



***Environmental  
Planning  
Commission***

***Agenda Number: 4  
Project #: 2019-002669  
RZ-2019-00045  
Hearing Date: September 12, 2019***

***Staff Report***

***Agent*** Consensus Planning

***Applicant*** Prime Properties, LLC.

***Request*** **Zone Map Amendment (Zone Change)**

GIBSON X MILES AREA TR A LANDS OF HUGH B WOODWARD CONT 0.65969 AC PLAT F and ELY POR OF TR D OF GIBSON & MILES AREA-LAND OF HUGH B WOODWARD CONT 0.239 AC and A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT PROJECTED SECTION 28 AND SECTION 28, TOWNSHIP 10 NORTH, RANGE 3 EAST. NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING ALL OF TRACT A, GIBSON AND MILES AREA, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 22, 1965, IN VOLUME D3, FOLIO 110, and A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT, PROJECTED SECTION 28, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING THE REMAINING PORTION OF TRACT D, GIBSON AND MILES AREA, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 22, 1965, IN VOLUME D3, FOLIO 110

***Legal  
Description***

***Staff Recommendation***

**APPROVAL of**

**Project #2019-002669  
RZ-2019-00045**

based on the Findings  
within this report

<b>Location</b>	1314 Gibson Blvd SE, between Mulberry St. SE and Gibson Blvd SE
<b>Size</b>	Approx. 0.1 acre.
<b>Existing Zoning</b>	R-1B
<b>Proposed Zoning</b>	MX-L

**Staff Planner**  
  
**Linda Rumpf**

**Summary of Analysis**

The request is for a zone map amendment for an approximately 0.1 acres and is part of a larger (0.9 acre) property located near the southeast corner of Gibson Boulevard SE and Mulberry Street SE. The Applicant is requesting a zone change from the existing R-1B (Single-Family Medium Lot) to MX-L (Mixed-Use Low Intensity) zoning to allow for non-residential uses such as a coffee shop on the subject site.

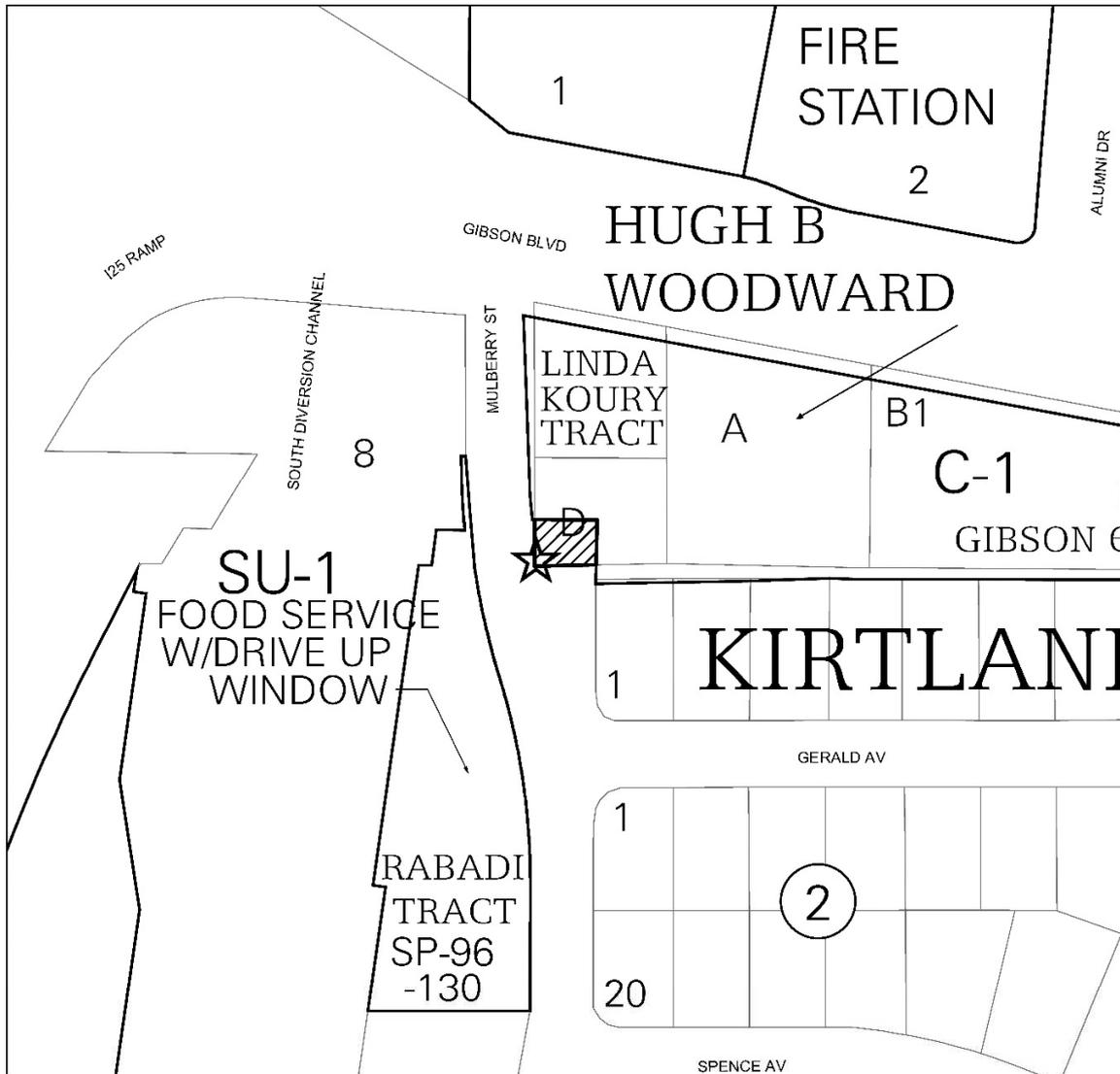
A neighborhood meeting was held on July 16, 2019 to provide information related to both the Zone Map Amendment and the Conditional Use requests. No concerns were noted.

The subject site is in an Area of Consistency as designated by the Comprehensive Plan. The zone change has been adequately justified pursuant to the IDO's criteria for zone map amendments.

There is no known opposition. Staff recommends approval.







**OLD ZONING MAP**

Note: Gray shading indicates County.

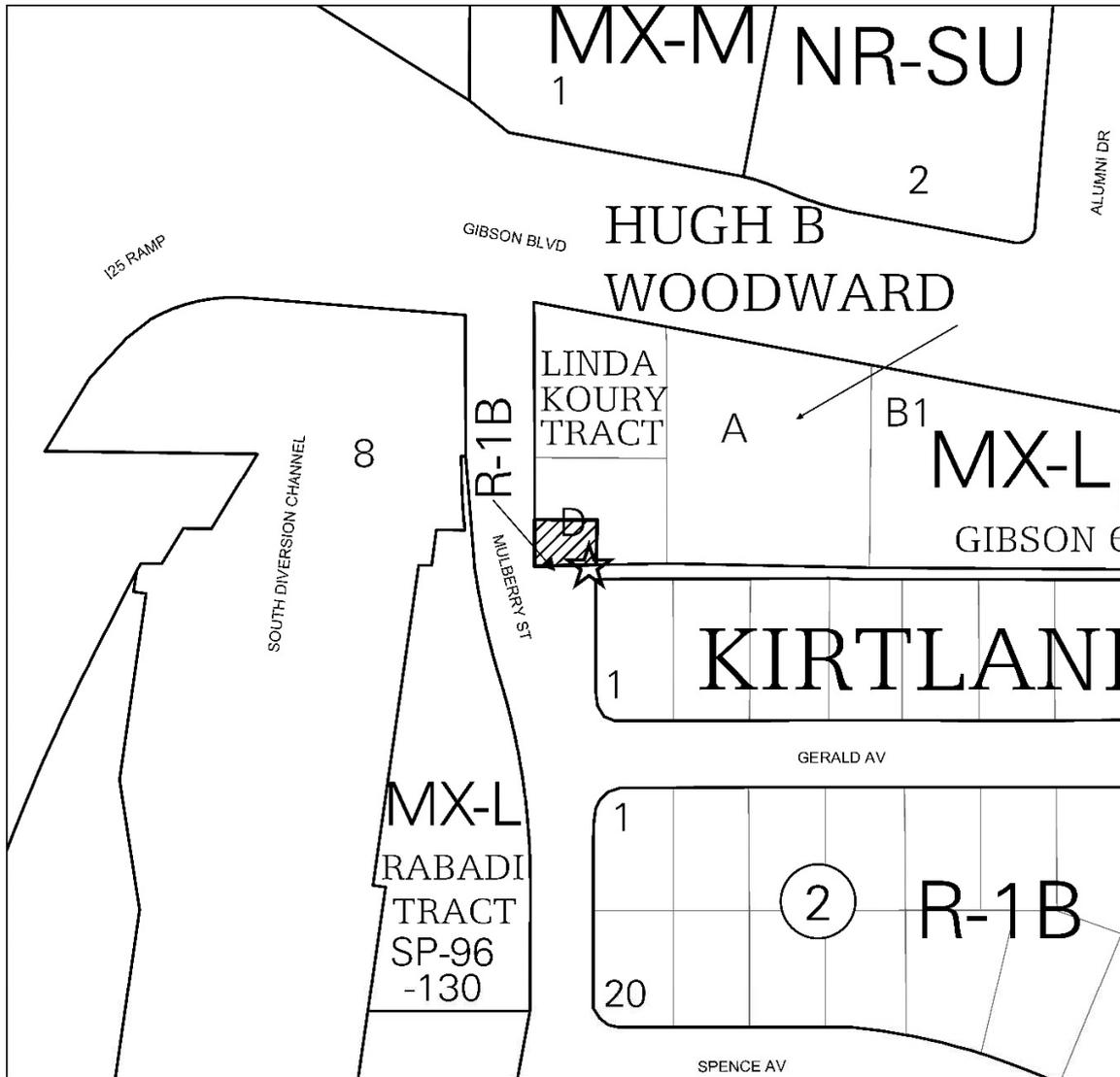
1 inch = 110 feet

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**IDO ZONING MAP**

Note: Gray shading indicates County.



1 inch = 110 feet

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**LAND USE MAP**

Note: Gray shading indicates County.

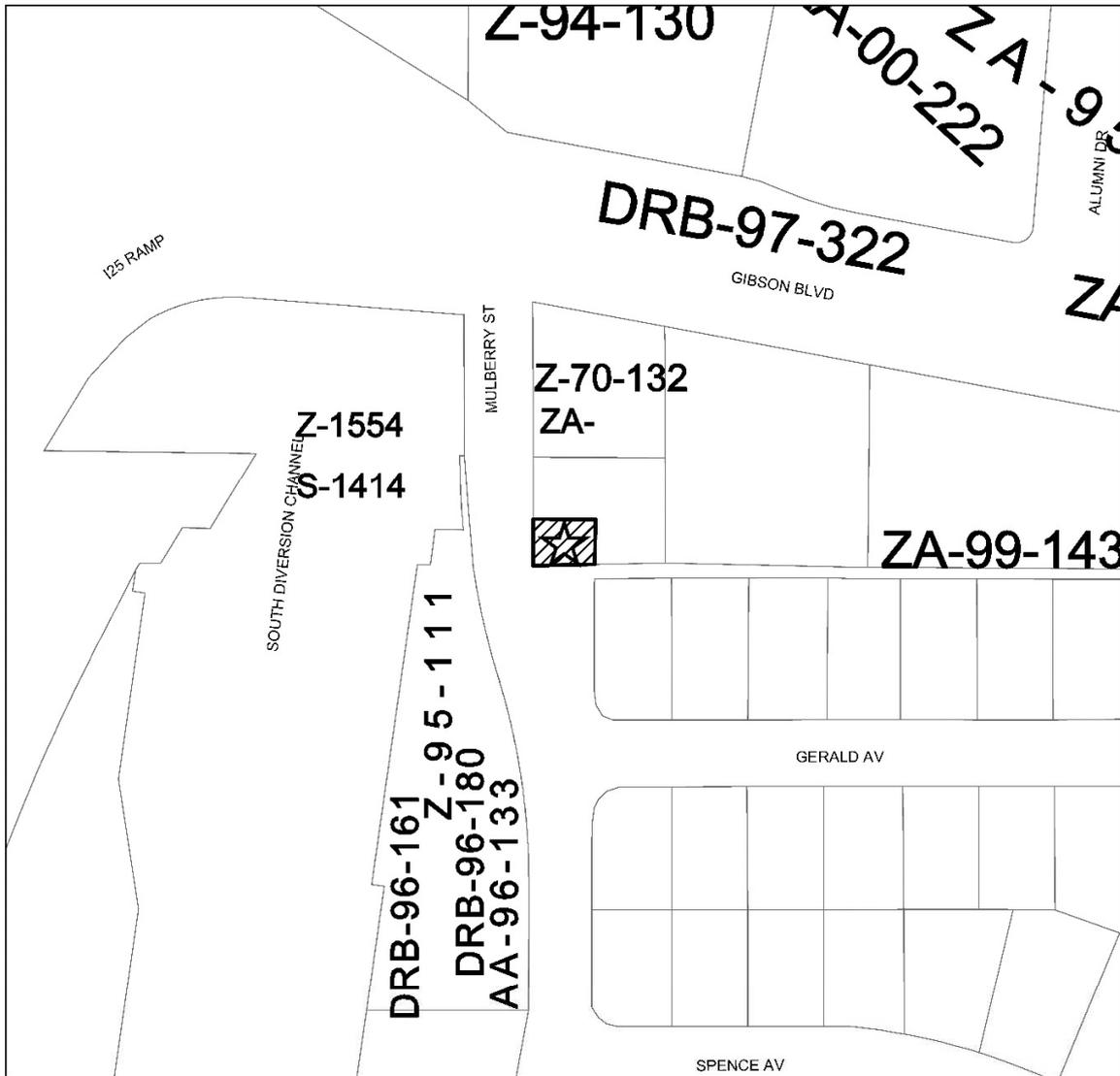
- |                                      |                                |
|--------------------------------------|--------------------------------|
| <b>Key to Land Use Abbreviations</b> | APRT   Airport                 |
| LDRES   Low-density Residential      | TRANS   Transportation         |
| MULT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



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**HISTORY MAP**

Note: Gray shading indicates County.



