



Environmental Planning Commission

Agenda Number: 7
Project #: PR-2022-007157
Case #: RZ-2022-00031
Hearing Date: July 21, 2022

Staff Report

Agent	Consensus Planning
Applicant	Juniper Properties Southwest, LLC
Request	Zoning Map Amendment (zone change)
Legal Description	Lots 7 thru 11 block 64 Terrace Addition & north 10ft vacated Gold Ave
Location	1701 Gold Ave SE between Pine St. and University Blvd.
Size	Approximately 1.0 acre
Existing Zoning	R-ML
Proposed Zoning	MX-L

Staff Recommendation

DENIAL of PR-2022-007157, RZ-2022-00031, based on the Findings beginning on Page 25.

***Leslie Naji
Senior Planner***

Summary of Analysis

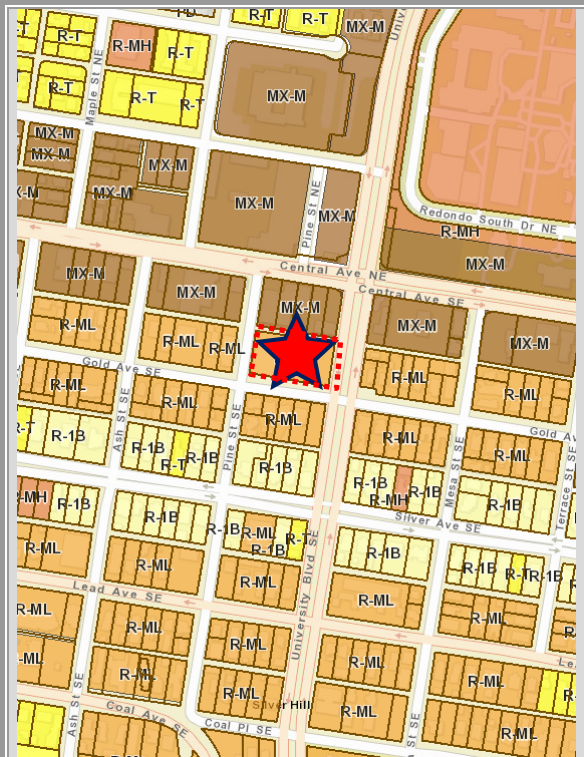
The request is for a zone change for an approximately 1.0-acre site on the north side of Gold Ave. SE, between Pine St. and University Blvd. SE (the subject site).

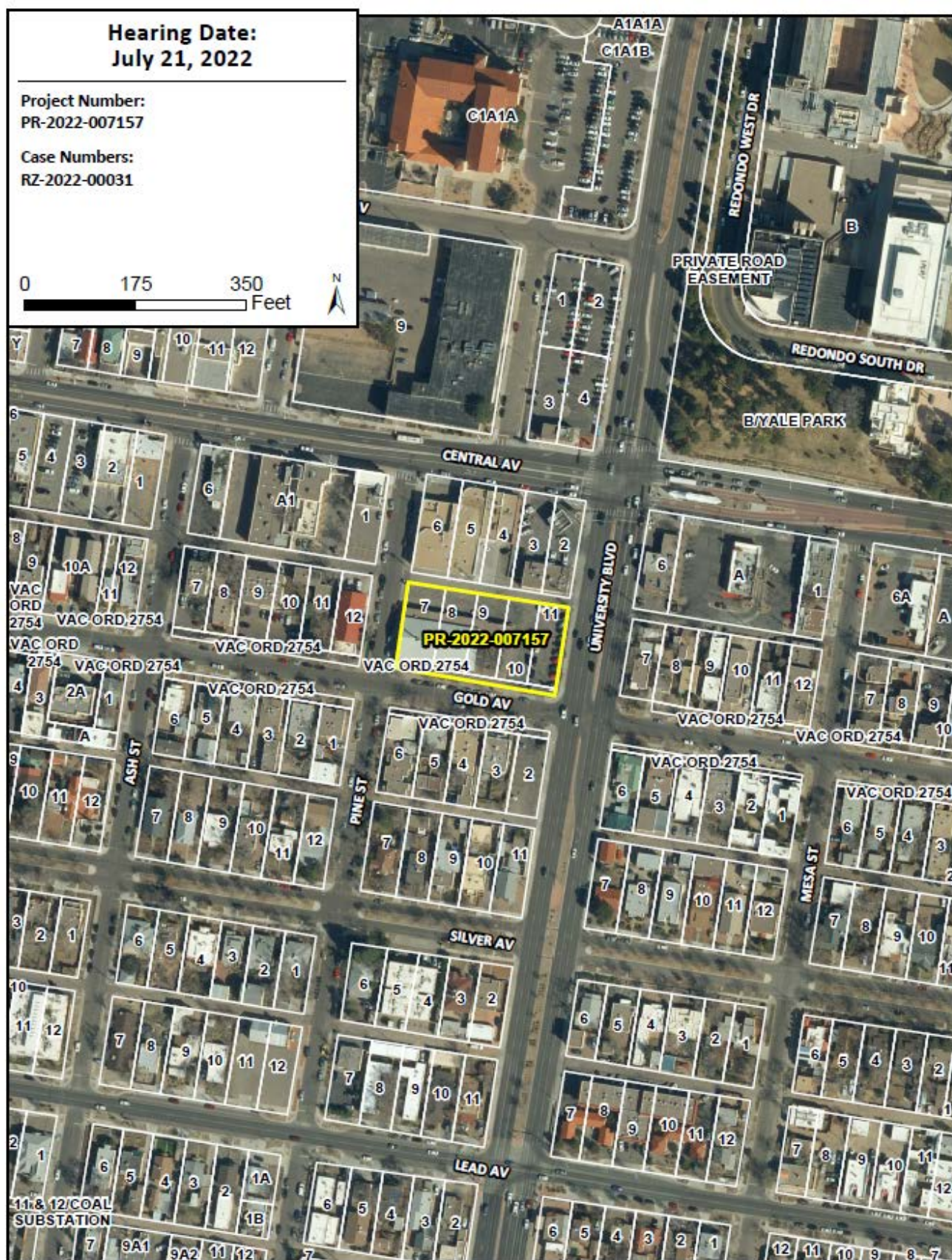
The subject site is zoned R-ML. The applicant is requesting a zone change to MX-L to facilitate future development. The MX-L zone district would allow commercial uses in addition to multi-family residential, which is already allowed.

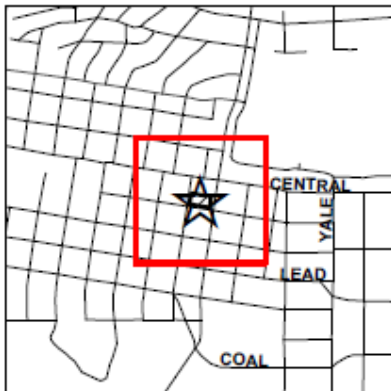
The subject site is located adjacent to Silver Hill- HPO 6 and is not in a Center or along a Corridor.

The applicant has not adequately justified the request pursuant to the IDO zone change criteria [14-16-6-7(G)(3)]. The proposed zoning conflicts with Goals and Policies regarding Community Identity and Centers (Criterion A); therefore, Criterion C is also not met. The request could result in harm to the adjacent historic neighborhood, so Criterion D is also not met. Furthermore, the request would create an unjustifiable spot zone (Criterion H).

The affected neighborhood organizations and property owners within 100 feet of the subject site were notified as required. Neighbors have expressed support for housing but opposition to commercial uses. Staff recommends Denial.

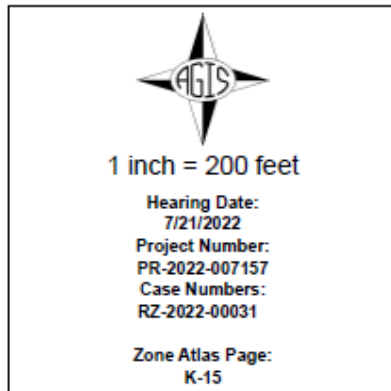


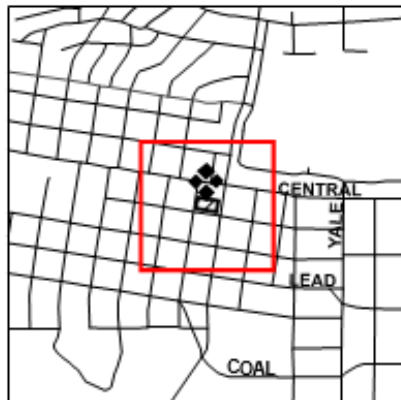




IDO ZONING MAP

Note: Gray shading
Indicates County.





LAND USE MAP

Note: Gray shading
Indicates County.

Key to Land Use Abbreviations

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



1 inch = 200 feet

Hearing Date:

7/21/2022

Project Number:

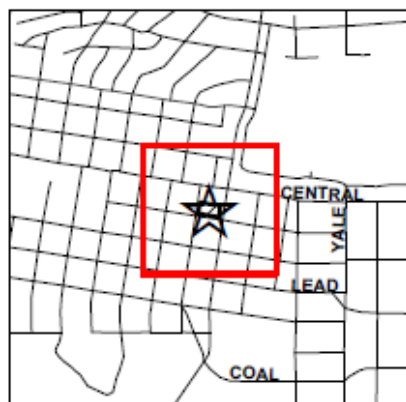
PR-2022-007157

Case Numbers:

RZ-2022-00031

Zone Atlas Page:

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HISTORY MAP

Note: Gray shading indicates County.



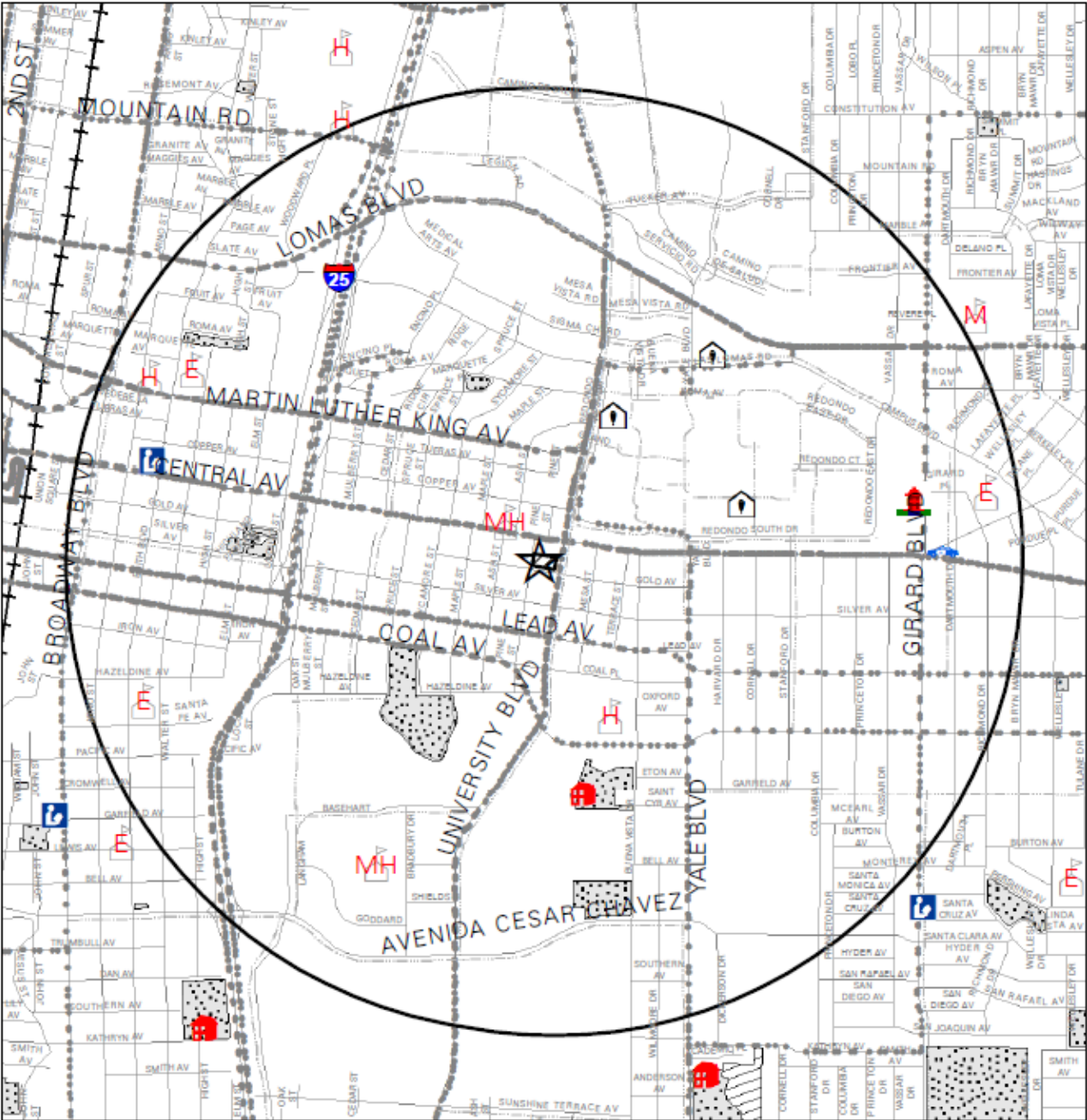
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Zone Atlas Page:
K-15



Public Facilities Map with One-Mile Buffer

- | | | | |
|----------------------|-------------|--------------------------|-----------------------------|
| Community Center | Fire | Public School | Landfill designated by EHD |
| Multi-Service Center | Police | Proposed Bike Facilities | Landfill Buffer (1000-feet) |
| Senior Center | Sheriff | ABQ Ride Route | Developed City Park |
| Library | Solid Waste | Albuquerque City Limits | Undeveloped City Park |
| Museum | | | Developed County Park |
| | | | Undeveloped County Park |

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- 2-Photographs – Existing Conditions
- 3-Zoning
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- 5-Notification
- 6-Neighborhood Concerns

I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Site</i>	R-ML	Area of Change	Vacant
<i>North</i>	MX-M	Area of Change	Commercial
<i>South</i>	R-ML	Area of Change	Dwelling, Single-Family
<i>East</i>	R-ML	Area of Consistency	Dwelling, Single-Family
<i>West</i>	R-ML	Area of Change	Dwelling, Townhouse

Request

The request is for a zoning map amendment from R-ML to MX-L for all or a portion of Lots 7 thru 11, Block 64, Terrace Addition & north 10ft vacated Gold Ave, located on the north side of Gold Ave., between Pine St. and University Blvd. (“the subject site”). The subject site is approximately 1.0 acre.

The subject site is zoned R-ML (multi-family low intensity). A church, no longer in use, exists on the subject site. The applicant is requesting a zone change to MX-L to allow future development under the MX-L zone district, which would allow commercial development in addition to multi-family residential that is already allowed under the R-ML zone.

EPC Role

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

Context

The approximately 1.0-acre subject site comprises the northwestern corner of the intersection of University Blvd. SE and Pine St. The existing building fronts Gold Ave. There is an alley on the building’s northern side and a parking lot on its eastern side.

The lots adjacent north of the subject site contain a variety of small-scale commercial uses. The lots to the south of the subject site, across Gold Ave. contain low-density residential uses (duplexes and single-family). These bungalow-style homes are within the Silver Hill Historic Protection Overlay Zone.

Generally, land uses in this area are predominantly single-family and multi-family residential, with the exception of the small-scale commercial uses that front Central Ave., north of the subject site.

Neighborhood Context

The Silver Hill Historic District was listed on the National Register of Historic Places and the State Register of Cultural Properties in 1986 as recommended in the 1986 University Neighborhoods Sector Development Plan for the area. Silver Hill is cited in the register nominations as the best-preserved example of Albuquerque's first suburban subdivisions built up on the mesa just after the First World War.

The houses in the Silver Hill Historic District were built in a variety of architectural styles popular with middle class Anglo-Americans in the early twentieth century in Albuquerque. Buildings were centered on fifty-foot lots with a twenty-foot front setback and side setbacks of five to ten feet. These long rows of regularly spaced buildings contain fine examples of the Hipped Cottage, Craftsman Bungalow, Mediterranean and Southwest Vernacular architectural styles. The houses are elaborated with details that lend individuality. The district also contains some duplexes, which were designed for compatibility with the single-family houses.

Silver Avenue, which runs through the historic district, is one of three landscaped "parkways" remaining from early 20th century Albuquerque. It contains trees uniformly planted in a generous median. Street trees are also found in the planting strip between the curb and the sidewalk at intervals of 25' on Silver, Gold, Lead and cross-streets. A great deal of effort has gone into revitalizing and maintaining the streetscape along Silver Ave.

History

The subject site is located within the Silver Hill Sector Development plan boundary. The building and parking area on the subject site were constructed in 1979 as a church and have remained to the present day. The property operated as a church, but stopped services in 2020 with COVID closures and did not resume. The property was sold in May 2022 .

There are two historical case numbers associated with the site: BA-1233 and ZA-80-81. The first contains architectural hand-drawings for the church, which appear to be from June 1960. The second is an approval of a special exception in March 1980 for expansion of a non-conforming use (the church) that allowed a larger sign on the subject site.

Transportation System

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

The LRRS designates University Blvd, adjacent to the subject site, as a Minor Arterial. Gold Ave. and Pine Street are local streets.

Comprehensive Plan Designations

The Comprehensive Plan designates the subject site as being within a Major Transit Corridor, within 660 feet of a Premium Transit Station, and within a Main Street Corridor. Major Transit Corridors are intended to be served by high frequency, local transit. The Premium Transit designation acts as an overlay on other transit designations.

