



Environmental Planning Commission

***Agenda Number: 2
Project #: PR-2022-006448
Case #: RZ-2022-00006
Hearing Date: February 17, 2022***

Staff Report

<i>Agent</i>	Consensus Planning
<i>Applicant</i>	Lava Partners
<i>Request</i>	Zoning Map Amendment – EPC
<i>Legal Description</i>	Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West
<i>Location</i>	between Coors Blvd and Los Tretos St.
<i>Size</i>	Approximately 0.7 acres
<i>Existing Zoning</i>	PD
<i>Proposed Zoning</i>	MX-M

Staff Recommendation

APPROVAL of RZ-2022-00006, based on the Findings beginning on p.18

***STAFF PLANNER
Leroy Duarte, Current Planner***

Summary of Analysis

The request is for a zoning map amendment for a vacant site (approximately 0.7 acres) located on 57th St NW. The applicant wants to change the subject site's zoning to MX-M to facilitate future development. The subject site is in an Area of Change and is not in a designated center or along a 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 be more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

The affected neighborhood organization is the Westside Coalition of Neighborhood Associations, which was notified as required. Property owners within 100 feet of the subject site were also notified as required. As of this writing, Staff has not been contacted and there is no known opposition.

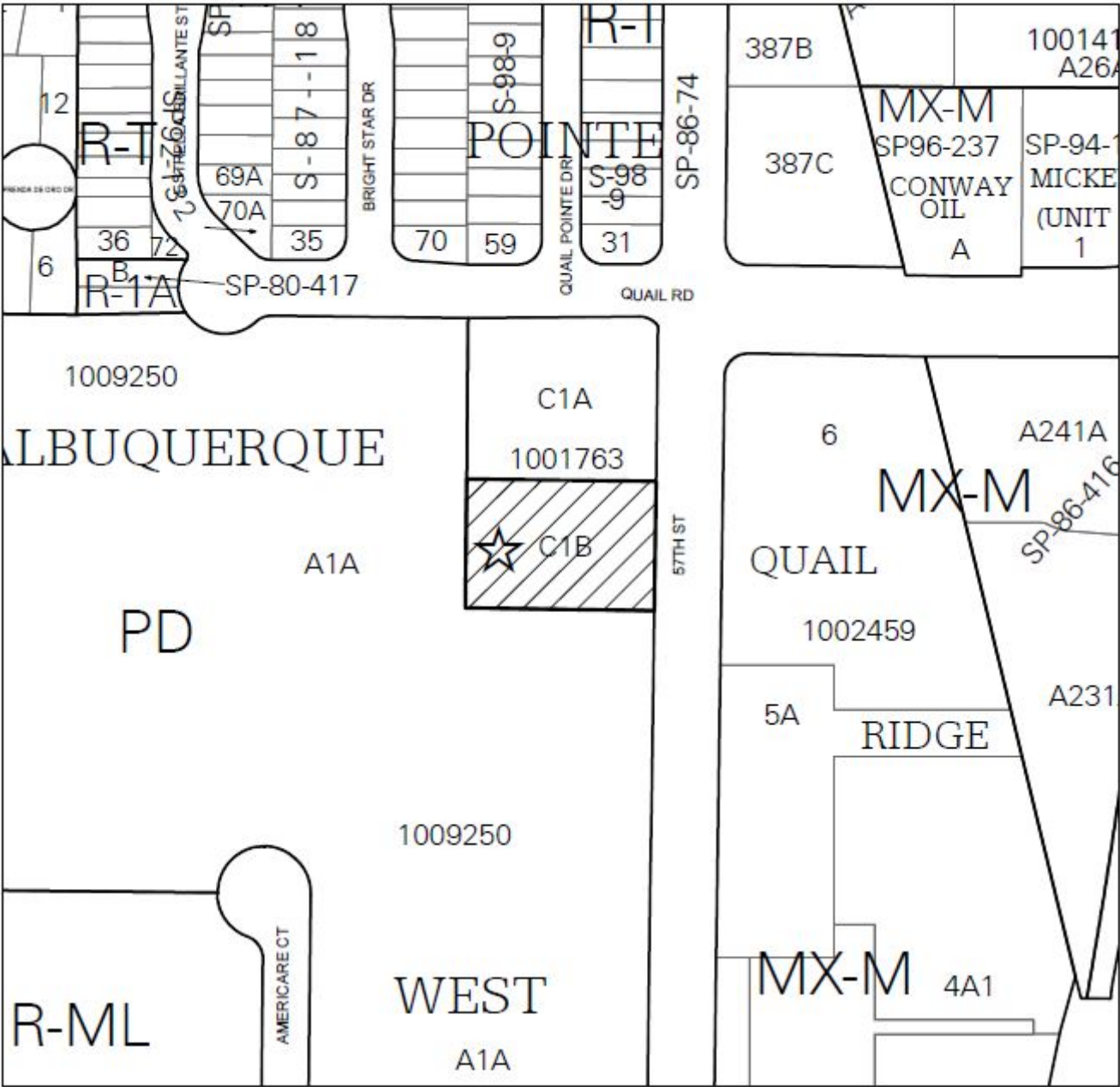
Staff recommends approval.



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IDO ZONING MAP

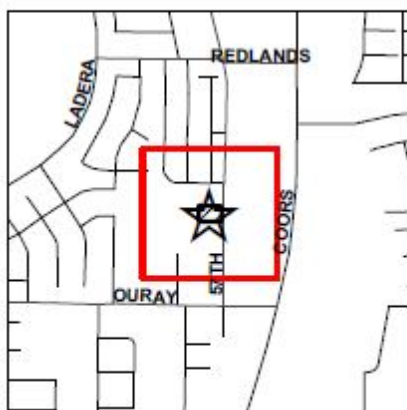
Note: Gray shading
Indicates County.



1 inch = 150 feet

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LAND USE MAP

Note: Gray shading
Indicates County.

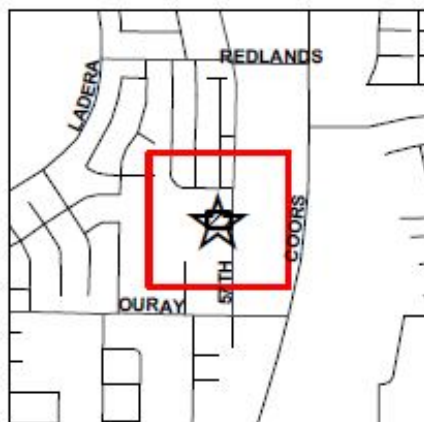
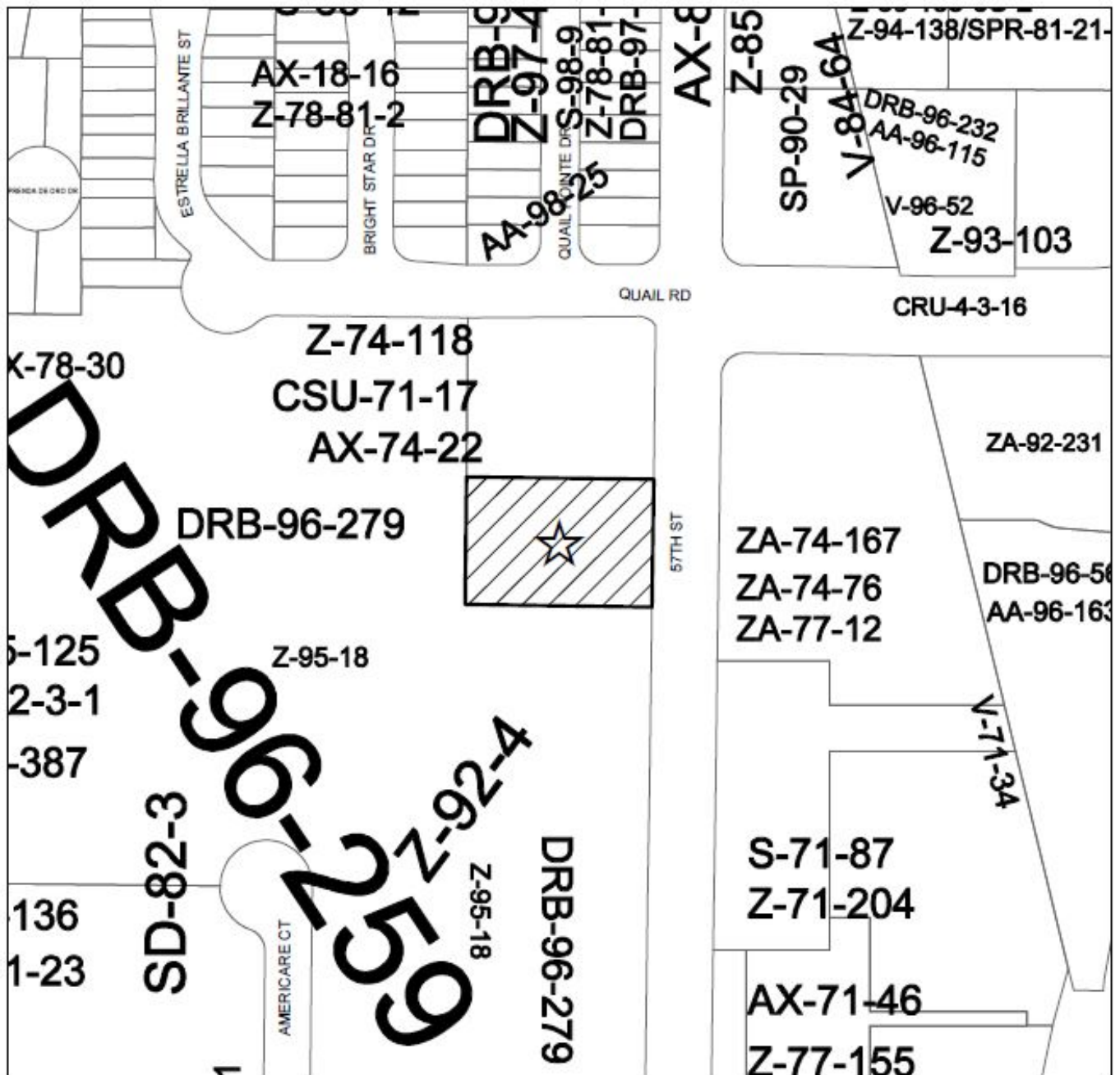
Key to Land Use Abbreviations	
LDRES Low-density Residential	APRT Airport
MULT Multi-family	TRANS Transportation
COMM Commercial Retail	AGRI Agriculture
CMSV Commercial Services	PARK Parks and Open Space
OFC Office	DRNG Drainage
IND Industrial	VAC Vacant
INSMED Institutional / Medical	UTIL Utilities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



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HISTORY MAP

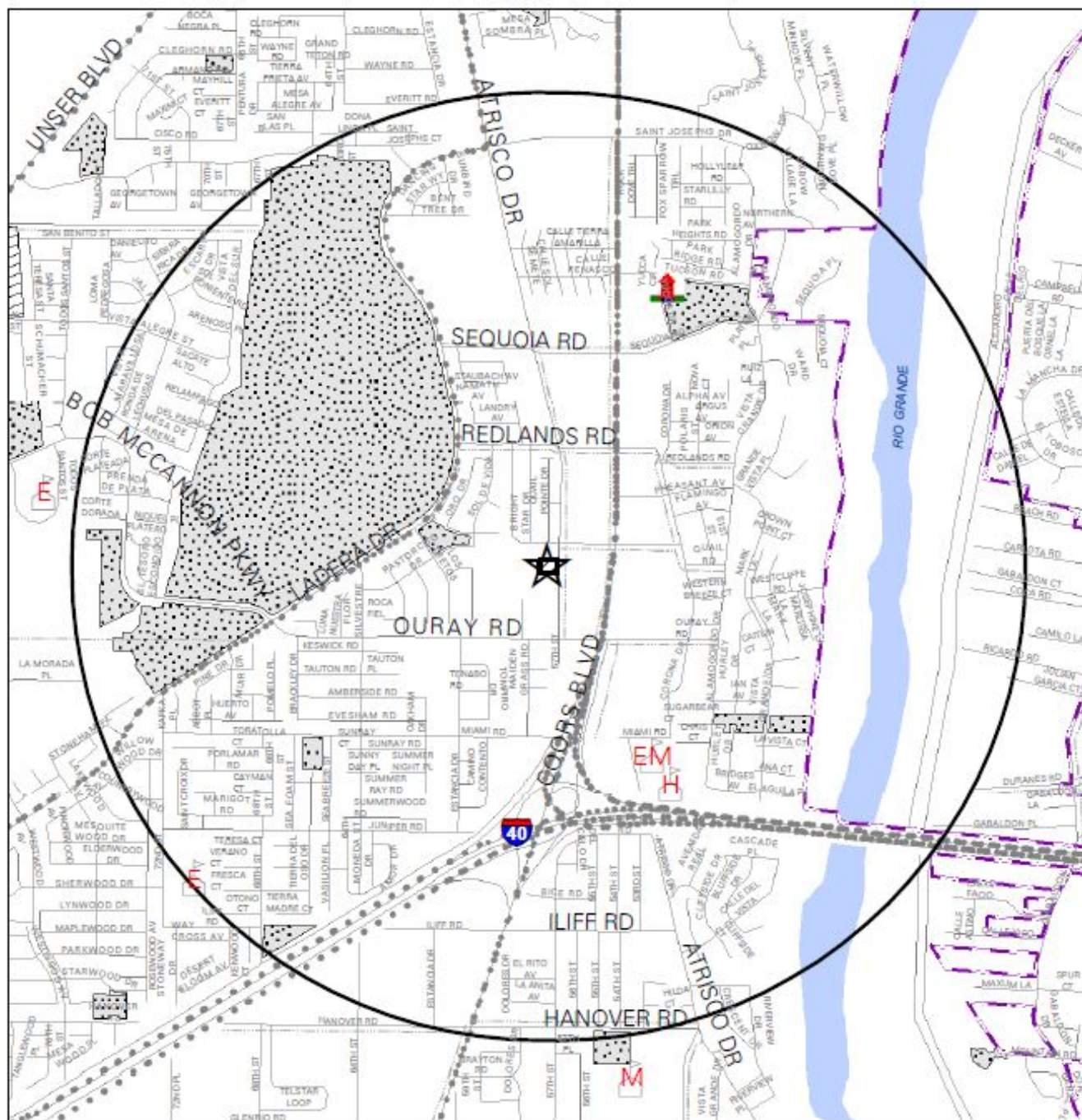
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Public Facilities Map with One-Mile Buffer

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

	Zoning	Comprehensive Plan Area	Land Use
Site	PD	Area of Change	Vacant
North	PD	Area of Change	Commercial Retail
South	MX-T	Area of Change	Multi-family (greater than 2 units)
East	MX-M	Area of Change	Commercial Retail
West	MX-L	Area of Change	Multi-family (greater than 2 units)

Request

The request is for a Zoning Map Amendment for a lot legally described as Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West, located on 57th St. NW, between Los Tretos St NW and Coors Blvd. NW, approximately 0.7 acres (the “subject site”).

The subject site is currently zoned PD (Planned Development). The applicant wants to change the subject site’s zoning to MX-M to facilitate future development as allowed by the MX-M zone.

