

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

February 19, 2021

Tekin & Associates LLC
2600 Dallas Pkwy, Suite 370
Frisco, TX 75034

PR-2021-004920/RZ-2021-00005
Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, agent for Tekin & Associates, LLC, requests a Zoning Map Amendment from NR-BP to R-MH for Lots 1-4 and 29-32, Block 27, Tract A, Unit B, North Albuquerque Acres, located at 9320 San Pedro Dr. NE, between Oakland Ave. NE and Eagle Rock Ave. NE, approximately 6.8 acres (C-18-Z) Staff Planner: Silvia Bolivar

On February 18, 2021, the Environmental Planning Commission (EPC) voted to approve Project #2021-004920, RZ-2021-00005, based on the following findings:

1. The request is for a zoning map amendment (zone change) for an approximately 6.8-acre site legally described as Lots 1-4 and 29-32, Block 27, Tract A, Unit B, North Albuquerque Acres, located at 9320 San Pedro Drive NE, between Oakland Avenue NE and Eagle Rock Avenue NE.
2. The subject site is zoned NR-BP (Non-residential Business Park). The zoning was received as a conversion from the subject site's former zoning of SU-2 created by the 2020 North I-25 Sector Development Plan. The NR-BP zoning was established at the effective date of the Integrated Development Ordinance based upon prior zoning and land use designations created by the 2020 North I-25 Sector Development Plan. The previous 1986 Sector Plan zoning included mostly intense industrial uses.
3. The applicant is requesting a zone change to R-MH (Residential – Multi-Family High Density Zone District) in order to facilitate future redevelopment of the subject site.
4. The application was submitted on January 7, 2021 and is being reviewed using the November 2020 version of the Integrated Development Ordinance (IDO).
5. The subject site is in an Area of Consistency as designated by the Comprehensive Plan.
6. The subject site is located approximately 565 feet north of Alameda Boulevard, classified as a Multi-Modal Corridor.

7. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
8. The request furthers the following Comprehensive Plan Policies regarding Community Identity.

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

The request for a Zoning Map Amendment to facilitate future redevelopment of the site with multi-family residential units is consistent with the development that has occurred further south at Reserve by Markana apartments and at North Point apartments on San Mateo. The request would enhance, protect, and preserve the distinct community.

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

The request for a Zoning Map Amendment would protect the identity and cohesiveness of neighborhoods by ensuring appropriate scale and location of development, mix of uses, and character of building design. The Applicant intends to submit a Site Plan – DRB for redevelopment of the property and the site plan would be subject to IDO requirements that protect the identity and cohesiveness of nearby neighborhoods. Neighborhood Edges (14-16-5-9), edge buffer landscaping (14-16-5-6-E), residential-multi-family dimensional standards (Table 2-3-11), and residential zone district dimensional standards (14-16-5-1) would have to be followed in order to continue to continue to protect and preserve the distinct community along with the identity and design of the area. However, staff is concerned of potential impacts to the neighborhood as the proposed units will be across from the Sandia Memory Gardens and the City of Albuquerque Eagle Rock Convenience Center. The volume of traffic on San Mateo Drive on a daily basis is 5,000 vehicles and the proposed units will add to the congestion during peak hours.

9. The request furthers the following Comprehensive Plan Policies regarding Centers & Corridors & Multi-Modal Corridors:

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

The request would generally contribute to growth along a designated Multi-Modal Corridor, Alameda Boulevard.

B. Policy 5.1.1 – Multi-Modal Corridors: Design safe Multi-Modal Corridors that balance the competing needs of multiple modes of travel and become more mixed-use and pedestrian-oriented over time.

- b) Prioritize improvements that increase pedestrian safety and convenience and make bicycle and transit options more viable.

The request would facilitate development of a residential multi-family use along a designated Multi-Modal Corridor, which would enable future residents to live in close proximity to transit service, when in service. For now, the request is only for a Zoning Map Amendment but at the time of the Site Plan – DRB submittal, the proposed development will have to be as pedestrian-oriented or friendly as it can be in order to provide additional pedestrian access and connections to the area that are currently lacking. Currently, there are only sidewalks along a small part of the site boundary. Adjacent properties have constructed sidewalks with recent development.

