

PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

December 10, 2020

Goodman Lawrence RVT
4711 Golf Rd. Suite 1000
Skokie, IL 60076-1235

Project #2020-004645
RZ-2020-00037– Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Angela Williamson, Modulus Architects, agent for Goodman Lawrence RVT, requests a zoning map amendment from MX-L to NR-C for all or a portion of Tract A, Snow Vista Investors, located at 1125 Snow Vista Blvd. SW, between De Vargas Rd. SW and Snow Vista Blvd. SW, approximately 10.8 acres (M-09-Z)
Staff Planner: Linda Rumpf

On December 10, 2020, the Environmental Planning Commission (EPC) voted to Approve Project # 2020-004645 RZ-2020-00037, Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a zoning map amendment (zone change) for an approximately 10.8-acre site known as: for all or a portion of Tract A, Snow Vista Investors, located at 1125 Snow Vista Blvd. SW, between De Vargas Rd. SW and Snow Vista Blvd. SW. The subject site currently is vacant.
2. The subject site is currently zoned MX-L (Mixed-Use – Low Intensity) and the applicant, Goodman Lawrence RVT, is requesting NR-C (Non-Residential Commercial) zoning for the site. There are no specific uses being proposed at this time. If this request is approved, it will allow the future of this site to develop per market demands and the demands of the surrounding community. There will be a potential for appropriate scale of development for retail, restaurants and grocery stores.
3. The subject site is in an area that the Comprehensive Plan has designated an Area of Change. This site is within the Arenal/86th/Benavides Major Transit Corridor.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following, applicable Goal and policies from Chapter 4-Community Identity:
 - A. Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

By changing the zoning and developing this vacant site, this request would enhance, protect and preserve a distinct community. This community is distinct because it has been identified as one of Albuquerque's "emerging communities" in the Southwest Mesa CPA, along with being a "Gateway" to Albuquerque from the west.

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

The proposed zone change furthers Policy 4.1.1 because this request will encourage quality development that is consistent with the distinct character of this community. The Southwest Mesa CPA is one of Albuquerque's "emerging communities", meaning this area is still developing and is still discovering its true identity and sense of community. This area is also the "Gateway" to Albuquerque from the west, where I-40 and Route 66 separate from each other. The request will not divert from the intended characteristic, rather contribute to it. Future development will follow the IDO and DPM standards. Upon conducting a thorough review, it has been determined that the proposed standards will not deviate from the existing character of the Southwest Mesa CPA.

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

This request for a Zone Map Amendment furthers Goal 4.3 because it will protect and enhance the natural and cultural characteristics and features that contribute to distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas. The Southwest Mesa CPA has been identified as one of Albuquerque's "emerging communities" and also the "Gateway" to Albuquerque from the west, where I-40 and Route 66 separate from each other. The NR-C zoning will allow for a wider array of developments on the subject site and will be designed based on the IDO and the DPM. This project will allow for uses to emerge that will meet the needs of the community and nearby neighborhoods.

6. The request furthers the following, applicable Goal and policies from Chapter 5-Land Use:

- A. Policy 5.1.10 Major Transit Corridor: Foster corridors that prioritize high frequency transit service with pedestrian-oriented development.

This request is consistent with Policy 5.1.10 because a portion of the subject site is within the Arenal/86th/Benavides Major Transit Corridor which fosters high frequency transit service with pedestrian-oriented development and minimizes negative impacts on nearby neighborhoods along a Transit Corridor and residential areas.

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

This proposed zone change furthers Goal 5.2 because it would allow for a mixture of non-residential uses in close proximity to a predominantly residential area where residents can live, work, learn, shop and play all in the same community.

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

This request furthers Policy 5.2.1 because the proposed zone change would allow for a mixture of non-residential uses that could help create a healthy, sustainable and distinct community in an Area of Change. The request would make possible development of commercial uses in close proximity to the neighboring residential areas. This will encourage development that brings goods and services within walking and biking distance of neighborhoods. The location will offer choice transportation to services and employment.

- D. 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.

This request furthers Goal 5.3 because it will 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 adjacent to existing NR-C zoning; therefore, the requested NR-C zone will maximize an efficient, development patten of non-residential uses on an infill property, supporting the public good.

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

This request furthers Policy 5.3.1 because the proposed zone change will support additional growth in an Area of Change with existing infrastructure and public facilities. The property is well serviced by existing infrastructure and other public facilities including access roads, water and sewage.

