



Environmental Planning Commission

Agenda Number: 5
Project #: 2024-010770
Case #: RZ-2024-00043
Hearing Date: September 19, 2024

Staff Report

Applicant	SimonCRE
Request	Zoning Map Amendment (zone change)
Legal Description	All or a portion of Tract I-1 Tracts I-1 and I-2 Cottonwood Corners (being a replat of Tract I, Cottonwood Corners)
Location	3731 Ellison Dr. NW in Cottonwood Corners Shopping Center, to the south and west of NM 528
Size	Approximately 13.2 acres
Existing Zoning	NR-BP
Proposed Zoning	NR-C

Staff Recommendation

APPROVAL of Project # 2024-010770/ RZ-2024-00043 based on the Findings 1-11 in this report.

Staff Planner
Catherine Heyne, Planner

Summary of Analysis

The request is for a Zoning Map Amendment for an approximately 13.2-acre site located within the Cottonwood Employment Center and Cottonwood Dr. and Ellison Dr. Major Transit Corridors in an Area of Change. The applicant intends to change the subject site’s zoning from NR-BP to NR-C.

The applicant has adequately justified the request pursuant to the IDO zone change criteria in IDO §[14-16-6-7\(G\)\(3\)](#). The proposed zoning would further a preponderance of applicable Comprehensive Plan Goals and policies and would be more advantageous to the community.

The applicant provided notice to all eligible Neighborhood Association representatives and property owners within 100 feet as required. The Applicant has received phone calls in support of the proposed grocery store. Staff received one letter of support from an adjacent property owner.



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ATTACHMENTS

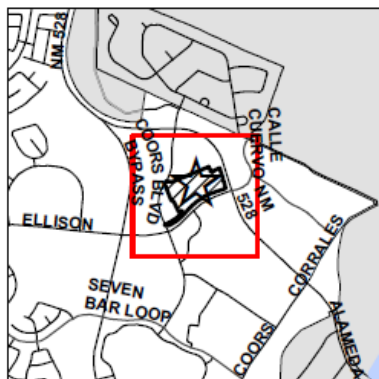
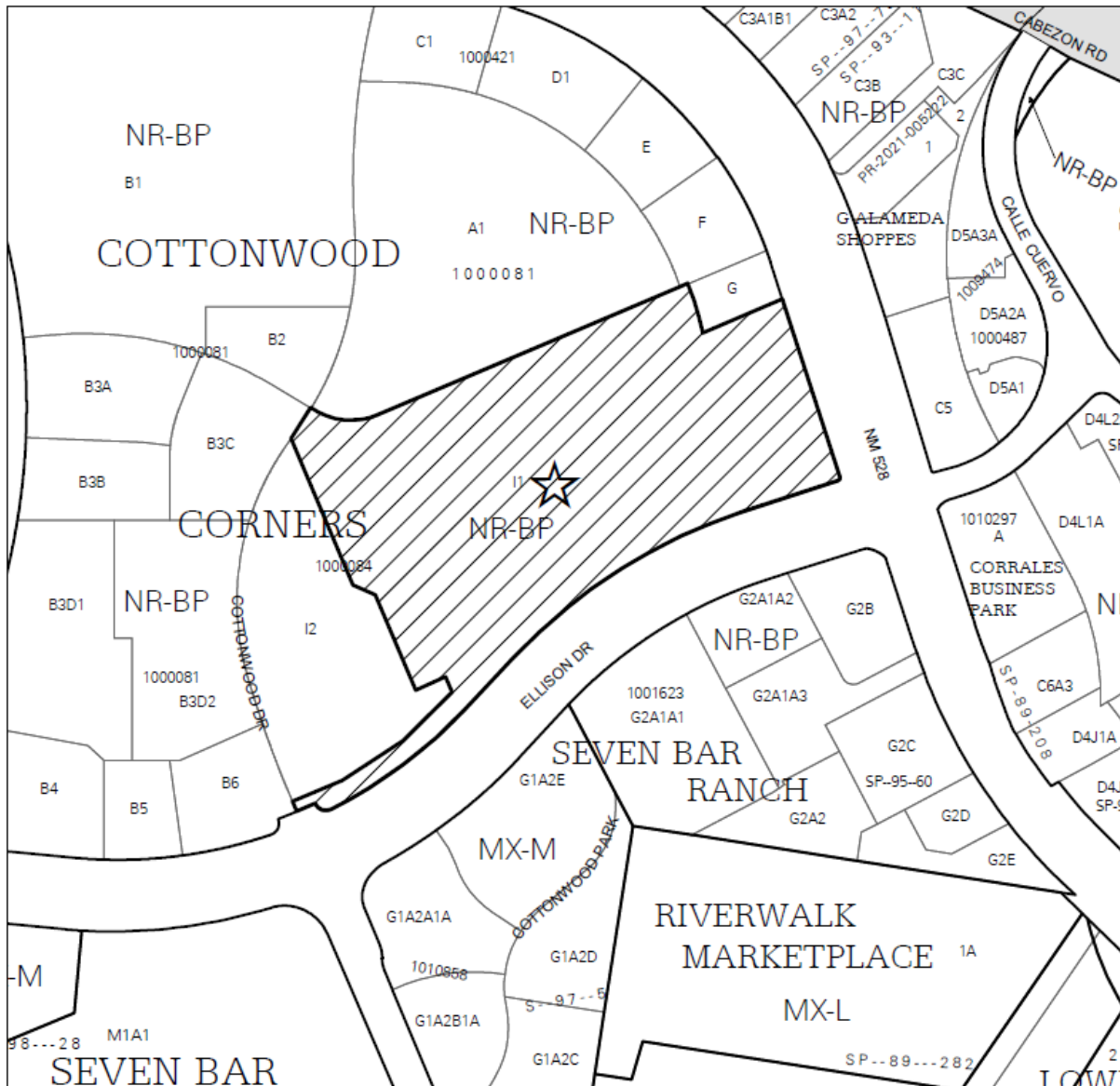
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I. Maps

Aerial Map



IDO Zoning Map



IDO ZONING MAP

Note: Gray shading indicates County.

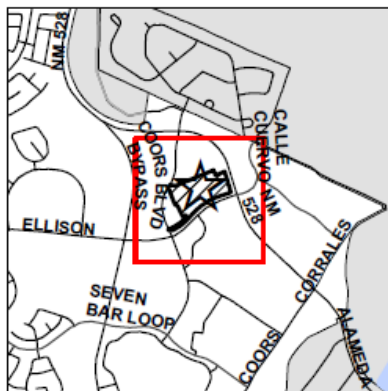


1 inch = 300 feet

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Land Use Map



LAND USE MAP

Note: Gray shading indicates County.

Key to Land Use Abbreviations

LDRES Low-density Residential	APRT Airport
MULT Multi-family	TRANS Transportation
COMM Commercial Retail	AGRI Agriculture
CMSV Commercial Services	PARK Parks and Open Space
OFC Office	DRNG Drainage
IND Industrial	VAC Vacant
INSMED Institutional / Medical	UTIL Utilities
ED Educational	CMTY Community
	KAFB Kirtland Air Force Base

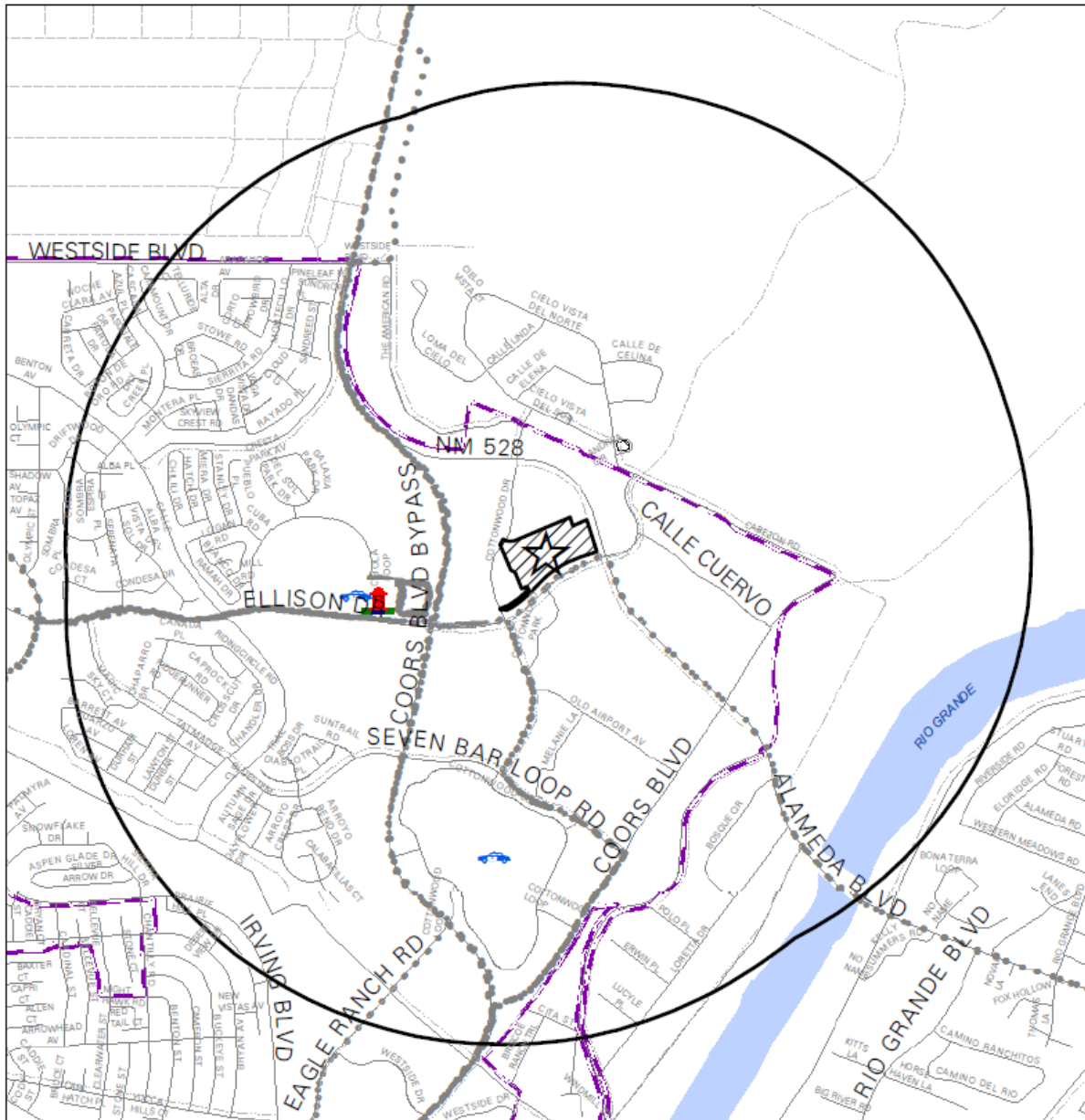


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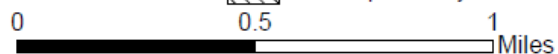
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Public Facilities / Community Services



Public Facilities Map with One-Mile Buffer

- | | | | |
|----------------------|-------------|--------------------------|-----------------------------|
| Community Center | Fire | Public School | Landfill designated by EHD |
| Multi-Service Center | Police | Proposed Bike Facilities | Landfill Buffer (1000-feet) |
| Senior Center | Sheriff | ABQ Ride Route | Developed City Park |
| Library | Solid Waste | Albuquerque City Limits | Undeveloped City Park |
| Museum | | | Developed County Park |
| | | | Undeveloped County Park |



II. Introduction

	<i>IDO Zoning</i>	<i>Comprehensive Plan Development Area</i>	<i>Existing Land Use</i>
Subject Site	NR-BP	Area of Change	Commercial Retail
<i>North</i>	NR-BP	Area of Change	Commercial Retail- Restaurant, Light vehicle fueling station
<i>South</i>	NR-BP MX-M NR-C	Area of Change	Commercial Retail- Transportation, Parking, Light vehicle fueling station Commercial Services- Bank General Commercial Retail
<i>East</i>	NR-BP	Area of Consistency	Office; Vacant
<i>West</i>	NR-BP	Area of Change	Commercial Retail- Restaurant

Request

The request is for a Zoning Map Amendment (i.e., zone change) from NR-BP (Non-Residential – Business Park) to NR-C (Non-Residential – Commercial) for an approximately 13.2-acre site comprising of all or a portion of Tract I-1 Tracts I-1 and I-2 Cottonwood Corners (being a replat of Tract I, Cottonwood Corners) located at 3731 Ellison Dr. NW, Albuquerque, NM 87114, Cottonwood Corners Shopping Center, to the south and west of NM 528, north of Ellison Dr. NW, and east of Cottonwood Dr. NW (the “subject site”).

The applicant is requesting a zone change to NR-C to facilitate the development of grocery store. Pursuant to IDO [Table 4-2-1](#), grocery stores are permissive in NR-C but not allowed in NR-BP.

EPC Role

The EPC is hearing this case because the subject site is less than 20 acres in an Area of Change (IDO §14-16-6-7(G)(1)(a)(3)). The EPC is the final decision-making body. The request is a quasi-judicial matter.

History/Background

The Cottonwood Corners Shopping Center is part of an approximately 60-acre commercial development in an area that was once a part of the private Seven-Bar Ranch and Alameda Airport. The area was first zoned SU-1 with IP (Industrial Park) Uses for Industrial, Wholesale, and Manufacturing, and fell within the now-repealed Rank 3 Seven-Bar Ranch Sector Development Plan. At the time, the 186 acres designated as SU-1 for IP were reserved for development of a relatively self-sufficient sub-area that would “encompass

a diversity of uses ranging from large single unit land consumers...to highly diverse small-scale complexes of light industrial office or warehousing uses..." The subject site was envisioned as part of a 38-acre Employment/ Office Park. In the mid-1990s, this site was developed as a strip mall/ shopping center (opposed to individual pad sites) with the development standards specified in the Sector Development Plan.

The Cottonwood Corners was developed in multiple phases. The Site Development Plan associated with the subject site was part of Phase 1A, which was approved March 16, 1995 (Z-95-26) with subsequent updates (e.g., Z-95-76, Z-95-83, Z-95-124). Currently, the Cottonwood Corners strip mall area has various shopping opportunities, with more than 600,000 square feet of commercial retail, light vehicle fueling, and restaurant space.

Context

The irregularly shaped, approximately 13.2-acre subject site lies just north of Ellison Dr. NW, east of Cottonwood Dr., and to the west of NM 528 (Alameda Blvd.). This parcel falls within the Cottonwood Employment Center as designated by the ABC Comprehensive Plan ("Comp Plan"). The subject site also falls within 660 feet of two Major Transit Corridors: Cottonwood Dr. and Ellison Dr. This area is at the confluence of Rio Rancho, Corrales, unincorporated Bernalillo County, and the City of Albuquerque.

The subject site lies within an area dedicated to business park and commercial activities. More specifically, the subject site and surrounding tracts—bounded by the busy, four-lane NM 528 (Alameda Blvd.) to the north and east, the divided Ellison Dr. NW to the south, and the divided Coors Blvd. Bypass to the west—are zoned NR-BP (Non-Residential – Business Park Zone District). The tracts to the east and on the opposite side of NM 528 are also zoned NR-BP, as are roughly 50 percent of the properties to the south of Ellison Dr. NW. The remaining nearly 50 percent of the properties south of Ellison Dr. and across from the subject site are zoned MX-M (Mixed-Use – Moderate Intensity). Parcels zoned NR-C are located diagonally to the southwest of the subject site across Ellison Dr. at the southwest corner of the Cottonwood Dr. and Ellison Dr. NW intersection, which is immediately to the west of the MX-M parcels.

The business park areas as well as the commercial and mixed-use development concentrate large- and small-scale retail and commercial enterprises, restaurants, and light-vehicle fueling options for easy access by automobile. Residential development, occasionally interspersed by City Parks (NR-PO-A), extends to the north and west of the Coors Bypass into Rio Rancho and Corrales, with additional residential development spread north-south along the Rio Grande.

There are five existing, large retail buildings on the subject site. These structures are arranged linearly, east-west along the southern edge of the property, with the rear of the buildings facing Ellison Dr. NW. The buildings comprise two groupings. The eastern two structures abut each other and are separated from the second group by an ingress/egress from Ellison Dr. The second group consists of four adjoining buildings, with the most

western structure located on a separate parcel and not part of this request. A shared parking lot area accesses these structures from the north. The northern boundary of the parcel follows an approximate east-west running roadway that accesses NM 528/ Alameda Blvd. Landscaping and sidewalks generally follow the perimeter of the subject site except along the majority of the western boundary and the far northeast corner.

The Northwest Transit Center, a hub for ABQ Ride bus routes, lies about 0.3 mi to the west of the subject site and west of Coors Blvd Bypass NW. Sidewalks are present along most of the major roadways, although pedestrian access to retail areas is typically from the parking areas. Bicycle access along the major roadways is proposed. Being within two Major Transit Corridors, development should be transit- and pedestrian-oriented near transit stops, while auto-oriented for much of the Corridor.

The subject property is not within the areas that trigger the Pre-submittal Tribal Meeting pursuant to IDO §[14-16-6-4\(B\)](#) or tribal referral pursuant to IDO §[14-16-6-4\(I\)](#).

Roadway System

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), includes existing roadways and future recommended roadways along with their regional role.

The LRRS map classifies the adjacent Ellison Dr. NW, Coors Bypass and NM 528/ Alameda Blvd. NW as Existing Regional and Urban Principal Arterials. The latter two are also designated as Primary Freight Corridors.

Bikeways / Trails

The Long Range Bikeway System (LRBS) map, produced by MRCOG, identifies existing and proposed routes and trails.

Both a Proposed Paved Trail and proposed Bike Lane to the south of the subject site on Ellison Dr. NW are shown on the LRBS map.

The LRBS shows an Existing Buffered Bike Lane to the east of NM 528 on Calle Cuervo NW, which is an eastern extension of Ellison Dr. NW. There is also an existing Paved Trail along Ellison Dr. to the west of Coors Bypass NW. The LRBS shows an existing Bike Lane on NM 528 (Alameda Blvd. NW) south of Ellison Dr. and a proposed Bike Lane north of Ellison Dr. along NM 528.

Bike lanes are designated exclusively for bicycle travel and separated from vehicle travel lanes with striping and pavement stencils. A buffered bike lane is a bikeway with striped, horizontal space between the bike lane and the adjacent vehicle travel lane to provide additional separation between bicyclists and moving vehicle traffic. A paved trail is an off-street facility with its own right-of-way that is shared with pedestrians.

Transit

The subject site is located within the 660-foot-wide Major Transit Corridors along Ellison Dr. and Cottonwood Dr. NW. The subject site is also about 0.3 miles to the east of the Northwestern Transit Center, which is typically less than a 10-minute walk. The Northwestern Transit Center is sited at the northwest corner of Ellison Dr. and Coors Bypass and services ABQ Ride Routes 92, 94, 96, 98, 155, 157, 251, 551, and 790, although currently there is no schedule posted for Routes 92, 94, 96, 98, and 551.

When in service Transit Route 98 would pass the subject site to the south on Ellison Dr. and then turn south along NM 528. ABQ Ride Routes 155 and 790 run north-south along Cottonwood Dr., a roadway abutting the southwestern edge of the subject site, before turning west onto Ellison Dr. toward the transit center. If in service, Route 96 would also follow that path at this location. According to CABQ Maps – Advanced Viewer, there is a dedicated stop for each direction (east-west) between Coors Bypass and Cottonwood Dr. NW.

ABQ Ride Routes 155 and 157 run weekdays and weekends. Route 251 is operated by Rio Metro and is considered a Commuter 251 Dial-a-Ride, a weekday transportation service to and from the Los Ranchos/Journal Center Rail Runner Station to Century Rio 24, the Northwest Transit Center, Intel, and destinations in Rio Rancho. ABQ Ride Route 790 only runs weekdays. See <https://www.cabq.gov/transit/routes-and-schedules> for more details.

III. Analysis of City Plans and Ordinances

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The subject site is located wholly within an Area of Change as designated by the Comp Plan. Areas of Change are intended to be the focus of urban-scale development that benefits job growth and housing opportunities.

Applicable Goals and policies selected and reviewed by the applicant are detailed below. Staff analysis follows indented below the stated goal or policy. Goals and/or policies added by Staff are denoted with an asterisk (*).

Comprehensive Plan Designations

The subject site is located within the Cottonwood Employment Center. Employment Centers are intended to be auto-oriented and remain predominately industrial, business, and retail centers. Per the definition, the Cottonwood Employment Center is located near major intersections and major arterials (NM 528/ Alameda Blvd. NW, Ellison Dr. NW, and Coors Bypass). Land uses are generally separated by parking lots and arterial roads, with street design emphasizing efficient movement of vehicles.

The subject site also falls within 660 feet of two Major Transit Corridors: Ellison Dr. and Cottonwood Drive. These Major Transit Corridors are served by high frequency and local

transit (e.g., 155, 157, 251, and 790). These corridors should prioritize transit to ensure a convenient and efficient transit system that includes providing a safe and attractive pedestrian environment as well as good access for cyclists and transit users. Development along Major Transit Corridors should be transit- and pedestrian-oriented near transit stops, while auto-oriented for much of the Corridor.

Applicable Goals & Policies

CHAPTER 4: COMMUNITY IDENTITY

GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities.

