



Environmental Planning Commission

Agenda Number: 04
Plan #: ZMA-2025-00006
Hearing Date: May 15, 2025

Staff Report

Agent	Jim Strozier & Ayoni Oyenga
Applicant	Albuquerque Center for Peace and Justice
Request	Zoning Map Amendment – EPC (Zone Change)
Legal Description	All or a portion of 000 007 University Heights addition
Location	202 Harvard Dr. SE at situs address 200 Harvard Dr SE.
Size	Approximately 0.2 acres
Existing Zoning	R-ML (Residential – Multi-Family Low-Density)
Proposed Zoning	MX-L (Mixed-Use – Low Intensity)

Staff Recommendation

APPROVAL of Plan # ZMA-2025-00006 based on the Findings 1-10 starting on page 20.

Staff Planner,
Dennis Felipe Jr.

Summary of Analysis

The zoning map amendment from R-ML to MX-L would remove the nonconformity of the existing office use and allow the applicant to expand services to meet the needs of the community. Rezoning to MX-L would allow the existing Office-Use which are not allowed uses in the R-ML zone district.

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 reinforce or strengthen the established character of the surrounding area.

The affected neighborhood associations (NA) are the District 6 Coalition of NA, Silver Hill NA, and University Heights NA which were notified as required. Property owners within 100 feet of the subject site were also notified as required during the same time-frame. Staff is unaware of support or opposition at the time of this writing.

Map



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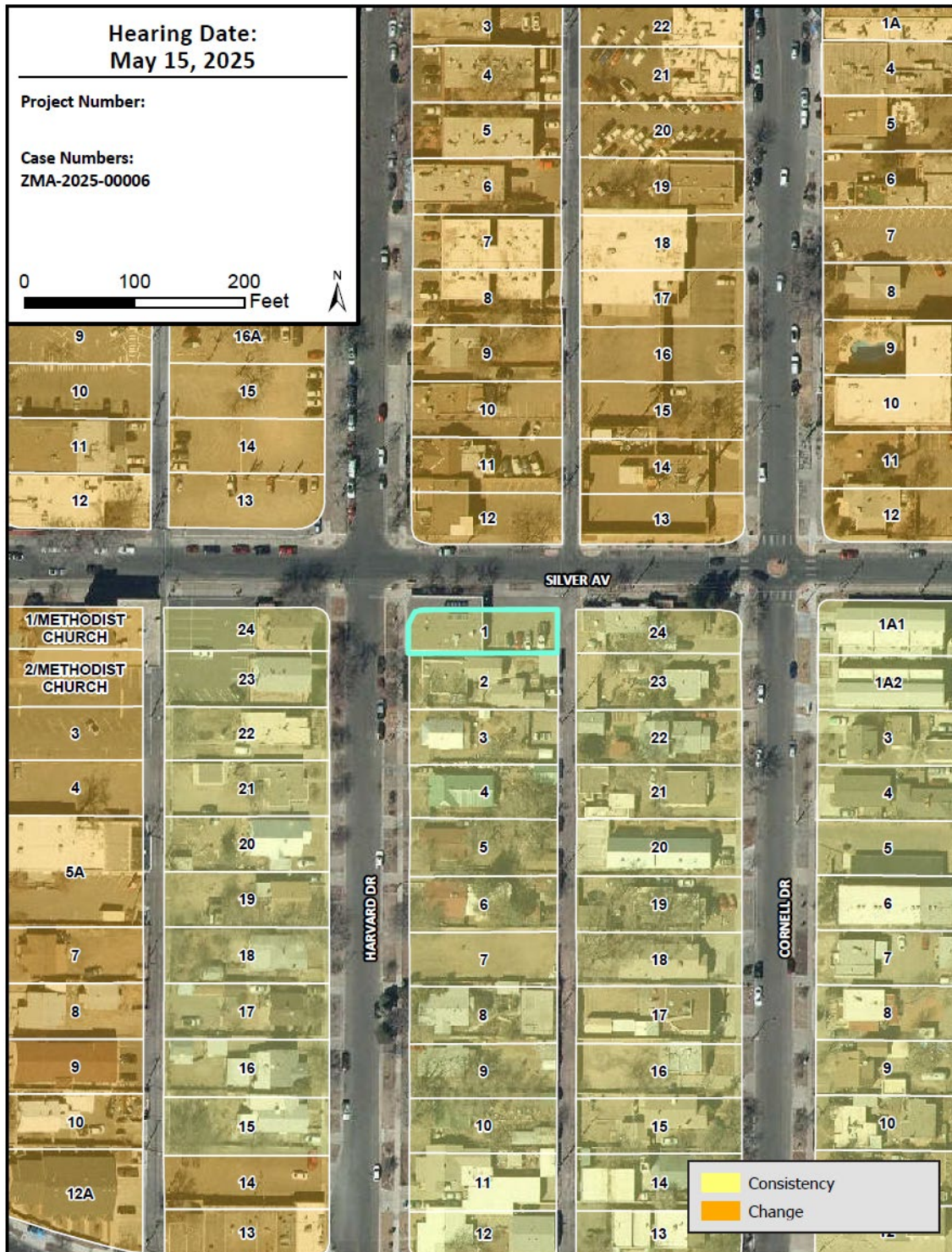
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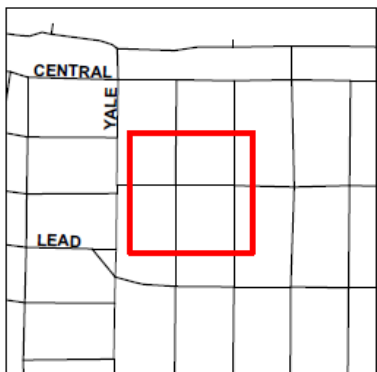
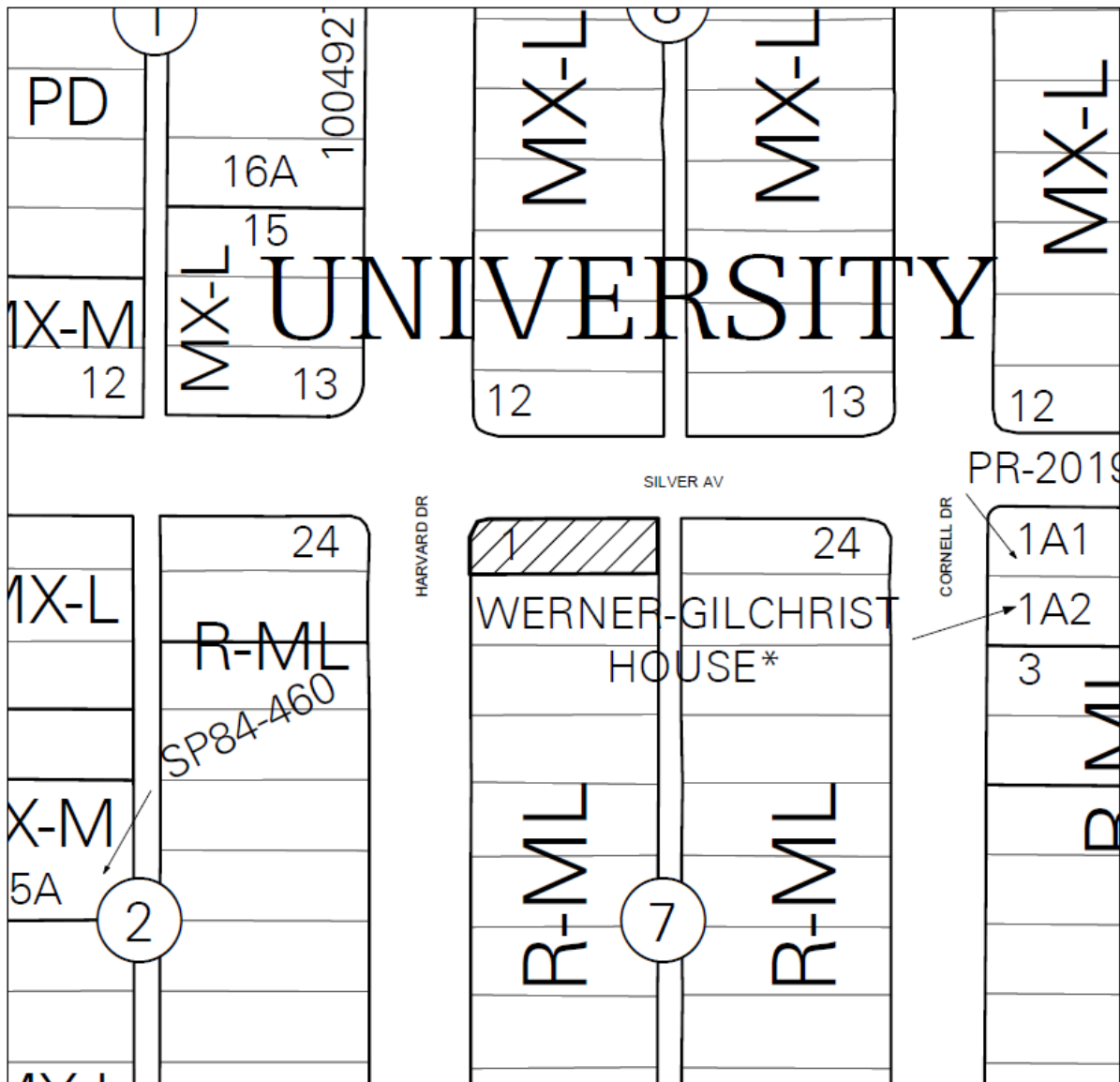
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I. Maps

Aerial/Development area Map



IDO Zoning Map



IDO ZONING MAP

Note: Gray shading
indicates County.



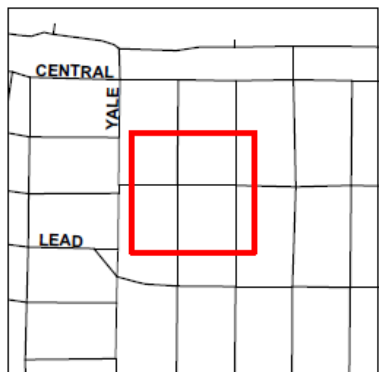
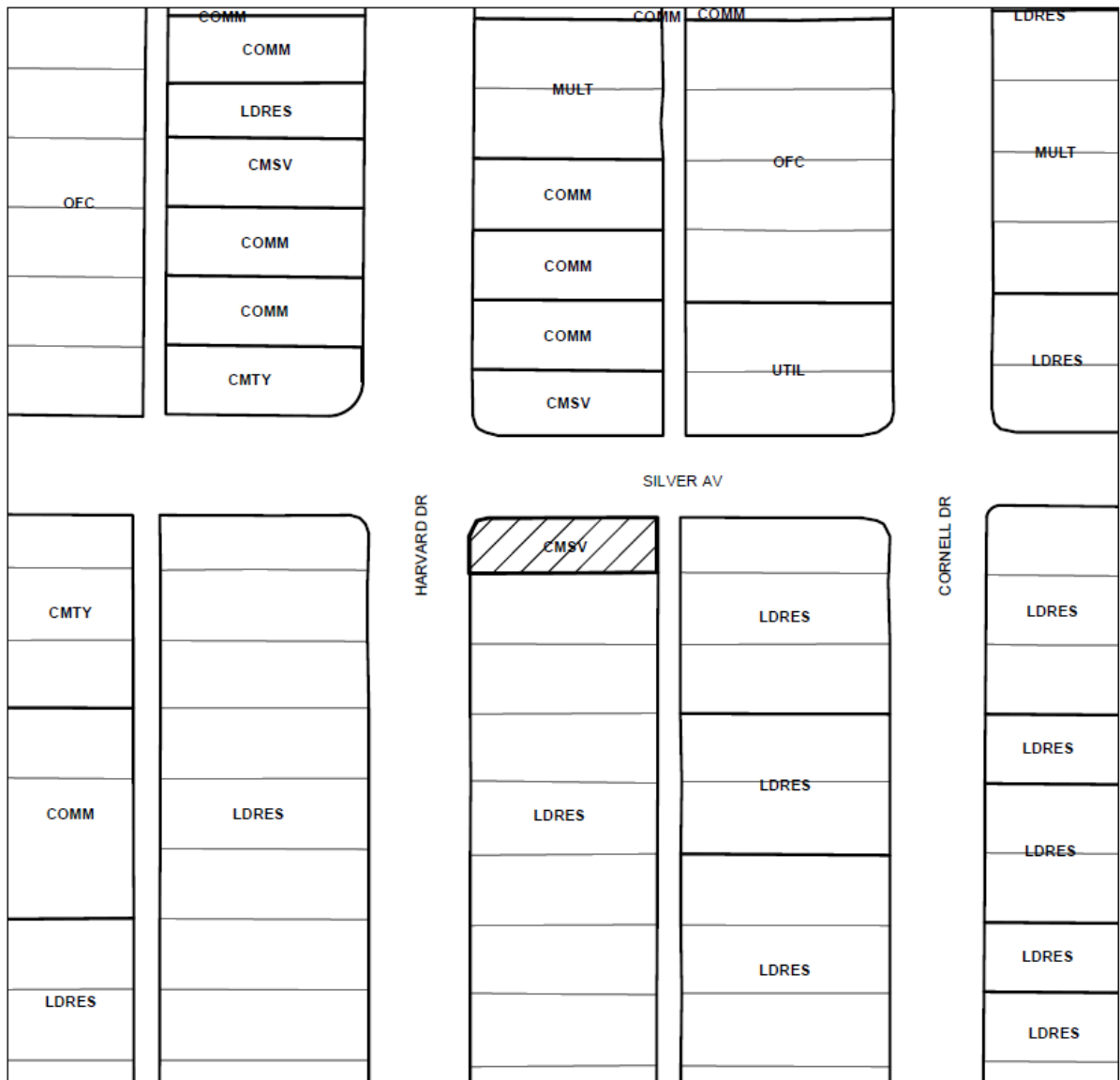
1 inch = 100 feet

