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OFFICIAL NOTIFICATION OF DECISION

January 18, 2024

Coors Investment LLC
8400 Helen Hardin NE
Albuquerque NM, 87122

Project # PR-2023-009655
RZ-2023-00045– Zoning Map Amendment
(Zone Change)

LEGAL DESCRIPTION:

Modulus Architects & Land Use Planning, Inc., agent for Coors Investment LLC, requests a zoning map amendment from NR-BP to MX-M for all or a portion of Tract Q-3 Plat of Atrisco Business Park, Unit 4 (Replat of Tracts Q-1R and lot 1 Atrisco Business Park Unit 2) and from R-1B to MX-M for all or a portion of the Northwesterly Triangular Portion, Lots 1-3 and Westerly Portion, Lots 4 and 5, Block L, Northern Heights Subdivision, located at 611 Coors Blvd. NW, south of Fortuna Rd and north of Los Volcanes Rd. SW, approximately 2.0 acres (J-10-Z)
Staff Planner: Catherine Heyne

On January 18, 2024, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-009655, RZ-2023-00045– Zoning Map Amendment (Zone Change), based on the following findings:

1. The request is for a Zoning Map Amendment for an approximately 2.0-acre site, legally described as All or a portion of Tract Q-3 Plat of Atrisco Business Park, Unit 4, located at 611 Coors Blvd NW, and all or a portion of Northwesterly Triangular Portion, Lots 1-3 and Westerly Portion, Lots 4 and 5, Block L, Northern Heights Subdivision, south of Fortuna Rd NW and north of Los Volcanes Rd NW (“the subject site”).
2. The subject site is currently zoned R-1B (Residential - Single Family Zone District) and NR-BP (Non-residential – Business Park). Both parcels are vacant and not being used.
3. The applicant is requesting a zone change to MX-M (Mixed-Use –Medium Intensity Zone District) for both parcels to maintain cohesive zoning for future development.
4. The western parcel (Tract Q-3 Plat of Atrisco Business Park, Unit 4) of the subject site is in an Area of Change reflective of the NR-BP zoning, while the smaller, eastern parcel (Northwesterly Triangular Portion, Lots 1-3 and Westerly Portion, Lots 4 and 5, Block L, Northern Heights Subdivision) is in an Area of Consistency generally conforming to R-1B zoning intent as designated by the Comprehensive

Plan. The subject site is also located within the Coors Boulevard Character Protection Overlay (CPO-2) and immediately adjacent to the Coors Blvd Major Transit Corridor; it is not located within a Center.

5. The Albuquerque Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. The request furthers the following Goals and Policies from Comprehensive Plan Chapter 4- Community Identity:

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

The request will enhance, protect, and preserve the distinct community of the Atrisco Business Park in the Atrisco Park Community, because the zone change will allow complementary uses within a business park. A single-family residential use would not be appropriate at this location based on its small size, adjacency to a busy a Regional Principal Arterial, the zoning of surrounding parcels, and the general community structure. The request furthers Goal 4.1- Character.

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.

This request protects the identity and cohesiveness of the Atrisco Business Park and nearby neighborhoods by ensuring the appropriate scale, location of development, and mix of uses because the proposed zone change will maintain consistent mixed-use and non-residential permissive uses at this location. Future development would be required to follow the Atrisco Business Park Master Development Plan and Atrisco Business Park Design Guidelines, as well as the MX-M zone district design standards, ensuring appropriate building design that is consistent with the adjacent MX-M zoning. At this time the small (ca. 0.25 ac), R-1B zoned parcel does not ensure appropriately scaled development or cohesiveness with the surrounding area. The zone change will help ensure that the character, scale, and mix of uses are appropriate for a Major Transit Corridor and the Atrisco Business Park. This request furthers Policy 4.1.2- Identity and Design.