EPC Role

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

Context

The approximately 0.7-acre site is located on 57th St. NW. The site is bounded by Quail Rd. NW to the north, Coors Blvd NW. to the east, Ouray Rd. NW to the south and Los Tretos St. NW to west. The site is surrounded by various land uses including: general retail to the north, a restaurant to the east, and multi-family dwellings to the south and west.

The subject site is located in an Area of Change as designated by the Comprehensive Plan. The subject site is within the boundaries of the West Mesa Community Planning Area (CPA).

History

In 2002 approval was granted for a site plan for a subdivision for an approximately 1.5-acre site. The request was to divide the subject into two tracts. A building permit was also granted for a

laundromat and car wash (02EPC-00308 & 02-EPC309). However, the site plan for the subdivision was never signed off by the DRB. Approval of the proposed site plan for subdivision became void.

On December 16, 2004 the EPC approved project #1001763/04EPC-01716. The request was for a site plan for subdivision for Tract C-1. The applicant proposed to subdivide the property into two tracts Tract C-1-A and C-1-B, and to develop an auto parts retail store on the northern tract. The site plan for subdivision included a set of design standards to guide development for both newly created tracts. These design standards were consistent with the *Coors Corridor Plan* in relation to the building height, setbacks, screening of mechanical equipment, lighting, and signage.

Roadway System

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

The LRRS map classifies both 57th St. NW and Ouray Rd. NW as a Minor Collector Street.

Comprehensive Plan Designations

The subject site is not along a designated corridor or center.

Comprehensive Plan Community Planning Area Designation

The subject site is located within the area designated as the West Mesa CPA by the Comprehensive Plan. The West Mesa CPA is characterized by its close proximity to the natural landscapes such as the Northwest Mesa Escarpment, Petroglyph National Monument, and the Bosque. In addition, the West Mesa CPA consists of residential subdivisions and commercial activity along the Coors Blvd. corridor.

Trails/Bikeways

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO) identifies existing and proposed routes and trails. Currently, 57th St. NW. has no bicycle lanes. According to the LRBS map, there are plans for a proposed bicycle lane along 57th St. NW and Quail Rd. NW.

Transit

Currently no transit routes serve the subject site. However, close to the subject site within walking distance lies Coors Blvd. NW which is served by ABQ Ride routes 96, 155, and 790.

The ABQ Ride 96- Crosstown Commuter Route provides service on weekdays only with a peak frequency every 40 minutes.

The ABQ Ride 155- route provides service Monday-Sunday with a peak and off-peak frequency every 33 minutes. Frequencies on Saturday are every 40 minutes and every 45 minutes on Sundays. The Bus Route 790- Blue Line Rapid Bus provides service Monday-Saturday with a frequency every 17 minutes, and every 22 minutes on Saturday.

Public Facilities/Community Services

Please refer to the Public Facilities Map, which shows public facilities and community services located within one mile of the subject sites.

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.

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

Infill Development: An area of platted or un-platted land that includes no more than 20 acres of land, that has a public water main and a public sewer main fronting the property within the City right-of-way, and where at least 75 percent of the adjacent lots are developed and contain existing primary buildings.

Zone District: One of the zone districts established by this IDO and the boundaries of such zone districts shown on the Official Zoning Map. Zoning regulations include the Use Regulations, Development Standards, and Administration and Enforcement provisions of this IDO.

Zoning

The subject sites are currently zoned PD (Planned Development), IDO 14-16-2-6(A) which was assigned upon the adoption of the IDO. The purpose of the PD zone district is to accommodate small- and medium-scale innovative projects that cannot be accommodated through the use of other zone districts, provided that those projects are consistent with the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended and include standards that would not otherwise be required of the applicant in order to provide significant public, civic, or natural resource benefits. This zone district is applied on a case-by-case basis to reflect a negotiated agreement for uses and standards with the applicant. Allowable uses are negotiated on a case-by-case basis but may not include any use that is not included in Table 4-2-1.

The request is to change the subject site's zoning to MX-M (Mixed Use- Medium Intensity), IDO 14-16-2-3(B). The purpose of the MX-M zone district is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in Table 4-2-1.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. In Areas of Change, growth should be directed and is desired. Areas of change focus on new urban-scale developments that benefit job creation and expanded housing options. By focusing growth in Areas of Change, additional residents, services, and jobs can be accommodated in locations ready for new development (Comprehensive Plan, 5-23).

In this case, the Goals and policies below were included by the applicant in the justification letter. Staff finds them all applicable. * denotes goals and policies staff found applicable. Applicable Goals and policies are listed below. Staff analysis follows in plain text.

Chapter 5: Land Use

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

The request would create a wider range of allowable commercial uses for potential development with a mix of uses that are similar to its surrounding environment- MX-M. The future development would be conveniently accessible to the surrounding community such as the neighborhood to the north and west. The request generally furthers Policy 5.2.1 – Land Uses.

Sub-policy(n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request would facilitate development of the vacant lot by providing a wider range of uses than what currently exists. The request furthers sub-policy(n) 5.2.1 – Land Uses.

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

The request would promote efficient use of the land by creating development that is similar to the adjacent parcels, future development will use existing infrastructure that would generally support the public good. The request furthers with Goal 5.3 – Efficient Development Patterns.

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

The area is developed and generally has existing infrastructure. Future growth if zone change is granted would utilize existing infrastructure. The request furthers Policy 5.3.1 – Infill Development.

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

The request would facilitate development that would be compatible in form and scale to the surrounding development by creating similar zoning along with the permissive uses that are allowed. The request furthers sub-policy(h) 5.3.1 – Infill Development.

*Goal 5.6.2 – City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Change. The request would encourage and direct growth of the surrounding area by matching zoning adjacent to the site (MX-M), which would allow desired growth to occur. The request furthers Goal 5.6-City Development Areas.

Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The request would promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block by facilitating future development to the IDO standards for the MX-M zone but would also conform to the Coors Boulevard Protection Overlay Zone (CPO-2) in which building materials and colors are established. The request furthers Policy 7.3.4 Infill.

Integrated Development Ordinance (IDO) 14-16-6-7(H)(3)-Review and Decision Criteria for Zone Map Amendments

Requirements

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings:

- 1) There was an error when the existing zone district was applied to the property; or
- 2) There has been a significant change in neighborhood or community conditions affecting the site; or
- 3) A different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.

Justification & Analysis

The Zone Map Amendment justification letter analyzed here, received on February 02, 2022, is a response to Staff's request for a revised justification letter (see attachment). The subject site is currently zoned PD (Planned Development) and undeveloped. The requested zoning is for MX-M (Mixed Use- Medium Intensity). The reason for the request is to obtain zoning to facilitate development by permitting more uses than what PD allows. The subject site is in an Area of Change.

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 text.

- A. Criterion 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: The proposed zone change is consistent with the health, safety, and general welfare of the City by furthering a preponderance of applicable goals and policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City. The following policy analysis demonstrates that the proposed zone change is advantageous to the surrounding neighborhood and the City as a whole.

As shown in the policy analysis below, the requested zone change will support the intent of the ABC Comprehensive Plan by allowing for the development of an infill property in an area with services and public facilities, promote a stable land use pattern, and encourage development in an Area of Change and near Centers and Corridors.

Staff: Consistency with the City's health, safety, and general welfare is shown by demonstrating that the request furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

Applicable Citations: Policy 5.2.1 Land Uses and Sub-Policy (n), Goal 5.3- Efficient Development Patterns, Policy 5.3.1 Infill Development, Goal 5.6- City Development Areas, Policy 5.6.2 Areas of Change, Policy 7.3.4 Infill.

Non-applicable citations: none.

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

B. Criterion 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 be more advantageous to the community and 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 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 site is located wholly in an Area of Change, so this criterion does not apply.

Staff: The subject site is located wholly in an Area of Change, so this criterion does not apply. The response to Criterion B is sufficient.

C. Criterion 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 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 requested Zone Map Amendment is applicable to Criterion #3. The MX-M zone is more advantageous to the community than the PD zone as articulated in the ABC Comprehensive Plan. The zone change from PD to MX-M will create a more consistent and stable land use pattern by allowing for permissive uses that are applicable to other MX-M zoned properties in the vicinity. The pre-IDO zoning of SU-1 PRD and C-1 Permissive Uses and the approved Site Plan for Subdivision demonstrate the commercial intent for this property. The development of a vacant property in this active commercial area will further Comprehensive Plan goals and policies regarding efficient land uses, infill development, and directing growth to centers and corridors where it is encouraged.

Staff: The subject site is located in an Area of Change. The applicant's response demonstrates that the request would be 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) by matching the existing zoning adjacent to the subject site, which would allow development with the same permissive uses that would create infill development that would utilize existing infrastructure that would result in the same development intensity and connectivity within the area. The response to Criterion C is sufficient.

- D. Criterion 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 associated with that use will adequately mitigate those harmful impacts.

Applicant: The requested zoning of MX-M will not include permissive uses that will be harmful to adjacent properties as it will be required to meet any applicable design criteria in the IDO Use-specific Standards. The existing PD zone allows for all the permissive uses in the MX-M zone according to IDO Section 2-6(A)(4)(a). It states that "the PD zone district may contain any combination of uses listed in Table 4-2-1, provided that those uses do not create significant adverse impacts on nearby existing neighborhoods, City parks or trails, or Major Public Open Space."

According to this definition, the PD zone could be allowed to contain a use that is more intense than allowed in the MX-M zone if it is approved by the EPC. The change of zoning and abandonment of the approved Site Plan for Subdivision will allow for a defined set of permissive land uses on the site.

If a zone change is approved for the subject property, the permissive uses in MX-M zone that may impact surrounding properties and neighborhoods include Bar, Nightclub, and Car Wash. IDO Section 14-16-4-3 provides Use-specific Standards that mitigate potential harmful impacts from these uses to residential development. Setbacks and landscape buffers will be incorporated, and the development will be required to comply with IDO Standards in Section 5-5(I) for Vehicle Stacking and Drive-Through or Drive-up Facilities. It should be noted that the subject property line is

separated from adjacent multi-family residential units by approximately 63 feet on the south and 83 feet on the west.

In addition to the Use-specific Standards, development on the subject property is subject to IDO Section 3-4(C) for Coors Boulevard CPO-2 Standards, which will mitigate the impact of the future project to the surrounding residential development. The building will not exceed the height limitation of 48 feet in the underlying MX-M zone, per Section 3-4(C)(4). The development will comply with 3-4(C)(5)(d) Outdoor Lighting, restricting fixtures to 20-foot maximum height above finished grade. It will also comply with 3-4(C)(5)(e) for Architectural Design and Details, which dictates the use and quantity of accent colors, design and integration of parapets, and screening of mechanical equipment from public view. Section 3-4(C)(5)(f)1 and 2 Signs, dictates the type, size, area, and height for signage in the area and specifically for MX and non-residential zones.

Staff: The applicant has demonstrated how the change of zoning would allow for a defined set of permissive land uses on the site. Since PD zones are assessed by a case-by-case basis there could actually be more potential for harmful impacts than the requested zoning (MX-M). The Coors Boulevard Overlay Protection Zone will also have standards to mitigate permissive uses. The response to Criterion D is sufficient.

E. Criterion 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 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 (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: As an infill parcel in an area with adequate infrastructure capacity, this request for a zone change will not require additional infrastructure beyond those already available on the site. Jeanne Wolfenbarger, City Transportation Manager, was consulted prior to this application regarding access from 57th Street. Upon her review of the Site Plan for Subdivision, it was determined that full access is allowed at the site and will not require infrastructure improvements.

Staff: Staff agrees that the subject sites will adequately be served by existing infrastructure (requirement 1). The response to Criterion E is sufficient.

F. Criterion 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: The Applicant's justification for the Zoning Map Amendment request is not based on the property's location along a major street. The subject property is located on 57th Street, an Urban Major Collector. The closest major street is Coors Boulevard, an urban principal arterial, located less than a half mile to the east. The approved Site Plan for Subdivision and the pre-IDO zoning allowed for commercial development on the subject property. The existing Auto Zone store developed under the previous zoning and Site Plan for Subdivision.

Staff: 57th St. NW is classified as a minor collector street; therefore, the applicants Zone Map Amendment is not based on the property's location on a major street. Rather, it is based on creating a wider range of uses to encourage infill development and efficient land use patterns with uniform zoning. The response to Criterion F is sufficient.

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

Applicant: The cost of land or other economic considerations are not the determining factor for this zone change request. The Applicant has determined that the location of the property, near other uses of similar intensity, is a good location for his intended purpose.

Staff: The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and Policies and is not using the cost of land or other economic considerations as a justification. Therefore, the response to Criterion G is sufficient.

H. Criterion 6-7(G)(3)(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 requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

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

Applicant: This request for a zone change from PD to MX-M does not create a spot zone on the subject property, rather it will create zoning that is consistent with MX-M zoned properties across 57th Street to the east. The MX-M zone is the appropriate zone for this property and will provide a more stable and predictable land use pattern for the area.

Staff: The proposed zone will match with the adjacent existing zoning to the east. The request would create a spot zone and would be surrounded by PD zones to the north, south and west. However, the PD development to the north is consistent with the permissive uses found in the MX-M zone. The response to Criterion H is sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other agencies reviewed this application. Few agency comments were received.

PNM offered standard comments, which will become more important as future site plans are reviewed. Agency comments begin on p.22.

Water Utility Authority offered standard comments, which will become more important as future site plans are reviewed. Agency comments begin on p.22.

Neighborhood/Public

Notification requirements are found in 14-16-6, in the Procedures Table 6-1-1 and are further explained in 14-16-6-4(K), Public Notice. The affected, registered neighborhood organization is the Westside Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required (see attachments). As of this writing, Staff has not been contacted and there is no known opposition.

IV. CONCLUSION

The request is for a zoning map amendment for a vacant site (approximately 0.7 acres) located on 57th St. NW. The applicant wants to abandon the approved 2005 Site Development Plan for Subdivision and adopt the IDO standards and change the subject site's zoning to MX-M to facilitate future development. The subject site is in an Area of Change.

The applicant has adequately justified the request pursuant to the IDO zone change criteria in 14-16-6-7(G)(3). The proposed zoning would be more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

The affected neighborhood organization is the Westside Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. As of this writing, Staff has not been contacted and there is no known opposition.

Staff recommends approval.

FINDINGS – RZ-2022-00006 February 17st, 2022 – Zoning Map Amendment

1. The request is for a zoning map amendment for a vacant site (approximately 0.7 acres) located on 57th St. NW.
2. The subject site is zoned PD (Planned Development). The applicant is requesting a zone change to MX-M (Mixed Use Medium Intensity) to facilitate future development as allowed by the MX-M zone.
3. The subject site is in an Area of Change and is not in a designated center or corridor
4. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following Goals, policies, and sub-policies from Comprehensive Plan Chapter 5: Land Use.

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

The request would create a wider range of allowable commercial uses for potential development with a mix of uses that are similar to its surrounding environment- MX-M. The future development would be conveniently accessible to the surrounding community such as the neighborhood to the north and west.

- B. Sub-policy(n) 5.2.1 – Land Uses: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The zone change request would be an efficient and productive use of the vacant land by creating a wider range of uses that will promote development.

- C. 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 land by creating development that is similar to the adjacent parcels, future development would use existing infrastructure that will support the public good.

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

The subject site is adjacent to MX-M, commercial retail, to the north is PD-which is a commercial service, and to the south and west is PD-Multi-family dwelling. Future growth if zone change is granted would utilize existing infrastructure.

