

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT

URBAN DESIGN & DEVELOPMENT DIVISION

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OFFICIAL NOTIFICATION OF DECISION

June 14, 2018

Ladera Partners LLC &
Ladera Two Partners LLC
4 W. Red Oak Lane, White Plains,
NY 10604-3603

Project# 1000603
18EPC-40025 Zone Map Amendment
(Zone Change)

LEGAL DESCRIPTION:

The above action for all or a portion of Tract M-A of Replat of Tracts M, N & L of corrected Summary Plat of Tract L, M & N, Northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract N-A of Replat of Tracts M, N & L of corrected Summary Plat of Tract L, M & N, Northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract O of Replat of Tracts M, N & L of corrected Summary Plat of Tract L, M & N, northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract P of Replat of Tracts M, N & L of corrected Summary Plat of Tract L, M & N, Northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract Q-1, Plat of Tracts Q-1 & Q-2 Town of Atrisco Grant Northeast Unit; and Tract Q-2, Plat of Tracts Q-1 & Q-2 Town of Atrisco Grant Northeast Unit; zoned C-1 to C-2, located between Coors Blvd. and Atrisco Dr. and between Sequoia Rd. and Redlands Rd., containing approximately 15 acres, not including Nusenda Credit Union. (G-11). Staff Planner: Maggie Gould

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On June 14, 2018 the Environmental Planning Commission (EPC) voted to APPROVE Project 1000603/18EPC-40025, a Zone Map Amendment (Zone Change), based on the following Findings:

FINDINGS:

1. This is a request for a Zone Map Amendment for all or a portion of Tract M-A of Replat of Tracts M, N & L of corrected Summary Plat of Tract L, M & N, Northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract N-A of Replat of Tracts M, N & L of corrected Summary Plat of Tract L, M & N, Northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract O of Replat of Tracts M, N & L of corrected Summary Plat of Tract L, M & N, northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract P of Replat of Tracts M, N & L of corrected

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Summary Plat of Tract L, M & N, Northeast Unit Town of Atrisco Grant to Tracts M-A, N-A, O, P, Q & R; Tract Q-1, Plat of Tracts Q-1 & Q-2 Town of Atrisco Grant Northeast Unit; and Tract Q-2, Plat of Tracts Q-1 & Q-2 Town of Atrisco Grant Northeast Unit; zoned C-1 to C-2, located between Coors Blvd. and Atrisco Dr. and between Sequoia Rd. and Redlands Rd., containing approximately 15 acres, not including Nusenda Credit Union.

2. The request amends the zoning from C-1 to C-2(SC).
3. The subject site is an existing shopping center.
4. The proposed zone converts to the MX-M, Mixed Use Moderate Intensity Zone in the Integrated Development Ordinance.
5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Coors Corridor Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within an Area of Change of the Comprehensive Plan and is also designated as an Activity Center. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

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

The subject site is within the Coors/1-40 Activity Center. The zone change to a higher intensity zone will allow development within an activity center along a major transit corridor. The proposed zone allows additional uses that will encourage growth. The request furthers Goal 5.1 Centers and Corridors.

Policy 5. 1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

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

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

The subject site is within the Coors/1-40 Activity Center. The zone change to a higher intensity zone will allow development within an activity center along a major transit corridor. The proposed zone allows a mix of uses that will encourage compact development, add to the possibilities for redevelopment and infill and provide new opportunities for people to live and work near transit The request furthers Policy 5. 1.1 and subpolicies c) and h).

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.

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The request adds intensity in an Activity Center on a Major Transit Corridor. The proposed zoning will allow additional uses that will encourage redevelopment in the center. The request furthers Policy 5.1.2 Development Areas.

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

The request adds to the range of commercial services and retail that can be developed on the subject site. The increased uses provide the opportunity for more services that meet the needs of the neighborhoods and the population that drives this corridor or rides transit to/from this location on a daily basis. The request furthers Policy 5.1.6.

