

PLANNING DEPARTMENT  
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## OFFICIAL NOTIFICATION OF DECISION

August 18, 2022

Brunacini Development  
7550 Meridian Pl. NW  
Albuquerque, NM 87121

**Project # PR-2022-007299**  
RZ-2022-00038 – Zoning Map Amendment  
(Zone Change)

### LEGAL DESCRIPTION:

Consensus Planning, agent for Brunacini development, requests a zoning map amendment from MX-M to NR-C, for all or a portion of Tract 54, Unit 6, Atrisco Grant and All Vacated Stinson SW Adjacent; Tract 55, Unit 6, Atrisco Grant Subdivision; and Tract I, Plat of Tracts A Through I, Coors Plaza (being a replat of Tracts 56, 57, 58, and 90, Portions of Tracts 59 & 60, Tract B, Town of Atrisco Grant, Unit 6 and a portion of Airport Drive SW), located at 7320, 7226 and 7110 Central Ave. SW, between 75th St SW. and Coors Blvd. SW, approximately 13.6 acres (K-10)  
Staff Planner: Sergio Lozoya

On August 18, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007299, RZ-2022-00038 – Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a Zoning Map Amendment (zone change) for an approximately 13.6 -acre site legally described as: Tract 54, Unit 6, Atrisco Grant and All Vacated Stinson SW Adjacent; Tract 55, Unit 6, Atrisco Grant Subdivision; and Tract I, Plat of Tracts A Through I, Coors Plaza (being a replat of Tracts 56, 57, 58, and 90, Portions of Tracts 59 & 60, Tract B, Town of Atrisco Grant, Unit 6 and a portion of Airport Drive SW), located at 7320, 7226 and 7110 Central Ave. SW, between 75<sup>th</sup> St SW. and Amanda St SW (“the subject site”).
2. The subject site is zoned MX-M (Mixed Use-Medium Intensity Zone District). The applicant is requesting a zone change to NR-C (Non-Residential Commercial) to facilitate future development of the subject site.
3. The subject site is in an area that the Comprehensive Plan designated an Area of Change and is within the boundaries of the West Route 66 Activity Center.
4. Central Ave SW is a designated Premium/Major Transit Corridor and is designated as a Community Principal Arterial. Premium/Major Transit Corridors are anticipated to be served by high-frequency and local transit.

5. 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.
6. The request furthers the following, applicable Goal and Sub-policies regarding growth and Centers and Corridors from Comprehensive Plan Chapter 5: Land Use.:

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

The subject site is located in West Route 66, a designated Activity Center. Activity Centers are meant to provide convenient day-to-day services to residences within a 20-minute walking distance or a short bike ride. The request for Non-Residential – Commercial would introduce additional commercial/industrial uses. This request would strengthen the established West Route 66 Center by facilitating growth in an appropriate location and in accordance with the Comprehensive Plan, and along a designated Premium/Major Transit Corridor (Central Ave.)

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

The request for the NR-C zone would allow a development of a wide variety of commercial or other uses in the established West Route 66 Activity Center, , and would make the Activity Center more sustainable by filling the vacant portion of the site. The size of the site (13.6-acres) has potential to capture regional growth

- C. Subpolicy 5.1.1c: Encourage employment density, compact development, redevelopment and infill Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The requested zone change provides an opportunity for infill development and redevelopment on the subject site, which is currently vacant. The zone change to NR-C would accommodate growth in an appropriate Activity Center area along a Premium/Major Transit Corridor (Central Ave.)

- D. Subpolicy 5.1.1f: Discourage the development of detached single-family housing as an inappropriate use in Centers and along Corridors.

The request discourages the development of detached single-family housing in the West Route 66 Activity Center, and along Central Ave (a Premium/Major Transit Corridor by amending the zone of the subject site to NR-C, which does not allow single-family detached housing.

7. The request furthers the following, additional policy regarding Centers and Corridors from Comprehensive Plan Chapter 5: Land Use:

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

The request for NR-C would direct more intense commercial uses to the West Route 66 Activity Center which is an established and stable center and is located along a Premium/Major Transit

Corridor (Central Ave.) corridor. Any new development facilitated by the zone change would be under IDO Regulations and would maintain appropriate density and scale of development.

8. The request furthers the following Goal and policies in Chapter 5-Land use, with respect to complete communities.

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 generally contribute to creating a healthy and sustainable community because it would facilitate development of a variety of commercial and industrial uses that would be accessible from the surrounding neighborhoods via designated Transit corridors, which encourages transit use, walking, and biking. The requested zone change is within the West Route 66 Activity Center, and would contribute to the redevelopment of a vacant parcel.

B. Sub-Policy 5.2.1(a): Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request would facilitate redevelopment and development within the West Route 66 Activity Center, which is within walking distance of several neighborhoods of single-family dwellings. Any goods, services, and amenities established at the site would be within walking distance of this neighborhood and nearby neighborhoods. The subject site is located on Central Ave., which is well served by transit, its location promotes transit use, pedestrian access, walkability, and multiple modes of travel including biking and vehicle access

C. Sub-Policy 5.2.1(b): Encourage development that offers choice in transportation, work areas, and lifestyles.

The request would facilitate development that offers choice in transportation, work areas, and lifestyles because the subject site is located near several neighborhoods and is located along a Premium/Major Transit Corridor (Central Ave.) corridor which offers consistent transit services. Nearby residents can choose to bike, walk, or drive a car to the development to shop or work.

D. Sub policy 5.2.1 (j): Discourage zone changes to commercial, industrial, or office uses outside of Centers and Corridors.