- E. Sub-Policy (h) 5.3.1 Infill Development: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request would facilitate development that would be compatible in form and scale to the surrounding development by creating similar zoning along with the permissive uses that are allowed.

- F. Goal 5.6.2 City Development areas: Encourage and direct growth to Areas of Change where it is expected and desired to ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Change. The request would encourage and direct growth of the surrounding area by matching zoning adjacent to the site (MX-M), which would allow desired growth to occur.

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

The request would direct growth and more intense development to the existing area by offering a wider range of permissive uses to promote infill development. The infill development will be consistent with existing zoning adjacent to the site.

6. The request furthers the following policy from Comprehensive Plan Chapter 7: Urban Design.

- A. Policy 7.3.4 Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

The request would promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block by adopting the IDO standards for the MX-M zone but would also conform to the Coors Boulevard Protection Overlay Zone (CPO-2) in which building materials and colors are established.

7. 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 land uses, efficient development patterns, infill development, city development areas and compatibility. Therefore, the request is consistent with the City's health, safety, morals and general welfare.

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

- C. Criterion C: The subject site is located in an Area of Change. The applicant's response demonstrates that the request would clearly reinforce a preponderance of applicable Comprehensive Plan Goals and policies and therefore would generally be more advantageous to the community than the current zoning.
 - D. Criterion D: The applicant discussed potential uses that could be harmful in an area of PD. Harmful uses that would become permissive under the proposed MX-M zone include nightclub and pawnshop. In addition, use-specific standards as well as the Coors Boulevard Overlay Protection Zone would be implemented to mitigate harm on permissive uses that would be allowed in the MX-M zone. The surrounding land is zoned MX-M, uses that would become permissive already exist in the current zone and are not considered to be harmful in this setting because the uses would become identical.
 - E. Criterion E: The subject site is an infill parcel in an area that has adequate infrastructure, full access is allowed at the site and will not require infrastructure improvements, and therefore meets requirement 1.
 - F. Criterion F: The request is not based on the property's location on a major street. The request reinforces and strengthens the character of the area in accordance with applicable Comprehensive Plan Goals and policies.
 - G. Criterion G: The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them, so the cost of land or other economic considerations are not the driving factors for the proposed request.
 - H. Criterion H: The applicant has demonstrated that the request would result in zoning that would match the existing zoning of the surrounding area and therefore would not create a "spot zone".
- 8. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding, infill and efficient development patterns, utilization of existing infrastructure, and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals, and general welfare.
 - 9. The affected, registered neighborhood organizations are the District 4 Coalition of Neighborhood Associations and the Albuquerque Meadows Residents Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
 - 10. As of this writing, Staff has not been contacted and is unaware of any opposition.

RECOMMENDATION – PR-2022-006448, RZ-2022-00006, February 17, 2022

APPROVAL of Project#2022-006448, Case#RZ-2022-00006, a zone change from PD to MX-M, for Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West, approximately 0.7-acres, located between Coors Blvd and Los Tretos St., based on the preceding findings.

Leroy Duarte

**Leroy Duarte
Current Planner**

Notice of Decision CC list:

Westside Coalition of Neighborhood Associations, Elizabeth Haley, ekhaley@comcast.net
Westside Coalition of Neighborhood Associations, Rene Horvath, aboard111@gmail.com
Consensus Planning, Inc., Jackie Fishman, fishman@consensusplanning.com
Gary Hines, ghines125@comcast.net

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning / Code Enforcement

No adverse comments

Long Range Planning

Metropolitan Redevelopment

No adverse comments

Transportation Development Review Services

No adverse comments to zone change.

CITY ENGINEER

Hydrology

Transportation Development Services

No adverse comments

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

No adverse comments to zone change.

POLICE DEPARTMENT/PLANNING

No adverse comments

SOLID WASTE MANAGEMENT DEPARTMENT

No comments at this time.

TRANSIT DEPARTMENT

The Transportation has no objection to the Zoning Map Amendment for any of these items.

PARKS AND RECREATION

No objection to the proposed zone change.

ABC WATER UTILITY AUTHORITY (ABCWUA)

No adverse comment with respect to the Zone Change.

For Information Only:

Prior to development request an Availability Statement at the link below:

http://www.abcwua.org/Availability_Statements.aspx

Request shall include a City Fire Marshal approved Fire 1 Plan and a zone map showing the site location.

ALBUQUERQUE PUBLIC SCHOOLS

Project #2022-006448

- a. EPC Description: RZ-2022-00006—Zoning Map Amendment (Zone Change).

- b. Site Information: ABQ West Subdivision, Tract C1B Plat of Tracts C-1-A and C-1-B.
- c. Site Location: 57th Street NW and Quail NW, between Coors Blvd. NW and Los Tretos.
- d. Request Description: Zoning change from PD to MX-M, to accommodate a restaurant with a drive-thru window.
- e. No comment.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No adverse comments.

COUNTY OF BERNALILLO

No adverse comments.

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

MRMPO has no adverse comment.

MID-REGION METROPOLITAN PLANNING ORGANIZATION(MRMPO)

MRMPO has no adverse comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PNM GAS COMPANY

There are PNM facilities abutting the site and/or in easements along 57th Street NW.

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 future Site Plan or Plat.

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.

PETROGLYPH NATIONAL MONUMENT

AVIATION DEPARTMENT

KIRTLAND AIR FORCE BASE



Figure 1: Sign posting looking west from 57th St. NW to the subject site.



Figure 2: Looking north at subject site.



Figure 3: Looking south at subject site



Figure 4: Looking west at subject site.

HISTORY



City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: April 19, 2002

OFFICIAL NOTIFICATION OF DECISION

Howard Mock
2906 Broadway, NE
Albuquerque, NM 87107

FILE: **Project # 1001763**
02EPC-00308 SDP-Subdivision
02EPC-00309 SDP-Building Permit

LEGAL DESCRIPTION: Tract C1, Albuquerque West Subdivision, zoned SU-1 for PRD & C-1 Permissive Uses and located on 57th Street NW between Quail NW and Ouray NW, containing approximately 1.5 acres. (H-11) (Lola Bird, Staff Planner)

On April 18, 2002, the Environmental Planning Commission voted to Approve Project 1001763 / 02EPC-00308, a Site Development Plan for Subdivision, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site plan for subdivision for an approximately 1.5 acre site located on 57th Street at Quail Road NW.
2. The applicant is requesting to subdivide the subject site into two tracts.
3. The proposed development furthers the applicable goals and policies of the *Comprehensive Plan* by accommodating development in an area where vacant land is contiguous to existing facilities and services and by allowing for a location, intensity, and design that respects existing neighborhood conditions (Policies d, e). In addition, this request proposes a service use which is located to complement residential areas in an area zoned for commercial uses with a design which is compatible with the plan area (Policies i, j, l, Established Urban Area).
4. This request is supported by the policies of the *West Side Strategic Plan* by proposing a neighborhood commercial use for a commercially zoned site located within a designated community adjacent area. Community Core Areas and Community Adjacent Areas are appropriate locations for high density and non-residential development (Policy 1.1).

EPC OFFICIAL NOTIFICATION OF DECISION

Project 1001763 / 02EPC-00308 & 02EPC-00309

April 18, 2002

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5. This request is also supported by the *East Atrisco Sector Development Plan* which references the goals and policies of the *Comprehensive Plan* as governing concepts for development of the East Atrisco area. This request supports the Plan's goals to provide a quality urban environment and to minimize transportation requirements through efficient placement of employment and services (page 6).
6. This request generally complies with the goal of the *Coors Corridor Plan* that new development be designed to be compatible with the natural landscape and the built environment in accordance with the design regulations and guidelines (*Issue 4, visual impressions and urban design overlay zone, General Policy 3.*)
7. The submitted site plan meets the requirements of the *Zoning Code* for site development plan for subdivision. The site plan provides a scale of at least 1 inch to 100 feet, which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, internal circulation requirements. (Section 14-16-1-5 Definitions)

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
 2. Notes shall be added to the plan ensuring pedestrian connectivity and the integration of architectural design and building materials for the two lots.
 3. Transportation Development Services Conditions of approval:
 - a. Traffic Impact Study (TIS) may be required depending on how north end of property develops. Trip generation is required. However, in lieu of a full traffic impact study (Transportation has a current TIS for the West bluff Development), the developer shall contribute financially to the future traffic signal at Quail and 57th consistent with other developments in the area.
 - b. Re-plat required.
 - c. Provide permanent improvements (pavement, curb & gutter and sidewalk) along 57th street where applicable.
 - d. Provide cross access agreement.
 - e. Site shall comply and be designed per DPM Standards.
 - f. Sidewalk on 57th street to be 6'.
 - g. The main driveway on 57th Street to be 36' wide and needs to be aligned with main drive aisle.
 - h. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of drainage plan required prior to placement on DRB agenda.
 - i. Approval should be conditioned on the dedication of rights-of-way for 57th Street, a collector street, 34 feet minimum from the street centerline and dedication of an additional 6 feet of right-of-way along 57th Street as required by the City Engineer to provide for on-street bicycle lanes.
-

EPC OFFICIAL NOTIFICATION OF DECISION

Project 1001763 / 02EPC-00308 & 02EPC-00309

April 18, 2002

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On April 18, 2002, the Environmental Planning Commission voted to Approve Project 1001763 / 02EPC-00309, a Site Development Plan for Building Permit, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site plan for building permit for an approximately 0.83 acre site located on 57th Street NW between Quail and Ouray.
2. The proposed development furthers the applicable goals and policies of the *Comprehensive Plan* by: locating a use with a design and intensity that respects the existing neighborhood conditions (Policy d); accommodating development in an area where vacant land is contiguous to existing facilities and services, and where the integrity of existing neighborhoods can be ensured (Policy e); locating employment and service uses to complement residential areas (Policy i); locating new commercial development in existing commercially zoned areas (Policy j); and by proposing a design which is appropriate to the plan area (Policy l).
3. This request is supported by the policies of the *West Side Strategic Plan* by proposing a neighborhood commercial use for a commercially zoned site located within a designated community adjacent area. Community Core Areas and Community Adjacent Areas are appropriate locations for high density and non-residential development (Policy 1.1).
4. This request is also supported by the *East Atrisco Sector Development Plan* which references the goals and policies of the *Comprehensive Plan* as governing concepts for development of the East Atrisco area. This request supports the Plan's goals to provide a quality urban environment and to minimize transportation requirements through efficient placement of employment and services (page 6).
5. This request generally complies with the goal of the *Coors Corridor Plan* that new development be designed to be compatible with the natural landscape and the built environment in accordance with the design regulations and guidelines (*Issue 4, visual impressions and urban design overlay zone, General Policy 3.*)
6. With some changes and additions this request will be adequate.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. A minimum 5' wide landscape buffer shall be provided along the site's west side and planted with a mix of deciduous and evergreen trees. A minimum of a 2 foot wide landscape buffer shall be provided along the south side planted with a mix of deciduous and evergreen trees and tree wells of at least 25 square feet at 25 foot intervals.

EPC OFFICIAL NOTIFICATION OF DECISION

Project 1001763 / 02EPC-00308 & 02EPC-00309

April 18, 2002

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3. Additional living, vegetative material shall be added to all planting beds larger than 36 sf to meet the 75% live ground cover at maturity requirement.
4. The landscape plan shall be modified to show the concrete surfacing in the area of the bike rack as indicated on the site plan.
5. Additional articulation of the north elevation of the laundromat/apt-unit building wall shall be provided through, for example, windows or columnar elements.
6. The site plan shall provide a detail of the trash enclosure, including its height, color and material.
7. The location of the monument sign shall be specified on the site plan and landscaping plan.
8. The location of the sidewalk along 57th Street shall comply with the Sidewalk Ordinance
9. Transportation Development Services Conditions of approval:
 - a. Traffic Impact Study (TIS) may be required depending on how north end of property develops. Trip generation is required. However, in lieu of a full traffic impact study (Transportation has a current TIS for the West bluff Development), the developer shall contribute financially to the future traffic signal at Quail and 57th consistent with other developments in the area.
 - b. Re-plat required.
 - c. Provide permanent improvements (pavement, curb & gutter and sidewalk) along 57th street where applicable.
 - d. Provide cross access agreement.
 - e. Site shall comply and be designed per DPM Standards.
 - f. Sidewalk on 57th street to be 6'.
 - g. The main driveway on 57th Street to be 36' wide and needs to be aligned with main drive aisle.
 - h. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of drainage plan required prior to placement on DRB agenda.
 - i. Approval should be conditioned on the dedication of rights-of-way for 57th Street, a collector street, 34 feet minimum from the street centerline and dedication of an additional 6 feet of right-of-way along 57th Street as required by the City Engineer to provide for on-street bicycle lanes.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY MAY 3, 2002 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATOR COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday,

EPC OFFICIAL NOTIFICATION OF DECISION

Project 1001763 / 02EPC-00308 & 02EPC-00309

April 18, 2002

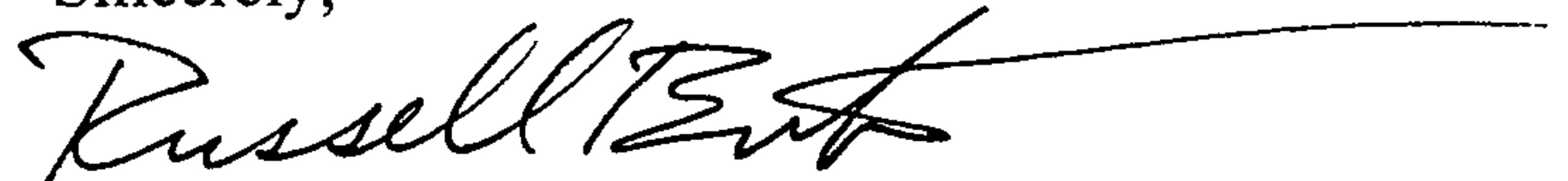
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Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

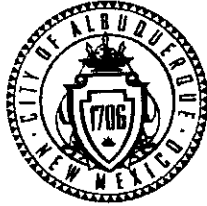
Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC.

Sincerely,

for 
Victor J. Chavez
Planning Director

VJC/LB/nat

cc: Claudio Vigil Architects, 1801 Rio Grande Blvd. NW, Suite 2, Albuquerque, NM 87104



City of Albuquerque
Planning Department
Development Review Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: December 17, 2004

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1001763***
04EPC-01716 EPC Site Development Plan-
Subdivision
04EPC-01717 EPC Site Development Plan-
Building Permit

AutoZone, Inc., Design Department #8320
123 S. Front St.
Memphis, TN 38103

LEGAL DESCRIPTION: for all or a portion of Tract C-1, **Albuquerque West Subdivision**, zoned SU-1 PRD & C-1 Permissive Uses, located on 57TH ST NW, between QUAIL RD NW and OURAY RD NW, containing approximately 1.5 acres. (H-11) Carmen Marrone, Staff Planner

On December 16, 2004 the Environmental Planning Commission voted to approve Project 1001763/ 04EPC 01716, a request for a Site Plan for Subdivision for Tract C-1, Albuquerque West Subdivision, zoned SU-1 PRD & C-1 Permissive Uses, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site plan for subdivision for Tract C-1, Albuquerque West Subdivision. The site is located at the southwest corner of 57th Street and Quail Road NW and contains approximately 1.5 acres. The applicant proposes to subdivide the property into two tracts, Tract C-1-A and C-1-B, and to develop an Auto Zone Retail Store on the northerly tract, Tract C-1-A. The use of the southern tract is as yet undetermined.
2. In 2002, the EPC approved a site plan for subdivision to subdivide the subject site into two tracts (02EPC-00308). The site plan for subdivision was never signed off by the DRB. Approval of the proposed site plan for subdivision will void the 2002 EPC approved site plan for subdivision.