The subject site is within the distinct community of the Cottonwood Employment Center located along the Major Transit Corridors of Cottonwood Dr. and Ellison Dr. NW. The request could facilitate future development that would remain consistent with the established commercial and retail character of the surrounding area and would enhance, protect, and preserve the distinct community through the reuse of an existing building. **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 request would encourage quality development that does not conflict with any surrounding or adjacent land uses because uses allowed in the NR-C zone district are appropriate within the context of the character of the Cottonwood Employment Center and commercial strip mall, in general. Any proposed updates would be required to meet site design standards and current IDO and Development Process Manual (DPM) standards to be consistent with the distinct character of the surrounding community. **The request furthers Policy 4.1.1 Distinct Communities.**

CHAPTER 5: LAND USE

GOAL 5.1 CENTERS & CORRIDORS: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The request could further activate the Cottonwood Employment Center that currently consists of business park uses to the north, east, south and west and moderate intensity mixed-use and commercial uses to the south and southeast by adding additional NR-C uses that were previously not permissible in the area, such as a grocery store. This request could also encourage the reuse of a currently vacant building that could support additional employment opportunities that would be accessible by adjacent Ellison Dr. and Cottonwood Dr. Major Transit Corridors as well as the nearby NW Transit Center (within 0.3 mi to the west). **The request furthers Goal 5.1 Centers & 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 continue to help capture regional growth in Centers and Corridors. It would also help shape the built environment into a sustainable development pattern by allowing additional land use options within a partially vacant strip mall located along two Major Transit Corridors. Future development under the NR-C zone district could also result in a greater employment density within an Employment Center and in an Area of Change where job creation is encouraged. **The request furthers Policy 5.1.1 Desired Growth.**

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.

Although the subject site is being downzoned to NR-C, the proposed zoning will still direct more intense growth to the Cottonwood Employment Center and Cottonwood Dr. and Ellison Dr. Major Transit Corridors. This establishes and maintains appropriate density and scale of development within areas most appropriate for new growth and development and minimally impact areas that should be more stable. **This request furthers Goal 5.1.2 Development Areas.**

GOAL 5.2 LAND USES: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request encourages continued development and redevelopment of the subject site that that would be consistent with long established development patterns. It could also bring additional goods, services, and amenities that could be accessed by a variety of transportation modes, all of which contribute to healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. **This request furthers Goal 5. 2 Land Uses.**

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

The request would contribute to the existing healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. Any future development at the subject site would occur in an area where development is desired and supported by different transportation options that can promote health and sustainability according to the ABC Comp Plan. **This request furthers Goal 5. 2 Land Uses.**

GOAL 5.3 EFFICIENT DEVELOPMENT PATTERN: 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 served by existing Business Park infrastructure. Development made possible by the request would promote efficient development patterns through the reuse of standing architecture. Redevelopment on the subject site

featuring uses allowed in the NR-C zone district would support the public good in the form of economic development, job creation, and an expansion to the tax base.

The request furthers Goal 5.3 Efficient Development Patterns.

POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

The subject site would potentially support additional growth through redevelopment in an area already served by existing infrastructure and public facilities. The request could support the revitalization of an existing but vacant retail building on the subject site. **The request furthers Policy 5.3.1 Infill Development.**

***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.

The zone change request to NR-C would allow the development of new business at the subject site as well as allow for the various commercial, small- to large-scale retail, office, commercial, and industrial uses that have been allowable in the NR-BP zone district and that serve both neighborhood and area-wide shopping interests. Allowing for NR-C would likely result in filling a current building vacancy and thereby add employment opportunities in an Employment Center west of the Rio Grande, where there is a deficit of jobs compared to the amount of housing units. **The request furthers Goal 5.4 Jobs-Housing Balance.**

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 part of a concentrated commercial and retail hub within an Area of Change and Employment Center where growth is expected and desired. The proposed zone change would allow current uses to continue, encourage and direct growth to the subject site, and reinforce the existing character and intensity of the surrounding area. **The request furthers Goal 5.6 City Development Areas.**

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 proposed zone change would direct growth and more intense development to an Employment Center and an area that is also within two Major Transit Corridors (Cottonwood Dr. and Ellison Dr.), where change is encouraged. **This request furthers Policy 5.6.2 Areas of Change.**

*CHAPTER 7: URBAN DESIGN

*GOAL 7.3 SENSE OF PLACE: Reinforce sense of place through context-sensitive design of development and streetscapes.

This request would reinforce the sense of place by either maintaining context-sensitive design of development and streetscapes through the reuse of existing buildings or through new development that has to meet site design standards and current IDO and Development Process Manual (DPM) standards to form and embrace the character of the existing surrounding community. **The request furthers Goal 7.3 Sense of Place.**

CHAPTER 8: ECONOMIC DEVELOPMENT

GOAL 8.1 PLACEMAKING: Create places where business and talent will stay and thrive.

Due to its advantageous location within an area concentrating neighborhood and regional shopping opportunities and employment, the subject site would continue to contribute to a dynamic and interesting place where business and talent could stay and thrive.

The request would expand the community's access to commercial services and jobs, (i.e., medium retail, art gallery, open air market, and grocery store), which could encourage economic development that could improve the quality of life for new and existing residents. Additionally, the request would restrict business developments (e.g., as adult retail and entertainment, salvage yard) that could be seen as less inviting and family friendly. **The request furthers Goal 8.1 Placemaking.**

Non-Applicable Goals & Policies

CHAPTER 4: COMMUNITY IDENTITY

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

The policy is not applicable to the request of a zone change at this time. If the applicant had submitted the zone change in conjunction with a site plan, then it would be able to be taken under consideration.

POLICY 4.1.5 NATURAL RESOURCES: Encourage high-quality development and redevelopment that responds appropriately to the natural setting and ecosystem functions.

The policy is not applicable to the request of a zone change at this time. If the applicant had submitted the zone change in conjunction with a site plan, then it would be able to be taken under consideration.

Integrated Development Ordinance (IDO)

IDO Zoning

The existing zone district for the subject site is NR-BP (Non-Residential – Business Park). According to IDO [§14-16-2-5\(B\)](#), the purpose of the NR-BP zone district is to accommodate a wide range of nonresidential uses in campus-like settings to buffer potential impacts on surrounding uses and adjacent areas. Allowable uses include a wide variety of office, commercial, research, industrial, distribution, showroom, processing, and institutional uses. Allowable uses are shown in the IDO [Table 4-2-1](#).

The subject site is not governed by either a Rank 2 or a Rank 3 Plan.

Proposed Zoning

This request proposes to re-zone the entire lot from NR-BP to an NR-C (Non-Residential – Commercial) zone district to accommodate a grocery store for existing, but currently vacant, buildings on the property. According to IDO [§14-16-2-5\(A\)](#), the purpose of the NR-C zone district is to accommodate medium-scale retail, office, commercial, and institutional uses, particularly where additional residential development is not appropriate or not desired because of a deficit of jobs or services in relation to housing units in the area. Primary land uses include a wide spectrum of retail and commercial uses intended to serve both neighborhood and area-wide needs, as well as some light industrial uses. Allowable uses are shown in IDO [Table 4-2-1](#).

At this time, the applicant requests a zone change to NR-C to accommodate the future development of a grocery store, which is not permissive in the current zoning of NR-BP, but it is allowable in the NR-C Zone District. All currently existing general retail use—small and large—at the subject site would remain permissive under the NR-C zoning.

For a discussion of specific uses that would become permissive if the request is approved, please refer to the zone change criterion IDO [§14-16-6-7\(G\)\(3\)\(c & d\)](#) in this report.

Overlay Zones

The subject site is not within an overlay zone.

Definitions

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private.

Non-Residential Zone District: Any zone district categorized as Non-residential in Part 14-16-2 of this IDO.

Zone District: One of the zone districts established by this IDO and the boundaries of such zone districts shown on the Official Zoning Map. Zoning regulations include the

Use Regulations, Development Standards, and Administration and Enforcement provisions of this IDO.

IV. Zoning Map Amendment (Zone Change)

Pursuant to IDO §[14-16-6-7\(G\)\(3\)](#), Review and Decision Criteria, there are seven criteria that must be met for the approval of a Zoning Map Amendment. The applicant must provide sound justification for the change based on substantial evidence. This is done by demonstrating compliance with the required standards through analysis, illustrations, or other exhibits as necessary to show why a change should be made. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria IDO §[14-16-6-7\(G\)\(3\)](#)(a-h):

- (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.

Applicant: *Changing the zoning from NR-BP (Non-Residential Business Park) to NR-C (Non-Residential Commercial) is consistent with the health, safety, and general welfare of the City of Albuquerque. This request furthers several applicable Goals and Policies within the ABC Comp Plan, aligning with the city's broader objectives for sustainable, inclusive, and economically vibrant development.*

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that this request furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

Applicable citations: Goal 4.1- Character, Policy 4.1.1-Distinct Communities; Goal 5.1-Centers & Corridors, Policy 5.1.1-Desired Growth, Policy 5.1.2-Development Areas; Goal 5.2-Complete Communities, Policy 5.2.1-Land Uses; Goal 5.3-Efficient Development Pattern, Policy 5.3.1-Infill Development; *Goal 5.4-Jobs-Housing Balance; Goal 5.6-City Development Areas, Policy 5.6.2-Areas of Change; *Goal 7.3-Sense of Place; and Goal 8.1-Placemaking.

Non-applicable citations: Policy 4.1.4-Neighborhoods, Policy 4.1.5-Natural Resources.

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. **The response to Criterion A is sufficient.**

(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 new 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 inappropriate because it meets any of the following criteria.

1. There was 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).

Applicant: *The subject property is not located partially or completely in an Area of Consistency. Therefore, Criterion B does not apply to this request. The property is in an Area of Change, as designated by the ABC Comp Plan. The proposed zoning change from NR-BP to NR-C aligns with the goals for Areas of Change, which include encouraging dynamic development and increased density to stimulate economic growth and enhance urban vitality. The NR-C zoning will support a broader range of commercial activities, fostering a vibrant and adaptable urban environment that aligns with the Comp Plan's objectives for evolving neighborhoods. Additionally, the introduction of a grocery store under the NR-C zoning will enhance accessibility to essential services, contributing directly to community well-being and fulfilling the area's potential for higher-intensity development.*

Staff: The subject site is not within an Area of Consistency; therefore, this criterion does not apply. **The response to Criterion B is sufficient.**

(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 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).

Applicant: *The NR-BP zone, with its focus on business park-related activities, limits the potential for broader economic development and community services in the Area of Change as outlined in the ABC Comp Plan. In contrast, the NR-C zone permits a wider range of commercial activities, including general retail, art galleries, and essential services such as grocery stores. This broader scope aligns more closely with the goals of the Comp Plan, which emphasizes higher development density, increased land use intensity, and enhanced connectivity.*

The transition to NR-C zoning supports these objectives by fostering a mixed-use environment that better serves community needs and contributes to a vibrant urban area. NR-C zoning allows for a variety of uses that promote economic vitality and enhance the quality of life for residents, such as the planned grocery store that provides essential access to fresh food and everyday necessities. This change will not only bring valuable services to the area but also align with the Comp Plan's vision for dynamic and adaptable land use patterns. By permitting a range of commercial activities, NR-C encourages development that is more responsive to market demands and community needs, supporting a more connected and economically resilient area.

Staff: The subject site is located wholly within an Area of Change where change is expected. The request meets Sub-criterion 3 because the proposed NR-C Zone District would generally be more advantageous to the community as articulated in the goal and policy-based response addressed in Criterion A. **The response to Criterion C is sufficient.**

- (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.

Applicant: *As shown in the table 4.1, the proposed zoning change from NR-BP to NR-C would introduce a broader range of permissive uses that could enhance the economic and social vitality of the area. While NR-BP primarily supports business park activities with a focus on office, service, and light industrial uses, NR-C allows for more diverse commercial uses, such as general retail and art galleries, which are not permitted under NR-BP. The NR-C zoning district does not permit adult retail and adult entertainment, making it more family-friendly and accessible for children. The NR-C zoning also permits essential services like grocery stores, which directly support the community's need for accessible, everyday goods and services. This flexibility in allowable uses under NR-C could attract a wider variety of businesses and services, making the area more dynamic and responsive to market demands.*

Importantly, the transition to NR-C is unlikely to harm the surrounding area, as many of the new permissible uses are compatible with existing business park activities. The controlled nature of NR-C zoning, with conditional uses for activities that might have

more significant impacts, ensures that any potential negative effects are carefully managed. This change aligns with the city's broader objectives of fostering community health and economic vitality, making it a positive step forward for the local area.

Table 4.1: Land Use as per IDO.

P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary Blank Cell = Not Allowed		
LAND USE	NR-C	NR-BP
Motor Vehicle - related		
Heavy vehicle and equipment sales, rental, fueling and repair	P	C
Food, Beverage, and Indoor Entertainment		
Adult Entertainment		P
Offices and Services		
Blood service facility	C	P
Retail Sales		
Adult Retail		P
Art Gallery	P	
General retail, medium	P	C
Grocery Store	P	
Transportation		
Park and ride lot	C	P
Telecommunications, Towers and Utilities		
Geothermal energy generation	A	P
Waste and Recycling		
Salvage Yard		C
Wholesaling and storage		
Outdoor storage	C	A

Staff: The applicant compared allowable uses in the existing NR-BP (Non-Residential – Business Park) zone district and the proposed NR-C (Non-Residential – Commercial) zone district. The requested NR-C zone district does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community. The key difference between the existing NR-BP and the proposed NR-C zone districts is that the NR-C zone district is more restrictive in Commercial and Industrial Uses. That is, NR-C does not allow adult entertainment, a blood services facility, adult retail, helipad, park-and-ride-lot, and geothermal energy generation permissively, whereas the NR-BP does.

Permissive uses allowed under the proposed NR-C zoning but not the current NR-BP zoning includes art gallery, general retail-medium, grocery store, and heavy vehicle and equipment sales, rental, fueling, and repair. All future development under the NR-C zone district would be subject to applicable IDO standards that

would serve to protect and preserve the identity of the neighborhood to mitigate the impacts of uses that could be considered harmful (see IDO Table [4-2-1: Allowable Uses](#)). **The response to Criterion D is sufficient.**

- (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.

Applicant: *The City's existing infrastructure, as defined by the Integrated Development Ordinance (IDO), including streets, sidewalks, public utility facilities, sanitary sewer, and water systems, has adequate capacity to support the development made possible by the proposed NRC zoning change. This includes not only the road network but also drainage, flood control, and street lighting, which are all essential components of the urban infrastructure.*

The proposed NR-C zoning change can be seamlessly integrated without overburdening public services due to the existing infrastructure's ability to handle the anticipated demand. This will be accomplished by leveraging the current capacity of the roadways to absorb the additional traffic generated by new commercial activities, as well as utilizing existing drainage and flood control systems designed to accommodate such developments. Moreover, the shift from NR-BP to NR-C zoning promotes more sustainable development by encouraging mixed-use opportunities that are better aligned with the city's long-term planning goals.

The introduction of a grocery store in particular, under the NR-C zoning, will directly benefit residents by providing easy access to essential goods, further supporting the sustainability of local infrastructure.

The NR-C zoning change is not just compatible with the current infrastructure but enhances its use, contributing to a more sustainable and resilient urban environment by integrating commercial development with existing public amenities. This strategic alignment with the city's infrastructure capacity ensures that the proposed development supports the overall well-being of the community without compromising the functionality of public services.

Staff: The subject site has adequate infrastructure and public improvement capacity to serve the development made possible by the zone change as the subject site is already served by existing infrastructure (Requirement 1). **The response to Criterion E is sufficient.**

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

Applicant: *Applicant Response: The request for the Zoning Map Amendment is not based solely on the property's location on a major street. Instead, it is driven by the need to rezone the existing property to accommodate a grocery store, in alignment with the Albuquerque-Bernalillo County Comprehensive Plan (ABC Plan) and established City policies. This rezoning will unify the zoning across the entire site, making development feasible and ensuring that the property is used efficiently. The proposed grocery store will address the community's demand for accessible retail options, contributing to the overall well-being of the neighborhood. While the property's location along arterial roadways are recognized, the primary intent of this rezoning is to enhance the availability of essential services within the area, complementing the city's goals for sustainable urban development. The justification for this zoning map amendment is grounded in advancing a majority of relevant Comprehensive Plan Goals and Policies, as explained in 14-16-6-7(G)(3)(a).*

Staff: Although the subject site is located along NM 528 (Alameda Blvd. NW) and Ellison Dr. NW, both Existing Regional and Urban Principal Arterials, the applicant is not completely basing the justification for the request upon the subject site's location. 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. The request for an NR-C zone district would also allow the redevelopment of the subject site's vacant building to a grocery store. **The response to Criterion F is sufficient.**

- (g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Applicant: *The justification for the Zoning Map Amendment is not based on land cost or economic factors. The primary motivation for the rezoning is to introduce a grocery store, which will address the community's need for accessible retail options and enhance local food security. This rezoning aligns with the city's objectives of promoting self-sufficiency and sustainable urban development. The focus is on ensuring efficient land use and supporting the broader community rather than economic considerations alone. The justification for this zoning map amendment is grounded in advancing a majority of relevant Comprehensive Plan Goals and Policies, as explained in 14-16-6-7(G)(3)(a).*

Staff: While economic considerations are a factor, the applicant’s justification is not completely or predominantly based upon the cost of land or economic considerations. Rather, the applicant’s justification is based on the sound justification that the zone change request furthers and does not conflict with a preponderance of applicable Comprehensive Plan Goals and policies. **The response to Criterion G is sufficient.**

(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 district.

Applicant: *This property is not a spot zone because the proposed zoning change from NR-BP to NR-C aligns with the surrounding zoning designations and the overall land use plan for the area.*

The NR-C zoning for this subject property is consistent with the zoning and land use of nearby properties. The change is designed to accommodate the development of a grocery store, which fits well within the existing urban fabric and complements the surrounding uses. By ensuring that the new zoning integrates seamlessly with the existing pattern and does not stand out as an anomaly, the rezoning does not constitute spot zoning. Instead, it supports a logical and cohesive development pattern that is in line with the community's broader planning goals.

Staff: A zone change from NR-C to NR-BP is not a “spot zone” because the proposed NR-C Zone District is not different from surrounding zone districts. Namely, multiple parcels across Ellison Dr. to the southwest of subject site’s southwest corner are also zoned NR-C. **The response to Criterion H is sufficient.**

V. Agency & Neighborhood Concerns

Reviewing Agencies

City departments and other public agencies reviewed this application. Standard comments were received. Agency comments can be found at the end of the staff report beginning on p. 30. The subject property is not within the areas that trigger tribal referral pursuant to IDO §[14-16-6-4\(l\)](#).

Neighborhood/Public

The two affected neighborhood organizations are the Cibola Loop Neighborhood Association and Westside Coalition of Neighborhood Associations (WSCONA). Both were notified as required. Property owners within 100 feet of the subject site were also notified as required (see attachments). A post-application facilitated meeting was not requested. The City received two written comments in support of the proposed zone change: one from the Cibola Loop Neighborhood Association and one from an adjacent property owner (3801 Ellison). Additionally, the applicant received several phone calls in support of a grocery store which requires a zone change at the subject site.

The subject property is not within the areas that trigger the Pre-submittal Tribal Meeting pursuant to IDO §[14-16-6-4\(B\)](#).

VI. Conclusion

The request is for a Zoning Map Amendment for an approximately 13.2-acre site located at 3731 Ellison Dr. NW (the “subject site”) within the Cottonwood Corners Shopping Center, to the south and west of NM 528.

The subject site is within an Area of Change. The subject site also falls within the Cottonwood Employment Center and within 660 feet of the Cottonwood Dr. and Ellison Dr. Major Transit Corridors as designated by the Comp Plan. The applicant proposes to change the subject site’s zoning from NR-BP to NR-C, which would allow for a grocery store as well as all currently existing uses.

The applicant has adequately justified the request based upon the proposed zoning being more advantageous to the community than the current zoning by furthering a preponderance of applicable Comprehensive Plan Goals and Policies.

The applicant provided notice to all eligible Neighborhood Association representatives—Cibola Loop Neighborhood Association and Westside Coalition of Neighborhood Associations—and adjacent property owners as required (IDO §[14-16-6-4\(J\)](#)). All received public comments, including several phone calls to the applicant and one letter from an adjacent property owner, were in support of the zone change.

Staff recommends approval.

Findings, Zoning Map Amendment (i.e., Zone Change)

Project #: 2024-010770 / RZ-2024-00043

1. This is a request for a Zoning Map Amendment for all or a portion of Tract I-1 Tracts I-1 and I-2 Cottonwood Corners (being a replat of Tract I, Cottonwood Corners), consisting of approximately 13.2 acres located at 3731 Ellison Dr NW in the Cottonwood Corners Shopping Center, to the south and west of NM 528. This area is near the confluence of Rio Rancho, Corrales, unincorporated Bernalillo County, and the City of Albuquerque.
2. The subject site is zoned NR-BP (Non-Residential – Business Park Zone District). The applicant is requesting a zone change to NR-C (Non-Residential - Commercial Zone District) to allow for a grocery store.
3. The subject site falls within the Cottonwood Employment Center and within 660 feet of two Major Transit Corridors: Cottonwood Dr. and Ellison Dr., as designated by the ABC Comprehensive Plan.
4. 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.
5. The request furthers the following applicable Goal and Policy from Comprehensive Plan Chapter 4-Community Identity:
 - A. GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities.

