



Environmental Planning Commission

Agenda Number: 2
Project #: 2018-001681
Case: RZ-2020-00009
Hearing Date: June 11, 2020

Staff Report

| | |
|--------------------------|---|
| Agent | Modulus Architects, Inc. |
| Applicant | Two Rivera LLC |
| Request | Zoning Map Amendment |
| Legal Description | Tract 52 Unit 2 Atrisco Grant |
| Location | Located on Sunset Gardens Rd. SW between 82nd Street SW and 86th St. SW |
| Size | Approximately 6.04 Acres |
| Existing Zoning | PD |
| Proposed Zoning | MX-L |

Staff Recommendation

APPROVAL of Project # 2018-001681 RZ-2020-00009 based on the Findings 1-14 beginning on Page 23.

Leslie Naji
Senior Planner

Summary of Analysis
The request is for a zoning map amendment for an approximately 6.04-acre site located on Sunset Gardens Rd SW, between 82nd Street SW and 86th St. SW, which is currently vacant and zoned PD. The applicant wants to change the subject site’s zoning to MX-L in order to allow for development per IDO standards without additional EPC site plan review.

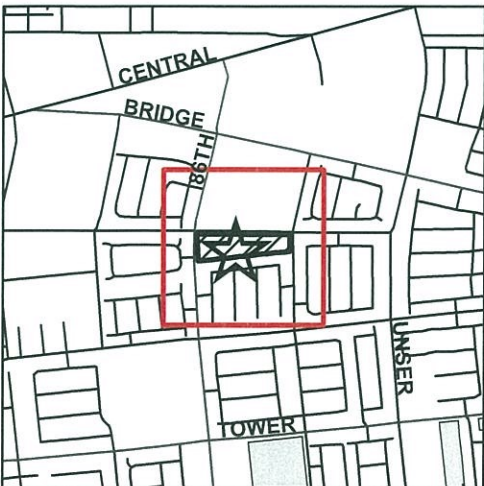
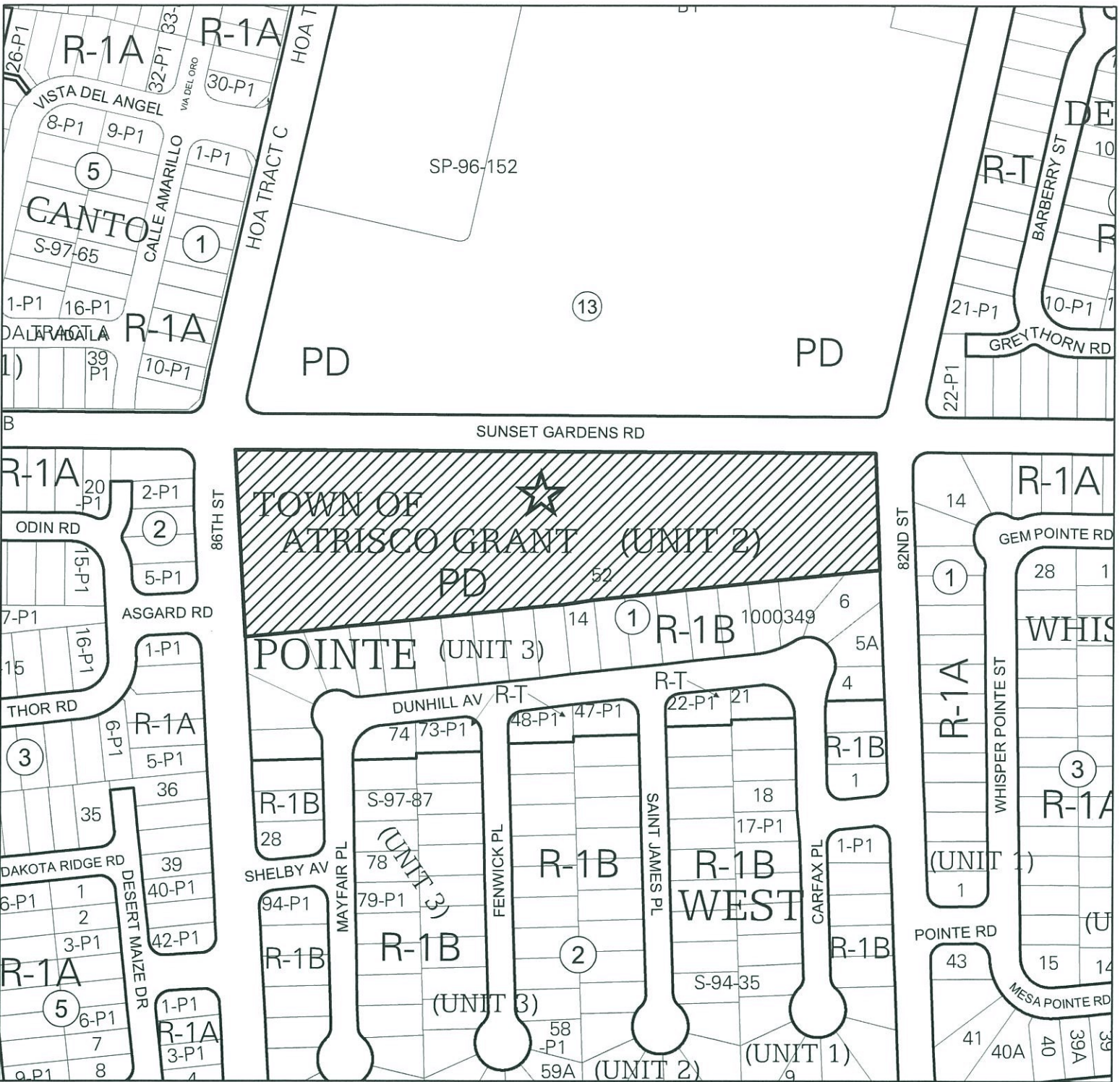
The subject site is in an Area of Consistency, as designated in the ABC Comp Plan. Currently vacant, a site plan was previously submitted but never finalized. The zoning map amendment has been adequately justified pursuant to the IDO zone change criteria.

Property owners within 100 ft and the affected neighborhood associations, Southwest Alliance of Neighborhoods (SWAN), Westside Coalition of Neighborhood Associations, and South Valley Coalition of Neighborhood Associations, were notified as required. No comments have been received.

Staff recommends approval.