3. The subject site is within the Established Urban Area of the *Comprehensive Plan*. The proposed development furthers the applicable goals and policies for Established Urban Areas by accommodating development in an area where vacant land is contiguous to existing facilities and services and by allowing for a location, intensity, and design that respects existing neighborhood conditions (Policies 5d, 5e). In addition, this request proposes a retail use, which is located to complement residential areas in an area zoned for commercial uses and with a design that is compatible with the area (Policies 5i, 5j, 5l).
4. The site plan for subdivision includes a set of Design Standards to guide development of both of the newly created tracts. These Design Standards address applicable policies of the *Coors Corridor Plan* related to building height and setback (Policy 2), screening of mechanical equipment and service areas (Policy 4), lighting (Policy 9), and signage (Section D, Policy 1).
5. The site plan for subdivision meets the requirements of §14-16-1-5 of the Zoning Code. The site plan specifies the site, proposed use, vehicular ingress and egress, internal circulation requirements, building height and setbacks, and floor area ratio.
6. There is no known neighborhood opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The 3rd bullet of the Landscape Standards on Sheet 2 should add further language to read, "*except where trees are planted, then they shall be a minimum of 36 sf and a minimum width of 6 feet.*"
3. The last bullet of the signage standards on Sheet 2 shall be revised to read, "No lighted signs shall be placed on facades that are visible from residential areas."
4. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, PUBLIC WORKS, WATER AUTHORITY and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for, if applicable.

- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. A new TIS determination will be required if the applicant deviates from the trip generation provided for the remaining tract.
 - d. Per DPM: unless drives on opposite sides of the street are offset 50' or more, the centerlines need to be within 15' of each other.
 - e. The applicant will need to provide a financial guarantee for one fourth of the future traffic signal at Quail/57th and demonstrate that their site plan for subdivision, as shown, allows for this traffic signal geometrically.
 - f. Site plan shall comply and be designed per DPM Standards.
 - g. Platting must be a concurrent DRB action.
 - h. Dedication of a *minimum* 34 feet of right-of-way from the centerline of 57th Street a collector street as designated on the Long Range Roadway System.
 - i. Dedication of an additional 6 feet of right-of-way along 57th Street as required by the City Engineer to provide for on-street bicycle lanes as designated on Long Range Bikeways System.
-

On December 16, 2004 the Environmental Planning Commission voted to approve Project 1001763/04EPC 01717, a request for a Site Plan for Building Permit for the north .826 acres of Tract C-1, Albuquerque West Subdivision, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site plan for building permit for a 6,816 sf Auto Zone Retail Store on the northerly portion of Tract C-1 (Tract C-1-A) Albuquerque West Subdivision. The proposed use is allowed by the site's SU-1 PRD and C-1 Permissive Uses zoning.
2. In 2002, the EPC approved a site plan for building permit to develop a laundromat/car wash/apartment facility on the southern portion of Tract C-1 (02EPC-00309). This site plan was never signed off by the DRB. Approval of the proposed site plan for building permit will void the 2002 EPC approved site plan for building permit.

3. The proposed development furthers the applicable goals and policies of the *Comprehensive Plan* by: locating a use with a design and intensity that respects the existing neighborhood conditions (Policy 5d); accommodating development in an area where vacant land is contiguous to existing facilities and services (Policy 5e); locating a retail and service use to complement residential areas (Policy 5i); locating new commercial development in an existing commercially zoned area (Policy 5j); and by proposing a design which is appropriate to the area (Policy 5l).
4. This request furthers Policy 3.25 of the *West Side Strategic Plan* by undergoing careful analysis and public scrutiny of the proposed site plan in order to address the design and site layout implications on the surrounding properties.
5. This request generally complies with the goal of the *Coors Corridor Plan* that new development be designed to be compatible with the natural landscape and the built environment in accordance with the design regulations and guidelines (*Issue 4, Visual Impressions and Urban Design Overlay Zone*).
6. In general, the site plan for building permit meets the applicable regulations pertaining to C-1 zoned sites and only requires slight modification prior to DRB final sign-off.
7. There is no known neighborhood opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The eighth bullet under Site Planning and Architecture in the Design Standards shall be rewritten as follows: "Parking areas shall be screened from adjacent streets and properties by providing a landscape strip between parking lots and rights-of-way. The landscape strip along the front of the property shall be a minimum of 10 feet in width. The landscape strip along the side of the property shall have an acreage width of six feet. Front and side landscape strips shall be designed with a combination of plant materials, walls or fences, and or earthen berming".
3. A screen wall shall be placed in front of the parking strip along Quail Road. This wall shall be a minimum of 30" and a maximum of 36" in height.

4. The Site Development Plan for Building Permit and Landscape Plan shall be amended to include a 36 inch screening wall along the sidewalk adjacent to Quail Road and landscaped triangular bumpouts shall be added to the off-street parking stalls along the north end of the site adjacent to Quail Road.
5. PEDESTRIAN CONNECTIONS:
 - Connect the east/west sidewalk from the front entrance of the building to the public sidewalk along 57th Street.
 - Widen the public sidewalk along 57th Street from 4' to 6'.
 - A separate pedestrian access shall be provided from the public sidewalk along Quail Road to the north façade of the building. In addition, the sidewalk adjacent to the north façade of the building shall be extended further west to meet up with the pedestrian connection from Quail Road.
6. LIGHTING:
 - a. The maximum height of the light poles shall be 20'.
 - b. The wall-mounted sign on the north elevation shall not be illuminated.
7. The ponding areas along 57th Street should be noted on the site plan and the landscape plan since they affect development of the site.
8. A more common color should be used for the roof tile since it is unclear what color "casa grande blend" really is.
9. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, PUBLIC WORKS, WATER AUTHORITY and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and/or provided for, if applicable.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for building permit. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. A new TIS determination will be required if the applicant deviates from the trip generation provided for the remaining tract.
 - d. Per DPM: unless drives on opposite sides of the street are offset 50' or more, the centerlines need to be within 15' of each other.
 - e. The applicant will need to provide a financial guarantee for one fourth of the future traffic signal at Quail/57th and demonstrate that their site plan for subdivision, as shown, allows for this traffic signal geometrically.
 - f. Site plan shall comply and be designed per DPM Standards.
 - g. Platting must be a concurrent DRB action.

OFFICIAL NOTICE OF DECISION
DECEMBER 16, 2004
PROJECT #1001763
PAGE 6 OF 6

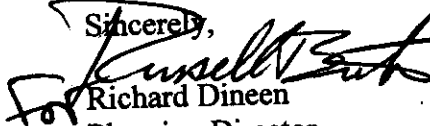
- h. Dedication of a *minimum* 34 feet of right-of-way from the centerline of 57th Street a collector street as designated on the Long Range Roadway System.
- i. Dedication of an additional 6 feet of right-of-way along 57th Street as required by the City Engineer to provide for on-street bicycle lanes as designated on Long Range Bikeways System.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JANUARY 3, 2005 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC's DECISION.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If they decide that all City plans, policies and ordinances have not been properly followed, they shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

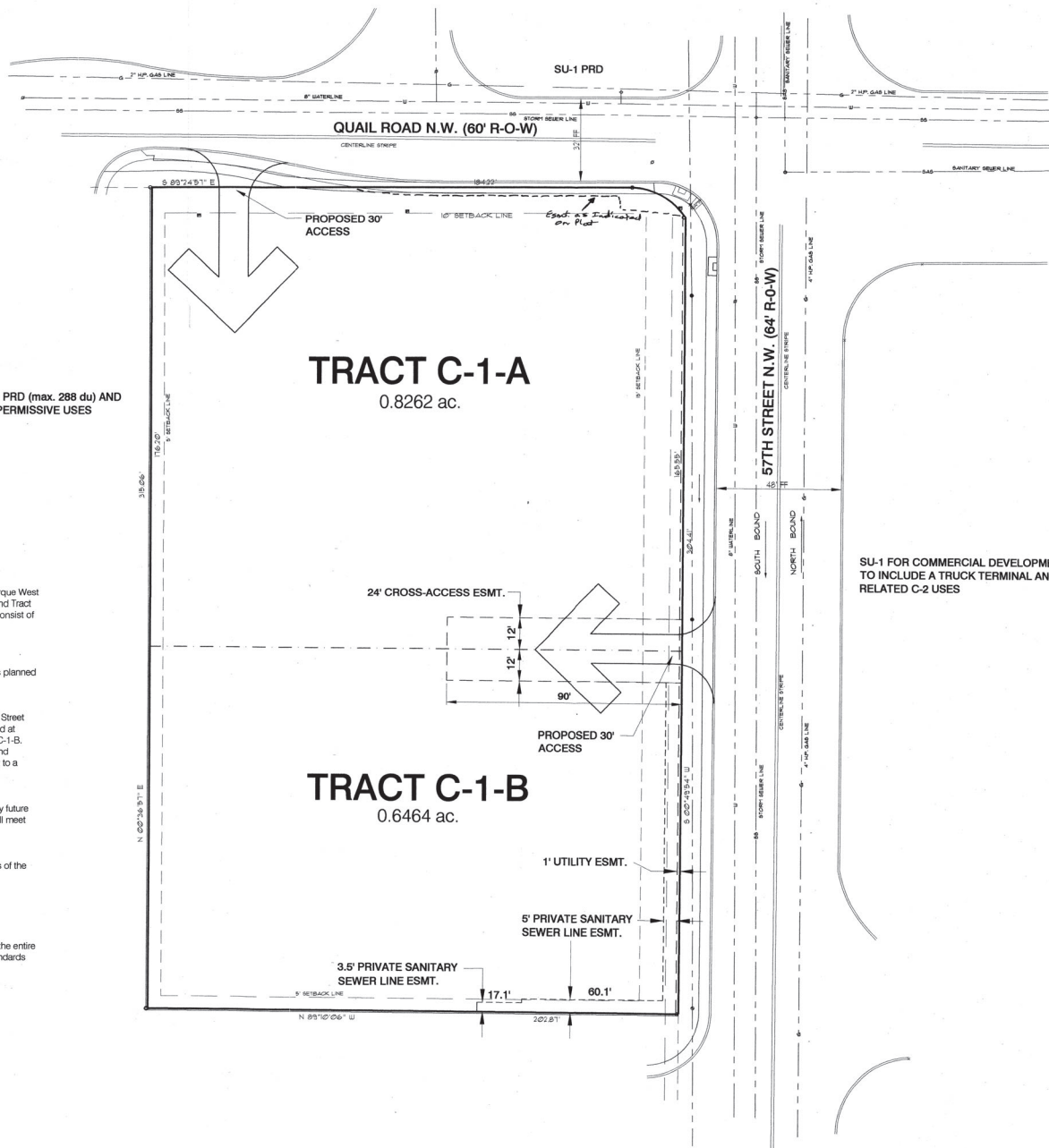
YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

For Richard Dineen
Planning Director

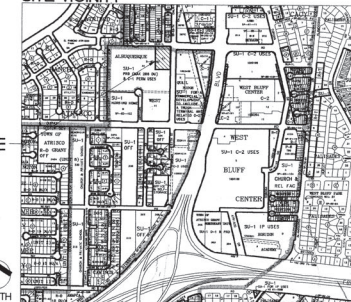
RD/CM/ac

cc: Consensus Planning, Inc., 924 Park Ave. SW, Albuquerque, NM 87102



SITE VICINITY

SITE



ZONE ATLAS H-11

PROJECT NUMBER: 1001763
Application Number: 04EPC-01716/05.DRB-00054

This Plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated December 17, 2004 and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? () Yes (X) No If yes, then a set of approved DPC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

<i>[Signature]</i>	1-20-05
Transportation Division	Date
<i>[Signature]</i>	1-26-05
Utilities Division	Date
<i>[Signature]</i>	1-26-05
Parks and Recreation Department	Date
<i>[Signature]</i>	1-26-05
City Engineer	Date
<i>[Signature]</i>	1-26-05
DRB Chairperson, Planning Department	Date

Site:
The Site is composed of one 1.4726 acre tract, Tract C-1, Albuquerque West Subdivision. Upon platting two tracts will be created: Tract C-1-A and Tract C-1-B. Tract C-1-A will consist of .8262 acres and Tract C-1-B will consist of .6464 acres. Zoning for the site is SU-1 PRD (Max 288 du) and C-1 Permissive Uses.

Proposed Use:
Tract C-1-A is proposed as an AutoZone retail store. Tract C-1-B is planned for neighborhood commercial uses per the C-1 zone.

Pedestrian and Vehicular Ingress and Egress:
Access is proposed to both Tract C-1-A and Tract C-1-B from 57th Street through a shared 24 foot private access easement to be established at platting. Additional access is proposed from Quail Road for Tract C-1-B. Pedestrian access will be provided in accordance with City plans and policies. Pedestrian access for Tract C-1-A is proposed to connect to a 4-foot sidewalk along 57th Street.

Internal Circulation Requirements:
Internal pedestrian and vehicular circulation shall be provided in any future Site Plans for Building Permit. All internal circulation standards shall meet City requirements.

Building Height and Setbacks:
Building height and setbacks shall be consistent with the provisions of the C-1 Zone.

Maximum FAR:
A maximum .30 FAR shall be allowed

Landscape Plan:
The Design Standards (see Sheet 2) provide landscape criteria for the entire site. Subsequent landscape plans shall be consistent with City standards and policies regarding water conservation contained in the City Comprehensive Zoning Code.

SU-1 FOR COMMERCIAL DEVELOPMENT
TO INCLUDE A TRUCK TERMINAL AND
RELATED C-2 USES

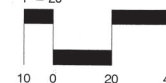
Site Development Plan for Subdivision AutoZone

Prepared for:
AutoZone, Inc.
Design Department #8320
123 S. Front Street
Memphis, TN 38103

Prepared by:
Consensus Planning, Inc.
924 Park Avenue SW
Albuquerque, NM 87102



1" = 20'



November 3, 2004

PROJECT 1001763

DESIGN STANDARDS

INTRODUCTION

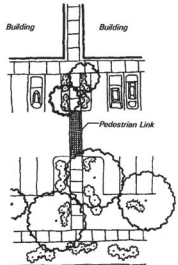
These Design Standards provide a framework to assist developers and designers to understand the Owner's goals and objectives for high quality development. These standards address the issues of streetscape, landscape, setbacks, site planning/architecture, signage and lighting that will create the visual image desired for development on Tract C-1, Albuquerque West Subdivision. These standards are to be used as a supplement to the City of Albuquerque Comprehensive City Zoning Code and other pertinent City planning documents. In cases where these standards are not consistent with City regulations, the more stringent standards shall.

STREETSCAPE

The intent is to create a visually attractive and inviting streetscape. The effective use of screening devices at service functions such as parking lots, loading areas, refuse collection, and delivery/istorage areas is essential in order to limit their adverse visual impact on surrounding developments and to create a pleasing streetscape environment. The guidelines established in the landscape and setback sections will provide the primary means to screening objectionable views and activities.

