Staff Report

Agent: Jacqueline Fishman, Consensus Planning

Request: Zoning Map Amendment (zone change)

Legal Description: All or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont.

Location: On Unser NW, between Bandelier Drive NW, and McMahon Boulevard NW

Size: Approximately 19.1 acres

Existing Zoning: MX-L

Proposed Zoning: MX-M

Summary of Analysis
This is a request for a Zoning map amendment (zone change) for an approximately 19.1-acre vacant site located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west.

The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant is requesting MX-M (Mixed-Use Medium Intensity) zoning for the Unser and McMahon frontages to allow for a greater variety of commercial uses at this highly traveled intersection.

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes 6-7(F)(3).

Neighborhood Associations were notified along with property owners within 100 feet of the site as required. There is no known opposition. Staff recommends approval.

Staff Recommendation

APPROVAL of RZ-2020-00005, based on the Findings and subject to the Conditions of Approval within this report

Staff Planner
Linda Rumpf
OLD ZONING MAP

Note: Gray shading indicates County.

1 inch = 300 feet

Hearing Date:
4/23/2020

Project Number:
PR-2020-003443

Case Numbers:
RZ-2020-00005

Zone Atlas Page:
A-11
IDO ZONING MAP

Note: Gray shading indicates County.

1 inch = 300 feet

Hearing Date: 4/23/2020
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Zone Atlas Page: A-11
Note: Gray shading indicates County.

Key to Land Use Abbreviations

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

1 inch = 300 feet

Hearing Date:
4/23/2020

Project Number:
PR-2020-003443

Case Numbers:
RZ-2020-00005

Zone Atlas Page:
A-11
Table of Contents

I. OVERVIEW .......................................................................................................................... 9
II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES .......................... 11
III. AGENCY & NEIGHBORHOOD CONCERNS.................................................................. 25
IV. CONCLUSION .................................................................................................................... 25

FINDINGS - RZ-2020-00005, April 23, 2020, - Zoning Map Amendment (Zone Change).......27

RECOMMENDATION - RZ-2020-00005, April 23, 2020......................................................32

CONDITIONS OF APPROVAL ............................................................................................ 33

AGENCY COMMENTS.............................................................................................................35

APPENDIX
I. OVERVIEW

Surrounding zoning, plan designations, and land uses:

<table>
<thead>
<tr>
<th>Site</th>
<th>Zoning</th>
<th>Comprehensive Plan Area</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>MX-L and PD</td>
<td>Area of Change &amp; Consistency</td>
<td>Dialysis center, animal clinic, gas station, and residential</td>
</tr>
<tr>
<td>South</td>
<td>R-T, R-A, and NR-PO-C</td>
<td>Area of Consistency</td>
<td>Single-Family Residential and drainage/flood control</td>
</tr>
<tr>
<td>East</td>
<td>MX-L and R-T</td>
<td>Area of Change &amp; Consistency</td>
<td>Pharmacy, drive-thru restaurant, shopping center, and residential</td>
</tr>
<tr>
<td>West</td>
<td>R-T</td>
<td>Area of Consistency</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

Request

The request is for a zoning map amendment (zone change) for an approximately 19.1-acre site known as: all or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., (the “subject site”). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west, which is currently vacant.

The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant, Holly Partners LLC, is requesting MX-M (Mixed-Use Medium Intensity) zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection. The proposed uses in the MX-M zone are compatible with the surrounding area and uses, including the existing retail, two brewery taprooms, multiple drive-through restaurants and pharmacies, and a gas station. Development of the site with additional commercial uses would provide new options that are closer to the large number of residents in the area.

As mentioned, the commercial zoning in the area previously consisted of a variety of SU-1 zones, and the subject site was previously SU-1 for C-1 Uses. Previously, the C-1 zone did not limit the size of retail uses. The IDO currently limits general retail establishments to 10,000 square feet, which means the adjacent Walgreen’s and CVS pharmacies are legally nonconforming as to standards under the IDO. The gas station located at the northwest corner of the intersection also has a liquor retail use that is not allowed by the MX-L zoning. These nearby uses are similar to those that will become permissive under the requested MX-M zoning.

The prior owners of the property were in the post-IDO zoning conversion process with a request for MX-M for the entire property. Planning staff recommended NR-C, which would have allowed more intense non-residential uses, but the owners did not want to give up the option for multi-family development, so they withdrew the conversion request.
The Applicant is considering a multi-family project for the portion of Tract 20A-1 that is not part of this zone change request. When combined with the zone change and the additional commercial development made possible by the request, this could create a horizontal mixed-use center at this major intersection.

EPC Role

The EPC is hearing this case because the EPC is required to hear all zone change cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would then make the final decision. The subject request is a quasi-judicial matter.

Context

The subject site is approximately 10.2 acres of the 19.1-acre parcel legally described as Tract 20A-1, Paradise North. The property is located on the west side of Unser Boulevard NW and north of the Calabacillas Arroyo between Bandelier Drive and McMahon Boulevard and is currently vacant.

The property is within the Northwest Mesa Community Planning Area and is designated as an “Area of Change” in the 2017 Albuquerque/Bernalillo County Comprehensive Plan. Adjacent to the site, Unser Boulevard and McMahon Boulevard are both designated as Commuter Corridors, and Unser Boulevard is also overlaid as a future Premium Transit Corridor heading into Rio Rancho.

The other three quadrants of the Unser and McMahon intersection are developed, or are being developed, with a variety of commercial retail and service uses, including a gas station, two pharmacy retail stores, drive-thru restaurants, brewery taprooms, and a coffee shop among others. Additionally, a senior age-restricted community has been built to the east of the subject site at the intersection of McMahon with Fineland Drive NW, and a self-storage facility has opened to the north at Unser and Summer Ridge Road.

The remaining land use in most of the surrounding area is single-family residential, which is adjacent to the subject site to the west across the Bandelier Drive NW right-of-way and to the southeast across Unser Boulevard.

The subject site is not located in a designated Activity Center. The site is adjacent Unser Boulevard and McMahon Boulevard, which are both designated as Commuter Corridors. In addition, Unser Boulevard is designated as a future Premium Transit Corridor.

History

The current zoning of the subject site and most of the commercial development around the Unser and McMahon intersection is MX-L, Mixed-Use Low Intensity with some PD, Planned Development. These zone categories were established upon the effective date of the IDO based on the previous zoning that consisted of a variety of SU-1 zones that primarily called out C-1 uses from the old Comprehensive Zoning Code as those allowed in the area.

The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313). This site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard.
While the surrounding residential development is predominantly single-family, the zoning consists of a variety of R-1, R-T, R-ML, and PD zones. Some R-A and NR-PO-C zoned property exists to the south along Unser Boulevard where it crosses the Calabacillas Arroyo, which is owned by AMAFCA as part of the Swinburne Dam and related facilities.

A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.

**Transportation System**

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classifications of roadways. Unser Boulevard NE and McMahon Boulevard are both Regional Principal Arterial roadways.

**Comprehensive Plan Corridor Designation**

The site is adjacent to Unser Boulevard and McMahon Boulevard, which the Comprehensive Plan designates as Commuter Corridors. Commuter Corridors are higher-speed and higher-traffic volume with routes for people going across town (e.g. limited-access roadways). These Corridors accommodate faster and longer trips for personal vehicles, commuter bus service, and often bicycling. (See Comprehensive Plan, p. 3-5).

In addition, Unser Boulevard is designated as a future Premium Transit Corridor. Premium Transit Corridors are intended to be served eventually by high-quality, high-capacity, high-frequency public transit (e.g. bus rapid transit). These Corridors are planned for mixed-use and transit-oriented development within walking distance from transit stations at strategic locations along the corridor. (See Comprehensive Plan, p. 3-5).

**Transit**

The site is served by Fixed Route 155. The fixed portion of the route runs the length of Coors Boulevard between the Northwest Transit Center (NWTC) and a turn-around at Coors and Gun Club SW. In addition, Route 155 has a "commuter" leg from the NWTC to the Walmart at Unser and Southern in Rio Rancho.

The site is on the Unser and McMahon Commuter Corridors. It is also on the future Unser Premium Transit Corridor. It should be noted that the benefits of Premium Transit Corridor status are not invoked until the route has been determined and station areas have been defined. The latter test has not been met.

**Public Facilities/Community Services**

Please refer to the Public Facilities Map (see attachment), which shows public facilities and community services located within one mile of the subject site.

**II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES**

For analysis of the Integrated Development Ordinance (IDO), including Definitions, Zoning, Comparison of the MX-L and MX-M zones, and Use-Specific Standards:
Integrated Development Ordinance (IDO)

Current Zoning

The subject site is currently zoned MX-L [Mixed-Use Low Intensity Zone District, IDO 14-16-2-4(B)], which was assigned upon adoption of the IDO. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Specific permissive uses are listed in Table 4-2-1: Allowable Uses, p. 130.

Proposed Zoning

The proposed zoning is MX-M [Mixed-Use Moderate Intensity Zone District, IDO 14-16-2-4(C)]. The purpose of the MX-M zone district is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in Table 4-2-1: Allowable Uses, p. 130.

Comparison of MX-L and MX-M

The West Side has an abundance of single family housing. Development on this site can bring services and some employment opportunities to an area that is lacking in both. The site is designated as an Area of Change.

Mixed-use – Low Intensity (MX-L) and Mixed-use Medium Intensity (MX-M) zone districts allow many of the same uses. MX-L is intended to promote neighborhood-scale development, while MX-M is intended to promote community-scale development. Key uses that would be added as allowable under the MX-M zone district include large personal and business services, medium and large general retail, building and home improvement materials store, nightclub, warehousing, and wholesaling and distribution center. Uses that change from conditional to permissive include light vehicle fueling station, light vehicle sales and rental, and bar, would become permissive, rather than conditional as it is in MX-L.

Generally speaking, the uses in the MX-M district would not be harmful to the surrounding neighborhood, as many of the land uses allowed in MX-M already exist on the other developed lots on the Unser Blvd. and McMahon Blvd. intersection. The EPC will need to consider whether the additional allowable uses in MX-M are appropriate in this location and serve to capture and promote development appropriate for the future Premium Transit Corridor (i.e. Unser Blvd., which is access-controlled) or whether the existing MX-L provides for neighborhood-scale development that is more appropriate, given the surrounding zoning and low-density single-family development.

If approved, this will be the only property zoned MX-M in the area; the surrounding MX-L properties would remain to provide a transition to the nearby low-density residential zones.

The chart below outlines the differences between the MX-L and the MX-M zones.
### IDO Zoning Comparison: MX-L vs. MX-M

<table>
<thead>
<tr>
<th>Use</th>
<th>MX-L</th>
<th>MX-M</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Sports Field</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>University or College</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Auditorium or Theater</td>
<td>A</td>
<td>P</td>
</tr>
<tr>
<td>Bar</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Catering Service</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Nightclub</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Tap room or tasting room</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Light vehicle fueling station</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Light vehicle sales and rental</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Mortuary</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Personal and business services, large</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>General retail, medium</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Liquor retail</td>
<td>A</td>
<td>P</td>
</tr>
<tr>
<td>Pawn shop</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Park-and-ride lot</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Transit facility</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Drive-through or drive-up facility</td>
<td>CA</td>
<td>A</td>
</tr>
<tr>
<td>Parking of more than 2 truck tractors and 2</td>
<td>-</td>
<td>A</td>
</tr>
<tr>
<td>semitrailers for more than 2 hours</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Albuquerque / Bernalillo County Comprehensive Plan (Rank I)

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. The Goals and policies analyzed below are cited by the applicant in the revised zone change justification letter dated February 27, 2020 (see attachment).
Comprehensive Plan Goals and Policies:

Applicant justifications are summarized after each cited Goal and Policy. Staff response follows each.

Chapter 5: Land Use

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

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

The site is adjacent to Unser Boulevard and McMahon Boulevard, which are both designated as Commuter Corridors. In addition, Unser Boulevard is designated as a future Premium Transit Corridor. The subject site is not located in a designated Activity Center but is located at the intersection of two Commuter Corridors and a future Premium Transit Corridor. The proposed zone change would allow for more variety and intensity of uses to provide for new growth and infill development occur along designated corridors.

Staff response: The request generally furthers Goal 5.1 Centers & Corridors and Policy 5.1.1 - Desired Growth because the zone change can support appropriate development along the Unser and McMahon Corridors and by helping to shape future development that supports the corridors.

Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The request would direct growth along multiple designated Corridors and in an Area of Change. Changing the zoning from MX-L to MX-M for a portion of the property will allow for more growth to occur.

Staff response: The request generally furthers Policy 5.1.2-Development Areas because the scale of development allowed in MX-M is appropriate along the Unser and McMahon Corridors.

Policy 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

The subject site is located along Unser Boulevard, which is designated as a future Premium Transit Corridor. While funding of the “locally preferred alternative” has not yet been allocated, the Applicant believes changing the zoning from MX-L to MX-M for a portion of the property supports the development of the site and will accommodate future high capacity service is established. Maintaining MX-L on the portion of the site closest to the adjacent single-family residential provides an appropriate transition between the MX-M and intensity of the Corridor to the neighborhood.

Staff response: Policy 5.1.8 Premium Transit Corridors is not applicable because station locations have not been identified and project funding for premium transit has not been allocated. Development of the subject site will likely occur long before a Premium Transit system is developed along Unser Boulevard.
Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

Both Unser Boulevard and McMahon Boulevard are designated Commuter Corridors in the Comprehensive Plan. As a site adjacent to two such corridors, it is appropriate for development of auto-oriented uses such as light vehicle fueling, drive-throughs, and other similar uses that are permissible under the requested MX-M zoning. The appropriate access and additional buffering can be coordinated during the site planning phase of future development.

Staff response: The request furthers Policy 5.1.12 Commuter Corridors because the automobile-oriented uses in the MX-M zone are appropriate along the Unser and McMahon Commuter Corridors.