IDO ZONING MAP

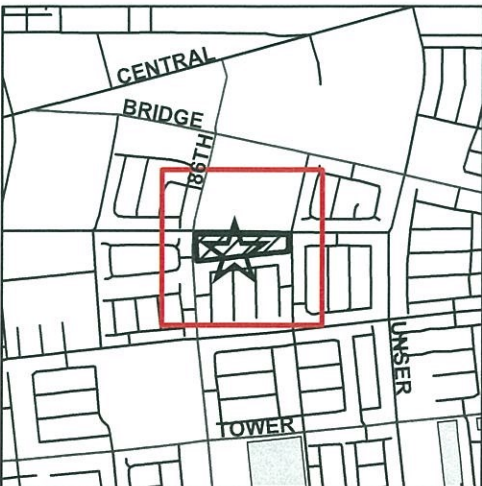
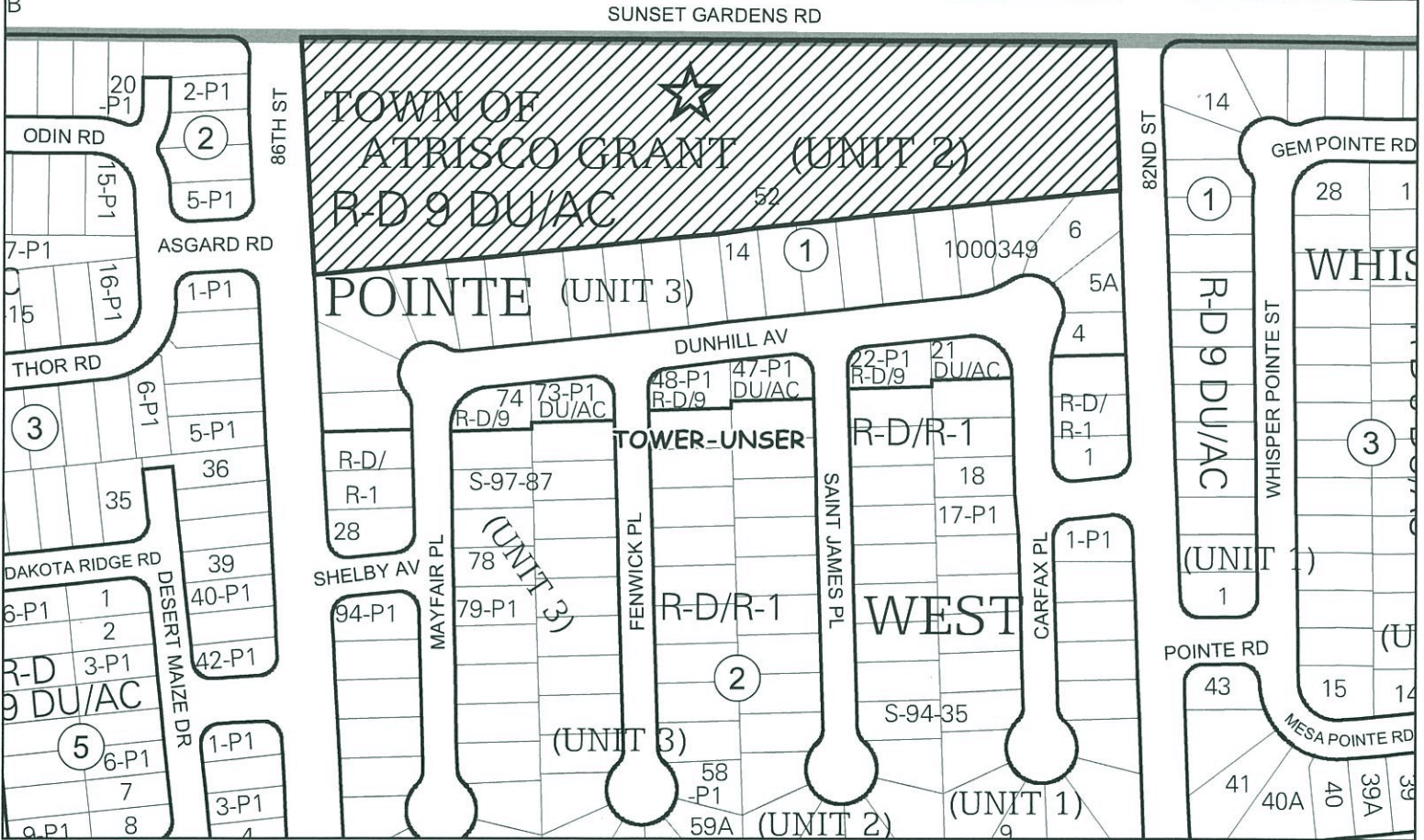
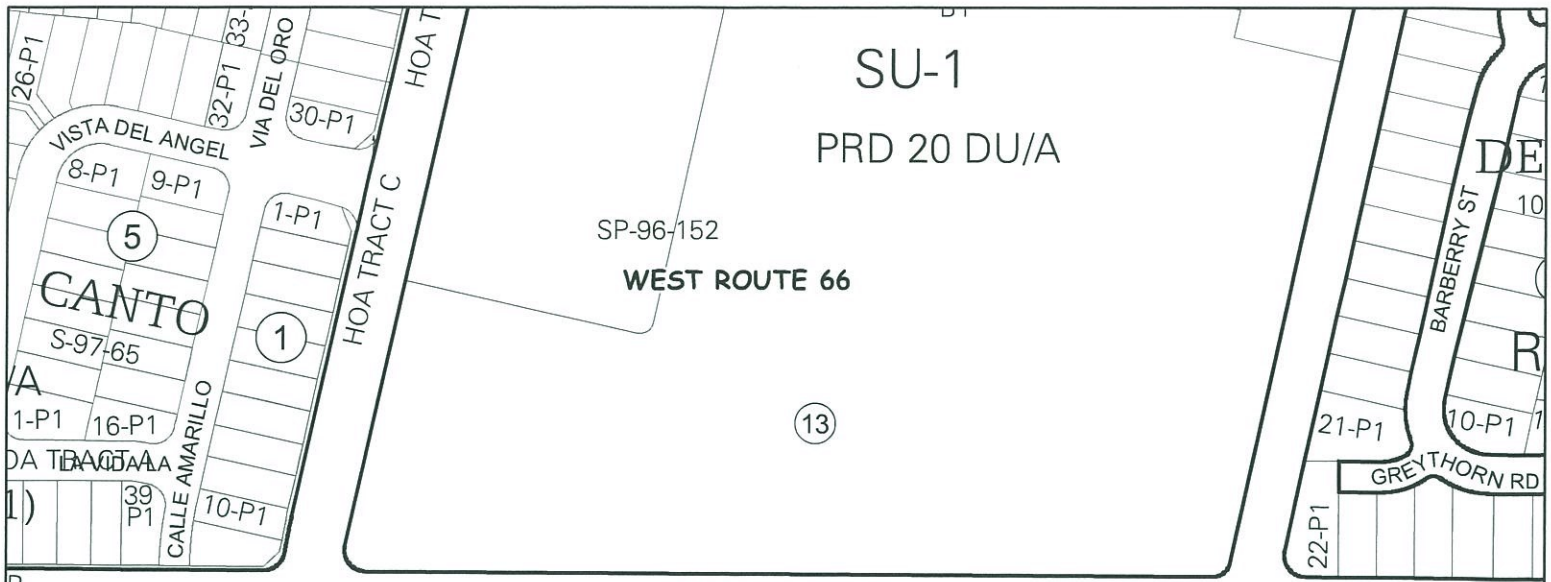
Note: Gray shading indicates County.



1 inch = 225 feet

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OLD ZONING MAP

Note: Gray shading indicates County.



1 inch = 225 feet

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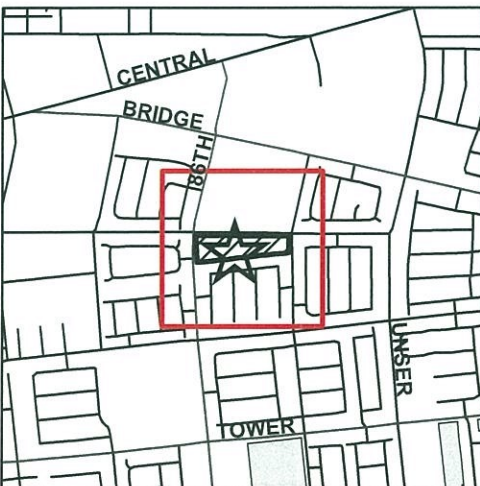
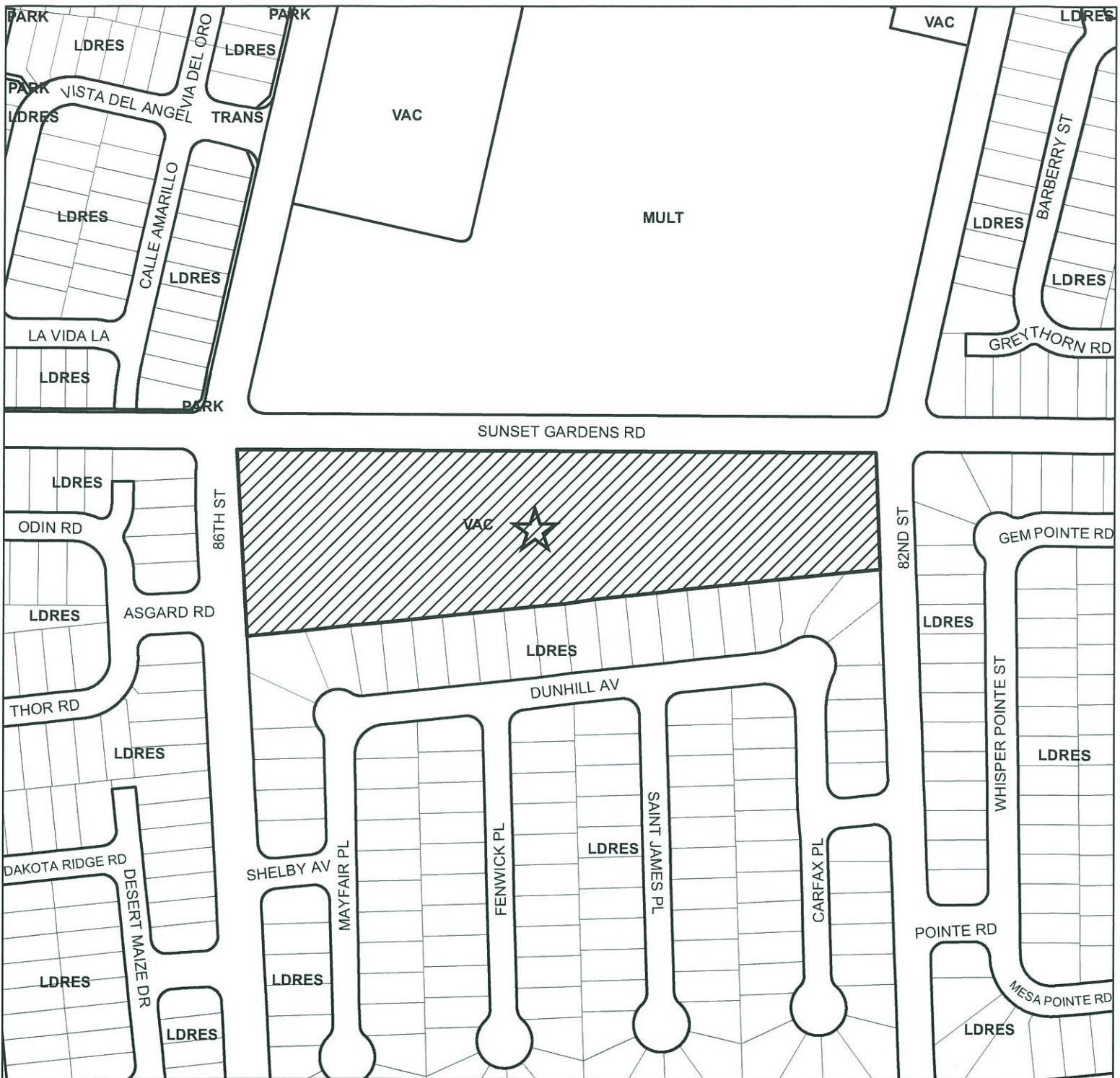
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LAND USE MAP