7. The request furthers the following Goals and Policies from Comprehensive Plan Chapter 5- Land Use:

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

The subject site abuts Coors Boulevard NW, a Major Transit Corridor. The request, especially as related to the rezoning of the R-1B parcel to MX-M, allows higher-density and intensity uses focused more in-line with an employment center and adjacent transportation network. The request could encourage mixed-use development and expand allowable uses of the narrow, triangular parcel designated single family development which lies just south of the intersection of the Major Collector Street of Fortuna Rd NW and Coors Blvd, an area where denser development is preferred. The request can reinforce or enhance the existing mixed-use character of the immediate Business Park area as well as continue to provide a mix of services along a transit corridor. The request furthers Goal 5.1- Centers and Corridors.

B. Sub-policy 5.1.1(f): Discourage the development of detached single-family housing as an inappropriate use in Centers and along Corridors.

The subject site is adjacent to a Major Transit Corridor and mostly surrounded by medium to high density commercial and industrial development. The allowable uses under the proposed zoning would better serve the area and Atrisco Business Park. The MX-M zone would not only allow for medium-density commercial and industrial uses commensurate with adjacent uses, but bar detached single-family housing along the Coors Blvd Major Transit Corridor. The request furthers Subpolicy 5.1.1(f).

- C. Policy 5.1.2- Development Areas: Direct more and 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 allowable uses under the MX-M zone would help direct more intense growth along the Coors Boulevard Major Transit Corridor. The MX-M design standards, similar to the existing and adjacent NR-BP zone district, would also help maintain the appropriate density and scale of development at the subject site. Furthermore, Part of the subject site is \ located within an Area of Change where more intense development should be directed. The Comprehensive Plan intends to make Areas of Change the focus of new, urban-scale development that would be possible under the MX-M zone. The request furthers Policy 5.1.2- Development Areas.

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

This request will allow a mixture of uses that are conveniently accessible from surrounding neighborhoods and that will contribute to the health and sustainability of the Atrisco Business Park. It would allow for mixed-use development consistent with surrounding properties that could increase density and allow a diversity of employment opportunities easily accessible by walking, biking, public transit, and motor vehicle. This request generally furthers Policy 5.2.1- Land Uses.

- E. Sub-Policy 5.2.1(a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

This request will encourage development that could bring future goods, services, and amenities within driving, walking and biking distance of neighborhoods and promotes good access for all residents. The subject site is near the easily accessible Fortuna Rd NW and Coors Blvd NW intersection that is accessible by walking and biking in addition to multi-modal transportation options. This request generally furthers Sub-policy 5.2.1(a).

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

This request could encourage a more productive use of vacant lots and under-utilized lots within the city, because the subject site is currently undeveloped and vacant. A consolidated MX-M zone district will help facilitate future development. This request furthers Sub-policy 5.2.1 (n).

- G. 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 promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good. It would support the

public good by using existing infrastructure and public facilities, rather than having to develop infrastructure and facilities where they do not exist. The request furthers Goal 5.3- Efficient Development Patterns.

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

Corridors have been generally identified as appropriate areas for new growth that include a mix of uses and transportation connections within walking distance. Also, instead of growing at the City edges, infill within Areas of Change and Consistency are conceived to be protected by policies to only allow development compatible in scale and character with the surrounding area. The subject site is located in an area with existing infrastructure and public facilities with surrounding properties already developed with a mix of uses. The development of the subject site would support infill growth with existing infrastructure. The request furthers Policy 5.3.1- Infill Development.

- I. Goal 5.4- Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

This request could facilitate job growth west of the Rio Grande. The subject site is located within the Atrisco Business Park Master Development Plan, which was identified as one of three major Employment Centers in the now-repealed West Side Strategic Plan. This Employment Center was envisioned as a full-service business park that would become a major Employment Center for both the Southwest and Northwest Mesas. The request would allow for higher-density discouraging single-family housing near areas with the potential for concentrated employment, such as the intersection of Coors Corridor with the Collector Street, Fortuna Rd NW. The request generally furthers Goal 5.4- Jobs-Housing Balance.

- J. 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 western portion of the subject site is within an Area of Change as designated by the Comprehensive Plan. The request would encourage and direct mixed uses of medium-density growth to this area where it is expected and desired, as well as ensure development reinforces the character and intensity of adjacent areas. The furthers Goal 5.6- City Development Areas.

