Staff Report

**Agent**
Consensus Planning

**Applicant**
City of Albuquerque

**Request**
Zoning Map Amendment

**Legal Description**
Tract B-2-A, Tower West, being comprised of Tract B-2, Tower West and a vacated portion of Tower Road Right-of-Way

**Location**
Tower Road SW between 94th Street SW and 97th Street SW

**Size**
1.27 acres

**Existing Zoning**
R-1A and R-1B

**Proposed Zoning**
MX-L

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**Summary of Analysis**

This is a request for a Zoning Map Amendment for a portion of an approximately 1.27-acre site known as Tract B-2-A, Tower West, being comprised of Tract B-2, Tower West and a vacated portion of Tower Road Right-of-Way located on the south side on Tower Rd. SW between 97th St. SW and 94th St. SW. The applicant requests a zone change for the R-1A and R-1B portion of the subject site to create a uniform zone district that matches the existing, predominate MX-L zoning on the site.

The subject site is in an Area of Consistency, as designated by the ABC Comprehensive Plan. The Zoning Map Amendment has been adequately justified pursuant to the zone change criteria in the Integrated Development Ordinance.

Property owners within 100 feet of the subject site and affected neighborhood associations (Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations, South West Alliance of Neighborhoods, and Torretta Oeste Homeowners’ Association) were notified as required. No comments have been received.

Staff recommends approval.

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**Staff Recommendation**

APPROVAL of
Project # 2019-002694
RZ-2020-00010
based on the Findings beginning on Page 22.

Staff Planner
Shawn Watson
LAND USE MAP

Note: Gray shading indicates County.

Key to Land Use Abbreviations

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

1 inch = 200 feet

Hearing Date: 7/9/2020
Project Number: PR-2019-002694
Case Numbers: RZ-2020-00010

Zone Atlas Page: L-09
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Attachments
1. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

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<th>Zoning</th>
<th>Comprehensive Plan Area</th>
<th>Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>R-T</td>
<td>Area of Consistency</td>
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<td>South</td>
<td>R-1A, R-1B</td>
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</tr>
<tr>
<td>East</td>
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<td>West</td>
<td>MX-L</td>
<td>Area of Consistency</td>
<td>Vacant, Commercial</td>
</tr>
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</table>

Request

The request is for a Zoning Map Amendment (zone change) for a portion of an approximately 1.27-acre site known as Tract B-2-A, Tower West, being comprised of Tract B-2, Tower West and a vacated portion of Tower Road Right-of-Way. The site is located on Tower Road SW between 94th Street SW and 97th Street SW.

The site is zoned MX-L (Mixed-use – Low Intensity), R-1A, and R-1B (Residential – Single-family). The Zoning Map Amendment request applies to a portion of the former Tower Rd. Right-of-Way (ROW) zoned R-1A and R-1B. IDO Subsection 6-6(K)(2)(f) indicates that when the City of Albuquerque (COA) vacated the Tower Rd. ROW, the abutting zone boundaries extended to the centerline of the former ROW—that is, the northern portion of the former ROW received a zone designation of MX-L and the southern portion of the former ROW received the designations of R-1A and R-1B.

The applicant is requesting a zone change from R-1A and R-1B to MX-L to give this parcel a uniform zone designation since the subdivided portion to the north already has MX-L zoning.

EPC Role

The Environmental Planning Commission (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 subject site is 20 acres or greater in size (in which case the EPC is a recommending body) or 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 subject site is approximately 1.27 acres and is undeveloped.

The site is predominately surrounded by single-family residential subdivisions (to the north, south, and east) with a mix of R-T, R-1A, and R-1B zone districts. The parcel west of the subject site, across 97th St. SW, is vacant with MX-L zoning. The site that abuts that property to the west is also zoned MX-L and has an existing retail use. There are a few parcels zoned MX-T near the intersection of Tower Rd. SW and 98th St SW.

**History**

The subject site was part of a larger annexation in 1981 (AX-80-19, Z-80-76), which consisted of Lots 440, 441, and 442, Town of Atrisco Grant, Unit 3. Upon annexation, this area received an R-D (Residential – Developing) zone designation from the old Zoning Code.

In 2019, the applicant, City of Albuquerque, went to the Development Review Board (DRB) for a DRB Sketch Plat/Plan Review and Comment (PR-2019-002694, PS-2019-00065) then followed that with a request for a Vacation of Public Easement or Right-of-Way - Council (PR-2019-002694, PS-2019-00147) for the approximately 1.27-acre site. City Council approved the Tower Rd. ROW vacation on November 4, 2019.

The northern portion of the subject site, formerly known as Tract B-2, was subdivided at the DRB with a Subdivision of Land – Minor and Preliminary/Final Plat Approval in December 2019 (PR-2019-002694, PS-2019-00213). The site currently consists of the subdivided portion at the corner of 97th St. and Tower Rd. SW, which is approximately 0.54 acres and is zoned MX-L, and the former Tower Rd. ROW, which is approximately 0.72 acres. The portion of the subject site that was former ROW received the abutting zone district designations upon vacation—that is, MX-L for the northern portion to match the existing MX-L zoning on the site and R-1A and R-1B for the southern portion since that portion of the property abuts a neighborhood to the south with those zone designations.

The plat was recorded in April 2020, and the entire 1.27-acre subject site has not yet been mapped in the City’s Advanced Map Viewer. The northern portion of the site is currently mapped, but the portion that was formerly Tower Rd. ROW has not yet been added.

**Transportation System**

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), includes existing roadways and future recommended roadways along with their regional role. The portion of Tower Road adjacent to the subject site is designated as a Major Collector, and 98th Street, less than 1/8 mile west of the site, is designated as a Community Principal Arterial.
Comprehensive Plan Corridor Designation

The subject site is not located along any Corridors as designated by the ABC Comprehensive Plan (Comp Plan).

Trails/Bikeways

The Long Range Bikeway System (LRBS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies existing and proposed trails. The LRBS shows an Existing Bicycle Lane on Tower Rd.

Transit

ABQ Ride Route #54 (Bridge-Westgate) serves the subject site on Tower Rd. This route offers service Monday through Saturday with a peak frequency of 45 minutes during the weekdays and 60-minute peak frequency on Saturdays. The subject site is also less than an 1/8 of a mile from ABQ Ride’s Route #198 on 98th St., which has weekday and weekend service with a peak frequency of 30 minutes.

Public Facilities/Community Services

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

II. ANALYSIS OF APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Definitions

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

Zoning

The subject site is currently zoned MX-L, R-1A, and R-1B. The request applies to the portion zoned R-1A and R-1B, which was assigned automatically upon vacation of the former Tower Rd. ROW. Specific permissive uses for R-1 are listed in Table 4-2: Allowable Uses, IDO p. 130.

The request proposes to change the portion zoned R-1A and R-1B to MX-L. The MX-L zone district provides an array of uses, including townhouses, low-density multi-family residential dwellings, retail and commercial uses, and civic and institutional uses to serve the surrounding area. Specific permissive uses for MX-L are listed in Table 4-2 of the IDO.
Character Protection Overlay

There are no applicable Historic or Character Protection Overlays on the site.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. Applicable goals and policies are listed below. The goals and policies listed below are cited by the applicant in the zone change justification letter dated June 29, 2020 (see attachment). When a goal or policy is listed and is not applicable, it is because the applicant included it in the zone change justification letter.

Note: Applicant’s Justification is in indented *italics*; Staff’s Analysis is indented **bold** text.

Chapter 4: Community Identity

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

The request furthers this goal by allowing for a more productive use of vacant land that will enhance the existing residential development by creating a more developable local shopping node for the adjacent residential neighborhoods.

The request would facilitate the development of the subject site while protecting and preserving this community; this primarily low-density residential community on Albuquerque’s West Side has the potential to become a distinct community. Regardless, future development would be subject to IDO requirements established to enhance, protect, and preserve communities, such as Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2). Future development of the site per the MX-L zone district could help create a more complete community (see Goal 5.2). The request furthers Goal 4.1 - Character.

Policy 4.1.2: Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request furthers this policy because it will allow for more permissive residential and commercial uses to allow for the appropriate type and scale of land uses conducive to quality development that is appropriate and cohesive within the current context and development of adjacent properties.

The request would facilitate the development of the subject site while ensuring appropriate scale, location, and uses. Future development would be subject to IDO requirements established specifically to protect the identity and cohesiveness of adjacent neighborhoods, which are intended to remain stable: Neighborhood Edges
(14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2). The request furthers Policy 4.1.2 - Identity and Design.

Policy 4.1.4: Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The request furthers this policy because it will enhance, protect, and preserve the current residential neighborhoods by allowing for better opportunities for residential and commercial development that will be required to meet the “neighborhood edge” provision of the IDO between the current R-1A and R-1B zoning to the south and east as shown on Table 2.

The request would protect and preserve the adjacent neighborhood because the MX-L zone district requires future development to be subject to IDO requirements established to protect neighborhoods, such as Neighborhood Edges (14-16-5-9) and buffer landscaping (14-16-5-6(E)). The Neighborhood Edges provision sets out protections for building height, screening and buffering, and parking, drive-throughs, and loading areas. The request furthers Policy 4.1.4 – Neighborhoods.

Chapter 5: Land Use

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

The request furthers this goal because it will expand the permissive uses for retail and commercial development that can support and foster the adjacent residential neighborhoods with businesses that can facilitate opportunities to live, work, and shop in the neighborhood.

The request to rezone a portion of the subject site to match the MX-L zoning of the majority of the site would allow a greater range of uses than the current zone. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs with primary land uses such as non-destination retail and commercial uses as well as institutional and civic uses and low-density residential uses. New commercial, institutional, and low-density residential uses could develop on the subject site and help strengthen the community by providing more opportunities where residents can live, work, learn, shop, and play together. The request furthers Goal 5.2 – Complete Communities.

Subpolicy 5.2.1.a: Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request furthers this policy by allowing for permissive uses that could provide more retail development options to be located near the existing neighborhoods, discouraging more automobile travel.
The request encourages development that could bring goods, services, and amenities by permissively allowing potential commercial and institutional uses. MX-L also permissively allows some residential uses, which may not fully further this policy. MX-L zoning on the subject site would allow for goods, services, and amenities to be within walking and biking distance of nearby neighborhoods. The request furthers Subpolicy 5.2.1.a.

Subpolicy 5.2.1.e: Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request furthers this policy by allowing for more commercial development options that would be centrally located near large expanses of existing residential neighborhoods with convenient access off 98th Street and Tower Road SW.

The request would permissively allow commercial uses that the current R-1 zoning does not allow. The potential mix of uses, if the site develops with commercial uses, would be conveniently accessible from the surrounding neighborhoods. However, because MX-L permissively allows for some residential uses, the request does not ensure that a mix of uses would happen on the site. The request furthers Subpolicy 5.2.1.e.

Subpolicy 5.2.1.h: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediate surrounding development.

The request furthers this policy by allowing for more permissive residential and commercial uses as the MX-L provides for neighborhood-scale convenience shopping needs.

The request does encourage infill development that could add complementary uses and would be compatible to the surrounding neighborhood. The MX-L zone district is a lower intensity mixed-use zone, and future development would be subject to IDO requirements established to ensure compatibility in form and scale, such as: Neighborhood Edges (14-16-5-9) and mixed-use zone dimensional standards (Table 5-1-2). The request furthers Subpolicy 5.2.1.h.

Subpolicy 5.2.1.k: Discourage zone changes to detached single-family residential uses on the West Side.

The request furthers this policy by discouraging single-family residential uses adjacent to Tower Road since MX-L zoning does not include single-family residential as a permissive use.