Note: Gray shading indicates County.

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

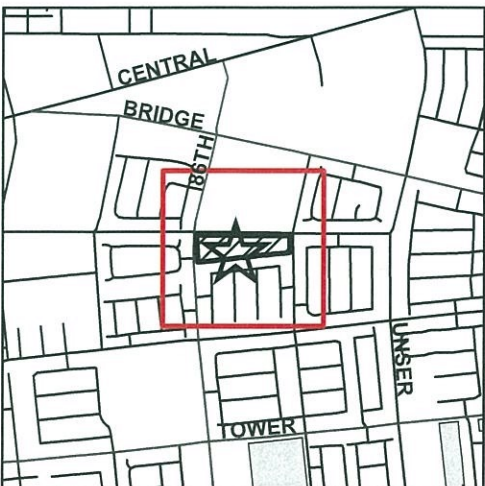
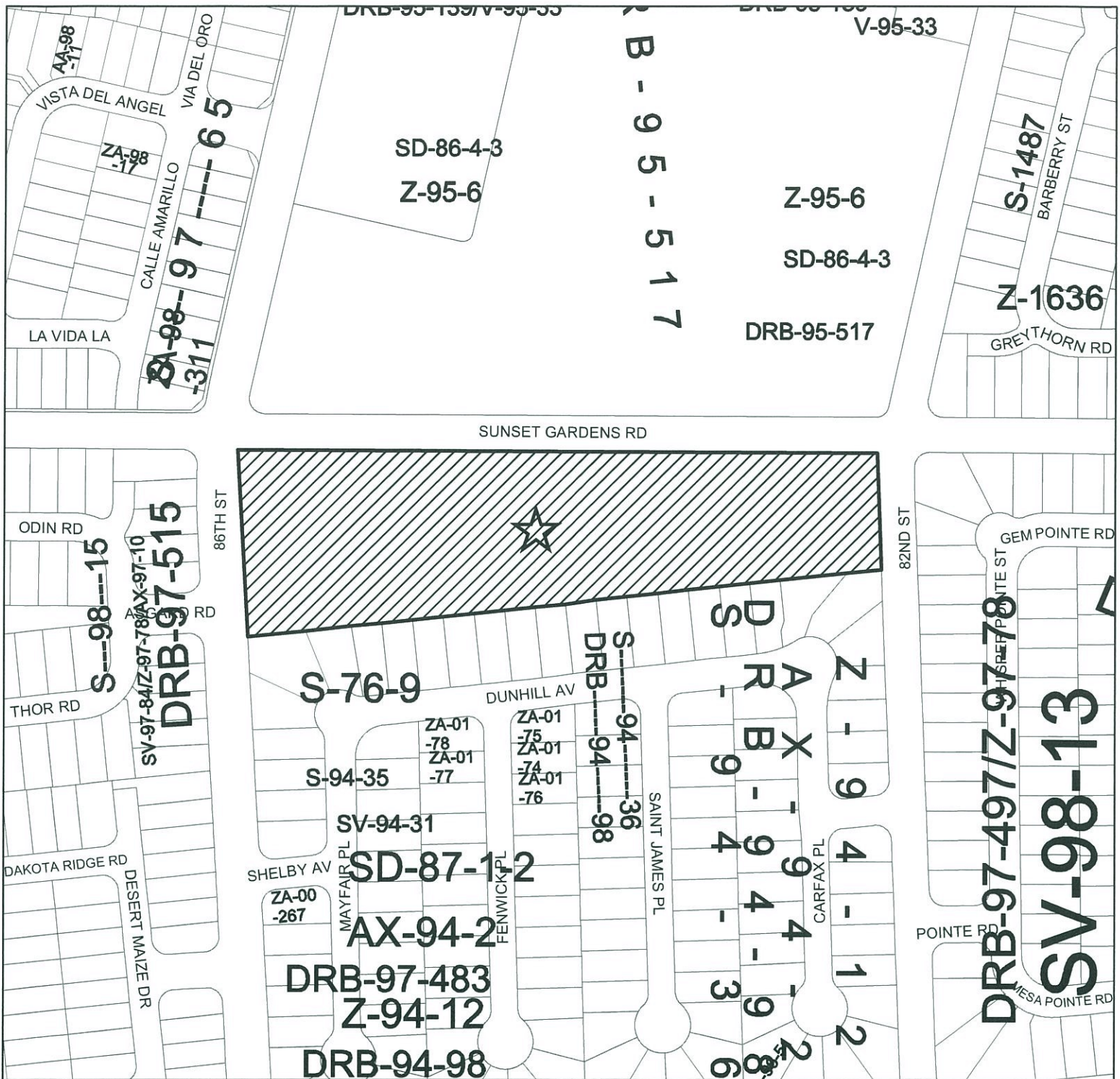