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

The request would generally add to the mix of uses available in this community, which is characterized by a wide variety of commercial, office, institutional, and residential uses, and would foster more opportunities for residents to work, shop (and potentially learn and play) together.

Staff response: Staff agrees that the request generally furthers Goal 5.2-Complete Communities because the MX-M zoning district provides more opportunities for residents to live, work, learn, shop, and play in close proximity to growing communities and neighborhoods.

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 proposed zone change would allow for development of a wider variety of commercial uses at the intersection of two arterial streets and adjacent to large single-family subdivisions. The request would generally add to the mix of uses available to neighborhoods in the area. The subject site is conveniently accessible via both Unser and McMahon Boulevards., both designated Commuter Corridors, in a community characterized by a wide variety of commercial, office, institutional, and residential uses.

Staff response: The request generally furthers Policy 5.2.1-Land Uses because the MX-M zoning district allows for a greater mix of uses that would be accessible from surrounding neighborhoods.

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

The request would generally contribute a development pattern that maximizes the use of existing infrastructure and the efficient use of land in an Area of Change already developed with a variety of commercial uses that are separated from the neighborhoods.
Staff response: The request generally furthers Goal 5.3- Efficient Development Patterns because the MX-M zoning district allow for a greater variety and intensity of uses that can more efficiently utilize existing infrastructure and public facilities along the Unser and McMahon Corridors.

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

The request would support development of the site, which is in a mostly developed area with access to existing infrastructure including multiple-lane arterial roadways, storm drainage facilities, water and sewer, and other utilities.

Staff response: The request furthers Policy 5.3.1-Infill Development because the subject site is appropriately located to accommodate additional growth with available infrastructure and public facilities along the Unser and McMahon Corridors.

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

While the existing zoning already allows for multi-family housing development and the primary purpose of this zone change is to allow for a wider range of permissive commercial, the proposed change is consistent with providing opportunities for concentrated higher-density housing near jobs, as well as more job growth west of the Rio Grande.

Staff response: The request furthers Goal 5.4 Jobs-Housing Balance because the more intense non-residential uses allowed in the MX-M zoning district may help balance jobs and housing on the City’s west side.

Policy 5.4.1 Housing near Jobs: Allow higher-density housing and discourage single-family housing near areas of concentrated employment.

The combination of multi-family development on the portion of the site that is to remain MX-L along with any additional multi-family development and commercial uses that could develop with the proposed MX-M would allow higher densities in an area of concentrated employment because of the site’s proximity to the Rust Medical Center just to the north in Rio Rancho and providing new jobs west of the Rio Grande.

Staff response: The request furthers Policy 5.4.1 Housing near Jobs because the MX-M zoning district may accommodate concentrated employment near already established and future residential uses.

Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.

Approving a change of zoning from MX-L to MX-M for a portion of the Applicant’s property will further this policy by allowing a greater number of permissible commercial and office uses and additional job growth on the subject site, which is located west of the Rio Grande.

Staff response: The request furthers Policy 5.4.2 West Side Jobs because the more intense non-residential uses of the MX-M zoning district may foster new employment opportunities on the City’s west side.
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.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The proposed zone change would direct growth to an Area of Change where it is expected and desired, which generally helps to ensure that development near and in Areas of Consistency reinforces the character and intensity of the surrounding area. The request would direct more growth to a site designated within an Area of Change. Allowing a variety of commercial uses and higher density housing on the subject site would expand employment opportunities in the area and support the existing and future commercial uses, and ultimately, support future higher-capacity transit service as desired along Unser Boulevard. The subject site is along designated Commuter Corridors, Unser and McMahon Boulevards. Any growth resulting from the request would be directed to these areas, in which change is encouraged.

Staff response: The request generally furthers Goal 5.6 City Development Areas and Policy 5.6.2-Areas of Change because the site is an Area of Change where growth is expected and desired and the change to MX-M will direct more intense development to the Unser and McMahon Corridors.

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.

The Applicant has considered the transition between the subject site and neighboring low-density residential and has chosen to keep the existing MX-L zoning for the rear portion of the property closest to the existing residential area. This provides a step-down in intensity of uses and building height between this development and the R-T zoned lots to the west.

Staff response: The request furthers Policy 5.6.4 Appropriate Transitions because the proposed zoning boundaries of the requested MX-M zoning district will retain MX-L zoning along the Bandelier frontage to act as a transition to the existing residential neighborhood. The IDO’s Neighborhood Edge protections will apply to both the retained MX-L and new MX-M zoning districts to ensure appropriate transitions to the protected R-T zoned properties to the west.

Chapter 7: Urban Design

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The proposed zone change would provide a location to plan a larger-scale development that will provide a mix of uses, housing options, and needed retail and services for the northwest part of the City; however, it is not possible to ascertain at this stage (no site plan) if it will enhance the built environment in the area of stylistically blend with surrounding structures on the block.
Staff response: The request partially furthers Policy 7.3.4-Infill because the development on the larger site will create a built environment that is unique to the large southwest quadrant of the Unser/McMahon intersection that will enhance development on the surrounding, already developed intersection quadrants.

Policy 7.3.5- Development Quality: Encourage innovative and high quality design in all development.

The IDO’s Building Standards apply City-wide and are intended to result in high-quality design. However, the subject site is not in a designated Center, Main Street, Premium Transit, or CPO that has additional design standards beyond the baseline standards.

Staff response: The request partially furthers Policy 7.3.5- Development Quality because the MX-M zoning district in this location is not subject to any special design standards, but the IDO’s general standards will require a good quality of design that will enhance the Unser and McMahon Corridors.

Chapter 8: Economic Development

Goal 8.1 Placemaking: 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.

Changing the zoning of the subject site from MX-L to MX-M will further this goal by fostering development of commercial uses that will complement existing commercial and service uses in the area and is anticipated to have sufficient impact. The zone change would further establish the area as an interesting place on Albuquerque’s west side. A combination of these commercial uses with multi-family residential will create a mixed-use development near the intersection of two Commuter Corridors in an Area of Change that takes advantage of its location near a major employment anchor established by the Rust Medical Center.

Staff response: The request furthers Goal 8.1-Placemaking and Policy 8.1.1 Diverse Places because the MX-M zoning district allows for more intense uses that can accommodate a greater variety of businesses and more flexibility for building scale and densities that can encourage business retention and economic development.

Policy 8.1.2-Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The request would generally encourage economic development efforts that would add additional commercial or retail options to serve the neighborhood, which could help foster a more robust economy.
Staff response: The request furthers Policy 8.1.2-Resilient Economy because the MX-M zoning district will allow for more intense uses that will provide for more diverse economic potential.

Integrated Development Ordinance (IDO) 6-7(F)(3)-Review and Decision Criteria for Zone Map Amendments

Requirements

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made pursuant to Subsection 6-4(F)(2).

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan.

Justification & Analysis

The subject site is currently zoned MX-L (Mixed-Use Low Intensity Zone). The proposed zoning is MX-M (Mixed-Use Medium Intensity Zone). The Applicant is requesting MX-M zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection.

The applicant’s justification letter, analyzed here, was received on February 27, 2020 and was updated on April 2, 2020 in response to a letter issued by Staff dated March 6, 2020 (see attachments). Pursuant to the IDO Subsection 6-4(F)(2), the applicant bears the burden of providing a sound justification for the request, based on substantial evidence.

The applicant believes that the proposed zone map amendment (zone change) meets the zone change decision criteria [14-16-6-7(F)(3)] as elaborated in the justification letter. The citations are from the IDO. The applicant’s arguments are in italics. Staff analysis follows with the heading “Staff”.

A. 6-7(F)(3)(a) A proposed zone change must be found to be 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: The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering a preponderance of the applicable Comprehensive Plan goals and policies, as follows: (See Albuquerque / Bernalillo County Comprehensive Plan (Rank I) beginning on page 6 of this staff report).

Staff: Criterion A is an important component of a zone change justification, though all criteria are required to be fulfilled adequately. 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 conflict with them.
Applicable citations: Goal 5.1 Centers & Corridors; Policy 5.1.1 Desired Growth; Policy 5.1.2 Development Areas; Policy 5.1.12 Commuter Corridors; Goal 5.2 Complete Communities; Policy 5.2.1 Land Uses; Goal 5.3 Efficient Development Patterns; Policy 5.3.1 Infill Development; Goal 5.4 Jobs-Housing Balance; Policy 5.4.1 Housing near Jobs; Policy 5.4.2 West Side Jobs; Goal 5.6 City Development Areas; Policy 5.6.2 Areas of Change; Policy 5.6.4 Appropriate Transitions; Policy 5.3.4 Infill; Policy 7.3.5 Development Quality; Goal 8.1 Placemaking; Policy 8.1.1 Diverse Places; Policy 8.1.2 Resilient Economy.

Staff response: 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 because it would generally further a preponderance of applicable Comprehensive Plan Goals and policies. The main argument is that the request would support infill development and use existing infrastructure along a designated corridor in an Area of Change, where growth is generally desired. The response to Criterion A is sufficient.

B. 6-7(F)(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:

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

Applicant: The subject site is not located in an Area of Consistency.

Staff response: The subject site is located wholly in an Area of Change, so this criterion does not apply. The response to Criterion B is sufficient.

C. 6-7(F)(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).

Applicant: The existing zoning is not appropriate for this large 19-acre subject property because a different zone district is more advantageous to the community as articulated by the Comprehensive Plan. It is not realistic for a property this large to be completely developed with small-scale uses allowable under the MX-L zone district. As evidenced with the surrounding developments, there are several uses already in the area that would not be allowed under the MX-L zoning such as General Retail, Medium and Liquor Retail. Changing the zoning from MX-L to MX-M furthers a preponderance of applicable goals and policies of the Albuquerque/Bernalillo County Comprehensive Plan as described in the response to criterion (a), including development along Commuter Corridors, infill development and land use patterns, variety of housing choices and locations, and supporting future transit along Unser Boulevard. The change to a more intense mixed-use zone district provides needed services to area residents and help establish a mixed-use center near the intersection of two Comprehensive Plan Corridors.

The Applicant’s proposed zoning and the uses allowed by it will serve the surrounding and overall community with more commercial options and a variety of housing choices on a site that is considered an Area of Change and is well-served by existing infrastructure. The request provides a pattern of land use, density, and intensity that is advantageous by proposing the MX-M zone close to Unser Boulevard and McMahon Boulevard while keeping the existing MX-L zone for the portion of the property near existing single-family residential uses. Future site planning will further define access and traffic circulation along these limited access Corridors, as well as appropriate buffers.

Staff response: The subject site is located in an Area of Change. The applicant chooses #3, that a different zone district is more advantageous to the community, as articulated in the Comprehensive Plan, than the current zoning. The applicant has adequately demonstrated, through the required policy analysis in the response to Criterion A, that the request would be generally more advantageous to the community as articulated in the Comprehensive Plan. The response to criterion C is sufficient.

D. 6-7(F)(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 Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant: None of the permissive uses in the MX-M zone will be harmful to the adjacent property, neighborhood, or community. The following table provides a comparison of the MX-L and MX-M zones, limited to those uses that are permissive in the MX-M zone that are not already permissive in the MX-L zone (i.e., all uses that are facilitated by this zone change that would not need to come back for Conditional Use approval later). Of these uses, many are already allowed conditionally in the MX-L zone, and several have already been developed on the neighboring properties, including light vehicle fueling station, tap room or tasting room,
liquor retail, and drive-through or drive-up facility and those uses have not proved harmful to the area. Many of the MX-M uses also have use-specific standards that mitigate their impacts, including the following:

- **Hospital:** limited to 20 overnight beds and no ambulance traffic allowed.
- **Light vehicle fueling station:** made a Conditional Use with additional screening requirements if adjacent to any residential zone district.
- **Light vehicle sales and rental:** extra screening requirements adjacent to residential.
- **Liquor retail:** Conditional Use within 500 feet of residential, which is the entire subject site except for a very small portion right on the corner of the Unser and McMahon intersection.
- **Separation requirements for pawn shops.**

<table>
<thead>
<tr>
<th>Use</th>
<th>MX-L</th>
<th>MX-M</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Sports Field</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>University or College</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Auditorium or Theater</td>
<td>A</td>
<td>P</td>
</tr>
<tr>
<td>Bar</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Catering Service</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Nightclub</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Tap room or tasting room</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Light vehicle fueling station</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Light vehicle sales and rental</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Mortuary</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Personal and business services, large</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>General retail, medium</td>
<td>-</td>
<td>P</td>
</tr>
<tr>
<td>Liquor retail</td>
<td>A</td>
<td>P</td>
</tr>
<tr>
<td>Pawn shop</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Park-and-ride lot</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Transit facility</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Drive-through or drive-up facility</td>
<td>CA</td>
<td>A</td>
</tr>
</tbody>
</table>
Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours

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</table>

**Staff response:** The applicant provided a thorough discussion of the uses that would become permissive in the MX-M zone and addressed the issue of potential harm to adjacent property, the neighborhood, or the community. The applicant points out that some of the uses, such as artesian manufacturing and light vehicle fueling station, have applicable use-specific standards that contain requirements to mitigate potential, harmful effects on the surrounding area. The response to Criterion D is sufficient.

**E. 6-7(F)(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. 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.
4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.

**Applicant:** The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill development property that has long been planned for commercial uses. Projects around the Unser and McMahon intersection have been ongoing since the late 1990s, and adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Any required extension of these services, including the potential completion of the unpaved portion of Bandelier Drive adjacent to the subject site, will be the responsibility of the developer.

**Staff response:** Requirement 1 applies. The applicant states that existing infrastructure and public improvements would have adequate capacity to serve development made possible by the proposed zone change. However, if the use change would cause the need for infrastructure improvements, the applicant would be responsible for providing them. The response to Criterion E is sufficient.