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Zone Atlas Page:
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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



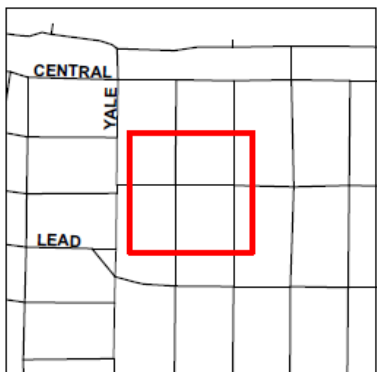
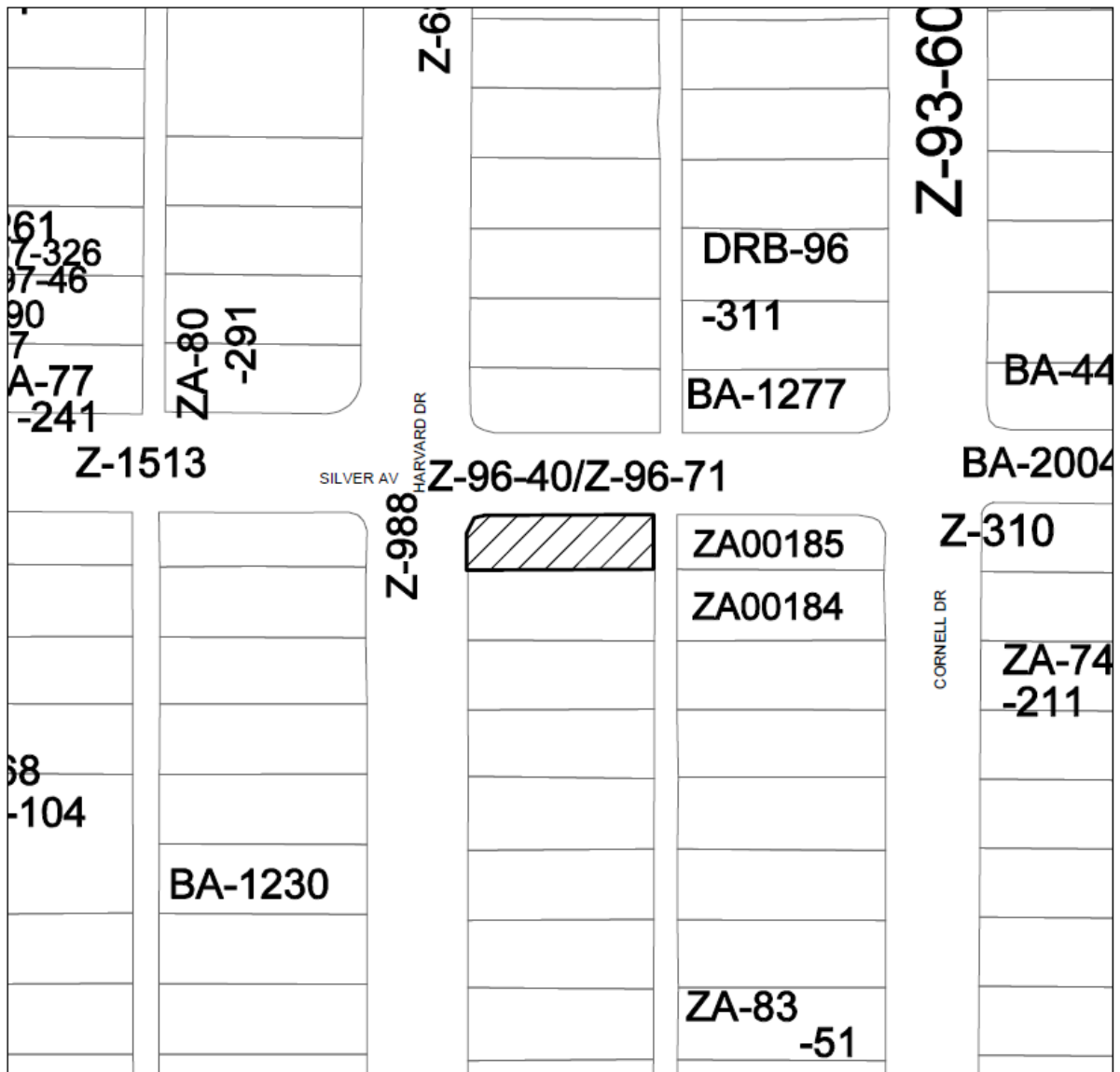
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History Map



HISTORY MAP

Note: Gray shading indicates County.



1 inch = 100 feet

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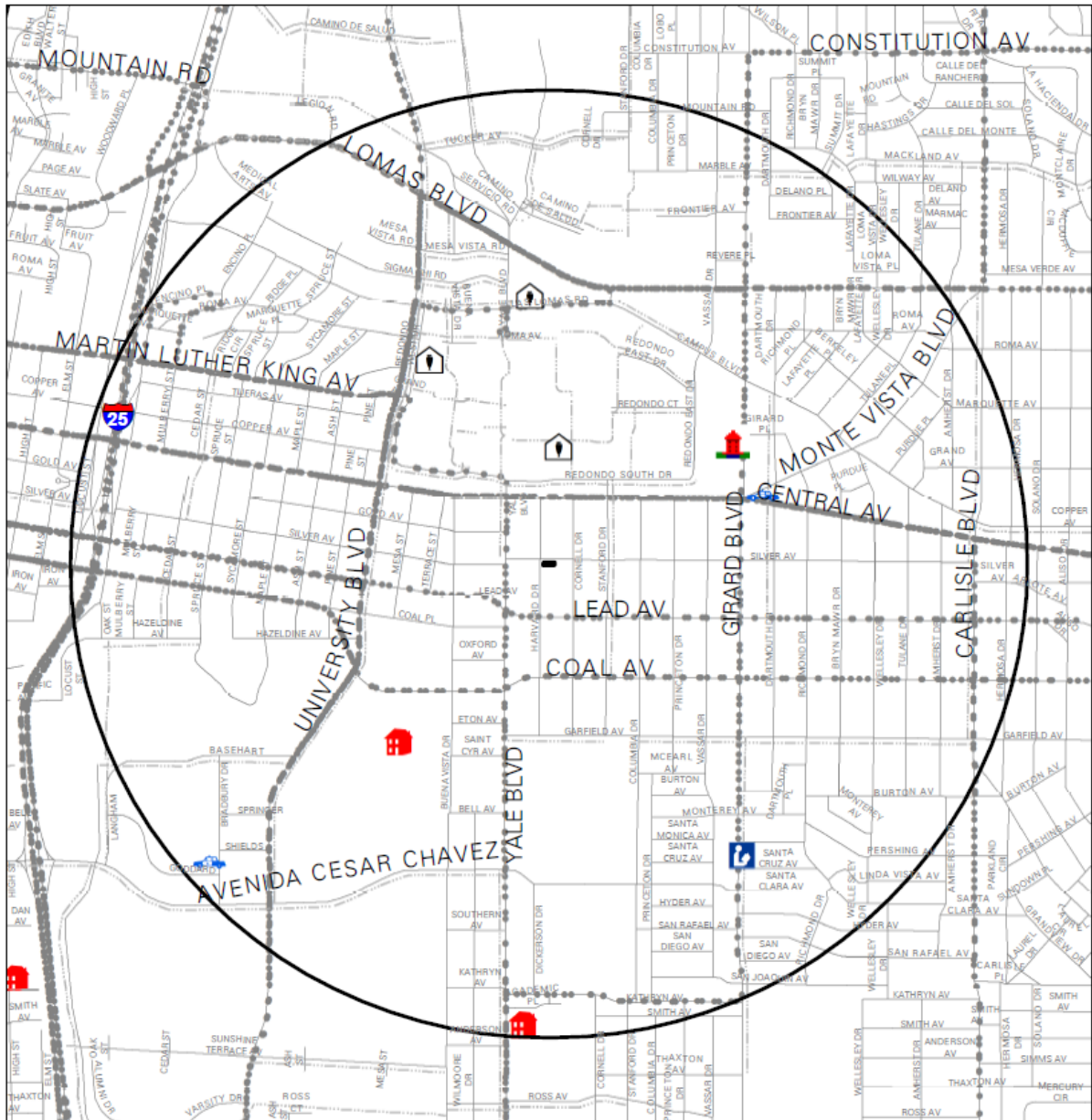
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Public Facilities / Community Services



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 |

Case Number: ZMA-2025-00006

0 0.5 1 Miles

II. Introduction

	<i>IDO Zoning</i>	<i>Comprehensive Plan Development Area</i>	<i>Existing Land Use</i>
<i>Subject Site</i>	R-ML	Area of Consistency	Office
<i>North</i>	MX-L	Area of Change	Dwelling, Multi-Family; General retail, Small
<i>South</i>	R-ML	Area of Consistency	Office
<i>East</i>	R-ML	Area of Consistency	Dwelling, Multi-Family
<i>West</i>	R-ML	Area of Consistency	Office

Request

The request is for a Zoning Map Amendment from R-ML (Residential – Multi-family Low Density) to MX-L (Mixed-use – Low Intensity) for an approximately 0.2-acre property legally described as all or a portion of 000 007 University Heights addition, located at 202 Harvard Dr. SE at situs address 200 Harvard Dr SE.

The request would remove the nonconformity of the existing office use and allow the owner, Albuquerque Center for Peace and Justice, to expand services to meet the needs of the community.

According to the applicant, Rezoning to MX-L would allow the Center to continue providing community-based services as well as office space for allied organizations and hosting events, which are not allowed uses in the R-ML zone district.

EPC Role

The EPC is the decision-making body for this request, because the subject site is within an Area of Consistency and is less than 10 acres [[IDO §14-16-6-7\(G\)\(1\)\(a\)2](#)]. The request is a quasi-judicial matter.

History/Background

In the repealed 1986 University Neighborhoods Sector Development Plan, the land use on the subject property was “public/semi-public,” and zoning was Diverse Residential (DR). The zone district referred to R-2 from the Comprehensive Zoning Code and was converted to R-ML when the IDO became effective in May 2018.

The Albuquerque Center for Peace and Justice has been in operation on the subject site for over 20 years. Per the Groundworks New Mexico [Website](#), “The Albuquerque Center for Peace was founded in 1983 to provide space where groups working on peace and justice issues could support and network with one another...The Center moved to...the NE corner of Harvard and Silver in 1987 and in 2003, purchased and moved to their current location at 202 Harvard SE.”

There is no history available for a subdivision or site plan for the subject site. Although, according to the City Aerial Map, the existing structure has been on the site since at least 1959.

Context

The subject site is in a developed area in Southeast Albuquerque on an approximately 0.2-acre property that abuts Harvard Dr. SE to the west and Silver Ave. SE to the north. There are offices to the south and west, also zoned R-ML. To the north, there is general retail, zoned MX-L. To the east, there are multi-family dwellings, zoned R-ML.

The subject site is just south of the UNM Activity Center, Premium Transit area, and Major Transit Corridor along Central Ave., as designated by the Albuquerque / Bernalillo County Comprehensive Plan, although it is not within the boundaries of any of these areas.

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 does not identify any existing or proposed arterials or collectors for all abutting or intersecting roads along subject site. Harvard Dr. SE and Silver Ave. SE are identified local streets. Nearby, the LRRS identifies Yale Blvd. SE as a Minor Arterial and Lead Ave. SE as existing community principal arterial.

The MRCOG's 2040 Limited Access Facilities Map does not show adjacent roadways as an interstate freeway or as having limited access.

The MRCOG's 2040 Primary Freight Corridors and Truck Restrictions Map does not designate roadways adjacent or through the subject site as either a Primary Freight Corridor or a roadway with Truck Restrictions.

Bikeways / Trails

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

The LRBS shows an existing bicycle lane on Lead Ave. SE and an existing bicycle boulevard on Silver Ave. SE. Bike lanes are designated exclusively for bicycle travel and separated from vehicle travel lanes with striping and pavement stencils.

Transit

When in service, the nearest ABQ Ride transit stops are transit route 50, 66, 97, 766, and 777. Routes 50, 66, 766, and 777 pass north of the subject site, running east-west along Central Ave. NE. Route 50 passes west of the subject site, running north-south, and has stops along Yale Blvd NE. Route 97 passes south of the subject site, running east-west

along Lead Ave SE. All stops area approximately a 5-minute walk from the subject site. See <https://www.cabq.gov/transit/routes-and-schedules> for more details on ABQ Ride.

III. Analysis of City Plans and Ordinances

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

City Development Areas

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan, which has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding context.

Center & Corridor Designations

The subject site is not within the boundary of a Corridor designated by the Comp Plan.

The subject site is not within the boundary of a Center designated by the Comp Plan.

Applicable Goals & Policies

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

CHAPTER 4: COMMUNITY IDENTITY

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

This request will enhance the community by expanding mixed-use zoning, with low-density commercial use to protect the nearby residential area. The MX-T zone can provide opportunities for non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area. All while preserving the community by maintaining compatibility with the distinct University Heights residential community and nearby UNM Activity Center, premium transit station area, main street corridor. The request will remove the nonconformity of the existing office and personal and business services uses and allow the owner/applicant, to expand services, not infrastructure to meet the needs of the community. **The request furthers Goal 4.1 Character.**

CHAPTER 5: LAND USE

GOAL 5.2 COMPLETE COMMUNITIES Foster communities where residents can live, work, learn, shop, and play together.

