



## Environmental Planning Commission

### Staff Report

Agenda Number: 6  
Project #: PR-2021-005538  
Case #: RZ-2021-00017  
Hearing Date: August 19, 2021

<b>Agent</b>	SMPC Architects
<b>Applicant</b>	540 Chama LLC
<b>Request</b>	<b>Zoning Map Amendment (zone change)</b>
<b>Legal Description</b>	Lots 13, 14, 15 & 16, Block 9, Del Norte Subdivision
<b>Location</b>	Between Roma Avenue and Marquette Avenue NE
<b>Size</b>	Approximately 1.0-acre
<b>Existing Zoning</b>	MX-T
<b>Proposed Zoning</b>	MX-M

### Staff Recommendation

*Approval of RZ-2021-00017, based on the Findings beginning on page 26.*

*Staff Planner  
Sergio Lozoya*

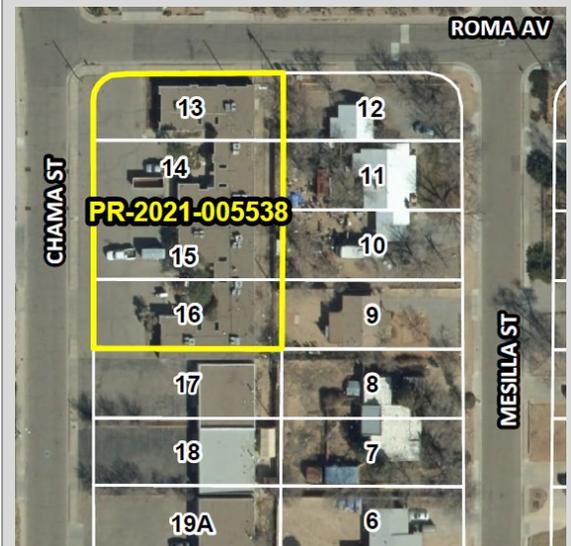
### Summary of Analysis

The request is for a Zoning Map Amendment (zone change) for an approximately 1.0-acre site, consisting of four lots located at 540 Chama NE, between Roma Ave. NE, and Marquette Ave. NE (the subject site). The request was deferred at the July 15, 2021 EPC hearing.

The subject site is zoned MX-T (Mixed-Use-Transition). The applicant is requesting a zone change to MX-M (Mixed-Use – Medium Intensity) to facilitate development of a carwash to support an existing car dealership, though other uses in the MX-M zone would also become permissive.

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

The affected neighborhood organizations are the La Mesa Community Improvement Association, and the District 6 Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were notified as required. Staff is not aware of any opposition, and has received a few e-mails in support of the request. Staff recommends approval.



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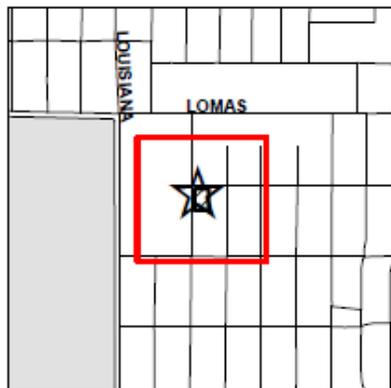
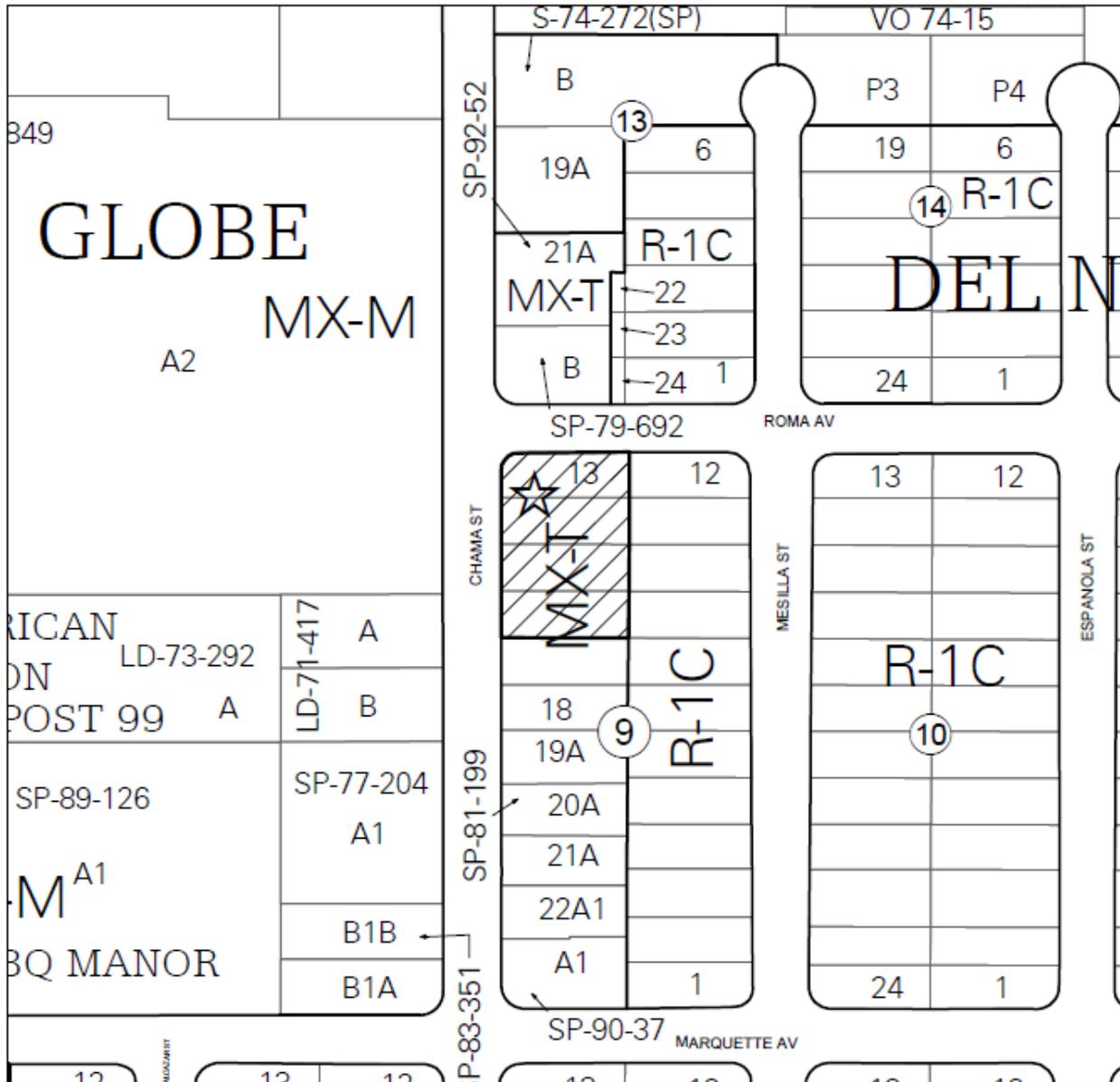
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**IDO ZONING MAP**

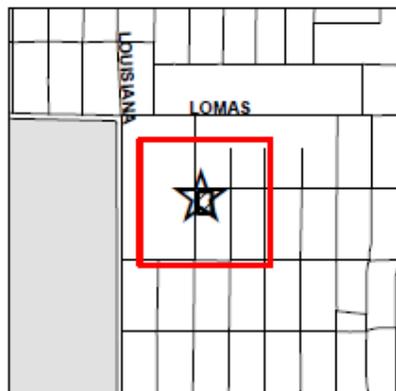
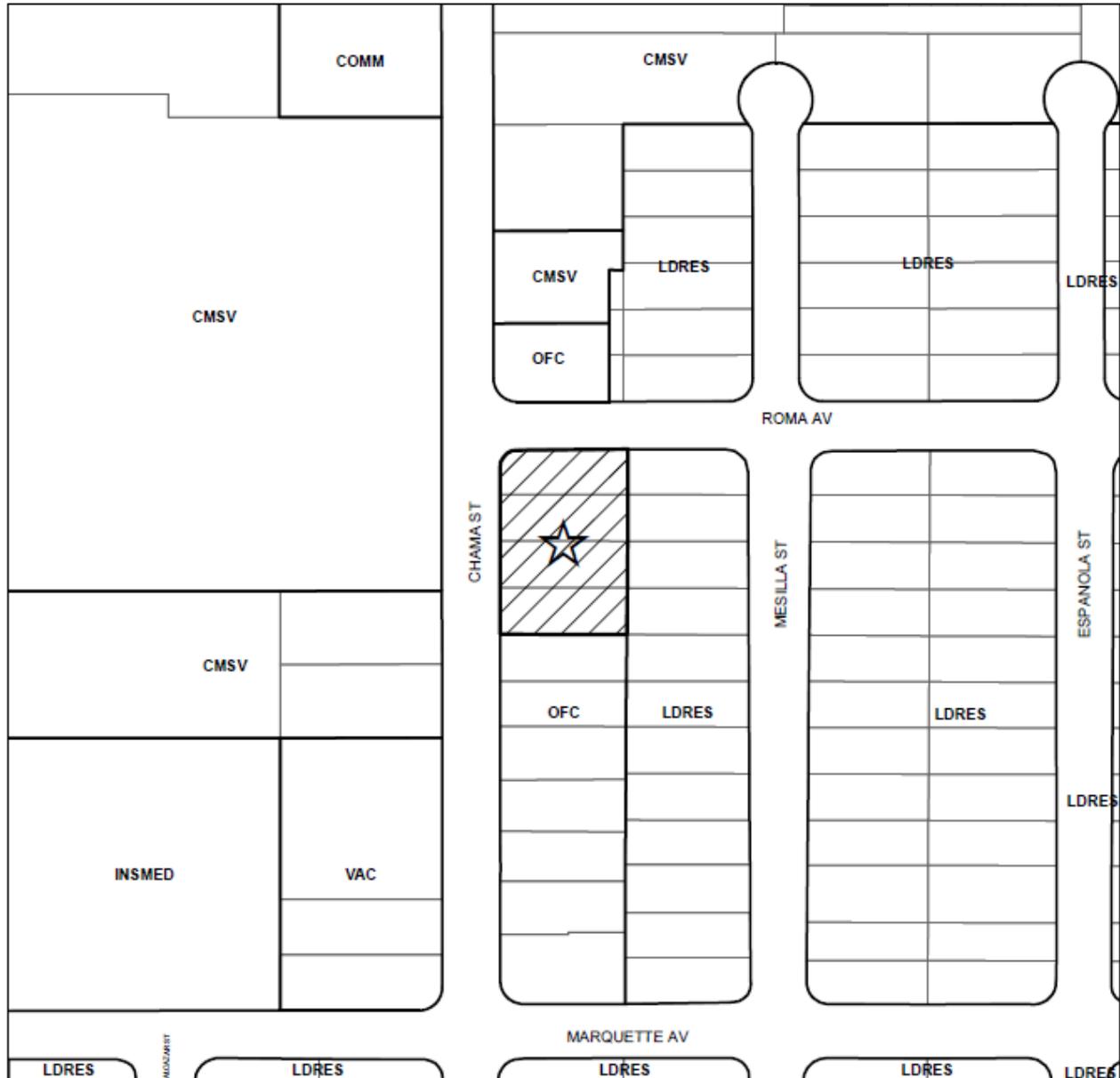
Note: Gray shading indicates County.



1 inch = 150 feet

Hearing Date:  
 7/15/2021  
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Zone Atlas Page:  
 K19



**LAND USE MAP**

Note: Gray shading  
 Indicates County.

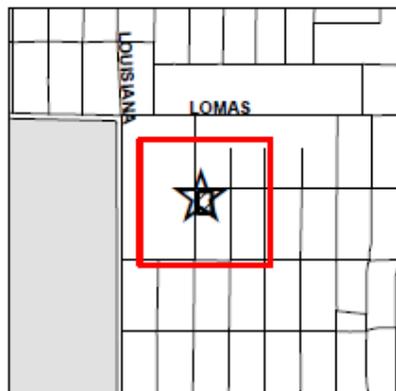
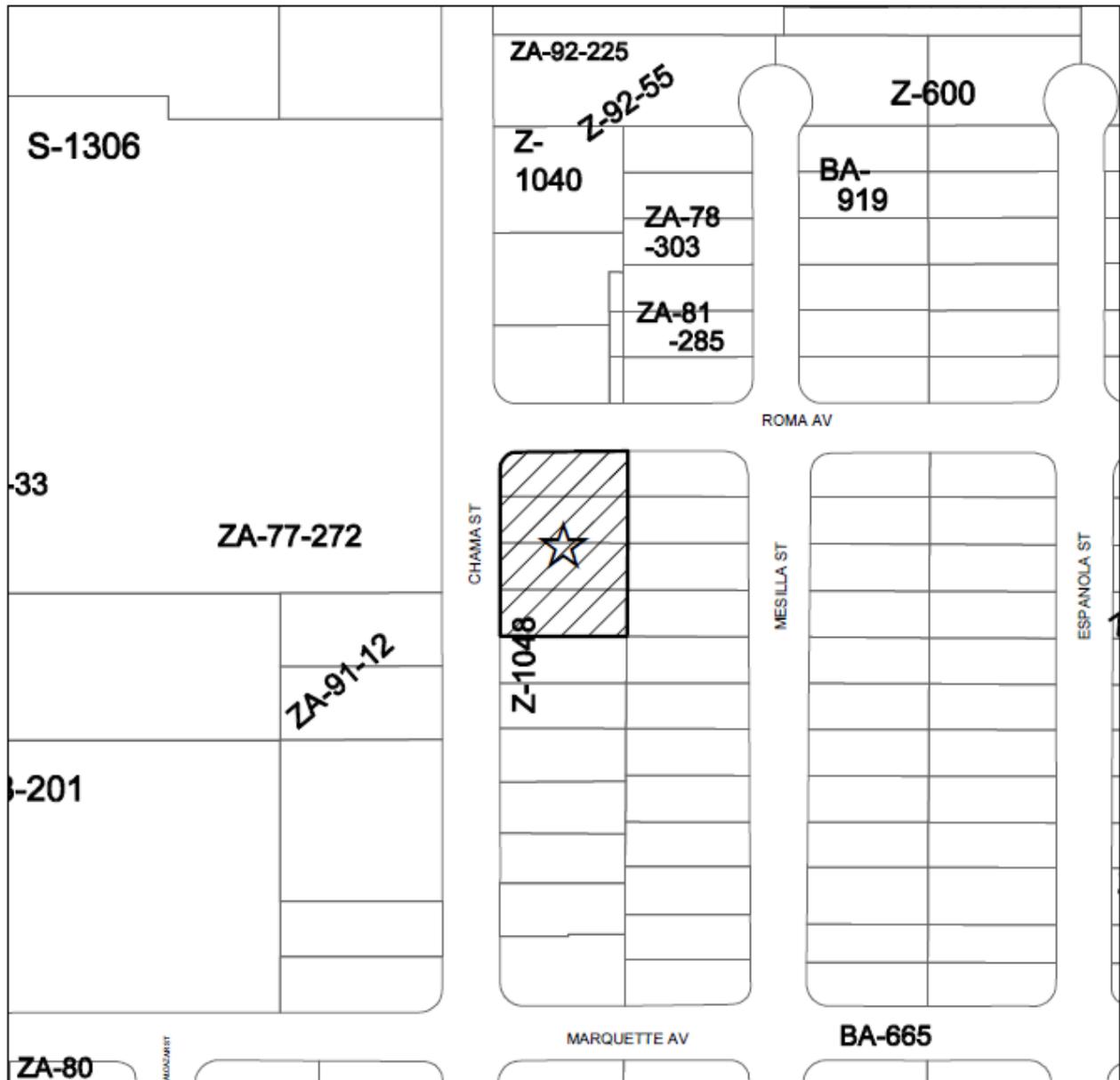
- Key to Land Use Abbreviations**
- LDRES | Low-density Residential
  - MULT | Multi-family
  - COMM | Commercial Retail
  - CMSV | Commercial Services
  - OFC | Office
  - IND | Industrial
  - INSMED | Institutional / Medical
  - ED | Educational
  - APRT | Airport
  - TRANS | Transportation
  - AGRI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



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### HISTORY MAP

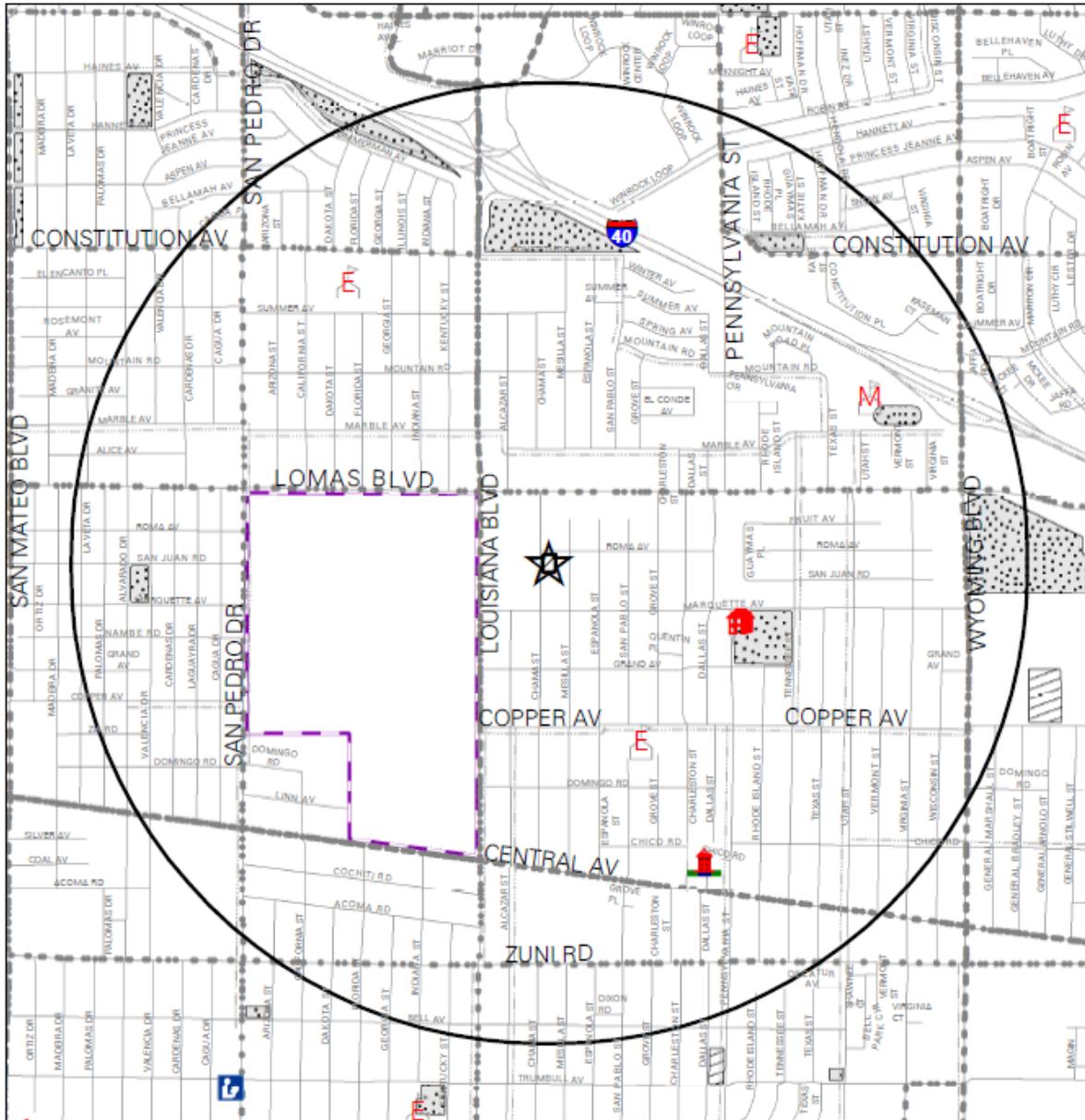
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**Public Facilities Map with One-Mile Buffer**

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

**I. INTRODUCTION**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area</b>	<b>Land Use</b>
<b>Site</b>	MX-T	Area of Consistency	Vacant
<b>North</b>	MX-T	Area of Consistency	Vacant
<b>South</b>	MX-T	Area of Consistency	Office
<b>East</b>	R-1C	Area of Consistency	Low-density Residential
<b>West</b>	MX-M	Area of Change	Commercial Services

**Request**

The request is for a Zoning Map Amendment (zone change) for an approximately 1.0-acre site, legally described as Lots 13, 14, 15 & 16, Block 9, Del Norte Subdivision, located at 540 Chama NE, between Roma Ave. NE, and Marquette Ave. NE (the subject site).

The subject site consists of four vacant lots that comprise the southeast corner of Chama St. NE, and Roma Ave NE. The subject site is zoned MX-T (Mixed-Use-Transition). The applicant is requesting a zone change to MX-M (Mixed-Use – Medium Intensity) to facilitate development of a carwash to support an existing car dealership, though other uses in the MX-M zone would also become permissive.

The applicant originally requested a zone change from MX-T to NR-C (Non-Residential Commercial), but staff found that the request would create a “spot zone” and could be harmful to the adjacent neighborhood (primarily zoned R-1). Staff worked with the applicant and determined the MX-M zone would be generally more appropriate in this setting.

**EPC Role**

The EPC is hearing this case because the EPC is required to hear all zone change cases, regardless of the 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 request is a quasi-judicial matter.

**Context**

The subject site is located one block southeast of the intersection at Lomas Blvd NE, and Louisiana Blvd NE. Louisiana Blvd is a Major Transit Corridor characterized by commercial uses such as car dealerships, restaurants, and general retail.

The lots south of the subject site contain small office buildings, and single-family dwellings. The lots to the east consist primarily of single-family dwellings. The lots to the north contain single-

family dwellings, offices, and light vehicle sales and rental. The lots to the west contain light vehicle sales and rental, a restaurant, and an assisted living center.

The subject site is in an Area of Consistency as designated by the Comprehensive Plan, and borders an Area of Change. It is not within any Character Protection Overlay (CPO), View Protection Overlay (VPO), or Historic Protection Overlay (HPO). The subject site is not located within any designated Centers, but is near two Major Transit Corridors: Louisiana Blvd NE, and Lomas Blvd NE. The subject site is located within the Near Heights Community Planning Area (CPA).

### ***History***

The subject site is located within the boundaries of the La Mesa Sector Development Plan, which was enacted in 1976. The La Mesa area is located immediately east of the New Mexico State Fair Grounds. This area began to develop before being annexed by the City in the late 1940s. The general goal of the La Mesa SDP was to make improvements in the area to prevent and reverse blight, enhance the residential area, and incorporate commercial development on the north, east, and south.

The subject site was at the EPC in 1961 (Z-1048) for a Zoning Map Amendment request. The request was to amend the zoning for a strip of land along Chama St NE (including the subject site) from R-1 (Residential) to O-1 (Office). The request was made to provide an appropriate buffer from the neighboring C-2 zoning just east of the La Mesa area. The request was approved.

Upon adoption of the Integrated Development Ordinance (IDO) in May 2018, which replaced the City's zoning code, the subject site's zoning converted from O-1 (Office) to its current zoning of MX-T (Mixed-Use – Transition).

### ***Transportation System***

The Long-Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies the functional classification of roadways.

Chama St. NE, and Roma Ave NE are classified as local streets.

### ***Comprehensive Plan Corridor Designation***

The subject site is not located within a Comprehensive Plan Corridor Designation, but is one block east of Louisiana Blvd NE, and one block south of Lomas Boulevard NE, both of which are designated as Major Transit Corridors.

### ***Comprehensive Plan Community Planning Area Designation***

The subject site is part of the Near Heights Community Planning Area (CPA). The Near Heights CPA is characterized by ethnic and culturally diversity of residents, varying architectural styles and building scale, depending on the era in which the neighborhood was developed. The Near Heights CPA is considered to have excellent public transit access and transit supportive development patterns along Central Ave.