The subject site is not located within a Center as designated by the Comprehensive Plan.

The subject site is located within an Area of Change as designated by the Comprehensive Plan. Generally, Areas of Change are where more dense development should be directed. The intent of the Comprehensive Plan is to make Areas of Change the focus of new urban-scale development.

Comprehensive Plan Community Planning Area Designation

The subject site is located within the Near Heights Community Planning Area. The Near Heights Community Planning Area (CPA) encompasses the University area, Nob Hill, and the International District, as well as many distinct neighborhoods and districts south to the Sunport and Kirtland Air Force Base and north to I-40. Near Heights includes most of the city's largest institutions and employers, including UNM, CNM, Presbyterian and UNM hospitals, the Veterans Affairs complex, and the International Sunport.

The area includes a range of architectural styles and building scales. The Central Avenue corridor and its Route 66 features much of the distinctive mid-century modern style development commonly found along this historic highway.

Trails/Bikeways

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies existing and proposed routes and trails. University Blvd. is designated as a Proposed Bike Lane.

Transit

The subject site is served by multiple bus routes including, ABQ Ride Route 66, ART 777, ART 766, and route 92. The nearest bus stop is north of the subject site at the intersection at University Blvd. and Central Avenue.

Public Facilities/Community Services

Please refer to the Public Facilities Map (see page 6), 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.

Artisan Manufacturing: Small-scale manufacturing and related processes or activities – including but not limited to application, assembling, compounding, design, fabrication, growing, making, packaging, processing, sculpting, teaching, treating of crafts or products, or welding – often by an artist, artisan, or craftsperson working with ceramic, clay, electronics, metal, paper, plastic, stone, textiles, wood, or similar materials either by hand or with minimal automation or technology, including but not limited to 3D printing. This use includes incidental storage, wholesaling of products manufactured at the facility, and direct sales to consumers.

This use also includes the production of beer, wine, or spirits associated with an approved Small Brewer's License as governed by Section 60-6A-26.1 NMSA 1978, an approved Winegrower's License as governed by Section 60-6A-11 NMSA 1978, or an approved Craft Distiller's License as governed by Section 60-6A-6.1 NMSA 1978. Annual production shall be limited by State statute. This use does not include alcohol sales. Alcohol sales associated with brewing on-site is regulated pursuant to the tap room or tasting room use. See Tap Room or Tasting Room and Cannabis Definitions for Cannabis-derived Products Manufacturing and Cannabis Cultivation.

Cannabis Cultivation: A facility in which cannabis is grown, harvested, dried, cured, or trimmed.

Cannabis-derived Products Manufacturing: A facility for the processing, including but not limited to extraction, refinement, isolation, or packaging of a product other than cannabis itself, which contains or is derived from cannabis, including but not limited to concentrates, cannabis infusions, edible products, ointments, and tinctures, but excluding hemp.

Cannabis Retail: A retail sales establishment licensed by the State to sell cannabis under Sections 26-2C-1 to 26-2C-42 NMSA 1978. Retail establishments selling cannabis solely for consumption by users with a medical card issued by the State under Sections 26-2B-1 to 26-2B-10 NMSA 1978 (the Lynn and Eric Compassionate Use Act) are considered general retail and are not regulated by this definition. Commercial on-site consumption is considered an incidental activity of cannabis retail.

Mixed-use Development: Properties with residential development and non-residential development on a single lot or premises. For the purposes of this IDO, mixed-use development can take place in the same building (i.e. vertical mixed-use) or separate buildings on the same lot or premises (i.e. horizontal mixed-use).

Permissive Use: A land use that is allowed by-right in a particular zone district, either as a primary or accessory use. Permissive uses are listed as P in Table 4-2-1. Permissive Accessory uses are listed as A in Table 4-2-1.

Residential – Multi-Family Low Density: The purpose of the R-ML zone district is to provide for a variety of low- to medium-density housing options. The primary land uses are townhouses and small-scale multi-family development, as well as civic and institutional uses to serve the surrounding residential area.

Tap Room or Tasting Room: An establishment associated with a local brewery, winery, or distillery operating under an approved Small Brewer's License as governed by Section 60-6A-26.1 NMSA 1978, an approved Winegrower's License as governed by Section 60-6A-11 NMSA 1978, or an approved Craft Distiller's License as governed by Section 60-6A-6.1 NMSA 1978 where beer, wine, or spirits are available for consumption on-site. Any production of alcohol as regulated by State law under one of these licenses is considered artisan manufacturing. Any sale of alcohol for off-premises consumption as regulated by State law under these licenses is not considered liquor retail. See also Bar, Liquor Retail, and Manufacturing Definitions for Artisan Manufacturing.

Zoning

The subject site is zoned R-ML (Residential – Multi-family Low Density), a designation received upon adoption of the IDO in May 2018 as a conversion from the former zoning of SU-2/SU-1 for Church and Related Facilities. The purpose of the R-ML zone district is to provide for a variety of low- to medium-density housing options. The primary land uses are townhouses and small-scale multi-family development, as well as civic and institutional uses to serve the surrounding residential area.

The proposed zone district is MX-L (Mixed-Use – Low Intensity). The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping store needs, primarily at intersections of collector streets. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table 4-2-1.

The key difference between the R-ML zone and the MX-L zone is that the MX-L zone allows a variety of commercial uses not allowed in R-ML. For example, the motor vehicle uses (ex. light vehicle repair, light vehicle fueling station, and light vehicle sales are allowed in MX-L. Other permissive MX-L uses include general retail, small and cannabis retail. The MX-L zone also permissively allows some industrial uses: artisan manufacturing, cannabis cultivation, and cannabis-derived products manufacturing.

Regarding residential uses, the R-ML and MX-L zones are almost identical. They both allow Dwelling, Townhouse and Dwelling, Multi-Family. However, Dwelling, Live-Work is a conditional use in R-ML and a permissive use in MX-L.

Allowable building height in the R-ML zone is 38 feet. The MX-L zone also allows building height of 38 feet generally, though the height allowance increases to 55 feet in an Urban Center or Main Street or Premium Transit Area. A height bonus of 12 feet is available for workforce housing (if that is the future use, building height could be 67 feet). The subject site is in a Main Street Area, so these taller building heights would apply to future development.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. It is also located adjacent to the Silver Hills Historic Protection Overlay Zone, which defines the character of the immediate area.

It's important to understand that the subject site is not located in a designated Center, where higher-density and intensity uses are intended to locate. Also, Center policies take precedence over Corridor policies in order to encourage nodes of activity along Corridors (Comprehensive Plan p. 5-13). Finally, analysis of a zone change requires that the proposed zone district- not a particular use- is considered. Applicable Goals and policies are listed below.

Chapter 4: Community Identity

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

The request would open the door for businesses and activities that could prove detrimental to the distinct Silver Hill neighborhood because the MX-L zone district allows for artisan manufacturing along a residential street. The current R-ML zoning would allow for the multi-family housing mentioned in the application as it stands without introducing potentially harmful commercial uses that would be permissive under MX-L and that would not enhance, protect, and preserve this distinct community. The request does not further 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 would not protect the identity and cohesiveness of the neighborhood because it would expand the type and variety of commercial uses allowed, and future development would be allowed greater height, which would not ensure the appropriate scale of development. The Directly to the north along Central Ave. is a more appropriate location for development that could differ in character. The request does not further Policy 4.1.2 – Identity and Design.

Chapter 5: Land Use

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

The subject site is not located on Central Avenue, a designated Major Transit Corridor, but rather is located on Gold Ave., a local street. The subject site is not located in a designated Center. The request would facilitate development of the subject site because it would allow commercial uses, although the expansion of housing can be provided under the existing zoning. Generally, development that is higher-density residential or commercial uses should be directed to Centers and Corridors, rather than facilitate such development outside of them. The request does not further Goal 5.1 – Centers and Corridors.

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

The subject site is too small to capture regional growth and is not located within a designated Center or along a Corridor. Policy 5.1.1 – Desired Growth does not apply.

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

The request would facilitate development that may be compatible in density, scale, and intensity to Central Avenue, a designated Corridor, but could also result in incompatibility of scale and density with the homes in the designated Silver Hill Historic District adjacent south of the subject site. Allowing commercial uses and artisan manufacturing has the potential to destabilize the surrounding area, which is largely residential and historic in character. This request does not further Policy 5.1.2 - Development Areas.

Policy 5.1.8-Premium Transit Corridors: Foster corridors that prioritize high capacity, high-frequency transit services, with mixed-use, transit-oriented development within walking distance of transit stations.

The subject site is within walking distance of an ART Transit station. However, it's approximately 1 acre in size so its contributions to fostering the Corridor would be small. Also, the request for a zone change does not guarantee that future development would be mixed-use or transit oriented. The request partially furthers Policy 5.1.8 – Premium Transit Corridors.

Policy 5.1.9-Main Streets: Promote Main Streets that are lively, highly walkable streets lined with neighborhood-oriented businesses.

The request for MX-L zoning would allow a wider range of uses on the subject site, but the subject site is located along a local street (Gold Avenue). The request partially furthers Policy 5.1.9 – Main Streets.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit services with pedestrian-oriented development.

Though within walking distance of Central Avenue, the subject site is located along a local street (Gold Avenue) and is small in size. The request for a zone change does not guarantee that future development would prioritize high-frequency transit or foster the corridor by promoting pedestrian-oriented development. The request partially furthers Policy 5.1.10-Major Transit Corridors.

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

The limited size of the subject site makes it unlikely to foster complete communities. Uses under the MX-L zone could provide residential and commercial uses that are compatible with the surrounding area, but it would also allow uses that could be detrimental to the surrounding community- especially the adjacent Historic District. The request partially furthers Goal 5.2 – Complete Communities.

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

The request could contribute to creating a healthy and sustainable community because it could facilitate development of a mix of uses. The subject site's location near a Major Transit Corridor, and within an established neighborhood contributes to convenient access. However, the request could result in multi-family housing and/or commercial uses that are not in scale with the adjacent historic district. The request partially furthers Policy 5.2.1 – Land Uses

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

The request would generally maximize the utility of existing infrastructure and efficient use of land because it is located in an older area that can be redeveloped. The request generally 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 would support redevelopment of the subject site, which is located in an area already served by existing infrastructure and public facilities. The request generally furthers Policy 5.3.1 – Infill Development.

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 encourage residential growth near an employment area (UNM), but it could also result in commercial uses that would preclude residential growth. The request partially furthers Goal 5.4. – Jobs-Housing Balance.

Policy 5.4.1 Housing Near Jobs: Allow higher-density housing and discourage single-family housing near areas with concentrated employment.

The request would allow for higher density housing in an area with concentrated employment. However, commercial uses could develop and housing may not. The request partially furthers Policy 5.4.1 – Housing Near Jobs.

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

The subject site is located in an Area of Change where growth is expected and desired, but it would not necessarily reinforce the character and intensity of the historic district to the south of the subject site. This request partially furthers Goal 5.6 – City Development Areas.

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

The request would direct more intense development to the subject site, which is within an area of Change and near a designated Major Transit Corridor, where change is expected and desired. The request generally furthers Policy 5.6.2 – Areas of Change.

Sub-policy 5.6.2(c): Foster a range of housing options at various densities according to each Center and Corridor type.

The request would allow a variety of commercial uses (housing is already allowed) and is only 1 acre in size, so it would not foster a range of housing options at various densities. Sub-policy 5.6.2(c) does not apply.

Sub-policy 5.6.2 (d): Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

The request could encourage higher-density housing and possibly mixed-used development in support of transit. The request partially furthers Sub-policy 5.6.2 (d).

Sub-policy 5.6.2 (g) Encourage development where adequate infrastructure and community services exist.

Sub-policy 5.6.2 (h) Encourage development in areas with a highly connected street grid and frequent transit service.

The request would generally encourage development where adequate infrastructure and services exist, and where there is a highly connected street grid. The request generally furthers Sub-policies 5.6.2(G) and (h).

Chapter 9: Housing

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

The request could support re-development with multi-family housing, but there is no evidence that it would be high-quality or add to the variety of price levels. Furthermore, adding housing could be achieved with or without the requested zone change. The request does not further Policy 9.1 – Supply.

Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities.

The request would allow commercial uses and could support increased housing density, but it wouldn't be in the most appropriate place for higher density housing- which is along Central Ave. or inside of the designated Center nearby. The request does not further Policy 9.3 – Density.

Chapter 11 – Heritage Conservation

Policy 11.2.3 Distinct Built Environments: Preserve and enhance the social, cultural, and historical features that contribute to the identities of distinct communities, neighborhoods, and districts.

The subject site is not within a registered historic district, nor in a Historic Protection Overlay (HPO) zone. Nonetheless, it is across the street from the Silver Hills HPO- both across Gold Ave. to the south and University Blvd. to the east.

All properties along Gold Ave are either R-ML or R-1, restricting the encroachment of commercial uses into this residential area. Central Ave offers a multitude of commercial offerings for both the neighborhood and the City at large. The establishment of commercial uses on this residential street could bring about a general deterioration of the distinct historic environment. The request conflicts significantly with Policy 11.2.3 – Distinct Built Environments.

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

Requirements

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

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.

Justification & Analysis

The zone change justification letter analyzed here, received July 5, 2022 is a response to Staff's request for a revised justification (see attachment). The subject site is currently R-ML (Multi-family Low intensity). The requested zoning is MX-L (Mixed-use – Low intensity). The reason for the zone change is to develop a multi-family residential development on the site in the future. The vacant building on the site is nonconforming (as to setbacks) under the R-ML zone and may not allow for the redevelopment and expansion of the building without a variance or partial demolition, and to allow opportunity for a wider range of commercial/institutional development.

The applicant believes that the proposed zoning map amendment (zone change) meets the zone change decision criteria in IDO §14-16-6-7(G)(3) as elaborated in the justification letter. The citation is from the IDO. The applicant's arguments are in *italics*. Staff analysis follows in plain text.

- A. The proposed zone 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: As demonstrated in our narrative policy, the proposed zone map amendment would further a preponderance of Goals and Policies found in the ABC Comprehensive Plan and would facilitate the desired goals of the Comp Plan which provides a framework to guide private development land use decisions, and decision-makers as they contemplate new plans affecting the whole community.

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request generally furthers a preponderance of applicable Comprehensive Plan Goals and Policies (and other plans if applicable) and does not significantly conflict with them. However, since the request would result in a spot zone, it must clearly facilitate implementation of the Comprehensive Plan (see Criterion H).

Applicable citations: Goal 4.1 – Character, Policy 4.1.2 – Identity and Design, Goal 5.1-Centers & Corridors, Policy 5.1.2- Development Areas, Policy 5.1.9 Main Streets, Goal

5.2-Complete Communities, Policy 5.2.1-Land Uses, Goal 5.3-Efficient Development Patterns, Policy 5.3.1-Infill Development, Goal 5.4- Housing-Jobs Balance, Policy 5.4.1 – Housing Near Jobs, Goal 5.6-City Development Areas, Policy 5.6.2- Areas of Change, Policy 8.1.1-Diverse Places, Housing Policy 9.3 – Density, Policy 11.2.3 Distinct Built Environments.

Non-applicable Goals and Policies included: Policy 4.1.1- Distinct Communities, Policy 5.1.1- Desired Growth, Sub-policy 5.1.5(f), Policy 5.1.8 Premium Transit Corridor, Policy 5.1.10 Major Transit Corridors, Sub-policy 5.6.2(c), Goal 6.1-Land Use-Transportation Integration, Policy 6.1.2 Transit-Oriented Development, Goal 8.1-Placemaking, Goal 9.1 – Housing Supply, Housing Goal 9.2-Sustainable Design, Policy 9.2.1-Compatibility, Housing Policy 9.3.1-Centers and Corridors, Goal 11.2-Historic Assets, 11.2.2-Historic Registration, and Sub-policy 11.2.2(b).

The applicant’s analysis includes an equal number of Goals and policies that apply and an equal number that do not apply to the request. Therefore, half of the response to Criterion A is not relevant and should be set aside in order to focus on the substance of the arguments.

In sum, Staff finds significant conflicts with Goals and policies in Chapter 4- Community Identity, Chapter 5- Land Use (Centers), and Chapter 11- Heritage Conservation.

Furthermore, for cases that would result in a spot zone, the more rigorous test in Criterion H (“clearly facilitates”) is required to carry over into the response to Criterion A. However, the applicant has not adequately demonstrated that the request clearly facilitates implementation of the Comprehensive Plan. Therefore, the request is not consistent with the City’s health, safety, morals and general welfare and Criterion A is not met.

- B. If the subject site is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site.
 3. A different zone district is more advantageous to the community as articulated by the ABC Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant: This criterion is not applicable as the proposed amendment is wholly in an Area of Change as shown in the ABC Comp Plan.

Staff response: The subject site is located wholly in an Area of Change, as designated by the Comprehensive Plan. Criterion B does not apply.

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

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

Applicant: This request meets criterion (3) as a different zone district is more advantageous to the community. The proposed zone change to MX-L better aligns the zoning of the property with the Area of Change which is characterized by higher density and intensity uses that can facilitate diverse housing options and job growth. The MX-L zone designation will allow for an increase in multi-family housing options and commercial businesses in the surrounding area. The MX-L zone designation will help to bring the subject property into alignment with the characteristics of the Main Street and Premium/ Major Transit Corridors as well as being supported by its proximity to the ART Station. All of these policies prioritize pedestrian and transit-oriented development and mixed land uses.