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

**Applicant:** While the property is located adjacent to Unser Boulevard and McMahon Boulevard, two arterial roadways, it is not the only reason for providing justification for the zone change to MX-M. As described earlier in this letter, the request is more advantageous to the community.
as it furthers a preponderance of applicable Comprehensive Plan policies for Commuter Corridors, land use, infill development, and economic development.

**Staff response:** The subject site is located on Unser Boulevard and McMahon Boulevard, which the Comprehensive Plan designates as Commuter Corridors. Blvd. NE, a Principal Arterial and multi-modal corridor, but that location is not being used as the primary justification for the request. The applicant has demonstrated that the request furthers a preponderance of applicable, Comprehensive Plan Goals and policies and does not conflict with them. The response to Criterion F is sufficient.

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

**Applicant:** The cost of land or other economic considerations are not the determining factor for this zone change request. The requested zone change will allow larger retail businesses and additional commercial uses to develop that will provide additional needed services closer to residents in the northwest part of the City.

**Staff response:** The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies (Criteria A, C, and D) and does not conflict significantly with them. The response to Criterion G is sufficient.

H. 6-7(F)(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.

**Applicant:** The area of the requested zone change is over 10 acres, which is greater than half of the subject site, so the zoning would not be applied to a small area. The request also keeps the zoning as a mixed-use zone not dissimilar to what is already in place but at a higher intensity. However, the request is for a single premise while the others around it are to remain MX-L, so the request constitutes a “spot zone.” The Applicant believes this is a justifiable “spot zone” because it clearly facilitates implementation of the Comprehensive Plan by allowing uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area.

The site is also not suitable for the uses in the adjacent zone districts because of its size and the amount of traffic on the surrounding roadways. This location at the crossroads of two Commuter
Corridors that carry upwards of 30,000+ vehicle average weekday traffic (Unser Boulevard) is more suited to moderate to high intensity uses rather than the light intensity uses presently allowed. This is evidenced by the number of Conditional MX-L and legally nonconforming uses that are developed on neighboring properties. The subject site’s size also makes it an ideal location to properly plan a larger-scale development that will provide a mix of uses, housing options, and needed retail and services for the northwest part of the City.

**Staff response:** The request would result in a spot zone because it facilitates implementation of the Comprehensive Plan by allowing uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area. The response to Criterion H is sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS

**Reviewing Agencies**

City departments and other interested agencies reviewed this application prior to the EPC Hearing. Few agency comments were received and none were averse to the request. Refer to the agency comments at the end of the staff report.

**Neighborhood/Public**

Consensus Planning notified the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations regarding this request. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association at the Starbucks located just east of the subject site. Notes from this meeting are included in the application for this Zone Map Amendment. They summarize the discussion, which included the site’s history, the requested zoning and anticipated development, and site access. The neighbors indicated they would like to see a grocery store developed on the site; however, there has been no interest in this site from any grocery stores. Regardless, the neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning.

Property owners within 100 feet of the subject site were also notified, as required (see attachments). No other neighborhood representatives requested a meeting or reached out for information about the request.

IV. CONCLUSION

The request is for a zone map amendment (zone change) for an approximately 19.1-acre site known as: all or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., (the “subject site”). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west, which is currently vacant.
The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant is requesting MX-M (Mixed-Use Medium Intensity) zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection.

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes 6-7(F)(3).

The applicant notified the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations and property owners within 100 feet of the subject site as required. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association. Notes from this meeting are included in the application for this Zone Map Amendment. The neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning. No other neighborhood representatives requested a meeting or reached out for information about the request.
FINDINGS - RZ-2020-00005, April 23, 2020, - Zoning Map Amendment (Zone Change)

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes 6-7(F)(3).

1. The request is for a zone map amendment (zone change) for an approximately 19.1-acre site known as: all or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., (the “subject site”). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west, which is currently vacant.

2. The subject site is zoned MX-L (Mixed-Use Low Intensity Zone) and the Applicant is requesting MX-M (Mixed-Use Medium Intensity) zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection.

3. The subject site is in an area that the Comprehensive Plan has designated an Area of Change. The site is on the Unser and McMahon Commuter Corridors. It is also on the future Unser Premium Transit Corridor. It should be noted that the benefits of Premium Transit Corridor status are not invoked until the route has been determined and station areas have been defined. The latter test has not been met.

4. 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.

5. The request furthers the following, applicable Goal and policies regarding Land Use:

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

       The request generally furthers Goal 5.1 Centers & Corridors because the zone change can support appropriate development along the Unser and McMahon Corridors and by helping to shape future development that supports the 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 generally furthers Policy 5.1.1 -Desired Growth because the zone change can support appropriate development along the Unser and McMahon Corridors and by helping to shape future development that supports the corridors.
C. Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The request generally furthers Policy 5.1.2-Development Areas because the scale of development allowed in MX-M is appropriate along the Unser and McMahon Corridors.

D. Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

The request furthers Policy 5.1.12 Commuter Corridors because the automobile-oriented uses, such as light vehicle fueling, drive-throughs, and other similar uses in the MX-M zone are appropriate along the Unser and McMahon Commuter Corridors. Appropriate access and buffering will be coordinated in future site planning and development review.

6. The request furthers the following, applicable Goal and policies regarding Complete Communities:

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

The request generally furthers Goal 5.2-Complete Communities because the MX-M zoning district provides more opportunities for residents to live, work, learn, shop, and play in close proximity to growing communities and neighborhoods.

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

The request generally furthers Policy 5.2.1-Land Uses because the MX-M zoning district allows for a greater mix of uses that would be accessible from surrounding neighborhoods.

7. The request furthers the following, applicable Goal and policies regarding Efficient Development Patterns:

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

The request generally furthers Goal 5.3- Efficient Development Patterns because the MX-M zoning district allow for a greater variety and intensity of uses that can more efficiently utilize existing infrastructure and public facilities along the Unser and McMahon Corridors.
B. Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request furthers Policy 5.3.1 Infill Development because the subject site is appropriately located to accommodate additional growth with available infrastructure and public facilities along the Unser and McMahon Corridors.

8. The request furthers the following, applicable Goal and policies regarding Jobs-Housing Balance:

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

The request furthers Goal 5.4 Jobs-Housing Balance because the more intense non-residential uses allowed in the MX-M zoning district may help balance jobs and housing on the City’s west side.

B. Policy 5.4.1 Housing near Jobs: Allow higher-density housing and discourage single-family housing near areas of concentrated employment.

The request furthers Policy 5.4.1 Housing near Jobs because the MX-M zoning district may accommodate concentrated employment near already established and future residential uses.

C. Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.

The request furthers Policy 5.4.2 West Side Jobs because the more intense non-residential uses of the MX-M zoning district may foster new employment opportunities on the City’s west side.

9. The request furthers the following, applicable Goal and policies regarding City Development Areas:

A. 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 request generally furthers Goal 5.6 City Development Areas because the site is an Area of Change where growth is expected and desired and the change to MX-M will direct more intense development to the Unser and McMahon Corridors.

B. Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.
The request generally furthers Policy 5.6.2-Areas of Change because the site is an Area of Change where growth is expected and desired and the change to MX-M will direct more intense development to the Unser and McMahon Corridors.

C. 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.

The request furthers Policy 5.6.4 Appropriate Transitions because the proposed zoning boundaries of the requested MX-M zoning district will retain MX-L zoning along the Bandelier frontage to act as a transition to the existing residential neighborhood. The IDO’s Neighborhood Edge protections will apply to both the retained MX-L and new MX-M zoning districts to ensure appropriate transitions to the protected R-T zoned properties to the west.

10. The request furthers the following, applicable Goal and policies regarding Urban Design:

A. Policy 7.3.4-Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The request partially furthers Policy 7.3.4-Infill because the development on the larger site will create a built environment that is unique to the large southwest quadrant of the Unser/McMahon intersection that will enhance development on the surrounding, already developed intersection quadrants.

B. Policy 7.3.5- Development Quality: Encourage innovative and high quality design in all development.

The request partially furthers Policy 7.3.5- Development Quality because the MX-M zoning district in this location is not subject to any special design standards, but the IDO’s general standards will require a good quality of design that will enhance the Unser and McMahon Corridors.

11. The request furthers the following, applicable Goal and policies regarding Placemaking:

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

The request furthers Goal 8.1-Placemaking because the MX-M zoning district allows for more intense uses that can accommodate a greater variety of businesses and more flexibility for building scale and densities that can encourage business retention and economic development.
B. 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.

The request furthers Policy 8.1.1 Diverse Places because the MX-M zoning district allows for more intense uses that can accommodate a greater variety of businesses and more flexibility for building scale and densities that can encourage business retention and economic development.

C. Policy 8.1.2-Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The request furthers Policy 8.1.2-Resilient Economy because the MX-M zoning district will allow for more intense uses that will provide for more diverse economic potential.

12. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 6-7(F)(3)-Review and Decision Criteria for Zone Map Amendments, as follows:

A. **Criterion A:** A proposed zone change must be found to be 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 applicant has adequately demonstrated, in a policy-based response, that the request is consistent with the City’s health, safety, morals and general welfare because it would generally further a preponderance of applicable Comprehensive Plan Goals and policies. The request would support infill development and use existing infrastructure along a designated corridor in an Area of Change, where growth is desired.

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 subject site is located in an Area of Change. The applicant chooses #3, that a different zone district is more advantageous to the community, as articulated in the Comprehensive Plan, than the current zoning. The applicant has adequately demonstrated, through the required policy analysis in the response to Criterion A, that the request would be generally more advantageous to the community as articulated in the Comprehensive Plan.

D. **Criterion D:** The applicant provided a thorough discussion of the uses that would become permissive in the MX-M zone and addressed the issue of potential harm to adjacent property, the neighborhood, or the community. The applicant points out that some of the uses, such as artesian manufacturing and light vehicle fueling station, have applicable use-specific standards that contain requirements to mitigate potential, harmful effects on the surrounding area.
E. **Criterion E:** Requirement 1 applies. The applicant states that existing infrastructure and public improvements would have adequate capacity to serve development made possible by the proposed zone change. However, if the use change would cause the need for infrastructure improvements, the applicant would be responsible for providing them.

F. **Criterion F:** The subject site is located on Unser Boulevard and McMahon Boulevard, which the Comprehensive Plan designates as Commuter Corridors. Blvd. NE, a Principal Arterial and multi-modal corridor, but that location is not being used as the primary justification for the request. The applicant has demonstrated that the request furthers a preponderance of applicable, Comprehensive Plan Goals and policies and does not conflict with them.

G. **Criterion G:** The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies (Criteria A, C, and D) and does not conflict significantly with them.

H. **Criterion H:** The request would result in a spot zone because it facilitates implementation of the Comprehensive Plan by allowing uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area.

13. The zone map amendment is adequately justified pursuant to the IDO Review and Decision criteria for zone changes in 14-16-6-7(F)(3). The policy analysis demonstrates that the request furthers a preponderance of applicable Goals and policies and does not conflict with them.

14. The affected neighborhood organizations are the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.

15. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association. Notes from this meeting are included in the application for this Zone Map Amendment. The neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning. No other neighborhood representatives requested a meeting or reached out for information about the request.

**RECOMMENDATION - RZ-2020-00005, April 23, 2020**

APPROVAL of Project #: 2020-003443 Case #: 2020-00005, a zone change from MX-L to MX-M, for an approximately 10.1 acre portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont., , located on Unser NW, between Bandelier Drive NW, and McMahon Boulevard NW, based on the preceding Findings and subject to the following Conditions.
CONDITIONS OF APPROVAL

1. The applicant shall meet with the Staff planner to ensure that all conditions of approval are met. Upon receiving final approvals, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.

2. The site shall be re-platted (minor subdivision) at the Development Review Board (DRB) per the sketch plat submitted to the DRB on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment (attached to the application).

3. CONDITIONS FROM PNM to be placed on all future Site Plans:
   A. An existing overhead distribution line is located along the northwest side of the subject site. It is the applicant’s obligation to abide by any conditions or terms of those easements.
   B. As a condition, the developer shall contact PNM’s New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at www.pnm.com/erequest for PNM to review.
   C. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 56 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.
Notice of Decision cc list:
Liste will be finalized subsequent to the EPC hearing on April 23, 2020.
AGENCY COMMENTS

PLANNING DEPARTMENT

Long Range Planning

The West Side has an abundance of single family housing. Development on this site can bring services and some employment opportunities to an area that is lacking in both. The site is designated as an Area of Change.

Mixed-use – Low Intensity (MX-L) and Mixed-use Medium Intensity (MX-M) zone districts allow many of the same uses. MX-L is intended to promote neighborhood-scale development, while MX-M is intended to promote community-scale development. Key uses that would be added as allowable under the MX-M zone district include large personal and business services, medium and large general retail, building and home improvement materials store, nightclub, warehousing, and wholesaling and distribution center. Uses that change from conditional to permissive include light vehicle fueling station, light vehicle sales and rental, and bar, would become permissive, rather than conditional as it is in MX-L.

Generally speaking, the uses in the MX-M district would not be harmful to the surrounding neighborhood, as many of the land uses allowed in MX-M already exist on the other developed lots on the Unser Blvd. and McMahon Blvd. intersection. The size of the site that is proposed to change to MX-M does not appear to be large enough for the larger-format uses allowed by MX-M. It may be that the property owner wants the zone map amendment for the uses that become permissive in MX-M rather than conditional in MX-L.

The EPC will need to consider whether the additional allowable uses in MX-M are appropriate in this location and serve to capture and promote development appropriate for the Premium Transit Corridor (i.e. Unser Blvd., which is access-controlled) or whether the existing MX-L provides for neighborhood-scale development that is more appropriate, given the surrounding zoning and low-density single-family development.

If approved, this will be the only property zoned MX-M in the area; the surrounding MX-L properties will provide a transition to the nearby low-density residential zones.

Transportation Development Services

No objection to the request.