The request can allow a variety of land uses that contribute to a sustainable and distinct community, providing non-destination retail and commercial uses, townhouses, low-density multi-family, and civic and institutional uses to serve the

surrounding area. The proposed MX-L zone district, situated near other MX-L zone districts, foster's the community by providing residents places to live, work, learn, shop, and play all within a close proximity. **The request generally furthers Goal 5.2 Complete Communities.**

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

The request would contribute to the distinct character of University Heights, nearby Bricklight District and surrounding community by allowing a zone district that allows uses that fit in with the surrounding residential neighborhood. The MX-L zone district allows the non-residential uses to continue operating in a dominantly residential zone district area. By facilitating mixed-use development in an accessible and bikeable location, the request can promote a transition zone that reduces vehicle usage and supports local businesses. Future development would be required to comply with applicable design and compatibility standards to ensure integration with the surrounding area. **The request generally furthers Policy 5.2.1.**

Goal 5.3 EFFICIENT DEVELOPMENT PATTERNS: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The requested MX-L zone designation can support the optimal use of land by allowing a variety of uses that contribute to a sustainable and distinct community, providing non-destination retail and commercial uses, townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area. The request will remove the nonconformity of the existing office and personal and business services uses and allow the owner/applicant, to expand services promoting development patterns that maximize the utility of existing infrastructure and public facilities. MX-L zoning is appropriate near University Heights, nearby UNM Activity Center, premium transit station area, main street corridor, and surrounding community where development can take advantage of established transportation networks and existing utility services. A future site plan for development of the property would be subject to IDO requirements, including site design standards (IDO §14-16-5-11), parking and loading requirements (IDO §14-16-5-5), and mixed-use dimensional standards (IDO §14-16-5-1) to ensure the efficient use of resources and infrastructure. **The request generally furthers Goal 5.3 Efficient Development Patterns.**

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 entirely within an Area of Consistency. The request would ensure that the owner/applicant can continue providing and growing community-based

services without any change to the physical features of the infrastructure reinforcing the character and intensity of the surrounding area. **The request generally furthers Goal 5.6 City Development Areas.**

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

The subject site is not within a Center or Corridor and the request can allow uses that are compatible with the character of the surrounding area, including; low-density non-destination retail/commercial uses, townhouses, low-density multi-family, and civic and institutional uses. The proposed MX-L zoning provides a transition between more intense commercial development north of Silver Ave. including nearby UNM Activity Center, premium transit station area, main street corridor, with the University Heights area, comprised of single-family residential neighborhoods south of Silver Ave. where the subject site is located. While facilitating new development, the zoning allows for uses that are designed to integrate with the existing neighborhood character and minimize impact. **The request furthers Goal 5.6.3 Areas of Consistency.**

CHAPTER 8: ECONOMIC DEVELOPMENT

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

The request would bring the current land use on the subject site into conformance and expand community-oriented uses and services on the site that enhance the character and function of the area. The MX-L zone district can provide opportunities in residential, non-destination retail, commercial, and institutional uses to serve the surrounding area that can create a place where business and talent can stay and thrive. The subject site is part of the University Heights neighborhood and near the UNM Activity Center, premium transit station area, and main street corridor. The request will remove the nonconformity and allow the current uses of the existing office and personal and business services uses that allows the owner/applicant to extend community-oriented services to help create places where business and talent will stay and thrive. **This request generally furthers Goal 8.1 Placemaking.**

POLICY 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

This request can foster a more diverse place by allowing for a mix of uses that include non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area within the well-established University Heights community and nearby corridor and center. Compared the current R-1A zoning, the proposed MX-L zoning offers

flexibility in civil, institutional, and commercial uses, supporting varied development that can meet the needs of the community. Although the request is intended to allow the current use on the site to expand services, this flexibility can encourage economic development by increasing allowable uses to provide community-oriented services. **The request generally furthers Policy 8.1.1 Diverse Places.**

POLICY 8.1.3 ECONOMIC BASE: Strengthen and diversify the economic base to help reduce reliance on government spending.

This request can provide more opportunity to allow not only continued residential uses, but non-destination retail, commercial, and institutional uses, strengthening and diversifying the economic base of the University Heights neighborhood, nearby UNM Activity Center, nearby premium transit station area, and nearby main street corridor. The zone change will allow the owner/applicant to continue community-based services, as well as expanding services to provide office, personal and business services, and event space uses, assisting in strengthening and diversifying the economic base, reducing reliance on government spending. **The request generally furthers Policy 8.1.3 Economic Base.**

POLICY 8.2.1 Local Business: Emphasize local business development.

The request can emphasize local business development by providing the owner/applicant, a long-term non-profit local business to remove the nonconformity of the existing office and personal and business services uses. Providing expand services, continuing to meet the needs of the community. The zone change can provide the opportunity for local employers to expand and diversify the employment base through retail, commercial, mixed uses and other permissive uses in the MX-L zone. **The request generally furthers Policy 8.2.1 Local Business.**

Integrated Development Ordinance (IDO)

IDO Zoning

The subject is currently zoned Residential – Multi-Family Low Density Zone District (R-ML). According the IDO § 14-16-2-3(E), the purpose of the R-ML zone district is to provide for a variety of low- to medium-density housing options. The primary land uses are townhouses and small-scale multi-family development, as well as civic and institutional uses to serve the surrounding residential area. Allowable uses are shown in IDO [Table 4-2-1](#).

Proposed Zoning

The proposed zone change is to Mixed-Use – Low Intensity (MX-L). According to the IDO§14-16-2-4(B), the purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets. Primary land uses include non-destination retail and commercial uses, as well as

townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors.

The intent of the rezone is to allow the existing Office-use on the site to be in conformance with the IDO and expand its uses to continue to provide community-oriented services. Currently the site uses are office and personal and business services that are not permissive in R-ML but permissive in MX-L zone districts. The applicant wishes to expand services to an event facility to provide hosting events for members and non-members which are beyond the uses permissive in the R-ML zone district. Allowable uses are shown in IDO [Table 4-2-1](#).

Overlay Zones

The subject site is not within any APO, CPO, HPO, or VPO zones.

Definitions

Area of Consistency: An area designated as an Area of Consistency in the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended, where development must reinforce the character and intensity of existing development.

Club or Event Facility: A publicly or privately owned building devoted to the assembly of people for social, professional, or recreational activities such as meetings, weddings, or conferences. See also Community Center and Residential Community Amenity.

Mixed-use Zone District: Any zone district categorized as Mixed-use in Part 14-16-2 of this IDO.

Office: Establishments providing executive, management, administrative, professional services, consulting, record keeping, or a headquarters of an enterprise or organization, but not including the on-premises sale of retail goods, or any use included in the definition of personal or business services. See also Business and Establishment.

Personal and Business Services: Establishments providing services to individuals or businesses, including but not limited to bail bond providers, beauty and barber shops, shoe repair, tailor/alterations shops, tattoo parlors, taxidermy services, electronic data processing, and employment service; mailing, addressing, stenographic services; and specialty business service such as travel bureau, news service, exporter, importer, interpreter, appraiser, and film library. This use is divided into 2 categories based on the size of the establishment (not the size of the structure):

1. Personal and Business Services, Small: An establishment with 10,000 square feet or less of gross floor area.
2. Personal and Business Services, Large: An establishment with more than 10,000 square feet of gross floor area.

Residential Zone District: Any zone district categorized as Residential in Part 14-16-2 of this IDO. For the purposes of any Use-specific Standard in Section 14-16-4-3, this includes any lot zoned Planned Development (PD) with a Site Plan approved prior to the adoption of this IDO that allows one or more residential uses and that is developed on lots with residential development that make up at least 50 percent of the site plan area.

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.

Relevant Rank 2 or Rank 3 Plans

<https://www.cabq.gov/planning/plans-publications>

IV. Zoning Map Amendment (Zone Change)

Pursuant to §14-16-6-7(G)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria."

There are several criteria that must be met, and the applicant must provide sound justification for the change. 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.

- (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 Response: *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the City's goals and policies as listed below along with the Applicant's responses. The request is consistent with the overall scale, character, and zoning of the surrounding area and will bring the existing services provided to the community by Albuquerque Center for Peace and Justice into compliance with the proposed zoning.*

Staff Response: The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by applicant's policy-based response furthering (and not being in conflict with) a preponderance of applicable Goals and Policies regarding in the ABC Comp Plan, as amended, and other applicable plans adopted by the City as shown in the sections above. **The response to Criterion A is sufficient.**

Applicable Citations: Goal 4.1 Character, Goal 5.2 Complete Communities; Policy 5.2.1 Land Uses; Goal 5.3 Efficient Development Patterns; Goal 5.6 City Development Areas; Policy 5.6.3 Areas of Consistency; Goal 8.1 Placemaking; Policy 8.1.1 Diverse Places; Policy 8.1.3 Economic Base; Policy 8.2.1 Local Business.

(b) If the proposed amendment is located wholly or partially 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 Response: While the subject site is located entirely in an Area of Consistency, the zone change will reinforce and strengthen the established use and character of the area and will not permit development that is significantly different from the character of the University Heights area. The existing zoning is inappropriate because it meets both criteria 2 and 3. There have been significant changes in the neighborhood with the Bricklight district and the recent mixed-use developments in the surrounding areas seeking to encourage development, employment, and a variety of housing options in the University Heights and surrounding neighborhoods. The MX-L zone will be more advantageous to the community as this will expand the permissive uses to encourage development while remaining consistent with the existing use on the subject property and the patterns of land use, development density and intensity, and connectivity as articulated by the Comprehensive Plan and the character of the University Heights area.

Staff Response: The subject site is entirely located within an Area of Consistency, as designated by the Comp Plan. The applicant has demonstrated that the new zone district will expand the permissive uses to encourage development while remaining consistent with the existing use on the subject property and the patterns of land use, development density and intensity, and connectivity as articulated by the Comprehensive Plan and the character of the University Heights neighborhood. **The response to Criterion B is sufficient.**

(c) If the proposed amendment 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 at least one 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 Response: *The subject site is located entirely in an Area of Consistency.*

Staff Response: This policy does not apply. The subject site is entirely located within an Area of Consistency, as designated by the Comp Plan. **The response to Criterion C is sufficient.**

- (d) The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in IDO §14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant Response: *The requested MX-L zoning does include permissive uses that would be potentially harmful to adjacent properties, neighborhoods, or communities. However, any potential impact MX-L uses may have will be subject to Use-Specific standards (including those related to the adjacent religious institution) that will adequately mitigate those harmful impacts.*

TABLE 2: Permissive Use Comparison: R-ML vs. MX-L		
Use	R-ML	MX-L
Dwelling, live-work	C	P
Dormitory	-	P
Group home, small and medium	C	P
Adult or child day care facility	C	P
High School	C	P
Museum	CV	P
Vocational school	-	P
Veterinary hospital and other pet services	-	P
Health club or gym	A	P
Mobile food truck court	-	P
Restaurant	-	P
Other indoor entertainment	-	P
Hotel or motel	-	P
Car wash	-	P
Light vehicle repair	-	P
Paid parking lot; parking structure	A	P
Bank	-	P
Club or event facility	-	P
Commercial services	-	P
Medical or dental clinic	-	P
Office; Personal and business services, small	-	P
Research or testing facility	-	P
Bakery goods or confectionery shop	-	P
Cannabis retail	-	P
Farmer's market	T	P
General retail, small; Grocery store	-	P
Artisan manufacturing	-	P
Cannabis cultivation; Cannabis-derived products manufacturing	-	P
Wireless Telecommunications Facility: Freestanding	-	P

Table 2 provides a comparison of the permissive uses in the R-ML and MX-L zones. The uses that would be made permissive through the zone change to MX-L that could potentially be harmful include cannabis retail, cannabis cultivation, and cannabis-derived products manufacturing. All three uses must comply with Use Specific Standards, which include being located in a fully enclosed building, having a cannabis odor control plan approved by the City, and adhering to restrictions on building size, hazardous material use, and product display. Cannabis retail is prohibited within 660 feet of another cannabis retail location and within 300 feet of any school or child day care facility. Birdland, which is adjacent to the property on the north side of Silver, offers cannabis as one of its retail products. This would prohibit cannabis retail use on this property. Cannabis cultivation and cannabis-derived products manufacturing require a Conditional Use Approval if within 300 feet of a school or child day care facility. Conditional Use approvals require a public hearing process. Hotel, motel, and car wash are clearly not feasible at this location.

Staff Response: The applicant compared allowable uses in the R-ML (Residential – Multi-family Low Density) and the proposed MX-L (Mixed-Use – Low Intensity) zone districts. Permissive uses allowed under the proposed MX-L zoning, but not the current R-ML zone district that could be considered harmful to the adjacent property, the neighborhood, or the community include: Cannabis retail, cannabis cultivation; cannabis-derived products manufacturing, wireless telecommunications facility’s (WTF) are potentially harmful uses to the adjacent property, the neighborhood, or the community. Although future development would be required to adhere to the following use-specific standards for each use in the IDO to mitigate potential harm. Per IDO§14-16-4-3(D)(35)(c), This use is prohibited within 660 feet of another cannabis retail location. As Birdland/Ultra Health Dispensary is less than 660 feet, cannabis retail is not allowed. Regarding cannabis cultivation, per IDO§14-16-4-3(E)(2)(d), This use shall be conducted within the fully enclosed portions of a building. Additionally, IDO§14-16-4-3(E)(2)(e), A cannabis odor control plan approved by the City is required pursuant to Subsection 14-16-6-5(G) (Site Plan – Administrative) or Subsection 14-16-6-6(I) (Site Plan – EPC), as applicable. Regarding cannabis-derived products, per IDO§14-16-4-3(E)(3)(e), This use shall be conducted within the fully enclosed portions of a building. Additionally, per IDO§14-16-4-3(E)(3)(f), A cannabis odor control plan approved by the City is required, pursuant to Subsection 14-16-6-5(G) (Site Plan – Administrative) or Subsection 14-16-6-6(I) (Site Plan – EPC), as applicable, if any of the following activities will be occurring on the property: 1. Oil activation., 2. Distillation., 3. Extraction. Regarding WTF, per IDO§14-16-4(3)(E)(13)(e)1.a., Freestanding WTFs are prohibited in the following locations: Within 100 feet of any property line of any Residential zone district. **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 1 of the following requirements:

1. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
2. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
3. 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 Response: Given its current commercial use and existing infrastructure, this zone change request meets Criteria #1. The City's existing infrastructure and public improvements have adequate capacity to serve the proposed development that would be made possible by the zone change. Central Avenue, Yale Boulevard, and Lead Avenue have transit services, Silver Avenue and Yale Boulevard have bike facilities, and the University Heights area has excellent road network connectivity. The sidewalks on Harvard Drive are adequately buffered from the street. The subject property has access to public utilities including water, sewer, and electric services.