Standards:

- Pedestrian links between parking areas and buildings shall be clearly visible and highlighted with signage and different paving material or painted striping.
- Pedestrian pathways shall be provided to connect buildings on-site and to the adjacent streets.
- Trees shall be provided along pathways at an average spacing of 30 feet.
- All pedestrian pathways (sidewalks and trails) shall be designed to be accessible to the handicapped (see Americans with Disabilities Act criteria for barrier free design).



Pedestrian links shall be provided to connect buildings on-site and to the adjacent streets.

LANDSCAPE

The landscape guidelines are intended to assist property owners in the development of an attractive streetscape and to help buffer non-residential uses from residential uses. The plant materials selected should primarily be water conservative species. Landscape plans should employ xeriscape design principles. These guidelines are to be used as a supplement to the requirements in the City Water Conservation Landscaping and Water Waste Ordinance, the Pollen Ordinance, and other landscape regulations included in the City of Albuquerque Comprehensive Zoning Code.

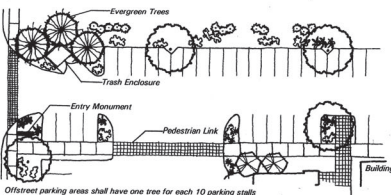
Standards:

Landscape Buffers

- Landscape materials shall be used as a transition between this commercial site and residential properties to the south and west.

Frequency of Plantings, Installation, and Size

- To shade and mitigate the negative visual impact of large expanses of pavement, off-street parking areas shall have one tree for each 10 parking stalls with no stall being more than 100 feet from a tree trunk. A minimum of 75 percent of the required parking area trees shall be deciduous and have a mature canopy of at least 25 feet.
- A minimum of 15 percent of the site area (excluding the building square footage) shall be devoted to landscape materials, with an emphasis placed on streetside exposure.
- Landscape areas shall be a minimum of 25 square feet and a minimum width of 5 feet, except where trees are planted, then they shall be a minimum of 36 sf and a minimum width of 6 feet.
- Seventy-five percent of the required landscape area shall be covered with live organic materials consistent with the City of Albuquerque Comprehensive Zoning Code.
- All planting areas not covered with turf or live organic materials shall have a ground topping of crushed rock, river rock, or similar material that extends completely under the plant material.



Offstreet parking areas shall have one tree for each 10 parking stalls.

- Disturbed or man-made slopes shall receive erosion control by use of plant material, revegetative seed mix, or similar landscape treatment which prevents soil erosion.
- An automatic underground irrigation system is required to support all required landscaping. Irrigation components should be checked periodically to ensure maximum efficiency.

- Appropriate landscape headers shall be used to separate the turf and groundcover areas. Headers should be 6" x 6" concrete, brick, or steel construction, or other material compatible with the landscape concept.

Suggested Plant Palette

Street Trees
Fraxinus spp.
Rhus nigra
Pistacia chinensis
Prunus spp.

Ash varieties
Austrian Pine
Chinese Pistache
Flowering Plum varieties

General Use Plant Materials:

Trees
Chilopsis linearis
Chitalpa tashkentensis
Forestiera neomexicana
Fraxinus spp.
Gleditsia spp.
Koeleruteria paniculata
Pinus nigra
Platanus acerifolia
Pyrus calleryana
Vitis agnus - castus

Desert Willow
Chitalpa
New Mexico Olive
Ash varieties
Honey Locust varieties
Goldenrain Tree
Austrian Pine
London Planetree
Ornamental Pear
Chaste Tree

Shrubs, Groundcovers, Flowers, and Vines

Artemisia filifolia
Artemisia tridentata
Baccharis pilularis
Caesalpinia gilei
Caryopteris clandonensis
Chrysothamnus nauseosus
Cotoneaster spp.
Dalea spp.
Hesperaloe parviflora
Juniperus chinensis spp.
Lonicera japonica 'Halliana'
Perovskia atriplicifolia
Photinia fraseri
Potentilla fruticosa
Raphiostephis indica
Rhus trilobata
Rosmarinus officinalis
Salvia greggi

Sand Sage
Big Leaf Sage
Dwarf Coyotebush
Bird of Paradise
Blue Mist
Chamisa
Cotoneaster varieties
Dalea varieties
Red Yucca
Juniper varieties
Half's Honeysuckle
Russian Sage
Shrubby Cinquefoil
Inda Hawthorn
Threelobed Sumac
Rosemary
Cherry Sage

Ornamental Grasses
Miscanthus sinensis
Muhlenbergia spp.
Pennisetum spp.
Stipa tenuissima

Maiden Grass
Muhly Grass
Fountain Grass
Threadgrass

SETBACKS

The use of building and parking area setbacks provides space for the creation of visually attractive streetscapes and will help ensure the project's aesthetic appeal. Areas within these setbacks shall include pedestrian walkways, screening elements, and landscaping.

Standards:

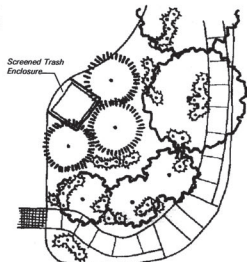
All building setbacks and parking area setbacks will be consistent with C-1 setback standards.

SITE PLANNING/ARCHITECTURE

Site Planning Standards:

In order to encourage a pedestrian-friendly environment within the development, special attention should be paid to the relationship between buildings and streets. Pedestrian activity is encouraged where pedestrian connections between the structures and the street are clearly identified and inviting.

- All non-residential buildings shall comply with Section 14-16-3-18, General Building and Site Design Regulations for non-residential uses of the Comprehensive City Zoning Code.
- Structures and on-site circulation systems shall be located to minimize pedestrian/vehicle conflicts. Pedestrian access shall be provided to link structures to pedestrian pathways.
- Sidewalks along the entry facade of all buildings shall be a minimum of 8 feet wide with a minimum 6 foot wide clear path.
- The maximum number of parking spaces shall be the minimum number required by the Zoning Code, plus 10 percent.
- Parking areas shall be broken up through the use of convenient and logical pedestrian connections.
- Entryways shall be clearly defined and linked to the pedestrian pathways.
- No refuse collection areas shall be allowed between any street and building front. All refuse containers shall be screened within a minimum of a 6 foot tall enclosure that is large enough to contain all refuse generated between collections. The design and materials for refuse collection enclosures shall be compatible with the architectural theme of the site.
- Parking areas shall be screened from adjacent streets and properties by providing a landscape strip between parking lots and public rights-of-way. The landscape strip along the front of the property shall be a minimum of 10 feet in width. The landscape strip along the side of the property shall have an average width of six feet. Front and side landscape strips shall be designed with a combination of plant materials, walls or fences, and/or earthen berms.



All refuse containers shall be screened within a minimum of a 6 foot tall enclosure that is large enough to contain all refuse generated between collections.

The landscape strip along the side of the property shall have an average width of six feet. Front and side landscape strips shall be designed with a combination of plant materials, walls or fences, and/or earthen berms.

- Transformers, utility pads, and telephone boxes shall be appropriately screened with architecturally integrated walls and/or plant materials when viewed from the public right-of-way. Screening materials shall not limit access for maintenance purposes by utility companies.
- The heated enclosures for above-ground back flow prevention devices shall be constructed of materials compatible with the architectural materials used for the building. If pre-fabricated fiberglass enclosures are used, they shall be appropriately screened from view by walls and/or plant materials.
- All walls shall be designed in accordance with the City of Albuquerque Wall Regulations contained in the City Comprehensive Zoning Code, Section 14-16-3-19.

Architectural Standards:

Specific architectural style shall not be dictated. The design should demonstrate a high quality aesthetic character throughout the site. Architectural design should respond to local climate, views, solar access, and aesthetic considerations.

- Buildings and structures shall comply with all City Zoning and Building Codes.
- The maximum building height shall be in compliance with the C-1 zone per Section 14-2-16-16 of the City of Albuquerque Comprehensive Zoning Code.
- Building design and construction should be used to create a structure that is attractive on all sides, rather than placing all emphasis on the front elevation of the structure. Finished building materials shall be applied to all exterior sides of buildings and structures.
- Businesses with drive-thru facilities shall provide canopies which are architecturally tied to the building.
- Any accessory buildings and enclosures, whether attached or detached from the main building, shall be of compatible design and materials.
- All rooftop equipment shall be screened from the public view by materials of the same nature as the basic materials of the building. The building parapet shall be the same height or taller than all rooftop equipment.
- Pre-engineered metal buildings with masonry or equivalent skin applied to facades are prohibited.
- Design elements that are undesirable and prohibited include:
 - Highly reflective surfaces
 - Exposed, untreated precision block walls
 - Chain link fencing, barbed wire, or concertina wire
 - Attached mansard roofs on small portions of the roofline
 - Corrugated metal (metal roofs are exempt)
 - Plastic/vinyl facias or awnings
 - Plastic/vinyl fencing

- Streetside facades shall have varied setbacks with wall planes not running in one continuous direction for more than 100-feet without a change in architectural treatment. The staggering of planes is important to create pockets of light and shadow, and to provide relief from monotonous expanses of building facade.

- Any cellular communication towers/facilities proposed for the site shall be architecturally integrated into the site.

- No outdoor loudspeakers and paging systems are allowed.

SIGNAGE

These signage standards were developed to regulate the size, location, type, and quality of sign elements within the development. They are to be used in conjunction with the C-1 zone per Section 14-2-16-16 of the City of Albuquerque Comprehensive Zoning Code. Where there is conflict between these guidelines and City regulations, the more restrictive shall apply.

A properly implemented signage program will serve several important functions:

- Direct and inform visitors
- Provide circulation requirements and restrictions
- Provide for public safety and minimize confusion of traffic control
- Complement the visual character of the area

Standards:

- Free-standing monument style signs are encouraged.
- No sign shall overhang the public right-of-way or extend above the building roof line.
- One free-standing, two-sided sign is allowed for any one premise with street frontage. Free-standing signs are limited to a maximum sign face of 75 square feet.
- Facade mounted signs shall not exceed 6 percent of the facade area to which it is attached. Sign letters shall be channelized, neon, or painted. Backlit illuminated panels are not allowed, except for company/business logos.
- No additional off-premise signs are allowed except for traffic safety signs, street signs, or location markers or directory maps.
- All signage shall be designed to be consistent with and complement the materials, color, and the architectural style of the building or site location.
- Free-standing signs shall be placed at the back of the public right-of-way line and outside of the safety vision triangle at all entries and intersections.
- No signage is allowed that uses flashing, oscillating, occultating, revolving, blinking, or audible devices. No banners, pennants, ribbons, or streamers are allowed except for thematic special events and with prior approval by City of Albuquerque Zoning Department.
- Free-standing signs shall be designed that do not require any external bracing, angle-iron supports, guy wires or similar devices. Pole-mounted signs are not allowed.
- No lighted signs shall be placed on facades that are visible from residential areas.

LIGHTING

In order to enhance the safety, security, and visual aesthetics, careful consideration must be given to lighting design and preservation of a dark "night sky". Due to the nature of this site and its relationship to the residential area to the east and south, screening of light spillage to the east and south requires special attention.

Standards:

- Placement of fixtures and standards shall conform to state and local safety and illumination requirements.
- Individual site lighting standards shall blend with the architectural character of the building and other site fixtures.
- Search lights, spotlights, and floodlights are prohibited.
- All lights shall be shielded source to prevent spillage onto adjoining properties or light pollution of the existing "dark sky" and equipped with automatic timing devices. Cobra and sodium lights are prohibited at this site.
- All outdoor light fixtures shall remain off between 11:00 p.m. and sunrise except for security purposes or to illuminate walkways, driveways, equipment yards, and parking lots.
- Outdoor light poles shall not exceed 16 feet in height within 100' of the adjacent residential zones. Public streetlight poles are exempt from this height requirement.
- All lighting on the site shall be fully shielded, cut-off lighting (shoebox) to minimize fugitive lighting and the bulbs shall not extend past the housing. Additional shielding shall be provided for all lights northern edge of the property to provide additional screening for the adjacent residential areas.



The use of pedestrian scale lighting is encouraged to accent pedestrian zones.

Tract C-1 Albuquerque West Subdivision

Prepared for:
AutoZone, Inc.
Design Department #8320
123 S Front Street
Memphis, TN 38103

Prepared by:
Consensus Planning, Inc.
924 Park Avenue SW
Albuquerque, NM 87102



CONSENSUS
PLANNING
January 11, 2005
Sheet 2 of 2

CURRENT ZONING

Please refer to IDO Section 14-16-2-6(A) for the PD Zone District

PROPOSED ZONING

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

APPLICANT INFORMATION



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

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: Gary Hines		Phone: (505) 263-6939
Address: 5300 High Canyon Trail		Email: ghines125@comcast.net
City: Albuquerque	State: NM	Zip: 87111
Professional/Agent (if any): Consensus Planning, Inc., Jackie Fishman, AICP, Principal		Phone: (505) 764-9801
Address: 302 8th Street, NW		Email: fishman@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site: Contract purchaser		List all owners: Lava Partners

BRIEF DESCRIPTION OF REQUEST

Zone Map Amendment from PD to MX-M.

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

Lot or Tract No.: C1B	Block: 0000	Unit:
Subdivision/Addition: ABQ West	MRGCD Map No.:	UPC Code: 101105918747420702
Zone Atlas Page(s): H-11	Existing Zoning: PD	Proposed Zoning: MX-M
# of Existing Lots: 1	# of Proposed Lots: N/A	Total Area of Site (acres): .64 acres

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 99999 57th Street NW	Between: Coors Boulevard	and: Los Tretos Street
---	--------------------------	------------------------

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

1001763

Signature:	Date: January 6, 2022
Printed Name: Jacqueline Fishman, AICP, Principal, Consensus Planning, Inc.	<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)**

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

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

☐ **AMENDMENT TO IDO TEXT**

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

☒ **ZONING MAP AMENDMENT – EPC**

☐ **ZONING MAP AMENDMENT – COUNCIL**

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

☐ **ANNEXATION OF LAND**

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

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: January 6, 2022

Printed Name: Jacqueline Fishman, AICP, Principal, Consensus Planning, Inc.

☐ Applicant or ☒ Agent

FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

-

-

-

Staff Signature:

Date:



PRE-APPLICATION MEETING NOTES

PA#: _____ Notes Provided (date): _____

Site Address and/or Location: _____

Pre-application notes are for informational purposes only and are non-binding. They do not constitute an approval of any kind. Additional research may be necessary to determine the exact type of process and/or application required. Factors unknown and/or thought of as minor at this time could become significant as a case progresses.

Request _____

Basic Site Information

Current Use(s): _____ Size (acreage): _____

Zoning: _____ Overlay Zone(s): _____

Comprehensive Plan Designations

Development Area: _____ Corridor(s): _____

Center: _____ Near Major Public Open Space (MPOS)?: _____

Integrated Development Ordinance (IDO)

Please refer to the IDO for requirements regarding dimensional standards, parking, landscaping, walls, signage, etc.
<https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

Proposed Use(s): _____

Use Specific Standards: _____

Applicable Definition(s): _____

Sensitive Lands: *Please see IDO Section 14-16-5-2 for information about required analysis, development standards, and changes to process that may result if this Section applies.*

Notice

Neighborhood Meeting Offer Required? (see IDO Table 6-1-1). If yes, please refer to: West side Coalition of Neighborhood Associations
<https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

Process

Decision Type(s) (see IDO Table 6-1-1): _____

Specific Procedure(s)*: _____

**Please refer to specific procedures for relevant decision criteria required to be addressed.*

Decision Making Body/ies: _____ Is this a PRT requirement? _____

Handouts Provided

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Site Plan Amendments | <input type="checkbox"/> Site Plan- EPC | <input type="checkbox"/> Site Plan- DRB |
| <input type="checkbox"/> Site Plan- Admin | <input type="checkbox"/> Variance-ZHE | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site History/Research | <input type="checkbox"/> Transportation | <input type="checkbox"/> Hydrology | <input type="checkbox"/> Fire |

If you have additional questions, please contact Staff at planningprt@cabq.gov or at (505) 924-3860. Please include the PA# with your inquiry.