Single-family residential uses are not allowed in the requested MX-L zone district. The request furthers Subpolicy 5.2.1.k.
Subpolicy 5.2.1.n: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request furthers this policy by encouraging more productive uses of the currently vacant lots that are underutilized. If approved, the zone amendment will allow for infill development that fills in a gap and could play a critical role in the revitalization of an existing community.

The request encourages more productive use of this vacant lot because the zone change would apply the same zone district to the entire subject site, which would allow for potential development. The request furthers Subpolicy 5.2.1.n.

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 furthers this goal because it will expand an existing, vacant, and undersized MX-L property and provide for more permissive uses that can be readily served by existing infrastructure.

The request to create a consist zone for the entire site would promote development of this vacant site with existing infrastructure and public facilities as well as promoting the more efficient use of this site to support the public good by adding a range of other uses that further other Comprehensive Plan goals and policies. The request furthers Goal 5.3 – Efficient Development Patterns.

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

The request furthers this goal and policy by supporting more options for compatible development within an infill development area that is currently supported by existing infrastructure and public facilities.

The subject site is an infill site because it is located in an area that is largely surrounded by developed land. Existing infrastructure and public facilities are in place to serve the subject site. The request furthers Policy 5.3.1 - Infill Development.

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

The request furthers this policy by allowing for infill development where there is existing infrastructure and public facilities. As indicated by the DRB’s approval of the plat, there is an existing waterline in or within the vacated ROW. The City has sanitary sewer within Tower Road directly north of the property. If approved, the zone amendment may expand retail and commercial opportunities that could provide additional services to the neighborhood and increase the community’s tax base.
The subject site is an infill site where desired growth can occur with existing infrastructure and public facilities. The request furthers Policy 5.3.2 – Leapfrog Development.

Policy 5.3.5: School Capacity: Discourage zone changes from non-residential to residential or mixed-use zones when affected public schools have insufficient capacity to support the anticipated increase of students based on proposed dwellings units.

The request furthers this policy by allowing for more low-intensity neighborhood-scale convenience shopping needs that would not impact public school capacity. The size and shape of the property would likely deter it from any multi-family development that would typically be allowed within the MX-L zone.

The request for a change from R-1, low-density residential zoning to MX-L zoning allows uses that could facilitate commercial development on the subject site. MX-L also allows some residential uses, which, if developed, could affect nearby schools, but this policy applies to zone changes from non-residential zones. The request furthers Policy 5.3.5 - School Capacity.

Goal 5.4: Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

The request furthers this goal because it will provide for more retail and commercial uses increasing opportunities for new jobs and improve the jobs to housing balance on the West Side of the Rio Grande.

The request could foster a balance of jobs and housing by prioritizing job growth west of the Rio Grande by allowing commercial and institutional uses on the subject site. However, the MX-L zone district also permissively allows some residential uses, which means that the subject site would not solely be available for retail or commercial uses. The size of the subject site and the context of the surrounding area are not conducive to an NR zone district. The zone change to MX-L allows for job growth in the area versus the existing R-1, which only allows residential. The request furthers Goal 5.4 – Jobs-Housing Balance.

Subpolicy 5.4.2.a: Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

The request furthers this policy by allowing for more uses that support increased capacity for commercial and office services.

The request could create additional capacity for land zoned for commercial and office uses west of the Rio Grande to support additional job growth since MX-L does permissively allow these uses. However, the MX-L zone district also permissively allows some residential uses. The request furthers Subpolicy 5.4.2.a.
Goal 5.6: City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The request furthers this goal because it will encourage growth of currently vacant property by adding the vacated right-of-way. The new, combined parcel will be more developable and provide for permissive and predictable uses that can be developed in a way that reinforces the character and intensity of the surrounding areas and expands commercial service opportunities for the neighborhood.

The subject site is designated as an Area of Consistency as are the surrounding neighborhoods. The request would ensure that future development reinforces the character and intensity of the surrounding area through protections in the IDO for residential areas, such as Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2). The request furthers Goal 5.6 – City Development Areas.

Policy 5.6.3: Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The request furthers this goal and policy by allowing for commercial services to develop in a more efficient manner that adheres to the current scale, intensity, and setbacks to maintain the character of the neighborhood. The location at the intersection of 97th and Tower Road is appropriate for this type of small-scale neighborhood commercial outside of a major corridor or activity center.

The request would protect and enhance the character of the surrounding existing single-family neighborhoods in this Area of Consistency. Future development would be subject to the following IDO requirements which protect these areas that are intended to remain stable: Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2). The Neighborhood Edges provision sets out protections for building height, screening and buffering, and parking, drive-throughs, and loading areas. The request furthers Policy 5.6.3 – Areas of Consistency.

Chapter 8: Economic Development

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

The request furthers this goal by resulting in a more developable property that can create additional retail and commercial uses that increase the number of businesses and jobs of the West Side of the Rio Grande.
The request could create a place where businesses and talent will stay and thrive if the subject site were developed with a commercial, mixed-use, or institutional use. The request furthers Goal 8.1 – Placemaking.

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

The request furthers this policy by allowing for more low intensity commercial uses on the parcel that could provide for future employment growth in the area.

The request could create appropriately zoned land to accommodate projected employment growth for the West Side. However, the MX-L zone district does permissively allow some residential uses, which means that the land would not solely be available for commercial uses to accommodate employment growth. The request furthers Policy 8.1.5 – Available Land.

III. ZONING MAP AMENDMENT (ZONE CHANGE)

Requirements

The review and decision criteria outline 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 and Analysis

The zone change justification letter analyzed here, received on June 25, 2020, is a response to Staff’s request for a revised justification (see attachment).

Note: Applicant’s Justification is in indented italics; Staff’s Analysis is indented bold text.

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.

The proposed zone change is consistent with the health, safety, and general welfare of the City by creating a parcel with one consistent MX-L zoning district designed to provide for neighborhood-scale convenience shopping needs at an identified collector intersection.

Consistency with the City’s health, safety, 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 has adequately demonstrated, in a policy-based response, that the request would be consistent with the City’s health, safety, and general welfare. The response to Criterion A is sufficient.

B. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

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

The MX-L zoning is the most appropriate zone for the subject parcel because the vacated ROW is within a re-plated parcel that is currently zoned MX-L to the north. As described in our policy analysis, the request furthers numerous Comprehensive Plan goals and policies regarding infill development, land use, and Areas of Consistency adjacent to existing residential areas.

The requested MX-L zone will reinforce and strengthen the established character of the surrounding Area of Consistency by allowing low intensity commercial uses that can serve the surrounding residential neighborhoods. The request will offer flexibility in development of the subject property with appropriately scaled uses since the overall purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections like the corner of 97th Street and Tower Road adjacent to the subject property.

The site is located wholly within an Area of Consistency. A different zone district (MX-L) would generally be more advantageous to the community as a whole than the existing zoning (R-1A and R-1B), which the applicant’s policy analysis has shown to be inappropriate since the subject site currently has multiple zone districts. The request for a single zone (MX-L) on the site could promote development in a manner that is appropriate in the context of the surrounding zones. The request would further Comprehensive Plan goals and policies relating to Identity and Design, Neighborhoods, Infill Development, and Areas of Consistency. The response to Criterion B is sufficient.
C. If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:

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

The subject site located wholly in an “Area of Consistency”; these criteria do not apply.

The subject site is located wholly with an Area of Consistency, so this criterion does not apply.

D. The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The MX-L zoning is intended to be neighborhood commercial zoning with permissive uses that are not anticipated to be harmful to the adjacent property, neighborhood, or community. The zone change will allow the vacated ROW to be used for low intensity commercial purposes, while maintaining the neighborhood edge requirements to the adjacent R-1A & R-1B zoning.

The following table represents some of the permissive uses within the MX-L zone.

<table>
<thead>
<tr>
<th>Table 2: IDO Zoning Allowable Uses for MX-L</th>
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<tbody>
<tr>
<td>Dwelling, townhouse</td>
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<td>Dwelling, live-work</td>
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<tr>
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</tbody>
</table>

From this list of uses, the intent of the applicant with this zone change is to combine it with the existing City property to allow more flexibility for future development. The additional property through this zone change is irregularly shaped and small in size. A portion of the subject property as well as an adjacent property to the west is currently zoned MX-L and the small increase in the additional property through this zone change is not adding any uses next to the residential zoning that are not already allowed.

As this list indicates, most of these uses are very low intensity. In addition, some uses of the MX-L zone are not relevant because of the small size and configuration of the property.
The Integrated Development Ordinance also includes use-specific standards to further regulate certain uses such as size limitations, distance separations, or additional screening requirements. These use-specific standards and review process related to future site plans will ensure that any use from the MX-L zone proposed for the site will not be harmful to the adjacent property, neighborhood, or community.

The requested zone (MX-L) includes a greater variety of uses than the existing zones (R-1A and R-1B), including the allowance of retail, commercial, and institutional uses as well as other residential uses not permitted in R-1, such as townhouse, live-work, and multi-family uses. However, the majority of the property is already zoned MX-L, so these uses are permissively allowed on most of subject site.

The portion of the site that the request would apply to abuts a single-family neighborhood zoned R-1A and R-1B. The IDO requires protections for the abutting neighborhoods, such as Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), mixed-use zone dimensional standards (Table 5-1-2), and use-specific standards on certain uses allowed in the MX-L zone district (Table 4-2-1). The Neighborhood Edges provision sets out protections for the abutting residential neighborhood, such as regulating building height, screening and buffering, and parking, drive-throughs, and loading areas. The response to Criterion D is sufficient.

E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:

1. Have adequate capacity to serve the development made possible by the change of zone.
   
   While there is currently no development proposed for the site, there is infrastructure capacity available adjacent to the project site.

2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
   
   While there is currently no development proposed for the site, there is infrastructure available adjacent to the project site and no capital funds are needed.

3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
   
   While there is currently no development proposed for the site, there is infrastructure available adjacent to the project site and no capital funds or development agreement are needed at this time.

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.

   The subject parcel (vacated ROW) has been re-platted and combined with the adjacent parcel to the north zoned MX-L. When future development is proposed for this parcel it will require approval of a Site Plan to include an evaluation of the existing and proposed
infrastructure to ensure the appropriate development agreement (if needed) will be in place to provide adequate capacity to the parcel.

The request furthers this requirement because the City’s existing infrastructure and public improvements currently have adequate capacity to serve the subject site. The response to Criterion E is sufficient.

F. The applicant's justification for the requested zone change is not completely based on the property's location on a major street.

The request for the Zoning Map Amendment is based entirely on the City’s action to vacate the Old Tower Road ROW and to replat the vacated ROW with the adjacent City owned MX-L parcel to the north so there is more consistency with the zoning and land use for the entire 1.25-acre parcel.

The applicant’s justification is not completely based on the subject site’s location on Tower Road SW, a Major Collector. The request is based on creating a single zone district (MX-L) for the subject site. The request is supported by a preponderance of applicable Comprehensive Plan goals and policies. The response to Criterion F is sufficient.

G. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

The cost of land or economic considerations are not the determining factor for this zone change request because the land is currently owned by the City of Albuquerque and the primary intent it rezone this parcel so that the zoning is consistent for the entire 1.25-acre parcel.

Economic considerations are a factor, but the applicant’s justification is not based completely or predominately on the cost of land or economic considerations. The main purpose of the request is based on creating a single zone district (MX-L) for the subject site. The response to Criterion G is sufficient.

H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

This Zone Map Amendment is not a strip or spot zone because it helps to facilitate an appropriately scaled neighborhood commercial node at the full access intersection of 97th Street and Tower Rd (Urban Collector) and is adjacent to existing MX-L zoning; therefore, the subsequent criterion in 1, 2, and 3 are not applicable to the Zoning Map Amendment.
1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.

   *This criterion is not applicable to this zone change request.*

2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.