*Staff Response: The subject site is served by existing infrastructure and public improvements, and the request meets the requirement by ensuring that future uses will have adequate capacity. The site is developed with an office and community-based personal and business services which will continue to utilize existing infrastructure that serves the site. **The response to Criterion E is sufficient.***

(f) The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

Applicant Response: This justification is not completely based on the property's location on a major street because Silver Avenue and Harvard Drive are not major streets. Rather, the justification for the proposed zone change is based on the advantages it will bring to the community by aligning the zoning with the existing uses and expanding the uses permissible on those properties to accommodate the service areas for the Center for Peace and Justice.

*Staff Response: The applicant's justification for the zone change is to be in conformance with services providing including outreach to the homeless, providing office space for allied organizations working in the peace and justice space, and hosting events for members and non-members which are beyond the uses permissible in the R-ML zone district. The subject site is not located on a major street and is not the applicant's justification for the zone change. **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 Response: The zone change request is not based completely or predominantly on the cost of land or other economic considerations but rather on alignment with existing uses and the benefit offered by mixed-use developments in an area within walking distance to a MainStreet Corridor, on a bike boulevard, in walking distance to the Popejoy ART Station, multiple services and amenities, and in close proximity to CNM and UNM.

*Staff Response: Economic considerations are not a factor, but the applicant's justification is not completely or predominantly based upon them, nor is the justification based completely or predominantly upon the cost of land. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not significantly conflict with them. **The response to Criterion G is sufficient.***

- (h) The zone change 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 change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one 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.

Applicant Response: This request for a zone change from R-ML to MX-L does not create a spot zone on the subject property because the adjacent properties to the north and west of the subject property are also zoned MX-L.

*Staff Response: The proposed zone change does not create a "spot zone" or "strip zone." The request is to change the zoning of the subject site from R-ML to MX-L. There are lots surrounding and adjacent to the subject site that are currently zoned MX-L. **The response to Criterion H is sufficient.***

V. Agency & Neighborhood Concerns

Reviewing Agencies

Most reviewing agencies either did not send a response or stated that they had no comments. PNM's comment states that any new construction needs to abide by the procedures of PNM easements. Please see Agency Comments for further details.

Neighborhood/Public

The affected neighborhood associations (NA) are the District 6 Coalition of NA, Silver Hill NA, and University Heights NA which were notified as required. Property owners within 100 feet of the subject site were also notified as required during the same time-frame. Staff is aware of a meeting request to the applicant from the University Heights NA regarding this request, which is being organized at the time of this writing.

Staff is unaware of support or opposition at the time of this writing.

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 from R-ML (Residential – Multi-family Low Density) to MX-L (Mixed-use – Low Intensity) for an approximately 0.2-acre property legally described as all or a portion of 000 007 University Heights addition, located at 202 Harvard Dr. SE at situs address 200 Harvard Dr SE.

The request would remove the nonconformity of the existing office and personal and business services uses and allow the applicant to expand services to meet the needs of the community. Rezoning to MX-L would allow the Center to continue providing community-based services, as well as office space for allied organizations and hosting events, which are not allowed uses in the R-ML zone district. Pursuant IDO [Table 4-2-1](#), Currently the site uses are office and personal and business services that are not permissive in R-ML but permissive in MX-L zone districts.

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. The applicant has adequately justified the request by demonstrating that the proposed zoning is more advantageous to the community than the current zoning, as it furthers a preponderance of applicable Comprehensive Plan goals and policies and would reinforce or strengthen the established character of the surrounding area.

The affected neighborhood associations (NA) are the District 6 Coalition of NA, Silver Hill NA, and University Heights NA which were notified as required. Property owners within 100 feet of the subject site were also notified as required during the same time-frame. Staff is aware of a meeting request to the applicant from the University Heights NA regarding this request is being organized at the time of this writing. The subject property is not within the areas that trigger the Pre-submittal Tribal Meeting pursuant to IDO §14-16-6-4(B).

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

Staff recommends approval.

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

Case #: ZMA-2025-00006

1. The request is for a Zoning Map Amendment from R-ML (Residential – Multi-family Low Density) to MX-L (Mixed-use – Low Intensity) for an approximately 0.2-acre property legally described as all or a portion of 000 007 University Heights addition, located at 202 Harvard Dr. SE at situs address 200 Harvard Dr SE (the “subject site”).
2. The request would remove the nonconformity of the existing office use on the subject site and allow the applicant to expand services to meet the needs of the community. Currently the site uses are office and personal and business services that are not permissive in R-ML but permissive in MX-L zone districts. The applicant wishes to expand services to an event facility to host events for members and non-members of their business which are beyond the uses permissive in the R-ML zone district.

In the repealed 1986 University Neighborhoods Sector Development Plan, the land use on the subject property was “public/semi-public,” and zoning was Diverse Residential (DR). The zone district referred to R-2 from the Comprehensive Zoning Code and was converted to R-ML when the IDO became effective in May 2018. The Albuquerque Center for Peace and Justice has been in operation on the subject site for over 20 years. There is no history available for a subdivision or site plan for the subject site. Although, according to the City Aerial Map, the existing structure has been on the site since at least 1959.

3. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. The applicant has adequately justified the request by demonstrating that the proposed zoning is more advantageous to the community than the current zoning, as it furthers a preponderance of applicable Comprehensive Plan goals and policies and would reinforce or strengthen the established character of the surrounding area.
5. The subject site is not within the boundaries of any Centers or Corridors.
6. The request furthers the following applicable Goals and Policies from Comprehensive Plan Chapter 4 – Community Identity.

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

This request will enhance the community by expanding mixed-use zoning, with low-density commercial use to protect the nearby residential area. The MX-T zone can provide opportunities for non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area. All while preserving the community by maintaining compatibility with the distinct University Heights residential community and nearby UNM Activity Center,

premium transit station area, main street corridor. The request will remove the nonconformity of the existing office and personal and business services uses and allow the owner/applicant, to expand services, not infrastructure to meet the needs of the community.

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

GOAL 5.2 COMPLETE COMMUNITIES Foster communities where residents can live, work, learn, shop, and play together.

The request can allow a variety of land uses that contribute to a sustainable and distinct community, providing non-destination retail and commercial uses, townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area. The proposed MX-L zone district, situated near other MX-L zone districts, foster's the community by providing residents places to live, work, learn, shop, and play all within a close proximity.

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

The request can allow a variety of land uses that contribute to a sustainable and distinct community, providing non-destination retail and commercial uses, townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area. The proposed MX-L zone district, situated near other MX-L zone districts, foster's the community by providing residents places to live, work, learn, shop, and play all within a close proximity.

Goal 5.3 EFFICIENT DEVELOPMENT PATTERNS: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The requested MX-L zone designation can support the optimal use of land by allowing a variety of uses that contribute to a sustainable and distinct community, providing non-destination retail and commercial uses, townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area. The request will remove the nonconformity of the existing office and personal and business services uses and allow the owner/applicant, to expand services promoting development patterns that maximize the utility of existing infrastructure and public facilities. MX-L zoning is appropriate near University Heights, nearby UNM Activity Center, premium transit station area, main street corridor, and surrounding community where development can take advantage of established transportation networks and existing utility services. A future site plan for development of the property would be subject to IDO requirements, including site design standards (IDO §14-16-5-11), parking and loading requirements

(IDO §14-16-5-5), and mixed-use dimensional standards (IDO §14-16-5-1) to ensure the efficient use of resources and infrastructure.

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 entirely within an Area of Consistency. The request would ensure that the owner/applicant can continue providing and growing community-based services without any change to the physical features of the infrastructure reinforcing the character and intensity of the surrounding area.

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

The subject site is not within a Center or Corridor and the request can allow uses that are compatible with the character of the surrounding area, including; low-density non-destination retail/commercial uses, townhouses, low-density multi-family, and civic and institutional uses. The proposed MX-L zoning provides a transition between more intense commercial development north of Silver Ave. including nearby UNM Activity Center, premium transit station area, main street corridor, with the University Heights area, comprised of single-family residential neighborhoods south of Silver Ave. where the subject site is located. While facilitating new development, the zoning allows for uses that are designed to integrate with the existing neighborhood character and minimize impact.

8. The request furthers the following applicable Goals and Policies from Comprehensive Plan Chapter 8 – Economic Development.

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

The request would bring the current land use on the subject site into conformance and expand community-oriented uses and services on the site that enhance the character and function of the area. The MX-L zone district can provide opportunities in residential, non-destination retail, commercial, and institutional uses to serve the surrounding area that can create a place where business and talent can stay and thrive. The subject site is part of the University Heights neighborhood and near the UNM Activity Center, premium transit station area, and main street corridor. The request will remove the nonconformity and allow the current uses of the existing office and personal and business services uses that allows the owner/applicant to extend community-oriented services to help create places where business and talent will stay and thrive.

POLICY 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

This request can foster a more diverse place by allowing for a mix of uses that include non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area within the well-established University Heights community and nearby corridor and center. Compared the current R-1A zoning, the proposed MX-L zoning offers flexibility in civil, institutional, and commercial uses, supporting varied development that can meet the needs of the community. Although the request is intended to allow the current use on the site to expand services, this flexibility can encourage economic development by increasing allowable uses to provide community-oriented services.

POLICY 8.1.3 ECONOMIC BASE: Strengthen and diversify the economic base to help reduce reliance on government spending.

This request can provide more opportunity to allow not only continued residential uses, but non-destination retail, commercial, and institutional uses, strengthening and diversifying the economic base of the University Heights neighborhood, nearby UNM Activity Center, nearby premium transit station area, and nearby main street corridor. The zone change will allow the owner/applicant to continue community-based services, as well as expanding services to provide office, personal and business services, and event space uses, assisting in strengthening and diversifying the economic base, reducing reliance on government spending.

POLICY 8.2.1 Local Business: Emphasize local business development.

The request can emphasize local business development by providing the owner/applicant, a long-term non-profit local business to remove the nonconformity of the existing office and personal and business services uses. Providing expand services, continuing to meet the needs of the community. The zone change can provide the opportunity for local employers to expand and diversify the employment base through retail, commercial, mixed uses and other permissive uses in the MX-L zone.

9. Pursuant to §14-16-6-7(G)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria."

- 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.

The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by applicant's policy-based response furthering (and not being in conflict with) a preponderance of applicable Goals and Policies regarding in the ABC Comp Plan, as amended, and other applicable plans adopted by the City as shown in the sections above.

Applicable Citations: Goal 4.1 Character, Goal 5.2 Complete Communities; Policy 5.2.1 Land Uses; Goal 5.3 Efficient Development Patterns; Goal 5.6 City Development Areas; Policy 5.6.3 Areas of Consistency; Goal 8.1 Placemaking; Policy 8.1.1 Diverse Places; Policy 8.1.3 Economic Base; Policy 8.2.1 Local Business.

- 6-7(G)(3)(b) If the proposed amendment is located wholly or partially 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).

The subject site is entirely located within an Area of Consistency, as designated by the Comp Plan. The applicant has demonstrated that the new zone district will expand the permissive uses to encourage development while remaining consistent with the existing use on the subject property and the patterns of land use, development density and intensity, and connectivity as articulated by the Comprehensive Plan and the character of the University Heights neighborhood.

- 6-7(G)(3)(c) If the proposed amendment 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 at least one 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).

This policy does not apply. The subject site is entirely located within an Area of Consistency, as designated by the Comp Plan.

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

The applicant compared allowable uses in the R-ML (Residential – Multi-family Low Density) and the proposed MX-L (Mixed-Use – Low Intensity) zone districts. Permissive uses allowed under the proposed MX-L zoning, but not the current R-ML zone district that could be considered harmful to the adjacent property, the neighborhood, or the community include: Cannabis retail, cannabis cultivation; cannabis-derived products manufacturing, wireless telecommunications facility’s (WTF) are potentially harmful uses to the adjacent property, the neighborhood, or the community. Although future development would be required to adhere to the following use-specific standards for each use in the IDO to mitigate potential harm. Per IDO§14-16-4-3(D)(35)(c), This use is prohibited within 660 feet of another cannabis retail location. As Birdland/Ultra Health Dispensary is less than 660 feet, cannabis retail is not allowed. Regarding cannabis cultivation, per IDO§14-16-4-3(E)(2)(d), This use shall be conducted within the fully enclosed portions of a building. Additionally, IDO§14-16-4-3(E)(2)(e), A cannabis odor control plan approved by the City is required pursuant to Subsection 14-16-6-5(G) (Site Plan – Administrative) or Subsection 14-16-6-6(I) (Site Plan – EPC), as applicable. Regarding cannabis-derived products, per IDO§14-16-4-3(E)(3)(e), This use shall be conducted within the fully enclosed portions of a building. Additionally, per IDO§14-16-4-3(E)(3)(f), A cannabis odor control plan approved by the City is required, pursuant to Subsection 14-16-6-5(G) (Site Plan – Administrative) or Subsection 14-16-6-6(I) (Site Plan – EPC), as applicable, if any of the following activities will be occurring on the property: 1. Oil activation., 2. Distillation., 3. Extraction. Regarding WTF, per IDO§14-16-4(3)(E)(13)(e)1.a., Freestanding WTFs are prohibited in the following locations: Within 100 feet of any property line of any Residential zone district.