Staff: The subject site is located in an Area of Change. How the site may or may not be developed cannot be determined. The current zoning allows for multi-family housing, which would be well served by proximity to Central Avenue. However, the addition of commercial uses on a residential street, Gold Avenue, especially adjacent to a designated Historic District, would generally not be advantageous to the existing community. Gold Avenue is not a designated Corridor; multiple commercial uses are found a block to the north, away from existing residential uses. Repurposing the existing building could better serve the neighborhood and is achievable without a zone change. Development of higher-density housing is also possible without a change of zone. Therefore, the existing zoning is appropriate and changing it would not be more advantageous to the community.

Criterion C is not met.

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

Applicant: The permissive uses of the MX-L zone district will not be harmful to adjacent properties and in fact they can help to foster complete communities with diverse land uses. Currently, all properties on the north side of Gold Avenue, including the subject site, between Buena Vista Drive SE and Sycamore Street SE are abutting the MX-M zone district along Central Avenue. Bottom line is that based on policies related to both the Main Street

and Premium/Major Transit corridors R-ML, MX-L, and MX-M are all appropriate land uses adjacent to and within the Central Avenue corridor. This property, and the proposed MX-L zoning provides an appropriate transition between MX-M and R-ML. The IDO zoning and land use allowances have been crafted to facilitate the implementation of the Comprehensive Plan policies and should not be considered as harmful.

The MX-L zone designation will allow for various uses that will align the subject site with its Corridor, Community Planning, Development Area, and adjacent Activity Center designations. Potentially harmful land uses such as light or heavy manufacturing, salvage yards, crematorium, and landfills are not allowed in the MX-L zone.

Additionally, the size of the site restricts many uses that may be allowed in the MX-L zone and could generate an increase in traffic such as a sports field, club or event facility, or a college. Other land uses that planning staff has raised as being harmful to adjacent property owners are cannabis retail, cultivation, and manufacturing. These uses, and a variety of related use-specific standards, allowances, and limitations have been included in these zones by the City Council in recent amendments to the IDO.

One must conclude that these amendments implement the Council's policies as to location and appropriateness in the MX-L, MX-M, and MX-H zones. A majority of mixed-use zones, especially those along designated corridors, abut low-density residential zones; therefore, the City Council has deemed the land uses permitted in these zones as being appropriate adjacent to residential zones. IDO restrictions do outline potentially harmful impacts of cannabis retail on certain neighboring land uses such as schools and day care facilities which they are prohibited to abut. The subject site and surrounding parcels between Sycamore and Buena Vista to the north of Gold abut MX-M which means they currently abut the potential for a cannabis retail; therefore, the request of MX-L does not change the condition of the community and in fact it may protect it and provide a buffer and transition from the adjacent MX-M zoning.

MX-L Permissive Uses

<i>Dwelling, Townhouse</i>	<i>Dwelling, live-work</i>
<i>Dwelling, multi-family</i>	<i>Assisted living facility or nursing home</i>
<i>Community residential facility small</i>	<i>Dormitory</i>
<i>Community residential facility, large</i>	<i>Group home, small</i>
<i>Group home, medium</i>	<i>Adult or child day care facility</i>
<i>Community center or library</i>	<i>Freestanding</i>
<i>Elementary or middle school</i>	<i>High school</i>
<i>Museum</i>	<i>Parks and open space</i>
<i>Religious institution</i>	<i>Vocational school</i>
<i>Community Garden</i>	<i>Veterinary hospital</i>
<i>Other pet services</i>	<i>Health club or gym</i>

<i>Mobile food truck</i>	<i>Solar energy generation</i>
<i>Residential Community amenity, indoor</i>	<i>Restaurant</i>
<i>Other indoor entertainment</i>	<i>Hotel or motel</i>
<i>Car wash</i>	<i>Light vehicle repairs</i>
<i>Paid parking lot</i>	<i>Parking structure</i>
<i>Bank</i>	<i>Club or event facility</i>
<i>Commercial services</i>	<i>Medical or dental clinic</i>
<i>Office</i>	<i>Personal and business service, small</i>
<i>Research or testing facility</i>	<i>Residential community amenity, outdoor</i>
<i>Art gallery</i>	<i>Cannabis retail</i>
<i>Bakery goods or confectionery shop</i>	<i>Farmers Market</i>
<i>General retail, small</i>	<i>Grocery store</i>
<i>Artisan manufacturing</i>	<i>Cannabis cultivation</i>
<i>Cannabis-derived products manufacturing</i>	<i>Drainage facility</i>
<i>Electric facility</i>	<i>Major utility, other</i>

Staff: The applicant compared the existing R-ML zoning and the proposed MX-L zoning. The applicant states that *“The subject site and surrounding parcels between Sycamore and Buena Vista to the north of Gold abut MX-M which means they currently abut the potential for a cannabis retail; therefore the request of MX-L does not change the condition of the community and in fact it may protect it and provide a buffer and transition from the adjacent MX-M zoning.*

A use that would be harmful in the context of the subject site, allowed on Central Avenue, a major street a block away, is very different than allowing that harmful use on the subject site and adjacent to the Silver Hill Historic Protection Overlay Zone.

The applicant did not adequately address the question of harm to the adjacent property or neighborhood and did not demonstrate that the Silver Hill neighborhood would be adequately protected. Instead, with respect to the cannabis retail use, the applicant states that the new amendments to the IDO implement Council policies regarding location and appropriateness. These arguments cannot be considered with the zone change request; the application was submitted on June 8, 2022, prior to July 28, 2022—the effective date of the revised IDO.

The response to Criterion D is insufficient.

- E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:
1. Have adequate capacity to serve the development made possible by the change of zone.

2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant.

Applicant: This request meets criterion (1) because the City's existing infrastructure in and around the site including roadways, sidewalks, and transit connections will provide adequate capacity for the proposed zone change.

The response to Criterion E is sufficient.

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

Applicant: This justification is not based solely on the property's location on a major street as the property is not located on a major street rather it is adjacent to Central Avenue. The justification for this zone change is being prompted by the numerous benefits it will serve for the community.

The subject site is not located along a major street. Rather, it is located along Gold Ave. SE, a local street. The response to Criterion F is sufficient.

- G. The applicant's justification for the requested zone change is not completely or predominantly on the cost of land or economic conditions.

Applicant: This justification is not based solely on the price of land, but rather on the advantages of allowing mixed uses, smaller setbacks, and a slight increase in housing density in an area encouraged to include these uses by the Comprehensive Plan.

Staff: Economic considerations are a factor, but the applicant's justification is not completely or predominantly based upon them. Nor is the justification based completely or predominantly upon the cost of land.

The response to Criterion G is sufficient.

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

1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.

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

Applicant: This request is not a “spot zone” since the subject property is adjacent existing Mixed Use (MX) zoning to the north. Both the existing MX-M and MX-L zones fall within the IDO’s Mixed Use category. The difference between the MX-M and MX-L zones are related to intensity, which MX-L being less intense and therefore creating a transition between MX-M and the adjacent R-ML and Silver Hill Historic District.

If the staff does consider this a spot zone, then this request meets criterion (1) because the subject property is located along University Boulevard SE and south of Central Avenue and clearly functions as a transition between the MX-M zoning along the Central Avenue Corridor to the adjacent R-ML and R-1B zones to the south.

Staff: The zone change would apply a zone district (MX-L) different from surrounding zone districts (R-ML and MX-M) to one small area or one premise and therefore would create a spot zone. Criterion H specifically refers to “zone district”, not “mixed used category”, so the applicant’s claim that a spot zone would not be created because both zones are mixed-use, is incorrect.

Criterion H is a two-part test. Though the applicant makes a plausible argument that the proposed MX-L zone would function as a transition between adjacent zone districts (R-ML and MX-M), the applicant has not adequately demonstrated that the request would clearly facilitate implementation of the Comprehensive Plan. Therefore, Criterion H is not met.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other interested agencies reviewed this application. Few comments were received. PNM commented that existing easements and setbacks should be carefully considered when developing the subject site. Other agencies had no significant comments to discuss. Agency comments begin on p. 31.

Neighborhood/Public

The affected neighborhood organizations are the Silver Hill Neighborhood Association (NA), the Spruce Park NA, the Sycamore NA, the University Heights NA, and the Victory Hills NA, which were all notified as required (see attachments). Property owners within 100 feet of the subject site were also notified as required (see attachments).

The applicant attended the regularly scheduled meeting of the Silver Hill NA on May 9, 2022. Some neighbors expressed concern and would like redevelopment of the subject site. Others expressed opposition to the proposed zone change, which was originally for the MX-M zone.

A follow-up facilitated meeting occurred on May 26, 2022 (see attachment). The majority of participants did not oppose MX-L zoning on the subject site; others remained unconvinced. Though neighbors generally want to see a positive transformation of the subject site, they are opposed to a four-story building at that location.

As of this writing, Staff has received two letters expressing concern. These neighbors favor additional housing (already allowed by R-ML) but are opposed to commercial uses that could adversely affect their neighborhood.

IV. CONCLUSION

The request is for a Zoning Map Amendment (zone change) for an approximately 1.0-acre site located on the north side of Gold Ave. SE, between Pine St. and University Blvd. SE (the subject site).

The subject site is zoned R-ML. The applicant is requesting a zone change to MX-L to facilitate future development. The MX-L zone district would allow commercial uses in addition to multi-family residential, which is already allowed.

The subject site is located adjacent to Silver Hill- HPO 6 and is not in a Center or along a Corridor.

The applicant has not adequately justified the request pursuant to the IDO zone change criteria [14-16-6-7(G)(3)]. The proposed zoning conflicts with Goals and Policies regarding Community Identity and Centers (Criterion A); therefore, Criterion C is also not met. The request could result in harm to the adjacent historic neighborhood, so Criterion D is also not met. Furthermore, the request would create an unjustifiable spot zone that would not clearly facilitate implementation of the Comprehensive Plan (Criterion H).

The affected neighborhood organizations and property owners within 100 feet of the subject site were notified as required. As of this writing, Staff has received letters of opposition from Silver Hill residents. Staff recommends Denial.

FINDINGS - RZ-2022-00031, July 21, 2022- Zoning Map Amendment (Zone Change)

1. The request is for a zoning map amendment (zone change) for an approximately 1.0-acre site legally described as Lots 7 thru 11, Block 64, Terrace Addition & north 10 ft vacated Gold Ave., located on the north side of Gold Ave., between Pine St. and University Blvd. (“the subject site”). A vacant church building exists on the subject site.
2. The subject site is zoned RM-L (Multi-Family Low Density Zone District), a designation received upon adoption of the IDO in May 2018 as a conversion from the former zoning of SU-2/SU-1 for Church and Related Facilities. The purpose of the R-ML zone district is to provide for a variety of low- to medium-density housing options.
3. The applicant is requesting a zone change to MX-L (Mixed-Use – Low Intensity Zone District) to facilitate the future development on the subject site.
4. The subject site is in an Area of Change as designated in the Comprehensive Plan. The subject site is not within a designated Activity Center and is not located along a designated Corridor. Although it is within walking distance of Central Ave., Gold Ave. is a local street.
5. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. The request does not further the following, applicable Goal and Policies from Chapter 4: Community Identity:

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

The request would open the door for businesses and activities that could prove detrimental to the distinct Silver Hill neighborhood because the MX-L zone district allows for artisan manufacturing along a residential street. The current R-ML zoning would allow for the multi-family housing mentioned in the application as it stands without introducing potentially harmful commercial uses that would be permissive under MX-L and that would not enhance, protect, and preserve this distinct community.

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 not protect the identity and cohesiveness of the neighborhood because it would expand the type and variety of commercial uses allowed, and future development would be allowed greater height, which would not ensure the appropriate scale of development. Directly to the north along Central Ave. is a more appropriate location for development that could differ in character.

7. The request does not further the following, applicable Goal and Policies from Chapter 5: Land Use:

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

The subject site is not located on Central Avenue, a designated Major Transit Corridor, but rather is located on Gold Ave., a local street. The subject site is not located in a designated Center. The request would facilitate development of the subject site because it would allow commercial uses, although the expansion of housing can be provided under the existing zoning. Generally, development that is higher-density residential or commercial uses should be directed to Centers and Corridors, rather than facilitate such development outside of them.

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

The request for the MX-L zone would facilitate development that may be compatible in density, scale, and intensity to Central Avenue, a designated Corridor, but could also result in incompatibility of scale and density with the homes in the designated Silver Hill Historic District adjacent south of the subject site. The subject site is in an Area of Change where growth and development are desired; however, allowing commercial uses and artisan manufacturing has the potential to destabilize the surrounding area, which is largely residential and historic in character.

8. The request does not further the following Goals from Chapter 9- Housing:

- A. Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

The request could support re-development with multi-family housing, but there is no evidence that it would be high-quality or add to the variety of price levels. Furthermore, adding housing could be achieved with or without the requested zone change.

- B. Goal 9.3 Density: Support increased housing density in appropriate places with adequate services and amenities.

The request would allow commercial uses and could support increased housing density, but it wouldn't be in the most appropriate place for higher density housing- which is along Central Ave. or inside of the designated Center nearby.

9. The request does not further the following policy from Chapter 11-Heritage Conservation:

Policy 11.2.3 Distinct Built Environments: Preserve and enhance the social, cultural, and historical features that contribute to the identities of distinct communities, neighborhoods, and districts.

The subject site is adjacent to the Silver Hills HPO. All properties along Gold Ave are either R-ML or R-1, which limits the encroachment of commercial uses into this historic residential area. Central Ave offers a multitude of commercial uses for both the neighborhood and the City. The establishment of commercial uses on this residential street could bring about a general deterioration of the distinct historic environment that is largely characterized by single-family, low-density development; the MX-L zone would allow uses that vary in intensity, density, and scale.

10. The request partially furthers the following, applicable Comprehensive Plan Goals and policies with respect to Land Uses:

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

The limited size of the subject site makes it unlikely to foster complete communities. the MX-L zone could provide residential and commercial uses that are compatible with the surrounding area, but it would also allow uses that could be detrimental to the surrounding community- especially the adjacent Historic District.

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

The request would contribute to creating a healthy and sustainable community because it would facilitate development of a mix of uses. The subject site's location ~~within~~ near a Major Transit Corridor, and within an established neighborhood contributes to convenient access. However, the request could result in multi-family housing and/or commercial uses that are not in scale with the adjacent historic district.

11. The request partially furthers the following, applicable Comprehensive Plan policies with respect to Corridors:

- A. Policy 5.1.8-Premium Transit Corridors: Foster corridors that prioritize high capacity, high-frequency transit services, with mixed-use, transit-oriented development within walking distance of transit stations.

The subject site is within walking distance of an ART Transit station. However, it's approximately 1 acre in size so its contributions to fostering the Corridor would be small. Also, the request for a zone change does not guarantee that future development would be mixed-use or transit oriented.

- B. Policy 5.1.9-Main Streets: Promote Main Streets that are lively, highly walkable streets lined with neighborhood-oriented businesses.

The request for MX-L zoning would allow a wider range of uses on the subject site, but the subject site is located along a local street (Gold Avenue).

- C. Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit services with pedestrian-oriented development.

Though within walking distance of Central Avenue, the subject site is located along a local street (Gold Avenue) and is small in size. The request for a zone change does not guarantee that future development would prioritize high-frequency transit or foster the corridor by promoting pedestrian-oriented development.

12. Center policies take precedence over Corridor policies in order to encourage nodes of activity along designated Corridors (Comprehensive Plan p. 5-13). The request conflicts with the core concept that higher-density residential and commercial uses are intended to develop within Centers and not outside of them. Since the request would facilitate this, the request conflicts with this core concept of the Comprehensive Plan.
13. Although some policies with respect to Corridors are partially furthered, the request presents some conflicts with them. Mainly, the subject site is small in size (1 acre) and is located along a local street (Gold Ave.) and therefore wouldn't contribute significantly to fostering development along a designated Corridor.
14. The request is required to clearly facilitate implementation of the Comprehensive Plan (see discussion of Zone Change Criterion H). Because the request does not further applicable Goals and policies from Chapter 4- Community Identity, Chapter 5- Land Use, Chapter 9- Housing, and Chapter 11- Heritage Conservation, and only partially furthers other applicable Goals and Policies, the request does not clearly facilitate implementation of the Comprehensive Plan.
15. The applicant has not adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:
 - A. Criterion A: The applicant has not adequately demonstrated that the request clearly facilitates implementation of the Comprehensive Plan. There are significant conflicts with Goals and policies in Chapter 4- Community Identity, Chapter 5- Land Use (Centers), and Chapter 11- Heritage Conservation. Therefore, the request is inconsistent with the City's health, safety, morals and general welfare.
 - B. Criterion B: The subject site is located wholly in an Area of Change, as designated by the Comprehensive Plan. Criterion B does not apply.
 - C. Criterion C: The current zoning allows for multi-family housing, which would be well served by proximity to Central Avenue. However, the addition of commercial uses on a residential street, Gold Avenue, especially adjacent to a designated Historic District, would generally not be advantageous to the existing community. Gold Avenue is not a designated Corridor; multiple commercial uses are found a block to the north, away from existing residential uses. Repurposing the existing building could better serve the neighborhood and is achievable without a zone change. Development of higher-density housing is also

possible without a change of zone. Therefore, the existing zoning is appropriate and changing it would not be more advantageous to the community.

- D. Criterion D: The applicant did not adequately address the question of harm to the adjacent property or the neighborhood. A use that would be harmful in the context of the subject site, allowed a block away on Central Avenue, is very different than allowing that harmful use on the subject site and adjacent to the Silver Hill Historic Protection Overlay Zone.