The subject site is within the distinct community of the Cottonwood Employment Center located along the Major Transit Corridors of Cottonwood Dr. and Ellison Dr. NW. The request could facilitate future development that would remain consistent with the established commercial and retail character of the surrounding area and would enhance, protect, and preserve the distinct community through the reuse of an existing building.
 - B. POLICY 4.1.1 DISTINCT COMMUNITIES: Encourage quality development that is consistent with the distinct character of communities.

The request would encourage quality development that does not conflict with any surrounding or adjacent land uses because uses allowed in the NR-C zone district are appropriate within the context of the character of the Cottonwood Employment Center and commercial strip mall, in general. Any proposed updates would be required to meet site design standards and current IDO and Development Process Manual (DPM) standards to be consistent with the distinct character of the surrounding community.
6. The request furthers the following, applicable 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 request could further activate the Cottonwood Employment Center that currently consists of business park uses to the north, east, south and west and moderate intensity mixed-use and commercial uses to the south and southeast by adding additional NR-C uses that were previously not permissible in the area, such as a grocery store. This request could also encourage the reuse of a currently vacant building that could support additional employment opportunities that would be accessible by adjacent Ellison Dr. and Cottonwood Dr. Major Transit Corridors as well as the nearby NW Transit Center (within 0.3 mi to the west).

- 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 continue to help capture regional growth in Centers and Corridors. It would also help shape the built environment into a sustainable development pattern by allowing additional land use options within a partially vacant strip mall located along two Major Transit Corridors. Future development under the NR-C zone district could also result in a greater employment density within an Employment Center and in an Area of Change where job creation is encouraged.

- 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 that should be more stable.

Although the subject site is being downzoned to NR-C, the proposed zoning will still direct more intense growth to the Cottonwood Employment Center and Cottonwood Dr. and Ellison Dr. Major Transit Corridors. This establishes and maintains appropriate density and scale of development within areas most appropriate for new growth and development and minimally impact areas that should be more stable.

- D. GOAL 5.2 LAND USES: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request encourages continued development and redevelopment of the subject site that that would be consistent with long established development patterns. It could also bring additional goods, services, and amenities that could be accessed by a variety of transportation modes, all of which contribute to healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

- E. POLICY 5.2.1 LAND USES: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would contribute to the existing healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. Any future development at the subject site would occur in an area where development is desired and supported by different transportation options that can promote health and sustainability according to the ABC Comp Plan.

- F. **GOAL 5.3 EFFICIENT DEVELOPMENT PATTERN:** 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 served by existing Business Park infrastructure. Development made possible by the request would promote efficient development patterns through the reuse of standing architecture. Redevelopment on the subject site featuring uses allowed in the NR-C zone district would support the public good in the form of economic development, job creation, and an expansion to the tax base.

- G. **POLICY 5.3.1 INFILL DEVELOPMENT:** Support additional growth in areas with existing infrastructure and public facilities.

The subject site would potentially support additional growth through redevelopment in an area already served by existing infrastructure and public facilities. The request could support the revitalization of an existing but vacant retail building on the subject site.

- H. ***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.

The zone change request to NR-C would allow the development of new business at the subject site as well as allow for the various commercial, small- to large-scale retail, office, commercial, and industrial uses that have been allowable in the NR-BP zone district and that serve both neighborhood and area-wide shopping interests. Allowing for NR-C would likely result in filling a current building vacancy and thereby add employment opportunities in an Employment Center west of the Rio Grande, where there is a deficit of jobs compared to the amount of housing units.

- I. **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 part of a concentrated commercial and retail hub within an Area of Change and Employment Center where growth is expected and desired. The proposed zone change would allow current uses to continue, encourage and direct growth to the subject site, and reinforce the existing character and intensity of the surrounding area.

- J. 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 proposed zone change would direct growth and more intense development to an Employment Center and an area that is also within two Major Transit Corridors (Cottonwood Dr. and Ellison Dr.), where change is encouraged.

7. The request furthers the applicable Goal 7.3 Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes from Comprehensive Plan Chapter 7: Urban Design:

This request would reinforce the sense of place by either maintaining context-sensitive design of development and streetscapes through the reuse of existing buildings or through new development that has to meet site design standards and current IDO and Development Process Manual (DPM) standards to form and embrace the character of the existing surrounding community.

8. The request furthers the applicable Goal 8.1 Placemaking: Create places where business and talent will stay and thrive from Comprehensive Plan Chapter 8: Economic Development:

Due to its advantageous location within an area concentrating neighborhood and regional shopping opportunities and employment, the subject site would continue to contribute to a dynamic and interesting place where business and talent could stay and thrive.

The request would expand the community's access to commercial services and jobs, (i.e., medium retail, art gallery, open air market, and grocery store), which could encourage economic development that could improve the quality of life for new and existing residents. Additionally, the request would restrict business developments (e.g., as adult retail and entertainment, salvage yard) that could be seen as less inviting and family friendly.

9. The applicant has adequately justified the zone change request pursuant to IDO §[14-16-6-7\(G\)\(3\)](#) Review and Decision Criteria for Zoning Map Amendments as follows:

- 6-7(G)(3)(a) Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that this request furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

Applicable citations: Goal 4.1- Character, Policy 4.1.1-Distinct Communities; Goal 5.1-Centers & Corridors, Policy 5.1.1-Desired Growth, Policy 5.1.2-Development Areas; Goal 5.2-Complete Communities, Policy 5.2.1-Land Uses; Goal 5.3-Efficient Development Pattern, Policy 5.3.1-Infill Development; *Goal 5.4-Jobs-Housing Balance; Goal 5.6-City

Development Areas, Policy 5.6.2-Areas of Change; *Goal 7.3-Sense of Place; and Goal 8.1-Placemaking.

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.

- 6-7(G)(3)(b) The subject site is not within an Area of Consistency; therefore, this criterion does not apply.
- 6-7(G)(3)(c) The subject site is located wholly within an Area of Change where change is expected. The request meets Sub-criterion 3 because the proposed NR-C Zone District would generally be more advantageous to the community as articulated in the goal and policy-based response addressed in Criterion A.
- 6-7(G)(3)(d) The applicant compared allowable uses in the existing NR-BP (Non-Residential – Business Park) zone district and the proposed NR-C (Non-Residential – Commercial) zone district. The requested NR-C zone district does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community. The key difference between the existing NR-BP and the proposed NR-C zone districts is that the NR-C zone district is more restrictive in Commercial and Industrial Uses. That is, NR-C does not allow adult entertainment, a blood services facility, adult retail, helipad, park-and-ride-lot, and geothermal energy generation permissively, whereas the NR-BP does.
- Permissive uses allowed under the proposed NR-C zoning but not the current NR-BP zoning includes art gallery, general retail-medium, grocery store, and heavy vehicle and equipment sales, rental, fueling, and repair. All future development under the NR-C zone district would be subject to applicable IDO standards that would serve to protect and preserve the identity of the neighborhood to mitigate the impacts of uses that could be considered harmful (see IDO [Table 4-2-1](#): Allowable Uses).
- 6-7(G)(3)(e) The subject site has adequate infrastructure and public improvement capacity to serve the development made possible by the zone change as the subject site is already served by existing infrastructure.
- 6-7(G)(3)(f) Although the subject site is located along NM 528 (Alameda Blvd. NW) and Ellison Dr. NW, both Existing Regional and Urban Principal Arterials, the applicant is not completely basing the justification for the request upon the subject site's location. 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.

The request for an NR-C zone district would also allow the redevelopment of the subject site's vacant building to a grocery store.

6-7(G)(3)(g) While economic considerations are a factor, the applicant's justification is not completely or predominantly based upon the cost of land or economic considerations. Rather, the applicant's justification is based on the sound justification that the zone change request furthers and does not conflict with a preponderance of applicable Comprehensive Plan Goals and policies.

6-7(G)(3)(h) A zone change from NR-C to NR-BP is not a "spot zone" because the proposed NR-C Zone District is not different from surrounding zone districts. Namely, multiple parcels across Ellison Dr. to the southwest of subject site's southwest corner are also zoned NR-C.

10. The applicant provided notice to all eligible Neighborhood Association representatives—Cibola Loop Neighborhood Association and Westside Coalition of Neighborhood Associations—and adjacent property owners as required (IDO §[14-16-6-4\(J\)](#)). All received public comment at the time of this writing, which included several phone calls to the applicant and two letters to staff in support of the zone change: one from the Cibola Loop Neighborhood Association and one from adjacent property owner at 3801 Ellison Dr. NW.

11. The existing site plan does not establish allowable uses, so uses would be pursuant to IDO [Table 4-2-1](#) for the NR-C zone district, if approved.

Recommendation

APPROVAL of Project #: 2024-010770 / RZ-2024-00043, a request for Zoning Map Amendment from NR-BP to NR-C for all or a portion of Tract I-1 Tracts I-1 and I-2 Cottonwood Corners (being a replat of Tract I, Cottonwood Corners), located at 3731 Ellison Dr. NW to the south and west of NM 528, based on the preceding Findings 1-11.

Catherine Heyne
Catherine Heyne, Planner

Notice of Decision cc list:

SimonCRE, Eric Hurley, eric.hurley@simoncre.com

Cibola Loop Neighborhood Association, Julie Rael, learrael@aol.com

Cibola Loop Neighborhood Association, Ginny Forrest, gforrest47@comcast.net

Westside Coalition of Neighborhood Associations, Rene Horvath aboard111@gmail.com

Westside Coalition of Neighborhood Associations, Elizabeth Haley,

elizabethkayhaley@gmail.com

Legal, acoon@cabq.gov

EPC file

Agency Comments

PLANNING DEPARTMENT

Long Range Planning

This subject site is located within a designated Area of Change and located within the controlling Cottonwood Corners Shopping Center Site Development Plan. The purpose of the request is to allow the development of a grocery store within the existing center. The applicant states that the request would help fill in some of the vacant retail/commercial spaces within the shopping center as well as fulfill service needs in the surrounding community. The request is consistent with upholding the goals of Chapter 5 - Land Use through the means of reinforcing health, sustainability, and growth in the area, though the application could benefit from additional policies from other Comprehensive Plan chapters. Finally, there is no note as to whether the controlling 1995 site development plan needs to be amended to reflect the new use (if approved).

Transportation Development Services

Transportation has no objection to the Zoning Map Amendment for this item.

OTHER CITY OF ALBUQUERQUE DEPARTMENTS / OFFICES

Solid Waste Department

Verify whether a dumpster currently exists on the site. If a dumpster exists:

- Indicate its location on the site plan.
- Note that the dumpster is existing and will remain in its current location. If there is no existing dumpster: Provide detailed drawings and specifications for the proposed trash enclosure.
- Include a site plan that shows approved access for the Solid Waste Department.
- Submit the site plan with the indicated dumpster location or proposed trash enclosure details to the Solid Waste Department for access approval.
- Ensure that the submission includes all necessary details and specifications as required by the department. The site plan can be sent to hgallegos@cabq.gov for review.

The minimum requirements for a compactor trash enclosure can be found here:

<https://www.cabq.gov/solidwaste/documents/enclosurespecificationswordfont14.pdf>.

OTHER AGENCIES

Albuquerque Metropolitan Arroyo Flood Control (AMAFCA)

AMAFCA has no adverse comments to the zone change.

Albuquerque Public Schools (APS)

Location is approximately three-tenths of a mile from Cibola High School.

Bernalillo County Planning & Development Services

No adverse comments.

Public Service Company of New Mexico (PNM)

There are PNM facilities and/or easements along Ellison Dr. and along the NM 528 frontage.

It is the applicant's obligation to determine if existing utility easements or rights-of-way are located within the property and to abide by any conditions or terms of those easements.

Any existing easements may have to be revisited and/or new easements may need to be created for any electric facilities as determined by PNM.

Any existing and/or new PNM easements and facilities need to be reflected on any future Site Plan and any future Plat.

Structures, especially those made of metal like restrooms, storage buildings, and canopies, should not be within or near PNM easements without close coordination with and agreement from PNM.

Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities.

The applicant should contact PNM's New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

A) PHOTOGRAPHS

Figure 1: Overview of the subject site, looking east.



Figure 2: Southeast corner of parcel at Ellison Dr. and NM 528 NW (Alameda), looking west.



Figure 3: Panoramic overview of subject site, looking SE.



Figure 4: Panoramic overview of subject site, looking NW. Ellison Dr. NW in foreground.



B) HISTORY

City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293, Albuquerque, New Mexico 87103

Date: March 17, 1995

OFFICIAL NOTIFICATION OF DECISION

Seven Bar Partners
10200 Corrales Rd., NW, B-3
Albu., NM; 87114

FILE: Z-95-26
LEGAL DESCRIPTION: Lots 01A-1 and 02A-1, Seven Bar Ranch, zoned SU-1 for IP Uses, located at the southeast corner of NM 528 and the Coors Bypass, containing approximately 59 acres (A-13, A-14). SUSAN CONNORS, STAFF PLANNER

On March 16, 1995 the Environmental Planning Commission voted to approve Z-95-26, your request for site development plan approval, based on the following Findings and subject to the following Conditions:

Findings:

1. This is a request for site development plan approval for a 60-acre tract at the southeast corner of the Coors Bypass and New Mexico State Highway 528.
2. The property is zoned SU-1 for IP uses. This zoning was established with the adoption of the Seven-Bar Ranch Sector Development Plan.
3. This site development plan represents Phase I of a three-phased project.
4. Pads 2-6 are not approved with this application because there are not enough guidelines provided to define their development parameters.
5. Phase II and III are not approved with this application.
6. The maximum size signage allowed in the IP zone is 100 square feet. Other retail projects located near this project on 528 have been allowed signs of 100 square feet.

Conditions:

1. Specific main building color designations shall be provided on the site development plan.
2. The requirements of the Transportation Division included in their memo dated March 16, 1995 shall be met including deletion of bullet number 4.
3. The provision of wider widths for service drives shall not reduce the width of landscaping buffers as shown.
4. A replat of the property is required.
5. Two bus bays shall be provided at the locations specified by the Transit and Parking Department.
6. If an additional five percent parking reduction is taken, only the parking spaces to the rear of the major retail buildings shall be eliminated.
7. Water-conserving and low-allergen producing plants shall be used. The sod areas shall be replaced with buffalo grass. Trees chosen shall be of a variety to provide a canopy cover and shade.
8. Screening walls shall be provided to the rear of the dock areas at a height to conceal parked trucks.
9. The size of the free-standing signs designated as 250 square feet on the plans shall be revised to a maximum of 100 square feet.
10. Building-mounted signage shall be limited to six percent of the area of any facade except that the "shops" building and Pad number one shall be allowed to be ten percent.

NOTIFICATION OF DECISION

MARCH 17, 1995

Z-95-26

PAGE 2

11. Site lighting locations shall be shown on the plan.
12. A letter of availability is required from New Mexico Utilities, Inc.
13. All public infrastructure shall be designed to City of Albuquerque standards.
14. Each pad site 2-6 shall be submitted for site development plan approval by the Environmental Planning Commission.
15. Pedestrian access from the handicapped areas should be provided between the parking row directly to the store front.

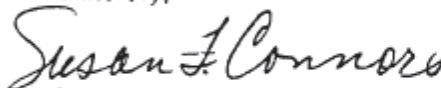
FINAL APPROVAL OF A SITE DEVELOPMENT PLAN REQUIRES FINAL SIGN-OFF BY THE DEVELOPMENT REVIEW BOARD (DRB). THE APPLICANT IS RESPONSIBLE FOR APPLYING FOR THIS ACTION. BUILDING PERMITS CANNOT BE ISSUED UNTIL FINAL SIGN-OFF HAS OCCURRED. APPLICATIONS FOR DRB ARE AVAILABLE FROM AND ARE TO BE SUBMITTED TO THE PLANNING DEPARTMENT, 4TH FLOOR, CITY/COUNTY BUILDING.

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY MARCH 31, 1995, IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 7-14-45.B.2.c of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER 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 MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Sincerely,

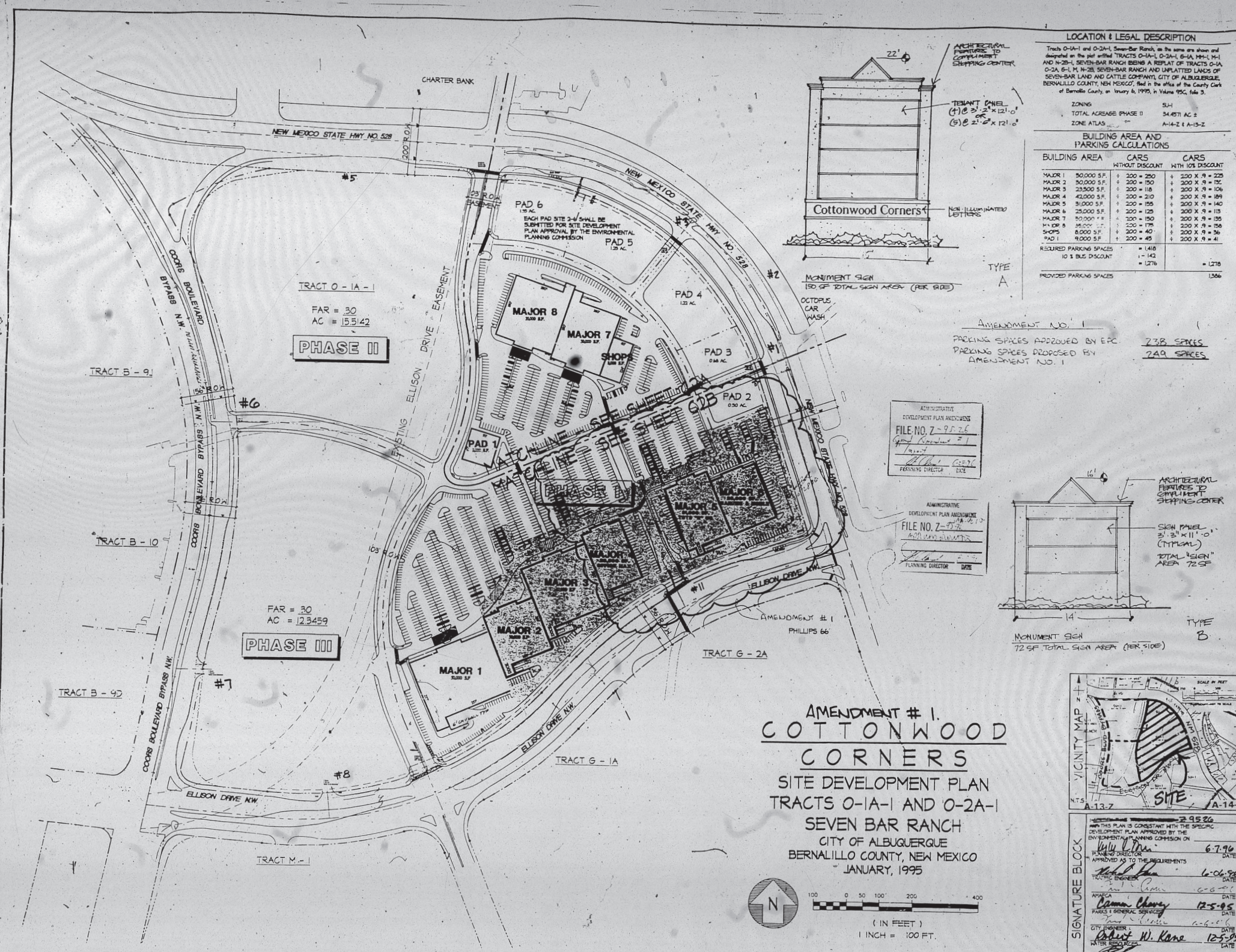


Ronald H. Short, AICP
Planning Director

RHS/SFC/lq

622

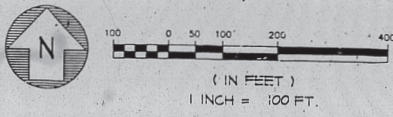
cc: Las Colinas Realty & Development Co., 10200 Corrales Rd., NW, B-3, Albuquerque, NM; 87114



TRACT O-1A-1
 FAR = 30
 AC = 153.42
PHASE II

FAR = 30
 AC = 123.459
PHASE III

AMENDMENT # 1.
COTTONWOOD CORNERS
 SITE DEVELOPMENT PLAN
 TRACTS O-1A-1 AND O-2A-1
 SEVEN BAR RANCH
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 JANUARY, 1995

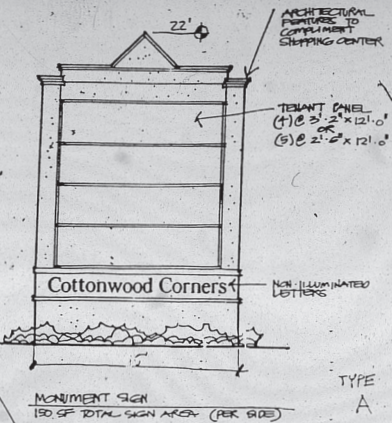


LOCATION & LEGAL DESCRIPTION
 Tracts O-1A-1 and O-2A-1, Seven-Bar Ranch, as the same are shown and designated on the plat entitled TRACTS O-1A-1, O-2A-1, G-1A, M-1, M-1A, O-2A, G-1, M-1, N-32, SEVEN-BAR RANCH AND UNPLATTED LANDS OF SEVEN-BAR LAND AND CATTLE COMPANY, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, filed in the office of the County Clerk of Bernalillo County, on January 6, 1995, in Volume 95C, folio 3.

