



**Environmental
Planning
Commission**

**Agenda Number: 01
Project Number: 1000936
Case Number: 17EPC-40069
Hearing Date: February 8, 2018**

Staff Report

Agent	Consensus Planning
Applicant	Hotsy Equipment Company
Request	Zone Map Amendment
Legal Description	Tract 4, Paradise Plaza
Location	East side of Unser Blvd. NW between Crown Rd. NW and Summer Ridge Rd. NW
Size	approximately 2 acres
Existing Zoning	SU-1 for Mixed Use Development-C-1 Permissive Uses, excluding automobile related retail and service uses and drive-up facilities including package liquor sales ancillary to a retail grocery of 20,000 square feet minimum and restaurant with alcoholic drink sales for on-premise consumption. (maximum 4.5 acres)
Proposed Zoning	SU-1 for C-1 with auto-related uses controlled by project 1000936

Staff Recommendation

APPROVAL of
Project # 1000936
Case # 17EPC-40069

Based on the Findings and subject to the Conditions of Approval in this report.

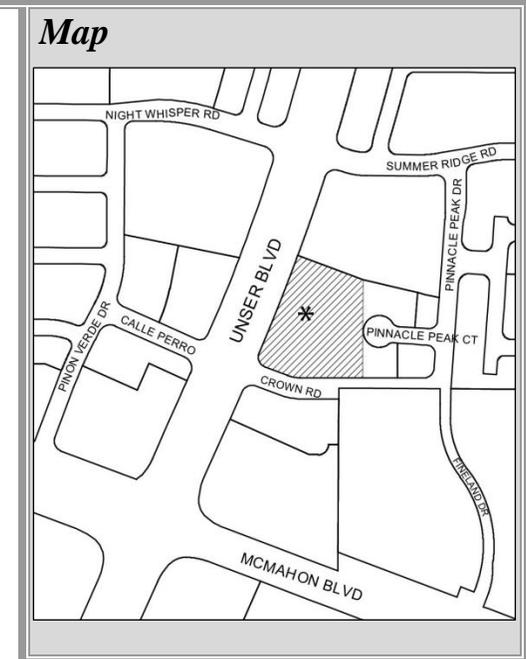
**Staff Planner
Cheryl Somerfeldt**

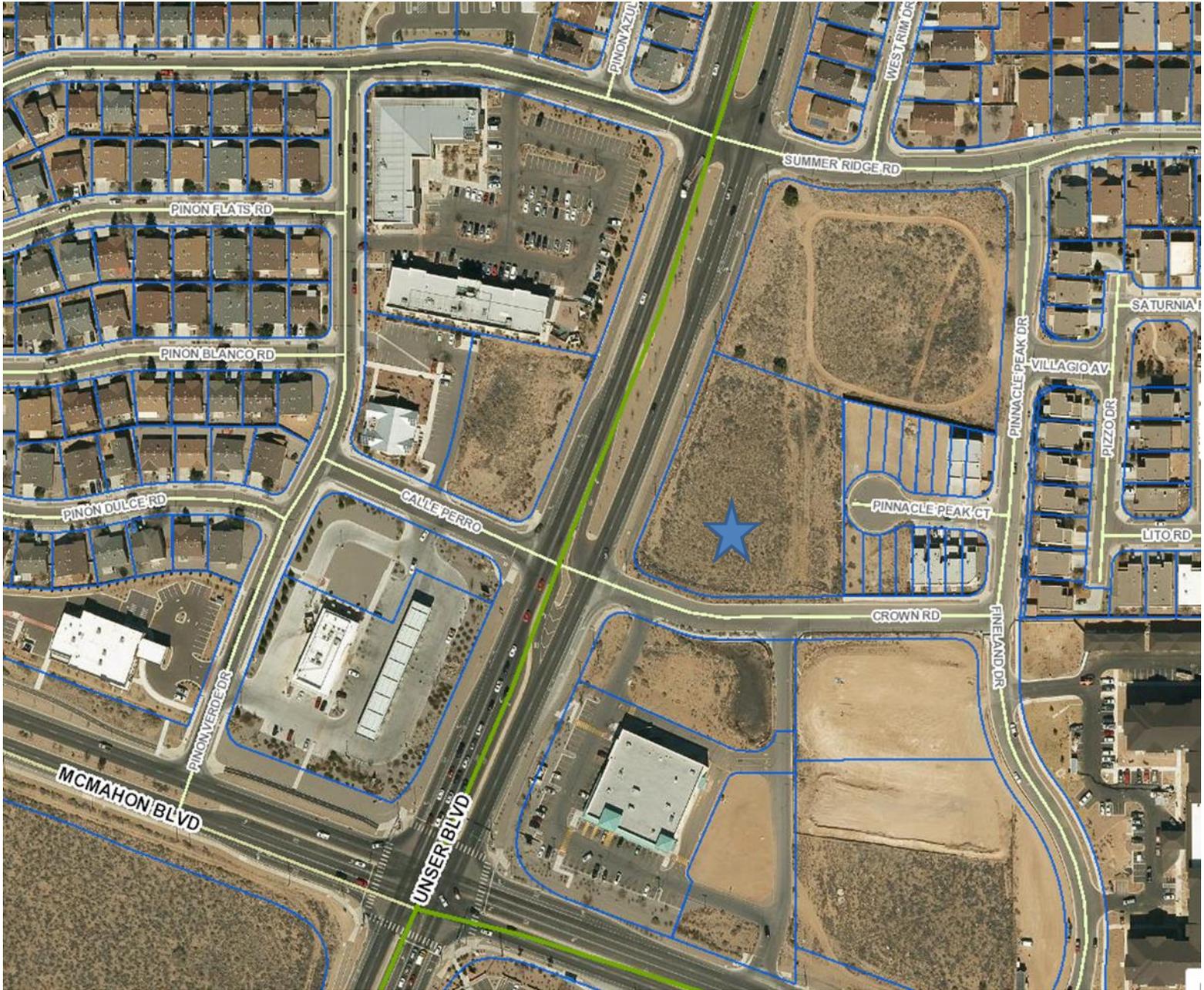
Summary

This is a request for a Zone Map Amendment (zone change) to SU-1 for C-1 with auto-related uses controlled by project 1000936 zoning on an approximately 2 acre site located on the east side of Unser Boulevard NW, north of McMahon Boulevard NW.

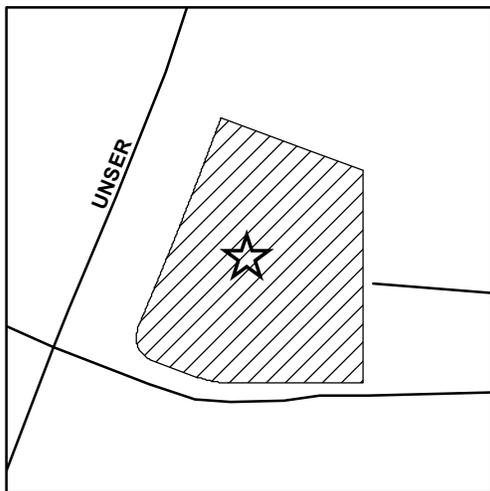
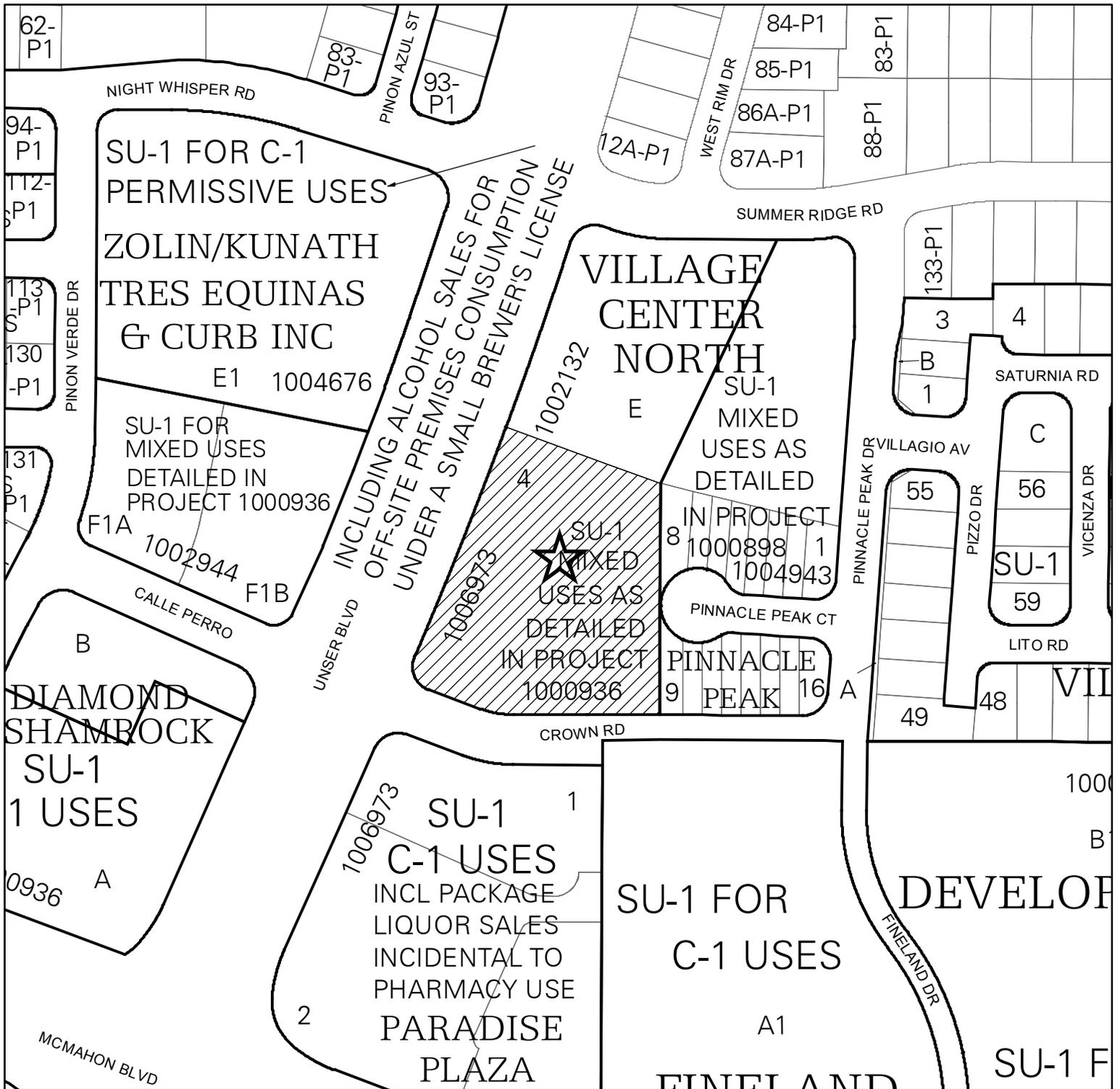
The subject site’s existing SU-1 zoning excludes automobile related retail and service uses and drive-up facilities. The applicant wishes to develop a car wash on the subject site, which is currently not a permitted use. The subject site is designated an Area of Change in the Comprehensive Plan and within the boundaries of the West Side Strategic Plan.

The Villa De Villagio HOA and the Westside Coalition of Neighborhood Associations were notified as required. Staff has not received any comments in support or opposition as of this writing. Staff recommends approval of the request based on the findings listed in this staff report.





2016 Aerial Imagery CABQ AGIS



ZONING MAP

Note: Grey shading indicates County.

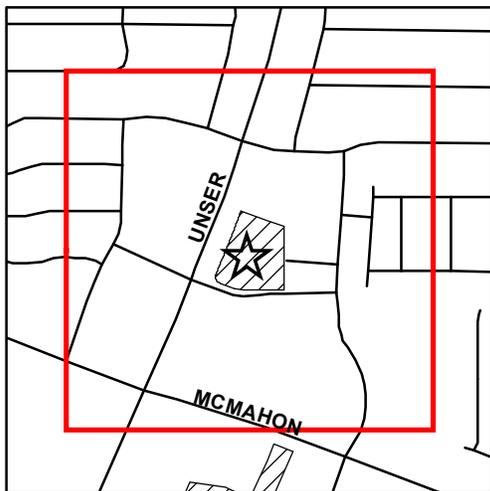


1 inch = 167 feet

Project Number:
1000936

Hearing Date:
2/8/2018

Zone Map Page: A-11
Application Case Numbers:
17EPC-40069



LAND USE MAP

Note: Grey shading indicates County.