With respect to the cannabis retail use, the applicant states that the new amendments to the IDO implement Council policies regarding location and appropriateness. These arguments cannot be considered with the zone change request; the application was submitted on June 8, 2022, prior to July 28, 2022—the effective date of the revised IDO.

- E. Criterion E: Existing infrastructure in and around the subject site would provide adequate capacity for the proposed zone change.
- F. Criterion F: The subject site is not located along a major street. Rather, it is located along Gold Ave. SE, a local street, and this is not being used as justification for the request.
- G. Criterion G: Economic considerations are a factor, but the applicant's justification is not completely or predominantly based upon them. Nor is the justification based completely or predominantly upon the cost of land.
- H. Criterion H: The zone change would apply a zone district (MX-L) different from surrounding zone districts (R-ML and MX-M) to one small area or one premises and therefore would create a spot zone. Criterion H specifically refers to "zone district", not "mixed used category", so the applicant's claim that a spot zone would not be created because both zones are mixed-use, is incorrect.

Criterion H is a two-part test. Though the applicant makes a plausible argument that the proposed MX-L zone would function as a transition between adjacent zone districts (R-ML and MX-M), the applicant has not adequately demonstrated that the request would clearly facilitate implementation of the Comprehensive Plan.

16. The applicant's policy analysis does not adequately demonstrate that the request clearly facilitates implementation of the Comprehensive Plan. Based on this demonstration, the proposed zone category would not be more advantageous to the community than the current zoning.
17. The affected neighborhood organizations are the Silver Hill Neighborhood Association (NA), the Spruce Park NA, the Sycamore NA, the University Heights NA, and the Victory Hills NA, which were all notified as required. Property owners within 100 feet of the subject site were also notified as required.

18. The applicant attended the regularly scheduled meeting of the Silver Hill NA on May 9, 2022. Some neighbors expressed concern and would like redevelopment of the subject site. Others expressed opposition to the proposed zone change, which was originally for the MX-M zone.
19. A follow-up facilitated meeting occurred on May 26, 2022. The majority of participants did not oppose MX-L zoning on the subject site; others remained unconvinced. Though neighbors generally want to see a positive transformation of the subject site, they are opposed to a four-story building at that location.
20. As of this writing, Staff has received two letters expressing concern. These neighbors favor additional housing (already allowed by R-ML) but are opposed to commercial uses that could adversely affect their neighborhood.

RECOMMENDATION - RZ-2022-00031, July 21, 2022

DENIAL of Project #: 2022-007157, Case #: 2022-00031, a zone change from R-ML to MX-L, for all or a portion of Lots 7 thru 11 block 64 Terrace Addition & north 10ft vacated Gold Ave., an approximately 1.0 acre site located on the north side of Gold Ave., between Pine St. and University Blvd. (1701 Gold Ave.), based on the preceding Findings.

Leslie Naji

Leslie Naji
Senior Planner

Notice of Decision cc list:

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CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Long Range Planning

CITY ENGINEER

Transportation Development

Hydrology Development

New Mexico Department of Transportation (NMDOT)

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Traffic Engineering Operations (Department of Municipal Development)

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:

None.

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION-

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Should the zone change be approved a site plan approved for access will be required by the Solid Waste Department.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

No comment

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY PUBLIC WORKS/TRANSPORTATION PLANNING

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comment.

ALBUQUERQUE PUBLIC SCHOOLS

1. Project #2022-007157

- a. EPC Description: RZ-2022-00031—Zoning Map Amendment (Zone Change).
- b. Site Information: Terrace Addition, Lot 7 thru 11, Block 64.
- c. Site Location: 1701 Gold Ave. SE, between University Blvd. SE and Pine St. SE.
- d. Request Description: Request for a zone change from R-ML (Residential—Multi-Family Low Density) to MX-L (Mixed Use – Low Intensity) to facilitate mixed uses and development of townhomes and/or multi-family residential dwellings in the currently vacant Church of Christ building.
- e. APS Comment: Future residential development at this location will impact the following schools: Monte Vista Elementary School, Jefferson Middle School, and Albuquerque High School. At present, enrollment at both Monte Vista Elementary School and Albuquerque High School are approaching capacity and residential development at this location will be a strain on both of these schools.

School Capacity

School	2021-2022 (40th Day) Enrollment	Facility Capacity	Space Available
Monte Vista Elementary School	455	464	9
Jefferson Middle School	722	900	178
Albuquerque High School	1,927	1,950	23

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 BERNALILLO COUNTY WATER UTILITY AUTHORITY (ABCWUA)

- a. No adverse comment to the proposed zone changes
- b. For information only:
 - i. Please send a request for availability for the site as soon as development is known. The request can be made at the link: <https://www.abcwua.org/info-for-builders-availability-statements/>. The request shall include a City Fire Marshal approved Fire 1 Plan, a zone map showing the site location, and the proposed Utility Plan.

MID-REGION METROPOLITAN PLANNING ORGANIZATION – TRANSPORTATION

MRMPO has no adverse comment. For informational purposes:

- University Blvd is functionally classified as a Minor Arterial.
- A Proposed bike Lane is identified on University Blvd in the Long Range Bikeway System (LRBS).
- University Blvd is identified as a Bus Rapid Transit in the Long Range Transit Network (LRTN) with headways of 10-15 minutes.

Appendix G of the MTP supports the following as it relates to the subject property:

- Adopt mixed-use and higher density zoning along transit corridors to support ridership.
- Encourage affordable housing development in close proximity to transit through developer incentives, aggregating public funds for gap financing, etc.

- Incentivize redevelopment, transit-oriented development, and infill in order to maximize the utility of existing infrastructure.
- Promote a diverse mix of housing, in cost, unit types, and neighborhood settings.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

There are PNM facilities abutting and/or in easements around the entire perimeter of the site and through the eastern parking lot.

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

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

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

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

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



Figure 1: Subject site.

Figure 2: Subject site – Gold Avenue facing east.



Figure 3: Corner of Pine Street/Gold Avenue SE facing north.



Figure 4: Neighborhood Context - Gold Avenue SE facing west, properties zoned R-ML.

Figure 5: Neighborhood Context – properties across from subject site zoned R-ML.



Figure 6: Neighborhood Context – properties zoned R-ML.





Figure 7: Neighborhood Context –
properties zoned R-ML.

Figure 8: Neighborhood Context –
properties zoned R-ML.



Figure 9: Neighborhood Context –
properties zoned R-ML.

ZONING

Please refer to IDO Sub-section 14-16-2-3(E) for the Residential – Multi-Family Low Density Zone District (R-ML)

Please refer to IDO Sub-section 14-16-2-4(B) for the Mixed-Use – Low Intensity Zone District (MX-L)

Please refer to IDO Section 14-16-3-5(L) for the Silver Hill Historic Protection Overlay Zone (HPO-6)

APPLICANT INFORMATION



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

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

APPLICATION INFORMATION

Applicant: Juniper Properties Southwest, LLC.		Phone:
Address: 10421 S. Jordan Gateway Suite 600		Email: dsrowe@msn.com
City: South Jordan	State: Utah	Zip: 84095
Professional/Agent (if any): Consensus Planning		Phone: 505 764 9801
Address: 302 8th St NW		Email: Frank@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site:		List all owners:

BRIEF DESCRIPTION OF REQUEST

Zone Map Amendment from R-ML to MX-L

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

Lot or Tract No.: 7 thru 11	Block: 64	Unit:
Subdivision/Addition: Terrace North vacated 10 ft Gold Ave	MRGCD Map No.:	UPC Code: 101505736028010401
Zone Atlas Page(s): K15	Existing Zoning: R-ML	Proposed Zoning: MX-L
# of Existing Lots:	# of Proposed Lots: 1	Total Area of Site (acres): .80

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 1701 Gold Avenue SE	Between: Pine	and: University
--	---------------	-----------------

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

Signature:	Date: 6/8/2022
Printed Name: Jim Strozler	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date: Project #

Form Z: Policy Decisions

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

☒ **INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

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

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

☐ **AMENDMENT TO IDO TEXT**

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

☒ **ZONING MAP AMENDMENT – EPC**

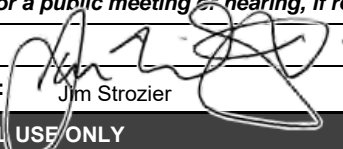
☐ **ZONING MAP AMENDMENT – COUNCIL**

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

☐ **ANNEXATION OF LAND**

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

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

Signature: 

Date: 6/8/2022

Printed Name: Jim Strozier

☐ Applicant or ☒ Agent

FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

-

-

-

Staff Signature:

Date:



PRE-APPLICATION MEETING NOTES

PA#: _____ Notes Provided (date): _____

Site Address and/or Location: _____

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

Request _____

Basic Site Information

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

Zoning: _____ Overlay Zone(s): _____

Comprehensive Plan Designations

Development Area: _____ Corridor(s): _____

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

Integrated Development Ordinance (IDO)

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

Proposed Use(s): _____

Use Specific Standards: _____

Applicable Definition(s): _____

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

Notice

Neighborhood Meeting Offer Required? (see IDO Table 6-1-1). If yes, please refer to:

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

Process

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

Specific Procedure(s)*: _____

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

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

Handouts Provided

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

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

Staff Notes PRT 22-109

1. Proposed exit-only drive from parking lot onto University, relationship/separation from alley, etc.

Please communicate with DRB staff for site design questions, we typically provide feedback when drawings are provided. Jeanne Wolfenbarger (924-3991)

2. 90-degree on-street parking layout on Gold (separation/setback to University)

Please communicate with DRB staff for site design questions, we typically provide feedback when drawings are provided. Jeanne Wolfenbarger (924-3991)

3. To what extent does Solar Protection constrain this site in relation to Commercial property to the North?

Section 5-2(D) applies in this situation.

Section 5-10(C) applies to the RA, R-1, R-MC, R-T, and R-ML zones. In the application, it shows that a zone change to MX-L is desired.

4. Any other items of concern by staff?

Order of request should be, Zone Map Amendment - EPC, then Site Plan - DRB

Definitions

Dwelling, Multi-family

A building, multiple buildings, or a portion of a building located on a single lot, containing 3 or more dwelling units, each of which is designed for or occupied by one family only, with separate housekeeping and cooking facilities for each, and that does not meet the definition of a townhouse dwelling. Within mixed-use development, a building containing 2 or more dwelling units is considered multi-family.

5/31/2022

Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Re: Letter of Authorization for Zone Map Amendment

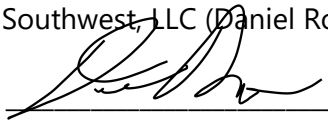
To Whom It May Concern:

Consensus Planning, Inc. is hereby authorized to represent me, Juniper Properties Southwest, LLC (Daniel Rowe). in all matters relating to the request for approval for the Zone Map Amendment at 1701 Gold Avenue SE. The property is legally described as: *Lots 7 thru 11 BLK 64 Terrace ADD & N 10ft Vacated Gold Ave*

Sincerely,

Juniper Properties Southwest, LLC (Daniel Rowe)

By:



Printed Name: Daniel Rowe

Title: Manager



City of Albuquerque

Planning Department
Development Review Services Division

Traffic Scoping Form (REV 07/2020)

Project Title: _____

Building Permit #: _____ Hydrology File #: _____

Zone Atlas Page: **K-15-Z** DRB#: _____ EPC#: **1011129** Work Order#: _____

Legal Description: **LOTS 7 THRU 11 BLK 64 TERRACE ADD & N 10FT VACATED GOLD AVE**

Development Street Address: **111 University Blvd SE ABQ, NM 87106**

Applicant: **Consensus Planning** Contact: **Frank@consensusplanning.com**

Address: **302 8th St NW, Albuquerque, NM 87102**

Phone#: **505 764 9801** Fax#: _____

E-mail: **Frank@consensusplanning.com**

Development Information

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

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

Change of Zoning: (X)

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

Describe development and Uses:

Days and Hours of Operation (if known): _____

Facility

Building Size (sq. ft.): _____

Number of Residential Units: _____

Number of Commercial Units: _____

Traffic Considerations

ITE Trip Generation Land Use Code _____

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

Expected Number of Employees (if known):* _____

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

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

Driveway(s) Located on: Street Name _____

Adjacent Roadway(s) Posted Speed: Street Name University Blvd. Posted Speed 30
Street Name Gold Ave. SE Posted Speed 25

** If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required.)*

Roadway Information (adjacent to site)

Comprehensive Plan Corridor Designation/Functional Classification: University Blvd urban arterial
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: n/a
(urban center, employment center, activity center, etc.)

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

Adjacent Roadway(s) Traffic Volume: _____ Volume-to-Capacity Ratio (v/c): am VC 0-0.5
(if applicable) pm VC 0.25-0.5

Adjacent Transit Service(s): ROUTE 16, 92 Nearest Transit Stop(s): University and Central

Is site within 660 feet of Premium Transit?: yes

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

Current/Proposed Sidewalk Infrastructure: _____

Relevant Web-sites for Filling out Roadway Information:

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

Comprehensive Plan Corridor/Designation: See GIS map.

Road Corridor Classification: <https://www.mrcog-nm.gov/DocumentCenter/View/1920/Long-Range-Roadway-System-LRRS-PDF?bidId=>

Traffic Volume and V/C Ratio: <https://www.mrcog-nm.gov/285/Traffic-Counts> and <https://public.mrcog-nm.gov/taqa/>

Bikeways: http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL_Jun25.pdf (Map Pages 75 to 81)

TIS Determination

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

Traffic Impact Study (TIS) Required: Yes [] No ☒

Thresholds Met? Yes [] No ☒

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

Notes: Zoning Map revision, Traffic Scoping will need to be reevaluated when the property is being developed.

M.P. P.E.
TRAFFIC ENGINEER

4/27/2022
DATE

Submittal

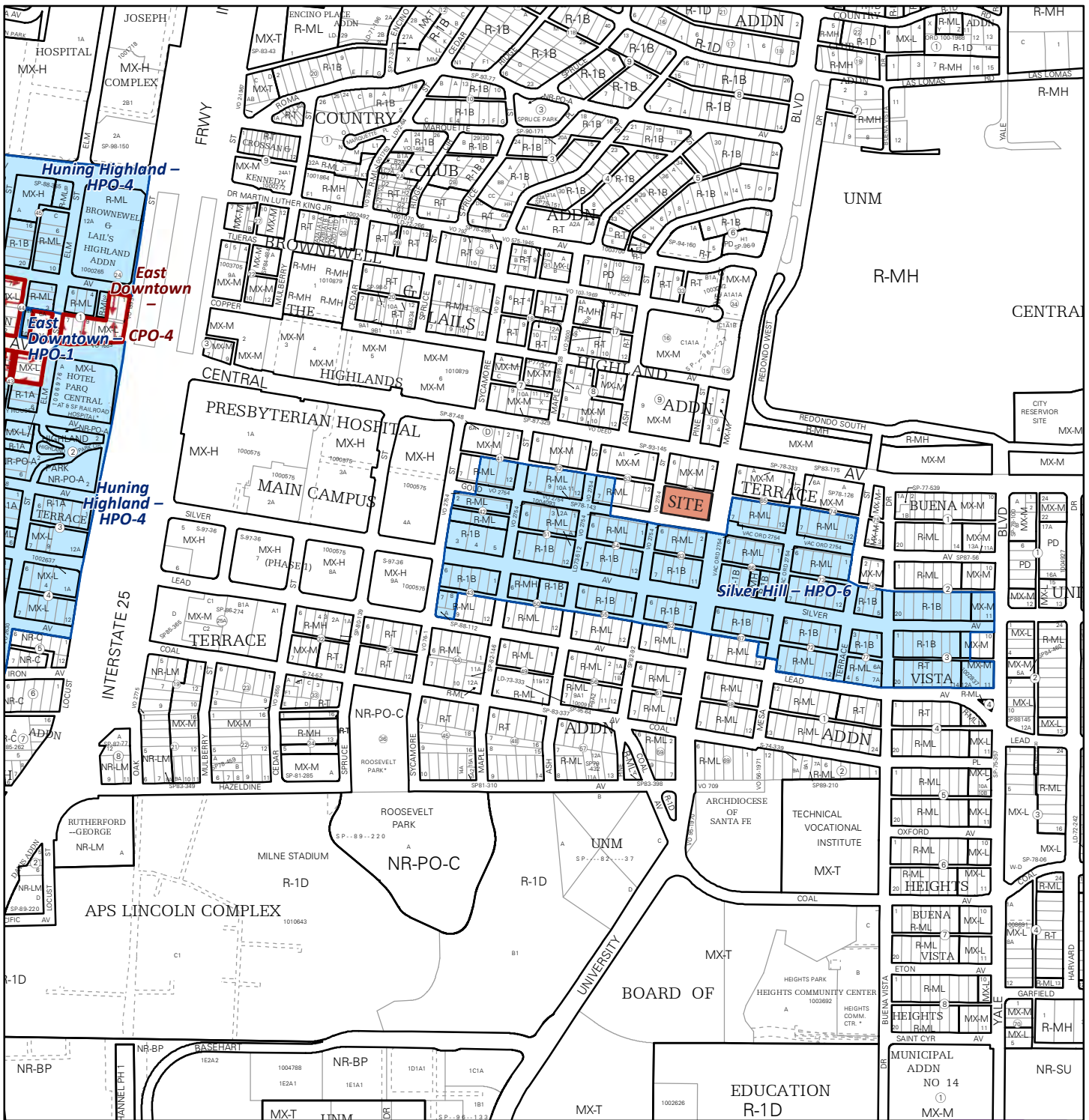
The Scoping Form must be submitted as part of a Traffic Circulation Layout submittal, DRB application for site plan approval, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

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

Site Plan/Traffic Scoping Checklist

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

1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) ([*check MRCOG Bikeways and Trails in the 2040 MTP map*](#))
4. Location of nearby multi-use trails, if applicable ([*check MRCOG Bikeways and Trails in the 2040 MTP map*](#))
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify volume to capacity (v/c) ratio on this form.

