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# CITY OF ALBUQUERQUE

*Albuquerque, New Mexico*

Planning Department

Mayor Timothy M. Keller

## INTER-OFFICE MEMORANDUM

April 12, 2024

**TO:** Dan Lewis, President, City Council

**FROM:** Alan Varela, Planning Director

  
Alan Varela (Apr 12, 2024 15:50 EDT)

**SUBJECT:** AC-24-11, PR-2024-009765, RZ-2024-009765: Santa Barbara/Martineztown Neighborhood Association, and Loretta Naranjo Lopez, President of Santa Barbara/Martineztown Neighborhood Association, appeal the Environmental Planning Commission (EPC) decision to Approve a Zoning Map Amendment from MX-M to MX-H for all or a portion of Tract A, Plat of Gateway Subdivision, located at 1100 Woodward Pl NE, between Mountain Rd, and Lomas Blvd, approximately 3.0 acres (the “Subject Site”) (J-15-Z).

## REQUEST

This is an appeal of the EPC’s decision to approve a zoning map amendment (i.e., zone change) from MX-M to MX-H on the 3.0-acre subject site located between Mountain Rd. and Lomas Blvd. The subject site is currently vacant but is within an EPC-approved Site Plan (formerly Site Plan for Subdivision). The applicant requested a zone change to facilitate future development of a hospital use.

The EPC heard and approved the request at its February 15, 2024 hearing. The decision was based on testimony at the hearing and 17 findings of fact that are elaborated in the Official Notification of Decision (NOD) dated February 15, 2024.

## ZONING

The subject site is zoned MX-M [Mixed-use – Medium Intensity Zone District, IDO §14-16-2-4(C)], which was converted upon adoption of the IDO from the former SU-2 for C-3 zoning designation (Industrial/Wholesale/Manufacturing) zoning.

The request proposes to change the subject site’s zoning to MX-H [Mixed Use, High Intensity Zone District] [IDO §14-16-2-4(D)], which would create a spot zone. The MX-H zone district is intended to allow higher-density infill development in appropriate locations. Specific permissive uses are listed in Table 4-2-1 of the IDO. Use-specific standards in the Integrated Development Ordinance (IDO) are intended to mitigate potentially harmful impacts associated with newly permissive uses.

## APPEAL

Pursuant to IDO §14-16-6-4(V)(4), the criteria for review of an appeal shall be whether the decision-making body made 1 of the following mistakes:

- a. The decision-making body or the prior appeal body acted fraudulently, arbitrarily, or capriciously.
- b. The decision being appealed is not supported by substantial evidence.
- c. The decision-making body or the prior appeal body erred in applying the requirements of this IDO (or a plan, policy, or regulation referenced in the review and decision-making criteria for the type of decision being appealed).

In a February 28, 2024 letter, the appellants allege that EPC acted arbitrarily or capriciously in approving the zone change when the IDO requirements for the zone change were not met and that the EPC's decision is not supported by substantial evidence because the commission made an error in applying the requirements of the IDO. The appellant argues this by responding to Findings in the Notice of Decision dated February 15, 2024.

The appellant does not elaborate on how the EPC decision was not supported by substantial evidence, although the appellant does make various points opposing the request. The opposition to a future hospital use with more than 20 beds made possible by the zone change request is the general focus of the reason for appeal. While the proposed hospital use was discussed at the EPC hearing, EPC noted that numerous uses would become permissive with the approval of the zone change, and deliberation included the appropriateness of all new uses that would be allowed by the zone change. The following points are relevant to the allegations and should be considered in the appeal.

The Official Notification of Decision (NOD) dated February 15, 2024 contains 17 findings that support the EPC's decision. The findings were developed based on public testimony during the public hearing and extensive analysis contained in the staff report.

1. The EPC found the zone change to clearly facilitate the health, safety, and general welfare of the city based on Findings 7-11 in the Official NOD. Staff's analysis of Comp Plan Goals and Policies and the applicant's responses to the review and decision criteria demonstrate that the request clearly facilitates implementation of the Comp Plan and sufficiently addresses review and decision criteria. Furthermore, the Comprehensive Plan Goals and Policies and the review and decision criteria in IDO §14-16-6-7(G)(3) for a Zoning Map Amendment do not prohibit upzones, nor do they discourage zone changes within a certain time period of IDO adoption. This request was analyzed based on review and decision criteria for a zone change in the IDO, which is required for every zone change of any size in the city.
2. The appellants allege that EPC Finding 12.C is in error in part because the Comp Plan policies in effect in 2018 are not applicable to the zone change request. This is inaccurate, because the review and decision criteria for a zone change specifically require that the applicant demonstrates that a request furthers applicable Comprehensive Plan goals and policies. The appellant's argument that hospital restrictions were applied to the Comprehensive Plan policies in 2018 is not accurate because the IDO and the Comprehensive Plan are separate documents. The goals and policies in the Comprehensive Plan do not apply use-specific standards; regulations in the IDO do. The zone change would allow multiple new permissive uses on the subject site. Staff and the EPC analyzed all new uses that would become permissive on the subject site. Staff's analysis of Comp Plan goals and policies when analyzing these requests include applicable goals and policies that either further (or clearly facilitate) or do not further (do not clearly facilitate) the Comp Plan. This is standard practice. The

EPC found the requested zone to be more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s) [Finding 12. A.].

3. All uses that would become permissive with a zone change are analyzed in the Staff Report as required by IDO review and decision criteria §14-16-6-7(G)(3)(d). This includes analysis of how use-specific standards in IDO §14-16-4-3 would mitigate potentially harmful impacts of all new permissive uses in the MX-H zone. The hospital use is not a new permissive use in the MX-H zone; it is also permissive in the MX-M zone district. A use-specific standard for a hospital use to limit the number of beds applies only in the MX-M zone district. The appellant is correct in stating that there are not any use-specific standards for a hospital use that apply in the MX-H zone district.
4. Infrastructure capacity is analyzed in the Staff Report as required by review and decision criteria §14-16-6-7(G)(3)(2). The Planning Department's Development Review Services Division determined that a potential hospital use would not require a traffic impact study because the trip generation threshold was not met (page 51 of the Staff Report compilation); however, because this is a zone change request, the specific use of the future development cannot be guaranteed. Furthermore, the subject site is within an controlling site plan, which specifies uses and standards for all future development, including building heights. Future development will require an amendment to the existing site plan, at which point the applicant will be required to provide adequate infrastructure to accommodate the development.
5. The EPC found that the request is not based completely or predominately on economic considerations but rather that the request clearly facilitates implementation of the Comp Plan [NOD Finding 12. G.].
6. The IDO review and decision criteria for justifying a spot zone requires that the request "clearly facilitate" the Comp Plan and that one of 3 other criteria also applies to the subject site. As noted in NOD Findings 7-12 A, EPC found that the applicant demonstrated that the request clearly facilitates implementation of the Comprehensive Plan. The request for a zone change did not include a site plan; therefore, future development on the subject site is not approved/guaranteed with this request. Although the intended future use may be a hospital use, the EPC findings in the official NOD are based on an analysis found in the staff report based on all uses that could become permissive on the subject site. Additionally, the EPC found that any potential harm that could result from future uses on the subject site would be adequately mitigated by the use-specific standards established in the IDO. Lastly, the EPC found that the subject site could function as a transition to adjacent properties due to the relative densities and intensities on those properties [NOD Finding 12. D and 12 H.].
7. The criteria for a zone change in IDO §14-16-6-7(G)(3) does not require an analysis of IDO CPO-7 (Santa Barbara/Martineztown Character Protection Overlay Zone) development standards or restrictions. Although the subject site is within the CPO-7, the CPO does not prohibit MX-H zoning. While typically any future development on the subject site would be pursuant to CPO-7 standards, the subject site is within a controlling site plan that specifies design standards for the site, as noted in the History section of the staff report, and IDO §14-16-1-10(A) establishes that uses and development standards in prior approvals prevail over IDO standards. (The controlling site plan was approved by the EPC in March 1994 [Z-93-46] and signed off by the DRB [DRB 94-183] pursuant to the pre-IDO SU-2 zone designation.) The controlling site

plan specifies allowable uses and standards for the site. The proposed hospital use and development standards will be the subject of review when the controlling site plan is amended for future development.

## CONCLUSION

As indicated in the February 15, 2024 Official Notification of Decision, the EPC found that the applicant adequately justified the zone change request based on 17 findings of fact. The EPC acted within its authority and voted to approve the zoning map amendment. The EPC carefully considered all relevant factors in arriving at its decision based on substantial evidence in the record. The appellant believes that the EPC decision was made in error and that the zoning should remain MX-M; however, the record contains substantial evidence that the EPC's decision was neither arbitrary nor capricious and that the IDO regulations were applied correctly to the request. The decision is supported by the record.

APPROVED:



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Megan Jones, MCRP- Principal Planner  
Urban Design & Development Division  
Planning Department



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

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

APPLICATION INFORMATION		
Applicant: <i>Santa Barbara Martinez town Neighborhood Association</i>	Phone:	
Address: <i>410 Yntema Law Firm P.A.</i>	Email:	
City:	State:	Zip:
Professional/Agent (if any): <i>Hessel E. Yntema III, Yntema Law Firm P.A.</i>	Phone: <i>505-843-9565</i>	
Address: <i>215 Gold Ave. SW, Suite 201</i>	Email: <i>hess@yntema-law.com</i>	
City: <i>Albuquerque</i>	State: <i>NM</i>	Zip: <i>87102</i>
Proprietary Interest in Site:	List all owners:	

BRIEF DESCRIPTION OF REQUEST
<i>Appeal of EPC Decision of February 15, 2024 to change zoning from Mx-m to Mx-H for 1100 Woodward Place NE, RZ-2024-00001</i>

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)		
Lot or Tract No.: <i>Tract A Plat of Gateway S-b</i>	Block:	Unit:
Subdivision/Addition: <i>Gateway S-b division</i>	MRGCD Map No.:	UPC Code: <i>101505413522132101</i>
Zone Atlas Page(s): <i>3-15-2</i>	Existing Zoning: <i>Mx-m</i>	Proposed Zoning: <i>Mx-H</i>
# of Existing Lots: <i>1</i>	# of Proposed Lots: <i>1</i>	Total Area of Site (acres): <i>2.7845 ac</i>

LOCATION OF PROPERTY BY STREETS
Site Address/Street: <i>1100 Woodward Pl NE</i> Between: <i>Mountain Rd</i> and: <i>Lomas Blvd</i>

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)
<i>PR-2024-009765, RZ-2024-00001</i>

Signature: <i>Hessel E. Yntema III</i>	Date: <i>2-28-2024</i>
Printed Name: <i>Hessel E. Yntema III</i>	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY					
Case Numbers	Action	Fees	Case Numbers	Action	Fees
Meeting/Hearing Date:				Fee Total:	
Staff Signature:		Date:		Project #	

**FORM A: Appeals**

**Complete applications for appeals will only be accepted within 15 consecutive days, excluding holidays, after the decision being appealed was made.**

- APPEAL OF A DECISION OF CITY PLANNING STAFF (HISTORIC PRESERVATION PLANNER) ON A HISTORIC CERTIFICATE OF APPROPRIATENESS – MINOR TO THE LANDMARKS COMMISSION (LC)
- APPEAL OF A DECISION OF CITY PLANNING STAFF ON AN IMPACT FEE ASSESSMENT TO THE ENVIRONMENTAL PLANNING COMMISSION (EPC)
- APPEAL TO CITY COUNCIL THROUGH THE LAND USE HEARING OFFICER (LUHO)

\_\_\_ Interpreter Needed for Hearing? \_\_\_ if yes, indicate language: \_\_\_\_\_

A Single PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF *shall be organized* with the Development Review Application and this Form A at the front followed by the remaining documents *in the order provided on this form*.

Project number of the case being appealed, if applicable: #PR-2024-009765

Application number of the case being appealed, if applicable: PR-2024-00001


Type of decision being appealed: Zone Map Amendment

Letter of authorization from the appellant if appeal is submitted by an agent

Appellant's basis of standing in accordance with IDO Section 14-16-6-4(V)(2)

Reason for the appeal identifying the section of the IDO, other City regulation, or condition attached to a decision that has not been interpreted or applied correctly, and further addressing the criteria in IDO Section 14-16-6-4(V)(4)

Copy of the Official Notice of Decision regarding the matter being appealed

<i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i>	
Signature: <u>Nesael E. Yntema III</u>	Date: <u>2-28-24</u>
Printed Name: <u>Nesael E. Yntema III</u>	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent
<b>FOR OFFICIAL USE ONLY</b>	
Case Numbers:	Project Number:
Staff Signature:	
Date:	

February 20, 2024

City of Albuquerque Planning Department  
600 Second Street NW  
Albuquerque, NM 87102

Authorization Letter for Representation for  
Appeal of EPC Decision of February 15, 2024,  
approving a Zone Map Amendment for 1100  
Woodward Place NE in Project #: PR-2024-  
009765, Case #: RZ-2024-00001

Dear Planning Department:

This letter is to authorize Hessel E. Yntema III, Yntema Law Firm P.A., to represent Santa Barbara Martineztown Neighborhood Association in the above referenced appeal.

SANTA BARBARA MARTINEZTOWN  
NEIGHBORHOOD ASSOCIATION

By

  
President

Loretta Naranjo Lopez  
Printed Name

Address:

1420 Edith NE  
ABQ NM 87102



## **BASIS OF STANDING**

Appellant Santa Barbara Martineztown Neighborhood Association (“SBMTNA”) has standing under IDO Section 6-4(V)(2)(a)(4) because SBMTNA has legal rights under the IDO to protect neighborhood interests in neighborhood land use decisions such as for quality of life including stability of zoning, avoiding potential inappropriate adverse uses, excessive traffic, and building size, and also concerning land use decision process issues such as whether IDO requirements for zone changes should be applied by the Environmental Planning Commission (“EPC”). The proposed upzone for the subject property will specially and adversely affect SBMTNA and its members due to destabilizing the area’s zoning and allowing potential inappropriate adverse uses including possible excess traffic and building size. SBMTNA is entitled to rely on the existing zoning and the procedures for changing existing zoning.

Appellant SBMTNA has standing under IDO Section 6-4(V)(2)(a)(5) because SBMTNA is a proximate Neighborhood Association under the IDO.

## REASONS FOR THE APPEAL

Under IDO Section 6-4(V)(4), the criteria for review for this appeal shall be whether the Environmental Planning Commission (“EPC”) made 1 of the following mistakes:

- (a) the EPC acted fraudulently, arbitrarily, or capriciously.
- (b) the decision is not supported by substantial evidence.
- (c) the EPC erred in applying the requirements of the IDO (or a plan, policy or regulation referenced in the applicable review and decision-making criteria).

In this case the EPC approved a zone change for the subject property at 1100 Woodward NE from MX-M to MX-H in anticipation of hospital use.

IDO Section 2-4(C)(1) states the purpose of the MX-M zone to be:

**2-4(C)(1) Purpose**

The purpose of the MX-M zone district is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in Table 4-2-1.

Under IDO Section 4-3(C)(4), a hospital in the MX-M zone is limited to no more than 20 overnight beds, and a conditional use approval is required if the hospital is located within 330 ft. of any residential zone. The subject site appears to be within 330 ft. of a residential zone.

IDO Section 2-4(D)(1) states the purpose of the MX-H zone to be:

**2-4(D)(1) Purpose**

The purpose of the MX-H zone district is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone is intended to allow higher-density infill development in appropriate locations. Allowable uses are shown in Table 4-2-1.

It appears that the MX-M hospital restrictions of IDO Section 4-3(C)(4) set out above would not apply in the MX-H zone.

The subject property is within the CPO-7 Character Protection Overlay Zone for Martineztown/Santa Barbara, under IDO Section 3-4(H).

The EPC made the following mistakes in approving the zone change under the applicable Review and Decision Criteria in IDO Section 6-7(G)(3):

1. Findings 7, 8, 9, 10, 11, 12.A, 12.C, 12.F and 12.H are in error: the zone change is not consistent with the health, safety and general welfare of the City and does not further or clearly facilitate implementation of applicable Comprehensive Plan (“Comp Plan”) Goals and Policies because the zone change constitutes an upzone of an area that recently was zoned MX-M including hospital use restrictions in 2018 with the IDO, and there have not been changes in the area or community sufficient to justify the higher intensity zoning, and there is no showing that the zone change addresses a public need and the need for change is best addressed by the requested zone change for the particular property in comparison with other available properties. The zone change constitutes a reinterpretation of the 2018 Comp Plan provisions to benefit a particular development proposal and effectively “breaks open” the Comp Plan and the IDO for continual ongoing reinterpretations to rezone to support greater intensity and politically favored proposals. Appellant seeks stability of zoning.

2. Finding 12.C is in error in part. The applicant did not demonstrate that the existing MX-M zoning is inappropriate under IDO Section 6-7(G)(3)(c)(3) due to the proposed MX-H zone being more advantageous to the community as articulated in the Comp Plan. The alleged policy-based analysis of the applicant, City staff, and the EPC is not applicable because the same Comp Plan policies were in effect in 2018 when the MX-M zoning including hospital restrictions was applied. The EPC improperly reinterpreted the 2018 policies which the City Council interpreted to justify MX-M zoning including hospital use restrictions for the property in 2018. The approach of picking and choosing among general Comp Plan policies to justify a zone change lacks adequate standards and is contrary to the requirements of New Mexico law set out in the Albuquerque Commons and Fairway

Village (unreported) cases for zone changes based on being more advantageous to the community: there must be a public need for the change of the kind in question, and the need for change will be best served by changing the classification of the particular piece of property in question as compared with other available property. Further, as apparently found by the EPC, the applicant did not demonstrate that the existing MX-M zoning is inappropriate under IDO Section 6-7(G)(3)(c)(1) because of a typographical or clerical error when the existing MX-M zoning was applied to the subject property; and the applicant did not demonstrate that the existing MX-M zoning is inappropriate under IDO Section 6-7(G)(3)(c)(2) due to a significant change in neighborhood or community conditions. There have not been any significant changes in neighborhood or community conditions justifying the zone change since the existing MX-M zoning was applied with the IDO in 2018.

3. Concerning Finding 12.D and IDO Section 6-7(G)(3)(d), the applicant, City staff and the EPC did not investigate adequately all the permissive uses in MX-H that would be harmful to the neighborhood and did not adequately establish that the use-specific standards in IDO Section 4-3 associated with all potential uses under the MX-H zone will adequately mitigate harmful impacts. The zone change appears to be designed to avoid the hospital size limit and the conditional use approval requirement of IDO Section 4-3(C)(4) imposed on the property in 2018. Hospital use has recognized potential harmful impacts: otherwise, the IDO Section 4-3(C)(4) provisions are nonsensical. However, there do not appear to be any hospital use standards applicable in the MX-H zone. The net effect of the zone change as to hospital use is to release the MX-M overnight bed limit and prevent a public hearing for mitigation of harmful impacts due to hospital use on the subject site. It appears that with the zone change to the higher intensity MX-H there may be similar prevention of the ability to mitigate harmful impacts for other permissive uses such as veterinary hospital under IDO Section 4-3(D)(5) and grocery store under Section 4-3(D)(38).

4. Concerning Finding 12.E and IDO Section 6-7(G)(3)(e), the applicant, City staff and the EPC did not take into adequate account the infrastructure inadequacies of the area in connection with all potential MX-H uses such as a hospital with more than 20 overnight beds and no conditional use mitigation. For example, a 68 ft. high hospital building (apparently allowed under MX-H) likely would add considerable traffic to a residential area which is already overstressed with traffic and pollution. Finding 17 indicates that the EPC was aware of neighborhood concerns about existing and increased traffic; yet the zone change decision appears to foreclose any meaningful opportunity for neighborhood concerns to be acted upon.

5. Finding 12.G is erroneous because the applicant's justification is in fact predominately based upon economic considerations: the applicant wants to develop a more intense (more profitable) hospital use on the site without the MX-M hospital use restrictions. The applicant can develop a (smaller) hospital under the 2018 IDO MX-M zoning.

6. Finding 12.H is erroneous because the zone change is an improper "spot zone" under IDO Section 6-7(G)(3)(h). The zone change is a straight upzone to facilitate later approval of not yet fully defined hospital development of more than 20 overnight beds without the conditional use approval requirement of IDO Section 4-3(C)(4). The zone change does not rule out different or increased intensity uses under the MX-H zone and cannot require mitigation for potential harm to the neighborhood. As noted above, the zone change does not "clearly facilitate implementation" of the Comp Plan upon which the 2018 IDO zoning of MX-M including hospital restrictions for the subject property was based. The zone change to MX-H will not function as a transition between adjacent zone districts because higher intensity MX-H use on the subject site will worsen transition to the adjacent MX-M zone district.

7. The zone change does not adhere to the standards associated with CPO-7. IDO Section 3-4(H) for CPO-7 does not contemplate intense MX-H zoning in the overlay zone area and does not

establish any relevant regulations for such high intensity zoning. CPO-7 appears to apply a maximum height of 26 ft., while MX-H zoning appears to allow a building height of up to 68 ft.

In sum, the EPC acted arbitrarily or capriciously in approving the zone change when the IDO requirements for the zone change were not met; the EPC's decision is not supported by substantial evidence; and the EPC erred in applying the requirements of the IDO.

Appellant does not have the full record of the EPC proceedings currently and reserves the right to amend or supplement its Reasons for Appeal after review of the record. Appellant requests the opportunity to cross-examine witnesses for the applicant and the Planning Department.

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

February 15, 2024

City of Albuquerque,  
City Council  
1 Civic Plaza NW  
Albuquerque, NM 87102

**Project # PR-2024-009765**  
RZ-2024-00001– Zoning Map Amendment  
(Zone Change)

### LEGAL DESCRIPTION:

Tierra West, LLC, Inc., agent for Cross Development, requests a zoning map amendment from MX-M to MX-H, for all or a portion of Tract A, Plat of Gateway Subdivision, located at 1100 Woodward Pl NE, between Mountain Rd, and Lomas Blvd, approximately 3.0 acres. (J-15-Z)  
Staff Planner: Seth Tinkle

On February 15, 2024, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2024-009765, RZ-2024-00001– Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a zoning map amendment (zone change) for an approximately 3-acre site legally described as all or a portion of Tract A Plat of Gateway Subdivision, located at 1100 Woodward Pl NE, between Mountain Rd, and Lomas Blvd (the “subject site”).
2. The subject site is zoned MX-M (Mixed-use - Medium Intensity) and is currently vacant. The applicant is requesting a zone change to MX-H (Mixed use – High Intensity) which would result in a spot zone.
3. The applicant proposes to change the zoning to facilitate the proposed future development of a hospital use on the subject site. There is not a site plan associated with this request, therefore staff’s analysis is based solely on the zone change to MX-H.
4. The subject site is in an area that the Comprehensive Plan designates an Area of Change. It is not within a designated Center. It is located along the I-25 Frontage and Mountain Rd. Major Transit Corridors and within 660’ of the Lomas Blvd. Major Transit Corridor.
5. The subject site is located within the Santa Barbara Martineztown Character Protection Overlay Zone (CPO-7), and thus must adhere to the standards associated with this Overlay Zone.
6. The City of Albuquerque Integrated Development Ordinance (IDO) and the Comprehensive Plan are incorporated herein by reference and made part of the record for all purposes.

7. The request clearly facilitates the following applicable Goal and Policies from Comprehensive Plan Chapter 5 - Land Use:

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

The request would allow a broader range of higher-intensity land uses on the subject site, which is located along the I-25 Frontage and Mountain Rd. Major Transit Corridors and within 660' of the Lomas Blvd. Major Transit Corridor. Any development made possible by the request could result in growth on the subject site, which is currently vacant, and located along and within the aforementioned Corridors.

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

The request would allow a broader range of higher-intensity land uses on the subject site, which is located along the I-25 Frontage and Mountain Rd. Major Transit Corridors and within 660' of the Lomas Blvd. Major Transit Corridor. Any development made possible by the request could result in growth on the subject site, which is located within these aforementioned Corridors. Locating growth within Centers and Corridors promotes sustainable development patterns, according to the ABC Comp Plan.

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

The request would allow a broader range of higher-intensity land uses on the subject site, which is located along the I-25 Frontage and Mountain Rd. Major Transit Corridors and within 660' of the Lomas Blvd. The subject site is also located in an Area of Change, where growth is both expected and desired, according to the ABC Comp Plan. Any development made possible by the request could result in growth on the subject site, which is vacant and located within the aforementioned Corridors and Area of Change.

8. The request clearly facilitates the following applicable Goal and Policies 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.

The request could foster a community where residents can live, work, learn, shop, and play together because the MX-H zone district allows a broader mix of higher-intensity land uses in comparison to the MX-M Zone District. The subject site is currently vacant and surrounded by a mix of commercial, educational, and office land uses that generally range from mid-to-high intensity. Any development made possible by the request could add to this diversity of land uses, since the subject site is currently vacant.

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.



The request could create a healthy, sustainable, and distinct community with a mix of uses that are conveniently accessible from surrounding neighborhoods. It would allow for a broader mix of higher-intensity land uses on the subject site, which is located in a distinct mixed-use area and community (Santa Barbara Martineztown), and in close proximity to numerous other communities. Any development made possible by the request could add to the already-existing mix of uses near and surrounding the subject site, which is currently vacant and located along and within several Major Transit Corridors, and in an Area of Change, where the ABC Comp Plan encourages development to accommodate growth sustainably over time.

