



**Environmental
Planning
Commission**

**Agenda Number: 1
Project #: PR-2022-008034
Case #: RZ-2022-00068
Hearing Date: February 16, 2023**

Staff Report

Agent	Consensus Planning
Applicant	TLC Plumbing HVAC and Electrical
Request	Zoning Map Amendment (zone change)
Legal Description	Tracts 4-A & 4-B, Plat of Tracts 4-A & 4-B, Lands of LaFarge
Location	located at the NW corner of Alexander Boulevard and Carmony Road
Size	Approximately 6-acres
Existing Zoning	NR-LM
Proposed Zoning	NR-GM

Staff Recommendation

APPROVAL of Z-2022-00068, based on the Findings beginning on Page 20.

**Robert Messenger, AICP, Staff Planner
Megan Jones, Senior Planner**

Summary of Analysis

The request is for a zoning map amendment for an approximately 6-acre site that comprises the NW corner of Alexander Boulevard and Carmony Road. The applicant intends to change the subject site’s zoning to NR-GM to facilitate future development that is consistent with the surrounding industrial land uses.

The subject site is in an Area of Consistency and is not within an Activity Center or a designated corridor.

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 generally be more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies.

There are no affected neighborhood organizations and property owners within 100 feet of the subject site were notified as required. As of this writing, Staff is unaware of any opposition and has not been contacted.

Staff recommends approval.

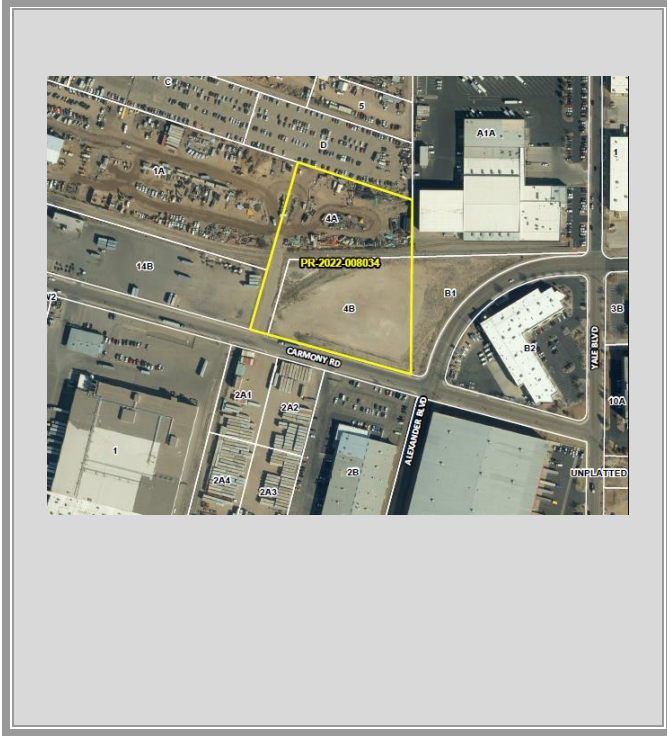
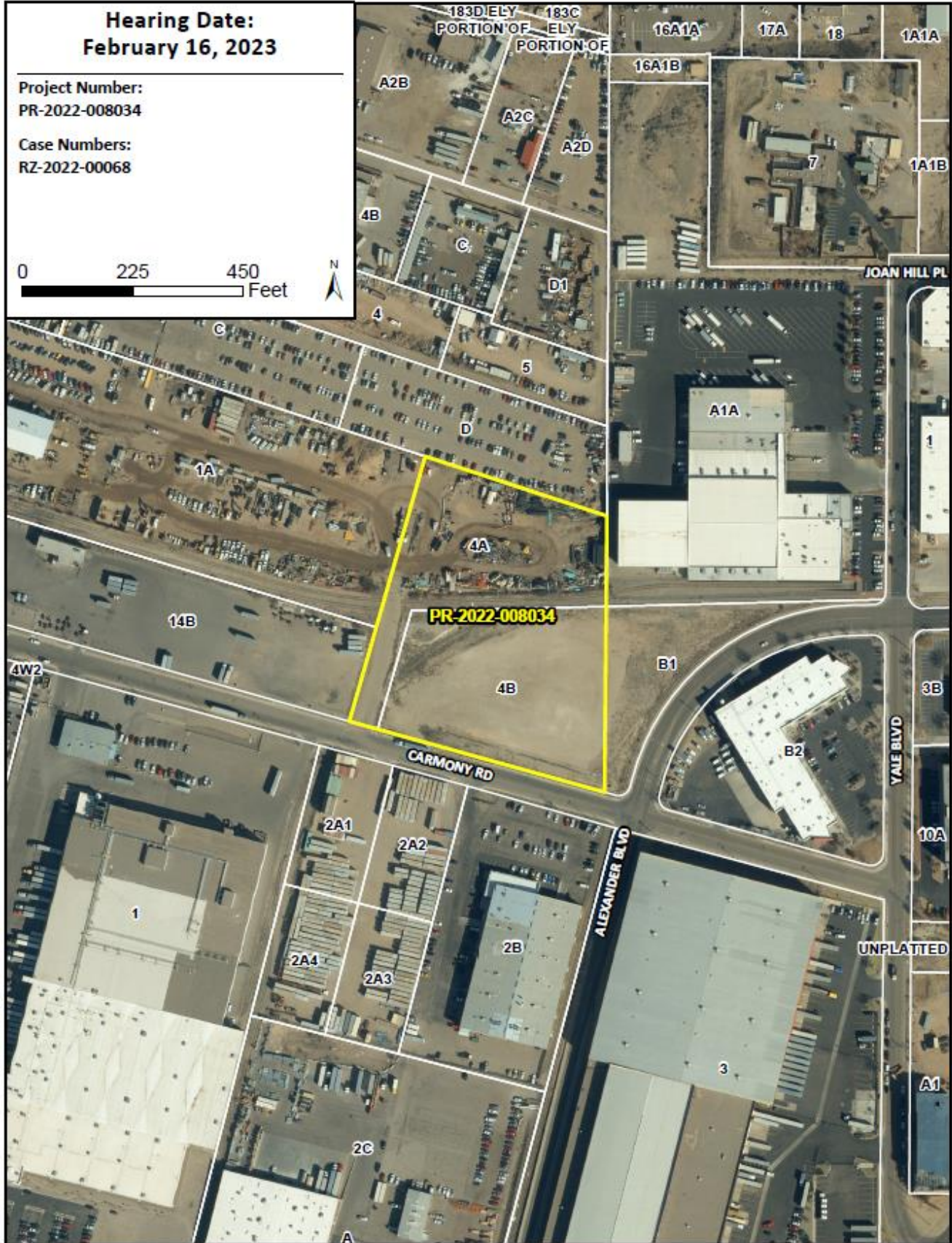


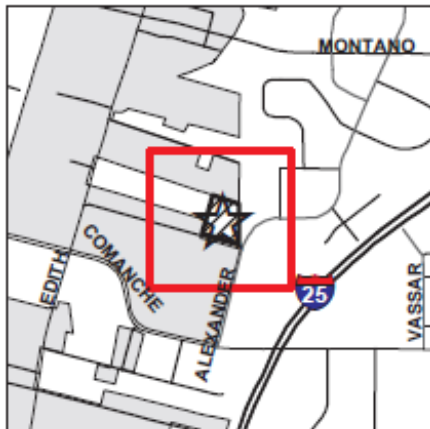
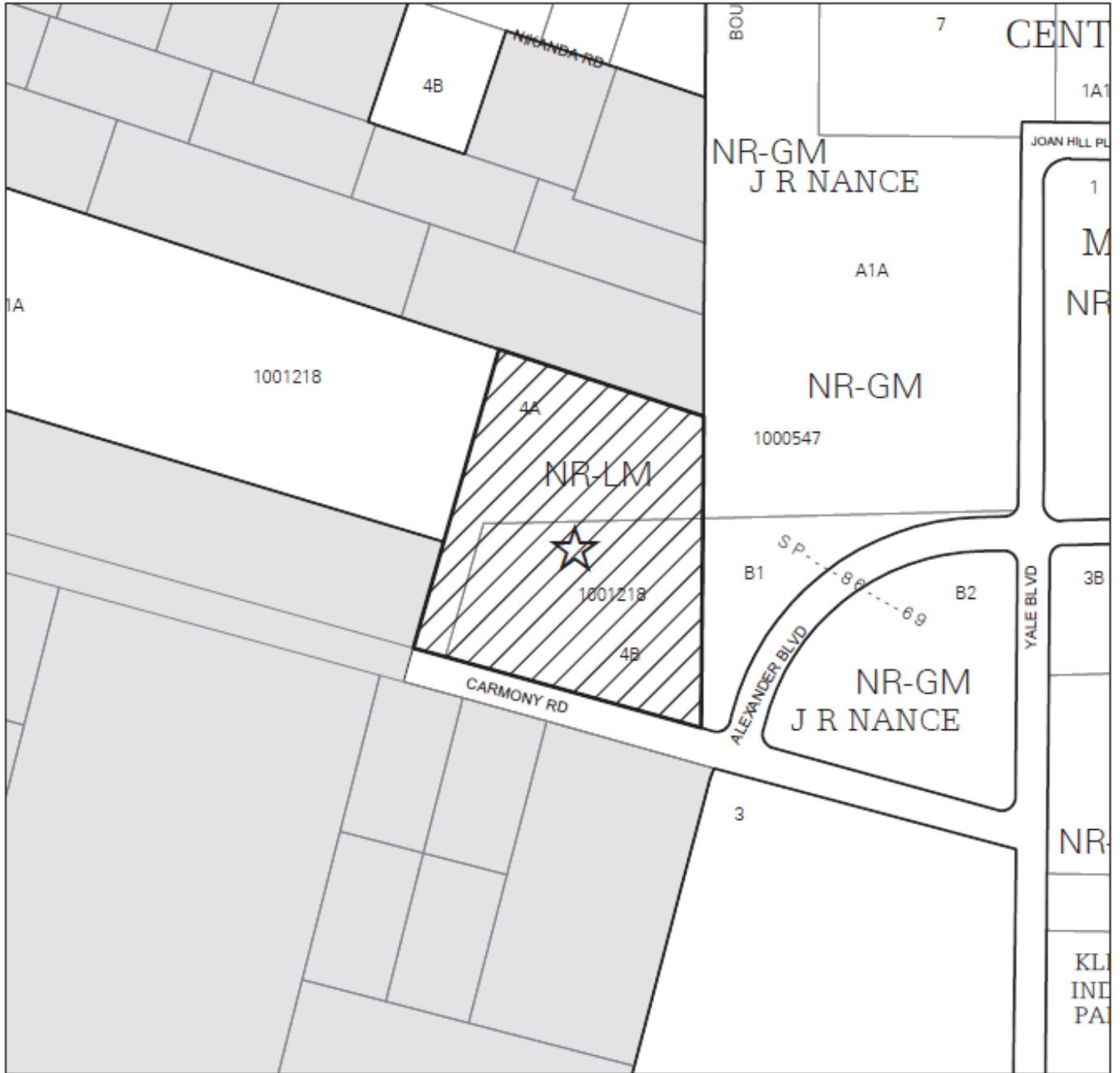
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IDO ZONING MAP

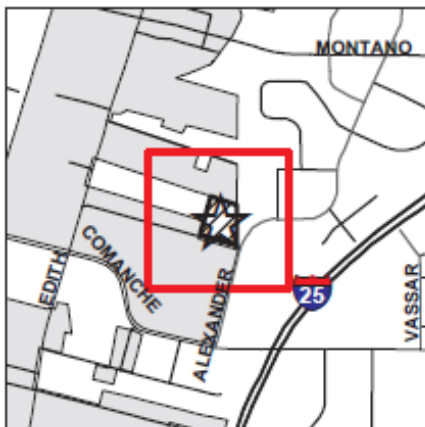
Note: Gray shading indicates County.



1 inch = 250 feet

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LAND USE MAP

Note: Gray shading
 Indicates County.