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HISTORY MAP

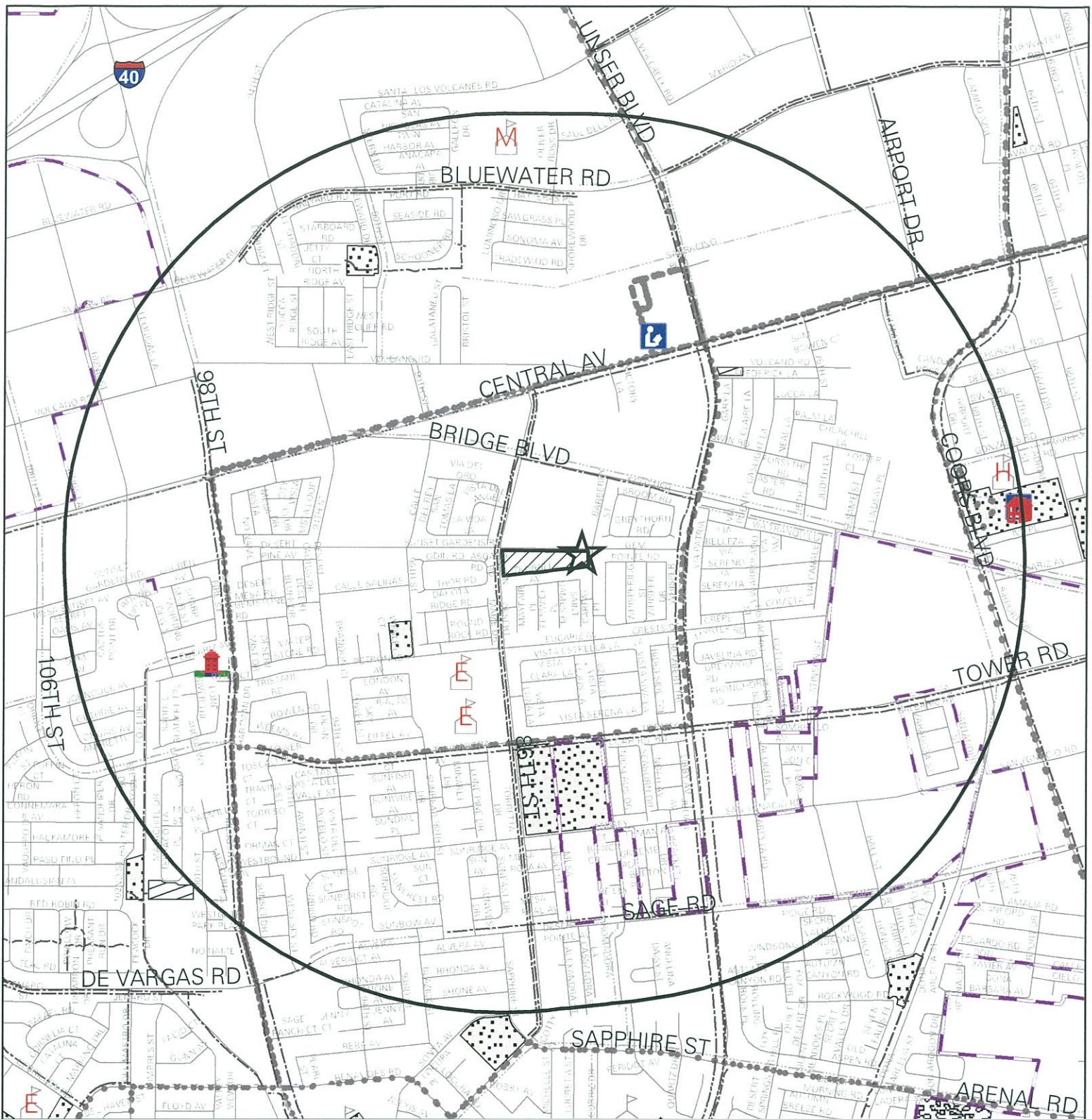
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
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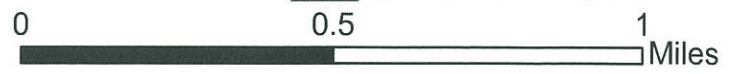
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Public Facilities Map with One-Mile Buffer

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



STAFF REPORT

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I. Introduction

| | <i>IDO Zoning</i> | <i>Comprehensive Plan Area</i> | <i>Land Use</i> |
|--------------|-------------------|--------------------------------|---------------------------|
| <i>Site</i> | PD | Area of Consistency | Vacant |
| <i>North</i> | PD | Area of Consistency | Multi-Family Residential |
| <i>East</i> | R-1A | Area of Consistency | Single-Family Residential |
| <i>South</i> | R-1B | Area of Consistency | Single-Family Residential |
| <i>West</i> | R-1A | Area of Consistency | Single-Family Residential |

Proposal

The request is for a zoning map amendment (zone change) for an approximately 6.04-acre site known as Tract 52 Unit 2 Atrisco Grant. The subject site is located on the south side of Sunset Gardens Rd., between 82nd St. SW and 86th St. SW. The site is currently vacant.

The subject site is zoned PD (Planned Development). The purpose of the PD zone district is to accommodate small- and medium-scale innovative projects that cannot be accommodated through the use of other base zone districts, provided that those projects are consistent with the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended and include standards that would not otherwise be required of the applicant in order to provide significant public, civic, or natural resource benefits. This zone district is applied on a case-by-case basis to reflect a negotiated agreement for uses and standards with the applicant.

The applicant is requesting a zone change to MX-L (Mixed-Use Low Intensity Zone District) which will permit the property owners to develop per IDO regulations rather than requiring an EPC-Site Plan. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors.

EPC Role

The Environmental Planning Commission (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 its decision is appealed. If so, the Land Use Hearing Office (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.

History/Background

The site was previously zoned R-D which allowed 9 dwelling units per acre before the 2018 conversion to the IDO. The Phase 1 IDO zone conversions from R-D were often to PD for undeveloped sites because, in this case, the 9 du/ac attached to the R-D could have been anything from single-family detached to townhomes to fourplexes to apartments, as long as the density was 9 du/ac maximum. There is not an IDO zone district that allows this range of uses so PD was applied to the site.

In 2018 the EPC voted to approve Project #1003449/18EPC-40031, 40032 which was a Sector Development Plan Map Amendment and Site Development Plan for a residential development. The request changed the zoning from RD-9 DU/acres (Residential and Related Uses, Developing Area for 9 Dwelling Units per Acre) to SU-1 for PRD (Special Use for Planned Residential Development). The request was conditioned on final approval and sign-off of the accompanying Site Development Plan for Building Permit.

Although the site plan was approved by the EPC, the approval had conditions which required a submittal to and approval by the DRB. This was never done and made the site plan, and hence the zone change, void after six months.

Context

The subject site is currently vacant and consists of a 6.04-acre site. To the south of the site is single-family residential zoned R-1B. To the east and west of the site is also single-family residential zoned R-1A. To the north, across Sunset Gardens Rd. SW is a multi-family development.

Roadway System

The Long-Range Roadway System (2040 LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), includes existing roadways and future recommended roadways along with their regional role.

The LRRS designates Unser Blvd. (¼ mile east of the site) as a Regional P. Arterial. Eighty-Sixth St. that runs along the western edge of the site, and Bridge Blvd. SW (1/4 mile north of the site) are both Major Collectors.

Less than ½ mile north of the site is Central Ave. which listed as a Major Transit Corridor/Premium Transit.

Comprehensive Plan Corridor Designation

The site is not located along any Major Corridors as designated by the ABC Comp Plan.

Trails/Bikeways

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies existing and proposed trails. Eighty-Sixth St., along the western edge of the site, has an existing bicycle lane as does Unser Blvd. a block to the east of the site. Unser is also a paved multi-use trail. A new bicycle lane is proposed for Bridge Blvd. a block to the north of the site.

Transit

Refer to Transit Agency comments

Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

II. Analysis of City Plans and Ordinances

Integrated Development Ordinance (IDO)

Pre-IDO Zoning

Prior to the effective date of the IDO on May 17, 2018, the subject site's zoning was R-D 9 du/ac.

Existing Post-IDO Zoning

Current Zoning for the project site is PD.

Proposed Zoning

The proposed zoning for the site is MX-L.

Character Protection Overlay

There are no applicable historic or character protection overlays on the site.

Definitions

Infill Development

An area of platted or unplatted land that includes no more than 20 acres of land and where at least 75 percent of the parcels adjacent to the proposed development have been developed and contain existing primary buildings.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

Note: Applicant's justification language is in *italics*.

Staff's comments are in ***bold Italics***

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. In Areas of Consistency, the focus is on protecting and enhancing the character of single-family neighborhoods and green spaces. Revitalization and developments that do occur should be at a scale and density (or intensity) similar to immediately surrounding development in order to reinforce the existing character of established neighborhoods. The Goals and policies listed below are cited by the applicant in the zone change justification letter. Applicable goals and policies include:

Chapter 4: Community Identity

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

Applicant's Response: Future development on the subject site under the MX-L zone, which the request would make possible, would be subject to IDO requirements including Neighborhood Edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5-6-(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design as well as protect the identity and cohesiveness of the neighborhood. The request furthers Policy 4.1.2.

Staff: The requested zone map amendment to MX-L from PD will not affect the possible uses of the site but will allow for development with a possible mix of uses that may serve the surrounding area which is largely single-family residential with no neighborhood services. Requiring development to follow IDO design standards, including Neighborhood Edge standards, will ensure that any future development will support the surrounding scale and identity.