- 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 1 of the following requirements:
1. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.

2. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.

3. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant.

The subject site is served by existing infrastructure and public improvements, and the request meets the requirement by ensuring that future uses will have adequate capacity. The site is developed with an office and community-based personal and business services which will continue to utilize existing infrastructure that serves the site.

6-7(G)(3)(f) The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

The applicant's justification for the zone change is to be in conformance with services providing including outreach to the homeless, providing office space for allied organizations working in the peace and justice space, and hosting events for members and non-members which are beyond the uses permissive in the R-ML zone district. The subject site is not located on a major street and is not the applicant's justification for the zone change.

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

Economic considerations are not a factor, but the applicant's justification is not completely or predominantly based upon them, nor is the justification based completely or predominantly upon the cost of land. Rather, the applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

6-7(G)(3)(h) The zone change 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 change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one 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.

*The proposed zone change does not create a "spot zone" or "strip zone."
The request is to change the zoning of the subject site from R-ML to MX-L.
There are lots surrounding and adjacent to the subject site that are
currently zoned MX-L.*

10. The affected neighborhood associations (NA) are the District 6 Coalition of NA, Silver Hill NA, and University Heights NA which were notified as required. Property owners within 100 feet of the subject site were also notified as required during the same time-frame. The subject property is not within the areas that trigger the Pre-submittal Tribal Meeting pursuant to IDO §14-16-6-4(B).
11. The University Heights NA requested a non-facilitated meeting with the applicant regarding this request. The NA is concerned about why a zone change is needed if the uses are legally nonconforming. The applicant submitted a memo responding to a discussion between the Board of Directors for the University Heights NA.

Recommendation

APPROVAL of Plan #: ZMA-2025-00006, a request for Zoning Map Amendment from R-ML (Residential – Multi-family Low Density) to MX-L (Mixed-use – Low Intensity) for an approximately 0.2-acre property legally described as all or a portion of 000 007 University Heights addition, located at 202 Harvard Dr. SE at situs address 200 Harvard Dr SE., based on the preceding Findings 1 - 10.

Dennis Felipe, Jr.,
Planner

Notice of Decision cc list:

Jim Strozier & Ayoni Oyenuga, Case Agents, cp@consensusplanning.com,
oyenuga@consensusplanning.com
District 6 Coalition of Neighborhood Association's, Patricia Wilson, info@willsonstudio.com
District 6 Coalition of Neighborhood Association's, M. Ryan Kious, m.ryankious@gmail.com
Silver Hill NA, James Montalbano, ja.montalbano@gmail.com
Silver Hill NA, Eva Blaylock, evarockstar@msn.com
University Heights NA, Don Hancock, sricdon@earthlink.net
University Heights NA, Aaron Hill, aaronhill15902@gmail.com
Legal, dking@cabq.gov
Legal, acon@cabq.gov
EPC file

Agency Comments

PLANNING DEPARTMENT

Long Range Planning

No comment given.

Hydrology

No comment.

Transportation Development Services

No objection

Zoning / Code Enforcement

No comment given.

OTHER CITY OF ALBUQUERQUE DEPARTMENTS / OFFICES

Aviation Department

No comment given.

Department of Municipal Development

No comment given.

Metropolitan Redevelopment Agency

No comment given.

Office of Neighborhood Coordination

No comment given.

Police Department/Planning

No comment given.

Solid Waste Department

NO COMMENT

Transit Department

No comment given.

Parks & Recreation – Urban Forestry Department

Forestry has no comments at this time.

OTHER AGENCIES

Albuquerque-Bernalillo County Water Utility Authority (ABCWUA)

No objection to the proposed application, future development will require a Request for Availability.

Albuquerque Public Schools (APS)

No comment given.

Albuquerque Metropolitan Arroyo Flood Control (AMAFCA)

AMAFCA has no adverse comments to the zone map amendment.

Bernalillo County

Planning - No adverse comments.

Transportation - No adverse comment. No nearby BC roads or intersections.

Kirtland Air Force Base (KAFB)

No comment given.

Middle Rio Grande Conservancy District (MRGCD)

No comment given.

Mid-Region Council of Governments (MRCOG)

No comment given.

Mid-Region Metropolitan Planning Organization (MRMPO)

No comment given.

National Park Service (NPS) / Petroglyph National Monument

No comment given.

New Mexico Gas Company

No comment given.

New Mexico Department of Transportation (NMDOT)

No comment given.

Public Service Company of New Mexico (PNM)

There are PNM facilities and/or easements along the site's eastern edge (alley side). It is the applicant's obligation to determine if existing utility easements or rightsof-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: Southeast facing subject site and single-family homes, part of the University Heights neighborhood on Harvard Dr SE with sign posting.



Figure 2: South facing subject site and single-family homes within the University Heights neighborhood at Silver Ave. SE & Harvard Dr. SE with sign posting.



Figure 3: East facing Silver Ave SE with subject site on right & neighboring businesses and multi-family housing on left along Harvard Dr SE.



***Figure 4:** Southwest facing the University Heights neighborhood to the west of the subject site along Silver Ave SE at Harvard Dr SE.*



***Figure 5:** Northwest facing Brick Light District away from subject site, at the intersection of Silver Ave SE and Harvard Ave SE.*



***Figure 6:** North facing Brick Light District across from subject site along Silver Ave SE.*



Figure 7: East facing Silver Ave SE away from subject site.



Figure 8: South facing alley along west side of subject site at Silver Dr SE driveway.

B) APPLICATION INFORMATION

April 18, 2025

City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87102

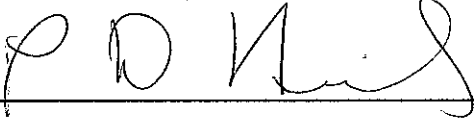
RE: Property Owner Letter of Authorization – 200/202 Harvard Drive SE Albuquerque NM,
87106

To whom it may concern:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as agent for Albuquerque Center for Peace and Justice (owner and applicant) for all meetings, applications, public hearings, and other formal representation related to the request for a Zone Map Amendment application for the subject property legally described as follows: *001 007 University Heights Addition.*

Sincerely,

Name Peter D. Neils

Signature 

Position Co- Chair, Coordinating Council, Albuquerque Center for Peace and Justice

Date 4/18/2025

Mailing Address 202 Harvard Drive SE, Albuquerque, NM 87106



April 24, 2025 (replaces letter dated April 3, 2025)

Mr. Daniel Aragon, Chair
Environmental Planning Commission
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

RE: Zoning Map Amendment, 200/202 Harvard Drive SE

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

Dear Mr. Chair,

The purpose of this letter is to justify a Zoning Map Amendment by responding to the criteria in the Integrated Development Ordinance (IDO) Section 14-16-6-7(G), on behalf of Albuquerque Center for Peace and Justice (owner and applicant). The subject property is legally described as **001 007 University Heights Addition* and contains a total of approximately 0.163 acres.

The subject property is located on the corner of Silver Avenue and Harvard Drive. The situs address is 200 Harvard Drive SE, while the physical identifying address is 202 Harvard Drive SE. The existing zoning is R-ML (Multi-family Low Density). The Applicant is requesting a Zoning Map Amendment to MX-L (Mixed-use Low Intensity) to bring the existing uses in the business into conformance with the IDO.



Subject property

PRINCIPALS

James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA
Margaret Ambrosino, AICP

PLANNING CONTEXT

The subject property is approximately 0.163 acres and zoned R-ML. Land Use on the subject property was “public/semi-public” and Zoning was Diverse Residential DR in the repealed 1986 University Neighborhoods Sector Development Plan. The Peace and Justice Center has



been in operation on the property for over 20 years which was prior to the new IDO zoning in 2017.

The subject property is located within the Near Heights Planning Area. Character considerations for the Near Heights Planning Area include varying architectural styles and building scales, ethnic and cultural diversity of residents, and transit-supportive development patterns. The site is located within one-quarter mile (a 5-minute walk) of the Central Avenue Main Street Corridor and Premium Transit Corridor. Main Streets are intended to be lively, walkable streets lined with neighborhood-oriented businesses. The subject property is within a highly walkable neighborhood, is currently occupied by an organization providing services to the neighborhood, is located on a designated bicycle boulevard, and can accommodate neighborhood-oriented businesses. The Comprehensive Plan encourages mixed-use and transit-oriented development within walking distance of a transit station. The subject property is within 5-minute walking distance of the Popejoy ART Station.

The subject property has excellent access and connectivity to the major street network via Central Avenue (a Premium Transit Corridor), to I-25 (a Commuter Corridor), the Bike Boulevard on Silver Avenue, as well as access to Bus Route 66 (Central with a peak frequency of 15 minutes), Bus 766 and 777 (Rapid Ride with a peak frequency of 15 minutes) along Central Avenue, Bus 50 (Airport-Downtown with a peak frequency of 30 minutes) along Yale Boulevard, and Bus Route 97 (Zuni with a peak frequency of 60 minutes) along Lead Avenue. The subject property is also directly south of the Harvard Bricklight District and can contribute to creating employment opportunities and fostering synergy and economic vitality among the businesses in that area.

ZONING AND LAND USE

The subject property is currently zoned R-ML (Residential Multi-family Low Density. Per the IDO, the purpose of the R-ML zone is to provide for a variety of low- to medium-density housing options. The primary land uses are townhouses and small-scale multi-family development, as well as civic and institutional uses to serve the surrounding residential area. Services provided by the Albuquerque Center for Peace and Justice include outreach to the homeless, providing office space for allied organizations working in the peace and justice space, and hosting events for members and non-members which are beyond the uses permissive in the R-ML zone district.

Adjacent zoning and land use include R-ML zoned properties to the east, which contain mixed-density residential; MX-L to the north, which contains a store, apartments and commercial parking; MX-L to the west (approved zone map amendment by the EPC on March 21, 2024 and upheld by City Council on September 16, 2024), which contains a vacant single family residential; and R-ML to the south, containing mixed-density residential development.

The subject property is directly south of the Bricklight District on Harvard Drive and adjacent to the UNM Activity Center as designated by the Comprehensive Plan. Land uses in the larger surrounding area include restaurants, laundromats, small businesses, multi-family apartments, coffee shops, community organizations, parking, schools, and institutions. The proposed MX-L zoning will bring the current use into zoning compliance and allow for future expansion of neighborhood-scale retail, commercial services, and mixed-density residential development in the area.



Existing Zoning



Surrounding Land Uses

TABLE 1: ADJACENT ZONING and LAND USE		
Direction	Zoning	Land Use
North	MX-L	Store, apartments, and parking
South	R-ML	Mixed-density residential
East	R-ML	Mixed-density residential
West	MX-L	Vacant single-family residential



Existing building



Looking south on Silver (parking lot with existing building to the right)



Looking east on Silver (subject property to the right)



THE REQUEST

The Applicant is requesting a zone change from R-ML to MX-L to align with the existing uses of the site and to expand the services that could be provided by the Albuquerque Center for Peace and Justice in meeting the needs of the community. Per the IDO, “The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low density multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors.”

The permissive uses in the R-ML zone district are expanded in the MX-L zone district, and the differences will be explained later in this letter. The MX-L zone district will accommodate neighborhood-scale retail and commercial services, low-density multifamily, and civic and institutional purposes that are consistent with the existing uses in the area. The MX-L zone on this property, which is adjacent to the UNM Activity Center, the Harvard Bricklight District, and located at an intersection, is consistent with existing uses and will provide a suitable location for neighborhood-scale services.

This request is supported by Comprehensive Plan goals and policies and meets the requirements for a Zoning Map Amendment – EPC per *IDO Section 14-16-6-7(G)* as described below.

ZONING MAP AMENDMENT JUSTIFICATION

This request for a Zoning Map Amendment complies with the criteria outlined in Integrated Development Ordinance Section 14-16-6-7(G) as follows:

6-7(G)(3): An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria:

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 Comprehensive Plan, as amended, and other applicable plans adopted by the City.

Applicant Response: *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the City’s goals and policies as listed below along with the Applicant’s responses. The request is consistent with the overall scale, character, and zoning of the surrounding area and will bring the existing services provided to the community by Albuquerque Center for Peace and Justice into compliance with the proposed zoning.*

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

Applicant Response: *The zone change to MX-L will further this goal because it will complement the existing MX-L zones in the surrounding areas. While this request expands the mixed-use zoning south of Silver Avenue, the MX-L zone is consistent with the existing use of the property for over 20 years. Permissive uses in the MX-L zone district are consistent with the existing uses in the University Heights area. These uses include pedestrian-scale commercial, residential, institutional, community organizations, and parking. With the subject property being adjacent to the UNM Activity Center and the Harvard Bricklight District, a zone change will enable a variety of land uses that will enhance, protect, and preserve the character of the University Heights community. The Albuquerque Center for Peace and Justice has been a part of the community for over 20*



years, providing valuable community-oriented services. The zone change will refine the zone to align with existing uses and enable a variety of land uses that will enhance, protect and preserve the character of the University Heights community.