- C. Policy 5.2.1 e): Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request could create a healthy, sustainable community with a mix of uses that are conveniently accessible from surrounding neighborhoods because the MX-H zone district would allow a broader mix of higher-intensity land uses on the subject site, which is conveniently accessible from surrounding neighborhoods. Any development made possible by the request could add to the already-existing mix of uses near and surrounding the subject site, which is currently vacant and located along and within several Major Transit Corridors, and in an Area of Change, where the ABC Comp Plan encourages development to accommodate growth sustainably over time.

- D. Policy 5.2.1 h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request could encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding area because the subject site is currently vacant and the uses and standards allowed in the MX-H zone district are generally similar to the surrounding properties zoned MX-M, with a few exceptions. Due to the standards established by the CPO-7 Overlay Zone, including site standards, setback standards, and building height standards, any future development that adheres to CPO-7 standards would be compatible in form and scale to the immediately surrounding development, where CPO-7 standards also apply.

- E. Policy 5.2.1 n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request could encourage more productive use of vacant lots and under-utilized lots because the subject site is currently vacant and being used (informally) as surface parking. Any development made possible by the request could encourage more productive use than the currently vacant lot.

9. The request clearly facilitates the following applicable Goal and Policies from Comprehensive Plan Chapter 5 - Land Use:

- A. 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.

Any development made possible by the request could promote efficient development patterns and use of land because subject site is already served by existing infrastructure and public facilities. Future development on the subject site featuring uses allowed in the MX-H Zone District could support the public good in the form of economic development, job creation, and an expansion to the tax base.

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

The subject site is a vacant infill site located in an area already served by existing infrastructure and public facilities. Any future growth and development on the subject site would occur in an area that has adequate existing infrastructure and access to a range of public facilities.

10. The request clearly facilitates the following applicable Goal and Policies in 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. Any future development on the subject site, which is currently vacant, could encourage, enable, and direct growth to this Area of Change. Due to the standards established by the CPO-7 Overlay Zone, including site standards, setback standards, and building height standards, any future development adhering to CPO-7 standards would be compatible in form and scale to the immediately surrounding development, where CPO-7 standards also apply. Future development could also reinforce the character and intensity of the surrounding area given the general compatibility between the MX-H and surrounding MX-M zone districts, as well as the existing buffer between the subject site and the lower-density and lower-intensity development located west of the site.

- 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 could facilitate more intense development of the subject site because the MX-H zone district allows higher-intensity mixed-use development in comparison to the MX-M zone district. The subject site is located along the I-25 Frontage and Mountain Rd. Major Transit Corridors, within 660' of the Lomas Blvd., and within an Area of Change, where growth and more intense development is encouraged.

- C. Policy 5.6.2 d): Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

The request could encourage higher-density mixed-use development because the MX-H zone district allows higher-density and higher-intensity mixed-use development in comparison to the MX-M zone. The subject site is served by Bus Route 5 and is abutted by a transit stop on the site's northern boundary. It is also located along the I-25 Frontage and Mountain Rd. Major Transit Corridors and within 660' of the Lomas Blvd. The subject site is in close proximity to a wide range of land uses, including both commercial and retail uses.

11. The request clearly facilitates Policy 8.1.1 Diverse Places in Comprehensive Plan Chapter 8-Economic Development: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scales to encourage economic development opportunities.

The request could foster a range of interesting places and contexts with different development intensities, densities, uses, and building scales opportunities because the MX-H zone district allows higher-intensity land use than the MX-M zone district, in an area that is already characterized by having a broad range of developmental intensities, densities, existing land uses, and building scales. Any future development of the subject site, which is currently vacant, could encourage economic development through the creation of construction jobs and a more productive use of land.

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. Because this is a spot zone, the applicant must further "clearly facilitate" implementation of the ABC Comp Plan (see Criterion H). The applicant's policy-based responses adequately demonstrate that the request clearly facilitates a preponderance of applicable Goals and policies in the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals and general welfare. The response to Criterion A is sufficient.
- B. Criterion B: The subject site is located wholly in an Area of Change, so this criterion does not apply. The response to Criterion B is sufficient.
- C. Criterion C: The subject site is located wholly in an Area of Change. The applicant argues that the existing zoning is inappropriate because it meets Criteria 2 and 3 (listed above).

The applicant states that a significant change in the conditions affecting the site justifies request because the proposed MX-H zoning is consistent with the prior zoning of C-3, as shown in IDO Table 2-2-1 Summary Table of Zone Districts. While Table 2-2-1 does show that the IDO Zone District equivalent to C-3 zone district is either the MX-H or NR-C zone district, the applicant does not demonstrate how this resulted in a significant change in the conditions of the subject site, which has remained vacant and undeveloped over time, thus remaining in the same general condition.

The applicant also states that the request meets Criteria 3 above. The applicant's policy-based analysis does demonstrate that the request would clearly facilitate a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the

community than the current zoning. Because Criterion C states that the applicant must demonstrate that the existing zoning is inappropriate because it meets at least one of the criteria above, and Criteria 3 is met, the response to Criterion C is sufficient.

- D. Criterion D: The applicant analyzes all new permissive, conditional, and accessory uses in the MX-H Zone District and then demonstrates how Use-specific Standards in Section 16-16-4-3 of the IDO associated with particular uses would adequately mitigate potentially harmful impacts. The applicant adequately demonstrates that the two new permissive uses in the MX-H zone, Adult Retail and Self-storage, would be mitigated by the Use-specific Standards in Section 16-16-4-3 of the IDO that are associated with these new permissive uses. In this instance, Adult Retail would be prohibited entirely due to the subject site's proximity to the school(s) to the north, while Self-storage would be controlled by Use-specific standards that reduce on-site traffic and mitigate potentially unseemly aesthetic qualities. Staff finds that the IDO's Use-specific Standards would mitigate potentially harmful impacts associated with newly permissive uses. Staff also notes that prohibitions within CPO-7 would further protect the existing community from harmful impacts associated with newly permissive, conditional, and/or accessory uses on the subject site.
- E. Criterion E: The subject site is currently served by infrastructure, which will have adequate capacity once the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement. Any future development on the subject site, which is currently vacant, would be required to adhere to all obligations and standards under the IDO, DPM, and/or an Infrastructure Improvements Agreement. Therefore, the response to Criterion E is sufficient.
- 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 clearly facilitates a preponderance of applicable Comprehensive Plan Goals and policies. The response to Criterion F is sufficient.
- 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 clearly facilitates a preponderance of applicable Comprehensive Plan Goals and policies. The response to Criterion G is sufficient.
- H. Criterion H: The request would result in a spot zone because it would apply a zone different from surrounding zone districts. The applicant acknowledges that the request would create a spot zone in their response to Criterion H, but explains that it would be justified because the subject site will function as a transition between adjacent zone districts and would clearly facilitate implementation of the Comprehensive Plan as shown in the response to Criterion A.

The applicant has demonstrated that subject site could function as a transition between the MX-H zone districts to the east, the properties zoned MX-M to the south and west, and the properties zoned MX-L, MX-T and R-T north and further west of the subject site due to the varying levels of developmental intensity associated with each zone district. Staff notes that the subject site is located within the CPO-7 Overlay Zone and the standards associated with this Overlay Zone could foster this transition, because the site standards, setback standards, and building height standards associated with this Overlay Zone would apply to any future development on the

subject site. Because the MX-H zones to the east would allow greater density and intensity than on the subject site due to CPO-7 standards, and the MX-M zone districts to the south and west would allow lower-density and lower-intensity uses, the requested MX-H zone district could serve as a transition between the more intense mixed-use zones to the east and the less intense mixed-use zones to the west.

As required, the applicant has shown that the request will clearly facilitate implementation of the ABC Comp Plan and is applicable to sub-criteria number one. The response to Criterion H is sufficient.

13. The applicant provided notice of the application to all eligible Neighborhood Association representatives and adjacent property owners (within 100 feet) via certified mail and email as required. The applicant notified the Santa Barbara Martineztown Neighborhood Association and the North Valley Coalition of their request.
14. The Santa Barbara Martineztown Neighborhood Association accepted a Pre-Submittal Neighborhood Meeting within 15 calendar days of notification (on November 21, 2023) and proposed a meeting date of January 18th. The applicant originally agreed to a meeting sometime in January (date not specified), but requested a sooner date on November 29, 2024, citing “undue delay.” The CABQ Office of Alternative Dispute Resolution then offered a Zoom meeting format, with flexible availability, beginning as early as December 4, 2023. However, the Neighborhood association was “adamant that the meeting be held on January 18th,” according to facilitated meeting notes provided by the CABQ Office of Alternative Dispute Resolution and a timeline provided by the applicant. Based on this information, it appears that the Neighborhood Association effectively declined to meet within the 30-calendar day window specified in 6-4(B)(4) of the IDO. If the Santa Barbara Martineztown NA had accepted ADR’s offered Zoom meeting within those 30 days, the Neighborhood Association would have met with the applicant during this timeframe. However, as stated in subsection 6-4(B)(9), the requirement for a pre-submittal neighbor meeting was waived, and instead, a facilitated meeting was held on January 18th. Staff has also been informed by the applicant that a follow-up non-facilitated meeting was held on January 30th.
15. Staff is aware of opposition to this request by the Santa Barbara Martineztown Neighborhood Association. In the facilitated meeting notes provided by the CABQ Office of Alternative Dispute Resolution, objections to the request were based on the communities feeling that the MX-H designation is not equivalent to the former Sector Plan C-3 designation, the potential of increased traffic, and the Applicant’s submission prior to the date of the meeting. These notes state that “community stakeholders made several additional objections, which were not related to the subject application. Those objections were omitted, here.”
16. The Santa Barbara Martineztown Neighborhood Association has submitted a comment on the case requesting it be deferred so that the Neighborhood Association can have more time to discuss and organize around the request. These comments also state that the Santa Barbara Martineztown Neighborhood Associations objects to statements made in the facilitated meeting notes, the nature of the request as a spot zone, and the uses permitted in the MX-H zone district.
17. During public input at the February 15, 2024 EPC Hearing, community members expressed strong concern over increased traffic resulting from potential development on the subject site. Community

members also emphasized, based on existing traffic studies, the need for improved transportation infrastructure near the subject site.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **March 1, 2024**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> 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,



for Alan M. Varela,  
Planning Director

AV/ST/MJ

cc: Tierra West, LLC, slozoya@tierrawestllc.com  
Cross Development, meagan@crossdevelopment.net  
Santa Barbara Martineztown NA, Loretta Naranjo Lopez, lnjalopez@msn.com  
Santa Barbara Martineztown NA, Theresa Illgen, theresa.illgen@aps.edu  
North Valley Coalition, Peggy Norton, peggynorton@yahoo.com  
North Valley Coalition, James Salazar, jasalazarm@gmail.com  
Legal, [dking@cabq.gov](mailto:dking@cabq.gov)  
EPC File



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

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Alternative Landscaping Plan (Form P3)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input type="checkbox"/> Decision by EPC, DHO, LC, ZHE, or City Staff (Form A)

### APPLICATION INFORMATION

Applicant:		Phone:
Address:		Email:
City:	State:	Zip:
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site:	List <u>all</u> owners: JHDQ Land Holding LLC / CO Atrium Holding Company	

### BRIEF DESCRIPTION OF REQUEST

Zone map amendment from MX-M to MX-H


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

Lot or Tract No.:	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s):	Existing Zoning:	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):

### LOCATION OF PROPERTY BY STREETS

Site Address/Street:	Between:	and:
----------------------	----------	------

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

Signature: 	Date:
Printed Name:	<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent

### FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

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

**Form Z: Policy Decisions**

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

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

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

- Interpreter Needed for Hearing?  if yes, indicate language: \_\_\_\_\_
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent
- Traffic Impact Study (TIS) form (*not required for Amendment to IDO Text*)
- Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (*not required for Amendment to IDO Text*) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

**ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

**ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

**AMENDMENT TO IDO TEXT**

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



**ZONING MAP AMENDMENT – EPC**

**ZONING MAP AMENDMENT – COUNCIL**

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

**ANNEXATION OF LAND**

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

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



January 3, 2024

Mr. David Shaffer, Chair  
Environmental Planning Commission  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

RE: Letter of Authorization for Entitlement and Permit Applications for proposed Zone Map Amendment and associated project by Cross Development on lands owned by JHDQ Land Holding LLC C/O Atrium Holding Company, legally described as Tract A Plat of Gateway Subdivision approximately 2.7845-Acres

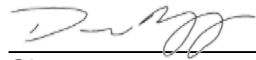
Cross Development hereby authorizes Tierra West, LLC to obtain information and submit entitlement and permit applications for a Zone Map Amendment at the above referenced Property, and act as Cross Developments agent for the limited purpose of entitling, permitting, and subdividing the above referenced Property owned by JHDQ Land Holding Company

Sincerely,

Cross Development

Deno Maggi

\_\_\_\_\_  
Print Name



\_\_\_\_\_  
Signature

Manager

\_\_\_\_\_  
Title

1/4/24

\_\_\_\_\_  
Date

January 3, 2024

Mr. David Shaffer, Chair  
Environmental Planning Commission  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

RE: Memorandum of Understanding for Entitlement and Permit Applications for proposed Zone Map Amendment and associated project by Cross Development on lands owned by JHDQ Land Holding LLC C/O Atrium Holding Company, legally described as Tract A Plat of Gateway Subdivision approximately 2.7845-Acres


JHDQ Land Holding LLC C/O Atrium Holding Company hereby authorizes Cross Development to hire an agent, Tierra West LLC, to obtain information and submit entitlement and permit applications for a Zone Map Amendment at the above referenced Property, and act as Cross Development's agent for the limited purpose of entitling, permitting, and subdividing, at Cross Development's expense, the above referenced Property owned by JHDQ Land Holding Company C/O Atrium Holding Company

Sincerely,

JHDQ Land Holding LLC C/O Atrium Holding Company

Won Huang

Print Name

By: 

Signature

President

Title

1/3/2024

Date



# City of Albuquerque

Planning Department  
Development Review Services Division

## Traffic Scoping Form (REV 07/2020)

**Project Title:** Mountain Road - Zone Map Amendment

Building Permit #: \_\_\_\_\_ Hydrology File #: \_\_\_\_\_

Zone Atlas Page: \_\_\_\_\_ DRB#: \_\_\_\_\_ EPC#: \_\_\_\_\_ Work Order#: \_\_\_\_\_

Legal Description: TRACT A PLAT OF GATEWAY SUBDIVISION CONT 2.7845 AC

Development Street Address: 1100 WOODWARD PL NE ALBUQUERQUE NM 87102

**Applicant:** \_\_\_\_\_ **Contact:** \_\_\_\_\_

Address: \_\_\_\_\_

Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Development Information

Build out/Implementation Year: 2025 Current/Proposed Zoning: MX-M / MX-H

Project Type: New:  Change of Use:  Same Use/Unchanged:  Same Use/Increased Activity:

Change of Zoning:

Proposed Use (mark all that apply): Residential:  Office:  Retail:  Mixed-Use:

Describe development and Uses:  
\_\_\_\_\_  
\_\_\_\_\_

Days and Hours of Operation (if known): \_\_\_\_\_

### Facility

Building Size (sq. ft.): 64,000 SF Hospital

Number of Residential Units: \_\_\_\_\_

Number of Commercial Units: \_\_\_\_\_

### Traffic Considerations

ITE Trip Generation Land Use Code Hospital (610)

Expected Number of Daily Visitors/Patrons (if known):\* \_\_\_\_\_

Expected Number of Employees (if known):\* \_\_\_\_\_

Expected Number of Delivery Trucks/Buses per Day (if known):\* \_\_\_\_\_

Trip Generations during PM/AM Peak Hour (if known):\* 139 (PM) / 151 (AM)

Driveway(s) Located on: Street Name Woodward

Adjacent Roadway(s) Posted Speed: Street Name Mountain Rd Posted Speed 25  
Street Name Woodward Posted Speed None Posted

*\* If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required.)*

**Roadway Information (adjacent to site)**

Comprehensive Plan Corridor Designation/Functional Classification: Major Collector  
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: Major Transit Corridor  
(urban center, employment center, activity center, etc.)

Jurisdiction of roadway (NMDOT, City, County): City

Adjacent Roadway(s) Traffic Volume: 1775 Volume-to-Capacity Ratio (v/c): .089  
(if applicable)

Adjacent Transit Service(s): City Bus Service Nearest Transit Stop(s): Bus Stop Route 5

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: \_\_\_\_\_  
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: Existing Sidewalk in place

**Relevant Web-sites for Filling out Roadway Information:**

City GIS Information: <http://www.cabq.gov/gis/advanced-map-viewer>

Comprehensive Plan Corridor/Designation: See GIS map.

Road Corridor Classification: <https://www.mrcog-nm.gov/DocumentCenter/View/1920/Long-Range-Roadway-System-LRRS-PDF?bidId=>

Traffic Volume and V/C Ratio: <https://www.mrcog-nm.gov/285/Traffic-Counts> and <https://public.mrcog-nm.gov/taqa/>

Bikeways: [http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL\\_Jun25.pdf](http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL_Jun25.pdf) (Map Pages 75 to 81)

**TIS Determination**

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

Traffic Impact Study (TIS) Required: Yes [ ] No [ ]

Thresholds Met? Yes [ ] No [ ]

Mitigating Reasons for Not Requiring TIS: \_\_\_\_\_ Previously Studied: [ ]

Notes:

\_\_\_\_\_  
TRAFFIC ENGINEER

\_\_\_\_\_  
DATE

**Submittal**

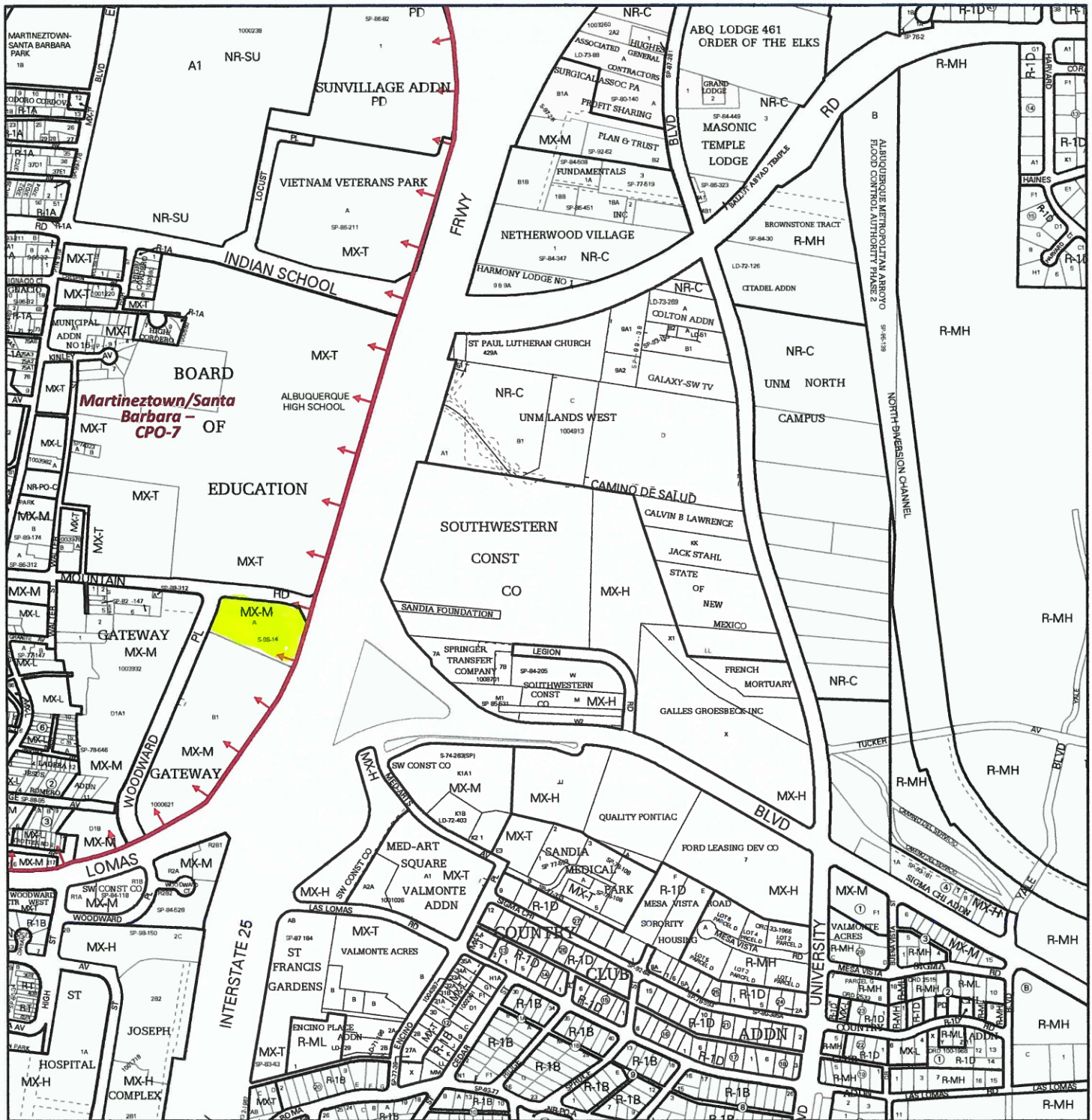
The Scoping Form must be submitted as part of a Traffic Circulation Layout submittal, DRB application for site plan approval, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to [plndrs@cabq.gov](mailto:plndrs@cabq.gov) and to the City Traffic Engineer [mgrush@cabq.gov](mailto:mgrush@cabq.gov). Call 924-3362 for information.

### Site Plan/Traffic Scoping Checklist

Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:


1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) ([\*check MRCOG Bikeways and Trails in the 2040 MTP map\*](#))
4. Location of nearby multi-use trails, if applicable ([\*check MRCOG Bikeways and Trails in the 2040 MTP map\*](#))
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify volume to capacity (v/c) ratio on this form.



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

## IDO Zone Atlas

### May 2018



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

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

Easement Escarpment

Petroglyph National Monument

Areas Outside of City Limits

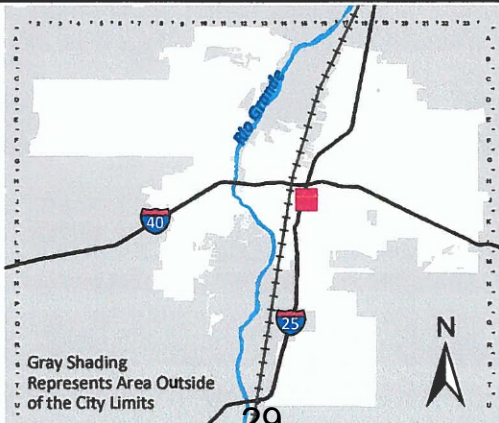
Airport Protection Overlay (APO) Zone

Character Protection Overlay (CPO) Zone

Historic Protection Overlay (HPO) Zone

View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet



Gray Shading Represents Area Outside of the City Limits

Re: [#2023123] 1100 Woodward Pl NE (Pre-submittal Neighborhood Meeting Request)

Adam Johnstone <AJohnstone@tierrawestllc.com>

Tue 12/12/2023 11:39 AM

To: Hummell, Tyson <thummell@cabq.gov>

Cc: Sergio Lozoya <SLozoya@tierrawestllc.com>; Baca, Krista R. <kbaca@cabq.gov>

Tyson,

I just wanted to email you to follow up and see if there is any update on whether we will be meeting on the proposed date, 1/18/24, or if there is a potential earlier meeting date for the client.

Thanks,

Adam

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**From:** Adam Johnstone <AJohnstone@tierrawestllc.com>

**Sent:** Wednesday, November 29, 2023 10:01 AM

**To:** Hummell, Tyson <thummell@cabq.gov>

**Cc:** Sergio Lozoya <SLozoya@tierrawestllc.com>; Baca, Krista R. <kbaca@cabq.gov>

**Subject:** Re: [#2023123] 1100 Woodward Pl NE (Pre-submittal Neighborhood Meeting Request)

Tyson,

We are interested in having an earlier meeting date if possible. However, we understand the NA's schedule and are amenable to the proposed date if there is not an earlier date available. Please let us know if you have any questions or if there is any more information required from us.

Thanks,

Adam

---

**From:** Hummell, Tyson <thummell@cabq.gov>

**Sent:** Wednesday, November 29, 2023 8:44 AM

**To:** Adam Johnstone <AJohnstone@tierrawestllc.com>

**Cc:** Sergio Lozoya <SLozoya@tierrawestllc.com>; Baca, Krista R. <kbaca@cabq.gov>

**Subject:** Re: [#2023123] 1100 Woodward Pl NE (Pre-submittal Neighborhood Meeting Request)

Hi Adam,

Thank you for submitting this referral. We are happy to assist. Are you OK with the NA proposed date, 1/18/24? If so, we will plan to facilitate at the regularly scheduled SBMT meeting. If 1/18 does not work for you, we will need to coordinate with all parties and identify an acceptable alternative. Please let us hear your thoughts.

Sincerely,

TRH

Tyson R. Hummell

Assistant City Attorney / ADR Coordinator

(505) 768-4500 (Office)

(505) 768-4440 (Fax)

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**From:** Adam Johnstone <AJohnstone@tierrawestllc.com>  
**Sent:** Monday, November 27, 2023 8:12 AM  
**To:** Hummell, Tyson <thummell@cabq.gov>  
**Cc:** Sergio Lozoya <SLozoya@tierrawestllc.com>  
**Subject:** Fw: [#2023123] 1100 Woodward PI NE (Pre-submittal Neighborhood Meeting Request)

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good morning,

My name is Adam Johnstone, Junior Land Use Planner with Tierra West, LLC, and we have received a request for a pre-submittal neighborhood meeting by the Santa Barbara Martineztown Neighborhood Association (SBMTNA). Forwarded below is the associated request. What steps should be taken to begin the process of scheduling a facilitated meeting?