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

No comments

SOLID WASTE MANAGEMENT DEPARTMENT

No comments
The site is on the Unser and McMahon Commuter Corridors. It is also on the future Unser Premium Transit Corridor. It should be noted that the benefits of Premium Transit Corridor status are not invoked until the route has been determined and station areas have been defined. The latter test has not been met.

The site is served by Fixed Route 155. The fixed portion of the route runs the length of Coors Boulevard between the Northwest Transit Center (NWTC) and a turn-around at Coors and Gun Club SW. In addition, Route 155 has a "commuter" leg from the NWTC to the Walmart at Unser and Southern in Rio Rancho.

The Fixed Route 155 has a stop pair immediately east of Unser on McMahon and a second stop pair on Unser at Summer Ridge. These stops are only used when the commuter portion of the route is operating, i.e. 5 trips southbound in the morning between 5:30 and 8:00 AM and 3 trips southbound between 4:45 and 6:00 PM. Northbound: one trip arrives at the Walmart in the morning, and 4 trips arrive between 4:45 and 6:30 PM.

ABQ RIDE supports this request. Commuter Corridors are intended primarily for transportation modes other than transit and transit service to the site is not robust. This situation is not likely to change in the foreseeable future. We agree with the applicant that the sorts of land use available through the MX-M designation better comport with the Commuter Corridor designation.

PARKS DEPARTMENT
PRD has no objection to the current re-zone request. Site to be re-platted through DRB process and requested to be re-zoned from MX-L to MX-M through EPC. Developers cannot alter the existing multi-purpose trail on the east property line at Unser Blvd NW, and must install street trees and landscaping upon development.

PARKS DEPARTMENT / OPEN SPACE
No comments

ABC WATER UTILITY AUTHORITY (ABCWUA)
No adverse comments to the proposed zone change from MX-L to MX-M.

ALBUQUERQUE PUBLIC SCHOOLS
APS Case Comments: The land as it is currently zoned, and as amended (if approved) will allow residential development. Potential impact to APS include the following schools: Sierra Vista Elementary School, James Monroe Middle School, and Cibola High School.
## School Capacity

<table>
<thead>
<tr>
<th>School</th>
<th>2019-2020 40th Day Enrollment</th>
<th>Facility Capacity</th>
<th>Space Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sierra Vista Elementary School</td>
<td>609</td>
<td>660</td>
<td>51</td>
</tr>
<tr>
<td>James Monroe Middle School</td>
<td>1029</td>
<td>1135</td>
<td>106</td>
</tr>
<tr>
<td>Cibola High School</td>
<td>1904</td>
<td>2160</td>
<td>256</td>
</tr>
</tbody>
</table>

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No adverse comments

PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM)

Conditions for Approval for Project #2020-03445 (RZ-2020-00005) Zone Map Amendment/zone change (development that will allow for a greater variety of commercial uses located on Unser Blvd NW between Bandelier Dr NW and McMahon Blvd. NW)

1. An existing overhead distribution line is located along the northwest side of the subject site. It is the applicant’s obligation to abide by any conditions or terms of those easements.

2. As a condition, the developer shall contact PNM’s New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at www.pnm.com/erequest for PNM to review.

3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 56 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

No comments at this time
View of southwest corner of Unser Blvd. and McMahon Blvd.

View at McMahon Blvd. and Bandelier Drive
View from McMahon and Bandelier west towards neighborhood

View across site from corner of McMahon and Bandelier
View across site from corner of Unser and Bandelier

View of site from southwest corner of Unser and McMahon
View south along Unser from southwest corner of Unser and McMahon

View to southeast from corner of Unser and McMahon of adjacent development
HISTORY
History:

The current zoning of the subject site and most of the commercial development around the Unser and McMahon intersection is MX-L, Mixed-Use Low Intensity with some PD, Planned Development. These zone categories were established upon the effective date of the IDO based on the previous zoning that consisted of a variety of SU-1 zones that primarily called out C-1 uses from the old Comprehensive Zoning Code as those allowed in the area.

The site had a Site Plan for Subdivision heard by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313) but was delegated to the DRB and never received final sign-off. The previous site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard at approved locations within the roadway access limitations set by the Mid-Region Metropolitan Planning Organization. The Applicant intends pursue and utilize this previously approved access to the adjacent limited access roadways for future development of the site.

While the surrounding residential development is predominantly single-family, the zoning consists of a variety of R-1, R-T, R-ML, and PD zones. Some R-A and NR-PO-C zoned property exists to the south along Unser Boulevard where it crosses the Calabacillas Arroyo, which is owned by AMAFCA as part of the Swinburne Dam and related facilities.

A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.
ZONING

Please refer to §14-16-2-4(C) of the IDO for the MX-M zone
APPLICATION INFORMATION
Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

<table>
<thead>
<tr>
<th>Administrative Decisions</th>
<th>Historic Certificate of Appropriateness – Major (Form L)</th>
<th>Historic Certificate of Appropriateness – Minor (Form L)</th>
<th>Master Development Plan (Form P1)</th>
<th>Wireless Telecommunications Facility Waiver (Form W2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Archaeological Certificate (Form P3)</td>
<td>Historic Design Standards and Guidelines (Form L)</td>
<td>Site Plan – EPC including any Variances – EPC (Form P1)</td>
<td>Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)</td>
<td></td>
</tr>
<tr>
<td>Historic Certificate of Appropriateness – Minor (Form L)</td>
<td>Site Plan – DBR (Form P2)</td>
<td>Minor Amendment to Site Plan (Form P3)</td>
<td>Adoption or Amendment of Historic Designation (Form L)</td>
<td></td>
</tr>
<tr>
<td>Alternative Signage Plan (Form P3)</td>
<td>Subdivision of Land – Minor (Form S2)</td>
<td>Amendment of IDO Text (Form Z)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WTF Approval (Form W1)</td>
<td>Subdivision of Land – Major (Form S1)</td>
<td>Amendment of Zoning Map – EPC (Form Z)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Amendment to Site Plan (Form P3)</td>
<td>Vacate of Easement or Right-of-way (Form V)</td>
<td>Amendment of Zoning Map – Council (Form Z)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conditional Use Approval (Form ZHE)</td>
<td>Vacancy – DBR (Form V)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Demolition Outside of HPO (Form L)</td>
<td>Vacancy – ZHE (Form ZHE)</td>
<td>Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**APPLICATION INFORMATION**

| Applicant: Holly Partners, LLC | Phone: (505) 710-0307 |
| Address: 904 Copperhead Ct. NE | Email: hollypartners@gmail.com |
| City: Albuquerque | Zip: 87113 |
| State: NM |

| Professional/Agent (if any): Jacqueline Fishman, AICP, Consensus Planning, Inc. | Phone: (505) 784-9801 |
| Address: 302 8th Street NW | Email: fishman@consensusplanning.com |
| City: Albuquerque | Zip: 87102 |
| State: NM |

| Proprietary Interest in Site: Owner | List all owners: |

**BRIEF DESCRIPTION OF REQUEST**

Zoning map amendment from MX-L to MX-M for portion of site fronting on Unser Boulevard and McMahon Boulevard

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

<table>
<thead>
<tr>
<th>Lot or Tract No.: 20A-1</th>
<th>Block:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision/Addition: Paradise North</td>
<td>Unit:</td>
</tr>
<tr>
<td>MRGCD Map No.:</td>
<td>UPC Code: 10110667731810201</td>
</tr>
<tr>
<td>Zone Atlas Page(s): A-11</td>
<td>Existing Zoning: MX-L</td>
</tr>
<tr>
<td># of Existing Lots: 1</td>
<td>Proposed Zoning: MX-M</td>
</tr>
<tr>
<td># of Proposed Lots: 1</td>
<td>Total Area of Site (acres): 10.2 acres</td>
</tr>
</tbody>
</table>

**LOCATION OF PROPERTY BY STREETS**

Site Address/Street: Unser Blvd NW | Between: Bandelier Drive NW and: McMahon Blvd NW

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

Z-85-119 and 1004313

| Signature: | Date: 2/27/2020 |
| Printed Name: Jacqueline Fishman, AICP |

**FOR OFFICIAL USE ONLY**

<table>
<thead>
<tr>
<th>Case Numbers</th>
<th>Action</th>
<th>Fees</th>
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</thead>
<tbody>
<tr>
<td>RZ-2020-00005</td>
<td>AZM</td>
<td>$1,100</td>
</tr>
</tbody>
</table>

| Meeting/Hearing Date: April 9, 2020 |
| Staff Signature: | Date: 2/27/2020 | Project # PR-2020-0445 |

| Fee Total: $1,100 | Project # PR-2020-0445 |

| Applicant or Agent | |
Form Z: Policy Decisions

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabc.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)

Interpreter Needed for Hearing? ☐ Yes ☐ No If yes, indicate language:

☐ Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
☐ Letter of authorization from the property owner if application is submitted by an agent
☐ Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
☐ Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

☐ ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN

☐ ADOPTION OR AMENDMENT OF FACILITY PLAN

☐ Plan, or part of plan, to be amended with changes noted and marked
☐ Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
☐ Required notices with content per IDO Section 14-16-6-4(K)(6)
☐ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
☐ Proof of emailed notice to affected Neighborhood Association representatives
☐ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☐ AMENDMENT TO IDO TEXT

☐ Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked
☐ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
☐ Required notices with content per IDO Section 14-16-6-4(K)(6)
☐ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
☐ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☐ ZONING MAP AMENDMENT – EPC

☐ ZONING MAP AMENDMENT – COUNCIL

☐ Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
☐ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
☐ Required notices with content per IDO Section 14-16-6-4(K)(6)
☐ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
☐ Proof of emailed notice to affected Neighborhood Association representatives
☐ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
☐ Sign Posting Agreement

☐ ANNEXATION OF LAND

☐ Application for Zoning Map Amendment Establishment of zoning must be applied for simultaneously with Annexation of Land.
☐ Petition for Annexation Form and necessary attachments
☐ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
☐ Board of County Commissioners (BCC) Notice of Decision

---

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: [Signature]
Printed Name: JACQUELINE FISHMAN
Date: 2/27/2020

☐ Applicant or ☐ Agent

FOR OFFICIAL USE ONLY

Project Number: PR-2020-003744S
Case Numbers: Z2-2020-00005

Staff Signature: [Signature]
Date: 2/27/2020

Effective 5/17/18
SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. 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 for a $10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or 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.

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 March 25, 2020 to April 9, 2020

5. REMOVAL
   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

 Applicant or Agent

(Date)

I issued 3 signs for this application, 2/27/2020

(Date)

Staff Member

PROJECT NUMBER: PR-2020-003443

Revised 2/8/19
IDO Zone Atlas
May 2018

IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

For more details about the Integrated Development Ordinance visit: http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance
February 24, 2020

Dan Serrano, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

RE: Unser and McMahon Boulevard NW – Request for Zoning Map Amendment

Dear Mr. Chairman:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as our agent on a zone change request from MX-L to MX-M for the property located at the southwest corner of Unser Boulevard and McMahon Boulevard NW.

The property is legally described as all or a portion of Tract 20A-1, Paradise North situated within the Town of Alameda Grant. Holly Partners is the owner of the property.

Thank you for your consideration.

Sincerely,

Jayesh Patel
Member
Holly Partners, LLC
Dear Mr. Chairman:

On behalf of Holly Partners LLC, Consensus Planning submits this request for approval of a Zoning Map Amendment – EPC. The purpose of this letter is to provide justification of the Applicant’s request for a Zoning Map Amendment by responding to the decision criteria specified in Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3). The subject site is located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and is bounded by Bandelier Drive NW on the south and west (see Figure 1). A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application. Completion of the platting will occur subsequent and as a condition of approval of this Zone Map Amendment.

Figure 1. Subject site (approximate area of zone change bounded in red) and area context.

PROJECT CONTEXT AND SUMMARY

The subject site is approximately 10.2 acres of the 19.09-acre parcel with the following legal description: All or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant.
The property is located on the west side of Unser Boulevard NW and north of the Calabacillas Arroyo between Bandelier Drive and McMahon Boulevard and is currently vacant.

The property is within the Northwest Mesa Community Planning Area and is designated as an “Area of Change” in the 2017 Albuquerque/Bernalillo County Comprehensive Plan. According to Figure 5-4: Centers and Corridors from the Comprehensive Plan, Unser Boulevard and McMahon Boulevard are both designated as Commuter Corridors, and Unser Boulevard is also overlaid as a future Premium Transit Corridor heading into Rio Rancho.

The other three quadrants of the Unser and McMahon intersection are developed, or are being developed, with a variety of commercial retail and service uses, including a gas station, two pharmacy retail stores, drive-thru restaurants, brewery taprooms, and a coffee shop among others. Additionally, a senior age-restricted community has been built to the east of the subject site at the intersection of McMahon with Fineland Drive NW, and a self-storage facility has opened to the north at Unser and Summer Ridge Road.

The remaining land use in most of the surrounding area is single-family residential, which is adjacent to the subject site to the west across the Bandelier Drive NW right-of-way and to the southeast across Unser Boulevard.

Site History and Zoning

The current zoning of the subject site and most of the commercial development around the Unser and McMahon intersection is MX-L, Mixed-Use Low Intensity with some PD, Planned Development. These zone categories were established upon the effective date of the IDO based on the previous zoning that consisted of a variety of SU-1 zones that primarily called out C-1 uses from the old Comprehensive Zoning Code as those allowed in the area.
The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313) but was delegated to the DRB and never received final sign-off. The previous site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard at approved locations within the roadway access limitations set by the Mid-Region Metropolitan Planning Organization. The Applicant intends pursue and utilize this previously approved access to the adjacent limited access roadways for future development of the site.

While the surrounding residential development is predominantly single-family, the zoning consists of a variety of R-1, R-T, R-ML, and PD zones. Some R-A and NR-PO-C zoned property exists to the south along Unser Boulevard where it crosses the Calabacillas Arroyo, which is owned by AMAFCA as part of the Swinburne Dam and related facilities.