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

Applicant Response: *The zone change to MX-L furthers this goal by allowing neighborhood-scale retail and commercial, residential, and mixed-use developments. With the subject property's proximity to both UNM and CNM, the zone change will foster a community within the University Heights area where residents can live, work, learn, shop, and play together.*

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

Applicant Response: *The zone change to MX-L furthers this policy by expanding the permissive land uses to include a mix of uses that are conveniently accessible from the surrounding neighborhoods. This subject property is located along a bike boulevard, has excellent transit access via Buses 50, 97, 66, 766, and 777, and excellent connectivity to the major street network via Central Avenue and I-25. Having goods and services within walking or biking distance will contribute to a healthy, sustainable, and distinct University Heights community.*

Policy 5.2.1 Subpolicies

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

Applicant Response: *With the expansion of permissive uses to allow the existing use along with the potential for future neighborhood-scale retail and commercial services, this zone change will encourage development or redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.*

Goal 5.3 Efficient Development Patterns: Promote development that maximizes the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Applicant Response: *The zone change furthers this goal because it will bring the existing and long term use of the property into alignment with the zoning and help promote development with retail, commercial, institutional, and residential uses that will maximize the use of existing infrastructure and public facilities. Central Avenue, an Urban Principal Arterial; Silver Avenue, a Bike Boulevard; and transit services available in the area provide connectivity to the site. The subject property has access to public utilities including water, sewer, and electric services. The location of the subject property and its proximity to other public facilities provide the opportunity to efficiently use the land to support the public good through the services provided by the Center for Peace and Justice.*

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.

Applicant Response: While the subject property is completely in an Area of Consistency, the zone change furthers this goal because it recognizes the existing and historic use of the property and the uses allowed in the MX-L zone are consistent with existing uses in the surrounding area. Uses in the area include restaurants, offices, single-family residences, apartments, live-work-play spaces, coffee shops, and schools. Approval of the zone change on the subject property will encourage development that will reinforce the character and intensity of the surrounding Areas of Consistency. Also, parcels directly north of the subject property are completely within Areas of Change. Given the subject property's proximity to UNM's Activity Center and the Harvard Bricklight District, permissive uses in the MX-L zone district will expand neighborhood-scale retail and commercial services, and low-density multi-family within walkable distances that provide opportunities to live, work, learn, shop, and play. This will potentially draw in more people and businesses thereby encouraging and directing growth towards the Areas of Change where it is expected and desired.

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

Applicant Response: The subject property is completely in an Area of Consistency and within a mixed-density residential neighborhood. Several parcels to the west on Yale, to the north on Harvard and Cornell are zoned MX-L. While the subject property is outside of Centers and Corridors, it is located within a 5-minute walking distance of a Main Street Corridor, a Premium Transit Corridor, and the Popejoy ART Station where mixed-use developments are encouraged. This request also recognizes the need to align the existing and historic use with the zoning for the property. The zone change will protect and enhance the character of the University Heights area by allowing uses consistent with the area and allowing the activation of the intersection of Harvard and Silver with mixed use developments.



Areas of Consistency and Change

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

Applicant Response: *The zone change to MX-L furthers this goal by bringing the existing and historic use of the property with the zoning and expanding the permissive land uses that could also allow new development to this area. The uses permissive in the MX-L zone district will complement the uses in the Bricklight District, on Harvard Drive; and the uses along Silver Avenue, bicycle boulevard; thereby contributing to places where businesses and talent stay and thrive.*

Policy 8.1.1 Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

Applicant Response: *The zone change furthers this policy by allowing for a wider range of retail, commercial, and mixed uses to encourage economic development opportunities. It should be noted that the existing use, the Albuquerque Center for Peace and Justice certainly qualifies as an interesting place in the neighborhood and the City. The building features several murals that address social issues. The Center also serves as an incubator for various startup non-profit organizations focused on related causes. For the past 15 years, The Peace Café has hosted a potluck every Thursday afternoon at the Center. Additionally, free food distribution takes place every Saturday morning. The Center currently offers space for a variety of events, including arts classes, community building activities, meditation and spirituality sessions, a cinema club, dance classes, yoga, and singing sessions. The subject property's proximity to the University MRA, the Harvard Bricklight District, and surrounding public facilities will foster a range of interesting places and contexts at different development intensities, densities, uses, and building scales desirable to residents.*

Policy 8.1.3 Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending.

Applicant Response: *The zone change furthers this policy by allowing for a wider range of retail, commercial, and mixed uses on the subject property that will strengthen and diversify the economic base and support job creation in the area. The larger surrounding area has an abundance of single-family and multi-family residences and the zone change to MX-L will allow for potential employees to work close to home.*

Policy 8.2.1 Local Business: Emphasize local business development.

Applicant Response: *The zone change furthers this policy by removing the non-conforming status of an existing, long-term non-profit local business and providing the opportunity for local employers to expand and diversify the employment base through retail, commercial, mixed uses and other permissive uses in the MX-L zone. This pattern can be seen just north in the Bricklight District where new local businesses have developed.*

6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comprehensive 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 Comprehensive Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant Response: *While the subject site is located entirely in an Area of Consistency, the zone change will reinforce and strengthen the established use and character of the area and will not permit development that is significantly different from the character of the University Heights area. The existing zoning is inappropriate because it meets both criteria 2 and 3. There have been significant changes in the neighborhood with the Bricklight district and the recent mixed-use developments in the surrounding areas seeking to encourage development, employment, and a variety of housing options in the University Heights and surrounding neighborhoods. The MX-L zone will be more advantageous to the community as this will expand the permissive uses to encourage development while remaining consistent with the existing use on the subject property and the patterns of land use, development density and intensity, and connectivity as articulated by the Comprehensive Plan and the character of the University Heights area.*

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

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

Applicant Response: *The subject site is located entirely in an Area of Consistency. The policy does not apply.*

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.

Applicant Response: *The requested MX-L zoning does include permissive uses that would be potentially harmful to adjacent properties, neighborhoods, or communities. However, any potential impact MX-L uses may have will be subject to Use-Specific standards (including those related to the adjacent religious institution) that will adequately mitigate those harmful impacts.*

TABLE 2: Permissive Use Comparison: R-ML vs. MX-L		
Use	R-ML	MX-L
Dwelling, live-work	C	P
Dormitory	-	P
Group home, small and medium	C	P
Adult or child day care facility	C	P
High School	C	P
Museum	CV	P
Vocational school	-	P
Veterinary hospital and other pet services	-	P
Health club or gym	A	P
Mobile food truck court	-	P
Restaurant	-	P
Other indoor entertainment	-	P
Hotel or motel	-	P
Car wash	-	P
Light vehicle repair	-	P
Paid parking lot; parking structure	A	P
Bank	-	P
Club or event facility	-	P
Commercial services	-	P
Medical or dental clinic	-	P
Office; Personal and business services, small	-	P
Research or testing facility	-	P
Bakery goods or confectionery shop	-	P
Cannabis retail	-	P
Farmer's market	T	P
General retail, small; Grocery store	-	P
Artisan manufacturing	-	P
Cannabis cultivation; Cannabis-derived products manufacturing	-	P
Wireless Telecommunications Facility: Freestanding	-	P

Table 2 provides a comparison of the permissive uses in the R-ML and MX-L zones. The uses that would be made permissive through the zone change to MX-L that could potentially be harmful include cannabis retail, cannabis cultivation, and cannabis-derived products manufacturing. All three uses must comply with Use Specific Standards, which include being located in a fully enclosed building, having a cannabis odor control plan approved by the City, and adhering to restrictions on building size, hazardous material use, and product display. Cannabis retail is prohibited within 660 feet of another cannabis retail location and within 300 feet of any school or child day care facility. Birdland, which is adjacent to the property on the north side of Silver, offers cannabis as one of its retail products. This would prohibit cannabis retail use on this property. Cannabis cultivation and cannabis-derive products manufacturing require a Conditional Use Approval if within 300 feet of a school or child day care facility. Conditional Use approvals require a public hearing process. Hotel, motel, and car wash are clearly not feasible at this location.

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

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

4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.

Applicant Response: *Given its current commercial use and existing infrastructure, this zone change request meets Criteria #1. The City's existing infrastructure and public improvements have adequate capacity to serve the proposed development that would be made possible by the zone change. Central Avenue, Yale Boulevard, and Lead Avenue have transit services, Silver Avenue and Yale Boulevard have bike facilities, and the University Heights area has excellent road network connectivity. The sidewalks on Harvard Drive are adequately buffered from the street. The subject property has access to public utilities including water, sewer, and electric services.*

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.

Applicant's Response: *This justification is not completely based on the property's location on a major street because Silver Avenue and Harvard Drive are not major streets. Rather, the justification for the proposed zone change is based on the advantages it will bring to the community by aligning the zoning with the existing uses and expanding the uses permissible on those properties to accommodate the service areas for the Center for Peace and Justice.*

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

Applicant's Response: *The zone change request is not based completely or predominantly on the cost of land or other economic considerations but rather on alignment with existing uses and the benefit offered by mixed-use developments in an area within walking distance to a MainStreet Corridor, on a bike boulevard, in walking distance to the Popejoy ART Station, multiple services and amenities, and in close proximity to CNM and UNM.*

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 premise (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 Comprehensive Plan, as amended, and at least one of the following applies:

1. The subject property is different from the 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's Response: *This request for a zone change from R-ML to MX-L does not create a spot zone on the subject property because the adjacent properties to the north and west of the subject property are also zoned MX-L.*

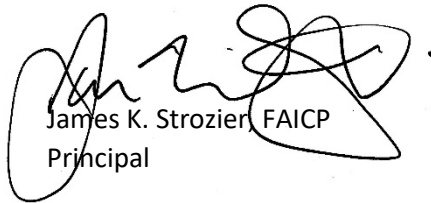


Conclusion

The request is for a Zoning Map Amendment from R-ML to MX-L on 200/202 Harvard Drive SE. The zone change aligns with existing uses on the subject property and eliminates the impediment of being a non-conforming use. In addition, the MX-L zone district will allow for desired neighborhood-scale retail, commercial, and mixed uses within the University Heights Neighborhood. The MX-L zone district will facilitate new development in an area served by existing infrastructure with access to a multi-modal network of corridors. Designated mixed-use space that is in a walkable and bicycle-friendly area, at an activated intersection, within close proximity to premium transit and other public facilities will further several goals and policies in the Comprehensive Plan.

Based on the information provided in this letter, we request your approval to change the subject site's zoning district from R-ML to MX-L on behalf of the Albuquerque Center for Peace and Justice.

Sincerely,




James K. Strozier, FAICP
Principal



Memorandum

To: Dennis Felipe, Jr., Staff Planner

From: Jim Strozier, Consensus Planning 

Date: 05/07/2025

Re: 200/202 Harvard Dr SE - Non-conforming Uses

We have prepared this memo in response to a discussion that occurred when we met with Board of Directors for the University Heights Neighborhood Association as to why a zone change is needed when the use is legally non-conforming (grandfathered) by 14-16-6-8(C)(1).

6-8(C)(1) Authority to Continue

Unless specified otherwise in this Section 14-16-6-8 or elsewhere in this IDO, the nonconforming use of land or a structure shall be allowed to continue regardless of any change in ownership or occupancy of the use, until that use is discontinued or another provision of this Section 14-16-6-8 requires the termination of the use.

Despite the “grandfathered” status or authority to continue in 14-16-6-8(C)(1), there are limitations placed on a legal non-conforming use by the IDO. These include:

6-8(C)(3) Discontinuance of Nonconforming Use

6-8(C)(3)(a) Except as noted in Subsection (b) below, when a nonconforming use of land or a structure is discontinued for a period of 2 years, any later use shall only be an allowable use as specified in Table 4- 2-1 for the zone district in which the property is located.

Per Section 6-8(C)(3)(a), if the nonconforming use is discontinued for 2 years, it is forfeited, and future uses must conform to the base zone’s allowable uses in Table 4-2-1. This creates uncertainty and risk for both current and future property owners. Unanticipated fluctuations in the organization’s operations or forces outside of the organization’s control could inadvertently trigger this rule and eliminate the legal basis for continued use.

6-8(C)(3)(c) Neither the intention of the owner nor that of anybody else to use a lot or part of a lot for any nonconforming use, nor the fact that the lot or part of a lot may have been used by a makeshift nonconforming use shall prevent the ZEO from determining that the use has been discontinued for the purposes of this Subsection 14-16-6-8(C)(3).

Section 6-8(C)(3)(c) emphasizes that intentions are irrelevant—if actual use ceases, the nonconforming status can be lost, regardless of planned reuse. This places the property in a precarious legal and financial position.

6-8(C)(4) Expansion of Nonconforming Use

A nonconforming use of land or a structure shall not be expanded, except that the portion of a structure or land containing a nonconforming use may be expanded in size if approved by the ZHE pursuant to Subsection 14-16-6-6(C).

The property cannot expand the nonconforming use without approval by the Zoning Hearing Examiner (ZHE). The expansion of a nonconforming use application goes through a public hearing process that will be costly for the Center.

6-6(C)(3)(d), The expansion will not exceed 25 percent of the gross floor area of the structure occupied by the nonconforming use, or 25 percent of the area occupied by the nonconforming use at the time it became nonconforming

6-6(C)(3)(e), The expansion will not expand the gross floor area of a nonconforming structure by more than 25 percent of the gross floor area existing at the time the structure became nonconforming.

This limits the ability to expand the building in the future, which may otherwise be routine in conforming properties.

Conclusion

Given these limitations, a zone change is warranted to ensure that the property can continue to be used productively and legally in a way that reflects the existing land use on the property and prevents unintentional loss of nonconforming use rights. The zone map amendment would protect continuity of use by ensuring that future vacancies or temporary closures do not trigger loss of nonconforming use rights; resolve long-standing zoning-use mismatch, bringing the property into full conformance with the IDO; facilitate reinvestment or improvement of the property without requiring additional discretionary approvals; and promote planning certainty for current owners, lenders, and future owners.