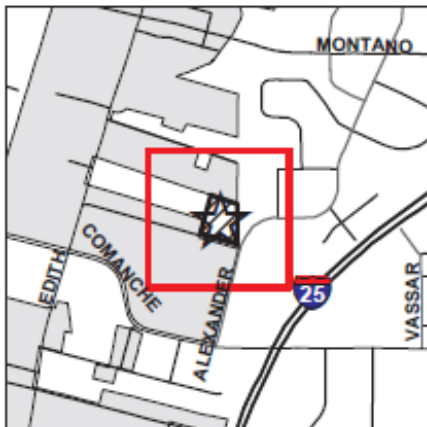
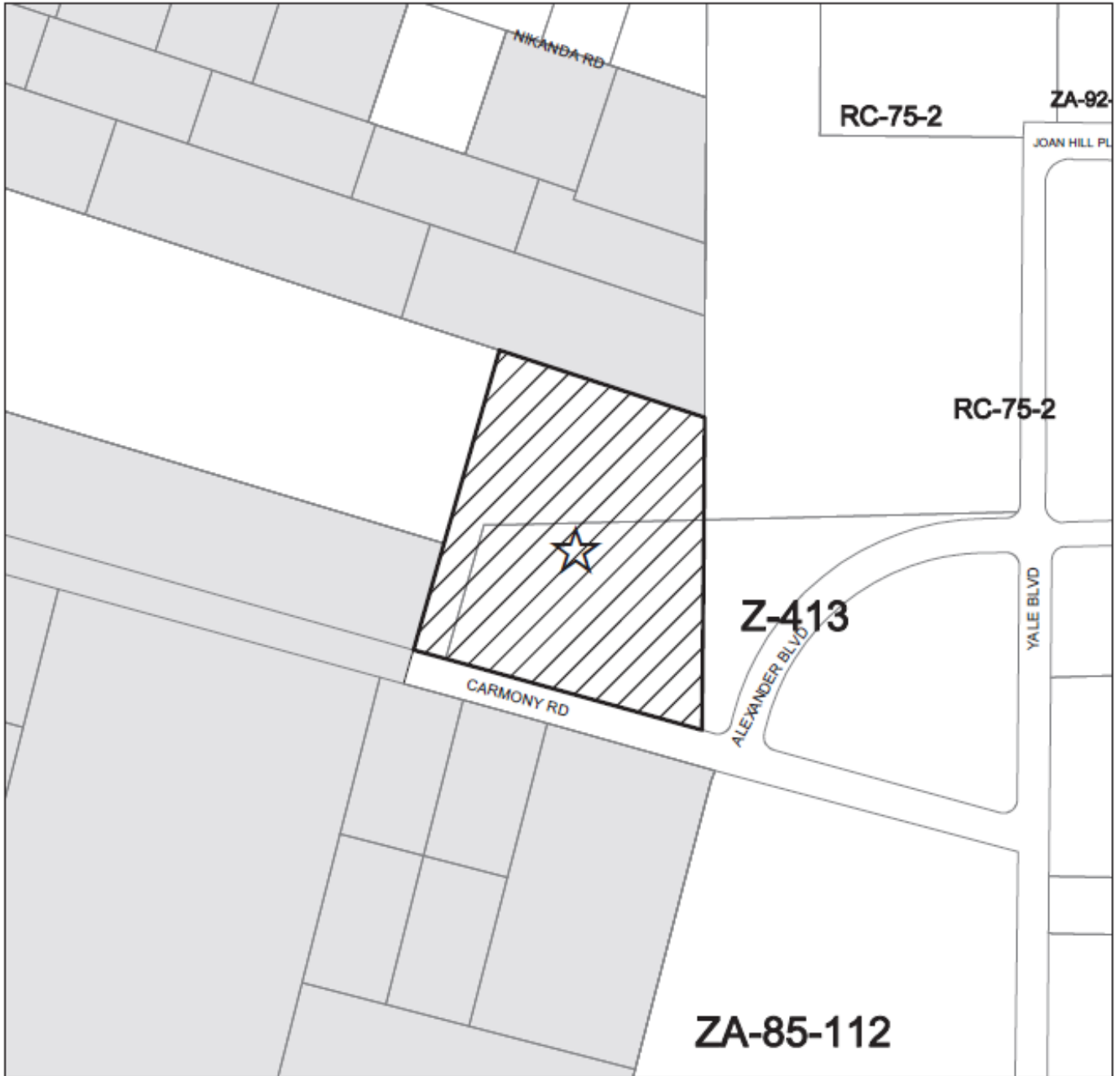
Key to Land Use Abbreviations	
LDRES Low-density Residential	APRT Airport
MULT Multi-family	TRANS Transportation
COMM Commercial Retail	AGRI Agriculture
CMSV Commercial Services	PARK Parks and Open Space
OFC Office	DRNG Drainage
IND Industrial	VAC Vacant
INSMED Institutional / Medical	UTIL Utilities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



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HISTORY MAP

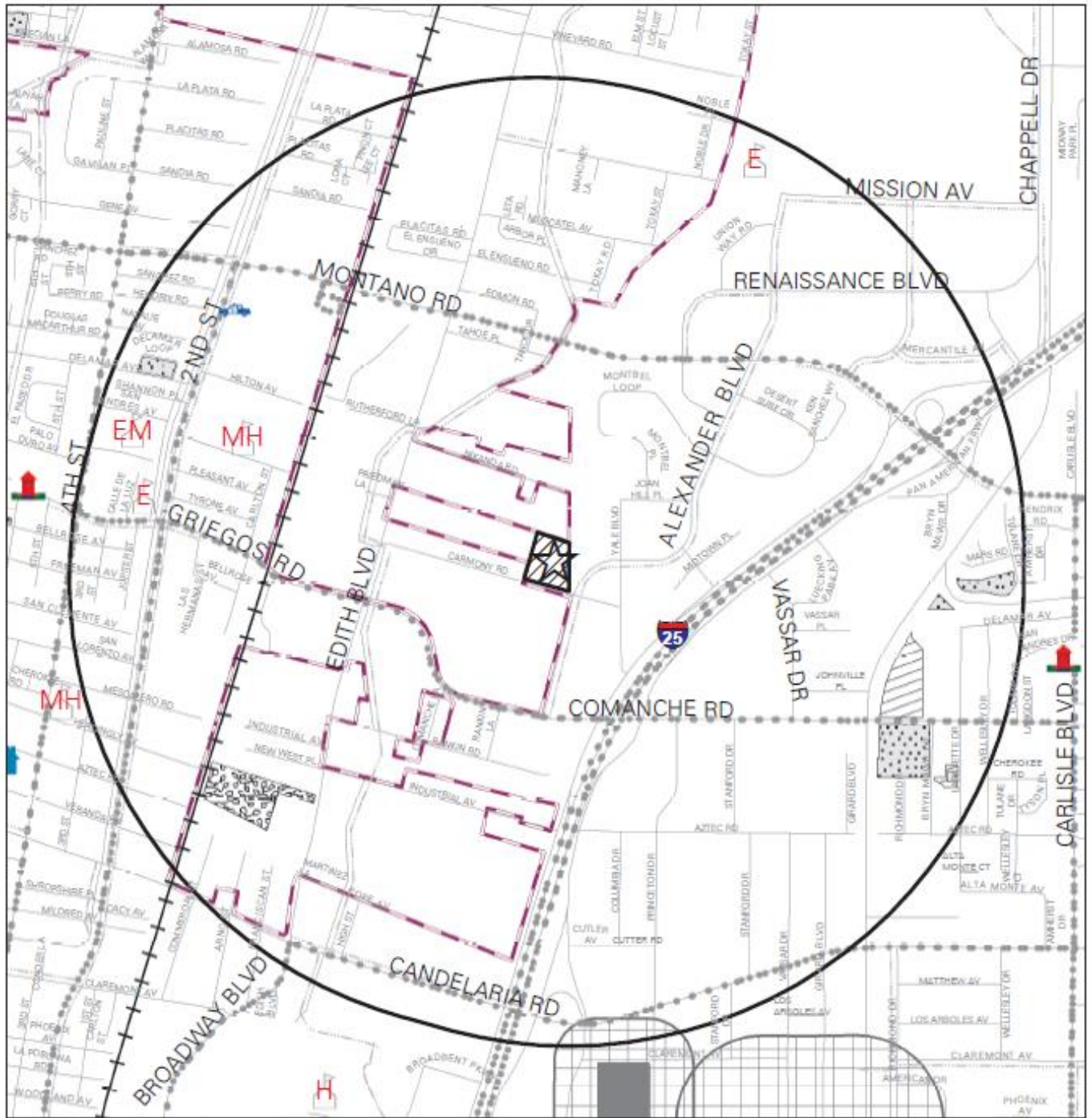
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Public Facilities Map with One-Mile Buffer

- | | | | | | | | |
|--|----------------------|--|-------------|--|--------------------------|--|-----------------------------|
| | 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:

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Site</i>	NR-LM	Area of Consistency	Vacant
<i>North</i>	NR-LM, Unincorporated Bernalillo County	Area of Consistency	Industrial & Commercial
<i>South</i>	NR-LM, Unincorporated Bernalillo County	Area of Change	Industrial, Commercial & Office
<i>East</i>	NR-GM, NR-LM	Area of Change	Industrial & Commercial
<i>West</i>	NR-LM, Unincorporated Bernalillo County/	Area of Change	Industrial & Warehousing

Request

The request is for a zoning map amendment (zone change) for an approximately 6-acre site legally described as Tract 4-B and 4-A, Plat of Tracts 4-A & 4-B, Lands of Lafarge, located at the NW corner of Alexander Boulevard and Carmony Road (the “subject site”).

The applicant is requesting a zone change to NR-GM (Non-Residential General Manufacturing Zone District) to facilitate future development. The request would be consistent with City properties zoned NR-GM to the east as well as industrial uses in unincorporated Bernalillo County to the north and south of the subject site.

EPC Role

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

Context

The subject site is vacant and located in an established industrial area. It is currently being used to stage trucks for the loading of gravel, which is stored on the property east of the subject site. The surrounding area is characterized by a variety of land uses including small-scale agriculture, industrial, and commercial uses. Characteristics of the area reflect historical patterns of long, narrow agricultural lots parallel to acequias, narrow streets without curb and gutter, mountain views, proximity to the Bosque, and a mix of industrial and commercial uses along major streets.

Although the subject site is not located in a designated Center, it is near the Renaissance Employment Center, which was conceptualized in the 1980s to feature industrial, commercial, and retail uses. The community surrounding the subject site has developed with this concept, which was originally included in the boundaries of the North Valley Area Plan, which is no longer in effect.

The subject site was served by a BNSF railroad siding and has access to Interstate 25 at the Comanche exit. However, it is not within the “Railroad and Spur Small Area” and therefore is not subject to Subsections 14-16-5-2(F) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements).

History

Although properties west of the railroad and Edith Boulevard were annexed into the City of Albuquerque in the 1940s, the subject site and surrounding areas were not annexed until the late 1950s (annexation and rezoning history noted below), and many properties north and south of the subject site remain in unincorporated Bernalillo County.

The City Planning Commission recommended approval of a zone change from R-1 to M-2 on February 18th, 1957. It was deferred several times because the City requested an easement from the owner to construct Carmony Road, which was not resolved until February, 1958. City Commission approved Commission Ordinance No. 1493 on March 10, 1959 that codified a new Comprehensive Zoning Ordinance and Map including the zone change request for these properties (Z-413).

The subject site was originally included within the boundaries of the North Valley Area Plan, which was a Rank II Plan, adopted in April 1993. The Plan was repealed with the adoption of the IDO in 2018.

The subject site was included in an annexation on November 20, 2001 (O-53-2001).

No other case history for the site is known at this time.

Transportation System

The Long-Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classifications of roadways. Carmony Road is designated as a local urban street (Class 0) and Alexander Boulevard is designated as an Urban Major Collector (Class 4).

Comprehensive Plan Designations

The subject site is in an Area of Consistency as designated by the Comprehensive Plan.

The Comprehensive Plan does not designate either Alexander Boulevard or Carmony Road as Corridors.

It is within the Near North Valley Community Planning Assessment Area (CPA). This CPA is a semi-rural area that has views of the mountains, multiple small-scale Centers within walking distance

of adjacent neighborhoods, and mixed land uses, including industrial and commercial uses.

Trails/Bikeways

A bike lane is proposed on Alexander Blvd. NE. It would connect with the existing bike lanes on Comanche Rd NE, south of the subject site. Although Carmony Road does not have existing or proposed bike facilities it connects to Edith Boulevard on the west, which is a designated bike route.

Transit

ABQ Ride Route 13, Comanche Commuter, is the closest bus route to the subject site. It runs weekdays at a peak frequency of 40 minutes during the two trips in the morning and afternoon.

Public Facilities/Community Services

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

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Definitions

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private. See also Alley, Multi-use Trail, Private Way, Right-of-way, and Street.

Amendment: Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of any zone district or Overlay zone; or any repeal or abolition of any map, part thereof, or addition thereto.

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 parcels adjacent to the proposed development have been developed and contain existing primary buildings.

Non-residential Zone District: Any zone district categorized as Non-residential in Part 14-16-2 of this IDO.

Zoning

The subject site is zoned NR-LM [Non-Residential Light Manufacturing Zone District, IDO 14-16-2-5(C)(1)], which was assigned upon adoption of the IDO as a conversion from the former IP (Industrial Park) zoning. The purpose of the NR-LM zone district is to accommodate moderate-intensity commercial, light assembly, fabrication, and light manufacturing uses, while buffering adjacent lower-density, Residential and Mixed-Use zone districts from the traffic, noise, and other impacts of those uses. Allowable uses are listed in Table 4-2-1: Allowable Uses, IDO pg. 145.