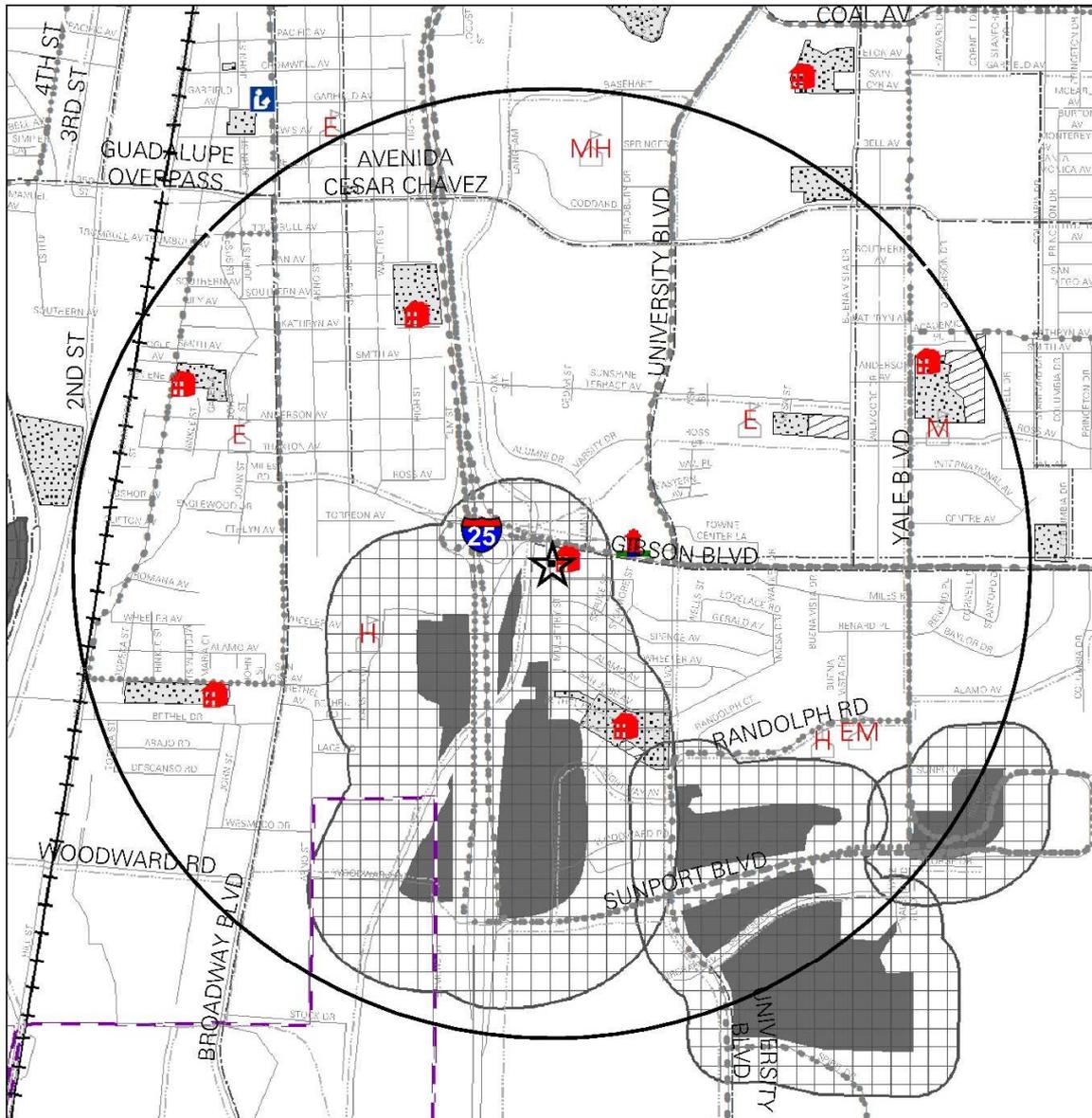
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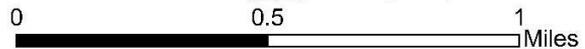


**Public Facilities Map with One-Mile Buffer**

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



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***I. Introduction***

	<b><i>Zoning</i></b>	<b><i>Comprehensive Plan Area</i></b>	<b><i>Land Use</i></b>
<b><i>Site</i></b>	R-1B	Area of Consistency	Single-family residential, duplex, and townhouse
<b><i>North</i></b>	MX-L	Area of Consistency	Non-Destination Retail and Commercial (Subway)
<b><i>South</i></b>	R-1B	Area of Consistency	Single-family residential, duplex, and townhouse
<b><i>East</i></b>	MX-L, UNCL	Area of Consistency	Non-Destination Retail and Commercial, and Unclassified AMAFCA
<b><i>West</i></b>	MX-L	Area of Consistency	Non-destination Retail and Commercial (Burger King)

***Proposal***

This is a request for a Zone Map Amendment (Zone Change) on behalf of the applicant Prime Properties LLC. and the property owner Isshin Ryu Club Inc., The purpose of this proposal is to provide justification of the request by responding to the decision criteria specified in the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3) as well as outlining how this request support the Comprehensive Plan’s goals and policies. The subject site is approximately 0.1 acres and is part of a larger (0.9 acre) property located near the southeast corner of Gibson Boulevard SE and Mulberry Street SE.

***Legal Description***

GIBSON X MILES AREA TR A LANDS OF HUGH B WOODWARD CONT 0.65969 AC PLAT F and ELY POR OF TR D OF GIBSON & MILES AREA-LAND OF HUGH B WOODWARD CONT 0.239 AC and A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT PROJECTED SECTION 28 AND SECTION 28, TOWNSHIP 10 NORTH, RANGE 3 EAST. NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING ALL OF TRACT A, GIBSON AND MILES AREA, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 22, 1965, IN VOLUME D3, FOLIO 110, and A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT, PROJECTED SECTION 28, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING THE REMAINING PORTION OF TRACT D, GIBSON AND MILES AREA, AS THE SAME

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The subject site's R-1B zoning designation is considered a floating zone line that is not aligned with any lot lines (see figures in justification letter in the appendix) The Environmental Planning Commission voted to recommend the rezoning of this site as part of the City of Albuquerque's voluntary zone conversions on July 11, 2019. In addition to not aligning with any lot lines, the current land use includes a portion of an existing parking lot that is not allowed in the R-1B zone that is a non-conforming use.

It is anticipated that the City's voluntary zoning amendments could take an additional 3-6 months to process at the City Council. In order to expedite the rezoning for the subject site, the applicant is requesting a change from the existing R-1B to MX-L (Mixed-Use Low Intensity) zoning to allow for non-residential uses such as a coffee shop. The zone change would also eliminate the non-conforming status and allow for cohesive redevelopment of the entire property.

Upon approval of the Zone Map Amendment, the applicant and developer, Prime Properties, is proposing development of the surrounding MX-L property and the subject site with one commercial building for a permissive restaurant use under the MX-L zoning. The project is proposing a drive-through for the building to support a proposed coffee-shop and has requested a Conditional Use through the Zoning Hearing Examiner (ZHE). The developer will replat the properties to consolidate the lots through the Development Review Board (DRB).

### ***EPC Role***

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

### ***History/Background***

Based on a review of the COA's Advanced Map Viewer, Consensus Planning could not locate any case history related to the 0.1-acre site other than identifying that the site was annexed by the City of Albuquerque on 09/09/1949. The following two documents were provided by the applicant as support to the ALTA survey of the surrounding property and subject site and can be provided to the COA by request:

- 1) 1962 Quitclaim deed that transferred a larger tract of land, to include the subject site, from three estate owners to the City of Albuquerque; and,
- 2) 2019 Quitclaim deed that transferred the surrounding property and subject site, from the City of Albuquerque to the current owner, Isshin Ryu Club Inc.

### ***Context***

The property is located in an “Area of Consistency” as designated by the Comprehensive Plan. The area surrounding the subject site contains single-family residential to the south and mixed land uses to the north, east, and west (see Table 1) that includes a Burger King, Subway, and Family Dollar Store. To the west is also an Undesignated” land use that serves as a storm-drain facility for the Albuquerque Metropolitan Arroyo Flood Control (AMAFCA).

### ***Roadway System***

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

- Gibson Blvd is functionally classified as a Principal Arterial currently and in the LRRS.
- Mulberry St. is classified as a Local Road.
- Gibson Blvd is a limited access facility in the project area.
- Gibson Blvd is an Intelligent Transportation System (ITS) Priority Corridor. Please consult the reviewing agency's Traffic Engineering and/or ITS Department with any questions regarding ITS infrastructure.

### ***Comprehensive Plan Corridor Designation***

There are no Comp Plan designated Corridors for that site. It is not on a major corridor on part of a Historic Overlay Zone.

### ***Trails/Bikeways***

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

- The LRBS indicates Mulberry St is a proposed Bicycle Route (trail)

### ***Parking***

The site currently has a portion of the parking lot, which is a non-conforming use in an R-1B zone. Rezoning of this non-conforming property will remove a floating zone line and bring this small parcel into conformance with the existing zoning for the balance of the property. The request will provide an opportunity for more productive development on a currently vacant and under-utilized lot next to existing businesses in the MX-L zone.

### ***Transit***

Transit Corridor: On the Gibson Boulevard Commuter Corridor

Transit Route: Commuter Route 96, which connects Rio Rancho to Kirtland Air Force Base

*Public Facilities/Community Services*

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

**II. Analysis of City Plans and Ordinances**

*Integrated Development Ordinance (IDO)*

*Current Zoning*

R-1B (Residential – Single-Family Medium Lot)

*Proposed Zoning*

MX-L (Mixed-Use Low Intensity)

The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors.

The proposed uses in the MX-L zone are compatible with the surrounding area and uses, as evidenced by the large amount of MX-L zoning in the neighborhood.

***Albuquerque / Bernalillo County Comprehensive Plan***

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. Goals and policies are listed below. Staff analysis follows in plain text. When a Goal or policy is listed and is not applicable, it's because the applicant included them in the zone change justification letter. Other Goals and policies that are relevant, but not listed by the applicant, are included.

*Chapter 4: Community Identity*

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

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

***The request furthers Policy 4.1.2 because it will allow for the appropriate type and scale and location of development, mix of uses, and character of building design in utilizing this underutilized space.***

Chapter 5: Land Use

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

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

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

*The request furthers Goal 5.1 and related policies by capturing new, small-scale commercial growth in an Area of Consistency near a commuter corridor with access to high-quality transit. Allowing for infill development and redevelopment with a mix of low-intensity uses will promote new opportunities to live, work, and shop in a walkable neighborhood.*

Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

*The request furthers Policy 5.1.2 because the subject site is located in a commuter corridor area, as well as being within an Area of Consistency, so a zone change to a more intense mixed-use zone is appropriate for this location, thus furthering this policy.*

Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

*The request furthers Policy 5.1.12 because the subject site is located in a commuter corridor area with access to transit.*

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

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

*The request furthers Goal 5.2 and related policies by allowing low-intensity uses near the edge of a neighborhood where residents can easily walk to the new proposed commercial use. The request will also provide an opportunity for more productive development on a currently vacant and under-utilized lot next to existing businesses in the MX-L zone.*

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.

*The request furthers Goal 5.3 and related policies because the change will support redevelopment on the site that support additional growth in areas with existing infrastructure and public facilities.*

Policy 5.3.2 Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

*The request furthers Policy 5.3.2 because the change will support redevelopment on the site that support additional growth in areas with existing infrastructure and public facilities.*

Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

*The request furthers Goal 5.7 and related policies by removing a floating zone line that is currently an impediment on future development. The applicant has shown the site will provide for desired infill development, to effectively and equitably implement the Comp Plan.*

#### Chapter 7: Urban Design

Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

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

- a) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designed, appropriately located, and consistent with the existing development context and neighborhood character.

*The request furthers Goal 7.3 and related policies by allowing new infill development that enhances the built environment and blends in style and building materials with*

*surrounding structures and the streetscape along the Gibson Boulevard commuter corridor.*

Chapter 8: Economic Development

Goal 8.1 Placemaking: Create places where business and talent will stay and thrive.

Policy 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

- a) Maximize opportunities for economic development that furthers social, cultural, and environmental goals.

*The request furthers Goal 8.1 and related policies by creating additional opportunities for economic development in the area that furthers social, cultural, and environmental goals.*

- c) Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.

*The request furthers Goal 8.1 and related policies by creating additional opportunities for localized development that will support the hiring of adjacent local residents and college students.*

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

*The request furthers Goal 8.1 and related policies by providing local, infill redevelopment in a neighborhood that could benefit from opportunities for economic development that creates more local jobs and supports the hiring of local residents.*

### III. Zone Map Amendment (Zone Change)

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

##### JUSTIFICATION

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

Note: *Applicant's Justification is shown in indented italics, Staff's Analysis follows in indented bold text.*

### Requirements

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

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

### Justification & Analysis

The zone change justification letter analyzed here, received on August 23, 2019 is a response to the request for a revised justification (see attachment). There was an updated justification letter sent on July 15, 2019. The justification letter is included in the Appendix.