KEY to Land Use Abbreviations

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

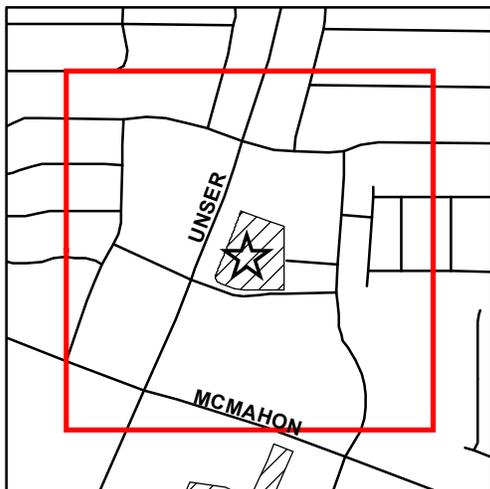
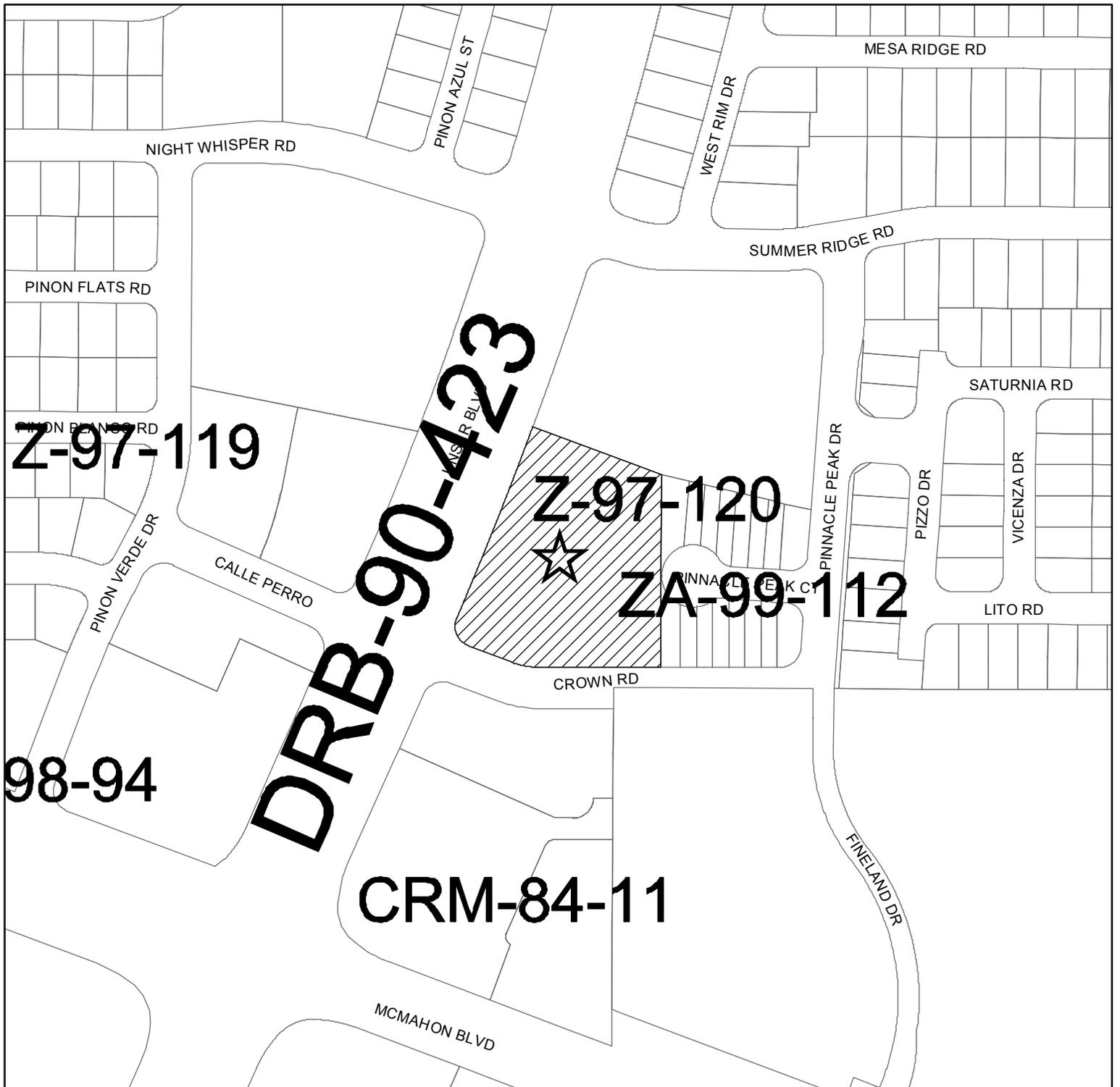


1 inch = 200 feet

Project Number:
1000936

Hearing Date:
2/8/2018

Zone Map Page: A-11
Application Case Numbers:
17EPC-40069



HISTORY MAP

Note: Grey shading indicates County.

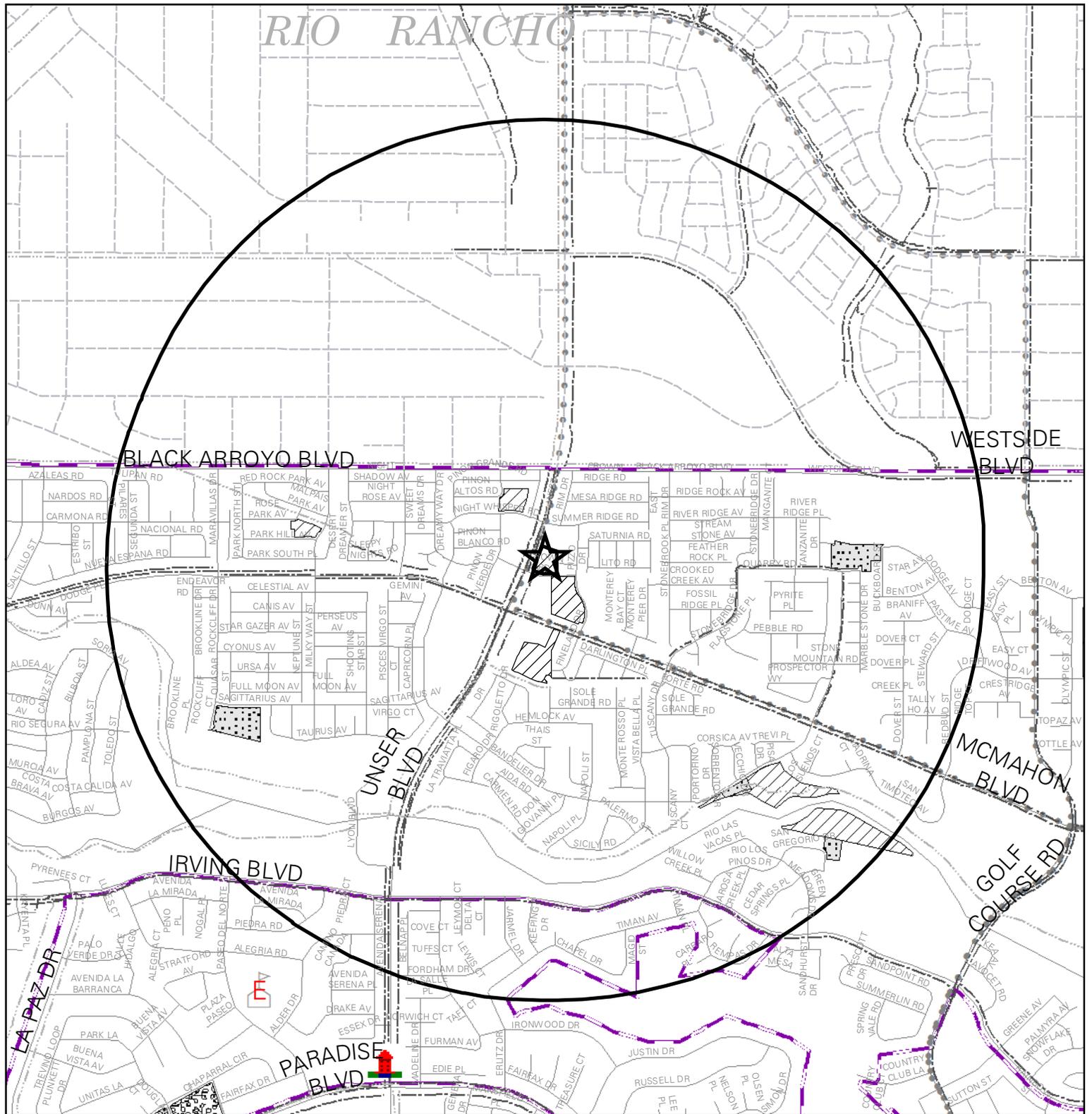


1 inch = 200 feet

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Zone Map Page: A-11
Application Case Numbers:
17EPC-40069



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 |

Project Number: 1000936

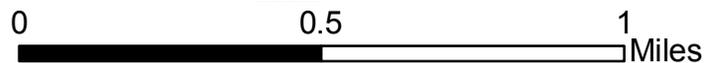


Table of Contents

INTRODUCTION	1
Surrounding Zoning, Plan Designations, and Land Uses:	1
Request.....	1
EPC Role.....	2
History/Background.....	2
Context.....	3
Transportation System	3
Comprehensive Plan Corridor Designation	3
Trails/Bikeways	4
Transit	4
Public Facilities/Community Services.....	4
ANALYSIS of APPLICABLE ORDINANCES, PLANS AND POLICIES.....	4
Albuquerque Comprehensive Zoning Code.....	4
Albuquerque / Bernalillo County Comprehensive Plan, 2017.....	6
West Side Strategic Plan.....	11
Resolution 270-1980.....	13
AGENCY & NEIGHBORHOOD CONCERNS	18
Reviewing Agencies/Pre-Hearing Discussion	18
Neighborhood/Public	18
CONCLUSION.....	18
FINDINGS, Zone Map Amendment (Zone Change)	20
RECOMMENDATION	24
CONDITIONS OF APPROVAL, Zone Map Amendment (Zone Change)	24
AGENCY COMMENTS	25

INTRODUCTION

Surrounding Zoning, Plan Designations, and Land Uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for Mixed Uses detailed in Project 1000936	Area of Change West Side Strategic Plan Unser Blvd Design Overlay Zone	Vacant
North	SU-1 for Mixed Uses for C-1, O-1 and Indoor Storage Uses	Area of Change West Side Strategic Plan Unser Blvd Design Overlay Zone	Indoor self-storage
South	SU-1 for C-1 uses including package liquor sales incidental to a pharmacy use	Area of Change West Side Strategic Plan Unser Blvd Design Overlay Zone	Auto parts store, retail pharmacy
East	SU-1 for Mixed Uses detailed in Project 1000898	Area of Consistency West Side Strategic Plan Unser Blvd Design Overlay Zone	Townhomes
West	SU-1 for Mixed Uses detailed in Project 1000936	Area of Change West Side Strategic Plan Unser Blvd Design Overlay Zone`	Vacant, veterinary office, and strip commercial

Request

This is a request for a Zone Map Amendment (zone change) for an approximately 2 acre site described as Tract 4 of Paradise Plaza (the “subject site”), which is located on the east side of Unser Boulevard NW between Crown Road NW and Summer Ridge Road NW, north of McMahan Boulevard NW. The subject site is designated an Area of Change by the Comprehensive Plan and is within the boundaries of the West Side Strategic Plan. The subject site is part of a larger, approximately 20.6 acre shopping center site known as Unser/McMahan Village Center North and governed by a Site Development Plan (Site Plan) for Subdivision with Design Standards.

The existing zoning for the subject site is SU-1 for Mixed Uses detailed in Project #1000936, which corresponds to C-1 permissive uses, but with specific exclusions of automobile related retail and service uses and drive-up facilities as well as specific inclusions such as liquor sales with a grocery store and restaurants with alcohol sales. The applicant requests SU-1 for C-1 with auto-related uses controlled by project 1000936 in order to eliminate the exclusion of auto-oriented related uses. The applicant will state on the Site Plan for Subdivision that auto-oriented uses will require EPC review and approval. The applicant wishes to develop a car wash, which is a permitted use in the C-1 zone. The SU-1 zone designation will maintain the existing Site Plan for Subdivision and Design Standards. The requested zone will allow C-1 permissive uses, and C-1 conditional uses with a conditional use permit (per 14-16-2-16) with a public hearing in front of the Zoning Hearing Examiner (ZHE).

EPC Role

The EPC is hearing this case because the EPC is authorized to hear all zone change cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1)]. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would make the final administrative decision. The request is a quasi-judicial matter.

History/Background

The subject site was annexed in 1985 as part of an approximately 10,200-acre annexation of land in northwest Albuquerque. Various zoning categories were established, including R-1. In 1998, the EPC voted to approve a zone change to the existing zoning, which excludes automobile related retail and services and drive-up facilities for the subject site and surrounding parcels (see attached findings for Z-97-119). In 2001, a Site Plan for Subdivision for an approximately 20.6 acre shopping center site known as Unser/McMahon Village Center North (located north of McMahon Boulevard NW and on both sides of Unser Boulevard NW) (project #1000936) was approved, and the existing zoning was incorporated.

The west side of Unser Boulevard NW, which is also part of this Site Plan for Subdivision (Unser/McMahon Village Center North) was developed in 2003 with an animal clinic, in 2006 with a small strip commercial/retail center, and in 2010 with a Valero gas station and convenience store at the NW corner of Unser and McMahon Boulevards NW. The Valero property was zoned SU-1 for C-1, pursuant to the Unser/McMahon Village Center North Site Plan for Subdivision Design Standards.

In 2008, the EPC approved a three-part proposal for a zone change, a Site Plan for Subdivision, and a Site Plan for Building Permit to develop the Walgreens drive-through pharmacy which is not part of this Site Plan for Subdivision, at the NE corner of Unser and McMahon Boulevards NW.

In 2016, the EPC approved a Site Plan for Building Permit Amendment to allow development of the auto parts store located immediately to the south of the subject site across Crown Road NW. Also in 2016, the EPC approved a zone change, a Site Plan for Subdivision Amendment, and a Site Plan for Building Permit to construct the Guardian Storage located immediately to the north of the subject site. The zone was changed from the subject site's existing zoning SU-1 for Mixed Uses detailed in Project 1000936 to SU-1 for Mixed Uses for C-1, O-1 and Indoor Storage Uses. This site remains under the existing Site Plan for Subdivision for the Unser/McMahon Village Center North with the associated Design Standards.

In December of 2016, the current applicant for the subject site submitted a request for a zone change, a Site Plan for Subdivision Amendment and Site Plan for Building Permit for the subject site. The EPC voted to deny the request because the zone change was not justified pursuant to Resolution 270-1980, which meant that the Subdivision Amendment and the Building Permit requests were moot. The applicant is submitting this application for a zone change request pursuant to R270-1980.

Context

The property is located on the northeast corner of Unser Boulevard NW and Crown Road NW and is designated an Area of Change within the 2017 Comprehensive Plan. The subject site is within the boundaries of the West Side Strategic Plan (WSSP) but only abuts and is not within the boundary of the McMahan / Unser Neighborhood Center as designated by the WSSP (page 109). The Unser Boulevard Design Overlay Zone also applies. There is no applicable Sector Plan. The surrounding zoning consists of multiple SU-1 zones for Mixed Use and/or C-1 Uses. The surrounding properties have developed with a mix of commercial uses including several auto-related uses.

Abutting to the east of the subject site is a residential townhome development with separate property ownership for each parcel that is partially constructed with empty lots immediately abutting the subject site. A 6-foot high cmu wall occupies the property line between the townhomes and subject site, however, the townhomes are two stories, so it would be helpful to have a more substantial buffer.

