps indicate that in 2000, the parcel was zoned R-1 and in 2001, the property was zoned R-A (see attached zone maps). The parcel is currently under contract by Montano Properties, LLC, a local family business that is interested in developing a cluster development for their own family’s residences.

Neighborhood Association Meetings
Prior to application, Montano Family Homes, LLC reached out to the North Valley Neighborhood Coalition and Los Poblanos Neighborhood Association. On August 28, 2018, Montano Family Homes met with the zoning committee of the NV Neighborhood Coalition, attended by Peggy Norton, President, and Doyle Kimbraugh and Jonathan Siegel, at Siegel Designs studio. They discussed the family’s intention to build 6-7 homes on the property, with three or more of the family’s own households on the property and family’s desire to preserve the existing fruit trees. There was no opposition to the proposed zone change from the North Valley Neighborhood Coalition. Los Poblanos Neighborhood association responded via email that they appreciated being informed and had no questions at this time. All correspondence is included in submittal packet.

SECTOR DEVELOPMENT PLAN MAP AMENDMENT
Response to Section 6-7(F)(3) Review and Decision Criteria
The following narratives will provide evidence that the proposed rezoning of properties TRACT 6-A-2 PLAT OF LOTS 6-A-1 AND 6-A-2 NORTH FOURTH STREET HOMESITES ADDN CONT are considered in accordance with the recently adopted City of Albuquerque Comprehensive Plan. This request is in compliance with Section 6-7(F)(3) of the Integrated Development Ordinance as follows:

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
Applicant's Response:
The proposed zone change from R-A to R-1C is consistent with the health, safety, morals, and welfare of the city. The zone change will allow for uses consistent with the visions of the local community, Albuquerque’s Comprehensive Plan by ensuring development on the site is consistent in lot type and use with the abutting parcels zoned and developed R-1C Single Family Zone Districts.

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

Because a change from R-A to R-1C is consistent with adjacent and abutting R-1C zoning, the proposed zone change contributes to the stability of land use and zoning within the area. The context surrounding the site is R-1C, with a single lot of MX-T to the north/east. Across Montano Blvd. the zoning is MX-M. Abutting land uses are single family with a beauty salon on the MX-T parcel. Across Montano Blvd is St. Michael’s and All Angels church. The proposed Zone Map Amendment to R-1C is consistent and in keeping with both the adjacent and abutting land use and zoning which maintains and reinforces the character of the neighborhood.

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

Because Montano Boulevard is designated by the Comprehensive Plan as a Major Transit Corridor, a change in zoning from R-A to R-1 would contribute to the sustainable development pattern of the area by reinforcing the adjacent R-1 land use and enabling additional growth capture through a higher density zone along a designated Major Transit Corridor.

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

Because the site in question is in an area with existing infrastructure, increasing the zoning from R-A to R-1 in this area supports additional infill development.

Policy 5.3.3 Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

Because enabling a cluster development at a higher density development offsets the costs of dedicating 30% of the land area as common space, a zone change to R-1 encourages compact development.

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

Because the proposed zone is consistent and in keeping with adjacent and abutting residential land use, the proposed zone change will protect and enhance the character of the surrounding neighborhoods. The zone change allows for the expansion of single-family neighborhood development in the area at the same density and intensity as abutting and adjacent properties.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.
Because the North Valley has a long tradition of clustered housing and family compounds, the R-1C zone would promote the creation of a cluster development by allowing for a density that would offset cost of the required 30% land area dedication while maintaining the density of the adjacent and abutting neighborhoods. The zone change to R-1 is in keeping with stabilizing land use and expanding affordable housing by allowing an increase in dwelling units on the property to match the density of abutting properties and adjacent neighborhoods.

Policy 9.2.1 Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context – i.e. urban, suburban, or rural – with appropriate densities, site design and relationship to the street.