### ***Overlays***

The subject site is not within any Historic Protection Overlay (HPO), View Protection Overlay (VPO), or Character Protection Overlay (CPO) zones.

### ***Trails/Bikeways***

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies existing and proposed routes and trails.

No existing bikeway systems are present on or near the subject site. The LRBS map proposes a buffered bike path on Louisiana Blvd NE, and a bike lane on Copper Ave NE. The nearest existing bike path is on Pennsylvania St NE, north of Lomas Blvd NE.

### ***Transit***

The area is served by several routes. ABQ Ride Route 11 passes near the subject site as it runs along Lomas Boulevard NE. ABQ Ride Routes 766 & 157 pass near the subject site as they run along Louisiana Boulevard NE. Route 11-Lomas Blvd runs weekdays from early morning into the evening, and provides service on the weekends. Route 157- Montano/Uptown/Kirtland runs weekdays from early morning into the evening, and provides service on the weekends. Route 766 ART Redline provides rapid transit service, for some stops a bus comes by as frequently as every 15 minutes.

### ***Public Facilities/Community Services***

Please refer to the Public Facilities Map (Page 7), which shows public facilities and community services located within one mile of the subject site.

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

### ***Integrated Development Ordinance (IDO)***

#### ***Definitions***

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

Car Wash: A building, or portion of a building, containing facilities for the primary purpose of washing automobiles using production line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices or providing space, water, equipment, or soap for the complete or partial hand- washing of such automobiles, whether by operator or by customer.

Conditional Use: A land use that is allowable in a particular zone district subject to conditional approval by the ZHE based on a review of the potential adverse impacts of the use and any appropriate mitigations to minimize those impacts on nearby properties. Table 4-2-1 indicates whether a particular conditional use is primary (listed as C) or accessory (listed as CA) or allowed conditionally in a primary building that has been vacant for a specified amount of time (listed as CV).

Infill Development: An area of platted or unplatted land that includes no more than 20 acres of land and where at least 75 percent of the adjacent lots are developed and contain existing primary buildings.

Neighborhood Edge: Any distance required by a standard in Section 14-16-5-9 (Neighborhood Edges) is measured from the nearest point on the nearest lot line of the Protected Lot to the nearest point on the Regulated Lot that contains the feature being regulated.

Outdoor Vehicle Storage: The keeping of motor vehicles or equipment not used for transportation purposes on an active, regular, or continuing basis outside of a building, generally for a period of 7 calendar days or more, whether or not the motor vehicle is titled, licensed, or operable, either as a primary use or accessory use, but not including a salvage yard. See also Salvage Yard and Vehicle Definitions for Heavy Vehicle and Equipment Sales, Rental, Fueling, and Repair; Light Vehicle Repair; and Light Vehicle Sales and Rental.

Mixed-use Development: Properties with residential development and non-residential development on a single lot or premises. For the purposes of this IDO, mixed-use development can take place in the same building (i.e. vertical mixed-use) or separate buildings on the same lot or premises (i.e. horizontal mixed-use).

Permissive Use: A land use that is allowed by-right in a particular zone district, either as a primary or accessory use. Permissive uses are listed as P in Table 4-2-1. Permissive Accessory uses are listed as A in Table 4-2-1.

### **Zoning**

The subject site is zoned MX-T [Mixed-Use-Transition Zone District, IDO 14-16-2-4(A)] that was assigned upon the adoption of the Integrated Development Ordinance (IDO) on May 17, 2018 based upon the prior land use of O-1. The previous generalized category was for office uses.

The purpose of the MX-T zone district is to provide a transition between residential neighborhoods and more intense commercial areas. Primary land uses include a range of low-density residential, small-scale multi-family, office, institutional, and pedestrian-oriented commercial uses. Allowable uses are shown in Table 4-2-1. Specific permissive uses are listed in Table 4-2-1: Allowable Uses.

The request is to change the subject site's zoning to MX-M [Mixed-Use – Medium Intensity, IDO 14-16-2-4(C)(1)]. 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. Specific permissive uses are listed in Table 4-2-1: Allowable Uses.

Generally, MX-T and MX-M share many of the same Allowable Uses. There are a couple of key differences between the MX-T and MX-M zones. In general, MX-M allows residential uses that are typically denser than those allowed in MX-T, and offers a slightly wider range of Commercial and Industrial Uses.

For a discussion of specific uses that would become permissive if the request is approved, please refer to the discussion of zone change criterion 14-16-6-7(G)(3)(d)

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. Applicable Goals and policies are listed below. Staff analysis follows in bold italics.

#### Chapter 4: Community Identity

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

*The subject site is located within the La Mesa community. This area consists of single-family residential land uses, framed by commercial strips on the north, east, west, and south. The commercial uses bordering Lomas predominantly consist of light vehicle sales. The MX-M zone change would enhance, protect, and preserve the La Mesa community because it would facilitate the development of the vacant subject site, which would act as a transition from the surrounding commercial land uses. The request furthers Goal 4.1 – Character.*

Policy 4.1.1 – Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

*The request would encourage quality development that is consistent with the distinct character of the La Mesa community because it would facilitate the development of the site with a carwash to support an existing, nearby, long established auto dealership. The request partially furthers Policy 4.1.1 – Distinct Communities.*

Policy 4.1.2 – Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

*The requested MX-M zone provides guidelines which protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development. There are protections for neighborhood edges in IDO section 14-16-5-9(C) which restrict building height, and there are Use-specific Standards for car washes, and other uses located adjacent to residential zone districts. However, these provisions apply to any development within the MX-M zone. This request partially furthers Policy 4.1.2 – Identity and Design.*

#### Chapter 5: Land Use

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

*This requested Zone Map Amendment would foster communities where residents can live, work, learn, shop and play together because the MX-M zone district allows a mix of uses and is located near two Major Transit corridors, and in between two Activity Centers. Future development on the site can be accessed by the neighboring single-family residential development as it is in within walking distance. The request furthers Goal 5.2- Complete Communities.*

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

*The subject site is located within the La Mesa community, and is located along two Major Transit Corridors; Lomas Blvd NE, and Louisiana Blvd NE. The requested MX-M zone would facilitate the development of the subject site, and the creation of healthy, sustainable, and distinct*

*communities with a mix of uses that are conveniently accessible from the La Mesa neighborhood. The request generally furthers Policy 5.2.1 – Land Uses.*

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

*The subject site is already served by existing infrastructure and public facilities, so the development made possible by the request would maximize the utility of both. Development facilitated by the zone change would generally support the public good because it is more efficient than adding infrastructure and/or developing land on the urban fringe. The request generally furthers Goal 5.3 – Efficient Development Patterns.*

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

*The subject site is located in an already-developed area that has existing infrastructure and public facilities and the request would support future additional growth. Therefore, the request generally furthers Policy 5.3.1 – Infill Development.*

Policy 5.3.7 – Locally Unwanted Land Uses: Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.

*The proposed zone map amendment would generally allow uses, which are higher in intensity than MX-T. Some of these uses include: Group home-medium, Hospital, Light Vehicle Fueling Station, Nicotine and Cannabis Retail. There are site restrictions (size) which would prevent some of these uses, and there are protections in place in the IDO to ensure minimal impact to the neighboring R-1C zones. Though the potential to locate a LULU is there, there are also several uses in the MX-M zone which are not considered harmful. The request partially furthers Policy 5.3.7 – Locally Unwanted Land Uses.*

Goal 5.6 – City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

*The subject site is located within an Area of Consistency and abuts an Area of Change to the west and north, and is abutting residential development to the east. The proposed MX-M zone has potential uses which can reinforce the character and intensity of area, while ensuring that the protections for the neighborhood provided in the IDO are met. The request furthers Goal 5.6 – City Development Areas.*

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

*The subject site is located in an Area of Consistency as established by the Comp Plan. The zone change would facilitate the development of an otherwise undeveloped lot. The development of the*

*lot would generally protect and enhance the character of the La Mesa neighborhood, and would direct growth where it is expected and desired within that community. The request would also reinforce the intensity of the area, as there are several surrounding lots, which are zoned MX-M. The request generally furthers Policy 5.6.3 – Areas of Consistency.*

Chapter 7 – Urban Design

Policy 7.3.3 – Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

*The request would generally encourage efforts to strengthen the identity of the La Mesa neighborhood because it would allow the owner to develop the subject site with a use to support an existing, nearby car dealership, and establish the potential development of a wide variety of land uses. The request generally furthers Policy 7.3.3 – Placemaking.*

Chapter 8 – Economic Development

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

*The request would generally create places where business will stay and thrive because the MX-M zone offers a wider range of land uses, which would provide opportunities for new development. The request would also facilitate the development of the site with a use that would support an existing nearby car dealership, which would generally help the existing business to stay and thrive. The request furthers Goal 8.1 – Placemaking.*

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

*The subject site is located near two Major Transit Corridors, the State Fair Activity Center, and within the established La Mesa community. The request would generally foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities by facilitating the development of small-scale use which would act as a transition (in scale, intensity, and density) between the La Mesa community, and the State Fair Activity Center. The request generally furthers Policy 8.1.1 – Diverse Places.*

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

*The mix of uses allowed in the MX-M zone would facilitate the nearby community, that is mostly residential, to be more diverse in its' use and service offerings. The request furthers Policy 8.1.2 – Resilient Economy.*

Policy 8.2.1 – Local Business: Emphasize local business development.

*The proposed zone map amendment would generally allow more flexibility in terms of allowable land uses, which could attract investment from local businesses and would emphasize local business development. However, the current owners of the subject site are not local business owners. The request partially furthers Policy 8.2.1 – Local Business.*

***Integrated Development Ordinance (IDO) 14-16-6-7(G)(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.

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 or other, applicable City plans.

Justification & Analysis

The Zone Map Amendment justification letter analyzed here, received on July 30, 2021, is a response to Staff's request for a revised justification letter (see attachment). The subject site is currently zoned MX-T (Mixed-Use - Transition) and is currently vacant. The applicant would like to change the subject site's zoning to MX-M (Mixed-Use – Medium Intensity Zone District) in order to develop the vacant lots with a private car wash/detailing service to support a nearby car dealership. The subject site is in an Area of Consistency.

The applicant believes that the proposed zoning map amendment (zone change) meets the zone change decision criteria in IDO 14-16-6-7(G)(3) as elaborated in the justification letter. The applicant's arguments are in *italics*. Staff analysis follows in plain text.

- A. The proposed zone 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.

*As demonstrated in the analysis above, the request for a zoning map amendment for the subject site from MX-T to MX-M furthers the Goals and Policies of the ABC Comprehensive Plan by furthering the City's objectives to enhance Community Identity, Land Use opportunities, features of Urban Design and possibilities for Economic Development. By design, the MX-T zoning district is*

*restrictive because it intends to protect the adjacent residential area from intense and imposing land uses. However, it has demonstrated to be potentially too restrictive, limiting opportunities to implement ABC Comp plan objectives. Although this is a relatively small site, it has the potential to make an immediate positive impact on the community in the future if the zone change is approved. The owner is invested in the neighborhood and intends on developing the site in a meaningful way that fulfills the City's and their own goals while positively impacting the community.*

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and Policies (and other plans if applicable) and does not significantly conflict with them.

Applicable Citations: Goal 4.1 – Character, Goal 5.2 – Complete Communities, Policy 5.2.1 – Land Uses, Goal 5.3 – Efficient Development Patterns, Policy 5.3.1 – Infill Development, Goal 5.6 – City Development Areas, Policy 5.6.3 – Areas of Consistency, Policy 7.3.3 – Placemaking, Goal 8.1 – Placemaking, Policy 8.1.1 – Diverse Places, Policy 8.1.2 – Resilient Economy

Partially Applicable Citations: Policy 4.1.1 – Distinct Communities, Policy 4.1.2 – Identity and Design, Policy 5.3.7 – Locally Unwanted Land Uses, Policy 8.2.1 – Local Business.

Staff: The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding neighborhoods, infill and efficient development patterns and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request furthers the City's health, safety, and morals and general welfare. The response to Criterion A is sufficient.

- B. If the subject site is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
  2. There has been a significant change in neighborhood or community conditions affecting the site.
  3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

*First, the new zone would strengthen the established character of the surrounding area and would not permit development that is significantly different from that character because two of the four immediate neighboring properties are already designated MX-M to the north and west of the property. The zone change would simply extend the neighboring MX-M zoning by one more property, yet allow a wide range of uses that are currently prohibited or conditional under MX-T.*

*The subject site is located wholly in an Area of Consistency (as shown in the ABC Comp Plan, as amended) and would benefit from being re-zoned because MX-M is more advantageous to the community demonstrated by the following reasons: The existing MX-T zoning is no longer appropriate for the subject site because the current zoning designation has not inspired development in the area and it is too restrictive. Many of the neighboring MX-T properties appear abandoned or vacant, and those that are occupied show little evidence of building or property maintenance. It cannot be verified that zoning is the sole problem for business prosperity, but the likelihood of improved density, intensity and connectivity is more likely with mixed land use opportunities that appeal to development.*

Staff: The subject site is located wholly in an Area of Consistency. A zone change from MX-T to MX-M would permit development that would clearly reinforce and strengthen the established character of the surrounding parcels. The MX-M zone district would be more advantageous to the community than the existing MX-T zone district as demonstrated in the applicant's policy-based analysis (see response to Criterion A). The request would further Comprehensive Plan Goals and policies relating to identity, land use, urban design, and economic development. The response to Criterion B is sufficient.

- C. If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria: There was typographical or clerical error when the existing zone district was applied to the property.
1. There was a typographical or clerical error when the existing zone district was applied to the property.
  2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
  3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

*The subject property is located wholly in an Area of Consistency; therefore, Area of Change criterion are not applicable.*

Staff: The subject site is located wholly in an Area of Consistency and not in an Area of Change. The response to criterion C is sufficient.

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

*The requested zoning does not include permissive uses that would be harmful to adjacent properties, the neighborhood or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts. The permissive uses between*

*MX-T zoning designation and the MX-M zoning designation that could be considered harmful to adjacent properties have Use-specific Standards in Section 14-16-4-3 associated with them that will adequately mitigate those harmful impacts. Below is a side-by-side analysis that outlines the new permissive uses under MX-M zoning compared to the existing MX-T zone’s use status for the same land use. Additional guidelines for Use-specific Standards are referenced to further compare mitigating criteria for potentially harmful impacts of the requested zoning.*

**Side-by-Side Analysis of New Permissive Uses**

<b>New Permissive Uses Under MX-M Zoning</b>	<b>Existing IDO Use Status (MX-T)</b>	<b>Related IDO Development Standards That May Apply (Use-Specific Standards 14-16-4-3)</b>
Dormitory	Conditional	No use-specific standards
Group Home, medium	Conditional	4-3(B)(9)
Hospital	Not Permissive	4-3(C)(4)
Sports Field	Conditional	No use-specific standards
University or College	Conditional	No use-specific standards
Veterinary Hospital	Conditional Primary	4-3(D)(5)
Other Pet Services	Conditional Primary	No use-specific standards
Auditorium or Theater	Permissive Accessory	4-3(D)(7)
Bar	Conditional Primary	4-3(D)(8)
Catering Service	Not Permissive	No use-specific standards
Nightclub	Not Permissive	4-3(D)(8)
Restaurant	Conditional Primary	4-3(D)(8)
Tap Room or Tasting Room	Conditional Primary	4-3(D)(8)
Other Indoor Entertainment	Conditional Primary	4-3(D)(11)
Car Wash	Not Permissive	4-3(D)(15)
Light Vehicle Fueling Station	Not Permissive	4-3(D)(17)
Light Vehicle Repair	Not Permissive	4-3(D)(18)

Light Vehicle Sales and Rental	Not Permissive	4-3(D)(19)
Paid Parking Lot	Conditional Primary	4-3(D)(21)
Parking Structure	Conditional Accessory	4-3(D)(21)
Club or Event Facility	Conditional Primary	4-3(D)(23)
Commercial Services	Not Permissive	No use-specific standards
Mortuary	Not Permissive	No use-specific standards
Personal Business Services, Large	Not Permissive	4-3(D)(26)
Bakery Goods or Confectionery Shop	Conditional Primary	No use-specific standards
Cannabis Retail	Not Permissive	4-3(D)(34)
Farmer's Market	Temporary	4-3(D)(35)
General Retail, Medium	Not Permissive	4-3(D)(36)
Grocery Store	Not Permissive	4-3(D)(37)
Nicotine Retail	Conditional Accessory	4-3(D)(39)
Pawn Shop	Not Permissive	4-3(D)(40)
Park-and-Ride Lot	Conditional Primary	4-3(D)(44)
Transit Facility	Conditional Primary	4-3(D)(46)
Artisan Manufacturing	Conditional Primary	4-3(E)(1)

*As justified in the analysis of the Goals and Policies of the ABC Comp plan for the subject property, the motivation for requesting a Zone Map Amendment is to allow for a larger variety of land uses in a neighborhood that would benefit economically from diverse commercial activity while enhancing the community identity. Although some permissive uses in the MX-M zone district may fulfill that goal, they may also be construed as having possible harmful effects to adjacent properties, the neighborhood, or the community. In many cases, the potentially harmful uses that are Permissive under the MX-M zoning district are allowed as Conditional Permissive under the current MX-T zoning district. Meaning, the City would require a Conditional Use Permit approved by the Zoning Hearing Examiner to allow such land uses to occur. Often, as in this Zone Map Amendment request, these uses are mitigated by Use-specific Standards outlined in the Section 14-16-4-3 of Albuquerque's IDO, regulations by local, state and federal requirements and compliance of New Mexico State Laws. Such land uses and their mitigating factors are described below:*

*1. Group Home (Medium): The Use-Specific Standards for a Group Home state that, "This use is prohibited within 1,500 feet in any direction of any other community residential facility or group home." Due to the proximity to a nearby Community Residential Facility within the 1,500-foot threshold, the use of this site for a Group Home would be prohibited.*

*2. Hospital: There are not Use-Specific standards that would prohibit a hospital from being located at this site, but it is unlikely to be used for this purpose. At .62 acres the site is simply not large enough to accommodate a hospital as defined by the IDO once Landscaping, Buffering, and Parking standards are implemented. The size of the site is more appropriate to house a medical clinic, but that is a prohibited use under MX-M zoning.*

*3. Auditorium or Theater: There are not Use-Specific standards that would prohibit an Auditorium or Theater from being located at this site, however it is unlikely that it would be used for that purpose. Like other uses that are not explicitly prohibited by IDO Standards, the Landscape, Buffering, and Parking requirements would constrain the site to a level that an Auditorium or Theater is not feasible or desirable.*

*4. Bar, Nightclub, Restaurant, Tap Room, or Tasting Room: Though these uses would be potentially economically beneficial to the area, they may be construed as harmful and unwanted. Currently, they are allowed under the MX-T zoning district as a Conditional Primary use, thus permissive after a CUP is obtained. The effect of the new MX-M zoning for these uses' permissibility would be minimal.*

*5. Light Vehicle Fueling Station: Not permitted under the current MX-T zoning this use is allowed as a Conditional Primary under MX-M zoning if located adjacent to any residential use and would require a CUP. Like Heavy Vehicle & Equipment Sales, Rental, Fueling, and Repair, this use is highly regulated by Federal, State and Local agencies and highly unlikely at this property. It is subject to the IDO Use-Specific Standards, as well as the IDO Cumulative Impacts Sections restricting criteria are outlined in IDO sections 14-16-5-2(E) and 14-16-6- 6(A).*

6. *Parking Structure: IDO standards: There are not Use-Specific standards that would prohibit a parking structure from being located at this site, but it is unlikely to be used for this purpose. At .62 acres the site is simply not large enough to accommodate a parking structure once IDO Parking Structure Design, Landscaping and Buffering standards are implemented. There are no other land uses in the area that would necessitate large areas of parking, especially adjacent to a residential zone. It would not be feasible or desirable for any property owner to use this site for a parking structure.*

7. *Construction Contractor Facility and Yard: Not permitted under current MX-T zoning this use will become permissive under the MX-M zone district. As outlined in the Use-Specific Standards section 14-16-4-3(D) (24), if located within 330 feet of any Residential zone district, this use shall require Conditional Use Approval pursuant to Subsection 14-16-6-6(A). Additional landscaping, buffering, and screening is required for all outdoor equipment. Subject to the above restrictions, the Conditional Use Approval process will assess potential adverse impacts and appropriate mitigation to minimize the adverse impacts on nearby properties will be taken.*

8. *Cannabis Retail: Not permitted under current MX-T zoning, MX-M zoning would allow Cannabis Retail pursuant to Use-specific Standards, including compliance with New Mexico State law requirements. Though these mitigating conditions provide protection for a neighborhood that may consider this use harmful, it also leaves the door open for a potentially lucrative business for neighborhoods that welcome this use. As a lucrative business type with the potential to foster economic development and employment as it is increasingly accepted and is likely to become fully legalized in the near future (potentially in the coming year).*

9. *General Retail (Medium): Use-specific standards focus on large General Retail facilities and do not specify guidelines for medium General Retail. Defined by the IDO as: An establishment more than 25,000 square feet of gross floor area and no more than 50,000 Square feet of gross floor area. Given parking, landscaping and buffering requirements for this site, it could not support a medium-size General Retail establishment.*

10. *Pawn Shop: IDO Use-specific guidelines for Pawn Shops stipulate that this use shall not be located within 1 mile of another pawn shop location. The subject site is located near two pawn shops, at 1.2 and 0.8 miles from the subject site. It is unknown if either or both pawn shops are currently operational since lockdowns and business closures increased during 2020. Besides the IDO use-specific guidelines that would restrict this site becoming a pawn shop, it would be highly unlikely to become one in the future should a pawn shop within one mile close for over a year and use-specific standards no longer apply. The location, abutting a residential zone and away from a major street, would not be advantageous for this type of retail business that depends on high traffic and visibility.*

11. *Nicotine Retail: Currently allowed as Conditional Accessory under MX-T zoning, this use will be allowed under the MX-M and does not constitute a significant change to zoning permissiveness. However, Use-specific standards and strict New Mexico State law requirements regulate and restrict this use including requiring a CUP if located within 500 feet of a residential zone district, school, or child day care, and limiting operational hours.*

12. *Park-and-Ride Lot: Like a parking structure, this site is not appropriate for use as a park-and-ride lot, and there would be no incentive for a property owner to use the site for this purpose on a permanent basis.*

13. *Transit Facility: There are not any Use-Specific standards that prohibit a Transit Facility from being located by this site. Defined by the IDO as, "Land used for transit stations, terminals, depots, and transfer points, which may include shelters, park-and-ride lots, and/or related facilities on public or privately-owned lots," this site would not accommodate such a use. Like all other parking/transit uses, this property is too small and remote to be utilized for these types of facilities, and population densities in this area do not warrant for it.*

*Uses that could be perceived as creating potentially harmful impacts on adjacent properties, the neighborhood or the community created by future development of the subject site would be mitigated by various layers of constraints including the IDO Use-specific Standards, parking standards, setbacks, landscaping and buffering standards, Cumulative Impacts mitigation (IDO Section 14-16-5-2(E)), and New Mexico State Laws. All uses are also subject to city ordinances regulating noise, odor, vibration, glare, heat and other special conditions that could affect the surrounding area.*

Staff: The applicant compared the existing MX-T zoning and the proposed MX-M zoning. Uses that would become permissive under the MX-M zone, which are not currently allowed, are listed in the table above. Uses that could be interpreted as harmful are: Group Home (medium), Hospital, Auditorium or Theatre, Bar, Nightclub, Restaurant, Tap Room, or Tasting Room, Light Vehicle Fueling Station, Parking Structure, Cannabis Retail, General Retail (Medium), Pawn Shop, Nicotine Retail, Park and Ride Lot, and Transit Facility.

The applicant discussed potentially harmful uses allowed in the MX-M zone district. Generally speaking, there are regulations in place which would mitigate some of the impacts of said uses, along with site restrictions, that would mitigate the development of some of the more intense uses. The proposed use, should a zone change be approved, is a car wash, which is generally not harmful to the surrounding area.