The subject site is zoned R-1B (Single-Family Medium Lot). The request is for a Zone Map Amendment to rezone the property from R-1B (Single-Family Medium Lot) to MX-L (Mixed-Use Low Intensity). The Applicant is requesting a change from the existing R-1B to MX-L to allow for non-residential uses such as a coffee shop on the subject site.

The applicant believes that the proposed zone map amendment (zone change) meets the zone change decision criteria [14-16-6-7(F)(3)] as elaborated in the justification letter. The citation is from the IDO.

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

***The proposed zone change is consistent with the health, safety, and general welfare of the City, and will further a preponderance the applicable policies of the Comprehensive Plan as shown in the policy analysis of this letter. A summary of the goals and policies furthered by this request are listed below:***

#### Applicable:

*Goal 4.1 Character; Policy 4.1.2 Identity and Design; Goal 5.1 Centers and Corridors; Policy 5.1.1 Desired Growth; Policy 5.1.2 Development Areas; Policy 5.1.12 Commuter Corridors; Goal 5.2. Complete Communities; Policy 5.2.1 Land Uses; Goal 5.3 Efficient Development Patterns; Policy 5.3.1 Infill Development; Policy 5.3.2 Leapfrog Development; Goal 5.6 City Development Areas; Policy 5.6.2 Areas of Change; Policy 5.6.4 Appropriate Transitions; Goal 5.7 Implementation Processes; Policy 5.7.2 Regulatory Alignment; Goal 7.3 Sense of*

*Place; Policy 7.3.4 Infill; Goal 8.1 Placemaking; Policy 8.1.2 Resilient Economy; Policy 8.1.5 Available Land*

***Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and Policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in his policy-based response, that the request would be consistent with the City's health, safety, morals and general welfare. The response to Criterion A is sufficient.***

- B. **Criterion B.** 6-7(F)(3)(b) If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The 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).

*Response to Requirement Number 2: The property is located with an "Area of Consistency". The existing zone designation is not appropriate for this site because a different zone designation is more advantageous to the community as articulated by the Comprehensive Plan. Changing the zoning from R-1B to MX-L supports the applicable policies by allowing infill development that is compatible in both scale and character with the surrounding area and the balance of the property.*

***Criterion B.3 is more applicable to this request.***

- C. **Criterion C.** 6-7(F)(3)(c) If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
  2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.

3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

*Response to Requirement Number 1: The subject site is located wholly in an “Area of Consistency”, so this criterion does not apply.*

***Staff concurs that the subject site is in an Area of Consistency, not an Area of Change.***

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

*None of the permissive uses in the MX-L zone will be harmful to the adjacent property, neighborhood, or community. While there are a number of uses that are currently not allowed in the R-1B zone, this property represents only a small fraction (0.1 acres) of an approximately 0.9-acre site currently zoned MX-L. This zone change will not change the owner’s ability to develop the existing property zoned MX-L with commercial uses. The following table represents a sample of permissive uses within the MX-L zone compared to the current R-1B zone.*

<b>IDO Zoning Comparison: R-1B vs. MX-L</b>		
<b>Use</b>	<b>R-1B</b>	<b>MX-L</b>
Dwelling, single-family detached	P	-
Dwelling, cluster/cottage development	P	-
Dwelling, townhouse	-	P
Dwelling, live-work	-	P
Dwelling, multi-family	-	P
Community residential facility, medium or large	-	P
Group home, small or medium	-	P
Adult or child day care facility	-	P
Museum or art gallery	-	P
Veterinary hospital and Other pet services	-	P
Restaurant	-	P
Bank	-	P
Club or event facility	-	P
Commercial services	-	P
Medical or dental clinic	-	P
Office	-	P

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Personal and business services, small	-	P
Bakery goods or confectionary shop	-	P
General retail, small	-	P
Artisan manufacturing	-	P

*The applicant has demonstrated that the requested MX-L includes permissive uses that allow a variety of neighborhood commercial uses (see applicant's table of uses in the justification letter) that will not be harmful. The response to Criterion D is sufficient.*

- E. **Criterion E.** 6-7(F)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 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.

*Response to Requirement Number 1: The proposed zone change will not require major and unprogrammed capital expenditures by the City. The applicant desires to reuse the property for commercial purposes and is surrounded by existing infrastructure including roadways, water, sewer, and storm water facilities that can serve the future project. All development costs for the property will be the responsibility of the developer and not the City.*

*The applicant refers to sub-criterion 1, that the subject site has adequate infrastructure capacity to serve development that the request would make possible. The response to Criterion E is sufficient.*

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

*The property is a small portion of a commercial property that is located near a major street and "Commuter Corridor", Gibson Boulevard. The request is based on intent to have a zoning and land use that is more advantageous to the community as it furthers applicable Comprehensive Plan policies for land use, infill development, efficient development patterns, and placemaking. The existing MX-L zoning and this request will provide a buffer between the major street and the neighbors to the south.*

*The subject site's location is on Mulberry and is classified as a local road. The justification is based on the request furthering a preponderance of applicable Comprehensive Plan policies as demonstrated in the response to Criterion A. The response to Criterion F is sufficient.*

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

*The cost of land or economic considerations are not the determining factor for this zone change request. The current zoning and land use are not consistent the balance of the property, nor is it consistent with the surrounding zoning and land use types that currently exist along Gibson Boulevard.*

*Economic considerations are a factor, but the applicant's justification is not completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies. The response to Criterion G is sufficient.*

- H. **Criterion H.** 6-7(F)(3)(h) The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "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.

*Response to Criteria Number 1: Since the current zoning is considered a floating zone line with an inconsistent zoning designation relative to the surrounding properties it is consistent with a "spot zone" in its current designation. Changing the zoning from R-1B to MX-L will remove the "spot zone" and create more compatible zoning for the property as a whole.*

*The request would result in removing a spot zone. Criterion H is not applicable.*

*Staff concludes that the applicant has adequately justified the proposed zone change from R-1B to MX-L. The applicant's policy-based analysis shows that the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not conflict with them. The request would result in removing a spot zone and would be a*

*justifiable spot zone because the request would clearly facilitate implementation of the Comprehensive Plan.*

#### **IV. Agency & Neighborhood Concerns**

##### ***Reviewing Agencies***

City departments and other interested agencies reviewed this application prior to the EPC Hearing. Few agency comments were received and none were adverse to the request. Refer to the agency comments at the end of the staff report.

##### ***Neighborhood/Public***

Consensus Planning sent the required notifications to both the Kirtland Community and Clayton Heights Lomas del Cielo Neighborhood Associations (NA) for the subject site. In addition to sending out notifications, both Consensus Planning and the applicant, Prime Properties, met with the Kirtland Community NA Board on July 16, 2019 to provide information related to both the Zone Map Amendment and the Conditional Use requests. A summary of the meeting minutes is included with this application.

Property owner letters were mailed on July 25, 2019 to all the property owners included within a 100' for both the Zone Map Amendment and the Conditional Use applications. The property owner buffer used for distributing the notifications for the Zone Map Amendment exceeds the 100' buffer required for this Zone Map Amendment request.

There has been no opposition to this correspondence. All correspondence is included in submittal packet.

#### **V. Conclusion**

The request is for a zone map amendment for an approximately 0.1 acres and is part of a larger (0.9 acre) property located near the southeast corner of Gibson Boulevard SE and Mulberry Street SE.

The Applicant is requesting a change from the existing R-1B (Single-Family Medium Lot) to MX-L (Mixed-Use Low Intensity) zoning to allow for non-residential uses such as a coffee shop on the subject site.

A neighborhood meeting was held on July 16, 2019 to provide information related to both the Zone Map Amendment and the Conditional Use requests. No concerns were noted.

The subject site is in an Area of Consistency as designated by the Comprehensive Plan. The zone change has been adequately justified pursuant to the IDO's criteria for zone map amendments.

There is no known opposition. *Staff recommends approval.*

## VI. Findings, Zoning Map Amendment (Zone Change)

Project #2019-002669, RZ-2019-00045

1. The request is for a zone map amendment for an approximately 0.1 acres and is part of a larger (0.9 acre) property located near the southeast corner of Gibson Boulevard SE and Mulberry Street SE.
2. The subject site is zoned R-1B (Single-Family Medium Lot). The Applicant is requesting a change from the existing R-1B to MX-L (Mixed-Use Low Intensity) zoning to allow for non-residential uses such as coffee shop on the subject site.
3. The subject site is in an area that the Comprehensive Plan has designated an Area of Consistency. The subject site is approximately 0.1 acres and is part of a larger (0.9 acre) property located near the southeast corner of Gibson Boulevard SE and Mulberry Street SE.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following applicable Goal and policies in Comprehensive Plan Chapter 4: Community Identity:
  - a. POLICY 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request furthers Policy 4.1.2 because it will allow for the appropriate type and scale and location of development, mix of uses, and character of building design in utilizing this underutilized space.
6. The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 5: Land Use:
  - a. GOAL 5.1 Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.
  - b. POLICY 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The request furthers Goal 5.1 and related policies by capturing new, small-scale commercial growth in an Area of Consistency near a commuter corridor with access to high-quality transit. Allowing for infill development and redevelopment with a mix of low-intensity uses will promote new opportunities to live, work, and shop in a walkable neighborhood.
  - c. POLICY 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The request furthers Policy 5.1.2 because the subject site is located in a commuter corridor area, as well as being within an Area of Consistency, so a zone change to a more intense mixed-use zone is appropriate for this location, thus furthering this policy.

- d. GOAL 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.
- e. POLICY 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request furthers Goal 5.2 and related policies by allowing low-intensity uses near the edge of a neighborhood where residents can easily walk to the new proposed commercial use. The request will also provide an opportunity for more productive development on a currently vacant and under-utilized lot next to existing businesses in the MX-L zone.

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

The request furthers Goal 5.3 and related policies because the change will support redevelopment on the site that Support additional growth in areas with existing infrastructure and public facilities.

- h. POLICY 5.3.2 Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The request furthers Policy 5.3.2 because the change will support redevelopment on the site that support additional growth in areas with existing infrastructure and public facilities.

- i. GOAL 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.
- j. POLICY 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

The request furthers Goal 5.7 and related policies by removing a floating zone line that is currently an impediment on future development. The applicant has shown the site will provide for desired infill development, to effectively and equitably implement the Comp Plan.

6. The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 7: Urban Design:

- a. GOAL 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.
- b. POLICY 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The request furthers Goal 7.3 and related policies by allowing new infill development that enhances the built environment and blends in style and building materials with surrounding structures and the streetscape along the Gibson Boulevard commuter corridor.

7. The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 8: Economic Development:

- a. GOAL 8.1 Placemaking: Create places where business and talent will stay and thrive.
- b. POLICY 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The request furthers Goal 8.1 and related policies by creating additional opportunities for economic development in the area that furthers social, cultural, and environmental goals.

The request furthers Goal 8.1 and related policies by creating additional opportunities for localized development that will support the hiring of adjacent local residents and college students.

- c. POLICY 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

The request furthers Goal 8.1 and related policies by providing local, infill redevelopment in a neighborhood that could benefit from opportunities for economic development that creates more local jobs and supports the hiring of local residents.

8. 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. Criterion A. Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan

- Goals and Policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in his policy-based response, that the request would be consistent with the City's health, safety, morals and general welfare.
- B. Criterion B: 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).
  - C. Criterion C: the subject site is in an Area of Consistency, not an Area of Change.
  - D. Criterion D: The applicant has demonstrated that the requested MX-L includes permissive uses that allow a variety of neighborhood commercial uses (see applicant's table of uses in the justification letter) that will not be harmful.
  - E. Criterion E: The applicant refers to sub-criterion 1, that the subject site has adequate infrastructure capacity to serve development that the request would make possible.
  - F. Criterion F: The subject site's location is on Mulberry and is classified as a local road. The justification is based on the request furthering a preponderance of applicable Comprehensive Plan policies as demonstrated in the response to Criterion A.
  - G. Criterion G: Economic considerations are a factor, but the applicant's justification is not completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies.
  - H. Criterion H: The request would result in removing a spot zone. Criterion H is not applicable.
9. The applicant sent the required notifications to both the Kirtland Community and Clayton Heights Lomas del Cielo Neighborhood Associations (NA) for the subject site. In addition to sending out notifications, both Consensus Planning and the applicant, Prime Properties, met with the Kirtland Community NA Board on July 16, 2019 to provide information related to both the Zone Map Amendment and the Conditional Use requests. A summary of the meeting minutes is included with this application. Property owner letters were mailed on July 25, 2019 to all the property owners included within a 100' for **both** the Zone Map Amendment and the Conditional Use applications. As of this writing, Staff has not received any comments. There is no known opposition.
10. The applicant will need to coordinate development on the site with PNM.

***Recommendation***

***APPROVAL of Project #2019-002669, RZ-2019-00045 , a zone change from R-1B to MX-L, for an approximately 0.1 acre site located near 1314 Gibson Blvd SE, between Mulberry St., SE and Gibson Blvd SE, based on the preceding Findings.***

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***Linda Rumpf  
Staff Planner***

***Notice of Decision***

***cc list:***

List will be finalized subsequent to the EPC hearing on September 12, 2019.