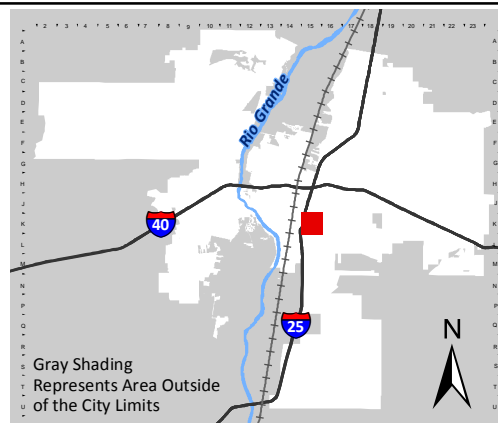


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018



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



Zone Atlas Page:
K-15-Z

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

0 250 500 1,000 Feet

From: Carmona, Dalaina L.
To: Avery Frank
Subject: 1701 GOLD AVE SE Neighborhood Meeting Inquiry Sheet Submission
Date: Thursday, April 7, 2022 12:35:20 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
111_University-Zone Atlas Page K-15-Z.pdf

Dear Applicant:

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

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Silver Hill NA	James	Montalbano	ja.montalbano@gmail.com	1409 Silver Avenue SE	Albuquerque	NM	87106	5052430827	
Silver Hill NA	Don	McIver	dbodinem@gmail.com	1801 Gold Avenue SE	Albuquerque	NM	87106		5053850464
Spruce Park NA	John	Cochran	jrcchr@gmail.com	1300 Los Lomas Road NE	Albuquerque	NM	87106		5052391988
Spruce Park NA	Bart	Cimenti	bartj505@gmail.com	1502 Roma Avenue NE	Albuquerque	NM	87106		5052591918
Sycamore NA	Mardon	Gardella	mg411@q.com	411 Maple Street NE	Albuquerque	NM	87106		5058436154
Sycamore NA	Richard	Vigliano	richard@vigliano.net	1205 Copper NE	Albuquerque	NM	87106		5059809813
University Heights NA	Don	Hancock	sricdon@earthlink.net	105 Stanford SE	Albuquerque	NM	87106	5052622053	5052621862
University Heights NA	Mandy	Warr	mandy@theremedydayspa.com	119 Vassar Drive SE	Albuquerque	NM	87106	5054014367	5052659219
Victory Hills NA	Patricia	Willson	info@willsonstudio.com	505 Dartmouth Drive SE	Albuquerque	NM	87106		5059808007
Victory Hills NA	Melissa	Williams	mawsdf@comcast.net	1010 Princeton SE	Albuquerque	NM	87106		5054636484

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

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

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

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s): <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

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

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

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



Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dlcarmona@cabq.gov or ONC@cabq.gov
Website: www.cabq.gov/neighborhoods



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

From: webmaster=cabq.gov@mailgun.org <webmaster=cabq.gov@mailgun.org> **On Behalf Of** webmaster@cabq.gov
Sent: Thursday, April 7, 2022 9:56 AM
To: Office of Neighborhood Coordination <frank@consensusplanning.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Neighborhood Meeting Inquiry Sheet Submission

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

Neighborhood Meeting Inquiry For:
Environmental Planning Commission
If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:
Contact Name
Avery Frank
Telephone Number
5057649801
Email Address
frank@consensusplanning.com
Company Name
Company Address

City
State
ZIP

Legal description of the subject site for this project:

LOTS 7 THRU 11 BLK 64 TERRACE ADD & N 10FT VACATED GOLD AVE

Physical address of subject site:

1701 GOLD AVE SE ALBUQUERQUE NM 87106-4417

Subject site cross streets:

University and Gold

Other subject site identifiers:

This site is located on the following zone atlas page:

K15

Captcha

x

From: [Avery Frank](#)
To: [Bart Cimenti](#); [Don Hancock](#); [Don McIver](#); [James Montalban](#); [John Cochran](#); [Mandy Warr](#); [Mardon Gardella](#); [Melissa Williams](#); [Patricia Willson](#); [Richard Vigliano](#)
Cc: [Jim Strozier](#); [Michael Vos](#)
Subject: Zone Map Amendment
Date: Thursday, April 28, 2022 11:59:00 AM
Attachments: [Neighborhood Association Package.pdf](#)

Hello,

This email is to inform you that Consensus Planning, Inc. on behalf of Juniper Properties Southwest, LLC. is requesting a Zone Change (Zone Map Amendment) for the subject property located at 1701 Gold Ave SE, Albuquerque, NM 87106. All the information is attached to this email including a formal notice for a neighborhood meeting along with supplemental information about the site. Per City requirements, you have 15 days to respond to this email and/or request a facilitated meeting to further discuss this zone change. If you have any questions or concerns prior to the meeting, please feel free to reach out. Thank you and we look forward to hearing from you.

Kind regards,

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

Dear Neighbors,

This is a notification that Consensus Planning is preparing an application for a Zoning Map Amendment for 1701 Gold Ave SE, Albuquerque, NM 87106. The property currently has the vacant Church of the Christ building. The site is 0.8035 acres in size and is currently zoned R-ML (Residential Multi-Family Low Density). The request seeks to change the zoning to MX-M (Mixed-Use Moderate Intensity) to allow for mixed uses and match the existing zoning to the north. The request consists of 1 property legally described as:

- LOTS 7 THRU 11 BLK 64 TERRACE ADD & N 10FT VACATED GOLD AVE

Per the Integrated Development Ordinance (IDO), this amendment will need to be reviewed and approved by the Environmental Planning Commission (EPC). Please see the attached City forms containing additional details about the properties. As part of the City process and in accordance with the City's Integrated Development Ordinance (IDO) Subsection 14- 16-6-4(C) *Neighborhood Meeting*, we are sending this email to provide you with an opportunity to meet and discuss this request prior to submittal. Per City requirements, you have 15 days to respond to this notice or request a public meeting prior to application submittal.

Please feel free to contact me with any questions at Frank@consensusplanning.com or contact us by phone at 505-764-9801. I look forward to coordinating with you.

Sincerely,

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

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

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

Date of Request*: 4/27/2022

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

Neighborhood Association (NA)*: See attached

Name of NA Representative*: See attached

Email Address* or Mailing Address* of NA Representative¹: See attached

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

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

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

Meeting Date / Time / Location:

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

1. Subject Property Address* 1701 Gold Ave SE, Albuquerque, NM 87106
Location Description _____
2. Property Owner* UNIVERSITY CHURCH OF CHRIST
3. Agent/Applicant* [if applicable] Agent Consensus Planning, Applicant Juniper Properties Southwest, LLC.
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)

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

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

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

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

Summary of project/request^{3*}:

Requesting a zone change from R-ML to MX-M

5. This type of application will be decided by^{*}: ☐ City Staff
OR at a public meeting or hearing by:
☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)
☐ City Council
6. Where more information about the project can be found^{*4}:
Please call or email frank@consensusplanning.com 505 764 9801

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

1. Zone Atlas Page(s)^{*5} K-15-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:
☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation:

N/A

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

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

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

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

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

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

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*
- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

1. From the IDO Zoning Map⁶:

- a. Area of Property [typically in acres] 0.8035
- b. IDO Zone District R-ML
- c. Overlay Zone(s) [if applicable] _____
- d. Center or Corridor Area [if applicable] Central Ave Main Street and Major Transit, UNM Activity Center

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

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

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



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



PART I - PROCESS

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type:

Decision-making Body:

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

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

PART II – DETAILS OF REQUEST

Address of property listed in application: 111 University Blvd SE ABQ, NM 87106

Name of property owner: University Church of Christ

Name of applicant: Juniper Properties Southwest, LLC.

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

Address, phone number, or website for additional information:

Frank@consensusplanning.com 505 764 9801

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.

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

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

☒ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Avery Frank (Applicant signature) 4/28/2022 (Date)

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



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



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

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

- ☐ a. Location of proposed buildings and landscape areas.
- ☐ b. Access and circulation for vehicles and pedestrians.
- ☐ c. Maximum height of any proposed structures, with building elevations.
- ☐ d. For residential development: Maximum number of proposed dwelling units.
- ☐ e. For non-residential development:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

CITY OF ALBUQUERQUE
LAND USE FACILITATION PRE-APPLICATION MEETING REPORT
1701 Gold SE 87106

Project: Pre-application.

Property Description/Address: 1701 Gold SE 87106

Date Submitted: May 29, 2022

Submitted By: Jocelyn M. Torres

Meeting Date/Time: May 26, 2022, 5:00 – 7:00 PM

Meeting Location: Heights Community Center, 823 Buena Vista SE, Albuquerque, NM 87106.

Facilitator: Jocelyn M. Torres

Applicant: Rahim Kassam and Dan Rowe, d/b/a Juniper Properties SW.

Agent: Consensus Planning Jim Strozier, Michael Vos and Avery Frank.

Neighborhood Associations/Interested Parties: Consensus Planning Agents Jim Strozier, Avery M. Frank and Michael Vos; Applicant Rahim Kassam; Silver Hill NA (SHNA); Neighbors.

Meeting Summary: The first meeting between the Silver Hill NA and Consensus Planning was held on May 9, 2022. Applicant is applying to the Environmental Planning Commission (EPC) for a zone amendment from the existing R-ML to MX-L for the purpose of constructing townhomes or multi-family housing at this site. Due to neighborhood opposition during the first meeting, Applicant has decided not to apply for an MX-M zone change. Applicant seeks to keep salvageable portions of the existing church and is not interested in a complete teardown. Nonconforming portions of the church cannot be salvaged. The parking lot will face north towards the paved alleyway and the building façade will face Gold. Landscaping and other features required by the Integrated Development Ordinance (IDO) and Comprehensive Plan will be included in this development. Arterial streets and the existing paved alleyway will provide parking lot access.

The facilitated meeting was conducted May 26, 2022. The following neighborhood concerns set forth in the agenda were addressed:

- A. Zoning Uniformity: Does the City have issues with “one-off” zone changes? If the developer applies for MX-L vs. MX-M would the City not be as amenable because a lot of the surrounding area is MX-M?
- B. Would keeping the existing R-ML zoning limit the options for the site and potentially require tearing down the church since it does not currently comply with that zoning?
- C. Three stories (MX-L) vs. four stories (MX-M); what would that look like? It’s hard to see that in isolation. Is the top of the church steeple three stories? The building appears to have two stories and an attic.
- D. What is the difference between the set back of MX-L vs. MX-M? The property on the corner of Pine and Gold seems to be set back 14 feet off Gold and 17 feet off Pine.
- E. We understand that the parking lot just south of Gold is also part of the Church. Did Dan purchase that? If so, does he plan to develop it or just maintain the parking lot? Keeping the parking lot might address some parking concerns in this area.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Outcomes:

1. Areas of Agreement:

- a. The majority of Participants did not oppose MX-L zoning at this location. Remaining neighbors were undecided.
- b. Participating neighbors support Applicant's revitalization goal.
- c. Neighbors hope to see a positive transformation of this vacant church property.
- d. Participants are concerned about the current homeless situation on this property.

2. Areas of Concern:

- a. Neighbors oppose MX-M zoning.
- b. Neighbors oppose a four story building.

3. Key Points:

- a. Applicant will not seek MX-M zoning due to neighborhood feedback.
- b. Applicant will invest approximately 10 million dollars into the community by revitalizing this dormant property.
- c. Applicant hopes to build upon the existing church structure to the extent possible under the IDO.
- d. Due to ever increasing building costs, Applicant seeks an approach that is also economically feasible.

Meeting Specifics (*Neighbor Questions/Comments are in italics*):

1) Introduction.

Facilitator: Jocelyn M. Torres: nmlawyer09@comcast.net; 505 249-8531.

Presenters: Jim Strozier, Principal and Avery M. Frank, Intern, Consensus Planning.

2) Background.

Business on Central is struggling. This location is defined as a Premium Transit and Urban Main Street Corridor under the IDO and Comprehensive Plan. It is within 660 feet of the Albuquerque Rapid Transit (ART) station. Typical MX-L setbacks of: five feet (front); five feet (street side); five feet (rear) do not apply at this location. The MX-L height limit of 38 feet also does not apply. Instead the zoning height limit at this location is 55 feet.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Most surrounding commercial development is zoned MX-M. The City usually does not support spot zoning. Due to neighbor concerns, Applicant will apply for MX-L rather than MX-M zoning.

3) Neighborhood Questions and Comments

A) Intended development, funding and appearance.

i. *C: I own and manage a former church property that houses 17 people in a dormitory style design. I support adding either townhomes or multi-family housing at the 1701 Gold location.*

ii. *C: Under mixed use zoning, we could also include a small coffee shop and breakfast burrito establishment like the one located at 8th and Silver SW.*

C: Commercial development is struggling since COVID. It's probably better not to include any retail, including a coffee shop.

iii. *Q: How long has the church been vacant?*

A: Two years.

C: There was only one church service after COVID. After that, the homeless tents came in.

iv. *Q: When did you purchase this property?*

A: In May, 2022.

v. *Q: Will Applicant agree to conditions that run with the land?*

A: No. That is not an option.

vi. *Q: How large and how high is the existing church?*

A: The church is 12,000 square feet and 40 feet high.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

C: I do not support a building that is taller than the current height of the church.

- vii. C: Because construction costs are so high, it is more feasible to salvage a portion of the existing structure, rather than demolishing the entire building.

C: The state provides funding incentives for this location, which is designated as an area of change. By contrast, residential development is considered an area of consistency. If Applicant keeps this property for 10 years, the state will allow a capital gains deferral.

- viii. *Q: Will the appearance be consistent with the neighborhood? Will there be landscaping?*

A. Yes, this development will blend into neighborhood articulation and glazing. It will consist of either townhomes or multi-family housing. The appearance will be similar to the townhomes located at Copper and Aliso (3820 Copper Ave. NE).

A. IDO required landscaping will be included in this development. This will include landscaping along Gold and Pine.

B) Parking.

- i. C: Onsite parking will face away from Gold, towards the alleyway. Applicant will consider a one way traffic designation allowing for Pine Street entry onto the alleyway and parking lot and a right turn only exit through University. Applicant also owns the former church property across the street, which will no longer be used for parking.

C: Applicant will consider improving the alleyway as part of this development.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

C) Next Steps.

- i. C: This EPC application only includes the requested zone change from R-ML to MX-L. If the zone change is granted, Applicant will proceed to the Development Review Board (DRB) which requires a site plan, architectural drawings, utility specifications and building elevations.
- ii. Neighbors will be provided notice and will have another opportunity for a CABQ facilitated meeting at the DRB stage of the process.

4) EPC Timelines

A. EPC Application will be filed as of June 9, 2022.

B. EPC Hearing will be held July 21, 2022.

Meeting Adjourned.

Names & Affiliations of Participants/Business Owners/Interested Parties:

Jim Strozier	Consensus Planning
Michael Vos	Consensus Planning
Avery Frank	Consensus Planning
Rahim Kassam	Applicant
Dan Rowe	Applicant
Don McIver	SHNA
James Montelbano	SHNA
Tom Ocken	SHNA
Joanne Kuesmer	Neighbor
Augustine Grace	Neighbor
Alex Nunez	Neighbor
Cesar Marquez	Neighbor
Jocelyn M. Torres	Land Use Facilitator
Tyson Hummell	CABQ ADR Coordinator



July 5, 2022

Environmental Planning Commission
City of Albuquerque Planning Department
600 2nd Street NW
Albuquerque, NM 87102

RE: Request for a Zoning Map Amendment

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

Dear Mr. Chairman:

This letter provides the policy justification on behalf of Juniper Properties Southwest, LLC, and their request for a Zoning Map Amendment – EPC for the property located at 1701 Gold Avenue SE. The property is legally described as *Lots 7 thru 11 Block 64 Terrace Addition & North 10 feet Vacated Gold Ave.* The property is 0.8035 acres, has a vacant and dilapidated former church building, and zoned R-ML. The request seeks to rezone the property from R-ML to MX-L with the intent of developing a multi-family residential development on the site in the future. The vacant building on the site is nonconforming (as to setbacks) under the R-ML zone and will not allow for the redevelopment and expansion of the building to accommodate new multi-family housing.

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



Subject Property

PRINCIPALS

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

PLANNING CONTEXT:

The property is located at the corner of Gold Avenue SE and University Boulevard SE and is a little under one acre in size. Currently, the vacant and dilapidated University Church of Christ building is located on the property. As stated previously, the existing setbacks make it a nonconforming structure in the R-ML zone district which has a requirement for a 15-foot setback along Gold Avenue. The image below shows a street view of the site from the corner of University and Gold.



Street View of Subject Property

The property is part of the Near Heights Community Planning Area. The ABC Comprehensive Plan defines the Near Heights CPA (Community Planning Area) as centered around the University of New Mexico, Central New Mexico Community College, and the Route 66 (Central Ave) Corridor. Character and design qualities of the Near Heights CPA are described as the massing of large-scale development, buildings fronting the sidewalk, varying architectural styles, ethnic diversity, and excellent public transit access.