The response to criterion D is sufficient.

- E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:
1. 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.

*This proposed zone change is located within the city limits and all infrastructure including roads, water, and sewer are well-established. The site is located off Lomas Blvd, which is a heavily maintained Major Transit Corridor with sufficient infrastructure to support the development made possible by the zone change. Chama St. NE is also an established road with surrounding residential homes and commercial businesses that are adequately supported by existing infrastructure and public improvements are not necessary. As such, in accordance with criteria 1 the applicant neither requests, nor requires capital expenditures by the City to develop this parcel. Redevelopment costs will be totally borne by the property owner.*

Staff: The City's existing infrastructure and public improvements will have adequate capacity to serve the development made possible by the zone change (Criterion 1) . The response to Criterion E is sufficient.

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

*The justification for the Zoning Map Amendment is not completely based on the property's location on a major street. Although the subject site is one block south of Lomas Blvd., is not located along a major street and therefore does not claim adjacency to a major street as justification for this request. The applicant believes that the justification for this zone map amendment is supported by relevant Goals and Policies of the ABC Comprehensive Plan and is consistent with the health, safety, and general welfare of the City.*

Staff: Staff agrees that the Applicant's justification is not completely based on the property's location on a major street. The property is located on Chama St NE, and Roma Ave NE, both are classified as local urban streets. The response to Criterion F is sufficient.

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

*This justification for this zoning amendment request is not based completely or predominantly on the cost of land or other economic considerations. Consistent with the ABC Comp Plan, the applicant considers the request to further City Goals and Policies regarding this request and asks for no specific consideration regarding any economic issue with this zone map amendment. The purpose of this request is to allow for private commercial development in a way that is consistent with neighboring properties, and the health, safety, and general welfare of the City.*

Staff: The applicant's justification for the MX-M zone is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and therefore would

generally be more advantageous to the community than the existing zoning. The response to Criterion G is sufficient.

- H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:
1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
  2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
  3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

*The zoning Map Amendment would not apply a zone district different from the surrounding zone districts, creating a spot zone. Because the site is adjacent to several properties that are already designated as MX-M, re-zoning the property from MX-T to MX-M is consistent with the zoning districts in the immediate area.*

Staff: The requested zone map amendment would not result in a spot zone because the subject site is adjacent to several other properties zoned MX-M. The response to criterion H is sufficient.

### **III. AGENCY & NEIGHBORHOOD CONCERNS**

#### ***Reviewing Agencies***

City departments and other interested agencies reviewed this application. Few comments were received. Long Range provided comments for the original requested Zone Map Amendment, which was for the NR-C zone. The following is brief discussion taken from their comments: *though, development in the area facilitated by the NR-C zone would further several policies, while simultaneously conflicting with several others. There are uses allowed within the NR-C zone that would be considered harmful to the adjacent residential development. The NR-C zone would also create a "spot zone", which was not adequately addressed in the original application.* Staff worked with the applicant and negotiated that the request be changed from an NR-C zone, to the MX-M zone.

#### ***Neighborhood/Public***

The La Mesa Community Improvement Association, and the District 6 Coalition of Neighborhood Associations were required to be notified, which the applicant did (see attachments). Property owners within 100 feet of the subject site were also notified, as required (see attachments). A neighborhood meeting was not requested by any of the notified neighborhood associations, however, there was a brief e-mail exchange between the applicant and representatives from both of the Neighborhood

Associations discussing the details of the request. Both NA representatives were satisfied with the information provided, and did not request further meetings or information.

As of this writing, Staff has not received any comment in opposition to the request. The applicant has provided a few letters from community members in support of the proposed zone change (see attachments).

#### ***IV. CONCLUSION***

The request is for a Zoning Map Amendment (zone change) for an approximately 1.0-acre site, legally described as Lots 13, 14, 15 & 16, Block 9, Del Norte Subdivision, located at 540 Chama NE, between Roma Ave. NE, and Marquette Ave. NE (the subject site).

The subject site consists of four vacant lots located on Chama St. NE, zoned MX-T (Mixed-Use-Transition). The applicant is requesting a zone change to MX-M (Mixed-Use – Medium Intensity) to facilitate the development of a carwash to support an existing car dealership, though other uses in the MX-M zone would also become permissive

The applicant has adequately justified the zoning map amendment based upon the proposed zoning being more advantageous to the community than the current zoning, and because it would further a preponderance of applicable Goals and policies in the Comprehensive Plan.

The affected neighborhood organizations are the La Mesa Community Improvement Association, and the District 6 Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A neighborhood meeting was not requested by any of the notified neighborhood associations.

As of this writing, Staff has not received any comment in opposition to the request. The applicant has provided a few letters from community members in support of the proposed zone change (see attachments).

Staff recommends approval.

***FINDINGS – RZ-2021-00017, August 19, 2021 - Zoning Map Amendment (Zone Change).***

1. The request is for a Zoning Map Amendment (zone change) for an approximately 1.0-acre site legally described as Lots 13, 14, 15 & 16, Block 9, Del Norte Subdivision, located at 540 Chama Rd NE, between Roma Ave. NE, and Marquette Ave. NE (the subject site).
2. The subject site is vacant and zoned MX-T (Mixed-Use – Transition Zone District). The applicant is requesting a zone change to MX-M (Mixed-Use – Medium Intensity) to facilitate future development of mixed uses specifically, a car wash to support an existing nearby car dealership.
3. The applicant originally requested a zone change from MX-T to NR-C (Non-Residential Commercial), but staff found that the request would create a “spot zone” and could be harmful to the adjacent neighborhood (primarily zoned R-1). Staff worked with the applicant and determined the MX-M zone would be generally more appropriate in this setting.
4. The subject site is in an Area of Consistency as designated by the Comprehensive Plan and is in the La Mesa area.
5. The subject site is not located in any Center or along any Corridor as designated by the Comprehensive Plan.
6. 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.
7. The request furthers the following Goals and Policies from Chapter 5: Land Use, pertaining to Areas of Consistency:
  - A. Goal 5.6 – City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located within an Area of Consistency and abuts an Area of Change to the west and north, and is abutting residential development to the east. The proposed MX-M zone has potential uses which can reinforce the character and intensity of area, while ensuring that the protections for the neighborhood provided in the IDO are met.

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

The subject site is located in an Area of Consistency as established by the Comp Plan. The zone change would facilitate the development of an otherwise undeveloped lot. The

development of the lot would generally protect, and enhance the character of the La Mesa neighborhood, and would direct growth where it is expected and desired within that community. The request would also reinforce the intensity of the area, as there are several surrounding lots, which are zoned MX-M.

8. The request furthers the following Goals and Policies from Chapter 5: Land Use:

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

This requested Zone Map Amendment will foster communities where residents can live, work, learn, shop and play together because the MX-M zone district allows a mix of uses and is located near two Major Transit corridors, and in between two Activity Centers. Future development on the site can be accessed by the neighboring single-family residential development as it is in within walking distance.

- 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 subject site is located within the La Mesa community, and is located along two Major Transit Corridors; Lomas Blvd NE, and Louisiana Blvd NE. The requested MX-M zone would facilitate the development of the subject site, and the creation of healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from the La Mesa neighborhood.

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

The surrounding areas are mostly developed, even though the subject site is not. The area is served by existing infrastructure and public facilities, so the development made possible by the request would generally promote efficient development patterns and use of land.

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

The subject site is located in an area with existing infrastructure and public facilities. The surrounding properties are already developed with a mix of uses and development of the subject site would support additional growth, while maintaining existing infrastructure.

9. The request furthers the following Goal from Chapter 4: Community Identity:

Goal 4.1 – Character - Enhance, protect, and distinct communities.

The subject site is located within the La Mesa community. This area consists of single-family residential land uses, framed by commercial development on the north, east, west, and south. The commercial uses bordering Lomas predominantly consist of light vehicle sales. The MX-M zone change would enhance, protect, and preserve the La Mesa community because it would facilitate the development of the vacant subject site, which would act as a transition from the surrounding commercial land uses. Further development under the MX-M zone would be subject to applicable IDO standards that would serve to protect and preserve neighborhoods

10. The request furthers the following policy from chapter 7 – Urban Design.

Policy 7.3.3 – Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

The request would generally encourage efforts to strengthen the identity of the La Mesa neighborhood because it would allow the owner to develop the subject site with a use to support an existing, nearby car dealership, and establish the potential development of a wide variety of land uses.

11. The request furthers the following Goals and Policies from Chapter 8: Economic Development:

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

The request would generally create places where business will stay and thrive because the MX-M zone offers a wider range of land uses, which would provide opportunities for new development. The request would also facilitate the development of the site with a use that would support an existing nearby car dealership, which would generally help the existing business to stay and thrive.

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

The mix of uses allowed in the MX-M zone would facilitate the nearby community that is mostly residential to be more diverse in its' use and service offerings.

12. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:

- A. Criterion A: The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding identity, land use, urban design, and economic development and does not present any significant conflicts with the

Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, and morals and general welfare.

- B. Criterion B: The subject site is located wholly in an Area of Consistency. A zone change from MX-T to MX-M would permit development that would clearly reinforce and strengthen the established character of the surrounding parcels. The MX-M zone district would be more advantageous to the community than the existing MX-T zone district as demonstrated in the applicant's policy-based analysis (see response to Criterion A). The request would further Comprehensive Plan Goals and policies relating to identity, land use, urban design, and economic development.
- C. Criterion C: The subject site is located wholly in an Area of Change and not in an Area of Consistency.
- D. Criterion D: The applicant compared the existing MX-T zoning and the proposed MX-M zoning. Uses that would become permissive under the MX-M zone, which are not currently allowed, are listed in IDO Table 4-2-1 Allowable Uses. Uses that could be interpreted as harmful (and are permissive in MX-M) are: Group Home (medium), Hospital, Auditorium or Theatre, Bar, Nightclub, Restaurant, Tap Room, or Tasting Room, Light Vehicle Fueling Station, Parking Structure, Cannabis Retail, General Retail (Medium), Pawn Shop, Nicotine Retail, Park and Ride Lot, and Transit Facility.

The applicant discussed potentially harmful uses allowed in the MX-M zone district. Generally speaking, regulations in place would mitigate some of the impacts of said uses, along with IDO requirements, that would mitigate the development of some of the more intense uses.

- E. Criterion E: The City's existing infrastructure and public improvements will have adequate capacity to serve the development made possible by the zone change (Criterion 1).
  - F. Criterion F: The applicant's justification is not completely based on the property's location on a major street. The property is located on Chama St NE, and Roma Ave NE; both are classified as local urban streets.
  - G. Criterion G: Economic considerations are always a factor, but the applicant's justification for the MX-M zone is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and therefore would generally be more advantageous to the community than the existing zoning.
  - H. Criterion H: The requested would not result in a spot zone because the subject site is adjacent to several other properties zoned MX-M
13. The applicant's policy analysis adequately demonstrates that the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with them. Based on this demonstration, the proposed zone category would generally be more advantageous to the community than the current zoning.

14. The affected neighborhood organizations are the La Mesa Community Improvement Association, and the District 6 Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
15. A neighborhood meeting was not requested by any of the notified neighborhood associations.
16. As of this writing, Staff has not received any comment in opposition to the request. The applicant has provided a few letters from community members in support of the proposed zone change.

***RECOMMENDATION - RZ-2021-00017, August 19, 2021***

**APPROVAL of Project #: 2021-005538, Case #RZ-2021-00017, a zone change from MX-T to MX-M for Lots 13,14,15 & 16, Block 9, Del Norte Subdivision, an approximately 1.0-acre site, located at 540 Chama NE, between Roma Ave. NE, and Marquette Ave. NE, based on the preceding Findings.**

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*Sergio Lozoya*

**Sergio Lozoya  
Current Planner**

Notice of Decision cc list:

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EPC file

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Enforcement***

##### ***Long Range Planning***

The request is for a Zoning Map Amendment from MX-T to NR-C. It furthers several Comprehensive Plan goals and policies, including extending existing commercial business and expanding economic development and employment opportunities. It conflicts with several Comprehensive Plan goals and policies, including those related to Areas of Consistency and transitions between different uses.

Further, the request has not been adequately justified according to the zone change criteria.

The intent of the Zoning Map Amendment request is to obtain a zone that will allow an existing automobile dealership to expand operations to this property. The subject site will be used for excess inventory as well as for washing vehicles. This activity is not allowed in the MX-T zone. MX-M might be an appropriate zone, as it allows car wash and light vehicle sales permissively. Outdoor vehicle storage is first allowed in the NR-C zone, with a conditional use approval. MX-M and NR-C allow car washes permissively.

In general, lower-intensity zones are more appropriate abutting R-1 and MX-T zones. The use-specific standard for car wash includes a distance that the activity must maintain from any Residential zone district and any lot containing a residential use in any Mixed-use zone district. While there is no distance separation requirement for outdoor vehicle storage as a primary use from abutting residential uses the use-specific standard for outdoor vehicle storage does require screening next to any Residential zone district or lot containing a residential use in any Mixed-use zone district.

Long Range staff wants to emphasize that the request must be analyzed according to the uses allowed in the requested zone, not the current or proposed use. The NR-C zone introduces many uses that are not allowed in the MX-T zone. Many of these uses are inappropriate next to single-family residential zoning and land uses. These uses are summarized in the applicant's letter. It is unknown if the neighbors who provided letters in support of this application are aware of this full range of uses that are allowed in the requested zone.

The subject site is in an Area of Consistency, and the applicant only addressed one of the 2 required zone change criteria in §14-16-6-7(G)(3)(b). There are new uses allowed in the NR-C zone that may not be adequately controlled for negative impacts in such close proximity to residential uses. This property

is on a local street, on a block that is subdivided in a residential-type pattern, but was previously developed with office uses on this block face. These facts make the request potentially inconsistent with the zone change criterion §14-16-6-7(d). Finally, the request is to apply a different zone to one small area, creating a "spot zone," that does not serve as a transition between adjacent zone districts, as argued by the applicant, which is inconsistent with §14-16-6-7(G)(3)(h).

The EPC should carefully consider the zone change from MX-T to NR-C. The Long-Range staff notes that the requested zone may not be consistent with the character of the community, it may not be more advantageous to the community, and it creates a spot zone that may not be justified. The request for NR-C may be too intense for the adjacent neighborhood that is designated as an Area of Consistency in the Comprehensive Plan.

**Transportation Development Review Services**

**Hydrology Development**

**New Mexico Department of Transportation (NMDOT)**

**Department of Municipal Development**

**Traffic Engineering Operations (Department of Municipal Development)**

No comments.

**Street Maintenance (Department of Municipal Development)**

**THE CITY ENGINEER:**

**Water Utility Authority**

**PNM**

**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

**Environmental Services Division**

**Parks and Recreation**

**Planning and Design**

**Open Space Division**

**City Forester**

**Police Department/Planning/Criment Prevention/Crime Free Program**

**SOLID WASTE MANAGEMENT DEPARTMENT**

No comment at this time.

**Refuse Division**

**FIRE DEPARTMENT/Planning**

**TRANSIT DEPARTMENT**

## ***Comments from Other Agencies***

### ***BERNALILLO COUNTY PUBLIC WORKS/TRANSPORTATION PLANNING***

No adverse comments.

### ***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

### ***ALBUQUERQUE PUBLIC SCHOOLS***

### ***ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY***

No adverse comment to the proposed zone change.

For information only:

It is understood, from the information provided, that the lot is currently undeveloped (is a paved lot) but is still receiving service from an existing meter. Please note that should the proposed car wash or storage facility become the intent moving forward then Availability Statement shall be requested to confirm fire flow demands for the site. Requests can be made at the link below:

<https://www.abcwua.org/info-for-builders-availability-statements/>. The request shall include a City Fire Marshal approved Fire 1 Plan, a zone map showing the site location, and the proposed Utility Plan.

### ***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

### ***MID-REGION METROPOLITAN PLANNING ORGANIZATION***

No adverse comments.

### ***KAFB***

No comment.



**Figure 1: Sign posting on Chama St NE.**

**Figure 2: Looking east from Chama St NE to the subject site.**



***Figure 3: Looking south to the subject site from Roma Ave NE.***



***Figure 4: Looking south from within the subject site.***



***Figure 5: Looking west from within the subject site, towards Chama St NE.***

***Figure 6: Looking north from within the subject site, towards Roma Ave NE***





***Figure 7: Looking east from within the subject site, towards the adjacent residential area.***

## HISTORY

CITY COMMISSION  
January 17, 1961  
2-1049

COMMISSION ORDINANCE NO. 1868

AN ORDINANCE AMENDING THE "ZONE MAP" OF THE CITY OF ALBUQUERQUE  
AS SHOWN IN COMMISSION ORDINANCE NO. 1493 BY MAKING CERTAIN CHANGES THERETO  
AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COMMISSION, CITY OF ALBUQUERQUE:

SECTION 1. The "Zone Map" referred to in Section 4 and other sections  
of Commission Ordinance No. 1493 is hereby amended by making  
the following zone change:

R-1 to O-1 for lots 13 through 24, Block 9,  
all in Del Norte Addition to the  
City of Albuquerque.

SECTION 2. This ordinance is hereby declared to be an emergency measure  
on the ground of urgent public need. It is therefore to  
become effective immediately upon its passage and publication  
is provided by law.

ENACTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1961

**Commission Ordinance No. 1868:**

**An ordinance amending the "Zone Map" of the City of Albuquerque as shown in the commission ordinance no. 1493 by making certain changes thereto and declaring an emergency.**

**Be it ordained by the city commission, city of Albuquerque.**

**Section 1. The "Zone Map" referred to in Section 4 and other sections of Commission Ordinance No. 1493 is hereby amended by making the following zone change:**

**R-1 to O-1 for lots 13 through 24, Block 9; all in Del Norte Addition to the City of Albuquerque.**

**Section 2. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need. It is therefore to become effective immediately upon its passage and publication is provided by law.**

## ZONING

Please refer to IDO Section 14-16-2-4(A) for the MX-T Zone District

Please refer to IDO Section 14-16-2-4(C) for the MX-M Zone District

## APPLICANT INFORMATION



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

<b>Administrative Decisions</b>	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<b>Policy Decisions</b>
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
<b>Decisions Requiring a Public Meeting or Hearing</b>	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Variance – DRB (Form V)	<b>Appeals</b>
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

<b>APPLICATION INFORMATION</b>			
Applicant: 540 Chama LLC		Phone: (505)-305-3993	
Address: 414 Executive Center Blvd.		Email: derek@fiestaautogroup.com	
City: El Paso	State: TX	Zip: 79902-1066	
Professional/Agent (if any): SMPC Architects		Phone:	
Address: 219 Central Ave NW, Suite 800		Email:	
City: Albuquerque	State: NM	Zip: 87102	
Proprietary Interest in Site: Owner / Developer		List all owners: 540 Chama LLC	

<b>BRIEF DESCRIPTION OF REQUEST</b>
The client is requesting a Zoning Map Amendment for the property at 540 Chama NE from MX-T to NR-C for a new undetermined development. The property is currently a paved vacant lot.

<b>SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)</b>		
Lot or Tract No.: Lot 15 & Lot 16	Block: 9	Unit:
Subdivision/Addition: Del Norte Subdivision	MRGCD Map No.:	UPC Code: 101905707844622012
Zone Atlas Page(s): K-19-Z	Existing Zoning: MX-T	Proposed Zoning: NR-C
# of Existing Lots: 2	# of Proposed Lots: 2	Total Area of Site (acres): .32 acres

<b>LOCATION OF PROPERTY BY STREETS</b>		
Site Address/Street: 540 Chama NE	Between: Roma Ave.	and: Marquette Ave. NE

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

Signature:	Date: 06/02/2021
Printed Name: Sonia Vinajeras-Gallegos	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

<b>FOR OFFICIAL USE ONLY</b>		
Case Numbers	Action	Fees
-		
-		
-		
Meeting/Hearing Date:		Fee Total:
Staff Signature:	Date:	Project #

**Form Z: Policy Decisions**

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

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

**INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

N/A Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_

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

**ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

**ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

**AMENDMENT TO IDO TEXT**

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

**ZONING MAP AMENDMENT – EPC**

**ZONING MAP AMENDMENT – COUNCIL**

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

**ANNEXATION OF LAND**

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

<b><i>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.</i></b>		
<b>Signature:</b>	<b>Date:</b>	
<b>Printed Name:</b>	<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent	
<b>FOR OFFICIAL USE ONLY</b>		
Project Number:	Case Numbers	
	-	
	-	
	-	
<b>Staff Signature:</b>		
<b>Date:</b>		



March 9, 2021

To: City of Albuquerque

This letter is written to verify that representatives of SMPC Architects have my permission to act in the capacity of my Agent in matters relating to the Zone Map Amendment submissions to the EPC for the Fiesta Auto Group Dealership Project at 540 Chama Street NE.



Derek Kulach  
540 Chama LLC  
414 Executive Center Blvd.  
El Paso, TX 79902-1066

The instrument was acknowledged before me on this 9<sup>th</sup> day of March, 2021 by Derek Kulach, owner of Fiesta Auto Group.

Justine M. Pecos

Notary Public

My Commission expires:



## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-299 Date: 2/17/21 Time: N/A (sent via email to [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com))

Address: 540 Chama ST NE

### AGENCY REPRESENTATIVES

Planning: Linda Rumpf ([lrumpf@cabq.gov](mailto:lrumpf@cabq.gov))

Zoning/Code Enforcement: Carl Garcia ([cagarcia@cabq.gov](mailto:cagarcia@cabq.gov))

Fire Marshal: Antonio Chinchilla ([achinchilla@cabq.gov](mailto:achinchilla@cabq.gov)) or call 505-924-3611 (if needed)

Transportation: Jeanne Wolfenbarger ([jwolfenbarger@cabq.gov](mailto:jwolfenbarger@cabq.gov))

Hydrology: Ernest Armijo, P.E. ([earmijo@cabq.gov](mailto:earmijo@cabq.gov))

Solid Waste: Herman Gallegos ([hgallegos@cabq.gov](mailto:hgallegos@cabq.gov))

Water Authority: David Gutierrez - [dggutierrez@abcwua.org](mailto:dggutierrez@abcwua.org) or call 505.289.3307; 505.241.9630

### ***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:

The requested Zoning Map Amendment is to allow for the property to serve as supplemental automobile inventory parking for the Fiesta Autogroup dealerships on Lomas Blvd. (Fiesta Mitsubishi, Kia and Subaru).

### SITE INFORMATION:

Zone: MX-T to MX-M

Size: 0.32 acre

Use: Office

Overlay zone: x

Comp Plan Area of: Consistency

Comp Plan Corridor: x

Comp Plan Center: x

MPOS or Sensitive Lands: x

Parking: 5-5

MR Area: x

Landscaping: 5-6

Street Trees: 5-6(D)(1)

Use Specific Standards: Allowable Uses, Table 4-2-1

Dimensional Standards: Table 5-1-2: Mixed-use Zone District Dimensional Standards

\*Neighborhood Organization/s: District 6 Coalition of NAs, La Mesa Community Improvement Association

*\*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](http://www.cabq.gov/neighborhoods.resources).*

### PROCESS:

Type of Action: \*Please see Zoning Comments below

Review and Approval Body: \* Is this a PRT requirement? See Table 6-1-1

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-299 Date: 2/17/21 Time: N/A (sent via email)

Address: 540 Chama ST NE

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

After examining the CABQ IDO, we propose that the existing MX-T zone designation be changed to MX-M to be aligned with the Fiesta Dealership property designations. As a consultant to the property owner, we are requesting guidance on how to achieve a Zoning Map Amendment to allow this property to serve as inventory for Fiesta Autogroup. There will not be any permanent buildings on the site. The site is currently paved with asphalt, and the Owner would like to install a fence around the site. We understand that a landscape buffer will be required on the east side abutting the Residential property. Will landscaping be required along Chama St. and/or Roma Ave.?