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

The requested NR-C zone will further Policy 5.4.2 by allowing for development that will create jobs on the West Side. The Mid-Region Council of Governments (MRMPO) strongly encourages promoting a healthy jobs housing balance by preserving commercially zoned land west of the river. The imbalance of jobs to households poses a significant challenge due to limited river crossings and the limited ability to increase the capacity of existing crossings. The zone map amendment will facilitate commercial development of a currently-vacant parcel on Albuquerque's Southwest quadrant, thereby creating the potential for job creation, which in turn assists in improving the jobs-housing balance west of the Rio Grande.

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

This request furthers Goal 5.6 because the subject property is located in an Area of Change and will direct growth and more intense development to this corridor where change is encouraged. The proposed zone change will encourage growth and high-quality future development in accordance with these policies in a Transit Corridor and in an area with adequate infrastructure.

The site is adjacent to an Area of Consistency and this amendment will reinforce the character and intensity of the surrounding area.

7. The request furthers the following, applicable Goal and policies from Chapter 8 - Economic Development:

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

This request furthers Goal 8.1 because it will allow for businesses and local talent to stay, expand and thrive. This is a gateway location for Albuquerque with a lot of traffic coming in and out the area.

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

This request furthers Policy 8.1.1 because it will foster a range of interesting places and contexts with different intensities, densities, uses and building scale in a location highly visible and accessible site for an opportunity to create a sense of place and encourage a diverse range of economic development opportunities.

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

This request furthers Policy 8.1.2 because it will improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy by providing for community needs. The NR-C zoning district will provide more beneficial allowable uses such as grocery store and general retail (medium/large). There are no known uses at this time but with this amendment and future opportunities for development it will provide jobs, goods, and services on this vacant site.

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

A. Criterion A: Criterion A is an important component of a zone change justification, though all criteria are required to be fulfilled adequately. Consistency with the City's health, safety, morals, and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not conflict with them. See the section entitled "Albuquerque / Bernalillo County Comprehensive Plan (Rank I)" which precedes this section for further policy analysis.

B. Criterion B: The subject site is not located in an Area of Consistency. Criterion B does not apply.

C. Criterion C: The subject site is located in an Area of Change. The NR-C zone district will enable the development of potential retail, restaurants and grocery stores, which the current zone does not permit. 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). Criterion C applies.

- D. Criterion D: The applicant provided a thorough discussion of the uses that would become permissive in the NR-C zone and addressed the issue of potential harm to adjacent property, the neighborhood, or the community. The applicant points out that possible uses that could be considered harmful to adjacent property owners have been mitigated by specific use standards and regulations identified in the Integrated Development Ordinance. Uses are also controlled by Specific-Use Standards found in the IDO to mitigate potential harmful effects on the surrounding area. The response to Criterion D is sufficient.
- E. Criterion E: Requirement 1 applies. The applicant states that existing infrastructure and public improvements would have adequate capacity to serve development made possible by the proposed zone change. However, if the use change would cause the need for infrastructure improvements, the applicant would be responsible for providing them.
- F. Criterion F: While the subject site is located on adjacent to a major street, Snow Vista Blvd. SW, the site's location is not being used as the primary justification for the request. The applicant has demonstrated that the request furthers a preponderance of applicable, Comprehensive Plan Goals and policies and does not conflict with them. The response to Criterion F is sufficient.
- G. Criterion G: The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan policies (Criterion A) and does not conflict significantly with them. The response to Criterion G is sufficient.
- H. Criterion 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"). No requirement applies in this case.
9. The zone map amendment is adequately justified pursuant to the IDO Review and Decision criteria for zone changes in 14-16-6-7(F)(3). The policy analysis demonstrates that the request furthers a preponderance of applicable Goals and policies and does not conflict with them.
10. The affected neighborhood organizations are the Westgate Heights NA, South Valley Coalition of NA, Westside Coalition of Neighborhood Associations, South West Alliance of Neighborhood Associations, and Route 66 Neighborhood Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
11. No neighborhood representatives requested a meeting. There is no known opposition to this request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **December 28, 2020**. 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 Brennon Williams
Planning Director

BW/LR

cc: Goodman Lawrence RVT, sgoodman@goodmanrealty.com
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