The request is to change the subject site's zoning to NR-GM [Non-Residential General Manufacturing Zone District, IDO 14-16-2-5(D)(1)]. The purpose of the NR-GM zone district is to accommodate a wide variety of industrial, manufacturing, and heavy commercial uses, particularly those with noise, glare, or heavy traffic impacts, in areas separated from Residential and Mixed-use areas and less intense, lighter impact businesses.

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) in this report.

ALBUQUERQUE / BERNALILLO COUNTY COMPREHENSIVE PLAN

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. In Areas of Consistency, significant growth is unlikely or undesirable and any new development or redevelopment will need to be consistent with the established character of the surrounding context in order to reinforce the existing character of established neighborhoods.

In this case, the Goals and policies below were included by the applicant in the justification letter. Staff finds them all applicable, and adds two policies denoted with an * to the analysis. Staff analysis follows in bold italic text.

Chapter 4: Community Identity

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

The request would protect and preserve the surrounding established industrial development and land uses within the surrounding area. By preserving the subject site as a Non-residential Manufacturing zone district, future development would remain consistent with the surrounding and adjacent properties. The zone change would protect the surrounding neighborhood by preserving industrial, manufacturing, and heavy commercial uses in an area separated from residential 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 the communities.

The subject site is within a community that could be considered distinct because it is in an established industrial community and within ¼ mile of the Renaissance employment center. The request could facilitate future development that would remain consistent with the established industrial and commercial character of the surrounding community. Additionally, the NR-GM zone district would mitigate potential harmful or inappropriate uses that are currently permissive under the NR-LM zone district, such as schools. The request for a zone change does not guarantee high quality development, therefore Policy 4.1.1 Distinct Communities is partially furthered.

Chapter 5: Land Use

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

The request would promote efficient use of the under-utilized vacant parcel currently on the subject site. Future development would promote land use patterns that are similar to the surrounding area, while also utilizing existing infrastructure that surrounds the site. The request would promote efficient development patterns and use of land, furthering 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 Area of Consistency and is adjacent to an Area of Change and an existing Employment Center. The request would allow future industrial growth on a site that is served by existing infrastructure and public facilities. The request furthers Policy 5.3.1 – Infill Development.

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.

The request would prevent siting potentially harmful industrial uses adjacent to uses allowed in the current NR-LM zoning – such as schools. It would ensure that only industrial and manufacturing uses are located in an established industrial area near an existing Employment Center. The request generally furthers Policy 5.3.7.

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 an Area of Consistency, where development is intended to reinforce the character and intensity of the surrounding area. The request would allow the subject site to remain consistent in character and zoning of the adjacent property to the east and the surrounding area. The request generally 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.

Sub policy b) ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The request would protect the character of an existing industrial area outside of existing Center and Corridors. The surrounding neighborhood is primarily characterized by industrial and manufacturing/warehouse uses, although there is an existing Employment Center adjacent to the property with an Area of Change designation. The request generally furthers Policy 5.6.3.

*Staff adds the following from Chapter 4- Community Identity, and Chapter 5- Land Uses:

* 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 request would protect the identity and cohesiveness of the surrounding community by ensuring the appropriate scale and location of future General Manufacturing development remains within an established Industrial area. Although many uses under the NR-LM zone district would remain permissive, NR-GM would be consistent with the land uses adjacent and to the east of the subject site. The request generally furthers Policy 4.1.2 – Identity and Design.

* Sub-Policy 5.2.1(h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request would encourage future infill development that could be compatible in form and scale to the immediately surrounding community. The surrounding land uses are made up of NR-LM and NR-GM zoned properties, which future development would be consistent with. The request generally furthers Sub-Policy 5.2.1(h).

Not Applicable

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

Although the request could encourage future industrial development in an area with existing infrastructure and facilities, it does not guarantee or discourage any specific development, therefore policy 5.3.2 does not apply.

Sub-Policy 5.6.3(b): Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The request does not guarantee that future development reinforces the scale, intensity, and setbacks of the surrounding NR-GM properties, therefore policy 5.3.2(b) does not apply.

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 change justification letter noted that the subject site is currently zoned NR-LM (Non-Residential Light Manufacturing Zone). The requested zoning is NR-GM (Non-Residential General Manufacturing Zone). Staff's analysis is based on the revised project letter received on 1/30/2023.

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 citation is from the IDO. The applicant's arguments are in *italics*. Staff analysis follows in plain font.

- A. A proposed zone change must be found to be consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

Applicant: The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the goals and policies listed below.

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; Policy 4.1.1 Distinct Communities; Goal 5.3 Efficient Development Patterns; Policy 5.3.1 Infill Development; Policy 5.3.7 Locally Unwanted Land Uses; Goal 5.6 City Development Areas; and Policy 5.6.3 Areas of Consistency.

Non-applicable citations: Policy 5.3.2 Leapfrog Development and Sub Policy 5.6.3(b).

The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding Character, Distinct Communities, Infill and Efficient Development Patterns, Locally Unwanted Land Uses, and City Development Areas: Areas of Consistency, and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is generally consistent with the City's health, safety, morals and general welfare. The response to Criterion A is sufficient.

- B. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would (1) 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 (2) 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).

Applicant: The subject site is located entirely in an Area of Consistency and the requested NR-GM will reinforce the existing character and intensity of the area because the subject site is located in an existing industrial and commercial service area. To the east of the subject site between Comanche and Montgomery, the majority of the zone districts are NR-GM and this request helps to ensure consistency with the existing industrial community. While not within the City limits, there are also a number of industrial parcels within the unincorporated part of Bernalillo County, which adds to the industrial context for the subject property.

This request meets criterion 3 because the proposed NR-GM zone is more advantageous to the community because it will create consistency with the parcel directly to the east of the subject site. Additionally, because the subject site is an infill parcel that is not situated near any residential zones the NR-GM zone is more advantageous to the community because it will ensure that allowable uses such as heavy manufacturing are kept away from residents and instead centralized in an established industrial area. The existing NR-LM zone can be potentially harmful to the community because it allows for uses such as schools which should not be situated in an established industrial area as it can cause harm to the student's health, safety, and well-being.

Staff: The subject site is located wholly in an Area of Consistency. The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request (1) 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, and (2) that the existing zoning is inappropriate because of B3, above: a different zone district is more advantageous to the community as articulated by the Comprehensive Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s). The response to Criterion B is sufficient.

C. If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:

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

Applicant: The subject sites are located entirely in an Area of Consistency; therefore, this criterion does not apply.

Staff: The subject site is not located in an Area of Change, so this criterion is non-applicable. 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.

Applicant: The requested NR-GM zoning does not include permissive uses that would be harmful to adjacent properties, neighborhoods, or communities because there are no adjacent neighborhoods or residential communities, and the surrounding context is an established industrial area. The majority of parcels between Comanche and Montgomery to the east of the site are zoned NR-GM.

The permissive uses that could be deemed harmful to surrounding residents are heavy manufacturing and above-ground storage of fuels or feed. There are no adjacent or surrounding residential neighborhoods; therefore, these uses will not have any negative impact on residents. Additionally, the subject site location makes it ideal for the requested NR-GM zone because it can allow for needed industrial uses while ensuring it does not impact or affect the health or quality of life of residents. As shown in the table below the NR-LM zone allows for permissive uses that could potentially cause harm to the community if situated in an established industrial area such as where the subject site is located. For instance, the NR-LM zone allows for schools as a permissive or conditional use which could cause greater harm to the community if it was situated in an established industrial manufacturing area. The requested NR-GM zone helps to ensure consistency in the area while keeping harmful uses away from the community.

P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary Blank Cell = Not Allowed

Allowable Use	NR-LM	NR-GM
Elementary or middle school	CV	
High school	C	
Sports field	P	C
Health club or gym	P	A
Mobile food truck court	P	C
Night club	P	
Bank	P	CV
Club or event facility	P	CV
Mortuary	C	
Drive-in theater	C	
Other outdoor entertainment	P	A
Art gallery	P	A
Building and home improvement materials store	P	C

General retail medium	C	
Heavy manufacturing		P
Special manufacturing		C
Wind energy generation	A	C
Salvage yard	C	P
Above-ground storage of fuels or feed	C	P
Drive-through or drive-up facility	A	
Garden	A	
Circus	T	

Staff: The applicant compared the existing NR-LM zoning with the proposed NR-GM zoning and discussed permissive uses that could be deemed harmful to the surrounding area. The most important difference between the two zones is that heavy manufacturing would become permissive in NR-GM; it is not allowed in NR-LM. The applicant discusses how heavy manufacturing and above-ground storage of fuels or feed could be considered harmful, especially if in a residential community. Therefore, because the surrounding area is made up of industrial and manufacturing uses, the permitted uses would be located in an area with similar uses.

Some conditional uses in NR-LM would become permissive and a few uses not previously allowed would become permissive accessory uses (see IDO table 4-2-1: Allowable Uses p. 146).

Furthermore, the IDO has Use-Specific standards to mitigate the impacts of uses that could be considered harmful. 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.

Applicant: This request meets criterion 1 because the subject site is an infill parcel that is highly connected to existing city infrastructure. There are existing sidewalks and roadways as well as nearby connectivity to I-25 along with a railroad spur that cuts across the northwest portion of the site, and access to public utilities including water, sewer, and electric. Additionally, there is a proposed bike lane along Alexander Boulevard.

Staff: The subject site is an infill site that is adequately served by existing infrastructure (requirement 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.

Applicant: This request is not based on the property's location on a major street because the subject site is not located on a major street and the justification for the proposed zone to change is based on the advantages it will bring to the community by locating industrial and heavy manufacturing uses away from established and emerging residential communities.

Staff: The subject site is located on Carmony Road, near Alexander Boulevard, neither of which are major 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.

Applicant: This request is not based on the cost of land or other economic considerations rather the request is based on the numerous advantages it proposes for the community by situating industrial land uses away from residential areas. Additionally, the request is based on the connectivity the site has to the existing infrastructure and freight systems such as I-25 as this connectivity will enable efficiency in transportation and day-to-day services of the permissive uses in the NR-GM zone.

Staff: The request is not based on the cost of land or economic considerations. The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them. 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.

Applicant: This request does not create a spot zone rather it creates consistency with the parcel directly to the east of the site which is also zoned NR-GM. Additionally, the majority of parcels near the site are zone NR-GM; therefore, this request helps to create cohesion amongst the subject sites and surrounding parcels.

Staff: The request would not result in a “spot zone” since the new NR-GM zoning would be adjacent to existing NR-GM zoning immediately east of the subject site, as well as surrounding NR-GM zoned properties. The response to Criterion H is sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS REVIEWING AGENCIES

City departments and other agencies reviewed this application based on the 12/21/2022 Project Letter. Few agency comments were received.

Standard comments were provided from AMAFCA, APS and Bernalillo County Public Works. Solid Waste noted that an inspection will have to be scheduled for the site to verify if it is vacant once the zone change is approved.

Neighborhood/Public

The Office of Neighborhood Coordination (ONC) confirmed that there are no affected neighborhood organizations within the notification distance of the subject site. Property owners within 100 feet of the subject site were notified as required (see attachments).

A pre-application neighborhood meeting was not held. A facilitated meeting was not requested. As of this writing, Staff has not been contacted and is not aware of any support or opposition.

IV. CONCLUSION

The request is for a zoning map amendment (zone change) for an approximately 6-acre site described as Tract 4A and Tract 4-B, Plat of Tracts 4-A & 4-B, Lands of LaFarge (the “subject site”).

The subject site is currently vacant and is zoned NR-LM (Non-Residential Light Manufacturing Zone District). The applicant wants to change the subject site’s zoning to NR-GM (Non-Residential General Manufacturing Zone District) to facilitate future development and be consistent with NR-GM zoned properties east of the subject site.

The subject site is in an Area of Consistency and is not within a designated Center or Corridor. The applicant has adequately justified the request based upon the proposed zoning being more advantageous to the community than the current zoning because it would further a preponderance of applicable Goals and policies.

There are no affected neighborhood organizations. Property owners within 100 feet of the subject site were also notified as required. Staff is not aware of any support or opposition as of this writing.

Staff recommends approval.

FINDINGS - Z-2022-00068, February 16, 2023- Zoning Map Amendment (Zone Change)

1. The request is for a zoning map amendment (zone change) for an approximately 6-acre site legally described as Tract 4A and Tract 4-B, Plat of Tracts 4-A & 4-B, Lands of LaFarge (the “subject site”). The subject site is vacant.
2. The subject site is zoned NR-LM (Non-Residential Light Manufacturing Zone District). The applicant is requesting a zone change to NR-GM (Non-Residential General Manufacturing Zone District) to facilitate future development and be consistent with NR-GM zoned properties east of subject site.
3. The subject site is in an area that the Comprehensive Plan designated an Area of Consistency and is not located in a designated Center or Corridor.
4. The subject site is located in the Near North Valley Community Planning Area (CPA), which has not been assessed at the time of this writing.
5. The City of Albuquerque Integrated Development Ordinance (IDO) and the Comprehensive Plan are incorporated herein by reference and made part of the record for all purposes.
6. The request furthers the following, applicable Goal and policies from Comprehensive Plan Chapter 4: Community Identity:

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

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

The request would facilitate future development that would remain consistent with the established industrial and commercial character of the surrounding community. Additionally, the NR-GM zone district would mitigate potential harmful or inappropriate uses that are currently permissive under the NR-LM zone district, such as schools. The request for a zone change does not guarantee high quality development, therefore Policy 4.1.1 Distinct Communities is partially furthered.