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

Applicant's Response: This request for a Zone Map Amendment with further this Goal because MX-L zoning allows for a wider array of developments for the subject site and will be designed based on the IDO and the DPM. The IDO and the DPM will

add additional protection to allow the site to develop with identity of the existing community. They will also keep future developments consistent, while protecting the surrounding community. Additionally, continuous development of this subject site must still go through a review with the City of Albuquerque to ensure compliance and adherence to the standards of the IDO as well as the DPM. The request furthers Goal 4.3.

Staff: The requested zone map amendment has the potential to address the community's need for neighborhood services without the need for a full development plan for the entire site.

Chapter 5- Land Use

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

- a) Create walkable places that provide opportunities to live, work, learn, shop, and play.
- c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

Applicant Response: The request furthers Policy 5.1.1(c) because permitting the range of mixed uses permitted by the requested MX-L zone near WR 66 Activity Center will contribute toward the growth of the surrounding community. The existing PD zone will also permit a range of uses, however the requested MX-L zone will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an EPC-Site Plan. The requested MX-L zone will encourage employment density, compact development, redevelopment, and infill in an area that is seeking mixed use area that provide for employment, entertainment and services without requiring driving. Demands that are not sufficiently being met, in large part, existing land use policies and regulations strongly encourage suburban, single family development over compact mixed-use commercial opportunities.

Staff: The applicant's justification is sufficient.

POLICY 5.1.6 (b): Provide neighborhood-oriented commercial, retail, institutional, and public services.

Applicant Response: This policy is furthered by the MX-L zone. The requested MX-L Zone will allow for a wide range of low intensity, commercial, retail, institutional, and public services. This site is an ideal location for an MX-L zone. The current zone of PD provides more uncertainty in future land use and requires unnecessary site plan review and approvals, contrary to the purpose and intent of the IDO.

Staff: The current state of the site is one of vacant neglect. The change to MX-L may better activate the site. Development of the site will promote stability for the area and provide services needed by the surrounding residences.

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

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

- a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.
- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.
- k) Discourage zone changes to detached single-family residential uses on the West Side.
- n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

Applicant Response: This request furthers Goal 5.2, Policy 5.2.1 and Policy 5.2.1(a) because the proposed Zone Map Amendment request for mixed-use zone MX-L would allow for a mixture of non-residential uses that could help create a healthy, sustainable and distinct community in an Area of Consistency in Southwest Mesa's Community Planning Area. The request would make possible development of commercial uses along Sunset Gardens Rd. with close proximity to the surrounding neighborhoods on the east, south, and west sides of this subject site. The subject site is conveniently accessible from surrounding neighborhoods. The development of this site brings goods and services within walking and biking distance of neighborhoods. The location will offer choice services and employment and provides excellent access and connectivity for the surrounding neighborhoods.

Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive, increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability.

The subject site is located in Albuquerque's Southwest Mesa where the imbalance of jobs to households poses a significant challenge for our future due to limited river crossings and our limited ability to increase the capacity of existing crossings. On the whole, residents drive less if there are job opportunities and services near their homes and desirable housing and amenities near workplaces. In areas with more houses than jobs, commute times tend to be longer, and congestion tends to be worse. East of the Rio Grande, there are almost 1.5 jobs for every household. West of the river, there is less than one job for every two households. Particularly at peak hours, traffic congestion at river crossings is expected to worsen dramatically over time, leading to bridge crossing times of an hour or more by 2040 without significant job growth on the West Side, as workers will have to continue commuting to jobs east of the river.

The requested MX-L zone furthers this policy by allowing for low intensity commercial and mixed uses in an area dominated by single-family development and lacking non-residential services. The MX-L zone is compatible and desirable in form and scale to the surrounding development, which includes single family, one-story detached houses, townhouses and apartments.

This request furthers Policy 5.2.1 (k) Comprehensive Plan encourages job growth and commercial development on the West Side in place of residential. Although the requested MX-L zone would permit townhouse and multi-family versus a non-residential zone such as NR-C, the requested MX-L zone does not permit single-family residential development, which is specifically discouraged by this policy.

Staff: The applicant's justification is sufficient.

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.

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

Applicant Response: The request furthers Goal 5.3 and Policy 5.3.2 because this property is well serviced by existing infrastructure and other public facilities including access roads, water, sewer, and community parks. In addition, the

subject site is surrounded by existing residential zoning; therefore, the requested MX-L zone will maximize an efficient, development pattern of mixed uses on an infill property.

Staff: The site is served by existing city infrastructure. MX-L zoning of the site will promote a simplified development process on a site requiring no new city service expansion.

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.

POLICY 5.6.3 - Area of Consistency: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

- a) Ensure that development reinforces the scale, intensity, and setback of the immediately surrounding context.
- b) Encourage development that expands employment opportunities.

Applicant Response: Future development of this site will be subject under MX-L zone and subject to the IDO requirements including Neighborhood Edges (14-16-5-9), the non-residential zone dimensional standards (Table 5-1-3), buffer landscaping (14-16-5-6-(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design. These standards will protect and enhance the character of existing single-family neighborhoods. It will allow this land to develop increasing the aesthetics of the community while protecting its character. the requested MX-L zone will offer an efficient development process for the subject site, thereby directing growth where it is expected and desired as well as reinforcing the character and intensity of the surrounding area. This request furthers Policy 5.6.

As mentioned before, the designation of MX-L zoning will encourage commercial and institutional development that will expand employment opportunities in the area.

Staff: MX-L zoning would allow for development of appropriately scaled buildings and use within the IDO design standards for areas of consistency.

GOAL 7.2 PEDESTRIAN-ACCESSIBLE DESIGN: Increase walkability in all environments, promote pedestrian development in urban contexts, and increase pedestrian safety in auto-oriented context.

Policy 7.2.1: Walkability: Ensure convenient and comfortable pedestrian travel. [ABC]

Applicant's Response: Currently, this vacant site lacks any sidewalks or bike lands. Development within the MX-L zone will require sidewalk construction by the developer along the property's street frontage, creating better pedestrian connectivity to surrounding residents and fill a longstanding void in the connectivity of pedestrian travel. This will allow residents in the community to have more community necessities that they currently lack. This will in turn promote walking to more convenient locations within their community. The development of this site will encourage a pedestrian-friendly community. This request furthers Goal 7.2 and Policy 7.2.1.

Staff: Applicant's response is sufficient and accurate.

POLICY 7.3.3 - Place-making: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

Applicant's Response: Commercial development in the Southwest Mesa has not materialized anywhere near the growth the rest of Albuquerque has seen but it certainly remains one of the most underserved markets in Albuquerque. The requested MX-L zone will further this policy in a more direct and consistent manner than the current zone of PD, which relies upon negotiating the land uses and is intended for development that cannot be accommodated in one of the IDO's base zones.

Staff: Community identity is lacking in the area adjacent to the site. The majority of properties address the major streets with solid wall. Only the site to the north has a visually open fence. Development of the site with IDO guidelines under MX-L would allow for a neighborhood destination with greater connectivity and walkability for the area.

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

- a) Promote building and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designated, appropriately located, and consistent with the existing development context and neighborhood character. [A]

b) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood scale.

Applicant's Response: The request furthers Policy 7.3.4, and Policy 7.3.4 (b) because the requested MX-L zone will permit a more efficient development process with mixed-uses in an infill location. IDO regulations will encourage development that enhances the built environment and is compatible with the character of the surrounding context and similar in height mass and volume to adjacent development.

Staff: IDO standards that would be applied to any development in the MX-L zone, including Neighborhood Edge standards, will assert compliance of scale and connectivity to the surrounding neighborhood.

Chapter 8: Economic Development

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

POLICY 8.1.2 - Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy. [ABC]

Applicant's Response: This request furthers Goal 8.1, Policy 8.1.1 and Policy 8.1.2 because this request for a Zone Map Amendment to MX-L will foster a greater range of opportunities for different densities and uses in a location highly visible, accessible and central to Southwest Mesa Community Planning Area. This request will help to reduce barriers to infill, redevelopment, and adaptive reuse in urbanized areas. Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive, increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability or economic vitality.

Staff: Mixed-use development of the site would assist the community in being more diverse in its use and service offerings to the community which is currently only residential.