To the north of the subject site is an indoor storage facility, which has recently finished construction but not landscaping. To the south across the access street, Crown Road NW, is an auto parts store. To the west across Unser Boulevard, is a veterinary clinic, a small strip mall, and a gas station located at the northwest corner of the Unser / McMahan intersection. Further north are single-family homes. Further south is a pharmacy with a drive-through window.

Transportation System

The 2040 Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. The LRRS designates McMahan Boulevard NW and Unser Boulevard NW as Regional Principal Arterials.

Comprehensive Plan Corridor Designation

The Comprehensive Plan designates Unser Boulevard NW as a Commuter Corridor and this stretch is expected to become a Premium Transit Corridor in the future. The Comprehensive Plan designates McMahan Boulevard NW as a Commuter Corridor. *Commuter Corridors* are higher-speed and higher-traffic volume with routes for people going across town (e.g. limited-access roadways). These Corridors accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling. *Premium Transit Corridors* are intended to be served eventually by high-quality, high-capacity, high-frequency public transit (e.g. bus rapid transit). These Corridors are planned for mixed-use and transit-oriented development within walking distance from transit stations at strategic locations along the corridor.

Trails/Bikeways

The Mid-Region Council of Governments (MRCOG) Metropolitan Transit Plan (MTP) Long Range Bikeway System and the City’s Bikeways and Trails Facility Plan designate both Unser Boulevard NW and the north side of McMahan Boulevard NW as having a Paved Multiple-Use Trail (a paved trail closed to automotive traffic) and a Bicycle Lane (street with designated bike lane).

Transit

Unser Boulevard NW is a Commuter Corridor. The MRCOG funds the Commuter Route Extension of Fixed Route 155 with the nearest stop pair on either side of Summer Ridge Road NW, just north of the subject site. This commuter service route (with limited service) runs from the Walmart at Southern Boulevard SE and Unser Boulevard SE in Rio Rancho along Unser Boulevard and Coors Boulevard to a turn-around at Gun Club Road SW and Coors Boulevard SW. No additional service is planned.

Public Facilities/Community Services

A fire station is about one mile south of the subject site. Four parks are located within a 1-mile radius of the subject site.

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

ANALYSIS of APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

Definitions

An SU-1 zone (§14-16-2-22) “provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.” A site development plan is required for development on the subject site, pursuant to (A)(1) of the SU-1 zone.

The C-1 (Neighborhood Commercial zone) (§14-16-2-16) “provides suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas.”

Existing

The existing zoning for the subject site is “SU-1 for Mixed Use Development-C-1 Permissive Uses, excluding automobile related retail and service uses and drive-up facilities including package liquor sales ancillary to a retail grocery of 20,000 square feet minimum and restaurant with alcoholic drink sales for on-premise consumption (maximum 4.5 acres)”. The existing zoning was established in 1997 subsequent to the creation of the West Side Strategic Plan (WSSP) and affirmed in 2001 through adoption of the governing Unser/McMahan Village Center North Site Plan for Subdivision. While

not explicitly stated in the Findings, it is likely that the EPC chose to exclude automobile uses for the subject site at the time zoning was established in order to create a more pedestrian friendly neighborhood commercial center for the surrounding community.

The existing SU-1 zoning descriptor prohibits all auto-related uses including a car wash, a gas station, and a restaurant with a drive-through service window. Since a car wash is an automobile related service as confirmed by Code Enforcement Staff, it is not allowed by the subject site's zoning. Therefore, a zone change is needed to allow the proposed car wash use.

An SU-1 zone allows exclusions and inclusions from the permitted entitled uses for the straight zone and conditions of approval are permitted where they would not be for a straight zone. In addition, SU-1 zones are subject to EPC Site Plan review and approval unless delegation to DRB or planning staff is approved by the EPC. SU-1 zones are required to have an associated Site Plan for Subdivision, which often contain Design Standards to guide the development of future parcels through a Site Plan for Building Permit.

Proposed

The zone change request is for SU-1 for C-1 with auto-related uses controlled by project 1000936. The Site Plan for Subdivision will have the following note: ““The Site Development Plan for Subdivision Amendment shall be delegated to planning staff. Future Site Development Plans for Building Permit shall be delegated to planning staff with the exception of Site Development Plans and changes of use to auto oriented uses and drive up service windows, which shall require EPC review and approval.”

Aside from auto-related uses, the request would allow C-1 permissive uses permissively; and C-1 conditional uses conditionally, meaning that conditional uses require a Conditional Use Permit from the Zoning Hearing examiner. The C-1 zone permits a car wash and a gasoline station permissively. A restaurant with a drive-through service window is a conditional use in the C-1 zone and would require a Conditional Use Permit with a public hearing in front of the Zoning Hearing Examiner.

As shown below, the majority of permissive uses in the C-1 zone are low intensity and planned to provide commercial services at a neighborhood scale with landscape buffering between commercial and residential uses sufficient. Car wash and gasoline sales could be controversial when abutting residential uses so buffering is desired, however, they area also desired community services.

C-1 PERMISSIVE USES: institution, office, temporary park-and ride, public utility structure, residential as in the R-3 zone, retail sales (arts and crafts, auto parts and supply, books, magazines, clothing and shoes, dry goods, cosmetics, notions, hobby supplies, drugs, medical supplies, flowers and plants, food and drink and alcohol with restaurant license, furniture, appliances, **gasoline limited to four dispenser units**, hardware, jewelry, musical instruments, pets, photography equipment, sporting goods), radio and television station, services (automobile, bicycle, banking, barber, **car wash**, day care, dry cleaning, games,

health gymnasium, instruction in the arts, interior decorating, medical or dental lab, parking lot, pet grooming, photography, photocopy, repair of shoes or household equipment, small animal clinic, tailoring and dressmaking, taxidermy), wireless telecommunication facility.

A restaurant with a drive-up service window would be a CONDITIONAL USE (and not considered under this section), which would require a Conditional Use Permit through a public hearing with the Zoning Hearing Examiner.

The applicant is requesting that the Site Plan for Subdivision Amendment be delegated to planning staff. In order to preserve neighborhood protections, development with auto-related uses will be reviewed by EPC at a public hearing including the proposed car wash. All Zoning Code regulations and standards will apply as well as the Design Standards from the Site Plan for Subdivision Unser/McMahon Village Center North.

Albuquerque / Bernalillo County Comprehensive Plan, 2017

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

Goal 4.1 Background & Analysis:

Policy 4.1.1 Distinct Communities

Encourage quality development that is consistent with the distinct character of communities.

The zone map amendment implements this policy by allowing the subject site to develop with consistent character of the surrounding community including properties to the south including Walgreens (drive thru facility) and Advance Auto Parts (auto related retail) and to the west including Valero Gas Station (auto related retail and service) and a CU Anytime Automated Teller Machine (drive thru facility). Smaller commercial developments on this tract will provide a transition to the larger Guardian Storage mix-use properties to the north.

The request generally furthers Policy 4.1.1. While the request will continue the auto-oriented character in the immediate area, the objective of this policy is to consider the distinct character of the nearby residential communities as well. The Design Standards of the existing Site Development Plan for Subdivision is expected to provide additional standards for site plan, architectural design, and landscape buffers that encourage quality development consistent with the distinct character of the larger community.

Policy 4.2.2 Community Engagement

Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.

After making the application, notifying property owners within 100 feet of the subject site and registered neighborhood associations, posting the required signs on the

property, and the legal advertisement was posted in the Albuquerque Journal for this request, Consensus Planning only received two inquiries regarding this project (one from an adjacent property owner and one from a neighborhood association). Both inquiries expressed interest in development on this site and their support for the use. The engagement with community members was limited, but each interaction was respectful and meaningful in answering questions and identifying and addressing concerns.

Policy 4.2.2 is generally furthered because the applicant notified the public as required and the agent has spoken with adjacent property owners as mentioned above. A facilitation meeting was not conducted; therefore neighborhood association and community comments are not a part of the written record. Staff has received no written or spoken comments in support or opposition to the request.

Goal 5.1 Centers & Corridors:

Grow as a community of strong Centers connected by a multi-modal network of Corridors.

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.

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.

- a) Allow auto-oriented, single-use development, such as strip retail, large retail facilities, and business and institutional campuses along Commuter Corridors.
- b) Buffer residential land uses adjacent to Commuter Corridors.

The zone map amendment furthers this goal and these policies by allowing a wider range of neighborhood commercial uses in a Comprehensive Plan designated Area of Change and creating the opportunity for new development along Unser Boulevard, a commuter corridor. The proposed car wash is an auto-oriented, single use development located along a commuter corridor and adjacent to other C-1 Neighborhood Commercial and auto-oriented uses.

Policies 5.1.12 a) and 5.1.12 b) are furthered because auto-oriented development will be permitted on a Commuter Corridor with higher speed and higher traffic volume for people going across town. The request maintains the existing Site Development Plan for Subdivision which requires a 10-foot landscape buffer between commercial and residential uses. In addition, the process of EPC Site Plan review for auto-oriented uses including the intended car wash will require EPC review and the option to suggest additional controls such as building orientation to shield the adjacent townhome owners.

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.

- g) Locate quality commercial development and redevelopment in existing commercial zones and designated Centers and Corridors.
- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.
- n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The zone map amendment furthers this policy by facilitating infill development of a C-1 permissive use on a currently vacant property. The request maintains the underlying C-1 zone while removing the SU-1 overlay and exclusions. The property is located along a commuter corridor and surrounded by new commercial development and existing residential development. The proposed C-1 zone provides a neighborhood commercial service for the surrounding residents.

Furthermore, if approved, the subject site will convert to the IDO MX-L zone (similar to the properties to the south, southeast, southwest, and northwest which will all convert to MX-L as illustrated below). The zone map amendment will facilitate creating a mix of uses that are conveniently accessible from the neighborhoods that surround the site, locate commercial development in an existing commercial zone, create infill development that is compatible with uses to the north, south and west, and will facilitate more productive use of this vacant lot.

Policy 5.2.1 is furthered because the request will encourage commercial development located in an existing commercial zone and on Unser Boulevard NE which is a designated commuter corridor. In addition, use of this vacant lot will offer a local conveniently accessible commercial service that should assist to minimize trips outside of the neighborhood. This development is considered infill on an under-utilized lot because most of the surrounding properties in this community are developed, and annexation occurred long ago.

Because the request is for the SU-1 for C-1 zone, the Design Standards will encourage quality commercial development and compatibility of the architecture and site plan in form and scale to the immediately surrounding development for this visible property located on a commuter corridor. The request will encourage infill development with complementary commercial uses.

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 this policy by facilitating infill development along Unser Boulevard, an existing commuter corridor, and adjacent to new commercial development. This proposal maximizes the existing infrastructure and public facilities in this neighborhood and along Unser Boulevard. The proposed zone change will provide for future commercial services.

Policy 5.3.1 is furthered because the request will maximize the utility of the existing infrastructure and public facilities, and efficiently use the land by permitting auto-oriented uses on a commuter corridor intended for high vehicular use.

Goal 5.4 Jobs-Housing Balance

Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

Policy 5.4.2

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

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

The jobs-housing balance on the West Side of the City has been an issue exacerbated by continued residential development and limited commercial development to provide jobs. The request furthers this policy by facilitating the development of neighborhood commercial businesses on a property on the West Side. The request maintains the underlying C-1 zoning while removing the SU-1 exclusions to auto oriented related retail and service to allow a wider breadth of commercial uses, similar to surrounding uses in the area.

Policy 5.4.2 is partially furthered because the property is located on the West Side and the commercial use will foster employment opportunities. Although the West Side generally needs more jobs, employment at an automated car wash would be limited to a few service jobs that would not provide a wide range of skills and salary levels as an increase to the economic base.

Goal 5.6 City Development Areas

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

Policy 5.6.2

Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

- b) Encourage development that expands employment opportunities.
- e) Encourage job creation in business and industrial parks, near freight routes, and where adequate transitions and buffers can be provided to protect abutting residential uses.
- f) Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic.
- g) Encourage development where adequate infrastructure and community services exist.

The property is located in an Area of Change and along Unser Boulevard, a commuter corridor. The request furthers this policy facilitating infill development in an Area of Change and along existing infrastructure. The proposed use provides expanded opportunity for neighborhood commercial services similar to adjacent and nearby auto-oriented and other neighborhood commercial uses.

Policy 5.6.2 b), Policy 5.6.2 e), and Policy 5.6.2 g) are furthered because the property is located in an Area of Change and therefore, growth will occur in an area where expected and desired. The property is located on a commuter corridor where infrastructure and community services already exist or are currently being developed.

Policy 5.6.2 f) is partially furthered because potential auto-oriented uses such as a car wash could negatively impact the existing abutting residential uses on the eastern property line with respect to noise from sprayers, vacuums, etc. Since Site Plans for auto-oriented uses will be subject to EPC review and approval, Site Plan improvements could increase quality and minimize potential negative impacts.

Policy 5.6.4:

Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

- a) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.
- b) Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

Policy 5.6.4 is generally furthered because although the SU-1 for C-1 zone would permit an auto-related use which is different in intensity from residential, the Site Plan for Subdivision Design Standards and the Zoning Code will require setbacks and buffering; and Site Plan review will encourage a layout to protect the character and integrity of the existing residential area abutting the subject site to the east.

West Side Strategic Plan

The West Side Strategic Plan (WSSP) was first adopted in 1997 and amended several times since then (2002, 2005, 2008, 2009 and 2011). The WSSP area encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on page 2 of the Plan.

The WSSP identifies 13 communities in established areas of the West Side, each with a unique identity and comprised of smaller neighborhood clusters. Each community is comprised of Neighborhood and Community Activity Centers, nodes of higher density development to support services and transit, as well as areas for low density and open spaces. The subject site is located in the Seven Bar community, which lies between the Calabacillas Arroyo and the County line, and between the Rio Grande and an area slightly west of the Rainbow Boulevard Corridor (see p. 54).

The subject site is not within the boundaries but abuts the northern boundary of the Unser / McMahon Neighborhood Center identified by the WSSP. Activity Centers are proposed to contain a mixture of uses including high density residential uses.