## **AGENCY COMMENTS**

### **PLANNING DEPARTMENT**

#### *Long Range Planning*

The request is for a Zoning Map Amendment from R-1B to MX-L to remedy a floating zone line on the southwest corner of parcel. The City-owned land to the south is part of the Phase 2 zoning conversion process in Batch 2 (Form ID 1435), recommended to convert to MX-L and to be decided by City Council. The applicant did not opt in to that process for the subject site, so a portion of R-1 zoning would remain. The applicant states the purpose for the rezoning is to make the existing parking lot conforming, since it is currently nonconforming. The applicant intends to develop a coffee house on the site. A coffee house would be permissive on the site as a restaurant use. In considering the zone map amendment request, the Environmental Planning Commission would need to review the appropriateness of all other uses allowed in the MX-L zone district. Because this request is for a zone change for a small portion of a lot to fix a floating zone boundary, there will be little to no impact on the surrounding context or land use compatibility with abutting properties. Approving the request to fix the floating zone line will encourage appropriate infill in a location that has access to existing infrastructure.

#### *Metropolitan Redevelopment*

No comments received

#### *Hydrology*

No objections.

#### *Neighborhood Coordination*

No comments received

#### *Transportation Development Services*

No comments received

#### *Zoning / Code Enforcement*

No comments received

### **MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION**

No Comments

### **POLICE DEPARTMENT/PLANNING**

No comments received

**SOLID WASTE MANAGEMENT DEPARTMENT**

No comments

**TRANSIT DEPARTMENT**

Case Number: Project #2019-002669 RZ-2019-00045

Brief Description of Request: Zone Map Amendment from R1-B to MX-L for 0.4 acres at 1314 Gibson Boulevard, on Mulberry Street

Transit Corridor?\* On the Gibson Boulevard Commuter Corridor

Transit Route? Commuter Route 96, which connects Rio Rancho to Kirtland Air Force Base

Current Service/Stops: There is a well-separated stop pair on Gibson Boulevard. The west bound stop is on the north side of Gibson approximately 1000 feet east of Mulberry. The east bound stop is approximately 1500 feet east, near University Boulevard

**ABC WATER UTILITY AUTHORITY (ABCWUA)**

No comments received

**ALBUQUERQUE PUBLIC SCHOOLS**

No comments received

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)**

No objections

**COUNTY OF BERNALILLO**

No comments received

**MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)**

MRMPO has no adverse comments.

For informational purposes:

- Gibson Blvd is functionally classified as a Principal Arterial currently and in the LRRS.
- The LRBS indicates Mulberry St is a proposed Bicycle Route.
- Gibson Blvd is a limited access facility in the project area. Please contact Dave Pennella at 724-3621 or [dpennella@mrcog-nm.gov](mailto:dpennella@mrcog-nm.gov) with any questions about access control.
- Gibson Blvd is an Intelligent Transportation System (ITS) Priority Corridor. Please consult the reviewing agency's Traffic Engineering and/or ITS Department with any questions regarding ITS infrastructure.

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

1. There is a 46kV transmission line with distribution underbuild along the south side of the subject property. When redevelopment occurs contact PNM. It is necessary for the applicant to coordinate with to ensure that compliance with the National Electrical Safety Code for both horizontal and vertical clearances are met between the existing distribution line and the proposed building footprint. The customer must also ensure applicable OSHA safe working clearance requirements for employees and equipment with respect to PNM's lines are met during and after construction of the building.

Contact: Mike Moyer  
PNM Service Center  
4201 Edith Boulevard NE Albuquerque, NM 87107  
Phone: (505) 241-3697

**NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)**

NMDOT has no comments at this time.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

No comments received

**NM GAS COMPANY**

No comments received

**PETROGLYPH NATIONAL MONUMENT**

No comments received

**AVIATION DEPARTMENT**

No comments received

**KIRTLAND AIR FORCE BASE**

No comments received

## **APPENDIX**

## PHOTOS





**Parking lot on Mulberry**



**Mulberry access to Gibson**



## APPLICATION INFORMATION



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

<b>Administrative Decisions</b>	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<b>Policy Decisions</b>
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
<b>Decisions Requiring a Public Meeting or Hearing</b>	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Variance – DRB (Form V)	<b>Appeals</b>
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

**APPLICATION INFORMATION**

Applicant: Prime Properties LLC.		Phone: (505) 338-2149
Address: 6801 Jefferson NE, Suite 300		Email: wes@mdgrealestate.com
City: Albuquerque	State: NM	Zip: 87109
Professional/Agent (if any): Consensus Planning, Inc.		Phone: (505) 764-9801
Address: 302 Eighth Street NW		Email: cp@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site: Contract Purchaser	List all owners: Isshin Ryu Club, Inc.	

**BRIEF DESCRIPTION OF REQUEST**

Zone change from R-1B to MX-L to remove the floating zone line and to allow for commercial redevelopment.

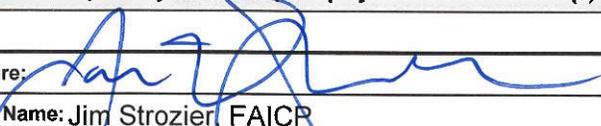
**SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)**

Lot or Tract No.: A Portion of Lot D	Block: 0000	Unit:
Subdivision/Addition: Gibson & Miles Area	MRGCD Map No.:	UPC Code: 101505614400730103
Zone Atlas Page(s): L-15	Existing Zoning: R-1B	Proposed Zoning: MX-L
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): .04 acres

**LOCATION OF PROPERTY BY STREETS**

Site Address/Street: 1314 Gibson Blvd SE Between: Mulberry Street SE and: Gibson Boulevard SE

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

Signature:  Date: 07/25/2019  
 Printed Name: Jim Strozier, FAICP  Applicant or  Agent

**FOR OFFICIAL USE ONLY**

Case Numbers	Action	Fees
-		
-		
-		

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

**Form Z: Policy Decisions**

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

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

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

- Interpreter Needed for Hearing? NO if yes, indicate language: \_\_\_\_\_
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent
- Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

**ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

**ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

**AMENDMENT TO IDO TEXT**

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

**ZONING MAP AMENDMENT – EPC**

**ZONING MAP AMENDMENT – COUNCIL**

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

**ANNEXATION OF LAND**

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

<i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i>	
Signature:	Date: 07/25/2019
Printed Name: Jim Strozier, FAICP	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent
<b>FOR OFFICIAL USE ONLY</b>	
Project Number:	Case Numbers
_____	_____
_____	_____
_____	_____
Staff Signature:	
Date:	

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19.211 Date: Tuesday 07.13.2019 Time: 1:00pm

Address: 1314 Gibson SE

**AGENCY REPRESENTATIVES AT MEETING:**  
Planning: Russell Brito  
Code Enforcement: Carl Garcia  
Fire Marshall: \_\_\_\_\_  
Transportation: Majgan Maadandar  
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: \_\_\_\_\_  
\_\_\_\_\_

**SITE INFORMATION:**

Zone: Mostly MX-L corner R-1 Size: ~ 1 acre  
Use: \_\_\_\_\_ Overlay Zone: \_\_\_\_\_  
Comp Plan Area Of: \_\_\_\_\_ Comp Plan Corridor: \_\_\_\_\_  
Comp Plan Center: \_\_\_\_\_ MPOS or Sensitive Lands: \_\_\_\_\_  
Parking: \_\_\_\_\_ MR Area: \_\_\_\_\_  
Landscaping: \_\_\_\_\_ Street Trees: \_\_\_\_\_  
Use Specific Standards: \_\_\_\_\_  
Dimensional Standards: \_\_\_\_\_

\*Neighborhood Organization/s: \_\_\_\_\_

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

**PROCESS:**  
Type of Action: Cond. Use  
Review and Approval Body: ZHE Is this PRT a requirement? yes

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-211 Date: Tuesday 07-13-19 Time: 1:00pm

Address: 1314 Gibson SE

NOTES: • Batch 2 of Phase 2 conversion pending at Council.

• p. 132 Use Table 4-2.1  
Conditional Use Permit needed for Drive-through

• 6.6.A p. 385 - acquired through ZHE

" " Review and Decision Criteria

• Applicable Regulations:

- 5.5.1 Vehicle Stacking p. 249 - 250

- 5.5.1.1

- 4.3.F.4 p. 173 - Drive-through

- 5.9.F p. 287 - "abutting"

- Signage - 5.12.F p. 301, Table 5-12-7

- 18 Ft. high & 10'0 SF

- If Variances needed review 6.6.N p. 412 for Criteria p. 413

• No T.I.S. required

• Move dumpster away from residential properties

Isshin Ryu Club Inc.  
1314 Gibson Blvd SE  
Albuquerque, NM 87106

July 18, 2019

Dan Serrano, Chairperson  
Environmental Planning Commission  
600 Second Street NW  
Albuquerque, NM 87102

Stan Harada, Esq.,  
Zoning Hearing Examiner  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Kym Dicome, Chairperson  
Development Review Board  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

RE: Conditional Use Permit and Zone Map Amendment for 1314 Gibson Blvd SE

Dear Mr. Serrano, Mr. Harada, and Ms. Dicome,

Isshin Ryu Club Inc. hereby authorizes Consensus Planning Inc. and Cartesian Surveys Inc. to act as agents and provide entitlement services relative to a Conditional Use Permit, Zone Map Amendment, and platting to allow for a drive-through to be developed at 1314 Gibson Boulevard SE on the southeast corner of Gibson Boulevard and Mulberry Street SE. The legal description and an exhibit depicting the subject property is attached hereto. Entitlement services shall include, but not be limited to: general correspondence, platting efforts, site planning, and zoning; representation before the Environmental Planning Commission (EPC), the Zoning Hearing Examiner (ZHE), and the Development Review Board (DRB); and all application submittals.

Sincerely,  
Isshin Ryu Club Inc.

Signature: 

Printed Name: \_\_\_\_\_

Title: President

Prime Properties LLC.  
6801 Jefferson NE, Suite 300  
Albuquerque, NM 87109

July 18, 2019

Dan Serrano, Chairperson  
Environmental Planning Commission  
600 Second Street NW  
Albuquerque, NM 87102

Stan Harada, Esq.,  
Zoning Hearing Examiner  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Kym Dicome, Chairperson  
Development Review Board  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

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Sincerely,  
PRIME PROPERTIES LLC.

Signature: \_\_\_\_\_



Printed Name: Steve Maestas

Title: Manager

**EXHIBIT "A"**

A tract of land situate within the Town of Albuquerque Grant projected Section 28 and Section 28, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being all of TRACT A, GIBSON AND MILES AREA, as the same is shown and designated on said plat, filed for record in the office of the County Clerk of Bernalillo County, New Mexico, on March 22, 1965, in Volume D3, Folio 110,

**AND**

A tract of land situate within the Town of Albuquerque Grant, projected Section 28, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being the Remaining Portion of Tract D, Gibson and Miles Area, as the same is shown and designated on said plat, filed for record in the office of the County Clerk of Bernalillo County, New Mexico, on March 22, 1965, in Volume D3, Folio 110, and being more particularly described as follows:

**BEGINNING** at the northwest corner of the herein described tract said point being on the south line of the Remainder of Linda Koury Tract, as the same is shown and designated on said plat, filed for record in the office of the County Clerk of Bernalillo County, New Mexico, on September 21, 1966, in Volume C06, Folio 138, and further being on the east right-of-way line of Mulberry Street SE, from whence AGRS monument "SDC-13-4" bears N17°02'00"W, 287.97 feet;

**THENCE** leaving said east right-of-way line, along a line common with the south line of said Linda Koury Tract, S89°18'34"E, 105.76 feet to the northeast corner, said point being common to the southeast corner of said Linda Koury Tract, and further being on the west line of Tract A of said Gibson and Miles Area;

**THENCE** leaving said south line, along a line common to the west line of said Tract A, S00°25'39"W, 58.40 feet to the southeast corner, said point being on a line common to the south line of the Town of Albuquerque Grant;

**THENCE** along said south line, N89°40'33"W, 105.44 feet to the southwest corner, said point being on the east right-of-way line of Mulberry Street SE;

**THENCE** along said east right-of-way line, N00°07'27"E, 59.08 feet to the point of beginning.

**AND**

A tract of land situate within Section 28, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being a portion of Fractional Lot 6 and 7, said Section 28, as the same is shown and designated in a Real Estate Deed, filed for record in the office of the County Clerk of Bernalillo County, New Mexico, on July 17, 1962, in Book D-651, Page 8, and being more particularly described as follows:

**BEGINNING** at the northwest corner of the herein described tract, said point being on the south line of the Remaining Portion of Tract D, Gibson and Miles Area and being on the south line of the Town of Albuquerque Grant and further being on the east right-of-way line of Mulberry Street SE, from whence AGRS Monument "SDC-13-4" bears N14°08'12"W, 344.86 feet;

**THENCE** along said south lines, S89°40'33"E, 105.44 feet to the northeast corner, said point being common with the southeast corner of said Tract D and further being on the west line of Tract A, Gibson and Miles Area; **THENCE** leaving said south lines, along a line common with the west line of said Tract A, S00°25'39"W, 28.13 feet to the southeast corner, said point being common to the southwest corner of said Tract A;

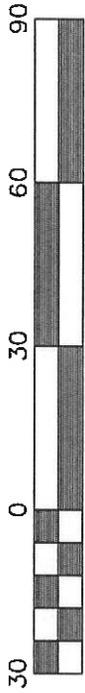
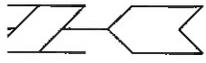
**Commitment No.: 1904451**

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THENCE leaving said west line, along a line common to the north line of Kirtland Addition Unit 1 and further being on the north right-of-way line of an Alley, also being on the south line of said Section 28, N89°39'33"W, 70.14 feet to a point, said point being common with the northwest corner of said Kirtland Addition Unit 1;

THENCE leaving said north line, N89°40'33"W, 31.38 feet to the southwest corner, said point being on the east right-of-way line of Mulberry Street SE;

THENCE leaving said east right-of-way line, N07°31'09"W, 28.37 feet to the point of beginning.