ZONING: SUH
 TOTAL ACREAGE PHASE II: 34.471 AC ±
 ZONE ATLAS: A-14-2 & A-13-2

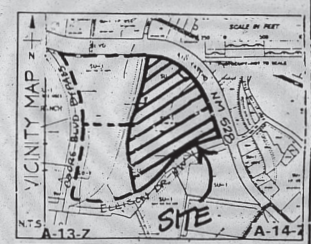
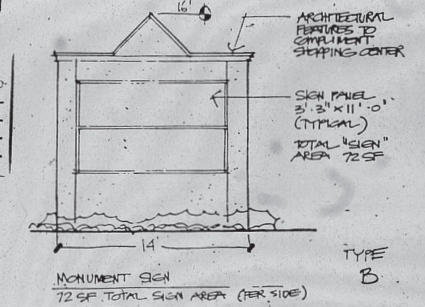
BUILDING AREA AND PARKING CALCULATIONS

BUILDING AREA	CARS	
	WITHOUT DISCOUNT	WITH 10% DISCOUNT
MAJOR 1 50,000 S.F.	200 = 200	200 X .9 = 180
MAJOR 2 50,000 S.F.	200 = 150	200 X .9 = 180
MAJOR 3 23,500 S.F.	200 = 118	200 X .9 = 108
MAJOR 4 42,000 S.F.	200 = 210	200 X .9 = 189
MAJOR 5 31,000 S.F.	200 = 155	200 X .9 = 140
MAJOR 6 25,000 S.F.	200 = 125	200 X .9 = 113
MAJOR 7 80,000 S.F.	300 = 150	300 X .9 = 135
MAJOR 8 35,000 S.F.	200 = 178	200 X .9 = 180
SHOPS 8,000 S.F.	200 = 40	200 X .9 = 36
PAD 1 9,000 S.F.	200 = 45	200 X .9 = 41
REQUIRED PARKING SPACES	1,410	
10% BUS DISCOUNT	-142	
PROVIDED PARKING SPACES	1,278	1,366



AMENDMENT NO. 1
 PARKING SPACES APPROVED BY EPC: 738 SPACES
 PARKING SPACES PROPOSED BY AMENDMENT NO. 1: 749 SPACES

ADMINISTRATIVE
 DEVELOPMENT PLAN AMENDMENT
 FILE NO. Z-95-26
 Approved: [Signature]
 PLANNING DIRECTOR DATE



SIGNATURE BLOCK

DESIGNED BY: [Signature] DATE: 6-7-90
 CHECKED BY: [Signature] DATE: 6-6-91
 APPROVED BY: [Signature] DATE: 12-5-95
 CITY ENGINEER: [Signature] DATE: 12-5-95
 PLANNING DIRECTOR: [Signature] DATE: 12-5-95

REVISION

REV	DATE	BY	DESCRIPTION
1			PRELIMINARY
2			REVISED
3			REVISED
4			REVISED
5			REVISED
6			REVISED
7			REVISED
8			REVISED
9			REVISED
10			REVISED

GEORGE RANFART, ARCHITECT & ASSOCIATES P.C.
 2325 SAN PEDRO NE, SUITE 2-B
 ALBUQUERQUE, NEW MEXICO 87110
 PHONE (505) (84-9110) FAX (505) 884-8783



COTTONWOOD CORNERS
 PROJECT TITLE: COTTONWOOD CORNERS
 TRACT O & SEVEN BAR RANCH
 ALBUQUERQUE, NEW MEXICO
 SHEET TITLE: SITE PLAN

START DATE: 1/27/95
 SCALE: 1" = 100'-0"

CITY OF ALBUQUERQUE
 This microfilm is certified to be a complete and accurate copy of the original as it appears in the files of the PLANNING DEPARTMENT and was created in the normal course of business.
 The photographic process used meets the Basic Microfilm Standards of the National Micrographics Association (ANSI Z39.18-1977).
 DIRECTOR

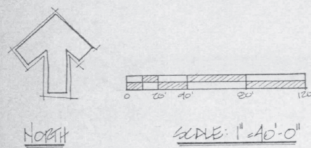
Z 95-124



LANDSCAPE LEGEND

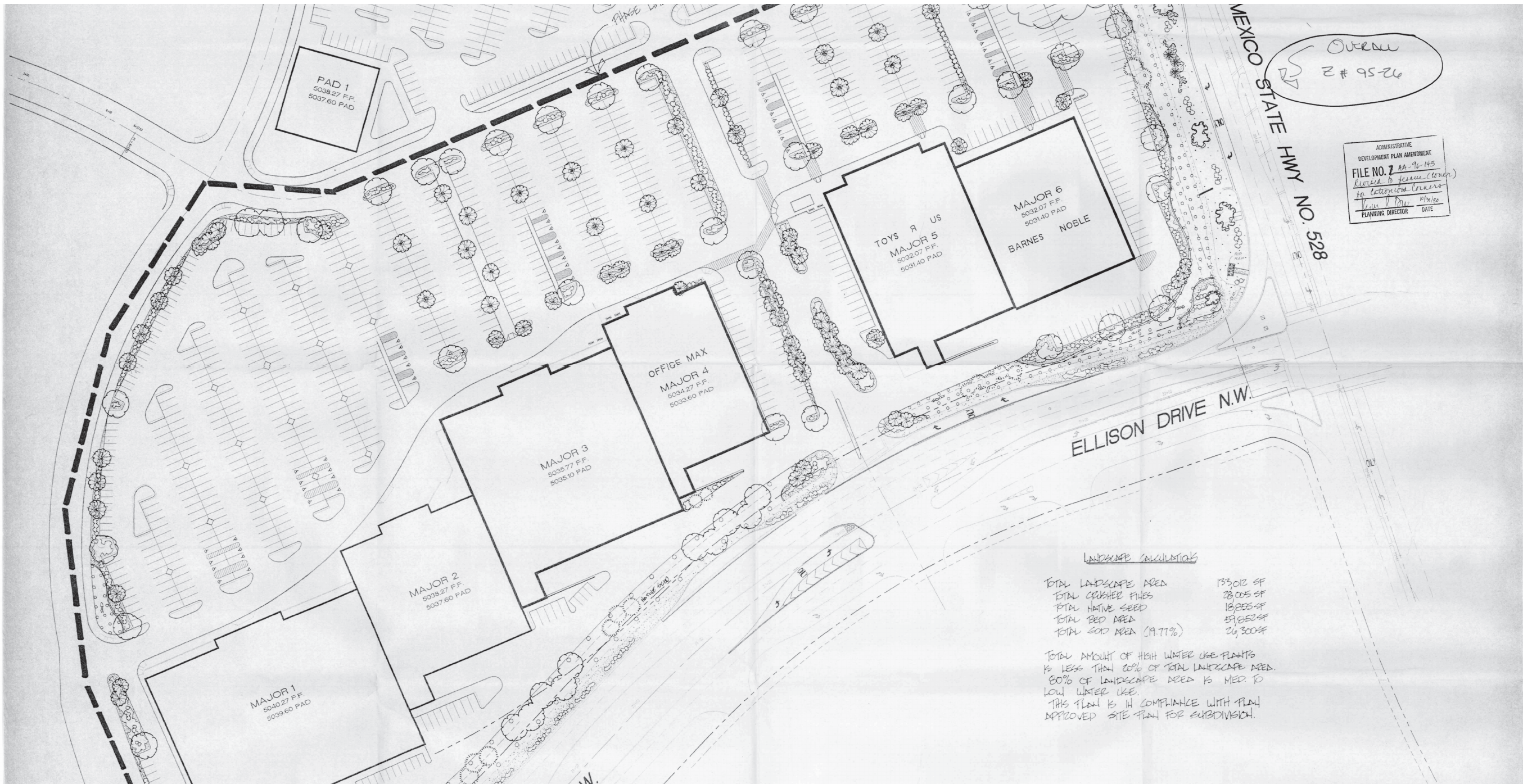
- 41- 2-10 1/2" DIA. SHADE TREES
AET, HOHELICUS, COTONWOOD
- 90- 6' ANNUAL FLOWERING TREES
CREPPE, FLOWERING PEAR, BURNING BUSH
- 18- 6" ERECTUM TREES
MUSTANG PINE OR SPRUCE
- 15- 6" MULTI-TRUNK ACENT TREES
WINDMILL BANYAN, PERSIMMON, OR L'ORCHAL
- 80- 5' ANNUAL SHRUBS
CHAMAEDORION, PINK GUINEA, SCANDALIA, SOUTHERN BURNING BUSH, BLUE MET SPRUCE, PINK SPRUCE, COTONWOOD, PITCHER, BATHOLICUS, BURNING BUSH
- 60- 6" ANNUAL SHRUBS, HOHELICUS OR NY
- CRACKER PLUMS
- FESCUE
- PERENNIAL SOFT LAWN
- GRAVEL AND 1/4" CRACKED STREET GRAVEL
- COMMERCIAL GRADE STREET EDGE
- 4' BURNING BUSH
- 1- 3' CACTUS
- 4-6" OVERLAP COBBLE ACENT PAVED WITH BOUNDARIES

Z # 95-124
DRB # 96-4-41



THE HILLTOP expressly reserves the common law copyright and other property rights in these plans. These plans are not to be reproduced, changed or copied in any manner whatsoever, nor are they to be assigned to any third party without obtaining the express written permission and consent of THE HILLTOP.





PAD 1
5038.27 F.F.
5037.60 PAD

TOYS R US
MAJOR 5
5032.07 F.F.
5031.40 PAD

MAJOR 6
5032.07 F.F.
5031.40 PAD

BARNES NOBLE

OFFICE MAX
MAJOR 4
5034.27 F.F.
5033.60 PAD

MAJOR 3
5035.77 F.F.
5035.10 PAD

MAJOR 2
5038.27 F.F.
5037.60 PAD

MAJOR 1
5040.27 F.F.
5039.60 PAD

OVERALL
Z # 9526

ADMINISTRATIVE
DEVELOPMENT PLAN AMENDMENT
FILE NO. 2 AA-96-143
Revised to Issue (over)
for Category 1/2a
Date of Plan: 8/16/06
PLANNING DIRECTOR DATE

MEXICO STATE HWY NO. 528

ELLISON DRIVE N.W.

LANDSCAPE CALCULATION

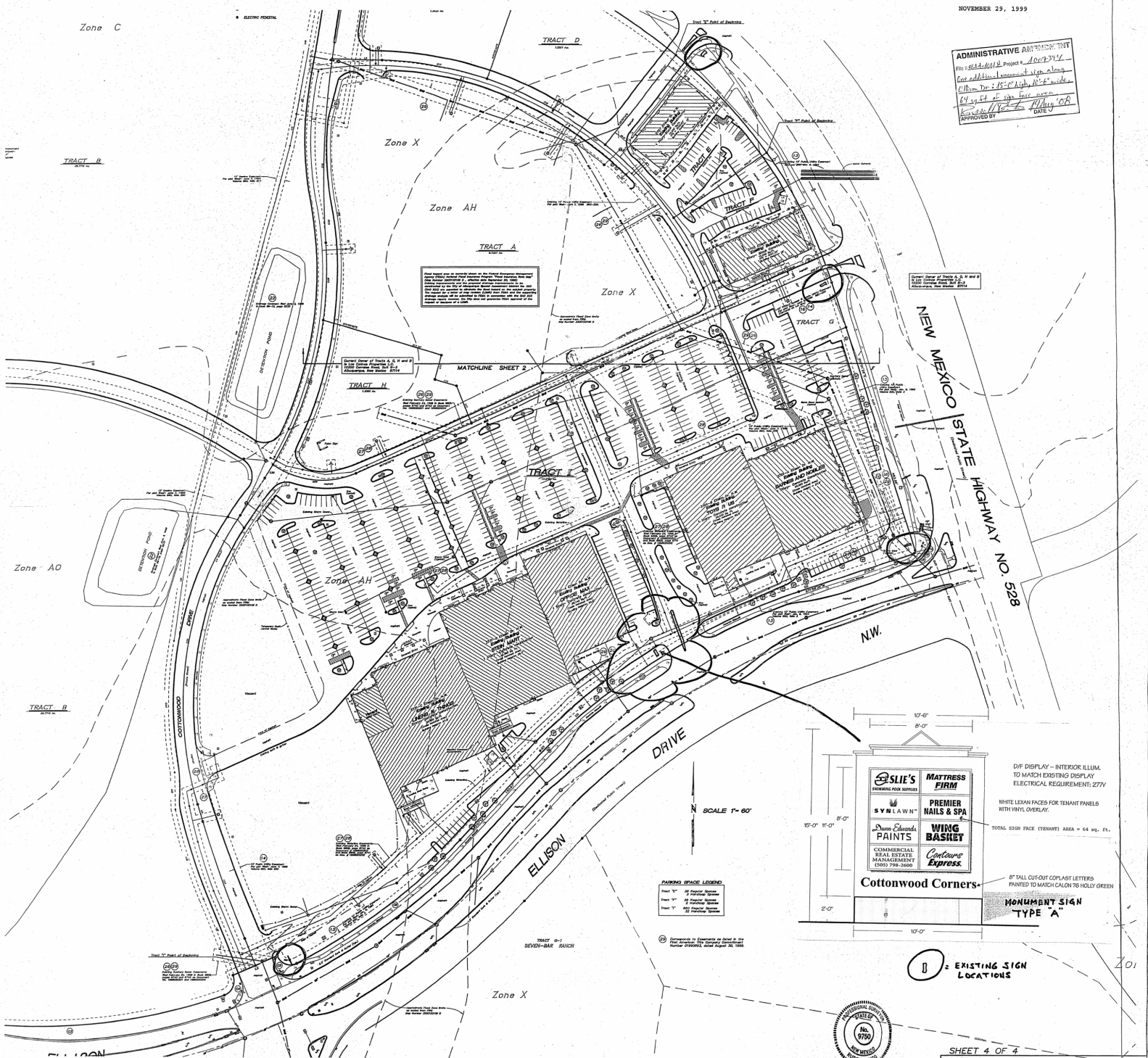
TOTAL LANDSCAPE AREA	133,012 SF
TOTAL CRUSHED FIBER	28,005 SF
TOTAL NATIVE SEED	18,885 SF
TOTAL BED AREA	59,882 SF
TOTAL SOIL AREA (19.71%)	26,300 SF

TOTAL AMOUNT OF HIGH WATER USE PLANTS IS LESS THAN 60% OF TOTAL LANDSCAPE AREA.
60% OF LANDSCAPE NEED IS MET TO LOW WATER USE.
THIS PLAN IS IN COMPLIANCE WITH PLAN APPROVED SITE PLAN FOR SUBDIVISION.

ALTA/ACSM. LAND TITLE SURVEY OF
TRACTS E, F AND I
COTTONWOOD CORNERS
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO

NOVEMBER 8, 1999
 NOVEMBER 23, 1999

ADMINISTRATIVE APPROVAL
 This is a Final Project
 Case Address: 100000
 City: Albuquerque
 County: Bernalillo
 Date: 11/23/99
 Approved by: [Signature]
 DATE: _____



TRACT A
 [Detailed description of Tract A boundaries and features]

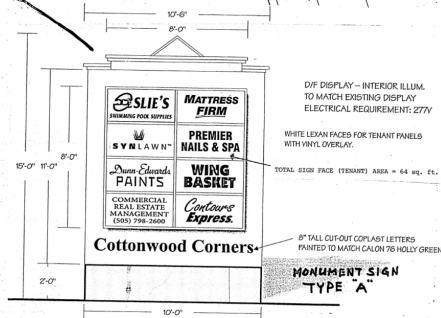
TRACT H
 [Detailed description of Tract H boundaries and features]

TRACT I
 [Detailed description of Tract I boundaries and features]

TRACT G
 [Detailed description of Tract G boundaries and features]

SCALE 1" = 60'

PARKING SPACE LEGEND
 [Legend for parking space types and dimensions]



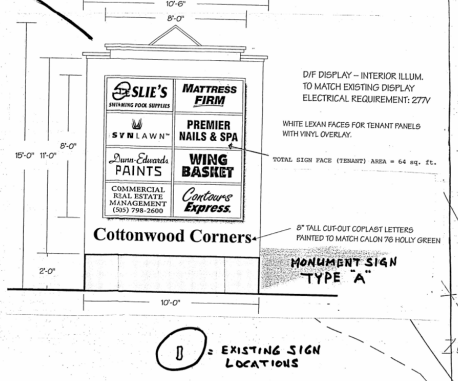
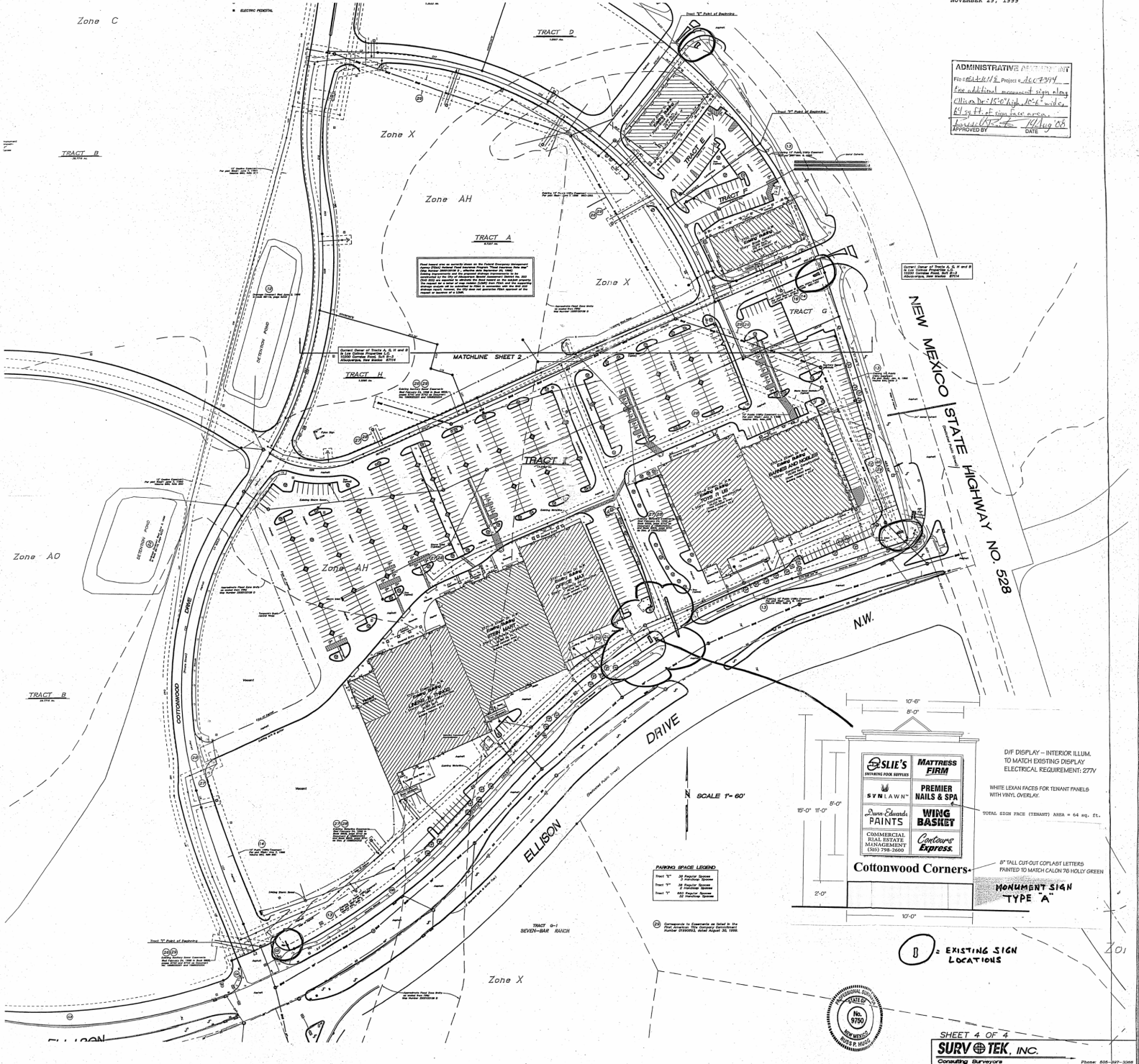
EXISTING SIGN LOCATIONS