   *This criterion is not applicable to this zone change request.*

3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

   *This criterion is not applicable to this zone change request because there are no structures currently located on the premise.*

The request would 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"). The zone change request for a portion of the subject site would result in that portion having the same zoning as the majority of the site (MX-L). Further, the properties to the west of the subject site, across 97th St. SW, are currently zoned MX-L. The response to Criterion H is sufficient.
V. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other interested agencies reviewed this application from 6/1/2020 to 6/12/2020. Few agency comments were received.

Long Range Planning notes that the zone change request would make the property’s zoning consistent and is consistent with multiple Comprehensive Plan policies, including those related to “efficient and predictable development of land and improving regulatory alignment (Policy 5.7.2 and Action 5.7.2.1, 5.7.2.15, and 5.7.2.16).” Further, the zone change request “would allow more productive use of a vacant lot and support additional growth where there is existing infrastructure.”

Albuquerque Public Schools (APS) states that potential residential development, which is allowed in MX-L, would put a strain on Helen Cordero K-2 Primary School, Edward Gonzales Elementary School, Truman Middle School, and Atrisco Heritage High School. APS notes that currently “Atrisco Heritage High School and Truman Middle School operate with enrollments over-capacity.”

Public Service Company of New Mexico (PNM) notes that an overhead distribution line is located on the subject site, along Tower Rd., and that the eventual developer will be required to contact PNM’s New Service Delivery Department and to screen ground-mounted equipment while allowing access to utility facilities in compliance with the PNM Electric Service Guide.

Neighborhood/Public

The Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations, South West Alliance of Neighborhoods (SWAN Coalition), and Torretta Oeste Homeowners’ Association were required to be notified, which the applicant did (see attachments). Property owners within 100 feet of the subject site were also notified, as required (see attachments).

As of this writing, no comments have been received from residents or neighborhood associations.

A neighborhood meeting was not requested by any of the notified neighborhood associations.

VI. CONCLUSION

The request is for a Zoning Map Amendment for an approximately 1.25-acre site located on the south side of Tower Rd. SW between 97th St. SW and 94th St. SW. The site is currently vacant and in an Area of Consistency, as designated by the ABC Comprehensive Plan.

The portion of the subject site that the zone change applies to is currently zoned R-1A and R-1B; the majority of the site is currently zoned MX-L. The applicant is requesting the MX-L (Mixed-use – Low Intensity) zone in order to make the zoning consistent for the entire subject site.
The Zoning Map Amendment has been adequately justified pursuant to the IDO Review and Decision criteria in 6-7(F)(3) based upon the proposed zoning being more advantageous to the community than the current zoning.

The affected neighborhood organizations are the Westside Coalition of Neighborhood Associations, South Valley Coalition of Neighborhood Associations, South West Alliance of Neighborhoods, and Torretta Oeste Homeowners’ Association, 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 received any communication of support or opposition.

Staff recommends approval.
**Findings, RZ: 2020-00010, July 9, 2020, Zoning Map Amendment (Zone Change)**

1. This is a request for a Zoning Map Amendment for a portion of an approximately 1.27-acre site known as Tract B-2-A, Tower West, being comprised of Tract B-2, Tower West and a vacated portion of Tower Road Right-of-Way located on the south side on Tower Rd. SW between 97th St. SW and 94th St. SW.

2. The applicant requests a Zoning Map Amendment from R-1A and R-1B to MX-L. The subject site currently has three zoning designations: MX-L, R-1A, and R-1B. This resulted from an automatic application of abutting zone districts upon vacation of the Tower Rd. ROW. The applicant requests a zone change for the R-1A and R-1B portion of the subject site to create a uniform zone district that matches the predominate MX-L zoning on the site.

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

4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance are incorporated herein by reference and made part of the record for all purposes.

5. The request generally furthers the following applicable Comprehensive Plan goals and policies related to Community Identity:

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

      The request would facilitate the development of the subject site while protecting and preserving this community; this primarily low-density residential community on Albuquerque’s West Side has the potential to become a distinct community. Regardless, future development would be subject to IDO requirements established to enhance, protect, and preserve communities, such as Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2). Future development of the site per the MX-L zone district could help create a more complete community (see Goal 5.2).

   B. **Policy 4.1.2: Identity and Design**: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

      The request would facilitate the development of the subject site while ensuring appropriate scale, location, and uses. Future development would be subject to IDO requirements established specifically to protect the identity and cohesiveness of adjacent neighborhoods, which are intended to remain stable: Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2).

   C. **Policy 4.1.4: Neighborhoods**: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

      The request would protect and preserve the adjacent neighborhood because the MX-L zone district requires future development to be subject to IDO requirements established to protect neighborhoods, such as Neighborhood Edges (14-16-5-9) and buffer landscaping.
The Neighborhood Edges provision sets out protections for building height, screening and buffering, and parking, drive-throughs, and loading areas.

6. The request generally furthers the following applicable Comprehensive Plan goals and policies related to Complete Communities:

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

   The request to rezone a portion of the subject site to match the MX-L zoning of the majority of the site would allow a greater range of uses than the current zone. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs with primary land uses such as non-destination retail and commercial uses as well as institutional and civic uses and low-density residential uses. New commercial, institutional, and low-density residential uses could develop on the subject site and help strengthen the community by providing more opportunities where residents can live, work, learn, shop, and play together.

B. **Subpolicy 5.2.1.a:** Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

   The request encourages development that could bring goods, services, and amenities by permissively allowing potential commercial and institutional uses. MX-L also permissively allows some residential uses, which may not fully further this policy. MX-L zoning on the subject site would allow for goods, services, and amenities to be within walking and biking distance of nearby neighborhoods.

C. **Subpolicy 5.2.1.e:** Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

   The request would permissively allow commercial uses that the current R-1 zoning does not allow. The potential mix of uses, if the site develops with commercial uses, would be conveniently accessible from the surrounding neighborhoods. However, because MX-L permissively allows for some residential uses, the request does not ensure that a mix of uses would happen on the site.

D. **Subpolicy 5.2.1.h:** Encourage infill development that adds complementary uses and is compatible in form and scale to the immediate surrounding development.

   The request does encourage infill development that could add complementary uses and would be compatible to the surrounding neighborhood. The MX-L zone district is a lower intensity mixed-use zone, and future development would be subject to IDO requirements established to ensure compatibility in form and scale, such as: Neighborhood Edges (14-16-5-9) and mixed-use zone dimensional standards (Table 5-1-2).

E. **Subpolicy 5.2.1.k:** Discourage zone changes to detached single-family residential uses on the West Side.

   Single-family residential uses are not allowed in the requested MX-L zone district.
F. **Subpolicy 5.2.1.n:** Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request encourages more productive use of this vacant lot because the zone change would apply the same zone district to the entire subject site, which would allow for potential development.

G. **Policy 5.3.5: School Capacity:** Discourage zone changes from non-residential to residential or mixed-use zones when affected public schools have insufficient capacity to support the anticipated increase of students based on proposed dwellings units.

The request for a change from R-1, low-density residential zoning to MX-L zoning allows uses that could facilitate commercial development on the subject site. MX-L also allows some residential uses, which, if developed, could affect nearby schools, but this policy applies to zone changes from non-residential zones.

H. **Goal 5.4: Jobs-Housing Balance:** Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

The request could foster a balance of jobs and housing by prioritizing job growth west of the Rio Grande by allowing commercial and institutional uses on the subject site. However, the MX-L zone district also permissively allows some residential uses, which means that the subject site would not solely be available for retail or commercial uses. The size of the subject site and the context of the surrounding area are not conducive to an NR zone district. The zone change to MX-L allows for job growth in the area versus the existing R-1, which only allows residential.

I. **Subpolicy 5.4.2.a:** Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

The request could create additional capacity for land zoned for commercial and office uses west of the Rio Grande to support additional job growth since MX-L does permissively allow these uses. However, the MX-L zone district also permissively allows some residential uses.

7. The request generally furthers the following applicable Comprehensive Plan goals and policies related to Efficient Development:

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

The request to create a consist zone for the entire site would promote development of this vacant site with existing infrastructure and public facilities as well as promoting the more efficient use of this site to support the public good by adding a range of other uses that further other Comprehensive Plan goals and policies.

B. **Policy 5.3.1: Infill Development:** Support additional growth in areas with existing infrastructure and public facilities.
The subject site is an infill site because it is located in an area that is largely surrounded by developed land. Existing infrastructure and public facilities are in place to serve the subject site.

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

The subject site is an infill site where desired growth can occur with existing infrastructure and public facilities.

8. The request generally furthers the following applicable Comprehensive Plan goals and policies related to City Development Areas:

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

The subject site is designated as an Area of Consistency as are the surrounding neighborhoods. The request would ensure that future development reinforces the character and intensity of the surrounding area through protections in the IDO for residential areas, such as Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2).

B. **Policy 5.6.3: Areas of Consistency**: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The request would protect and enhance the character of the surrounding existing single-family neighborhoods in this Area of Consistency. Future development would be subject to the following IDO requirements which protect these areas that are intended to remain stable: Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), and mixed-use zone dimensional standards (Table 5-1-2). The Neighborhood Edges provision sets out protections for building height, screening and buffering, and parking, drive-throughs, and loading areas.

9. The request generally furthers the following applicable Comprehensive Plan goals and policies related to Placemaking:

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

The request could create a place where businesses and talent will stay and thrive if the subject site were developed with a commercial, mixed-use, or institutional use.

B. **Policy 8.1.5 Available Land**: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

The request could create appropriately zoned land to accommodate projected employment growth for the West Side. However, the MX-L zone district does permissively allow some residential uses, which means that the land would not solely be available for commercial uses to accommodate employment growth.
10. The applicant has adequately justified the request pursuant to IDO Section 6-7(F)(3) Review and Decision Criteria for Zoning Map Amendments, as follows:

A. **Criterion A:** Consistency with the City’s health, safety, 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 has adequately demonstrated, in a policy-based response, that the request would be consistent with the City’s health, safety, and general welfare.

B. **Criterion B:** The site is located wholly within an Area of Consistency. A different zone district (MX-L) would generally be more advantageous to the community as a whole than the existing zoning (R-1A and R-1B), which the applicant’s policy analysis has shown to be inappropriate since the subject site currently has multiple zone districts. The request for a single zone (MX-L) on the site could promote development in a manner that is appropriate in the context of the surrounding zones. The request would further Comp Plan goals and policies relating to Identity and Design, Neighborhoods, Infill Development, and Areas of Consistency.

C. **Criterion C:** The subject site is located wholly within an Area of Consistency, so this criterion does not apply.

D. **Criterion D:** The requested zone (MX-L) includes a greater variety of uses than the existing zones (R-1A and R-1B), including the allowance of retail, commercial, and institutional uses as well as other residential uses not permitted in R-1, such as townhouse, live-work, and multi-family uses. However, the majority of the property is already zoned MX-L, so these uses are permissively allowed on most of subject site.

The portion of the site that the request would apply to abuts a single-family neighborhood zoned R-1A and R-1B. The IDO requires protections for the abutting neighborhoods, such as Neighborhood Edges (14-16-5-9), buffer landscaping (14-16-5-6(E)), mixed-use zone dimensional standards (Table 5-1-2), and use-specific standards on certain uses allowed in the MX-L zone district (Table 4-2-1). The Neighborhood Edges provision sets out protections for the abutting residential neighborhood, such as regulating building height, screening and buffering, and parking, drive-throughs, and loading areas.

E. **Criterion E:** The request furthers this requirement because the City’s existing infrastructure and public improvements currently have adequate capacity to serve the subject site.

F. **Criterion F:** The applicant’s justification is not completely based on the subject site’s location on Tower Road SW, a Major Collector. The request is based on creating a single zone district (MX-L) for the subject site. The request is supported by a preponderance of applicable Comprehensive Plan goals and policies.