Because the proposed zone change matches the surrounding and abutting densities and requires the same setbacks and lot sizes, it would allow development that is consistent with the recent development to west and the neighborhood to the south. R-A is a rural zone. It assumes lot sizes of a minimum of 10,890 sqft with deep 20’ minimum front, 25’ minimum rear setbacks and 10’ minimum side yard setbacks. This development pattern allows for larger distance between homes and separation between homes while permitting agricultural and equestrian uses. R-1C is a more compact and suburban development form with a higher allowable density that may not be compatible with some uses permitted in R-A. Because abutting zoning is R-1C, the development to the west has front and rear minimum setbacks of 15’ and side setbacks of 5’ on 7,000 sqft minimum lots. Adjacent, existing single family homes within less than 15’ of the property, as well as future homes developed on the site, could be subject to the ill affects of agricultural and equestrian uses.

Policy 6.1.2 Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along Transit Corridors.

Because the Comprehensive Plan identifies Montano Boulevard as a Major Transit Corridor, a change in zone from R-A to R-1 increases allowable density along a transit corridor in an appropriate and context sensitive manner.

Summary Conclusion
This request for a zone change from R-A to R-1C is consistent with the health, safety, and general welfare of the City, furthers (and id 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 R-1 zone is in keeping with the goals and intentions of the North Valley and the Comprehensive Plan. A zone change from R-A to R-1C is consistent and compatible with adjacent and abutting R-1C zoning and rectifies the previous R-A spot zone. The proposed R-1C zone allows for development consistent and compatible in building placement, density and land use consistent adjacent and abutting development. By allowing an increase in single family density, it supports affordable housing choices, and increased opportunities for infill development along a major transit corridor and in an area with existing infrastructure. In addition, the requested zone change removes potentially harmful and incompatible agricultural and equestrian uses from existing residential areas within very close proximity to the site, as well as future residential development on the parcel in question.

By enabling a higher density, cluster development, the proposed R-1C zone allows for the conservation of larger areas of land for the continuation of wild life habitats, migratory patterns and the preservation of the agricultural character of the North Valley while increasing the housing opportunities in the area. The proposed family compound along a Major Transit Corridor at a density consistent with surrounding properties would provide an opportunity for a traditional
residential form historically found in the North Valley. This furthers the Comprehensive Plan’s goal of providing a diversity of housing options that are affordable.

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).

Applicant’s Response: The proposed Zone Map Amendment is located wholly in an Area of Consistency (as shown in the ABC Comp Plan, as amended). The proposed zone reinforces the established character of the surrounding Area of Consistency and does not permit development that is significantly different from that character.

The existing zoning R-A zoning is inappropriate because it meets the following two criteria:

1. **There has been a significant change in neighborhood or community conditions affecting the site.** The parcel to the west has been developed with eight (8) single-family homes, several of which have received a variance for setback reductions. In addition, the City has recently adopted the Integrated Development Ordinance, which sets out a four-tiered structure for R-1 development densities that respond to contextual conditions. This structure allows for an application for R-1 zoning which has appropriate density limits to support the surrounding character. The proposed zone change to R-1C is consistent with the abutting and adjacent zoning of R-1C and respects this change in community conditions.

2. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended. The proposed zone land use is consistent with adjacent and abutting land uses, development, density and intensity and connectivity. The current R-A zone allows for agricultural uses, including general agriculture and equestrian facilities that may create dust, odor, noise and other undesirable activities for adjacent homes that may sit less fifteen (15) feet away from the property.

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 the 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).

This criteria is not applicable because the property in question is located wholly in an Area of Consistency as shown in the ABC Comp Plan, as amended.

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.

Because the proposed zone R-1C is the same zone as the abutting properties, the neighborhood to the south and is less intense that the zones across the street, it does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, see summary table below.

| Summary Table of differences of Allowable Uses between R-A and R-1 |
|------------------|----------------------|----------------------|
| Use               | R-A                  | R-1                  |
| Community Center or Library | C                  | P                      |
| Equestrian Facility          | P                        | Not Permitted          |
| General Agriculture         | P                        | Not Permitted          |
| Kennel                    | C                        | Not Permitted          |
| Nursery                   | P                        | Not Permitted          |
| Veterinary Hospital        | C                        | Not Permitted          |
| Other Pet Services         | C                        | Not Permitted          |
| Bed and Breakfast          | A                        | Conditional Accessory |
| Farmers Market            | T                        | Not Permitted          |
| Outdoor Animal Run         | A                        | Not Permitted          |

C=Conditional Use*
P=Permissive Use
A=Accessory Use
T=Temporary Use

*Conditional Use requires public hearing.