Plan Objectives

8. Promote job opportunities and business growth in appropriate areas of the West Side. (page 15)

The request furthers this objective by facilitating in fill development of a neighborhood commercial business on the West side. The property is appropriately located in a Village Center and adjacent to existing infrastructure.

The request furthers the WSSP Objective 8 (page 15) because it encourages job opportunities and business growth on the West Side.

Neighborhood and Centers

POLICY 1.3

Strip commercial developments shall not be approved on the West Side. Commercial development shall occur in concentrated clustered areas rather than new strip developments. Zone changes to commercial, industrial, or office uses for areas outside the centers are strongly discouraged, in order to reinforce the Neighborhood and Community Centers. Changes of commercial and office zoning outside the centers to residential use is encouraged except where area schools are at or over design capacity. In cases where schools are at or over design capacity, zone changes from non-residential to residential uses should be denied unless the applicant demonstrates that the proposed development will create no net expense in enrollment for area schools. (e.g. senior housing). This policy is meant to impact the design and layout of commercial areas and their connections to adjacent development and to encourage clustering of commercial and office uses in activity centers. It is not intended to rezone allowed commercial uses. (page 39)

This policy is furthered by removing obstacles (SU-1) and facilitating infill development of neighborhood commercial in a Village center. The request does not

create a strip zone and the property is adjacent to similar neighborhood commercial uses. The property is currently zoned to allow C-1 uses with exclusions including auto-oriented commercial retail and sales, the request removes the exclusions and obstacles to development, while maintaining the underlying C-1 zoning and compatibility with surrounding uses.

The request furthers WSSP Policy 1.3 (page 39) because the subject site is not in a strip development and the request will keep commercial development along a commercial commuter corridor adjacent to a Neighborhood Center.

Policy 1.15

Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods. (page 41)

This policy is furthered by facilitating infill development of neighborhood commercial in a Village center on a property of less than 2 acres. The proposed zoning allows for neighborhood commercial service similar to adjacent neighborhood commercial uses.

WSSP Policy 1.15 (page 41) does not apply because the subject site is not technically within the boundaries of the Neighborhood Center.

Unser Boulevard Design Overlay Zone (R95-1992)

The Unser Boulevard Design Overlay Zone (UBDOZ), which contains minimal signage controls, extends approximately 500 feet from the centerline of Unser Boulevard and runs from Interstate 40 to the Sandoval County line. One free-standing sign is allowed, and it cannot exceed 75 sf in size and 12 ft. tall. Building-mounted signs cannot exceed 12% of the façade to which they are applied; signs are limited to one per façade.

Signage proposed on the subject site must comply with the general sign regulations in the Zoning Code, the UBDOZ, and the Unser/McMahon Village Center North Design Standards. In cases of conflict between applicable regulations, the Design Standards prevail. In this case, the Design Standards are more rigorous than the requirements of the UBDOZ, which therefore does not need to be evaluated.

Unser/McMahon Village North

The subject site is part of the Site Plan for Subdivision Unser/McMahon Village North. This Site Plan for Subdivision includes Design Standards, which outline stricter protections than typically required in the Zoning Code. Examples of those protections include a 10-foot landscape buffer between a change of uses rather than between a change of zones, street trees along interior roadways which would not typically be required, and pedestrian connections.

Resolution 270-1980

Policies for Zone Map Change Applications

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Analysis of Applicant's Justification

Note: Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is in ***bold italics***

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The request is consistent with the health, safety, morals, and general welfare of the City by maintaining the underlying C-1 Neighborhood Commercial zoning of the SU-1 zone.

The request is consistent with the health safety, morals, and general welfare of the City because it is generally consistent with the goals and policies of the Comprehensive Plan, which was created to protect the health, safety, morals, and general welfare of the City.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

Stability of land use and zoning is maintained by this request. The only change to the existing SU-1 for C-1 zoning is the removal of the auto-oriented commercial retail and sales exclusions to accommodate future development. If approved, the request will result in a parcel of land zoned for C-1 that will allow a proposed car wash and all other C-1 uses that are currently allowed. The addition of auto-oriented commercial development in this area is consistent and compatible with the surrounding commercial uses, which include auto related uses. The surrounding properties are developed to the south with a Walgreens (drive thru facility) and Advance Auto Parts (auto related retail), and to the west - Valero Gas Station (auto related retail and service) and a CU Anytime Automated Teller Machine (drive thru facility). Smaller commercial developments on this tract will provide a transition to the larger Guardian Storage mix-use properties to the north. The properties to the

east are zoned for townhomes and are in the process of developing. The townhomes are an appropriate transition from the proposed C-1 subject site property to the lower density single-family homes further to the east. The requested change will not impact the stability of the existing auto-oriented commercial land use center on this corner.

The request achieves land use stability because the project is on a vacant parcel in a location where the neighborhood expects commercial services. The location will assist with stabilizing the neighborhood by developing local services and jobs, and minimizing trips outside of the neighborhood. Unser Boulevard NW and McMahon Boulevard NW are Commuter Corridors as designated by the Comprehensive Plan. Unser Boulevard NW is planned to be a Premium Transit Corridor. Pedestrian friendliness should be considered for all development in this corridor in expectation of the planned transit system, and this can be implemented through the EPC site plan review for auto-oriented uses Site Plan for Building Permit.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

The change is not in significant conflict with adopted elements of the Comprehensive Plan or the West Side Strategic Plan. The request furthers the Goals and Policies of the Comprehensive Plan and the West Side Strategic Plan specifically policies related to infill development and commercial uses located along corridors.

The subject request is not in significant conflict with adopted elements of the Comprehensive Plan, the West Side Strategic Plan, the Unser Boulevard Design Overlay Zone, or the Unser/McMahon Village Center North Site Plan for Subdivision. Please refer to the Analysis of Applicable Ordinances, Plans, and Policies within this report above for further analysis of applicable policies.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
- (1) There was an error when the existing zone map pattern was created; or
 - (2) Changed neighborhood or community conditions justify the change; or
 - (3) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The existing zoning is inappropriate because a different use category is more advantageous to the community, as articulated in the Comprehensive Plan and the West Side Strategic Plan as demonstrated in the APPLICABLE PLANS AND POLICIES section above.

Furthermore, the existing zoning is inappropriate because the proposed change is more advantageous to the specific Northwest Mesa Community Planning Area (CPA) as articulated in the Comprehensive Plan related to providing a consistent use and

business character with the CPA; property owners and registered neighborhood associations were notified and of those the agent heard from, feedback on the proposed change was positive; the change provides a wider range of neighborhood commercial uses in the appropriate Comprehensive Plan designated Area of Change; infill development will be added on a commuter corridor, which maximizes existing infrastructure in the neighborhood; there will be consistency with IDO conversion zones to the south, west, and northwest; and the jobs-housing imbalance on the west side will be improved with an additional business providing jobs to west side residents.

The applicant stated that the existing zoning is inappropriate because the requested zone is more advantageous to the community. The existing zone was established in 1998 and the site has not been developed thus far according to the existing zone which excludes auto-oriented uses. Comprehensive Plan Policies support the development of parcels on commuter corridors with auto-oriented uses.

Comprehensive Plan Policies also support developing vacant parcels on the West Side with commercial development over residential in order to provide more services and employment opportunities to existing residential neighborhoods.

Furthermore, West Side neighborhoods are typically opposed to putting a further burden on schools and traffic with additional residential development. The SU-1 zone designation and Site Development Plan for Subdivision will apply Design Standards requiring buffers, landscaping, and architectural cohesiveness.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

All uses in the C-1 zone were reviewed and considered, including auto related uses, and will not be harmful to the adjacent property, neighborhood, community, or CPA. The request simply removes the current restriction on auto related retail and services, and drive thru facilities. Auto related uses and drive thru facilities currently exist on properties to the south including Walgreens (drive thru facility) and Advance Auto Parts (auto related retail) and to the west including Valero Gas Station (auto related retail and service) and a CU Anytime Automated Teller Machine (drive thru facility). If approved, uses allowed by this request will not be harmful because they are considered appropriate in neighborhood commercial areas, similar uses currently exist in the area, and the similar uses are also in proximity to residential neighborhoods.

Both the intent of the existing Zoning Code and the adopted Integrated Development Ordinance support this use in the C-1/MX-L zone (including car washing/car wash) in areas near residential. The intent of the C-1 zone is, "suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas." A car wash is a day-to-day commercial service appropriate and allowed pursuant to the C-1 zone (§14-16-2-16(10)(d)). The IDO MX-L zone, which is the conversion of C-1, also allows car wash as a permissive use along with light vehicle repair. The proposed zone change and car wash provides for neighborhood commercial services to serve the surrounding residential neighborhood as intended by the C-1 and MX-L zones.

Permissive uses in the C-1 zone are low intensity and expected to provide commercial services at a neighborhood scale. Please refer to the Proposed section under Analysis of Applicable Ordinances, Plans, and Policies, Albuquerque Comprehensive Zoning Code, within this report for a list of C-1 Permissive Uses.

The applicant has stated that C-1 zone uses were discussed with the surrounding property owners, and that the neighborhood supported the development showing that the requested zone change would not be harmful. Staff does not currently have a record of conversations with property owners or neighborhood associations because a facilitated meeting did not occur, and staff has not been contacted with comments in support or opposition. In this case, a public hearing does not appear to be a priority for the community.

The applicant intends to add a statement to the Site Development Plan for Subdivision that Site Development Plans for auto-oriented uses and drive-up service windows shall require EPC review and approval. The SU-1 zone applies Design Standards which include a 10-foot landscape buffer between a change in uses as well as architectural and landscape cohesion, which will assist with minimizing harm to adjacent property, the neighborhood, or the community.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
- (1) Denied due to lack of capital funds; or
 - (2) Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The request is not dependent on unprogrammed capital expenditures. The request facilitates infill development along existing infrastructure. The property is located on Unser Boulevard, with new development on either side of the site.

The request will not require major or unprogrammed capital expenditures by the City.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The cost of land or other economic considerations are not the sole determining factor for the zone change. The request facilitates the zoning of a vacant commercially zoned property that is compatible with the surrounding uses in a manner that will streamline and facilitate new development.

While cost of land is typically a factor, it is not the determining factor for the proposal because the requested zone will be more advantageous to the community by generally furthering the preponderance of Comprehensive Plan and West Side Strategic Plan applicable goals, policies, and objectives.

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The site is located on Unser Boulevard, categorized as a principal arterial, location on a collector is not the primary justification for the request. However, the sites underlying C-1 zoning and location on Unser is a consideration due to the Comprehensive Plan designation of Unser as a commuter corridor and an Area of Change.

While location on commuter corridor supports the requested zone to include C-1 permissive auto-oriented uses, it is not the only justification. The request has also been shown to be more advantageous to the community in allowing the development of a vacant property and providing local services and jobs in accordance with Comprehensive Plan policies.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:

- (1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
- (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

While, the request is a spot zone, the request maintains the C-1 zoning of the SU-1 zone while removing the exclusions and remaining compatible with C-1 uses to the north, south, and west. The request will clearly facilitate realization of the Comprehensive Plan and the West Side Strategic Plan specifically policies related to infill development and commercial uses located along corridors. While, it is technically a spot zone, the land use is not, due to similar uses of the properties to the north, south, and west.

Furthermore, if this request is granted for C-1, the IDO conversion to MX-L is appropriate for this area and will be the same zone as to the south and on other properties in the area.

The request for SU-1 for C-1 zoning will create a spot zone. The applicant justifies the spot zone by demonstrating that the proposed zone change will clearly facilitate realization of applicable goals, policies, and objectives in the Comprehensive Plan and West Side Strategic Plan with regard to providing local commercial services and employment on the West Side and focusing auto-oriented uses on commuter corridors.

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning.” Strip commercial zoning will be approved only where:
- (1) The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 - (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The concept of strip zoning is not applicable to this request, as it does not apply to multiple, contiguous parcels.

The subject site is of sufficient depth so that it is not a strip of land along a street and would not create strip zoning. The applicant’s response is sufficient.

AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

City Departments and other agencies reviewed this application from January 29, 2018 to January 16, 2016. Agency comments were generally minimal (see comments below at the end of this report). PNM Staff mentioned that an existing electric overhead distribution line is located along the western boundary of the subject property and an underground distribution line is located along the southern boundary of the site.

Neighborhood/Public

The affected homeowner’s association is Villa De Villagio and the affected neighborhood organization is the Westside Coalition of Neighborhood Associations, which were notified as required. Property owners were also notified as required. A facilitated meeting was not requested nor conducted. As of this writing, staff has not received any phone calls or written comments.

CONCLUSION

The request is for a zone change from SU-1 for mixed uses detailed in project 1000936, which exclude auto-related uses to SU-1 for C-1 with auto-related uses controlled by project 1000936 for an approximately 2 acre vacant site located on the east side of Unser Boulevard NW, between Crown Road NW and Summer Ridge Road NW, north of McMahan Boulevard in order to develop a car wash on the subject site. A zone change is needed because the subject site’s zoning excludes auto-oriented retail and service uses. The subject site is designated an Area of Change in the Comprehensive Plan, is within the Seven Bar Ranch Community of the West Side Strategic Plan, and is currently within the Site Plan for Subdivision for the Unser/McMahan Village Center North.

The request furthers applicable goals, policies, objectives, and standards of the Comprehensive Plan, the West Side Strategic Plan, and the Unser Boulevard Design

Overlay Zone. The request meets the requirements of Resolution 270-1980 because the applicant has shown that the request will be more advantageous to the community by developing a vacant parcel on a commuter corridor for an auto-related use, and by providing local services and jobs on the West Side of the City, which will reduce trips out of the area.

Staff has not received any comments in support or opposition to the request. Staff is recommending approval of the requests subject to the Findings outlined in this report.