- B. 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 request would protect the identity and cohesiveness of the surrounding community by ensuring the appropriate scale and location of future General Manufacturing development remains within an established Industrial area. Although many uses under the NR-LM zone district would remain permissive, NR-GM would be consistent with the land uses adjacent and to the east of the subject site. The request generally furthers Policy 4.1.2 Identity and Design.

7. The request furthers the following Goal and policy in Chapter 5: Land use, pertaining to Complete Communities:

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

B. Policy 5.2.1(h): Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request would encourage future infill development that could be compatible in form and scale to the immediately surrounding community. The surrounding land uses are made up of NR-LM and NR-GM zoned properties, which future development would be consistent with. The request generally furthers Sub-Policy 5.2.1(h).

8. The request furthers the following Goal and policies in Chapter 5: Land use, pertaining to Efficient Development Patterns:

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

The request would promote efficient use of the under-utilized vacant parcel currently on the subject site. Future development would promote land use patterns that are similar to the surrounding area, while also utilizing existing infrastructure that surrounds the site. The request would promote efficient development patterns and use of land, furthering Goal 5.3 – Efficient Development Patterns.

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 of Consistency and is adjacent to an Area of Change and an existing Employment Center. The request would allow future industrial growth on a site that is served by existing infrastructure and public facilities. The request furthers Policy 5.3.1 – Infill Development.

D. 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.

The request would prevent siting potentially harmful industrial uses adjacent to uses allowed in the current NR-LM zoning – such as schools. It would ensure that only industrial and manufacturing uses are located in an established industrial area near an existing Employment Center. The request generally furthers Policy 5.3.7.

9. The request furthers the following Goal and policies in Chapter 5: Land use, regarding City Development Areas and Areas of Consistency:

- 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 an Area of Consistency, where development is intended to reinforce the character and intensity of the surrounding area. The request would allow the subject site to remain consistent in character and zoning of the adjacent property to the east and the surrounding area. The request generally furthers Goal 5.6-City Development Areas.

- 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 request would protect the character of an existing industrial area outside of existing Center and Corridors. The surrounding neighborhood is primarily characterized by industrial and manufacturing/warehouse uses, although there is an existing Employment Center adjacent to the property with an Area of Change designation. The request generally furthers Policy 5.6.3.

10. 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 demonstrates that the request furthers a preponderance of applicable Goals and policies regarding infill and efficient development patterns. 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. The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request (1) 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, and (2) that the existing zoning is inappropriate because of B3: a different zone district is more advantageous to the community as articulated by the Comprehensive Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

- C. Criterion C: The subject site is not located wholly in an Area of Change. Therefore, this criterion does not apply.

- D. Criterion D: The applicant compared the existing NR-LM zoning with the proposed NR-GM zoning and discussed permissive uses that could be deemed harmful to the surrounding area. The most important difference between the two zones is that heavy manufacturing is permissive in NR-GM and is not allowed in NR-LM. Because the surrounding area is made up of industrial and manufacturing uses, the permitted uses would be located in an area with similar uses, and therefore the criterion is satisfied and the new zone would generally not be harmful in this location.
- E. Criterion E: The subject site is an infill site in an area that is adequately served by existing infrastructure and therefore meets Criterion E.1.
- F. Criterion F: Because the subject site is not located on a major street, Criterion F is not applicable.
- G. Criterion G: The cost of land or other economic considerations are not used to base the request. The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
- H. Criterion H: The request would not result in a spot zone because it will be adjacent to properties zoned NR-GM, and therefore Criterion H is not applicable.
11. There are no affected neighborhood organizations within the required notification vicinity of the subject site. Property owners within 100 feet of the subject site were notified as required.
12. As of this writing, Staff has not been contacted and is unaware of any opposition.
13. Regarding future development, the Solid Waste Management Department will require that: a) An inspection will have to be scheduled to verify if the site is vacant, and b) If it is occupied a trash enclosure will be required, and a site plan approved for access by the Solid Waste Department will be required.

RECOMMENDATION - RZ-2022-00068, February 16, 2023

APPROVAL of Project #: 2022-008034, Case #: 2022-00068, a zone change from NR-LM to NR-GM, for Tract 4A and Tract 4-B, Plat of Tracts 4-A & 4-B, Lands of LaFarge, located at the northwest corner of Carmony Road and Alexander Boulevard, between Carmony Road NE, and unincorporated Bernalillo County, an approximately 6-acre site, based on the preceding Findings.

Megan Jones

***Megan Jones, MCRP / MPA
Senior Planner***

Robert Messenger

***Robert Messenger, AICP
Planner***

Notice of Decision cc list:

Consensus Planning, cp@consensusplanning.com
Legal, dking@cabq.gov
EPC file

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Long Range Planning

CITY ENGINEER

Transportation Development

Hydrology Development

New Mexico Department of Transportation (NMDOT)

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Traffic Engineering Operations (Department of Municipal Development)

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Solid Waste comments:

Project # PR-2022-008034 RZ-2022-00068– Zoning Map Amendment (Zone Change) -- If the zone map amendment is approved will this site be occupied? An inspection will have to be schedule to verify if it is vacant. If it is occupied a trash enclosure will be required, and a site plan approved for access by the Solid Waste Department will be required.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY Public Works Division, Transportation Planning

Project # PR-2022-008034 (Asphalt Batch Plant/Zone Change to Non-Residential General Manufacturing located on 705 Carmony Rd NE -3.2 Acres)
RZ-2022-00068– Zoning Map Amendment (Zone Change)

COMMENTS:

No adverse comment. For information purposes, Carmony Rd immediately west of the site is under Bernalillo County jurisdiction as well as Edith Blvd. At 3.2 acres the site does not generate enough trips to meet Bernalillo County's threshold for a traffic study.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Project # PR-2022-008034	TR 4-B and TR 4-A Plat OF Tracts 4-A & 4-B Lands of Lafarge, located on Carmony Lane NE, between Carmony Lane NE, and Alexander Boulevard NE	G-15
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RZ-2022-00068– Zoning Map Amendment (Zone Change)

• No adverse comments to the zone map change.

ALBUQUERQUE PUBLIC SCHOOLS

1. Project #2022-008034

- a. EPC Description: RZ-2022-00068, Zoning Map Amendment (Zone Change).
- b. Site Information: Lands of Lafarge, Tracts 4-A & 4-B.
- c. Site Location: Located on Carmony Lane NE, between Carmony Lane NE and Alexander Boulevard NE.
- d. Request Description: Change of zoning to GM (General Manufacturing) to develop an asphalt hot plant and associated stockpile.
- e. No comment.

MID-REGION METROPOLITAN PLANNING ORGANIZATION (MRMPO)

Mid Regional Metropolitan Planning Organization (MRMPO) comments:

PR-2022-008034

MRMPO has no adverse comment.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM Comment

PR-2022-008034

There are PNM facilities and/or easements along the Carmona Rd and Alexander Blvd frontages.

It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.

Any existing easements may have to be revisited and/or new easements may need to be created for any electric facilities as determined by PNM.

Any existing and/or new PNM easements and facilities need to be reflected on any resulting Site Plan and any related Plat.

Typical electric utility easement widths vary depending on the type of facility. On-site transformers should have a five-foot clear area on the sides and rear and ten-foot in front to allow for access and maintenance.

Structures, especially those made of metal like storage buildings and canopies, should not be within or near PNM easements.

Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities. Any trees within or near PNM easements including any required Street Trees should comply with IDO Section 5-6(C)(10) as applicable.

The applicant should contact PNM's New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.



Figure 1: Looking N at Tract 4B, vacant lot for gravel loading into trucks.



Figure 2: photo of sign posting in front of Tract 4B on Carmony Rd.



Figure 3: Looking northeast at Subject Site, Tracts 4B (foreground) and 4A (left middle side of photo, west of building).



Figure 4: Looking west at subject site at northern side of Tract 4B. Tract 4A is out of view to the right and north of RR tracks.



Figure 5: Looking south at Tract 4B from north side/ RR tracks.



Figure 6: 2022 aerial map of subject site showing gravel pile on Tract 4B and property east of subject site.



Figure 7: Applicant Sign Posting

HISTORY

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT

H. S. COBLENTZ Director

BOX 1293 • ALBUQUERQUE, NEW MEXICO • PHONE 7-1531

Form Z-4

File No. Z-415

Date: February 26, 1957

Mr. Bill Shaffer, attorney
Stam Building
Albuquerque, New Mexico

Re: Zone change from R-1
to M-2
on Lots 1 and 2, Section 4,
T. 10 N., R. 3 E., 109PM

Dear Sir:

Your application for a zone change was heard by the City Planning Commission on February 25, 1957 and the decision was given as follows:

BE IT RESOLVED, that the Planning Commission recommend to the City Commission the zone change from R-1 to M-2 on ~~the~~ portions of Lots 1 and 2, Section 4, Township 10 North, Range 3 East, 109PM, subject to the dedication of the appropriate right of way at Yale and Canyon, for the following reasons:

1. That it create further industrial lands to the north of State Road #222 since the city has also changed the zoning to industrial on the land south of #222.
- (1) This application will now be advertised fifteen (15) ^(COVER) days prior to City Commission meeting of _____ when an ordinance proposing the above zone change will be heard.

OR

- (2) ~~Should you wish to appeal the Planning Commission's decision, you may do so by filing written notice of appeal with the City Clerk within ten (10) days from the date of this notice. Your appeal will be heard by the City Commission after it has been duly advertised.~~

Yours sincerely,

H. S. Coblentz
Director of Planning

By: *[Signature]*

HSC:381

Distribution: Applicant/Agent
Zoning Inspector
File

FURTHER RESOLVED, that the Planning Commission should advertise for public hearing the zone change from R-1 to R-2 on the portion of land within Lot 2 and north of State Road #22 and also the area within the city limits and north of State Road #22 which will be north of the proposed right of way of Montgomery as linked to Havana.

FURTHER RESOLVED, that recommendation is based upon the dedication of right of way for public use which is satisfactory to the Traffic Engineer.

Moved by Prof. May
Seconded by Mr. Belamish

Motion carried.

ZONING

Please refer to IDO Section 14-16-2-5(C) for the NR-LM Zone District &
IDO Section 14-16-2-5(D) for the NR-GM Zone Districts

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.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<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 Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		Appeals
		<input type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: TLC Plumbing HVAC and Electrical		Phone: 505 761 9644
Address: 5000 Edith Blvd NE		Email:
City: Albuquerque	State: NM	Zip: 87107
Professional/Agent (if any): Consensus Planning		Phone: 505 764 9801
Address: 302 8th St NW		Email: Frank@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site:	List all owners: MONTOSA RANCH LP, D & G PROPERTIES LLC	

BRIEF DESCRIPTION OF REQUEST

Zone Map Amendment from NR-LM to NR-GM

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

Lot or Tract No.: TR 4-B and TR 4-A PLAT OF TRACTS 4-A & 4-B LANDS OF LAFARGE	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code: 101506045243510309 & 101506045746410310
Zone Atlas Page(s): G15	Existing Zoning: NR-LM	Proposed Zoning: NR-GM
# of Existing Lots: 2	# of Proposed Lots: 2	Total Area of Site (acres): 3.12 Acres

LOCATION OF PROPERTY BY STREETS

Site Address/Street: Between: **Carmony Lane NE** and: **Alexander Boulevard NE**

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

Signature:	Date: 12/21/2022
Printed Name: James K Strozier	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	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 prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)

- Interpreter Needed for Hearing? no if yes, indicate language: _____
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent
- Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN

ADOPTION OR AMENDMENT OF FACILITY PLAN

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

AMENDMENT TO IDO TEXT

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

ZONING MAP AMENDMENT – EPC

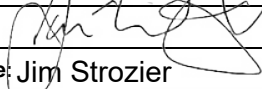
ZONING MAP AMENDMENT – COUNCIL


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

ANNEXATION OF LAND

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

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

Signature:  Date: 12/21/2022
 Printed Name: Jim Strozier Applicant or Agent

FOR OFFICIAL USE ONLY	
Project Number:	Case Numbers
	-
	-
	-
Staff Signature:	
Date:	

December 14, 2022

Albuquerque Planning Department
600 2nd Street NW,
Albuquerque, NM, 87102

To Whom It May Concern:

At the owner of the subject property, this letter provides authorization for Consensus Planning, Inc. to act as our agent for all aspects of the building and entitlement process including all applications, meetings with agency staff, hearings, submittals, etc.