The property is located within the Central Avenue Premium Transit, Major Transit, and Main Street Corridor. The site is also within 660 feet of the UNM/CNM Premium Transit Station. There are several other bus stops within one block of the site with connections to routes 16 and 66. Below is an image of the transit and corridor designations. The subject property is adjacent to the UNM Activity Center. The ABC Comp Plan defines an Activity Center as a place that provides convenient day-to-day services at a neighborhood scale. Activity Centers are intended to provide a mix of neighborhood, commercial, and residential uses at a slightly higher density than surrounding single-family zones. Pedestrian-friendly design and mixed-use multi-family housing are deemed appropriate for this type of center. Additionally, building design usually ranges from 1 to 3 stories and development patterns should support access to multiple transportation modes. Below is an image of the subject site's proximity to the UNM Activity Center (displayed in orange).



Subject Site – Premium Transit, Main Street, and Major Transit Corridors



Subject Site – Relationship to the UNM Activity Center

The property is also adjacent to the Silver Hill Historic District, which is mapped and regulated as a Historic Preservation Overlay Zone. While the subject property is not within the boundaries of the historic district, it provides context to this property. The historic district is to the south and is at a higher elevation than the subject property. Redevelopment of the existing vacant property will positively impact the historic district by removing significant problems associated with this vacant property.



Subject Property – Relationship to the Silver Hill Historic District

In addition to the property being adjacent to the University Activity Center and the Silver Hill Historic District, it is also adjacent to the Sycamore Redevelopment Area. This redevelopment plan is old, however, some of the same blighting characteristics still exist, especially as it relates to the commercial properties along Central Avenue immediately north of the subject property. Redevelopment of this property with additional housing will positively impact the adjacent commercial businesses.

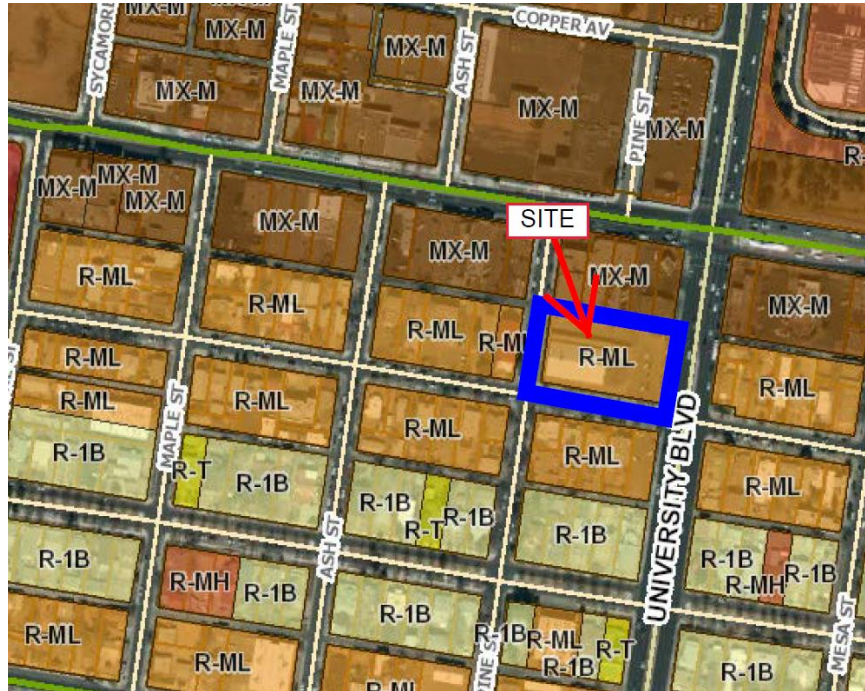
The subject property is within an Area of Change. The ABC Comp Plan defines Areas of Change as designated Centers and Corridors, Metropolitan Redevelopment Areas, and Master Planned Areas with policies that allow for a mix of uses and the development of higher density and intensity uses supported by multi-modal transportation. Areas of Change are intended to be the focus of new urban-scale development that benefits job creation and expands housing options. The image below shows the City Development Areas.



Subject Site Areas of Change & Consistency

ZONING AND LAND USE:

The subject site is currently zoned R-ML (Residential Multi-Family Low Density). The IDO defines the R-ML zone district as a variety of low to medium-density housing options, primarily townhomes and low-density multi-family buildings. Along Central Avenue on both the north and south sides of the street the current zone district is MX-M (Mixed-Use Moderate Intensity). To the south of the site along the north and south sides of Gold Avenue, the current zoning is R-ML. Silver Avenue SE along the north and south sides of the street is zoned largely R-1B (Residential Single-Family Medium Lot) with R-T (Residential Townhouse) and R-MH (Residential Multi-Family High Density) lightly dispersed along the street. The image below shows the current zone districts.



Subject Site & Surrounding Zone Districts

The subject site was previously used for religious purposes and the University Church of Christ building is still present on the site although it is dilapidated and no longer in use. The surrounding land uses to the south, east, and west of the property are primarily single-family detached low-density residential, or low-density townhomes even though the zone designation of R-ML is inclusive of multi-family housing. There are very few multi-family apartments near the site, with two properties to the west of the site along Gold Avenue SE and two properties to the south of the site along Silver Avenue SE and Lead Avenue SE. By allowing the redevelopment/adaptive reuse of the existing building, the proposed MX-L zoning may help to create more multi-family housing in the area.

There is a mix of office, general retail, and light vehicle repair along Central Avenue SE, although many of these businesses have since closed and their properties remain vacant. At the corner of University Boulevard and Central Avenue, there is a gas station to the west and a smoke shop to the east. On the north side of Central Avenue, there are educational services provided by the University of New Mexico along with vacant buildings, office, low-density residential, and general retail uses.



Subject Site & Surrounding Land Uses

Zoning & Land Use Table		
North	MX-M	Educational (UNM), office, low-density residential, general retail (gas station)
South	R-ML, R-1B, R-T	Duplexes, Single-family housing, multi-family housing
East	R-ML, R-1B, MX-M, R-MH	General retail, restaurant, low-density residential
West	R-ML, R-1B, MX-M, R-T, R-MH	Low-density residential, multi-family residential

SITE HISTORY:

The building and parking area on the subject property was constructed in 1979 and has remained to the present day. There are two historical case numbers associated with the site, ZA-80-81 and BA-1233.

SUMMARY OF REQUEST:

The applicant Juniper Properties Southwest, LLC is seeking a Zone Map Amendment – EPC from R-ML to MX-L for the subject property at 1701 Gold Avenue SE. The MX-L zoning will allow this vacant site to be developed with an appropriate mix of uses aligning it with the designation as an Area of Change which is characterized by higher density and intensity uses. The applicant intends



to build a multi-family housing development on the subject site which can provide housing options with an opportunity for limited opportunities for mixed use (a coffee shop for instance) to support the adjacent businesses along the Central Avenue Main Street and UNM and CNM.

The site is within the Near Heights CPA which is described as large-scale development of varying styles with buildings fronting the sidewalks and superb public transit access. The MX-L zone is more advantageous to the Near Heights CPA designation as the setback requirements allow buildings to be built closer to the sidewalk which is a characteristic of the CPA. The MX-L zone setback requirements will allow the current building to be salvaged and redeveloped for multi-family use. The following sections provide information from both the IDO and ABC Comp Plan to provide justification for this request.

NEIGHBORHOOD OUTREACH AND FACILITATED MEETING:

Consensus Planning was invited to attend the regularly scheduled Silver Hill Neighborhood Association Meeting on May 9, 2022. Neighbors expressed their concerns about the growing homeless encampment on the north side of the subject property abutting the alley. Attendees would like to see redevelopment of this blighted property and voiced a preference for housing or mixed-use such as housing and a small coffee shop. A follow-up facilitated meeting was requested by the Silver Hill Neighborhood Association to address subsequent questions that arose after the initial meeting. The follow-up meeting occurred on May 26, 2022. The report from this follow-up meeting is included with the application.

The original Zoning Map Amendment request was seeking to change the current R-ML zoning to MX-M to keep with the uniformity of the surrounding zoning to the north of the site along Central Avenue. Attendees expressed concerns with density and allowable building heights in the MX-M zone which prompted a discussion about the MX-L zone designation. Several attendees were in support of either zone designation and felt the addition of mixed-use and multi-family housing will help to create a more vibrant neighborhood. A few neighbors were concerned that MX-M may conflict with the historic character of the area although the property does not fall under the Silver Hill Historic Protection Overlay. The concerns the neighbors voiced prompted a decision to seek a Zone Map Amendment to MX-L instead of MX-M.

Several emails and letters were received supporting the zone change, which have also been attached to the application. The Silver Hill Neighborhood Association indicated that they were “not opposed” to the request.

INTEGRATED DEVELOPMENT ORDINANCE JUSTIFICATION CRITERIA

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

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



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

Applicant response: The proposed Zone Map Amendment is consistent with the health, safety, and general welfare of the City by furthering a preponderance of applicable ABC Comp Plan Goals and Policies as follows:

ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN

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

Applicant Response: The general character of the neighborhood where the site is located is low to medium-density residential housing. The Silver Hill Historic District is to the south, oriented east/west although the site is not within the boundaries of the historic district and is in fact in an Area of Change. The neighborhood has attractive tree-lined streets with Silver Avenue having a beautiful, landscaped median in addition to the street trees. The Applicant has committed to maintain as many of the existing street trees as possible and plant new street trees as well.

The neighborhood and subject site are also in between two major employment and activity centers (CNM & UNM) as well as being located within the Central Avenue Main Street and Premium/Major Transit Corridors. This request helps to enhance, protect, and preserve the distinct neighborhood while fostering growth to accommodate the Corridor and support the adjacent and nearby Center designations because by allowing MX-L, it will keep the building form of the proposed use in overall alignment with the neighborhood and Main Street scale, while allowing for more diverse land uses to create a completer and more vibrant neighborhood. The attendees at the facilitated meeting from the Silver Hill Neighborhood Association expressed a desire for mixed-use development in their neighborhood which is currently restricted by the varying residential zone designations. Additionally, they sent a letter, which was submitted as part of this request, stating they are not opposed to the MX-L designation.

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

Applicant Response: The Church was established in 1979 and the building, although vacant, still remains on the property. The building is currently nonconforming under its R-ML zone designation as the front setbacks under R-ML are a minimum of 15 feet and the building encroaches on that limit. The requested zone change to MX-L, which has a minimum front setback of zero feet, allows the property to be improved with multi-family housing and utilize the existing building (if feasible) or portions thereof. Additionally, the MX-L designation allows for neighborhood-scale mixed-land uses which is consistent with the historic mix of uses in this area along Central Avenue. The MX-L is also consistent with the historic and desired characteristics of the Near Heights Community Planning Area.

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

Applicant Response: This request helps to grow as a community of strong Centers connected by a multi-modal network of Corridors because the site is within the Central Avenue Main Street and Premium/Major Transit Corridors. The purpose of the MX-L zone designation is to provide neighborhood-scale convenience shopping needs with primary land uses that include multi-family. The purpose of the R-ML zone district is to prioritize low-to medium-density housing with single-family housing as a permissive use. A vibrant multi-modal corridor relies in part on diverse land uses that will help to activate the street. The MX-L zone can provide more diverse uses of land that support the adjacent and proximate University and CNM activity centers as compared to R-ML.

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

Applicant Response: This request helps to capture regional growth in Centers and corridors to help shape the built environment into sustainable development pattern because the subject site is within the Central Avenue Main Street Corridor and Central Avenue Premium/Major Transit Corridors. Chapter two of the ABC Comprehensive Plan outlines Centers and Corridors as the main places that can sustainably accommodate the expected population growth that is to occur between now and 2040. Additionally, the ABC Comprehensive plan states “outward expansion is problematic because it puts additional strain on limited infrastructure funding and finite natural resources and doesn’t achieve the kinds of placemaking that make cities attractive.” This request helps to facilitate incremental regional growth which has been researched extensively by economists, planners, and other professionals as a beneficial strategy to growing the economy of a region or medium-scale city. Incremental growth is defined by the Congress of the New Urbanism as “small-scale developers building individual projects, incrementally aggregating to similar total unit counts.” The idea, as promoted by the Comprehensive Plan is that over time, smaller projects that increase the density and intensity of development within these corridors will reduce the pressure to develop on the edge of the city.

Policy 5.1.1 sub-policy (f): Discourage the development of detached single-family housing as an inappropriate use in Centers and along Corridors.

Applicant Response: This request discourages the development of single-family housing in Centers and along Corridors because the MX-L zone designation does not allow for single-family housing and the subject property is located within the Central Avenue Main Street and Premium/Major Transit Corridors. The existing R-ML zoning allows single-family housing as a permissive use. Chapter two of the Comprehensive Plan discusses “significant changes from past housing preference” and a growing demographic of people who prefer “housing options other than single-family homes” which can more adequately be provided by the MX-L zone designation. The subject property is within the designated Main Street and Premium/Major Transit Corridors.

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

Applicant Response: The change of zoning from RM-L to MX-L will help to direct more intense growth through the redevelopment of the existing building, removing the non-conforming constraints to expanding the existing building, and allowing for an appropriate density and scale that provides a transition between the MX-M zoning abutting Central Avenue to the existing duplexes and single-family homes in the Silver Hill Historic District.

Policy 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high capacity, high-frequency transit services, with mixed-use, transit-oriented development within walking distance of transit stations.

Applicant Response: The subject site is within easy walking distance (less than 300 feet) to the UNM CNM ART Station and within the Central Avenue Main Street and Premium/Major Transit Corridors. Chapter five of the ABC Comprehensive Plan defines Premium Transit Corridors as “planned for mixed-use and transit-oriented development within walking distance of transit stations, with transitions to single-family neighborhoods beyond the Corridor.” This request helps to foster corridors that prioritize high capacity, high-frequency transit services, with mixed-use, transit-oriented development within walking distance of transit stations because the MX-L zone allows for a variety of diverse neighborhood-scale land uses (including multi-family) that help to create transit-oriented development options. The MX-L zone designation also helps to provide a transition to the neighboring single-family land uses on Silver Avenue while allowing the subject site to be in alignment with its Premium Transit designation.

Policy 5.1.9 Main Streets: Promote Main Streets that are lively, highly walkable streets lined with neighborhood-oriented business.

Applicant Response: The subject site is located within the Central Avenue Main Street Corridor. Chapter five of the ABC Comprehensive plan designates Main Street Corridors as “a place for living, working, and shopping.” The corridor designation is given a 660-foot buffer in which to capture the desired land use patterns. This request helps to promote lively, highly walkable Main Streets by providing adjacent multi-family housing to support the existing and anticipated neighborhood-oriented business along Central Avenue. The R-ML zone inhibits diverse land uses which is not conducive to the site within a Main Street Corridor.

Policy 5.1.10 Major Transit Corridors: Foster corridors that prioritize high-frequency transit services with pedestrian-oriented development.

Applicant Response: This zone map amendment request helps to foster corridors that prioritize high-frequency transit services with pedestrian-oriented development because the site is within 300 feet of the UNM CNM ART Station which has an arrival time frequency of 8-15 minutes. The MX-L zone designation is more advantageous to creating pedestrian-oriented development as its multitude of primary land uses helps to activate the street and encourage walkability.

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

Applicant Response: This request helps to foster communities where residents can live work and play together because the MX-L zone designation allows for the adaptive reuse and expansion of an existing building to support new multi-family with the possibility of commercial uses as well. This Goal is especially relevant at the subject property due to its location within a Main Street Corridor between two adjacent and proximate activity centers served by Premium Transit. The current zoning of the property is residential which restricts most land uses that can contribute to complete communities offering a variety of amenities within walking distance.

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

Applicant Response: This request helps to create healthy, sustainable, and distinct communities with a mix of land uses that are conveniently accessible from surrounding neighborhoods as the MX-L zone designation allows for more diverse uses as compared to R-ML. The subject site is also conveniently located within easy walking distance of a Premium Transit Station as well as being situated along a Main Street Corridor (Central Avenue) which helps connect the site to walkable businesses and restaurants, surrounding neighborhoods, and transit.

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 site is within walking distance of an ART station, as well as the being within the Central Avenue Main Street and Premium/Major Transit Corridors. The MX-L zone helps to maximize the utility of the existing infrastructure by allowing for the redevelopment of an existing vacant building and by allowing for more diverse land uses than the current R-ML zone. The diversity of neighborhood-scale land uses allowed under MX-L will help to promote the increased use of the existing transit systems as well as increased pedestrian mobility along the Central Avenue Main Street and Premium/Major Transit Corridors. The request helps to promote an efficient use of land for the public good as there is currently a housing shortage and the MX-L zone does not allow single-family housing.

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

Applicant Response: This request helps to further policy 5.3.1 by promoting beneficial infill development as the subject site is serviced by existing roadways, sidewalks, and water and sewer infrastructure. The property is also within walking distance of multiple bus stops and the UNM-CNM ART station. This request supports more density, mixed-use, and redevelopment of a blighted property that is situated in an infill location.



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: This request helps to balance jobs and housing by encouraging residential growth near several major employers – Presbyterian Hospital, UNM, and CNM. Adding additional housing in this location will further this goal by allowing for the redevelopment of an existing vacant building to create new housing and mixed-use opportunities.

Policy 5.4.1 Housing Near Jobs: Allow higher-density housing and discourage single-family housing near areas with concentrated employment.

Applicant Response: The subject site is within six blocks of the CNM Employment Center as well as directly adjacent to the UNM Activity Center. The MX-L zone designation does not allow for single-family housing; therefore, this request helps to further policy 5.4.1 by discouraging single-family housing near areas of concentrated employment.

