

# CITY OF ALBUQUERQUE



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

April 11, 2019

Albuquerque Indian Center, Inc.  
105 Texas St. SE  
ABQ, NM 87108

**Project #2019-002161**  
**RZ-2019-00017 – Zone Map Amendment (Zone Change)**

### LEGAL DESCRIPTION:

The above action for all or a portion of Lot or Tract 005-010 & 11-14, Block 3, Unity Addition, zoned MX-L, to MX-T, located at 105 Texas St. SE, between Zuni Rd. SE and Central Ave. SE, containing approximately 1.6 acres. (K-19)

Staff Planner: Linda Rumpf

On April 11, 2019 the Environmental Planning Commission (EPC) voted to **APPROVE** Project# 2019-002161/RZ-2019-00017, a Zone Map Amendment (Zone Change), based on the following findings:

### FINDINGS:

Albuquerque

NM 87103

www.cabq.gov

1. The request is for a zone map amendment (zone change) for an approximately 1.55 acre site located at 105 Texas Street SE between Zuni Rd SE and Central Ave. SE.
2. The subject site is zoned MX-L (Mixed-Use Low Intensity). The request is for a Zone Map Amendment to rezone the property from MX-L (Mixed-Use Low Intensity) to MX-T (Mixed-Use Transition). Applicant intends to develop the property as a Tiny Home Village, a transitional housing development for individuals experiencing homelessness.
3. The subject site is in an area that the Comprehensive Plan has designated an Area of Change. It is not in a designated Activity Center or along a designated Corridor. No overlay zones apply.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) and the Near Heights Metropolitan Redevelopment Area Plan are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 4: Community Identity:

- a. **GOAL 4.1 Character: Enhance, protect, and preserve distinct communities.**

The request furthers Goal 4.1 and related policies by allowing for appropriately scaled residential and/or service use development on a site that is undeveloped and blighted. The character of this neighborhood includes a diversity of development types, cultures, unique built environment, and a strong history of providing community services to the area's residents.

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- b. **GOAL 4.2 Process: Engage communities to identify and plan for their distinct character and needs.**
- c. **POLICY 4.2.2: Community Engagement: Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.**

The request furthers Goal 4.2 and related policies because the Applicant and Bernalillo County have conducted a series of city-wide community meetings and focus groups as well as given several invited presentations before community organizations to create public awareness of the homelessness issue and the potential of a Tiny Home Village project as one way to address this problem in the community.

- d. **GOAL 4.3 City Community Planning Areas: Protect and enhance the natural and cultural characteristics and features that contribute to distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas.**

The request furthers Goal 4.3 because the subject property is located in the southern portion of the Near Heights area of Albuquerque in the International District. According to the Comprehensive Plan this area is characterized varying architectural styles and building scale. The development allowable within the MX-T zone will be consistent with and enhance the area's community identity. The Applicant's intent to develop a cottage development will contribute to the diverse architectural styles and scale of this area. Medium density development is encouraged in areas with excellent public transit such as this. The natural character of landscaping will be enhanced with water sensitive vegetation, trees, and streetscape improvements with the development.

- 6. **The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 5: Land Use:**

- a. **GOAL 5.1 Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.**
- b. **POLICY 5.1.1: Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.**

The request furthers Goal 5.1 and related policies because the requested zone change to allow MX-T uses will provide for non-residential and expanded residential options for sustainable growth and infill development in a multi-modal network of Corridors. The zone change will also facilitate reinvestment to recover blighted and underused properties such as the AIC site.

- c. **POLICY 5.1.10: Major Transit Corridors: Foster Corridors that prioritize high frequency transit major service with pedestrian-oriented development.**

The request furthers Policy 5.1.10 and related policies because the proposed zone change to MX-T and the expanded residential development options for the subject property which is located approximately 700 feet from the nearest ABQ Ride

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Route 66 stop on Central Avenue and approximately 300 feet from the nearest Route 97-Zuni Road bus stop. Two ABQ Rapid Ride Routes are located on Louisiana Boulevard and Central Avenue approximately one mile west from the subject property. Minimized negative impacts on nearby neighborhoods from the Central Avenue Premium Transit Corridor are also anticipated.

- d. **GOAL 5.2 Complete Communities:** Foster communities where residents can live, work, learn, shop, and play together.
- e. **POLICY 5.2.1: Land Uses:** create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request furthers Goal 5.2 and related policies by allowing for a range of housing options on the subject property. The Applicant intends to develop the property as a Tiny Home Village, a cottage development for individuals experiencing homelessness. Residents of the Tiny Home Village will be supported to transition out of the village and into a stable housing environment as their incomes allow.

- f. **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.
- g. **POLICY 5.3.1: Infill Development:** Support additional growth in areas with existing infrastructure and public facilities.

The request furthers Goal 5.3 and related policies by serving as an infill site surrounded by development and will use existing infrastructure in the area. Public facilities in the area include: East Central Health and Social Services Center; University of New Mexico Hospital SE Heights Center for Family and Community Health; Albuquerque Indian Center; Cesar Chavez Community Center; and Trumbull Neighborhood Park.

- h. **POLICY 5.6.2: Areas of Change:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged. [A]
- i. **POLICY 5.6.2: Areas of Change:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged. [A]

The request furthers Policy 5.6.2 because it is in an Area of Change, near a Premium Transit Corridor, and in the Near Heights Metropolitan Redevelopment Area. A zone map amendment to MX-T will facilitate development on this site and direct growth into an area of the City that needs new development. The zone change will also allow for development on the subject property will have access to nearby community services available at the Albuquerque Indian Center and the UNMH Family and Community Health Services across Texas Street to the east. Transit service via Central Avenue, Zuni Road, Louisiana Boulevard, and Wyoming Boulevard provide the subject property with excellent access to ABQ

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Ride bus services.