C: Mr. Don Hancock, University Heights Neighborhood Association

C) STAFF INFORMATION

PROJECT MEMO

DATE: April 17, 2025
TO: Ayoni Oyenuga,
302 8th St. NW, Albuquerque, NM 87102
FROM: Dj Felipe, Planner
City of Albuquerque Planning Department
TEL: (505) 924-3459
RE: ZMA-2025-00006, 202 Harvard Dr. SE Zone Map Amendment EPC

We have completed a preliminary review of the proposed zone change and would like to discuss the request and suggested revisions to move forward. We are available to answer questions regarding this process and requirements. In summary, please provide the following electronically:

- ⇒ A revised project letter.
- ⇒ Update application attachments (if applicable).

by 4PM on April 25, 2025.

Note: Please contact us if you have difficulty with this deadline.

Revision Requests & Notes

1) Introduction:

- A. Though a review was conducted as thorough as possible, additional items may arise as the case progresses. If so, you will be informed immediately.
- B. Legal Description: For all or a portion of 000 007 University Heights addition, located at situs address 200 Harvard Dr SE, between Silver Ave SE and Cornell Dr SE, approximately 0.2 acres. (K-16-Z)
- C. We understand this request is for a zone change from R-ML to M-XL at 200 Harvard Dr SE. IS there any additional background you can share with me about the request? Bases on the justification letter, it seems that reason for the zone change is to bring the uses in the business into conformance with the IDO. Is this correct?

2) Process:

- A. Information regarding the EPC process, 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 is on May 15, 2025. Final staff reports will be available about one week prior, on May 8, 2025.
- C. Note that, if a zone change request is denied, you cannot reapply again for one year.
- D. Agency comments will be distributed after April 30, 2025. A copy of the comments will be emailed and forward any late submissions.
- E. Let us know if you receive any additional comments or letters, in support of or against the request. These will be included in the staff report.

3) Sign Posting:

- A. In Signs will need to be posted on or before April 30, 2025.
- B. Please submit photos of the posted signs on or before April 30th.

4) Project Letter:

- A. Below you will find comments to the application submission and selected goals/policies/sub-policies.
- B. The submitted project letter is off to a good start. There are some revisions to the responses provided in the review and decision criteria. Comments and action items are referenced to 6-7(G) ZONING MAP AMENDMENT – EPC.

C. Zone Map Amendment Request – General

- 1. You provided responses to 5 Goals, 5 Policies, and 1 Sub-Policy.
 - a. Note sub-policy response are not reviewed as heavily.
- 2. Be consistent in which address(es) are being using for the subject site. Provide further in detail why the subject site has two addresses.

D. Zone Map Amendment – Response to Criterion A-E (Suggested Comments)

Policy 8.1.1 Diverse Places – Provide further in detail how the Albuquerque Center for Peace and Justice certainly qualifies as and interesting place in the neighborhood and the City.

6.7(G)(3)(c) – Note in response, the policy does not apply.

D) PUBLIC NOTICE

From: Office of Neighborhood Coordination
To: Ayoni Oyemuga
Subject: 200 HARVARD DR SE _Public Notice Inquiry Sheet Submission
Date: Tuesday, March 18, 2025 10:06:33 AM
Attachments: image001.png
100ZoneAtlasPage_K-16-Z.pdf

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
District 6 Coalition of Neighborhood Associations		Patricia	Willson	info@willsonstudio.com	505 Dartmouth Drive SE	Albuquerque	NM	87106	5059808007	
District 6 Coalition of Neighborhood Associations		M. Ryan	Kious	m.ryankious@gmail.com	1108 Georgia SE	Albuquerque	NM	87108		5059804265
Silver Hill NA	silverhillabq@gmail.com	James	Montalbano	ja.montalbano@gmail.com	1409 Silver Avenue SE	Albuquerque	NM	87106	5052430827	
Silver Hill NA	silverhillabq@gmail.com	Eva	Blaylock	evarockstar@msn.com	1920 Gold SE	Albuquerque	NM	87106		5054808598
University Heights NA	info@uhanm.org	Don	Hancock	sricdon@earthlink.net	105 Stanford SE	Albuquerque	NM	87106	5052622053	5052621862
University Heights NA	info@uhanm.org	Aaron	Hill	aaronhill15902@gmail.com	202 Cornell Dr. SE, Unit B	Albuquerque	NM	87106		5737772520

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, 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 you need for notifying neighborhood associations can be found here: <https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance-1/public-notice>.
- 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 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://do.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: Tuesday, March 18, 2025 8:53 AM
To: Office of Neighborhood Coordination <oyemuga@consensusplanning.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

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

Public Notice Inquiry For:
Environmental Planning Commission
If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:
Contact Name
Ayoni Oyemuga
Telephone Number
505-764-9801
Email Address
oyemuga@consensusplanning.com
Company Name
Consensus Planning, Inc
Company Address
302 8th Street NW
City
Albuquerque
State
NM
ZIP
87102
Legal description of the subject site for this project:
* 001 007 UNIVERSITY HEIGHTS ADDITION
Physical address of subject site:
200 HARVARD DR SE ALBUQUERQUE NM 87106
Subject site cross streets:
Silver Avenue and Harvard Drive SE
Other subject site identifiers:
This site is located on the following zone atlas page:
K-16-Z
Captcha
x

Ayoni Oyenuga

From: Microsoft Outlook
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@consensusplanning.com>
To: sricdon@earthlink.net
Sent: Thursday, April 3, 2025 11:01 AM
Subject: Relayed: Application Notice

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

sricdon@earthlink.net (sricdon@earthlink.net)

Subject: Application Notice



Application
Notice

Ayoni Oyenuga

From: Ayoni Oyenuga
Sent: Thursday, April 3, 2025 11:01 AM
To: P. Davis Willson; m.ryankious@gmail.com; a.montalbano@gmail.com; evarockstar@msn.com; sricdon@earthlink.net; aaronhill15902@gmail.com; info@uhanm.org; silverhillabq@gmail.com
Cc: Jim Strozier
Subject: Application Notice
Attachments: Neighborhood notification packet.pdf

Tracking:	Recipient	Delivery
	P. Davis Willson	
	m.ryankious@gmail.com	
	a.montalbano@gmail.com	
	evarockstar@msn.com	
	sricdon@earthlink.net	
	aaronhill15902@gmail.com	
	info@uhanm.org	
	silverhillabq@gmail.com	
	Jim Strozier	Delivered: 4/3/2025 11:01 AM

Dear Neighbors,

On behalf of the Albuquerque Center for Peace and Justice, Consensus Planning, Inc. is providing you with notice that we are submitting a Zone Map Amendment application for EPC review and approval. The Albuquerque Center for Peace and Justice has been in operation at this location for over 20 years and the request will bring the current operation into conformance with the proposed zoning. The application will be heard at a public hearing on May 15, 2025, starting at 8:40 a.m. **via Zoom**. The request is to change the zoning of their property located at 200/202 Harvard Drive SE from Residential Multi-Family Low Density (R-ML) to Mixed-Use Low Intensity (MX-L) to align with the services they provide.

You can access the zoom link and agendas on the EPC website: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>. The required notice forms and information regarding the public hearing are included as an attachment to this email.

If you have questions regarding this item, please do not hesitate to contact Jim Strozier at cp@consensusplanning.com or by phone at (505) 764-9801.

Thank you.

Ayoni Oyenuga
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801

Ayoni Oyenuga

From: Microsoft Outlook
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@consensusplanning.com>
To: m.ryankious@gmail.com; a.montalbano@gmail.com; aaronhill15902@gmail.com;
silverhillabq@gmail.com
Sent: Thursday, April 3, 2025 11:01 AM
Subject: Relayed: Application Notice

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

m.ryankious@gmail.com (m.ryankious@gmail.com)

a.montalbano@gmail.com (a.montalbano@gmail.com)

aaronhill15902@gmail.com (aaronhill15902@gmail.com)

silverhillabq@gmail.com (silverhillabq@gmail.com)

Subject: Application Notice



Application
Notice

Ayoni Oyenuga

From: postmaster@NETORG17878498.onmicrosoft.com
To: info@uhanm.org
Sent: Thursday, April 3, 2025 11:01 AM
Subject: Delivered: Application Notice

Your message has been delivered to the following recipients:

info@uhanm.org (info@uhanm.org)

Subject: Application Notice



Application
Notice

Ayoni Oyenuga

From: postmaster@outlook.com
To: evarockstar@msn.com
Sent: Thursday, April 3, 2025 11:01 AM
Subject: Delivered: Application Notice

Your message has been delivered to the following recipients:

evarockstar@msn.com (evarockstar@msn.com)

Subject: Application Notice



Application
Notice

Ayoni Oyenuga

From: Mail Delivery Subsystem <MAILER-DAEMON@swcp.com>
To: wwa_info@ebi9.swcp.com
Sent: Thursday, April 3, 2025 11:01 AM
Subject: Delivered: Application Notice

The original message was received at Thu, 3 Apr 2025 11:01:13 -0600 (MDT)
from ame1.swcp.com [216.184.2.118]

----- The following addresses had successful delivery notifications -----
<wwa_info@ebi9.swcp.com> (successfully delivered to mailbox)

----- Transcript of session follows -----



Application
Notice

<wwa_info@ebi9.swcp.com>... Successfully delivered

**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: Zone Map Amendment

Decision-making Body: Environmental Planning Commission

Pre-Application meeting required: ☐ Yes ☒ No

Neighborhood meeting required: ☒ Yes ☐ No Post submittal, if requested.

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

PART II – DETAILS OF REQUEST

Address of property listed in application: 200/202 Harvard Dr SE Albuquerque NM 87106

Name of property owner: PEACE & JUSTICE EDUCATION PROJECT INC

Name of applicant: Albuquerque Center for Peace and Justice

Date, time, and place of public meeting or hearing, if applicable:

May 15, 2025 at 8:40 am via Zoom. Visit <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/>

Address, phone number, or website for additional information:

Contact cp@consensusplanning.com or oyenuga@consensusplanning.com or call 505 764-9801


PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

- | | | |
|--------------------------|---|----------------|
| <input type="checkbox"/> | Zone Atlas page indicating subject property. | |
| N/A | <input type="checkbox"/> Drawings, elevations, or other illustrations of this request. | Not applicable |
| N/A | <input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable. | Not applicable |
| | <input 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)
 4/3/25
 _____ (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.

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



N/A

PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN & LC APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following: Not applicable

- ☐ 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.

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

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

Date of Notice*: 4/3/25

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* 200/202 Harvard Dr SE Albuquerque NM 87106
Location Description Harvard and Silver
2. Property Owner* PEACE & JUSTICE EDUCATION PROJECT INC
3. Agent/Applicant [if applicable] Agent: Consensus Planning, Inc
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*:

A request to change the zoning of their property from Residential Multi-Family Low Density (R-ML) to Mixed-Use Low Intensity (MX-L) to align with the services they provide.

5. This application will be decided at a public hearing by*:

☒ Environmental Planning Commission (EPC) ☐ City Council

This application will be first reviewed and recommended by:

☐ Environmental Planning Commission (EPC) ☐ Landmarks Commission (LC)

☒ Not applicable (Zoning Map Amendment – EPC only)

Hearing Date/Time*: May 15, 2025 at 8:40 am

Location*³: on Zoom

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: Jim Strozier

Email: cp@consensusplanning.com

Phone: 505-764-9801

Online website or project page: Not applicable

Attachments: _____

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

1. Zone Atlas Page(s)*⁴ K-16-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 applicable

[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] 0.163 acres
2. IDO Zone District R-ML
3. Overlay Zone(s) [if applicable] _____
4. Center or Corridor Area [if applicable] Not applicable
5. Current Land Use(s) [vacant, if none] Commercial services - social services, office, rental space, and events

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.

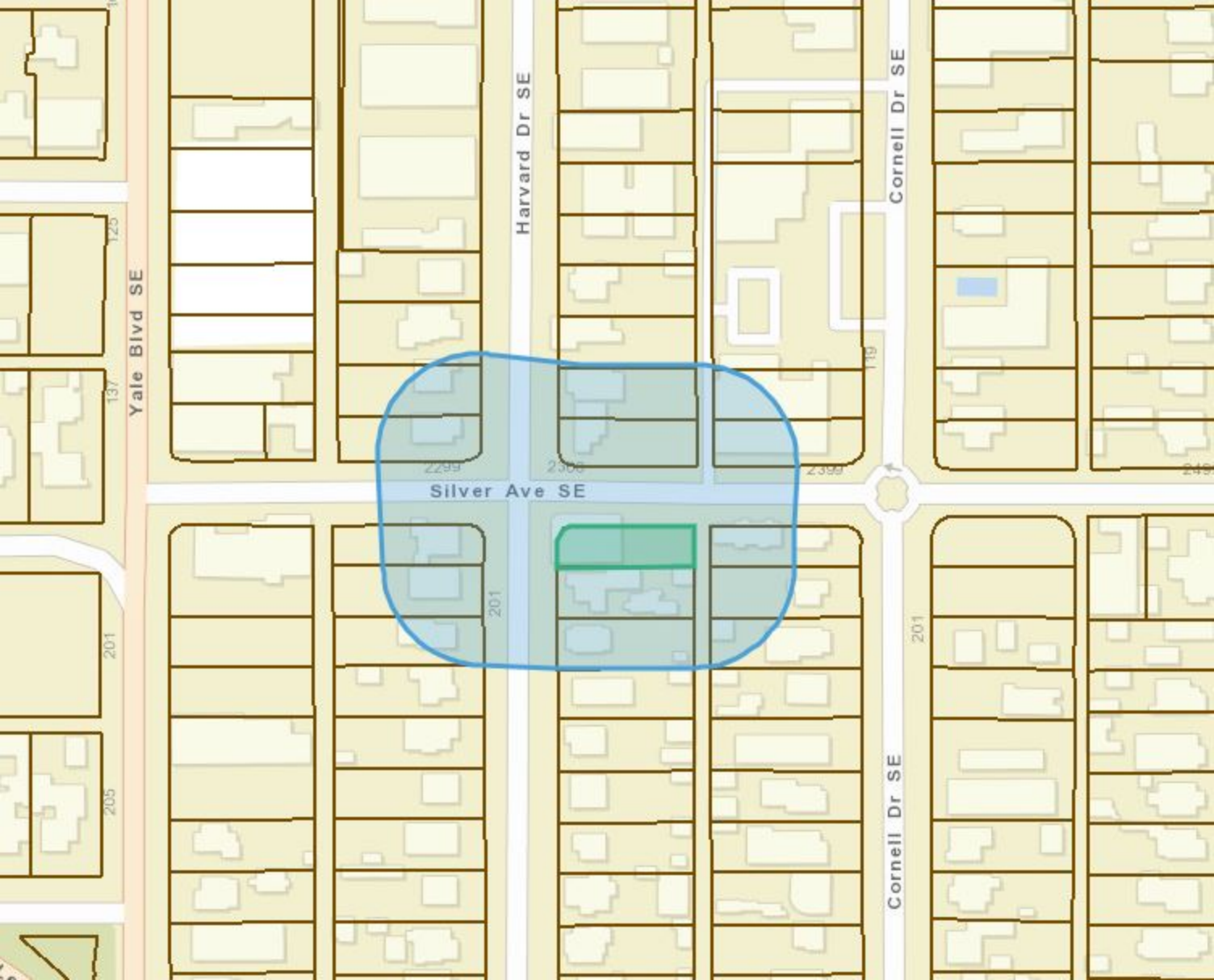
Notificación de Acceso Lingüístico.