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

Applicant Response: The subject site is located entirely in an Area of Change and is abutting Areas of Change on the north, south, and west sides of the property; therefore, this request helps to encourage growth in City Development Areas where it is expected and desired. Specifically, the MX-L zone encourages mixed-use development and low-density multi-family housing while discouraging single-family residences. The intent for Areas of Change as defined by the Comp Plan is to focus new urban-scale development that benefits job creation and expanded housing options. The MX-L zone provides an excellent transition between the MX-M zoning along Central Avenue and the RM-L and historic district to the south.

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

Applicant Response: This request helps to direct growth and more intense development to areas where change is encouraged because the property is within the Central Avenue Main Street and Premium/Major Transit Corridor, located entirely in an Area of Change, and is directly adjacent to the UNM Activity Center as well as six blocks from the CNM/UNM Employment Center in addition to being within easy walking distance to the UNM-CNM ART Station.

Policy 5.6.2 sub-policies:

(c) Foster a range of housing options at various densities according to each Center and Corridor type.

Applicant Response: This request helps to foster a range of housing options within the designated Premium Transit, Major Transit, and Main Street Corridors, all of which prioritize mixed-use, diverse, walkable, highly connect, transit-

oriented development. The MX-L zone designation allows for low-density mixed-use development which can help to realize the goals of the multiple Corridor designations while creating a buffer and appropriate transition between Central Avenue and the neighboring historic Silver Hill neighborhood.

(d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

Applicant Response: This request helps to encourage higher-density housing and mixed-use development that will support transit and commercial and retail uses because the subject site is within the designated Main Street Corridor within walking distance of numerous shops, services, and restaurants along Central Avenue.

(g) Encourage development where adequate infrastructure and community services exist.

Applicant Response: This request helps to encourage development where adequate infrastructure and community services exist because the subject property is less than 300 feet of a Premium Transit Station as well as the Central Avenue Main Street Corridor.

(h) Encourage development in areas with a highly connected street grid and frequent transit services

Applicant Response: This request encourages development in areas with a highly connected street grid and frequent transit services because the subject site is connected by the nearby ART Station, multiple bus stops, as well as a grid of arterial and local streets.

Goal 6.1 Land Use- Transportation Integration: Plan, develop, operate, and maintain a transportation system to support the planned character of existing and future land uses.

Applicant Response: Operating and maintaining a transportation system relies in part on the density and intensity of nearby land uses. This request is supported by and helps to develop and maintain a transportation system that includes both Central Avenue and University Boulevard. The proposed MX-L zone allows for an increase in density, intensity, and a variety of land uses as compared to R-ML, which will help to support the existing multi-modal transportation system.

Policy 6.1.2 Transit-Oriented Development: Prioritize transit-supportive density, uses, and building design along transit corridors.

Applicant Response: This request helps to prioritize transit-supportive density as the MX-L zone designation allows for a slightly higher density and intensity of uses as compared to R-ML. The R-ML zone is limited to residential uses, allows single family as a permissive use, and restricts mixed uses that are advantageous to Transit-Oriented Development. Additionally, the MX-L zone does not allow single-family housing which is described in chapter two of the ABC Comprehensive Plan as “not being sufficient” to meet the demand and housing preferences of future residents and demographics. There is robust research to support the positive relationship between increased density and transit ridership.

The site is located within a Premium Transit Corridor; therefore, increasing density should be a priority when considering the appropriate zoning.

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

Applicant Response: This request helps to create places where business and talent will stay and thrive because the MX-L zone designation allows for a diversity of neighborhood-scale land uses that can facilitate placemaking initiatives. One characteristic of placemaking is community participation which helps to guide the use and design of new development. The attendees of the facilitated meeting voiced their desire for mixed-use development in their neighborhood which is largely restricted by the R-ML zone designation the site currently has. The Congress for the New Urbanism, in its simplest terms, defines placemaking as creating places where people want to live, learn, work, and thrive. The current R-ML does not support this goal as well as the proposed MX-L zone.

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

Applicant Response: This request helps to foster a range of interesting and diverse places as the MX-L zone designation is intended to provide a wide array of low-intensity retail, commercial, institutional, and low-density residential uses. The current zone designation of R-ML, because it is exclusively residential, excludes many uses that could be considered diverse. The site's Area of Change designation makes it an appropriate location for increased density and expanded land uses that will help to facilitate and support nearby businesses and employment growth.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

Applicant Response: This request helps to ensure a sufficient supply and range of high-quality housing types to meet future and current needs as the MX-L designation encourages multi-family housing options while discouraging single-family housing which helps to create a more equitable use of land and diverse stock of housing options for the city. The ABC Comp Plan outlines that projected population estimates for Bernalillo County are one million residents by 2040 with the majority of them residing within city limits. Diverse housing options to accommodate this growth are needed. The site is located in an Area of Change and because the MX-L zone designation restricts single-family housing it can help to ensure a sufficient supply of housing options for current and future residents.

Goal 9.2 Sustainable Design: Promote Housing design that is sustainable and compatible with the natural and built environments.

Applicant Response: This request helps to promote housing design that is sustainable and compatible with the natural and built environment because the MX-L zone allows for a slightly higher density and intensity of land uses which is a more sustainable option that facilitates inward growth to inhibit development on

the urban fringe. The MX-L zone allows for the use and expansion of the existing building because it corrects the nonconforming status of the property. Adaptive reuse of the existing structure is more sustainable than demolition and rebuilding.

Policy 9.2.1 Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context- i.e. urban, suburban, or rural- with appropriate densities, site design, and relationships to the street.

Applicant Response: The subject site is located within three distinct Corridor designations, Premium Transit, Major Transit, and Main Street all of which are defined in the ABC Comprehensive Plan as requiring adequate density and a mix of uses to facilitate transit goals and create a vibrant and walkable Main Street. The site is currently vacant and has repeated issues with permanent homeless encampments and various criminal activities with regular visits from the police and private security. The attendees from the Silver Hill Neighborhood addressed their concerns with the criminal activity and homelessness which they unanimously felt could be rectified if the site was redeveloped. They also expressed a desired for neighborhood scale mixed-use development (including new multi-family housing) at the subject site. This request helps to enhance neighborhood character by taking a vacant and deteriorating property that is a hotbed for criminal activity and redeveloping it into an attractive community amenity that responds to its development context, planning framework, and city goals and policies, while maintaining the character and scale of the existing neighborhood.

Goal 9.3 Support increased housing density in appropriate places with adequate services and amenities.

Applicant Response: This request helps to support increased housing density in an appropriate place (as defined by city goals and policies) with adequate services and amenities (Central Avenue businesses, the ART station, UNM, and CNM). The MX-L zone encourages higher density as compared to the R-ML by prohibiting single-family housing which is a permissive land use in R-ML and allowing for a larger building footprint that uses the existing building footprint due to smaller setback requirements.

Policy 9.3.1 Centers & Corridors: Encourage higher density, multi-unit housing and mixed-use development in Downtown, Urban, Activity, and Village Centers, and along Premium and Major Transit Corridors to capture growth, relieve development pressure at the edge of the urban footprint, and maintain low densities in rural areas.

Applicant Response: This request helps to encourage higher density, multi-unit housing and mixed-use development within a designated Premium and Major Transit Corridor. Increased density and intensity within these corridors will incrementally relieve development pressure at the edge of the urban footprint. This relieves pressure at the edge and helps to maintain low densities in rural areas. This type of incremental development of small infill lots, with a diverse mix of land uses, can help to relieve development pressure at the fringe of the urban footprint by allowing the city to grow inward along the Central Avenue corridor.

Goal 11.2 Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

Applicant Response: The subject site is not located within the Silver Hill Historic district although it is adjacent to it. Additionally, the Church of Christ building on the property is 43 years old and is not recognized as a historic building. The MX-L zone designation can help to preserve and enhance the Silver Hill historic district by providing a transitional zone that offers attractive neighborhood-scale amenities and a variety of housing options. A change to the existing status of the property will positively impact the historic district by removing an attractive nuisance due the vacant and dilapidated condition of the property. The positive impact of the redevelopment of the property, facilitated by the zone change, will help to enhance the neighboring historic district by drawing people and vibrancy to the area.

Policy 11.2.2 Historic Registration: Promote the preservation of historic buildings and districts determined to be significant local, State, and/or National historic interest.

Applicant Response: The subject site is not located in a historic district although it is adjacent to the Silver Hill Historic district. Additionally, the Church of Christ building on the property is 43 years old and is not recognized as a historic building. This request helps to promote the preservation of historic districts by capturing new growth on the subject site reducing pressure for changes within the historic district. The property is within areas designated by the Comprehensive Plan that encourage growth: Area of Change, Premium Transit, Major Transit, and Main Street Corridor. All of these designations support increases density and diversity of land uses

Sub-policy 11.2.2 (b) Recognize historic buildings and districts as vital elements of the community.

Applicant Response: The request helps to recognize historic buildings and districts as vital elements of the community because after various meetings with the Silver Hill Neighborhood Association the MX-L zone was determined to be advantageous to the surrounding community while respecting and recognizing the significance of the character and building design for the Silver Hill Neighborhood.

6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

- 1. There was a typographical or clerical error when the existing zone district was applied to the property.**
- 2. There has been a significant change in neighborhood or community conditions affecting the site.**

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 property is located entirely in an Area of Change therefore this criterion does not apply

6-7(G)(3)(c) If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:

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

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

3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant Response: This request meets criterion (3) as a different zone district is more advantageous to the community. The proposed zone change to MX-L better aligns the zoning of the property with the Area of Change which is characterized by higher density and intensity uses that can facilitate diverse housing options and job growth. The MX-L zone designation will allow for an increase in multi-family housing options and commercial businesses in the surrounding area. The MX-L zone designation will help to bring the subject property into alignment with the characteristics of the Main Street and Premium/Major Transit Corridors as well as being supported by its proximity to the ART Station. All of these policies prioritize pedestrian and transit-oriented development and mixed land uses.

6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community unless the Use-specific Standards in Section 16-16-0 are associated with that use will adequately mitigate those harmful impacts.

Applicant Response: The permissive uses of the MX-L zone district will not be harmful to adjacent properties and in fact they can help to foster complete communities with diverse land uses. Currently, all properties on the north side of Gold Avenue, including the subject site, between Buena Vista Drive SE and Sycamore Street SE are abutting the MX-M zone district along Central Avenue. Bottom line is that based on policies related to both the Main Street and Premium/Major Transit corridors R-ML, MX-L, and MX-M are all appropriate land uses adjacent to and within the Central Avenue corridor. This property, and the proposed MX-L zoning provides an appropriate transition between MX-M and R-ML. The IDO zoning and land use allowances have been crafted to facilitate the



implementation of the Comprehensive Plan policies and should not be considered as harmful.

The MX-L zone designation will allow for various uses that will align the subject site with its Corridor, Community Planning, Development Area, and adjacent Activity Center designations. Potentially harmful land uses such as light or heavy manufacturing, salvage yards, crematorium, and landfills are not allowed in the MX-L zone.

Additionally, the size of the site restricts many uses that may be allowed in the MX-L zone and could generate an increase in traffic such as a sports field, club or event facility, or a college. Other land uses that planning staff has raised as being harmful to adjacent property owners are cannabis retail, cultivation, and manufacturing. These uses, and a variety of related use-specific standards, allowances, and limitations have been included in these zones by the City Council in recent amendments to the IDO. One must conclude that these amendments implement the Council's policies as to location and appropriateness in the MX-L, MX-M, and MX-H zones. A majority of mixed-use zones, especially those along designated corridors, abut low-density residential zones; therefore, the City Council has deemed the land uses permitted in these zones as being appropriate adjacent to residential zones. IDO restrictions do outline potentially harmful impacts of cannabis retail on certain neighboring land uses such as schools and day care facilities which they are prohibited to abut. The subject site and surrounding parcels between Sycamore and Buena Vista to the north of Gold abut MX-M which means they currently abut the potential for a cannabis retail; therefore, the request of MX-L does not change the condition of the community and in fact it may protect it and provide a buffer and transition from the adjacent MX-M zoning.

A side-by-side comparison of the MX-L and R-ML zone district's allowable uses is provided in the chart below.

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

Permissive Use Comparison: R-ML vs. MX-L		
Use	R-ML	MX-L
Live work	C	P
Dormitory		P
Group home small or medium	C	P
Adult or child daycare facility	C	P
High school	C	P
Museum	CV	P
Sports field		C

University		C
College		C
Vocational school		P
Kennel		C
Veterinary hospital, other pet services		P
Auditorium or theater		A
Bar		C
Health club or gym	A	P
Mobile food truck court		P
Restaurant		P
Tap room or tasting room		C
Other indoor entertainment		P
Hotel or motel		P
Car wash		P
Light vehicle fueling station		C
Light vehicle repair		P
Light vehicle sales or rental		C
Paid parking lot, or parking structure	A	P
Bank		P
Club or event facility		P
Commercial Services		P
Medical or dental clinic		P
Mortuary		C
Office		P
Personal and business services large		P
Research or testing facility		P
Self-storage		C
Other outdoor entertainment	CA	A
Farmers market	T	P
Bakery goods or confectionery shop		P
Cannabis retail		P
General retail small		P
Grocery store		P
Liquor or nicotine retail		A
Pawn shop		C

Park-and-ride lot, transit facility		C
Artisan manufacturing		P
Cannabis cultivation, or cannabis-derived products manufacturing		P
Wind energy generation		A
Wireless Telecommunications Facility: freestanding		P
Recycling drop-off bin facility		A
Outdoor storage		CA
Drive-through or drive-up facility *Not permitted in University Neighborhoods Small Area		A
Mobile vending cart		A
Outdoor dining area		A
Other use accessory to nonresidential primary use		A
Outdoor animal run		CA
Open air market		T
Temporary park-and-ride facility		T
Seasonal outdoor sales		T
Unlisted temporary use		T

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

- 1. Have adequate capacity to serve the development made possible by the change of zone.**
- 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.**
- 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).**
- 4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.**

Applicant Response: This request meets criterion (1) because the City's existing infrastructure in and around the site including roadways, sidewalks, and transit connections will provide adequate capacity for the proposed zone change.

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

Applicant's Response: This justification is not based solely on the property's location on a major street as the property is not located on a major street rather it is adjacent to Central Avenue. The justification for this zone change is being prompted by the numerous benefits it will serve for the community.



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

Applicant's Response: This justification is not based solely on the price of land, but rather on the advantages of allowing mixed uses, smaller setbacks, and a slight increase in housing density in an area encouraged to include these uses by the Comprehensive Plan.

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

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

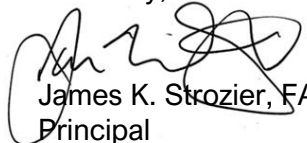
Applicant Response: This request is not a "spot zone" since the subject property is adjacent existing Mixed Use (MX) zoning to the north. Both the existing MX-M and MX-L zones fall within the IDO's Mixed Use category. The difference between the MX-M and MX-L zones are related to intensity, which MX-L being less intense and therefore creating a transition between MX-M and the adjacent R-ML and Silver Hill Historic District.

If the staff does consider this a spot zone, then this request meets criterion (1) because the subject property is located along University Boulevard SE and south of Central Avenue and clearly functions as a transition between the MX-M zoning along the Central Avenue Corridor to the adjacent R-ML and R-1B zones to the south.

Conclusion:

The proposed Zone Map Amendment request for MX-L for the subject site at 1701 Gold Avenue SE as displayed above will further numerous Goals and Policies as outlined in the ABC Comprehensive Plan. The MX-L zone is more appropriate and better implements the Comprehensive Plan policies for the Central Avenue Corridor than the existing R-ML zone. The MX-L zone designation is also more closely aligned with neighborhood concerns as outlined in the attached facilitated meeting notes. Based on this, we respectfully ask that the Environmental Planning Commission approve this request.