Thanks,  
Adam Johnstone  
Junior Land Use Planner  
AJohnstone@tierrawestllc.com  
Tierra West LLC  
5571 Midway Park Place NE  
Albuquerque, NM 87109  
(505) 858-3100

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**From:** SBMTNA <sbmartineztown@gmail.com>  
**Sent:** Tuesday, November 21, 2023 4:31 PM  
**To:** Adam Johnstone <AJohnstone@tierrawestllc.com>  
**Cc:** illgen <theresa.illgen@zoho.com>; gilbert speakman <gilsman1@outlook.com>; Rosalie Martinez <rosalimartinez06@gmail.com>; dznaranjo30@gmail.com <dznaranjo30@gmail.com>; meliszayden10@gmail.com <meliszayden10@gmail.com>; robxela@yahoo.com <robxela@yahoo.com>; frjoelbugas@gmail.com <frjoelbugas@gmail.com>; Ivan Westergaard <ivanwestergaard@comcast.net>; timkeller@cabq.gov <timkeller@cabq.gov>; Javier Martinez <JAVIERFORNM@gmail.com>; oneillsd13@billoneillform.com <oneillsd13@billoneillform.com>; Oneillhd15@fastmail.us <Oneillhd15@fastmail.us>; Jesse Lopez Member <jeslopez@msn.com>; tammy.munoz@atriumhospitality.com <tammy.munoz@atriumhospitality.com>; PHILLIPHERN@yahoo.com <PHILLIPHERN@yahoo.com>; Ian Colburn <colburn.ian@gmail.com>; Evelyn Bonilla <cri4eb@yahoo.com>; Molina, Nathan A. <namolina@cabq.gov>; Benton, Isaac <ibenton@cabq.gov>; peggynorton@yahoo.com <peggynorton@yahoo.com>; Angela Vigil Member <gopackgo123@hotmail.com>  
**Subject:** [#2023123] 1100 Woodward PI NE

Dear Mr. Johnstone,

The Santa Barbara Martineztown Neighborhood Association (SBMTNA) meets every third Thursday of the month. The next meeting is Thursday, January 18, 2023 at 6 pm, 1420 Edith NE. SBMTNA requests a facilitated meeting on Thursday, January 18, 2023.



SBMTNA is currently working on historical preservation of the neighborhood. As you are aware, the Community Planned Area does not allow more than 26 feet in height in this area.

The Integrated Development Ordinance (IDO) states the MX-H zone is for high intensity use. SBMTNA is concerned with the reason why you would need such an intense zone category next to a historic single family residential area.

The question I have is why would any person or company want to build a high intensity use next to two high schools, a historical residential area, and a historical narrow road such as Mountain Road NE?

Your email does not explain what you are proposing at this location. It does explain this is a request for a zone map amendment from MX-M to MX-H.

I left a message on your phone. I would like to know the name of your client and what your client is proposing at 1100 Woodward NE (next to the Embassy Hotel).

If you can, call me at (505)270-7716 to explain your proposal. Also, if you can please send your schematics by email so we can see your proposal before we meet.

Regards,

Loretta Naranjo Lopez, President  
Santa Barbara Martineztown Neighborhood Association  
1420 Edith NE  
Albuquerque, NM 87102  
(505)270-7716

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**From:** Adam Johnstone <[AJohnstone@tierrawestllc.com](mailto:AJohnstone@tierrawestllc.com)>  
**Sent:** Tuesday, November 21, 2023 1:22 PM  
**To:** [lnjalopez@msn.com](mailto:lnjalopez@msn.com) <[lnjalopez@msn.com](mailto:lnjalopez@msn.com)>  
**Cc:** Sergio Lozoya <[SLozoya@tierrawestllc.com](mailto:SLozoya@tierrawestllc.com)>; Donna Bohannan <[djb@tierrawestllc.com](mailto:djb@tierrawestllc.com)>; Derek Bohannan <[dbohannan@tierrawestllc.com](mailto:dbohannan@tierrawestllc.com)>  
**Subject:** [#2023123] 1100 Woodward PI NE

Good afternoon,

Please find attached the Public Meeting Hearing Notice for the referenced project.

Thank you,  
Adam Johnstone  
Junior Land Use Planner  
[AJohnstone@tierrawestllc.com](mailto:AJohnstone@tierrawestllc.com)  
Tierra West LLC

January 4, 2023

Mr. David Shaffer, Chair  
Environmental Planning Commission  
600 Second NW  
Albuquerque, NM 87102

**RE: ZONING MAP AMENDMENT – MX-M TO MX-H  
TRACT A PLAT OF GATEWAY SUBDIVISION CONT 2.7845 AC  
IDO ZONE ATLAS PAGE J-15-Z**

Dear Mr. Shaffer:

Tierra West LLC, on behalf of Cross Development, respectfully requests a zone map amendment from MX-M to MX-H for a subject site located at 1100 Woodward Pl. NE, Albuquerque, NM 87102. The legal description of the subject site is Tract A Plat of Gateway Subdivision containing 2.7845 acres. The subject site is located at 1100 Woodward Pl. NE, just south of Mountain Rd. NE and west of I-25 S Frontage Road. The current zoning of this parcel is Mixed-Use – Moderate Intensity (MX-M); we are requesting a zone map amendment to Mixed-Use – High Intensity (MX-H). IDO provision 14-16-6-7(G)(1)(a) 2 states that an EPC hearing is required for proposals changing less than 20 gross acres of land located partially or completely in an Area of Change to a zone district other than NR-PO-B.

### **Notification Requirements and Facilitated Meeting Request**

As required by the IDO, neighborhood association representatives and neighbors within 100 feet of the site were contacted. A meeting has been scheduled for January 18th, 2024, with the Santa Barbara Martineztown Neighborhood Association (SBMTMA) in response to this notification. No other neighborhood associations or neighbors have reached out. The meeting scheduled for January 18th, 2024, between Tierra West LLC and SBMTNA will be coordinated and ran by a facilitator determined by the City. During this meeting, the Applicant will address neighborhood comments and concerns and explain the purpose of the proposed zone change.

### **Proposed Development**

Nobis Rehabilitation Partners is an Inpatient Rehabilitation Facility (IRF). IRFs provide intensive rehabilitation services using an interdisciplinary team approach in a hospital environment. Admission to an IRF is appropriate for patients with complex nursing, medical management, and rehabilitative needs. Rehabilitation programs at IRFs are supervised by rehabilitation physicians and include services such as physical and occupational therapy, rehabilitation nursing, and speech-language pathology. Approximately ninety (90%) of the patients come from acute care settings with an average stay of 12-14 days so that they can be discharged back to their homes. On any given day, the average occupancy of this facility will be approximately 85-90%. Nobis facilities of this size typically staff approximately 60 people during the day and 40 at night.

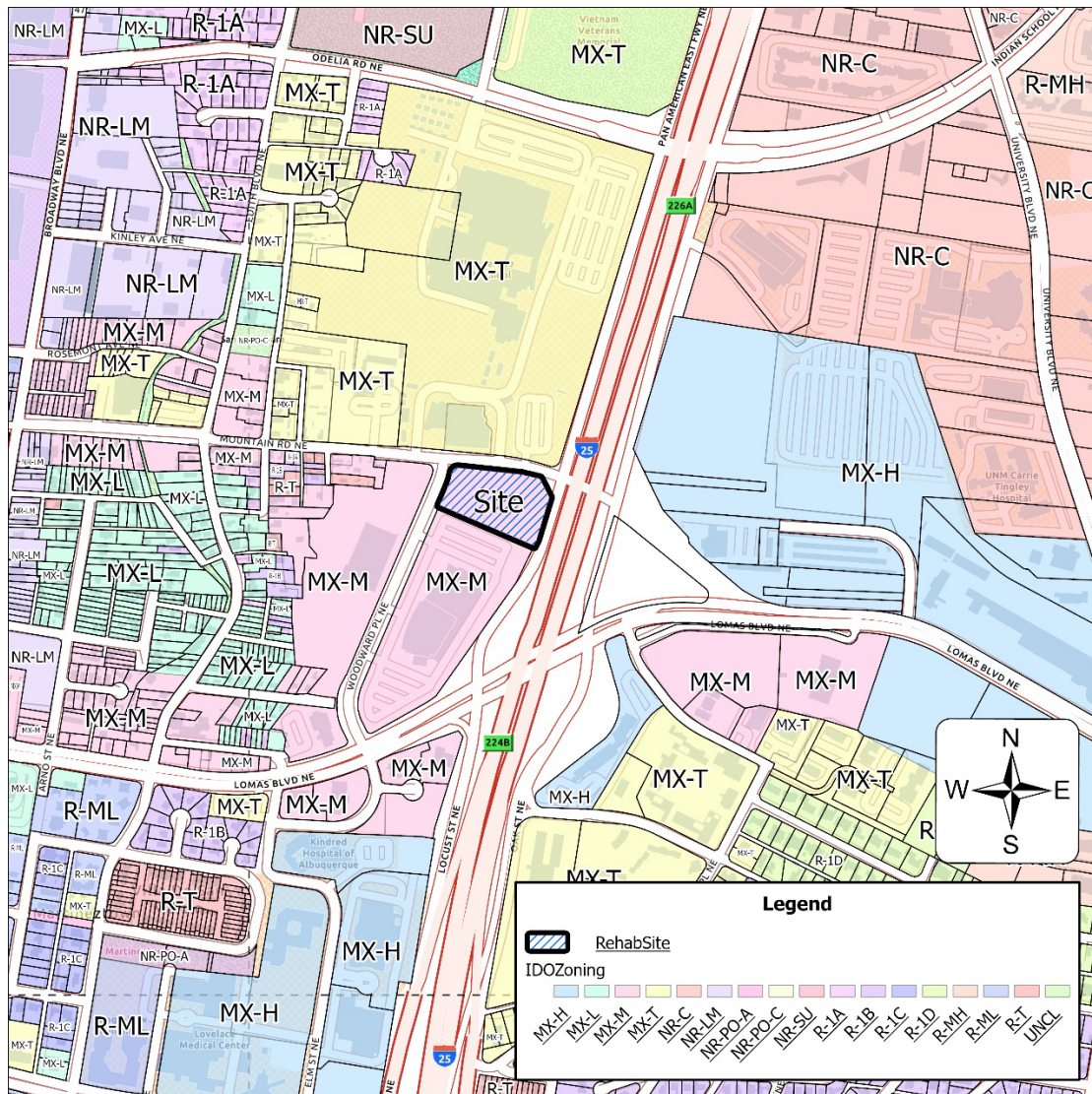
### **Planning Context**

The Applicant requests a zone change from MX-M to MX-H. Currently, the lot is vacant. It is located within the Central ABQ Community Planning Area and is located within an Area of

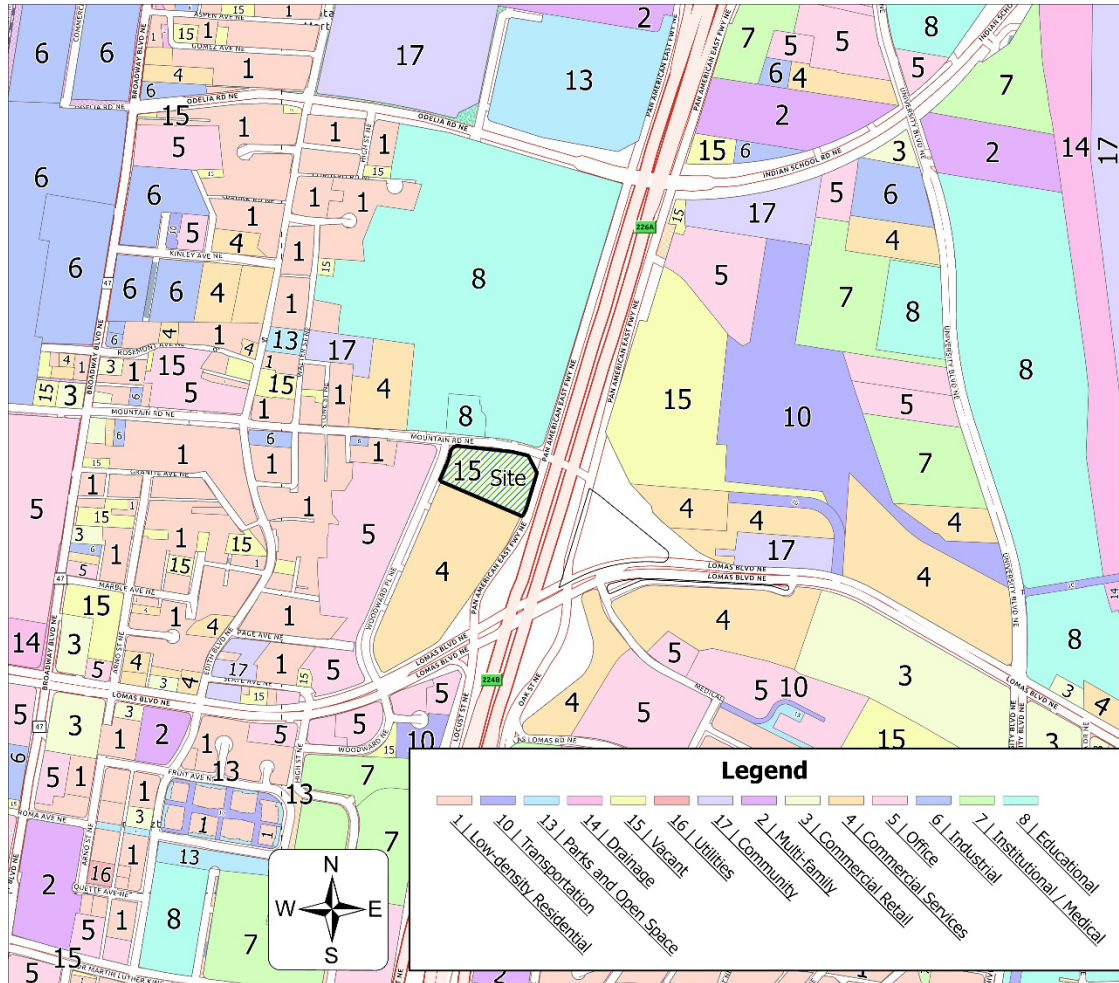
Change, as designated by the ABC Comp Plan. Furthermore, it is in the Martineztown/Santa Barbara Character Protection Overlay Zone, CPO-7. The subject site abuts two Major Transit Corridors, Mountain Rd. and I-25 Frontage, and is within 660 feet from Lomas Blvd., which is also designated as a Major Transit Corridor.

The overall area is characterized by a variety of uses. To the north, across Mountain Rd., is Early College Academy / Career Enrichment Center, along with Albuquerque High School, all zoned MX-T. Directly south of the parcel is a lot zoned MX-M, which is occupied by a hotel. Directly to the west is a medical facility, zoned MX-M and beyond that lies 50 acres of mixed-use development with a variety of zones, such as R-1B, NR-LM, and MX-M. Directly to the east there is a parcel zoned MX-H and beyond that there are parcels zoned MX-T, MX-M, and MX-H zone districts.

See Figure 2 below for zoning information, and Figure 3 for land uses surrounding the subject site.



North	MX-T	Mixed – Use, Transition
East	MX-H and MX-M	Mixed-Use, Medium and High Intensity
South	MX-M	Mixed-Use, Medium Intensity
West	MX-M	Mixed-Use, Medium Intensity
Subject Site	MX-M	Mixed-Use, Medium Intensity



North	8 - Educational (school)
East	4 - Commercial services (self-storage)
South	4 - Commercial services (hotel)
West	5 - Office (medical)
Subject Site	15 - Vacant

Should the zoning map amendment be approved, the applicant is proposing to develop a (Physical) Rehabilitation Hospital.

Per the IDO, the purpose of the MX-H zone district is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers.

## History

The subject site is currently vacant and has no prior development history. Prior to the adoption of the IDO, this parcel was subject to the Martinez Town Sector Plan. As shown in the Sector Plan, which is now repealed, the subject site was previously zoned SU-2 described as C-3 for Industrial / Wholesale / Manufacturing. Upon the adoption of the IDO, the zoning designation changed to MX-M (Mixed-Use – Medium Intensity). The sector plan outlines a desire for mixed-use zoning and development and calls for more intense uses to be further away from developed neighborhoods and residential areas.

## Zoning Map Amendment Justification

The zone change from MX-M to MX-H will benefit the surrounding neighborhood by furthering a preponderance of applicable Goals and Policies in the ABC Comp Plan as shown in the following analysis. The analysis describes how the proposed Zone Map Amendment furthers Goals and Policies regarding Character, Centers and Corridors, Complete Communities, City Development Patterns. These Goals and policies are supported because the request will provide much needed high density, infill development as described in the definition of MX-H in the IDO, cited above. Further, the subject site is within 600-feet of three different Major Transit Corridors – Mountain Road NE, I-25 Frontage Road, and Lomas Boulevard.

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

*The proposed zone map amendment would enhance, protect, and preserve the existing Santa Barbara / Martineztown area because it would facilitate the development of much needed medical facilities in an area that is historically underserved. Locating more intense uses to the southern portion of the Santa Barbara / Martineztown area would protect the existing residential areas by locating more intense uses where they are appropriate and desired. Further, by focusing development on the subject site, which is an area of change, and located along two Major Transit Corridors, development pressure will be alleviated from the existing residential community. The request furthers Goal 4.1 – Character.*

**Policy 4.1.1 - Distinct Communities:** Encourage quality development that is consistent with the distinct character of communities.

*The proposed Zone Map Amendment would encourage quality development that is consistent with the distinct character of the Santa Barbara / Martinez Town community. The Santa Barbara / Martineztown community has been historically characterized by land uses which vary in intensity. There are several manufacturing / industrial uses along Broadway Blvd which are zoned NR-LM. The area consists of a variety of Mixed-Use zones ranging from MX – T, MX - L, and MX – M. The existing residential areas are zoned primarily R-1A and are characterized by single family residential development. The now repealed Sector Development plan discusses how more intense uses should be located away from the residential areas. The zone change would continue that intent and would encourage quality development that is consistent with the distinct character of Santa Barbara / Martinez Town as described above.*

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

*The request would further Policy 4.1.2 Identity and Design because it would ensure that more intense uses are located to the southern portion of the existing and established Santa Barbara / Martineztown community. The requested MX-H zone is appropriately located for more intense uses given its proximity to Major Transit Corridors and the Interstate (I-25). In the now repealed sector development plan, residents described this area as being appropriate for more intense uses. By locating intense uses at the southern boundary of Santa Barbara / Martineztown where they are appropriate and desired, the existing residential areas are relieved of development pressure and thus are preserved.*

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

*The requested Zone Map Amendment would further Goal 5.1 by focusing more intense development along two Major Transit Corridors, Mountain Rd NE, and I-25 frontage. The subject site is within 660-feet of Lomas Blvd NE, a designated Major Transit Corridor. Development along these three Major Transit Corridor will ensure that the Central Albuquerque CPA and Santa Barbara / Martineztown area grow as a community of strong Centers connected by a multi-modal network of Corridors.*

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

*The request would help capture regional growth along three Major Transit Corridors and would thus help shape the built environment into a sustainable development pattern because more intense uses are desired by Major Transit Corridors and within Areas of Change. The request would facilitate the development of a (physical) Rehabilitation Hospital which would provide services for the public in Albuquerque, the greater metro area and beyond. New Mexico is largely characterized by rural cities, and it is not uncommon for residents of Edgewood, Zia Pueblo, Jemez Pueblo, Ponderosa, and other surrounding communities to drive to Albuquerque for medical services. Further, Lomas Blvd is classified as a Regional Principal Arterial by the MRMPO Long Range Roadway System.*

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

*The request furthers sub-policy 5.1.1(c) as it promotes compact infill development along three Major Transit Corridors: Mountain Rd, I-25 Frontage Rd, and Lomas Blvd. This area is appropriate for development and accommodates growth in the Central ABQ Community Planning Area. Development of the subject site would promote infill development as it is located in an established area of the City. The requested Zone Map Amendment discourages the need for development on the urban edge by focusing development near Downtown, along designated ABC Comp Plan Corridors, in an established area already served by infrastructure and public resources such as transit.*

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

*The request furthers Policy 5.1.2 – Development Areas as it would direct more intense growth to the subject site, which is in proximity to three Major Transit Corridors: Mountain Rd, I-25 Frontage, and Lomas Blvd. The subject site is also within an Area of Change as designated by the ABC Comp Plan. Areas of Change and sites located along major transit corridors are appropriate for more intense growth, density, and land uses. Further, development of the vacant subject site would provide more stability to the Santa Barbara / Martineztown community and to the Central ABQ Community Planning Area.*

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

*The request for the MX-H zone would foster development within 660-feet of three Major Transit Corridors: Mountain Rd, I-25 Frontage Rd, and Lomas Blvd. Development along these corridors help facilitate the use of transit services, and the proximity to Lomas Blvd would ensure accessibility to those who use alternative modes of transportation, i.e., riding the bus.*

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

*The requested zone map amendment furthers Goal 5.2 – Complete Communities since it fosters the development of a long-standing vacant subject site in an area characterized by mixed use development. The subject site is in proximity to Downtown, is within the Central ABQ CPA, and the Santa Barbara / Martineztown CPO. This location for the proposed zone change and development foster complete communities as it will serve the areas mentioned above along with the greater Albuquerque Metropolitan area and beyond. Providing a (physical) Rehabilitation Hospital promotes the existing mixed-use character of the area and would add more amenities for nearby residents to use.*

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

*The request furthers Policy 5.2.1 because the subject site is in proximity to Downtown, is within the Central ABQ CPA, and the Santa Barbara / Martineztown CPO. This location for the proposed zone change and development create healthy, sustainable, and distinct communities as it will serve the areas mentioned above along with the greater Albuquerque Metropolitan area and beyond. Providing a (physical) Rehabilitation Hospital promotes the existing mixed-use character of the area and would add more amenities and variety in land uses for nearby residents to use. The subject sites proximity to transit also promote health and sustainability by encouraging and facilitating the use of alternative modes of transportation.*

**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 request would further Goal 5.3 Efficient Development patterns because the subject site is in an area with existing infrastructure and public facilities. The subject site also promotes the use of transit, a public amenity, as it is located within 660-feet of the Lomas Blvd Major Transit*

*Corridor, and directly abuts Mountain Rd and I-25, both of which are designated Major Transit Corridors in the ABC Comp Plan.*

**Policy 5.3.1 – Infill Development:** 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 requested zone map amendment furthers Policy 5.3.1 – Infill development as it promotes development patterns that maximize the utility of existing infrastructure. The subject site is in the Central ABQ CPA, and within a developed area of the City with established infrastructure and public facilities. The development of the vacant site would encourage the efficient use of land and thus supports the public good.*

**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 request furthers Goal 5.6 – City Development areas as it would encourage and direct growth to the subject site, which is located wholly within an Area of Change. Areas of Change are where development is generally expected and desired, the requested MX-H zone and subsequent development is appropriate in intensity, density, and location.*

**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 requested Zone Map Amendment is for a subject site that is located within an Area of Change and within 660-feet of three Major Transit Corridors. Approval of the request would direct growth and more intense development where change is encouraged, expected, and appropriate.*

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

*The zone map amendment and proposed development further Goal 8.1 – Placemaking because the request creates places where businesses and talent will stay and thrive by helping to ensure a variety of land uses to the Central ABQ CPA, the Santa Barbara / Martineztown community, and the greater Albuquerque area. The proposed development will create jobs for a range of workers with varying occupational skills and salary levels.*

**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 furthers Policy 8.1.1 – Diverse Places because the zone map amendment from MX-M to MX-H would foster a range of development intensity, density, uses and building scale in an area with a wide range of existing land uses. The amendment from MX-M to MX-H would facilitate the development of a Physical Rehabilitation Hospital and would foster a range of development intensity, uses and densities. Further, the subject site's location along three Major Transit Corridors, within an Area of Change, and within the Central ABQ CPA are contributing factors to the appropriateness and success of this economic development opportunity.*



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

*The request would further sub-policy 8.1.1(a) by investing in a subject site that is located within 660-feet of three different Major Transit Corridors. The proposed zone map amendment and proposed subsequent development of a Physical Rehabilitation Hospital would create a variety of employment opportunities for a range of occupational skills and salary levels.*

## **Zone Map Amendment – Review and Decision Criteria**

The request is supported by the Comprehensive Plan Goals and polices and meets the requirements for a Zoning Map Amendment – EPC Per IDO Section 14-16-6-7(G)(3) Review and Decision Criteria a – h as follows:

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

*As discussed above, the requested zone map amendment from MX-M to MX-H will benefit the surrounding neighborhood by furthering a preponderance of applicable Goals and Policies in the ABC Comp Plan as shown in the following analysis. The analysis describes how the proposed Zone Map Amendment furthers Goals and Polices regarding Character, Centers and Corridors, Complete Communities, City Development Patterns. These Goals and policies are supported because the request will provide much needed high density, infill development as described in the definition of MX-H in the IDO, cited at the beginning of this letter. Further, the subject site is within 600-feet of three different Major Transit Corridors – Mountain Road NE, I-25 Frontage Road, and Lomas Boulevard.*

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

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

*The subject site is located wholly within an Area of Change, the above criterion does not apply.*

**6-7(G)(3)(c):** If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria.

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

*The subject property is located wholly within an Area of Change as shown in the ABC Comp Plan and meets criteria 2 and 3. The request meets criteria 2 because a significant change in the conditions affecting the site justifies the request. Along with the adoption of the IDO the zoning designation of the subject site was changed from C-3 (Heavy Commercial) to MX-M. The proposed MX-H zoning is consistent with the prior zoning of C-3. Further, the now repealed sector development plan considered C-3 appropriate for this area, as it is an appropriate distance away from residential development.*

*The request also meets criteria 3, as described above: the requested zone map amendment from MX-M to MX-H will benefit the surrounding neighborhood by furthering a preponderance of applicable Goals and Policies in the ABC Comp Plan as shown in the following analysis. The analysis describes how the proposed Zone Map Amendment furthers Goals and Policies regarding Character, Centers and Corridors, Complete Communities, City Development Patterns. These Goals and policies are supported because the request will provide much needed high density, infill development as described in the definition of MX-H in the IDO, cited at the beginning of this letter. Further, the subject site is within 600-feet of three different Major Transit Corridors – Mountain Road NE, I-25 Frontage Road, and Lomas Boulevard.*

**6-7(G)(3)(d):** The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

<b>Change In Uses From MX-M To MX-H – Adapted from IDO Table 4-2</b>		
<b>Residential Uses</b>		
<b>Use</b>	<b>MX-M</b>	<b>MX-H</b>
Group home, small	<b>P</b>	
<b>Commercial Uses</b>		
<b>Use</b>	<b>MX-M</b>	<b>MX-H</b>
Kennel	<b>C</b>	
Nursery	<b>A</b>	
Campground or recreational vehicle park	<b>C</b>	
Paid parking lot	<b>P</b>	<b>A</b>
Construction contractor facility and yard		<b>C</b>
Self-storage	<b>C</b>	<b>P</b>

Amphitheater		C
Adult retail		P
Park and ride lot	P	C
<b>Industrial Uses</b>		
<b>Use</b>	<b>MX-M</b>	<b>MX-H</b>
Light manufacturing		A
<b>Accessory and Temporary Uses</b>		
<b>Use</b>	<b>MX-M</b>	<b>MX-H</b>
Drive-through or drive-up facility	A	CA
Dwelling unit, accessory	A	
Outdoor animal run	CA	
Circus	T	

Regarding the new uses allowed by the proposed zone change, any uses conducted on this site facilitated by this zone change shall be beholden to all IDO requirements and regulations. For example, adult retail would normally be allowed in the MX-H zone, but due to the site's proximity to schools to the north, this use would not be permitted at all, as outlined in IDO Provision 14-16-4-3(D)(6). An amphitheater is a conditional use and therefore would require a conditional use permit. Light manufacturing becomes a newly allowed accessory use but would be beholden to all use requirements outlined in IDO Provision 14-16-4-3(E)(4), including screening and storage requirements.