### NOTES:

See the **Integrated Development Ordinance**

<http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17.pdf>

### New Public Notice Forms

We have created forms for all email/mailed public notice and for Pre-submittal Neighborhood Meetings.

Please complete these forms for public notice:

- [Neighborhood Meeting](#) or <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>
- [Public Notice](#) or <http://www.cabq.gov/planning/urban-design-development/public-notice>

### Records requests

To request a site plan and/or Notice of Decision, please use ABQ Records web page:

<https://www.cabq.gov/clerk/public-records>

Please include the site's address and the Case Tracking #s (see Zoning Comments) in your request.

### Requests to Inspect Public Records

Any person may submit their request to inspect public records to the Office of the City Clerk by clicking on the following link to request records using our ABQ Records portal. <https://cabq.nextrequest.com/>

This enables us to respond to requests in the order in which they are received. Plus, it's a better way to share large files.

- Linda Rumpf, [lrumpf@cabq.gov](mailto:lrumpf@cabq.gov)

### File Submittal

For Administrative Amendments, DRB, EPC, hydrology and traffic submittals, e-mail electronic files to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov). For questions about an application submittal or the submittal process itself, please contact Jay Rodenbeck at [jrodenbeck@cabq.gov](mailto:jrodenbeck@cabq.gov) and/or to Maggie Gould at [mgould@cabq.gov](mailto:mgould@cabq.gov).

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-299 Date: 2/17/21 Time: N/A (sent via email)

Address: 540 Chama ST NE

For other questions, please contact the Planning representative at the top of the PRT Notes.

For Building Safety Plan Review, contact Building Safety at 924-3963. Website:

<https://www.cabq.gov/planning/building-safety-permits>

### Zoning Comments

- Address: 540 CHAMA ST NE
- Lot: 13, 14, 15, 16 Block: 9
- Subdivision: DEL NORTE
- Type: Consistency
- IDO Zoning: MX-T

- 4-1(B) UNLISTED USES

When a proposed land use is not explicitly listed in Table 4-2-1, the Zoning Enforcement Officer (ZEO) shall determine whether or not it is included in the definition of a listed use or is so consistent with the size, scale, operating characteristics, and external impacts of a listed use that it should be treated as the same use. In making this determination, the ZEO shall consider the scale, character, traffic impacts, storm drainage impacts, utility demands, and potential impacts of the proposed use on surrounding properties. The ZEO's interpretation shall be made available to the public on the City Planning Department website and shall be binding on future decisions of the City until the ZEO makes a different interpretation or this IDO is amended to treat the use differently.

- Parking lot is not a defined use, per section above, a consistent listed use is Outdoor vehicle storage – Outdoor vehicle storage is not allowed in the MX-M zone. Parking lot is defined but not as its own use – see below.
- Parking Lot - Definition  
Any off-street outdoor area for the parking of motor vehicles, including any spaces and drive aisles necessary for the function of the parking lot or for the convenience of patrons. See also Paid Parking Lot and Measurement Definitions for Parking Lot Area.
- Please see table below for zones that allow this use.

# PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-299 Date: 2/17/21 Time: N/A (sent via email)

Address: 540 Chama ST NE

Table 4-2-1: Allowable Uses																					
P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory CV = Conditional if Structure Vacant for 5 years or more T = Temporary Blank Cell = Not Allowed																					
Zone District >>	Residential				Mixed-use				Non-residential				Use-specific Standards								
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP		NR-LM	NR-GM	NR-SU	A	B	NR-PO	L	
University or college																					
Vocational school																					
<b>COMMERCIAL USES</b>																					
<b>Agriculture and Animal-related</b>																					
Community garden	P	P	P	P	P	P	P	P	P	P	P	C	C		A	A	A		4-3(D)(1)		
Equestrian facility	P																	P	C	4-3(D)(2)	
General agriculture	P											C	P	P				P	A	4-3(D)(3)	
Kennel	C							C	C		P	P	P	P						4-3(D)(4)	
Nursery	P								A		P	P	P	P			A	A			
Veterinary hospital	C							C	P	P	P	P	P	P						4-3(D)(5)	
Other pet services	C							C	P	P	P	P	P	P							
<b>Food, Beverage, and Indoor Entertainment</b>																					
Adult entertainment												P	P	P						4-3(D)(6)	
Auditorium or theater						A	A	A	P	P	P	P	P	P						4-3(D)(7)	
Bar							C	C	P	P	P	P	P	P						4-3(D)(8)	
Catering service									P	P	P	P	P	P							
Health club or gym			A		A	A	P	P	P	P	P	P	P	A						4-3(D)(9)	
Nightclub									P	P	P	P	P							4-3(D)(8)	
Residential community amenity, indoor	P	P	P	P	P	P	P	P	P	P									C	4-3(D)(10)	
Restaurant							C	P	P	P	P	P	P	P						4-3(D)(8)	
Tap room or tasting room							C	C	P	P	P	P	P	P						4-3(D)(8)	
Other indoor entertainment							C	P	P	P	P	P	P	P			P		C	4-3(D)(11)	
<b>Lodging</b>																					
Bed and breakfast	A	CA			A	A	P	P												4-3(D)(12)	
Campground or recreational vehicle park																	P		A	C	4-3(D)(13)
Hotel or motel							P	P	P	P	P	P	P	P						4-3(D)(14)	
<b>Motor Vehicle-related</b>																					
Car wash								P	P	P	P	P	P	P						4-3(D)(15)	
Heavy vehicle and equipment sales, rental, fueling, and repair											P	C	P	P						4-3(D)(16)	
Light vehicle fueling station								C	P	P	P	P	P	P						4-3(D)(17)	
Light vehicle repair								P	P	P	P	P	P	P						4-3(D)(18)	
Light vehicle sales and rental								C	P	P	P	P	P	P						4-3(D)(19)	
Outdoor vehicle storage											C	C	P	P				A		4-3(D)(20)	
Paid parking lot			A		A	A	C	P	P	A	P	P	P	P	A	A	A			4-3(D)(21)	
Parking structure			A		A	A	CA	P	P	P	P	P	P	P	A					4-3(D)(21)	
<b>Offices and Services</b>																					
Bank							P	P	P	P	P	P	P	P	CV					4-3(D)(22)	
Blood services facility								C	C	C	C	P	P	P							
Club or event facility							C	P	P	P	P	P	P	P	CV		P	P	C	4-3(D)(23)	

As always, if you have specific questions pertaining to zoning and/or development standards you are encouraged to reach out to the zoning counter at (505) 924-3857 option 1.

## Parks and Recreation Comments

Per the Street Tree Ordinance, PRD typically requires street trees on all streets with a higher classification than local streets. Roma and Chama are local streets, which is why a zone change would be difficult to justify. Regarding buffering, the most restrictive buffering would apply from sections 5-5, 5-6, and 5-9.

CHERYL SOMERFELDT, senior planner

o 505.768.5363, e [csomerfeldt@cabq.gov](mailto:csomerfeldt@cabq.gov)

# PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-299 Date: 2/17/21 Time: N/A (sent via email)

Address: 540 Chama ST NE

## Transportation Development Comments

### List of General Guidelines for Transportation Development

For additional information contact Jeanne Wolfenbarger (924-3991)

#### Curb Cuts

- Follow DPM guidelines for residential and commercial curb cuts.
- Residential curb cut requirements – (12 feet to 22 feet wide for residential, 30 feet only if there is a 3-car garage or parking for RV)
- Location of drive with respect to intersection depends on classification of the street. (See attached table.) Classification of street is according to the Long Range Master Plan developed by MRCOG.

#### Clear Sight Triangle at Access Points and Intersections

- Clear sight triangle (See attached hand-outs.) Nothing opaque should be in the triangle.

#### Private Site and Parking Lot Design

- Follow DPM and IDO Guidelines for Site and Parking Lot Design. Current ADA standards must be followed including required number of handicapped parking spaces and drive aisles, ADA access to public right-of-way, and ADA access to on-site buildings.
- See the Traffic Circulation Layout (TCL) Checklist. A TCL is required for any change or addition to a building > 500 sq. ft. or if the parking or circulation is changed. (This includes a repaving of parking lot.) Drawing must be stamped by a registered engineer or architect.
- When developing a parking lot layout, include all dimensioning for construction purposes. Also include all curb, curb ramp and signage details.
- Parking Calculations must be provided and per the requirements in the IDO. Number of vehicular spaces, motorcycle spaces, and bicycle spaces shall be specified and follow IDO requirements.
- Demonstrate queuing capacity when needed in situations such as for drive-thru facilities. It is imperative to demonstrate that the queuing will not block accessways to the site or cause vehicles to back into the main roadway. Also, provide necessary one-way signage and pavement markings.
- Shared access/parking agreement is required if access/parking is shared with parking lot adjacent to site. (This can be established on a plat if submittal of a plat is required or by an agreement.)
- Existing driveways that are not being used are required to be removed and replaced with standard curb and sidewalk to match existing.

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-299 Date: 2/17/21 Time: N/A (sent via email)

Address: 540 Chama ST NE

### Traffic Studies and Traffic Signals

1. See the Traffic Impact Study (TIS) thresholds. In general, a minimum combination of 100 vehicles entering and exiting in the peak hour warrants a Traffic Impact Study. Visit with Traffic Engineer for determination, and fill out a TIS Form that states whether one is warranted. In some cases, a trip generation may be requested for determination.
2. A proposed new traffic signal needs to A) follow guidelines for traffic signal spacing, B) meet the requirements for a traffic signal warrant study to be in operation and C) be approved by both Planning and by Traffic Operations.

### Platting and Public Infrastructure Requirements for Roadways

1. When submitting to DRB, all public roadway improvements that are required shall be shown on an infrastructure list. Public improvements must be included on a public work order set of drawings.
2. All public roadway facilities must be within public right-of-way including the entire width of the public sidewalk, all public curb ramps, overhead utilities, traffic signals and lighting, etc.
3. Curb and sidewalk is required along entire frontage of property. Follow IDO/DPM for specific width requirements.
4. There is a Bikeway Master Plan that is prepared MRCOG which lays out proposed bicycle facilities including bicycle trails, bike lanes, and bike routes. The site would be required to provide such facilities along the site frontage if they have not been constructed yet. Right-of-way dedication would likely be required.
5. Depending on site's use of an adjacent alleyway and on type of use for proposed site, alleyway improvements are required. This would include paving and/or proper right-of-way dedication to meet current width standards.
6. Follow DPM and MRCOG's Long Range Master Plan for roadway width requirements. Provide roadway cross-section. (New roadway requirements and roadway widening is also coordinated with Department of Municipal Development, depending on what plans or projects they may have on a specific roadway.)
7. If private road is over 150' long, the turnaround shall be per fire code dimensions. Fire Marshall Approval and Solid Waste Approval is required on all site layouts. For dead-ends, see options below for space dedicated to turn-arounds:

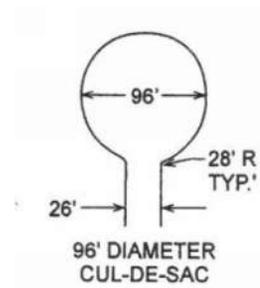
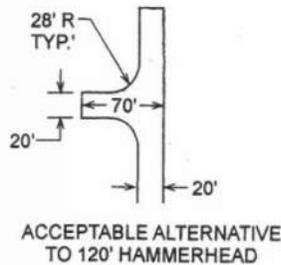
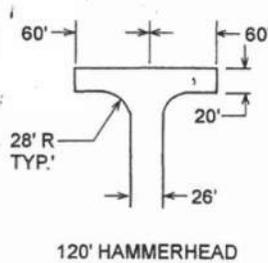
## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-299

Date: 2/17/21

Time: N/A (sent via email)

Address: 540 Chama ST NE



8. For any private access easements on plats, all beneficiaries and maintenance responsibilities must be listed.
9. Due to sight distance concerns and to construct sufficient curb ramps, right-of-way dedication is required to add curves to corners of properties at intersections if they are not already developed. See Table 23.3 of the DPM.
10. Any private structures that are located within public right-of-way such as fences and walls shall either be removed or else a revocable permit with the City is required in which an annual fee is paid per year, based on square footage of the encroachment.

*If you would have additional questions or would like to schedule a follow-up conference call meeting please contact Linda Rumpf at [lrumpf@cabq.gov](mailto:lrumpf@cabq.gov)*

Expected Number of Delivery Trucks/Buses per Day (if known):\* Unknown

Trip Generations during PM/AM Peak Hour (if known):\* Unknown

Driveway(s) Located on: Street Name Chama St. NE

Adjacent Roadway(s) Posted Speed: Street Name Chama St. NE Posted Speed Unknown

Street Name Roma Ave. NE Posted Speed Unknown

*\* If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required.)*

### **Roadway Information (adjacent to site)**

Comprehensive Plan Corridor Designation/Functional Classification: N/A  
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: N/A  
(urban center, employment center, activity center, etc.)

Jurisdiction of roadway (NMDOT, City, County): City

Adjacent Roadway(s) Traffic Volume: \_\_\_\_\_ Volume-to-Capacity Ratio (v/c): \_\_\_\_\_  
(if applicable)

Adjacent Transit Service(s): Near Major Transit \_\_\_\_\_ Nearest Transit Stop(s): Bus Stop Route 11, Lomas @ Chama

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: None  
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: None

### **Relevant Web-sites for Filling out Roadway Information:**

City GIS Information: <http://www.cabq.gov/gis/advanced-map-viewer>

Comprehensive Plan Corridor/Designation: See GIS map.

Road Corridor Classification: <https://www.mrcog-nm.gov/DocumentCenter/View/1920/Long-Range-Roadway-System-LRRS-PDF?bidId=>

Traffic Volume and V/C Ratio: <https://www.mrcog-nm.gov/285/Traffic-Counts> and <https://public.mrcog-nm.gov/taqa/>

Bikeways: [http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL\\_Jun25.pdf](http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL_Jun25.pdf) (Map Pages 75 to 81)

### **TIS Determination**

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

Traffic Impact Study (TIS) Required: Yes [  ] No [  ]

Thresholds Met? Yes [  ] No [  ]

Mitigating Reasons for Not Requiring TIS: \_\_\_\_\_ Previously Studied: [  ]

Notes: [A TIS is not required for the Zoning Map amendment. When the property is developed the need for a TIS will be reevaluated based on the type and size of the development.](#)

*M. P. ... P.E.*

7/6//2021

TRAFFIC ENGINEER

DATE

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## **Submittal**

The Scoping Form must be submitted as part of a Traffic Circulation Layout submittal, DRB application for site plan approval, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to [plndrs@cabq.gov](mailto:plndrs@cabq.gov) and to the City Traffic Engineer [mgrush@cabq.gov](mailto:mgrush@cabq.gov). Call 924-3362 for information.

### Site Plan/Traffic Scoping Checklist

Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:

1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) ([check MRCOG Bikeways and Trails in the 2040 MTP map](#))
4. Location of nearby multi-use trails, if applicable ([check MRCOG Bikeways and Trails in the 2040 MTP map](#))
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify volume to capacity (v/c) ratio on this form.

July 30, 2021

Tim MacEachen, Chair  
Environmental Planning Commission  
City of Albuquerque

RE: Zone Map Amendment  
540 Chama St. NE

Dear Mr. MacEachen:

On behalf of the applicant, 540 Chama LLC, we respectfully submit to the EPC this Zone Map Amendment request for Lots 13, 14, 15 and 16, Block 9, in the Del Norte Subdivision at 540 Chama NE between Roma Ave. and Marquette Ave. NE, shown in Zone Atlas page K-19. This letter will outline how this request supports the ABC Comprehensive Plan Goals and Policies, providing justification for the requested zone change per the decision criteria specified in the Integrated Development Ordinance (IDO) Section 14-6-6-7(G)(3).



**Subject site (in red outline)**

**Project Description:**

The subject lots are zoned MX-T and under single ownership. The applicant, 540 Chama LLC, requests a Zone Map Amendment to rezone the four lots from MX-T to MX-M.

Changing the zoning for this property to MX-M will provide the current owner with flexibility developing the site to support their existing car dealership businesses on Lomas Blvd. Contingent on the zone change approval, the owner is considering utilizing this site as a car wash and detailing shop for the dealership, which are permissive uses under the MX-M zoning district. These uses are not allowed under the current MX-T zoning, limiting opportunities for investment by the owner to expand their local business.

SMPC Architects has been retained as the agent representing 540 Chama LLC for the Zone Map Amendment, and the design firm for adjacent properties. A PRT Application and Meeting Request was sent digitally due to COVID-19 restrictions, which was reviewed by the Planning Department staff on February 1, 2021, at which time we requested a follow-up video conference meeting that occurred on February 23, 2021.

Initially, the Zone Map Amendment effort and PRT meeting for this property had investigated a zone change from MX-T to MX-M. At the time it was suggested that NR-C zone district was more appropriate for the intended land use, which was determined to be Outdoor Vehicle Storage. The original EPC Zoning Map Amendment application reflected this change and was submitted with that intended land use. After the EPC application was reviewed by the case planner, it was again suggested that the Zoning Map Amendment was more likely to be approved if a different land use and zoning district was proposed. After consulting with the property owners, it was determined that the property would be used as a car wash and detailing shop and that requesting the property be re-zoned to MX-M was a better option for approval and to avoid a “spot zone.” By modifying the Zone Map Amendment application to request an MX-M zone designation, this property would be more appropriate with the surrounding Residential, MX-T and MX-M zone districts while maintaining the owner’s vision for this property.

**Site History:**

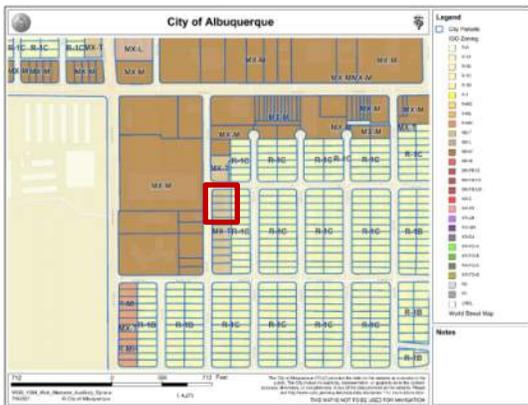
Historically, the subject property was located within the La Mesa Sector Development Plan, which was repealed in 2017 and replaced with the most current IDO. In 1976 when the La Mesa SDP was enacted, the goal was to encourage the development of quality housing to a predominately economically disadvantaged neighborhood and create “a quality urban environment which perpetuates the tradition of identifiable, individualistic communities within the metropolitan area and offer variety and maximum choice in housing, work areas and lifestyles, while creating visually pleasing architecture, landscaping and vistas to enhance the appearance of the community.” Unfortunately, the La Mesa SDP was not effective in achieving all of its intended goals because of the limits placed on development over several decades. Since the La Mesa SDP has been repealed, development of the community has improved, but additional land use opportunities would encourage meaningful and diverse development in areas like the subject site.

**Context:**

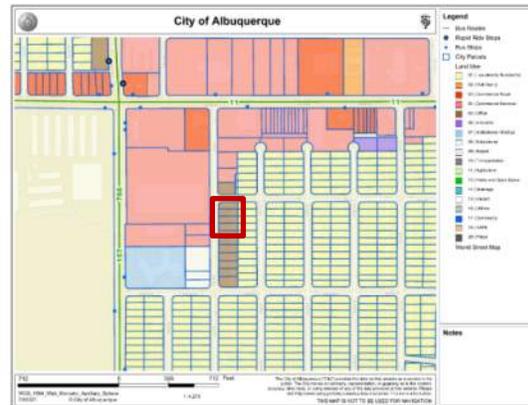
The subject site is on the corner of Chama St and Roma Ave and consists of four parcels at 540 Chama St. NE. Previously the site was comprised of a single building that housed several small business offices with parking that fronted the building to the west, and a narrow alley to the east. The building has since been demolished and the footprint of the building has been paved with asphalt. The site remains an empty paved lot without vegetation or landscaping of any kind, and storm water surface flows to street drains on Chama St. and Roma Ave.

The site's designated Land Use is Office, and it is flanked by other Office Uses and Commercial Services on the north, south and west. East of the site is a Low-density Residential neighborhood that extends to the south of the site beyond the block at Marquette Ave NE. The Zoning around the site consists of Mixed-Use - Medium Intensity and Mixed-Use Transition Zone Districts to the north, south and west, and Single Family Residential to the east. For the site to be re-zoned from MX-T to MX-M is keeping with the zoning districts of the neighborhood and would not create a "spot zone."

According to the City's Comprehensive Plan the site is located within an Area of Consistency, presumably due to its proximity to Residential Zoning Districts and the desire to limit densities, new uses, and negative impacts from nearby developments.



Zoning Map – Currently Zoned as Mixed Use-Transition



Land Use Map – Current Land Use is Office



City Development Areas - Located in Area of Consistency



Comprehensive Plan Centers & Corridors

## Justification – Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)

- A. *A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City as shown by furthering a preponderance of applicable Goals and Policies in the ABC comp Plan, as amended, and other applicable plans adopted by the City.*

This proposed zone change of the subject parcels from MX-T to MX-M is consistent with the health, safety, morals, and general welfare of the City as shown by furthering (and not in conflict with) a preponderance of applicable Goals and Policies in the ABC comprehensive Plan Goal, as amended, and other applicable plans adopted by the City as follows:

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

The Zone Map Amendment request for the subject property from MX-T to MX-M has the potential to further Goal 4.1 of the ABC Comp Plan to enhance the character of the immediate neighborhood by developing the site with an appropriate land use that is suited to the community. Although there is not yet a design for the property, the owner envisions the site as a supplemental component of the Fiesta Autogroup dealerships north of the site on Lomas Blvd. Located within the community identified as Near Heights by the ABC Comp Plan, this part of Albuquerque along Lomas Blvd. is recognized as a district that accommodates the automobile sales industry. The proposed land use (car wash and detailing shop) is not only consistent with this existing commercial activity in the community, but it will infill an empty site that has been prone to vagrancy and illegal activities. Neighbors have expressed enthusiasm about the proposed development which will enhance safety and security of the area and deter disruptive activities that take place on the site. (See accompanying support letters in application.)

Development of the site will also enhance the community by providing landscaped areas and buffer zones as outlined by the IDO. There is currently zero landscaping on the site, and minimal landscaping at adjacent properties along Chama St. NE. Landscaping along Chama would not only beautify the community, but it could help reduce the heat island effect caused by excessive pavement, and reduce pollution caused by rain runoff over impervious surfaces.



**Evidence of disruptive car manoeuvres performed on the vacant site**



**Subject site's lack of landscaping and contribution to heat island caused by asphalt pavement**

***Policy 4.1.1: Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.***

As described in Goal 4.1, the requested Zoning Map Amendment will encourage quality development that is consistent with the distinct character of the community by several means. First, the proposed Land Use, car wash/detail shop, is consistent with the existing commercial infrastructure along Lomas Blvd. where a defacto auto-sale district exists, and the owner is invested.

Though this Zoning Map Amendment request is driven by the property owner's desire to use this site as a car wash and detailing shop for vehicles from the nearby dealerships, it will not be a typical car wash that is open to the public with heavy machinery and water use. It is intended to solely serve the Fiesta Autogroup's business, so the associated negative impacts like increased traffic, noise and infrastructure associated with a commercial car wash would be tempered.

The proposed development will also contribute to the revitalization of a community where many of the neighboring businesses have left, and the buildings remain vacant. Allowing the re-zoning of this property to MX-M will not only encourage the owner to develop this property in a meaningful and appropriate way, but it will provide more flexibility to support their existing business that may otherwise be restricted under the current MX-T zone district.

In essence, the requested zone change from MX-T to MX-M promotes Policy 4.1.1 because the proposed land use for this infill development is consistent with the community character and compatible with the zoning and land uses of the surrounding area.