G. **Criterion G:** Economic considerations are a factor, but the applicant’s justification is not based completely or predominately on the cost of land or economic considerations. The main purpose of the request is based on creating a single zone district (MX-L) for the subject site.
H. Criterion H: The request would 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"). The zone change request for a portion of the subject site would result in that portion having the same zoning as the majority of the site (MX-L). Further, the properties to the west of the subject site, across 97th St. SW, are currently zoned MX-L.

11. The applicant’s policy analysis adequately demonstrates that the request furthers a preponderance of applicable goals and policies in the Comprehensive Plan and does not significantly conflict with it. Based on this demonstration, the proposed zone category would be more advantageous to the community than the current zoning.

12. As of this writing, Staff has not received any communication of support or opposition.

RECOMMENDATION – RZ-2020-00010, July 9, 2020

APPROVAL of Project #: 2019-002694, RZ-2020-00010, a request for a Zoning Map Amendment from R-1A and R-1B to MX-L for Tract B-2-A, Tower West, being comprised of Tract B-2, Tower West and a vacated portion of Tower Road Right-of-Way, located on Tower Road SW between 97th Street SW and 94th Street SW, based on the preceding Findings.

Shawn Watson
Associate Planner

Notice of Decision cc list:

South West Alliance of Neighborhoods (SWAN Coalition), Jerry Gallegos, jgallegoswccdg@gmail.com
South West Alliance of Neighborhoods (SWAN Coalition), Cherise Quezada, cherquezada@yahoo.com
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South Valley Coalition of Neighborhood Associations, Marcia Fernandez, mbfernandez1@gmail.com
Torretta Oeste HOA, Donna Chavez, dchavez@cgres.com
Torretta Oeste HOA, Erin Brizuela, ebrizuela@cgres.com
CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

**Long Range Planning**

The applicant has justified the request according to the criteria in IDO Section 14-16-6-7(F)(3), Zone Map Amendment – EPC. The proposed extension of MX-L zoning to apply to the entire property is consistent with the City’s health, safety, and general welfare. The request is consistent with multiple policies cited by the applicant, primarily on the basis of allowing more retail and commercial opportunities in an area surrounded largely by single-family residential neighborhoods. It would allow more productive use of a vacant lot and support additional growth where there is existing infrastructure.

This zone change also furthers policies related to efficient and predictable development of land and improving regulatory alignment (Policy 5.7.2 and Action 5.7.2.1, 5.7.2.15, and 5.7.2.16).

**Zoning/Code Enforcement**

**Metropolitan Redevelopment**

CITY ENGINEER

**Transportation Development**

No objection to the request.

**Hydrology**

New Mexico Department of Transportation (NMDOT)

NMDOT does not have any comments at this time

DEPARTMENT OF MUNICIPAL DEVELOPMENT (DMD)

**Transportation Planning**

**Traffic Engineering Operations**

No Comments.

**Street Maintenance**
RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:

WATER UTILITY AUTHORITY
   No adverse comments to the proposed zone change.

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION
   Planning and Design
      Reviewed. No objection to requested Zone Change.

   Open Space Division

   City Forester

POLICE DEPARTMENT/PLANNING
   No comment.

SOLID WASTE MANAGEMENT DEPARTMENT
   No comment- Zone Change

TRANSIT DEPARTMENT

FIRE DEPARTMENT

COMMENTS FROM OTHER AGENCIES

ALBUQUERQUE PUBLIC SCHOOLS
   APS Case Comments: Residential uses, including townhouses and multi-family dwellings are permissive uses in MX-L areas. Potential residential development at this location will impacts on Helen Cordero K-2 Primary School, Edward Gonzales Elementary School, Truman Middle School, and Atrisco Heritage High School. At present, Atrisco Heritage
High School and Truman Middle School operate with enrollments over-capacity and development at this location will be a strain on these schools:

**School Capacity**

<table>
<thead>
<tr>
<th>School</th>
<th>2019-2020 40th Day Enrollment</th>
<th>Facility Capacity</th>
<th>Space Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Helen Cordero K-2 Primary</td>
<td>488</td>
<td>650</td>
<td>162</td>
</tr>
<tr>
<td>Edward Gonzales Elementary School</td>
<td>500</td>
<td>572</td>
<td>72</td>
</tr>
<tr>
<td>Truman Middle School</td>
<td>1036</td>
<td>900</td>
<td>-136</td>
</tr>
<tr>
<td>Atrisco Heritage High School</td>
<td>2321</td>
<td>2250</td>
<td>-71</td>
</tr>
</tbody>
</table>

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities

- Improve facility efficiency (short term solution)
  - Schedule Changes
    - Double sessions
    - Multi-track year-round
  - Other
    - Float teachers (flex schedule)

- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration

- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No adverse comments.

BERNALILLO COUNTY

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

MRMPO has no adverse comments.
MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

Conditions for Approval for Project #2019-002694 (RZ-2020-00010) Zone Map
Amendment/zon change located Tower Road between 97th & 94th ST NW Vacant land

1. An existing overhead distribution line is located along the south side of Tower road on
the subject site. It is the applicant’s obligation to abide by any conditions or terms of
those easements.

2. As a condition, the developer shall contact PNM’s New Service Delivery Department
to coordinate electric service regarding the project. Please submit a service application
at www.pnm.com/erequest for PNM to review.

3. Ground-mounted equipment screening will be designed to allow for access to utility
facilities. All screening and vegetation surrounding ground-mounted transformers and
utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6
feet of clearance on the remaining three slides for safe operation, maintenance and
repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for
specifications.

ANY OTHER AGENCY THAT COMMENTED
Figure 1: Looking east while standing on 97th St. SW.

Figure 2: Looking south while standing on Tower Rd. SW.
Figure 3: Looking west while standing on the subject site.

Figure 4: Looking southeast while standing on the corner of Tower Rd. and 97th St.
Figure 5: Looking west from the center of the subject site.

Figure 6: Looking east from the center of the subject site.
ZONING

Please refer to IDO Section 14-16-2-3(B) for the R-1 Zone District and 14-16-2-4(B) for the MX-L Zone District.
HISTORY
INTER-OFFICE MEMORANDUM

September 3, 2019

TO: Klarissa Peña, President, City Council

FROM: Tim Keller, Mayor

Subject: Tower Road Right of Way Vacation Project# PR-2019-002694
SD-2019-00147 VACATION OF PUBLIC RIGHT-OF-WAY

CSI – CARTESIAN SURVEYS, INC. agent(s) for CITY OF ALBUQUERQUE request(s) the aforementioned action(s) for all or a portion of TOWER RD SW east of 98th ST SW, containing approximately 0.7176 acre(s). (L-9)

Request: This is a request for vacation of public right of way for a portion of Tower Road SW.

Per Section 14-16-6-6(K)(2) of the IDO, the Development Review Board (DRB) shall make a recommendation and forward the application to City Council for inclusion on the consent agenda for approval without first going to any Council committee if the vacation involves: 1) More than 500 square feet or the entire width of a platted alley; 2) More than 5000 square feet or the entire street width of a street, including any or all of the public right-of-way. The square footage of this vacation is approximately 31,269 square feet and is the entire width of the street, therefore it is a DRB recommendation to City Council.

At the August 28, 2019 public meeting, the DRB had a consensus to recommend approval of the request to the City Council of the proposed vacation as shown on Exhibit "A" (attached) in the Planning file under Project# PR-2019-002694, based on the recommended Findings per Section 14-16-6-6(K) of the IDO.
Title/Subject of Legislation: **Tower Road SW Vacation**: Project # 2019-002496 SD-2019-00147 VACATION OF PUBLIC RIGHT-OF-WAY, DRB RECOMMENDATION FOR APPROVAL.

Approved:

[Signature]
Sarita Nair
Chief Administrative Officer

Date 9/30/19

Approved as to Legal Form:

[Signature]
Esteban Aguilar, Jr.
City Attorney

Date 9/12/19

Recommended:

[Signature]
Brennon Williams
Interim Planning Director

Date 8-26-19
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
- Historic Certificate of Appropriateness - Major (Form L)
- Archaeological Certificate (Form F2)
- Historic Design Standards and Guidelines (Form 3)
- Master Development Plan (Form P1)
- Alternative Signage Plan (Form P3)
- WIF Approval (Form W1)
- Minor Amendment to Site Plan (Form P9)
- Subdivision of Land - Minor (Form 37)
- Rezoning of Land - Major (Form 37)
- Rezoning of Land - Minor (Form 37)
- Amendment of Zoning Map - EPC (Form Z)
- Amendment of Zoning Map - Council (Form Z)
- Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

Policy Decisions
- Wireless Telecommunications Facility Waiver (Form W2)
- Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
- Adoption or Amendment of Historic Designation (Form L)
- Amendment of (DO Text) (Form Z)
- Amendment of Land Use Map - EPC (Form Z)
- Amendment of Land Use Map - Council (Form Z)
- Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

Decisions Requiring a Public Meeting or Hearing
- Subdivision of Land - Major (Form 37)
- Subdivision of Land - Minor (Form 37)
- Amendment to Zoning Map - EPC (Form Z)
- Amendment to Zoning Map - Council (Form Z)
- Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

Appeals
- Subdivision of Land - Major (Form 37)
- Subdivision of Land - Minor (Form 37)
- Amendment to Zoning Map - EPC (Form Z)
- Amendment to Zoning Map - Council (Form Z)
- Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

APPLICATION INFORMATION
Applicant: City of Albuquerque
Address: One Civic Plaza - Room 7057
City: Albuquerque State: NM Zip: 87102
Phone: 505.768.3965 Email: jmcclancy@albuquerque.org
Professional Agent (if any): Consensus Planning
Address: 302 Eighth Street NW
City: Albuquerque State: NM Zip: 87102
Phone: 505.764.5901 Email: cp@consensusplanning.com
Proprietary Interest in Site: Owner
List all owners:

BRIEF DESCRIPTION OF REQUEST
Zone the Vacated ROW to MX-L so the parcel is consistent with City's adjacent lot to the north that is currently zoned MX-L.

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)
Lot or Tract No.: N/A Block: N/A Unit: N/A
Subdivision/Addition: Tower West MROCD Map No.: UPC Code: N/A
Zone Atlas Page(s): L-09-Z Existing Zoning: Vacated ROW Proposed Zoning: MX-L
# of Existing Lots: 1 # of Proposed Lots: 1 Total Area of Site (acres): .71 Acres

LOCATION OF PROPERTY BY STREETS
Site Address: N/A Albuquerque NM 87121 Between: 97th Street and: 94th Street SW

CASE HISTORY (List any current or other project and case number(s) that may be relevant to your request.)
Signature: Date: 5/27/2020

FOR OFFICIAL USE ONLY
Case Numbers Action Fees

Meeting/Heating 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 FLAUGS20@usa.gov prior to making a submission. Zipped files or those over 3 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)
  - Interpretive Needed for Hearing? Yes. Indicate language:
  - Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(8)
  - 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)

- **ADOPTION OR AMENDMENT OF COMPREHENSIVE 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 14-16-5-7(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 14-16-5-7(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 14-16-5-7(E)(3)
  - Board of County Commissioners (BCC) Notice of Decision

---

| Signature: | Date: | 5/27/2020 |
| Signature: | Date: | 5/27/2020 |

| Printed Name: | James J. Grover, P.E. |

<table>
<thead>
<tr>
<th>FOR OFFICIAL USE ONLY</th>
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<tbody>
<tr>
<td>Project Number:</td>
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Staff Signature:  
Date:  

Effective 5/17/18
May 11, 2020

Dan Serrano, Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87102

RE: Zone Map Amendment for Old Tower Road

Dear Mr. Serrano,

The City of Albuquerque Department of Municipal Development hereby authorizes Consensus Planning Inc., and our on-call engineering consultant, Bohannan Huston Inc., to act as our agent to provide entitlement services for the purposes related to a Zone Map Amendment for a portion of the Vacated Tower Road Right-of-Way (ROW) legally described by metes and bounds on the “Plat for Tract B-2-A Tower West Being Comprised of Tract B-2, Tower West and a Vacated Portion of Tower Road Right-of-Way” stamped by Cartesian Survey on 5/4/2019 (included with the application).