Uses permissive in R-1C are consistent with the existing R-A, except that the existing zoning allows for the following additional uses; Equestrian Facility, General Agriculture, and Nursery. These additional existing uses, which would cease to be allowed with the requested R-1C, are may not be compatible with the adjacent existing single-family housing, as they may create noise, odor and chemicals to be introduced in close proximity to a primarily residential setting. Conditional uses in R-1C are consisting with R-A, except that R-1C permits a Community Center or Library. This use is typically a municipal development, and Montano Properties tends to develop the property as a private residential property. R-A has Conditional Uses not permissive in R-1C; Kennel, Veterinary Hospital, and Other Pet Services that may not be compatible with the adjacent R-1C properties.

As evident in this comparison, a change from R-A to R-1C would eliminate permissive uses that may be harmful to the adjacent property, the neighborhood or community, while allowing uses compatible with abutting land uses.

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.

Because the site is located in a developed area of Albuquerque, it meets the requirements of the above number 1 “Have adequate capacity to serve the development made possible by the change of zone.” The City’s existing infrastructure has adequate capacity to serve the development made possible by the change of zone. The zone change request was well below the requirement for a Traffic Impact Study (TIS), see included TIS form. Any on site infrastructure costs will be born by the developer.

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

Because the proposed zone request is based on the desire to amend a prior spot zone to a zone congruent with abutting parcels to support a cluster development, and to remove potentially incompatible land uses from existing and future single family development, it is not due to its location on a major street. Montano Road is classified by NMDOT and the Long Range Roadway system 2040 as a Principal Arterial. The Comprehensive Plan identifies Montano Road as a Major Transit Corridor. The policies of the Comprehensive Plan support increases in infill development in areas with existing infrastructure and along Major Transit Corridors.

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

Because the proposed zone request is based on the desire for a zone congruent with abutting parcels to support a higher density cluster development and to remove potential harmful land uses adjacent to single family uses, it is not based on the cost of land or economic considerations.

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.

Because the zone change request is for a zone that is the same as abutting and adjacent zones, the proposed zone change does not create a “spot zone” or strip zone. The zoning on the site prior to 2001 was R-1, the zone change to R-A created a spot zone. The proposed Zone Map...
amendment from R-A back to R-1 is a request for the site to be made consistent with surrounding zone districts.
Single family development in adjacent subdivision to the west. (Looking South)

Single family development in adjacent subdivision to the west. (Looking North)

Single family development to west. View from 712 Montano Rd property. Note proximity to adjacent homes.
St. Michael’s Church across Montano Blvd.

Day Spa, abutting property to the north and east along Montano.
2000 zone Atlas shows R-1 Zoning

2001 zone Atlas shows R-A Zoning
Tim & Michelle,

See list of affected associations below and attached related to your EPC submittal. Please also review the attached instruction sheet. Thank you.

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<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
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<tr>
<td>North Valley Coalition</td>
<td>Peggy</td>
<td>Norton</td>
<td><a href="mailto:peggynorton@yahoo.com">peggynorton@yahoo.com</a></td>
<td>P.O. Box 70232</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87197</td>
<td>505-850-9203</td>
<td>505-345-9567</td>
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<tr>
<td>North Valley Coalition</td>
<td>Doyle</td>
<td>Kimbrough</td>
<td><a href="mailto:newmexmba@aol.com">newmexmba@aol.com</a></td>
<td>2327 Campbell Road NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87104</td>
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<tr>
<td>Los Poblanos NA</td>
<td>Don</td>
<td>Newman</td>
<td><a href="mailto:don.newman@mac.com">don.newman@mac.com</a></td>
<td>5723 Guadalupe Trail NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87107</td>
<td>505-344-3900</td>
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<td>Los Poblanos NA</td>
<td>Karon</td>
<td>Boutz</td>
<td><a href="mailto:sjboutz@gmail.com">sjboutz@gmail.com</a></td>
<td>1007 Sandia Road NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87107</td>
<td>505-345-0002</td>
<td></td>
</tr>
</tbody>
</table>