**TABLE 1. Surrounding Zoning & Land Use**

<table>
<thead>
<tr>
<th>NORTH</th>
<th>MX-L and PD</th>
<th>Dialysis center, animal clinic, gas station, and residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>EAST</td>
<td>MX-L and R-T</td>
<td>Pharmacy, drive-thru restaurant, shopping center, and residential</td>
</tr>
<tr>
<td>SOUTH</td>
<td>R-T, R-A, and NR-PO-C</td>
<td>Single-Family Residential and drainage/flood control</td>
</tr>
<tr>
<td>WEST</td>
<td>R-T</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

*Figure 3. Existing Zoning (approximate area of zone change bounded in red)*

**Summary of Request**

The Applicant is requesting MX-M, Mixed-Use Medium Intensity zoning for a portion of the site to allow for a greater variety of commercial uses at this highly traveled intersection. The Applicant is working on a multi-family project for the remaining
portion of Tract 20A-1 that is not part of this zone change request. The Zone Map Amendment and the additional commercial development made possible by the request will create a horizontal mixed-use center at this major intersection.

The proposed non-residential uses in the MX-M zone are compatible with the surrounding area and uses, including the existing retail, two brewery taprooms, multiple drive-through restaurants and pharmacies, and a gas station. Development of the site with additional commercial uses would provide new options that are closer to the large number of residents in the area.

As mentioned, the commercial zoning in the area previously consisted of a variety of SU-1 zones, and the subject site was previously SU-1 for C-1 Uses. Previously, the C-1 zone did not limit the size of retail uses. The IDO currently limits general retail to 10,000 square feet, which means the adjacent Walgreen's and CVS pharmacies are legally nonconforming uses under the IDO. The gas station located at the northwest corner of the intersection also has a liquor retail use that is not allowed by the MX-L zoning. These nearby uses are similar to those that will become permissive under the requested MX-M zoning, which reinforces that the uses in the MX-M zone will not be harmful to the neighborhood.

The prior owners of the property were in the post-IDO zoning conversion process with a request for MX-M for the entire property. Planning staff recommended NR-C, which would have allowed more intense non-residential uses, but the owners did not want to give up the option for multi-family development, so they withdrew the conversion request leading to the current owners making this Zone Map Amendment request for just the portion of the site where commercial development is desired.

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(F) as described below.

**JUSTIFICATION**

This request for a Zoning Map Amendment complies with the criteria outlined in Section 14-16-6-7(F)(3) of the Integrated Development Ordinance (IDO) as follows:

6-7(F)(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.

**Applicant’s Response:** The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering a preponderance of the applicable Comprehensive Plan goals and policies, as follows:

**Comprehensive Plan Policies (responses in italics):**

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

Policy 5.1.1 Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.
a) Create walkable places that provide opportunities to live, work, learn, shop, and play.

c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

Applicant Response: The subject site is located at the intersection of two Commuter Corridors and a future Premium Transit Corridor, so a zone change that allows for more variety and intensity of uses will help fulfill the desire for new growth and infill development to occur along designated corridors. While close to the City limits, the subject site is surrounded by other development on all sides and is therefore not at the urban edge. The nearest multi-family residential developments are between 1 to 2 miles away from this major intersection. Development of the site with multi-family residential and a greater variety of commercial will provide a horizontal mixed-use environment with opportunities for nearby residents to work, shop, and play close to their homes and potentially by walking rather than driving.

Policy 5.1.2 Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

Applicant Response: The subject site is located along multiple designated Corridors and is considered an Area of Change, so it is an appropriate site to direct more intense growth. Changing the zoning from MX-L to MX-M for a portion of the property will allow for that more intense growth to occur and could reduce the pressure for more intense growth on other sites that are not similarly situated along Corridors or in designated Areas of Change.

Policy 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

b) Minimize negative impacts on nearby neighborhoods by providing transitions between development along Transit Corridors and abutting single-family residential areas.

d) Apply Premium Transit policies after station locations have been identified and project funding has been allocated.

Applicant Response: The subject site is located along Unser Boulevard, which is designated as a future Premium Transit Corridor, and the Unser and McMahon intersection is identified as a potential station area in the Paseo del Norte High Capacity Transit Study Alternatives Analysis Report (2014) that was prepared for the Rio Metro Regional Transit District. While funding of the “locally preferred alternative” from the study has not yet been allocated and this policy does not specifically apply, the Applicant believes changing the zoning from MX-L to MX-M for a portion of the property supports the near-term development of the site in its current automobile-oriented context under the Commuter Corridor designation while also maintaining the flexibility and intensity appropriate for when future high capacity service is established. This request does not take away from future opportunities to take advantage of the Premium Transit Corridor benefits when those eventually become available. Maintaining MX-L on the portion of the site closest to the
adjacent single-family residential provides an appropriate transition between the MX-M and intensity of the Corridor to the neighborhood.

Policy 5.1.12 Commuter Corridors: Allow auto-oriented development along Commuter Corridors that are higher-speed and higher-traffic volume routes for people going across town, often as limited-access roadways.

a) Allow auto-oriented, single-use development, such as strip retail, large retail facilities, and business and institutional campuses along Commuter Corridors.

b) Buffer residential land uses adjacent to Commuter Corridors.

c) Support traffic flow by limiting new curb cuts, encouraging shared access of driveways and business access roads, or providing access from perpendicular local roads.

Applicant Response: Both Unser Boulevard and McMahon Boulevard are designated Commuter Corridors in the Comprehensive Plan. As a site adjacent to two such corridors, it is appropriate for development of auto-oriented uses such as light vehicle fueling, drive-throughs, and other similar uses that are permissive under the requested MX-M zoning. Adjacent residential land uses are buffered by a large portion of the site that will remain MX-L along Bandelier Drive. The appropriate access and additional buffering can be coordinated during the site planning phase of future development. Unser and McMahon are both access-controlled roadways and the development is restricted to full access from Bandelier Drive around the rear of the property. One right-in, right-out, left-in access to Unser was included as part of a previous site plan approval process in 2005. The Applicant also intends to request an access to McMahon Boulevard from the City of Albuquerque with future platting or site plan applications. This access was also shown on the 2005 site plan.

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

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

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.

b) Encourage development that offers choice in transportation, work areas, and lifestyles.

e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

g) Locate quality commercial development and redevelopment in existing commercial zones and designated Centers and Corridors as follows:

ii. In larger area-wide shopping centers located near intersections of arterial streets and provided with access via transit;

iii. Next to another shopping center at an intersection only when safe pedestrian crossings are provided to encourage shoppers to “park once” and walk to multiple stores;
h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

**Applicant Response:** The request furthers this goal and policy and numerous sub-policies by allowing for development of a wider variety of commercial uses and intensity at the intersection of two arterial streets and adjacent to multiple large single-family subdivisions. The site is also located in proximity to a shopping center located on the east side of Unser Boulevard, so shoppers may be able to “park once” and safely cross at the signalized intersection of Unser and McMahon to visit stores and restaurants located in both developments. Allowing for more intense development will catalyze future development of a currently and long vacant site that will bring new goods, services, and amenities to the northwest part of the city. Many neighbors will have the option to walk or bike to this new development that is conveniently accessible to their homes. In addition, the Applicant is proposing a multi-family residential development for the portion of the property not included in the zone change, so this will create a horizontal mix of uses with additional density and residents near the commercial uses surrounding the Unser and McMahon intersection.

**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.

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

**Applicant Response:** The request furthers this goal and policy because the change would support development of the site, which is in a mostly developed area with access to existing infrastructure including multiple-lane arterial roadways, storm drainage facilities, water and sewer, and other utilities.

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

**Policy 5.4.1 Housing near Jobs:** Allow higher-density housing and discourage single-family housing near areas of concentrated employment.

**Applicant Response:** While the existing zoning already allows for multi-family housing development and the primary purpose of this zone change is to allow for a wider range of permissive commercial, the proposed change is consistent with providing opportunities for concentrated higher-density housing near jobs, as well as more job growth west of the Rio Grande. The combination of multi-family development on the portion of the site that is to remain MX-L along with any additional multi-family development and additional commercial uses that could develop with the proposed MX-M, furthers this policy by allowing higher densities in an area of concentrated employment because of the site’s proximity to the Rust Medical Center just to the north in Rio Rancho and providing new jobs west of the Rio Grande.
Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West Side.

   a) Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

Applicant Response: Approving a change of zoning from MX-L to MX-M for a portion of the Applicant’s property will further this policy by allowing a greater number of permissible commercial and office uses and additional job growth on the subject site, which is located west of the Rio Grande.

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.

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.

   b) Encourage development that expands employment opportunities.

   c) Foster a range of housing options at various densities according to each Center and Corridor type.

   d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

   f) Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality, and traffic.

   g) Encourage development where adequate infrastructure and community services exist.

Applicant Response: The request furthers this goal and policy by directing more intense growth to a site designated within an Area of Change. Allowing larger and a greater variety of commercial uses and higher density housing on the subject site will expand employment opportunities in the area and support the existing and future commercial uses, and ultimately, support future higher-capacity transit service as desired along Unser Boulevard and expressed in the ABC Comp Plan. Keeping the existing MX-L on the rear portion of the property along Bandelier Drive will minimize the potential negative impacts of the additional uses allowed by the MX-M zoning by creating a buffer and transition to the existing low-density residential uses to the west.

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) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.
b) Minimize development’s negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

Applicant Response: The Applicant has carefully considered the transition between the subject site and neighboring low-density residential and has chosen to keep the existing MX-L zoning for the rear portion of the property closest to the existing residential area. This provides a step-down in intensity of uses and building height between this development and the R-T zoned lots to the west. Future construction of the remaining portion of Bandelier Drive connecting to McMahon Boulevard and site planning will address mitigation of any adverse impacts on individuals and neighborhoods, particularly with respect to traffic circulation.

Goal 8.1 Placemaking: 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.

a) Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels.

b) Support a variety of lower-density, lower-intensity services, jobs, and housing outside of Centers.

Applicant Response: Changing the zoning of the subject site from MX-L to MX-M will further this goal and policy by fostering development of commercial uses that will complement existing commercial and service uses around the Unser and McMahon intersection and further establish the area as an interesting place for this portion of Albuquerque’s west side. A combination of these commercial uses with multi-family residential will create a truly mixed-use development near the intersection of two Corridors in an Area of Change that takes full advantage of its location near a major employment anchor established by the Rust Medical Center.

6-7(F)(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:

Applicant’s Response: The subject site is located wholly in an Area of Change, so this criterion does not apply.

6-7(F)(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).

Applicant Response: The existing zoning is not appropriate for this large 19-acre subject property because a different zone district is more advantageous to the community as articulated by the Comprehensive Plan. It is not realistic for a property this large to be completely developed with small-scale uses allowable under the MX-L zone district. As evidenced with the surrounding developments, there are several uses already in the area that would not be allowed under the MX-L zoning such as General Retail, Medium and Liquor Retail. Changing the zoning from MX-L to MX-M furthers a preponderance of applicable goals and policies of the Comprehensive Plan as described in the response to criterion (a), including development along Commuter Corridors, infill development and land use patterns, variety of housing choices and locations, and supporting future transit along Unser Boulevard. The change to a more intense mixed-use zone district provides needed services to area residents and help establish a mixed-use center near the intersection of two Comprehensive Plan Corridors.

The Applicant’s proposed zoning and the uses allowed by it will serve the surrounding and overall community with more commercial options and a variety of housing choices on a site that is considered an Area of Change and is well-served by existing infrastructure. The request provides a pattern of land use, density, and intensity that is advantageous by proposing the MX-M zone close to Unser Boulevard and McMahon Boulevard while keeping the existing MX-L zone for the portion of the property near existing single-family residential uses. Future site planning will further define access and traffic circulation along these limited access Corridors, as well as appropriate buffers.

6-7(F)(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 Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant’s Response: None of the permissive uses in the MX-M zone will be harmful to the adjacent property, neighborhood, or community. The following table provides a comparison of the MX-L and MX-M zones, limited to those uses that are permissive in the MX-M zone that are not already permissive in the MX-L zone (i.e., all uses that are facilitated by this zone change that would not need to come back for Conditional Use approval later). Of these uses, many are already allowed conditionally in the MX-L zone, and several have already been developed on the neighboring properties, including light vehicle fueling station, tap room or tasting room, liquor retail, and drive-through or drive-up facility and those uses have not proved harmful to the area. Many of the MX-M uses also have use-specific standards that mitigate their impacts, including the following:

- **Hospital**: limited to 20 overnight beds and no ambulance traffic allowed.
- **Light vehicle fueling station**: made a Conditional Use with additional screening requirements if adjacent to any residential zone district.
- **Light vehicle sales and rental**: extra screening requirements adjacent to residential.
• Liquor retail: Conditional Use within 500 feet of residential, which is the entire subject site except for a very small portion right on the corner of the Unser and McMahon intersection.

• Separation requirements for pawn shops.

<table>
<thead>
<tr>
<th>IDO Zoning Comparison: MX-L vs. MX-M</th>
</tr>
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<tbody>
<tr>
<td>Use</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Sports Field</td>
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<tr>
<td>University or College</td>
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<tr>
<td>Auditorium or Theater</td>
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<tr>
<td>Bar</td>
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<tr>
<td>Catering Service</td>
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<tr>
<td>Nightclub</td>
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<tr>
<td>Tap room or tasting room</td>
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<tr>
<td>Light vehicle fueling station</td>
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<tr>
<td>Light vehicle sales and rental</td>
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<tr>
<td>Mortuary</td>
</tr>
<tr>
<td>Personal and business services, large</td>
</tr>
<tr>
<td>General retail, medium</td>
</tr>
<tr>
<td>Liquor retail</td>
</tr>
<tr>
<td>Pawn shop</td>
</tr>
<tr>
<td>Park-and-ride lot</td>
</tr>
<tr>
<td>Transit facility</td>
</tr>
<tr>
<td>Drive-through or drive-up facility</td>
</tr>
<tr>
<td>Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours</td>
</tr>
</tbody>
</table>

6-7(F)(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. 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.