**6-7(G)(3)(e):** The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, meet any of the following criteria:

1. Have adequate capacity to serve the development made possible by the change of zone.
2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).
4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the Applicant.

*The request meets the criteria above as described by number 3: will have adequate capacity when the applicant fills its obligations under the IDO, the DPM, and/or an IIA. The request will continue through various City application processes where infrastructure capacity will be addressed.*

**6-7(G)(3)(f):** The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

*The subject site is bound by Woodward PI NE (local urban street), Mountain Rd NE, and the I-25 Frontage Rd. Both Mountain Rd NE and I-25 Frontage are classified as Major Collectors by MRCOG. Lomas Blvd and I-25 are in the vicinity of the subject site and are classified as Principal Arterial and Interstate by the MRCOG, respectively. Though the location of the subject*

*site is appropriate for the requested Zone Map Amendment, our justification is not based predominantly on that. Rather, the justification is based on a thorough ABC Comp Plan analysis and shows that the request furthers a preponderance of Goals and Policies found therein.*

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

*The request is not based on the cost of land nor economic considerations, rather, the request is based on the policy analysis above. The request furthers a preponderance of the ABC Comp Plan Goals and policies and would enhance the community by providing much needed health care services in the area.*

**6-7(G)(3)(h):** The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least 1 of the following applies.

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

As shown in figure 2 at the beginning of this letter, the Zoning Map Amendment would not apply a spot zone. Considering the IDO definition of adjacency, the subject site is adjacent to another property zoned MX-H to the east across the interstate. Please see the definition of adjacency, interstate highway, and street taken directly from the IDO.

### **Adjacent**

Those properties that are abutting or separated only by a *street*, alley, trail, or utility easement, whether public or private. See also Alley, Multi-use Trail, Private Way, *Right-of-way*, and Street.

### **Interstate Highway**

An access-controlled *street* that is part of the National Highway System. For the purposes of this IDO, this term includes all public right-of-way owned or controlled by NMDOT along Interstate Highway 25 and Interstate Highway 40 associated with the interstate highway, including but not limited to through lanes, frontage roads, on- and off-ramps, and interchanges.

### **Street**

The portion of a public right-of-way or private way, from curb to curb (or from edge of paving to edge of paving if there is no curb, or from edge of visible travel way to edge of visible travel way, if there is no paving), that is primarily devoted to vehicular use.

Considering the legal definitions of adjacency, interstate highway, and street (cited above), the request does not apply a spot zone. Additionally, there are several parcels zoned MX-H within 500' – 1,500' of the subject site.

## **Conclusion**

The requested zone map amendment from MX-M to MX-H would benefit the surrounding neighborhood by furthering a preponderance of applicable Goals and Policies in the ABC Comp Plan as shown in the preceding analysis. The proposed Zone Map Amendment furthers a preponderance of Goals and Policies regarding Character, Centers and Corridors, Complete Communities, City Development Patterns, and others. These Goals and policies are supported because the request would provide much needed high density, infill development as described in the definition of MX-H in the IDO. Further, the subject site is within 600-feet of three different Major Transit Corridors – Mountain Road NE, I-25 Frontage Road, and Lomas Boulevard where this type of development is desired. Lastly, the request aligns with the repealed Martineztown Sector Plan because the MX-H zone is in alignment with the zoning prior to the adoption of the IDO and promotes mixed uses as desired by the community and outlined in the now repealed sector plan.

Tierra West, on behalf of Cross Development, respectfully requests that this Zoning Map Amendment is considered and approved by the Environmental Planning Commission. Thank you for your consideration.

Sincerely,

Sergio Lozoya  
Sr. Planner

cc: Meagan Vieren

JN: 2023074  
SL/db/aj

## Adam Johnstone

---

**From:** Baca, Vanessa <vanessabaca@cabq.gov>  
**Sent:** Thursday, November 9, 2023 3:10 PM  
**To:** Donna Bohannon  
**Subject:** FW: 1100 Woodward PI NE\_Public Notice Inquiry Sheet Submission\_EPC

FYI this bounced back the first time. You might double-check your email address when you submit the online form.  
Thanks.



**Vanessa Baca**  
Manager

Office of Neighborhood Coordination (ONC) | City Council Department | City of Albuquerque  
(505) 768-3331 Office

E-mail: [vanessabaca@cabq.gov](mailto:vanessabaca@cabq.gov)

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



---

**From:** Office of Neighborhood Coordination  
**Sent:** Thursday, November 9, 2023 3:07 PM  
**To:** [djb@tierrawetllc.com](mailto:djb@tierrawetllc.com)  
**Subject:** 1100 Woodward PI NE\_Public Notice Inquiry Sheet Submission\_EPC

**PLEASE NOTE:**

**The neighborhood association contact information listed below is valid for 30 calendar days after today's date.**

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	Association Email	First Name	Last Name	Email	Ac
North Valley Coalition	<a href="mailto:nvcabq@gmail.com">nvcabq@gmail.com</a>	James	Salazar	<a href="mailto:jasalazarm@gmail.com">jasalazarm@gmail.com</a>	50 NV
North Valley Coalition	<a href="mailto:nvcabq@gmail.com">nvcabq@gmail.com</a>	Peggy	Norton	<a href="mailto:peggynorton@yahoo.com">peggynorton@yahoo.com</a>	38

Santa Barbara Martineztown NA	<a href="mailto:sbmartineztown@gmail.com">sbmartineztown@gmail.com</a>	Theresa	Illgen	<a href="mailto:theresa.illgen@aps.edu">theresa.illgen@aps.edu</a>	21
Santa Barbara Martineztown NA	<a href="mailto:sbmartineztown@gmail.com">sbmartineztown@gmail.com</a>	Loretta	Naranjo Lopez	<a href="mailto:lnjalopez@msn.com">lnjalopez@msn.com</a>	11

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: [devhelp@cabq.gov](mailto:devhelp@cabq.gov), or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.
- Please use this online link to find the required forms you will need to submit your permit application. <https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here: [https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official\\_public\\_notice\\_form-2019.pdf](https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf).
- The Administrative Decision form you need for notifying neighborhood associations can be found here: <https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>
- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you.



**Vanessa Baca**

Manager

Office of Neighborhood Coordination (ONC) | City Council Department | City of Albuquerque  
(505) 768-3331 Office

E-mail: [vanessabaca@cabq.gov](mailto:vanessabaca@cabq.gov)

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



---

**From:** [webmaster@cabq.gov](mailto:webmaster@cabq.gov) <[webmaster@cabq.gov](mailto:webmaster@cabq.gov)>  
**Sent:** Thursday, November 9, 2023 1:42 PM  
**To:** Office of Neighborhood Coordination <[djb@tierrawetllc.com](mailto:djb@tierrawetllc.com)>  
**Cc:** Office of Neighborhood Coordination <[onc@cabq.gov](mailto:onc@cabq.gov)>  
**Subject:** Public Notice Inquiry Sheet Submission

**[EXTERNAL]** Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Donna Bohannon

Telephone Number

505-858-3100

Email Address

[djb@tierrawetllc.com](mailto:djb@tierrawetllc.com)

Company Name

Tierra West LLC

Company Address

5571 Midway Park Pl NE

City

Albuquerque

State

NM

ZIP

87109

Legal description of the subject site for this project:

Tract A Plat of Gateway Subdivision

Physical address of subject site:

1100 Woodward Pl NE 87102

Subject site cross streets:

Mountain Rd & Woodward Pl NE

Other subject site identifiers:

This site is located on the following zone atlas page:

J-15-Z


Captcha

x



<b>PART I - PROCESS</b>	
Use <a href="#">Table 6-1-1</a> in the Integrated Development Ordinance (IDO) to answer the following:	
Application Type: <b>Zone Map Amendment - EPC</b>	
Decision-making Body: <b>EPC</b>	
Pre-Application meeting required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Neighborhood meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailed Notice required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Electronic Mail required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this a Site Plan Application:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Note: if yes, see second page</b>
<b>PART II – DETAILS OF REQUEST</b>	
Address of property listed in application: <b>1100 Woodward Pl NE 87102</b>	
Name of property owner: <b>Cross Development</b>	
Name of applicant: <b>Tierra West, LLC</b>	
Date, time, and place of public meeting or hearing, if applicable:	
Address, phone number, or website for additional information: <b>505-278-7088 slozoya@tierrawestllc.com</b>	
<b>PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE</b>	
<input checked="" type="checkbox"/> Zone Atlas page indicating subject property.	
<input type="checkbox"/> Drawings, elevations, or other illustrations of this request.	
<input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable.	
<input type="checkbox"/> Summary of request, including explanations of deviations, variances, or waivers.	
<b>IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO <a href="#">SUBSECTION 14-16-6-4(K)</a> OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.</b>	

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.


\_\_\_\_\_ (Applicant signature)
 \_\_\_\_\_ December 13, 2023 \_\_\_\_\_ (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

**PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY**

Provide a site plan that shows, at a minimum, the following:

- a. Location of proposed buildings and landscape areas.
- b. Access and circulation for vehicles and pedestrians.
- c. Maximum height of any proposed structures, with building elevations.
- d. For residential development: Maximum number of proposed dwelling units.
- e. For non-residential development:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.


[#2023123] 1100 Woodward PI NE

Adam Johnstone <AJohnstone@tierrawestllc.com>

Tue 11/21/2023 1:18 PM

To:jasalazarnm@gmail.com <jasalazarnm@gmail.com>

Cc:Donna Bohannon <djb@tierrawestllc.com>;Sergio Lozoya <SLozoya@tierrawestllc.com>;Derek Bohannon <dbohannon@tierrawestllc.com>

 1 attachments (683 KB)

Salazar James NA Notification.pdf;

Good afternoon,

Please find attached the Public Meeting Hearing Notice for the referenced project.

Thank you,

Adam Johnstone

Junior Land Use Planner

AJohnstone@tierrawestllc.com

Tierra West LLC

5571 Midway Park Place NE

Albuquerque, NM 87109

(505) 858-3100


[#2023123] 1100 Woodward PI NE

Adam Johnstone <AJohnstone@tierrawestllc.com>

Tue 11/21/2023 1:22 PM

To:lnjalopez@msn.com <lnjalopez@msn.com>

Cc:Sergio Lozoya <SLozoya@tierrawestllc.com>;Donna Bohannan <djb@tierrawestllc.com>;Derek Bohannan <dbohannan@tierrawestllc.com>

 1 attachments (962 KB)

Naranjo Lopez Loretta NA Notification.pdf;

Good afternoon,

Please find attached the Public Meeting Hearing Notice for the referenced project.

Thank you,

Adam Johnstone

Junior Land Use Planner

AJohnstone@tierrawestllc.com

Tierra West LLC

5571 Midway Park Place NE

Albuquerque, NM 87109

(505) 858-3100


[#2023123] 1100 Woodward PI NE

Adam Johnstone <AJohnstone@tierrawestllc.com>

Tue 11/21/2023 1:19 PM

To:peggynorton@yahoo.com <peggynorton@yahoo.com>

Cc:Sergio Lozoya <SLozoya@tierrawestllc.com>;Donna Bohannan <djb@tierrawestllc.com>;Derek Bohannan <dbohannan@tierrawestllc.com>

 1 attachments (785 KB)

Norton Peggy NA Notification.pdf;

Good afternoon,

Please find attached the Public Meeting Hearing Notice for the referenced project.

Thank you,

Adam Johnstone

Junior Land Use Planner

AJohnstone@tierrawestllc.com

Tierra West LLC

5571 Midway Park Place NE

Albuquerque, NM 87109

(505) 858-3100


[#2023123] 1100 Woodward PI NE

Adam Johnstone <AJohnstone@tierrawestllc.com>

Tue 11/21/2023 1:21 PM

To:theresa.illgen@aps.edu <theresa.illgen@aps.edu>

Cc:Sergio Lozoya <SLozoya@tierrawestllc.com>;Donna Bohannan <djb@tierrawestllc.com>;Derek Bohannan <dbohannan@tierrawestllc.com>

 1 attachments (899 KB)

Illgen Theresa NA Notification.pdf;

Good afternoon,

Please find attached the Public Meeting Hearing Notice for the referenced project.

Thank you,

Adam Johnstone

Junior Land Use Planner

AJohnstone@tierrawestllc.com

Tierra West LLC

5571 Midway Park Place NE

Albuquerque, NM 87109

(505) 858-3100

[#2023123] 1100 Woodward PI NE

SBMTNA <sbmartineztown@gmail.com>

Tue 11/21/2023 4:32 PM

To: Adam Johnstone <AJohnstone@tierrawestllc.com>

Cc: illgen <theresa.illgen@zoho.com>; gilbert speakman <gilsman1@outlook.com>; Rosalie Martinez <rosalimartinez06@gmail.com>; dznaranjo30@gmail.com <dznaranjo30@gmail.com>; meliszayden10@gmail.com <meliszayden10@gmail.com>; robxela@yahoo.com <robxela@yahoo.com>; frjoelbugas@gmail.com <frjoelbugas@gmail.com>; Ivan Westergaard <ivanwestergaard@comcast.net>; timkeller@cabq.gov <timkeller@cabq.gov>; Javier Martinez <JAVIERFORNM@gmail.com>; oneillsd13@billoneillform.com <oneillsd13@billoneillform.com>; Oneillhd15@fastmail.us <Oneillhd15@fastmail.us>; Jesse Lopez Member <jeslopez@msn.com>; tammy.munoz@atriumhospitality.com <tammy.munoz@atriumhospitality.com>; PHILLIPHERN@yahoo.com <PHILLIPHERN@yahoo.com>; Ian Colburn <colburn.ian@gmail.com>; Evelyn Bonilla <cri4eb@yahoo.com>; Molina, Nathan A. <namolina@cabq.gov>; Benton, Isaac <ibenton@cabq.gov>; peggynorton@yahoo.com <peggyynorton@yahoo.com>

Dear Mr. Johnstone,

The Santa Barbara Martineztown Neighborhood Association (SBMTNA) meets every third Thursday of the month. The next meeting is Thursday, January 18, 2023 at 6 pm, 1420 Edith NE. SBMTNA requests a facilitated meeting on Thursday, January 18, 2023.

SBMTNA is currently working on historical preservation of the neighborhood. As you are aware, the Community Planned Area does not allow more than 26 feet in height in this area.

The Integrated Development Ordinance (IDO) states the MX-H zone is for high intensity use. SBMTNA is concerned with the reason why you would need such an intense zone category next to a historic single family residential area.

The question I have is why would any person or company want to build a high intensity use next to two high schools, a historical residential area, and a historical narrow road such as Mountain Road NE?

Your email does not explain what you are proposing at this location. It does explain this is a request for a zone map amendment from MX-M to MX-H.

I left a message on your phone. I would like to know the name of your client and what your client is proposing at 1100 Woodward NE (next to the Embassy Hotel).

If you can, call me at (505)270-7716 to explain your proposal. Also, if you can please send your schematics by email so we can see your proposal before we meet.

Regards,

Loretta Naranjo Lopez, President  
Santa Barbara Martineztown Neighborhood Association  
1420 Edith NE  
Albuquerque, NM 87102  
(505)270-7716

---

**From:** Adam Johnstone <[AJohnstone@tierrawestllc.com](mailto:AJohnstone@tierrawestllc.com)>

**Sent:** Tuesday, November 21, 2023 1:22 PM

**To:** [lnjalopez@msn.com](mailto:lnjalopez@msn.com) <[lnjalopez@msn.com](mailto:lnjalopez@msn.com)>

**Cc:** Sergio Lozoya <[SLozoya@tierrawestllc.com](mailto:SLozoya@tierrawestllc.com)>; Donna Bohannon <[djb@tierrawestllc.com](mailto:djb@tierrawestllc.com)>; Derek Bohannon <[dbohannon@tierrawestllc.com](mailto:dbohannon@tierrawestllc.com)>

**Subject:** [#2023123] 1100 Woodward Pl NE

Good afternoon,

Please find attached the Public Meeting Hearing Notice for the referenced project.

Thank you,

Adam Johnstone

Junior Land Use Planner

[AJohnstone@tierrawestllc.com](mailto:AJohnstone@tierrawestllc.com)

Tierra West LLC

5571 Midway Park Place NE

Albuquerque, NM 87109

(505) 858-3100



Re: [#2023123] 1100 Woodward PI NE

Adam Johnstone <AJohnstone@tierrawestllc.com>

Mon 11/27/2023 8:33 AM

To:SBMTNA <sbmartineztown@gmail.com>

Cc:illgen <theresa.illgen@zoho.com>;gilbert speakman <gilsman1@outlook.com>;Rosalie Martinez <rosalimartinez06@gmail.com>;dznaranjo30@gmail.com <dznaranjo30@gmail.com>;meliszayden10@gmail.com <meliszayden10@gmail.com>;robxela@yahoo.com <robxela@yahoo.com>;frjoelbugas@gmail.com <frjoelbugas@gmail.com>;Ivan Westergaard <ivanwestergaard@comcast.net>;timkeller@cabq.gov <timkeller@cabq.gov>;Javier Martinez <JAVIERFORNM@gmail.com>;oneillsd13@billoneillform.com <oneillsd13@billoneillform.com>;Oneillhd15@fastmail.us <Oneillhd15@fastmail.us>;Jesse Lopez Member <jeslopez@msn.com>;tammy.munoz@atriumhospitality.com <tammy.munoz@atriumhospitality.com>;PHILLIPHERN@yahoo.com <PHILLIPHERN@yahoo.com>;Ian Colburn <colburn.ian@gmail.com>;Evelyn Bonilla <cri4eb@yahoo.com>;Molina, Nathan A. <namolina@cabq.gov>;Benton, Isaac <ibenton@cabq.gov>;peggynorton@yahoo.com <peggynorton@yahoo.com>

SBMNTA,

Good morning, we hope you all had a great Thanksgiving. As an update, we have reached out to an Alternative Dispute Resolution (ADR) facilitator as required by IDO Section 6-4(B)(5) and will be preparing a thorough presentation to answer questions and address concerns on this project. To facilitate this, please provide us with any questions and concerns to us in an email, which we will use to create the most thorough presentation possible.

Thanks,  
Adam Johnstone

---

**From:** Adam Johnstone <AJohnstone@tierrawestllc.com>

**Sent:** Tuesday, November 21, 2023 4:54 PM

**To:** SBMTNA <sbmartineztown@gmail.com>

**Cc:** illgen <theresa.illgen@zoho.com>; gilbert speakman <gilsman1@outlook.com>; Rosalie Martinez <rosalimartinez06@gmail.com>; dznaranjo30@gmail.com <dznaranjo30@gmail.com>; meliszayden10@gmail.com <meliszayden10@gmail.com>; robxela@yahoo.com <robxela@yahoo.com>; frjoelbugas@gmail.com <frjoelbugas@gmail.com>; Ivan Westergaard <ivanwestergaard@comcast.net>; timkeller@cabq.gov <timkeller@cabq.gov>; Javier Martinez <JAVIERFORNM@gmail.com>; oneillsd13@billoneillform.com <oneillsd13@billoneillform.com>; Oneillhd15@fastmail.us <Oneillhd15@fastmail.us>; Jesse Lopez Member <jeslopez@msn.com>; tammy.munoz@atriumhospitality.com <tammy.munoz@atriumhospitality.com>; PHILLIPHERN@yahoo.com <PHILLIPHERN@yahoo.com>; Ian Colburn <colburn.ian@gmail.com>; Evelyn Bonilla <cri4eb@yahoo.com>; Molina, Nathan A. <namolina@cabq.gov>; Benton, Isaac <ibenton@cabq.gov>; peggynorton@yahoo.com <peggynorton@yahoo.com>; Angela Vigil Member <gopackgo123@hotmail.com>

**Subject:** Re: [#2023123] 1100 Woodward PI NE

Loretta,

Thank you for reaching out to us. We will work towards meeting with you all in January, we appreciate your input.

I am working on gathering the information you need. In the meantime, please contact our Senior Planner – Sergio Lozoya at 505-278-7088.

Thank you and happy holidays!

Thanks,

Adam

---

**From:** SBMTNA <sbmartineztown@gmail.com>

**Sent:** Tuesday, November 21, 2023 4:31 PM

**To:** Adam Johnstone <AJohnstone@tierrawestllc.com>

**Cc:** illgen <theresa.illgen@zoho.com>; gilbert speakman <gilsman1@outlook.com>; Rosalie Martinez <rosalimartinez06@gmail.com>; dznaranjo30@gmail.com <dznaranjo30@gmail.com>; meliszayden10@gmail.com <meliszayden10@gmail.com>; robxela@yahoo.com <robxela@yahoo.com>; frjoelbugas@gmail.com <frjoelbugas@gmail.com>; Ivan Westergaard <ivanwestergaard@comcast.net>; timkeller@cabq.gov <timkeller@cabq.gov>; Javier Martinez <JAVIERFORNM@gmail.com>; oneillsd13@billoneillfornm.com <oneillsd13@billoneillfornm.com>; Oneillhd15@fastmail.us <Oneillhd15@fastmail.us>; Jesse Lopez Member <jeslopez@msn.com>; tammy.munoz@atriumhospitality.com <tammy.munoz@atriumhospitality.com>; PHILLIPHERN@yahoo.com <PHILLIPHERN@yahoo.com>; Ian Colburn <colburn.ian@gmail.com>; Evelyn Bonilla <cri4eb@yahoo.com>; Molina, Nathan A. <namolina@cabq.gov>; Benton, Isaac <ibenton@cabq.gov>; peggynorton@yahoo.com <peggynorton@yahoo.com>; Angela Vigil Member <gopackgo123@hotmail.com>

**Subject:** [#2023123] 1100 Woodward PI NE

Dear Mr. Johnstone,

The Santa Barbara Martineztown Neighborhood Association (SBMTNA) meets every third Thursday of the month. The next meeting is Thursday, January 18, 2023 at 6 pm, 1420 Edith NE. SBMTNA requests a facilitated meeting on Thursday, January 18, 2023.

SBMTNA is currently working on historical preservation of the neighborhood. As you are aware, the Community Planned Area does not allow more than 26 feet in height in this area.

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I left a message on your phone. I would like to know the name of your client and what your client is proposing at 1100 Woodward NE (next to the Embassy Hotel).

If you can, call me at (505)270-7716 to explain your proposal. Also, if you can please send your schematics by email so we can see your proposal before we meet.