FINDINGS, Zone Map Amendment (Zone Change)

Project # 1000936, Case # 17EPC- 40069

1. This is a request for a Zone Map Amendment (zone change) for Tract 4, Paradise Plaza located on the east side of Unser Boulevard NW between Crown Road NW and Summer Ridge Road NW, north of McMahan Boulevard NW and containing approximately 2 acres.
2. The subject site is zoned SU-1 for Mixed Uses detailed in Project #1000936, which is SU-1 for Mixed Use Development-C-1 Permissive Uses, excluding automobile related retail and service uses and drive-up facilities including package liquor sales ancillary to a retail grocery of 20,000 square feet minimum and restaurant with alcoholic drink sales for on-premise consumption (maximum 4.5 acres). Automobile related retail and service uses, such as a car wash, are excluded and are not allowed by the subject site's zoning.
3. The request is to change the zoning to the SU-1 for C-1 with auto-related uses controlled by project 1000936. Site Development Plan for Subdivision will control auto-related uses and changes of use to auto-related uses and drive up service windows by requiring EPC review and approval.
4. The Site Development Plan for Subdivision shall create two separate lots and will be delegated to planning staff for approval.
5. The Site Development Plan for Subdivision will have the following note: "The Site Development Plan for Subdivision Amendment shall be delegated to planning staff. Future Site Development Plans for Building Permit shall be delegated to planning staff with the exception of Site Development Plans for auto-related uses and changes of use to auto-related uses and drive up service windows, which shall require EPC review and approval."
6. The Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, the Unser Boulevard Design Overlay Zone, the Unser/McMahan Site Development Plan for Subdivision Design Standards and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is designated an Area of Change within the 2017 Albuquerque/Bernalillo County Comprehensive Plan. The following goals and policies apply:
 - The request generally furthers Policy 4.1.1. While the request will continue the auto-oriented character in the immediate area, the objective of this policy is to consider the distinct character of the nearby residential communities as well. The Design Standards of the existing Site Development Plan for Subdivision is expected to provide additional standards for site plan, architectural design, and landscape buffers that encourage quality development consistent with the distinct character of the larger community.
 - Policy 4.2.2 is generally furthered because the applicant notified the public as required and the agent has spoken with adjacent property owners as mentioned above. A facilitation meeting was not conducted; therefore neighborhood association and

community comments are not a part of the written record. Staff has received no written or spoken comments in support or opposition to the request.

- Policies 5.1.12 a) and 5.1.12 b) are furthered because auto-oriented development will be permitted on a Commuter Corridor with higher speed and higher traffic volume for people crossing town. The request maintains the existing Site Development Plan for Subdivision which requires a 10-foot landscape buffer between commercial and residential uses. In addition, the process of EPC Site Plan review for auto-oriented uses including the intended car wash will require EPC review and the option to suggest additional controls such as building orientation to shield the adjacent townhome owners.
- Policy 5.2.1 is furthered because the request will encourage commercial development located in an existing commercial zone and on Unser Boulevard NE which is a designated commuter corridor. In addition, use of this vacant lot will offer an additional local conveniently accessible commercial service that should assist to minimize trips outside of the neighborhood. This development is considered infill on an under-utilized lot because most of the surrounding properties in this community are developed, and annexation occurred long ago.

Because the request is for the SU-1 for C-1 zone, the Design Standards will encourage quality commercial development and compatibility of the architecture and site plan in form and scale to the immediately surrounding development for this visible property located on a commuter corridor. The request will encourage infill development with complementary commercial uses.

- Policy 5.3.1 is furthered because the request will maximize the utility of the existing infrastructure and public facilities, and efficiently use the land by permitting auto-oriented uses on a commuter corridor intended for high vehicular use.
- Policy 5.6.4 is generally furthered because although the SU-1 for C-1 zone would permit an auto-related use which is different in intensity from residential, the Site Plan for Subdivision Design Standards and the Zoning Code will require setbacks and buffering; and Site Plan review will encourage a layout to protect the character and integrity of the existing residential area abutting the subject site to the east.
- Policy 5.6.2 b), Policy 5.6.2 e), and Policy 5.6.2 g) are furthered because the property is located in an Area of Change and therefore, growth will occur in an area where expected and desired. The property is located on a commuter corridor where infrastructure and community services already exist or are currently being developed.
- Policy 5.6.2 f) is partially furthered because potential auto-oriented uses such as a car wash could negatively impact the existing abutting residential uses on the eastern property line with respect to noise from sprayers, vacuums, etc. Since Site Plans for auto-oriented uses will be subject to EPC review and approval, Site Plan improvements could increase quality and minimize potential negative impacts.
- Policy 5.6.4 is generally furthered because although the SU-1 for C-1 zone would permit an auto-related use, the Site Plan for Subdivision Design Standards and the Zoning Code will require setbacks and buffering; and Site Plan review will encourage

a layout to protect the character and integrity of the existing residential area abutting the subject site to the east.

8. The subject site is within the Seven Bar Ranch Community of the West Side Strategic Plan (WSSP) and adjacent to the north of the McMahon / Unser Neighborhood Center. The following policy applies:
 - The request furthers the WSSP Objective 8 (page 15) because it encourages job opportunities and business growth on the West Side.
 - The request furthers WSSP Policy 1.3 (page 39) because the subject site is not in a strip development and the request will keep commercial development along a commercial commuter corridor adjacent to a Neighborhood Center.
 - WSSP Policy 1.15 (page 41) does not apply because the subject site is not technically within the boundaries of the Neighborhood Center.

9. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:
 - A. The request is consistent with the health safety, morals, and general welfare of the City because it is generally consistent with the goals and policies of the Comprehensive Plan, which was created to protect the health, safety, morals, and general welfare of the City.
 - B. The request achieves land use stability because the project is on a vacant parcel in a location where the neighborhood expects commercial services. The location will assist with stabilizing the neighborhood by developing local services and jobs, and minimizing trips outside of the neighborhood. Unser Boulevard NW and McMahon Boulevard NW are Commuter Corridors as designated by the Comprehensive Plan. Unser Boulevard NW is planned to be a Premium Transit Corridor. Pedestrian friendliness should be considered for all development in this corridor in expectation of the planned transit system, and this can be implemented through the EPC site plan review for auto-oriented uses Site Plan for Building Permit.
 - C. The subject request is not in significant conflict with adopted elements of the Comprehensive Plan, the West Side Strategic Plan, the Unser Boulevard Design Overlay Zone, or the Unser/McMahon Village Center North Site Plan for Subdivision. Please refer to Findings 5 and 6 for further analysis of applicable policies.
 - D. The applicant stated that the existing zoning is inappropriate because the requested zone is more advantageous to the community. The existing zone was established in 1998 and the site has not been developed thus far according to the existing zone which excludes auto-oriented uses. Comprehensive Plan Policies support the development of parcels on commuter corridors with auto-oriented uses. Comprehensive Plan Policies also support developing vacant parcels on the West Side with commercial development over residential in order to provide more services and employment opportunities to existing residential neighborhoods. Furthermore, West Side neighborhoods are typically opposed to putting a further burden on schools

and traffic with additional residential development. The SU-1 zone designation and Site Development Plan for Subdivision will apply Design Standards requiring buffers, landscaping, and architectural cohesiveness.

- E. Permissive uses in the C-1 zone are low intensity and expected to provide commercial services at a neighborhood scale. The applicant has stated that C-1 zone uses were discussed with the surrounding property owners, and that the neighborhood supported the development showing that the requested zone change would not be harmful. Staff does not currently have a record of conversations with property owners or neighborhood associations because a facilitated meeting did not occur, and staff has not been contacted with comments in support or opposition. In this case, a public hearing does not appear to be a priority for the community.

The applicant intends to add a statement to the Site Development Plan for Subdivision that Site Development Plans for auto-oriented uses and drive-up service windows shall require EPC review and approval. The SU-1 zone applies Design Standards which include a 10-foot landscape buffer between a change in uses as well as architectural and landscape cohesion, which will assist with minimizing harm to adjacent property, the neighborhood, or the community.

- F. The request will not require major or unprogrammed capital expenditures by the City.
- G. While cost of land is typically a factor, it is not the determining factor for the proposal because the requested zone will be more advantageous to the community by generally furthering the preponderance of Comprehensive Plan and West Side Strategic Plan applicable goals, policies, and objectives.
- H. While location on commuter corridor supports the requested zone to include C-1 permissive auto-oriented uses, it is not the only justification. The request has also been shown to be more advantageous to the community in allowing the development of a vacant property and providing local services and jobs in accordance with Comprehensive Plan policies.
- I. The request for SU-1 for C-1 zoning will create a spot zone. The applicant justifies the spot zone by demonstrating that the proposed zone change will clearly facilitate realization of applicable goals, policies, and objectives in the Comprehensive Plan and West Side Strategic Plan with regard to providing local commercial services and employment on the West Side and focusing auto-oriented uses on commuter corridors.
- J. The subject site is of sufficient depth so that it is not a strip of land along a street and would not create strip zoning.
10. The affected homeowner's association, Villa De Villagio, and the affected neighborhood organization, the Westside Coalition of Neighborhood Associations, were notified as required as were property owners within 100-feet of the subject site. A facilitated meeting was not requested nor conducted. Staff has not received any comments in support or opposition.

RECOMMENDATION

APPROVAL of 17EPC-40069, a request for Zone Map Amendment from SU-1 for Mixed Use Development-C-1 Permissive Uses, excluding automobile related retail and service uses and drive-up facilities including package liquor sales ancillary to a retail grocery of 20,000 square feet minimum and restaurant with alcoholic drink sales for on-premise consumption to SU-1 for C-1 with auto-related uses controlled by project 1000936 for Tract 4, Paradise Plaza, based on the preceding Findings.

CONDITIONS OF APPROVAL, Zone Map Amendment (Zone Change)

Project # 1000936, Case # 17EPC- 40069

1. Per email from the agent, Consensus Planning, dated 01/31/2018, the following will be noted on the Site Development Plan for Subdivision:

“The Site Development Plan for Subdivision Amendment shall be delegated to planning staff. Future Site Development Plans for Building Permit shall be delegated to planning staff with the exception of Site Development Plans for auto-related uses and changes of use to auto-related uses and drive up service windows, which shall require EPC review and approval.”
2. The applicant shall obtain final sign-off of the associated site development plan for building permit within six months of the zone change. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.



**Cheryl Somerfeldt
Planner**

Notice of Decision cc list:

Hotsy Equipment Compan, Attn: Robert Reed, 2211 Candelaria Rd NE, ABQ, NM 87107
Consensus Planning, Inc., 302 Eight St. NW, ABQ, NM 87102
Villa De Villagio HOA, James Morrow, 10848 Como Dr. NW, ABQ, NM 87114
Villa De Villagio HOA, Susie Sollien, P.O. Box 93488, ABQ, NM 87199
Westside Coalition of Neigh. Assoc., Harry Hendriksen, P.O. Box 6270, ABQ, NM 87197
Westside Coalition of Neigh. Assoc., Gerald Worrall, 1039 Pinatubo Pl. NW, ABQ, NM 87120

AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No adverse comments.

Long Range Planning

No comment.

CITY ENGINEER

Transportation Development

No objection to the request.

DEPARTMENT of MUNICIPAL DEVELOPMENT

No comments.

WATER UTILITY AUTHORITY

- No adverse comment to the proposed zone change.
- A Serviceability Letter was issued for this site July 19, 2016. The requirements outlined in that statement have since expired. When development is desired request an availability statement at the link below:
http://www.abcwua.org/Availability_Statements.aspx
- Request shall include a City Fire Marshal approved Fire 1 Plan and a zone map showing the site location.
- Please note that one of the requirements for service, in addition to a new Serviceability Statement, will be that a Service Connection Agreement be executed for the property.

SOLID WASTE MANAGEMENT DEPARTMENT

No comment.

TRANSIT DEPARTMENT

Case Number	Brief Description of Request	Transit Corridor ?	Transit Route?	Current Service/Stops	Comment/Support/Requests
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10000936-17EPC-40069	Zone Map Amendment for Hotsy Equipment Company; 1.81 acres on Unser between Crown Road and Summer Ridge NW	Unser Boulevard Commuter Corridor	Commuter Route Extension (funded by MRCOG) of Fixed Route 155, which during commuter service runs from the Walmart at Southern and Unser in Rio Rancho along Unser and Coors to a turn-around at Gun Club and Coors	The nearest stop pair is either side of Summer Ridge, just north of the site. No additional service is planned.	No comment.
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ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No objections.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

For informational purposes:

- Unser Blvd. NW is functionally classified as a principal arterial in the project area.
- The Long Range Bikeway System (LRBS) identifies an existing paved trail and bike lane on Unser Blvd NW in the project area.
- Unser Blvd NW is an Intelligent Transportation System (ITS) Corridor. Please consult with the reviewing agency's Traffic Engineering and/or ITS Department.
- Unser Blvd NW is a limited access facility. Please contact Dave Pennella at 724-3621 or dpennella@mrcog-nm.gov with any questions about access control.

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

NMDOT has no comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO

- An existing electric overhead distribution line is located along the western boundary of the subject property and an underground distribution line is located along the southern boundary of the site. It is the applicant's obligation to abide by any conditions or terms of these easements. Any potential encroachment to existing rights-of-way must be reviewed by PNM for compliance with National Electric Safety Code (NESC) requirements, as well as PNM access for maintenance or future use. This includes any proposed changes to the existing grade, existing or proposed signs, walls or fences, landscaping, lighting, access, parking and driveway. The PNM landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within an easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted near

PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure. It is necessary for the developer to contact the PNM New Service Delivery Department to coordinate electric service regarding this project. Contact:

Andrew Gurule
PNM Service Center
4201 Edith Boulevard NE
Albuquerque, NM 87107
Phone: (505) 241-0589

- Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.



View of the subject site looking north.



View of the subject site looking east.



View of the subject site looking south.



View of the subject site looking northwest.