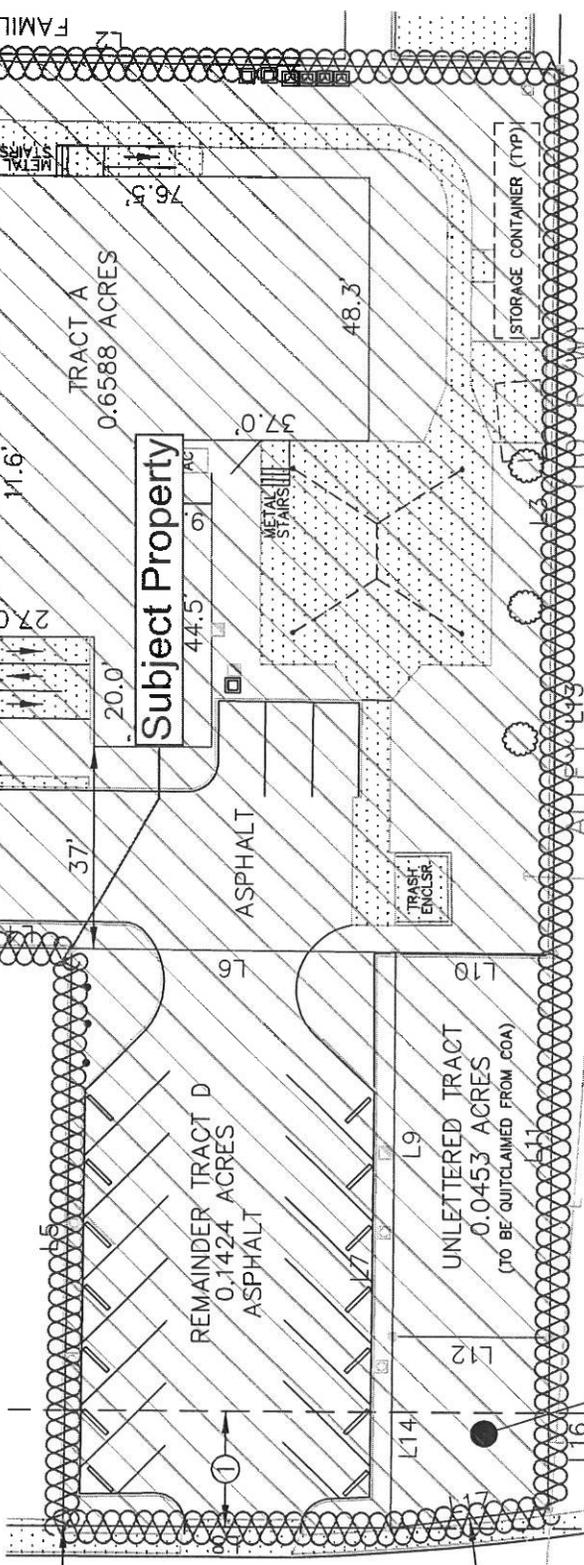


Scale 1" = 30'

REMAINDER LINDA KOURY TRACT  
(09-21-1966, C06-138)

SUBWAY

MULBERRY STREET SE  
(R/W VARIES)



Subject Property

56'

53'

je, NM 87106

of 825  
County,

LOT 1 LOT 2 LOT 3 LOT 4

REMAINING PORTION  
0.0215 ACRES  
(TO BE QUITCLAIMED FROM COA)

BLOCK 1  
KIRTLAND ADDITION UNIT 1  
(02-16-1951, C01-144)

MENTS

ING 20' STORM DRAIN EASEMENT  
29-1961, D396-549)  
17-1961, D003-004)

# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Prime Properties, LLC or assigns DATE OF REQUEST: 07/19/19 ZONE ATLAS PAGE(S): 0.04 Acres

CURRENT: ZONING R-1B LEGAL DESCRIPTION: D Gibson & Miles Area BLOCK # 0000  
PARCEL SIZE (AC/SQ. FT.) 0.04 Acres SUBDIVISION NAME Woodward - Hugh B

REQUESTED CITY ACTION(S):  
ANNEXATION [ ] SITE DEVELOPMENT PLAN:  
ZONE CHANGE [X]: From R-1B To MX-L SUBDIVISION\* [ ] AMENDMENT [ ]  
SECTOR, AREA, FAC, COMP PLAN [ ] BUILDING PERMIT [ ] ACCESS PERMIT [ ]  
AMENDMENT (Map/Text) [ ] BUILDING PURPOSES [ ] OTHER [ ]  
\*includes platting actions

PROPOSED DEVELOPMENT: NO CONSTRUCTION/DEVELOPMENT [ ] # OF UNITS: \_\_\_\_\_  
NEW CONSTRUCTION [X] BUILDING SIZE: 2200 (sq. ft.)  
EXPANSION OF EXISTING DEVELOPMENT [ ]

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination. Zone Map Amendment Request is part of an overall Conditional Use for a drive-through.

APPLICANT OR REPRESENTATIVE Shawna Ballay DATE 7/19/19  
(To be signed upon completion of processing by the Traffic Engineer)

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

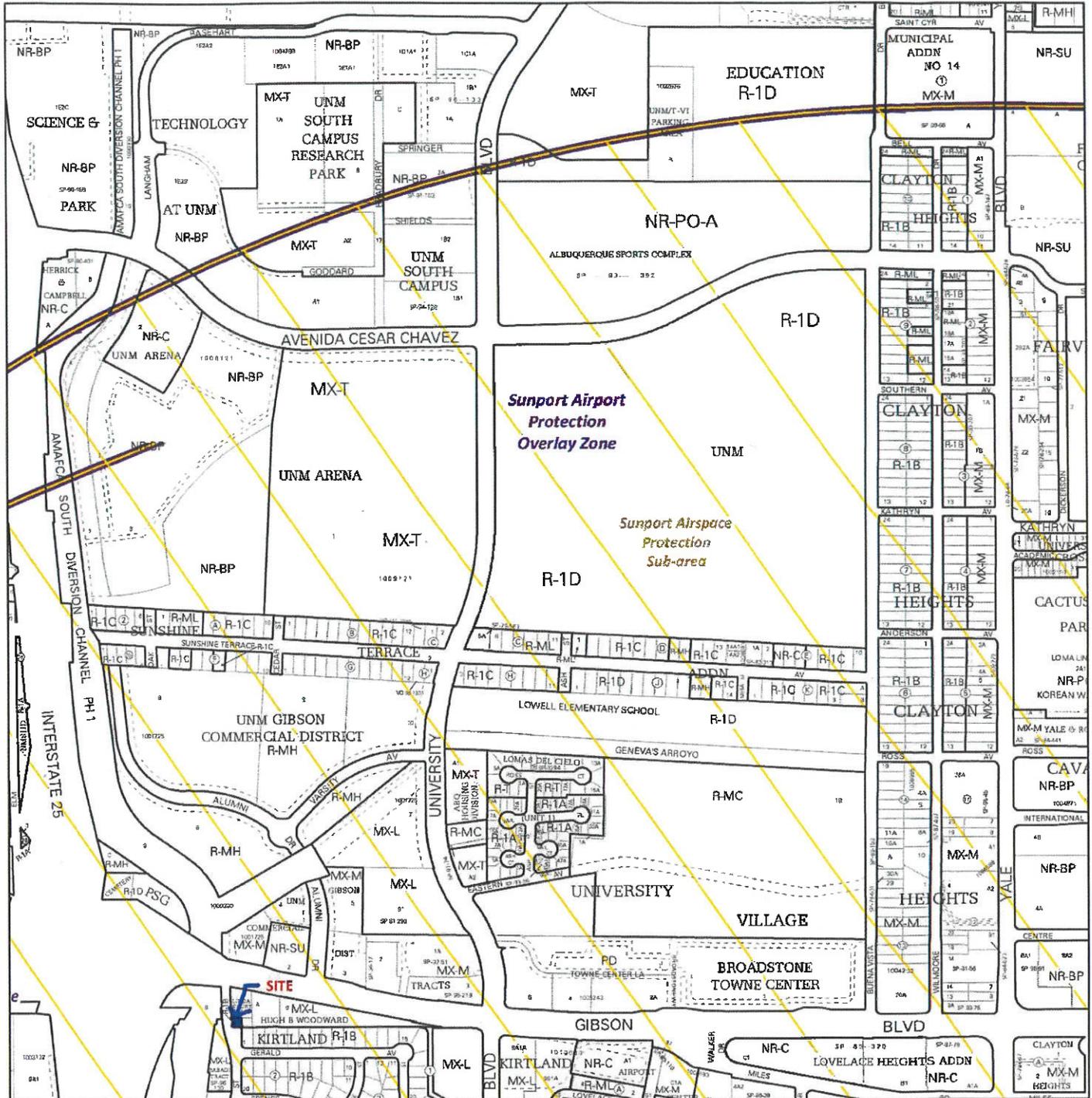
TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [X] BORDERLINE [ ]  
THRESHOLDS MET? YES [ ] NO [X] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]  
Notes: Further development may trigger need for TIS depending on use & size.

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.**

[Signature] 7/19/19  
TRAFFIC ENGINEER DATE

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

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

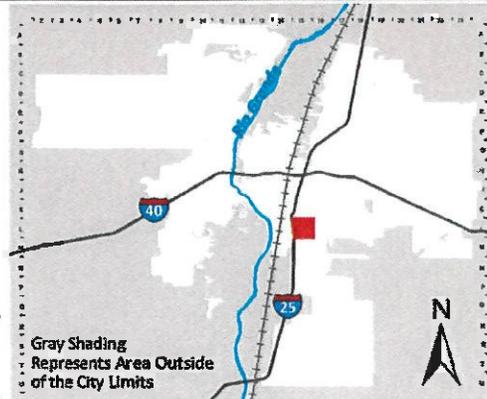


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones  
are established by the  
Integrated Development Ordinance (IDO).



Gray Shading  
Represents Area Outside  
of the City Limits

Zone Atlas Page:  
**L-15-Z**

-  Easement
-  Areas Outside of City Limits
-  Airport Protection Overlay (APO) Zone
-  Character Protection Overlay (CPO) Zone
-  Historic Protection Overlay (HPO) Zone
-  View Protection Overlay (VPO) Zone
-  Escarpment
-  Petroglyph National Monument

0 250 500 1,000 Feet



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# Meeting Minutes

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**Project:** 1314 Gibson Boulevard SE

**Subject:** Neighborhood Association (NA) Pre-Application Meeting

**Meeting Date/Time:** July 16, 2019 @ 6:00 p.m.

**Attendance** Jim Strozier, Consensus Planning  
Shawna Ballay, Consensus Planning  
Steve Maestas, Prime Properties LLC. Developer and Applicant  
Elizabeth Aikin, Kirtland Neighborhood Association  
Elanor Brown, Kirtland Neighborhood Association  
Otis D. Brown, Kirtland Neighborhood Association  
Marcia Boyer, Kirtland Neighborhood Association  
Elena Zamora, Kirtland Neighborhood Association  
Margaret Martinez, Kirtland Neighborhood Association

## Summary

Consensus Planning and Prime Properties LLC., were invited to attend the Kirtland Community Association Board Meeting to provide an overview of what is being planned at 1314 Gibson Boulevard SE.

## Discussion Items

- Jim gave a brief presentation on the following items:
  - Summary of the City of Albuquerque's Integrated Development Ordinance (IDO) and the requirements for both the pre-application and application process;
  - Summary of the proposed plans for a new coffee shop with a drive-through facility. He also explained the intent to submit both a Zone Amendment request to the Environmental Planning Commission (EPC) for the small un-platted R-1B portion of the property as well as a Conditional Use request to the Zoning Hearing Examiner (ZHE) for the drive-through;
  - The R-1B lot is included in the City of Albuquerque's voluntary batch conversion for zone map amendments and has been recommended to the City Council for approval, but that process will take too long;
  - MX-L Zone sign height restriction (18') with the possibility of the application to ZHE to include a variance request for the sign height;
  - Challenges of the site design due to restrictions of the drive-through adjacency limitations next to both the residents and the Gibson Boulevard;
- Steve provided a summary of the following:
  - Intended construction type and quality of the facility;
  - Intended use of the facility based on the purchaser's research of the site location;
  - Desired schedule of project construction if the conditional use application is approved.

### **Concerns/Questions (Responses in Italics)**

- NA Attendees brought up concerns about the following:
  - Site design and access limitations from the Subway parking lot;
    - *The Developer responded that they propose to eliminate the connection to the Subway property because it is too close to the driveway onto Gibson.*
  - Impacts to traffic and inquired is there would be a traffic light included in the project.
    - *It was explained that this project does not meet the City's threshold to require a Traffic Impact Study. Steve indicated that he would be happy to support the neighborhoods request for a future signal.*
- NA Attendees inquired if the project site could have an off-premise sign?
  - *No, that is not allowed at this location.*

### **Areas of Agreement**

- Development that includes a coffee shop is more favorable than most alternatives (liquor stores, vape shops, etc.).
- Site Plan proposed to eliminate / prevent traffic in the Subway parking lot from crossing over into the property.

### **Areas of Disagreement**

- None noted.