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'inaasdzil 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.



Yale Blvd SE

Harvard Dr SE

Cornell Dr SE

Cornell Dr SE

Silver Ave SE

137

125

201

205

2299

2306

2399

2499

119

201

ANDAZOLA SAMUEL AVIV & REBECCA DANIELLE
PO BOX 1271
CEDAR CREST NM 87008-1271

ARCHIBEQUE BENNY TRUSTEE ARCHIBEQUE LVT
PO BOX 50205
ALBUQUERQUE NM 87181-0205

D & L PROPERTIES LLC
2400 CENTRAL AVE SE
ALBUQUERQUE NM 87106-3507

DE CHAMPLON JAMES S
201 CORNELL DR SE
ALBUQUERQUE NM 87106-3510

DE CHAMPLON JAMES S
203 CORNELL DR SE
ALBUQUERQUE NM 87106-3510

GRACE AUGUSTINE C & SUSAN G
10021 CORONA AVE NE
ALBUQUERQUE NM 87122

HARVARD MALL LTD PARTNERSHIP C/O
BRICKLIGHT MAESTAS & WARD PROP MGMT
PO BOX 92560
ALBUQUERQUE NM 87199

HARVARD MALL PARTNERS C/O BRICKLIGHT
MAESTAS & WARD PROP MGMT
PO BOX 92560
ALBUQUERQUE NM 87199

KAHN SANTIAGO MARTIN & KAHN KEVIN M &
PENA-KAHN LAURENE ELIZABETH
205 HARVARD DR SE
ALBUQUERQUE NM 87106-3522

PEACE & JUSTICE EDUCATION PROJECT INC
202 HARVARD DR SE
ALBUQUERQUE NM 87106-5505

PUBLIC SERVICE CO OF NM
ALVARADO SQUARE
ALBUQUERQUE NM 87158

RICE SHERRY KATHLEEN
909 PRINCETON DR SE
ALBUQUERQUE NM 87106-3034

SANDOVAL DAVID P & GLORIA J
4107 ARBORDALE LN NW
ALBUQUERQUE NM 87107

STAFFORD DAVID
207 HARVARD DR SE
ALBUQUERQUE NM 87106-3522

WILD RICHARD F & JULIE M AHERN
205 CORNELL DR SE
ALBUQUERQUE NM 87106-3510



April 3, 2025

Re: IDO Notice – Property owners within 100 feet of subject property

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

Dear property owner,

On behalf of the Albuquerque Center for Peace and Justice, Consensus Planning, Inc. is providing you with notice that we are submitting a Zone Map Amendment application for EPC review and approval. The Albuquerque Center for Peace and Justice has been in operation at this location for over 20 years and the request will bring the current operation into conformance with the proposed zoning. The application will be heard at a public hearing on May 15, 2025, starting at 8:40 a.m. **via Zoom**. The request is to change the zoning of their property located at 200/202 Harvard Drive SE from Residential Multi-Family Low Density (R-ML) to Mixed-Use Low Intensity (MX-L) to align with the services they provide.

You can access the agenda on the EPC website: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>. The required notice forms and information regarding the public hearing are included in this mailed notice.

Per the IDO section, 6-4(J)(3)(c), mailed public notice to all property owners within 100 feet of the subject site is required. Please reach out to cp@consensusplanning.com or call 505.764.9801 with any questions or concerns regarding this mail. We look forward to hearing from you soon.

Sincerely,

James K. Strozier, FAICP
Principal

PRINCIPALS

James K. Strozier, FAICP
Jacqueline Fishman, AICP

ASSOCIATES

Ken Romig, PLA, ASLA
Margaret Ambrosino, AICP

**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: Zone Map Amendment

Decision-making Body: Environmental Planning Commission

Pre-Application meeting required: ☐ Yes ☒ No

Neighborhood meeting required: ☒ Yes ☐ No Post submittal, if requested.

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

PART II – DETAILS OF REQUEST

Address of property listed in application: 200/202 Harvard Dr SE Albuquerque NM 87106

Name of property owner: PEACE & JUSTICE EDUCATION PROJECT INC

Name of applicant: Albuquerque Center for Peace and Justice

Date, time, and place of public meeting or hearing, if applicable:

May 15, 2025 at 8:40 am via Zoom. Visit <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/>

Address, phone number, or website for additional information:

Contact cp@consensusplanning.com or oyenuga@consensusplanning.com or call 505 764-9801

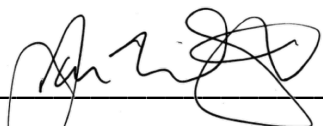
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

- | | | |
|--------------------------|---|----------------|
| <input type="checkbox"/> | Zone Atlas page indicating subject property. | |
| N/A | <input type="checkbox"/> Drawings, elevations, or other illustrations of this request. | Not applicable |
| N/A | <input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable. | Not applicable |
| | <input 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)
 4/3/25
 _____ (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.

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



N/A

PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN & LC APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following: Not applicable

- ☐ 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.

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

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

Date of Notice*: 4/3/25

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* 200/202 Harvard Dr SE Albuquerque NM 87106
Location Description Harvard and Silver
2. Property Owner* PEACE & JUSTICE EDUCATION PROJECT INC
3. Agent/Applicant [if applicable] Agent: Consensus Planning, Inc
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*:

A request to change the zoning of their property from Residential Multi-Family Low Density (R-ML) to Mixed-Use Low Intensity (MX-L) to align with the services they provide.

5. This application will be decided at a public hearing by*:

☒ Environmental Planning Commission (EPC) ☐ City Council

This application will be first reviewed and recommended by:

☐ Environmental Planning Commission (EPC) ☐ Landmarks Commission (LC)

☒ Not applicable (Zoning Map Amendment – EPC only)

Hearing Date/Time*: May 15, 2025 at 8:40 am

Location*³: on Zoom

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: Jim Strozier

Email: cp@consensusplanning.com

Phone: 505-764-9801

Online website or project page: Not applicable

Attachments: _____

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

1. Zone Atlas Page(s)*⁴ K-16-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 applicable

[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] 0.163 acres
2. IDO Zone District R-ML
3. Overlay Zone(s) [if applicable] _____
4. Center or Corridor Area [if applicable] Not applicable
5. Current Land Use(s) [vacant, if none] Commercial services - social services, office, rental space, and events

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'inaasdzil 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.

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SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the 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 April 30, 2025 To May 30, 2025
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)

April 3, 2025
(Date)

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

PROJECT NUMBER: _____

Apr 28, 2025 at 8:03:06 PM
N 3883015 E 352253
2300-2332 Silver Ave SE
Albuquerque NM 87106
United States

REQUEST

Zone Map Amendment
from Residential Multi-Family Low Density (R-ML) to
Mixed Use Low Intensity (MX-L) for 200/202
Harvard Dr SE.

The City of Albuquerque Environmental Planning Commission will hold a
public hearing Via Zoom: <https://cabq.zoom.us/j/5464729575>
Call in: (719) 359-4580, on May 15, 20 25 at 8:30 AM. All Persons

have a right to appear at such a hearing. For information on this case or
other instructions on filing written comments, call the Planning
Department at (505) 924-3860 or contact the applicant.

Required to be posted from April 30, 2025 to May 30, 2025
by Consensus Planning, Inc 505-764-9801
applicant/agent phone

REFER TO FILE# ZMA - 2025 - 00006

It is illegal for an unauthorized person to remove or tamper with this sign

ABQ JP

Apr 28, 2025 at 8:01:24 PM

N 3883007 E 352231

201 Harvard Dr SE

Albuquerque NM 87106

United States

REQUEST

Zone Map Amendment

from Residential Multi-Family Low Density (R-MK) to
Mixed Use Low Intensity (MX-L) for 200/202 Harvard
Dr SE.

The City of Albuquerque Environmental Planning Commission will hold a
public hearing Via Zoom: <https://caba.zoom.us/j/5464729575>
Call in: (719) 359-4580, on May 15, 20 25 at 8:30 AM. All Persons

have a right to appear at such a hearing. For information on this case or
other instructions on filing written comments, call the Planning

Department at (505) 924-3860 or contact the applicant.

Required to be posted from April 30, 2025 to May 30, 2025
by Consensus Planning, Inc 505-764-9801
applicant/agent phone

REFER TO FILE# ZMA-2025-00006

It is illegal for an unauthorized person to remove or tamper with this sign

ADD JTD

E) PUBLIC COMMENT

UNIVERSITY HEIGHTS ASSOCIATION

105 Stanford, SE
Albuquerque, NM 87106
505/262-1862
info@uhanm.org
www.uhanm.org



April 30, 2025

Mr. Daniel Aragon, Chair
Environmental Planning Commission (EPC)
City of Albuquerque

via email: dfelipe@cabq.gov

Dear Chair Aragon:

Re: Zoning Map Amendment, 200/202 Harvard Drive SE

The University Heights Association (UHA) is the Recognized Neighborhood Association where the subject property is located. The purpose of this letter is to meet the 15-day written submission requirement and to explain why UHA cannot yet provide a complete statement of its position on this important request.

UHA has not had an opportunity to meet with the agent or applicants to discuss the zone change request. The email notice was provided on April 3, 2025 – the day of the April UHA board meeting. The 15-day written submission deadline is today – one day before the May 1 UHA board meeting.

Upon my request, Consensus Planning, the agent, provided UHA with the application packet on April 4, 2025. On April 4, 2025, after reviewing the application, I emailed the agent requesting:

why a zone change is needed when the use is "grandfathered" by 14-16-6-8(C)(1):

6-8(C) NONCONFORMING USES

6-8(C)(1) Authority to Continue

Unless specified otherwise in this Section 14-16-6-8 or elsewhere in this IDO, the nonconforming use of land or a structure shall be allowed to continue regardless of any change in ownership or occupancy of the use, until that use is discontinued or another provision of this Section 14-16-6-8 requires the termination of the use.

I have received no answer from the agent to that question.

On April 15, 2025, I again emailed Consensus Planning:

For you to be aware, the next UHA board meeting is on May 1, which is after the April 30 date for submittals.

Also, some neighbors have wanted more information about the application and future plans for the Center, so we may also want to have some kind of neighborhood meeting.

Thus, it may be useful to have a 30-day deferral on the hearing date in order for these things to happen.

On April 15, 2025, in response to my email, Mr. Jim Strozier responded:

Thanks for the reminder, Don. I was out of town but apologize for not getting back to you sooner. We are meeting with our client this afternoon to discuss.

We will get back to you after that meeting. Thank you.

On April 26, 2025, having received no further communication, I emailed Mr. Strozier:

Still waiting for further information and time is short for written submissions.

Questions:

1. Have you amended the application? If so, please send.
2. Are you proceeding with the May 15 hearing or having a deferral?
3. Can we talk soon about what's going on?

Thanks.

On April 27, 2025, Mr. Strozier responded in an email:

Don,

My apologies. I meant to reach out before I left town. I am in Atlanta for my Mom's 92nd birthday.

See my responses to your questions:

1. Have you amended the application? If so, please send.

We have updated the justification letter to address minor comments from the City Planning staff and are happy to share. We have not made any substantial changes. Ayoni can send the updated version.

2. Are you proceeding with the May 15 hearing or having a deferral?

We are anticipating moving forward with the May 15th hearing at this time.

3. Can we talk soon about what's going on?

Yes, we can set up a zoom or team's call with us and the P&J Center. Ayoni can reach out to everyone to see when we can find a time.

On April 29, 2025, I received the revised justification letter.

This zone change request is on the UHA Board Meeting agenda on May 1. We hope to have a separate meeting/call soon with interested persons to better understand the zone change request and discuss any questions and concerns.

UHA would like to have the opportunity to provide a written submission after the UHA board has had further information from city planning officials, the agent and Center officials, and neighborhood residents. Of course, we recognize that other persons may submit materials and participate in the EPC public hearing.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hancock", written in a cursive style.

Don Hancock

Secretary-Treasurer

sricdon@earthlink.net

505-262-1862

cc: Jim Strozier
Ayoni Oyenuga
Bob Anderson