HISTORY

FINDINGS - Z-97-119 - July 2, 1998

1. This is a request for a zone map amendment from R-1 zoning to SU-1 for Mixed Use (Commercial, Office and Residential) zoning, located near the intersection of McMahon and Unser Boulevards.
2. The establishment of SU-1 for Mixed Use (Commercial, Office and Residential) zoning provides the opportunity to meet the policies and guidelines of the *Comprehensive Plan* and the *West Side Strategic Plan*.
3. The request meets the requirements of R-270-1980, including: the existing zoning is inappropriate because of changed neighborhood or community conditions and a different use category is more advantageous to the community; the adoption of the *West Side Strategic Plan* changes the development pattern of the area with the designating of a Village Center; the current residential zoning designations of the subject site do not allow for the commercial or service uses envisioned for the Village Center.
4. The West Side Plan for Community and Village Centers criteria are not adopted; an SU-1 for Mixed Use (Commercial, Office and Residential) zone will reflect the policies and criteria of the C-1, O-1, and R-2 zones and will parallel the uses proposed in the draft plan; the zoning will allow a maximum of 35% of the property for commercial uses and require a minimum of 35% of the property for residential uses.
5. The applicant should refrain from requesting site plan approval until the remaining portions of the Village Center are available and ready for site planning in order to encourage coordinated development; in lieu of waiting for the City to prepare a Village Center Plan, the applicant could work with the owners of the other lands within the Village Center to prepare a comprehensive and coordinated plan for this Village Center.
6. This zone change request is not accompanied by a site development plan to demonstrate how the zoning will be utilized and how the site and its uses relate to adjacent properties and uses, as well as to the larger community as a whole, but special circumstances accompany this request related to the multiple lots and ownerships that exist adjacent to the site and within the Village Center.

7. A site development plan is required for development in an SU-1 zone, which will provide the mechanism to prescribe land uses and design criteria anticipated to be adopted in the West Side Plan for Community and Village Centers.

8. Only that portion of the subject site within the *West Side Strategic Plan* designated Village Center Boundaries should be zoned to allow commercial uses in order to keep the total amount of core area (commercial) uses at or below thirty-five acres.

RECOMMENDATION - July 2, 1998

DENIAL of Z-97-119, as requested; and

APPROVAL of Z-97-119, a zone map amendment for Unplatted land described as the SE 1/4 of the NW 1/4 of the NE 1/4 within the Town of Alameda Grant, T11S, R2E and a portion of the SE 1/4 of the NW 1/4 of the NE 1/4 of Section 2, T11N, R2E, from R-1 to SU-1 for Mixed Use Development: C-1 Permissive Uses as regulated in the C-1 zone, excluding automobile related uses and including Package liquor sales ancillary to a retail grocery of 20,000 square feet minimum and Restaurant with alcoholic drink sales for on-premise consumption (maximum 4.5 acres); O-1 Uses as regulated in the O-1 zone; and R-2 Uses as regulated in the R-2 zone (minimum of 35% of the gross property area) zoning for that portion of the site within the designated Village Center, and a zone map amendment from R-1 to SU-1 for R-2 Uses zoning for that portion of the site outside of the designated Village Center, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - Z-97-119 - July 2, 1998

1. A Village Plan, including a Site Development Plan, created and submitted in coordination with the other property owners within the Village Center, shall be approved within six months of the approval of the zoning.

2. If subsequent Site Development Plans are submitted after the adoption of a West Side Plan for Community and Village Centers, then they shall follow the land use and design criteria developed in that plan.

ZONING

Please refer to the Zoning Code for specifics of
the SU-1 and the C-1 zones.

APPLICATION INFORMATION

Somerfeldt, Cheryl

From: Jaime Jaramillo <jaramillo@consensusplanning.com>
Sent: Wednesday, January 31, 2018 1:07 PM
To: Somerfeldt, Cheryl
Cc: Jim Strozier
Subject: EPC Project #1000936

Cheryl,

We would like to formally amend our request from straight C-1 zoning to "SU-1 for C-1 with auto-related uses controlled by project 1000936" and amend the existing Site Development Plan for Subdivision to (1) allow auto related uses and (2) create two separate lots.

The Site Plan for Subdivision will state:

"The Site Development Plan for Subdivision Amendment shall be delegated to planning staff. Future Site Development Plans for Building Permit shall be delegated to planning staff with the exception of Site Development Plans for auto-related uses and changes of use to auto-related uses and drive up service windows, which shall require EPC review and approval."

Thank you,

Jaime Jaramillo

Planner
Consensus Planning, Inc.
302 Eighth St. NW
Albuquerque, NM 87102
505.764.9801





December 28, 2017

Ms. Karen Hudson, Chair
Environmental Planning Commission
City of Albuquerque
600 2nd Street NW
Albuquerque, NM. 87102

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

Re: Zone Map Amendment – Unser Boulevard and Crown Road

Dear Madam Chair:

The purpose of this letter is to provide justification for a request for a Zone Map Amendment on behalf of Brandenreed Properties LLC. The 1.81-acre property is legally described as Tract 4, Paradise Plaza. The applicant's request is to change the zoning to C-1 in order to facilitate the use of the property for C-1 uses and remove the current exclusions. The applicant seeks to entitle this property to develop a car wash on a portion of the property.

Site



PRINCIPALS

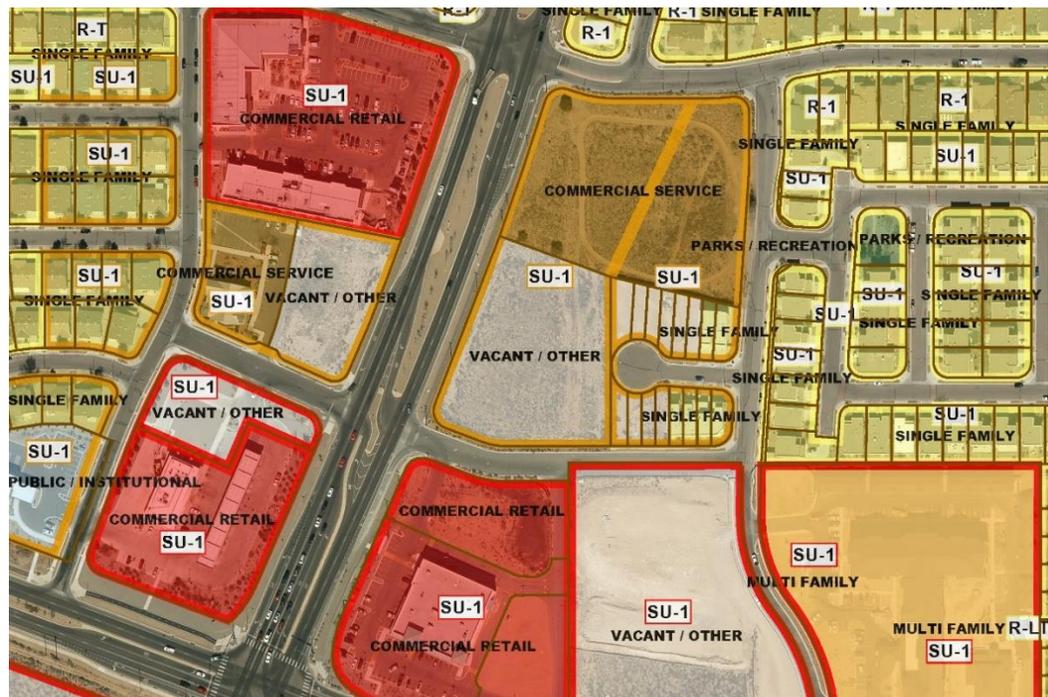
James K. Strozier, AICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP

CONTEXT

The property is approximately 1.8 acres, zoned SU-1 for Mixed Use for C-1 Permissive Uses excluding drive thru facilities and automobile related retail and service uses. The property is located on the northeast corner of Unser Boulevard NW and Crown Road NW. The surrounding zoning consists of multiple SU-1 zones for Mixed Use and/or C-1 Uses. The surrounding properties have developed with a mix of neighborhood commercial uses including several auto related uses. These uses include a Valero Gas Station; an Advanced Auto Parts Store; Walgreens and CVS Pharmacy both with drive thru facilities; and Guardian Storage.

Existing Zoning and Land Use

Area	Zoning	Land Use
North	SU-1 for Mixed Use for C-1, O-1 and Indoor Storage Uses	Guardian Storage Facility with two retail street fronts.
East	SU-1 for Mixed Use	Single Family Residential Town Homes
South	SU-1 for C-1 Uses including packaged liquor sales incidental to a pharmacy use	Advanced Auto Parts, Walgreens, and a future day care facility.
West	SU-1 for Mixed Use for O-1	Veterinary Clinic/vacant
Northwest	SU-1 for C-1 Permissive Uses including Alcohol Sales for off-site consumption under a Small Brewer’s license.	Unser Plaza Shopping Center
Southwest	SU-1 for C-1 Uses	Valero Gas Station



Resolution 270-1980

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

The request is consistent with the health, safety, morals, and general welfare of the City by maintaining the underlying C-1 Neighborhood Commercial zoning of the SU-1 zone. The request facilitates the development of a car wash permissive in the C-1 Neighborhood Commercial zone.

- B. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

Stability of land use and zoning is maintained by this request. The only change to the existing SU-1 for C-1 zoning is the removal of the auto-oriented commercial retail and sales exclusions to accommodate future development. If approved, the request will result in a parcel of land zoned for straight C-1 that will allow a proposed car wash and all other C-1 uses that are currently allowed. The addition of auto-oriented commercial development in this area is consistent and compatible with the surrounding commercial uses, which include auto related uses. The surrounding properties are developed to the south with a Walgreens (drive thru facility) and Advance Auto Parts (auto related retail), and to the west - Valero Gas Station (auto related retail and service) and a CU Anytime Automated Teller Machine (drive thru facility). Smaller commercial developments on this tract will provide a transition to the larger Guardian Storage mix-use properties to the north. The properties to the east are zoned for townhomes and are in the process of developing. The townhomes are an appropriate transition from the proposed C-1 subject site property to the lower density single-family homes further to the east. The required change will not impact the stability of the existing auto-oriented commercial land use center on this corner.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto including privately developed area plans which have been adopted by the City.

The change is not in significant conflict with adopted elements of the Comprehensive Plan or the West Side Strategic Plan. The request furthers the Goals and Policies of the Comprehensive Plan and the West Side Strategic Plan specifically policies related to infill development and commercial uses located along corridors.

APPLICABLE PLANS AND POLICIES

The property is located within an Area of Change and along Unser Boulevard, designated as a commuter corridor, in the Albuquerque Bernalillo County Comprehensive Plan. In addition, the property is located within a Village Center as



designated by the West Side Strategic Plan. Zone Change requests require approval of the Environmental Planning Commission (EPC) based on Resolution 270-1980. The applicant response to applicable goals and policies and Resolution 270-1980 are provided in italics.

Albuquerque Bernalillo County Comprehensive Plan, 2017

Policy 4.1.1 Distinct Communities

Encourage quality development that is consistent with the distinct character of communities.

The zone map amendment implements this policy by allowing the subject site to develop with consistent character of the surrounding community including properties to the south including Walgreens (drive thru facility) and Advance Auto Parts (auto related retail) and to the west including Valero Gas Station (auto related retail and service) and a CU Anytime Automated Teller Machine (drive thru facility). Smaller commercial developments on this tract will provide a transition to the larger Guardian Storage mix-use properties to the north.

Policy 4.2.2 Community Engagement

Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.

After making the application, notifying property owners within 100 feet of the subject site and registered neighborhood associations, posting the required signs on the property, and the legal advertisement was posted in the Albuquerque Journal for this request, Consensus Planning only received two inquiries regarding this project (one from an adjacent property owner and one from a neighborhood association). Both inquiries expressed interest in development on this site and their support for the use. The engagement with community members was limited, but each interaction was respectful and meaningful in answering questions and identifying and addressing concerns.

Goal 5.1 Centers & Corridors

Grow as a community of strong Centers connected by a multi-modal network of Corridors.

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.

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.

- a) Allow auto-oriented, single-use development, such as strip retail, large retail facilities, and business and institutional campuses along Commuter Corridors.
- b) Buffer residential land uses adjacent to Commuter Corridors.

The zone map amendment furthers this goal and these policies by allowing a wider range of neighborhood commercial uses in a Comprehensive Plan designated Area of Change and creating the opportunity for new development along Unser Boulevard, a commuter corridor. The proposed car wash is an auto-oriented, single use development located along a commuter corridor and adjacent to other C-1 Neighborhood Commercial and auto-oriented uses.

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.

- g) Locate quality commercial development and redevelopment in existing commercial zones and designated Centers and Corridors.
- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.
- m) Discourage zone changes to single land uses on sites larger than ten acres.
- n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The zone map amendment furthers this policy by facilitating infill development of a C-1 permissive use on a currently vacant property. The request maintains the underlying C-1 zone while removing the SU-1 overlay and exclusions. The property is located along a commuter corridor and surrounded by new commercial development and existing residential development. The proposed straight C-1 zone provides a neighborhood commercial service for the surrounding residents.

Furthermore, if approved, the subject site will convert to the IDO MX-L zone (similar to the properties to the south, southeast, southwest, and northwest which will all convert to MX-L as illustrated below). The zone map amendment will facilitate creating a mix of uses that are conveniently accessible from the neighborhoods that surround the site, locate commercial development in an existing commercial zone, create infill development that is compatible with uses to the north, south and west, and will facilitate more productive use of this vacant lot.



IDO Conversion Map Excerpt

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 this policy by facilitating infill development along Unser Boulevard, an existing commuter corridor, and adjacent to new commercial development. This proposal maximizes the existing infrastructure and public facilities in this neighborhood and along Unser Boulevard. The proposed zone change will provide for future commercial services.

Goal 5.4 Jobs-Housing Balance

Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

Policy 5.4.2

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

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

The jobs-housing balance on the West Side of the City has been an issue exacerbated by continued residential development and limited commercial development to

provide jobs. The request furthers this policy by facilitating the development of neighborhood commercial businesses on a property on the West Side. The request maintains the underlying C-1 zoning while removing the SU-1 exclusions to auto oriented related retail and service to allow a wider breadth of commercial uses, similar to surrounding uses in the area.

Goal 5.6 City Development Areas

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

Policy 5.6.2

Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

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

The property is located in an Area of Change and along Unser Boulevard, a commuter corridor. The request furthers this policy facilitating infill development in an Area of Change and along existing infrastructure. The proposed use provides expanded opportunity for neighborhood commercial services similar to adjacent and nearby auto-oriented and other neighborhood commercial uses.

West Side Strategic Plan Plan Objectives

- 8. Promote job opportunities and business growth in appropriate areas of the West Side.

The request furthers this objective by facilitating infill development of a neighborhood commercial business on the West side. The property is appropriately located in a Village Center and adjacent to existing infrastructure.