Entitlement services shall include, but not be limited to general correspondence, representation before the Environmental Planning Commission (EPC), and all application submittals.

Sincerely,

CITY OF ALBUQUERQUE

John MacKenzie
John MacKenzie, Drainage Section Manager
Department of Municipal Development- Engineering Division
CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: City of Albuquerque          DATE OF REQUEST: 05/12/2020          ZONE ATLAS PAGE(S): L-09-Z

CURRENT:
ZONING        Vacated ROW
PARCEL SIZE (AC/ SQ. FT.)        .71 Acres

REQUESTED CITY ACTION(S):
ANNEXATION [ ]                   ZONE CHANGE [X]: From Vacated ROW To MXL
SECTOR, AREA, FAC, COMP PLAN [ ]
AMENDMENT (Map/Text) [ ]

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT [X]      GENERAL DESCRIPTION OF ACTION:
NEW CONSTRUCTION [ ]
EXPANSION OF EXISTING DEVELOPMENT [ ]

LEGAL DESCRIPTION:
LOT OR TRACT #        N/A
BLOCK #        0000
SUBDIVISION NAME        Tower West

SITE DEVELOPMENT PLAN:
SUBDIVISION [ ] AMENDMENT [ ]
BUILDING PERMIT [ ] ACCESS PERMIT [ ]
BUILDING PURPOSES [ ] OTHER [ ]
*Includes platting actions

# OF UNITS: N/A
BUILDING SIZE: N/A (sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE ___________________________________________ DATE 05/12/2020

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2nd Floor West, 600 2nd St. NW, Plaza del Sol Building, City, 87102, phone 924-3364

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [X] BORDERLINE [ ]

THRESHOLDS MET? YES [ ] NO [X] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]
Notes: Re-zoning, no study required.

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

5/15/2020
Traffic Engineer

Required TIS must be completed prior to applying to the LPC and/or the EIR. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS SUBMITTED / / / / FINALIZE / / / / TRAFFIC ENGINEER

Revised January 20, 2011
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-082  Date: 04/09/20  Time: N/A (sent via email)

Address: COA vacated ROW adjacent to a City owned parcel located south of Tower Road SW and east of 97th Street

AGENCY REPRESENTATIVES PRESENT AT MEETING

Planning: Linda Rumpf (lrumpf@cabq.gov)
Code Enforcement: Charles Maestas (cmmaestas@cabq.gov)
Fire Marshall: 
Transportation: Nilo Salgado (salgado-fernandez@cabq.gov)

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!
THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL.
Additional research may be necessary to determine the exact type of application and/or process needed. Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: COA vacated ROW adjacent to a City owned parcel (zoned MX-L) located south of Tower Road SW and east of 97th Street (see zone atlas). COA wants to rezone the vacated ROW to MX-L to be consistent with the adjacent property.

SITE INFORMATION:
Zone: Vacated ROW/MX-L  Size: 0.73 acres
Use: Vacant  Overlay zone: x
Comp Plan Area of: Consistency  Comp Plan Corridor: x
Comp Plan Center: x  MPOS or Sensitive Lands: x
Parking: 5-5, page 225  MR Area: x
Landscaping: 5-6, page 251  Street Trees: 5-6(D)(1), page 258
Use Specific Standards: Allowable Uses, Table 4-2-1, p. 130
Dimensional Standards: Table 5-1-2, p. 194
*Neighborhood Organization/s: SWAN, Westside Coalition

*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at www.cabq.gov/neighborhoods.resources.

PROCESS:
Type of Action: Re-plat for the Vacation of ROW
Review and Approval Body: DRB  Is this a PRT requirement? Yes

PRT NOTES FORM-UPDATED 032420.DOCX  PAGE 1
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-082 Date: 04/09/20 Time: N/A (sent via email)

Address: COA vacated ROW adjacent to a City owned parcel located south of Tower Road SW and east of 97th Street

NOTES:
Rezoning vacated ROW to MX-L Zoning: Vacated ROW

See the Integrated Development Ordinance

PRT Zoning Comments

• Tower and 97th St
  o Case history
    • PR-201-002694
      • PS-2019-00065 Presubmittal - DRB sketch plat
      • SD-2019-00147 Vacation – Vacation of Public Easement or Right-of-Way
      • SD-2019-00213 Subdivision – Subdivision of Land-Minor Preliminary/Final Plat Approval

• Upon completion of the Re-plat for the Vacation of ROW, PR-2019-002694, including recording of the plat with the county clerk’s office.
  o Have a zoning certificate created which indicates the newly created Tract B-2-A to take on the existing zone designation of MX-L from lot B-2 which abuts the vacated portion of the ROW and comprises a portion of the newly created Tract B-2-A.

PROCESS: Re-plat for the Vacation of ROW

Transportation Development comments
For additional information contact Jeanne Wolfenbarger (924-3991)

Traffic Studies and Traffic Signals

1. See the Traffic Impact Study (TIS) thresholds. In general, a minimum of 100 vehicles entering or exiting in the peak hour warrants a Traffic Impact Study. Visit with Traffic Engineer for determination, and fill out a TIS Form that states whether one is warranted. In some cases, a trip generation may be requested for determination.

2. A proposed new traffic signal needs to A) follow guidelines for traffic signal spacing, B) meet the requirements for a traffic signal warrant study to be in operation and C) be approved by both Planning and by Traffic Operations.

Platting and Public Infrastructure Requirements for Roadways (If applicable)

1. When submitting to DRB, all public roadway improvements that are required shall be shown on an infrastructure list. Public improvements must be included on a public work order set of drawings.
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA#  20-082  Date:  04/09/20  Time:  N/A (sent via email)

Address:  COA vacated ROW adjacent to a City owned parcel located south of Tower Road SW and east of 97th Street

2. All public roadway facilities must be within public right-of-way including the entire width of the public sidewalk, all public curb ramps, overhead utilities, traffic signals and lighting, etc.

3. Curb and sidewalk is required along entire frontage of property. Follow IDO/DPM for specific width requirements.

4. There is a Bikeway Master Plan that is prepared MRCOG which lays out proposed bicycle facilities including bicycle trails, bike lanes, and bike routes. The site would be required to provide such facilities along the site frontage if they have not been constructed yet. Right-of-way dedication would likely be required.

5. Follow DPM and MRCOG’s Long Range Master Plan for roadway width requirements. Provide roadway cross-section. (New roadway requirements and roadway widening is also coordinated with Department of Municipal Development, depending on what plans or projects they may have on a specific roadway.)

6. For any private access easements on plats, all beneficiaries and maintenance responsibilities must be listed.

If you would have additional questions or would like to schedule a follow up phone call, please contact Linda Rumpf at trumpf@cabq.gov
June 25, 2020

Dan Serrano, Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87102

Re: Revised Justification Letter
Old Tower Road – Request for Zoning Map Amendment

Dear Mr. Chairman:

On behalf of the applicant & property owner, City of Albuquerque Municipal Development, Consensus Planning submits this request for approval of a Zoning Map Amendment – EPC. The purpose of this letter is to provide justification of our request by responding to the decision criteria specified in the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3) as well as outlining how this request supports the Comprehensive Plan’s goals and policies. The entire subject property consists of approximately 1.25 acres, of which .71 acres is the subject of this Zoning Map Amendment (ZMA). The property is located south of Tower Road SW and east of 97th Street (see Figure 1) and is legally described as “Plat for Tract B-2-A Tower West Being Composed of Tract B-2, Tower West and a Vacated Portion of Tower Road Right-of-Way” dated 9/4/2019 (included with the application).

Figure 1. Subject Property (in blue outline)

PROJECT SUMMARY

The applicant, City of Albuquerque, owns the entire property to include the vacated ROW of .71 acres as highlighted in Figure 2. IDO Subsection 6-5(K)(2)(f) indicates that when the City of Albuquerque (COA) vacated the Tower Road Right-of-Way (ROW), the abutting zone boundaries extended to the centerline of the former ROW. Therefore, the ZMA request is from R-1A and R-1B to MX-L on the southern half of the former ROW. If the zone change is
approved, MX-L zoning will be consistent for the entire re-platted property as shown in Figure 1.

LAND USE CONTEXT

The property is located in an "Area of Consistency" as designated by the Comprehensive Plan. The area surrounding the subject site, as demonstrated in Figure 3 and Table 1, contains single-family residential to the south and east, vacant MX-L to the west, MX-L and the Tower Road Right-of-Way to the north, and single family north of Tower Road.

![Map with zoning and land use context](image)

**Table 1. Surrounding Zoning & Land Use Context**

<table>
<thead>
<tr>
<th>NORTH</th>
<th>MX-L / ROW / R-T</th>
<th>MX-L, Single Family, and Tower Road ROW</th>
</tr>
</thead>
<tbody>
<tr>
<td>EAST</td>
<td>R-1A / R-1B</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>SOUTH</td>
<td>R-1A / R-1B</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td>WEST</td>
<td>MX-L</td>
<td>Vacant Mixed-Use Low Intensity</td>
</tr>
</tbody>
</table>

SITE HISTORY

Based on a review of the subject site, Consensus Planning located the following case history for the 1.25-acre subject property.

- Project Number PR-2019-002694 / Case Number PS-2019-00065 Pre-submittal Sketch Plat
- Project Number PR-2019-002694 / Case Number SD-2019-00147 Vacation of Public Easement
- Project Number PR-2019-002694 / Case Number SD-2019-00213 Replat (Figure 3)
Figure 3. Plot demonstrating the combined City of Albuquerque parcels outlined in red (including the vacated ROW that is subject of this request).

NEIGHBORHOOD ASSOCIATION NOTICES AND PROPERTY OWNER LETTERS

Consensus Planning sent the required pre-application and application notifications to the following Neighborhood Coalitions and Associations to include certified letters as included with the application:

- South West Alliance of Neighborhoods (SWAN Coalition)
- Westside Coalition of Neighborhood Associations
- South Valley Coalition of Neighborhood Associations
- Torretta Ceste Homeowners Association (HOA)

Property owner letters were mailed on the following dates:

- May 27, 2020 sent to all the property owners included within a 100’ buffer of the original Zoning Map Amendment applicable to the .71-acre vacated ROW,
- May 29, 2020 was sent with an updated notice regarding the EPC Hearing Zoom Meeting details to all property owners within a 100’ buffer of the original Zoning Map Amendment applicable to the .71-acre vacated ROW; and
- June 24, 2020 with an updated notice that clarifies both the Zoning Map Amendment request subject to the entire 1.25 acres as well as clarification of the abutting zone boundaries extending to the centerline of the vacated ROW for R-1A and R-1B.

There have been no requests for a meeting, and as of June 25, 2020, there have been no questions or concerns resulting from the notice currently. A separate certification letter is included with this justification that addresses IDO Section 6-4 for notifications.

JUSTIFICATION – SECTION 14-16-6.7(F)(3) OF INTEGRATED DEVELOPMENT ORDINANCE

This request is well-supported by the Comprehensive Plan’s goals and policies and meets the criteria for a Zone Map Amendment – EPC per IDO Section 14-6.7(F)(3) as described further in this section.
A. 6-7(F)(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’s Response: The proposed zone change is consistent with the health, safety, and general welfare of the City by creating a parcel with one consistent MX-L zoning district designed to provide for neighborhood-scale convenience shopping needs at an identified collector intersection.

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

Applicant Response: The request furthers this goal by allowing for a more productive use of vacant land that will enhance the existing residential development by creating a more developable local shopping node for the adjacent residential neighborhoods.

Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

Applicant Response: The request furthers this policy because it will allow for more permissive residential and commercial uses to allow for the appropriate type and scale of land uses conducive to quality development that is appropriate and cohesive within the current context and development of adjacent properties.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

Applicant Response: The request furthers this policy because it will enhance, protect, and preserve the current residential neighborhoods by allowing for better opportunities for residential and commercial development that will be required to meet the “neighborhood edge” provision of the IDO between the current R-1A and R-1B zoning to the south and east as shown on Table 2.

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

Applicant Response: The request furthers this goal because it will expand the permissive uses for retail and commercial development that can support and foster the adjacent residential neighborhoods with businesses that can facilitate opportunities to live, work, and shop in the neighborhood.

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

a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

Applicant Response: The request furthers this policy by allowing for permissive uses that could provide more retail development options to be located near the existing neighborhoods, discouraging more automobile travel.

e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.
Applicant Response: The request furthers this policy by allowing for more commercial development options that would be centrally located near large expanses of existing residential neighborhoods with convenient access off 98th Street and Tower Road SW.

h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediate surrounding development.

Applicant Response: The request furthers this policy by allowing for more permissive residential and commercial uses as the MX-L provides for neighborhood-scale convenience shopping needs.

k) Discourage zone changes to detached single-family residential uses on the West Side.

Applicant Response: The request furthers this policy by discouraging single-family residential uses adjacent to Tower Road since MX-L zoning does not include single-family residential as a permissive use.

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

Applicant Response: The request furthers this policy by encouraging more productive uses of the currently vacant lots that are underutilized. If approved, the zone amendment will allow for infill development that fills a gap and could play a critical role in the revitalization of an existing community.

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 request furthers this goal because it will expand an existing, vacant, and undersized MX-L property and provide for more permissive uses that can be readily served by existing infrastructure.

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

Applicant Response: The request furthers this policy by supporting more options for compatible development within an infill development area that is currently supported by existing infrastructure and public facilities.

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

Applicant Response: The request furthers this policy by allowing for infill development where there is existing infrastructure and public facilities. As indicated by the DPR’s approval of the plat, there is an existing waterline in or within the vacated ROW. The City has sanitary sewer within Tower Road directly north of the property. If approved, the zone amendment may expand retail and commercial opportunities that could provide additional services to the neighborhood and increase the community’s tax base.

Policy 5.3.5 School Capacity: Discourage zone changes from non-residential to residential or mixed-use zones when affected public schools have insufficient capacity to support the anticipated increase of students based on proposed dwelling units.
Applicant Response: The request furthers this policy by allowing for more low-intensity neighborhood-scale convenience shopping needs that would not impact public school capacity. The size and shape of the property would likely deter it from any multi-family development that would typically be allowed with the MX-L zone.

Goal 5.4 Jobs-Housing Balance: Balance jobs and housing by encouraging residential growth near employment across the region and prioritizing job growth west of the Rio Grande.

Applicant Response: The request furthers this goal because it will provide for more retail and commercial uses increasing opportunities for new jobs and improve the jobs to housing balance on the West Side of the Rio Grande.

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

a) Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

Applicant Response: The request furthers this policy by allowing for more uses that support increased capacity for commercial and office services.

Goal 5.8 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Applicant Response: The request furthers this goal because it will encourage growth of currently vacant property by adding the vacated right-of-way. The new, combined parcel will be more developable and provide for permissive and predictable uses that can be developed in a way that reinforces the character and intensity of the surrounding areas and expands commercial service opportunities for the neighborhood.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Center and Corridors, parks, and Major Public Open Space.

Applicant Response: The request furthers this policy by allowing for commercial services to develop in a more efficient manner that adheres to the current scale, intensity, and setbacks to maintain the character of the neighborhood. The location at the intersection of 97th and Tower Road is appropriate for this type of small-scale neighborhood commercial outside of a major corridor or activity center.

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

Applicant Response: The request furthers this goal by resulting in a more developable property that can create additional retail and commercial uses that increase the number of businesses and jobs on the West Side of the Rio Grande.

Policy 8.1.5 Available Land: Maintain sufficient land that is appropriately zoned to accommodate projected employment growth in targeted areas.

Applicant Response: The request furthers this policy by allowing for more low-intensity commercial uses on the parcel that could provide for future...
employment growth in the area.

B. 6-7(F)(3)(b) If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would 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.

   Applicant’s Response: This criterion is not applicable to this zone change request.

2. There has been a significant change in neighborhood or community conditions affecting the site.

   Applicant’s Response: This criterion is not applicable to this zone change 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’s Response: The MX-L zoning is the most appropriate zone for the subject parcel because the vacated ROW is within a re-plated parcel that is currently zoned MX-L to the north. As described in our policy analysis, the request furthers numerous Comprehensive Plan goals and policies regarding infill development, land use, and Areas of Consistency adjacent to existing residential areas.

   The requested MX-L zone will reinforce and strengthen the established character of the surrounding Area of Consistency by allowing low intensity commercial uses that can serve the surrounding residential neighborhoods. The request will offer flexibility in development of the subject property with appropriately scaled uses since the overall purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections like the corner of 97th Street and Tower Road adjacent to the subject property.

C. 6-7(F)(3)(c) If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.

2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.

3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).
Applicant Response: The subject site is located wholly in an "Area of Consistency": these criteria do not apply.

D. 6-7(F)(3)(d) The zone change does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant's Response: The MX-L zoning is intended to be neighborhood commercial zoning with permissive uses that are not anticipated to be harmful to the adjacent property, neighborhood, or community. The zone change will allow the vacated ROW to be used for low intensity commercial purposes, while maintaining the neighborhood edge requirements to the adjacent R-1A & R-1B zoning.

The following table represents some of the permissive uses within the MX-L zone.

<table>
<thead>
<tr>
<th>Table 2: IDO Zoning Allowable Uses for MX-L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, townhouse</td>
</tr>
<tr>
<td>Dwelling, live-work</td>
</tr>
<tr>
<td>Dwelling, multi-family</td>
</tr>
<tr>
<td>Assisted living facility or nursing home</td>
</tr>
<tr>
<td>Community residential facility (small, medium, large)</td>
</tr>
<tr>
<td>Group home (small, medium)</td>
</tr>
<tr>
<td>Adult or child day care facility</td>
</tr>
<tr>
<td>Community center</td>
</tr>
<tr>
<td>Elementary or middle school</td>
</tr>
<tr>
<td>Museum or art gallery</td>
</tr>
<tr>
<td>Parks and open space</td>
</tr>
<tr>
<td>Religious institution</td>
</tr>
<tr>
<td>Vocational school</td>
</tr>
<tr>
<td>Veterinary hospital</td>
</tr>
<tr>
<td>Health Club</td>
</tr>
<tr>
<td>Residential community amenity</td>
</tr>
<tr>
<td>Restaurant</td>
</tr>
<tr>
<td>Hotel</td>
</tr>
<tr>
<td>Car Wash</td>
</tr>
<tr>
<td>Light vehicle repair</td>
</tr>
<tr>
<td>Paid parking lot / structure</td>
</tr>
<tr>
<td>Commercial services</td>
</tr>
<tr>
<td>Medical or dental</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Bakery</td>
</tr>
<tr>
<td>Farmers' market</td>
</tr>
<tr>
<td>General retail, small</td>
</tr>
<tr>
<td>Grocery store</td>
</tr>
</tbody>
</table>
Artisan manufacturing

From this list of uses, the intent of the applicant with this zone change is to combine it with the existing City property to allow more flexibility for future development. The additional property through this zone change is irregularly shaped and small in size. A portion of the subject property as well as an adjacent property to the west is currently zoned MX-L and the small increase in the additional property through this zone change is not adding any uses next to the residential zoning that are not already allowed.

As this list indicates, most of these uses are very low intensity. In addition, some uses of the MX-L zone are not relevant because of the small size and configuration of the property. The Integrated Development Ordinance also includes use-specific standards to further regulate certain uses such as size limitations, distance separations, or additional screening requirements. These use-specific standards and review processes related to future site plans will ensure that any use from the MX-L zone proposed for the site will not be harmful to the adjacent property, neighborhood, or community.

E. 6-7(F)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:

1. Have adequate capacity to serve the development made possible by the change of zone.

   Applicant’s Response: While there is currently no development proposed for this site, there is infrastructure capacity available adjacent to the project site.

2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.

   Applicant’s Response: While there is currently no development proposed for this site, there is infrastructure available adjacent to the project site and no capital funds are needed.

3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.

   Applicant’s Response: While there is currently no development proposed for this site, there is infrastructure available adjacent to the project site and no capital funds or development agreement are needed at this time.

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’s Response: The subject parcel (vacated ROW) has been re-platted and combined with the adjacent parcel to north zoned MX-L. When future development is proposed for this parcel it will require approval of a Site Plan to include an evaluation of the existing and proposed infrastructure to ensure the appropriate development agreement (if needed) will be in place to provide adequate capacity to the parcel.

F. 6-7(F)(3)(f) The applicant’s justification for the requested zone change is not completely based on the property’s location on a major street.
Applicant’s Response: The request for the Zoning Map Amendment is based entirely on the City’s action to vacate the Old Tower Road ROW and to reallocate the vacated ROW with the adjacent City owned MK-L parcel to the north so there is more consistency with the zoning and land use for the entire 1.25-acre parcel.

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

Applicant’s Response: The cost of land or economic considerations are not the determining factor for this zone change request because the land is currently owned by the City of Albuquerque and the primary intent it rezone this parcel so that the zoning is consistent for the entire 1.25-acre parcel.

H. 6-7(F)(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 change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

Applicant’s Response: This Zone Map Amendment is not a strip or spot zone because it helps to facilitate an appropriately scaled neighborhood commercial node at the full access intersection of 97th Street and Tower Rd (Urban Collector) and is adjacent to existing MK-L zoning; therefore, the subsequent criterion in 1, 2, and 3 are not applicable to this Zoning Map Amendment.

1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.

Applicant’s Response: This criterion is not applicable to this zone change request.

2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.

Applicant’s Response: This criterion is not applicable to this zone change request.

3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

Applicant’s Response: This criterion is not applicable to this zone change request because there are no structures currently located on the premises.

CONCLUSION

On behalf of the City of Albuquerque, we respectfully request that the Environmental Planning Commission approve this request for a Zoning Map Amendment for the subject site.

Thank you for your consideration.

Sincerely,

[Signature]

Principal

Request for Zoning Map Amendment
NOTIFICATION
Dear Applicant,

As a part of the application process for the Public Notice邮件中提及的公共公告，请提供以下信息以帮助解决您在提交的附表中关于实施和执行《社区服务改善》要求的问题。我们希望您在提交任何问题时能够提供相关文件，并保持与您的联系信息。

1. First Name:
2. Last Name:
3. Email:
4. Address Line 1:
5. Address Line 2:
6. City:
7. State:
8. Zip Code:
9. Phone:

[表格内容]

10. [其他相关表格内容]

Please note that the information provided in this email is for the use of the intended recipient(s) only and may contain confidential and privileged information. Any unauthorized use, disclosure or distribution is prohibited unless specifically authorized under the New Mexico Privacy Act public notice. If you are not the intended recipient, please contact the sender and destroy copies of this message.

Sincerely,

[姓名]

[职位]

[部门]

[联系方式]

[电子签名]

[日期]

[注：此邮件内容仅限于指定收件人使用，可能包含机密和受保护信息。未经授权的使用、泄露或分发是禁止的，除非按照《新墨西哥隐私法》特别授权。如果不是指定的收件人，请联系发送者并销毁此邮件的副本。]
This email is notification that Consensus Planning will be preparing an application on behalf of the City of Albuquerque (City) for an approximate .73-acre site located south of Tower Road SW and east of 97th Street SW (see attached Zone Atlas Page). The subject property consists of one parcel that is a vacated portion of what was Tower Road Right-of-Way (ROW). The application will be to the Environmental Planning Commission (EPC) for a zone map amendment from the vacated ROW to MX-L.