Regards,

Loretta Naranjo Lopez, President  
Santa Barbara Martineztown Neighborhood Association  
1420 Edith NE  
Albuquerque, NM 87102  
(505)270-7716

---

**From:** Adam Johnstone <[AJohnstone@tierrawestllc.com](mailto:AJohnstone@tierrawestllc.com)>  
**Sent:** Tuesday, November 21, 2023 1:22 PM  
**To:** [lnjalopez@msn.com](mailto:lnjalopez@msn.com) <[lnjalopez@msn.com](mailto:lnjalopez@msn.com)>  
**Cc:** Sergio Lozoya <[SLozoya@tierrawestllc.com](mailto:SLozoya@tierrawestllc.com)>; Donna Bohannan <[djb@tierrawestllc.com](mailto:djb@tierrawestllc.com)>; Derek Bohannan <[dbohannan@tierrawestllc.com](mailto:dbohannan@tierrawestllc.com)>  
**Subject:** [#2023123] 1100 Woodward PI NE

Good afternoon,

Please find attached the Public Meeting Hearing Notice for the referenced project.

Thank you,  
Adam Johnstone  
Junior Land Use Planner  
[AJohnstone@tierrawestllc.com](mailto:AJohnstone@tierrawestllc.com)  
Tierra West LLC  
5571 Midway Park Place NE  
Albuquerque, NM 87109  
(505) 858-3100


[#2023123] 2023123 Mountain and I-25 100' Buffer Map and Property Owners' Request

Adam Johnstone <AJohnstone@tierrawestllc.com>

Mon 11/20/2023 2:06 PM

To:PLNBufferMaps@cabq.gov <PLNBufferMaps@cabq.gov>

Cc:Sergio Lozoya <SLozoya@tierrawestllc.com>;Donna Bohannan <djb@tierrawestllc.com>

 1 attachments (2 MB)

Zone Atlas J-15-Z.pdf;

Good morning,

Can you please provide me with the 100' buffer map and property owners' list for the attached highlighted property? Below is the legal description and physical address of the subject site. Please let us know if you have any questions.

**Legal Description:**

TRACT A PLAT OF GATEWAY SUBDIVISION CONT 2.7845 AC

**Physical Address:**

1100 WOODWARD PL NE ALBUQUERQUE NM 87102

**Site Cross Streets:**

Mountain and I-25

**Zone Atlas Page:**

J-15-Z

Adam Johnstone

Junior Land Use Planner

AJohnstone@tierrawestllc.com

Tierra West LLC

5571 Midway Park Place NE

Albuquerque, NM 87109

(505) 858-3100

**RE: [#2023123] 2023123 Mountain and I-25 100' Buffer Map and Property Owners' Request**

PLNBufferMaps <plnbuffermaps@cabq.gov>

Mon 11/27/2023 9:36 AM

To: Adam Johnstone <AJohnstone@tierrawestllc.com>

Cc: Sergio Lozoya <SLozoya@tierrawestllc.com>; Donna Bohannan <djb@tierrawestllc.com>

📎 4 attachments (2 MB)

1100 WOODWARD PL NE - 8.5x11 - Scale in Feet.pdf; 1100 WOODWARD PL NE - Labels.csv; 1100 WOODWARD PL NE - Labels.docx; 1100 WOODWARD PL NE.pdf;

November 27, 2023

Mr. Johnstone:

Good morning. Attached is your Buffer Map with all associated documents for the subject matter.

If you have any questions, please let me know. Thank you and have a wonderful day.

Respectfully submitted,



**MISA K. BLOOM**

*(she / hers)*

associate planner

urban design & development

o 505.924.3662

e [mbloom@cabq.gov](mailto:mbloom@cabq.gov)

[cabq.gov/planning](http://cabq.gov/planning)

---

**From:** Adam Johnstone <AJohnstone@tierrawestllc.com>

**Sent:** Monday, November 20, 2023 2:07 PM

**To:** PLNBufferMaps <plnbuffermaps@cabq.gov>

**Cc:** Sergio Lozoya <SLozoya@tierrawestllc.com>; Donna Bohannan <djb@tierrawestllc.com>

**Subject:** [#2023123] 2023123 Mountain and I-25 100' Buffer Map and Property Owners' Request

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Good morning,

Can you please provide me with the 100' buffer map and property owners' list for the attached highlighted property? Below is the legal description and physical address of the subject site. Please let us know if you have any questions.

**Legal Description:**

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**Physical Address:**

1100 WOODWARD PL NE ALBUQUERQUE NM 87102

**Site Cross Streets:**

Mountain and I-25

**Zone Atlas Page:**

J-15-Z

Adam Johnstone

Junior Land Use Planner

[AJohnstone@tierrawestllc.com](mailto:AJohnstone@tierrawestllc.com)

Tierra West LLC

5571 Midway Park Place NE

Albuquerque, NM 87109

(505) 858-3100



# 1100 WOODWARD PL NE



## Legend

□ Bernalillo County Parcels



## Notes

Buffer: 630 Ft.  
ROW: I-25; 530 Ft.

583 0 291 583 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
11/27/2023 © City of Albuquerque

1: 3,496

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

JDHQ HOTELS LLC ATTN: ATRIUM  
HOSPITALITY  
12735 MORRIS RD SUITE 400 EXT  
ALPHARETTA GA 30004-8904

CHAVEZ VALENTINO REYES  
1117 HIGH ST NE  
ALBUQUERQUE NM 87102-2425

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

MOFFETT DOLORES & ALESHA MYRA  
DILLANDER  
103 E ARAGON RD  
BELEN NM 87002-4601

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORPORATION  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

CROCKETT LAWRENCE & WOLFE MARIA  
2539 DURANES RD NW  
ALBUQUERQUE NM 87104

LOPEZ JUAN A & KRAUSE CAROL A  
800 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102

MOFFETT DOLORES & ALESHA MYRA  
DILLANDER  
103 E ARAGON RD  
BELEN NM 87002-4601

BOARD OF EDUCATION C/O PROPERTY  
MANAGER  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704

JDHQ LAND HOLDING LLC C/O ATRIUM  
HOLDING COMPANY  
12735 MORRIS RD SUITE 400 EXT  
ALPHARETTA GA 30004-8904

BOARD OF EDUCATION C/O PROPERTY  
MANAGER  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704

CHAVEZ POLISAR SHIRLEY ELIZABETH &  
CHAVEZ VALENTINO REYES  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828

CHAVEZ ALVIN  
1122 HIGH ST NE  
ALBUQUERQUE NM 87102

CHAVEZ 1119 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828

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

VIGIL FRIEDA & GEORGE WYLER & LOUIE  
WYLER & ELIZABETH GRIEGO ETAL  
2733 GRACELAND DR NE  
ALBUQUERQUE NM 87110-2959

DUNEMAN CHRISTOPHER S & JAYMIE A  
919 GRECIAN AVE NW  
ALBUQUERQUE NM 87107-5732

POLISAR SHIRLEY ELIZABETH CHAVEZ  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828

ESPINOSA LEONARDO  
717 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102

MARTINEZ LORRAINE  
1124 WALTER NE  
ALBUQUERQUE NM 87120

BOARD OF EDUCATION  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORPORATION  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

CHAVEZ 1121 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828

CHAVEZ 1119 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828

HUGH A CARLISLE POST 13 DEPT OF  
NEW MEXICO  
1201 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102-2716

TRICORE REFERENCE LABORATORIES  
1001 WOODWARD PL NE  
ALBUQUERQUE NM 87102



**Public Notice of a Proposed Project in the City of Albuquerque  
for Decisions Requiring a Meeting or Hearing  
Mailed to a Property Owner**

Date of Notice\*: \_\_\_\_\_

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet\*: \_\_\_\_\_

Mailing Address\*: \_\_\_\_\_

**Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)**

1. Subject Property Address\* \_\_\_\_\_  
Location Description \_\_\_\_\_
2. Property Owner\* \_\_\_\_\_
3. Agent/Applicant\* *[if applicable]* \_\_\_\_\_
4. Application(s) Type\* per IDO [Table 6-1-1](#) *[mark all that apply]*
  - Conditional Use Approval
  - Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - Site Plan
  - Subdivision \_\_\_\_\_ (Minor or Major)
  - Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
  - Variance
  - Waiver
  - Other: \_\_\_\_\_

Summary of project/request<sup>1</sup>\*: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. This application will be decided at a public meeting or hearing by\*:
  - Zoning Hearing Examiner (ZHE)
  - Development Hearing Officer (DHO)
  - Landmarks Commission (LC)
  - Environmental Planning Commission (EPC)

Date/Time\*: \_\_\_\_\_

Location\*<sup>2</sup>: \_\_\_\_\_

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found\*<sup>3</sup>:

\_\_\_\_\_

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)\*<sup>4</sup> \_\_\_\_\_
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project\*:

Deviation(s)       Variance(s)       Waiver(s)

Explanation\*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):  Yes     No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. ***For Site Plan Applications only\****, attach site plan showing, at a minimum:

- a. Location of proposed buildings and landscape areas.\*
- b. Access and circulation for vehicles and pedestrians.\*
- c. Maximum height of any proposed structures, with building elevations.\*

<sup>2</sup> Physical address or Zoom link

<sup>3</sup> Address (mailing or email), phone number, or website to be provided by the applicant

- d. **For residential development\***: Maximum number of proposed dwelling units.
- e. **For non-residential development\***:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.

**Additional Information:**

From the IDO Zoning Map<sup>5</sup>:

1. Area of Property *[typically in acres]* \_\_\_\_\_
  2. IDO Zone District \_\_\_\_\_
  3. Overlay Zone(s) *[if applicable]* \_\_\_\_\_
  4. Center or Corridor Area *[if applicable]* \_\_\_\_\_
- Current Land Use(s) *[vacant, if none]* \_\_\_\_\_
- 

**NOTE:** Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

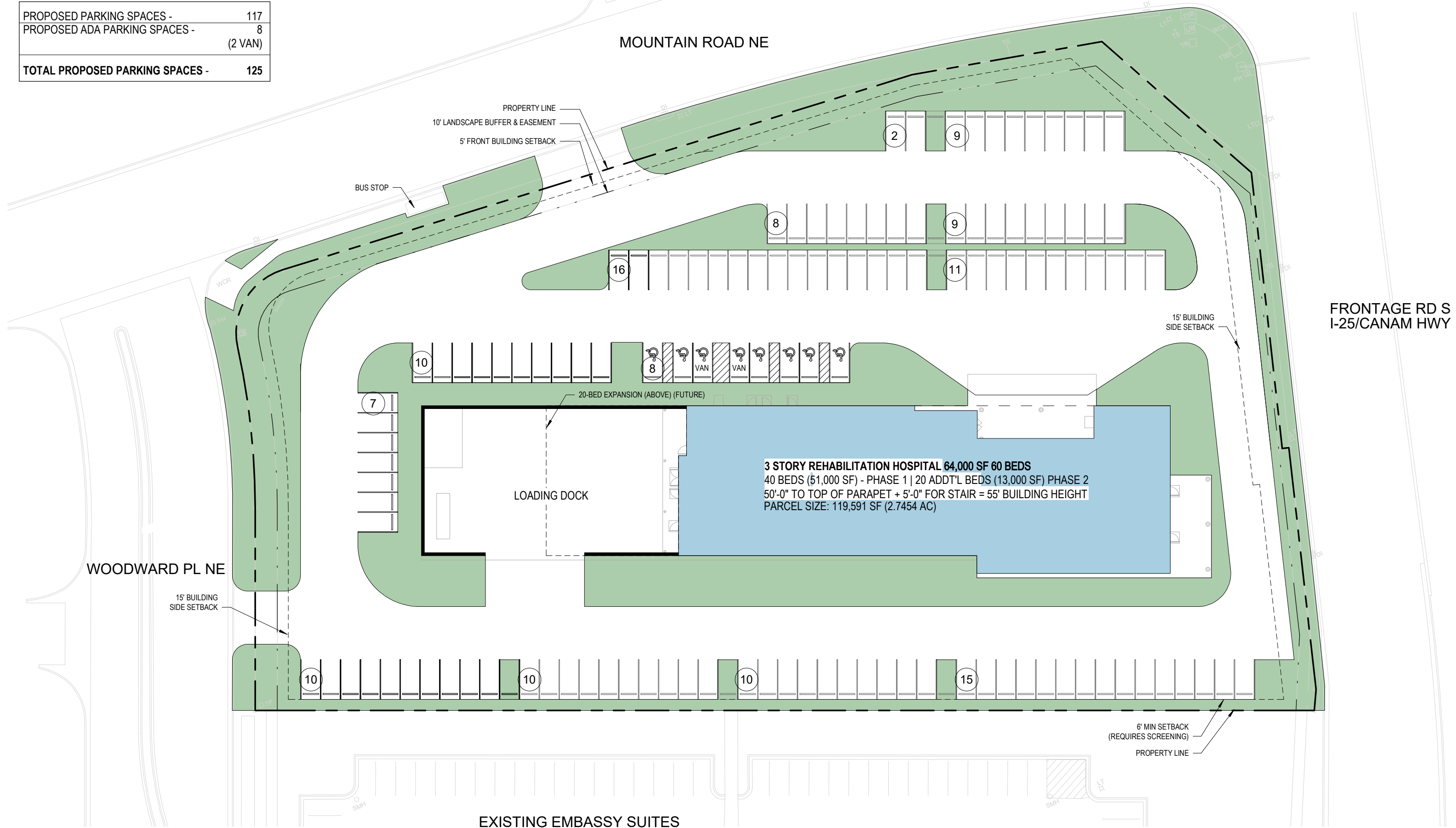
**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

PROPOSED PARKING SPACES -	117
PROPOSED ADA PARKING SPACES -	8
	(2 VAN)
<b>TOTAL PROPOSED PARKING SPACES -</b>	<b>125</b>



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
CERTIFIED MAIL

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BOARD OF EDUCATION C/O PROPERTY  
MANAGER  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704



9590 9402 7786 2152 9182 33

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9639

PS Form 3811, July 2020 PSN 7530-02-000-9053

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

VERIFIED MAIL

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



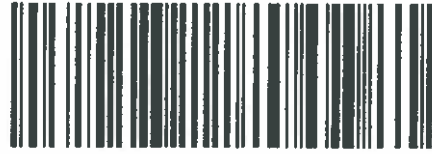
7020 3160 0000 3388 9639

BOARD OF EDUCATION C/O PROPERTY  
MANAGER  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704



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*TERRA WEST*. LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9660

MARTINEZ LORRAINE  
1124 WALTER NE  
ALBUQUERQUE NM 87120



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Article Addressed to:  
**MARTINEZ LORRAINE**  
1124 WALTER NE  
ALBUQUERQUE NM 87120



9590 9402 7786 2152 9181 72

Article Number (Transfer from service label)

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- Addressee

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C. Date of Delivery

D. Is delivery address different from Item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
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- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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*TERRA WEST*. LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9646

CHAVEZ 1119 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828



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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CHAVEZ 1119 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828



9590 9402 7786 2152 9181 96

Article Number (Transfer from service label)

7020 3160 0000 3388 9646

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery

(over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Signature Confirmation™

Signature Confirmation Restricted Delivery

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*TERRA WEST*. LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9585

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORPORATION  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOR DATA NOTED

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1. Article Addressed to:

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORPORATION  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714



9590 9402 7786 2152 9182 88

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9585

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

<sup>4ail</sup>  
Registered Delivery

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

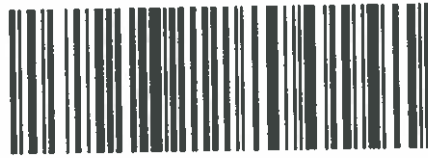
Signature Confirmation™

Signature Confirmation Restricted Delivery

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**CERTIFIED MAIL**

*TERRA WEST, LLC*  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9622

MOFFETT DOLORES & ALESHA MYRA  
DILLANDER  
103 E ARAGON RD  
BELEN NM 87002-4601



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1. Article Addressed to:

2023123

MOFFETT DOLORES & ALESHA MYRA  
DILLANDER  
103 E ARAGON RD  
BELEN NM 87002-4601



9590 9402 7786 2152 9182 40

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9622

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

Agent

X

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

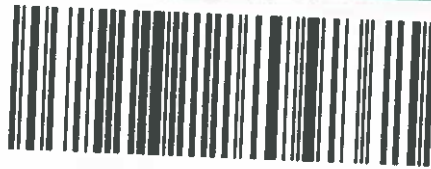
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

**CERTIFIED MAIL**

*TERRA WEST*.LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9561

VIGIL FRIEDA & GEORGE WYLER & LOUIE  
WYLER & ELIZABETH GRIEGO ETAL  
2733 GRACELAND DR NE  
ALBUQUERQUE NM 87110-2959



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1. Article Addressed to:

2023123

VIGIL FRIEDA & GEORGE WYLER & LOUIE  
WYLER & ELIZABETH GRIEGO ETAL  
2733 GRACELAND DR NE  
ALBUQUERQUE NM 87110-2959



9590 9402 7786 2152 9183 01

2. Article Number (Transfer from service label)

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**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



**CERTIFIED MAIL®**

*TERRA WEST*.LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 7765

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



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
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2023123  
REGENTS OF UNM C/O REAL ESTATE  
DEPT  
1 UNIVERSITY OF NM MSC06 3595  
ALBUQUERQUE NM 87131-0001



9590 9402 7786 2152 9181 10

2 Article Number (Transfer from service label)

7020 3160 0000 3388 7765

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

X

- Agent  
 Addressee

**B. Received by (Printed Name)**

**C. Date of Delivery**

- D. Is delivery address different from item 1?**  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®                    | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input checked="" type="checkbox"/> Signature Confirmation™         |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       |   |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**CERTIFIED MAIL**

*TERRA WEST*.LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 7802

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

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
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1 Article Addressed to: **2023/23**  
REGENTS OF UNM C/O REAL ESTATE  
DEPT  
1 UNIVERSITY OF NM MSC06 3595  
ALBUQUERQUE NM 87131-0001



9590 9402 7786 2152 9180 73

2. Article Number (Transfer from service label)

7020 3160 0000 3388 7802

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

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Agent

Addressee

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D. Is delivery address different from item 1?  Yes  
if YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery  
(over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted  
Delivery

Signature Confirmation™

Signature Confirmation  
Restricted Delivery

Domestic Return Receipt

VERIFIED MAIL

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 7796



POLISAR SHIRLEY ELIZABETH CHAVEZ  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

*Article Addressed to*  
**POLISAR SHIRLEY ELIZABETH CHAVEZ**  
 1000 CAMINO RANCHITOS NW  
 ALBUQUERQUE NM 87114-1828



9590 9402 7786 2152 9180 80

2. Article Number (Transfer from service label)

7020 3160 0000 3388 7796

PSN 7530-02-000-9033

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X  
 Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_

C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input checked="" type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109

CERTIFIED MAIL



7020 3160 0000 3388 9523

MOFFETT DOLORES & ALESHA MYRA  
DILLANDER  
103 E ARAGON RD  
BELEN NM 87002-4601



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits. *2023123*

1 Article Addressed to:  
**MOFFETT DOLORES & ALESHA MYRA  
DILLANDER  
103 E ARAGON RD  
BELEN NM 87002-4601**



9590 9402 7786 2152 9186 15

2 Article Number (Transfer from service label)

**7020 3160 0000 3388 9523**

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



CERTIFIED MAIL

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9530

LOPEZ JUAN A & KRAUSE CAROL A  
800 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LOPEZ JUAN A & KRAUSE CAROL A  
800 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102



9590 9402 7786 2152 9186 08

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9530

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

red Mail

red Mail Restricted Delivery

(r \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Signature Confirmation™

Signature Confirmation

Restricted Delivery

Domestic Return Receipt

**VERIFIED MAIL**

*TERRA WEST* LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9547

JDHQ LAND HOLDING LLC C/O ATRIUM  
HOLDING COMPANY  
12735 MORRIS RD SUITE 400 EXT  
ALPHARETTA GA 30004-8904



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023123  
 JDHQ LAND HOLDING LLC C/O ATRIUM  
 HOLDING COMPANY  
 12735 MORRIS RD SUITE 400 EXT  
 ALPHARETTA GA 30004-8904



9590 9402 7786 2152 9183 25

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9547

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®                    | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input checked="" type="checkbox"/> Signature Confirmation™         |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       |   |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

Domestic Return Receipt

*TERRA WEST*.LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109

**CERTIFIED MAIL**



7020 3160 0000 3388 9615

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORPORATION  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits. **202323**

1. Article Addressed to:

ARCHDIOCESE OF SANTA FE REAL  
ESTATE CORPORATION  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714



9590 9402 7786 2152 9182 57

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9615

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery  
(over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted

Delivery

Signature Confirmation™

Signature Confirmation

Restricted Delivery

Domestic Return Receipt

*TERRA WEST*.LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9516

JDHQ HOTELS LLC ATTN: ATRIUM  
HOSPITALITY  
12735 MORRIS RD SUITE 400 EXT  
ALPHARETTA GA 30004-8904



CELESTEN MAIL  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023/28  
JDHQ HOTELS LLC ATTN: ATRIUM  
HOSPITALITY  
12735 MORRIS RD SUITE 400 EXT  
ALPHARETTA GA 30004-8904



9590 9402 7786 2152 9186 22

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9516

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from Item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Registered Mail

Registered Mail Restricted Delivery

(over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted

Delivery

Signature Confirmation™

Signature Confirmation

Restricted Delivery

Domestic Return Receipt



CERTIFIED MAIL

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9592

HUGH A CARLISLE POST 13 DEPT OF  
NEW MEXICO  
1201 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102-2716



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HUGH A CARLISLE POST 13 DEPT OF  
NEW MEXICO  
1201 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102-2716



9590 9402 7786 2152 9182 71

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9592

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

**CERTIFIED MAIL®**

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9578

ESPINOSA LEONARDO  
717 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023123  
ESPINOSA LEONARDO  
717 MOUNTAIN RD NE  
ALBUQUERQUE NM 87102



9590 9402 7786 2152 9182 95

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9578

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

**CERTIFIED MAIL®**

*TERRA WEST, LLC*  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9608

CHAVEZ VALENTINO REYES  
1117 HIGH ST NE  
ALBUQUERQUE NM 87102-2425



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023/23  
CHAVEZ VALENTINO REYES  
1117 HIGH ST NE  
ALBUQUERQUE NM 87102-2425



9590 9402 7786 2152 9182 64

7020 3160 0000 3388 9608

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery  
(over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted  
Delivery

Signature Confirmation™

Signature Confirmation  
Restricted Delivery

Domestic Return Receipt

**CERTIFIED MAIL**

*TERRA WEST, LLC*  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 7772

CHAVEZ POLISAR SHIRLEY ELIZABETH &  
CHAVEZ VALENTINO REYES  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addresscard to:  
**CHAVEZ POLISAR SHIRLEY ELIZABETH &  
CHAVEZ VALENTINO REYES  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828**



9590 9402 7786 2152 9181 03

2. Article Number (Transfer from service label)

**7020 3160 0000 3388 7772**

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION**

A. Signature

**X**

B. Received by (Printed)

D. Is delivery address different?  
If YES, enter delivery address

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)



*TERRA WEST*.LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9554

CHAVEZ ALVIN  
1122 HIGH ST NE  
ALBUQUERQUE NM 87102



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.  
CERTIFIED MAIL

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CHAVEZ ALVIN  
1122 HIGH ST NE  
ALBUQUERQUE NM 87102



9590 9402 7786 2152 9183 18

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9554

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Insured Mail Restricted Delivery  
(over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted  
Delivery

Signature Confirmation™

Signature Confirmation  
Restricted Delivery

Domestic Return Receipt

**CERTIFIED MAIL®**

*TERRA WEST*. LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9677



CHAVEZ 1121 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023123  
CHAVEZ 1121 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828



9590 9402 7786 2152 9181 65

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9677

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

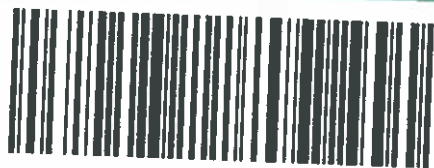
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

CERTIFIED MAIL®

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 7789



CROCKETT LAWRENCE & WOLFE MARIA  
2539 DURANES RD NW  
ALBUQUERQUE NM 87104

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.

CROCKETT LAWRENCE & WOLFE MARIA  
2539 DURANES RD NW  
ALBUQUERQUE NM 87104



9590 9402 7786 2152 9180 97

? Article Number (Transfer from service label)

7020 3160 0000 3388 7789

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**CERTIFIED MAIL®**

TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9653



DUNEMAN CHRISTOPHER S & JAYMIE A  
919 GRECIAN AVE NW  
ALBUQUERQUE NM 87107-5732

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023123  
DUNEMAN CHRISTOPHER S & JAYMIE A  
919 GRECIAN AVE NW  
ALBUQUERQUE NM 87107-5732



9590 9402 7786 2152 9181 89

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9653

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Signature Confirmation™

Signature Confirmation Restricted Delivery

Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt



TERRA WEST, LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109

OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL®**



7020 3160 0000 3388 9684



BOARD OF EDUCATION C/O PROPERTY  
MANAGER  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023123

BOARD OF EDUCATION C/O PROPERTY  
MANAGER  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704



9590 9402 7786 2152 9181 58

2 Article Number (transfer from service label)

7020 3160 0000 3388 9684

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

 Adult Signature Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery Collect on Delivery Collect on Delivery Restricted Delivery
 Insured Mail  
 Registered Mail Restricted Delivery  
 (over \$500)
 Priority Mail Express® Registered Mail™ Registered Mail Restricted Delivery Signature Confirmation™ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**CERTIFIED MAIL®**

*TERRA WEST* LLC  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9691

BOARD OF EDUCATION  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

2023123  
BOARD OF EDUCATION  
PO BOX 25704  
ALBUQUERQUE NM 87125-0704



9590 9402 7786 2152 9181 41

2. Article Number (Transfer from service label)

7020 3160 0000 3388 9691

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

**CERTIFIED MAIL**

*TERRA WEST, LLC*  
5571 MIDWAY PARK PLACE NE  
ALBUQUERQUE NM 87109



7020 3160 0000 3388 9707



CHAVEZ 1119 LLC  
1000 CAMINO RANCHITOS NW  
ALBUQUERQUE NM 87114-1828

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
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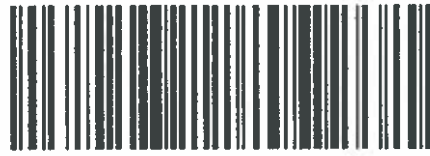
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# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. 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 for a \$10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or 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.

