

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, Albuquerque, NM 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

August 17, 2023

Sawmill Bellamah Properties, LLC
201 3rd St. NW, Ste. 1150
Albuquerque, NM 87102

Project # PR-2023-008909
RZ-2023-00019– Zoning Map Amendment
(Zone Change)

LEGAL DESCRIPTION:

RB Planning LLC, agent for Sawmill Bellamah Properties, LLC, requests a zoning map amendment from MX-M to MX-H, for all or a portion of Tract A Lands of R.E.I. (Replat of Tracts 238-C-1-B & 370-B MRGCDMAP 38) containing 64,077 square feet m/l, located at 1905 Mountain Rd. NW, between 20th St. NW, and 19th St. NW, approximately 1.5 acres (L-11)
Staff Planner: Seth Tinkle

On August 17, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-008909, RZ-2023-00019 – Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a zoning map amendment (zone change) for an approximately 1.5-acre site legally described as all or a portion of Tract A, Lands of R.E.I., Replat of Tracts 238-C-1-B & 370-B, MRGCD Map 38, located at 1905 Mountain Rd. NW, east of 20th St. NW, west of 18th St. NW, and south of 19th street NW (the “subject site”).
2. The subject site is zoned MX-M (Mixed Use-Medium-Intensity Zone District) and features low-density commercial retail. The applicant is requesting a zone change to MX-H (Mixed Use-High Intensity Zone District) to facilitate future redevelopment of the subject site.
3. The subject site is in an area that the Comprehensive Plan designated an Area of Change. It is not within a designated Center or along a designated Corridor. The subject site is located in the Sawmill/Wells Park Character Protection Overlay Zone (CPO-12), is within ¼ mile of a Main Street Corridor Area, and a Premium Transit Station Area, Central Ave., as designated by the Comprehensive Plan.
4. The subject site is in the Sawmill/Wells Park Character Protection Overlay Zone (CPO-12). The Sawmill/Wells Park Community Metropolitan Redevelopment Area Plan applies.
5. The City of Albuquerque Integrated Development Ordinance (IDO), the Comprehensive Plan, and the Sawmill/Wells Park Community Metropolitan Redevelopment Area Plan are incorporated herein by reference and made part of the record for all purposes.

6. The request furthers the following applicable Policies from Comprehensive Plan Chapter 4: Character:

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

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

The adjacent and/or abutting properties to the north, south, east, and west of the subject site are zoned for a variety of high-intensity commercial, residential, industrial, and community land uses. The requested Zone Change would be cohesive with these surrounding properties and land uses and would protect the identity an of the neighborhood by contributing to the Sawmill District’s identity as a vibrant mixed-use community. The IDO’s development standards and the Sawmill/Wells Park Character Protection Overlay zone (CPO-12) designation would ensure the appropriate location and character of future development.

B. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The request would contribute to the sense of place of the revitalized Sawmill District, a designated Metropolitan Redevelopment Area. There are new developments to the north and east of the subject site comprised of commercial, restaurant, and hospitality uses. The ability to redevelop the subject site would enhance the distinct identity of the Sawmill District along Mountain Rd. NW. and 20th St. The request would also protect the site and surrounding area as a mixed-use district. The request would have little impact on nearby low-density residential neighborhoods due to the significant buffer between the subject site and these neighborhoods.

7. The request furthers the following applicable Goals and Policies regarding complete communities and efficient development patterns from Comprehensive Plan Chapter 5: Land Use:

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

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

The request would generally help foster a community where people can live, work, learn, shop, and play together by allowing a more diverse range of uses on the subject site. The request would contribute to creating a healthy and sustainable community because it would facilitate future development in the distinct Sawmill community, which has been developing with a mix of uses over the past decade. The subject site is located within ¼ mile of a Main Street Corridor Area and a Premium Transit Station Area – it is also well-served by transit and active transportation infrastructure. In general, the request would contribute to creating a complete community with a mix of uses that are conveniently accessible from surrounding neighborhoods.

- B. 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.

The subject site is already served by existing infrastructure and public facilities, so redevelopment made possible by the request would generally promote efficient development patterns and use of land.

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

The subject site is an infill site located in an area already served by existing infrastructure and public facilities. The request would support additional growth in this revitalization area.

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

The subject site is located in an area already served by existing infrastructure and public facilities. The request would discourage growth in areas without existing infrastructure and public facilities.

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

The request to MX-H would encourage development that clusters buildings and uses and landscaped open space and/or plazas and courtyards are allowed permissively in the MX-H zone district.

8. The request furthers the following applicable Goal and Policy regarding City Development Areas from Comprehensive Plan Chapter 5: Land Use:

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

The subject site is located wholly in an Area of Change, where growth is both expected and desired. The request would encourage, enable, and direct growth to this Area of Change.

- B. 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.

The request would facilitate growth and more intense development of the subject site, with a slightly wider range of uses than allowed by the current MX-M zoning. The subject site is in an Area of Change, Metropolitan Redevelopment Area, and within ¼ mile of a Main Street Corridor. The request to MX-H would allow high intensity uses within an Area of Change and MRA, although the current zoning already allows similarly intense growth and development.