ALTA/ACSM LAND TITLE SURVEY OF
TRACTS E, F AND I
COTTONWOOD CORNERS
CITY OF ALBUQUERQUE
BERNALLILLO COUNTY, NEW MEXICO

NOVEMBER 9, 1999
NOVEMBER 29, 1999

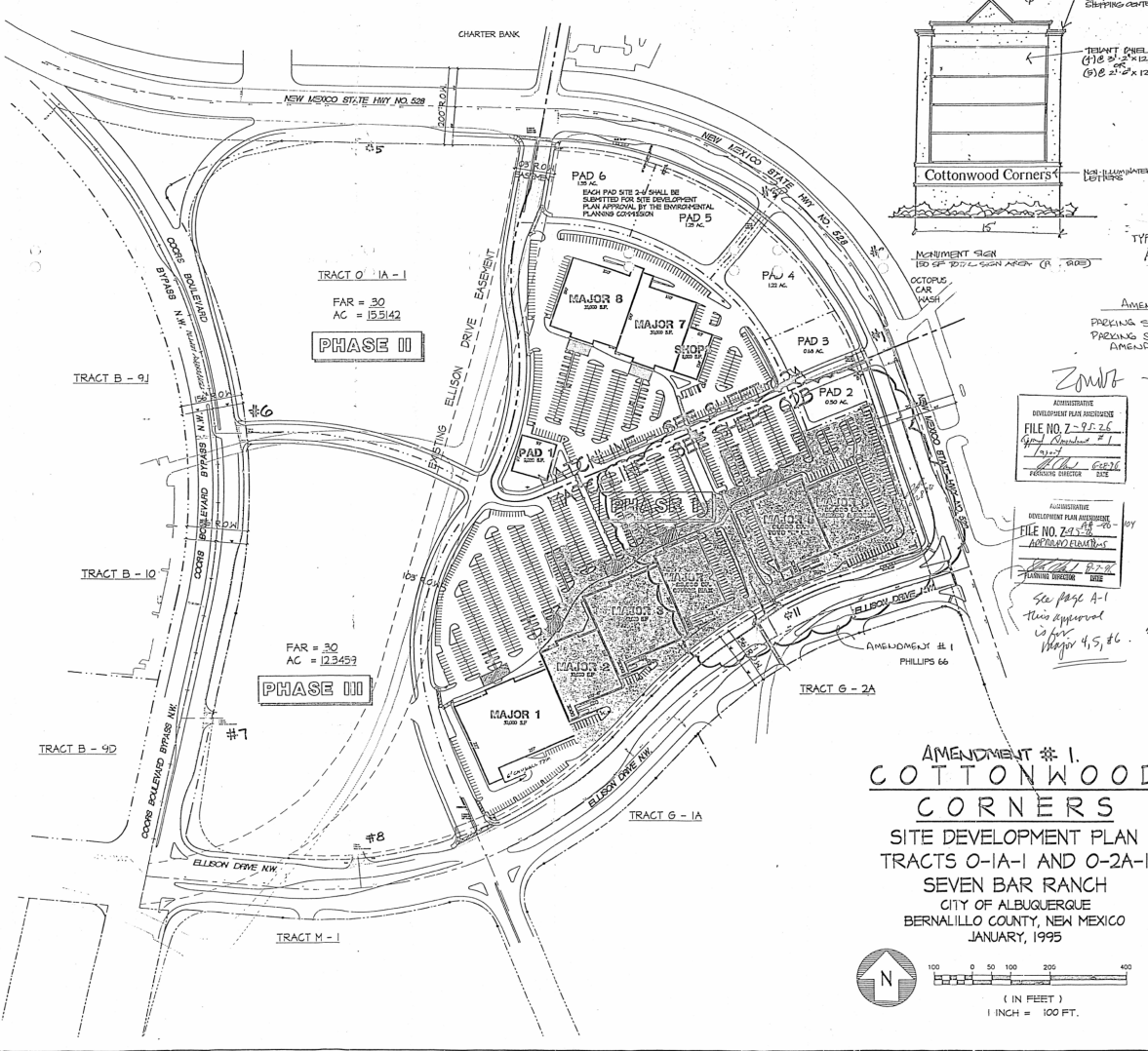
ADMINISTRATIVE APPROVAL
PROJECT: Cottonwood Corners
DATE: 11/29/99
APPROVED BY: [Signature]
DATE: [Blank]



PARKING SPACE LEGEND

Symbol 1	25' Standard Space
Symbol 2	15' Standard Space
Symbol 3	10' Standard Space
Symbol 4	8' Standard Space



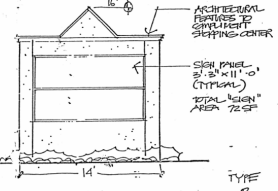
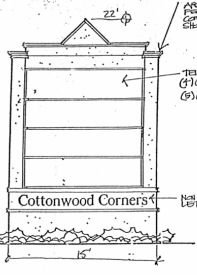


LOCATION & LEGAL DESCRIPTION

Tracts O-1A-1 and O-2A-1, Seven Bar Ranch, in the same area shown and designated on the plat titled TRACTS O-1A-1, O-2A-1, O-1A, O-1A, 1994-191 AND 19-214, SEVEN BAR RANCH BEING A SUBDIVISION OF TRACTS O-1A, O-1A, 19-214, SEVEN BAR RANCH AND UNPLATTED LANDS OF SEVEN BAR LAND AND CATTLE COMPANY, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, filed in the office of the County Clerk of Bernalillo County, on January 8, 1995, in Volume 1992, 163 3.

BUILDING AREA AND PARKING CALCULATIONS

BUILDING AREA	CARS	
	WITHOUT DISCOUNT	WITH 10% DISCOUNT
MAJOR 1 50000 S.F.	200 X 250	220 X 9 = 225
MAJOR 2 30000 S.F.	200 X 150	200 X 9 = 180
MAJOR 3 25000 S.F.	200 X 118	200 X 9 = 180
MAJOR 4 42000 S.F.	200 X 210	200 X 9 = 180
MAJOR 5 31000 S.F.	200 X 155	200 X 9 = 180
MAJOR 6 25000 S.F.	200 X 125	200 X 9 = 180
MAJOR 7 50000 S.F.	200 X 250	200 X 9 = 180
MAJOR 8 50000 S.F.	200 X 250	200 X 9 = 180
SHOPS 8000 S.F.	200 X 40	200 X 9 = 36
PAD 1 1000 S.F.	200 X 45	200 X 9 = 4
REQUIRED PARKING SPACES	1 = 148	1 = 128
10 % BUS DISCOUNT	- 142	- 124
PROVIDED PARKING SPACES	= 178	= 136

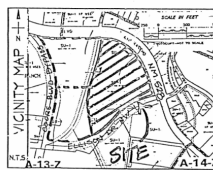
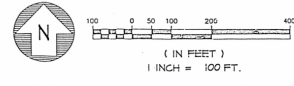


AMENDMENT NO. 1
 PARKING SPACES APPROVED BY E.C. 739 SPACES
 PARKING SPACES PROPOSED BY AMENDMENT NO. 1 249 SPACES

ADMINISTRATIVE DEVELOPMENT PLAN RESUBMITTAL
 FILE NO. 7-9526
 Approved by E.C. 6/27/95
 APPROVED ELEMENTS

See Page A-1
 This approval is for Major 4, 5, & 6.

AMENDMENT # 1.
COTTONWOOD CORNERS
 SITE DEVELOPMENT PLAN
 TRACTS O-1A-1 AND O-2A-1
 SEVEN BAR RANCH
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 JANUARY, 1995



SIGNATURE BLOCK

APPROVED: 2-9-96 DATE

APPROVED TO THE REQUIREMENTS OF THE ENVIRONMENTAL PLANNING COMMISSION ON

APPROVED BY: 6-7-95 DATE

APPROVED BY: 6-8-95 DATE

APPROVED BY: 12-5-95 DATE

APPROVED BY: 12-5-95 DATE

GEORGE RASHBART ARCHITECT & ASSOCIATES P.C.
 2025 SAN PEDRO N.E. SUITE 2-B
 ALBUQUERQUE, NEW MEXICO 87110
 PHONE (505) 845-8787 FAX (505) 844-6783

COTTONWOOD CORNERS
 100% COMPLETE
 100% COMPLETE
 100% COMPLETE

SITE PLAN

DATE: 12-5-95
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1" = 100'-0"

C) APPLICATION INFORMATION



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 checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		Appeals
		<input type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: Eric Hurley/SimonCRE		Phone: (480) 688-1393
Address: 6900 E 2nd St		Email: eric.hurley@simoncre.com
City: Scottsdale	State: AZ	Zip: 85251
Professional/Agent (if any): Eric Hurley/SimonCRE		Phone: (480) 688-1393
Address: 6900 E 2nd St		Email: eric.hurley@simoncre.com
City: Scottsdale	State: AZ	Zip: 85251
Proprietary Interest in Site: In the process of purchasing (LOA from current owner included)	List all owners: GIBSON-COTTONWOOD LLC & BENSON-COTTONWOOD LLC & ETAL	

BRIEF DESCRIPTION OF REQUEST

Zone Map Amendment - EPC to change the current zoning from NR-BP to NR-C to allow for grocery

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

Lot or Tract No.: TRACT I-1 TRACTS I-1 AND I-2 COTTONWOOD CORNERS (BEING AREPLAT OF TRACT I, COTTONWOOD CORNERS) CONT 13.1653 AC	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code: 101406608316830201
Zone Atlas Page(s): A-14-2	Existing Zoning: NR-BP	Proposed Zoning: NR-C
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): 13.1653

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 3731 ELLISON BLVD NW Between: ELLISON BLVD NW and: NM 528 NW

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

Prior subject site history PR #1000506

Signature:	Date: 08/05/24
Printed Name: Eric Hurley	<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 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 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

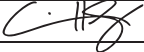
ZONING MAP AMENDMENT – COUNCIL

- 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

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.

Signature: 

Date: _____

Printed Name: _____

Applicant or Agent

FOR OFFICIAL USE ONLY

Project Number:	Case Numbers
	-
	-
	-
Staff Signature: _____	
Date: _____	





SIMONCRE

LETTER OF AUTHORIZATION

July 24, 2024

Request for Zone Map Amendment-EPC

Subject Property: 3731 Ellison BLVD NW, Albuquerque, NM 87114, TRACT I-1 TRACTS I-1 AND I-2
COTTONWOOD CORNERS (BEING AREPLAT OF TRACT I, COTTONWOOD CORNERS) CONT 13.1653 AC

To Whom It May Concern,

I, the undersigned property owner of 3731 Ellison BLVD NW, Albuquerque, NM 87114, hereby authorize SimonCRE Maroon V, LLC, its designees and retained consultants to act as my authorized agent for a Zone Map Amendment-EPC, associated with the subject property.

Landlord/Corporation Signature: _____

Name: Amy Flores, Commercial Real Estate Management

Title: Agent

Date: 7.24.24

PRE-APPLICATION REVIEW NOTES

PA#: 24-036 Notes Provided (date): 6/17/2024

Site Address and/or Location: 3741 & 3731 ELLISON BLVD NW ALBUQUERQUE NM 87114

Pre-application notes are for informational purposes only and are non-binding and do not constitute any type of approval and are not certificates of zoning. Additional research may be necessary to determine the exact type of process and/or application required. Factors unknown and/or thought of as minor at this time could become significant as a case progresses.

Request: A zone change to NR-C for the larger parcels (not the 2 smaller ones along 528) for development of a grocery store.

Basic Site Information

Current Use(s): Vacant / General Retail Size (acreage): approx. 13.192

Zoning: NR-BP Overlay Zone(s): n/a

Comprehensive Plan Designations

Corridor(s): Within 660' of both Cottonwood Dr. and

Development Area: Area of Change; Ellison Dr. Major Transit Corridors

Center: Cottonwood Center (Employment) Near Major Public Open Space (MPOS)?: n/a

Integrated Development Ordinance (IDO)

Please refer to the IDO for requirements regarding dimensional standards, parking, landscaping, walls, signage, etc. <https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

Proposed Use(s): Grocery Store

Use Specific Standards: IDO 14-16-4:4-3(D)(38) Grocery Store:

4-3(D)(38)(a) For grocery stores larger than 50,000 square feet of gross floor area, the Use-specific Standards in Subsection 14-16-4-3(D)(37)(b)

(Large Retail Facilities) also apply.

4-3(D)(38)(b) In the MX-L zone district, this use is limited to establishments of no more than 30,000 square feet of gross floor area.

4-3(D)(38)(c) In the MX-M zone district, this use is limited to establishments of no more than 70,000 square feet of gross floor area

Applicable Definition(s):

Grocery Store

An establishment that sells a wide variety of goods organized in departments, including but not limited to fresh produce, meat and dairy, canned and packaged food items, small household goods, and similar items, with more than 50 percent of the gross floor area devoted to the sale of food products for home preparation and consumption. See also General Retail

General Retail

An establishment providing for the retail sale of general merchandise or food to the general public for direct use and not for wholesale; including but not limited to sale of general merchandise, clothing and other apparel, flowers and household plants that are not grown on-site, dry goods, convenience and specialty foods, hardware and similar consumer goods, cannabis for medical consumption pursuant to Sections 26-2B-1 to 26-2B-10 NMSA 1978 (the Lynn and Eric Compassionate Use Act), or other retail sales not listed as a separate use in

Table 4-2-1. See also Adult Retail, Building and Home Improvement Materials Store, Large Retail Facility, Liquor Retail, and Grocery Store.

General retail is divided into 3 categories based on the size of the establishment or use (not the size of the structure):

1. General Retail, Small: An establishment with no more than 25,000 square feet of gross floor area.
2. General Retail, Medium: An establishment of more than 25,000 square feet of gross floor area and no more than 50,000 square feet of gross floor area.
3. General Retail, Large: An establishment of more than 50,000 square feet of gross floor area. See also Large Retail Facility

Amendment

Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of any zone district or Overlay zone; or any repeal or abolition of any map, part thereof, or addition thereto.

Sensitive Lands: *Please see IDO Section 14-16-5-2 for information about required analysis, development standards, and changes to process that may result if this Section applies.* N/A

Notice

Neighborhood Meeting Offer Required? **Yes** (see IDO Table 6-1-1). If yes, please refer to:

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

Process

Decision Type(s) (see IDO Table 6-1-1): Zone Map Amendment- EPC

Specific Procedure(s)*: Part 14-16-6: 6-7(G) ZONING MAP AMENDMENT – EPC

**Please refer to specific procedures for relevant decision criteria required to be addressed.*

Decision Making Body/ies: EPC Is this a PRT requirement? No

Handouts Provided

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Site Plan Amendments | <input type="checkbox"/> Site Plan- EPC | <input type="checkbox"/> Site Plan- DHO |
| <input type="checkbox"/> Site Plan- Administrative | <input type="checkbox"/> Variance-ZHE | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site History/Research | <input type="checkbox"/> Transportation | <input type="checkbox"/> Hydrology | <input type="checkbox"/> Fire |

If you have additional questions after reviewing these notes, or would like to schedule a follow up call or meeting, please contact Staff at planningprt@cabq.gov. Please include the PA# with your inquiry.

Additional Notes:

- Prior subject site history PR #1000506

Applicant Questions:

What materials are needed for the city's to complete a review?

- Required EPC forms for a Zoning Map Amendment: <https://www.cabq.gov/planning/download-forms-applications/urban-design-development-epc-forms#zone-map-amendment--i-e--zone-change->

- Form z: <https://documents.cabq.gov/planning/online-forms/FormZ.pdf>

What is the timing of the 1st review and subsequent reviews?

- The application deadline and hearing schedule for the EPC <https://documents.cabq.gov/planning/environmental-planning-commission/EPC-External%20Calendar%202024%20draft%20MJ.pdf>
-

What are the fees associated with reviews?

- Fee Schedule: <https://documents.cabq.gov/planning/online-forms/Planning-General-FEE%20Schedule.pdf>

What is required if we're combining 2 suites into 1?

- Tenant improvement permits go to Building and Safety.
 - <https://www.cabq.gov/planning/building-safety-division/permits#online-building---trade-permits>
 - **Building Permits & Plan Review**
505-924-3320,
Plaza Del Sol
[See Plaza Del Sol on a map](#)
8 a.m. to 5 p.m., Monday to Friday

September 04, 2024

Jonathan R. Hollinger, Chairman
Environmental Planning Commission, City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Request for Zoning Map Amendment-EPC at 3731 Ellison Dr NW, Albuquerque, NM 87114

Dear Mr. Chairman and Honorable Commissioners:

The purpose of this letter is to request a Zoning Map Amendment-EPC for the property located at 3731 Ellison Dr NW, Albuquerque, NM 87114, Cottonwood Corners Shopping Center. This property covers approximately 13 acres and is legally described as all or a portion of Tract I-1 Tracts I-1 and I-2 Cottonwood Corners (being a replat of Tract I, Cottonwood Corners) located at 3731 Ellison Dr NW, Albuquerque, NM 87114, Cottonwood Corners Shopping Center Cont 13.2 AC. An Amended Site Development Plan for Cottonwood Corners shopping center was approved by the Environmental Planning Commission (EPC) in 1995.

The property is currently zoned as NR-BP (Non-Residential Business Park), which limits the uses allowed in the existing development. We are requesting a Zoning Map Amendment-EPC to modify the zoning to NR-C (Non-Residential Commercial) to allow for the development of a grocery store in the existing center. This request meets the criteria for a Zone Map Amendment-EPC as outlined in IDO Subsection 14-16-6-7(G)(3)(a-h) and thus requires EPC review and approval.

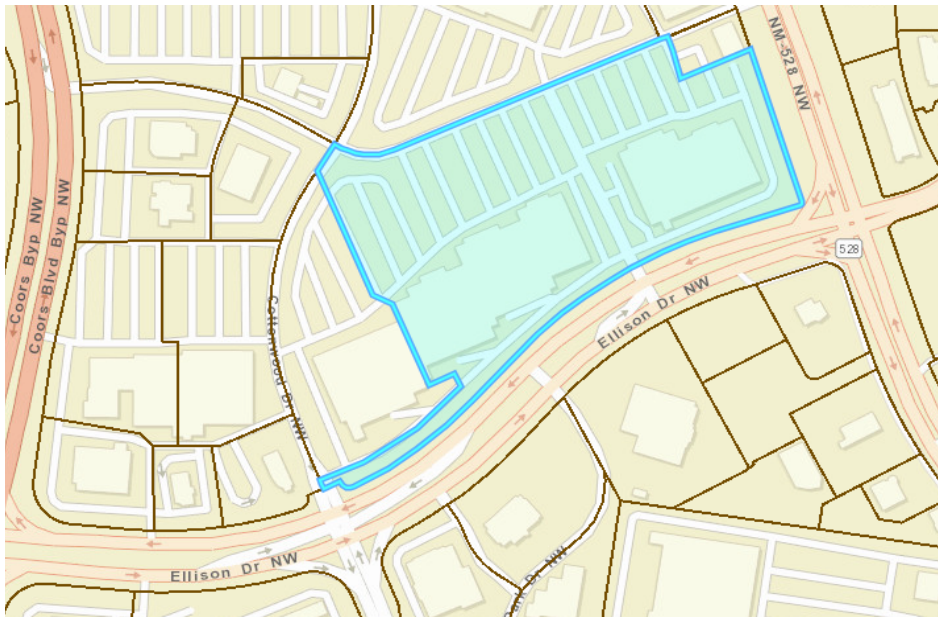


Figure 1: Subject parcel in blue box

Our Request

We are seeking to amend the zoning map from NR-BP to NR-C to accommodate the addition of a grocery store, which directly supports Albuquerque’s goals of enhancing accessibility to essential services and promoting community well-being.

According to IDO Section 14-16-6-7(G) the proposed change is considered a Zoning Map Amendment-EPC. Therefore, we are requesting the EPC approve a Zoning Map Amendment for the property.

Site History

In March 1995 the Environmental Planning Commission voted to approve (Z-95-26) the site development plan for Cottonwood Corners, with amendments approved in 1995 (Z-95-83) and 2008 (1007394). The Cottonwood Corners Shopping Center was established to serve the community's needs with a diverse range of commercial retail and restaurants. An addition of a grocery store will add to the diversity of the shopping center.

Existing Conditions

The site is a develop retail shopping center situated within a mixed commercial intersection featuring a variety of commercial uses such as restaurants, retail stores and gas stations. The surrounding area includes commercial, single and multi-family developments.

Zoning

Table 1. Surrounding Zoning & Land Use		
North	NR-BP	Commercial, Retail, Restaurants, Gas & Auto Repair
East	NR-BP, PD	Commercial, Retail, Restaurants, Gas & Auto Repair, Self-Storage, Multi-Family
South	NR-C, MX-L, MX-M	Commercial, Retail, Restaurants, Gas & Auto Repair, Self-Storage, Multi-Family, Grocery
West	R-ML, MX-M, NR-SU	Single/Multi-Family, Police, Fire, High School

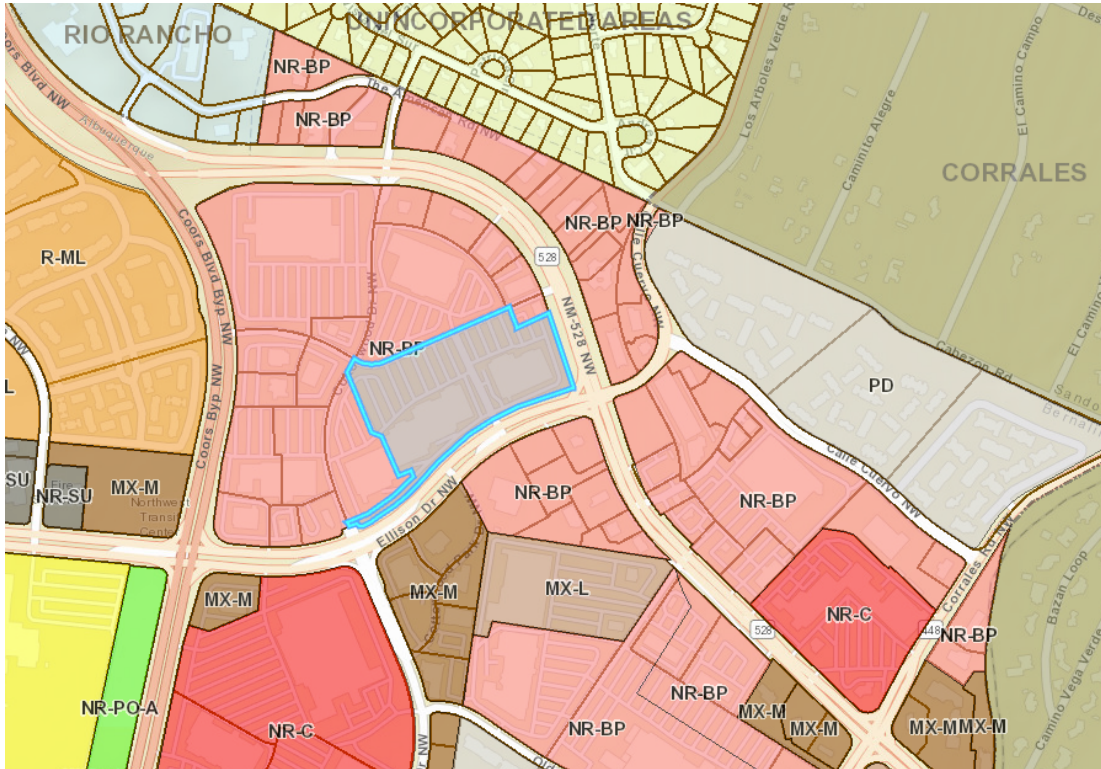


Figure 2: Zoning Map, subject parcel in blue box

Integrated Development Ordinance Justification Criteria

The following explanation summarizes how the request for a Zoning Map Amendment-EPC meets the IDO criteria pursuant to IDO Section 14-16-6-7(G)(3)(a-h) for Zoning Map Amendments-EPC.