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’s Response: The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill development property that has long been planned for commercial uses. Projects around the Unser and McMahon intersection have been ongoing since the late 1990s, and
adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Any required extension of these services, including the potential completion of the unpaved portion of Bandelier Drive adjacent to the subject site, will be the responsibility of the developer.

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

Applicant's Response: While the property is located adjacent to Unser Boulevard and McMahon Boulevard, two arterial roadways, it is not the only reason for providing justification for the zone change to MX-M. As described earlier in this letter, the request is more advantageous to the community as it furthers a preponderance of applicable Comprehensive Plan policies for Commuter Corridors, land use, infill development, and economic development.

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

Applicant's Response: The cost of land or other economic considerations are not the determining factor for this zone change request. The requested zone change will allow larger retail businesses and additional commercial uses to develop that will provide additional needed services closer to residents in the northwest part of the City.

6-7(F)(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.

Applicant's Response: The area of the requested zone change is over 10 acres, which is greater than half of the subject site, so the zoning would not be applied to a small area. The request also keeps the zoning as a mixed-use zone not dissimilar to what is already in place but at a higher intensity. However, the request is for a single premise while the others around it are to remain MX-L, so the request constitutes a “spot zone.” The Applicant believes this is a justifiable “spot zone” because it clearly facilitates implementation of the Comprehensive Plan by allowing more community-scale uses that are appropriate and preferred along Commuter Corridors and furthers all applicable policies of the Comprehensive Plan cited above. It will provide the needed scale for commercial retail in this area.

The site is also not suitable for the uses in the adjacent zone districts because of its size and the amount of traffic on the surrounding roadways. This location at the crossroads of two Commuter Corridors that carry upwards of 30,000+ vehicle average weekday traffic (Unser Boulevard) is more suited to moderate to high intensity uses rather than the light intensity uses presently allowed. This is evidenced by the number of Conditional MX-L and legally nonconforming uses that
are developed on neighboring properties. The subject site’s size also makes it an ideal location to properly plan a larger-scale development that will provide a mix of uses, housing options, and needed retail and services for the northwest part of the City.

NEIGHBORHOOD OUTREACH

Consensus Planning notified the Tuscany Neighborhood Association and Westside Coalition of Neighborhood Associations regarding this request. An informal neighborhood meeting was held with representatives of the Tuscany Neighborhood Association at the Starbucks located just east of the subject site. Notes from this meeting are included in the application for this Zone Map Amendment. They summarize the discussion, which included the site’s history, the requested zoning and anticipated development, and site access. The neighbors indicated they would like to see a grocery store developed on the site; however, there has been no interest in this site from any grocery stores. Regardless, the neighborhood representatives would like to see the long vacant lot built out and indicated support for the proposed rezoning. No other neighborhood representatives requested a meeting or reached out for information about the request.

CONCLUSION

On behalf of Holly Partners LLC, we respectfully request that the Environmental Planning Commission approves this request for a Zoning Map Amendment for the subject site.

Thank you for your consideration.

Sincerely,

Jacqueline Fishman, AICP
Principal
DESCRIPTION

THIS TRACT CONTAINS 10.089 ACRES (833,504 SQ. FT.) MORE OR LESS.

SUBDIVISION DATA
1. DB NO. ____________
3. GROSS SUBDIVISION ACREAGE: 10.089 ACRES.
4. TOTAL NUMBER OF LOTS/TRACTS CREATED: NINE (9) TRACTS.
5. DATE OF SURVEY: January 2020
6. PLAT IS LOCATED WITHIN CITY OF ALBUQUERQUE, BERNAULLO COUNTY, NEW MEXICO.
7. THIS PLAT SHOWS ALL PLOTABLE EASEMENTS OF RECORD.

EXISTING EASEMENTS:

1. 10 FOOT PUBLIC UTILITY EASEMENT FILED AUGUST 08, 1990, IN BOOK 90C, PAGE 182.

PURPOSE OF PLAT
THE PURPOSE OF THIS PLAT IS TO REIMATE ONE EXISTING TRACT (TRACTS 20A-1) AS DESCRIBED IN THAT PLAT OF PARADISE NORTH FILED IN THE RECORDS OF BERNAULLO COUNTY CLERK'S OFFICE ON AUGUST 08, 1990, BOOK 90C, PAGE 182 INTO TWO NEW TRACTS.

NOTES
1. BEARINGS SHOWN ON THIS PLAT ARE NEW MEXICO STATE PLANE GRID BEARINGS, CENTRAL, ZONE, NAD 1983.
2. DISTANCES ARE GROUND DISTANCES (U.S. FOOT).
3. THIS SURVEY IS BASED UPON THE PLAT OF PARADISE NORTH RECORDED IN DOCUMENT NO. 19890186 OF THE RECORDS OF BERNAULLO COUNTY CLERK'S OFFICE RECORDED ON AUGUST 08, 1990.
4. SOLAR NOTE - PURSUANT TO SECTION 14-14-4-7 OF THE CITY OF ALBUQUERQUE CODE OF ORDINANCES, THIS PROPERTY WITHIN THE AREA OF THIS PLAT SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICITON COVENANT, OR EDR AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OR TRACTS WITHIN THE AREA OF PROPOSED PLAT.
5. GRID TO GROUND SCALE FACTOR USED IS 0.999670057 AS PUBLISHED BY ACS MONUMENT 79-411.
6. DATA IN PARENTHESES IS RECORD OBTAINED FROM THE PLAT OF PARADISE NORTH, RECORDED AUGUST 08, 1990, IN DOCUMENT NO. 1990031570.
CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Holly Partners

DATE OF REQUEST: 01/22/20

ZONE ATLAS PAGE(S): A-11

CURRENT:
ZONING MX-L
PARCEL SIZE (AC/SQ. FT.) 19.09 acres

LEGAL DESCRIPTION:
LOT OR TRACT # 20A-1
BLOCK #
SUBDIVISION NAME: Paradise North

REQUESTED CITY ACTION(S):
ANNEXATION [ ]
ZONE CHANGE [X]: From MX-L To MX-M [ ]
SECTOR, AREA, FAC, COMP PLAN [ ]
AMENDMENT (Map/Text) [ ]

SITE DEVELOPMENT PLAN:
SUBDIVISION* [X] AMENDMENT [ ]
BUILDING PERMIT [ ] ACCESS PERMIT [ ]
BUILDING PURPOSES [ ] OTHER [ ]
*includes platting actions

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT [X]
NEW CONSTRUCTION [ ]
EXPANSION OF EXISTING DEVELOPMENT [ ]

GENERAL DESCRIPTION OF ACTION:
# OF UNITS: __________
BUILDING SIZE: _________(sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE: ___________________________ DATE: 1/22/20

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2nd Floor West, 600 2nd St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [X] NO [ ] BORDERLINE [ ]

THRESHOLDS MET? YES [X] NO [ ]
MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]

Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

TRAFFIC ENGINEER: ___________________________ DATE: 01-22-20

Required TIS must be completed prior to applying to the EPC and/or the DRB. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS: -SUBMITTED / / -FINALIZED / / / TRAFFIC ENGINEER: ___________________________ DATE: 

Revised January 20, 2011
Jackie, I’ve completed a first review of the proposed zone change request. I have a few questions and some suggestions that will help strengthen the submittal. I am available to answer questions about the process and requirements. Please provide the following:

⇒ A revised project letter and materials pursuant to the zone change amendment (one copy) by:

12 pm on Monday, March 9, 2020

Note: If you have trouble with this deadline, please let me know.

1) Introduction:

A. Though I’ve done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.

B. Legal Description: Please clarify for correctness. Your legal description does not match what is in the Zoning Advanced Map Viewer.

Your Project letter: Tract 20A-1, Paradise North

Per the AGIS Zoning Advanced Map Viewer, this is the Legal Description: TRACT 20A-1 VACATION AMENDED PLAT & REPL OF PARADISE NORTH SITUATED WITHIN THE TOWN OF ALMENDA GRANT CONT 19.088 AC M/LOR 831,473 SQ FT M/L

Our LEGAL AD (draft): Consensus Planning, agent for Holly Partners LLC, request the above action for all or a portion of Lot 20A-1 Block 0000 of Paradise North Subdivision, Located on Unser NW, between Bandelier Drive NW, and McMahon Boulevard NW, approximately 19.09 acres (A-11)

I need to finalize the LEGAL AD text by Monday, March 9.

C. Please tell me about the project that the proposed site plan amendment will make possible. What is the ultimate plan? Is this only for commercial uses / not apartments?

2) Process:

A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:
http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission

B. Timelines and EPC calendar: the EPC public hearing is scheduled for April 9, 2020. Final staff reports will be available one week prior, on April 2.

C. Agency comments are due to me by March 9, 2020. I will email you a copy of the comments and will forward any late comments to you.

3) Notification & Neighborhood Issues:

Notification requirements for a zone change are found in Table 6-1-1 (IDO, p. 328) and are explained in Section 6-4(K), Public Notice (IDO, p. 345).

A. I see that you conducted an informal meeting with representatives from the Tuscany Neighborhood Association and included the meeting notes in your submittal packet. Have any other neighborhood representatives or members of the public contacted you? As of this writing, no one has contacted me.

B. To be consistent with our process, please use the attached Buffer Map and list of property owners provided by Diego Ewell with the Planning Department. What you provided is slightly different. There may be a few more notifications to send out. I would prefer a larger font for the property owner addresses, since I have to cross reference with the notification receipts.

4) Zone Map Amendment – Project Letter

A. Page 1: update the legal description, if revised. Please add text “Legal Description: …..” to draw attention.

B. Page 1: What is the status of the sketch plat? The copy is not signed.

“A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.”

C. Page 3: In your letter, you mentioned a previous site plan:

“The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313). This site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard.”

Please indicate that the site plan is no longer valid (see the PRT notes).

D. Add a brief summary to the project letter describing neighborhood notifications and concerns (if any).

E.

Thanks,

Linda

***
Updated 3/6/20

Jackie, I’ve completed a first review of the proposed zone change request. I have a few questions and some suggestions that will help strengthen the submittal. I am available to answer questions about the process and requirements. Please provide the following:

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Your Project letter: Tract 20A-1, Paradise North

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I need to finalize the LEGAL AD text by Monday, March 9.

Per Russell Brito, we’ll use this legal description: All or a portion of Tract 20A-1 Vacation Amended Plat & Repl of Paradise North situated within the Town of Alameda Grant Cont.

C. Please tell me about the project that the proposed zone map amendment will make possible. What is the ultimate plan? Is this only for commercial uses / not apartments?
2) Process:
A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:

http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission

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C. Agency comments are due to me by March 16, 2020. I will email you a copy of the comments and will forward any late comments to you.

3) Notification & Neighborhood Issues:

Notification requirements for a zone change are found in Table 6-1-1 (IDO, p. 328) and are explained in Section 6-4(K), Public Notice (IDO, p. 345).

A. I see that you conducted an informal meeting with representatives from the Tuscany Neighborhood Association and included the meeting notes in your submittal packet. Have any other neighborhood representatives or members of the public contacted you? Are you aware of any concerns? As of this writing, no one has contacted me.

B. To be consistent with our process, please use the attached Buffer Map and list of property owners provided by Diego Ewell with the Planning Department. What you provided is slightly different. There may be a few more notifications to send out. I would prefer a larger font for the property owner addresses, since I have to cross reference with the notification receipts.

Note: Your version of the buffer map and notifications is acceptable.

4) Zone Map Amendment – Project Letter

A. Page 1: update the legal description. Please add text “Legal Description: ….” to draw attention.

B. Page 1: What is the status of the sketch plat? The copy is not signed.

“A sketch plat was submitted on February 25, 2020 showing a measurable boundary that corresponds to the proposed zone line to be created with approval of the Zone Map Amendment. A copy of that sketch plat is included in the Zone Map Amendment application.”

C. Page 2: Please tell me where this language came from. I don’t see this on the Commuter Corridor on the Centers and Corridors map. Commuter Corridors are not listed on that map.

“Adjacent to the site, Unser Boulevard and McMahon Boulevard are both designated as Commuter Corridors, and Unser Boulevard is also overlaid as a Premium Transit Corridor.”

D. Page 3: In your letter, you mentioned a previous site plan:

“The subject site had a Site Plan for Subdivision approved by the EPC for a shopping center and multiple pad sites in 2005 (Project #1004313). This site plan included right-in, right-out, left-in access from Unser Boulevard and right-in, right-out access from McMahon Boulevard.”

Please indicate that the site plan is no longer valid (see the PRT notes). I suggest you remove this text and any references to it.

E. Add a brief summary to the project letter describing neighborhood notifications and concerns (if any).

Thanks, Linda
PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval. Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).

When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a $50 PRT fee.

**Applicant Name:** Consensus Planning, Inc.  **Phone:** (505) 764-8801  **Email:** fishman@consensusplanning.com

**PROJECT INFORMATION:**
*For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.*

- **Size of Site:** 19.09 acres  **Existing Zoning:** MX-L  **Proposed Zoning:** MX-M
- **Previous case number(s) for this site:** 1004313, Z-85-119
- **Applicable Overlays or Mapped Areas:** Unser Blvd Area (signs)
- **Residential – Type and No. of Units:**
- **Non-residential – Estimated building square footage:**
- **No. of Employees:**
- **Mixed-use – Project specifics:** Multi-family development along Bandelier and commercial uses along Unser and McMahon

**LOCATION OF REQUEST:**
- **Physical Address:** SWC Unser and McMahon
- **Zone Atlas Page (Please identify subject site on the map and attach)** A-11

**BRIEFLY DESCRIBE YOUR REQUEST** (What do you plan to develop on this site?)

- Zoning Map Amendment from MX-L to MX-M for portion of property along Unser and McMahon frontages to be developed with commercial uses.