December 22, 2021

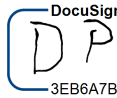
City of Albuquerque
Planning Department
600 Second Street NW
Albuquerque, NM 87102

RE: Application for Zone Map Amendment, 57th Street and Quail Road

To whom it may concern,

This letter authorizes Consensus Planning, Inc. to act as agent for all matters related to the entitlement and development of the property legally described as *Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West containing .6464 acres*. Lava Partners is the owner of the property.

Respectfully,

DocuSigned by:

3EB6A7BBD6F1493...

Donald Power

Partner

December 22, 2021

City of Albuquerque
Planning Department
600 Second Street NW
Albuquerque, NM 87102

RE: Application for Zone Map Amendment, 57th Street and Quail Road

To whom it may concern,

As the contract purchaser of the property legally described as *Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West containing .6464 acres*, I authorize Consensus Planning, Inc. to act as my agent for all matters related to the entitlement and development of this property.

Respectfully,

Gary Hines
5300 High Canyon Trail
Albuquerque, NM 87111

Gary Hines 12/23/21



City of Albuquerque

Planning Department
Development Review Services Division

Traffic Scoping Form (REV 12/2020)

Project Title: 57th and Quail ZMA **Building Permit #:** _____ **Hydrology File #:** _____
Zone Atlas Page: H-11-Z **DRB#:** _____ **EPC#:** _____ **Work Order#:** _____
Legal Description: Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West containing .6464 acres.
City Address: 99999 57th Street, NW

Applicant: Agent: Consensus Planning, Inc. / Applicant: Gary Hines **Contact:** Charlene Johnson, Planner
Address: 302 8th Street, NW
Phone#: (505) 764-9801 **Fax#:** (505) 842-5495 **E-mail:** johnson@consensusplanning.com

Development Information

Build out/Implementation Year: _____ **Current/Proposed Zoning:** PD / MX-M

Project Type: New: ☒ Change of Use: ☐ Same Use/Unchanged: ☐ Same Use/Increased Activity: ☐

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

Describe development and Uses:

Restaurant

Days and Hours of Operation (if known): _____

Facility

Building Size (sq. ft.): _____

Number of Residential Units: _____

Number of Commercial Units: _____

Traffic Considerations

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 57th Street NW

Adjacent Roadway(s) Posted Speed:	<u>Street Name</u> <u>Quail Road</u>	<u>Posted Speed</u>	<u>Unknown</u>
	<u>Street Name</u> <u>57th Street</u>	<u>Posted Speed</u>	<u>30 mph</u>

* 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: 57th St. and Quail Rd. / Urban Major Collector
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: None
(urban center, employment center, activity center)

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

Adjacent Roadway(s) Traffic Volume: 1996-2004 / 58,331 Volume-to-Capacity Ratio: _____
(if applicable)

Adjacent Transit Service(s): Coors Blvd. Rt 96 Nearest Transit Stop(s): 1,043 feet

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: Proposed Bike Lane on 57th Street
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: N/A

Relevant Web-sites for Filling out Roadway Information:

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

Comprehensive Plan Corridor/Designation: <https://abc-zone.com/document/abc-comp-plan-chapter-5-land-use> (map after Page 5-5)

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 ☒ Borderline []

Thresholds Met? Yes [] No ☒

Mitigating Reasons for Not Requiring TIS: _____ Previously Studied: []

Notes: When the site is developed Traffic Scoping will need to be revisited to determine the requirement for a TIS.

 P.E.

TRAFFIC ENGINEER

1/3/2022

DATE

Submittal

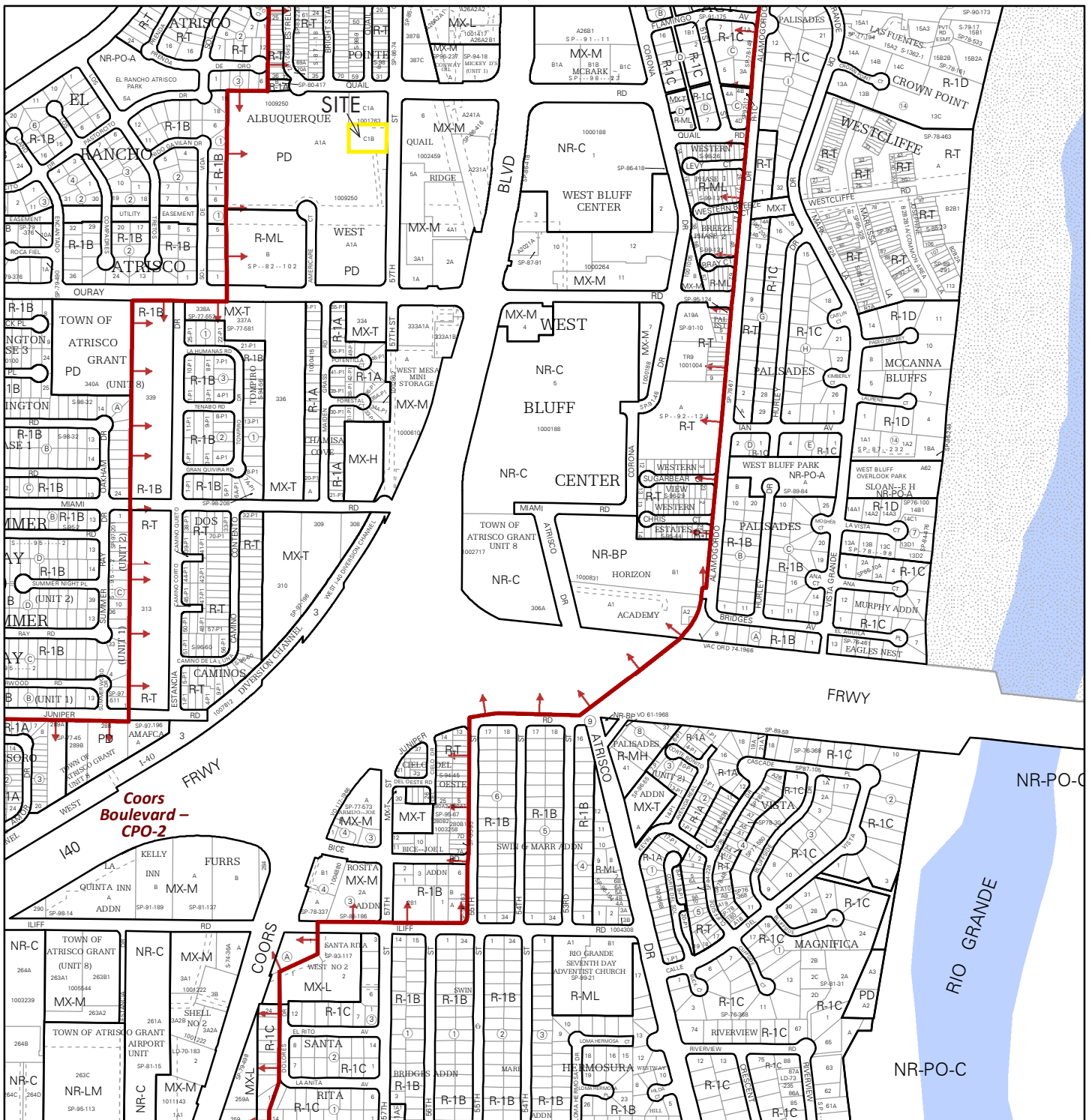
The Scoping Form must be submitted as part of any building permit application, DRB application, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to the City Traffic Engineer mgrush@cabq.gov . Call 924-3362 for information.

Site Plan/Traffic Scoping Checklist

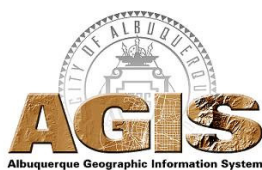
Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:

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 v/c ratio on this form.

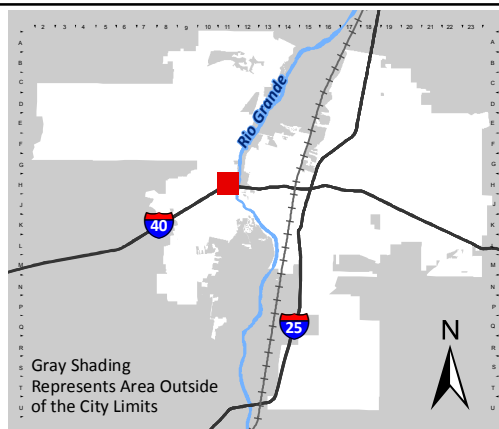


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

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:

H-11-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

0 250 500 1,000 Feet



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

February 1, 2022 (*replaces January 6, 2022 letter*)

Tim MacEachen, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

RE: Zoning Map Amendment; 57th Street and Quail Road, NW

Dear Mr. Chairman:

The purpose of this letter is to provide justification for a Zoning Map Amendment and removal of the subject property from an existing Site Plan for Subdivision. The property is located one parcel south of the southwest corner of 57th Street and Quail Road. The legal description of the subject property is *Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West containing .6464 acres.*



Subject property.

PRINCIPALS

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

REQUEST

The Applicant is requesting a zone change from PD to MX-M on a currently vacant parcel. The subject property does not meet the Integrated Development Ordinance's (IDO) intent of the PD zone, which is *"to accommodate small-and medium-scale innovative projects that cannot be accommodated through the use of other zone districts"*. The intent of the

Applicant is to develop a restaurant, which is more consistent with the purpose of the MX-M zone; to *"provide for a wide array of moderate-intensity retail, commercial, institutional, and moderate-density residential uses"*.

As part of this application, the Applicant is also requesting to exclude this parcel from the approved 2005 Site Development Plan for Subdivision (PR-1001763) and instead have it subject to IDO standards and the Site Plan Administrative process.

PLANNING CONTEXT

The subject property is approximately .64 acres in size, zoned Planned Development (PD), and currently vacant. It is within the West Mesa Community Planning Area, an Area of Change, and the Coors Boulevard Major Transit Corridor, as designated by the ABC Comprehensive Plan. It is also located within the Coors Boulevard Character Protection Overlay Zone (CPO-2) and is just west of the Coors/I-40 Activity Center. 57th Street and Quail Road are both Urban Major Collectors. The area is characterized by higher density residential and moderate intensity commercial uses west of Coors Boulevard.

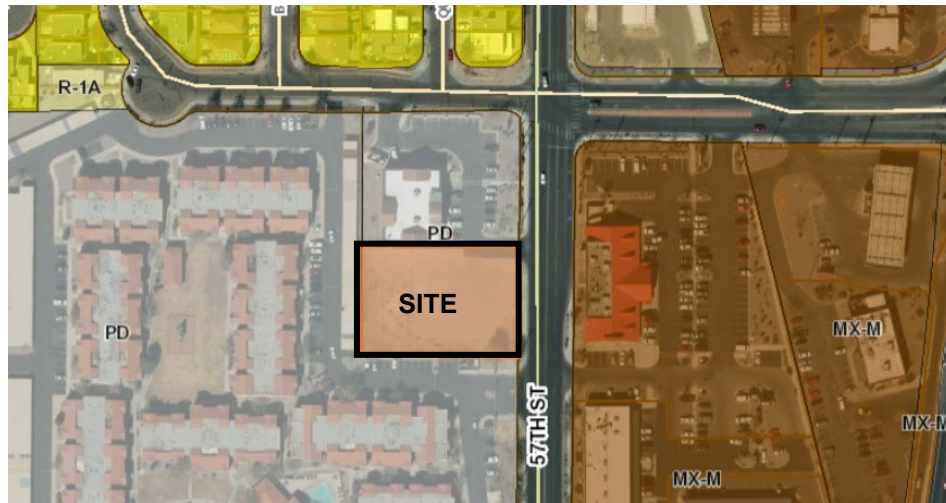


Subject property facing 57th Street.

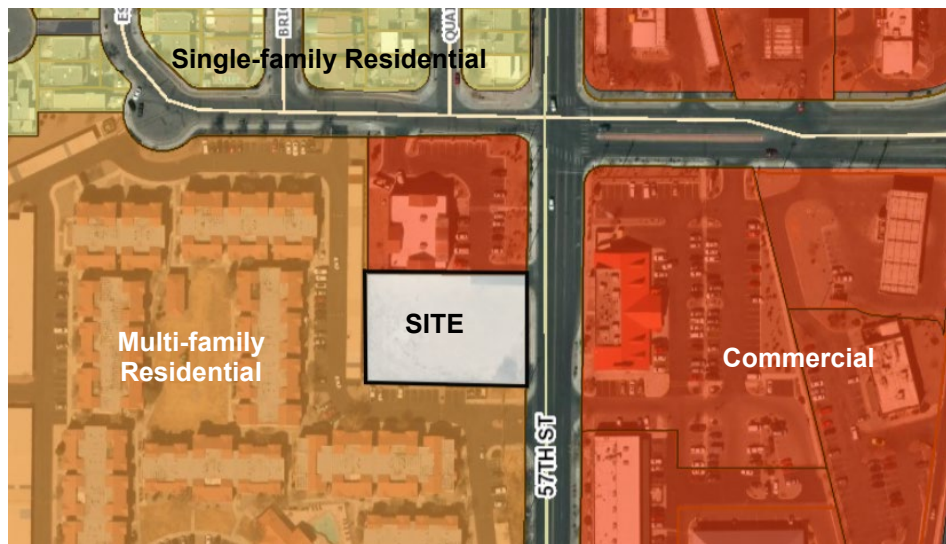


View looking north.

The lots surrounding the subject property to the north, west, and south are zoned PD. To the north is an Auto Zone store. Directly adjacent to the south and west is a large, multi-family development. To the east and north across 57th Street are properties that are zoned MX-M and developed with restaurants and commercial retail.



Surrounding Zoning.



Surrounding Land Use.

TABLE 1. SURROUNDING ZONING & LAND USE		
NORTH	PD	Commercial Retail, Single-Family
EAST	MX-M	Commercial Retail and Services
SOUTH	PD	Multi-family Residential
WEST	PD	Multi-family Residential

ZONING MAP AMENDMENT JUSTIFICATION

The zone change from PD to MX-M will benefit the surrounding neighborhood by providing greater certainty and stability in land use, allowing land uses similar to existing development, and ensuring that future development will meet IDO Development Standards. This request is supported by Comprehensive Plan goals and policies and meets the requirements for a Zoning Map Amendment – EPC per *IDO Section 14-16-6-7(G)* as described below:

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 by furthering a preponderance of applicable goals and policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City. The following policy analysis demonstrates that the proposed zone change is advantageous to the surrounding neighborhood and the City as a whole.