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

The request would facilitate a multi-family residential development use that would foster a community where residents can live, work, learn, shop, and play together. The future residents would live on the subject site, work nearby, and play as families and be part of a community within a community.

10. The request furthers the following Comprehensive Plan Policies regarding Land Use:

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

d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request would contribute to creating a healthy, sustainable and distinct community with a mix of uses because it would reinforce the same type of housing found further south of the subject site. There are restaurants and a mix of uses conveniently accessible on Alameda Boulevard at Tin Can Alley that are within walking distance of the subject site.

f) Encourage higher density housing as an appropriate use in the following situations:

ii. In areas with good street connectivity and convenient access to transit;

iii. In areas where mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses, and where adequate infrastructure is or will be available;

The request would facilitate higher density housing as the subject site is located in an area with a Multi-Modal Corridor, good street connectivity, and access to transit once ABQ Ride Route 98 resumes service. There already is a mixed density pattern established at the intersection of Alameda Boulevard and San Mateo Drive NE, compatible with the requested zone change and there is adequate infrastructure available for the proposed development.

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

The request would encourage infill development and add complementary uses that are compatible in form and scale to the immediately surrounding development as R-MH is already found further south of the subject property. The proposed development would be more compatible in form and scale than the uses currently found on the property that include automobile dismantling and a storage business.

11. The request furthers the following Comprehensive Plan Policies regarding Efficient Development Patterns & Infill Development:

- A. Goal 5.3 Efficient 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 request would facilitate development of a site that is already served by existing infrastructure and public facilities and maximizes the utility of both and uses land in an efficient manner.

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

The subject site is located near a Multi-Modal Corridor and in an area that is mostly developed and has existing infrastructure and public facilities. The request would facilitate future growth in the area.

- C. Policy 5.4.1 – Housing Near Jobs: Allow higher-density housing and discourage single-family housing near areas of concentrated employment.

The request would facilitate development of multi-family dwellings, which would increase the variety of housing types and improve housing options in an area that is near areas of concentrated employment. Most of the dwellings to the east of the subject site are single-family detached homes and the proposed development will expand housing options with varying price points as the dwellings will most likely be 1, 2 or 3 bedrooms.

- D. Policy 5.6.3 – Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The original tracts are in an Area of Consistency; therefore, the premise is subject to Area of Consistency policies. Surrounding properties to the east are zoned NR-LM (salvage yard) and R-1a, single-family homes; however, there are mixed-uses to the south of the subject site. Across the street are areas zoned NR-SU (COA Eagle Rock Convenience Center and Sandia Memory Gardens Cemetery) that are in Areas of Consistency. The requested R-MH zone would act as a transition between the zones, and reinforce the existing character and future character of the surrounding area. Any new development is subject to IDO's Neighborhood Edges standards (14-16-5-9) along the boundaries, which would protect the R-1A single-family homes east of the subject property.

- e) In areas with predominantly non-residential land uses, carefully consider zone changes from non-residential to mixed-use or residential zones for potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.

The request would further this policy as the zoning is going to be downzoned from the more intense use of light manufacturing. The possible scale, intensity, and setbacks would change under the requested zoning and the development standards would be consistent with the surrounding area.

f) Limit the location of higher density housing and mixed-use development to areas within ¼ mile of transit stations and within 660 feet of arterials and Corridors as an appropriate transition to single-family neighborhoods.

The subject site is located approximately 565 feet north of Alameda Boulevard, an Urban Principal Arterial/Multi-Modal Corridor and will allow for an appropriate transition to single-family neighborhoods.

12. The request furthers the following Comprehensive Plan Policies regarding Housing:

A. Goal 9.1 – Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

B. Policy 9.1.1 – Housing Options: Support the development, improvement and conservation of housing for a variety of income levels and types of residents.

a) Increase the supply of housing that is affordable for all income levels.

The request would facilitate development of multi-family dwellings, which would increase the supply and range of high-quality housing types and improve housing options in the area.