POLICY 5.1.10 Major Transit Corridors: Foster corridors that prioritize high- frequency transit service with pedestrian-oriented development.

b) Minimize negative impacts on nearby neighborhoods by providing transitions between development along Transit Corridors and abutting single-family residential areas.

The subject site is located on a Major Transit Corridor, Coors Boulevard. The residential neighborhood west of the subject site is approximately 285 feet to the west and pedestrian access is provided via sidewalks along Redlands and Sequoia Roads.

The existing buildings on the site provide a buffer between the commercial uses and residential neighbors. These measures will minimize any negative impacts on nearby neighbors. Future redevelopment will be subject to the IDO Neighborhood Edges provisions, which will guide redevelopment in this location to ensure adequate buffering. The request furthers Policy 5.1.10 and sub policy b).

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

- a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.
- b) Encourage development that offers choice in transportation, work areas, and lifestyles.
- e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.
- g) Locate quality commercial development and redevelopment in existing commercial zones and designated Centers and Corridors as follows:
 - i. In Activity Centers with development to serve adjacent neighborhoods with an emphasis on pedestrian and bicycle connections to nearby residential areas;
 - ii. In larger area-wide shopping centers located near intersections of arterial streets and provided with access via transit;
 - iii. Next to another shopping center at an intersection only when safe pedestrian crossings are provided to encourage shoppers to "park once" and walk to multiple stores; and
 - h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

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Policy 5.2.1 and sub-policies a), b), e), g) and h) are furthered because the request will expand the allowed uses and bring of goods and services to neighborhoods within walking and biking distance of the site. The site is in an Activity Center and along a Major Transit Corridor, making the added uses appropriate. As the subject site redevelops over time with more businesses and higher intensity uses, the redevelopment will further improve this healthy, sustainable west side community with a mix of uses, bicycle and pedestrian connections to surrounding neighborhoods, next to other shopping centers, and constitutes infill that will be complementary to existing uses in the area.

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 proposed zone adds additional uses in an area with full access to existing infrastructure and public facilities and will provide for additional job opportunities and services for the surrounding area. The request furthers Goal 5.3 and Policy 5.3.1

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.

This goal is furthered by proposing zoning that will encourage different types of businesses to locate in this Activity Center. Any future businesses locating or relocating here will improve the jobs-housing balance on the west side.

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.
- b) Prioritize employment opportunities within Centers
- d) Promote the clustering of employment opportunities within business parks or industrial parks served by transit.

The request adds additional commercial uses to the uses already allowed on the site; this contributes to a broader range of commercial uses on the west side. The site is located along a Major Transit Corridor and is within an activity center. The additional uses will add to the employment possibilities on the site. The request furthers Policy 5.4.2 and sub policies a) b) and d).

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.
- g) Encourage development where adequate infrastructure and community services exist.
- h) Encourage development in areas with a highly connected street grid and frequent transit service.

The request adds additional uses that will expand the employment opportunities on the site in an Area of Change, which makes it appropriate for growth of more intense development as it is also an Activity Center and located on a Major Transit Corridor. This zone change will expand employment opportunities as different types of business will be allowed to locate here. Further, this shopping center is developed, but not fully occupied. The site has access to a full range of infrastructure and

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services; Fire Station 17 is .25 miles from the site, a police substation is 2 miles from the site. The request furthers Policy 5.6.2 and subpolicies b), g) and h).

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.

The existing development on the site and the width of Atrisco Drive provide a buffer between the commercial uses and residential uses to the west. The residential neighborhood west of the subject site is approximately 285 feet to the west. These measures will continue to provide an appropriate transition between uses in this Area of Change and the nearby Area of Consistency as the site further develops or redevelops. Future development will be subject to the IDO Neighborhood Edges provisions. The request furthers Policy 5.6.4.