### **Next Steps**

- Consensus Planning intends to submit an application for the Zone Map Amendment by July 25, 2019 for the September EPC hearing date.
- Consensus Planning intends to submit an application for the Conditions Use for the drive-through by July 30, 2019 for the September ZHE hearing date.

Kirtland Community Association  
 Board/General Meeting - July 16, 2019 @ 6:00pm/7:00pm  
 Sign In

Name	Address	Phone	E-Mail	B	G
Elizabeth Aikin	1524 Alamo SE	<del>247-2941</del> 288-6324	balkin@kinc.comcast.net		XX
Eleana Brown	1525 SAN JOSE SE	247-2941			
Otis J Brown	" " " "	247-2941	Otis@SwappyDuplications.com		
Shanna Ballou	2906 Burton Ave SE	982-4745	ballou@consensusplanning.com		
JIM STROZGER	302 E. Street NW	764-9804	cp 12		
Steve Maestas	6801 Jefferson NE 300 #	878-0004	Steve@midgrealestate.com		XX
MARCEA BOYER	1624 ALAMO AVE SE	246-0068	marcea.d.boyer@gmail.com		
Elena Zamora	1401 San Jose SE	247-9019			
Margaret Martinez	1524 Wheeler Ave SE	243-0178			

**From:** [Quevedo, Vicente M.](#)  
**To:** [Michael Vos](#)  
**Subject:** Neighborhood Meeting Inquiry, Gerald and Mulberry\_EPC  
**Date:** Thursday, July 18, 2019 8:51:03 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[Gibson\\_ZMA\\_Zone Atlas L-15.pdf](#)  
[Neighborhood Meeting Inquiry, Gerald and Mulberry\\_EPC.docx](#)

Mike,

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

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Kirtland Community Association	Elizabeth	Aikin	<a href="mailto:bakieaikin@comcast.net">bakieaikin@comcast.net</a>	1524 Alamo Avenue SE	Albuquerque	NM	87106	5052886324	
Kirtland Community Association	Kimberly	Brown	<a href="mailto:kande0@yahoo.com">kande0@yahoo.com</a>	PO Box 9731	Albuquerque	NM	87119		5052429439

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

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

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

Respectfully,

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

Website: [www.cabq.gov/neighborhoods](http://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:** Thursday, July 18, 2019 7:38 AM  
**To:** Office of Neighborhood Coordination <vos@consensusplanning.com>  
**Cc:** 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  
Michael Vos  
Telephone Number  
5057649801  
Email Address  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

Company Name  
Consensus Planning, Inc.  
Company Address  
302 8th Street NW  
City  
Albuquerque  
State  
NM  
ZIP  
87102

Legal description of the subject site for this project:  
Unlettered Tract/Remainder portion of Tract D, Gibson and Miles Area Land of Hugh B Woodward  
Physical address of subject site:  
99999 Gibson Blvd SE  
Subject site cross streets:  
Mulberry and Gibson/Gerald  
Other subject site identifiers:  
Discussed on phone with Vicente  
This site is located on the following zone atlas page:  
L-15

-----  
This message has been analyzed by Deep Discovery Email Inspector.



August 23, 2019

Dan Serrano, Chairperson  
Environmental Planning Commission  
600 Second Street NW  
Albuquerque, NM 87102

Landscape Architecture  
Urban Design  
Planning Services

Re: 1314 Gibson Boulevard SE – Request for Zoning Map Amendment

Dear Mr. Chairman:

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

On behalf of the applicant/contract purchaser, Prime Properties LLC. and the property owner, Isshin Ryu Club Inc., Consensus Planning submits this request for approval of a Zone Map Amendment – EPC. The purpose of this letter is to provide justification of our request by responding to the decision criteria specified in the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3) as well as outlining how this request supports the Comprehensive Plan's goals and policies. The subject site is approximately .04 acres and is located at the southeast corner of Gibson Boulevard SE and Mulberry Street SE (see Figure 1). The following is the subject site's legal description:

GIBSON X MILES AREA TR A LANDS OF HUGH B WOODWARD CONT 0.65969 AC PLAT F and ELY POR OF TR D OF GIBSON & MILES AREA-LAND OF HUGH B WOODWARD CONT 0.239 AC and A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT PROJECTED SECTION 28 AND SECTION 28, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING ALL OF TRACT A, GIBSON AND MILES AREA, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 22, 1965, IN VOLUME D3, FOLIO 110, and A TRACT OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT, PROJECTED SECTION 28, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING THE REMAINING PORTION OF TRACT D, GIBSON AND MILES AREA, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 22, 1965, IN VOLUME D3, FOLIO 110

#### PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP



**Figure 1. Subject Site (in light yellow)**



## PROJECT SUMMARY

The subject site's R-1B zoning designation is considered a floating zone line that does not align with any County and City lot lines as demonstrated in Figure 2. The Environmental Planning Commission (EPC) voted to approve the rezoning of a portion of this property as part of the City of Albuquerque's (COA) voluntary zone conversions on July 11, 2019 as demonstrated in Figure 3.

In addition to a floating zone line, the existing zoning is inappropriate for the subject site as it limits uses to single-family residential on a property that currently has a portion of the parking lot, which is a non-confirming use in an R-1B zone. Rezoning of this non-confirming property will remove a floating zone line and bring this small parcel into conformance with the existing zoning for the balance of the property.

It is anticipated that the City's approved voluntary zoning amendments could take an additional 6-9 months to completely process. In order to expedite the rezoning for the subject site, the applicant is requesting a change from the existing R-1B to MX-L (Mixed-Use Low Intensity) zoning to allow for non-residential uses. The zone change would also eliminate the non-confirming status and allow for cohesive redevelopment of the entire property.

Upon approval of the Zone Map Amendment, the applicant and developer, Prime Properties, is proposing development of the surrounding MX-L property and the subject site as shown on Figure 4 with one commercial building for a permissive restaurant use under the MX-L zoning. The project is proposing a drive-through for the building to support a proposed coffee-shop and has requested a Conditional Use through the Zoning Hearing Examiner (ZHE). The developer will replat the properties to consolidate the lots through the Development Review Board (DRB).

This request is well-supported by the Comprehensive Plan's goals and policies and meets the criteria for a Zoning Map Amendment – EPC per IDO Section 14-6-7(F) as described further in the "Justification" section of this letter.

## NEIGHBORHOOD ASSOCIATION NOTICES AND PROPERTY OWNER LETTERS

Consensus Planning sent the required notifications to both the Kirtland Community and Clayton Heights Lomas del Cielo Neighborhood Associations (NA) for the subject site. In addition to sending out notifications, both Consensus Planning and the applicant, Prime Properties, met with the Kirtland Community NA Board on July 16, 2019 to provide information related to both the Zone Map Amendment and the Conditional Use requests. A summary of the meeting minutes is included with this application.

Property owner letters were mailed on July 25, 2019 to all the property owners included within a 100' for **both** the Zone Map Amendment and the Conditional Use applications. The property owner buffer used for distributing the notifications for the Zone Map Amendment **exceeds** the 100' buffer required for this Zone Map Amendment request.

## SITE HISTORY

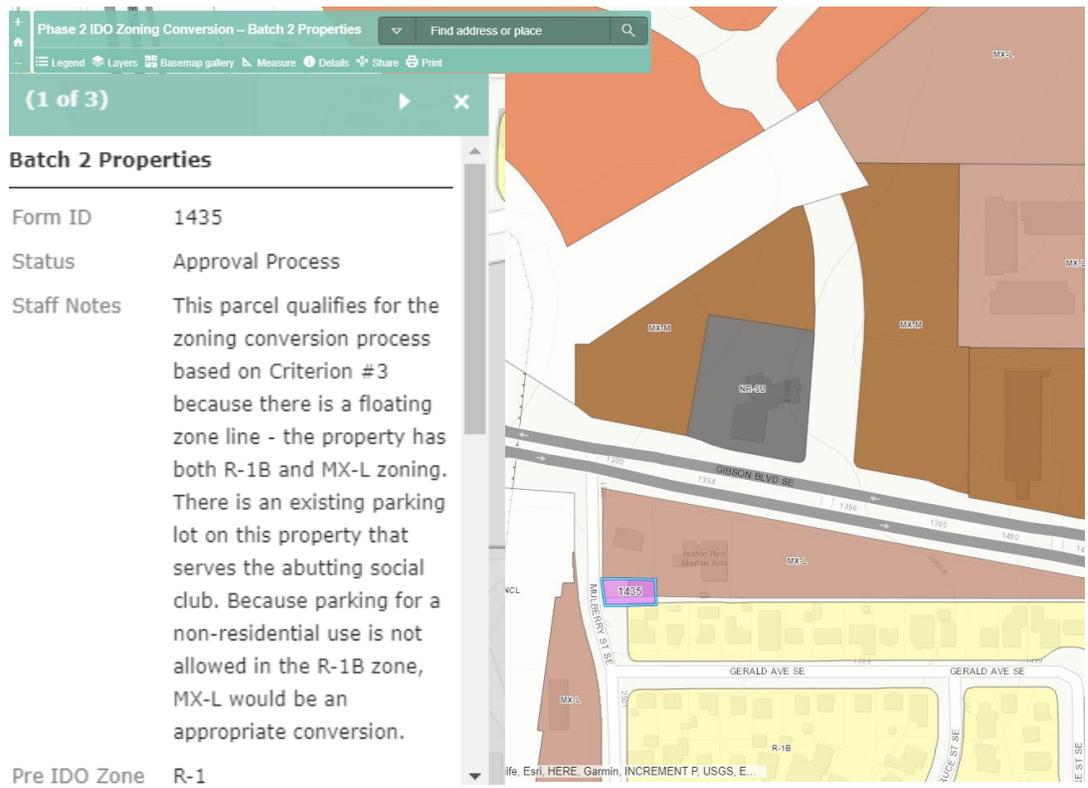
Based on a review of the COA's Advanced Map Viewer, Consensus Planning could not locate any case history related to the .04-acre site other than identifying that the site was annexed by the City of Albuquerque on 09/09/1949. The following two documents were provided by the applicant as support to the ALTA survey of the surrounding property and subject site and can be provided to the COA by request:

- 1) 1962 Quitclaim deed that transferred a larger tract of land, to include the subject site, from three estate owners to the City of Albuquerque; and,

- 2) 2019 Quitclaim deed that transferred the surrounding property and subject site, from the City of Albuquerque to the current owner, Isshin Ryu Club Inc.



**Figure 2. R-1B Floating Zone Line**



**Phase 2 IDO Zoning Conversion – Batch 2 Properties**

Find address or place

(1 of 3)

**Batch 2 Properties**

Form ID	1435
Status	Approval Process
Staff Notes	This parcel qualifies for the zoning conversion process based on Criterion #3 because there is a floating zone line - the property has both R-1B and MX-L zoning. There is an existing parking lot on this property that serves the abutting social club. Because parking for a non-residential use is not allowed in the R-1B zone, MX-L would be an appropriate conversion.

Pre IDO Zone R-1

**Figure 3. Phase 2 IDO Zoning Conversion – Batch 2 Properties (Screen Shot from Interactive Map of Zoning Conversions)**



**Figure 4. Dotted yellow boundary shows the overall .09-acre project site for Conditional Use request to ZHE (to include the R-1B Zone Map Amendment subject site on the southwest corner)**

**LAND USE CONTEXT**

The property is located in an “Area of Consistency” as designated by the Comprehensive Plan. The area surrounding the subject site contains single-family residential to the south and mixed land uses (see Table 1) that includes a Burger King, Subway, and Family Dollar Store. To the west is also an Undesignated” land use that serves as a storm-drain facility for the Albuquerque Metropolitan Arroyo Flood Control (AMAFCA).