The subject property is legally described as:

*Tract 4-B Plat of Tracts, 4-A & 4-B, Lands of Lafarge, 3.12 Acres and Tract B1 Lands J R Nance,
1.51 Acres*

Please don't hesitate to contact me if you have any questions or need any additional information.

Sincerely,



Montosa Ranch LLC

December 14, 2022

Albuquerque Planning Department
600 2nd Street NW,
Albuquerque, NM, 87102

To Whom It May Concern:

At the owner of the subject property, this letter provides authorization for Consensus Planning, Inc. to act as our agent for all aspects of the building and entitlement process including all applications, meetings with agency staff, hearings, submittals, etc.

The subject property is legally described as:

Tract 4-A, Plat of Tracts 4-A & 4-B, Lands of Lafarge, 2.79 Acres

Please don't hesitate to contact me if you have any questions or need any additional information.

Sincerely,



D & G Properties LLC



City of Albuquerque

Planning Department
Development Review Services Division

Traffic Scoping Form (REV 07/2020)

Project Title: _____

Building Permit #: _____ Hydrology File #: _____

Zone Atlas Page: G15 DRB#: _____ EPC#: _____ Work Order#: _____

Legal Description: TR 4-B PLAT OF TRACTS 4-A & 4-B LANDS OF LAFARGE

Development Street Address: _____

Applicant: TLC Plumbing HVAC and Electrical/ Consensus Planning Contact: Avery Frank

Address: 5000 Edith Blvd NE

Phone#: 505 761 9644 Fax#: _____

E-mail: Frank@consensusplanning.com

Development Information

Build out/Implementation Year: 2023 Current/Proposed Zoning: Current NR-LM, Proposed NR-GM

Project Type: New: Change of Use: () Same Use/Unchanged: () Same Use/Increased Activity: ()

Change of Zoning: ()

Proposed Use (mark all that apply): Residential: () Office: () Retail: () Mixed-Use: ()

Describe development and Uses:
Asphalt hot plant and associated stockpile

Days and Hours of Operation (if known): _____

Facility

Building Size (sq. ft.): No permanent structures or building will be constructed

Number of Residential Units: N/A

Number of Commercial Units: N/A

Traffic Considerations

ITE Trip Generation Land Use Code 140

Expected Number of Daily Visitors/Patrons (if known):* _____

Expected Number of Employees (if known):* _____

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

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

Driveway(s) Located on: Street Name Carmony Lane NE

Adjacent Roadway(s) Posted Speed: Street Name Carmony Lane NE Posted Speed 30 MPH
Street Name Alexander Boulevard NE Posted Speed 35 MPH

** 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: Carmony: Local Urban, Alexander: Urban Major Collector
(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: Alexander: ADT21 4821 Volume-to-Capacity Ratio (v/c): Alexander AM: 0-0-75, PM: 0-0.5
AWDT21 5392 *(if applicable)*

Adjacent Transit Service(s): N/A Nearest Transit Stop(s): Comanche & Rankin

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: Proposed bike lane on Alexander
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: Sidewalk on Carmony, sidewalk on one side of Alexander (otherside has railroad spur)

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 (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:

M. P. E.

12/21/2022

TRAFFIC ENGINEER

DATE

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 and to the City Traffic Engineer 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.



1/30/23

Mr. Tim MacEachan, Chair
 City of Albuquerque Planning Department
 600 2nd Street NW
 Albuquerque, NM 87102

RE: Request for a Zoning Map Amendment

Landscape Architecture
 Urban Design
 Planning Services

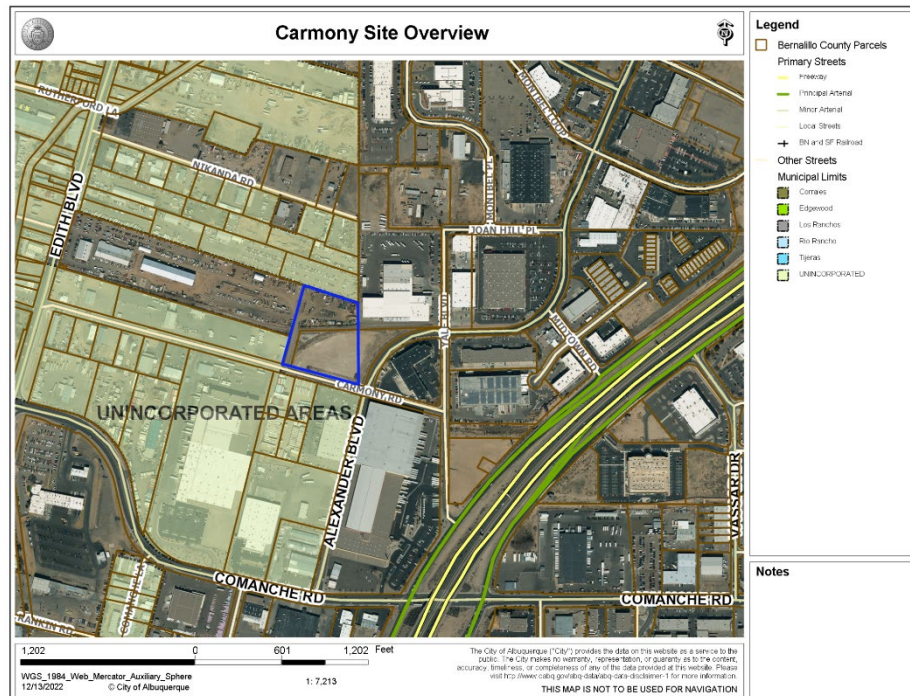
302 Eighth St. NW
 Albuquerque, NM 87102

(505) 764-9801
 Fax 842-5495
 cp@consensusplanning.com
 www.consensusplanning.com

Dear Mr. Chairman:

The purpose of this letter is to request a Zoning Map Amendment – EPC on behalf of TLC Plumbing, HVAC, and Electrical. The subject properties are legally described as *Tract 4-B, Plat of Tracts 4-A & 4-B, Lands of Lafarge and Tract 4-A, Plat of Tracts 4-A & 4-B, Lands of Lafarge* and are located near the corner of Alexander Boulevard and Carmony Road. The subject site is currently zoned NR-LM (Non-residential light manufacturing) and the request is seeking to change the zoning to NR-GM (Non-residential general manufacturing) to create consistency between the subject site and the contiguous parcel to the east which is zoned NR-GM. The map below depicts the subject site outlined in blue.

The request meets the applicability criteria in IDO section 14-16-6-7(G), therefore the request is subject to approval by the Environmental Planning Commission as a Zoning Map Amendment – EPC and does not require City Council approval.



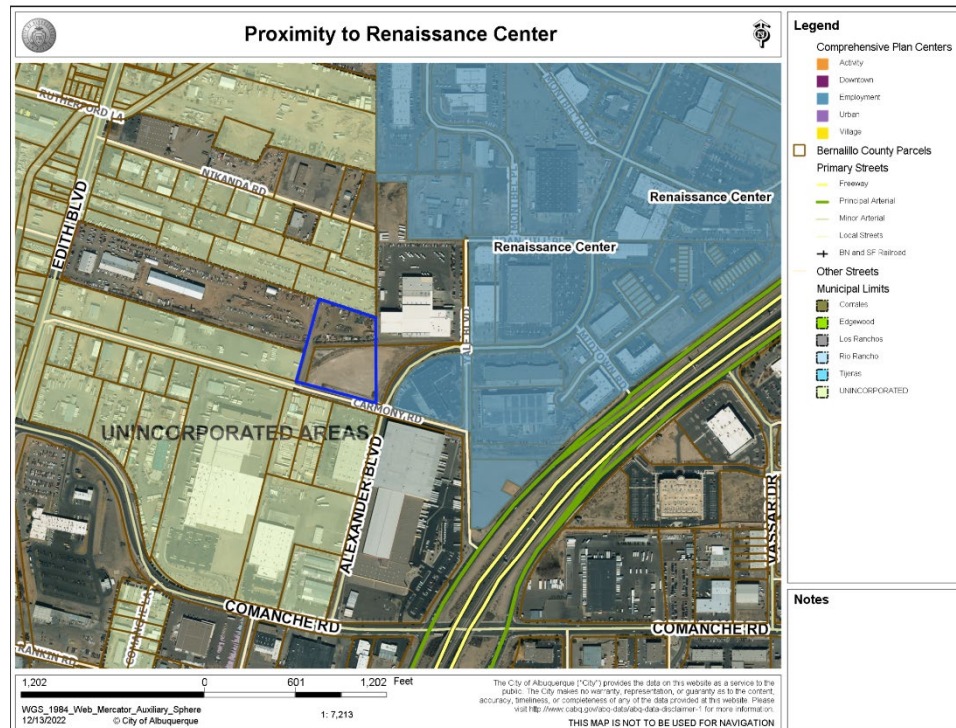
PRINCIPALS

James K. Strozier, FAICP
 Christopher J. Green, PLA,
 ASLA, LEED AP
 Jacqueline Fishman, AICP

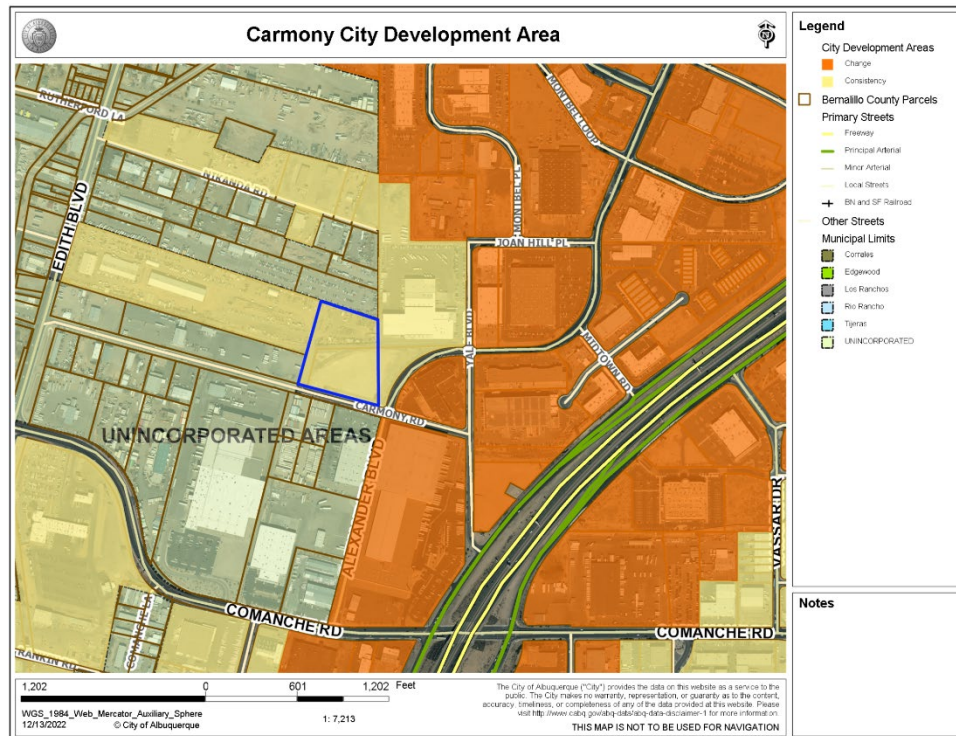
PLANNING CONTEXT:

The subject site is located in the Near North Valley Community Planning Area (CPA). The ABC Comprehensive Plan describes the Near North Valley as semi-rural with mixed land uses that include industrial and commercial. The requested NR-GM zone complements the Near North Valley Planning Area designation since it is intended to accommodate general industrial land uses in this area of the CPA. It should be noted that a detailed assessment for the CPA has not been completed at this time.

The subject site is adjacent to the Renaissance Employment Center. The ABC Comprehensive Plan describes Employment Centers as intended to feature predominately industrial, business, and retail-related land uses. Employment Centers are auto-oriented and provide superb access for trucks and freight. Although the subject site is not located in the Renaissance Employment Center, the proposed NR-GM zone will complement the adjacent Employment Center by allowing land uses that align with the center's purpose. The map below depicts the subject site in relation to the Renaissance Employment Center.



Additionally, the subject site is located in a City Development Area of Consistency. The Comprehensive Plan defines Areas of Consistency as intending to protect residential areas from the negative impacts of nearby development. The subject site is not located near any residential zones or land uses and is surrounded by existing industrial uses. The proposed NR-GM zone is consistent with the surrounding zones and land uses (in both the City and unincorporated County) and will not negatively impact surrounding properties because they are zoned and developed with similar industrial uses. The map below depicts the subject site in relation to the City Development Area.