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

The subject site is located on Coors Boulevard, a Major Transit Corridor, and has a bus stop that is served by three City routes. The proposed zone will allow both residential and commercial uses. The proposed zone will allow for higher intensity uses and transit-supportive density. The request furthers Policy 6.1.2.

POLICY 7.4.1 Parking Strategies: Provide parking options, optimize parking efficiencies, and plan for parking as essential infrastructure.

- a) Support 'park once and walk' opportunities.
- b) Encourage shared parking.
- c) Minimize overflow parking in residential areas, particularly in areas near Centers, institutions, and Open Space.

There is currently a mix of businesses in this Center, which share the parking facilities and support a 'park once and walk' use. There is sufficient parking for the existing businesses and future business will be required to provide parking for new uses. Potential redevelopment of this site will continue to incorporate those practices and increase the range and mix of uses as to better serve as an optimum location for parking efficiencies. The request furthers Policy 7.4.1 and subpolicies a) and c).

POLICY 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses and building scale to encourage economic development opportunities.

- a) Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skill and salary levels.

The requested zoning on the subject site will create more diverse uses in the Coors/I-40 Activity Center that is well connected to other areas in the City via Coors Boulevard, a Major Transit

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Corridor. The C-2 zone expands the uses on the site and will encourage different types of businesses to locate or relocate to this center. The expanded uses will serve the neighborhood and surrounding community with employment opportunities for a range of occupational skills and salary levels. The request furthers Policy 8.1.1 and subpolicy 8.

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

The applicant states that the subject site is currently inappropriately zoned, as it is located in such a vital position - an Activity Center and along a Major Transit Corridor. The Community Commercial C-2 zone will help to increase the intensity and capture any employment growth projected for this area; thus furthering this policy. The request adds to variety of uses in the area. The request furthers policy 8.1.5.

7. The subject site is within the boundaries of the West Side Strategic Plan. The following polices are applicable:

Policy 3.24: The area just west of Coors and north of 1-40 up to a point about 1000 feet south of Ladera Drive should be designed and developed as the Community Activity Center for Ladera.

The request furthers policy 3.24 by adding to the commercial services and possibilities for multifamily development in Community Activity center.

Policy 3.25: Proposals for new development and rezonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The request will not impact the Petroglyph National Monument. The subject site is approximately 1.4 miles from Rinconada Canyon, the nearest portion of the monument and will not change the development pattern for properties surrounding the monument. . The request furthers policy 3.25

Goal 10: The Plan should create a framework to build a community where its citizens can live, work, shop, play, and learn together while protecting the unique quality of life and natural and cultural resources for West Side

Plan Objectives 1: Provide for a complete mix of land uses on the West Side, including opportunities for large -scale employment, in order to minimize the needs for cross-metro trips. Employment opportunities are encouraged on the West Side.

Plan Objectives 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The request furthers Goal 10 and Objectives 1 and 8 because it adds to the opportunities for working, shopping and living on the west side. The added uses will encourage redevelopment that will provide for additional job opportunities and services near existing residential uses to reduce the need for cross metro trips.

8. The subject site is within the boundaries of the Coors Corridor Plan. The following policies are applicable:

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Issue 3 Land Use and Intensity of Development Policy 1 requires that land use decisions be made in accordance with adopted plans.

This Zone Map Amendment furthers the goals and policies of the both Comprehensive Plan and West Side Strategic Plan as stated in the analysis above.

Issue 3 Land Use and Intensity of Policy 3, Figure 30 recommends land uses with the Plan area; the Plan recommends the subject site be developed with commercial uses.

The request is consistent with intent to have commercial development on the site.

Issue 3 Land Use and Intensity of Policy 5 recommends that the intensity of development is compatible with the roadway function, zoning, environmental concerns, and design guidelines.

The request furthers Issue 3 Land Use and Intensity of Policy 5 additional uses will be compatible with the roadway function and zoning. Any future development on the site will be subject to applicable design standards of the Coors Corridor Plan (IDO Coors Character Protection Overlay). Future development will be required to meet all applicable environmental requirements.

9. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:
- A. The proposed zoning will allow development that serves the surrounding community. The request furthers polices in the applicable plans and will be consistent with the health, safety, morals, and general welfare of the city.
 - B. The proposed zoning will allow uses that are found in shopping center sites citywide. The allowed additional uses will encourage redevelopment and contribute to stable uses on the site. The zoning on the site will allow somewhat more intense uses, but within a designated activity along a transit corridor where these uses are appropriate.
 - C. See findings 6,7 and 8 for policy analysis
 - D. The existing zoning is inappropriate because a different use category is more advantageous to the community, as articulated by the Comprehensive Plan, West Side Strategic Plan, and Coors Corridor Plan. This request furthers applicable policies and goals in the Comprehensive Plan , Westside Strategic Plan and Coors Corridor Plan.

This site's existing commercial shopping center serves more than just the immediate neighborhood and is a Comprehensive Plan designated Activity Center warranting higher intensity uses. The subject site contains uses that are typical in a Community Commercial zone (C-2) including clinics, offices, commercial services, commercial retail, drive-in restaurants, and restaurants with outdoor seating. The City of Albuquerque Comprehensive Zoning Code states that the C-1 zone, "provides suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas."

The subject site serves a larger commercial purpose than the day-to-day needs of residential areas as this area of Coors Boulevard has 60,906 average weekday traffic trips according to the Mid-Region Council of Governments traffic counts in 2016 and over 43 acres of commercial/and use.

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Additionally, sites in the immediate vicinity also feature uses not allowed or are only allowed conditionally in the Neighborhood Commercial (C-1) zone such as a bar serving liquor (Effingbar and Grill), kennel (Dogtopia Doggie Daycare), indoor/outdoor storage (Global Storage Coors), restaurant serving liquor (Mimmo's Ristorante and Pizzeria), and drive-up service windows (Taco Cabana and Burger King). The concentration, mix, and types of commercial uses surrounding and within the Coors/1-40 Activity Center fully demonstrate the existing zoning is inappropriate and that a different use category is more advantageous to the community.

Further, the existing zoning is inappropriate because changed community conditions justify the change. On May 17, 2018 the Integrated Development Ordinance became effective. The conversion zone will make the vacant 40,000 square foot building on the subject site nonconforming. The zone map amendment to C-2 will ensure that this building can be redeveloped at the current size.

- E. The additional allowed uses in the C-2 zone will not be harmful to the adjacent property or the surrounding area. As discussed by the applicant, many of the allowed uses in the C-2 zone exist as approved conditional uses on the site.
 - F. The site has access to a full range of urban services and will be developed privately. The request will not result in any unprogrammed capital expenditures for the City.
 - G. The applicant has justified the request as being more advantageous to the community as articulated in the applicable plans. While economics may be a factor in the request, it is not the determining factor.
 - H. The applicant has justified the request as being more advantageous to the community as articulated in the applicable plans. The site is located on a major street, but this not the sole justification. The location is appropriate for the use.
 - I. The request will not create a small area with zoning that is different from the surrounding zoning. As demonstrated in section c, the request clearly facilitates the realization of the applicable plans. The request will not create a spot zone.
 - J. The request will not create a strip of land with zoning that is different from the surrounding zoning; the zoning applies to a larger center. As demonstrated in section c, the request clearly facilitates the realization of the applicable plans. The request will not create a strip zone
10. The Ladera Heights, West Bluff and Vista Grande Neighborhood Associations and the West Side Coalition of Neighborhoods were notified along with property owners within 100 feet of the site.
11. A facilitated meeting was not recommended or requested.
12. Staff has not received any public comment as of this writing.

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APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JUNE 29, 2018**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

Sincerely,


for David S. Campbell
Planning Director

DSC/MG

cc: Ladera Partners LLC & Ladera Two Partn. LLC, 4 W. Red Oak Lane, White Plains, NY 10604-3603
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