- 1. **14-16-6-7(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.

1.1. **Applicant Response:** Changing the zoning from NR-BP (Non-Residential Business Park) to NR-C (Non-Residential Commercial) is consistent with the health, safety, and general welfare of the City of Albuquerque. This request furthers several applicable Goals and Policies within the ABC Comp Plan, aligning with the city's broader objectives for sustainable, inclusive, and economically vibrant development.

Goal 4.1: Character: The zoning change from NR-BP to NR-C will enhance and preserve the community's character by allowing for more flexible and context-sensitive development. The introduction of a grocery store within the NR-C zone will contribute positively to the area's identity, offering an essential service that aligns with the community's needs.

Policy 4.1.1 Distinct Communities: The NR-C zoning is designed to accommodate a broader range of commercial uses, which allows for developments that meet the specific needs and character of the community. A grocery store within this zone will provide essential services that align with

the local identity, creating a vibrant hub that enhances the unique qualities of the surrounding area. The NR-C zone permits the flexibility to adapt the store's design to reflect the distinct aesthetics and culture of the community.

Policy 4.1.4 Neighborhoods: The NR-C zoning promotes neighborhood-serving commercial uses like grocery stores, which are crucial for enhancing the quality of life for nearby residents. By allowing for the development of a grocery store in this zone, we can help ensure that the surrounding neighborhoods are supported with accessible, high-quality retail options, thus fostering the long-term health and vitality of the community. The NR-C zoning also supports a harmonious integration of the store into the local area, preserving the character and fabric of nearby neighborhoods.

Policy 4.1.5 Natural Resources: NR-C zoning encourages the integration of sustainable and environmentally friendly commercial development. This allows the grocery store to adopt best practices in sustainable design, such as energy-efficient lighting, renewable energy sources, and water conservation measures. These environmentally responsive practices are more readily supported in the NR-C zoning district, which encourages high-quality, thoughtful development that considers the ecosystem's health and functionality.

Chapter 5: Land Use

Goal 5.1: Centers & Corridors: Rezoning to NR-C supports the development of strong Centers and Corridors by allowing for a mix of uses, including a grocery store, that enhances connectivity and accessibility. This change will reinforce the area as a vibrant Center, providing essential services and improving the community's access through a multi-modal network.

Policy 5.1.1 Desired Growth: The proposed zone changes supports capturing regional growth in Centers and Corridors, fostering sustainable development patterns. By facilitating a grocery store in this area, the change reduces the need for long commutes, promotes local shopping, and decreases reliance on automobiles. This further enhances the livability and attractiveness of the area, aligning with the City's vision for sustainable urban growth.

Policy 5.1.2 Infill & Redevelopment: The rezoning promotes employment density and compact development within a designated Center by introducing essential services and job opportunities. This aligns with the City's focus on supporting redevelopment and infill in targeted areas, thus making efficient use of existing urban spaces and minimizing sprawl.

Goal 5.2: Complete Communities: The NR-C zoning designation fosters the development of complete communities by enabling a variety of land uses that support daily activities like living, working, learning, and shopping. The addition of a grocery store will help create a balanced community where residents can conveniently access essential services within their neighborhood.

Policy 5.2.1 Land Uses: The zone change to NR-C supports the creation of a healthy, sustainable, and distinct community by integrating a vital service-grocery shopping-within walking distance of surrounding neighborhoods. This mix of uses enhances convenience and pedestrian activity, fostering a diverse and vibrant community environment.

Goal 5.3: Efficient Development Patterns: Changing the zoning to NR-C promotes efficient development by optimizing the use of existing infrastructure and public facilities. The NR-C zone supports higher-intensity, mixed-use development, including a grocery store, which maximizes land use and enhances community access without requiring significant new infrastructure investments.

Policy 5.3.1 Infill Development: By utilizing an existing vacant building and existing infrastructure, the proposed rezoning supports additional growth in an area with established public facilities. This efficient use of resources aligns with the City's commitment to promoting infill development, reducing the need for new infrastructure and urban expansion.

Goal 5.6: City Development Areas: The NR-C zoning aligns with the goal of encouraging growth in designated Areas of Change while maintaining the character of Areas of Consistency. Allowing for a grocery store in this zone will direct appropriate growth to the area, reinforcing the intended development intensity and ensuring it complements the surrounding neighborhoods.

Policy 5.6.2 Areas of Change: The zone change directs growth and more intense development to a designated Center, where such change is encouraged. This supports the City's strategic urban intensification efforts, fostering economic activity and vibrancy in targeted redevelopment zones.

Chapter 8: Economic Development

Goal 8.1 Placemaking: The NR-C zoning will enhance the area by adding a grocery store, creating a vibrant and appealing space. This development will contribute to the community's character, making it a more attractive place for residents and businesses to thrive.

2. **14-16-6-7(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 new 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 inappropriate because it meets any of the following criteria.**

- 2.1. **Applicant Response:** The subject property is not located partially or completely in an Area of Consistency. Therefore, Criterion B does not apply to this request. The property is in an Area of Change, as designated by the ABC Comp Plan. The proposed zoning change from NR-BP to NR-C aligns with the goals for Areas of Change, which include encouraging dynamic development and increased density to stimulate economic growth and enhance urban vitality. The NR-C zoning will support a broader range of commercial activities, fostering a vibrant and adaptable urban environment that aligns with the Comp Plan's objectives for evolving neighborhoods. Additionally, the introduction of a grocery store under the NR-C zoning will enhance accessibility to essential services, contributing directly to community well-being and fulfilling the area's potential for higher-intensity development.

3. **14-16-6-7(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. Subsection 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).

3.1. Applicant Response: The NR-BP zone, with its focus on business park-related activities, limits the potential for broader economic development and community services in the Area of Change as outlined in the ABC Comp Plan. In contrast, the NR-C zone permits a wider range of commercial activities, including general retail, art galleries, and essential services such as grocery stores. This broader scope aligns more closely with the goals of the Comp Plan, which emphasizes higher development density, increased land use intensity, and enhanced connectivity.

The transition to NR-C zoning supports these objectives by fostering a mixed-use environment that better serves community needs and contributes to a vibrant urban area. NR-C zoning allows for a variety of uses that promote economic vitality and enhance the quality of life for residents, such as the planned grocery store that provides essential access to fresh food and everyday necessities. This change will not only bring valuable services to the area but also align with the Comp Plan's vision for dynamic and adaptable land use patterns. By permitting a range of commercial activities, NR-C encourages development that is more responsive to market demands and community needs, supporting a more connected and economically resilient area.

4. 14-16-6-7(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.

4.1. Applicant Response: As shown in the table 4.1, the proposed zoning change from NR-BP to NR-C would introduce a broader range of permissive uses that could enhance the economic and social vitality of the area. While NR-BP primarily supports business park activities with a focus on office, service, and light industrial uses, NR-C allows for more diverse commercial uses, such as general retail and art galleries, which are not permitted under NR-BP. The NR-C zoning district does not permit adult retail and adult entertainment, making it more family-friendly and accessible for children. The NR-C zoning also permits essential services like grocery stores, which directly support the community's need for accessible, everyday goods and services. This flexibility in allowable uses under NR-C could attract a wider variety of businesses and services, making the area more dynamic and responsive to market demands.

Importantly, the transition to NR-C is unlikely to harm the surrounding area, as many of the new permissible uses are compatible with existing business park activities. The controlled nature of NR-C zoning, with conditional uses for activities that might have more significant impacts, ensures that any potential negative effects are carefully managed. This change aligns with the city's broader objectives of fostering community health and economic vitality, making it a positive step forward for the local area.

Table 4.1: Land Use as per IDO

P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary Blank Cell = Not Allowed		
LAND USE	NR-C	NR-BP
Motor Vehicle - related		
Heavy vehicle and equipment sales, rental, fueling and repair	P	C
Food, Beverage, and Indoor Entertainment		
Adult Entertainment		P
Offices and Services		
Blood service facility	C	P
Retail Sales		
Adult Retail		P
Art Gallery	P	
General retail, medium	P	C
Grocery Store	P	
Transportation		
Park and ride lot	C	P
Telecommunications, Towers and Utilities		
Geothermal energy generation	A	P
Waste and Recycling		
Salvage Yard		C
Wholesaling and storage		
Outdoor storage	C	A

5. 14-16-6-7(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: Subsection 1. Have adequate capacity to serve the development made possible by the change of zone.

5.1. **Applicant Response:** The City's existing infrastructure, as defined by the Integrated Development Ordinance (IDO), including streets, sidewalks, public utility facilities, sanitary sewer, and water systems, has adequate capacity to support the development made possible by the proposed NR-C zoning change. This includes not only the road network but also drainage, flood control, and street lighting, which are all essential components of the urban infrastructure.

The proposed NR-C zoning change can be seamlessly integrated without overburdening public services due to the existing infrastructure's ability to handle the anticipated demand. This will be accomplished by leveraging the current capacity of the roadways to absorb the additional traffic generated by new commercial activities, as well as utilizing existing drainage and flood control systems designed to accommodate such developments. Moreover, the shift from NR-BP to NR-C zoning promotes more sustainable development by encouraging mixed-use opportunities that are better aligned with the city's long-term planning goals.

The introduction of a grocery store in particular, under the NR-C zoning, will directly benefit residents by providing easy access to essential goods, further supporting the sustainability of local infrastructure.

The NR-C zoning change is not just compatible with the current infrastructure but enhances its use, contributing to a more sustainable and resilient urban environment by integrating commercial development with existing public amenities. This strategic alignment with the city's infrastructure capacity ensures that the proposed development supports the overall well-being of the community without compromising the functionality of public services.

6. 14-16-6-7(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.

6.1. **Applicant Response:** The request for the Zoning Map Amendment is not based solely on the property's location on a major street. Instead, it is driven by the need to rezone the existing property to accommodate a grocery store, in alignment with the Albuquerque-Bernalillo County Comprehensive Plan (ABC Plan) and established City policies. This rezoning will unify the zoning across the entire site, making development feasible and ensuring that the property is used efficiently. The proposed grocery store will address the community's demand for accessible retail options, contributing to the overall well-being of the neighborhood. While the property's location along arterial roadways are recognized, the primary intent of this rezoning is to enhance the availability of essential services within the area, complementing the city's goals for sustainable urban development. The justification for this zoning map amendment is grounded in advancing a majority of relevant Comprehensive Plan Goals and Policies, as explained in 14-16-6-7(G)(3)(a).

7. 14-16-6-7(G)(3)(g): The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

7.1. **Applicant Response:** The justification for the Zoning Map Amendment is not based on land cost or economic factors. The primary motivation for the rezoning is to introduce a grocery store, which will address the community's need for accessible retail options and enhance local food security. This rezoning aligns with the city's objectives of promoting self-sufficiency and sustainable urban development. The focus is on ensuring efficient land use and supporting the broader community rather than economic considerations alone. The justification for this zoning map amendment is grounded in advancing a majority of relevant Comprehensive Plan Goals and Policies, as explained in 14-16-6-7(G)(3)(a).

8. 14-16-6-7(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 area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.

2. The site 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 premises makes it unsuitable for the uses allowed in any adjacent zone district.

8.1. **Applicant Response:** This property is not a spot zone because the proposed zoning change from NR-BP to NR-C aligns with the surrounding zoning designations and the overall land use plan for the area.

The NR-C zoning for this subject property is consistent with the zoning and land use of nearby properties. The change is designed to accommodate the development of a grocery store, which fits well within the existing urban fabric and complements the surrounding uses. By ensuring that the new zoning integrates seamlessly with the existing pattern and does not stand out as an anomaly, the rezoning does not constitute spot zoning. Instead, it supports a logical and cohesive development pattern that is in line with the community's broader planning goals.

Conclusion

The proposed zoning change from NR-BP to NR-C aligns with the IDO Subsection 14-16-6-7(G)(3), Zone Map Amendment-EPC requirements, by promoting compatibility with adjacent uses, leveraging existing infrastructure, and providing significant community benefits. This change supports the implementation of the ABC Comprehensive Plan by facilitating the development of local amenities, such as a grocery store, which will enhance the availability of essential services and contribute to broader economic development and livability goals.

Given the existing structures on the property, which are more suited to commercial use, and considering the site's topography and access points, the NR-C zoning is the most appropriate classification. This strategic change not only aligns with community development goals but also ensures consistency with surrounding districts, thereby avoiding the creation of a spot or strip zone.

Thank you for your attention to this matter. Please feel free to contact me if you require any further information or clarification.

Sincerely,

Eric Hurley
Development Project Manager
SimonCRE
6900 E 2nd St
Scottsdale, AZ 85251
(480) 688-1393
eric.hurley@simoncre.com

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. 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. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public 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 at a charge of \$3.75 each.

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 09/04/24 To 10/04/24

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.

Eric Hurley/SimonCRE
(Applicant or Agent)

08/05/24
(Date)

I issued (4) signs for this application, 8/20/2024, Catherine Heyne
(Date) (Staff Member)

PROJECT NUMBER: PR-2024-010770/ RZ-2024-00043

Pictures of Installed Signs, 9/4/24



Pictures of Installed Signs, 9/4/24



D) STAFF INFORMATION

August 23, 2024

TO: Eric Hurley/ SimonCRE

FROM: Catherine Heyne, Planner
City of Albuquerque Planning Department

TEL: (505) 924-3310; cheyne@cabq.gov

RE: PR-2024-010770 (RZ-2024-00043), Cottonwood Corners Zoning Map Amendment (ZMA)

I have completed a first review of your submission for the Zoning Map Amendment (ZMA) of NR-BP to NR-C for Cottonwood Corners. I have a few suggestions and questions for the process and will be available to answer any further questions. After this meeting, please provide:

⇒ a **revised justification letter** (electronic copy) by **12 pm on August 29, 2024**.

If you have difficulty with this deadline, please let me know.

1) Introduction:

- A. Although I have done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. This is what I have for the legal description:
 1. All or a portion of Tract I-1 Tracts I-1 and I-2 Cottonwood Corners (being **a replat** of Tract I, Cottonwood Corners) located at 3731 Ellison **Dr** NW, Albuquerque, NM 87114, Cottonwood Corners Shopping Center.
 - Please update the text in the Justification letter.
 2. NOTE: The estimated subject area that the Planning Department will use for this project is **13.2 acres** so that this site area isn't inadvertently under advertised.
- C. It is my understanding that you submitted a zoning map amendment request to update the existing IDO zoning of NR-BP to NR-C for the proposed use of a grocery store.
- D. A Traffic Scoping Form is not needed for this request, but may be required for any future proposal.
- E. Zone changes must be consistent with the health, safety, and general welfare of the City as shown by furthering a preponderance of applicable Goals and Polices in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City.
- F. Is there anything else you'd like to tell us about the request?

2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing for September is on the 19th. Final staff reports will be available one week prior, on September 12th here:
 - <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.
- C. I will email you a copy of any received agency comments by September 4th. Any comments received by Staff after this date will be forwarded as soon as possible.

3) Public Involvement – Notification & Neighborhood Issues:

Requirements for Public Meetings are found in IDO Section 14-16-6-4(B & K). Public Notice for a Zoning Map Amendment – EPC are explained in IDO Section 14-16-6-4(J).

- A. No tribal meeting is required.
- B. It seems that no post-submittal neighborhood meeting had been requested by the time of application. Has anyone since contacted you for a facilitated meeting?
- C. It appears that the applicant has provided email notice of the application to all eligible Neighborhood Association representatives.
- D. It appears that the applicant has provided notice of the application to all adjacent property owners via first-class mail as required by the IDO.
- E. Are you aware of any support or opposition for the request? Please let me know if you receive any comments. If you do, these will be included in our staff report.
- F. The Sign Posting Agreement was included, with the correct dates of **09/04/2024 to 10/04/2024**. Sign posting is required on the subject site at least 15 days prior to and after the 09/19/24 EPC hearing date, not counting the day of the EPC hearing.
 - We encourage applicants to take a photo at the time the signs are posted to demonstrate that this step has been done. Please submit these photos with your resubmission or separately before 9 am, Monday, 09/09/2024.

4) Project Letter

The project letter seems to be generally complete, and I have included revision recommendations and guidance questions in the sections below.

A. General recommendations

- Please add consecutive page numbering to the Justification Letter to ease review.
- Thank you for bookmarking your pdf submission.

B. Review and Decision Criteria

1. Criterion A - 6-7(G)(3)(a)

- a. Please add to the Criterion A responses in a revised justification letter. Specifically, the task in a zone change justification is not to reply only to relevant policies but to also include responses to the applicable Goals from the Comprehensive Plan. It is important that these responses demonstrate how the request is relevant to or furthers each. Accordingly, please add responses to applicable Goals in the updated Justification Letter.

Responding to the zone change criteria is more of a legal exercise than anything else. Please be as detailed as possible in your responses. It is critical to “hit the nail on the head” both conceptually and in terms of form. This can be done by:

- Re-phrasing the requirement itself in the response by tailoring the response to match the wording of the Goal or Policy.
 - Furthering is shown by providing explanations using “because” statements.
 - Choosing only the pertinent option when needed to respond to a requirement.
- b. Criteria A indicates that the changes should be consistent with “a **preponderance** of applicable Goals and Policies”. At this time, presented Goals and Policies only come from a single Chapter (i.e., Chapter 5: Land Use). There should be additional areas included to strengthen this response.
 - c. Try to refrain from using sub-policies unless there is an extremely specific reason related to the subject property. You can always wrap your response to a sub-policy into a response to a Policy.
 - d. You don’t need to add the subtending numbering (e.g., 1.1, 1.2, 1.2.1, 1.2.1.1., ...). Let the Goal and Policy numbers be the guide to your responses.
 - e. If you do not believe a Goal or Policy is applicable, please do not include it in the response.
 - f. Refer to the link provided below for examples of Zone Map Amendments staff reports and justification letters: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

2. **Criterion B - 6-7(G)(3)(b):** Please revise the narrative to Criterion B as part of a revised Justification Letter. The first 2 sentences are good, but overall, this criterion does not apply because the subject site is not in an Area of Consistency; the response should reflect this.
3. **Criterion C - 6-7(G)(3)(c):** Please strengthen the response to Criterion C, with the following information addressed in a revised Justification Letter:
 - a. The response to Criterion C should include/state which criteria supports that the existing zoning is inappropriate.
 - b. Please be more direct in your response as to why the NR-C zoning is more advantageous than current NR-BP zoning, which is the long-standing zone district and is the zoning for the majority of the parcels in the surrounding area.
4. **Criterion D - 6-7(G)(3)(d):** Please re-work the responses to Criterion D in the revised Justification Letter, addressing the following information:
 - a. The current response to Criterion D is insufficient because it is too general. It does not adequately discuss the specific uses that will be more or less restrictive which may increase or reduce the potential harm for the area.
 - b. The revised response should discuss the newly permissive uses in the NR-C zone district and compare that to existing allowable uses of the NR-BP. A zone change would potentially authorize all uses allowable under the NR-C Zone District in the future, not just the currently proposed use for grocery.
5. **Criteria E - 6-7(G)(3)(e):** The response to Criterion E is generally sufficient, but could be made stronger:
 - a. For example, it was mentioned that the “NR-C zoning change can be seamlessly integrated without overburdening public services.” How would/is this be accomplished?
 - b. How would the proposed zone change be in more support of sustainable development compared to current zoning?
 - c. Here is the IDO definition for infrastructure: Streets, sidewalks, public or private utility facilities, sanitary sewer and water system facilities, drainage and flood control facilities, street lighting, and other improvements used by the public or used in common by owners of lots within a subdivision. Includes both private (owned by a non-governmental entity) and public (owned by a governmental entity) improvements.
6. **Criteria F & G - 6-7(G)(3)(f, g):** These responses should be updated.
 - a. “Mixed-use” is specifically defined in the IDO (e.g., Mixed-use Development See Development Definitions; Mixed-use Zone District See Zone Definitions). Please review these definitions and update the responses accordingly.