The proposed development would improve housing for a variety of income levels and types of residents by allowing for a series of units of different sizes that will ensure a variety of price points for future residents that have a variety of income levels.

C. Goal 9.3 – Density: Support increased housing density in appropriate places with adequate services.

The request furthers increased housing density in an area near Alameda Boulevard, a Multi-Modal Corridor.

D. Policy 9.3.2 – Other Areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

The request will increase housing density and housing options by being located near Alameda Boulevard and San Mateo Drive NE. The scale will be maintained as the proposed zoning will be identical to development located further south.

a) Encourage higher density residential and mixed-use development as appropriate uses near existing public facilities, educational facilities, job centers, social services, and shopping districts.

The request will encourage higher density and mixed-use development near existing public facilities, job centers (CNM Workforce Training Center), social services, and shopping districts. However, Albuquerque Public Schools has informed staff that the proposed development will impact EG Ross Elementary School, Desert Ridge Middle School, and La Cueva High School. EG Ross Elementary School is operating above capacity and development will be a strain on the school. Please see Agency Comments for the carrying capacity of each school.

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13. 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 other plans if applicable) and does not significantly conflict with them.

The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and Policies regarding character, identity and design, centers & corridors, complete communities, land uses, efficient development and housing. Therefore, the request is consistent with the City's health, safety, morals and general welfare.

- B. Criterion B: The subject site is located wholly in an Area of Consistency. The applicant has clearly demonstrated that the new zone will clearly reinforce and strengthen the established character of the surrounding Areas of Consistency.

The zone change to R-MH would be more advantageous to the community than the current NR-BP because the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan regarding Community Identity, Land Use, and Housing.

- C. Criterion C: The subject site is in an Area of Consistency, located at 9320 San Pedro Drive, between Oakland Avenue NE and Eagle Rock Avenue NE therefore this criterion does not apply.

- D. Criterion D: The applicant has compared the existing NR-BP zoning to the proposed R-MH zoning, noting which uses would become permissive in the new zone. The IDO's Use Specific Standards will help mitigate potential harm to the surrounding properties, neighborhood, or the community. The development standards serve to limit the overall density on the site.

- E. Criterion E: The request meets the requirement that the City's existing infrastructure and public improvements have adequately served the subject site for many years and have adequate capacity to serve the development made possible by the change of zone (requirement 1). However, Albuquerque Public Schools has informed staff that the proposed development will impact EG Ross Elementary School, Desert Ridge Middle School, and La Cueva High School. EG Ross Elementary School is operating above capacity and development will be a strain on the school.

- F. Criterion F: The requested zone change is not completely based on the property's location on San Pedro Drive, an Urban Major Collector.

- G. Criterion G: Economic considerations are always a factor with a private development project, but the applicant's justification for the R-MH zone is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies.

- H. Criterion H: The request will not create a spot zone. Staff agrees that the property is adjacent to existing R-MH to the south of the subject property. The proposed uses for the subject site will be more appropriate and will act as a transition between the properties to the east.

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14. The applicant's policy analysis adequately demonstrates that the request furthers applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with it. Based on this demonstration, the proposed zone category would generally be more advantageous to the community than the current zoning.
15. The affected neighborhood organizations are the District 4 Coalition of Neighborhood Associations and Nor Este Neighborhood Association. Oakland Estates HOA, although not part of the neighboring organizations, has been kept up to date to the status of the request. Property owners within 100 feet of the subject were also notified as required. A pre-application meeting was not requested.
16. Staff received an email opposing the redevelopment when the proposal included the properties located immediately to the east of Oakland Avenue. The Applicant has forwarded correspondence received from a member of Oakland Estates who is concerned about development in the area.
17. Staff has not received further communication of support or opposition.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **March 5, 2021**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the 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 EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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

Sincerely,

for Brennon Williams
Planning Director

BW/SB

cc: Michael Vos, Consensus Planning, Vos@consensusplanning.com
District 4 Coalition of Neighborhood Associations, Mildred Griffiee, mgriffiee@noreste.org
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EPC file