The applicant is seeking this rezoning to allow for the vacated ROW to be rezoned for consistency with the adjacent City owned MX-L parcel to the north. Both the subject property and adjacent parcel to the north are proposed to be re-platted into a single parcel.

As part of the IDO regulations, we are providing you an opportunity to discuss the application prior to submittal. Should you desire to request a meeting regarding this request, please do not hesitate to email us at consulplanning.com or ballay@consensusplanning.com. You may also contact us by phone at 505-382-4745. Per the IDO, you have 15 days or until May 13, 2020 to request a meeting. If you do not want to schedule a meeting, or support the project, please let us know.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801
Your message has been delivered to the following recipients:

dchavez@cgres.com (dchavez@cgres.com)

Subject: IDO Pre-Application Notification
Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

jgallegoswccdg@gmail.com (jgallegoswccdg@gmail.com)
aboard111@gmail.com (aboard111@gmail.com)
mbfernandez1@gmail.com (mbfernandez1@gmail.com)

Subject: IDO Pre-Application Notification
Your message has been delivered to the following recipients:

ebrizuela@cgres.com (ebrizuela@cgres.com)

Subject: IDO Pre-Application Notification
Shawna Ballay

From: Microsoft Outlook
To: hiheen@comcast.net, rroibal@comcast.net
Sent: Tuesday, April 28, 2020 8:12 AM
Subject: Relayed: IDO Pre-Application Notification

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

hiheen@comcast.net (hiheen@comcast.net)
rroibal@comcast.net (rroibal@comcast.net)

Subject: IDO Pre-Application Notification
Shawna Ballay

From: Microsoft Outlook
To: charquezada@yahoo.com
Sent: Tuesday, April 28, 2020 8:12 AM
Subject: Relayed: IDO Pre-Application Notification

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

cherquezada@yahoo.com (cherquezada@yahoo.com)

Subject: IDO Pre-Application Notification
Shawna Ballay

From: Shawna Ballay
Sent: Thursday, May 28, 2020 10:17 AM
To: jgallegoswccdg@gmail.com; cherquezada@yahoo.com; aaboard11@gmail.com; 
hvenir@comcast.net; roibal@comcast.net; mifernandez1@gmail.com; 
dchavez@cgres.com; ebritzuela@cgres.com
Cc: Jim Strozier
Subject: IDO Notification - Application to the EPC for a Zone Map Amendment

Dear Neighbors:

This email is notification that Consensus Planning has applied for a Zone Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of the City of Albuquerque.

The subject property is located south of Tower Road SW and east of 97th Street and contains approximately .71 acres. The request is for a zone change from a Vacated Right-of-Way (ROW) to MX-L (Mixed-Use Low Intensity) to allow for more consistent zoning with the city’s adjacent MX-L property to the north. If the zone change is approved, zoning will be consistent for the entire property.

The EPC Public Hearing for this application will be held on July 9, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform. The URL for joining via videoconference or call-in numbers for audio only are as follows:

Join Zoom Meeting: https://cabq.zoom.us/j/921574588404
Meeting ID: 915 7458 8404

One tap mobile
+16699006633, 921574588404# US (San Jose)
+12532158782, 91574588404# US (Tacoma)

Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7299 US (Houston)
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 628 6799 US (Chicago)

Meeting ID: 915 7458 8404
Find your local number: https://cabq.zoom.us/u/ab6Mykg8f

The meeting agenda will be posted on the Planning Department website one week prior to the hearing on July 2, 2020. Please visit http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes to review the agenda and staff reports.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: https://www.cabq.gov/planning/urban-design-development/facilitated-meetings/proposed-development to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3955 or devhelp@cabq.gov.
Do not hesitate to contact me as well if you have any questions.

Jim Strozier, FAICP
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801
Shawna Ballay

From: Microsoft Outlook
To: jgallegoswccdo@gmail.com; aboard111@gmail.com; mbfernandez1@gmail.com
Sent: Thursday, May 28, 2020 10:17 AM
Subject: Relayed: IDO Notification - Application to the EPC for a Zone Map Amendment

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

jgallegoswccdo@gmail.com (jgallegoswccdo@gmail.com)
aboard111@gmail.com (aboard111@gmail.com)
mbfernandez1@gmail.com (mbfernandez1@gmail.com)

Subject: IDO Notification - Application to the EPC for a Zone Map Amendment

IDO Notification - Application...
Shawna Ballay

From: Microsoft Outlook
To: cherquezada@yahoo.com
Sent: 10:17 AM
Subject: Relayed: IDO Notification - Application to the EPC for a Zone Map Amendment

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
cherquezada@yahoo.com (cherquezada@yahoo.com)

Subject: IDO Notification - Application to the EPC for a Zone Map Amendment

IDO Notification - Application...
Shawna Ballay

From: postmaster@associat.onmicrosoft.com
To: dchavez@cgres.com
Sent: Thursday, May 28, 2020 10:17 AM
Subject: Delivered: IDO Notification - Application to the EPC for a Zone Map Amendment

Your message has been delivered to the following recipients:

dchavez@cgres.com (dchavez@cgres.com)

Subject: IDO Notification - Application to the EPC for a Zone Map Amendment

IDO Notification -
Application...
Your message has been delivered to the following recipients:
ebrizuela@cgres.com (ebrizuela@cgres.com)

Subject: IDO Notification - Application to the EPC for a Zone Map Amendment

IDO Notification -
Application...
Shawna Ballay

From: Microsoft Outlook
To: hilhen@comcast.net; rroibal@comcast.net
Sent: Thursday, May 28, 2020 10:18 AM
Subject: Relayed: IDO Notification - Application to the EPC for a Zone Map Amendment

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

hilhen@comcast.net (hilhen@comcast.net)

rroibal@comcast.net (rroibal@comcast.net)

Subject: IDO Notification - Application to the EPC for a Zone Map Amendment

IDO Notification -
Application...
June 25, 2020

Dan Serrano, Chairperson
Environmental Planning Commission
600 Second Street NW
Albuquerque, NM 87102

Re: Old Tower Road – Request for Zoning Map Amendment
IDO Section 6-4 Notification

Dear Mr. Chairman:

On behalf of the applicant & property owner, City of Albuquerque Municipal Development, Consensus Planning has met the notifications as required by IDO Section 6-4 to both the Neighborhood Associations and Property Owners as outlined below. The purpose of this letter is to certify that as of June 20, 2020 no meetings have been requested, nor have we received any questions or concerns resulting from the notices at this time.

NEIGHBORHOOD ASSOCIATION NOTICES AND PROPERTY OWNER LETTERS

Consensus Planning sent the required pre-application and application notifications to the following Neighborhood Coalitions and Associations:

- South West Alliance of Neighborhoods (SWAN Coalition)
- Westside Coalition of Neighborhood Associations
- South Valley Coalition of Neighborhood Associations
- Torneta Cuesta Homeowners Association (HOA)

Updating property owner letters were mailed on June 24, 2020 to all the property owners included within a 100’ for the Zoning Map Amendment.

Please feel free to contact me at 505.764.9801 if you require additional clarification on this matter.

Sincerely,

[Signature]

JAMES K. STROZDE, FAICP
Principal

PRINCIPALS

James K. Strozde, FAICP
Christopher J. Grass, PLA, ASLA, LEED AP
Jacqueline Fishman, AICP
PECK RUSSEL A
9501 CASITAS CT SW
ALBUQUERQUE NM 87121-9484

JINZO JESSICA E
9500 WEEMS AVE SW
ALBUQUERQUE NM 87121

ALTHOUSE JESSICA L
9600 WEEMS AVE SW
ALBUQUERQUE NM 87121

LICANO-TRILLO LUIS S
608 AVANTI ST SW
ALBUQUERQUE NM 87121-7740

RIOS ADRIAN GONZALEZ & VOELKER KAYLEE CANNON
600 AVANTI ST SW
ALBUQUERQUE NM 87121-7740

FRANCO SILVIA D & MORALES-GONZALEZ JAIR
9701 TOSCALI CT SW
ALBUQUERQUE NM 87121

POLANCO PEDRO HUGO
9515 CASITAS CT SW
ALBUQUERQUE, NM 87121

RODRIGUEZ IBARRA ALEJANDRA & FEDERICO FRANCISCO E
9608 WEEMS AVE SW
ALBUQUERQUE NM 87121

BARBOUR MELISSA A & SANDOVAL MARCOS A
9705 TOSCALI CT SW
ALBUQUERQUE NM 87121

HOLGUIN RAYMOND & CORINA NAJERA
560 DEAN DR SW
ALBUQUERQUE NM 87121

PAVIA DELIA
10501 PASO PINO PL SW
ALBUQUERQUE NM 87121-8962

ACOSTA ROBERT
600 97TH ST SW
ALBUQUERQUE NM 87121-9581

98TH TOWER JACK LLC C/O TERRANCE ZINMAN CPA
21731 VENTURA BLVD SUITE 180 WOODLAND HILLS CA 91364-5109

PALLARES CARLOS A
9512 WEEMS AVE SW
ALBUQUERQUE NM 87121

VASQUEZ JOSE
9505 CASITAS CT SW
ALBUQUERQUE NM 87121-9484

HERNANDEZ ANGELA
9409 CASITAS CT SW
ALBUQUERQUE NM 87121-9483

ponce luis m & ponce luz p c/o ponce ricardo
608 97TH ST SW
ALBUQUERQUE NM 87121-9581