9. The request furthers the following applicable Goal and Policies in Comprehensive Plan Chapter 7- Urban Design:

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

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

The request would be consistent with the character and distinct identity of the surrounding land uses and the broader Sawmill District. The subject site is located within the Sawmill/Wells Park Character Protection Overlay zone (CPO-12), which protects the community's sense of place through context-sensitive design while encouraging efforts to strengthen the distinct identity of the Sawmill District. The request would allow for land uses that strengthen the Sawmills District's sense of place and overall character, be consistent with surrounding development, and promote the growing identity of the surrounding area as a mixed-use neighborhood and destination.

10. The request furthers the following applicable Goal and Policy in Comprehensive Plan Chapter 8- Economic Development:

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

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.

The request would build upon the unique and interesting context of the Sawmill District by promoting different development intensities, densities, uses, and building scales, which could encourage economic development opportunities. This request encourages placemaking by fostering an interesting and unique place within Albuquerque.

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

Policy 8.1.4 Leveraging Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

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

The request would generally help encourage economic development efforts and foster a robust, resilient, and diverse economy because it would allow additional uses that could improve quality of life for new and existing residents. The request would also help to enhance and market the region's unique characteristics, which the Sawmill District contributes to, and would generally help maintain sufficient land that is appropriately zoned to accommodate employment growth.

11. The request furthers the following applicable Goal and Policy from Comprehensive Plan Chapter 11- Heritage Conservation:

A. Goal 11.2 Historic Assets: Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

Policy 11.2.3 Distinct Built Environment: Preserve and enhance the social, cultural, and historical features that contribute to the identities of distinct communities, neighborhoods, and districts.

The request would preserve and enhance the Sawmill District while strengthening its sense of identity and special features that make it distinct from other districts. The Sawmill District has been developing as a mixed-use community with live, work, shop, and play developments under the standards of the CPO-12 zone. The MX-H zone district would allow development of the site

that would preserve and enhance the social and cultural features that contribute to the identity of the Sawmill District as it is redeveloping.

12. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:
 - A. Criterion A: Consistency with the City’s health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them. The applicant’s policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City’s health, safety, morals and general welfare.
 - B. Criterion B: The subject site is located wholly in an Area of Change, so this criterion does not apply.
 - C. Criterion C: The subject site is located wholly in an Area of Change. The applicant’s policy-based analysis demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning. The applicant also provided justification based on Sawmill/Wells Park Metropolitan Redevelopment Area Plan Goals.
 - D. Criterion D: The applicant stated that the MX-H zoning does not have any harmful uses compared to the existing zoning or the zoning on adjacent properties. They compared uses within the existing MX-M zone and the proposed MX-H zoning and discussed how the harmful uses would be mitigated through the IDO’s Use-Specific standards. The applicant also noted that the site’s existing MX-M zone includes a number of uses that may be considered harmful, and that the MX-H zone could eliminate or curtail these uses. These uses include: kennel, nursery, campground or recreational vehicle park, drive-through or drive-up facility, outdoor animal run, circus, and park-and-ride lot.
 - E. Criterion E: The subject site is an infill site that is adequately served by existing infrastructure (requirement 1).
 - F. Criterion F: The applicant is not completely basing the justification for the request upon the subject site’s location on a Major Collector roadway. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
 - G. Criterion G: The applicant’s justification is not completely or predominantly based upon economic considerations. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
 - H. Criterion H: A zone change from MX-M to MX-H is not a “spot zone” because the property abutting 1905 Mountain Rd to the north is zoned MX-H. However, this is not yet reflected in AGIS.

13. The applicant notified the Sawmill Area Neighborhood Association, Downtown Neighborhoods Association, and Historic Old Town Association, along with all adjacent property owners via certified mail and email as required. None of the three notified Neighborhood Associations requested a neighborhood meeting within the 15-day period, however, the Historic Old Town Association requested a meeting after the 15-day period.
14. As of this writing, Staff is unaware of any opposition.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **September 1, 2023**. 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 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. 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 an EPC Recommendation to the City Council since this is not a final decision.

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 IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/ST

cc: Nicole Smith, 1832 Zearing Ave. NW, Albuquerque, NM 87104
RB Planning, LLC, RBplanning505@gmail.com
Sawmill Bellamah Properties, LLC, sstringer@heritagerec.com
Sawmill Area NA, Amanda Browne, browne.amanda.jane@gmail.com
Sawmill Area NA, Mari Kempton, mari.kempton@gmail.com
Downtown Neighborhoods Association, Glen Salas treasurer@abqdna.com
Downtown Neighborhoods Association, Danny Senn chair@abqdna.com
Historic Old Town Association, David Gage, secretary@albquerqueoldtown.com
Historic Old Town Association, J.J. Mancini, president@albuquerqueoldtown.com
Legal, dking@cabq.gov
EPC File