

PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
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## OFFICIAL NOTIFICATION OF DECISION

March 21, 2024

Standard Building LLC,  
320 Central Ave. SE,  
Albuquerque NM

**Project # PR-2024-009870**  
RZ-2024-00006– Zoning Map Amendment  
(Zone Change)

### **LEGAL DESCRIPTION:**

Lifeline Building Services LLC, agent for Standard Building LLC, request a zoning map amendment from R1-A to MX-L, for all or a portion of the westerly 50-feet & Easterly 92-feet, of lot 4, block 9, Huning Highlands Addition, located at 115 Arno SE, between Central SE, and Gold SE, approximately 0.2 acres (K-14-Z)

Staff Planner: William Steele & Seth Tinkle

On March 21, 2024, the Environmental Planning Commission (EPC) APPROVED Project # PR-2024-009870, RZ-2024-00006 – Zoning Map Amendment, (Zone Change) based on the following Findings:

1. The request is for a zoning map amendment (zone change) for an approximately 0.2-acre site legally described as all or a portion of the westerly 50-feet & Easterly 92-feet, of lot 4, block 9, Huning Highlands Addition, located at located at 115 Arno St SE, between Central SE, and Gold SE (the “subject site”).
2. The subject site is zoned R-1A (Residential – Single-Family Zone District). The applicant is requesting a zone change to MX-L (Mixed-Use - Low Intensity Zone District) to remedy a nonconforming parking lot use and facilitate the continued used of the subject site for parking while coming into compliance with code regulations.
3. The subject site is in an Area of Change as designated by the ABC Comprehensive Plan.
4. The subject site is within 660-feet of the Central Avenue SE Major Transit Corridor as designated by the Comprehensive Plan. Major Transit Corridors are to be served by high frequency and local transit (e.g., Rapid Ride, local, and commuter buses). These Corridors prioritize transit above other modes to ensure a convenient and efficient transit system. It is withing 660’ of the Broadway Boulevard and Central Avenue SE Main Street Corridors. Main Street Corridors are lively, highly walkable neighborhood streets lined with local serving businesses.

5. The City of Albuquerque Integrated Development Ordinance (IDO) and the Albuquerque/Bernalillo County Comprehensive Plan 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 would be cohesive with adjacent properties zoned MX-L to the north and west. It would protect and enhance the identity of the Huning Highland neighborhood, which features a diverse mix of low-to-medium intensity land uses.
  - B. Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of the communities.  
The request would be consistent with the distinct character of surrounding area and the Huning Highland neighborhood because there are adjacent properties zoned MX-L and the neighborhood features a mix of land uses. Any development made possible by the request would have to be consistent with IDO standards, including HPO-5 standards, which encourage quality development.
  - C. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.
  - D. Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.  
The request could protect, enhance, and preserve a special place and traditional community because it would allow a low-intensity mix of land uses on the subject site, which is directly adjacent to low-intensity mixed use development, in a neighborhood that is characterized by such development. Any future development of uses allowed permissively in the MX-L zone district would be consistent with surrounding properties and could thus enhance the distinct identity of the Huning Highland neighborhood, which is a vibrant, walkable, mixed-use community.
7. The request furthers the following, applicable Goal and Policies regarding communities and efficient development patterns 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 low-intensity land uses on the subject site, which is located within 660' of the Central Avenue Major Transit and Main Street Corridor, and the Broadway Boulevard Main Street Corridor. Although the request is based on the need to remedy a nonconforming use of a parking lot in a residential zone district, any development made possible by the request could result in growth on the subject site, which is located within the aforementioned Corridors.
  - 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.

Although the request is based on a need to remedy a nonconforming parking lot use on the subject site, the MX-L zone district would allow a broader mix of low-intensity land uses on the subject site, which is located within a mixed-use area that is conveniently accessible to surrounding neighborhoods. Any future development on the subject site featuring these low-intensity mix of land uses would occur in an area where development is desired and supported by multi-modal transportation options, which promotes health and sustainability according to the ABC Comp Plan.

8. The request furthers the following, Goals and Policies regarding City Development Areas 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.

The subject site is already served by existing infrastructure and public facilities - any development made possible by the request would generally promote efficient development patterns and use of land.
  - B. Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The subject site is an infill site located in an area already served by existing infrastructure and public facilities. Any future development on the subject site would result in growth in an area with existing infrastructure and public facilities.
  - C. 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 could encourage, enable, and direct growth to this Area of Change.
  - D. Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request is based on a need to remedy a nonconforming parking lot use, but could facilitate growth and more intense development of the subject site in the future because the MX-L zone district allows a wider variety of more intense land uses in comparison to the R-1A zone district. The subject site is in an Area of Change, Metropolitan Redevelopment Area, and multiple Corridors, where change and mixed-use development is generally encouraged by the ABC Comp Plan.
9. 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.

Applicable citations: Goal 4.1 and Policies 4.1.1, 4.1.3, and 4.1.4; Goal 5.1, Policy 5.2.1, Goal 5.3 and Policy 5.3.1; Goal 5.6 and Policy 5.6.2

The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals and general welfare.

- B. Criterion B: The subject site is located wholly in an Area of Change, so this criterion does not apply.
- C. Criterion C: The subject site is located wholly in an Area of Change. The applicant's policy-based analysis and response to Criterion C demonstrates that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning.
- D. Criterion D: The applicant compared uses within the existing R-1A zone and the proposed MX-L zone and discussed how the harmful uses would be mitigated through the IDO's Use-Specific standards and because of the size of the subject site. Staff finds that the IDO's use-specific standards will mitigate potentially harmful impacts associated with uses that would be made permissive by the request and finds that the subject site's relatively small size would prohibit potentially harmful uses due to development standards established in the IDO.
- E. Criterion E: The subject site is an infill site that is adequately served by existing infrastructure (requirement 1).
- F. Criterion F: The applicant is not completely basing the justification for the request upon the subject site's location on a Major Collector roadway. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
- G. Criterion G: The applicant's justification is not completely or predominantly based upon economic considerations. Rather, the applicant justification is based on other rationale and the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
- H. Criterion H: A zone change from R-1A to MX-L is not a "spot zone" because the properties abutting and adjacent to the subject site's north and west are zoned MX-L.

10. The applicant's policy-based response adequately demonstrates that the request clearly does not facilitate a "spot zone" and furthers a preponderance of applicable Goals and policies regarding land use, centers and corridors, infill and efficient development patterns, placemaking, and economic

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development; and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals, and general welfare.

11. The affected neighborhood organizations are Huning Highland and East Downtown (EDO) Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. Staff is not aware of any opposition as of this writing.
12. A pre-application facilitated meeting was not requested. Each Neighborhood Association held board meetings regarding the zone map amendment and approved the request. The Huning Highlands Neighborhood Association February, 7, 2027 letter supports the applicant's plan to create a new parking lot with landscaping and new fencing. The East Downtown Neighborhood Association provided a letter the City Planning Staff on January 25, 2024 supporting the rezoning of the subject property.
13. As of this writing, Staff has not been contacted and is unaware of any opposition.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **April 5, 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/WS/ST/MJ

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