- K. Sub-policy 5.6.2(b): Encourage development that expands employment opportunities.

This request could encourage development that expands employment opportunities because the rezoning of the entire subject site to MX-M zoning would allow a variety of commercial uses that would otherwise not be available at this location. There are generally no long-term employment opportunities within an R-1B zone district. This request partially furthers Sub-policy 5.6.2(b).

- L. Sub-policy 5.6.3(b): Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The requested MX-M zoning would ensure that any future development reinforces the scale, intensity, and setbacks of the immediately surrounding context as the request unifies zoning west of Coors Blvd in the Atrisco Business Park. Future development would generally have the same site standards, setback, and building height restrictions as the surrounding developments. The intensity

of the proposed development would also be in line with the surrounding area properties and would allow a desired density along a Major Transit Corridor and near the intersection of a Major Transit Corridor and Major Collector Street (Fortuna Rd NW). This request furthers Sub-policy 5.6.3(b).

8. The request furthers the following Goals and Policies from Comprehensive Plan Chapter 7- Urban Design:

A. Policy 7.1.2- Development Form: Prioritize elements of development form for each Center and Corridor.

The request furthers development of the adjacent Coors Blvd Major Transit Corridor because MX-M allows for increased density and allowable uses that maintain similar setbacks, follow employment center land use initiatives, and facilitate multi-modal transportation options and connectivity (e.g., walking, biking, and transit-supportive development) as well as direct building access from Coors Blvd. The request furthers Policy 7.1.2- Development Form.

9. The request furthers the following Goals and Policies from Comprehensive Plan Chapter 8- Economic Development:

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

Although the subject site is not a large parcel, this request could help consolidate places of business that encourage diverse economic development efforts within the designated Atrisco Business Park. The request could also increase neighborhood access to jobs gained through infill as well as offer employment along a transit corridor, all of which encourage business and talent to stay and thrive in the area. The request generally furthers Goal 8.1 – Placemaking.

10. 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: The applicant’s policy-based response (see attached project letter provided by applicant) satisfactorily demonstrates that the request furthers a preponderance of applicable Goals and Policies (i.e., Character, Identity and Design, Land Uses Efficient Development Patterns, City Development, and Placemaking) and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City’s health, safety, and general welfare.

B. Criterion B: The subject site is located partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended). Namely, the eastern parcel of the subject area (Northwesterly Triangular Portion, Lots 1-3 and Westerly Portion, Lots 4 and 5, Block L, Northern Heights Subdivision) is located wholly within an Area of Consistency, reflective of the existing residential zoning (R-1B). The applicant’s response has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Atrisco Business Park and would not permit development that is significantly different from that character.

Furthermore, the applicant has demonstrated that the existing zoning is inappropriate because there has been a significant change in neighborhood or community conditions affecting the site that justifies this request. Specifically, the subject site now sits to the west of and adjacent to the Coors Blvd Major Transit Corridor, a high-traffic, six-lane, Regional Principal Arterial roadway, which is uncondusive to activities associated with a single-family residential zone. Also, the small (ca. 0.25

ac) and narrow form of subject site's eastern parcel is currently a spot zone within the Atrisco Business Park and may be too oddly shaped to meet development standards for residential construction. The applicant provided additional justification that a different zone district is more advantageous to the community (as articulated by the ABC Comp Plan, as amended) due to current patterns of land use, development density and intensity, connectivity, and traffic patterns.

- C. Criterion C: The subject site is partially located within an Area of Change; namely, the western parcel, Tract Q-3 Plat of Atrisco Business Park, Unit 4, is located entirely within an Area of Change. The applicant has shown that although the existing NR-BP zoning is not inappropriate, Requirement 3 is met because a different zone district is more advantageous to the community as articulated by the ABC Comp Plan as amended. The new zone would continue to reinforce or strengthen the established character of the surrounding Area of Change and would not permit development that is significantly different from that character, and could in fact, better compliment and serve nearby neighborhoods.
- D. Criterion D: The applicant compared allowable uses in the existing NR-BP and R-1D zone districts to the proposed MX-M zone district. The key differences between the NR-BP and MX-M are that MX-M is more restrictive of commercial and industrial allowable uses and more permissive in regards to residential and accessory uses. The key difference between the R-1B and the MX-M zone districts is that permissible land uses change from a residential focus to commercial and light industrial activities.