The request would facilitate a zone change to NR-C, which includes commercial, industrial, office, and other uses as described above. The subject site is located within an Activity Center and along a Major/Premium Transit Corridor, where more intense development is encouraged.

9. The request furthers the following Goals and policy regarding infill and efficient development patterns in Chapter 5-Land use.

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

The request promotes development that maximizes utility of existing infrastructure because the subject site is located within the West Route 66 Activity Center. This Activity Center is largely developed and is ready to take on uses allowed in the NR-C zone. The subject site is currently vacant. The zone change request would facilitate the use of existing infrastructure and is generally an efficient use of land. The request also maximizes existing public facilities because it is located along a Premium/Major Transit Corridor (Central Ave.) and is served by consistent and reliable public transit.

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

The request supports additional growth in an area with existing infrastructure because the subject site is located in the West Route 66 Activity Center, which is largely developed. The subject site is currently vacant, the zone change request facilitates growth served by existing infrastructure. The subject site is located on a Premium/Major Transit Corridor (Central Ave.) and has consistent and reliable public transit, and promotes the use of public facilities.

- C. Policy 5.3.2- Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The request discourages growth in areas without existing infrastructure and public facilities by facilitating growth in an Area of Change and an Activity Center where growth and development are desired. The subject site is located within a well-established area of the City, where there are existing infrastructure and public facilities.

10. The request furthers the following Goal, policy, and sub-policies regarding city development areas in chapter 5-Land Use.

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

The subject site is located in West Route 66, a designated Activity Center within an Area of Change. The request for Non-Residential – Commercial would introduce additional commercial services to serve the nearby community and would encourage and direct potential growth to an area where it is desired.

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

The request furthers the above policy because it facilitates and directs growth and more intense commercial uses to the West Route 66 Activity Center, which is located along an established Premium/Major Transit Corridor (Central Ave.). The zone change from MX-M to NR-C would

allow more intense commercial/light industrial uses to be established within the West Route 66 Activity Center.

C. Sub-Policy 5.6.2(b): Encourage development that expands employment opportunities.

The zone change from MX-M to NR-C allows for more intense commercial uses such as big-box stores, and hardware stores which often provide employment opportunities.

11. The request furthers the following Goal, and policy regarding placemaking in chapter 8-Economic Development.

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

The request would facilitate development of the subject site with uses allowed in the NR-C zone district. Non-residential uses can facilitate the creation of places where business and talent will stay and thrive because the subject site is located on the Westside where jobs are disproportionate to single-family dwellings and the request could facilitate the creation of new jobs.

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

The request would encourage an economic development effort that could improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy because the NR-C zone allows uses such as commercial, offices, and light industrial. The said uses would help provide employment opportunities west of the Rio Grande, and would generally encourage a diverse economy.

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

A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and Policies regarding Centers and Corridors, Desired Growth, Development Areas, Activity Centers, Land Uses, Efficient Development Patterns, City Development Areas, Infill Development, Leap Frog Development, Placemaking, Diverse Places, and Resilient Economy.

B. Criterion B: This criterion does not apply because the subject site is not located in an Area of Consistency, either wholly or in part.

C. Criterion C: The subject site is located wholly in an Area of Change. The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning.

D. Criterion D: The applicant compared the existing MX-M zoning and the proposed NR-C zoning. Uses that would become permissive under the NR-C zone, which are not currently allowed, are

Kennel, Nursery, Heavy vehicle and equipment sales, rental, fueling, and repair, Construction contractor facility and yard, Self-storage, Other outdoor entertainment, Building and home improvement materials store, General retail (large), Light manufacturing, Recycling drop-off bin facility, Warehousing, and Wholesaling and distribution center.

The applicant discussed newly permissive uses that have potential to be harmful: Heavy vehicle and equipment sales, rental, fueling, and repair, Construction contractor facility and yard, and Light manufacturing. The applicant discusses the applicable IDO Use-Specific standards and State laws that would adequately regulate these uses and mitigate any potential harm to the surrounding properties, the neighborhood, or the community. The response to Criterion D is sufficient.

- E. Criterion E: The request meets the requirement three, that the subject site will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement. Further, the subject site is within an area of the city that has existing infrastructure. The response to Criterion E is sufficient.
  - F. Criterion F: The subject site's location along Central Ave SW does provide some rationale for the request. However, this is not the primary reason. Rather, this rationale is tied to the policy analysis, which shows that the request furthers a preponderance of applicable Goals and policies regarding complete communities, development patterns, redevelopment, Corridors, and economic development and is more advantageous to the community than the current zoning designation. The response to Criterion F is sufficient.
  - G. Criterion G: Economic considerations are a factor, but the applicant's justification is not completely or predominantly based upon them. Nor is the justification based completely or predominantly upon the cost of land. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them and that the proposed zoning is more advantageous to the community
  - H. Criterion H: The NR-C zone would not apply a zone different from the surrounding zone districts and therefore would not create a spot zone. NR-C zoning exists directly to the east and south of the site.
13. The applicant's policy analysis adequately demonstrates that the request furthers applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with it. Based on this demonstration, the proposed zone category would be more advantageous to the community than the current zoning.
14. The affected neighborhood organizations is the Los Volcanes Neighborhood Association and was notified as required. Property owners within 100 feet of the subject site were also notified as required.
15. As of this writing, Staff has not received any correspondence or phone calls and is unaware of any opposition.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **September 2, 2022**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (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 an EPC Recommendation to the City Council since this is not a final decision.

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 IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

*Catalina Lehner*

for Alan M. Varela,  
Planning Director

AV/CL/SL

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