- b. The terms “walking distance” and “walkable” were used. Please be more specific (especially in light of the fact that this area is completely surrounded by regional/urban principal arterial roadways). You may also want to look at transit services for the area.
7. **Criterion H - 6-7(G)(3)(h):** Please revise the response to Criterion H to more clearly address both parts of this two-part test—1- spot zones are not allowed unless the requested zoning will clearly facilitate implementation of the Comp Plan, as amended, and 2- elaborating on at least one of the three (3) provided points within the response—in your resubmitted justification letter based on the following information:
- a. Please expand on how this request does not create a spot zone. This can be done by describing the surrounding zone districts and their physical relationship to the parcel in the request.
 - b. It appears that the response provided was to address Point 3 or IDO § 6-7(G)(3)(h)(3): The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district. Please incorporate wording per the suggestions provided under Criterion A above (see B.1.a.) to present a clearer explanation.

August 30, 2024

TO: Eric Hurley/ SimonCRE

FROM: Catherine Heyne, Planner
City of Albuquerque Planning Department

TEL: (505) 924-3310; cheyne@cabq.gov

RE: Memo 2: PR-2024-010770/ RZ-2024-00043, Cottonwood Corners Zoning Map Amendment

I have reviewed your 8/28/24 submission for the Zoning Map Amendment (ZMA) of NR-BP to NR-C for Cottonwood Corners. I have a few suggestions and questions for the process and will be available to answer any further questions. After this meeting, please provide:

⇒ a **revised Justification Letter** (electronic copy) by **3 pm on Tuesday, September 3, 2024.**

If you have difficulty with this deadline, please let me know.

1) Introduction:

- A. Although I have done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. This is what I have for the legal description:
 1. All or a portion of Tract I-1 Tracts I-1 and I-2 Cottonwood Corners (being a replat of Tract I, Cottonwood Corners) located at 3731 Ellison Dr NW, Albuquerque, NM 87114, Cottonwood Corners Shopping Center; 13.2 acres.

2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing for September is on the 19th. Final staff reports will be available one week prior, on September 12th here:
 - <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.
- C. I will email you a copy of any received agency comments by September 4th. Any comments received by Staff after this date will be forwarded as soon as possible.

3) Public Involvement:

- We did receive one public letter in support of the case.

4) Review and Decision Criteria

Answers can be succinct. Similar cases, for example March 2024, can be found here:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

Below are additional revision recommendations and guidance questions grouped by criterion:

Criterion A - 6-7(G)(3)(a) Please update in a revised Justification Letter.

1. The task in a zone change justification is not to reply only to relevant policies but to also include responses to the applicable Goals from the Comprehensive Plan. It is important that these responses to Goals demonstrate how the request is relevant to or furthers each. Accordingly, please add responses to applicable Goals in the updated Justification Letter and not just Policies.

Responding to the zone change criteria is more of a legal exercise than anything else. It is critical to “hit the nail on the head” both conceptually and in terms of form. This can be done by:

- Re-phrasing the requirement itself in the response by tailoring the response to match the wording of the Goal or Policy.
 - Furthering is shown by providing explanations using “because” statements.
 - Choosing only the pertinent option when needed to respond to a requirement.
2. Chapter 3 does not contain Goals and Policies, and therefore, is not needed as a separate part of the response. Goals and Policies can be found in Comprehensive Plan Chapters 4 - 13: <https://www.cabq.gov/planning/plans-publications/abc-comprehensive-plan>.

Criterion C - 6-7(G)(3)(c): Please update in a revised Justification Letter:

1. Please review IDO Table 4-2-1 Allowable Uses (p. 149) when responding as to why the NR-C zoning is more advantageous than current NR-BP zoning, which is the long-standing zone district and is the zoning for the majority of the parcels in the surrounding area.
2. Please review past ZMA examples, for example March 2024, which can be found here: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>
3. Please review the NR-BP and NR-C Zone District Use and Development standards. Does this request support higher development density, increases land use intensity, and enhances connectivity? How?

Criterion D - 6-7(G)(3)(d): Please re-work the responses to Criterion D in the revised Justification Letter, addressing the following information:

1. The revised response should discuss the newly permissive uses in the NR-C zone district and compare that to existing allowable uses of the NR-BP. Since a zone change would potentially authorize all uses allowable under the NR-C Zone District in the future, not just the currently proposed use for grocery, this comparison is important.

2. Please add a table showing permissible uses similar to what is found in IDO Table 4-2-1 Allowable Uses (p. 149). The current response to Criterion D is insufficient because it is too general. It does not adequately discuss the specific uses that will be more or less restrictive which may increase or reduce the potential harm for the area.

Criteria E - 6-7(G)(3)(e): Please update:

- I am not sure the zone change would support “a more walkable environment with enhanced pedestrian and cyclist access through the existing trail and sidewalk systems” as this is not a change to a Site Plan, but a Zone Change. Please check Use and Development standards.

Criteria G - 6-7(G)(3)(g): Please update.

- I am not sure the zone change would “...supports the potential for improved public transit services in the area...” as this is not a Transit Plan, but a Zone Change.

Criterion H - 6-7(G)(3)(h): Please revise the response:

1. Please explain that this request does not create a spot zone because...
2. Were the last 3 paragraphs of this response supposed to go under the Conclusion heading?

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. 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. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public 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 at a charge of \$3.75 each.

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 _____ To _____

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.

(Applicant or Agent)

(Date)

I issued (4) signs for this application, 8/20/2024, Catherine Heyne
(Date) (Staff Member)

PROJECT NUMBER: PR-2024-010770/ RZ-2024-00043

E) PUBLIC NOTICE



Eric Hurley <eric.hurley@simoncre.com>

3731 Ellison BLVD NW_ Neighborhood Meeting Inquiry Sheet Submission

1 message

Office of Neighborhood Coordination <onc@cabq.gov>
To: "eric.hurley@simoncre.com" <eric.hurley@simoncre.com>

Fri, Aug 2, 2024 at 1:29 PM

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	Address Line 1	City	State	Zip	Mobile Phone	Phone
Cibola Loop NA	learrael@aol.com	Julie	Rael	learrael@aol.com	10700 Del Sol Park Drive NW	Albuquerque	NM	87114	5052358189	
Cibola Loop NA	learrael@aol.com	Ginny	Forrest	gforrest47@comcast.net	4113 Logan Road NW	Albuquerque	NM	87114	5054170373	
Westside Coalition of Neighborhood Associations		Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120	5059852391	5058982114
Westside Coalition of Neighborhood Associations		Elizabeth	Haley	elizabethkayhaley@gmail.com	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	

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, 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.
- 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 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,

Suzie



Suzie Flores

Senior Administrative Assistant

Office of Neighborhood Coordination (ONC) | City Council Department | City of Albuquerque

(505) 768-3334 Office

E-mail: suzannaflores@cabq.gov

Website: www.cabq.gov/neighborhoods

From: webmaster@cabq.gov <webmaster@cabq.gov>
Sent: Friday, August 2, 2024 9:48 AM
To: Office of Neighborhood Coordination <eric.hurley@simoncre.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

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

Neighborhood Meeting Inquiry For:

Environmental Planning Commission

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

Zone Map Amendment - EPC (Proposed zoning change from NR-BP to NR-C to allow for grocery)

Contact Name

Eric Hurley

Telephone Number

4806881393

Email Address

eric.hurley@simoncre.com

Company Name

SimonCRE

Company Address

6900 E 2nd St

City

Scottsdale

State

AZ

ZIP

85251

Legal description of the subject site for this project:

3731 Ellison BLVD NW, Albuquerque, NM 87114, TRACT I-1 TRACTS I-1 AND I-2 COTTONWOOD CORNERS (BEING AREPLAT OF TRACT I, COTTONWOOD CORNERS) CONT 13.1653 AC

Physical address of subject site:

3731 Ellison BLVD NW, Albuquerque, NM 87114

Subject site cross streets:

Ellison DR & NM528

Other subject site identifiers:

Cotton Wood Corners Shopping Center on the Northwest corner of Ellison DR & NM528

This site is located on the following zone atlas page:

A-14-Z

Captcha

x

 IDOZoneAtlasPage_A-14-Z (Cottonwood Corners ZMA-EPC).pdf
486K

**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART I - PROCESS	
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:	
Application Type: ZONING MAP AMENDMENT	
Decision-making Body: ENVIRONMENTAL PLANNING COMMISSION	
Pre-Application meeting required:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Neighborhood meeting required:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Mailed Notice required:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Electronic Mail required:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Is this a Site Plan Application:	<input type="radio"/> Yes <input checked="" type="radio"/> No Note: if yes, see second page
PART II – DETAILS OF REQUEST	
Address of property listed in application: 3731 Ellison Rd NW, Albuquerque, NM 87114	
Name of property owner: GIBSON-COTTONWOOD LLC & BENSON-COTTONWOOD LLC & ETAL	
Name of applicant: Eric Hurley, SimonCRE (Agent)	
Date, time, and place of public meeting or hearing, if applicable:	
Environmental Planning Commission Hearing, September 19th, 2024, 8:40am, 600 2nd St NW, Albuquerque, NM 87102	
Address, phone number, or website for additional information:	
Eric Hurley/SimonCRE, 6900 E 2nd St, Scottsdale, AZ 85251, (480) 688-1393, eric.hurley@simoncre.com	
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE	
<input checked="" type="checkbox"/>	Zone Atlas page indicating subject property.
<input checked="" type="checkbox"/>	Drawings, elevations, or other illustrations of this request. Summary of justification of request
<input type="checkbox"/>	Summary of pre-submittal neighborhood meeting, if applicable. N/A
<input checked="" type="checkbox"/>	Summary of request, including explanations of deviations, variances, or waivers.
IMPORTANT:	
PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO IDO §14-16-6-4(K). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.	

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)

08/06/2024

(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 §14-16-6-9(B)(3) and may lead to a denial of your application.



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN & LC 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.



SIMONCRE

August 6, 2024

Dear Neighbors,

This notice is to inform you of a proposed Zoning Map Amendment-EPC for the property at 3731 Ellison Rd NW, Albuquerque, NM 87114. We are seeking to change the zoning from NR-BP (Non-Residential Business Park) to NR-C (Non-Residential Commercial) to allow for the development of a grocery store.

This rezoning aligns with the Albuquerque ABC Comprehensive Plan by supporting vibrant, mixed-use neighborhoods and improving local amenities. The new zoning will enable a broader range of commercial activities, including grocery and enhancing accessibility to essential services and promoting community well-being.

Key benefits of this rezoning include:

- **Consistency with the Comprehensive Plan:** Aligns with goals of creating walkable, service-oriented neighborhoods.
- **Health, Safety, and General Welfare:** Supports economic vitality, job creation, and reduced traffic congestion.
- **Support for Areas of Change:** Stimulates economic growth and enhances urban vitality.
- **Adequate Infrastructure:** The existing road, trail, and sidewalk systems can support the additional traffic and connectivity needs.
- **Community Need:** Addresses the demand for accessible retail options and enhances local amenities.

This change is not based on the property's location or economic considerations but rather on community benefits, such as improved access to essential services and support for sustainable development.

The rezoning will not create a spot zone or a strip zone, maintaining harmony with the surrounding zoning patterns and contributing to a cohesive urban environment.

We respectfully request your support for this proposal. Please review the attached packet for detailed information, and feel free to contact me with any questions or concerns.

Sincerely,

Eric Hurley
Development Project Manager
SimonCRE
6900 E 2nd St
Scottsdale, AZ 85251
(480) 688-1393
eric.hurley@simoncre.com

City of Albuquerque Property Report



www.cabq.gov/gis

Platted Parcel Address: 3701 ELLISON DR NW
Assessor Parcel Address: 3731 ELLISON BLVD NW
Report Date: 8/6/2024

Bernalillo County Assessor Ownership Data

[\(Click here for more information\)](#)

Owner Name: GIBSON-COTTONWOOD LLC & BENSON-COTTONWOOD LLC & ETAL
Owner Address: 142 S SANTA CRUZ AVE SUITE A LOS GATOS CA 95030-6712
Uniform Property Code (UPC): 101406608316830201 **Tax Year:** 2024 **Tax District:** A1A
Legal Description: TRACT I-1 TRACTS I-1 AND I-2 COTTONWOOD CORNERS (BEING AREPLAT OF TRACT I, COTTONWOOD CORNERS) CONT 13.1653 AC
Property Class: C **Document Number:** 2015098624 110315 SW - EN **Acres:** 13.1653

Albuquerque Planning and Zoning Data

[Bernalillo County Planning and Zoning](#)

Jurisdiction: ALBUQUERQUE **Zone Atlas Page:** [A-14](#)
IDO Zone District: [NR-BP](#) **IDO District Definition:** Business Park
Land Use: 03 | Commercial Retail **Lot:** I1 **Block:** 0000 **Subdivision:** COTTONWOOD CORNERS

Neighborhood Associations

[Office of Neighborhood Coordination](#)

City Recognized Neighborhood Associations: N/A

Services

Police Beat: 612 **Area Command:** NORTHWEST
Residential Trash Pickup and Recycling: Friday

City Council Districts

City Council District: [5 - Dan Lewis](#) **Councilor Email:** danlewis@cabq.gov
Policy Analyst: Giselle Alvarez **Policy Analyst Email:** galvarez@cabq.gov **Policy Analyst Phone #:** 505-768-3118

Other Legislative Districts

US Congressional District: 1 - Melanie Stansbury
County Commission District: 4 - Walt Benson
NM House Of Representatives: 17 - Cynthia D Borrego
NM Senate: 9 - Brenda G. McKenna

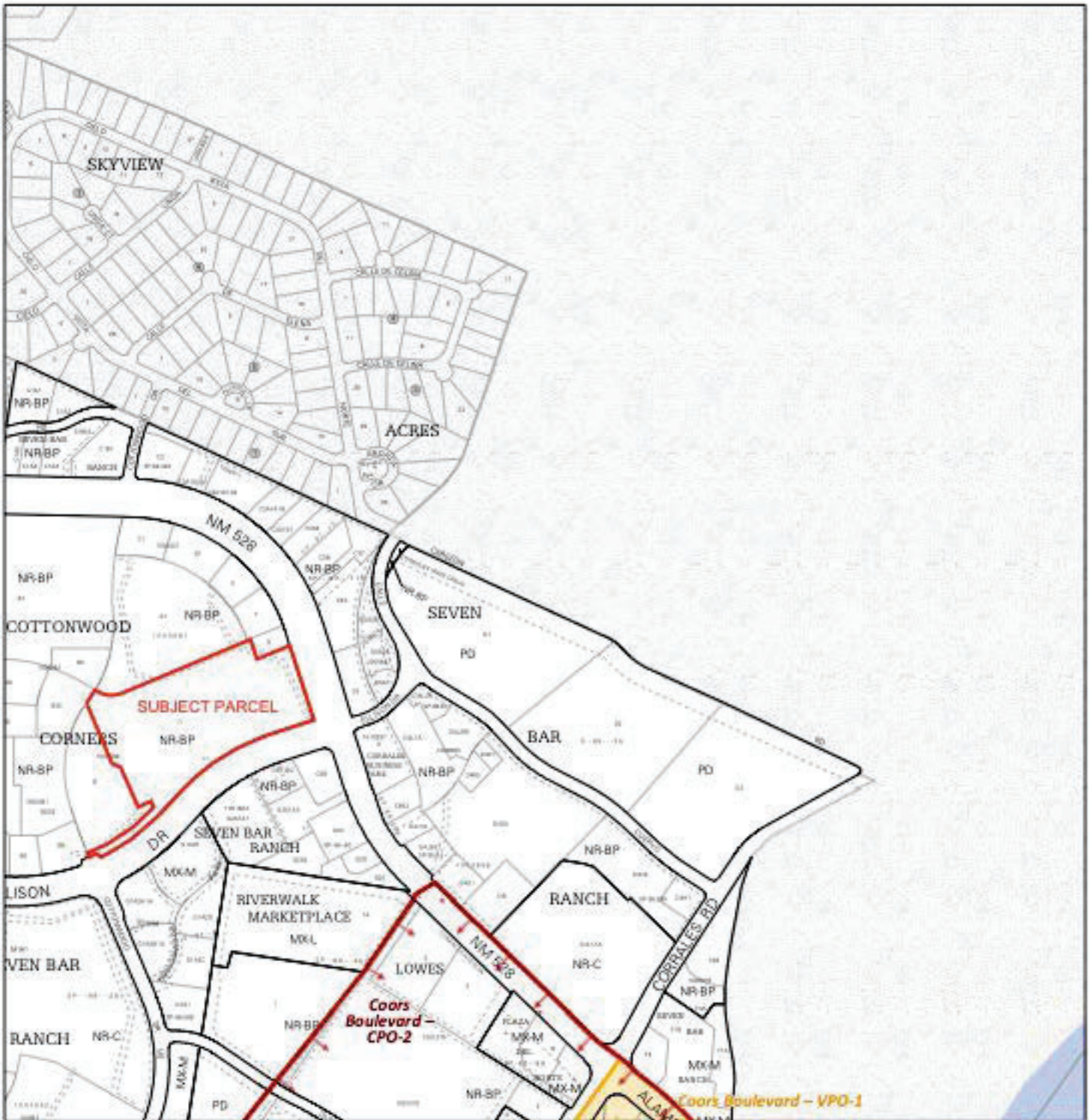
APS School Service Areas

[Albuquerque Public Schools](#)

Elementary School: SEVEN BAR **Middle School:** TAYLOR **High School:** CIBOLA

FEMA Flood Zone: AO

[FEMA Flood Map Service Center](#)

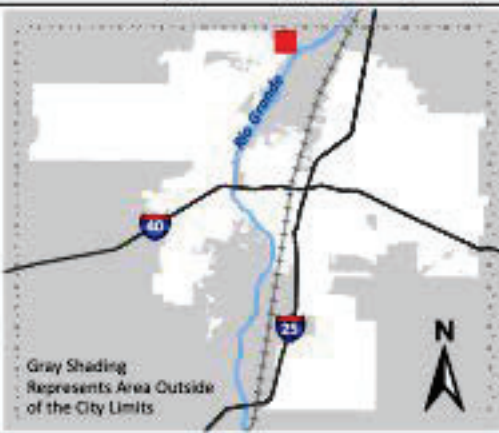


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

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).

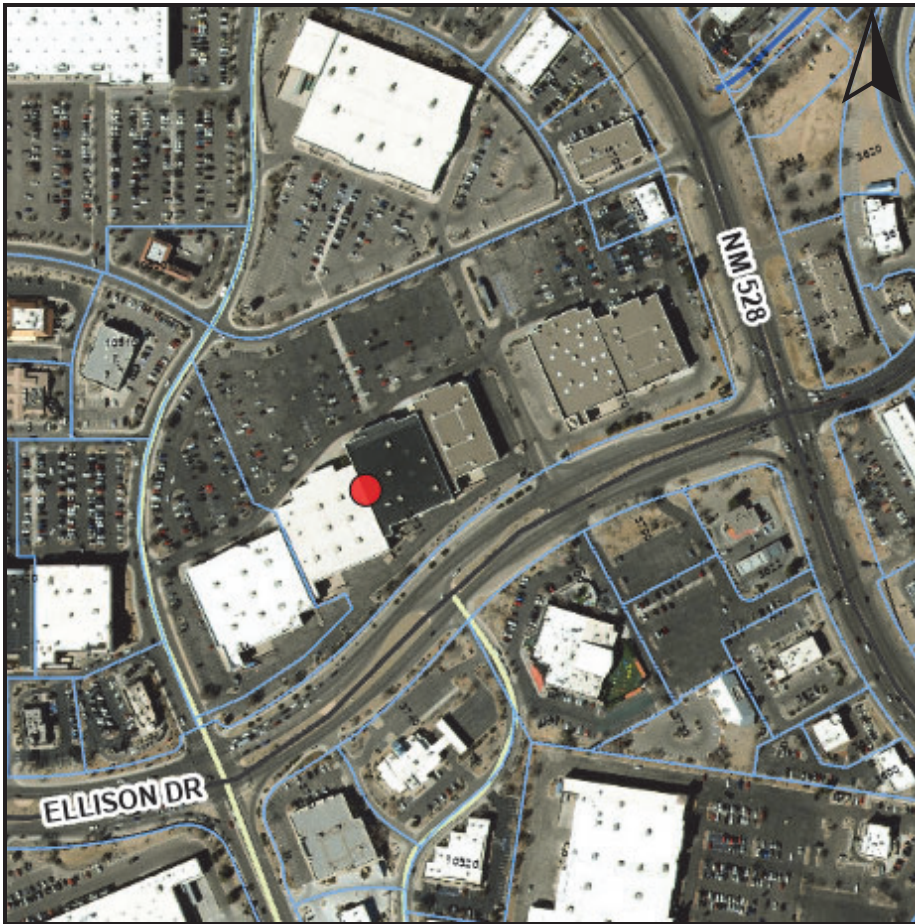


Zone Atlas Page:
A-14-Z

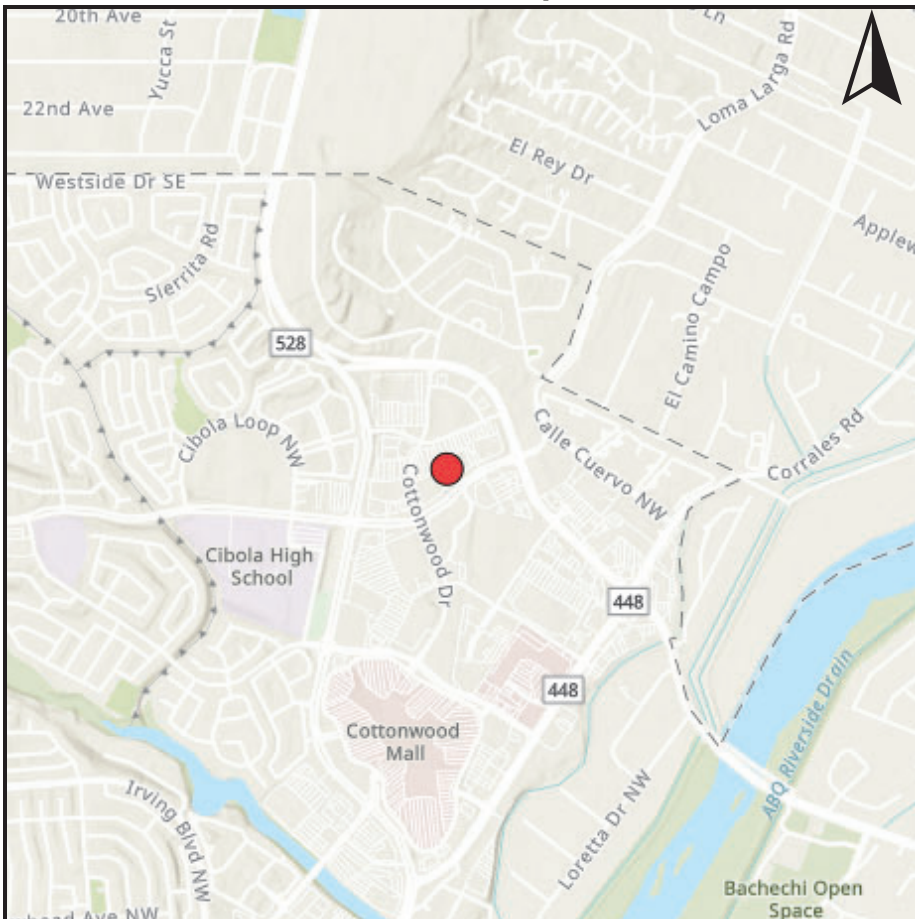
- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone



Property Map



Context Map



[Note: Items with an asterisk (*) are required.]

