

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

August 19, 2021

JAJ Enterprises LLC and
R & A MHP, LLC
775 Baywood Drive, Suite 318
Petaluma, CA, 94954-5501

PR-2021-005688, RZ-2021-00026
Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, agent for JAJ Enterprises LLC and R&A MHP LLC, requests a zone map amendment from NR-C to R-MC for an approximately 6.2 acre portion of the following: Tract 6 & East ½, West ½, Tract 7, Row 1, Unit A, West of Westland Atrisco Grant, located at 10205 Central Ave. NW between 102nd St. NW and Kings Ln. NW, approximately 10 acres (K-08-Z & L-08-Z). Staff Planner: Silvia Bolivar

On August 19, 2021, the Environmental Planning Commission (EPC) voted to APPROVE PR-2021-005688, RZ-2021-00026– Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a Zoning Map Amendment (zone change) for an approximately 6.2-acre portion of a 10-acre site, legally described as Tract 6 & East ½, West ½, Tract 7, Row 1, Unit A, West of Westland Atrisco Grant, located at 10205 Central Avenue NW, between 102nd Street NW and Kings Lane NW (the “subject site”).
2. The subject site is zoned NR-C (Non-Residential – Commercial Zone District) which was converted from the former zoning of SU-2 – Commercial (Planned Commercial Area).
3. The applicant is requesting a zone change to R-MC (Residential – Manufactured Home Community Zone District) in order to facilitate future development of the three tracts with manufactured homes.
4. The subject site is in an Area of Consistency as designated by the Comprehensive Plan and is in the Southwest Mesa Community Planning Area (CPA).
5. The subject site is located along Central Avenue NW, a Major Transit Corridor. However, at this location, Central Avenue NW is considered an urban principal arterial. The subject site is not within the boundaries of a Character Protection Overlay (CPO), a Historic Protection Overlay (HPO), or a View Protection Overlay (VPO).

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 4: Community Identity:

A. 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 R-MC zone would protect the identity and cohesiveness of the neighborhood by permitting the existing character to continue in a similar way as development located west of the subject site. The zone map amendment would facilitate development of the subject site into a manufactured home community that would be appropriate in scale and location of development and a mix of uses.

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

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

The request would contribute to creating a healthy and sustainable community because it would reinforce the same type of housing found west of the subject site. The requested R-MC zoning would maintain many of the uses allowable under NR-C, while adding more residential development options. The R-MC has flexible dimensional standards that will not hinder development of the adjacent lots.

B. 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 subject property is in an infill location because it is located along Central Avenue, a long, established urban principal arterial with existing infrastructure and public facilities. This promotes efficient development patterns that maximize the utility of existing infrastructure and public facilities to support the public good.

C. 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 Goals and Policies from Chapter 5: Land Use pertaining to Areas of Consistency.

A. 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 request furthers policy 5.6.3 – Areas of Consistency, because the subject site and the surrounding areas are located in an Area of Consistency, where the Comprehensive Plan intends and encourages support of zone changes in predominantly single-family residential neighborhoods that help align the appropriate zone with existing land uses. It seeks to ensure that development will reinforce the scale, intensity, and setbacks of the immediately surrounding context. The requested R-MC zoning is consistent with the zoning of properties to the west of the subject site and will help protect the character of the existing neighborhood.

- B. Subpolicy 5.6.3b: Ensure that development reinforces the scale, intensity, and setbacks to the immediately surrounding context.

The requested R-MC zone matches densities in the area, would require the same dimensional standards, and would allow development that is consistent with the area.

10. The request furthers the following Goals and Policies from Chapter 9: Housing:

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

The request would allow for the zoning of the tracts to be aligned with the adjacent tracts and would ensure a sufficient supply and range of housing types that would meet current and future needs while ensuring more balanced housing options. However, the request is for a zone map amendment, not a site plan review therefore Staff is unable to determine if high-quality housing types would be provided.

- B. Policy 9.1.1 – Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

The request would support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households by providing a sufficient supply and range of housing types.

- C. Policy 9.3.2 – Other Areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

The request would facilitate development of the subject site and increase housing density and housing options by locating the development adjacent to appropriate uses (manufactured homes east of the subject site) and services and will maintain the scale of surrounding development.

11. 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 and design, infill and efficient development patterns, housing, and does not present any significant conflicts with

- the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals, and general welfare.
- B. Criterion B: The subject site is located wholly in an Area of Consistency. A zone change from NR-C to R-MC would facilitate development that would reinforce and strengthen the established character of the surrounding parcels. A different zone district (R-MC) would be more advantageous to the community than the existing zone district (NR-C). The request would further Comprehensive Plan Goals and policies relating to identity and design, infill, and efficient development patterns and housing.
 - C. Criterion C: The subject site is located wholly in an Area of Consistency, so this Criterion does not apply.
 - D. Criterion D: The applicant compared the existing NR-C zoning and the proposed R-MC zoning. Uses that would become permissive under the R-MC zone, which are not currently allowed are dwelling-single family detached, dwelling-mobile home, dwelling-cottage development and complementary residential amenities. The applicant discussed the uses allowable under R-MC that would become permissive if the request is approved. Adding residential uses to the area would generally not be considered harmful. The area is characterized by a mix of uses including manufactured homes and commercial services and it would be advantageous to those areas to have additional residential uses in close proximity. The Comprehensive Plan and the IDO generally encourage a variety of land 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 Central Avenue NW, an urban principal arterial and 102nd Street NW, a local urban street.
 - G. Criterion G: Economic considerations are always a factor, but the Applicant's justification for the R-MC 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 request will not create a spot zone because R-MC is located west of the subject site. The proposed zoning will be consistent with that zone district.
12. 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.

13. The affected neighborhood organizations are the South West Alliance of Neighborhoods (SWAN), Westside Coalition of Neighborhood Associations, and the Route 66 West Neighborhood Association, which the applicant did. Property owners within 100 feet of the subject site were also notified as required.
14. A neighborhood meeting was not requested by any of the notified neighborhood associations.
15. As of this writing, Staff has not received any comments in support or opposition to the request.
16. The EPC notes that the requirements in the district standards of the R-MC zone district in IDO 14-16-2-3(C)(3) will be required to be met by any future site plans and are intended to ensure high-quality development.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **September 3, 2021**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the IDO, Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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

Sincerely,

for Alan M. Varela,
Planning Director

AV/SB

cc: JAJ Enterprises LLC and R & A MHP LLC, 775 Baywood Drive, Suite 318, Petaluma CA, 94954
5501

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EPC file