***Policy 4.1.2: Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses and character of building design.***

Adjacent to both Mixed-Use and Residential properties, it is critical that development of this site not be intrusive to neighboring properties either in design or land use, and that the character of the built environment is maintained. Before design begins, the built environment of a site is considered through guidelines provided by the IDO. Despite there not yet being a design for the site, the metrics and policies provided by the IDO Development Standards ensure a level of design appropriateness in terms of; building size and massing, placement, layout, landscaping, and transportation circulation patterns based on the zoning district and land use.

Because the existing and proposed zone districts are both Mixed-Use, most of the same IDO Development Standards apply to both districts include requirements for; Landscaping, Buffering and Screening, and Site, Setback Standards. Additional constraints may be required pursuant to Use-specific standards.

The Use-Specific Standards for a Car Wash outlined in IDO Section 14-16-4-3(D)(15), stipulates that the building and any associated outdoor activities are prohibited within 50 feet in any direction of any Residential zone district. By maintaining that distance from residences, in conjunction with other setback standards.

The Dimensional Standards for zoning districts MX-T and MX-M are nearly identical as specified by IDO section 14-16-5-1 and Table 5-1-2, but the maximum allowable building height is the exception. However, the increased maximum building height allowed under the MX-M zone district would be mitigated by provisions for Neighborhood Edges (Section 14-16-5-9), which stipulates that Regulated Lots (Mixed-Use lots) within 100 feet of the nearest Protected Lot (low-density residential lots) property line shall step down to a maximum height of 30 feet, the same maximum height allowed under the current MX-T zone district.



**Adjacent property to the south to be landscaped per IDO buffering standards**



North (left) and west (right) edge conditions to be landscaped per IDO Landscaping and Buffering requirements

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

The request for a Zone Map Amendment for the subject site can further Goal 5.2 of the ABC Comp Plan to foster communities where residents can live, work learn, shop and play together by allowing more Land Use flexibility as an MX-M zone district. Increased Land Use possibilities will contribute to the health and safety of neighborhood by allowing the types of businesses that will reduce the need to drive, encouraging physical activity, and foster positive social interactions. Much of the social infrastructure in the area already exists, but small, diverse commercial enterprises are needed to bridge the gaps between major corridors, activity centers and the local community. The current MX-T zone designation for the subject site and adjacent properties intentionally limits Land Uses, thus possibilities for development. To the disadvantage of the community, these properties are restricted from the diverse investment for the types of business that foster communities where residents can live, work, learn, shop, and play together.

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

Allowing the subject site to be re-zoned to MX-M will support a healthy, sustainable, and distinct community by allowing diverse Land Uses that appeal to businesses that cultivate these values. Located one block south of a Major Transit Corridor, Lomas Blvd, and one block east of an Activity Center, the State Fair Grounds, development of this site as MX-M will offer choice in multi-modal transportation, work areas and lifestyles that are conveniently accessible to the surrounding neighborhood and individuals from the around the city alike. Allowing a greater mix and intensity of uses in and near these high activity districts makes active transportation options more viable

Because the MX-T zoning district focuses on providing a transition between residential neighborhoods and more intense commercial areas, it is the most restrictive Mixed-Use district defined in the IDO. While it may succeed in tempering higher intensity development, it does so at the disadvantage of the community by inhibiting diverse development that fosters complete, healthy, and distinct communities. Instead of encouraging development that brings goods, services, and amenities within walking and biking distance of the neighborhood, the subject site and adjacent MX-T properties are limited in their potential contribution to the community. This is evidenced by the profusion of vacant buildings and shuttered business along Chama St. NE where properties are zoned as MX-T, including the subject site.

***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.***

Though the subject site is relatively small, the proposed zone change from MX-T to MX-M will promote development patterns that maximize the utility of existing infrastructure and public facilities because the Land Uses allowed under MX-M are not heavily dependent on infrastructure or public facilities. However, the diversity of allowable land uses do open opportunities for new developments that support the public good. Currently, the site is an empty paved lot, and not serving the public in any way. Re-zoned at MX-M, the development of this site aims to be a catalyst that encourages investment into neighboring sites.

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

The proposed zone change to MX-M will support additional growth in areas with existing infrastructure and public facilities by allowing the property owner to infill a vacant site with a business that has more opportunities to take advantage of its unique location in the city than the current zone allows. Currently the site and neighboring properties that are zoned MX-T do not benefit from its proximity to a Major Transit Corridor and Activity Center.

***Policy 5.3.7: Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly, and social responsibilities are borne fairly across the Albuquerque area.***

As discussed in detail in Criterion D of this document, any Locally Unwanted Land Uses that could be considered objectionable or harmful to immediate neighbors are mitigated by varying layers of federal, state, and local laws, policies, regulations, and enforcement, as well as use standards and regulations outlined by the IDO. Many potentially unwanted land uses are industrial in nature i.e. Construction Contractor Facility and Yard, Light Vehicle Fueling Station, and Heavy Vehicle Equipment Sales, Rental, Fueling, and Repair as defined in the IDO. These uses are unlikely to be sited at the subject property due to mitigating criteria outlined in the Use-Specific Standards of the IDO (Section 14-16-4-3)- specifically, proximity restrictions on these types of facilities next to residential neighborhoods. Similarly, the other potential LULUs related to alcohol, nicotine and cannabis are heavily regulated and would unlikely receive approval for permit due to federal, state, and local laws, as well as standards outlined in the IDO.

***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.***

Situated in an Area of Consistency the development of the site as an MX-M zoning district will reinforce the character and intensity of the surrounding area by promoting development that benefits from not just the existing physical infrastructure and public facilities, but the established community infrastructure afforded by its direct proximity to an Activity Center and Major Transit Corridor. The current MX-T zoning does not allow the subject site or neighboring properties to fully take advantage of this unique location in the city by restricting potentially beneficial Land Uses. The goal would be to develop the property so that the character of the neighborhood is not merely maintained but enhanced.

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

By allowing this property to be re-zoned the site will be developed to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks and Major Public Open Space by complying with the guidelines stipulated by the IDO that ensure developments reinforce the scale, intensity, and setbacks for the immediately surrounding context. When the site is designed, it will respect all setbacks, buffering and building height and massing limits required for new developments in the MX-M zoning district and any Use-specific Standards.



**East edge of site looking north to be landscaped with 15ft buffer adjacent to residential district per IDO Standard**



**East edge of site looking south to be landscaped with 15ft buffer adjacent to residential district per IDO Standard**

***Policy 7.3.3: Placemaking: Encourage efforts to establish and strengthen district identity within Centers, business districts and neighborhoods.***

If the Zoning Map Amendment is approved for the site, the MX-M zone district will encourage efforts to establish and strengthen district identity within Centers, business districts and neighborhoods by leveraging its unique proximity to Lomas Blvd. and the State Fair Grounds by reducing barriers for infill redevelopment opportunities. The MX-M district is more likely to strengthen district identity through thoughtful development that is sensitive to the neighborhood that lacks a strong distinguishing identity.

***Goal 8.1 Placemaking: Creates places where businesses and talent will stay and thrive.***

Allowing a Zoning Map Amendment to the MX-M zone district increases the potential create places where business and talent will stay and thrive compared to if it were to remain MX-T. By approving the zone change, the city can impact the local distribution of business in the area by allowing more diverse enterprises to exist that have the potential to contribute to the community's prosperity.

Current conditions, including the designated zoning district, have not inspired the creation of places where businesses and talent will stay and thrive. Only a couple of businesses in the area that are zoned MX-T are currently operational, the majority are vacant. An objective of the Zone Map Amendment request is to create an environment where businesses can thrive by encouraging investment in surrounding properties once the subject site is developed. More diverse land uses allowed under the MX-M zone district would make this goal more feasible and attractive to potential investors.

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

Development of the subject site as an MX-M zoning district would foster a wider range of development, intensities, densities, uses and building scale, by simply alleviating some of the land use constraints associated with the current MX-T zoning. MX-T is the most restrictive mixed-use district because it aims to protect abutting residential districts from disruptive uses, but because of the size of the site many of the allowable uses under MX-T are not appropriate or feasible. This has limited the types of uses that occupy this zone district along Chama St. NE to small businesses, and offices, and as a result is relatively homogenous in terms of intensities, densities, uses and building scale. MX-M zoning districts broaden land use opportunities and encourage economic development in a way that MX-T inhibits.

***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.***

By allowing a Zone Map Amendment for the subject property to MX-M zone district, economic development opportunities are encouraged by the potential for development of varied land use options that are not allowed under current MX-T zoning. New opportunities for economic

development that furthers social, cultural, and environmental goals will be enhanced through local job creation fostered by development of the subject site.

***Policy 8.2.1: Local Business: Emphasize local business development***

The Zone Map Amendment request from MX-T zone district to MX-M will further Policy 8.2.1 by encouraging investment by local business owners to create diverse and creative businesses that stimulate the economy and provides employment opportunities for the immediate community. Having more land use options under MX-M zoning will make the subject site more appealing to local business development.

As demonstrated in the analysis above, the request for a zoning map amendment for the subject site from MX-T to MX-M furthers the Goals and Policies of the ABC Comprehensive Plan by furthering the City's objectives to enhance Community Identity, Land Use opportunities, features of Urban Design and possibilities for Economic Development. By design, the MX-T zoning district is restrictive because it intends to protect the adjacent residential area from intense and imposing land uses. However, it has demonstrated to be potentially too restrictive, limiting opportunities to implement ABC Comp plan objectives. Although this is a relatively small site, it has the potential to make an immediate positive impact on the community in the future if the zone change is approved. The owner is invested in the neighborhood and intends on developing the site in a meaningful way that fulfills the City's and their own goals while positively impacting the community.

*B. If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:*

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

First, the new zone would strengthen the established character of the surrounding area and would not permit development that is significantly different from that character because two of the four immediate neighboring properties are already designated MX-M to the north and west of the property. The zone change would simply extend the neighboring MX-M zoning by one more property, yet allow a wide range of uses that are currently prohibited or conditional under MX-T

The subject property is located wholly in an Area of Consistency (as shown in the ABC Comp Plan, as amended) and would benefit from being re-zoned because MX-M is more advantageous to the community demonstrated by the following reasons: The existing MX-T zoning is no longer appropriate for the subject site because the current zoning designation has not inspired

development in the area and it is too restrictive. Many of the neighboring MX-T properties appear abandoned or vacant, and those that are occupied show little evidence of building or property maintenance. It cannot be verified that zoning is the sole problem for business prosperity, but the likelihood of improved density, intensity and connectivity is more likely with mixed land use opportunities that appeal to development.

- C. *If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) Consistency and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:*
- 1. There was typographical or clerical error when the existing zone district was applied to the property.  
The applicant makes no argument for a typographical or clerical error when the existing zone district was applied to the property.*
  - 2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.  
The applicant makes no argument towards a significant change in neighborhood or community conditions affecting the site.*
  - 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).*

The subject property is located wholly in an Area of Consistency; therefore, Area of Change criterion are not applicable.

- D. *The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.*

The requested zoning does not include permissive uses that would be harmful to adjacent properties, the neighborhood or the community, unless the Use-specific Standards in section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts. The permissive uses between MX-T zoning designation and the MX-M zoning designation that could be considered harmful to adjacent properties have Use-specific Standards in Section 14-16-4-3 associated with them that will adequately mitigate those harmful impacts. Similarly, the Neighborhood Edges in Section 14-16-5-9 is intended to preserve the character of established low-density residential development in any Residential zone district on lots adjacent to any Mixed-use or Non-residential zone district. The Neighborhood Edges Development Standard restricts building heights, parking, drive-through or drive-up facilities, and loading in a manner that discourages development that is inappropriate in scale and use when abutting a residential area. Below is a side-by-side analysis that outlines the new permissive uses under MX-M zoning compared to the existing MX-T zone's use status for the same land use. Additional guidelines for Use-specific Standards are referenced to further compare mitigating criteria for potentially harmful impacts of the requested zoning.

**Side-by-Side Analysis of New Permissive Uses**

<b>New Permissive Uses Under MX-M Zoning</b>	<b>Existing IDO Use Status (MX-T)</b>	<b>Related IDO Development Standards That May Apply (Use-Specific Standards 14-16-4-3)</b>
Dormitory	Conditional	No use-specific standards
Group Home, medium	Conditional	4-3(B)(9)
Hospital	Not Permissive	4-3(C)(4)
Sports Field	Conditional	No use-specific standards
University or College	Conditional	No use-specific standards
Veterinary Hospital	Conditional Primary	4-3(D)(5)
Other Pet Services	Conditional Primary	No use-specific standards
Auditorium or Theater	Permissive Accessory	4-3(D)(7)
Bar	Conditional Primary	4-3(D)(8)
Catering Service	Not Permissive	No use-specific standards
Nightclub	Not Permissive	4-3(D)(8)
Restaurant	Conditional Primary	4-3(D)(8)
Tap Room or Tasting Room	Conditional Primary	4-3(D)(8)
Other Indoor Entertainment	Conditional Primary	4-3(D)(11)
Car Wash	Not Permissive	4-3(D)(15)
Light Vehicle Fueling Station	Not Permissive	4-3(D)(17)
Light Vehicle Repair	Not Permissive	4-3(D)(18)

Light Vehicle Sales and Rental	Not Permissive	4-3(D)(19)
Paid Parking Lot	Conditional Primary	4-3(D)(21)
Parking Structure	Conditional Accessory	4-3(D)(21)
Club or Event Facility	Conditional Primary	4-3(D)(23)
Commercial Services	Not Permissive	No use-specific standards
Mortuary	Not Permissive	No use-specific standards
Personal Business Services, Large	Not Permissive	4-3(D)(26)
Bakery Goods or Confectionery Shop	Conditional Primary	No use-specific standards
Cannabis Retail	Not Permissive	4-3(D)(34)
Farmer's Market	Temporary	4-3(D)(35)
General Retail, Medium	Not Permissive	4-3(D)(36)
Grocery Store	Not Permissive	4-3(D)(37)
Nicotine Retail	Conditional Accessory	4-3(D)(39)
Pawn Shop	Not Permissive	4-3(D)(40)
Park-and-Ride Lot	Conditional Primary	4-3(D)(44)
Transit Facility	Conditional Primary	4-3(D)(46)
Artisan Manufacturing	Conditional Primary	4-3(E)(1)

As justified in the analysis of the Goals and Policies of the ABC Comp plan for the subject property, the motivation for requesting a Zone Map Amendment is to allow for a larger variety of land uses in a neighborhood that would benefit economically from diverse commercial activity while enhancing the community identity. Although some permissive uses in the MX-M zone district may fulfill that goal, they may also be construed as having possible harmful effects to adjacent properties, the neighborhood, or the community. In many cases, the potentially harmful uses that are Permissive under the MX-M zoning district are allowed as Conditional Permissive under the current MX-T zoning district. Meaning, the City would require a Conditional Use Permit approved by the Zoning Hearing Examiner to allow such land uses to occur. Often, as in this Zone Map Amendment request, these uses are mitigated by Use-specific Standards outlined in the Section 14-16-4-3 of Albuquerque's IDO, regulations by local, state and federal requirements and compliance of New Mexico State Laws. Such land uses and their mitigating factors are described below:

1. Group Home (Medium): The Use-Specific Standards for a Group Home state that, "This use is prohibited within 1,500 feet in any direction of any other community residential facility or group home." Due to the proximity to a nearby Community Residential Facility within the 1,500-foot threshold, the use of this site for a Group Home would be prohibited.
2. Hospital: There are not Use-Specific standards that would prohibit a hospital from being located at this site, but it is unlikely to be used for this purpose. At .62 acres the site is simply not large enough to accommodate a hospital as defined by the IDO once Landscaping, Buffering, and Parking standards are implemented. The size of the site is more appropriate to house a medical clinic, but that is a prohibited use under MX-M zoning.
3. Auditorium or Theater: There are not Use-Specific standards that would prohibit an Auditorium or Theater from being located at this site, however it is unlikely that it would be used for that purpose. Like other uses that are not explicitly prohibited by IDO Standards, the Landscape, Buffering, and Parking requirements would constrain the site to a level that an Auditorium or Theater is not feasible or desirable.
4. Bar, Nightclub, Restaurant, Tap Room, or Tasting Room: Though these uses would be potentially economically beneficial to the area, they may be construed as harmful and unwanted. Currently, they are allowed under the MX-T zoning district as a Conditional Primary use, thus permissive after a CUP is obtained. The effect of the new MX-M zoning for these uses' permissibility would be minimal.
5. Light Vehicle Fueling Station: Not permitted under the current MX-T zoning this use is allowed as a Conditional Primary under MX-M zoning if located adjacent to any residential use and would require a CUP. Like Heavy Vehicle & Equipment Sales, Rental, Fueling, and Repair, this use is highly regulated by Federal, State and Local agencies and highly unlikely at this property. It is subject to the IDO Use-Specific Standards, as well as the IDO Cumulative Impacts Sections restricting criteria are outlined in IDO sections 14-16-5-2(E) and 14-16-6-6(A).
6. Parking Structure: IDO standards: There are not Use-Specific standards that would prohibit a parking structure from being located at this site, but it is unlikely to be used for this purpose. At .62 acres the site is simply not large enough to accommodate a parking

structure once IDO Parking Structure Design, Landscaping and Buffering standards are implemented. There are no other land uses in the area that would necessitate large areas of parking, especially adjacent to a residential zone. It would not be feasible or desirable for any property owner to use this site for a parking structure.

7. Club or event facility:
8. Cannabis Retail: Not permitted under current MX-T zoning, MX-M zoning would allow Cannabis Retail pursuant to Use-specific Standards, including compliance with New Mexico State law requirements. Though these mitigating conditions provide protection for a neighborhood that may consider this use harmful, it also leaves the door open for a potentially lucrative business for neighborhoods that welcome this use. As a lucrative business type with the potential to foster economic development and employment as it is increasingly accepted and is likely to become fully legalized in the near future (potentially in the coming year).
9. General Retail (Medium): Use-specific standards focus on large General Retail facilities and do not specify guidelines for medium General Retail. Defined by the IDO as: An establishment more than 25,000 square feet of gross floor area and no more than 50,000 Square feet of gross floor area. Given parking, landscaping and buffering requirements for this site, it could not support a medium-size General Retail establishment.
10. Pawn Shop: IDO Use-specific guidelines for Pawn Shops stipulate that this use shall not be located within 1 mile of another pawn shop location. The subject site is located near two pawn shops, at 1.2 and 0.8 miles from the subject site. It is unknown if either or both pawn shops are currently operational since lockdowns and business closures increased during 2020. Besides the IDO use-specific guidelines that would restrict this site becoming a pawn shop, it would be highly unlikely to become one in the future should a pawn shop within one mile close for over a year and use-specific standards no longer apply. The location, abutting a residential zone and away from a major street, would not be advantageous for this type of retail business that depends on high traffic and visibility.
11. Nicotine Retail: Currently allowed as Conditional Accessory under MX-T zoning, this use will be allowed under the MX-M and does not constitute a significant change to zoning permissiveness. However, Use-specific standards and strict New Mexico State law requirements regulate and restrict this use including requiring a CUP if located within 500 feet of a residential zone district, school, or child day care, and limiting operational hours.
12. Park-and-Ride Lot: Like a parking structure, this site is not appropriate for use as a park-and-ride lot, and there would be no incentive for a property owner to use the site for this purpose on a permanent basis.
13. Transit Facility: There are not any Use-Specific standards that prohibit a Transit Facility from being located by this site. Defined by the IDO as, "Land used for transit stations, terminals, depots, and transfer points, which may include shelters, park-and-ride lots, and/or related facilities on public or privately owned lots," this site would not accommodate such a use. Like all other parking/transit uses, this property is too small and remote to be utilized for these types of facilities, and population densities in this area do not warrant for it.

Uses that could be perceived as creating potentially harmful impacts on adjacent properties, the neighborhood or the community created by future development of the subject site would be mitigated by various layers of constraints including the IDO Use-specific Standards, parking standards, setbacks, landscaping and buffering standards, Cumulative Impacts mitigation (IDO Section 14-16-5-2(E)), and New Mexico State Laws. All uses are also subject to city ordinances regulating noise, odor, vibration, glare, heat and other special conditions that could affect the surrounding area.

- E. *The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, meet any of the following criteria:*
1. *Have adequate capacity to serve the development made possible by the change of zone.*
  2. *Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.*
  3. *Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).*
  4. *Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.*

This proposed zone change is located within the city limits and all infrastructure including roads, water, and sewer are well-established. The site is located off Lomas Blvd, which is a heavily maintained Major Transit Corridor with sufficient infrastructure to support the development made possible by the zone change. Chama St. NE is also an established road with surrounding residential homes and commercial businesses that are adequately supported by existing infrastructure and public improvements are not necessary. As such, in accordance with criteria 1 the applicant neither requests, nor requires capital expenditures by the City to develop this parcel. Redevelopment costs will be totally borne by the property owner.

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

The justification for the Zoning Map Amendment is not completely based on the property's location on a major street. Although the subject site is one block south of Lomas Blvd., is not located along a major street and therefore does not claim adjacency to a major street as justification for this request. The applicant believes that the justification for this zone map amendment is supported by relevant Goals and Policies of the ABC Comprehensive Plan and is consistent with the health, safety, and general welfare of the City.

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

This justification for this zoning amendment request is not based completely or predominantly on the cost of land or other economic considerations. Consistent with the ABC Comp Plan, the applicant considers the request to further City Goals and Policies regarding this request and asks for no specific consideration regarding any economic issue with this zone map amendment. The purpose of this request is to allow for private commercial development in a way that is consistent with neighboring properties, and the health, safety, and general welfare of the City.

H. *The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a “spot zone”) or to a strip of land along a street (i.e. create a “strip zone”) unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:*

- 1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.*
- 2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.*
- 3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.*

The Zoning Map Amendment would not apply a zone district different from the surrounding zone districts, creating a “spot zone. Because the site is adjacent to several properties that are already designated as MX-M, re-zoning the property from MX-T to MX-M is consistent with the zoning districts in the immediate area.

**Conclusion:**

Through the process stipulated by the IDO for Zoning Map Amendment requests, community response to the proposed zoning map amendment by both by Neighborhood Associations and neighbors within the Buffer Map has been positive. Phone calls and written correspondence documented in the application between the agent and neighbors verify this support. An eagerness to develop and improve the site is clear, and all parties who responded to notifications required by the IDO expressed support when the proposed project was explained.

For the reasons outlined in the justification, on behalf of 540 Chama LLC, we respectfully request that the Environmental Planning Commission consider and approve this request for a Zoning Map Amendment for the subject site.

Sincerely,



Sonia Vinajeras-Gallegos

## Lozoya, Sergio

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**From:** Sonia Vinajeras-Gallegos <s.gallegos@smpcarchitects.com>  
**Sent:** Friday, June 25, 2021 12:33 PM  
**To:** Lozoya, Sergio  
**Cc:** Glenn Fellows  
**Subject:** 540 Chama NE - Zone Map Amendment 30-Day Deferral request

Good morning, Sergio.

After discussions with the property owner and your review of the Zone Map Amendment application for the property at 540 Chama NE, Project # 2021-005538, RZ-2021-00017, we would like to request a 30-day deferral to amend our application to reflect a zone change from MX-T to MX-M instead of NR-C. We will revise our application to reflect this change and send the application to you by July 26<sup>th</sup> in order to participate in the August 19<sup>th</sup> EPC hearing.

I will be in touch if I have any questions.

Thank you,

**Sonia Vinajeras-Gallegos**

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

### **SMPC Architects**

219 Central Ave NW | Suite 800 | Albuquerque, NM 87102

T 505-255-8668 | F 505-268-6665 | [SMPCArchitects.com](http://SMPCArchitects.com) | [Blog](#) | [Facebook](#) | [Instagram](#)

## STAFF INFORMATION

June 23, 2021

TO: SMPC Architects  
FROM: Sergio Lozoya, Planner  
City of Albuquerque Planning Department  
TEL: (505) 924-3935  
RE: Chama St Zone Change

---

I am the Staff Planner reviewing your application for project #2021-005538, RZ-2021-00017, a zone map amendment (zone change) for the subject site located on Chama St SE, between Roma Ave SE and Marquette Ave SE. The zone change is from MX-T to NR-C to allow the development of a Car Wash (Permissive under NR-C) and Outdoor Vehicle Storage (Conditional use under NR-C). A facilitated meeting has not been requested, however, some questions were addressed via e-mail. The La Mesa Community Improvement Association expressed understanding and support of the request. A neighboring property owner also sent the applicant an e-mail expressing support for the project.