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 January 31st To March 1st

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.

 Adam Johnstone 12/12/2023  
(Applicant or Agent) (Date)

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

**PROJECT NUMBER:** \_\_\_\_\_

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CHAIR HOLLINGER: Time is 11:08. Now, I believe, Mr. Salas, that we returned at 11:10, so we'll give her another minute or 2 to come Mosey back, and then we'll start agenda item number 2. See Mr. Halstead Stetson, Myself, Eyster, MacEachen, and Coppola I'm gonna drag you back up top so, I can see you.

So, if everyone's back we'll proceed to agenda item number 2. This is project number PR-2024-009765 case number RZ-2024-00001 This is a zone map amendment presented by Mr. Tinkle, and I believe, Tierra West. Are you prepared to begin your presentation, Mr. Tinkle?

SETH TINKLE: Yes, Mr. Chair, I am before getting started. I just want to make sure that you can hear me distinctly, and that you can see the presentation on my screen.

CHAIR HOLLINGER: We can hear you. Well, I see your presentation, so I assume everyone else can as well, whenever you're ready please proceed.

SETH TINKLE: Great. Thank you very much. Good morning, Mr. Chair. Commissioners and members of the public. This is agenda, item number 2, PR- 2024-009765, case number RZ- 2024-00001. My name is Seth Tinkle, and I am the staff planner assigned to this case the request is for a zoning map amendment for an approximately 3-acre site located at 1100 Woodward Place NE between Mountain Road and Lomas Boulevard. The applicant is requesting a zone change from MX-M Zoning to MX-H. Zoning which would result in a spot zone. The request could facilitate development of a future hospital use. However, there is no Site plan associated with this request. The purpose of the MX- H. Zone district is to provide for large scale, destination, retail and high intensity, commercial, residential, light industrial and institutional uses as well as high-density residential uses particularly along transit corridors and in urban centers. The MX-H Zone district is intended to allow higher density infill development in appropriate locations, the subject site is located wholly in an area as in an area of change as designated by the comprehensive plan area of change policies allow for a mix of uses and development of higher density and higher intensity in areas where growth is desired and can be supported by multi-modal transportation options. The intent is to make areas of change, the focus of new urban scale development and benefit job creation and expanding housing options. The subject site is located along or within 660 feet of 3 major transit corridors. The I-25 Frontage, Mountain Road and Lomas Boulevard, major transit corridors. Corridor policies in the comprehensive plan, encourage higher density and higher intensity development in appropriate places, to create vibrant walkable districts that offer a wide range of services and recreational opportunities. The subject site is directly served by Bus Route 5, which is the Montgomery to Carlisle route, and the nearest bus stop directly abuts the subject site's northern boundary. The subject site is also located within the Santa Barbara Martinez Town Character Protection Overlay Zone. Thus, future development on the subject site would have to adhere to the standards associated with this overlay zone. CPO- 7 standards include site standards, setback standards, building height, maximums and sign standards meant to protect and preserve this area's distinct community. The subject site is vacant, undeveloped, and surrounded by a mix of commercial, educational, and office land uses that generally range from mid to high intensity.

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The subject site directly butts abuts I-25, and Frontage Road S, to the East a hotel directly abuts the subject site to the South. A research or testing facility is adjacent to the subject sites, sites West, which buffers the site from the lower Resident. Lower density residential area located further West of that APS's early College Academy career Enrichment Center and Albuquerque High School is north of and adjacent to the subject site across Mountain Road. The affected neighborhood organizations are the Santa Barbara Martinez Town Neighborhood Association and the North Valley Coalition, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A facilitated meeting was offered, requested, and held on January 18<sup>th</sup>, 2024, with the Santa Barbara Martinez Town Neighborhood Association, a follow up non- facilitated meeting was held on January 30<sup>th</sup>. Staff is aware of opposition to this request by the Santa Barbara Martinez Town Neighborhood Association. In the facilitated Meeting Notes provided by the City of Albuquerque's Office of Alternative Dispute resolution Objectives, Objections to the requests were based on the community's feeling. but the MX-H Zone district is not equivalent to the former sector plans SU for C-3 designation. The potential of increased traffic and the applicant's submission prior to the date of the meeting. additional comments from the Santa Barbara Martinez Town Neighbourhood Association requested denial of the Zone Map Amendment, stating opposition to the Zone. stating opposition to the request's nature as a spot zone and reiterated concerns about traffic neighborhood character and gentrification. Another comment received by a community member stated opposition to the potential future development on the site and concerns about increased traffic. Staff finds that the applicant has adequately justified the request based on the proposed zoning being more advantageous to the community than the current zoning, because it would clearly facilitate a preponderance of applicable goals and policies. The applicant's responses to the review and decision criteria for zone map amendments established in IDO section 14-16-6, 7-G.3 are sufficient regarding PR-2024-009765 Case number RZ-2024-00001 Staff recommends approval, and with that I stand for questions.

CHAIR HOLLINGER: Thank you, Mr. Tinkle. Your presentation was concise and to the point, thank you for that. Commissioners, do we have questions for the Staff presentation?

VICE CHAIR EYSTER: Eyster.

CHAIR HOLLINGER: Vice Chair Eyster.

VICE CHAIR EYSTER: Thank you Chair. Thank you for a very good presentation, Mr. Tinkle. My question revolves around the early College Academy Career Enrichment Center on the North side of Mountain. Is that a high school?

SETH TINKLE Yes, it is, it is part it is a part of a high school use.

VICE CHAIR EYSTER: Good. Thank you.

CHAIR HOLLINGER: Thank you Vice chair. Any other commissioners?

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Very well, hearing none, we'll move to the applicant presentation. I believe this is Tierra West.

SERGIO LOZOYA-: Hello, Chairman Hollinger. I will be representing Tiera West today.

CHAIR HOLLINGER: Hello, Mr. Lozoya, can you state your name and address for the record, please?

SERGIO LOZOYA: Yes, my name is Sergio Lozoya. My address is 5571 Midway Park Place North East Albuquerque, New Mexico, 87109.

CHAIR HOLLINGER: Thank you. Will you raise your right hand? You swear to tell the truth, under penalty of perjury.

SERGIO LOZOYA: I do.

CHAIR HOLLINGER Thank you. I believe you have 10 min for your presentation.

SERGIO LOZOYA: Thank you. Let me share my screen. Thank you, Chairman Hollinger. I'd like to start just by saying my condolences to you and your family for your loss. Thank you, commissioners, and thank you planning staff for your presentation and Staff Report. My name is Sergio Lozoya, I'm Senior Planner at Tierra West, agent for Cross Development. We are requesting a Zone map amendment for the subject site, located at 1100 Woodward from MX-M to MX- H. I will begin with some information regarding the history of the subject site, the current zoning and briefly discuss our meeting with Santa Barbara Martinez Town Neighborhood Association. I will then touch on the proposed use and development. Should the request be approved. Following how the request meets the criteria for a zone map amendment. Again, the subject site is located on 1100 Woodward Place between Mountain Road and Lomas Boulevard. It is bound by the Interstate to the East, Albuquerque High to the North, Tricore Labs to the West, and Embassy suites to the south. Beyond I-25 to the East and Southeast are parcels zoned MX-H And you can see parcels zoned MX-M to the South and West, and further South, beyond Lomas, along Locust other parcels zoned MX-M and MX-H. Here's a quick overview of development within the last 20 years surrounding the subject site. You can see in 2002 it was totally vacant, 2004 Tricore labs was already built, and construction on Embassy suites had started and, on the bottom, right, what the site looks like today. I would just like to also introduce that the site is governed by an EPC Site plan for subdivision. There were 2 total neighborhood meetings held with the Santa Barbara Martinez Town Neighborhood Association and Tierra West. The first was facilitated in which we discussed the proposed Zone Map Amendment and Development. We discussed the Sector plan, zoning designation, and how that compares to the IDO zoning designation. Also, the benefits of the Zone Map amendment and the development that would be to follow. The neighborhood had concerns regarding intensity of uses and density of future development, traffic, and the character of development within their Neighborhood Association boundary. We had a follow up meeting in which the applicant came to town and was able to attend as well. We discussed traffic and potential calming solutions, continued discussion on the sector plan. Designation of SU to for C-3 uses, the proposed development specifically operational questions

and things of that nature. The revised traffic scoping form which was submitted, which showed that this use would add 35 trips during the Peak morning hours and 37 trips during the Peak evening hours. The neighborhood had similar concerns as the first meeting, and discussed historical issues between the Santa Barbara Martinez Town area and the City of Albuquerque. Shown here is a conceptual Site Plan for the proposed development of a physical rehabilitation hospital, should the request be approved. Patients have a typical stay of 2 weeks, as stated previously, the proposed use would generate 35 trips in the morning peak hours and 37 trips during the evening peak hours. The use is more akin to a nursing home than a hospital such as UNMH. There will be no ambulances or emergency vehicles driving in and out of this facility and the Physical Rehab Hospital typically has 60 staff members, nurses, doctors, etc., during the day, and 40 staff members present during night hours. Here are some conceptual elevations and again, this project will return under the Site Plan EPC process, in which we can further discuss issues associated with design and land use, and more meetings will be held with the Santa Barbara Martinez Neighborhood Association, should they desire. The request meets all criteria outlined in IDO 14-16, 6- 7, G-3- A. Through H. As described in the justification letter and Staff Report. The request clearly facilitates the comprehensive plan is located in an area of change, has demonstrated that any potential harm from the new permissive uses are adequately mitigated by the use specific standards in the IDO. Further, the request is not based completely on the cost of land or other economic considerations. Rather, it clearly facilitates the comprehensive plan. Criterion H discusses requirements should a zone map amendment would result in a spot zone. I would like to take a moment to address this criteria and present Tierra West's perspective, staff's position as this meets the criteria for spot zone. It is Tierra West's position that the request does not create a spot zone. However, the request still satisfies criterion H. The test for a zone change that would result in a spot zone due to the definitions from the IDO as written in the Justification letter and Staff report, the proposed the proposed Zone Map Amendment would act as a transition zone for adjacent zone districts as defined in the IDO, adjacency exists even when 2 parcels are separated by a right of way. In this case, I-25, and North and Southbound frontages, given this scenario, the subject site would act as an appropriate transition from the parcel zoned MX-H to the East to the property zone, MX-M to the South and West, and the property zone MX-L MX-T and RT in the vicinity. As you can see on my screen the intensity of zones decrease as you go West along the zone zoning map. The subject site is not directly abutting nor adjacent to any residential zone district, and would act as a transition into the lower intensity of the MX zone districts as described above. But again, Terra West believes that this would not create a spot zone per the project Memo found in the record staff identified the definition of surrounding to be interpreted as touching. Therefore, if no other similar zones were touching the subject site, the request would result in a spot zone. However, I have three examples where Staff considered non-touching parcels to be adjacent in a Zone map amendment, and were not considered as spot zones. The first is agenda item one heard on April 15, 2021, case number PR-2021-005199 there are NR-C parcels in the vicinity, but none of them are physically touching the subject site. The nearest one is across Richmond, which is 70 feet away, separated by right-of-way and to the South, separated by right-of-way of Menaul Boulevard, totaling 118 feet. The second was agenda 5, heard on February 17 2022. The request was for a Zone Map amendment from NR-C to RM-L though no other parcels zoned RM-L were physically touching the boundary of the subject site. The request was not classified as a spot zone. The nearest parcels zoned RM-L were to the Northeast of the subject site

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approximately 368 feet away, and did not physically touch the subject site. The surrounding land uses were a factor in this interpretation. Lastly, agenda item 3, which was heard November 16<sup>th</sup>, of 2023 case number PR-2023-009365 I have both of these parcels highlighted, but it was just the one to the left. If you can see my cursor. The request was for a zone map amendment from R1-B to NR-C and as you can see, there are NR-C in the vicinity, but they are not physically touching the subject site. We have one parcel to the South at 57 feet others at approximately 100 feet, and to the Southwest, at 523 feet. Our zone map amendment is similar in conditions to the above cited examples. There is a parcel zoned MX-H to the East of the subject site, only separated by right of way, which, according to the IDO would be considered as adjacent. The parcel zoned; MX-H is 441 feet West of the subject site. Again, they are only separated by a right of way, and satisfy the IDO's definition of adjacent. Therefore, Tierra West respectfully believes that our request is not a spot zone, though it does meet criterion H justification for a spot zone. Given Staff's thorough analysis and recommendation of approval. The sound justification letter Tierra West respectfully requests approval of agenda item 2. A zone map amendment from MX-M to MX-H for a subject site located on 1100 Woodward, and with that I stand for questions.

CHAIR HOLLINGER: Thank you, Mr. Lozoya for your presentation. Very well put together, I appreciate your justifications. I will remind everyone, although you did show a Site Plan. This what's before us is for a zone map amendment, so with that, I'll open the floor to commissioners. Do you have any questions for Mr. Lozoya?

COMMISSIONER MACEACHEN: Commissioner MacEachen.

CHAIR HOLLINGER: Mister MacEachen.

COMMISSIONER MACEACHEN: Mr. Lozoya, you went fast but there was a ton of information, I get it. I was just trying to reconcile you said there were 60 staff during the day and 40 at night, but when you talked about traffic trips you said 37 in the evenings and 30 in the day. How does that work? How do those people get there?

SERGIO LOZOYA: So, for those numbers that it only takes into account the peak hours. So, I would imagine some staff members are filtering prior to peak hours or after peak hours. So, what's required in the traffic scoping form, and those numbers reflect only the peak hours.

COMMISSIONER MACEACHEN: So, there will be more traffic than what your study shows?

SERGIO LOZOYA: Correct.

DEREK BOHANNAN: If I may.

CHAIR HOLLINGER: I see you Bohannan. Let's get you sworn in for the record. (INAUDIBLE)

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DEREK BOHANNAN: Derek Bohannon. 5571 Midway Park Place Northeast Albuquerque, New Mexico, 87109. I do swear to tell the truth, under penalty of perjury.

CHAIR HOLLINGER: Ah got the last part good to go.

DEREK BOHANNAN: Yeah, I've done this a time or two. Yeah, to, to further expand on that. So, when looking at traffic from an engineering perspective what you're really concerned with is the periods during which there's the most demand. Right? Because that's what's gonna cause traffic issues in terms of congestion backup and queuing. So, when you look at these types of facilities, you take the trips generated during those peak hours, and that's what's applied, and that's done through the ITE, which is a nationally recognized in Institute of Transportation Engineers. and they've done numerous studies throughout the country throughout years. And you go and you look up your use specific standards, and it shows what those trips contribute during those times that you are most concerned with, because that's what you have to design around and mitigate if there are any issues in the level of service of traffic. So that's what you take into account. Yes, the facility may generate more trips during Non-Peak Hours but those are considered non-adversarial to the transportation network. They won't in impact the transportation network as compared to trips during the peak hours. Generally, in the city of Albuquerque. Anything under 100 trips generated during peak hours is considering something that is not required of a study.

CHAIR HOLLINGER: Commissioner MacEachen, does that satisfy your question?

COMMISSIONER MACEACHEN Yeah, I was just trying to do the math and get understanding of it, and I understand there's formulas and studies and all that stuff. But for the people live around there. It's still gonna be traffic

CHAIR HOLLINGER: Miss Jones, I see your hands up.

MEGAN JONES: Thank you. Chair Hollinger and Commissioner MacEachen, and also to Mr. Bohannon for the background information. But, as chair, Hollinger stated at the beginning of this discussion, we want to focus on the request, which is for a zone change to which could facilitate a future development of this proposed use which a lot of this presentation was about, the traffic impact study or traffic scoping form associated with that future use is tied to that future use and not to the zone change. Although, A traffic scoping form is required to be submitted with the EPC packet for a zone change. It was noted in that packet. On page 51 of the full staff Report compilation that our city engineer determined that the traffic impact study is not needed at this time. So just reminding all the Commissioners that we're focusing on the Zone change and not the future development.

CHAIR HOLLINGER: Thank you for that, input Miss Jones. Vice Chair Eyster I see your hand up.

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VICE CHAIR EYSTER: Thank you. Chair. Ms. Jones. I don't understand the value of a traffic scoping study at this point, because new permissive uses include a self-storage: that would have a completely different traffic scoping. So why do we even do that? I don't see why. I guess if it's in the IDO we have to, but I don't see why, and I don't think the applicant does either. Looking at the shaking heads.

MEGAN JONES: Thank you. Commissioner, or Vice Chair Eyster, sorry about that. This, is something that we are going to look into internally in our process for a Zone map amendment. It is determined in every Zone Map amendment that we see that a traffic impact study is not needed by our traffic engineers. Unless zone changes associated with the Site plan. So, at this point in time, it's required to be included with an application. But it's not something to focus on in the topic of the discussion.

VICE CHAIR EYSTER: That answers my question chair. Could I ask another a question of the applicant?

CHAIR HOLLINGER: Go ahead, chair or Vice chair.

VICE CHAIR EYSTER: Thank you. Thank you. I don't understand why you why you addressed your argument about whether this is a spot zone. because you've also said that you think you qualify for a spot zone.

DEREK BOHANNAN: (INAUDIBLE)

SERGIO LOZOYA- Thank you Commissioner or Chairman Hollinger, Vice Chair Eyster. So, in our initial application and justification, we did not justify, for a spot zone after discussion with staff they determined that in fact, it was a spot zone. So, then we wrote a justification that we feel fits the criteria for a spot zone, and that is to say, that our subject site would act as an appropriate transition. However, I just wanted to bring up the definitions in the IDO concerning adjacency and right of ways which would mean the I-25 Interstate and the South and Northbound frontage roads. So, according to the IDO our parcel would be adjacent to the parcels to the East, which are zoned MX-H. So I just wanted to bring that to light that per the IDO and for our interpretation, it is not a spot zone.

VICE CHAIR EYSTER: I understand. Thank you.

MEGAN JONES: Chair Hollinger and Vice Chair Eyster. I'd like to just jump in to make one statement on that although staff did determine that this site, this zone change would result in a spot zone. It was determined by Mr. Tinkle and planning staff that the request is justifiable. Which I mean that the spot, the spot zone to MX-H would be a justifiable spot zone and staff's recommendation at this point, based on applicant justification is a recommendation of approval. So, I don't see the relevance in speaking on whether or not this is a spot, zone or not, because it is justified at this point and that that's all I'll say for now, I know that Mr. Tinkle has a few things that he'd like to cover in his closing regarding this, too.



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VICE CHAIR EYSTER: Thank you.

MEGAN JONES: Thank you.

CHAIR HOLLINGER: Thank you, Miss Jones. Thank you. Vice Chair Eyster. Any other commissioners?

COMMISSIONER HALSTEAD: Halstead.

CHAIR HOLLINGER: Mr. Halstead.

COMMISSIONER HALSTEAD: Yeah, thank you. Chair I have a question for Mr. Lozoya. As to the what the I guess I'm trying to understand, especially given the neighborhood pushback what the need for the zone change is. The uses are already permissive in both MX-M and MX-H. If it is indeed going to be a rehabilitation center, as well as the density that that it appears is being explored. So, I'm a little bit confused. Why, there's even a need to do this change.

SERGIO LOZOYA: Thank you, Chairman Hollinger and Commissioner Halsted. So, in the IDO and the use specific standards under the MX-M Zone district we are limited to 20 beds for a hospital. So essentially, we would require the MX-H. Zone district for additional beds. However, you know we did the way our justification is outlined and constructed, and the way staff wrote their staff report we did consider all uses in this request.

COMMISSIONER HALSTEAD: Thank you that the bed clarification is important to me, so I appreciate that.

CHAIR HOLLINGER: Thank you, Commissioner Halstead, I have a question, but I'll save that. Any other commissioners? So, if there are none at this time, I believe we'll move to public comment. Mr. Salas?

ERNESTO ALFREDO SALAS: Yes, chair and commissioners. The first speaker is going to be Loretta Naranjo Lopez.

CHAIR HOLLINGER: Hello, Miss Lopez! Can you hear us?

LORETTA NARANJO LOPEZ: Yes, I can hear you. Can you hear me?

CHAIR HOLLINGER: We can. Can you state your name and address for the record?

LORETTA NARANJO LOPEZ: My name is Loretta Naranjo Lopez, and I live at 1127 Walter Northeast.

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CHAIR HOLLINGER: Thank you. Will you raise your right hand? Do you swear to tell the truth, under penalty of perjury?

LORETTA NARANJO LOPEZ: I do

CHAIR HOLLINGER: Very well. You have 2 min. Please proceed.

LORETTA NARANJO LOPEZ: Well, before I start, I just wanted to state that I will be speaking on behalf of the Santa Barbara Martinez Town Neighborhood Association, so I would like the 5 minutes.

CHAIR HOLLINGER: Was a meeting held where a vote was cast allowing you to speak (INAUDIBLE)

LORETTA NARANJO LOPEZ: Yes, we voted unanimously to request denial.

CHAIR HOLLINGER: Okay, that entitles you to 5 min. Please proceed.

LORETTA NARANJO LOPEZ: Okay, I will be referring to the record of February 13<sup>th</sup> that I provided. Dear present Chair Jonathan Hollinger, and members of the of the EPC. Santa Barbara Martinez Town Neighborhood Association request denial of the Zone Map Amendment from MX-M to MX- H. Based on the following, and I just want you to know that we also provided exhibits 1 through 1, 2, 2A through 9. So please refer to those documents. I hope you were able to look at them. The application does not satisfy the IDO and State legal requirements for changing the subject property existing zoning and I will refer to exhibit 1 Fairway Village Neighborhood Council, Inc. vs. board of Commissions of Dona Anna County. The applicant's request for Zone Map Amendment from MX-M to MX-H is a spot zone and spot zones are illegal. The proposed use is not a transition. The MX-H is not compatible with historical single-family neighborhood. The uses are detrimental to any residential neighborhood. The 3 story Physical Therapy Hospital should be on aerial arteries that can accommodate the traffic noise and air pollution. Mountain Road is in a host, historic, old, historic, residential two-lane road, designated as a collector that cannot accommodate any more traffic. A traffic study and environmental impact study is requested, and the Albuquerque hospitals and physical therapy hospitals are nearby and located in nonresidential zones, next to arterials, the impacts of high-density developments on traffic and health, the HI report, which is provided in the exhibit's counters, the traffic engineer's comments. A traffic engineer should address the HIA report, and the comments made by the city planning department's traffic engineer, the traffic engineer's only reasoning to accept the zone map amendment is that the traffic didn't meet a certain threshold. The community has been dealing with traffic accidents at Mountain Road and the frontage road since the opening of the frontage road and the city of Albuquerque has done nothing to resolve the issues. There is no crosswalk or live for students at Woodward and Mountain Road. There's been requests to make only a left turn that's a correction hand turn on Mountain and the frontage road, which would take you to the North Frontage Road, and there has been no efforts to implement this request. Another suggestion was to have an island in the middle of the mountain road to stop five-ton trucks from entering Mountain Road. There's also been a proposal to do a roundabout at Edith and Mountain Road,

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and again, nothing is being done to protect the residential pedestrians and the students at the high schools. We'd like this done before anything is considered for changes because of existing cumulative impacts due to the Frontage Road, Lomas Boulevard, I-25, I-40, the number of air quality permits issued by the Environmental Health Department and Congestion at peak hours on Mountain Road. The MX-H should not be approved. The MX-M zone is already considered detrimental to any neighborhood. A higher intensity, and MX-H will increase the negative impacts that already exist. Resolution R2720-75 states that the City of Albuquerque is, and then I will also refer to that on the exhibits, and that's exhibit four. States of the City of Albuquerque is committed to addressing racial and social inequity. Martinez Town Santa Barbara neighborhood was zoned in the 1959 commercial neighborhood predominant land use, and has continued to be a single-family residential R-1. The Housing and Neighborhood Economic Development Fund 22, comprehensive plan, which is 2-A, states that while these new developments are exciting for Albuquerque residents, they may create inhospitable economic conditions that produce neighborhood displacement and gentrification, the continued commercialization of our neighborhood will be detrimental to the neighborhood. The MX-M is not compatible with historic single-family neighborhood, and again, we are an area of consistency. The proposed three-story physical therapy hospital medical facility is out of character and should not, should be on arterials that can accommodate the traffic noise and air pollution, and I will refer to exhibit two and exhibit three. Under the City Comprehensive plan, (INAUDIBLE) Martinez Santa Barbara is historical neighborhood and the city violates this policy by not enforcing that the historical protection to enhance, protect, preserve, the neighborhood and traditional communities as key to our long-term health and vitality of Martinez Town Santa Barbara neighborhood, which has historically been permitted single family land use. This use doesn't go in character with it the request does not promote protection and enhancement of Martinez Town Santa Barbara neighborhood character by establishing zoning conversion that is not appropriate. Am I getting close to the end?