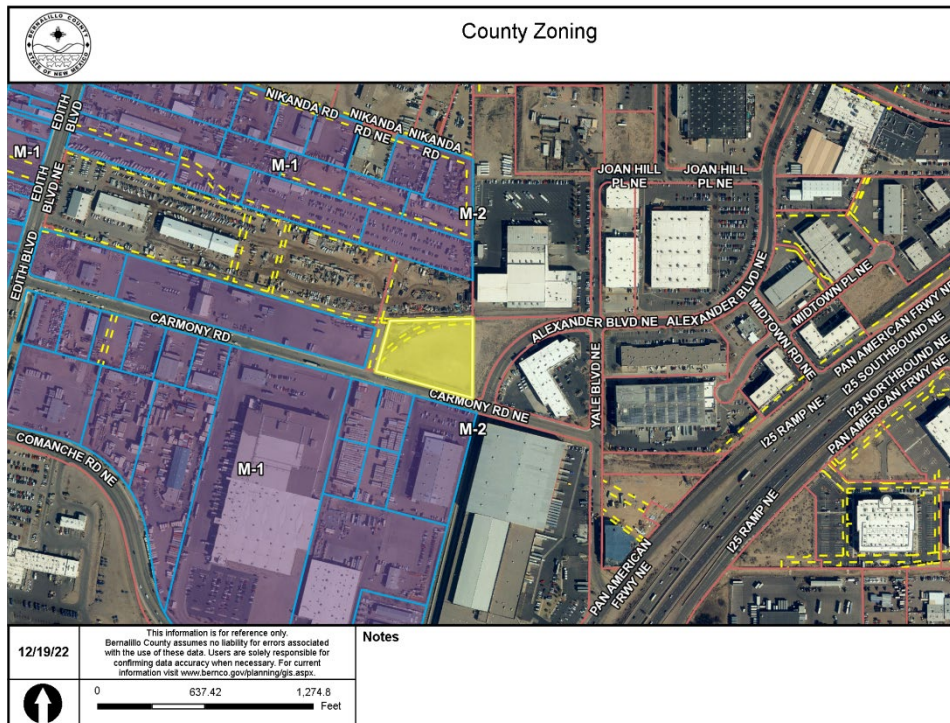
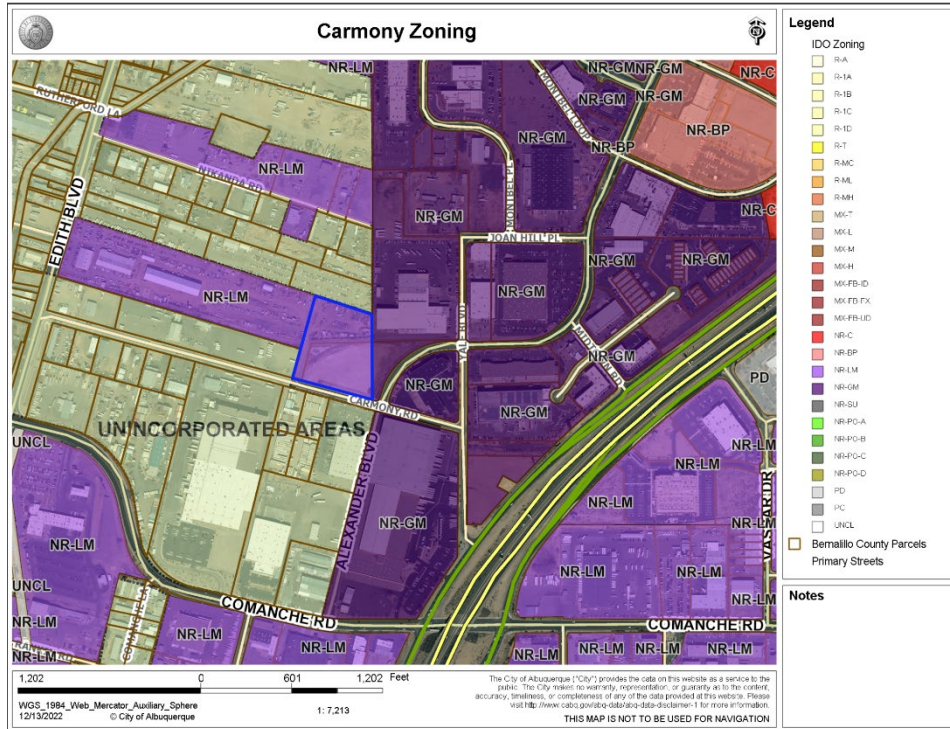
ZONING AND LAND USE:

The subject site is currently zoned NR-LM (Non-residential light manufacturing). The IDO describes the purpose of the NR-LM zone district as intending to accommodate moderate-intensity commercial, light assembly, fabrication, and light manufacturing uses. To the east of the subject site and north of I-25 the predominant zone district is NR-GM (Non-residential general manufacturing). The IDO describes the NR-GM zone district as intended to accommodate a wide variety of industrial, manufacturing, and heavy commercial uses, particularly those with noise, glare, or heavy traffic impacts, in areas separated from Residential and Mixed-use areas and less intense, lighter impact businesses. The subject site is not near any residential community and is surrounded largely by light and general manufacturing uses.

To the south of I-25 the predominant zone district is NR-LM. Directly south of the subject site are unincorporated parcels under Bernalillo County jurisdiction. The zoning in the unincorporated areas that are near the subject site is M-1 (Light manufacturing) with NR-LM zones to the south of Comanche. Additionally, to the north of the subject site, there are NR-LM zones and unincorporated areas which also have M-1 zoning.

The subject site is currently vacant with no established land use. On the north, south, and west of the sites, there is unincorporated land that is under Bernalillo County Jurisdiction. The majority of the unincorporated parcels are in use for varying industrial and commercial purposes. The land to the north, south, and west of the site that is in the City of Albuquerque's jurisdiction is also being used for industrial, commercial, and office purposes. To the east of the sites, the land is

under the City of Albuquerque's jurisdiction and is also predominantly being used for commercial, industrial, and office purposes. There are no residential uses near the sites in any direction. The maps on the following pages depict the subject site in relation to City and County zoning and land use.



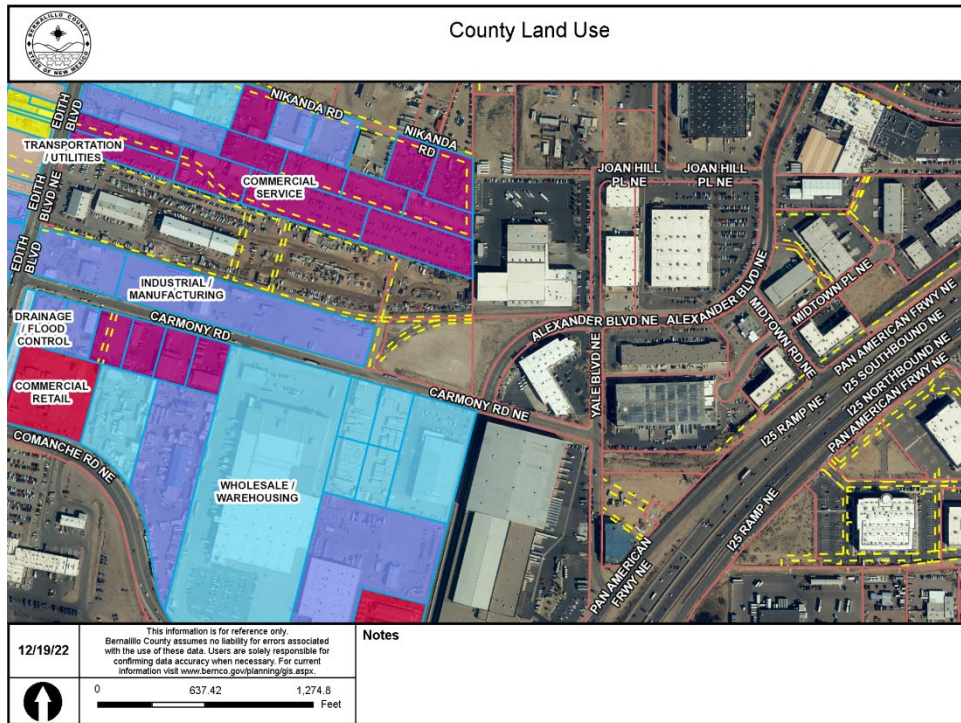
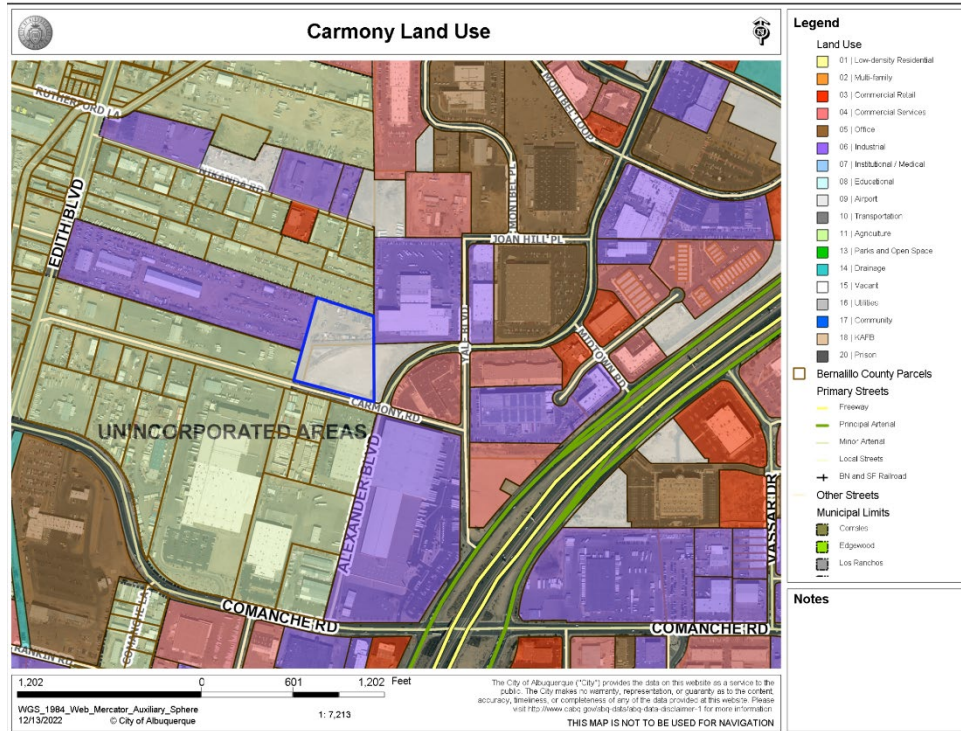


TABLE 1. Surrounding Zoning and Land Use

NORTH	NR-LM, M1 (county)	Industrial and commercial services (county)
SOUTH	NR-LM, M1(county)	Wholesale/warehousing (county)
EAST	NR-GM, NR-LM	Industrial and commercial services
WEST	M1 (county)	Industrial and industrial manufacturing (county)

THE REQUEST

The request is seeking approval for a Zoning Map Amendment to change the current NR-LM zoning to NR-GM for the subject site. The site is located in an industrial area that is adjacent to the Renaissance Employment Center. There are unincorporated Bernalillo County Areas to the north, west, and south of the subject site. The requested NR-GM zone district will create consistency between the abutting parcel to the east which is zone NR-GM.

INTEGRATED DEVELOPMENT ORDINANCE JUSTIFICATION CRITERIA

The following explanation summarizes how the request for a Zoning Map Amendment meets the IDO criteria pursuant to IDO Section 14-16-6-7(G) Zoning Map Amendment – EPC.

6-7(G)(3) An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria:

6-7(G)(3)(a): The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

Applicant response: *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the goals and policies listed below:*

ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN

This request is aligned with the scale, character, and current land uses of the surrounding area. Approval of the requested zone change from NR-LM to NR-GM is advantageous to the surrounding communities as conveyed by the ABC Comprehensive Plan. The following section provides an analysis of the relevant ABC Comprehensive Plan goals and policies that confirm the advantages of the proposed zone change for the surrounding communities.

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

Applicant Response: *This request helps to enhance, protect, and preserve distinct communities because the surrounding community identity is largely industrial, manufacturing, and office uses, and the proposed NR-GM zone will complement and preserve that identity. There are no residential neighborhoods*



near the subject site and the concentration of the surrounding NR-GM and NR-LM zones helps to ensure the permissive uses in these zones are kept away from residential communities.

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

Applicant Response: *This request helps to encourage quality development that is consistent with the distinct character of the community because the surrounding community is largely created by the NR-GM and NR-LM zone districts. If approved the NR-GM zone district will help to ensure that development in the area stays consistent with the distinct industrial character that is established. Additionally, the NR-GM zone district will ensure inappropriate uses such as high schools which are permissible in the NR-LM zone are not permitted near or in industrial communities.*

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

Applicant Response: *This request helps to promote development that maximizes the utility of existing infrastructure because the subject site is infill parcels that are connected to existing infrastructure and public facilities. Connectivity to the site is provided by existing local roadways, I-25, as well as a railroad spur that cuts across the northwest corner of the site. The proposed NR-GM zone district will enable an efficient use of land that supports the public good because the allowable uses in the NR-GM zone will be well served by existing infrastructure as well as positioned away from existing residential neighborhoods which will help to protect them from any negative impacts that industrial land uses can cause.*

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

Applicant Response: *This request helps to support additional growth in areas with existing infrastructure and public facilities because the subject site is an infill parcel that is connected to existing roads, sidewalks, railroad spur, and public utilities.*

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

Applicant Response: *This request helps to discourage growth in areas without existing infrastructure because the subject site is an infill parcel that is connected to existing infrastructure. The location of the subject site is ideal for general manufacturing purposes as it is connected to freight routes, including an active rail spur, and surrounded by existing industrial uses. Concentrating industrial uses in one general area helps to limit the need for development on the urban fringe by providing accessible services nearby. The request helps to discourage leapfrog development because the requested NR-GM zone will complement the existing zoning and land uses in the surrounding area making it an ideal location for industrial uses and reducing the need for, at least this industrial use, to need to be located near the urban fringe.*



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.