Neighborhoods and Centers

POLICY 1.3

Strip commercial developments shall not be approved on the West Side. Commercial development shall occur in concentrated clustered areas rather than new strip developments. Zone changes to commercial, industrial, or office uses for areas outside the centers are strongly discouraged, in order to reinforce the Neighborhood and Community Centers. Changes of commercial and office zoning outside the centers to residential use is encouraged except where area schools are at or over design capacity. In cases where schools are at or over design capacity, zone changes from non-residential to residential uses should be denied unless the applicant demonstrates that the proposed development will create no net expense in enrollment for area schools. (e.g. senior housing). This policy is meant to impact the design and layout of commercial areas and their connections to adjacent development and to encourage clustering of commercial and office uses in activity centers. It is not intended to rezone allowed commercial uses.

This policy is furthered by removing obstacles (SU-1) and facilitating infill development of neighborhood commercial in a Village center. The request does not create a strip zone and the property is adjacent to similar neighborhood commercial uses. The property is currently zoned to allow C-1 uses with exclusions including auto-oriented commercial retail and sales, the request removes the exclusions and obstacles to development, while maintaining the underlying C-1 zoning and compatibility with surrounding uses.

POLICY 1.15

Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; on-street parking is permitted, with smaller off-street parking areas shared among businesses and institutions. The neighborhood center shall have a built scale very accommodating to pedestrians and bicyclists, including outdoor seating for informal gatherings. Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.

This policy is furthered by facilitating infill development of neighborhood commercial in a Village center on a property of less than 2 acres. The proposed zoning allows for neighborhood commercial service similar to adjacent neighborhood commercial uses.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
- I. There was an error when the existing zone map pattern was created; or
 - II. Changed neighborhood or community conditions justify the change; or
 - III. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The existing zoning is inappropriate because a different use category is more advantageous to the community, as articulated in the Comprehensive Plan and the West Side Strategic Plan as demonstrated in the APPLICABLE PLANS AND POLICIES section under R-270-1980 Policy C.

Furthermore, the existing zoning is inappropriate because the proposed change is more advantageous to the specific Northwest Mesa Community Planning Area (CPA) as articulated in the Comprehensive Plan related to providing a consistent use and business character with the CPA; property owners and registered neighborhood associations were notified and of those the agent heard from, feedback on the proposed change was positive; the change provides a wider range of neighborhood commercial uses in the appropriate Comprehensive Plan designated Area of Change;

infill development will be added on a commuter corridor, which maximizes existing infrastructure in the neighborhood; there will be consistency with IDO conversion zones to the south, west, and northwest; and the jobs-housing imbalance on the west side will be improved with an additional business providing jobs to west side residents.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

All uses in the C-1 zone were reviewed and considered, including auto related uses, and will not be harmful to the adjacent property, neighborhood, community, or CPA. The request simply removes the current restriction on auto related retail and services, and drive thru facilities. Auto related uses and drive thru facilities currently exist on properties to the south including Walgreens (drive thru facility) and Advance Auto Parts (auto related retail) and to the west including Valero Gas Station (auto related retail and service) and a CU Anytime Automated Teller Machine (drive thru facility). If approved, uses allowed by this request will not be harmful because they are considered appropriate in neighborhood commercial areas, similar uses currently exist in the area, and the similar uses are also in proximity to residential neighborhoods.

Both the intent of the existing Zoning Code and the adopted Integrated Development Ordinance support this use in the C-1/MX-L zone (including car washing/car wash) in areas near residential. The intent of the C-1 zone is, "suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas." A carwash is a day-to-day commercial service appropriate and allowed pursuant to the C-1 zone (§14-16-2-16(10)(d)). The IDO MX-L zone, which is the conversion of C-1, also allows car wash as a permissive use along with light vehicle repair. The proposed zone change and car wash provides for neighborhood commercial services to serve the surrounding residential neighborhood as intended by the C-1 and MX-L zones.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
- I. Denied due to lack of capital funds; or
 - II. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The request is not dependent on unprogrammed capital expenditures. The request facilitates infill development along existing infrastructure. The property is located on Unser Boulevard, with new development on either side of the site.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The cost of land or other economic considerations are not the sole determining factor for the zone change. The request facilitates the zoning of a vacant commercially zoned property that is compatible with the surrounding uses in a manner that will streamline and facilitate new development.

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The site is located on Unser Boulevard, categorized as a principal arterial, location on a collector is not the primary justification for the request. However, the sites underlying C-1 zoning and location on Unser is a consideration due to the Comprehensive Plan designation of Unser as a commuter corridor and an Area of Change.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:
 - I. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan.
 - II. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

While, the request for straight C-1 zoning is a spot zone, the request maintains the C-1 zoning of the SU-1 zone while removing the exclusions and remaining compatible with C-1 uses to the north, south, and west. The request will clearly facilitate realization of the Comprehensive Plan and the West Side Strategic Plan specifically policies related to infill development and commercial uses located along corridors. While, it is technically a spot zone, the land use is not, due to similar uses of the properties to the north, south, and west.

Furthermore, if this request is granted for straight C-1 the IDO conversion to MX-L is appropriate for this area and will be the same zone as to the south and on other properties in the area.

- J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning”.
 - I. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 - II. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because



- III. the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

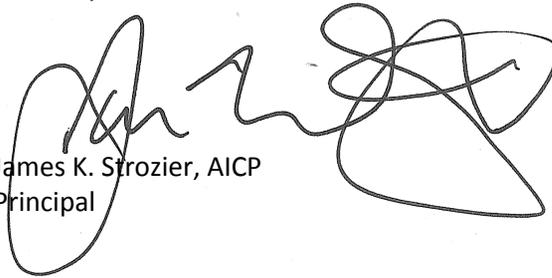
The concept of strip zoning is not applicable to this request, as it does not apply to multiple, contiguous parcels.

CONCLUSION

In conclusion, this request for a Zone Map Amendment facilitates infill development in an Area of Change. The property is along a commuter corridor. The surrounding properties are developed with neighborhood commercial uses and auto-oriented businesses. The project will provide a productive use of a property that is currently vacant and provide a service to the surrounding neighborhood.

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

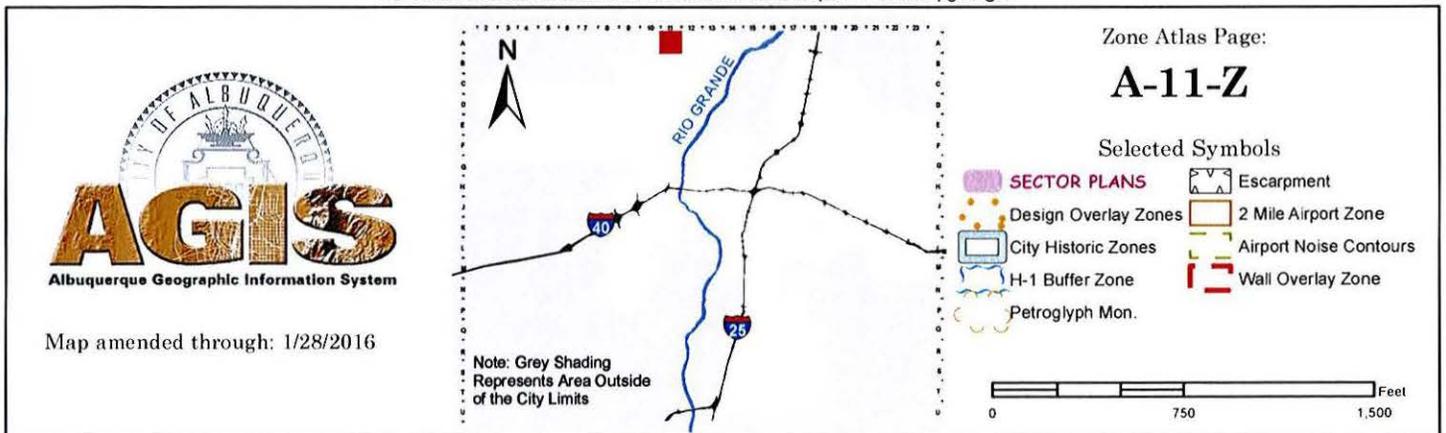
Sincerely,



James K. Strozier, AICP
Principal



For more current information and details visit: <http://www.cabq.gov/gis>



December 18, 2017

Ms. Karen Hudson, Chair
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

RE: Unser/Crown Express Tunnel Car Wash – Zone Map Amendment

Dear Madame Chair,

As the owner of the subject property, the purpose of this letter is to authorize Consensus Planning, Inc. to act as agent for all matters regarding a request for a Zone Map Amendment for property located on Unser Boulevard, north of Crown Road NW. The property is legally described as Tract 4, Paradise Plaza.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Reed', with a long horizontal flourish extending to the right.

Robert Reed
Brandenreed Properties

NOTIFICATION &
NEIGHBORHOOD INFORMATION

From: Quevedo, Vicente M.
To: Erin Ganaway
Subject: Notification Inquiry Unser Blvd and Crown Rd NW, EPC
Date: Tuesday, December 19, 2017 2:43:45 PM
Attachments: [image001.png](#)
[Notification Inquiry Unser Blvd and Crown Rd NW, EPC.xlsx](#)
[INSTRUCTION SHEET FOR APPLICANTS.pdf](#)
[Page_A-11-Z.PDF](#)

Erin,

Good afternoon See list of affected neighborhood association and coalition of neighborhood associations below and attached related to your upcoming EPC submittal. Please also review the attached instruction sheet. Thank you

Association Name	First Name	Last Name	Address Line 1	City	State	Zip	Mobile Phone	Phone	Email
Villa De Villagio HOA	James	Morrow	10848 Como Drive NW	Albuquerque	NM	87114	5203000220		jimfm50@gmail.com
Villa De Villagio HOA	Susie	Sollien	P.O. Box 93488	Albuquerque	NM	87199		5053422797	ssollien@cgres.com
Westside Coalition of Neighborhood Associations	Harry	Hendriksen	PO Box 6270	Albuquerque	NM	87197		5058903481	hlhen@comcast.net
Westside Coalition of Neighborhood Associations	Gerald	Worrall	1039 Pinatubo Place NW	Albuquerque	NM	87120	5059331919	5058390893	jfworrall@comcast.net

Respectfully,

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

Follow us,



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s), and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov
Sent: Monday, December 18, 2017 3:15 PM
To: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Notification Inquiry Sheet Submission

Notification Inquiry For:
 Environmental Planning Commission Submittal
 If you selected "Other" in the question above, please describe what you are seeking a Notification Inquiry for below:

Contact Name
 Erin Ganaway
 Company Name
 Consensus Planning Inc
 Address
 302 Eighth St. NW
 City
 Albuquerque
 State
 NM
 ZIP
 87102
 Telephone Number
 5057649801
 Email Address
ganaway@consensusplanning.com

Anticipated Date of Public Hearing (if applicable)
 February 8, 2017

Describe the legal description of the subject site for this project:
 Tract 4, Paradise Plaza

Located on/between (physical address, street name or other identifying mark)

Located along Unser Boulevard, on the northeast corner of Crown Road NW and Unser Boulevard
 This site is located on the following zone atlas page:

A-11-Z

Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), approval of a Wireless Telecommunication Facility (WTF), or Administrative Approvals (AA) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision;
3. A physical description of the location, referenced to streets and existing land uses;
4. A complete and detailed description of the action(s) being requested;
5. ***** NEW*** Facilitated Meeting Information** – All notification letters must include the following text:
Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660.
A facilitated meeting request must be received by ADR by: January 8, 2018.
6. *****NEW*** Public Hearing Information** - Hearing Date, Start Time and Location.

Neighborhood Notification Checklist

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

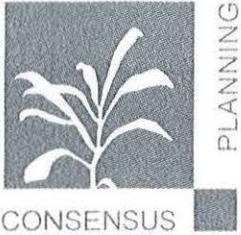
1. ONC's "Notification Inquiry Email" outlining any affected Neighborhood and/or Homeowner Associations.

*Note: If your ONC Correspondence is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

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

Thank you for your cooperation on this matter.



December 28, 2017

Landscape Architecture
Urban Design
Planning Services

Harry Hendriksen
Westside Coalition of Neighborhood Associations
P.O. Box 6270
Albuquerque, NM. 87197

302 English St. NW
Albuquerque, NM 87102

Gerald Worrall
Westside Coalition of Neighborhood Associations
1039 Pinatubo
Albuquerque, NM. 87120

(505) 764-9801
Fax 542-5495
cp@consensusplanning.com
www.consensusplanning.com

Dear Mr. Hendriksen, Mr. Worrall, and the Westside Coalition of Neighborhood Associations:

This letter is notification that Consensus Planning has a submitted a request for a Zone Map Amendment to the Environmental Planning Commission (EPC) on behalf of Brandenreed Properties, LLC. The site is located on Unser Boulevard, north of Crown Road. The existing zoning is SU-1 for Mixed Use for C-1 Permissive Uses excluding drive thru facilities and automobile related retail and service uses. The applicant is requesting to change the zoning to straight C-1 zoning. The EPC hearing for this application will be held on February 8, 2018 at 8:30 a.m. at the Plaza del Sol Building, located at 600 2nd Street NW.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Please note, affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by January 8, 2018.

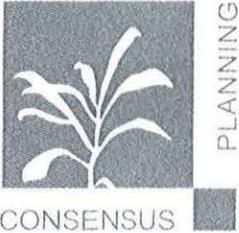
Sincerely,

James K. Strozier, AICP
Principal

PRINCIPALS

James K. Strozier, AICP
Christopher J. Green, P.L.A.
ASLA, LEED AP
Lucy Jeline Fishman, AICP

Attached: Zone Atlas Map A-11-Z



December 28, 2017

Landscape Architecture
Urban Design
Planning Services

James Morrow
Villa De Villagio HOA
10848 Como Drive NW
Albuquerque, NM 87114

302 Eighth St. NW
Albuquerque, NM 87102
(505) 764-9821
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

Susie Sollien
Villa De Villagio HOA
P.O. Box 93488
Albuquerque, NM 87199

Dear Mr. Morrow, Ms. Sollien, and the Villa De Villagio HOA:

This letter is notification that Consensus Planning has a submitted a request for a Zone Map Amendment to the Environmental Planning Commission (EPC) on behalf of Brandenreed Properties, LLC. The site is located on Unser Boulevard, north of Crown Road. The existing zoning is SU-1 for Mixed Use for C-1 Permissive Uses excluding drive thru facilities and automobile related retail and service uses. The applicant is requesting to change the zoning to straight C-1 zoning. The EPC hearing for this application will be held on February 8, 2018 at 8:30 a.m. at the Plaza del Sol Building, located at 600 2nd Street NW.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Please note, affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by January 8, 2018.