Although I have done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately. After review of the application material including the justification letter, the following comments are provided along with changes or additions requested.

The response to many of the Goals and Policies need to be expanded in order to justify the proposed Zone Map Amendment while others listed do not further the Comprehensive Plan Goals and Policies.

Please provide the following:

⇒ A revised zone change justification letter pursuant to the zone change criteria in the IDO (one copy) by:

**9 am on Wednesday, June 30, 2021.**

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

1) Introduction:

- A. I have the legal description as follows: SMPC Architects, agents for 540 Chama LLC, requests a Zone Map Amendment from MX-T to NR-C for all or a portion of Lots 15 & 16, Block 9, Del Norte Subdivision, approximately 0.5 acre. Is that correct?
- B. In the project letter, an image is shown with a red boundary around Lots 13 – 16, are lots 13 & 14 included in the request?
- C. The application states that the intention for the zone change is to provide support to the existing dealership by building a carwash and using the lot for outdoor vehicle storage. Outdoor vehicle storage is considered a Conditional Primary use which would require Conditional Use Approval pursuant to IDO Section 14-16-6-6(A), and is subject to any Use-specific Standards referenced in the right-hand column of table 4-2-1 Allowable Uses.

D. Please provide a completed TIS form. The one in the application packet has not been signed by the Planning Department.

2) Resources/Process:

A. Note: The City has a publicly available GIS based map viewer that you can use to query a variety of land use and zoning topics:

<http://www.cabq.gov/gis/advanced-map-viewer>

B. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

C. Timelines and EPC Calendar: the EPC public hearing for July is the 15<sup>th</sup>. Final staff reports will be available one week prior, on July 8<sup>th</sup>.

D. Agency comments will be distributed around Wednesday, June 23<sup>rd</sup>. I will email you a copy of the comments and will forward any late ones to you.

3) Notification and Neighborhood Issues:

*Notification requirements for a zone change are explained in section 14-16-6-4(K), Public Notice. The required notification consists of: i) an emailed letter to neighborhood representatives indicated by the ONC and ii) a mailed letter (first class) to property owners within 100 feet of the subject site.*

A. It appears that notification offering the pre-application facilitated meeting is complete. I found that each person on the ONC list received, via email: cover letter, required meeting request form, letter of explanation, and zone atlas page.

B. I saw that the La Mesa Community Improvement Association responded and expressed their support.

C. Patricia Wilson requested a meeting for an explanation of the differences in the MX-T and NR-C zones and you responded with an email, was she satisfied with this? Was a meeting requested and held?

D. The notification to property owners also appears to be complete. Thank you for providing scans of the postage receipts.

E. Please ensure that the sign is posted for the appropriate dates. 15 consecutive days before the EPC hearing begins on June 30<sup>th</sup> and ends July 15<sup>th</sup>.

F. Have you had any other neighborhood representatives or members of the public contact you so far?

4) Project Letter:

A. In general, I can follow the project letter. There should be a section addressing the context of the area. This usually includes a description of the surrounding zoning and land uses. You can use

the link provided above to our online GIS map to see what the surrounding land use and zoning is. Please add discussion on the Area of Consistency/Change.

Note: The subject site is surrounded by these zones: MX-M, MX-T, and R1-C. This request would create a spot zone

#### 5) Zone Map Amendment (zone change) – Overview:

- A. The task in a zone change justification is to choose applicable Goals and policies from the Comprehensive Plan and demonstrate how the request furthers (makes a reality) each applicable Goal and policy. Furthering is shown by providing explanations using “because” statements and tailoring the response to match the wording of the Goal or policy.
- B. Please note: Responding to the zone change criteria is more of a legal exercise than anything else. It is critical to “hit the nail on the head” both conceptually and in terms of form. This can be done by:
  - i: Answering the questions in a customary way (see examples).
  - ii: Using a conclusory statement such as “because \_\_\_\_\_”
  - iii: Re-phrasing the requirement itself in the response, and
  - iv: Choosing an option when needed to respond to a requirement.
- C. Version 1 submitted June 2<sup>nd</sup>, 2021 of the justification is a good start but a strengthened and expanded policy analysis is needed to fulfill Criterion A. The response to Criterion H is currently not meeting the requirement and also need to be strengthened.

#### 6) Zone Map Amendment (zone change) – Section by Section :

*Please address and incorporate the following to provide a strengthened response to the IDO zone change criteria.*

- Explain how the proposed change contributes to the goal or policy by specifically addressing the language found in the goals or polices.
- Be precise in the language used in the policy analysis, less policies with stronger connections are better than more policies with weak connections. We will discuss a few examples during our meeting.

Be sure to include a conclusory statement regarding the entirety of Criterion A

- A. Criterion A (refine): Please see comments listed under each Goal or policy as the arguments/response need to be strengthened in order to justify request.

#### Chapter 4 Community Identity:

What is the identity of the surrounding neighborhood? How would the cohesiveness of the neighborhood be protected? Can some of the zoning standards be articulated as to how those regulations protect the identity and cohesiveness of the neighborhoods? The focus of the analysis

should be on the subject site itself, and its impact on the neighborhood not the possibility of development of surrounding lots.

Goals and policies from Chapter 4 related to design are difficult to justify in zone change requests as there is no design to review. Substantial evidence is needed to establish these as findings, also IDO regulation provides only a minimum standard.

Goal 4.1:

Discuss how this community is distinct and how the zone change would enhance, protect, and preserve it. Give examples of land uses that will facilitate this goal.

Policy 4.1.1:

This is related to design, and is difficult to justify purely through zone change. Perhaps you can include how design standards will further this policy, specifically how NR-C would be more advantageous than MX-T.

Policy 4.1.2:

Again, the aspects related to design are difficult to justify at this stage. Be specific as to why NR-C furthers this Policy. How does it ensure the appropriate scale and design? Discuss specifically how setbacks, minimum lot sizes, etc. fit into the subject site.

Policy 4.1.5:

I would remove this policy as there isn't really a "natural setting and ecosystem function". These are more relevant when designing adjacent to sensitive lands or open space.

#### Chapter 5 Land Use:

Some policies from this chapter are relevant to the Zone Map Amendment.

Policy 5.1.6:

Make sure to rephrase or directly use the language from the policy in the justification. For example, the zone change to NR-C will foster a mixed-use center of activity because..."

Goal 5.2:

Discuss specific land uses that will fulfill this goal, and how NR-C is more advantageous in fulfilling this goal.

Policy 5.2.1:

Ensure that the policy is rephrased and directly addressed in the justification.

Goal 5.3: Discuss in more detail the existing infrastructure in place that will support this Zone Map Amendment.

Policy 5.3.7:

Ensure that language from the policy is addressed in the justification.

Goal 5.6 & Policy 5.6.4:

This area is not located within an Area of Change. The subject site is located in an Area of Consistency.

#### Chapter 7 : Urban Design

Goals and policies from Chapter 7 related to design are difficult to justify in zone change requests as there is no design to review. Substantial evidence is needed to establish these as findings, also IDO regulation provides only a minimum standard.

Policy 7.3.2, 7.3.4, 7.4.1, 7.4.2, 7.6.1 are some examples of policies related to design.

Policy 7.3.3:

Specify how land uses in NR-C will further this policy.

#### Chapter 8 Economic Development:

Policies from this chapter are relevant to Zone Map Amendments. Describe in more detail how the NR-C zone is more advantageous by listing specific examples of Land Uses that will be available and how they benefit the community.

Add justification to Goal 8.2.

- B. Criterion B (refine): The subject site is located within an area of consistency. There is a two-part requirement to fulfill this criterion.
- C. Criterion C (re-do): The subject site is located within an area of consistency, please revise the project letter to reflect this.
- D. Criterion D (refine): This portion was well done however, the discussion on whether or not General Retail (Medium and Large), Pawn Shop, Light Manufacturing, and Wholesaling & Distribution Center would be harmful to adjacent property, the neighborhood, or the community was left out. Please add that to the discussion.
- E. Criterion E (refine): Please expand and be specific (i.e., site is located off of Lomas which is well established, Chama Rd is an established road with surrounding residential and existing utilities.).
- F. Criterion F (good): This portion is sufficient to meet requirement.
- G. Criterion G (good): This portion is sufficient to meet requirement.
- H. Criterion H (refine): Please add discussion as to how the zone change “clearly facilitates implementation of the ABC Comp Plan, as amended”. Also, discuss how the NR-C zone would function as a transition between MX-M and R-1 zones in the area, how is it a better transition zone than MX-T? Focus on regulatory items and allowable land uses, not so much the current state of the subject site.

NOTIFICATION

**Sonia Vinajeras-Gallegos**

**From:** Carmona, Dalaina L. <dlcarmona@cabq.gov>  
**Sent:** Monday, March 22, 2021 1:59 PM  
**To:** Sonia Vinajeras-Gallegos  
**Subject:** 540 Chama St. NE Neighborhood Meeting Inquiry  
**Attachments:** IDOZoneAtlasPage\_K-19-Z.PDF

Dear Applicant,

Please find the neighborhood contact information listed below.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
La Mesa Community Improvement Association	Dayna	Mares	dayna.mares76@gmail.com	639 Dallas Street NE	Albuquerque	NM	87108	5054140085	
La Mesa Community Improvement Association	Idalia	Lechuga-Tena	idalialt@gmail.com	PO Box 8653	Albuquerque	NM	87198	5055503868	
District 6 Coalition of Neighborhood Associations	Patricia	Willson	info@willsonstudio.com	505 Dartmouth Drive SE	Albuquerque	NM	87106	5059808007	5052668944
District 6 Coalition of Neighborhood Associations	Mandy	Warr	mandy@theremedadayspa.com	119 Vassar Drive SE	Albuquerque	NM	87106		5054014367

You will need to e-mail each of the listed contacts and let them know that you are applying for a permit for your project. You can use this online link to find template language if you're not sure what information you need to include in your e-mail. <https://www.cabq.gov/planning/urban-design-development/public-notice>

If your permit application or project requires a neighborhood meeting, you can click on this link to find template language to use in your e-mail notification: <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If you have questions about what type of notification is required for your particular project, please click on the link below to see a table of different types of projects and what notification is required for each: <https://ido.abc-zone.com/integrated-development-ordinance-ido#page=393>

Once you have e-mailed the contact individuals in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your permit application and submit it to the Planning Department for approval. **PLEASE NOTE:** The ONC does not have any jurisdiction over any other aspect of your permit application beyond the neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, or project plans, so we encourage you to contact the Planning Department at: 505-924-3860 or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

If your permit or project requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

Thanks,



*Dalaina L. Carmona*

Senior Administrative Assistant  
Office of Neighborhood Coordination  
Council Services Department  
1 Civic Plaza NW, Suite 9087, 9<sup>th</sup> Floor  
Albuquerque, NM 87102  
505-768-3334

[dlcarmona@cabq.gov](mailto:dlcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)

Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



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**From:** webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov

**Sent:** Monday, March 22, 2021 9:38 AM

**To:** Office of Neighborhood Coordination <s.vinajeras-gallegos@smpcarchitects.com>

**Cc:** Office of Neighborhood Coordination <onc@cabq.gov>

**Subject:** Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:

Environmental Planning Commission

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

Contact Name

Sonia Vinajeras-Gallegos

Telephone Number

5052326334

Email Address

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

Company Name

SMPC Architects

Company Address

219 Central Ave NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

LTS 15 & 16 BLK 9 Del Norte Subdivision

Physical address of subject site:

540 Chama St. NE

Subject site cross streets:

Chama St. & Roma

Other subject site identifiers:

This site is located on the following zone atlas page:

K-19

June 07, 2021

**RE: PUBLIC NOTICE OF EPC ZOOM VIDEO CONFERENCE**

To Whom It May Concern,

On behalf of 540 Chama LLC, SMPC Architects has submitted an application to the Environmental Planning Commission (EPC) for approval of a Zone Map Amendment for the property at 540 Chama NE 87108. The request would change the property's zoning from Mixed-Use Transition (MX-T) to Non-Residential Commercial (NR-C). The property is currently a vacant paved lot. Definitions for the two zone districts are described below per Albuquerque's Integrated Development Ordinance (IDO).

**IDO § 14-6-2-4:** *The purpose of the **MX-T** zone district is to provide a transition between residential neighborhoods and more intense commercial areas. Primary land uses include a range of low-density residential, small-scale multi-family, office, institutional, and pedestrian-oriented commercial uses. Allowable uses are shown in Table 4-2-1.*

**IDO § 14-6-2-5:** *The purpose of the **NR-C** zone district is to accommodate medium-scale retail, office, commercial, and institutional uses, particularly where additional residential development is not appropriate or not desired because of a deficit of jobs or services in relation to housing units in the area. Primary land uses include a wide spectrum of retail and commercial uses intended to serve both neighborhood and area-wide needs, as well as some light industrial uses. Allowable uses are shown in Table 4-2-1.*

**A public hearing for the request is scheduled, see information below to attend. Due to Covid-19 the public hearing for the requested Zone Map Amendment is scheduled for 8:30 am July 15<sup>th</sup>, 2021 via ZOOM video conference. This hearing is open to members of the public and may attend using link an information below:**

<https://cabq.zoom.us/j/2269592859#success>

Meeting ID: 226 959 2859

One tap mobile

+12532158782,,2269592859# US (Tacoma)

+13462487799,,2269592859# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

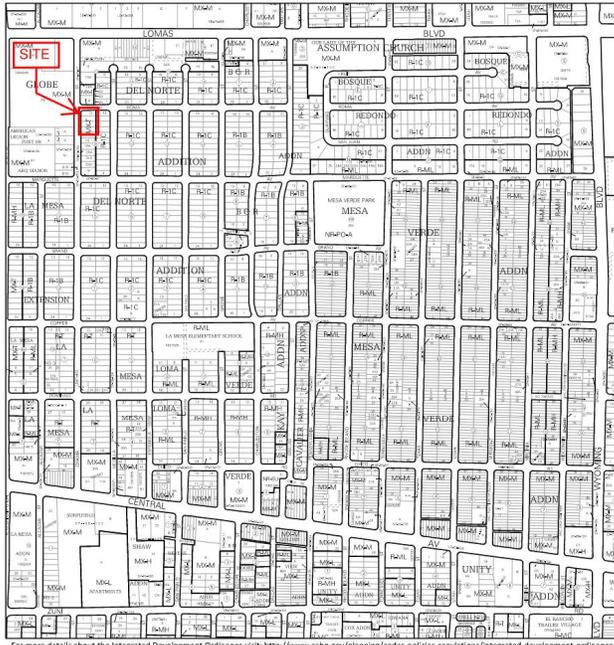
+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

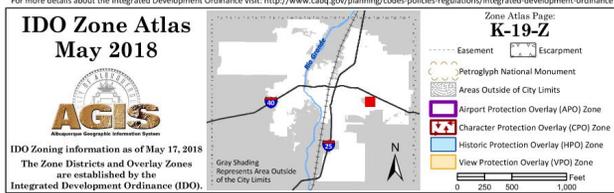
Meeting ID: 226 959 2859

Find your local number: <https://cabq.zoom.us/u/abeuj1Ao7>



The Zone Atlas Map below outlines the boundary of the proposed site.

540 Chama NE  
 Albuquerque, NM 87108  
 Zone Atlas Page K-19



**Useful Links:**

Integrated Development Ordinance

<https://documents.cabq.gov/planning/IDO/IDO-2019-Effective-2020-11-02.pdf>

IDO Interactive Map: <https://arcg.is/j4iC>

If you have any questions or need additional information regarding the Zone Map Amendment application or hearing, you can contact SMPC Architects or the City Planning Dept

Sincerely,

Sonia Vinajeras-Gallegos

Intern Architect II, SMPC Architects

219 Central Ave NW, Suite 800

Albuquerque, NM 87102

Office (505)255-8668 (ext. 334)

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

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

## Public Notice of a Proposed Project in the City of Albuquerque for Decisions Requiring a Meeting or Hearing Mailed/Emailed to a Neighborhood Association

Date of Notice\*: 06/07/2021

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: La Mesa Community Improvement Association

Name of NA Representative\*: Dayna Mares, Idalia Lechuga-Tena

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: dayna.mares76@gmail.com, idalialt@gmail.com

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

1. Subject Property Address\* 540 Chama NE Albuquerque, NM 87108  
Location Description The northeast corner of Chama St NE and Roma Ave NE, one block south of Lomas Blvd.
2. Property Owner\* 540 Chama LLC
3. Agent/Applicant\* *[if applicable]* SMPC Architects
4. Application(s) Type\* per IDO [Table 6-1-1](#) *[mark all that apply]*
  - Conditional Use Approval
  - Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - Site Plan
  - Subdivision \_\_\_\_\_ (Minor or Major)
  - Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
  - Variance
  - Waiver
  - Other: Zoning Map Amendment

Summary of project/request<sup>2</sup>\*:

The client is requesting a Zoning Map Amendment for the property at 540 Chama NE from MX-T to NR-C for a new undetermined development. The property is currently a paved vacant lot.

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

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



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

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: N/A
- a. Location of proposed buildings and landscape areas.\*
  - b. Access and circulation for vehicles and pedestrians.\*
  - c. Maximum height of any proposed structures, with building elevations.\*
  - d. **For residential development\***: Maximum number of proposed dwelling units.
  - e. **For non-residential development\***:
    - Total gross floor area of proposed project.
    - Gross floor area for each proposed use.

**Additional Information [Optional]:**

From the IDO Zoning Map<sup>6</sup>:

- 1. Area of Property [typically in acres] 0.32 acres
  - 2. IDO Zone District MX-T, Mixed-Use-Transitional
  - 3. Overlay Zone(s) [if applicable] N/A
  - 4. Center or Corridor Area [if applicable] N/A
- Current Land Use(s) [vacant, if none] None
- 

**NOTE:** Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: \_\_\_\_\_ [Other Neighborhood Associations, if any]  
\_\_\_\_\_

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

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

**Public Notice of a Proposed Project in the City of Albuquerque  
for Decisions Requiring a Meeting or Hearing  
Mailed/Emailed to a Neighborhood Association**

Date of Notice\*: 06/07/2021

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: District 6 Coalition of Neighborhood Associations

Name of NA Representative\*: Patricia Wilson, Mandy Warr

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: info@wilsonstudio.com, mandy@theremedyspa.com

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

1. Subject Property Address\* 540 Chama NE Albuquerque, NM 87108  
Location Description The northeast corner of Chama St NE and Roma Ave NE, one block south of Lomas Blvd.
2. Property Owner\* 540 Chama LLC
3. Agent/Applicant\* *[if applicable]* SMPC Architects
4. Application(s) Type\* per IDO [Table 6-1-1](#) *[mark all that apply]*
  - Conditional Use Approval
  - Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - Site Plan
  - Subdivision \_\_\_\_\_ (Minor or Major)
  - Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
  - Variance
  - Waiver
  - Other: Zoning Map Amendment

Summary of project/request<sup>2</sup>\*:

The client is requesting a Zoning Map Amendment for the property at 540 Chama NE from MX-T to NR-C for a new undetermined development. The property is currently a paved vacant lot.

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

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

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

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

- Zoning Hearing Examiner (ZHE)                       Development Review Board (DRB)
- Landmarks Commission (LC)                       Environmental Planning Commission (EPC)

Date/Time\*: July 15, 2021 at 8:30 am

Location\*<sup>3</sup>: Via Zoom Meeting: <https://cabq.zoom.us/j/2269592859>, Meeting ID: 226 959 2859

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

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found\*<sup>4</sup>:

For information from the City, contact the Planning Dept. at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call 505-924-3860

For information from the agent, contact SMPC Architects, Sonia Gallegos at [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

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

1. Zone Atlas Page(s)\*<sup>5</sup> K-19-Z

2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Attached to notice or provided via website noted above

3. The following exceptions to IDO standards have been requested for this project\*:

- Deviation(s)                       Variance(s)                       Waiver(s)

Explanation\*:

N/A

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):  Yes     No

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

N/A

Property Owners, District 6 Coalition of Neighborhood Associations and La Mesa Community Improvement Association were notified of this request. A Pre-submittal Neighborhood Meeting was not requested by either the neighborhood associations or property owners.

<sup>3</sup> Physical address or Zoom link

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

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

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: N/A
- a. Location of proposed buildings and landscape areas.\*
  - b. Access and circulation for vehicles and pedestrians.\*
  - c. Maximum height of any proposed structures, with building elevations.\*
  - d. **For residential development\***: Maximum number of proposed dwelling units.
  - e. **For non-residential development\***:
    - Total gross floor area of proposed project.
    - Gross floor area for each proposed use.

**Additional Information [Optional]:**

From the IDO Zoning Map<sup>6</sup>:

- 1. Area of Property [typically in acres] 0.32 acres
  - 2. IDO Zone District MX-T, Mixed-Use-Transitional
  - 3. Overlay Zone(s) [if applicable] N/A
  - 4. Center or Corridor Area [if applicable] N/A
- Current Land Use(s) [vacant, if none] None
- 

**NOTE:** Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: \_\_\_\_\_ [Other Neighborhood Associations, if any]  
\_\_\_\_\_

<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

7018 1830 0001 0038 0772

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)™.

Albuquerque, NM 87108

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55  
 Total Postage and Fees \$4.35

Sent To *Dayna Marcus*  
 Street and Apt. No., or PO Box No.  
*639 Dallas St. NE*  
 City, State, ZIP+4®  
*Albuquerque, NM 87108*



PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 1830 0001 0038 0765

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)™.

Albuquerque, NM 87198

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55  
 Total Postage and Fees \$4.35

Sent To *Idalva Lechuga-Tena*  
 Street and Apt. No., or PO Box No.  
*PO Box 8653*  
 City, State, ZIP+4®  
*Albuquerque, NM 87198*



PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 1830 0001 0038 0789

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)™.

Albuquerque, NM 87106

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55  
 Total Postage and Fees \$4.35

Sent To *Mandy Warr*  
 Street and Apt. No., or PO Box No.  
*119 Vasser Dr. SE*  
 City, State, ZIP+4®  
*Albuquerque, NM 87106*



PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 1830 0001 0038 0796

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)™.

Albuquerque, NM 87106

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55  
 Total Postage and Fees \$4.35

Sent To *Patricia Wilson*  
 Street and Apt. No., or PO Box No.  
*505 Dartmouth Dr. SE*  
 City, State, ZIP+4®  
*Albuquerque, NM 87106*



PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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



<b>PART I - PROCESS</b>	
Use <a href="#">Table 6-1-1</a> in the Integrated Development Ordinance (IDO) to answer the following:	
Application Type:	
Decision-making Body:	
Pre-Application meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Neighborhood meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailed Notice required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Electronic Mail required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this a Site Plan Application:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Note: if yes, see second page</b>
<b>PART II – DETAILS OF REQUEST</b>	
Address of property listed in application: 540 Chama NE	
Name of property owner: Derek Kulach	
Name of applicant: 540 Chama LLC	
Date, time, and place of public meeting or hearing, if applicable:	
Address, phone number, or website for additional information:	
Sonia Vinajeras-Gallegos; s.vinajeras-gallegos@smpcarchitects.com; 505-292-6334	
<b>PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE</b>	
<input checked="" type="checkbox"/> Zone Atlas page indicating subject property.	
<input type="checkbox"/> Drawings, elevations, or other illustrations of this request.	
<input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable.	
<input type="checkbox"/> Summary of request, including explanations of deviations, variances, or waivers.	
<b>IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO <a href="#">SUBSECTION 14-16-6-4(K)</a> OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.</b>	

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

(Applicant signature)      06/02/2021 (Date)

**Note:** Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



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



**PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY**

Provide a site plan that shows, at a minimum, the following:

- a. Location of proposed buildings and landscape areas.
- b. Access and circulation for vehicles and pedestrians.
- c. Maximum height of any proposed structures, with building elevations.
- d. For residential development: Maximum number of proposed dwelling units.
- e. For non-residential development:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.