**Table 1. Land Use Context**

TABLE 1. Surrounding Zoning & Land Use		
<b>NORTH</b>	MX-L	Non-Destination Retail and Commercial (Subway)
<b>EAST</b>	MX-L, UNCL	Non-Destination Retail and Commercial, and Unclassified AMAFCA
<b>SOUTH</b>	R-1B	Single-family residential, duplex, and townhouse
<b>WEST</b>	MX-L	Non-destination Retail and Commercial (Burger King)

**JUSTIFICATION – SECTION 14-16-6-7(f)(3) OF INTEGRATED DEVELOPMENT ORDINANCE**

This request for a Zoning Map Amendment complies with the criteria outlined in Section 14-16-6-7(F)(3) of the Integrated Development Ordinance (IDO) as follows:

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

**Applicant’s Response:** *The proposed zone change is consistent with the health, safety, and general welfare of the City, and will further a preponderance of the following applicable policies of the Comprehensive Plan.*

**Goal 4.1 Character: Enhance, protect, and preserve distinct communities.**

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

**Applicant Response:** *The request furthers this policy because it will allow and ensure the appropriate type and scale of land uses that will be conducive for quality development that is appropriate and cohesive within the current context and development of adjacent properties. The request will promote the protection and enhancement of neighborhood character by establishing a zone change that is compatible with the surrounding land uses and zoning patterns.*

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

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

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

**Applicant Response:** *The request furthers this goal and policy by capturing small-scale commercial growth in an Area of Consistency where there is an opportunity for infill development and redevelopment.*

**Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.**

**Applicant Response:** *The request will further this policy by establishing a zone that is more appropriate for the density of the surrounding land use adjacent to a designated "Commuter" corridor to accommodate higher speed and higher-traffic volume routes that will benefit from more auto-oriented development.*

**Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.**

**Applicant Response:** *The request will allow for a more conducive, mixed-use zoning for development that can accommodate the objectives of a Commuter Corridor for higher-speed, higher-traffic volume development like the coffee-shop currently under consideration for the subject site.*

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

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

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

**Applicant Response:** *The request will further this policy by allowing for development that will bring amenities and jobs within walking and biking distances from the surrounding neighborhoods to the south and the nearby UNM living campus centers.*

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

**Applicant Response:** *The request will further the sustainability of the surrounding community by promoting and encouraging redevelopment activities in an infill location with new opportunities for services and employment at an appropriate form and scale.*

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

**Applicant Response:** *The request will provide an opportunity for more productive development on a currently vacant and under-utilized lot next to existing businesses in the MX-L zone.*

**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.**

**Applicant Response:** *The request will further this goal and policy by supporting compatible development within an area that is currently supported by existing infrastructure and public facilities.*

**Policy 5.3.2 Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.**

**Applicant Response:** *The request will allow for development where there is existing infrastructure and public facilities.*

**Goal 5.7 Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.**

**Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.**

**Applicant Response:** *The request will further this policy by removing a floating zone line that is currently an impediment on future development. Removing the floating zone line allows for support of the Comprehensive Plans framework for desired infill development, economic vitality for mixed land uses that attract major employers and provide a healthy mix of uses in the right location that protect regional capacity of new jobs by providing needed services.*

**Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.**

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

- a) **Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designed, appropriately located, and consistent with the existing development context and neighborhood character.**

**Applicant Response:** *The request furthers this goal and policy by allowing for zoning and redevelopment of the property in a way that is consistent with current built environment, structures, and streetscape along the Gibson Boulevard commuter corridor.*

**Goal 8.1 Placemaking: Create places where business and talent will stay and thrive.**

**Policy 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.**

- a) **Maximize opportunities for economic development that furthers social, cultural, and environmental goals.**

**Applicant Response:** *The request furthers this policy by allowing the appropriate development in a mixed land use zone and by allowing new infill development where existing infrastructure exists surrounding the property.*

- c) **Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.**

**Applicant Response:** *The request furthers this policy by providing an opportunity for localized development that will support the hiring of adjacent local residents as well as students from two of the college level campuses within one mile of the property.*

**Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.**

**Applicant Response:** *The request furthers this goal and policy by providing local, infill redevelopment in a neighborhood that could benefit from opportunities for economic development that creates more local jobs and supports the hiring of local residents.*

- B. 6-7(F)(3)(b) If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The 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 to Criteria Number 2:** *The property is located with an “Area of Consistency”. The existing zone designation is not appropriate for this site because a different zone designation is more advantageous to the community as articulated by the Comprehensive Plan. Changing the zoning from R-1B to MX-L supports the applicable policies by allowing infill development that is compatible in both scale and character with the surrounding area and the balance of the property.*

- C. 6-7(F)(3)(c) If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:

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

**Applicant Response to Criteria Number 1:** *The subject site is located wholly in an “Area of Consistency”, so this criterion does not apply.*

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

**Applicant’s Response:** *None of the permissive uses in the MX-L zone will be harmful to the adjacent property, neighborhood, or community. While there are a number of uses that are currently not allowed in the R-1B zone, this property represents only a small fraction (.04 acres) of an approximately .9-acre site currently zoned MX-L. This zone change will not change the owner’s ability to develop the existing property zoned MX-L with commercial uses. The following table represents a sample of permissive uses within the MX-L zone compared to the current R-1B zone.*

<b>IDO Zoning Comparison: R-1B vs. MX-L</b>		
<b>Use</b>	<b>R-1B</b>	<b>MX-L</b>
Dwelling, single-family detached	P	-
Dwelling, cluster/cottage development	P	-
Dwelling, townhouse	-	P
Dwelling, live-work	-	P
Dwelling, multi-family	-	P
Community residential facility, medium or large	-	P

Group home, small or medium	-	P
Adult or child day care facility	-	P
Museum or art gallery	-	P
Veterinary hospital and Other pet services	-	P
Restaurant	-	P
Bank	-	P
Club or event facility	-	P
Commercial services	-	P
Medical or dental clinic	-	P
Office	-	P
Personal and business services, small	-	P
Bakery goods or confectionary shop	-	P
General retail, small	-	P
Artisan manufacturing	-	P

- E. 6-7(F)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:**
- 1. Have adequate capacity to serve the development made possible by the change of zone.**
  - 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.**
  - 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.**
  - 4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.**

**Applicant's Response to Requirement Number 1:** *The proposed zone change will not require major and unprogrammed capital expenditures by the City. The applicant desires to reuse the property for commercial purposes and is surrounded by existing infrastructure including roadways, water, sewer, and storm water facilities that can serve the future project. All development costs for the property will be the responsibility of the developer and not the City.*

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

**Applicant's Response:** *The property is a small portion of a commercial property that is located on a major street and "Commuter Corridor", Gibson Boulevard. The request is based on intent to have a zoning and land use that is more advantageous to the community as it furthers applicable Comprehensive Plan policies for land use, infill development, efficient development patterns, and placemaking. The existing MX-L zoning and this request will provide a buffer between the major street and the neighbors to the south.*



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

**Applicant’s Response:** *The cost of land or economic considerations are not the determining factor for this zone change request. The current zoning and land use are not consistent the balance of the property, nor is it consistent with the surrounding zoning and land use types that currently exist along Gibson Boulevard.*

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

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

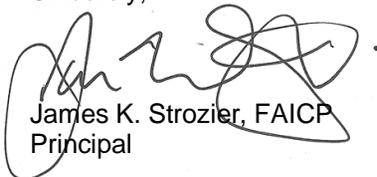
**Applicant’s Response to Criteria Number 1:** *Since the current zoning is considered a floating zone line with an inconsistent zoning designation relative to the surrounding properties it is consistent with a “spot zone” in its current designation. Changing the zoning from R-1B to MX-L will remove the “spot zone” and create more compatible zoning for the property as a whole.*

**CONCLUSION**

On behalf of Prime Properties LLC, we respectfully request that the Environmental Planning Commission approve this request for a Zoning Map Amendment for the subject site.

Thank you for your consideration.

Sincerely,

  
James K. Strozier, FAICP  
Principal

**From:** [Michael Vos](#)  
**To:** "[bakieaikin@comcast.net](#)"; "[kande0@yahoo.com](#)"; "[isabel f cabrera 617@msn.com](#)"; "[e\\_molinadodge@yahoo.com](#)"  
**Cc:** [Jim Strozier](#)  
**Subject:** IDO Pre-application Neighborhood Meeting Notification  
**Date:** Wednesday, July 3, 2019 10:31:00 AM  
**Attachments:** [Page L-15 Site.pdf](#)

---

Dear Neighbors,

This email is notification that Consensus Planning will be preparing an application on behalf of Isshin Ryu Club, Inc. and Maestas Development Group for an approximately 0.88-acre site located 1314 Gibson Boulevard SE (Please see attached Zone Atlas Map). The property consists four parcels that are zoned MX-L. The MX-L zone allows a drive-through or drive-up facility as an Accessory Conditional Use. The application will be to the Zoning Hearing Examiner (ZHE) for a conditional use in the MX-L Zone to allow for a drive-through facility in conjunction with a proposed restaurant use.

The project design is not complete at this time; however, the applicant is concerned that IDO requirements related to signage and neighborhood edge separation requirements may be difficult to meet based on the unique characteristics of the property. As a result, the application may also include variances to these requirements.

The existing parcels are proposed to be consolidated into one single lot with access from both Mulberry and Gibson.

As part of the IDO regulations, we are providing you an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please do not hesitate to email us at [cp@consensusplanning.com](mailto:cp@consensusplanning.com) or [vos@consensusplanning.com](mailto:vos@consensusplanning.com) or contact us by phone at 505-764-9801. Per the IDO, you have 15 days or until July 18, 2019 to request a meeting. If you do not want to schedule a meeting, or support the project, please let us know.

Sincerely,

**Michael Vos, AICP**  
**CONSENSUS PLANNING, INC.**  
302 Eighth Street NW  
Albuquerque, NM 87102  
phone (505) 764-9801  
[vos@consensusplanning.com](mailto:vos@consensusplanning.com)

**From:** [Microsoft Outlook](#)  
**To:** [bakieaikin@comcast.net](mailto:bakieaikin@comcast.net)  
**Subject:** Relayed: IDO Pre-application Neighborhood Meeting Notification  
**Date:** Wednesday, July 3, 2019 10:33:35 AM  
**Attachments:** [IDO Pre-application Neighborhood Meeting Notification.msg](#)

---

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:  
[bakieaikin@comcast.net](mailto:bakieaikin@comcast.net) ([bakieaikin@comcast.net](mailto:bakieaikin@comcast.net)) <<mailto:bakieaikin@comcast.net>>  
Subject: IDO Pre-application Neighborhood Meeting Notification

**From:** [Microsoft Outlook](#)  
**To:** [kande0@yahoo.com](mailto:kande0@yahoo.com); [e\\_molinadodge@yahoo.com](mailto:e_molinadodge@yahoo.com)  
**Subject:** Relayed: IDO Pre-application Neighborhood Meeting Notification  
**Date:** Wednesday, July 3, 2019 10:33:33 AM  
**Attachments:** [IDO Pre-application Neighborhood Meeting Notification.msg](#)

---

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[kande0@yahoo.com](mailto:kande0@yahoo.com) ([kande0@yahoo.com](mailto:kande0@yahoo.com)) <<mailto:kande0@yahoo.com>>  
[e\\_molinadodge@yahoo.com](mailto:e_molinadodge@yahoo.com) ([e\\_molinadodge@yahoo.com](mailto:e_molinadodge@yahoo.com)) <[mailto:e\\_molinadodge@yahoo.com](mailto:e_molinadodge@yahoo.com)>  
Subject: IDO Pre-application Neighborhood Meeting Notification

**From:** [Shawna Ballay](#)  
**To:** [bakieaikin@comcast.net](mailto:bakieaikin@comcast.net); [kande0@yahoo.com](mailto:kande0@yahoo.com)  
**Cc:** [Jim Strozier](#)  
**Subject:** Update to IDO Pre-application Notification for 1314 Gibson  
**Date:** Tuesday, July 16, 2019 2:33:00 PM  
**Attachments:** [1314 Gibson Blvd SE.pdf](#)

---

Kirtland Addition Neighborhood Association:

The purpose of this email is to provide an update in advance of your Board Meeting scheduled for this evening.

We met with City staff at a Pre-application Review Team (PRT) meeting today. Based on that meeting we are considering a request for a Zone Map Amendment to the small parcel at the southwest corner of the property – currently zoned R1-B (see attached map). The rezoning has been included in the second batch of the voluntary zone change process being completed by the City staff and was recently recommended for approval by the EPC. The timing for the City's process may not work for us, so we are considering a new application to address that property on its own.

We will be prepared to discuss this with the KANA this evening.

We will also discuss the Conditional Use and Variance applications to the ZHE. Please do not hesitate to contact us if you have any questions or need any additional information.

Regards,

Shawna Ballay  
Senior Planner

**Consensus Planning**

Email: [Ballay@consensusplanning.com](mailto:Ballay@consensusplanning.com)

Office: 505.764.9801

Mobile: 505.382.4745

**Shawna Ballay**

---

**From:** Microsoft Outlook  
**To:** kande0@yahoo.com  
**Sent:** Tuesday, July 16, 2019 2:34 PM  
**Subject:** Relayed: Update to IDO Pre-application Notification for 1314 Gibson

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[kande0@yahoo.com](mailto:kande0@yahoo.com) (kande0@yahoo.com)

Subject: Update to IDO Pre-application Notification for 1314 Gibson

**Shawna Ballay**

---

**From:** Microsoft Outlook  
**To:** bakieaikin@comcast.net  
**Sent:** Tuesday, July 16, 2019 2:34 PM  
**Subject:** Relayed: Update to IDO Pre-application Notification for 1314 Gibson

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[bakieaikin@comcast.net](mailto:bakieaikin@comcast.net) (bakieaikin@comcast.net)

Subject: Update to IDO Pre-application Notification for 1314 Gibson

## Shawna Ballay

---

**From:** Jim Strozier  
**Sent:** Thursday, July 18, 2019 10:28 AM  
**To:** Shawna Ballay  
**Subject:** FW: Public Notice Inquiry\_Gerald and Mulberry\_EPC  
**Attachments:** Gibson ZMA Zone Atlas L-15.pdf; Public Notice Inquiry\_Gerald and Mulberry\_EPC.xlsx

Jim Strozier, FAICP  
Consensus Planning, Inc.  
302 8<sup>th</sup> Street NW  
(505) 764-9801

**From:** Quevedo, Vicente M. <vquevedo@cabq.gov>  
**Sent:** Thursday, July 18, 2019 8:36 AM  
**To:** Jim Strozier <cp@consensusplanning.com>  
**Subject:** Public Notice Inquiry\_Gerald and Mulberry\_EPC

Jim,

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

Association Name	First Name	Last Name	Email	Address Line 1	City
Kirtland Community Association	Elizabeth	Aikin	<a href="mailto:bakieaikin@comcast.net">bakieaikin@comcast.net</a>	1524 Alamo Avenue SE	Albuquerque
Kirtland Community Association	Kimberly	Brown	<a href="mailto:kande0@yahoo.com">kande0@yahoo.com</a>	PO Box 9731	Albuquerque

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

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

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

Respectfully,

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

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



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**From:** [webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org) [mailto:[webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org)] **On Behalf Of** ISD WebMaster  
**Sent:** Thursday, July 18, 2019 6:37 AM  
**To:** Office of Neighborhood Coordination <[cp@consensusplanning.com](mailto:cp@consensusplanning.com)>  
**Cc:** Office of Neighborhood Coordination <[onc@cabq.gov](mailto:onc@cabq.gov)>  
**Subject:** Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Environmental Planning Commission

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

Zone Map Amendment

Contact Name

Jim Strozier

Telephone Number

5057649801

Email Address

[cp@consensusplanning.com](mailto:cp@consensusplanning.com)

Company Name

Consensus Planning, Inc.