POLICY 8.1.3 - Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending. [ABC]

Applicant's Response: This request furthers this Policy by allowing for future development of the property providing an incentive to local business to expand and diversify employment, promote local hiring, higher wages and business that contributes to the economic base of the community and region that helps reduce reliance on government spending. This request furthers Policy 8.1.3 – Economic Base.

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, a and decision-makers as they contemplate new plans affecting the whole community.

Staff: Applicant's response is sufficient.

III. Zoning Map Amendment (Zone Change)

Pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".

There are several criteria that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not 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 subject site is currently zoned PD (Planned Development). The requested zoning is MX-L (Mixed-Use – Light Intensity). The reason for the request is that, although the allowable uses within the PD zone and MX-L zone can be almost identical, MX-L does not require a pre-approved site plan, nor continued EPC approval. The PD zoning is intended to serve development projects that cannot be justified through standard zoning classifications. The subject site has no such special plan and is requesting standard zoning and approval channels. The applicant believes that the proposed zoning map amendment (zone change) meets the IDO's zone change decision criteria [14-16-6-7(F)(3)] as elaborated in the justification letter. Citations are from the IDO.

Note: Applicant's Justification is in indented *italics*, Staff's Analysis ***bold italic*** text.

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

Applicant's Response: 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 Comprehensive Plan, as amended, and other applicable plans adopted by the City.

Staff: Consistency with the City's health, safety, and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and Policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in policy-based response, that the request would be consistent with the City's health, safety, and general welfare. The response to Criterion A is sufficient.

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

Applicant: The proposed amendment is located in an Area of Consistency (as shown in the ABC Comp Plan). Our justification demonstrated that criteria number 3 would be most suitable for our application. The amendment would be more advantageous to the community since many of the ABC Comp Plan goals and policies will be furthered as articulated in the policy analysis section to follow. This proposed zone change will allow for implementation of development and implementation of patterns of land use that are consistent with the Comp Plan conditions and historic land use, development density and intensity and connectivity as a designation for employment and services.

Staff: The subject site is located within an Area of Consistency. The applicant states that the requested zone map amendment would be more advantageous to the community than the current PD zoning. While the uses would potentially be no different, the streamlined approval process for development in MX-L could better suit development possibilities. The PD zoning is to serve unique development schemes which is not the case for this site.

- C) If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

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

Staff: The subject site is not located within an Area of Change; the applicant's justification of Criterion C is sufficient.

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

Applicant: All uses permitted in the requested MX-L zone are also permitted in the existing PD zone. PD uses are determined on a case-by-case basis; however, the negotiated uses are required to be shown on a Site Plan, reviewed and approved by the EPC, prior to development. The requested MX-L zone permits a variety of commercial uses plus the potential for residential uses from townhouse to higher density multifamily, as well as an efficient process of development. The area is largely characterized by residential uses and it would be advantageous to the existing residents for commercial services to be located in close proximity. The Comprehensive Plan and IDO generally encourage mixed-use communities and

responding to market demand rather than exerting restrictions as long as the permitted uses are not harmful to the adjacent communities. In addition, IDO regulations will provide design controls for both high-density residential and commercial development.

The permissive uses between the PD zoning designation and the MX-L zoning designation will be more limited and more controlled. For discussion, I have outlined the permissive uses in MX-L in the following bullet list as identified in Table 4-2-1 of the IDO (Allowable Uses):

MX-L Permissive

| | |
|--|--|
| <i>Dwelling, Townhouse</i> | <i>Dwelling, live-work</i> |
| <i>Dwelling, multi-family</i> | <i>Assisted living facility</i> |
| <i>Community residential facility small</i> | <i>Community Residential facility medium</i> |
| <i>Community residential facility, large</i> | <i>Group home, small</i> |
| <i>Group home, medium</i> | <i>Sorority or fraternity</i> |
| <i>Adult or child day care facility</i> | <i>Community center or library</i> |
| <i>Elementary or middle school</i> | <i>High school</i> |
| <i>Museum or art gallery</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>Residential Community amenity</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 business, small</i> |
| <i>Research or Testing Facility</i> | <i>Residential community amenity</i> |
| <i>Bakery goods</i> | <i>Farmers Market</i> |
| <i>General retail, small</i> | <i>Grocery store</i> |
| <i>Artisan manufacturing</i> | <i>Solar energy generation</i> |
| <i>Utility, electric</i> | <i>Utility, other major</i> |
| <i>Freestanding</i> | |

This property is underutilized and has stayed vacant. This zone map amendment will be a positive change as compared to if the property were to stay in its current condition. This opportunity to develop will provide more commercial retail choices for the area. There is existing access from Sunset Gardens Rd SW this

access eliminates the need for vehicles to drive through of the surrounding neighborhoods to access the project.

Future development of this property and possible uses that could be considered harmful to adjacent property owners have been mitigated by specific use standards and regulations identified in the Integrated Development Ordinance. All uses shall comply with City ordinances regulating noise, odors, vibration, glare, heat, and other special nuisance conditions affecting other properties as well as use-specific standards.

Permissive uses that could be construed as having possible harmful effects such as a club or event facility, light vehicle repairs or artisan manufacturing are regulated by local, state and federal requirements and must comply with all New Mexico state laws, including but not limited to any required spacing from other uses or facilities. They are also controlled by Specific-Use Standards found in the IDO to mitigate potential harmful effects on the surrounding area. Future development on the subject site under the MX-L zone would be subject to IDO requirements including Neighborhood Edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6-(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design. These Use Standards include precautionary measures such as distance requirements, size restrictions, design standards, screening requirements and various other measures. Additionally, development of this subject site must still go through a rigorous site planning approval process at which time the public will be fully engaged.

Staff: Within a PD zone district, uses and standards are applied on a case-by-case basis to reflect a negotiated agreement with the applicant. Allowable uses are negotiated but may not include any use that is not included in the table of uses within the city. The MX-L zone will not allow harmful uses as explained by the applicant; however, those uses are clearly set out in the IDO for MX-L.

- 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 furthers this requirement because the City's existing infrastructure and public improvements currently have adequate capacity to serve the existing development.

Staff: The applicant's justification is sufficient and shows that the City's existing infrastructure and public improvements will have adequate capacity to serve the development made possible by the change of zone (Criterion 1).

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

Applicant: The justification provided herein is not based on the property's location at the intersection of a local urban street (Sunset Gardens RD SW), a local urban street (82nd ST SW), and an urban major collector (86th ST SW) but rather on the preponderance of applicable Goals and Policies of the Comp Plan as outlined in our policy narrative. The current zoning request is to allow for future MX-L uses, future development permissive by the MX-L zone will further multiple goals and policies of the Comprehensive Plan and will serve as an excellent development opportunity and will be in line with the surrounding community. This zone change seeks to provide use options that are in demand in the surrounding area and the City as a whole. While the location of the property is not the main reason for providing justification for commercial zoning, it does provide rationale for why this site is suitable for the proposed MX-Ls zoning and associated use. Access and connectivity are important considerations for mixed-use development.

Staff: The justification for the request is not solely based on the property's location on a major street. The basis is connected more to providing a clearer and more predictable set of allowed uses, development standards, and path to development.

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

Applicant: This justification is not based completely or predominantly on the cost of land or other economic considerations and are not the determining factor for this zone change request. The requested zone change will allow MX-L uses to develop, thereby providing more commercial, retail, and mixed-use housing choices in an area of Albuquerque currently underserved by such facilities. The subject site is located in Albuquerque's Southwest Mesa where the imbalance of

jobs to households in the poses a significant challenge for our future due to limited river crossings and our limited ability to increase the capacity of existing crossings. On the whole, residents drive less if there are job opportunities and services near their homes and desirable housing and amenities near workplaces. In areas with more houses than jobs, commute times tend to be longer, and congestion tends to be worse. East of the Rio Grande, there are almost 1.5 jobs for every household. West of the river, there is less than one job for every two households. Particularly at peak hours, traffic congestion at river crossings is expected to worsen dramatically over time, leading to bridge crossing times of an hour or more by 2040 without significant job growth on the West Side, as workers will have to continue commuting to jobs east of the river.

Changing demographics pose both a challenge and opportunity for our region as preferences shift about the kinds of places we live and the transportation options we choose. In general, preferences are shifting toward places that give people options to walk, bike, or take public transportation. Complete, walkable neighborhoods with a range of housing and amenities make non-auto transportation options safer and more accessible.

Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive, increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability.

Staff: The applicant has sufficiently justified this criterion. The request is not based primarily upon the cost of land or economic considerations. The request would allow the site to serve the needs of the neighborhood, while also maintaining the context and scale of the surrounding land uses.

- 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: Application of the MX-L zone may constitute a spot zone because it is different from the surrounding zones to the north, east, south and west. The requested change to MX-L will clearly facilitate implementation of the ABC Comp Plan, as amended, as discussed in the preponderance of goals and policies further by the change.

This proposal qualifies under criteria (a) in that the surrounding area is residential and MX-L has less permissive uses than the current PD zonings. The MX-L zone will protect the neighborhood in a greater way than PD zone does. Per the permissive uses above it limits the uses that can be considered harmful more than PD zoning. This in turn will benefit the surrounding neighborhoods will function as a transition between adjacent zone districts.

This Zone Map Amendment will fall in line with its surrounding area allowing the request to not alter the Area of Consistency that the site fall under. Area of Consistency is defined as “An area designated as an Area of Consistency in the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended, where development must reinforce the character and intensity of existing development”. This request will not alter with the very definition, nor will it disturb the surrounding zone districts. The development of this land will be compatible in scale and character with the surrounding area will adding an extra layer of protection for the surrounding neighborhoods.

Staff: This zone map amendment would result in a spot or strip zone, as it is surrounded by R-1 zoning to the east, south and west, and PD zoning to the north; the introduction of mixed-use zoning will better promote many of the goals and policies of the ABC Comp plan as demonstrated previously. The southwest mesa needs jobs and services that the MX-L zone allows. The change also addresses criterion H- 1 as it is a transition from PD to the north and R-1 to the south.

IV. Agency & Neighborhood Concerns

Reviewing Agencies

City departments and other interested agencies reviewed this application from 5/1/2020 to 5/18/2020. Few agency comments were received. Long Range Planning states:

The request for a Zoning Map Amendment from PD to MX-L furthers several Comp Plan goals and policies, including increasing pedestrian accessibility, creating opportunity for infill development, and promoting the jobs-housing balance west of the

Rio Grande by encouraging land zoned for commercial and office uses and not for single-family development.

Additional Long-Range comments addressed a perceived approved site plan which was void and therefore not relevant to this application.

Neighborhood/Public

The applicant notified property owners within 100 feet as required by the IDO for a Zone Map Amendment-EPC application. The applicant also notified the affected neighborhood associations, Southwest Alliance of Neighborhoods (SWAN), Westside Coalition of Neighborhood Associations, and South Valley Coalition of Neighborhood Associations.

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

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

V. Conclusion

The request is for a zoning map amendment for an approximately 6.04-acre site located located on the south side of Sunset Gardens Rd., between 82nd St. SW and 86th St. SW. The site is currently vacant and an Area of Consistency, as designated in the ABC Comp Plan.

The zoning map amendment has been adequately justified pursuant to the IDO Review and Decision criteria in 6-7(F)(3). The request generally furthers the Comprehensive Plan Goals and policies. The request for MX-L would ease the development of a vacant site and the creation of jobs and provision of services to the area. The site is located along a Major Collector.

Property owners within 100 ft and the affected neighborhood associations, Southwest Alliance of Neighborhoods (SWAN), Westside Coalition of Neighborhood Associations, and South Valley Coalition of Neighborhood Associations, were notified as required.

Staff recommends approval.

Findings, Zoning Map Amendment (Zone Change)

Project #: 2018-001681, RZ: 2020-00009

1. The request is for a zoning map amendment (zone change) for an approximately 6.04-acre site known as Tract 52 Unit 2 Atrisco Grant. The subject site is located on the south side of Sunset Gardens Rd., between 82nd St. SW and 86th St. SW. The site is currently vacant.
2. The Environmental Planning Commission (EPC) is hearing this case because the EPC is required to hear all zone change cases, regardless of site size, in the City.
3. The subject site is zoned PD (Planned Development). The purpose of the PD zone district is to accommodate small- and medium-scale innovative projects that cannot be accommodated through the use of other base zone districts, provided that those projects are consistent with the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended and include standards that would not otherwise be required of the applicant in order to provide significant public, civic, or natural resource benefits. This zone district is applied on a case-by-case basis to reflect a negotiated agreement for uses and standards with the applicant. Allowable uses are negotiated on a case-by-case basis.
4. The applicant is requesting a zone change to MX-L (Mixed-Use Low Intensity Zone District) which will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an EPC-Site Plan. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. The subject site is located within an Area of Change and along a Major Transit Corridor as designated in the Comprehensive Plan. The subject site is not located within a Protection Overlay Zone.
5. There is PD zoning to the north of the site. Lots to the south, east, and west of the subject site are zoned R-1.
6. 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.
7. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Community Identity:
 - 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 requested zone map amendment to MX-L from PD will not affect the possible uses of the site but will allow for development with a possible mix of uses that may serve the surrounding area which is largely single-family residential with no neighborhood services. Requiring development to follow IDO design standards, including Neighborhood Edge standards, will ensure that any future development will support the surrounding scale and identity.

8. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Land Use:
 - (a) GOAL 5.1- Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of 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 request would permit a range of mixed uses near WR 66 Activity Center that will contribute toward the growth of the surrounding community. The existing PD zone will also permit a range of uses, however the requested MX-L zone will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an EPC-Site Plan. The requested MX-L zone will encourage employment density, compact development, redevelopment, and infill in an area that is seeking mixed use area that provide for employment, entertainment and services without requiring driving. Demands that are not sufficiently being met, in large part, existing land use policies and regulations strongly encourage suburban, single family development over compact mixed-use commercial opportunities.

POLICY 5.1.6 (b): Provide neighborhood-oriented commercial, retail, institutional, and public services.

The requested MX-L Zone will allow for a wide range of low intensity, commercial, retail, institutional, and public services. The current zone of PD provides more uncertainty in future land use and requires unnecessary site plan review and approvals. Development of the site will promote stability for the area and provide services needed by the surrounding residences.

- (b) **GOAL 5.2- Complete Communities:** Foster communities where residents can live, work, learn, shop, and play together.

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

- b) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.
- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

- k) Discourage zone changes to detached single-family residential uses on the West Side.
- o) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The proposed Zone Map Amendment request for mixed-use zone MX-L would allow for a mixture of non-residential uses that could help create a healthy, sustainable and distinct community in an Area of Consistency in Southwest Mesa's Community Planning Area. The request would make possible development of commercial uses along Sunset Gardens Rd. with close proximity to the surrounding neighborhoods on the east, south, and west sides of this subject site. The subject site is conveniently accessible from surrounding neighborhoods. The development of this site brings goods and services within walking and biking distance of neighborhoods. The location will offer choice services and employment and provides excellent access and connectivity for the surrounding neighborhoods.

Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive, increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability.

The subject site is located in Albuquerque's Southwest Mesa where the imbalance of jobs to households poses a significant challenge for our future due to limited river crossings and our limited ability to increase the capacity of existing crossings. On the whole, residents drive less if there are job opportunities and services near their homes and desirable housing and amenities near workplaces. In areas with more houses than jobs, commute times tend to be longer, and congestion tends to be worse. East of the Rio Grande, there are almost 1.5 jobs for every household. West of the river, there is less than one job for every two households. Particularly at peak hours, traffic congestion at river crossings is expected to worsen dramatically over time, leading to bridge crossing times of an hour or more by 2040 without significant job growth on the West Side, as workers will have to continue commuting to jobs east of the river.

The requested MX-L zone furthers this policy by allowing for low intensity commercial and mixed uses in an area dominated by single-family development and lacking non-residential services. The MX-L zone is compatible and desirable in form and scale to the surrounding development, which includes single family, one-story detached houses, townhouses and apartments.

This request encourages job growth and commercial development on the West Side in place of residential. Although the requested MX-L zone would permit

townhouse and multi-family versus a non-residential zone such as NR-C, the requested MX-L zone does not permit single-family residential development, which is specifically discouraged by this policy.

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

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

This property is well serviced by existing infrastructure and other public facilities including access roads, water, sewer, and community parks. In addition, the subject site is surrounded by existing residential zoning; therefore, the requested MX-L zone will maximize an efficient, development pattern of mixed uses on an infill property.