Respectfully,

Vicente M. Quevedo, MCRP
Neighborhood Liaison
Office of Neighborhood Coordination
City of Albuquerque – City Council
(505) 768-3332

Website: www.cabq.gov/neighborhoods

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From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] On Behalf Of ISD WebMaster
Sent: Monday, August 27, 2018 1:26 PM
To: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:
Environmental Planning Commission

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

Contact Name
Tim Nisly
Telephone Number
505-328-8848
Email Address
tnisly@gmail.com

Company Name

Company Address
607 Atlantic Ave SW

City
Albuquerque

State
NM

ZIP
87102

Legal description of the subject site for this project:

Physical address of subject site:
607 Atlantic Ave SW

Subject site cross streets:
4th and Montano

Other subject site identifiers:
This site is located on the following zone atlas page:
F14

This message has been analyzed by Deep Discovery Email Inspector.
Public Notice Checklist

For all cases, a mailing or Electronic Mail notice per Table 6-1-1 in the IDO the following: 

1. Send a “Public Notice” (in English) notice to any applicable Neighborhood and/or Homeowner Associations.

2. A copy of the mailing notice is sent to any applicable Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact us at (425) 433-9501 or AGIS@seattle.gov.

Thank you for your cooperation on this matter.
Public Notice to Applicable Associations

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks Commission (LC), City Staff approval of a Wireless Telecommunication Facility (WTF), Site Plan, Sign Permit, or Wall/Fence Permit are required to notify any applicable neighborhood and/or homeowner associations via email, first class mail, or certified mail as specified in Table 6-1-1 of the Integrated Development Ordinance (IDO) ([https://www.abc-zone.com/](https://www.abc-zone.com/)).

Each required Public Notice shall include the following per IDO Subsection 14-16-6-(K)(6):

1. The address of the property listed in the application;
2. The name of the property owner and/or applicant;
3. Applicant mailing address;
4. Applicant telephone number and/or email address;
5. A short summary of the approval being requested;
6. Whether a public hearing will be required. If so, the date, time, and place of the public hearing;
7. Website where additional information about the project can be obtained, if applicable.
8. Facilitated Meetings – All notification letters must include the following text:

Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: [https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/](https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/) to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505.924.3955.

Public Notice Checklist

For all decisions requiring Mailed or Electronic Mail notice per Table 6-1-1 in the IDO the following information must be included for each application submitted to the Planning Department.

1. ONC’s “Public Notice Inquiry Email” outlining any applicable Neighborhood and/or Homeowner Associations.
2. Copies of Letters and/or Emails sent to any applicable Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts, if required, mailed to any applicable Neighborhood and/or Homeowner Associations.

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

Thank you for your cooperation on this matter.
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<tr>
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Notice to Neighborhood Associations and Property Owners

August 27, 2018

I am the registered agent for the property located at 712 Montano NW, Albuquerque, NM, 87107. I am requesting approval from the Environmental Planning Commission within the City of Albuquerque to rezone the property at 712 Montano NW from R-A to R-1C. My family and I are interested in building homes for ourselves and others on this property, and we’d like to put the land back to its pre-2000 R-1 zoning so we can do that.

A public hearing will be held at 8:30am on October 11th, 2018, beginning at 8:30am at the Plaza Del Sol Hearing Room, Basement Level on 600 Second Street, NW in Albuquerque, NM.

Please feel free to contact me for more details.

Tim Nisly
tnisly@gmail.com
607 Atlantic Ave SW, ABQ, NM 87102
505.328.8848

From the City:

Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/ to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505.924.3955.
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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
Begin forwarded message:

From: Tim Nisly <tnisly@gmail.com>
Date: October 2, 2018 at 11:08:10 AM MDT
To: Michelle Negrette <mnegrett@mac.com>, troyerhomesllc@gmail.com
Subject: Returned letters
Received these in the mail today.

-Tim

Sent from my iPhone - excuse the brevity.