Public Notice of a Hearing in the City of Albuquerque for a Policy Decision

Date of Notice*: 08/05/24

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [IDO §14-16-6-4\(K\)](#).¹

- Emailed / mailed notice to Neighborhood Association Representatives on the attached list from the Office of Neighborhood Coordination.*
- Mailed notice to Property Owners within 100 feet of the Subject Property.

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

1. Subject Property Address* 3731 ELLISON BLVD NW, ALBUQUERQUE, NM
Location Description Cottonwood Corners Center (NW Corner of Ellison & Alameda)
2. Property Owner* GIBSON-COTTONWOOD LLC & BENSON-COTTONWOOD LLC & ETAL
3. Agent/Applicant [if applicable] Eric Hurley, SimonCRE
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - Zoning Map Amendment EPC (EPC or Council)
 - Other: _____

Summary of project/request²*:
Zone change from NR-BP to NR-C to allow for development of
a grocery store on the existing property.
5. This application will be decided at a public hearing by*:
 - Environmental Planning Commission (EPC) City Council
 - Environmental Planning Commission (EPC) Landmarks Commission (LC)
 - Not applicable (Zoning Map Amendment – EPC only)

Hearing Date/Time*: September 19th, 2024 at 8:40am

Location*³: 600 2nd St NW, Albuquerque, NM 87102

¹ Please mark as relevant. See [IDO Table 6-1-1](#) for notice requirements.

² Attach additional information, as needed to explain the project/request.

³ Physical address or Zoom link

[Note: Items with an asterisk (*) are required.]

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

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860 and select the option for "Boards, Commissions, and ZHE signs."

6. Where more information about the project can be found*:

Preferred project contact name: Eric Hurley, Development Project Manager, SimonCRE

Email: eric.hurley@simoncre.com

Phone: (480) 688-1393

Online website or project page: simoncre.com

Attachments: Notice Checklist, Notice Policy Decision, Summary justification of request, Zone Atlas Map, Address Report

Information Required for Mail/Email Notice by IDO §14-16-6-4(K)(1)(b):

1. Zone Atlas Page(s)* A-14-Z
2. A Pre-submittal Neighborhood Meeting was required by Table 6-1-1: Yes No

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

Not required for Zone Map Amendment - EPC

[Note: The meeting report is required to be provided in the application materials.]

Additional Information from IDO Zoning Map⁵:

1. Area of Property [typically in acres] 13.1653
2. IDO Zone District NR-BP
3. Overlay Zone(s) [if applicable] _____
4. Center or Corridor Area [if applicable] Cottonwood Center (Employment)
5. Current Land Use(s) [vacant, if none] Vacant/General Retail

NOTE: Pursuant to IDO §14-16-6-4(L), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting up to 15 calendar days before the public hearing date. Contact the Planning Department at devhelp@cabq.gov or 505-924-3860 and select the option for "Boards, Commissions, and ZHE signs."

Integrated Development Ordinance (IDO): <https://ido.abc-zone.com>

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas>

⁵ Available here: <https://tinyurl.com/idozoningmap>

Language Access Notice:

We provide free interpretation services to help you communicate with us. If you need help, you can request interpretation at any service counter in our Department, located in the Plaza Del Sol building, 600 2nd Street NW, Albuquerque, NM 87102.

Notificación de Acceso Lingüístico.

Ofrecemos servicios gratuitos de interpretación para ayudarlo a comunicarse con nosotros. Si necesita ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

語言輔助通知。我們提供免費口譯服務，以幫助你與我們溝通。如果你需要幫助，你可以在我們部門的任何服務台請求口譯，服務台位於 Plaza Del Sol大樓，600 2nd Street NW，阿爾伯克基，NM 87102。

Thông báo về cách Tiếp cận Ngôn ngữ. Chúng tôi cung cấp các dịch vụ thông dịch miễn phí để giúp quý vị giao tiếp với chúng tôi. Nếu quý vị cần giúp đỡ, quý vị có thể yêu cầu thông dịch tại bất cứ quầy dịch vụ nào trong Sở của chúng tôi, tọa lạc tại tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaaszil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i' dzaadi! Dzaadi! Danihi dahootahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di nihihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.



Eric Hurley <eric.hurley@simoncre.com>

Zoning Map Amendment-EPC (NR-BP to NR-C) 3731 Ellison Rd NW, Albuquerque, NM 87114

1 message

Eric Hurley <eric.hurley@simoncre.com>
To: learrael@aol.com, gforrest47@comcast.net

Tue, Aug 6, 2024 at 12:16 PM

Hello Cibola Loop Neighborhood Association, Julie and Ginny,

This notice is to inform you about a proposed Zoning Map Amendment-EPC for the property located at 3731 Ellison Rd NW, Albuquerque, NM 87114. We are in the process of rezoning this property from NR-BP (Non-Residential Business Park) to NR-C (Non-Residential Commercial) to accommodate the development of a new grocery store.

We believe that this change will provide significant benefits to the community, including improved access to fresh food, the creation of local jobs, and increased convenience for residents.

Attached to this email, you will find a public notice packet that includes information about the rezoning proposal, plans for the grocery store, and the expected impact on the neighborhood.

Your input is invaluable as we move forward with this project and we look forward to working closely with you to ensure this development benefits the entire community.

Sincerely,

Eric Hurley

Development Project Manager



6900 E. 2nd Street
Scottsdale, AZ 85251

D: 480.566.8662 | **M:** 480.688.1393

O: 480.745.1956 | **F:** 480.588.4150

ABQ Cottonwood Corners ZMA-EPC - Public Notice Packet.pdf
2345K



Eric Hurley <eric.hurley@simoncre.com>

Zoning Map Amendment-EPC (NR-BP to NR-C) 3731 Ellison Rd NW, Albuquerque, NM 87114

1 message

Eric Hurley <eric.hurley@simoncre.com>
To: aboard111@gmail.com, elizabethkayhaley@gmail.com

Tue, Aug 6, 2024 at 12:18 PM

Hello Westside Coalition of Neighborhood Associations, Rene and Elizabeth,

This notice is to inform you about a proposed Zoning Map Amendment-EPC for the property located at 3731 Ellison Rd NW, Albuquerque, NM 87114. We are in the process of rezoning this property from NR-BP (Non-Residential Business Park) to NR-C (Non-Residential Commercial) to accommodate the development of a new grocery store.

We believe that this change will provide significant benefits to the community, including improved access to fresh food, the creation of local jobs, and increased convenience for residents.

Attached to this email, you will find a public notice packet that includes information about the rezoning proposal, plans for the grocery store, and the expected impact on the neighborhood.

Your input is invaluable as we move forward with this project and we look forward to working closely with you to ensure this development benefits the entire community.

Sincerely,

Eric Hurley

Development Project Manager



6900 E. 2nd Street

Scottsdale, AZ 85251

D: 480.566.8662 | **M:** 480.688.1393

O: 480.745.1956 | **F:** 480.588.4150

ABQ Cottonwood Corners ZMA-EPC - Public Notice Packet.pdf
2345K



Eric Hurley <eric.hurley@simoncre.com>

Zone Map Amendment - EPC, Application - 3731 Ellison Blvd NW, Albuquerque, NM 87114

Bloom, Misa K.. <mbloom@cabq.gov>
To: Eric Hurley <eric.hurley@simoncre.com>

Wed, Aug 7, 2024 at 10:14 AM

2024 August 07

Mr. Hurley:

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)*

planner

urban design & development

o 505.924.3662

e mbloom@cabq.gov

cabq.gov/planning

Confidentiality Notice: This e-mail and any documents attached hereto are intended for the confidential use of the named recipient(s) only and are intended, to the fullest extent permitted by law, to be privileged and confidential as an attorney-client communication and/or work product. If you are not an intended recipient, or an agent responsible for delivering this communication to an intended recipient, you have received this e-mail in error. If you have received this email in error, please (i) immediately notify me by replying to this e-mail; (ii) do not review, copy, save, forward, or print this e-mail or any of its attachments; and (iii) immediately delete and/or destroy this e-mail and its attachments and all copies thereof. Thank you for your cooperation.

From: Eric Hurley <eric.hurley@simoncre.com>**Sent:** Tuesday, August 6, 2024 11:55**To:** PLNBufferMaps <plnbuffermaps@cabq.gov>**Subject:** Re: Zone Map Amendment - EPC, Application - 3731 Ellison Blvd NW, Albuquerque, NM 87114**[EXTERNAL]**Forward to phishing@cabq.gov and delete if an email causes any concern.

[Quoted text hidden]

4 attachments



3731 Ellison Blvd NW.pdf
486K



3731 Ellison Blvd NW_8.5x11 - Scale in Feet.pdf
370K



3731 Ellison Blvd NW_Labels.csv
6K



3731 Ellison Blvd NW_Labels.docx
15K

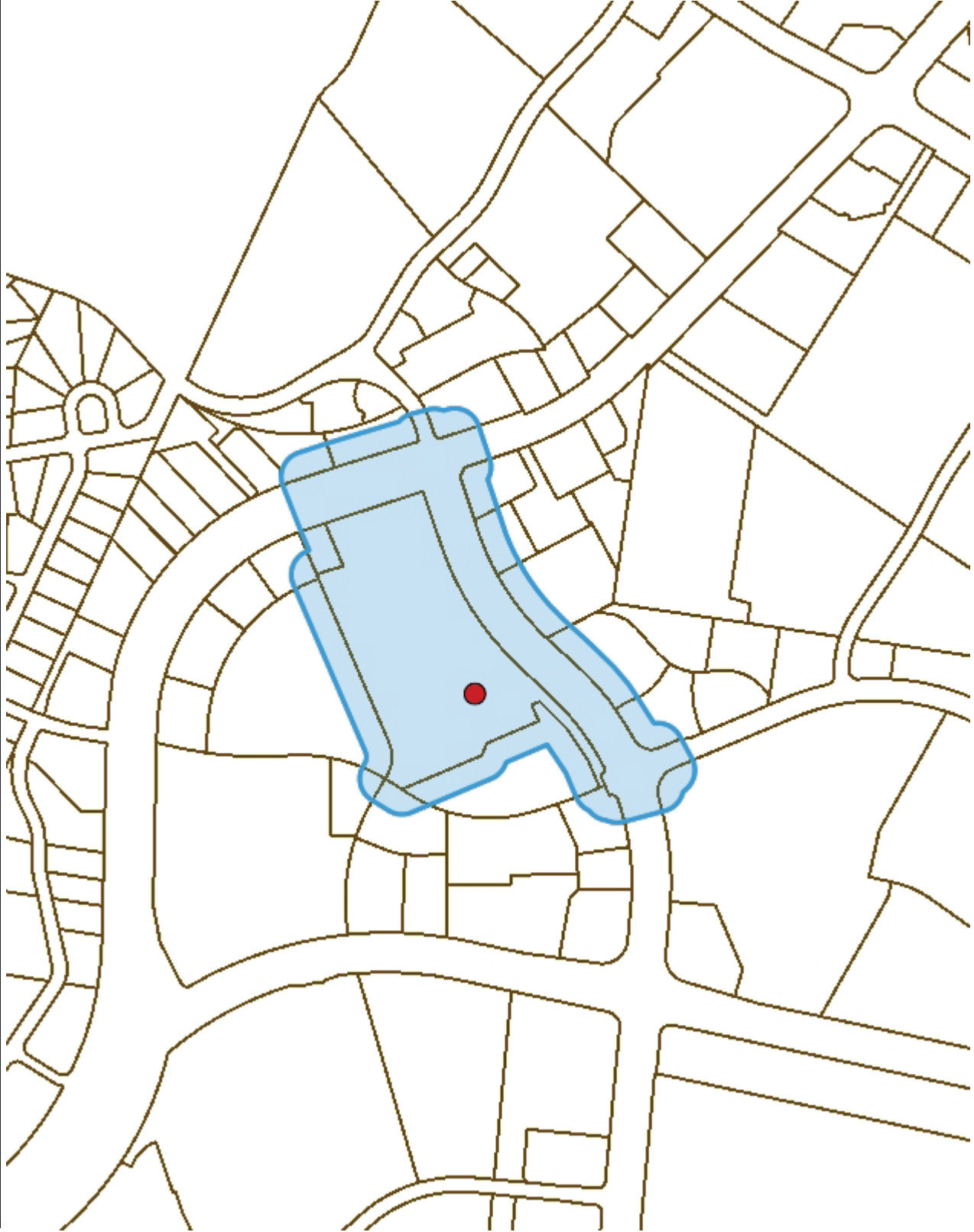


3731 Ellison Blvd NW



Legend

-  Bernalillo County Parcels



Notes

Buffer: 100 Ft.
 ROW: Ellison Dr NW; NM-528 NW

1,165 0 583 1,165 Feet



WGS_1984_Web_Mercator_Auxiliary_Sphere
 © City of Albuquerque

1: 6,991

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.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

3700 ELLISON LAND LLC
3700 ELLISON DR NW
ALBUQUERQUE NM 87114-7037

3700 ELLISON LLC
7001 MENAUL BLVD NE
ALBUQUERQUE NM 87110-3695

ARTSON PROPERTIES LLC
8408 VINA DEL SOL DR NE
ALBUQUERQUE NM 87122-4217

CIRCLE K STORES INC DC-17
PO BOX 52085
PHOENIX AZ 85072-2085

GARZA COTTONWOOD LLC
PO BOX 45688
RIO RANCHO NM 87174-5688

GIBSON MEDICAL CENTER LLC
2009 EUBANK BLVD NE
ALBUQUERQUE NM 87112-2920

GIBSON-COTTONWOOD LLC & BENSON-
COTTONWOOD LLC & ETAL
142 A SOUTH SANTA CRUZ AVE
LOS GATOS CA 95030

GIBSON-COTTONWOOD LLC & BENSON-
COTTONWOODLLC & ETAL C/O BEST
BUY
7601 PENN AVE SO
MINNEAPOLIS MN 55423-3645

GIBSON-COTTONWOOD LLC & BENSON-
COTTONWOOD LLC & ETAL
142 S SANTA CRUZ AVE SUITE A
LOS GATOS CA 95030-6712

KALLISON RANCH OF VIRGINIA LIMITED
PARTNERSHIP LLP
2828 CONNECTICUT AVE
WASHINGTON DC 20008

MDL LEVY CORP
PO BOX 91090
ALBUQUERQUE NM 87199-1090

NATIONAL RETAIL PROPERTIES LP
450 S ORANGE AVE SUITE 900
ORLANDO FL 32801-3339

SAMS EAST INC C/O WAL-MART PROP
TAX DEPT MS 0555
PO BOX 8050
BENTONVILLE AR 72716-8055

SANDIA LABORATORY FED CREDIT
UNION
3707 JUAN TABO BLVD NE
ALBUQUERQUE NM 87111

SHAMALEY FAMILY PARTNERS LP
4921 MEADOW LARK
EL PASO TX 79922

WAL-MART STORES EAST LTDPTNS C/O
WAL-MART PROP TAX DEPT MS 0555
PO BOX 8050
BENTONVILLE AR 72716-8055

WESTERN HILLS INVESTMENTS LLC
PO BOX 45688
RIO RANCHO NM 87174-5688



SimonCRE
6900 E 2nd Street
Scottsdale, AZ 85251

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SHAMALEY FAMILY PARTNERS LP
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EL PASO TX 79922



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WASHINGTON DC 20008



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142 A SOUTH SANTA CRUZ AVE
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COTTONWOODLLC & ETAL C/O BEST BUY
7601 PENN AVE SO
MINNEAPOLIS MN 55423-3645



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6900 E 2nd Street
Scottsdale, AZ 85251

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02 7H
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3700 ELLISON LAND LLC
3700 ELLISON DR NW
ALBUQUERQUE NM 87114-7037

F) PUBLIC COMMENT

Heyne, Catherine M.

From: Nathan Kotz <nathankotz@gmail.com>
Sent: Tuesday, August 27, 2024 12:13 PM
To: Heyne, Catherine M.
Cc: Jack Kotz
Subject: Support for development on Ellison and Cottonwood

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

Hi Catherine,

I represent the organization that owns the building occupied by Chick-Fil-A on 3801 Ellison dr NW. It has recently been brought to my attention that a real estate development organization called Simon CRE is attempting to have the lot on Ellison dr NW and Cottonwood dr NW rezoned in order to develop a grocery store. I wanted to reach out and personally express our support for this development project.

Our organization is a small business owned and managed by a New Mexican family. We tend to support projects like this because we believe that they add value to nearby real estate, businesses, and to the community itself. We're excited about the prospect of a project like this happening in close proximity to one of our buildings, and we felt it important to inform you of our support.

Kinds regards,

Nathan Kotz
Kotz Capital Partners
2828 Connecticut Ave NW Washington, DC 20008
505-204-8298



September 6, 2024

Via Email Transmission Only

Catherine Heyne, Planner: cheyne@cabq.gov

William Steele, Planner: wsteele@cabq.gov

EPC Planning Staff: planningEPC@cabq.gov

c/o Environmental Planning Commission Council Members

City of Albuquerque Planning Department

Plaza del Sol Building

600 Second NW

Albuquerque, NM 87102

Re: PR-2024-010770 (RZ-2024-00043), Cottonwood Corners Zoning Map Amendment (ZMA) - 3731 Ellison Dr NW, Albuquerque, NM 87114

Dear Ms. Heyne, Mr. Steele, EPC Planning Staff and Commission Council Members:

On behalf of the Cibola Loop Neighborhood Association, this serves to express our membership's support for the proposed zoning change at 3731 Ellison Dr NW, Albuquerque, NM 87114 to allow for the development of a grocery store by utilizing an existing large vacant shell of a building. This change is crucial for our community, and we strongly believe it will positively impact our neighborhood in several ways.

As a neighborhood, we have long felt the need for a more accessible grocery option. The proposed store will offer residents a convenient location for purchasing fresh produce, groceries, and other essentials. Many of our residents, especially those without access to reliable transportation, will greatly benefit from having a grocery store within walking distance. This development will enhance the quality of life for all members of our community, particularly seniors and families with young children.

In addition to the convenience, we are confident that the grocery store will provide economic benefits to our neighborhood. The development will likely create jobs, attract other businesses, and help revitalize nearby areas. We also believe the store will promote more sustainable practices by reducing the need for residents to drive long distances for groceries.

As an association, we have taken the time to gather feedback from our members, and there is overwhelming support for the zoning change and the construction of the grocery store. We have engaged in productive conversations with the developers, and we believe their vision aligns with the values and needs of our community.

We kindly ask that you consider our endorsement and approve the proposed zoning change. The addition of a grocery store will serve as a significant improvement to our neighborhood, and we look forward to the benefits it will bring.

Very truly yours,

<i>/s/ Julie Rael</i>	<i>/s/ Ginny Forrest</i>	<i>/s/ Angela Gonzales</i>
CLNA President	CLNA Vice President	CLNA Secretary
learrael@aol.com	gforrest47@comcast.net	angela.gonzales88@yahoo.com

Board of Directors of the Cibola Loop Neighborhood Association

cc: Eric Hurley (eric.hurley@simoncre.com)