Properties to the north are zoned MX-M, and properties to the west and south are zoned NR-BP, therefore, the requested zoning does not include permissive uses that would be any more harmful to adjacent property, the neighborhood, or the community than currently existing allowable uses. Any existing adjacent residential use (e.g., R-1B) is separated from the subject site by a busy, six-lane Regional Principal Arterial. Adding non-residential uses—the primary difference between existing and proposed zoning—to a site where they or more intense uses have been allowed continuously for many years is generally not considered harmful. All future development under the MX-M zone would be subject to applicable Atrisco Business Park Master Development Plan development standards, Coors Boulevard Character Protection Overlay (CPO-2), IDO Use-specific Standards, and DPM standards that should mitigate potential harmful effects and serve to protect and preserve the identity of the surrounding properties from impacts of uses that could potentially be considered harmful. For example, uses such as a light vehicle repair would require compliance with the controlling Master Development Plan, and where silent, IDO requirements pursuant to 14-16-4-3(D)(19).

- E. Criterion E: The subject site is an infill site that is adequately served by the existing infrastructure (Requirement 1) and can make efficient use of existing community amenities and infrastructure while facilitating the development of the subject site.
- F. Criterion F: Although the subject site is located on a major roadway. The justification is not entirely based on location, but rather on the preponderance of applicable Goals and Policies of the Comp Plan as outlined in the above policy narrative which would allow both parcels comprising the subject site to have consistent internal zoning (MX-M) for more cohesive development.
- G. Criterion G: The request is not based completely or predominantly on the cost of land or economic consideration but to facilitate the development of the subject site that has disparate and incongruous

zoning. The applicant has adequately demonstrated that the request furthers applicable Comprehensive Plan Goals and Policies as well as clearly reinforces the established character of the area. The zone change is more advantageous to the community than the existing zoning.

- H. Criterion H: The request will not result in a spot or strip zone because it will not apply a different zone to one small area or one premise. In fact, this request eliminates the incongruous, single-family residential zoning (R-1B) that comprises the eastern portion of the subject site. Maintaining the R-1B zoning would subject the property to unsuitable single-family residential development next to heavy traffic of the adjacent Coors Blvd Regional Principal Arterial near an intersection with a Major Collector Street, and surrounded to the north, west, and south by mixed- and non-residential uses (e.g., MX-M, NR-BP).
10. The applicant's policy-based response demonstrates that the request furthers a preponderance of applicable Goals and Policies (i.e., Character, Identity and Design, Land Uses, Desired Growth, Complete Communities, Efficient Development Patterns, Infill Development, Jobs-Housing Balance, City Development, Placemaking, Diverse Places, and Density) and does not present significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, and general welfare.
11. The applicant notified the Los Volcanes Neighborhood Association (NA), West Mesa NA, and the South West Alliance of Neighborhoods (SWAN) Coalition as required. Property owners within 100 feet of the subject site were also notified as required. Los Volcanes NA requested a neighborhood meeting within the 15-day period.
12. A meeting facilitated by the applicant was held on Friday, November 10, 2023 from 3:00 pm to 3:20 pm via Zoom. Questions and comments from the Los Volcanes NA representative regarding the request were addressed during the meeting. There were no unresolved issues or concerns, and at the conclusion of the facilitated meeting, there was no opposition to the request (see attached Neighborhood Meeting Notes).
13. As of this writing, Staff has received no letters or comments expressing 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 **February 2, 2024**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

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

Sincerely,

Megan Jones

for Alan M. Varela,
Planning Director

AV/CH/MJ

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