**QUESTIONS OR CONCERNS** (Please be specific so that our staff can do the appropriate research)

- What is the minimum necessary documentation of the portion of site intended for the zone change for advertisement purposes?
- What is the status of previous site plan for shopping center? Site Plan - DRB to develop site after zone change?
- Prior approval may never have been signed-off. Are there any specific use or design standards from the prior approval to be aware of, status notwithstanding?
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-01 Date: 28 Jan 2020 Time: 2:30 PM

Address: ________________________________________________

AGENCY REPRESENTATIVES AT MEETING:
Planning: Russell Brito
Code Enforcement: _______________________________________
Fire Marshall: ___________________________________________
Transportation: Mojgan Mandandar
Other: ___________________________________________________

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!
THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL.
Additional research may be necessary to determine the exact type of application and/or process needed.
Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: _______________________________________________

SITE INFORMATION:
Zone: MX-L Size: _______________________________________
Use: ___________________________________________________
Overlay Zone: __________________________________________
Comp Plan Area Of: _______________________________ Comp Plan Corridor: _______________________
Comp Plan Center: _________________________ MPOS or Sensitive Lands: _______________________
Parking: _____________________________________________
Landscaping: _________________________________________
MR Area: ____________________________________________
Street Trees: __________________________________________
Use Specific Standards: ________________________________
Dimensional Standards: ________________________________

*Neighborhood Organization/s: ____________________________

*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at www.cabq.gov/neighborhoods/resources.

PROCESS:
Type of Action: Zoning Map Amendment
Review and Approval Body: EPC Is this PRT a requirement? Yes
NOTES:

* Use the entire 19+ acres for notice and advertisement purposes.
* Previous site plan is no longer valid.
  - did not receive DRE sign-off
  - Not a Prior Approval
  - any use or design standards are not valid
* Access From Unser will be determined at time of potential replat.
* Zoning Map Amendment (6-7(F)(3))
NEIGHBORHOOD INFORMATION
Yes, sorry about that. I am still getting used to doing these. Here is the Tuscany NA information. Let me know if you need anything else.

Tuscany NA  
tuscanylandhope@me.com  
P.O. Box 6270  
Albuquerque, NM 87197

Harry Hendriksen  
sthendriksen@comcast.net  
10592 Rio Del Sol NW  
Albuquerque, NM 87114  
505-893-3483

Janelle Johnson  
jljohnson@unm.edu  
P.O. Box 6270  
Albuquerque, NM 87197  
505-277-8770

From: Michael Vos [mailto:vos@consensusplanning.com]  
Sent: Friday, January 17, 2020 4:03 PM  
To: Baca, Vanessa <vanessabaca@cabc.gov>  
Subject: RE: 9999 Unser NW_Neighborhood Meeting Inquiry

Thanks, Vanessa. I just listened to your voicemail, and have a question: don't we have to notify the association(s) across the street too? If so, we are happy to do that if you also send us the Tuscany contacts. No rush to get them today – Tuesday is fine with us since we will probably wait until next week sometime to send the notification offering the meeting.

Best,  
Michael Vos, ASCP  
CONSENSUS PLANNING, INC.  
302 Eighth Street NW  
Albuquerque, NM 87102  
phone (505) 764-9857  
vos@consensusplanning.com

From: Baca, Vanessa <vanessabaca@cabc.gov>  
Sent: Friday, January 17, 2020 3:33 PM  
To: Michael Vos <vos@consensusplanning.com>  
Subject: 9999 Unser NW_Neighborhood Meeting Inquiry

Dear Michael,

See list of associations below and attached regarding your Public Notice Inquiry. In addition, we have included web links below that will provide you with additional details about the new Integrated Development Ordinance (IDO) requirements. The web links also include notification templates that you may utilize when contacting each association. Thank you.

<table>
<thead>
<tr>
<th>Association Name</th>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Address Line 1</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westside Coalition of Neighborhood Associations</td>
<td>Rene</td>
<td>Horvath</td>
<td><a href="mailto:aheard111@gmail.com">aheard111@gmail.com</a></td>
<td>5515 Palomino Drive NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87110</td>
<td>5059852114</td>
</tr>
<tr>
<td>Westside Coalition of Neighborhood Associations</td>
<td>Harry</td>
<td>Hendriksen</td>
<td><a href="mailto:sthendriksen@comcast.net">sthendriksen@comcast.net</a></td>
<td>10592 Rio Del Sol NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87114</td>
<td>5058933483</td>
</tr>
</tbody>
</table>

IDO – Public Notice Requirements & Template: [https://www.cabc.gov/planning/urban-design-development/public-notice](https://www.cabc.gov/planning/urban-design-development/public-notice)


Vanessa Baca  
Neighborhood Communication Liaison, Office of Neighborhood Coordination (ONC)  
City Council Department  
(505) 768-3331 Office  
Website: [www.cabc.gov/neighborhoods](http://www.cabc.gov/neighborhoods)

From: webmastercabc.gov@mail.gov [mailto:webmastercabc.gov@mail.gov] On Behalf Of webmastercabc.gov  
Sent: Friday, January 17, 2020 12:58 PM  
To: Office of Neighborhood Coordination <ons@consensusplanning.com>  
Cc: Office of Neighborhood Coordination <ons@consensusplanning.com>  
Subject: Neighborhood Meeting Inquiry Form: Environmental Planning Commission

Neighborhood Meeting Inquiry Form: Environmental Planning Commission  
If you selected “Other” in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:  
Contact Name  
Michael Vos  
Telephone Number
Legal description of the subject site for this project:
TRACT 30A-1 VACATION AMENDED PLAT & REPL OF PARADISE NORTH SITUATED WITHIN THE TOWN OF ALAMEDA GRANT

Physical address of subject site:
99999 UNSER BLVD NW

Subject site cross streets:
Unser and McMahon Blvd

Other subject site identifiers:

SWC of the referenced intersection:

This site is located on the following zone atlas page:
A-11

This message has been analyzed by Deep Discovery Email Inspector.
Dear Neighbors:

This email is notification that Consensus Planning is preparing an application for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Holly Partners.

The subject site is a portion of the vacant 19.09-acre tract located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW. The legal description is Tract 20A1, Paradise North.

The site is currently zoned MX-L. The applicant is proposing a Zoning Map Amendment from the MX-L zone to the MX-M zone for a portion of the property to allow for additional commercial uses along the Unser and McMahon street frontages for future development of the site.

As part of the IDO regulations, we are providing you an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please do not hesitate to email us at vos@consensusplanning.com, or fishman@consensusplanning.com, or contact us by phone at 505-764-9801. Per the IDO, you have 15 days or until February 5, 2020 to request a meeting. If you do not want to schedule a meeting, or support our request, please also let us know.

Sincerely,

Michael Vos, AICP
CONSENSUS PLANNING, INC.
302 Eighth Street NW
Albuquerque, NM 87102
phone (505) 764-9801
vos@consensusplanning.com
I request a meeting for the Application
Harry Hendriksen
Tuscany

On 1/21/2020 6:04 PM, Michael Vos wrote:

Dear Neighbors:

This email is notification that Consensus Planning is preparing an application for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of Holly Partners.

The subject site is a portion of the vacant 19.09-acre tract located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW. The legal description is Tract 20A1, Paradise North.

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Sincerely,
Michael Vos, AICP
CONSENSUS PLANNING, INC.
302 Eighth Street NW
Albuquerque, NM 87102
phone (505) 764-9801
vos@consensusplanning.com
MEETING MINUTES

Project: Unser and McMahon Zoning Map Amendment - EPC

Subject: Neighborhood Association Pre-Application Meeting

Date: Thursday, February 6, 2020

Attendance: Harry Hendriksen, Tuscany NA and WCONA
Janice Bauer, Tuscany NA
Jackie Fishman, Consensus Planning
Michael Vos, Consensus Planning

Summary
Consensus Planning contacted representatives from Tuscany Neighborhood Association and the West Side Coalition to inform them of an upcoming zone change application for the 19-acre property at the southwest corner of Unser and McMahon Boulevards. Harry Hendriksen requested an informal meeting with Consensus Planning, which was held at the Starbucks located nearby the proposed project site.

Discussion Items
• New owners recently purchased the property.
• The zoning proposal is for MX-M along the Unser and McMahon street frontages and keeping approximately 9 acres of MX-L to the rear adjacent to the existing houses.
• The applicant is proposing multi-family residential with a maximum height of 35 feet on the existing MX-L.
• The MX-M zone will allow for a wider variety of commercial uses permissively for the edges of the property. Prior owners were in the zoning conversion process and staff recommended NR-C, which would have allowed more intense non-residential. However, the owners did not want to give up the multi-family option, so the conversion was withdrawn.
• The neighbors would like to see a grocery store develop such as Trader Joe’s or a neighborhood-style Walmart; however, there has been no interest in this site from any grocery stores.
• The developer will likely be required to finish the construction of Bandelier Drive.
• Access points were discussed as Unser is a limited access facility controlled by the Roadway Access Control Committee of the Mid-Region Council of Governments. The previously approved site plan showed access along Unser Boulevard and McMahon Boulevard.

Concerns
• No concerns noted.
Areas of Agreement
  • Would like to see the long vacant lot built out.
  • Neighbors supported the proposed rezoning.

Next Steps
  • Submitting an application on February 27th for a hearing on April 9th.
Dear Applicant,

See list of associations below regarding your Public Notice Inquiry. In addition, we have included web links below that will provide you with additional details about the new Integrated Development Ordinance (IDO) requirements. The web links also include notification templates that you may utilize when contacting each association. Thank you.

<table>
<thead>
<tr>
<th>Association Name</th>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Address Line 1</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuscany NA</td>
<td>Harry</td>
<td>Hendriksen</td>
<td><a href="mailto:hihen@comcast.net">hihen@comcast.net</a></td>
<td>10592 Rio Del Sol NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87114</td>
<td>5058903481</td>
</tr>
<tr>
<td>Tuscany NA</td>
<td>Janelle</td>
<td>Johnson</td>
<td><a href="mailto:vistadelnorte@me.com">vistadelnorte@me.com</a></td>
<td>PO Box 6270</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87197</td>
<td>5053440822</td>
</tr>
<tr>
<td>Westside Coalition of Neighborhood Associations</td>
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<td>Hendriksen</td>
<td><a href="mailto:hihen@comcast.net">hihen@comcast.net</a></td>
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<td>5515 Palomino Drive NW</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87120</td>
<td>5058982114</td>
</tr>
</tbody>
</table>

IDO – Public Notice Requirements & Template: [https://www.cabq.gov/planning/urban-design-development/public-notice](https://www.cabq.gov/planning/urban-design-development/public-notice)


Thanks,

Dalaina L. Carmona
Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dlcarmona@cabq.gov or ONC@cabq.gov
Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender.
and destroy all copies of this message.

From: webmaster@cabq.gov@mailgun.org [mailto:webmaster@cabq.gov@mailgun.org] On Behalf Of webmaster@cabq.gov
Sent: Monday, February 24, 2020 10:48 AM
To: Office of Neighborhood Coordination <vos@consensusplanning.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

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
Michael Vos
Telephone Number
5057649801
Email Address
vos@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:
Tract 20A-1, Paradise North
Physical address of subject site:
99999 UNSER BLVD NW
Subject site cross streets:
Unser and McMahon Blvd
Other subject site identifiers:
Southwest corner of the intersection
This site is located on the following zone atlas page:
A-11

This message has been analyzed by Deep Discovery Email Inspector.

This message has been analyzed by Deep Discovery Email Inspector.
February 27, 2020

Harry Hendriksen
Westside Coalition
10592 Rio Del Sol NW
Albuquerque, NM 87114

Rene Horvath
Westside Coalition
5515 Palomino Drive NW
Albuquerque, NM 87120

Dear Neighbors:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC. We met with members of the Tuscany Neighborhood Association on February 6, 2020 and they indicated support for this request. Notes from that meeting are included with our application.

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

**The EPC Public Hearing for this application will be held on April 9, 2020 starting at 8:30 am in the Basement Hearing Room at Plaza del Sol, 600 2nd Street NW, Albuquerque, NM 87102.**

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: [https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/](https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/) to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3337.

Sincerely,

[Signature]

Jaqueline Fishman, AICP
Principal

Attached: Zone Atlas Map A-11
February 27, 2020

Harry Hendriksen
Tuscany NA
10592 Rio Del Sol NW
Albuquerque, NM 87114

Janelle Johnson
Tuscany NA
PO Box 6270
Albuquerque, NM 87197

Dear Neighbors:

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Sincerely,

Jaqueline Fishman, AICP
Principal

Attached: Zone Atlas Map A-11
Harry Hendriksen  
Tuscany NA and WSCONA  
10592 Rio Del Sol NW  
Albuquerque, NM 87114

Janelle Johnson  
Tuscany NA  
PO Box 6270  
Albuquerque, NM 87197

Rene Horvath  
Westside Coalition  
5515 Palomino Drive NW  
Albuquerque, NM 87120
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Sincerely,

Jacqueline Fishman, AICP
Principal
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
P: 505.764.9801
Dear Tuscany Neighbors:

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Sincerely,

Jacqueline Fishman, AICP
Principal
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
P: 505.764.9801
February 27, 2020

Property Owner:

NOTICE OF PUBLIC HEARING
Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Public Hearing on Thursday, April 9, 2020 at 8:30 a.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following item.

EPC RULES OF CONDUCT OF BUSINESS
A copy of the Rules of Conduct is posted on the Planning Department’s website at http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact Russell Brito, Current Planning Division Manager, at (505) 924-3337 or at rbrito@cabq.gov.

Staff reports and supplemental materials are posted on the City website, http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes, on Thursday, April 2, 2020.