Sincerely,

James K. Strozier, AICP
Principal

PRINCIPALS

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

Attached: Zone Atlas Map A-11-Z

ONC Neighborhood Contacts

7017 1070 0000 9069 9073

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
ALBUQUERQUE, NM 87120	
Certified Mail Fee \$	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage \$	\$0.49
Total Postage and Fees \$	\$6.59
Sent To Gerald Worrall	
Street and Apt. 1039 Pinatubo Place NW	
City, State, ZIP Albuquerque, NM. 87120	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7017 1070 0000 9069 9059

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
ALBUQUERQUE, NM 87197	
Certified Mail Fee \$	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage \$	\$0.49
Total Postage and Fees \$	\$6.59
Sent To Harry Hendriksen	
Street and Apt. P.O. Box 6270	
City, State, ZIP Albuquerque, NM. 87197	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7017 1070 0000 9069 9066

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For delivery information, visit our website at www.usps.com ®.	
ALBUQUERQUE, NM 87114	
Certified Mail Fee \$	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage \$	\$0.49
Total Postage and Fees \$	\$6.59
Sent To James Morrow	
Street and Apt. 10848 Como Drive NW	
City, State, ZIP Albuquerque, NM. 87114	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7017 1070 0000 9069 9080

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
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ALBUQUERQUE, NM 87199	
Certified Mail Fee \$	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage \$	\$0.49
Total Postage and Fees \$	\$6.59
Sent To Susie Sollien	
Street and Apt. P.O. Box 93488	
City, State, ZIP Albuquerque, NM. 87199	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from _____ To _____

5. REMOVAL

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

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

Em Monaway
(Applicant or Agent)

12/28/17
(Date)

I issued _____ signs for this application, _____ (Date), _____ (Staff Member)

PROJECT NUMBER: _____

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Brandenreed Properties LLC DATE OF REQUEST: 12/22/17 ZONE ATLAS PAGE(S): A-11-Z

CURRENT:

ZONING SU-1 for C-1 excluding drive thru facilities and auto related LEGAL DESCRIPTION: LOT OR TRACT # A BLOCK # _____
PARCEL SIZE (AC/SQ. FT.) 1.81 carwash SUBDIVISION NAME Paradise Plaza
retail and services

REQUESTED CITY ACTION(S):

ANNEXATION [] SITE DEVELOPMENT PLAN:
ZONE CHANGE []: From SU-1 for C-1 To C-1 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 []
NEW CONSTRUCTION []
EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:

OF UNITS: _____
BUILDING SIZE: _____ (sq. ft.)

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

APPLICANT OR REPRESENTATIVE Eric Lamourey DATE 12/22/17

(To be signed upon completion of processing by the Traffic Engineer)

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

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

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

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

[Signature]
TRAFFIC ENGINEER

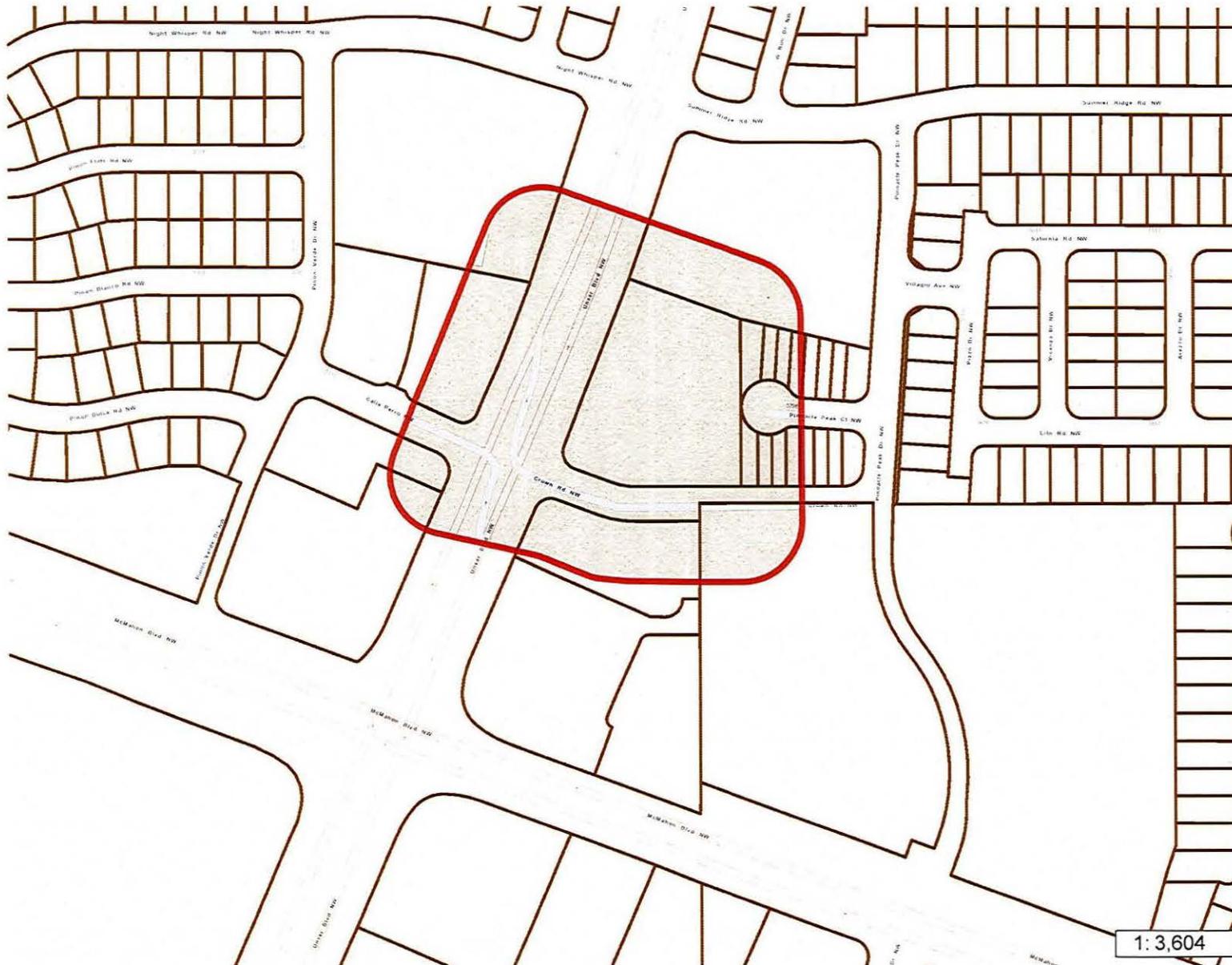
12-22-17
DATE

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 / / TRAFFIC ENGINEER _____ DATE _____
-FINALIZED / /



Property Owner Notification - 100 foot Buffer Map
Prepared by: Consensus Planning, Inc.



Legend

- Bernalillo County Parcels
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED
- World Street Map

Notes

1: 3,604

0 0.04 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
12/18/2017 © City of Albuquerque

This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES

Owner

J & J REAL ESTATE LLC
CARRICO LUCY M
H & C REAL ESTATE LLC ATTN: JOHN HEIDRICH
ALVARADO LUCIO A
TITAN INVESTMENTS LLC
ROAD RUNNER REAL ESTATE LLC
SIERRA JOSEPH & CATHERINE
C3D LLC & VILIA FALCONE LLC & GRAYLAND CORPORATION & SPRING FRANK L & ETAL
HAJJAR CHARLES C TRUSTEE UNSER REALTY TRUST
STUART ANDERSON PROPERTIES LLC
DIAMOND SHAMROCK STATIONS INC ATTN: REAL ESTATE DEPT
GUARDIAN STORAGE II LLC

Owner Address

PO BOX 920798
9416 LONA LN NE
5747 CALLE PERRO NW
139 65TH ST SW
PO BOX 10368
106 INDUSTRIAL PARK LP
5215 NEWBERRY WAY NW
PO BOX 35640
30 ADAMS ST
140 LAKESIDE AVE SUITE A
1 VALERO WAY
7501 HOLLY AVE NE

Owner Address 2

EL PASO TX 79902
ALBUQUERQUE NM 87111-1623
ALBUQUERQUE NM 87114-6400
ALBUQUERQUE NM 87121
ALBUQUERQUE NM 87184
RIO RANCHO NM 87124
ALBUQUERQUE NM 87120
ALBUQUERQUE NM 87176-5640
MILTON MA 02186-3412
SEATTLE WA 98122-6538
SAN ANTONIO TX 78249-1616
ALBUQUERQUE NM 87113-1991

December 28, 2017

Property Owner:

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, February 8, 2018 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 item.

EPC RULES OF CONDUCT OF BUSINESS

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

Staff reports and supplemental materials are posted on the City website, <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports>, on Thursday, December 7, 2017.

REQUEST

Consensus Planning, agent for Brandenreed Properties, LLC., request a Zone Map Amendment for Tract A, Paradise Plaza, zoned SU-1 for Mixed Use for C-1 Permissive Uses excluding drive thru facilities, automobile related retail and services, located on Unser Boulevard, north of Crown Road, containing approximately 1.81 acres. The request is for a Zone Change to C-1.

If you have questions or need additional information regarding this request contact Mr. Russell Brito, City Planning at (505) 924-3337 or at rbrito@cabq.gov.

Sincerely,

Consensus Planning, Inc.

Property Owner Contacts (Buffer Map)

7017 1070 0000 9069 9257
7017 1070 0000 9069 9362
7017 1070 0000 9069 9356

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EL PASO, TX 79902

OFFICIAL USE

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	12/27/2017
Total Postage and Fees	\$6.59	
Sent To: J & J REAL ESTATE LLC Street and Apt.: PO BOX 920798 City, State, ZIP: EL PASO TX 79902		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ALBUQUERQUE, NM 87121

OFFICIAL USE

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	12/27/2017
Total Postage and Fees	\$6.59	
Sent To: ALVARADO LUCIO A Street and Apt.: 139 65TH ST SW City, State, ZIP: ALBUQUERQUE NM 87121		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ALBUQUERQUE, NM 87120

OFFICIAL USE

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	12/27/2017
Total Postage and Fees	\$6.59	
Sent To: SIERRA JOSEPH & CATHERINE Street and Apt.: 5215 NEWBERRY WAY NW City, State, ZIP: ALBUQUERQUE NM 87120		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ALBUQUERQUE, NM 87114

OFFICIAL USE

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	12/27/2017
Total Postage and Fees	\$6.59	
Sent To: STUART ANDERSON PROPERTIES LLC Street and Apt.: 140 LAKESIDE AVE SUITE A City, State, ZIP: SEATTLE WA 98122-6538		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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SAN ANTONIO, TX 78249

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	12/27/2017
Total Postage and Fees	\$6.59	
Sent To: DIAMOND SHAMROCK STATIONS INC Street and Apt.: ATTN: REAL ESTATE DEPT City, State, ZIP: 1 VALERO WAY SAN ANTONIO TX 78249-1616		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

RIO RANCHO, NM 87124

OFFICIAL USE

Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	12/27/2017
Total Postage and Fees	\$6.59	
Sent To: ROAD RUNNER REAL ESTATE LLC Street and Apt.: 106 INDUSTRIAL PARK LP City, State, ZIP: RIO RANCHO NM 87124		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ALBUQUERQUE, NM 87114

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Certified Mail Fee	\$3.35	
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	12/27/2017
Total Postage and Fees	\$6.59	
Sent To: H & C REAL ESTATE LLC ATTN: JOHN Street and Apt.: HEIDRICH City, State, ZIP: 5747 CALLE PERRO NW ALBUQUERQUE NM 87114-6400		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 1070 0000 9069 9349

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MILTON, MA 02186

OFFICIAL USE

Certified Mail Fee	\$3.35	0101 27 Postmark Here  12/27/2017
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

Sent To: HAJJAR CHARLES C TRUSTEE UNSER REALTY TRUST
 Street and Apt. #: 30 ADAMS ST
 City, State, ZIP+4: MILTON MA 02186-3412

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 1070 0000 9069 9318

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ALBUQUERQUE, NM 87176

OFFICIAL USE

Certified Mail Fee	\$3.35	0101 27 Postmark Here  12/27/2017
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

Sent To: C3D LLC & ETAL
 Street and Apt. #: PO BOX 35640
 City, State, ZIP+4: ALBUQUERQUE NM 87176-5640

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 1070 0000 9069 9332

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ALBUQUERQUE, NM 87184

OFFICIAL USE

Certified Mail Fee	\$3.35	0101 27 Postmark Here  12/27/2017
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

Sent To: TITAN INVESTMENTS LLC
 Street and Apt. #: PO BOX 10368
 City, State, ZIP+4: ALBUQUERQUE NM 87184

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 1070 0000 9069 9301

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ALBUQUERQUE, NM 87184

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

Sent To: TITAN INVESTMENTS LLC
 Street and Apt. #: PO BOX 10368
 City, State, ZIP+4: ALBUQUERQUE NM 87184

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

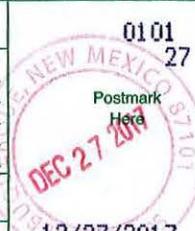
7017 1070 0000 9069 9325

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ALBUQUERQUE, NM 87113

OFFICIAL USE

Certified Mail Fee	\$3.35	0101 27 Postmark Here  12/27/2017
Extra Services & Fees (check box, add fee as appropriate)	\$2.75	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

Sent To: GUARDIAN STORAGE II LLC
 Street and Apt. #: 7501 HOLLY AVE NE
 City, State, ZIP+4: ALBUQUERQUE NM 87113-1991

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 1070 0000 9069 9295

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