CHAIR HOLLINGER: Yeah, that's your five minutes.

LORETTA NARANJO LOPEZ: Okay well then, I'm gonna refer to cause there's a lot to this letter. But the request is that we recommend denial, and then I will refer to exhibit 2A-6, and I'm we're required that HIA report requires a traffic study, an impact study because it counters whatever the traffic engineer is stating. And I you know there's a lot more on this letter, but I would like it for the for the record. So, all pages that I submitted, including the exhibits, if you have any questions.

CHAIR HOLLINGER: We have your information from what you've submitted, and we hear your opposition. Mr. Myers, I was wondering if you could speak to the legalities of a spot zone that she stated that they were illegal?

MATT MYERS: Yes, Yeah, Chair Hollinger. So, a spot zone is not is not just automatically illegal, okay? You can justify a spot zone. What happens is if you determine it is a spot zone you are able to allow that and legal cases support this in New Mexico. So long as the zone, the spot zone, furthers a preponderance of the comp plans, goals, and policies. Okay? And I think that's even set out in the test, I think, is it H? You know of the Zone change tests where you have, I think it's a 2-part test, and one of

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them is that it if it furthers the preponderance, or maybe even more, of the goals and policies in the comp plan. And then you have to meet one of the three additional requirements. So, it's not just by itself illegal. However, if you have a spot zone, you have to then meet the test set out in the IDO, which I believe is compatible with New Mexico law on spot zones.

CHAIR HOLLINGER: I appreciate the clarification. Additionally, there was a comment made about the area being an area of consistency. And, as I understood, I believe this is an area of change. So, for the record, I just want to put those on Commissioners any other questions for the public speaker, Miss Lopez

VICE CHAIR EYSTER: Eyster.

CHAIR HOLLINGER: Vice Chair Eyster.

VICE CHAIR EYSTER: Thank you Chair. Thank you, Miss Naranjo Lopez. The site is currently zoned MX-M. Are there types of development that the community, I'll preface this. We're not in a position to give you any promises about any development, but just for our understanding and our consideration. Are there types of development that the community considers attractive on that site? And what are those?

LORETTA NARANJO LOPEZ: It was recommended to at the meetings that we met with the applicant, we recommended that there be like a a swimming pool for Albuquerque high tennis courts. We also are recommending an open space. Because if you read the health impact study, it's called impacts of high-density developments and traffic and health. And then also, if you look at the heat wave report by the city. The city itself is saying, these uses are detrimental to our neighborhood. The MX-M is already detrimental, for the city to consider that MX-H is transitional is outrageous, outrageous. And for I'm just saying that we need a lot of trees in this area, because they're saying we're in an area that is part of that heat wave. And so, we think that. And we talk to CEC, and they thought that would be a really good recommendation, because we're having issues with idling cars during the high peak areas. And these are just gonna bring us even more problems, noise, pollution. And they're already saying that our health and impact is already damaging from the I-25, I-40, the frontage road and the city doesn't listen to us, and we're saying No to this development based on State law. It's a of this has not been defended by spot, zone, or transition.

VICE CHAIR EYSTER: Thank you. I missed when you said you've talked to CCC, it sounded like that. I don't think that's what it was. It was something like that.

LORETTA NARANJO LOPEZ: I talked to the principal at CEC.

VICE CHAIR EYSTER: Oh, at the continuing education, okay.

LORETTA NARANJO LOPEZ: Yes, the continuing education center. way back, when we met with Councilor Benton on the traffic issues right regarding this area, the report says that we have the highest

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fatality in this area. Highest fatality. Why, anybody would consider these types of uses in this in this area, I do not understand. When the report is already telling you that there is problems, and the city does nothing about it.

VICE CHAIR EYSTER: Pardon, pardon my pardon, my interruption. I just need to get some answers. The other one I had is, has there been any dialogue with the city, or parks, or the counselor about buying the land and turning it into a park or a swimming pool?

LORETTA NARANJO LOPEZ: Well, we can have dialogue, but there's been dialogue already that we're in a heat wave. The record shows for itself. There's been already a case AC-20-9 that is denied nonresidential uses. So, I mean, we're the record defends our understanding of the State law that this is not a spot zone and this is not transition. I worked in the city planning for 15 years. I did. (INAUDIBLE)

VICE CHAIR EYSTER: I don't. I don't mean to be rude. I wanted to get. I wanted to get answers to those questions, but the but your time for testimony was already given, so thanks for answering my questions.

LORETTA NARANJO LOPEZ: We did ask for deferral to really deal with this issue, because there's a lot to it, and the applicant is already allowed 20 beds I do not understand why we're here looking at something that is incompatible and very detrimental to our. (INAUDIBLE)

CHAIR HOLLINGER: Miss Lopez, Miss Lopez. Thank you for your testimony we hear you. Vice Chair Eyster I believe that satisfies your question.

VICE CHAIR EYSTER: It did Chair, thank you.

CHAIR HOLLINGER: Vice Chair, if its possible if you could maybe move your microphone out a little bit, you're about four times louder than everybody.

VICE CHAIR EYSTER: Yeah, I'll try to. Well, I can turn it down, too. I'll work on that.

CHAIR HOLLINGER: Thank you. Mr. Salas, who's next?

ERNESTO ALFREDO SALAS: Yes, Chair and commissioners. The next speaker is going to be Wes.

CHAIR HOLLINGER: Wes are you with us.

WES: I am here. Can you hear me?

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CHAIR HOLLINGER: We can hear you, if you'd like, turn your video on and please state your name and address for the record.

WES: I'm Wes Nester with Tricor reference laboratories. And.

CHAIR HOLLINGER: Your address for the record.

WES: Oh, 1001 Woodward Place Northeast Albuquerque. 87102.

CHAIR HOLLINGER: Thank you. Will you raise your right hand? You swear to tell the truth, under penalty of perjury?

WES: I do

CHAIR HOLLINGER: Thank you. You have 2 minutes sir.

WES: Thank you, as the director of supply Chain and the facilities here at Tricor. I don't think I ever saw a notification that there were public meetings and the only reason I'm here today is I saw the yellow sign across the street and my executives would like to know what the purpose or the plan for this a lot across the street from us is. I would disagree that we really need a traffic study, because I see accidents: 2 or 3 times a month on that frontage road and mountain, and it's very congested. I know we're we got ours, I guess kind of mentality, but this seems like putting a 40-bed facility across the street might not be a good use of the roads here. So that's all I have to say, I'd like to know when that public notification went up, because I don't have a copy of it. And then, if we would like some time to review what this mixed-use high-density zoning change would really impact us. That's all.

CHAIR HOLLINGER: Thank you Sir. Miss Jones, I saw you pop up.

MEGAN JONES: Thank you. Chair Hollinger. I just want to add that Staff is checking the record for notification for this property now.

CHAIR HOLLINGER: Thank you. I was gonna ask for that. So, while you're working on that in the background, excuse me. Mister Salas can we have the next speaker, please?

ERNESTO ALFREDO SALAS: Yes, chair and commissioners. The next speaker is going to be Ian Colburn.

CHAIR HOLLINGER: Ian Colburn.

IAN COLBURN): Good morning. Y'all hear me all right?

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CHAIR HOLLINGER: We can hear you if you'd like, turn your video on and state your name and address for the record.

IAN COLBURN: Good morning. My name is Ian Colburn, my address is 1002 Arno Street northeast. 87102. Before you start my 2 minutes, or I promise to tell the truth, I just need to take a drink. I'm at work. Sorry these meetings are challenging to get to. I'm sure you haven't heard that before, but you know working people 8 to 5. (INAUDIBLE)

CHAIR HOLLINGER: Put your right hand up. Do you swear to tell the truth under penalty of perjury?

IAN COLBURN: Yes sir.

CHAIR HOLLINGER: Very well. Are you prepared?

IAN COLBURN: Yes, thank you.

CHAIR HOLLINGER: Okay, well you have two minutes. Take your time.

IAN COLBURN: Thank you. So, my wife and I have lived in Martinez Town for nearly 7 years now. I've been part of the Neighborhood Association. I don't know. I had some more to say, but honestly, Loretta gave that stunning presentation very persuasive argument about why this zone change is inappropriate. And then Wes, working right there for many years. I mean eyewitness accounts of all the accidents and relating to the high traffic and the and the intensity of the traffic. My wife and I walk in the neighborhood a lot. And just at the end of last year we were struck by a vehicle. While walking we were both injured. My wife received a mild TBI and is struggling with the symptoms resulting from that crash being hit by a car. In the studies, in the evidence that Loretta sent you there was a link to a traffic study done by city of Albuquerque in 2017. There were recommendations in that study, I'd like you to all take a look at that, and then talk to some in the city, or drive around our neighborhood, and see how few to none of those recommendations have been done. And that was 7 years ago and traffic has only increased, and density is only increased. I am not against development. The Neighborhood Association is not against development. We are for appropriate development, and we do not want through traffic on the neighborhood. And that is what this site will create Mountain (INAUDIBLE) and Edith right down the street. (INAUDIBLE) in 7 years, that were recommended then, then so how can we be said that we want more development and a zone change that will allow even more commerce and people to come through the neighborhood. So, I please reconsider and do not approve this zone change and I'm happy to answer any questions. Thank you guys for your (INAUDIBLE)

CHAIR HOLLINGER: Thank you for your statements and we're sympathetic to your accident. Commissioners, are there any questions for Mr. Colburn? No? Thank you. Mr. Salas, who's next?

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IAN COLBURN: I've got one more question if you guys want to consider this, where would people get to this site from? Just think about that, if I could leave you with that question. Where will people get to that site from? Is it the Lomas off ramp, the frontage road where all these accidents happen? And if not that, it's on mountain, through our neighborhood. How many people are gonna come on Woodward?

CHAIR HOLLINGER: Very well Sir. (INAUDIBLE)

IAN COLBURN: Have a great day.

CHAIR HOLLINGER: You as well.

ERNESTO ALFREDO SALAS: Yes, Chair and commissioners. The next speaker is going to be Patricia Wilson.

CHAIR HOLLINGER: Ms. Wilson. We can hear you and see you. Can you hear us?

PATRICIA WILSON: Yeah. Sorry it was the moment when the "signature required" guy came to the door.

CHAIR HOLLINGER: Welcome back! I believe we've sworn you in from the last. Is that correct?

PATRICIA WILSON: Yes, sir.

CHAIR HOLLINGER Very well. you have 2 min. Please proceed.

PATRICIA WILSON: Okay. Chair Hollinger and Commissioners, I don't buy the argument that this requested zone change would create a transition. A transition would be, for example, an MX-M Zone in between MX-L and MX-H. This site already is a transition in between the MX-H to the South and East and the MX-L and residential zones to the West. Changing this site from MX-M to MXH, does not create a transition. It is spot zoning that simply pushes the MX-H zone to the West side of the freeway, providing the first domino for more for more inappropriate development adjacent to historic neighborhoods. I do not believe the applicant has provided sound justification for spot zoning. According to the review and decision criteria in section 6-7 G3 of the IDO. Please reread the long-range planning agency comments on page 33 of the staff report, especially the last paragraph quote "The Martinez Town Santa Barbara community has often expressed opposition to mixed use, higher density, multistory development." The EPC should carefully consider whether an up zone is appropriate on this site, West of I-25. I urge denial of this zoning map amendment. Thank you very much for your time.

CHAIR HOLLINGER: Thank you for your input, Miss Wilson. I'm glad you made it back in one piece from the signature. Commissioners, any questions for Miss Wilson? No? Mr. Salas, has anyone else signed up to speak?



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ERNESTO ALFREDO SALAS: Yes Chair and Commissioners, the next speaker is gonna be Jane Beckley. If anybody else wishes to speak after Ms. Beckley, please raise your hand now, thank you.

CHAIR HOLLINGER: Welcome back Miss Beckley. You already sworn in. Please proceed.

JANE BAECHLE: Thank you, and to be clear, I'm speaking strictly as an individual at this point. I have three basic concerns. First, is that the creation of a spot zone in in my mind is an inherently problematic change. And really should only be done when it clearly and compellingly benefits everyone involved. And I don't see that that's what we're hearing here. Secondly, the to me the term transition suggests that there is an inherent connection between two things, and if they should therefore be linked in some way, and the idea that a neighborhood, particularly one in a character protection, overlay zone and high intensity development, including whatever UNM might ultimately decide to build on their undeveloped lot on the other side of an interstate highway and adjacent service roads should be connected, and that that justifies a spot zone is extremely concerning, and I think, fundamentally wrong. And I also think that up zoning this particular parcel is gonna profoundly, negatively impact. The current residents of the area characterized in some things is primarily low-income households. And I think this has really been clearly articulated by the Neighborhood Association, and I also believe it should be denied. Thank you so much.

CHAIR HOLLINGER: Thank you for your input. Commissioners any questions? Mr. Salas.

ERNESTO ALFREDO SALAS: Yes, Chair. The next Speaker is going to be Rene Horvath.

CHAIR HOLLINGER: Welcome back, Miss Horvath.

Rene' Horvath: Hello. Hello!

CHAIR HOLLINGER: We can hear you. We can't see you. If you'd like to turn your video on.

Rene' Horvath: Okay, here we go. Yeah, I thought I'd speak to this because I am familiar with the area, and I think it's very unique. It has a really nice historic area in the Martinez Town which I feel like this zone. You know I am kind of concerned with all the MX-M Zoning that's already allowed. That's pretty intense already. So, I do agree with Loretta. It's pretty intense, adjacent to single family homes that are already in a historic area. I think MX-M can handle the any of the uses that I guess this applicant wants to do. But why does it, they need to change to MX-H? And isn't there a strong, you know they have to meet strong criteria to get this zone changed and you have MX-H On the East side of I-25. There are no residents over there that it would impact. And in listening to everybody it sounds like the traffic is an issue that needs to be considered and I am a little worried about saying, well, this is an area of change. So therefore, we get to change the zoning so easily. I mean, I always heard that this is where we want development to occur. But I hate to see areas of change being used to justify easy zone changes. And I do agree. This MX-H is much more intense than MX-M. And I don't see it as a transition either, so, I'm not sure that. Now, Loretta said that she's willing to work with the applicant to address some issues. I don't

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see that it's correct and it would set a precedent to change the zoning to a higher level. So, I will not do that. I think you need to maintain what you got and that's my recommendation. So, thank you

CHAIR HOLLINGER: Thank you Miss Horvath, Commissioners any questions? Mr. Salas, who's next?

ERNESTO ALFREDO SALAS: Yes, chair and commissioners. The next speaker is going to be. iPhone Angela.

iPhone Angela: Good afternoon. Thank you for letting me speak. My name is Angela Vigil and I have a home at 1405, Edith Boulevard Northeast across from Santa Barbara School. I am not.

CHAIR HOLLINGER: Will you raise your right hand?

iPhone Angela: Excuse me?

CHAIR HOLLINGER: Will you raise your right hand?

iPhone Angela: Oh sure.

CHAIR HOLLINGER: Do you swear to tell the truth under penalty of perjury?

iPhone Angela: Yes sir, I do. Thank you.

CHAIR HOLLINGER: Thank you very much. You have 2 min, please proceed.

iPhone Angela: Hi! I'm speaking as a resident, but also as a teacher. I taught at Albuquerque High for 34 years, I witnessed the traffic there every day. I witnessed one of my students getting hit on the skateboard crossing there by the frontage road. He was in ICU; I went and saw him at the hospital with severe head injury he never recovered. I've also witnessed our kids the way they dart in and out. And I, you know they're teenagers. What can you say? You tell them no. But so, I'm concerned about when the children, high school students, excuse me. Getting hit there again, which has happened more than once. I couldn't even tell you how many times I've seen or heard, because they would put us on lockdown when a kid got hit or something like that happened. If there been an accident, and there are multiple accidents there all the time. I would go in and out of school. 7:30 exit at 2:30, although I realized the times changed. But getting in and out is almost impossible. The school buses. It's a nightmare. I don't see how, why we need to have more traffic in this already traffic filled area. Our school. Our students should be more important to you all than building a hospital there. A hospital can be placed anywhere in the city. But not with in a traffic. It's already overburdened with traffic. and I don't want to see any more kids hurt or possibly killed. The accidents, rear enders, oncoming traffic, going to turn on to Albuquerque high cause when we go. If they're coming East, they turn left onto Albuquerque High. If they're coming out of Albuquerque High, they turn either left or right. It's just a nightmare already. I would hope somebody would go and see the 7:30,

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or whatever time school starts now, because I'm retired the 8 'o' clock to 3 'o'clock on, on and off at Albuquerque High to see how bad I'm not even considering CEC, the CEC Has that that traffic. Yes?

CHAIR HOLLINGER: We hear your traffic concerns. That you're over your time limit now, did you want to make additional comments?

iPhone Angela: No, just I didn't get to talk about CEC, but that's I. If somebody would just go see it, then I don't have to do any talking. It would speak for itself just by somebody doing a traffic study. Thank you very much for your time, sir.

CHAIR HOLLINGER: Thank you for being here. Commissioners, any questions? Mr. Salas, who's our next speaker?

ERNESTO ALFREDO SALAS: Yes, chair and commissioners. The next speaker is gonna be iPhone after this speaker. If anybody wishes to speak, please raise your hand now, thank you.

CHAIR HOLLINGER: Hello, iPhone. Can you hear us?

iPhone: Yes, my name is Gilbert Speakman. I was born and raised in Martinez Town, and for the longest period of time. please.

CHAIR HOLLINGER: Sir, before we get going, name and address for the record please?

iPhone: Gilbert Speakman. 3800 Morningside Drive but I am a member of the Santa Barbara Martinez Town Stone Neighborhood Association.

CHAIR HOLLINGER: Okay. Will you raise your right hand? Do you swear to tell the truth, under penalty of perjury?

iPhone: I do.

CHAIR HOLLINGER: And are you speaking on behalf of yourself or the neighborhood organization?

iPhone: The neighborhood organization.

CHAIR HOLLINGER: Did you have a meeting where a vote was cast allowing you to speak on their behalf?

iPhone: Yes.

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CHAIR HOLLINGER: You did? Okay.

iPhone: With Miss Loretta Naranjo Lopez.

CHAIR HOLLINGER: Okay, so that would entitle you to five minutes if you'd like.

iPhone: Okay.

CHAIR HOLLINGER: Please proceed.

iPhone: Okay, yes, my lifetime. I have seen that the city is always wanting to dump the problems that exist through theirs on our neighborhood like wanting to put a tent encampment. Then that was denied then now they want to put the trash next to our cemeteries over there and then now changing the commercial the zones. I think it's another effort to gentrify our neighborhood since half our neighborhood has already been gentrified south of Lomas. You know this is, it's not right for just the city to neglect our neighborhood. and then all of a sudden, they want to change the zoning codes to bring more commercial businesses in there. I attended the traffic study in 2017, where then, city counselor Benton, approved a roundabout on the intersection of Edith and Mountain Road because of the commercial trucks going down up and down mountain road, and we have a small little park there where kids' cross mountain road all the time and they get they have to watch out, or they have to be supervised that the speeders or the commercial trucks don't go run over these kids and yield my time. And that's what I wanted to say.

CHAIR HOLLINGER: Thank you for your input this afternoon, sir. We appreciate you.

iPhone: Thank you.

CHAIR HOLLINGER: Mr. Salas has anyone else signed up to speak?

ERNESTO ALFREDO SALAS: No chair. Nobody else has signed up to speak.

CHAIR HOLLINGER: Very well. If that's the end of public comment, we'll close the floor and we'll move to the applicant closing.

DEREK BOHANNAN: Yeah, thank you. Chair Hollinger congratulations on being chair, by the way.

CHAIR HOLLINGER: Thank you, sir, much appreciated.

DEREK BOHANNAN: Not an enviable position. So in regards to the TIS, we did offer to perform a traffic impact study for the city, but they didn't require it. We are still open to performing a traffic impact study, but, as Staff has stated, you know, that's more appropriate to the Site Plan portion. As you know, the use is open. So, with a broad use of MX-H you would want to wait until the Site Plan, when the uses defined

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to do this Rehab Hospital. We're more than happy to do a traffic impact study for this and think one you know, could be required. In regards to looking through the crash data which our firm has and has been looking at majority of those crashes or rear ends coming down the frontage road, where drivers are driving an excess speed and not yielding to kind of traffic signals and those kind of traffic devices. I know that NMDOT has been in discussion with the City of Albuquerque for recommending changed signal timings and other items to mitigate some of that, some of those issues. However, that is not something that is pertinent to what we can enforce as a private developer. And then, secondly, the neighborhoods, you know. desirable uses for the property require us to donate the property in kind. and you know, with just pretty much they're asking us to give the property away so they can put a pool or a a community school which we don't think is a very reasonable ask on their behalf to try to find a amenable solution to the problem. So those are just the 2 items that I wanted to touch on, and I'll let Sergio finish with the rest of closing. Thank you for your time. And thank you for a thorough staff report.

CHAIR HOLLINGER: Thank you, Mr. Bohannon. I believe that's you, Mr. Lozoya.

SERGIO LOZOYA: Thank you Chairman Hollinger. Thank you Derek for those statements. Thank you, Commissioners, Staff and members of the public. As described in the Justification letter and Staff report. The request meets all criteria outlined in IDO 1416 67 G3 A-H. The request clearly facilitates the comprehensive plan is located in an area of change, and within the boundaries of 3 major transit corridors, where development is appropriate and desired. The request has demonstrated that any potential harm from (INAUDIBLE) permissive uses are adequately mitigated by the use specific standards in the IDO. Further, the request is not based completely on the cost of land or other economic considerations. Rather, it clearly facilitates the comprehensive plan as described in the Staff report and Justification letter the request clearly facilitates goals and policies regarding land use centers and corridors, desired growth development areas, major transit corridors. land uses complete communities, efficient development patterns, infill development city development areas, areas of change and diverse places. As far as the neighborhood concerns regarding traffic I believe, Derek addressed those and those we will continue discussion as we move on to the EPC Site Plan process, should the request be approved. We will commit to a meeting and working with the Neighborhood Association at that time, and we acknowledge their concerns, and will continue to be transparent for our plans for the subject site. Again, on behalf of cross development, Tierra West respectfully requests approval for a zoning map amendment from MX-M to MX-H for the subject site located at 1100 Woodward.

CHAIR HOLLINGER: Thank you for your closing, Mr. Lozoya. We've heard a lot of discussion. Commissioners, any questions for the applicant?

COMMISSIONER STETSON: Stetson.

CHAIR HOLLINGER: Commissioner Stetson.

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COMMISSIONER STETSON Yes. Mr. Lozoya, I'm wondering as we listen to all of this at these, these projects are important and needed. Here in the city, and I appreciate the traffic concerns. So, what comes to my mind is. do you think if we were to defer this to give an opportunity for the City and the Neighborhood, and your Client to perhaps work out the differences is that's something that we might be possible in your mind? Or are we really at a standoff.

CHAIR HOLLINGER: Commissioner I think you're referring to a continuance instead of a deferral.

COMMISSIONER STETSON Yeah. Okay.

SERGIO LOZOYA: Thank you. Commissioner or Chairman Hollinger and Commissioner Stetson. So, we did have multiple meetings with the Neighborhood Association, one of which was facilitated. We understand, and we hear their concerns. We believe that the traffic concerns and other potential traffic mitigation solutions would be more appropriately addressed during the Site Plan EPC process which would follow, should this request be approved. We are in agreement with the Staff report with the recommendation of approval and so, we would like to. conclude the meeting today.

COMMISSIONER STETSON Thank you.

CHAIR HOLLINGER: Thank you, Commissioner Stetson. Other commissioners any questions for applicant closing? Very well, hearing none, I believe we'll move to staff closing.

SETH TINKLE Thank you, Mr. Chair, before beginning my closing remarks I wanted to speak to the notification issue with Tricor that was brought up earlier in the meeting. On pages 155 and 156, you can see confirmation that Tricore reference laboratories received mailed notice of this request. Furthermore, in regards to a neighborhood meeting, only neighborhood associations get an offer of the meeting according to the IDO. So, it is the Neighborhood Association's responsibility to share that with all of its members as they might. So going for. Yes, thank you. Mrs. Jones, for sharing that on the screen. To move on to my closing. I would like to just close by summarizing relevant facts regarding this case. The purpose of the MX-H Zone district is to provide large scale destination, retail and higher intensity. Commercial, residential, light, industrial institutional uses as well as high density residential uses, particularly along transit corridors and in urban centers. The MX-H Zone district is intended to allow higher density infill development in these appropriate locations. The subject site is located wholly in an area that the 2017 Albuquerque Bernalillo County Comprehensive plan has designated an area of change. Areas of change allow for a mix of uses and development of higher density and intensity in areas where growth is desired and can be supported by multimodal transportation. The intent is to make areas of change, the focus of new urban skill development that benefits job creation and expanding expanded housing options. The subject site is located along or within 660 feet of 3 major transit corridors, the I-25 frontage, Mountain Road, and Lomas boulevard, major transit corridors. Corridor policies, encourage higher density and higher intensity. Development in appropriate places to create vibrant walkable districts that offer a range of services and opportunities. The subject site is directly served by bus Route 5 and the nearest bus stop

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directly abuts the subject site's northern boundary. The subject site is in close proximity to public transit facilities, and is served by transit and served by bikeways it directly abuts. Interstate 25 is surrounded by a mix of mid to high intensity land uses and is located in area that is served by infrastructure and multimodal transportation options. Staff finds that the applicant is adequately justified, the spot zone request based upon the proposed zoning being more advantageous to the community than the current zoning, because it would clearly facilitate a preponderance of applicable goals and policies. Specifically, goals and policies centered around land use and development, development areas, in field development, efficient development and economic development. Thank you. Mr. Chair, and Commissioners and members of the public for your time, and with that staff yields.