GARCIA MARIANO J III & SANDRA A
579 94TH ST SW
ALBUQUERQUE NM 87121

NAJERA JOSE E & ADA A
9508 WEEMS AVE SW
ALBUQUERQUE NM 87121

LSF9 MASTER PARTICIPATION TRUST
3630 PEACHTREE RD NE SUITE 1500 ATLANTA GA 30326-1543

PENA RODOLFO A MANRIQUEZ & MANRIQUEZ ADRIANA
801 LOCUST PL NE APT 1033E ALBUQUERQUE NM 87122-7604

MARQUEZ ALBERT & MARY ANN
583 96TH ST SW
ALBUQUERQUE NM 87121

DEROBLES DANIEL
9405 CASITAS CT SW
ALBUQUERQUE NM 87121

MONTOYA ANTHONY P
PO BOX 90846
ALBUQUERQUE NM 87199-0846

SERVIN ISIDRO M (ESTATE OF)
9509 CASITAS CT SW
ALBUQUERQUE, NM 87121-9484

CANELARIA MONICO D
9604 WEEMS AVE SW
ALBUQUERQUE NM 87121-2249

PEREA-CAMPOS HUGO & GARCIA LUZ M
600 97TH ST SW
ALBUQUERQUE NM 87121-9581

KREZAN NICHOLAS A
605 AVANTI ST SW
ALBUQUERQUE NM 87121

WATSON ARTHUR Q JR & DORA M
9415 CASITAS CT SW
ALBUQUERQUE NM 87105

GARCIA CANELARIA FRANCIS
9401 CASITAS CT SW
ALBUQUERQUE NM 87109-3480
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Osborne Larry D &amp; Gloria</td>
<td>9612 Weems Ave SW</td>
<td>ALBUQUERQUE NM 87121-2249</td>
</tr>
<tr>
<td>South West Alliance of Neighborhoods</td>
<td>Cherise Quezada</td>
<td>10304 Paso Fino Place SW</td>
</tr>
<tr>
<td>South West Alliance of Neighborhoods</td>
<td>Jerry Gallegos</td>
<td>5921 Central Avenue NW</td>
</tr>
<tr>
<td>Gómez Mario</td>
<td>9706 Weems Ave SW</td>
<td>ALBUQUERQUE NM 87121</td>
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<tr>
<td>Westside Coalition of Neighborhood Associations</td>
<td>Elizabeth Haley</td>
<td>6005 Chaparral Circle</td>
</tr>
<tr>
<td>Leon Juan C</td>
<td>9624 Weems Ave SW</td>
<td>ALBUQUERQUE NM 87121</td>
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<tr>
<td>Westside Coalition of Neighborhood Associations</td>
<td>Rene Horvath</td>
<td>5515 Palomino Drive NW</td>
</tr>
<tr>
<td>Pacheco Edmund L &amp; Olivia A</td>
<td>9628 Weems Ave SW</td>
<td>ALBUQUERQUE NM 87121</td>
</tr>
<tr>
<td>South Valley Coalition of Neighborhood Associations</td>
<td>Robert Roibal</td>
<td>211 10th Street SW</td>
</tr>
<tr>
<td>Estrada Higinio</td>
<td>9820 Weems Ave SW</td>
<td>ALBUQUERQUE NM 87121</td>
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<tr>
<td>South Valley Coalition of Neighborhood Associations</td>
<td>Marcia Fernandez</td>
<td>2401 Violet SW</td>
</tr>
<tr>
<td>Gurrola Rosalilia</td>
<td>575 94th ST SW</td>
<td>ALBUQUERQUE NM 87121-9579</td>
</tr>
<tr>
<td>Torreta Oeste HOA</td>
<td>Donna Chavez</td>
<td>8500 Jefferson Street NE - Suite B</td>
</tr>
<tr>
<td>Narvaez Pablo L</td>
<td>9616 Weems Ave SW</td>
<td>ALBUQUERQUE NM 87121</td>
</tr>
<tr>
<td>Torreta Oeste HOA</td>
<td>Erin Brizuela</td>
<td>8500 Jefferson Street NE - Suite B</td>
</tr>
<tr>
<td>Burns Theodore T Jr &amp; Dawn R</td>
<td>9700 Weems Ave SW</td>
<td>ALBUQUERQUE NM 87121-2275</td>
</tr>
</tbody>
</table>
June 24, 2020

Re: Revised Letter with Acreage and Zoning Summary Changes
Public Notice of Zoning Map Amendment - EPC for Vacated Tower Road Right-of-Way (ROW)

Dear Neighbor:

In accordance with the procedures of the City of Albuquerque’s Integrated Development Ordinance (IDO) Subsection 14-16-6-4(1)(2) Mailed Public Notice, we are notifying you as an adjacent property owner that Consensus Planning LLC., acting as an agent on behalf of the applicant and property owner, City of Albuquerque, will be submitting an application for a Zoning Map Amendment - EPC for one parcel located south of Tower Road SW and east of 97th Street. We apologize if you are receiving this notice multiple times. We received the Zoom Public Notice information after the 1st mailing and this updated notice is to clarify that the zone map amendment request includes the existing City MX-L parcel and the vacated Right-of-Way (ROW). This mailing is also being expanded to a larger geographic area and will be the first notification for some recipients.

PUBLIC NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the EPC Public Hearing for this application will be held on July 9, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform. The URL for joining via videoconference or call-in numbers for audio only are as follows:

Join Zoom Meeting: https://cabq.zoom.us/j/91574588404
Meeting ID: 915 7458 8404
One tap mobile
+16699006833, +91574588404# US (San Jose)
+12532158782, +91574588404# US ( Tacoma)

Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (TACOMA)
+1 346 248 7799 US (Houston)
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)

Meeting ID: 915 7458 8404
Find your local number: https://cabq.zoom.us/u/ab6Mj9k8Ff

ENVIRONMENTAL PLANNING COMMISSION

Information regarding the EPC is posted on the Planning Department’s website at http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact devhelp@cabq.gov. The agenda, staff reports, and supplemental materials will be posted on the City website, https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/ecp-agendas-reports-minutes, on Thursday, July 2, 2020.
Consensus Planning, agent for City of Albuquerque, requests a Zoning Map Amendment - EPC for an approximate .71-acre site located south of Tower Road SW and east of 97th Street (see attached Zone Atlas Page).

The entire property consists of approximately 1.25 +/- acres, of which .71 acres is the subject of this Zoning Map Amendment (ZMA). Subsection 6-5(2)(f) indicates that when the City of Albuquerque (COA) vacated the Tower Road Right-of-way (ROW), the abutting zone boundaries extended to the centerline of the former ROW. Therefore, the ZMA request is from R-1A and R-1B to MX-L on the southern half of the former ROW. If the zone change is approved, MX-L zoning will be consistent for the entire property.
Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/ to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3955 or devhelp@cabq.gov.

Sincerely,

Consensus Planning, Inc.
302 Eight Street NW
Albuquerque, NM 87102
(505) 764-9801
cp@consensusplanning.com

Attached: Zone Atlas Map L-09-Z
<table>
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June 24, 2020

South West Alliance of Neighborhoods
Cherise Quezada
10304 Paso Fino Place SW
Albuquerque, NM 87121

South West Alliance of Neighborhoods
Jerry Gallegos
5921 Central Avenue NW
Albuquerque, NM 87105

Re: Revised Letter with Acreage and Zoning Summary Changes
Old Tower Road – Zoning Map Amendment (ZMA)

Dear Ms. Quezada, Mr. Gallegos, and the South West Alliance of Neighborhoods:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of the City of Albuquerque. We apologize that you are receiving this notice multiple times. We received the Zoom Public Notice information after the 1st mailing and this updated notice is to clarify that the zone map amendment request includes the existing City MX-L parcel and the vacated Right-of-Way (ROW).

The subject property is located south of Tower Road SW and east of 97th Street and contains approximately 1.25 +/- acres. IDO Subsection 6.6(k)(2)(f) indicates that when the City of Albuquerque (COA) vacated the Tower Road Right-of-way (ROW), the abutting zone boundaries extended to the centerline of the former ROW. Therefore, the ZMA request is from R-1A and R-1B to MX-L on the southern half of the former ROW. If the zone change is approved, MX-L zoning will be consistent for the entire property.

The EPC Public Hearing for this application will be held on July 9, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/ to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3955 or devhelp@cabq.gov.

Sincerely,

[Signature]
Principal

PRINCIPALS

James K. Strozier, FAICP
Christopher J. Greer
ASLA, LEED AP
Jacqueline Fishman

Attached: Zone Atlas Map L-09-Z; EPC Hearing - Zoom Meeting Information
June 24, 2020

Westside Coalition of Neighborhood Associations
Elizabeth Haley
6055 Chaparral Circle NW
Albuquerque, NM 87114

Westside Coalition of Neighborhood Associations
Rene Horvath
5515 Palomino Drive NW
Albuquerque, NM 87112

Re: Revised Letter with Acreage and Zoning Summary Changes
Old Tower Road – Zoning Map Amendment

Dear Ms. Haley, Ms. Horvath, and the Westside Coalition of Neighborhood Associations:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of the City of Albuquerque. We apologize that you are receiving this notice multiple times. We received the Zoom Public Notice information after the 1st mailing and this updated notice is to clarify that the zone map amendment request includes the existing City MX-L parcel and the vacated Right-of-Way (ROW).

The subject property is located south of Tower Road SW and east of 97th Street and contains approximately 1.25 +/- acres. I.D. O Subsection 6-6(6)(2)(f) indicates that when the City of Albuquerque (CDA) vacated the Tower Road Right-of-way (ROW), the abutting zone boundaries extended to the centerline of the former ROW. Therefore, the ZMA request is from R-1A and R-1B to MX-L on the southern half of the former ROW. If the zone change is approved, MX-L zoning will be consistent for the entire property.

The EPC Public Hearing for this application will be held on July 9, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the I.D.O., anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (I.D.O Section 14-16-6-4(0)). Visit: https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3955 or devhelp@cabq.gov.

Sincerely,

Jim Strozzi, FAICP
Principal

Attached: Zone Atlas Map L-09-2; EPC Hearing - Zoom Meeting Information
June 24, 2020

South Valley Coalition of Neighborhood Associations
Roberto Roibal
211 10th Street SW
Albuquerque, NM 87105

South Valley Coalition of Neighborhood Associations
Marcia Fernandez
2401 Violet SW
Albuquerque, NM 87105

Re: Revised Letter with Acreage and Zoning Summary Changes
Old Tower Road – Zoning Map Amendment

Dear Mr. Roibal, Ms. Fernandez, and the South Valley Coalition of Neighborhood Associations:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of the City of Albuquerque. We apologize that you are receiving this notice multiple times. We received the Zoom Public Notice information after the 1st mailing and this updated notice is to clarify that the zone map amendment request includes the existing City MX-L parcel and the vacated Right-of-Way (ROW).

The subject property is located south of Tower Road SW and east of 97th Street and contains approximately 1.25 +/- acres. IDO Subsection 6-6(C)(f) indicates that when the City of Albuquerque (COA) vacated the Tower Road Right-of-way (ROW), the abutting zone boundaries extended to the centerline of the former ROW. Therefore, the ZMA request is from R-1A and R-1B to MX-L on the southern half of the former ROW. If the zone change is approved, MX-L zoning will be consistent for the entire property.

The EPC Public Hearing for this application will be held on July 9, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3955 or devhelp@cabq.gov.

Sincerely,

[Signature]

Attended: Zone Atlas Map L-09-Z; EPC Hearing - Zoom Meeting Information
June 24, 2020

Torretta Oeste HOW
Donna Chavez
8500 Jefferson Street NE - Suite B
Albuquerque, NM 87113

Torretta Oeste HOW
Eein Brizuela
8500 Jefferson Street NE - Suite B
Albuquerque, NM 87113

Re: Revised Letter with Acreage and Zoning Summary Changes
Old Tower Road – Zoning Map Amendment

Dear Ms. Chavez, Ms. Brizuela, and the Oeste Homeownership Association:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment to the Environmental Planning Commission (EPC) on behalf of the City of Albuquerque. We apologize that you are receiving this notice multiple times. We received the Zoom Public Notice information after the 1st mailing and this updated notice is to clarify that the zone map amendment request includes the existing City MX-L parcel and the vacated Right-of-Way (ROW).

The subject property is located south of Tower Road SW and east of 97th Street and contains approximately 1.25 +/- acres. IDO Subsection 6-8(K)(2)(f) indicates that when the City of Albuquerque (COA) vacated the Tower Road Right-of-Way (ROW), the abutting zone boundaries extended to the centerline of the former ROW. Therefore, the ZMA request is from R-1A and R-1B to MX-L, on the southern half of the former ROW. If the zone change is approved, MX-L zoning will be consistent for the entire property.

The EPC Public Hearing for this application will be held on July 9, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, anyone may request, and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-4(4)). Visit: https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/ to view and download the Facilitated Meetings Criteria. If you wish to request a Facilitated Meeting, please contact the Planning Department at (505) 924-3955 or devhelp@cabq.gov.

Sincerely,

[Signature]

Principal

Attached: Zone Atlas Map L-09-Z; EPC Hearing - Zoom Meeting Information
Attachment – Zoom Meeting Information

Re: Old Tower Road – Zoning Map Amendment
Public Notice of Zoning Map Amendment

Notice is hereby given that the EPC Public Hearing for this application will be held on July 9, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform. The URL for joining via videoconference or call-in numbers for audio only are as follows:

Join Zoom Meeting: https://cabq.zoom.us/j/91574588404

Meeting ID: 915 7458 8404
One tap mobile
+16699006833,91574588404# US (San Jose)
+12532158782,91574588404# US (Tacoma)

Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 646 558 8556 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
Meeting ID: 915 7458 8404
Find your local number: https://cabq.zoom.us/u/ab6MykFf