Sincerely,


James K. Strozier, FAICP
Principal

NOTIFICATION

From: [Carmona, Dalaina L.](#)
To: [Avery Frank](#)
Subject: 1701 GOLD AVE SE Public Notice Inquiry Sheet Submission
Date: Wednesday, May 11, 2022 10:34:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[111_University-Zone Atlas Page K-15-Z.pdf](#)

Dear Applicant:

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

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Silver Hill NA	James	Montalbano	ja.montalbano@gmail.com	1409 Silver Avenue SE	Albuquerque	NM	87106	5052430827	
Silver Hill NA	Don	Mciver	dbodinem@gmail.com	1801 Gold Avenue SE	Albuquerque	NM	87106		5053850464
Spruce Park NA	John	Cochran	jrcochr@gmail.com	1300 Los Lomas Road NE	Albuquerque	NM	87106		5052391988
Spruce Park NA	Bart	Cimenti	bartj505@gmail.com	1502 Roma Avenue NE	Albuquerque	NM	87106		5052591918
Sycamore NA	Mardon	Gardella	mg411@q.com	411 Maple Street NE	Albuquerque	NM	87106		5058436154
Sycamore NA	Richard	Vigliano	richard@vigilano.net	1205 Copper NE	Albuquerque	NM	87106		5059809813
University Heights NA	Don	Hancock	sricdon@earthlink.net	105 Stanford SE	Albuquerque	NM	87106	5052622053	5052621862
University Heights NA	Mandy	Warr	mandy@theremedydayspa.com	119 Vassar Drive SE	Albuquerque	NM	87106	5054014367	5052659219
Victory Hills NA	Patricia	Willson	info@willsonstudio.com	505 Dartmouth Drive SE	Albuquerque	NM	87106		5059808007
Victory Hills NA	Melissa	Williams	mawsdf@comcast.net	1010 Princeton SE	Albuquerque	NM	87106		5054636484

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

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

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

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s): <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

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

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

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



Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334
dlcarmona@cabq.gov or ONC@cabq.gov
Website: www.cabq.gov/neighborhoods



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

From: webmaster=cabq.gov@mailgun.org <webmaster=cabq.gov@mailgun.org> **On Behalf Of** webmaster@cabq.gov
Sent: Wednesday, May 11, 2022 8:31 AM
To: Office of Neighborhood Coordination <frank@consensusplanning.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

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

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Avery Frank

Telephone Number

5057649801

Email Address

frank@consensusplanning.com

Company Name

Company Address

City

State

ZIP

Legal description of the subject site for this project:

Physical address of subject site:

1701 GOLD AVE SE ALBUQUERQUE NM 87106-4417

Subject site cross streets:

gold and university

Other subject site identifiers:

This site is located on the following zone atlas page:

K15

Captcha

x

Owner	Owner Address
PARRISH MICHAEL & PEREZ ART JR & PEREZ ART SR	3920 MARGO DR
GRACE AUGUSTINE C III	10021 CORONA AVE NE
AITE OIR LLC	1710 GOLD AVE SE
KUESTNER JOANNE I	415 WELLESLEY PL NE
CB&E LLC	905 YALE BLVD SE
LUCKY LLC	531 HERMOSA DR NE
MOZLEY BRIAN	10600 DOVER ST NW
CB & E LLC C/O K E ANDREWS & COMPANY	1900 DALROCK RD
JOHNSON EITHNE & SCHAEFER ERIC	518 HERMOSA DR SE
NELLOS BROTHERS INC	2717 SHERIDAN ST NW
UNIVERSITY CHURCH OF CHRIST	1701 GOLD AVE SE
GROSSBERG MINDY	1801 GOLD AVE SE
E & L INC	7409 BLUE MOON LN NE
HMF HOLDINGS LLC C/O MARK HASSIG	932 GRANT AVE
V R RESOURCES LLC	4313 CORRALES RD SUITE 6
MVP INVESTMENTS LLC	130 CAMINO VEGA VERDE
MENDEZ DAVID J	164 PLEASANT AVE NW
DUBAY AARON M	1700 GOLD AVE SE
ENGLAND MATTHEW & ENGLAND	
MARK DONALD & CARLA SUE	215 PINE ST SE

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Postmark
Here

Postage
\$
Total Postage \$ CB & E LLC C/O K E ANDREWS &
Sent To COMPANY
Street and Apt. 1900 DALROCK RD
City, State, ZIP+4 ALBUQUERQUE NM 76088-5526

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Postage
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Total Postage \$ PARRISH MICHAEL & PEREZ ART JR &
Sent To PEREZ ART SR
Street and Apt. 3920 MARGO DR
City, State, ZIP+4 TEMPE AZ 85282-4422

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Postage
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Total Postage \$ MOZLEY BRIAN
Sent To 10600 DOVER ST NW
Street and Apt. ALBUQUERQUE NM 87114-5439
City, State, ZIP+4

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Postmark
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Total Postage \$ UNIVERSITY CHURCH OF CHRIST
Sent To 1701 GOLD AVE SE
Street ALBUQUERQUE NM 87108

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Postmark
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Total Postage \$ HMF HOLDINGS LLC C/O MARK HASSIG
Sent To 932 GRANT AVE
City LOUISVILLE CO 80027-1916

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Postmark
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Total Postage \$ MVP INVESTMENTS LLC
Sent To 130 CAMINO VEGA VERDE
City CORRALES NM 87048-8530

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Postmark
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Postage
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Total Postage \$ CB&E LLC
Sent To 905 YALE BLVD SE
City ALBUQUERQUE NM 87106

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☐ Adult Signature Restricted Delivery \$

Postmark
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Postage
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Total Postage \$ V R RESOURCES LLC
Sent To 4313 CORRALES RD SUITE 6
City CORRALES NM 87048-8663

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Postmark
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Total Postage and \$ KUESTNER JOANNE I
Sent To 415 WELLESLEY PL NE
City ALBUQUERQUE NM 87106

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Postmark
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City ALBUQUERQUE NM 87108-2667

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Total Postage \$ GRACE AUGUSTINE C III
Sent To 10021 CORONA AVE NE
City ALBUQUERQUE NM 87122

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Postmark
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Postage
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Total Postage \$ DUBAY AARON M
Sent To 1700 GOLD AVE SE
City ALBUQUERQUE NM 87106-4418

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Total Postage \$ LUCKY LLC
Sent To 531 HERMOSA DR NE
City ALBUQUERQUE NM 87108-1029

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Total Postage \$ NELLOS BROTHERS INC
Sent To 2717 SHERIDAN ST NW
City ALBUQUERQUE NM 87104

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Sent To 1710 GOLD AVE SE
City ALBUQUERQUE NM 87106-4418

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Sent To 164 PLEASANT AVE NW
City ALBUQUERQUE NM 87107-4035

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Total Postage \$ GROSSBERG MINDY
Sent To 1801 GOLD AVE SE
City ALBUQUERQUE NM 87106

Owner Address 2

TEMPE AZ 85282-4422
ALBUQUERQUE NM 87122
ALBUQUERQUE NM 87106-4418
ALBUQUERQUE NM 87106
ALBUQUERQUE NM 87106
ALBUQUERQUE NM 87108-1029
ALBUQUERQUE NM 87114-5439

ALBUQUERQUE NM 76088-5526
ALBUQUERQUE NM 87108-2667
ALBUQUERQUE NM 87104
ALBUQUERQUE NM 87108
ALBUQUERQUE NM 87106
ALBUQUERQUE NM 87113-1356

LOUISVILLE CO 80027-1916
CORRALES NM 87048-8663
CORRALES NM 87048-8530
ALBUQUERQUE NM 87107-4035
ALBUQUERQUE NM 87106-4418

ALBUQUERQUE NM 87106-4419



Pin

Central Ave NE

Central Ave SE

Ave SE

Ash St SE

Pine St SE

Sa St SE

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

Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed to a Property Owner

Date of Notice*: 5/31/2022

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

Property Owner within 100 feet*: _____

Mailing Address*: _____

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

1. Subject Property Address* 1701 Gold Avenue
Location Description _____
2. Property Owner* Juniper Properties, LLC
3. Agent/Applicant* [if applicable] Agent Consensus Planning, Applicant Juniper Properties LLC
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]

☒ Zoning Map Amendment

☐ Other: _____

Summary of project/request¹*: _____

Zoning Map Amendment from R-ML to MX-L

5. This application will be decided at a public hearing by*:

☒ Environmental Planning Commission (EPC)

☐ City Council

This application will be first reviewed and recommended by:

☐ Environmental Planning Commission (EPC)

☐ Landmarks Commission (LC)

☒ Not applicable (Zoning Map Amendment – EPC only)

Date/Time*: July 21 2022 @ 8:30 am

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

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

² Physical address or Zoom link

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

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

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

6. Where more information about the project can be found^{*3}:

Contact 505 924 3860

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

1. Zone Atlas Page(s)^{*4} K15
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project^{*}:

☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation^{*}:

N/A

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

See attached

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

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

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

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 0.8 acres
 2. IDO Zone District R-ML
 3. Overlay Zone(s) [if applicable] _____
 4. Center or Corridor Area [if applicable] Central Avenue Corridor
- Current Land Use(s) [vacant, if none] Vacant Church of Christ
-

NOTE: For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

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



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



PART I - PROCESS

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Zoning Map Amendment

Decision-making Body: EPC

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

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

PART II – DETAILS OF REQUEST

Address of property listed in application: 1701 Gold Avenue

Name of property owner: Juniper Properties LLC

Name of applicant: Agent Consensus Planning, Applicant Juniper Properties LLC

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

July 21 2022 @ 8:30 am <https://cabq.zoom.us/j/2269592859>

Address, phone number, or website for additional information:

505 924 3860

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.

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

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

☒ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Jim Strozier (Applicant signature) 5/31/2022 (Date)

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

CITY OF ALBUQUERQUE, PLANNING DEPARTMENT, 600 2ND ST. NW, ALBUQUERQUE, NM 87102 505.924.3860

www.cabq.gov

Printed 11/1/2020



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



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

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

- ☐ a. Location of proposed buildings and landscape areas.
- ☐ b. Access and circulation for vehicles and pedestrians.
- ☐ c. Maximum height of any proposed structures, with building elevations.
- ☐ d. For residential development: Maximum number of proposed dwelling units.
- ☐ e. For non-residential development:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

From: [Avery Frank](#)
To: [Bart Cimenti](#); [Don Hancock](#); [Don McIver](#); [James Montalban](#); [John Cochran](#); [Mandy Warr](#); [Mardon Gardella](#); [Melissa Williams](#); [Patricia Willson](#); [Richard Vigliano](#)
Subject: 1701 Gold Ave Zone Change Submittal
Date: Thursday, June 9, 2022 8:30:00 AM
Attachments: [NA day of submittal.pdf](#)

Hello,

This email is to inform you that on behalf of Juniper Properties Southwest, LLC will be submitting a Zoning Map Amendment-EPC for the property at 1701 Gold Avenue Southeast. After taking the Silver Hill Neighborhood Associations comments into consideration we will be requesting the zone change for MX-L as opposed to MX-M. Attached is the required paperwork for the notification along with the facilitated meeting notes. Below is the information for the hearing. Please reach out if you have any questions or concerns.

EPC Hearing Information:

Date: July 21st @ 8:30 am

Where: <https://cabq.zoom.us/j/2269592859>

To call in: (301) 715-8592

Meeting ID: 226 959 2859

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

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

Public Notice of a Proposed Project in the City of Albuquerque for Policy Decisions Mailed/Emailed to a Neighborhood Association

Date of Notice*: 6/8/2022

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

Neighborhood Association (NA)*: See attached

Name of NA Representative*: See attached

Email Address* or Mailing Address* of NA Representative¹: See attached

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

1. Subject Property Address* 1701 Gold Avenue SE

Location Description

2. Property Owner* Juniper Properties Southwest, LLC

3. Agent/Applicant* [if applicable] Agent: Consensus Planning, Applicant: Juniper

4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]

☒ Zoning Map Amendment

☐ Other:

Summary of project/request²*:

Zoning Map Amendment from R-ML to MX-L

5. This application will be decided at a public hearing by*:

☒ Environmental Planning Commission (EPC)

☐ City Council

This application will be first reviewed and recommended by:

☐ Environmental Planning Commission (EPC)

☐ Landmarks Commission (LC)

☐ Not applicable (Zoning Map Amendment – EPC only)

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

² Attach additional information, as needed to explain the project/request.

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

Date/Time*: July 21, 2022 @ 8:30 am

Location*³: <https://cabq.zoom.us/j/2269592859> To call in: (301) 715-8592 Meeting ID: 226 959 2859

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

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

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

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

1. Zone Atlas Page(s)*⁵ K15
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation*:

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

See attached

³ Physical address or Zoom link

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

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

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

Additional Information [Optional]:

From the IDO Zoning Map⁶:

1. Area of Property [typically in acres] 0.8035
 2. IDO Zone District R-ML
 3. Overlay Zone(s) [if applicable] _____
 4. Center or Corridor Area [if applicable] Central Ave Main Street & Major Transit, UNM Activity Center
- Current Land Use(s) [vacant, if none] Vacant

NOTE: For Zoning Map Amendment – EPC only, pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

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



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CITY OF ALBUQUERQUE PLANNING DEPARTMENT



PART I - PROCESS

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Zoning Map Amendment from R-ML to MX-L

Decision-making Body: EPC

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

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

PART II – DETAILS OF REQUEST

Address of property listed in application: 111 University Blvd SE ABQ, NM 87106

Name of property owner: University Church of Christ

Name of applicant: Juniper Properties Southwest, LLC.

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

July 21, 2022 @ 8:30 am <https://cabq.zoom.us/j/2269592859>

Address, phone number, or website for additional information:

Frank@consensusplanning.com 505 764 9801

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.

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

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

☒ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Avery Frank (Applicant signature) 6/8/2022 (Date)

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



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PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

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

- ☐ a. Location of proposed buildings and landscape areas.
- ☐ b. Access and circulation for vehicles and pedestrians.
- ☐ c. Maximum height of any proposed structures, with building elevations.
- ☐ d. For residential development: Maximum number of proposed dwelling units.
- ☐ e. For non-residential development:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

NEIGHBORHOOD CONCERNS

Bolivar, Silvia A.

From: Lehner, Catalina L.
Sent: Tuesday, June 14, 2022 5:22 PM
To: dbodinem@gmail.com
Cc: Naji, Leslie; Bolivar, Silvia A.
Subject: RE: CABQ Web Inquiry

Hi Don,
Thank you for contacting us regarding the zone change application at 1701 Gold Ave. SE.
It will be heard at the July 21, 2022 EPC hearing- not at this Thursday's hearing.
I've included contact information for the planners who will be working on the case.
Thank you.



CATALINA LEHNER, AICP
principal planner
wireless designee
she | her | hers
o 505.924.3935
e clehner@cabq.gov
cabq.gov/planning

From: Renz-Whitmore, Mikaela J.
Sent: Wednesday, June 08, 2022 11:12 PM
To: Lehner, Catalina L.
Subject: FW: CABQ Web Inquiry

Would you give this to the case planner?

Thanks,



MIKAELA RENZ-WHITMORE
(she/hers)
o 505.924.3932
e mrenz@cabq.gov

From: Don McIver <dbodinem@gmail.com>
Sent: Wednesday, June 8, 2022 10:03 PM
To: Renz-Whitmore, Mikaela J. <mrenz-whitmore@cabq.gov>
Subject: CABQ Web Inquiry

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

Hi Mikaela,

I don't know who to send this to. I think Consensus Planning is going to go up in front of the EPC about re-zoning 1701 Gold Ave. SE tomorrow (or their application is due?). Based on the website, the public hearing is 6/16, which I can't make.

Our neighborhood association (SHNA) has met with them twice about the project and while our position as a neighborhood association is as follows: **"Historically, the SHNA opposes zoning changes** and thus does *oppose* changing the zoning to **MX-M**. We are ***not***, however, taking a position on changing the zoning of 1701 Gold Ave. SE to **MX-L** zoning" I wanted to get that information to the city as well as what we sent to Consensus Planning.

In addition, as a neighbor at 1801 Gold Ave. SE, Mindy and I are in **support of changing the zoning to MX-L**. I know that is different than the neighborhood association's position.

Can you forward that to the necessary people?

Talk soon?

Don McIver
SHNA

Sent from [Mail](#) for Windows

From: [Elizabeth Doak](#)
To: [Naji, Leslie](#)
Subject: Opposition to Proposed Zone Change, Gold SE and University Boulevard
Date: Wednesday, June 29, 2022 6:47:49 PM

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

Dear Ms. Naji,

I am writing in opposition to the proposed zoning change at the former church property at Gold, between Pine SE and University Blvd (case # 2022007157 RZ2022200031).

I have lived in Silver Hill for 28 years. A zoning change from R-ML (Residential) to MXL (Mixed use) would reflect no knowledge of the neighborhood's current challenges, its history, its hard-won assets, or the broader area in which it sits. The property should remain R-ML.

Changing the zoning to MXL would be a reckless course for any location in the neighborhood, but particularly for this property. Under current zoning, the development of low to medium housing where the church now sits would in itself present high impacts to our neighbors: higher traffic in a place with existing high density, increased noise, lower air quality, disruptive lighting, safety challenges, and refuse issues, to name a few. These issues already bear down on our urban historic neighborhood. The current surrounding businesses minimally contribute to our community well-being. Furthermore, and more to the point, MXL zoning in this location is not aligned with the visions for the neighborhood laid out in many planning charrette sessions over many years.

This historic neighborhood is full of residential multi-housing and we recognize that there is a need in the University area for healthy and safe housing for students and families. Please maintain the R-ML designation for this property.

Sincerely yours,
Elizabeth Doak

From: kgbrazil@aol.com
To: [Naji, Leslie](#)
Subject: Proposed Zoning Change at University and Gold SE Property
Date: Wednesday, June 29, 2022 5:38:54 PM

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

Dear Ms. Naji,

I am writing with grave concern about the proposed zoning change to the former church property at Gold, between Pine SE and University Blvd (case # 2022007157 RZ2022200031). The new owners of this property propose a zoning change from RML (Residential) to MXL (Mixed use) which would negatively impact our fragile neighborhood.

This property is adjacent to the Silver Hill Historic District and the Silver Hill Historic Overlay Zone. It sits across from a block of houses on Gold Avenue that are on the National Register of Historic Places. Across University Blvd., the Historic District and Historic Overlay Zone continue to Yale. Silver Hill is one-half block away from Central Avenue, a corridor heavily populated with tattoo parlors, smoke shops, fast food drive-throughs, understaffed convenience store gas stations, pawn shops, and cannabis dispensaries. These "mixed use" businesses do not contribute to our neighborhood. Quite the opposite. They negatively impact many of the more mainstream businesses trying to make a go of it in our neighborhood. The possibility of additional businesses such as these inside the boundary of our neighborhood is alarming.

However, we strongly support the presence of addition residential housing. We recognize that there is a need in Albuquerque, and particularly in the University area for decent housing for students, families, and other individuals. Please maintain the RML Residential Housing designation for this property and show your care for Albuquerque's citizens and Silver Hill residents, over maximizing profit for businesses.

Sincerely yours,
Kathryn Brazil