As shown in the policy analysis below, the requested zone change will support the intent of the ABC Comprehensive Plan by allowing for the development of an infill property in an area with services and public facilities, promote a stable land use pattern, and encourage development in an Area of Change and near Centers and Corridors.

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

Applicant Response: The proposed zone change to MX-M furthers Policy 5.2.1 by allowing appropriate land uses on the vacant subject property that will be conveniently accessible from the surrounding neighborhood. The zone change will increase the potential for development of this vacant property by allowing commercial uses, such as a restaurant, bank, office, and small general retail, similar to the existing uses in Quail Plaza and the surrounding area, but at a smaller scale. The subject property is conveniently accessed from surrounding neighborhoods via Quail Road, Coors Boulevard, and from travelers on I-40. The zone change will contribute to a sustainable community by providing for the development of a vacant parcel along the Urban Major Collector of 57th Street.

Sub-policy n): *Encourage more productive use of vacant lots and under-utilized lots, including surface parking.*

Applicant Response: The proposed zone change furthers Sub-policy n by allowing uses at an appropriate intensity for the area on a vacant parcel near the intersection of Quail Road and 57th Street and other commercial developments. The relatively small size of the subject property and the current PD zone limits the potential for develop. The zone change will increase potential for development of this vacant property.

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.*

Applicant Response: The zone change will further this goal by allowing for the development of a vacant property with existing infrastructure. The approved Site Plan for Subdivision shows existing infrastructure near the subject property. The zone change will help foster the development of a vacant property to support the public good and contribute to this active commercial area.

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

Applicant Response: The zone change furthers Policy 5.3.1 by encouraging growth of commercial uses on a site with existing infrastructure. The existing infrastructure includes water and sewer services, paved streets and sidewalks, and dry utilities. Public facilities in the surrounding area that will support this development include El Rancho Atrisco Park and Ladera Golf Course to the west and an ABCWUA facility located to the southwest.

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

Applicant Response: Sub-policy h is furthered by the zone change by through the development of an existing vacant property with MX-M uses that will meet the IDO Development Standards for this zone. The relatively small size of this subject parcel combined with the MX-M and Use-specific Standards ensures all development will be compatible in form and scale to the immediate surrounding development of commercial and multi-family uses.

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

Applicant Response: The zone change furthers Policy 5.6.2 for Areas of Change by developing a site within the Coors Boulevard Major Transit Corridor and just west of the Coors / I-40 Activity Center. The requested zone change to MX-M will allow commercial development in this area where it is encouraged.

Policy 7.3.4 Infill: *Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.*

Applicant Response: The zone change to MX-M will further Policy 7.3.4 because it will enhance the built environment through the development of a vacant lot that will later be subject to the IDO Development Standards for the MX-M zone and Use-specific Standards. The subject property will also be developed under the Coors Boulevard View Protection Overlay Zone, which includes requirements for colors and materials.

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 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: This criterion does not apply as the subject property is located within in an Area of Change.

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 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 requested Zone Map Amendment is applicable to Criterion #3. The MX-M zone is more advantageous to the community than the PD zone as articulated in the ABC Comprehensive Plan. The zone change from PD to MX-M will create a more consistent and stable land use pattern by allowing for permissive uses that are applicable to other MX-M zoned properties in the vicinity. The pre-IDO zoning of SU-1 PRD and C-1 Permissive Uses and the approved Site Plan for Subdivision demonstrate the commercial intent for this property. The development of a vacant property in this active commercial area will further Comprehensive Plan goals and policies regarding efficient land uses, infill development, and directing growth to centers and corridors where it is encouraged.

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 associated with that use will adequately mitigate those harmful impacts.*

Applicant Response: The requested zoning of MX-M will not include permissive uses that will be harmful to adjacent properties as it will be required to meet any applicable design criteria in the IDO Use-specific Standards. The existing PD zone allows for all the permissive uses in the MX-M zone according to IDO Section 2-6(A)(4)(a). It states that *"the PD zone district may contain any combination of uses listed in Table 4-2-1, provided that those uses do not create significant adverse impacts on nearby existing neighborhoods, City parks or trails, or Major Public Open Space."*

According to this definition, the PD zone could be allowed to contain a use that is more intense than allowed in the MX-M zone if it is approved by the EPC. The change of zoning and abandonment of the approved Site Plan for Subdivision will allow for a defined set of permissive land uses on the site.

If a zone change is approved for the subject property, the permissive uses in MX-M zone that may impact surrounding properties and neighborhoods include Bar, Nightclub, and Car Wash. IDO Section 14-16-4-3 provides Use-specific Standards that mitigate potential harmful impacts from these uses to residential development. Setbacks and landscape

buffers will be incorporated, and the development will be required to comply with IDO Standards in *Section 5-5(I) for Vehicle Stacking and Drive-Through or Drive-up Facilities*. It should be noted that the subject property line is separated from adjacent multi-family residential units by approximately 63 feet on the south and 83 feet on the west.

In addition to the Use-specific Standards, development on the subject property is subject to IDO Section 3-4(C) for Coors Boulevard CPO-2 Standards, which will mitigate the impact of the future project to the surrounding residential development. The building will not exceed the height limitation of 48 feet in the underlying MX-M zone, per Section 3-4(C)(4). The development will comply with 3-4(C)(5)(d) Outdoor Lighting, restricting fixtures to 20-foot maximum height above finished grade. It will also comply with 3-4(C)(5)(e) for Architectural Design and Details, which dictates the use and quantity of accent colors, design and integration of parapets, and screening of mechanical equipment from public view. Section 3-4(C)(5)(f) 1 and 2 Signs, dictates the type, size, area, and height for signage in the area and specifically for MX and non-residential zones.

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 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 (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: As an infill parcel in an area with adequate infrastructure capacity, this request for a zone change will not require additional infrastructure beyond those already available on the site. Jeanne Wolfenbarger, City Transportation Manager, was consulted prior to this application regarding access from 57th Street. Upon her review of the Site Plan for Subdivision, it was determined that full access is allowed at the site and will not require infrastructure improvements.

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 Response: The Applicant's justification for the Zoning Map Amendment request is not based on the property's location along a major street. The subject property is located on 57th Street, an Urban Major Collector. The closest major street is Coors Boulevard, an urban principal arterial, located less than a half mile to the east. The approved Site Plan for Subdivision and the pre-IDO zoning allowed for commercial development on the subject property. The existing Auto Zone store developed under the previous zoning and Site Plan for Subdivision.



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

Applicant Response: The cost of land or other economic considerations are not the determining factor for this zone change request. The Applicant has determined that the location of the property, near other uses of similar intensity, is a good location for his intended purpose.

6-7(G)(3)(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 requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:*

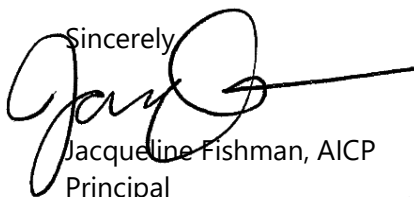
- 1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.*
- 2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.*
- 3. The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

Applicant Response: This request for a zone change from PD to MX-M does not create a spot zone on the subject property, rather it will create zoning that is consistent with MX-M zoned properties across 57th Street to the east. The MX-M zone is the appropriate zone for this property and will provide a more stable and predictable land use pattern for the area.

CONCLUSION

The request for a Zoning Map Amendment from PD to MX-M is justified based on the policy analysis presented in this letter. The zone change from PD to MX-M will be more advantageous for the community because it will allow for the development of an infill property as a commercial use similar in size and scale to the surrounding MX-M properties to the east. The existing PD zoning is not appropriate for the subject property because the purpose of the PD zone is intended for development that cannot be accommodated in any other zone. The MX-M zone and removal of the subject property from the existing Site Plan for Subdivision will provide a stable land use and zoning pattern and will allow for the development of the property based on current IDO standards, which are more restrictive than the approved Site Plan for Subdivision.

On behalf of the Applicant, we respectfully request that the Environmental Planning Commission approve this request. Thank you for your consideration.

Sincerely,

Jacqueline Fishman, AICP
Principal

STAFF INFORMATION

January 24, 2022

TO: Consensus Planning
FROM: Leroy Duarte, Staff Planner
City of Albuquerque Planning Department
TEL: (505) 924-3452
RE: Project #2022-006448 RZ-2022-00006, Lava Partners Zoning Map Amendment

I am the Staff Planner reviewing your application for project #2022-006448, a zoning map amendment (zone change) for the subject site located on 57th Street and Quail Rd. between Coors Blvd. and Los Tretos Street. The zone change is from PD to MX-M to the facilitate the development of the subject site.

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

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

Please provide the following:

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

12 pm on Wednesday February 2, 2022.

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

1) Introduction:

A. Though I've done my best for this review, additional items may arise as the case progresses. If so, I will inform you as soon as I can.

2) Resources/Process:

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

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

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

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

- C. Timelines and EPC calendar: these are unclear as of this writing. The EPC public hearing for February is scheduled for the 17th. Final staff reports will be available one week prior to the hearing.
- D. Agency comments will be distributed around late January. I will email you a copy of the comments (if any are provided) and will forward any late ones to you.

3) Notification:

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

- A. Have any meetings occurred about the proposed project? Please tell me about them and provide documentation for the record (emails, notes, etc.).

4) Neighborhood Issues:

- A. Do you anticipate that a facilitated meeting will be requested?
- B. Are you aware of any neighborhood concerns so far? As of this writing, no one has contacted me.

5) Project Letter & Major Amendment:

- A. Please consider revising policies I have found to strengthen your justification letter.
- B. Policy 5.2.1 Land Uses: Sub-policy n: Briefly describe uses that proposed zoning will bring in and its relation with the surrounding area. i.e. *“The zone change will increase potential for development of this vacant property by allowing...”*
- C. Criterion 6-7(G)(3)(d): Consider mentioning the CPO Standards to strengthen response, and how these standards could possibly enhance mitigation measures.

NOTIFICATION

Charlene Johnson

From: Charlene Johnson
Sent: Monday, December 20, 2021 8:57 AM
To: aboard111@gmail.com; ekhaley@comcast.net
Cc: Jackie Fishman
Subject: Pre-Application Meeting Notification - 57th and Quail ZMA
Attachments: Pre-Application Neighborhood Notification Packet - 57th and Quail.pdf

Tracking:	Recipient	Delivery
	aboard111@gmail.com	
	ekhaley@comcast.net	
	Jackie Fishman	Delivered: 12/20/2021 8:57 AM

Dear Neighbors,

This email is to inform you that Consensus Planning is preparing an application for a Zone Map Amendment on behalf of Stripes Restaurant, for a vacant property near the southwest corner of 57th Street and Quail Road, NW (see Zone Atlas page attached). The legal description for the property is *Tract C-1-B Plat of Tracts C-1-A & C-1-B Albuquerque West containing .6464 acres*. The site is currently zoned Planned Development (PD). The Applicant will be requesting a Zone Map Amendment to MX-M, which is consistent with properties to the east.

Per IDO requirements, this email provides an opportunity to request a meeting prior to the application submittal. If you would like to meet, please email myself or Jackie Fishman, fishman@consensusplanning.com, within 15 days, January 4, 2022.

Attached: Neighborhood Pre-Application Packet

Sincerely,

Charlene Johnson, Planner
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
505 764.9801
johnson@consensusplanning.com

**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: **Zone Map Amendment**

Decision-making Body: Environmental Planning Commission (EPC)

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

PART II – DETAILS OF REQUEST

Address of property listed in application: 99999 57th Street, NW

Name of property owner: Lava Partners

Name of applicant: Applicant: Stripes Restaurant / Agent: Consensus Planning, Inc.

Date, time, and place of public meeting or hearing, if applicable:

To be determined.

Address, phone number, or website for additional information:

Jackie Fishman, fishman@consensusplanning.com or Charlene Johnson, johnson@consensusplanning.com or at (505) 764-9801

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.


☒ Drawings, elevations, or other illustrations of this request.

☐ Summary of pre-submittal neighborhood meeting, if applicable.

☒ 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.

 (Applicant signature) December 20, 2021 (Date)

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

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



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

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

N/Aa. Location of proposed buildings and landscape areas.

N/Ab. Access and circulation for vehicles and pedestrians.

N/Ac. Maximum height of any proposed structures, with building elevations.

N/Ad. For residential development: Maximum number of proposed dwelling units.

N/Ae. For non-residential development:

- ☐ Total gross floor area of proposed project.
- ☐ Gross floor area for each proposed use.

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

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

Date of Request*: December 20, 2021

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

Neighborhood Association (NA)*: See attached Public Notice Inquiry

Name of NA Representative*: See attached Public Notice Inquiry

Email Address* or Mailing Address* of NA Representative¹: See attached Public Notice Inquiry

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

Email address to respond yes or no: johnson@consensusplanning.com or fishman@consensusplanning.com

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

Meeting Date / Time / Location:

No date is specified by Applicant.

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

1. Subject Property Address* 99999 57th Street, NW
Location Description Vacant lot on southwest corner of 57th Street and Quail Road, NW
2. Property Owner* Lava Partners
3. Agent/Applicant* [if applicable] Jackie Fishman, Principal, Consensus Planning (Agent)/Stripes Restaurants
(Applicant)
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)

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

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

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

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

Summary of project/request^{3*}:

Zone map amendment from PD to MX-M.

5. This type of application will be decided by^{*}: ☐ City Staff
- OR at a public meeting or hearing by:
- | | |
|--|---|
| <input type="checkbox"/> Zoning Hearing Examiner (ZHE) | <input type="checkbox"/> Development Review Board (DRB) |
| <input type="checkbox"/> Landmarks Commission (LC) | <input checked="" type="checkbox"/> Environmental Planning Commission (EPC) |
| <input type="checkbox"/> City Council | |

6. Where more information about the project can be found^{*4}:

Please contact Jackie Fishman, fishman@consensusplanning.com or Charlene Johnson, johnson@consensusplanning.com or at (505) 764-9801

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

1. Zone Atlas Page(s)^{*5} H-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:

<input type="checkbox"/> Deviation(s)	<input type="checkbox"/> Variance(s)	<input type="checkbox"/> Waiver(s)
---------------------------------------	--------------------------------------	------------------------------------

Explanation:

None requested.

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

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

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

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

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

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

N/A a. Location of proposed buildings and landscape areas.*

N/A b. Access and circulation for vehicles and pedestrians.*

N/A c. Maximum height of any proposed structures, with building elevations.*

N/A d. **For residential development***: Maximum number of proposed dwelling units.

N/A e. **For non-residential development***:

☐ Total gross floor area of proposed project.

☐ Gross floor area for each proposed use.

Additional Information:

1. From the IDO Zoning Map⁶:

a. Area of Property [typically in acres] .6464

b. IDO Zone District Planned Development (PD)

c. Overlay Zone(s) [if applicable] Coors Boulevard - CPO 2

d. Center or Corridor Area [if applicable] Coors Boulevard Major Transit Corridor

2. Current Land Use(s) [vacant, if none] Vacant

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

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

From: [Carmona, Dalaina L.](#)
To: [Charlene Johnson](#)
Subject: 99999 57th St. NW Public Notice Inquiry
Date: Tuesday, December 14, 2021 4:31:07 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image006.png](#)
[Zone Atlas Highlighted Update H-11-7 PDF](#)

Dear Applicant:

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

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120		5058982114
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	ekhaley@comcast.net	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	

PLEASE NOTE: 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.