CHAIR HOLLINGER: Thank you, Mr. Tinkle. I had a question for you in regards to criterion H spot zone. MR. Lozoya stated that he didn't believe that this was a spot zone relative to his justifications. What is Staff's position on that?

SETH TINKLE: Thank you. Chair Hollinger according to the IDO, the request would result in a spot zone wherein the zoning Map Amendment would, and I quote, "apply a zone district different from surrounding zone districts to one small area or premises." The term surrounding is not defined in the IDO, but, according to the Merriam-webster Dictionary surround is defined as to enclose on all sides. For the purpose of our analysis. We interpret surrounding to include only the parcels that directly border and thus enclose the subject site. This has been staff standard practice in determining if a request would result in a spot zone.

CHAIR HOLLINGER: Thank you for that very thorough answer, much appreciated Mr. Tinkle. Commissioners any questions for staff closing?

VICE CHAIR EYSTER: Eyster.

CHAIR HOLLINGER: Vice Chair

VICE CHAIR EYSTER: Thank you Chair, is my mic okay now?

CHAIR HOLLINGER: Yes, thank you

VICE CHAIR EYSTER: Thank you. I'm I appreciate you telling me that it was messed up. Criteria H in the findings. Finding 11, criteria H, Still says that this function is will function as a transition and I don't see the part about being well. It's also got the facilitate the implementation of the comp plan. so, it's not clear to me if it's if it's one or the other, or both. Mr. Tinkle?

SETH TINKLE: Vice Chair Eyster, and Chair Hollinger it is both. This is a 2-part test here.

VICE CHAIR EYSTER: So, it meets 2 of the 3.?

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SETH TINKLE It meets, it meets the test, the adjacency test established, I believe, in the number one criteria, and then it also meets the furthering, or in this case, because it's a spot zone, clearly facilitating implementation of the ABC to Z Comp plan.

VICE CHAIR EYSTER: You said adjacency, but do you mean the transmission test? And the clearly facilitates the comprehensive plan? Those two?

SETH TINKLE: Vice Chair Eyster, that is correct.

VICE CHAIR EYSTER: Okay.

MATT MYERS: Vice chair Eyster, Matt Myers. Maybe I just jump in real quick and

VICE CHAIR EYSTER: Good, because I was gonna ask you.

MATT MYERS: So, before you even get to whether or not it can satisfy one of the second three. You have to show that it clearly facilitates implementation of the Comp plan. So first you first you determine whether it clearly facilitates implementation of the comp plan. If you pass that test, then you have to find that it meets one of the following three, okay? So that's how you have to get there.

VICE CHAIR EYSTER: Okay, thank you. And the one of the three that that staff and applicant are siding is the transition.

MATT MYERS That's correct.

VICE CHAIR EYSTER: So, Mr. Myers. we're still on staff close. I'll hold this question till we get to discussion. Thanks Chair.

CHAIR HOLLINGER: Thank you Vice Chair. Other commissioners, questions for staff closing?

VICE CHAIR EYSTER: Chair, maybe I should take this up now. On the Page 29 of the staff report criteria C. Mr. Myers, what that finding says is the applicant argues that the existing zoning is inappropriate, and then it says, the applicant states. that is, changes appropriate. Is that appropriate wording for a finding? Or is this our finding? You know we're saying we embrace that the criterion does not apply, or we embrace the existing zoning is inappropriate.

MATT MYERS Vice Chair Eyster, could I see this specific language that you're talking about? Maybe Miss Jones could pull that up, just so.



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VICE CHAIR EYSTER: Page 29 of the staff report. There you go down there on C. The staff report, it's a finding, and I guess it is a finding that the applicant argues that the existing zoning is inappropriate. Seems to me, would we not say the commission finds that the existing zoning is inappropriate? Or are we just talking about stating everyones arguments?

MATT MYERS Well, I think that. And this is one of the findings, this is one of the findings here.

VICE CHAIR EYSTER: Yes, it is, isn't it, Mr. Tinkle?

SETH TINKLE Vice Chair Eyster, that is correct. It is a finding, and it is drawn from the review and decision criteria analysis.

VICE CHAIR EYSTER: Yeah.

MATT MYERS And so then. But I see your point, Commissioner Eyster, and I think, in a finding right that if it, if it, if further down, if it does not say that the applicant argues, and the Commission finds, right? or something along the lines of the Commission, you know, accepts that argument, or the Commission supports that argument. It finds that it's supported by the facts in the record.

VICE CHAIR EYSTER: Thank you, Mr. Myers.

CHAIR HOLLINGER: Thank you.

VICE CHAIR EYSTER: Thank you, Mr. Tinkle.

SETH TINKLE: Thank you Vice Chair Eyster.

CHAIR HOLLINGER: So, with that, we'll move to deliberation. We'll close the staff finding. It's up to thoughts from commissioners (INAUDIBLE)

VICE CHAIR EYSTER: I'll just put out one little idea here, but not really talk about how we might decide. I hear from the community comments broad frustration. Broad dissatisfaction with their interaction with the city government. However, I'm not sure that that bears on whether or not this piece of property should or should not have its zone map amended. I'm disappointed to hear that kind of experience they've had. I just don't know how it figures, or if it figures in our work today.

CHAIR HOLLINGER: Well, stated Vice Chair, as Chair I have to lean on the IDO and the test that are shown before us. And it does meet the qualifications, according to the staff report. I also hear the community voicing strong opposition. And I'm I'll take that strongly so I'd like to gather the thoughts and feelings from the rest of us.

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VICE CHAIR EYSTER: Yeah.

CHAIR HOLLINGER: How about you, Mr. Halstead? Commissioner Halstead?

COMMISSIONER HALSTEAD: Yeah, thank you Chair. This one. This one's tough, because I'm in agreement with you. It's, I think by the letter of the IDO the application has met the requirements. But clearly this neighborhood has been having issues in general. And I'm not sure how to address that again. The traffic study seems to be a must and I suppose I'd like to understand exactly what limitations the traffic study could impose on the as the development goes forward and goes into a site plan that's going to come back to us. What sort of controls could we could we have if that comes back? And it's, you know, has XYZ as negatives. Cause it sounds like the problem, isn't that this would, you know at peak hours it has you know, this many cars. It's the existing infrastructure is inadequate for what they already have. So, I guess that would be my question if I don't know Megan Jones or anyone else could clarify like, what sort of controls would we be able to enforce with that at the Site plan phase?

CHAIR HOLLINGER: Ms. Jones, would you like to address that?

MEGAN JONES: I can take a step at that Chair Hollinger. Thank you, Commissioner Halstead. So, I just like to throw out the reminder that a traffic impact study was determined that it is not needed at this stage of review for zone change. I do not believe that the Commission at this time has purview over adding any type of, you know, finding or condition that a traffic impact study is required for the zone change. But you're correct when the future Site plan when and if the future Site plan were to come through the Commission, you can make that a condition of approval. But that's happened that that happens at that time. But right now, the only thing that we can really do, if it's the pleasure of the Commission is add a finding that States "These comments were heard at this at this public hearing. The community wishes to have a traffic impact study, you know, done for this site for any future development." But that's not subject to this zone change.

COMMISSIONER HALSTEAD: Understood.

CHAIR HOLLINGER: Miss Jones. You use the word when and if the Site plan comes back to us, can you elaborate on why, it may not?

MEGAN JONES: Sure. So, this site is a part of I'm sorry I don't remember the date off of the top of my head but few decades old site plan that's controlled by the EPC. The applicant would have the option to either remove this tract from that site plan and move forward to a Site plan administrative approval that meets IDO requirements or come through the EPC. For Site Plan EPC review on that tract. I believe, without looking at all of the requirements right now. I don't think that there are any other triggers that would require it to come to EPC, but I'm not 99% sure certain on that.

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CHAIR HOLLINGER: Thank you for that

MEGAN JONES: Sure.

CHAIR HOLLINGER: Other Commissioners?

VICE CHAIR EYSTER: Eyster.

CHAIR HOLLINGER: yes, sir.

VICE CHAIR EYSTER: Thanks Chair. I appreciate Commissioner Halstead's question very much, because it brings to my mind that as we're looking at a Zone map amendment, we're looking at. This owner or a future owner could build anything that is permissive, or they could get conditional, perhaps that kind of thing. And so, one of those that becomes permissive, if we approve this zone change is a self-storage. And those are not the most beautiful thing in the world, or the most useful for the local community. But, boy, they don't have any traffic requirements. And I mean, what I mean is, they don't have any traffic, you know? 5 or 6 guys a day come and get in their cubicles. So, that's a good question. That would I mean, that could become very, very pertinent under certain requests that we may see in the future, and it might become something that that the community will say, wow! We love that low traffic from that self-storage facility.

MATT MYERS Chairman Hollinger. Matt Myers, could I comment on that from a legal perspective?

CHAIR HOLLINGER: Sure, go ahead, Matt Myers.

MATT MYERS: Thank you. I think that just what Commissioner Eyster just said, hits home. Why we shouldn't be talking any specific uses at this time, you know, because it's just totally unknown, right? We don't know what the traffic is going to be right? We don't know if it's going to be a use with high traffic or a use with low traffic, right? I mean, you know, the applicant can tell us. But they could get this zone change. They can go sell the property, and the new person could come in. So, it's better almost never to get into it, because it is a total, unknown right? It's totally unknown. So, it could be a ton of traffic, it could be less traffic. We just don't know. So, we've just got to look at the existing test. I just wanted to confirm what you were saying makes sense, Commissioner Eyster.

VICE CHAIR EYSTER: Thank you, Mr. Myers.

CHAIR HOLLINGER: How about you Commissioner MacEachen? Words of wisdom?

COMMISSIONER MACEACHEN: (INAUDIBLE)

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CHAIR HOLLINGER: Uh Oh, we lost you again.

COMMISSIONER MACEACHEN: I'm a big laptop fan. So, I don't have anything to add to anything that anyone's or anyone's already said. I hear the community. I am concerned for the community. I think that we have the mechanism by which to vote against this, because just because I think you know the spot zone thing should be considered, and that is, you know, there's a lot of arguments both ways, but it could be considered spot zone that, and that could give us the apparatus by which to turn it down, and therefore, you know, help the neighborhood with their concerns. But I'm not convinced either way yet.

CHAIR HOLLINGER: Thank you for that. Commissioner Stetson had mentioned a continuance which, I like the idea of relative to possibly more engagement with the community. Mr. Lozoya voiced that it was not his desire to do that. I'm curious, what benefit could come from a continuance if that would allow for more communication? Any further thoughts on that Commissioner Stetson?

COMMISSIONER STETSON: Well, I'm inclined to go in that in that direction to it would just seem to me that if we could work out the finding that that we just was just mentioned. That would reflect our concerns, you know about the about the traffic, and I think I could support an approval that way. I also would be I'd also like to the community, be a better heard in in terms of what might be coming in the future with planned traffic. Yeah. It street improvements there. But I think the arguments been made pretty well by the applicant for a justification. So, I guess where I said at this at this point, I see MacEachen smiling at me, as I go back and forth. But a continuance, would be more comfortable, but if push came to shove, I think I could I could support an approval if we had that added, finding that that reflects our concerns, and then and then we'll see what happens as it goes down the line particularly when we get to Site Plan.

CHAIR HOLLINGER: I appreciate your input. Commissioner Coppola, are you still with us? Mr. Coppola?

ERNESTO ALFREDO SALAS: Chair, Commissioner Coppola had to leave he said he will try to rejoin later.

CHAIR HOLLINGER: Not handy at the moment, but understood. So, during these challenging cases, we hear pushback from community we look at the staff report, and you have to go by the rules and relative to what the IDO says as Mr. Myers pointed out. You look at the test. Does it meet the.

CHAIR HOLLINGER: And in this case it looks like it does. However, there, there are big concerns from the community, and that's not something that we take lightly. So, these cases are never fun, because someone's always upset, but strictly looking at the rules. For a spot zone it does qualify, and the staff reports supports it. So, I know that we can all be on the fence at times, and we could either move for approval, denial, or continuance we have to understand what's the best for the community and what's best for the city of Albuquerque. So, we look to the Comp plan as our should and the IDO, or shall. So, all that being said, any further input from our commissioners?

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COMMISSIONER EYSTER: Eyster. Thank you. Chair. I think you put it well there, and the honestly, I am not seeing where the zone change the Zone Map amendment is going to be terribly costly to the surrounding area. It's somewhat isolated or insulated from the neighborhood to the west by several 100 feet, I think, but at the same time we're talking very much about the review and decision criteria. That's I think that's the job we're given by the IDO, and by the Council. And so, I I'm just. I would like to make sure we're good on H, which is the spot zone, because Mr. Myers, and Mr. Tinkle, or Ms. Jones can confirm this. The first test, as you said, Mr. Myers, clearly facilitate implementation of the ABC Comp Plan. I think that can be demonstrated. And then we need at least one of the following. And it sounds to me like we're going on number one. It can function as a transition between an adjacent zone districts. So, is that right? Mr. Tinkle? Ms. Jones?

MR TINKLE: Apologies for that, Vice Chair Eyster, Chair Hollinger. That is correct. That is the criteria that the applicant spoke to, and the criteria that staff analysis is based upon.

COMMISSIONER EYSTER: And that's the one in the staff report, and in our findings

MR TINKLE: That's correct.

COMMISSIONER EYSTER So, thank you, Mr. Tinkle. So, Mr. Myers, speaking of transition between is adjacent zone districts. Just in a recent hearing I was, I was having a hiccup because the application requested an up zone. And I was saying, well, how can that form a transition. And I think you said, well, the Zone district to the north is some mixed use, and this is some multi-family. And even if it goes from low to high, it still creates a transition. Now, in this case, the Zone district that we're trying to transition from, I think is on the other side of I-25, which is an MX-H. So, we're made. We're saying, Let's make this an MX-H. Does that actually transition from the MX-H, across the freeway?

MR MYERS: Vice chair, Eyster. So, that that's a that's a tricky question. You know what I want to do. I'm going to back up just one step further before I answer that question, because it almost begs to a discussion about whether or not it's a spot zone. In the first place, it almost begs the question, because it, you know, if and I know the staff report is recommended, or has their position is that it's a spot zone. But, as the applicant pointed out, OK. Adjacent, the test is, you know, whether it's different from adjacent parcels. Okay. the. And then adjacent. You discount any intervening roads or alleys or frontage. So, you would get rid of I-25 there. Okay, so maybe it. Maybe it isn't a spot zone number one. Maybe, I mean, that's just something to consider, something to consider. Okay. But then, if you say it is a spot zone. and then you, EPC determines that it clearly facilitates implementation of the IDO. Then you get to the transition. Then, I think the transition might be a little harder to demonstrate, because it's going from MX-H tom it's MX-H right? So, I don't, I don't quite understand the transition myself. There, you know. I think that finally answers your question.

MS JONES: Mr. Myers, If I can just jump in really quickly. Thank you. Chair Hollinger, I would like to bring up this criteria again in the IDO. I apologize. This is still highlighted. That that the test for a spot zone is

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actually, if Zone district is different from surrounding districts to one small area. And I know that we rely on Webster's dictionary definition of the word surrounding, but I don't want to get too into the weeds of that, if not necessary, and I just want to bring this language up that's in our IDO. So, that we're not trying to pick apart like the definition that we don't have of the word surrounding in the IDO, and I think that Mr. Tinkle, has some more points to make speaking to speaking to that. If he feels that's appropriate to bring up now.

CHAIR HOLLINGER: Sure. Go ahead, Mr. Tinkle.

MR TINKLE: Thank you, Mr. Chair. I just wanted to speak to Staff's analysis really quick, so that it could be here and on the record. Staff finds that the applicant has demonstrated that the subject site could function as a transition between the MX-H, zone districts to the East. The properties, zoned MX-M to the south and west, and the properties zoned MX-L. And a MX-T, to the north and further west of the subject site due to the varying levels of developmental intensity associated with the zone districts, and these parcels. Staff notes that the subject site is located within the CPO-7 overlay zone, and the standards associated with this overlay zone could foster this transition because the site standards, setback standards and building height standards associated with this overlay zone would apply to any future development on the subject site. The MX-H zones to the East would allow greater density and intensity on the subject site, because they are not subject to the CPO-7 standards. The MX-M Zone districts to the southwest and the MX-T, to the north allow lower density and lower intensity uses than the requested MX-H, zone district. Therefore, Staff finds that the request could reasonably serve as a transition between the more intense mixed-use zones to the east, and the less intense mixed-use zones to the West. I just wanted to state that for the record. Thank you.

CHAIR HOLLINGER: Thank you, Mr. Tinkle. So again, a lot of commentary here. Lot of mixed opinions. But, as I stated before, we have to play by our rule book during these tough decisions. So, that being said, is anyone's (inaudible) changed or become more definitive at this point.

COMMISSIONER EYSTER: Chair Eyster here. Could I pursue that question? I think I'm almost there with Mr. Myers. Ms. Jones, stimulated my question. or this insight on this decision Criteria H. And, I'm now looking at the issue of whether this actually is a spot zone. Because Mr. Myers, said that if there's a I some sort of a road or highway. then you would imagine that's not there. And then that would make this adjacent to the MX-H to the east. Then it's not spot zone.

MR MYERS: So. Oh, no, sorry. Sorry Chair. I didn't want to interrupt you there.

CHAIR HOLLINGER: Please proceed.

MR MYERS: So, vice chair, Eyster I, so I use the term adjacent, and I think Ms. Jones correctly pointed out that the word adjacent is not found in a section H, okay, it says, surrounding. Okay, it says,

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surrounding. Okay. So, then I mean, I think adjacent, maybe is still worth discussing that term, because that term is defined in the IDO. Commissioner Eyster.

COMMISSIONER EYSTER: You're right, I shouldn't of used that term, because that's down in one of the three tests, you're right, the IDO says zone district does not apply a zone district different from surrounding zone districts.

MR MYERS: Yes, yes, and so I and I had sent you off on the wrong path because I had used the word adjacent that wasn't in there. So, surrounding. So then, I guess surrounding is not defined in the IDO. So, then I think it be kind. Then I think earlier, someone discuss that the definition of in Merriam Webster's definition of surrounding. So then, the question is, I don't know whether or not the property to the East is considered surrounding, but I think you can find that one way or another that it is.

COMMISSIONER EYSTER: If we think it is surrounding, then we then it meets H. Because not spot zone.

CHAIR HOLLINGER: And thank you both for that that information.

COMMISSIONER EYSTER: Oh, chair! My! Oh, I'm sorry I just this last thing I don't see deferral. Excuse me, I don't see continuing accomplishing a lot. I think we can power through this and finish this.

CHAIR HOLLINGER: I would agree with that. At some point, decision does have to be made. And we're about at that point, so we'll either agree to accept or deny. We just need a motion to carry forward one direction or another, and as Chair, I can't do that.

COMMISSIONER EYSTER: Chair. I would move approval, but not before the Commission is finished with its discussion.

CHAIR HOLLINGER: Alright, any commissioners like to chime in last comments?

COMMISSIONER HALSTEAD: Halsted.

CHAIR HOLLINGER: Go ahead, sir.

COMMISSIONER HALSTEAD: I'd just like to ask me being new to this. Is there a way that we can add to the findings for the record some sort of commentary, I think it was briefly mentioned earlier, but I don't know where we landed on that. As to the amount of community of opposel, and wrapping that up somehow in the finding.

CHAIR HOLLINGER: Staff. Could we put that together?

MR TINKLE: Chair, Hollinger. Yes, we can.

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COMMISSIONER EYSTER: Eyster.

CHAIR HOLLINGER: Commissioner Eyster, go ahead.

COMMISSIONER EYSTER: Thank you. Chair. We've done that before when we note something. And so, a lot of times it is public testimony. You know, we've said things like the Commission notes significant opposition based on this, this and that. But we felt that it, we found that it still met the review and decision criteria for the Zone Map amendment.

CHAIR HOLLINGER: So, being said, would you need a moment to craft that language. Mr. Tinkle?

MR TINKLE: Chair Hollinger, I believe, finding Number 16 speaks to at least the traffic portion of the conversation that was had today. If you could give me revisions or suggestions based on what you're reading there, I would appreciate it and can work off of that.

CHAIR HOLLINGER: So, Commissioner Eyster Vice Chair, Eyster. That was your thought. Would you like to help craft that language?

COMMISSIONER EYSTER: No, I'm not claiming that. That's Commissioner Halstead's he's got to do that. No, I'm just. I'm just kidding. Which? Which finding, is it?

MR TINKLE: Vice Chair Eyster, that's finding Number 16 on the screen.

COMMISSIONER EYSTER: And Commissioner Halstead, you please chime in, too

COMMISSIONER MACEACHEN: Chair.

CHAIR HOLLINGER: Commissioner Eyster. Commissioner MacEachen.

COMMISSIONER MACEACHEN: So, I needed to really get off at noon, and I've been trying to hang on, because I thought we could figure out what the definition of is, and we're not making much progress. I've got to go, and I'm sorry, and I apologize, but I really needed to get off at noon, and we've gotten well beyond that. So sorry. But I'll see you next month

CHAIR HOLLINGER: Understood. Well, thank you for your time and being here.

MR MYERS: How many. This is Matt Myers, how many, how many commissioners do we have left here if he leaves?



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MR MYERS: Cause. I thought Giovanni was, Commissioner Coppola wasn't here. So then maybe we're only down to 4. How many sitting Commissioners are there? How many sitting Commissioners are there? Because I would just hate to lose a quorum, you know, I would just hate to lose a quorum here, but maybe it's already happened

MS KING: Chair Hollinger. This is Devin King.

CHAIR HOLLINGER: Go ahead.

MS KING: So, on the agenda. It looks like there are 7 names listed. I think we have 7. So, 4 of 7, I think we're still okay. But anybody else we're not going to have a quorum, so.

MR MYERS: Sorry for the interruption, I got nervous there.

CHAIR HOLLINGER: Thank you for keeping us on track, that's much appreciated and thank you for your input.

COMMISSIONER EYSTER: Chair. If Commissioner Halstead agrees, and I guess we need the agreement of the applicant. I just say, instead of conversation. I would just say, you know, during public input.

COMMISSIONER HALSTEAD: Yeah, I would agree with that Vice Chair, and potentially even add language about existing traffic studies for the area being already showing that remediations need to happen and those have not been done. So, I mean, that's not the developer's fault. That's the city's fault. But just knowing that.

COMMISSIONER EYSTER: Commissioner, they... yeah, yeah, that's great.

CHAIR HOLLINGER: I would feel more comfortable with that language in there.

COMMISSIONER HALSTEAD: I like it. I like it

CHAIR HOLLINGER: Alright. So, being said, we lost a few Commissioners before anymore drop out hopefully. None. Let's move for a motion, one direction or another.

COMMISSIONER EYSTER: I would move.

CHAIR HOLLINGER: Please do, Vice chair.

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COMMISSIONER EYSTER: Thank you. Chair in the matter of agenda. Item number 2 Project # PR-2024-009765, case number RZ-2024-00001, so, there's 4 zeros, and then a one. I move approval based on finding 1 – 15, plus new finding 16.

CHAIR HOLLINGER: Is there a second?

COMMISSIONER STETSON: Second.

CHAIR HOLLINGER: Thank you. Seconded by Commissioner Stetson. We'll move to a roll call vote. Commissioner Eyster.

COMMISSIONER EYSTER: I.

CHAIR HOLLINGER: Commissioner Stetson.

COMMISSIONER STETSON: Stetson, I.

CHAIR HOLLINGER: Commissioner Halstead.

COMMISSIONER HALSTEAD: Halstead, I.

CHAIR HOLLINGER: The Chairs, an I. So that will pass 4 - 0.

***Planning Department***  
***Alan Varela, Planning Director***

***Development Review Division***

600 2<sup>nd</sup> Street NW – 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

**NOTICE OF APPEAL**

March 4, 2024

**TO WHOM IT MAY CONCERN:**

The Planning Department received an appeal on March 1, 2024. You will receive a Notice of Hearing as to when the appeal will be heard by the **Land Use Hearing Officer**. If you have any questions regarding the appeal please contact Ernesto Alfredo Salas, Sr. Planning Administrative Assistant at (505) 924-3370.

***Please refer to the enclosed excerpt from the City Council Rules of Procedure for Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have regarding the Land Use Hearing Officer rules of procedure.***

Any questions you might have regarding Land Use Hearing Officer policy or procedures that are not answered in the enclosed rules can be answered by Michelle Montoya, Clerk to the Council, (505) 768-3100.

**CITY COUNCIL APPEAL NUMBER: AC-24-11**  
**PLANNING DEPARTMENT CASE FILE NUMBER:**  
**PR-2024-009765, RZ-2024-00001, VA-2024-00055**

**APPLICANT: Loretta Naranjo Lopez, President**  
**SBMTNA**  
**1420 Edith NE, #9**  
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