- j. **POLICY 5.6.4: Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing. [A]**

The request furthers Policy 5.6.4 because the subject property is in an Area of Change adjacent to an Area of Consistency just south of Zuni Road. With the zone change, the subject property will act as a transition between these two areas and the MX-T zone therefore, is an appropriate zone designation for the property. Height standards for the MX-T zone is 30 feet, lower than the 35 feet for the current MX-L zone district. This will provide a less intense transition from Central Avenue to the residential Area of Consistency to the south which will benefit the community by creating an appropriate transition between two different areas of density and intensity.

7. The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 6: Transportation:

- a. **POLICY 6.1.2: Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along Transit Corridors. [ABC]**

The request furthers Policy 6.1.2 by allowing an expansion of the permissive, low-density, multi-family housing along a Major Transit and Premium Transit Corridor of Central Avenue and the Local Route transit on Zuni Road.

8. The request furthers the following, applicable Goal and policies in Comprehensive Plan Chapter 9: Housing:

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

- b. **POLICY 9.1.1: Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.**

The request furthers Goal 9.1 and related policies because it will replace the existing MX-L with the less intense MX-T zone by increasing the opportunity to expand the availability and variety of affordable housing stock for the benefit of unhoused community members close to public services, transit, and shopping. The development of cottage housing and other service uses permissive under the MX-T zone would further the goal of supplying a range of housing types without contributing to overcrowding or the displacement of low-income individuals.

- c. **GOAL 9.3: Support increased housing density in appropriate places with adequate services and amenities.**

- d. **POLICY 9.3.1: Centers & Corridors: Encourage higher density, multi-unit housing and mixed-use development in Downtown, Urban, Activity, and Village Centers, and along Premium and Major Transit Corridors to capture growth, relieve development pressure at the edge of the urban footprint, and maintain low**

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densities in rural areas.

The request furthers Goal 9.3 and related policies because the change to the MX-T zone will provide for higher density, multi-unit, and mixed-use development near the International Market and State Fair Activity Center and is along the Central Avenue Premium and Major Transit Corridor. Residential development allowed in the MX-T zone is moderate density, which will act as a strong transitional buffer between the higher intensity uses of Central Avenue and surrounding residential uses.

- e. GOAL 9.4: Homelessness: Make homelessness rare, short-term, and non-recurring.
- f. POLICY 9.4.1: Best Practices: Implement an appropriate and effective model to address chronic homelessness.
- g. POLICY 9.4.2: Service: Provide expanded options for shelters and services people experience temporary homelessness.
- h. POLICY 9.4.3: Equitable Distribution: Support a network of service points that are easily accessible by residents and workers, geographically distributed throughout the City and County, and proximate to transit.

The request furthers Goal 9.4 and related policies as the driving force behind the proposed development is to address chronic homelessness. The developers have explored the best practices implemented in other communities and have used this information to formulate a local best practices paradigm to more effectively address chronic and temporary homelessness. By expanding available options for shelter and care outside of the Wells Park/Near North Valley areas, the Tiny Home Village increases geographic distribution and access to surrounding services and premium transit corridors within the International District area.

- 9. Pursuant to section 14-16-6-7(F)(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".
  - A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in a policy-based response, that the request would be consistent with the City's health, safety, morals and general welfare.
  - B. Criterion B: This criterion does not apply because the subject site is not located in an Area of Consistency, either wholly or in part.
  - C. Criterion C: The zone change to MX-T would be more advantageous to the community than the current zoning (MX-L) because the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with it, as shown in the applicant's policy analysis in the response to Criterion A. The request furthers several policies with respect to community identity and land use.
  - D. Criterion D: The applicant has demonstrated that the requested MX-T (Mixed-Use Transition Zone) includes fewer permissive uses than the MX-L zone, which allows a

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variety of neighborhood commercial uses (see applicant's table of uses in the justification letter). Included in the permissive uses in the MX-T zone is Dwelling, Cottage Development. The purpose of the MX-T zone is to serve as a transition between a more intense zone (ex. MX-L) and residential zones (ex. R-1 zones). That purpose would be achieved with the proposed zone change.

- E. **Criterion E:** The applicant refers to sub criterion 1, that the subject has adequate infrastructure capacity to serve development that the request would make possible. This established urban area has sufficient infrastructure to support such uses on the approximately 1.55 acre subject site.
  - F. **Criterion F:** The subject site's location on Texas Street, classified as Local Urban Street, is not being used as justification for the zone change request. Rather, the justification is based on the request furthering a preponderance of applicable Comprehensive Plan policies as demonstrated in the response to Criterion A.
  - G. **Criterion G:** Economic considerations are a factor, but the applicant's justification is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies. The response to Criterion G is sufficient.
  - H. **Criterion H:** The request would result in a spot zone because it would function as a transition zone for the surrounding neighborhoods and properties. The applicant has demonstrated, in a policy-based analysis, that the request would clearly facilitate implementation of the Comprehensive Plan and that sub criteria 1 applies.
10. The Trumbull Village Association, District 6 Coalition of Neighborhoods, South San Pedro Neighborhood Association, and La Mesa Improvement Association were notified, as required. There was a public meeting at the Albuquerque Indian Center on February 25, 2019 regarding the proposed zone change. As of this writing, Staff has received six (6) supportive comments. There is no known opposition.
11. The applicant will need to coordinate development on the site with PNM.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **APRIL 26, 2019**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6 of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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

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Sincerely,



**David S. Campbell  
Planning Director**

**DSC/LR**

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