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit: <https://www.cabq.gov/planning/urban-design-development/public-notice>. The Checklist form you need for notifying neighborhood associations can be found here: https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf. The Administrative Decision form you need for notifying neighborhood associations can be found here: <https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>

Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

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

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thanks,



Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department

1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334

dlcarmona@cabq.gov or ONC@cabq.gov

Website: www.cabq.gov/neighborhoods



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

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

Sent: Tuesday, December 14, 2021 3:25 PM

To: Office of Neighborhood Coordination <johnson@consensusplanning.com>

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

Subject: Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Charlene Johnson

Telephone Number

5057649801

Email Address

johnson@consensusplanning.com

Company Name

Consensus Planning

Company Address

302 8th Street NW, 3rd Street and Lomas, Universe St. and Paseo del Norte Blvd.

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

TR C-1-B PLAT OF TRACTS C-1-A & C-1-B ALBUQUERQUE WEST CONT .6464 AC

Physical address of subject site:

99999 57th St. NW

Subject site cross streets:

Quail Rd. and 57th Street

Other subject site identifiers:

This site is located on the following zone atlas page:

H-11-Z

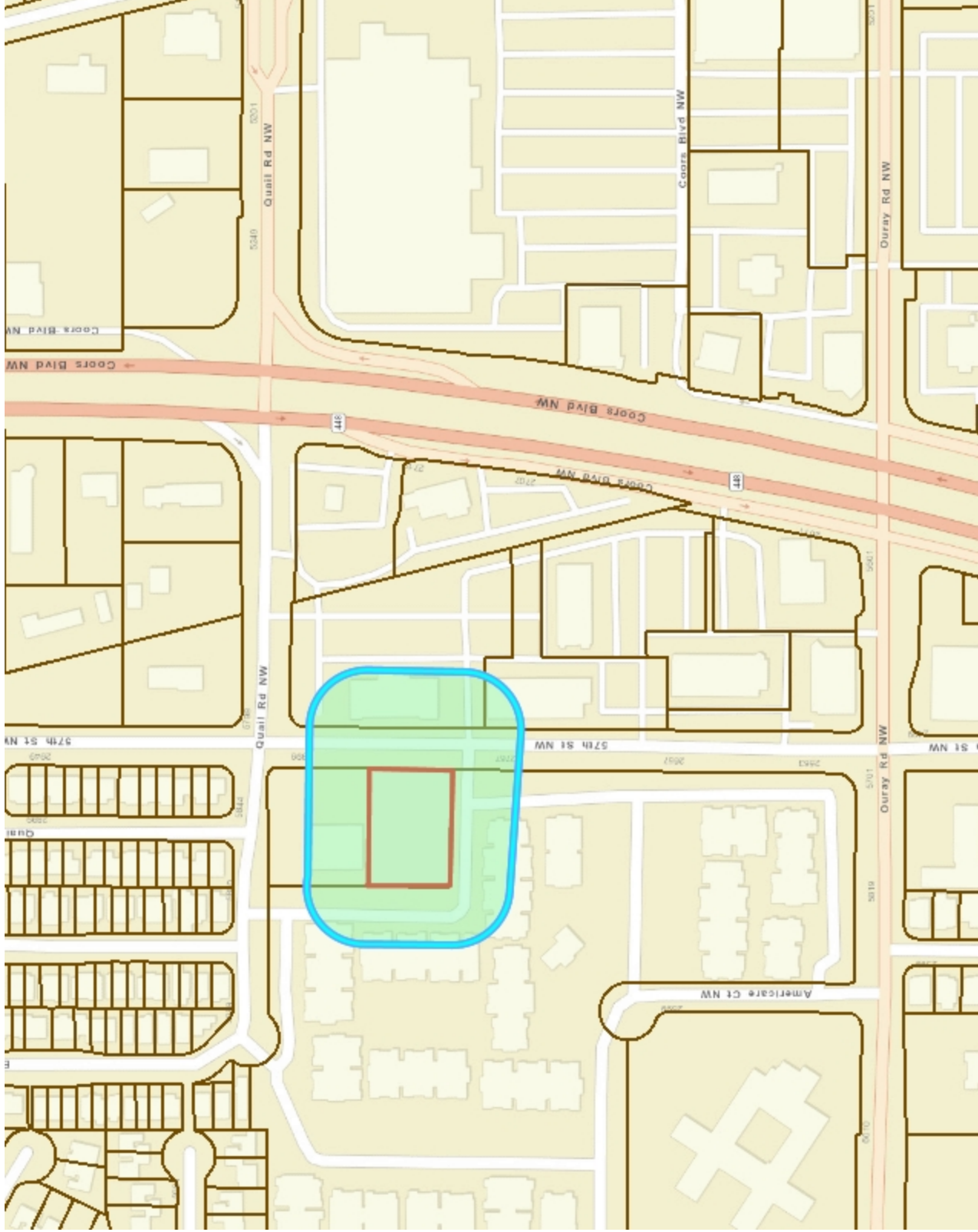


100-foot buffer

Legend

- Bernalillo County Parcels
- Municipal Limits
 - Corrales
 - Edgewood
 - Los Ranchos
 - Rio Rancho
 - Tijeras
 - UNINCORPORATED
- World Street Map

Notes



100-Foot Buffer Addresses - 57th and Quail ZMA

Owner	Owner Address	Owner Address 2
LAVA PARTNERS	9608 TANOAN DR NE	ALBUQUERQUE NM 87111-5837
AUTO ZONE STORES INC C/O DEPT 8700	PO BOX 2198	MEMPHIS TN 38101-2198
JUAREZ ALBCOORS LLC	5207 SAN MATEO BLVD NE	ALBUQUERQUE NM 87109-2414
QUAIL PLAZA PARTNERS LLC	1155 KELLY JOHNSON BLVD SUITE 302	COLORADO SPRINGS CO 80920-3932
CR VILLA HERMOSA COMMUNITIES LLC	444 W BEECH ST SUITE 300	SAN DIEGO CA 92101-2942

7020 1810 0000 8282 1516

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Albuquerque, NM 87111

Certified Mail Fee \$3.75
 \$3.05
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Post \$7.38

Sent To LAVA PARTNERS
 Street and 9608 TANOAN DR. NE
 City, State ALBUQUERQUE, NM 87111-5837

PS Form

Instructions

7020 1810 0000 8282 1523

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Memphis, TN 38101

Certified Mail Fee \$3.75
 \$3.05
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total P \$7.38

Sent To AUTO ZONES STORES, INC.
 Street C/O DEPT. 8700
 City, State PO BOX 2198
 MEMPHIS, TN 38101-2198

PS Form

Instructions

7020 1810 0002 2787 6456

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

San Diego, CA 92101

Certified Mail Fee \$3.75
 \$3.05
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Post \$7.38

Sent To CR VILLA HERMOSA
 Street and COMMUNITIES, LLC.
 City, State 444 W. BEECH ST. SUITE 300
 SAN DIEGO, CA 92101-2942

PS Form

Instructions

7020 1810 0002 2787 6449

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Colorado Springs, CO 80920

Certified Mail Fee \$3.75
 \$3.05
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Post \$7.38

Sent To QUAIL PLAZA PARTNERS, LLC.
 Street and 1155 KELLY JOHNSON BLVD. SUITE 302
 City, State COLORADO SPRINGS, CO. 80920-3932

PS Form

Instructions

7020 1810 0002 2787 6432

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Albuquerque, NM 87109

Certified Mail Fee \$3.75
 \$3.05
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Post \$7.38

Sent To JUAREZ ALBCOORS, LLC
 Street and 5207 SAN MATEO BLVD NE
 City, State ALBUQUERQUE, NM 87109-2414

PS Form

Instructions



Track Another Package +

Tracking Number: 70201810000227876449

Your item was delivered to the front desk, reception area, or mail room at 1:24 pm on January 10, 2022 in COLORADO SPRINGS, CO 80920.

USPS Tracking Plus™ Available ▼

Delivered, Front Desk/Reception/Mail Room

January 10, 2022 at 1:24 pm
COLORADO SPRINGS, CO 80920

Get Updates ▼

Text & Email Updates ▼

Tracking History ▼

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Colorado Springs, CO 80920

Certified Mail Fee \$3.75

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

☐ Return Receipt (hardcopy) \$0.00

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.58

Total Postage \$7.38

Sent To QUAIL PLAZA PARTNERS, LLC.

Street at 1155 KELLY JOHNSON BLVD. SUITE 302

City, State COLORADO SPRINGS, CO. 80920-3932

PS Form 3800, April 2019

01/06/2022

Postmark Here

0101 14

Feedback

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. 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. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public 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 at a charge of \$3.75 each.

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 _____ To _____

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.

(Applicant or Agent)

(Date)

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

PROJECT NUMBER: _____

LETTERS

From: [Jackie Fishman](#)
To: [Duarte, Leroy D.](#)
Subject: FW: ZMA request
Date: Thursday, January 27, 2022 2:18:34 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.
Leroy -

See the email string below.

Jacqueline Fishman, AICP
Principal
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102
P: 505.764.9801

-----Original Message-----

From: SRMNA <info@srmna.org>
Sent: Friday, January 14, 2022 10:28 AM
To: Jackie Fishman <fishman@consensusplanning.com>
Cc: Charlene Johnson <Johnson@consensusplanning.com>
Subject: Re: ZMA request

Thank you for the additional information.

On 1/14/22, Jackie Fishman <fishman@consensusplanning.com> wrote:

> Nope, haven't ignored that fact at all. However, this site has always
> been intended for commercial development and has been subject to a
> Site Plan for Subdivision, which my office prepared in 2005 and is attached to this email.
> This site like the site to the west, had the same SU-1 for PRD (288
> units) and C-1 Permissive Uses.

>

> We are requesting a zone change at this time. The purpose of the zone
> change is to provide the appropriate zoning in general and to provide
> zoning for a restaurant with drive through - Stripes, a locally owned
> business. MX-L would accommodate the future use, but as I mentioned
> earlier, the MX-L would be a spot zone. Also keep in mind that this is a small site.

>

>

>

>

>

> Jacqueline Fishman, AICP
> Principal
> Consensus Planning, Inc.
> 302 Eighth Street NW
> Albuquerque, NM 87102
> P: 505.764.9801

>

> -----Original Message-----

> From: SRMNA <info@srmna.org>
> Sent: Friday, January 14, 2022 10:08 AM
> To: Jackie Fishman <fishman@consensusplanning.com>
> Cc: Charlene Johnson <Johnson@consensusplanning.com>

> Subject: Re: ZMA request
>
> My comment about the conversion of C-1 is that C-1 converted to MX-L.
> Instead of the erroneous PD conversion (I agree), I submit that the
> C-1 permissive uses should have converted to MX-L. You site MX-M to
> the east and ignore that to the west is a residential area.
>
> What is the planned development? Please provide that information.
> Thank you.
>
>
>
> On 1/13/22, Jackie Fishman <fishman@consensusplanning.com> wrote:
>> No, that's not correct. In this case the C-1 converted to the
>> non-specific zone of PD, totally inappropriate zoning. There is no
>> MX-L in the area, only MX-M, so a zone change to MX-L would be a spot
>> zone. As such, this is a very appropriate zone change.
>>
>> Let us know if you have any further questions.
>>
>>
>>
>> Jacqueline Fishman, AICP
>> Principal
>> Consensus Planning, Inc.
>> 302 Eighth Street NW
>> Albuquerque, NM 87102
>> P: 505.764.9801
>>
>> -----Original Message-----
>> From: SRMNA <info@srmna.org>
>> Sent: Thursday, January 13, 2022 6:14 PM
>> To: Charlene Johnson <Johnson@consensusplanning.com>
>> Cc: Jackie Fishman <fishman@consensusplanning.com>
>> Subject: Re: ZMA request
>>
>> Thank you for the follow-up. C-1 converted to MX-L not MX-M.
>> Essentially, you are seeking upzoning and obfuscating this with the
>> PD language. Correct?
>>
>>
>> On 1/13/22, Charlene Johnson <Johnson@consensusplanning.com> wrote:
>>> Ms. Ward,
>>>
>>> We consulted with ONC, and we did contact the correct neighborhood
>>> associations based on information provided by them (please see
>>> attached
>>> Public Notification Packet).
>>>
>>> You are correct, we are requesting a zone change for the vacant
>>> property south of the Auto Zone on 57th Street, a .64-acre property
>>> which is currently zoned Planned Development (PD). We are requesting
>>> a zone change to Mixed-Use Moderate (MX-M). The property was zoned
>>> PD during the IDO
>> conversion because it was previously zoned as SU-1 PRD and C-1
>> Permissive Uses, as indicated on the existing Site Plan for
>> Subdivision for the site.

>> Several properties in the area are zoned Mixed Use-Moderate Intensity
>> (MX-M), including the property to the east. The PD zone is not the
>> correct zoning for the subject property because the IDO's intent for
>> PD zoned properties is to accommodate innovative projects that cannot
>> be accommodated through other zone districts. That is not the case
>> for this property, which can be developed with a moderate intensity
>> use, similar to the property to the east. In addition, the PD zone
>> requires negotiation with and a site plan
>>> approval from the Environmental Planning Commission (EPC). The MX-M
>>> zone has clear permissive uses and Development Standards, which are
>>> more restrictive than those included on the existing Site Plan for
>>> Subdivision.
>>> The IDO also includes Use-Specific Standards above and beyond
>>> previous approvals.
>>>
>> Let us know if we can answer any other questions.
>>>
>> Attached: Public Notification Packet - 57th and Quail ZMA
>>>
>>> Best,
>>>
>>> Charlene Johnson, Planner
>>> Consensus Planning, Inc.
>>> 302 Eighth Street, NW
>>> Albuquerque, NM 87102
>>> Phone: 505 764-9801
>>>
>>> From: Jackie Fishman <fishman@consensusplanning.com>
>>> Sent: Wednesday, January 12, 2022 5:31 AM
>>> To: SRMNA <info@srmna.org>; Charlene Johnson
>>> <Johnson@consensusplanning.com>
>>> Subject: Re: ZMA request
>>>
>>> Ms. Ward -
>>>
>>> Thanks for reaching out. We will check with ONC and get back with you.
>>>
>>> Jackie Fishman, AICP
>>> Principal
>>>
>>> From: SRMNA <info@srmna.org<<mailto:info@srmna.org>>>
>>> Sent: Tuesday, January 11, 2022 9:29:52 PM
>>> To: Charlene Johnson
>>> <Johnson@consensusplanning.com<<mailto:Johnson@consensusplanning.com>>
>>> >
>>> ;
>>> Jackie Fishman
>>> <fishman@consensusplanning.com<<mailto:fishman@consensusplanning.com>>
>>> >
>>> Subject: ZMA request
>>>
>>> Dear Ms. Johnson:
>>>
>>> The SRMNA recently learned of a Zone Map Amendment request at 57th &
>>> Quail NW. As the adjacent neighbourhood association, should we have
>>> been notified? Our northern border is Ouray, and 57th & Quail is
>>> the next intersection north. Is the property of interest the vacant

>>> lot south of the AutoZone? If so, the only property separating that
>>> vacant lot and the SRMNA is a single apartment complex. Please
>>> clarify this situation and let us know what development is planned.

>>>

>>> Thank you,

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>>> Ms. Ward, President

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>>> S. R. Marmon Neighborhood Association Albuquerque, New Mexico

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