Company Address

302 8th Street NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

A portion of Lot D, Gibson and Miles Area

Containing approximately .02 acres

Physical address of subject site:

302 8th Street NW

Subject site cross streets:

Mulberry - South of Gibson

Other subject site identifiers:

Vacant Land

This site is located on the following zone atlas page:

L-15

=====  
This message has been analyzed by Deep Discovery Email Inspector.

**From:** [Jim Strozier](#)  
**To:** [bakieaikin@comcast.net](mailto:bakieaikin@comcast.net); [kande0@yahoo.com](mailto:kande0@yahoo.com)  
**Cc:** [Shawna Ballay](#); [Wes Butero MDG](#)  
**Subject:** IDO Notification - EPC Application for a Zone Map Amendment  
**Date:** Thursday, July 25, 2019 9:55:00 AM

---

Dear Ms. Aiken, Ms. Brown, and the Kirtland Community Association:

We want to take this opportunity to thank you for allowing Consensus Planning and the Developer/Applicant to meet with you and the Kirtland Community Association Board at your July 16, 2019 meeting to provide information on the subject property and project.

This email is notification that Consensus Planning has applied for a Zone Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Prime Properties LLC.

The subject property is at 1314 Gibson Boulevard SE, located on the east side of Mulberry Street south of Gibson Boulevard SE, and contains approximately 0.04 acres. The request is for a zone change from R-1B (Residential) to MX-L (Mixed-Use Low Intensity) to remove a floating zone line and allow for commercial use (a proposed coffee shop) as permitted on the balance of the property, which is currently zoned MX-L.

**The EPC Public Hearing for this application will be held on September 12, 2019 starting at 8:30am in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.**

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, 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, please contact the Planning Department at (505) 924-3955 or [devhelp@cabq.gov](mailto:devhelp@cabq.gov).

Do not hesitate to contact me as well if you have any questions.

**Jim Strozier, FAICP**  
Consensus Planning, Inc.  
302 8<sup>th</sup> Street NW  
(505) 764-9801



July 25, 2019

Elizabeth Aikin  
1524 Alamo Avenue SE  
Albuquerque, NM 87106

Landscape Architecture  
Urban Design  
Planning Services

Kimberly Brown  
P.O. Box 9731  
Albuquerque, NM 87119

302 Eighth St. NW  
Albuquerque, NM 87102

Re: 1314 Gibson Boulevard SE – Zoning Map Amendment

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Dear Ms. Aiken, Ms. Brown, and the Kirtland Community Association:

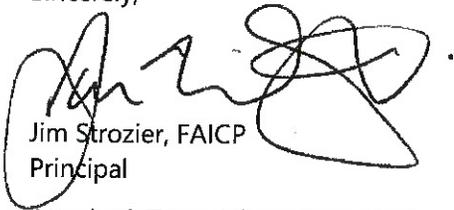
We appreciate you providing an opportunity for Consensus Planning and the Developer/Applicant to meet with you and the Kirtland Community Association Board at your July 16, 2019 meeting to provide information on the subject property and project. This letter is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Prime Properties LLC.

The subject property is at 1314 Gibson Boulevard SE, located on the east side of Mulberry Street south of Gibson Boulevard SE, and contains approximately 0.04 acres. The request is for a zone change from R-1B (Residential) to MX-L (Mixed-Use Low Intensity) to remove a floating zone line and allow for commercial use (a proposed coffee shop) as permitted on the balance of the property, which is currently zoned MX-L.

**The EPC Public Hearing for this application will be held on September 12, 2019 starting at 8:30am in the Plaza Del Sol Hearing Room at Plaza del Sol, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.**

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, 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, please contact the Planning Department at (505) 924-3955 or [devhelp@cabq.gov](mailto:devhelp@cabq.gov).

Sincerely,



Jim Strozier, FAICP  
Principal

PRINCIPALS

James K. Strozier, F/ASLA, LEED AP  
Christopher J. Green,  
Jacqueline Fishman,

Attached: Zone Atlas Map L-15-Z

Kimberly Brown  
P.O. Box 9731  
Albuquerque, NM 87119

Elizabeth Aikin  
1524 Alamo Avenue SE  
Albuquerque, NM 87106



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From:

Consensus Planning, Inc.  
302 Eighth St. NW  
Albuquerque, NM 87102



To:

Elizabeth Aikin  
1524 Alamo Avenue SE  
Albuquerque, NM 87106

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



**Certificate Of Mailing**

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From:

Consensus Planning, Inc.  
302 Eighth St. NW  
Albuquerque, NM 87102



To:

Kimberly Brown  
P.O. Box 9731  
Albuquerque, NM 87119

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



RASKIN BARRY & PRICE MICHAEL  
763 2ND ST SUITE #100  
ENCINITAS CA 92024-4482

AMAFCA  
2600 PROSPECT AVE NE  
ALBUQUERQUE NM 87107-1836

AIKINS MORRIS CARL  
1524 ALAMO AVE SE  
ALBUQUERQUE NM 87106-5005

1400 GBSE LLC  
5850 EUBANK BLVD NE SUITE B-62  
ALBUQUERQUE NM 87111-6120

SEQUOIA DEVELOPMENT LLC  
PO BOX 8236  
ALBUQUERQUE NM 87198

DIAZ JOE & REYNA  
1301 GERALD AVE SE  
ALBUQUERQUE NM 87106-5029

TERRAMETA PROPERTIES LLC  
ATTN: SCOTT CINNAMOND  
10278 E BAHIA DR  
SCOTTSDALE AZ 85255-8672

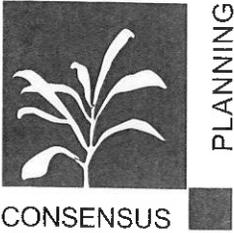
TORRES SOPHIE & JOSEPH  
1313 GERALD AVE SE  
ALBUQUERQUE NM 87106-5029

MANCHA JUAN R & MARY ANN  
1309 GERALD AVE SE  
ALBUQUERQUE NM 87106-5029

ISSHIN RYU CLUB INC  
1314 GIBSON BLVD SE  
ALBUQUERQUE NM 87106-5006

REGENTS OF UNM REAL ESTATE DEPT  
MSC06-3595-1 UNIVERSITY OF NM  
ALBUQUERQUE NM 87131-0001

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE NM 87103



July 25, 2019

**Re: Public Notice of Proposed Project at 1314 Gibson Boulevard SE**

Dear Neighbor:

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(K)(2) Mailed Public Notice, we are notifying you as an adjacent property owner that Consensus Planning LLC., acting as an agent on behalf of the applicant, Primary Properties LLC., and the property owner, Isshim Ryu Club, Inc., will be submitting applications for a Zone Map Amendment and a Conditional Use, for property located south of Gibson Boulevard on the east side of Mulberry Street SE.

### **PUBLIC NOTICE OF PUBLIC HEARINGS**

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, September 12, 2019 at 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM to consider the following Zone Map Amendment.

Notice is hereby given that the City of Albuquerque Zoning Hearing Examiner will hold a **Public Hearing on September 17, 2019 starting at 9:00 a.m.** in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2<sup>nd</sup> Street NW, Albuquerque, NM to consider the following Conditional Use request.

### **ENVIRONMENTAL PLANNING COMMISSION**

Information regarding the EPC is posted on the Planning Department's website at <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission> and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact [devhelp@cabq.gov](mailto:devhelp@cabq.gov).

Staff reports and supplemental materials will be posted on the City website, <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports>, on Thursday, September 5, 2019.

### **ZONING HEARING EXAMINER**

Information regarding the ZHE is posted on the Planning Department's website at <http://www.cabq.gov/planning/boards-commissions/zoning-hearing-examiner> and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact [devhelp@cabq.gov](mailto:devhelp@cabq.gov).

### **THE REQUESTS**

Consensus Planning, agent for Primary Properties, LLC., requests a Zoning Map Amendment a small un-platted property located in the southwest corner of Lot D, Hugh B Woodward Subdivision, zoned R-1B (Residential – Single-Family). The subject property at 1314 Gibson Boulevard SE, located on the east side of Mulberry Street south of Gibson Boulevard SE, and containing approximately 0.04 acres. The request is for a zone change to MX-L (Mixed-Use Low Intensity) to remove a floating zone line and allow for commercial use (a proposed

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

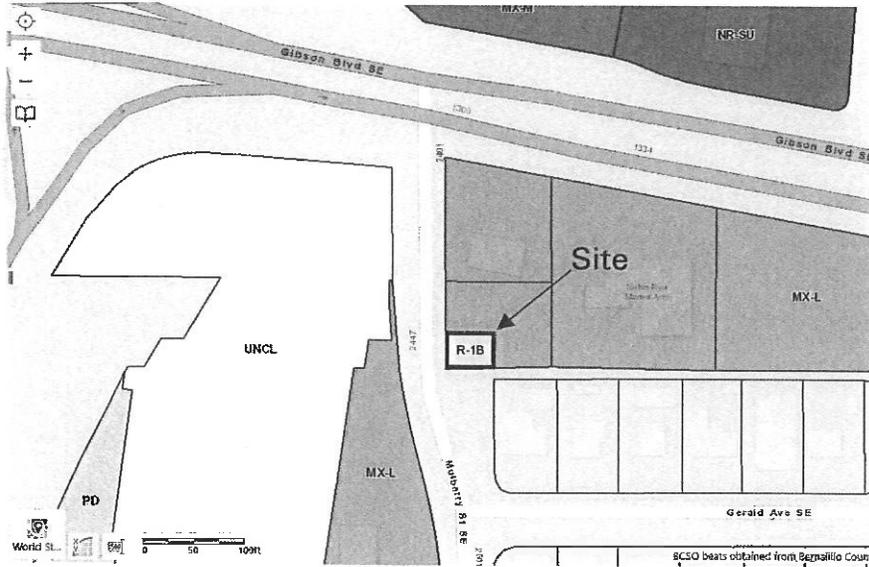
(505) 764-9801  
Fax 842-5495  
[cp@consensusplanning.com](mailto:cp@consensusplanning.com)  
[www.consensusplanning.com](http://www.consensusplanning.com)

### **PRINCIPALS**

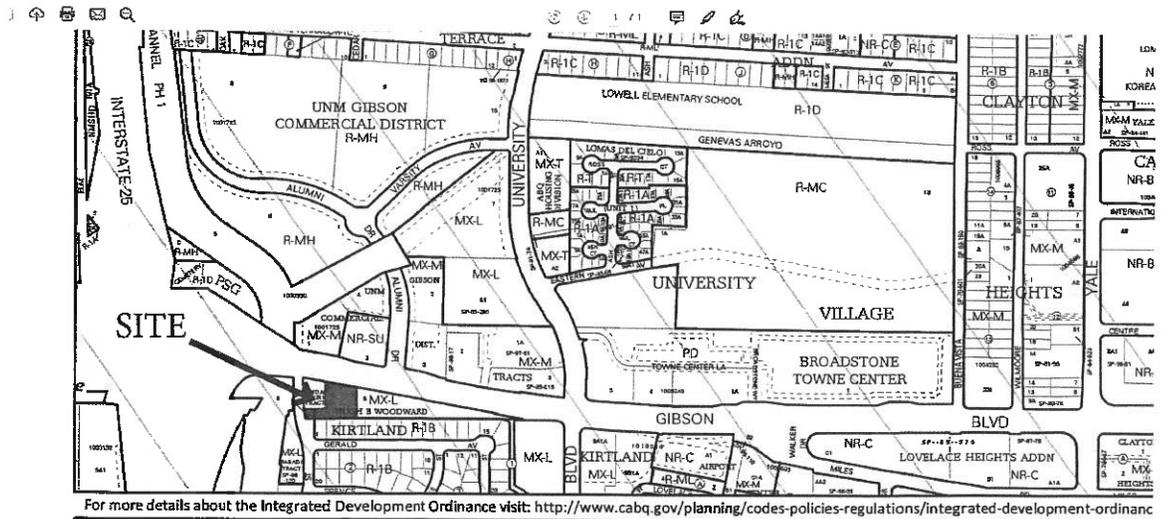
James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP



coffee shop) as permitted on the balance of the property, which is currently zoned MX-L. The agenda, staff reports, and supplemental materials will be posted on the City website, <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports>, on Thursday, September 5, 2019.



Consensus Planning, agent for Primary Properties, LLC., is also requesting a Conditional Use for a Drive Through Facility in conjunction with a restaurant for Lots A and D, Hugh B Woodward Subdivision, zoned MX-L (Mixed Use – Low Intensity). The subject property at 1314 Gibson Boulevard SE, located on the east side of Mulberry Street south of Gibson Boulevard SE, and containing approximately 0.9 acres.



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Zone Atlas**  
May 2018

Zone Atlas Page:  
**L-15-Z**

--- Easement    [Symbol] Escarpment



PLANNING

CONSENSUS

Under the IDO, 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, please contact the Planning Department at (505) 924-3955 or [devhelp@cabq.gov](mailto:devhelp@cabq.gov).

Sincerely,

Consensus Planning, Inc.

7015 0360 0000 1718 9658

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