Applicant Response: *This request helps to ensure land uses that are objectionable to immediate neighbors are carefully distributed because the subject site is infill parcels located in an existing industrial area that does not neighbor any residential communities. Several of the allowable uses in the NR-GM zone, although beneficial to the broader community, can be deemed a Locally Unwanted Land Use due to the negative impacts they can have on surrounding residents. This request helps to ensure those negative impacts will not affect any nearby residential communities because of the subject site's location and distance from nearby residents.*

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.

Applicant Response: *The subject site is located entirely within an Area of Consistency. This request helps to ensure that development in the Area of Consistency reinforces the existing character and intensity of the surrounding area because the subject site is located in an established industrial and commercial service area. The proposed NR-GM zone will create consistency with the parcel to the east of the site which is also zoned NR-GM. Additionally, the allowable uses in the NR-GM zone are in accordance with the existing character and intensity of the surrounding land uses and zones.*

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.

Sub policy b) ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

Applicant Response: *While the subject site is adjacent to the Renaissance Center is not situated within the center, this request helps to protect and enhance areas outside of Employment Center while ensuring that new development reinforces the scale, intensity, and setbacks of the surrounding context. The proposed NR-GM zone is consistent with the surrounding community context. Almost all of the properties to the east of the subject site in between Montgomery and Comanche are zoned NR-GM which speaks to the existing scale and intensity of the area that is adjacent and complementary to the Employment Center.*

6-7(G)(3)(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).

Applicant Response: *The subject site is located entirely in an Area of Consistency and the requested NR-GM will reinforce the existing character and intensity of the area because the subject site is located in an existing industrial and commercial service area. To the east of the subject site between Comanche and Montgomery, the majority of the zone districts are NR-GM and this request helps to ensure consistency with the existing industrial community. While not within the City limits, there are also a number of industrial parcels within the unincorporated part of Bernalillo County, which adds to the industrial context for the subject property.*

This request meets criterion 3 because the proposed NR-GM zone is more advantageous to the community because it will create consistency with the parcel directly to the east of the subject site. Additionally, because the subject site is an infill parcel that is not situated near any residential zones the NR-GM zone is more advantageous to the community because it will ensure that allowable uses such as heavy manufacturing are kept away from residents and instead centralized in an established industrial area. The existing NR-LM zone can be potentially harmful to the community because it allows for uses such as schools which should not be situated in an established industrial area as it can cause harm to the student's health, safety, and well-being.

6-7(G)(3)(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:

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).

Applicant Response: *The subject site is located entirely in an Area of Consistency; therefore, this criterion does not apply.*



6-7(G)(3)(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 16-16-0 are associated with that use will adequately mitigate those harmful impacts.

Applicant Response: *The requested NR-GM zoning does not include permissive uses that would be harmful to adjacent properties, neighborhoods, or communities because there are no adjacent neighborhoods or residential communities, and the surrounding context is an established industrial area. The majority of parcels between Comanche and Montgomery to the east of the site are zoned NR-GM.*

The permissive uses that could be deemed harmful to surrounding residents are heavy manufacturing and above-ground storage of fuels or feed. There are no adjacent or surrounding residential neighborhoods; therefore, these uses will not have any negative impact on residents. Additionally, the subject site location makes it ideal for the requested NR-GM zone because it can allow for needed industrial uses while ensuring it does not impact or affect the health or quality of life of residents. As shown in the table below the NR-LM zone allows for permissive uses that could potentially cause harm to the community if situated in an established industrial area such as where the subject site is located. For instance, the NR-LM zone allows for schools as a permissive or conditional use which could cause greater harm to the community if it was situated in an established industrial manufacturing area. The requested NR-GM zone helps to ensure consistency in the area while keeping harmful uses away from the community.

P = Permissive Primary C = Conditional Primary A = Permissive Accessory
 CA = Conditional Accessory CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary Blank Cell = Not Allowed

Allowable Use	NR-LM	NR-GM
Elementary or middle school	CV	
High school	C	
Sports field	P	C
Health club or gym	P	A
Mobile food truck court	P	C
Night club	P	
Bank	P	CV
Club or event facility	P	CV
Mortuary	C	
Drive-in theater	C	
Other outdoor entertainment	P	A

Art gallery	P	A
Building and home improvement materials store	P	C
General retail medium	C	
Heavy manufacturing		P
Special manufacturing		C
Wind energy generation	A	C
Salvage yard	C	P
Above-ground storage of fuels or feed	C	P
Drive-through or drive-up facility	A	
Garden	A	
Circus	T	

Applicant Response:

6-7(G)(3)(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.

Applicant Response: *This request meets criterion 1 because the subject site is an infill parcel that is highly connected to existing city infrastructure. There are existing sidewalks and roadways as well as nearby connectivity to I-25 along with a railroad spur that cuts across the northwest portion of the site, and access to public utilities including water, sewer, and electric. Additionally, there is a proposed bike lane along Alexander Boulevard.*

6-7(G)(3)(f) The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

Applicant's Response: *This request is not based on the property's location on a major street because the subject site is not located on a major street and the justification for the proposed zone to change is based on the advantages it will bring to the community by locating industrial and heavy manufacturing uses away from established and emerging residential communities.*



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

Applicant’s Response: *This request is not based on the cost of land or other economic considerations rather the request is based on the numerous advantages it proposes for the community by situating industrial land uses away from residential areas. Additionally, the request is based on the connectivity the site has to the existing infrastructure and freight systems such as I-25 as this connectivity will enable efficiency in transportation and day-to-day services of the permissive uses in the NR-GM zone.*

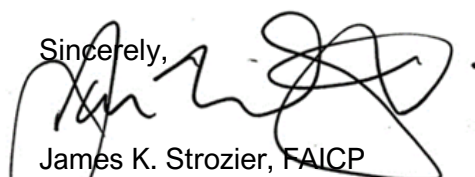
6-7(G)(3)(h) The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premise (i.e. create a “spot zone”) or to a strip of land along a street (i.e. create a “strip zone”) unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

1. The subject property is different from the 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.

Applicant Response: *This request does not create a spot zone rather it creates consistency with the parcel directly to the east of the site which is also zoned NR-GM. Additionally, the majority of parcels (over 35) to the east of the site are zoned NR-GM; therefore, this request helps to create cohesion amongst the subject site and surrounding parcels.*

Conclusion

The request is seeking approval for a Zoning Map Amendment to change the current zoning of the subject site from NR-LM to NR-GM. The subject site is located in an existing industrial area and is adjacent to the Renaissance Employment Center with an active rail spur. The subject site is located entirely in an Area of Consistency and the request helps to reinforce the existing character of the surrounding area which is industrial, commercial, and office land uses. This request helps to ensure harmful land uses such as heavy manufacturing are kept at a safe distance from residential communities as the subject site is not located near any residential neighborhoods. Based on the information provided in this report along with the numerous Comprehensive Plan goals and policies this request furthers we kindly ask for your approval of the requested NR-GM zone district.

Sincerely,

James K. Strozier, FAICP
Principal

STAFF INFORMATION

January 26, 2023

TO: Jim Strozier, Consensus Planning
FROM: Megan Jones, Senior Planner
Robert Messenger, Planner
City of Albuquerque Planning Department
TEL: (505) 924-3352
RE: Project #2022-008034 RZ-2022-00068

We've completed an initial review of the proposed Zoning Map Amendment for Tract 4A and Tract 4-B, Plat of Tracts 4-A & 4-B, Lands of LaFarge. We would like to discuss the justification letter and request and are available to answer questions about the process and requirements. Please provide the following:

⇒ Revised Justification Letter (Electronically) by

12 pm on Wednesday, February 1, 2023.

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

1) Introduction:

- A. Though we've done our best for this review, additional items may arise as the case progresses. If so, we will inform you immediately.
- B. This is what we have for the legal description: all or a portion of Tract 4-A and Tract 4-B, Plat of Tracts 4-A & 4-B, Lands of LaFarge, located at the NW corner of Alexander Blvd. and Carmony Rd., approximately 6 acres (G-15-Z). (We will round up to 6 acres for advertising).
- C. It is our understanding that this request is for a zone change from NR-LM to NR-GM for tracts 4-B and 4-A to create consistency with the surrounding sites and the contiguous parcel to the east. Is this correct?
- D. Is there anything you'd like to tell us about the proposed ZMA or do you have any questions?
- E. Please make the suggested revisions to your project/justification letter. If you do not strengthen your responses to the criteria for a zone change or add more applicable goals and policies from the Com Plan, we will not be able to recommend approval.

2) Process:

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

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

- B. Timelines and EPC calendar: the EPC public hearing is February 16th, 2023. Final staff reports will be available one week prior, on February 9th. Any clarifying material must be submitted prior to February 6th.
- C. Agency comments will be distributed the week of February 1, 2023. We will email you a copy of the comments.

3) Notification & Neighborhood Issues:

Notification requirements for a major amendment are explained in Section 14-16-6-4(K), Public Notice (IDO, p. 345). The required notification consists of: i) an offer of neighborhood meeting, ii) an emailed letter to neighborhood representatives indicated by the ONC, iii) a mailed letter (first-class) to property owners within 100 feet of the subject site, and iv) yellow sign posting. A. It appears that notification offering the pre-application facilitated meeting is complete.

- A. A pre-application facilitated meeting was not requested. Is this correct?
- B. The notification to property owners is not complete. Please provide a list of the neighbors within a 100' buffer so we can confirm based on photos of the certified mail receipts that were included.
- C. **The sign posting period is Wednesday, February 1, 2023 to Friday, March 3, 2023.** Please have signs posted with photo evidence by Wednesday, February 1st.

4) Project Letter:

- A. The justification letter is off to a good start, but we advise you to EXPAND on your justification for a zone change and add more goals and policies that are APPLICABLE to the site and the request.

Remember not to be repetitive as you are trying to be concise as possible while justifying why the zone requested would be more advantageous to the community.

- B. Please change “subject sites” to “subject site” throughout the letter. This will clarify the location of the zone change request; in the first use of “subject properties” change to “subject site” and include something such as “that consists of (insert legal description)”.
- C. In the “Planning Context” section please remove references to the Near North Valley Community Planning Area (CPA) because no assessments have been conducted for that CPA (as of this writing). Therefore, it is not relevant to the request. If you would like to leave it in, please state that the site is in the future Near North Valley CPA area, since assessments have not been complete.
- D. The subject site is not within the boundaries of the Renaissance Employment Center (EC); therefore, the explanation of the EC is not relevant in the analysis of Comp Plan goals and policies. Please remove any Goals and policies about Centers and Corridor’s because they are not applicable.

You may leave the explanation of the EC in the Planning Context Section, because it is relevant to the surrounding community.

- E. Please focus on the zone change and why NR-GM is more beneficial than NR-LM. Please focus on how the NR-GM zone is more advantageous as a whole and not for one or a few uses.
- F. Please elaborate on the NR-GM zone district in the Zoning and Land Use Section. You only expand on the NR-LM zone district we need to talk about the proposed zone district, too.
- G. Do you have any History of the Site? If so, please add that.

5) Zone Change – 6-7(G)(3) Review and Decision Criteria

- A. The task in a 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 be as detailed as possible in your responses:
 - a. 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 the customary way (see examples).
 - ii. using conclusory statements 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. We have suggestions on how to strengthen goals and polices:
- D. Remove Goal 4.3 because it refers to the Near North Valley Community Planning Area, which has not been assessed (at the time of this writing). It is not applicable.
- E. Goal 5.1 is not applicable. The subject site is not in a center or corridor.
- F. Goal 5.3.1: How is this discouraging leapfrog development? Can you expand? By developing an infill lot, I do not see how we are discouraging development in areas without existing infrastructure and utilities.
- G. Add Policy on Areas of Consistency
- H. Add policies from Chapter 4: Community Identity
- I. Providing Goals and Polices from the Economic Development (Chapter 8) section of the Comprehensive Plan could strengthen your request.
- J. Strengthen and expand your response to Criterion B, 3 (for Area of Consistency) to show how a different zone district would be more advantageous to City as articulated by the Comp Plan.
 - a. This zone change is a higher test due to its location in an Area of Consistency. You must 1) demonstrate how the zone change would clearly enforce or strengthen the established character of the surrounding area and 2) (3) apply a zone that is more advantageous as demonstrated by the comp plan...
- K. Format response to Criterion D (permissive uses that would be harmful to adjacent property) to show **all** permissive uses with NR-GM zoning. All permissive uses in that zone would be allowable, so we look at it from that view point.