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

## Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request\*: 04/22/2021

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)\*: See attached list

Name of NA Representative\*: See attached list

Email Address\* or Mailing Address\* of NA Representative<sup>1</sup>: See attached list

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.<sup>2</sup>

Email address to respond yes or no: No

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Meeting Date / Time / Location:  
\_\_\_\_\_

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

1. Subject Property Address\* 540 Chama NE  
Location Description The northeast corner of Chama St NE and Roma Ave NE, one block south of Lomas Blvd.
2. Property Owner\* Derek Kulach
3. Agent/Applicant\* [if applicable] SMPC Architects
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]
  - Conditional Use Approval
  - Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - Site Plan
  - Subdivision \_\_\_\_\_ (Minor or Major)

<sup>1</sup> Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

<sup>2</sup> If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

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

- Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
- Variance
- Waiver
- Zoning Map Amendment
- Other: \_\_\_\_\_

Summary of project/request<sup>3\*</sup>:

The client is requesting a Zoning Map Amendment for the property at 540 Chama NE from MX-T to NR-C for a new undetermined development. The property is currently a paved vacant lot.

5. This type of application will be decided by<sup>\*</sup>:  City Staff  
 OR at a public meeting or hearing by:
- Zoning Hearing Examiner (ZHE)  Development Review Board (DRB)
  - Landmarks Commission (LC)  Environmental Planning Commission (EPC)
  - City Council

6. Where more information about the project can be found<sup>4\*</sup>:  
Contact Sonia Vinajeras-Gallegos at SMPC Architects 505-232-6334 or s.vinajeras-gallegos@smpcarchitects.com

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)<sup>5\*</sup> K-19-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant<sup>\*</sup>: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project<sup>\*</sup>:
  - Deviation(s)       Variance(s)       Waiver(s)

Explanation:

Not Applicable - Request is for Zone Map Amendment

4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1\\*](#):  Yes  No

<sup>3</sup> Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

<sup>4</sup> Address (mailing or email), phone number, or website to be provided by the applicant

<sup>5</sup> Available online here: <http://data.cabq.gov/business/zoneatlas/>

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

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum:
- a. Location of proposed buildings and landscape areas.\*
  - b. Access and circulation for vehicles and pedestrians.\*
  - c. Maximum height of any proposed structures, with building elevations.\*
  - d. **For residential development\***: Maximum number of proposed dwelling units.
  - e. **For non-residential development\***:
    - Total gross floor area of proposed project.
    - Gross floor area for each proposed use.

**Additional Information:**

1. From the IDO Zoning Map<sup>6</sup>:
- a. Area of Property [typically in acres] .32 acres
  - b. IDO Zone District Current: MX-T, Proposed : NR-C
  - c. Overlay Zone(s) [if applicable] N/A
  - d. Center or Corridor Area [if applicable] N/A
2. Current Land Use(s) [vacant, if none] Vacant
- 

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Cc: See attached list of Property Owners [Other Neighborhood Associations, if any]

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<sup>6</sup> Available here: <https://tinurl.com/idozoningmap>

## Sonia Vinajeras-Gallegos

---

**From:** Sonia Vinajeras-Gallegos  
**Sent:** Tuesday, March 23, 2021 2:57 PM  
**To:** 'dayna.mares76@gmail.com'; 'idalialt@gmail.com'; 'info@willsonstudio.com';  
'mandy@theremedyspa.com'  
**Subject:** Pre-Submittal Neighborhood Meeting Notification  
**Attachments:** IDOZoneAtlasPage\_K-19-Z.pdf

Dear neighbors, Neighborhood Associations, and Coalitions:

This letter is written to inform you that as agents for 540 Chama, LLC we intend to file an Environmental Planning Commission (EPC) application for a Zoning Map Amendment for the property at 540 Chama NE.

The legal description for this property is two lots, Lots 15 and 16, Block 9 of the Del Norte subdivision. It is currently zoned as MX-T, or Mix-Use Transition Zone District, and our request will be to change the zoning district to NR-C, Non-Residential Commercial. The property is located on the northeast corner of Chama St. NE and Roma Ave NE. The site was previously developed as offices and commercial space, but the structure has since been demolished and is now an empty paved lot. We have attached a copy of the Atlas Survey of the property for further note this location.

As part Albuquerque's Integrated Development Ordinance (IDO) regulations, we are providing you with an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please contact me at [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com), or by telephone at 505-232-6334. Per the IDO, you have 15 days or until April 7, 2021 to request a meeting. If you do not want to schedule a meeting, please let us know as well.

Kind Regards,

Sonia Vinajeras-Gallegos

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

## Sonia Vinajeras-Gallegos

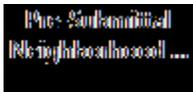
---

**From:** Microsoft Outlook  
**To:** mandy@theremedyspa.com  
**Sent:** Tuesday, March 23, 2021 2:57 PM  
**Subject:** Relayed: Pre-Submittal Neighborhood Meeting Notification

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

[mandy@theremedyspa.com](mailto:mandy@theremedyspa.com) ([mandy@theremedyspa.com](mailto:mandy@theremedyspa.com))

Subject: Pre-Submittal Neighborhood Meeting Notification



## Sonia Vinajeras-Gallegos

---

**From:** Microsoft Outlook  
**To:** dayna.mares76@gmail.com; idaliat@gmail.com  
**Sent:** Tuesday, March 23, 2021 2:57 PM  
**Subject:** Relayed: Pre-Submittal Neighborhood Meeting Notification

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

[dayna.mares76@gmail.com](mailto:dayna.mares76@gmail.com) ([dayna.mares76@gmail.com](mailto:dayna.mares76@gmail.com))

[idaliat@gmail.com](mailto:idaliat@gmail.com) ([idaliat@gmail.com](mailto:idaliat@gmail.com))

Subject: Pre-Submittal Neighborhood Meeting Notification



Pre-Submittal  
Neighborhood Meeting ...

## Sonia Vinajeras-Gallegos

---

**From:** Mail Delivery System <Mailer-Daemon@mx108.antispamcloud.com>  
**To:** info@willsonstudio.com  
**Sent:** Tuesday, March 23, 2021 2:57 PM  
**Subject:** Delivered: Pre-Submittal Neighborhood Meeting Notification

This message was created automatically by mail delivery software.

----- The following addresses had successful delivery notifications -----



Pre-Submittal  
Neighborhood Meeting ...

<info@willsonstudio.com> (relayed to non-DSN-aware mailer)

## Sonia Vinajeras-Gallegos

---

**From:** Sonia Vinajeras-Gallegos  
**Sent:** Tuesday, April 6, 2021 11:40 AM  
**Subject:** RE: Pre-Submittal Neighborhood Meeting Notification  
**Attachments:** IDOZoneAtlasPage\_K-19-Z.pdf

Good morning,

I am following up on the email below sent March 23, 2021. I had not received feedback regarding the Zone Change for the property at 540 Chama St NE, so I wanted to make sure that any questions or comments from neighbors are responded to within the required timeframe.

Please respond to this email if you would like to provide any feedback regarding this Zoning Map Amendment request.

Kind regards,

Sonia Vinajeras-Gallegos

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

---

**From:** Sonia Vinajeras-Gallegos  
**Sent:** Tuesday, March 23, 2021 2:57 PM  
**To:** 'dayna.mares76@gmail.com' <dayna.mares76@gmail.com>; 'idalialt@gmail.com' <idalialt@gmail.com>; 'info@willsonstudio.com' <info@willsonstudio.com>; 'mandy@theremedyspa.com' <mandy@theremedyspa.com>  
**Subject:** Pre-Submittal Neighborhood Meeting Notification

Dear neighbors, Neighborhood Associations, and Coalitions:

This letter is written to inform you that as agents for 540 Chama, LLC we intend to file an Environmental Planning Commission (EPC) application for a Zoning Map Amendment for the property at 540 Chama NE.

The legal description for this property is two lots, Lots 15 and 16, Block 9 of the Del Norte subdivision. It is currently zoned as MX-T, or Mix-Use Transition Zone District, and our request will be to change the zoning district to NR-C, Non-Residential Commercial. The property is located on the northeast corner of Chama St. NE and Roma Ave NE. The site was previously developed as offices and commercial space, but the structure has since been demolished and is now an empty paved lot. We have attached a copy of the Atlas Survey of the property for further note this location.

As part Albuquerque's Integrated Development Ordinance (IDO) regulations, we are providing you with an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please contact me at [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com), or by telephone at 505-232-6334. Per the IDO, you have 15 days or until April 7, 2021 to request a meeting. If you do not want to schedule a meeting, please let us know as well.

Kind Regards,

**Sonia Vinajeras-Gallegos**

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

## Sonia Vinajeras-Gallegos

---

**From:** Microsoft Outlook  
**To:** dayna.mares76@gmail.com; idaliat@gmail.com  
**Sent:** Tuesday, March 23, 2021 2:57 PM  
**Subject:** Relayed: Pre-Submittal Neighborhood Meeting Notification

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

[dayna.mares76@gmail.com](mailto:dayna.mares76@gmail.com) ([dayna.mares76@gmail.com](mailto:dayna.mares76@gmail.com))

[idaliat@gmail.com](mailto:idaliat@gmail.com) ([idaliat@gmail.com](mailto:idaliat@gmail.com))

Subject: Pre-Submittal Neighborhood Meeting Notification



Pre-Submittal  
Neighborhood Meeting ...

## Sonia Vinajeras-Gallegos

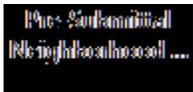
---

**From:** Microsoft Outlook  
**To:** mandy@theremedyspa.com  
**Sent:** Tuesday, March 23, 2021 2:57 PM  
**Subject:** Relayed: Pre-Submittal Neighborhood Meeting Notification

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

[mandy@theremedyspa.com](mailto:mandy@theremedyspa.com) ([mandy@theremedyspa.com](mailto:mandy@theremedyspa.com))

Subject: Pre-Submittal Neighborhood Meeting Notification



## Sonia Vinajeras-Gallegos

---

**From:** Mail Delivery System <Mailer-Daemon@mx71.antispamcloud.com>  
**To:** info@willsonstudio.com  
**Sent:** Tuesday, April 6, 2021 11:41 AM  
**Subject:** Delivered: Pre-Submittal Neighborhood Meeting Notification

This message was created automatically by mail delivery software.  
----- The following addresses had successful delivery notifications -----



RE: Pre-Submittal  
Neighborhood Meeting...

<info@willsonstudio.com> (relayed to non-DSN-aware mailer)

## Sonia Vinajeras-Gallegos

---

**From:** Dayna Mares <dayna.mares76@gmail.com>  
**Sent:** Wednesday, April 7, 2021 2:21 PM  
**To:** P. Davis Willson  
**Cc:** Sonia Vinajeras-Gallegos; idialt@gmail.com; mandy@theremedyspa.com  
**Subject:** Re: Pre-Submittal Neighborhood Meeting Notification

This is Dayna the vice president of the la Mesa community improvement association I am aware of the wishes of the owner is of said property. I would accept the new zoning for that property. Idalia if you have anything add please get a hold of Frank. 505289-9278

Sent from my iPhone

On Apr 6, 2021, at 4:29 PM, P. Davis Willson <info@willsonstudio.com> wrote:

Hello Sonia,

Thanks for the reminder email—staying on top of the IDO notification process is difficult and I appreciate your second email. I would like to know what the plan is for the site—obviously whatever it is, it needs NR-C, Non-Residential Commercial, rather than MX-T, Mix-Use Transition. So what does that mean in terms of permissive use, setbacks, height limitations, etc., etc.?

Would you be able to schedule a short meeting to describe what is planned for the site, and what the differences between these two Zones are. It would especially be important to include a representative from La Mesa; unfortunately I don't have a current contact.

Thank you,

Patty Willson

Victory Hills NA  
District 6 Coalition

On Mar 23, 2021, at 2:56 PM, Sonia Vinajeras-Gallegos <[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)> wrote:

Dear neighbors, Neighborhood Associations, and Coalitions:

This letter is written to inform you that as agents for 540 Chama, LLC we intend to file an Environmental Planning Commission (EPC) application for a Zoning Map Amendment for the property at 540 Chama NE.

The legal description for this property is two lots, Lots 15 and 16, Block 9 of the Del Norte subdivision. It is currently zoned as MX-T, or Mix-Use Transition Zone District, and our request will be to change the zoning district to NR-C, Non-Residential Commercial. The property is located on the northeast corner of Chama St. NE and Roma Ave NE. The site was previously developed as offices and commercial space, but the structure has since been demolished and is now an empty paved lot. We have attached a copy of the Atlas Survey of the property for further note this location.

As part Albuquerque's Integrated Development Ordinance (IDO) regulations, we are providing you with an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please contact me at [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com), or by telephone at 505-232-6334. Per the IDO, you have 15 days or until April 7, 2021 to request a meeting. If you do not want to schedule a meeting, please let us know as well.

Kind Regards,

**Sonia Vinajeras-Gallegos**  
Intern Architect II  
Office Number: 505.255.8668  
Direct Number: 505.232.6334  
[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

<IDOZoneAtlasPage\_K-19-Z.pdf>

## Sonia Vinajeras-Gallegos

---

**From:** Sonia Vinajeras-Gallegos  
**Sent:** Wednesday, April 7, 2021 4:10 PM  
**To:** Dayna Mares; P. Davis Willson  
**Cc:** idalialt@gmail.com; mandy@theremedadayspa.com  
**Subject:** RE: Pre-Submittal Neighborhood Meeting Notification

Hi Patty and all NA representatives,

Thank you for the email and questions regarding the Zoning Map Amendment. If you'd like to discuss by phone please contact me via my direct number below, but here's a short description of what's driving the zone change request:

The property was purchased with the intent of having it developed as a inventory storage for the Fiesta car dealerships just north of the site on Lomas Blvd. Under the Albuquerque IDO, this land use is categorized as Outdoor Vehicle Storage which is not an Allowable Use under MX-T zone district, but is allowed as Conditional under the NR-C zone district.

The MX-T zone district is more restrictive in terms of permissive uses, setbacks and building height limitations, but the impact of the zone change would only affect the permissive uses (allowing Outdoor Vehicle Storage in this case) for the proposed project.

- Height limitations are not an issue as there will not be any structures on the site.
- The difference in setbacks is that MX-T requires 5 ft. min for side setbacks and 15 ft. min. for rear setbacks, while NR-C does not have a minimum distance for side and rear setbacks. This will be mitigated by IDO Landscaping, Buffering, and Screening requirements. Meaning, 15% of the net lot area is required to be landscaped, including street frontages, so we intend to locate landscaped areas where setbacks would normally be required for MX-T.
- Similarly, a buffer of 15 feet is required for non-residential zones abutting residential properties, so the rear setback for MX-T will be maintained and landscaped.

If there is more information you'd like me to provide or there are any questions about the project please get in touch by phone or email.

Kind regards,

Sonia Vinajeras-Gallegos

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

---

**From:** Dayna Mares <dayna.mares76@gmail.com>  
**Sent:** Wednesday, April 7, 2021 2:21 PM  
**To:** P. Davis Willson <info@willsonstudio.com>  
**Cc:** Sonia Vinajeras-Gallegos <s.vinajeras-gallegos@smpcarchitects.com>; idalialt@gmail.com;  
mandy@theremedadayspa.com  
**Subject:** Re: Pre-Submittal Neighborhood Meeting Notification

This is Dayna the vice president of the la Mesa community improvement association I am aware of the wishes of the owner is of said property. I would accept the new zoning for that property. Idalia if you have anything add please get a hold of Frank. 505289-9278

Sent from my iPhone

On Apr 6, 2021, at 4:29 PM, P. Davis Willson <[info@willsonstudio.com](mailto:info@willsonstudio.com)> wrote:

Hello Sonia,

Thanks for the reminder email—staying on top of the IDO notification process is difficult and I appreciate your second email. I would like to know what the plan is for the site—obviously whatever it is, it needs NR-C, Non-Residential Commercial, rather than MX-T, Mix-Use Transition. So what does that mean in terms of permissive use, setbacks, height limitations, etc., etc.?

Would you be able to schedule a short meeting to describe what is planned for the site, and what the differences between these two Zones are. It would especially be important to include a representative from La Mesa; unfortunately I don't have a current contact.

Thank you,

Patty Willson

Victory Hills NA  
District 6 Coalition

On Mar 23, 2021, at 2:56 PM, Sonia Vinajeras-Gallegos <[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)> wrote:

Dear neighbors, Neighborhood Associations, and Coalitions:

This letter is written to inform you that as agents for 540 Chama, LLC we intend to file an Environmental Planning Commission (EPC) application for a Zoning Map Amendment for the property at 540 Chama NE.

The legal description for this property is two lots, Lots 15 and 16, Block 9 of the Del Norte subdivision. It is currently zoned as MX-T, or Mix-Use Transition Zone District, and our request will be to change the zoning district to NR-C, Non-Residential Commercial. The property is located on the northeast corner of Chama St. NE and Roma Ave NE. The site was previously developed as offices and commercial space, but the structure has since been demolished and is now an empty paved lot. We have attached a copy of the Atlas Survey of the property for further note this location.

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Kind Regards,

**Sonia Vinajeras-Gallegos**

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

<IDOZoneAtlasPage\_K-19-Z.pdf>

## Sonia Vinajeras-Gallegos

---

**From:** P. Davis Willson <info@willsonstudio.com>  
**Sent:** Wednesday, April 7, 2021 4:49 PM  
**To:** Sonia Vinajeras-Gallegos  
**Cc:** Dayna Mares; idalialt@gmail.com; mandy@theremedaydayspa.com  
**Subject:** Re: Pre-Submittal Neighborhood Meeting Notification

Thanks much Sonia! It is so helpful for the applicant to be able to explain the reason for the request; I have no additional questions. Good luck with your project.

Patty Willson

Victory Hills NA  
District 6 Coalition

On Apr 7, 2021, at 4:09 PM, Sonia Vinajeras-Gallegos <s.vinajeras-gallegos@smpcarchitects.com <mailto:s.vinajeras-gallegos@smpcarchitects.com>> wrote:

Hi Patty and all NA representatives,

Thank you for the email and questions regarding the Zoning Map Amendment. If you'd like to discuss by phone please contact me via my direct number below, but here's a short description of what's driving the zone change request:

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- \* Height limitations are not an issue as there will not be any structures on the site.
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If there is more information you'd like me to provide or there are any questions about the project please get in touch by phone or email.

Kind regards,

Sonia Vinajeras-Gallegos  
Intern Architect II  
Office Number: 505.255.8668  
Direct Number: 505.232.6334  
s.vinajeras-gallegos@smpcarchitects.com <mailto:s.vinajeras-gallegos@smpcarchitects.com>

From: Dayna Mares <dayna.mares76@gmail.com <mailto:dayna.mares76@gmail.com> >  
Sent: Wednesday, April 7, 2021 2:21 PM  
To: P. Davis Willson <info@willsonstudio.com <mailto:info@willsonstudio.com> >  
Cc: Sonia Vinajeras-Gallegos <s.vinajeras-gallegos@smpcarchitects.com <mailto:s.vinajeras-gallegos@smpcarchitects.com> >; idalialt@gmail.com <mailto:idalialt@gmail.com> ; mandy@theremedaydayspa.com <mailto:mandy@theremedaydayspa.com>  
Subject: Re: Pre-Submittal Neighborhood Meeting Notification

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Sent from my iPhone

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> wrote:

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Patty Willson

Victory Hills NA  
District 6 Coalition

On Mar 23, 2021, at 2:56 PM, Sonia Vinajeras-Gallegos <s.vinajeras-gallegos@smpcarchitects.com <mailto:s.vinajeras-gallegos@smpcarchitects.com> > wrote:

Dear neighbors, Neighborhood Associations, and Coalitions:

This letter is written to inform you that as agents for 540 Chama, LLC we intend to file an Environmental Planning Commission (EPC) application for a Zoning Map Amendment for the property at 540 Chama NE.

The legal description for this property is two lots, Lots 15 and 16, Block 9 of the Del Norte subdivision. It is currently zoned as MX-T, or Mix-Use Transition Zone District, and our request will be to change the zoning district to NR-C, Non-Residential Commercial. The property is located on the northeast corner of Chama St. NE and Roma Ave NE. The site was previously developed as offices and commercial space, but the structure has since been demolished and is now an empty paved lot. We have attached a copy of the Atlas Survey of the property for further note this location.

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Kind Regards,

Sonia Vinajeras-Gallegos  
Intern Architect II  
Office Number: 505.255.8668  
Direct Number: 505.232.6334  
s.vinajeras-gallegos@smpcarchitects.com <mailto:s.vinajeras-gallegos@smpcarchitects.com>

<IDOZoneAtlasPage\_K-19-Z.pdf>

## Sonia Vinajeras-Gallegos

---

**From:** Sonia Vinajeras-Gallegos  
**Sent:** Monday, June 7, 2021 3:43 PM  
**To:** P. Davis Willson; Dayna Mares; mandy@theremedadayspa.com; idalialt@gmail.com  
**Subject:** 540 Chama St NE, Zone Map Amendment Public Hearing  
**Attachments:** IDOZoneAtlasPage\_K-19-Z.pdf

Dear Neighborhood Association Representatives,

On behalf of 540 Chama LLC, SMPC Architects has submitted an application to the Environmental Planning Commission (EPC) for approval of a Zone Map Amendment for the property at 540 Chama NE 87108. The request would change the property's zoning from Mixed-Use Transition (MX-T) to Non-Residential Commercial (NR-C). The property is currently a vacant paved lot. Definitions for the two zone districts are described below per Albuquerque's Integrated Development Ordinance (IDO).

**IDO § 14-6-2-4:** *The purpose of the MX-T zone district is to provide a transition between residential neighborhoods and more intense commercial areas. Primary land uses include a range of low-density residential, small-scale multi-family, office, institutional, and pedestrian-oriented commercial uses. Allowable uses are shown in Table 4-2-1.*

**IDO § 14-6-2-5:** *The purpose of the NR-C zone district is to accommodate medium-scale retail, office, commercial, and institutional uses, particularly where additional residential development is not appropriate or not desired because of a deficit of jobs or services in relation to housing units in the area. Primary land uses include a wide spectrum of retail and commercial uses intended to serve both neighborhood and area-wide needs, as well as some light industrial uses. Allowable uses are shown in Table 4-2-1.*

**A public hearing for the request is scheduled, see information below to attend and attached Zone Atlas Map for reference. Due to Covid-19 the public hearing for the requested Zone Map Amendment is scheduled via ZOOM video conference for 8:30 am July 15<sup>th</sup>, 2021. This hearing is open to members of the public and anyone may attend using the link below:**

<https://cabq.zoom.us/j/2269592859#success>

Meeting ID: 226 959 2859

One tap mobile

+12532158782,,2269592859# US (Tacoma)

+13462487799,,2269592859# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Meeting ID: 226 959 2859

Find your local number: <https://cabq.zoom.us/u/abeuj1Ao7>

### Useful Links:

Integrated Development Ordinance

<https://documents.cabq.gov/planning/IDO/IDO-2019-Effective-2020-11-02.pdf>

IDO Interactive Map: <https://arcg.is/j4iC>

If you have any questions or need additional information regarding the Zone Map Amendment application or hearing, you can contact SMPC Architects at the contact below or the City Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call (505) 924-3860.