REQUEST
Consensus Planning, agent for Holly Partners LLC, requests a Zoning Map Amendment - EPC for Tract 20A-1, Vacation Amended Plat & Replat of Paradise North situated within the Town of Alameda Grant, zoned MX-L (Mixed-Use Low Intensity), located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and bounded by Bandelier on its south and west, containing 19.09 acres. The request is for a zone change to MX-M (Mixed-Use Moderate Intensity) for an approximately 10.2 portion of the property along the Unser and McMahon frontages (see attached zone atlas page) to allow for a greater variety of commercial uses in development of the property. The remaining 8.89 acres will retain its MX-L zoning.

If you have questions or need additional information regarding this request contact Mr. Russell Brito, City Planning at (505) 924-3337 or at rbrito@cabq.gov.

Sincerely,

Consensus Planning, Inc.
CAMPBELL DAVID
10716 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3403

BECKETT GINGER S
10708 CAPRICORN PL NW
ALBUQUERQUE NM 87114

ANAYA PEGGY
10644 CAPRICORN PL NW
ALBUQUERQUE NM 87114
LAWSON JACKIE LYN
10636 ARABELLA DR NW
ALBUQUERQUE NM 87114

JOHNSON-GONZALES KALEY &
GONZALES VICTORIA
10628 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3402

GAITER MANUELA
10704 CAPRICORN PL NW
ALBUQUERQUE NM 87114
MIDDAUGH JUAN JAVIER & LILY ANN
10644 ARABELLA DR NW
ALBUQUERQUE NM 87114

ZAMBRANO RICHARD & RAQUEL
10632 CAPRICORN PL NW
ALBUQUERQUE NM 87114

MUELLER RICHARD D & KAMDEN C
10628 ARABELLA DR NW
ALBUQUERQUE NM 87114
GOODWIN NICHOLAS A & TASHA
10620 ARABELLA DR NW
ALBUQUERQUE NM 87114

TRUJILLO JEANETTE MARIA ELENA
10624 ARABELLA DR NW
ALBUQUERQUE NM 87114

GALLEGOS CHRIS W & JULIANNA
10608 CAPRICORN PL NW
ALBUQUERQUE NM 87114
ORTIZ JOE LARRY & KATE M
10616 ARABELLA DR NW
ALBUQUERQUE NM 87114

WILSON EDDIE T
10600 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3401

SMITH ROSE ELLEN
10600 ARABELLA DR NW
ALBUQUERQUE NM 87114
DIAMOND SHAMROCK STATIONS INC
ATTN: REAL ESTATE DEPT
1 VALERO WAY
SAN ANTONIO TX 78249-1616

ALVARADO DEVELOPMENT LLC
924 W COLFAX AVE SUITE 302
DENVER CO 80204-2629

DOMENICI CARLA PRANDO
802 PARKLAND CIR SE
ALBUQUERQUE NM 87108-3321
BASSALLECK KEVIN  
8432 CHAMBERS CT NE  
ALBUQUERQUE NM 87111-2166

ROTTINGHAUS MATTHEW & JENNIFER  
8020 E SNAKEROOT DR  
TUCSON AZ 85710-8562

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WYMER JOSEPH J & MONICA L
25891 CENTURY OAKS BLVD
HOCKLEY TX 77447

LOS SUENOS DE ALBQ HOMEOWNERS
ASSOC C/O AMMRE INC
2823 RICHMOND DR NE
ALBUQUERQUE NM 87107-1918
LHUPCHUG DAWA N & BHUTI T
TRUSTEES LHUPCHUG RVT
11400 EAGLE ROCK AVE NE
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PETESENN INV-MCMANON LLC C/O JAMES A PETESENN C/O PETESENN PROPERTIES 2325 SAN PEDRO DR NE SUITE 2-A ALBUQUERQUE NM 87110-4121

RAMOS YVONNE 10804 SLUMBER CT NW ALBUQUERQUE NM 87114

GIP HIEH ANH & KIM S UNG TRUSTEES GIP FAMILY TRUST 408 BRIARWOOD DR SOUTH SAN FRANCISCO CA 94080
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10740 CAPRICORN PL NW
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10728 CAPRICORN PL NW
ALBUQUERQUE NM 87114

FELDER KATHLEEN M
10519 LA TRAVIATTA PL NW
ALBUQUERQUE NM 87114-3855

TRES ESQUINAS LIMITED COMPANY
PO BOX 6548
ALBUQUERQUE NM 87197-6548
MAK REALTYMEDTECH HOLDINGS LLC
C/O WALGREEN CO ATTN: TAX DEPT
P O BOX 901
DEERFIELD IL 60015-0901

CRANER PAULLETTE MARIE
10724 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3403

BONNIN EDUARDO A & LADONNA M
10712 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3403
CRANDALL PATRICIA RIVERA
10700 CAPRICORN PL NW
ALBUQUERQUE NM 87114

RICHARDS TAMELA & EDWARD S JR
10636 CAPRICORN PL NW
ALBUQUERQUE NM 87114

VALDEZ TIMOTHY A & OWEN ALICIA V
& RICHARD
10632 ARABELLA DR NW
ALBUQUERQUE NM 87114-2707
LOMAX PHIL
10624 CAPRICORN PL NW
ALBUQUERQUE NM 87114

GRANT MARY C
10616 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3401

GURULE MIKE A & MARTHA V
10604 ARABELLA DR NW
ALBUQUERQUE NM 87114-2707
SLEMP STEVE D
10720 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3403

MONTOYA CHRISTOPHER J &
MONTOYA ALICIA D
10500 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3400
April 7, 2020

Note to file:

Due to warnings issued regarding the COVID-19 (coronavirus) situation, the EPC Hearing was delayed. Because of that, the Applicant had to re-notice the Neighborhood Associations and property owners.

See the attached documents for proof of the Applicant’s re-notice to the neighborhood associations and surrounding property owners. Note: on the property owner list, the Applicant received several letters returned from the first mailing, so they accessed the County Assessor information and updated accordingly. The yellow highlighted ones are the same owner as before with an updated address and teal highlight is a different owner since the AGIS data appears to be slightly outdated.

*Linda Rumpf*

*Staff Planner*
Dear Neighbors:

This email serves to update you on our application for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC.

The originally scheduled EPC hearing on April 9th was postponed due to the ongoing COVID-19 situation and rescheduled for a remote hearing via the software Zoom (see information below).

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

The EPC Public Hearing for this application will be held on Thursday, April 23, 2020 starting at 8:40 am via the below Zoom remote-meeting link and call-in numbers. You may join the remote meeting using a computer with a microphone and/or camera or by phone audio using the following information:

Join Zoom Meeting
https://cabq.zoom.us/j/822925114

Meeting ID: 822 925 114

One tap mobile
+13462487799,,822925114# US (Houston)
+16699006833,,822925114# US (San Jose)

Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 253 215 8782 US
+1 301 715 8592 US

Meeting ID: 822 925 114
Find your local number: https://cabq.zoom.us/u/adRJ16SIH3

Sincerely,
Michael Vos, AICP
CONSENSUS PLANNING, INC.
302 Eighth Street NW
Albuquerque, NM 87102
phone (505) 764-9801
vos@consensusplanning.com
April 6, 2020

Dear Neighbors:

This letter serves to update you on our application for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC, which you expressed support for at our February 6, 2020 Neighborhood Meeting.

The originally scheduled EPC hearing on April 9th has been postponed due to the ongoing COVID-19 situation and rescheduled for a remote hearing via the software Zoom (see information below).

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

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Meeting ID: 822 925 114
Find your local number: https://cabq.zoom.us/u/adRJ16SIH3

Sincerely,

Jaqueline Fishman, AICP
Principal

Attached: Zone Atlas Map A-11
April 6, 2020

Dear Neighbors:

This letter serves to update you on our application for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Holly Partners, LLC. We met with members of the Tuscany Neighborhood Association on February 6, 2020, where they indicated support for our request.

The originally scheduled EPC hearing on April 9th has been postponed due to the ongoing COVID-19 situation and rescheduled for a remote hearing via the software Zoom (see information below).

The subject site consists of an approximately 10.2-acre portion of Tract 20A-1, Paradise North located at the southwest corner of Unser Boulevard and McMahon Boulevard. The entire 19.09-acre property is zoned MX-L (Mixed-use Low Intensity) and is designated as an Area of Change. The applicant is requesting a zone change to MX-M (Mixed-use Moderate Intensity) for the 10.2 acres with frontage along Unser and McMahon (see attached zone atlas page) to allow for additional commercial uses in the development of the property. The remaining 8.89 acres will retain its MX-L zoning.

The EPC Public Hearing for this application will be held on Thursday, April 23, 2020 starting at 8:40 am via the below Zoom remote-meeting link and call-in numbers. You may join the remote meeting using a computer with a microphone and/or camera or by phone audio using the following information:

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Find your local number: https://cabq.zoom.us/u/adRJ16SIH3

Sincerely,

Jaqueline Fishman, AICP
Principal

Attached: Zone Atlas Map A-11
Janelle Johnson  
Tuscany Neighborhood Association  
PO Box 6270  
Albuquerque, NM 87197

Rene Horvath  
Westside Coalition  
5515 Palomino Drive NW  
Albuquerque, NM 87120

Harry Hendriksen  
Tuscany NA and WSCONA  
10592 Rio Del Sol NW  
Albuquerque NM 87114
April 6, 2020

Property Owner:

UPDATED NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Public Hearing on Thursday, April 23, 2020 at 8:40 a.m. to consider the following item. Due to the ongoing COVID-19 situation, this will be a remote public hearing via the below Zoom remote-meeting link and call-in numbers. You may join the remote meeting using a computer with a microphone and/or camera or by phone audio using the following information:

Join Zoom Meeting
https://cabq.zoom.us/j/822925114

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Find your local number: https://cabq.zoom.us/u/adRJ16SIH3

EPC RULES OF CONDUCT OF BUSINESS

A copy of the Rules of Conduct is posted on the Planning Department’s website at http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission. For more information, please contact Russell Brito, Current Planning Division Manager, at (505) 924-3337 or at rbrito@cabq.gov.

Staff reports and supplemental materials are posted on the City website, http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes, on Thursday, April 16, 2020.

REQUEST

Consensus Planning, agent for Holly Partners LLC, requests a Zoning Map Amendment - EPC for Tract 20A-1, Vacation Amended Plat & Replat of Paradise North situated within the Town of
Alameda Grant, zoned MX-L (Mixed-Use Low Intensity), located at the southwest corner of Unser Boulevard NW and McMahon Boulevard NW and bounded by Bandelier on its south and west, containing 19.09 acres. The request is for a zone change to MX-M (Mixed-Use Moderate Intensity) for an approximately 10.2 portion of the property along the Unser and McMahon frontages (see attached zone atlas page) to allow for a greater variety of commercial uses in development of the property. The remaining 8.89 acres will retain its MX-L zoning.

If you have questions or need additional information regarding this request contact Mr. Russell Brito, City Planning at (505) 924-3337 or at rbrito@cabq.gov.

Sincerely,
Consensus Planning, Inc.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State Zip</th>
</tr>
</thead>
<tbody>
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<td>Thompson Ivan F &amp; Georgianna</td>
<td>10508 Capricorn Pl NW</td>
<td>Albuquerque, NM 87114</td>
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<td>Torres Mary Rosalita</td>
<td>10515 La Traviatta Pl NW</td>
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<td>Quinonez Gilberto</td>
<td>1301 W Avenida Pl NW Unit L</td>
<td>Lovington, NM 88260</td>
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<td>Goodwin Nicholas A &amp; Tasha</td>
<td>10620 Arabella Dr NW</td>
<td>Albuquerque, NM 87114</td>
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<td>Albuquerque, NM 87114</td>
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<td>Albuquerque, NM 87114</td>
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<td>Albuquerque, NM 87114-3402</td>
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<td>Zambrano Richard &amp; Raquel</td>
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<td>Lawson Jackie Lyn</td>
<td>10636 Arabella Dr NW</td>
<td>Albuquerque, NM 87114</td>
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<tr>
<td>Middaugh Juan Javier &amp; Lily Ann</td>
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<tr>
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JAMES A PETERSON C/O PETERSON  
PROPERTIES  
2325 SAN PEDRO DR NE SUITE 2-A  
ALBUQUERQUE NM 87110-4121

PETERSON INV-MCM A HON LLC C/O  
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ALVARADO DEVELOPMENT LLC  
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LOS SUENOS HOMEOWNERS ASSOC
PO Box 67590
ALBUQUERQUE NM 87193-7590

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FELDER KATHLEEN M
10519 LA TRAVIATTA PL NW
ALBUQUERQUE NM 87114-3855
GURULE MIKE A & MARTHA V
10604 ARABELLA DR NW
ALBUQUERQUE NM 87114-2707

GRANT MARY C
10616 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3401

LOMAX PHIL
10624 CAPRICORN PL NW
ALBUQUERQUE NM 87114
BECKETT GINGER S  
10708 CAPRICORN PL NW  
ALBUQUERQUE NM 87114  

SLEMP STEVE D  
10720 CAPRICORN PL NW  
ALBUQUERQUE NM 87114-3403  

ANAYA PEGGY  
10644 CAPRICORN PL NW  
ALBUQUERQUE NM 87114
LAWSON JACKIE LYN
10636 ARABELLA DR NW
ALBUQUERQUE NM 87114

JOHNSON-GONZALES KALEY &
GONZALES VICTORIA
10628 CAPRICORN PL NW
ALBUQUERQUE NM 87114-3402

DIAMOND SHAMROCK STATIONS INC
ATTN: REAL ESTATE DEPT
PO Box 690110
SAN ANTONIO TX 78269-0110
TRUJILLO JEANETTE MARIA ELENA
10624 ARABELLA DR NW
ALBUQUERQUE NM 87114

GAITER MANUELA
10704 CAPRICORN PL NW
ALBUQUERQUE NM 87114

MIDDAUGH JUAN JAVIER & LILY ANN
10644 ARABELLA DR NW
ALBUQUERQUE NM 87114