- L. Strengthen response to Criterion F AND G (not completely based on major street location) to justify that the zone map amendment is not completely based on the property's location on a major street.
 - a. Just state: "The justification for the requested zone change is not completely based on.... because...."
 - b. Restate the criterion and expand on why. Please do not introduce new information in the responses to the criterion.
- M. Format response to Criterion H (spot zone). Although it is not applicable, a concise and accurate response that shows why it is not a spot zone would strengthen your request.
 - a. "The request does not create a spot zone because..."
 - b. Use words from the regulation.
- N. Please read through your responses to the criteria and be confident that you have provided sound justification for the proposed amendment and tie it back to your request and reasoning.
- O. Revise conclusion based on overall revisions.

NOTIFICATION

From: [Carmona, Dalaina L.](#)
To: [Avery Frank](#)
Subject: Carmony Lane NE & Alexander Boulevard NE Neighborhood Meeting Inquiry Sheet Submission
Date: Wednesday, December 7, 2022 3:29:31 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image007.png](#)
[IDOZoneAtlasPage_G-15-Z.pdf](#)

PLEASE NOTE:

The City Council recently voted to update the Neighborhood Association Recognition Ordinance (NARO) and the Office of Neighborhood Coordination (ONC) is working to ensure all neighborhood associations and neighborhood coalitions are in compliance with the updated ordinance. There will likely be many updates and changes to association and coalition contact information over the next several months. With that in mind, please check with the ONC every two (2) weeks to ensure that the contact information you have for associations and coalitions is up to date.

Dear Applicant:

As of Wednesday, December 7, 2022, there are **NO** neighborhood associations to notify.

Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to attach a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

Thank you.



SYSKO FOOD SERVICES OF NEW
MEXICO LLC
1390 ENCLAVE PKWY
HOUSTON TX 77077-2099

DMS REALTY LLC
4321 YALE BLVD NE
ALBUQUERQUE NM 87107

D & G PROPERTIES LLC
5000 EDITH BLVD NE
ALBUQUERQUE NM 87107

801 COMANCHE LLC C/O LEE S
BLAUGRUND
1503 CENTRAL AVE NW SUITE A
ALBUQUERQUE NM 87104-1158

HEADSTART ENTERPRISES LIMITED
PARTNERSHIP
600 MONTANO RD NE
ALBUQUERQUE NM 87107-4952

MONTOSA RANCH LP
5000 EDITH BLVD NE
ALBUQUERQUE NM 87107-4125

PMB LAND INVESTMENTS BERNCO LLC
535 COMANCHE RD NE
ALBUQUERQUE NM 87107-4138

NOBEL/SYSKO FOOD SERVICE CO
1390 ENCLAVE PKWY
HOUSTON TX 77077-2099

AYALA PROPERTIES LLC
6117 QUEMADO DR NE
ALBUQUERQUE NM 87109-3813



12/20/2022

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

Dear neighbors,

On behalf of TLC Plumbing, HVAC & Electrical, Consensus Planning, Inc. is providing you with notice that we are submitting a Zoning Map Amendment application for EPC approval which will be heard at a public hearing on 2/16/2023. The request is to change the current zoning from NR-LM (Nonresidential light manufacturing) to NR-GM (Nonresidential general manufacturing). The required notice forms and information regarding the public hearing are included in this mailed notice.

Per the IDO section, 6-4(K)(3)(a) mailed public notice to all property owners within 100 feet of the subject site is required. Please reach out to cp@consensusplanning.com or call 505.764.9801 with any questions or concerns regarding this email. We look forward to hearing from you soon.

Best,

Ms. Avery M Frank
Consensus Planning, Inc.
302 8th Street NW
Albuquerque, NM 87102
Phone (505) 764-9801

PRINCIPALS

James K. Strozier, FAICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP



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



PART I - PROCESS
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:
Application Type: ZMA
Decision-making Body: EPC
Pre-Application meeting required: [] Yes [X] No
Neighborhood meeting required: [X] Yes [] No
Mailed Notice required: [X] Yes [] No
Electronic Mail required: [X] Yes [] No
Is this a Site Plan Application: [] Yes [X] No Note: if yes, see second page
PART II - DETAILS OF REQUEST
Address of property listed in application: TR 4-B & TR 4-A PLAT OF TRACTS 4-A & 4-B LANDS OF LAFARGE
Name of property owner: Montosa Ranch LP & D&G Properties LLC
Name of applicant: TLC Plumbing HVAC and Electrical
Date, time, and place of public meeting or hearing, if applicable: 2/16/2023 Via Zoom @ 8:30 am
https://cabq.zoom.us/j/2269592859
Address, phone number, or website for additional information:
Please call or email cp@consensusplanning.com 505 764 9801
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE
[X] Zone Atlas page indicating subject property.
[] Drawings, elevations, or other illustrations of this request.
[X] Summary of pre-submittal neighborhood meeting, if applicable. Not Applicable due to no affected neighborhood associations
[X] Summary of request, including explanations of deviations, variances, or waivers.
IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO
SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO).
PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON
APPLICATION.

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.

[Handwritten Signature] (Applicant signature) 12/20/2022 (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.]

**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*: _____ 12/20/2022 _____

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 envelope

Mailing Address*: See envelope

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

1. Subject Property Address* TR 4-B & TR 4-A PLAT OF TRACTS 4-A & 4-B LANDS OF LAFARGE
Location Description Near the corner of Carmony and Alexander
2. Property Owner* Montosa Ranch LP, D & G PROPERTIES LLC
3. Agent/Applicant* *[if applicable]* Agent: Consensus Planning, Applicant: TLC Plumbing HVAC & Electrical
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/request¹*:

Zoning Map Amendment to change the zoning from NR-LM
to NR-GM

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)

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

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

Date/Time*: 2/16/2023

Location*²: Via Zoom https://cabq.zoom.us/j/2269592859

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

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

- 6. Where more information about the project can be found*³:
Please call or email CP@consensusplanning.com 505 764 9801

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

- 1. Zone Atlas Page(s)*⁴ G15
- 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*:

- 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:
Not Applicable due to no affected neighborhood associations

- 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.*

² Physical address or Zoom link

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

⁴ 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 Map⁵:

- 1. Area of Property [typically in acres] 5.91
 - 2. IDO Zone District NR-LM
 - 3. Overlay Zone(s) [if applicable] na
 - 4. Center or Corridor Area [if applicable] na
- Current Land Use(s) [vacant, if none] vacant
-

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 or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

⁵ Available here: <https://tinurl.com/idozoningmap>



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

IDO Zone Atlas May 2018

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

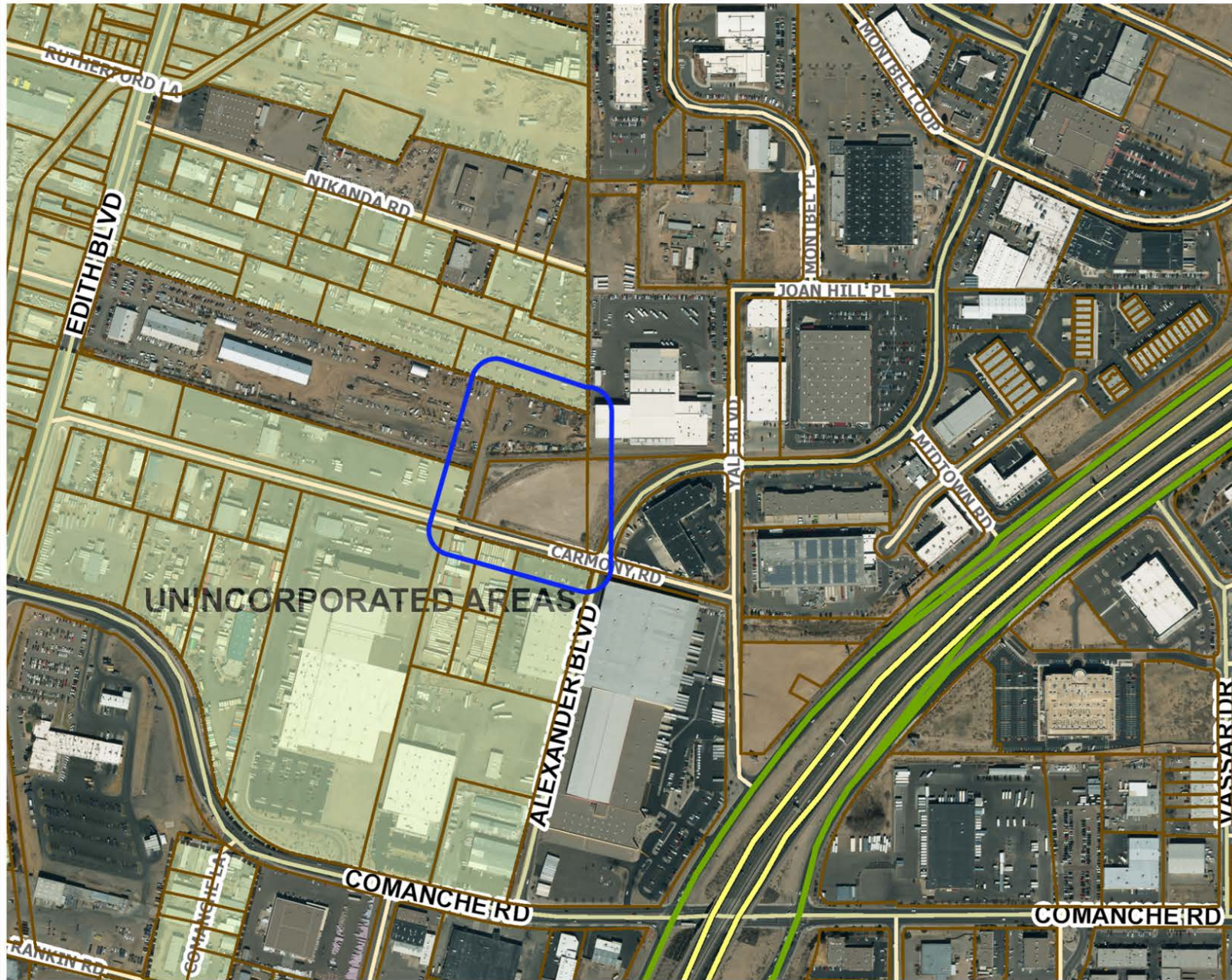
Zone Atlas Page:
G-15-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Gray Shading
Represents Area Outside
of the City Limits



Carmony Buffer Map



Legend

- Bernalillo County Parcels
- Primary Streets**
 - Freeway
 - Principal Arterial
 - Minor Arterial
 - Local Streets
- BN and SF Railroad
- Other Streets**
- Municipal Limits**
 - Corrales
 - Edgewood
 - Los Ranchos
 - Rio Rancho
 - Tijeras
 - UNINCORPORATED

Notes

1,202 0 601 1,202 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
12/13/2022 © City of Albuquerque

1:7,213

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

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Extra Services & Fees (check box, add fee as appropriate)

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Total Postage \$

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 MONTOSA RANCH LP
 5000 EDITH BLVD NE
 ALBUQUERQUE NM 87107-4125

Street and Apt.
 City, State, ZIP

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 HEADSTART ENTERPRISES LIMITED
 PARTNERSHIP
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 ALBUQUERQUE NM 87107-4952

Street and Apt.
 City, State, ZIP

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 801 COMANCHE LLC C/O LEE S
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 1503 CENTRAL AVE NW SUITE A
 ALBUQUERQUE NM 87104-1158

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 DMS REALTY LLC
 4321 YALE BLVD NE
 ALBUQUERQUE NM 87107

Street and Apt.
 City, State, ZIP

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 D & G PROPERTIES LLC
 5000 EDITH BLVD NE
 ALBUQUERQUE NM 87107

Street and Apt.
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 SYSCO FOOD SERVICES OF NEW
 MEXICO LLC
 1390 ENCLAVE PKWY
 HOUSTON TX 77077-2099

Street and Apt.
 City, State, ZIP

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 DEC 20 2022

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 AYALA PROPERTIES LLC
 6117 QUEMADO DR NE
 ALBUQUERQUE NM 87109-3813

Street and Apt.
 City, State, ZIP

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 PMB LAND INVESTMENTS BERNCO LLC
 535 COMANCHE RD NE
 ALBUQUERQUE NM 87107-4138

Street and Apt.
 City, State, ZIP

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 1390 ENCLAVE PKWY
 HOUSTON TX 77077-2099

Street and Apt.
 City, State, ZIP

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

SIGN POSTING

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from 2/1/2023 To 3/3/2023

5. REMOVAL

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

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

James K Strozier 1/5/2022
(Applicant or Agent) (Date)

I issued _____ signs for this application, _____, _____
(Date) (Staff Member)

PROJECT NUMBER: _____