Sincerely,

**Sonia Vinajeras-Gallegos**

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

**SMPC Architects**

219 Central Ave NW | Suite 800 | Albuquerque, NM 87102

T 505-255-8668 | F 505-268-6665 | [SMPCArchitects.com](http://SMPCArchitects.com) | [Blog](#) | [Facebook](#) | [Instagram](#)

## Sonia Vinajeras-Gallegos

---

**From:** Microsoft Outlook  
**To:** Dayna Mares; idalialt@gmail.com  
**Sent:** Monday, June 7, 2021 3:43 PM  
**Subject:** Relayed: 540 Chama St NE, Zone Map Amendment Public Hearing

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

[Dayna Mares \(dayna.mares76@gmail.com\)](mailto:dayna.mares76@gmail.com)

[idalialt@gmail.com \(idalialt@gmail.com\)](mailto:idalialt@gmail.com)

Subject: 540 Chama St NE, Zone Map Amendment Public Hearing



540 Chama St NE,  
Zone Map Amend...

## Sonia Vinajeras-Gallegos

---

**From:** Microsoft Outlook  
**To:** mandy@theremedyspa.com  
**Sent:** Monday, June 7, 2021 3:43 PM  
**Subject:** Relayed: 540 Chama St NE, Zone Map Amendment Public Hearing

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

[mandy@theremedyspa.com](mailto:mandy@theremedyspa.com) ([mandy@theremedyspa.com](mailto:mandy@theremedyspa.com))

Subject: 540 Chama St NE, Zone Map Amendment Public Hearing



## Sonia Vinajeras-Gallegos

---

**From:** Mail Delivery System <Mailer-Daemon@mx125.antispamcloud.com>  
**To:** info@willsonstudio.com  
**Sent:** Monday, June 7, 2021 3:44 PM  
**Subject:** Delivered: 540 Chama St NE, Zone Map Amendment Public Hearing

This message was created automatically by mail delivery software.

----- The following addresses had successful delivery notifications -----



540 Chama St NE,  
Zone Map Amc:...

<info@willsonstudio.com> (relayed to non-DSN-aware mailer)

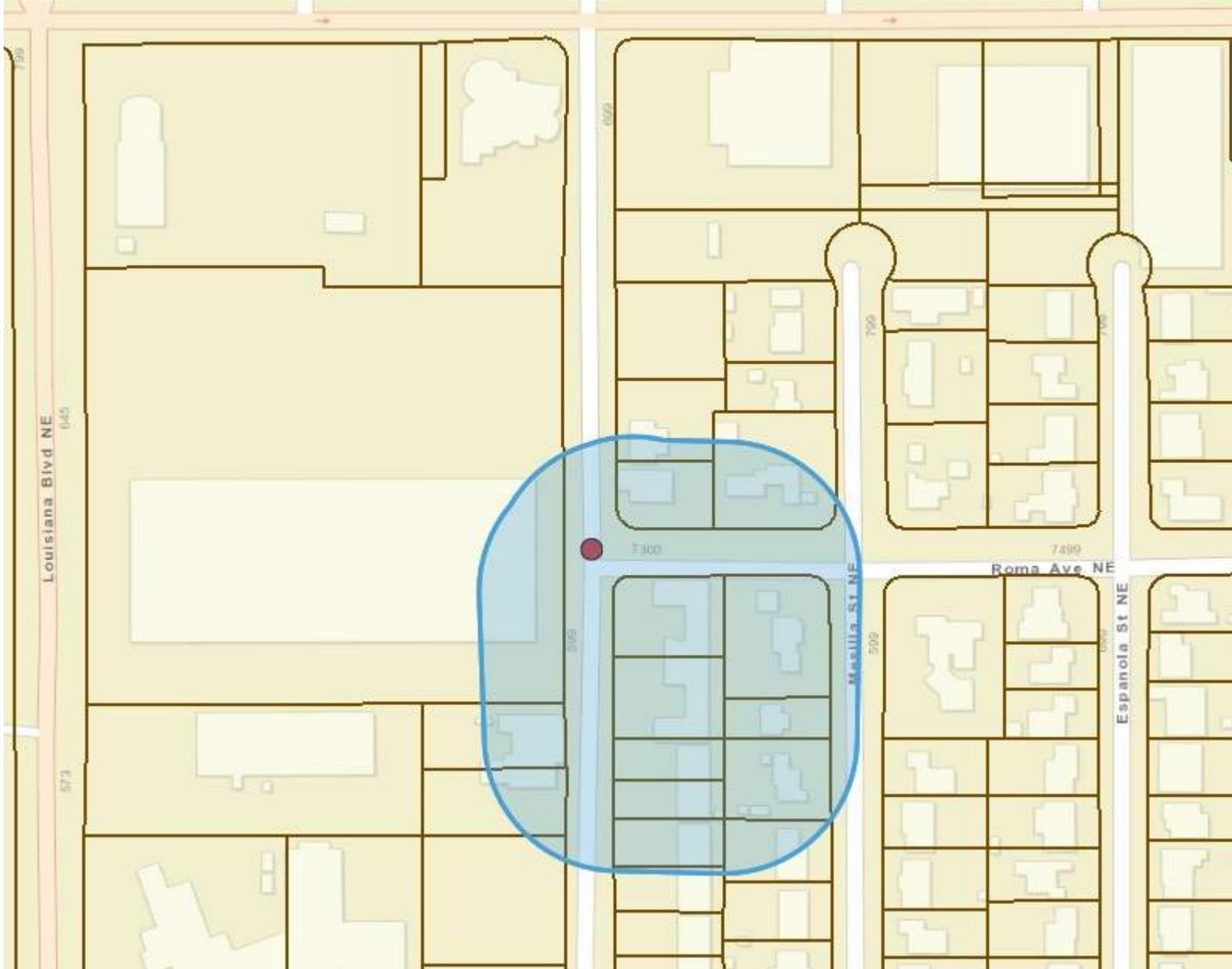


# Chama St & Roma Ave NE



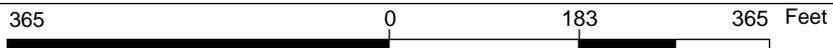
## Legend

□ Bernalillo County Parcels



## Notes

Buffer: 165 Ft.  
ROW Roma Ave: 65 Ft.



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
3/19/2021 © City of Albuquerque

1: 2,192

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

NEW MEXICO INDEPENDENT  
AUTOMOBILE DEALERS ASSOCIATION  
608 CHAMA ST NE  
ALBUQUERQUE NM 87108-2029

NEW MEXICO INDEPENDENT  
AUTOMOBILE DEALERS ASSOCIATION  
604 CHAMA ST NE  
ALBUQUERQUE NM 87108

CHURCH OF GOD  
516 CHAMA ST NE  
ALBUQUERQUE NM 87108-2054

GARCIA-RIVERA RAFAEL  
521 MESILLA ST NE  
ALBUQUERQUE NM 87108-3921

MESA CHARITY CORP  
529 CHAMA ST NE  
ALBUQUERQUE NM 87108-2026

BOARD OF EDUCATION ALBUQUERQUE  
MUNICIPAL SCHOOL DISTRICT 12  
PO BOX 25704  
ALBUQUERQUE NM 87125

NEW MEXICO MAHDVI ISLAMIC  
ASSOCIATION  
524 CHAMA ST NE  
ALBUQUERQUE NM 87110-3911

540 CHAMA LLC  
414 EXECUTIVE CENTER BLVD  
EL PASO TX 79902-1066

CHAVEZ GILBERT A & DOS REIS  
MARCIA Q  
601 MESILLA ST NE  
ALBUQUERQUE NM 87108-2045

MESA CHARITY CORP  
529 CHAMA ST NE  
ALBUQUERQUE NM 87108-2026

PADEN MARYAN F  
527 MESILLA ST NE  
ALBUQUERQUE NM 87108-2044

WOODWARD BARBARA JOAN  
541 MESILLA ST NE  
ALBUQUERQUE NM 87108-2044

MANOR ESTATES INC & MANOR  
PROPERTIES LP  
105 N TRENTON ST  
RUSTON LA 71270-4321

BASS CLARENCE R & CAROL L  
528 CHAMA ST NE  
ALBUQUERQUE NM 87108-3911

WOODWARD BARBARA JOAN  
541 MESILLA ST NE  
ALBUQUERQUE NM 87108

ALLEN JOSEPH C & TERESA M  
7012 CHRISTY AVE NE  
ALBUQUERQUE NM 87109-3902

List of Property Owners within 100ft  
provided by CABQ Planning Dept.

March 23, 2021

New Mexico Independent  
Automobile Dealers Association  
608 Chama St NE  
87108-2029

Dear Neighbor,

This letter is written to inform you that as agents for 540 Chama, LLC we intend to file an Environmental Planning Commission (EPC) application for a Zoning Map Amendment for the property at 540 Chama NE.

The legal description for this property is two lots, Lots 15 and 16, Block 9 of the Del Norte subdivision. The property is currently zoned as MX-T, or Mix-Use Transition Zone District, and our request will be to change the zone to NR-C, Non-Residential commercial.

The property is located on the northeast corner of Chama St. NE and Roma Ave NE. The site was previously developed as offices and commercial space, but the structure has since been demolished and is now an empty paved lot. We have attached a copy of the Atlas Survey of the property for further note this location.

As part Albuquerque's Integrated Development Ordinance (IDO) regulations, we are providing you with an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please contact me at [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com), or by telephone at 505-232-6334. Per the IDO, you have 15 days or until April 7, 2021 to request a meeting.

Regards,



Sonia Vinajeras-Gallegos  
Attachment: Zone Atlas Map K-19-Z

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Sent To Woodward Barbara  
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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Sent To ALLEN JOSEPH C & TERESA M  
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Street and Apt. No., or PO Box No. 105 N TRENTON ST  
City, State, ZIP+4® RUSTON LA 71270-4321

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Sent To BASS CLARENCE R & CAROL L  
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Sent To NEW MEXICO INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION  
Street and Apt. No., or PO Box No. 604 CHAMA ST NE  
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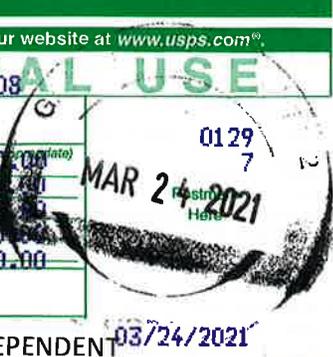
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Sent To: NEW MEXICO INDEPENDENT  
AUTOMOBILE DEALERS ASSOCIATION  
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City, State: ALBUQUERQUE NM 87108-2029

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Sent To: MESA CHARITY CORP  
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Sent To: GARCIA-RIVERA RAFAEL  
521 MESILLA ST NE  
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Sent To: NEW MEXICO MAHDVI ISLAMIC  
ASSOCIATION  
Street: 524 CHAMA ST NE  
City, State: ALBUQUERQUE NM 87110-3911

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MUNICIPAL SCHOOL DISTRICT 12  
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City, State: ALBUQUERQUE NM 87125

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Sent CHAVEZ GILBERT A & DOS REIS  
Street MARCIA Q  
City 601 MESILLA ST NE  
PS F ALBUQUERQUE NM 87108-2045

5050 9800 0000 1000 0000 1830 0000 7018

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Sent 540 CHAMA LLC  
Street 414 EXECUTIVE CENTER BLVD  
City EL PASO TX 79902-1066

6490 9800 0000 1000 0000 1830 0000 7018

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Sent PADEN MARYAN F  
Street 527 MESILLA ST NE  
City ALBUQUERQUE NM 87108-2044

6250 9800 0000 1000 0000 1830 0000 7018

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Sent MESA CHARITY CORP  
Street 529 CHAMA ST NE  
City ALBUQUERQUE NM 87108-2026

2150 9800 0000 1000 0000 1830 0000 7018

## Sonia Vinajeras-Gallegos

---

**From:** cncbass@aol.com  
**Sent:** Tuesday, April 6, 2021 3:26 PM  
**To:** Sonia Vinajeras-Gallegos  
**Subject:** 540 Chama Feedback

Hello Sonia,

Below is a statement which you can use in full, or take parts of, depending on your needs.

Gentlemen,

Mu husband and I have owned the building at 528 Chama NE since 1982. It is the property most immediately affected by the proposed zoning change since it sits on the south side of 540 Chama.

We have no objection to the zoning change, and in fact welcome the "re-purposing" of this property. Done right, re-purposing can help restore and encourage the vitality of a neighborhood, and I believe it meets this criteria. This is particularly important because the State Fair grounds is only one block away and this proposed change can only help to keep the energy and strength of the neighborhood moving in the right direction. The company requesting the change has shown responsibility during the destruction of the old building on the property and we feel confident they will continue their "good neighbor" policy as they progress to their final development.

Carol and Clarence Bass  
528 Chama, N.E.

In a message dated 4/6/2021 10:48:18 AM Mountain Standard Time, [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com) writes:

Good morning Carol,

Thank you for speaking with me last week about the proposed development for 540 Chama. We are thankful to have your support, and excited to develop the site once approval is received from the City. So far, we have not received a neighborhood meeting request, but I will certainly let you know if one is scheduled.

After we spoke, it occurred to me that having something in writing from you in support of the project would be helpful in our request for the zone change for the property. Would you be willing to email me (contact info below) a little note/letter describing your support? Nothing formal, just a few sentences that we can show the City confirming support from the neighbors.

Again, we appreciate your feedback regarding this project and look forward to developing the site in the near future.

Kind regards,

**Sonia Vinajeras-Gallegos**

Intern Architect II

Office Number: 505.255.8668

Direct Number: 505.232.6334

[s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)



## New Mexico Independent Automobile Dealers Association

604 Chama NE, Albuquerque, NM 87108  
(505)232-0809 Fax (505)232-0810  
www.nmiada.com

7 April 2021

City of Albuquerque Planning and Zoning  
Environmental Planning Commission

Via Email

RE: Support for 540 Chama, LLC EPC Zoning Change Application

Dear EPC:

The New Mexico Independent Automobile Dealers Association owns the properties at 604 and 608 Chama Street, NE, just to the north of the proposed EPC application for Lots 15 and 16, Block 9 of the Del Norte subdivision. We are in full support of the change in zoning from MX-T to NR-C for these lots.

We would also like to thank the owners for the attentive way in which the prior existing buildings were demolished. The sensitive approach to removing materials was much appreciated by those of us in the neighborhood every day.

If you have any questions or concerns, please feel to contact me by phone or email at [marc@nmiada.com](mailto:marc@nmiada.com)

Best regards,

A handwritten signature in blue ink, appearing to read 'Marc P. Powell', is written over the 'Best regards,' text.

Marc P. Powell  
Executive Director  
(609) 933-2574 – cell

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

### Public Notice of a Proposed Project in the City of Albuquerque for Decisions Requiring a Meeting or Hearing Mailed to a Property Owner

Date of Notice\*: 06/02/2021

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet\*: See attached list of Property Owners

Mailing Address\*: See attached list of Property Owners

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

1. Subject Property Address\* 540 Chama NE  
Location Description The northeast corner of Chama St NE and Roma Ave NE, one block south of Lomas Blvd.
2. Property Owner\* 540 Chama LLC
3. Agent/Applicant\* *[if applicable]* SMPC Architects
4. Application(s) Type\* per IDO [Table 6-1-1](#) *[mark all that apply]*
  - Conditional Use Approval
  - Permit \_\_\_\_\_ (Carport or Wall/Fence – Major)
  - Site Plan
  - Subdivision \_\_\_\_\_ (Minor or Major)
  - Vacation \_\_\_\_\_ (Easement/Private Way or Public Right-of-way)
  - Variance
  - Waiver
  - Other: Zoning Map Amendment

Summary of project/request<sup>1</sup>\*:

The client is requesting a Zoning Map Amendment for the property at 540 Chama NE from MX-T to NR-C for a new undetermined development. The property is currently a paved vacant lot.

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

<input type="checkbox"/> Zoning Hearing Examiner (ZHE)	<input type="checkbox"/> Development Review Board (DRB)
<input type="checkbox"/> Landmarks Commission (LC)	<input checked="" type="checkbox"/> Environmental Planning Commission (EPC)

<sup>1</sup> Attach additional information, as needed to explain the project/request.

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

Date/Time\*: July 15, 2021 at 8:30 am

Location\*<sup>2</sup>: Via Zoom Meeting: <https://cabq.zoom.us/j/2269592859>, Meeting ID: 226 959 2859

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

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found\*<sup>3</sup>:

For information from the City, contact the Planning Dept. at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call 505-924-3860

For information from the agent, contact SMPC Architects, Sonia Gallegos at [s.vinajeras-gallegos@smpcarchitects.com](mailto:s.vinajeras-gallegos@smpcarchitects.com)

**Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):**

1. Zone Atlas Page(s)\*<sup>4</sup> K-19-Z

2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Attached to notice or provided via website noted above

3. The following exceptions to IDO standards have been requested for this project\*:

- Deviation(s)
- Variance(s)
- Waiver(s)

Explanation\*:

N/A

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#):  Yes  No

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

N/A  
Property Owners, District 6 Coalition of Neighborhood Associations and La Mesa Community Improvement Association were notified of this request. A Pre-submittal Neighborhood Meeting was not requested by either the neighborhood associations or property owners.

5. **For Site Plan Applications only\***, attach site plan showing, at a minimum: N/A

- a. Location of proposed buildings and landscape areas.\*
- b. Access and circulation for vehicles and pedestrians.\*
- c. Maximum height of any proposed structures, with building elevations.\*

<sup>2</sup> Physical address or Zoom link

<sup>3</sup> Address (mailing or email), phone number, or website to be provided by the applicant

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

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

- d. **For residential development\***: Maximum number of proposed dwelling units.
- e. **For non-residential development\***:
  - Total gross floor area of proposed project.
  - Gross floor area for each proposed use.

**Additional Information:**

From the IDO Zoning Map<sup>5</sup>:

- 1. Area of Property [typically in acres] 0.32 acres
  - 2. IDO Zone District MX-T, Mixed-Use-Transition
  - 3. Overlay Zone(s) [if applicable] N/A
  - 4. Center or Corridor Area [if applicable] N/A
- Current Land Use(s) [vacant, if none] None
- 

**NOTE:** Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955.

**Useful Links**

**Integrated Development Ordinance (IDO):**

<https://ido.abc-zone.com/>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

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<sup>5</sup> Available here: <https://tinurl.com/idozoningmap>

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Postage **\$0.55**

Total Postage and Fees **\$4.15**

Sent To **BOARD OF EDUCATION ALBUQUERQUE**  
 Street **MUNICIPAL SCHOOL DISTRICT 12**  
 City, St **PO BOX 25704**  
**ALBUQUERQUE NM 87125**



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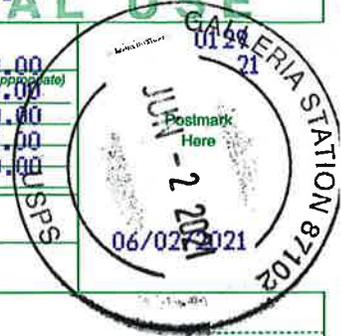
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Postage **\$0.55**

Total Postage and Fees **\$4.15**

Sent To **MESA CHARITY CORP**  
 Street **529 CHAMA ST NE**  
 City, St **ALBUQUERQUE NM 87108-2026**



PS Form 3800, April 2015 PSN 7530-02-000-9047

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**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
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Albuquerque, NM 87108

Certified Mail Fee **\$3.60**  
 \$  
 Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage **\$0.55**

Total Postage and Fees **\$4.15**

Sent To **NEW MEXICO INDEPENDENT**  
 Street **AUTOMOBILE DEALERS ASSOCIATION**  
 City, St **608 CHAMA ST NE**  
**ALBUQUERQUE NM 87108-2029**



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Certified Mail Fee **\$3.60**  
 \$  
 Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage **\$0.55**

Total Postage and Fees **\$4.15**

Sent To **NEW MEXICO MAHDI**  
 Street **ASSOCIATION**  
 City, St **524 CHAMA ST NE**  
**ALBUQUERQUE NM 87108**



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Certified Mail Fee **\$3.60**  
 \$  
 Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage **\$0.55**

Total Postage and Fees **\$4.15**

Sent To **CHAVEZ GILBERT A & DOS REIS**  
 Street **MARCIA Q**  
 City, St **601 MESILLA ST NE**  
**ALBUQUERQUE NM 87108-2045**



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Albuquerque, NM 87108

Certified Mail Fee **\$3.60**  
 \$  
 Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage **\$0.55**

Total Postage and Fees **\$4.15**

Sent To **NEW MEXICO INDEPENDENT**  
 Street **AUTOMOBILE DEALERS ASSOCIATION**  
 City, St **604 CHAMA ST NE**  
**ALBUQUERQUE NM 87108**



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701A 1A30 0001 003A 0724

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**Albuquerque, NM 87108**

Certified Mail Fee **\$3.60**

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage **\$0.55**

**Total Postage and Fees \$4.15**

Sent To **BASS CLARENCE R & CAROL L**

Street and **528 CHAMA ST NE**

City, State **ALBUQUERQUE NM 87108-3911**

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701A 1A30 0001 003A 0724

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**Albuquerque, NM 87108**

Certified Mail Fee **\$3.60**

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage **\$0.55**

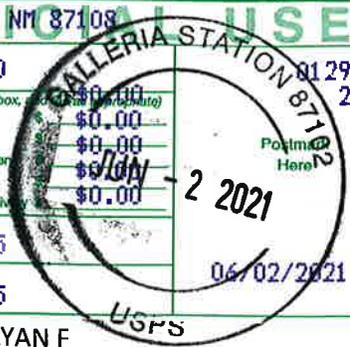
**Total Postage and Fees \$4.15**

Sent To **PADEN MARYAN F**

Street **527 MESILLA ST NE**

City, State **ALBUQUERQUE NM 87108-2044**

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701A 1A30 0001 003A 0710

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**Albuquerque, NM 87108**

Certified Mail Fee **\$3.60**

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage **\$0.55**

**Total Postage and Fees \$4.15**

Sent To **WOODWARD BARBARA JOAN**

Street **541 MESILLA ST NE**

City, State **ALBUQUERQUE NM 87108-2044**

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701A 1A30 0001 003A 0720

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**Ruston, LA 71270**

Certified Mail Fee **\$3.60**

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage **\$0.55**

**Total Postage and Fees \$4.15**

Sent To **MANOR ESTATES INC & MANOR PROPERTIES LP**

Street **105 N TRENTON ST**

City, State **RUSTON LA 71270-4321**

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701A 1A30 0001 003A 0673

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**El Paso, TX 79902**

Certified Mail Fee **\$3.60**

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage **\$0.55**

**Total Postage and Fees \$4.15**

Sent To **WOODWARD BARBARA JOAN**

Street **541 MESILLA ST NE**

City, State **ALBUQUERQUE NM 87108**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



701A 1A30 0001 003A 0740

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**Albuquerque, NM 87108**

Certified Mail Fee **\$3.60**

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage **\$0.55**

**Total Postage and Fees \$4.15**

Sent To **WOODWARD BARBARA JOAN**

Street and **541 MESILLA ST NE**

City, State **ALBUQUERQUE NM 87108**

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7018 1830 0001 0038 0697

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Albuquerque, NM 87108

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee \$1.00 per item)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$4.15

Sent To  
Street Address  
City, State  
MESA CHARITY CORP  
529 CHAMA ST NE  
ALBUQUERQUE NM 87108-2026

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7018 1830 0001 0038 0628

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Albuquerque, NM 87108

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee \$1.00 per item)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$4.15

Sent To  
Street Address  
City, State  
CHURCH OF GOD  
516 CHAMA ST NE  
ALBUQUERQUE NM 87108-2054

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7018 1830 0001 0038 0635

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Albuquerque, NM 87108

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee \$1.00 per item)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$4.15

Sent To  
Street Address  
City, State  
GARCIA-RIVERA RAFAEL  
521 MESILLA ST NE  
ALBUQUERQUE NM 87108-3921

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7018 1830 0001 0038 0758

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Albuquerque, NM 87108

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee \$1.00 per item)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$4.15

Sent To  
Street Address  
City, State  
ALLEN JOSEPH C & TERESA M  
7012 CHRISTY AVE NE  
ALBUQUERQUE NM 87109-3902

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