- (d) 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.

POLICY 5.6.3 - Area of Consistency: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

- a) Ensure that development reinforces the scale, intensity, and setback of the immediately surrounding context.
- c) Encourage development that expands employment opportunities.

Applicant Response: Future development of this site will be subject under MX-L zone and subject to the IDO requirements including Neighborhood Edges (14-16-5-9), the non-residential zone dimensional standards (Table 5-1-3), buffer landscaping (14-16-5-6-(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design. These standards will protect and enhance the character of existing single-family neighborhoods. It will allow this land to develop increasing the aesthetics of the community while protecting its character. The requested MX-L zoning would allow for development of appropriately scaled buildings and use within the IDO design standards for areas of consistency.

- 9. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Urban Design:

- (a) GOAL 7.2 PEDESTRIAN-ACCESSIBLE DESIGN: Increase walkability in all environments, promote pedestrian development in urban contexts, and increase pedestrian safety in auto-oriented context.

POLICY 7.2.1: Walkability: Ensure convenient and comfortable pedestrian travel.
[ABC]

Currently, this vacant site lacks any sidewalks or bike lands. Development within the MX-L zone will require sidewalk construction by the developer along the property's street frontage, creating better pedestrian connectivity to surrounding residents and fill a longstanding void in the connectivity of pedestrian travel. This will allow residents in the community to have more community necessities that they currently lack. This will in turn promote walking to more convenient locations within their community. The development of this site will encourage a pedestrian-friendly community.

POLICY 7.3.3 - Place-making: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

Commercial development in the Southwest Mesa has not materialized anywhere near the growth the rest of Albuquerque has seen but it certainly remains one of the most underserved markets in Albuquerque. The requested MX-L zone will further this policy in a more direct and consistent manner than the current zone of PD, which relies upon negotiating the land uses and is intended for development that cannot be accommodated in one of the IDO's base zones.

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

- a) Promote building and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designated, appropriately located, and consistent with the existing development context and neighborhood character. [A]
- b) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood scale.

MX-L zone will permit a more efficient development process with mixed- uses in an infill location. IDO standards that would be applied to any development in the MX-L zone, including Neighborhood Edge standards, will assert compliance of scale and connectivity to the surrounding neighborhood.

10. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Urban Design:

- (a) GOAL 8.1 PLACEMAKING: Create places where business and talent will stay and thrive.

POLICY 8.1.2 - Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy. [ABC]

This request for a Zone Map Amendment to MX-L will foster a greater range of opportunities for different densities and uses in a location highly visible, accessible and central to Southwest Mesa Community Planning Area. Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. Mixed-use development of the site would assist the community in being more diverse in its use and service offerings to the community which is currently only residential.

POLICY 8.1.3 - Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending. [ABC]

This request allows for future development of the property providing an incentive to local business to expand and diversify employment, promote local hiring, higher wages and business that contributes to the economic base of the community and region that helps reduce reliance on government spending.

11. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 6-7(F)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:
- a) Criterion A: Consistency with the City's health, safety, and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and Policies (and other plans if applicable) and does not significantly conflict with them. The applicant has adequately demonstrated, in policy-based response, that the request would be consistent with the City's health, safety, and general welfare. The response to Criterion A is sufficient.
 - b) Criterion B: The proposed amendment is located wholly in an Area of Consistency. The existing zoning is inappropriate because a different zone district is more advantageous to the community as articulated by the ABC Comp Plan.

The requested zone map amendment would be more advantageous to the community since many of the ABC Comp Plan goals and policies will be furthered as articulated in the policy analysis section. This proposed zone change will allow for implementation of development and implementation of patterns of land use that are consistent with the Comp Plan conditions and historic land use, development density and intensity and connectivity as a designation for employment and services.

- (c) Criterion C: The proposed amendment is located wholly in an Area of Consistency so this criterion does not apply.
- (d) Criterion D: None of the permissive uses in the MX-L zone will be harmful to the adjacent property, neighborhood, or community.
- All uses permitted in the requested MX-L zone are also permitted in the existing PD zone. PD uses are determined on a case-by-case basis; however, the negotiated uses are required to be shown on a Site Plan, reviewed and approved by the EPC, prior to development. The requested MX-L zone permits a variety of commercial uses plus the potential for residential uses from townhouse to higher density multifamily, as well as an efficient process of development. The area is largely characterized by residential uses and it would be advantageous to the existing residents for commercial services to be located in close proximity. IDO regulations will provide design controls for both high-density residential and commercial development.*
- (e) Criterion E: The City's existing infrastructure and public improvements currently have adequate capacity to serve the existing development.
- (f) Criterion F: The applicant's justification for the requested zone change is not completely based on the property's location on a major street but rather on the preponderance of applicable Goals and Policies of the Comp Plan as outlined in our policy narrative. The justification for the request is not solely based on the property's location on a major street. The basis is connected more to providing a clearer and more predictable set of allowed uses, development standards, and path to development. While the location of the property is not the main reason for providing justification for commercial zoning, it does provide rationale for why this site is suitable for the proposed MX-L zoning and associated use. Access and connectivity are important considerations for mixed-use development.
- (g) Criterion G: The justification is not based completely or predominantly on the cost of land or economic considerations. The requested zone change will allow MX-L uses to develop, thereby providing more commercial, retail, and mixed-use housing choices in an area of Albuquerque currently underserved by such facilities. The subject site is located in Albuquerque's Southwest Mesa where the imbalance of jobs to households in the poses a significant challenge for our future due to limited river crossings and our limited ability to increase the capacity of existing crossings.

(h) Criterion H: Application of the MX-L zone may constitute a spot zone because it is different from the surrounding zones to the north, east, south and west. The requested change to MX-L will clearly facilitate implementation of the ABC Comp Plan, as amended, as discussed in the preponderance of goals and policies further by the change.

This proposal qualifies under criteria (a) in that the surrounding area is residential and MX-L has less permissive uses than the current PD zonings. The MX-L zone will protect the neighborhood in a greater way than PD zone does. Per the permissive uses above it limits the uses that can be considered harmful more than PD zoning. The southwest mesa needs jobs and services that the MX-L zone allows. This will benefit the surrounding neighborhoods and will function as a transition between adjacent zone districts.

12. The applicant's policy analysis adequately demonstrates that the request generally furthers a preponderance of applicable Goals and Policies in the Comprehensive Plan and does not significantly conflict with it. Based on this demonstration, the proposed zone category would be more advantageous to the community than the current zoning.
13. The applicant notified property owners within 100 feet as required by the IDO for a Zone Map Amendment-EPC application. The applicant also notified the affected neighborhood associations, Southwest Alliance of Neighborhoods (SWAN), Westside Coalition of Neighborhood Associations, and South Valley Coalition of Neighborhood Associations..
14. As of this writing, there are no letters in support of or opposition to this request.

Recommendation – RZ-2020-00009, June 11, 2020

APPROVAL of Project #: 2018-001681, RZ-2020-00009, a request for Zoning Map Amendment from PD to MX-L for Tract 52 Unit 2 Atrisco Grant, an approximately 6.04-acres site based on the preceding Findings.


Leslie Naji
Senior Planner

Notice of Decision cc list:

(List to be compiled after final decision)

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Long Range Planning

PR-2018-001681

Address: Sunset Gardens Road SW between 82nd Street SW and 86th Street SW

IDO Zoning: PD

Request: Zoning Map Amendment – EPC

Intent/Implication of Request: Remove and replace existing design standards and land use restrictions with IDO standards

Long Range Comments

The request for a Zoning Map Amendment from PD to MX-L furthers several Comp Plan goals and policies, including increasing pedestrian accessibility, creating opportunity for infill development, and promoting the jobs-housing balance west of the Rio Grande by encouraging land zoned for commercial and office uses and not for single-family development.

It appears that the intent of the Zoning Map Amendment request is to nullify the existing site plan required in a PD zone district and to add commercial uses to this site; however, a zone change cannot nullify a site plan, since the IDO carries over development standards and uses of site plans approved prior to the IDO adoption (Subsection 1-10(A)). The applicant would need to change these uses and development standards by amending the existing site plan per IDO Subsection 6-4(Y) Prior Approvals or replacing the existing site plan with a new one per IDO Subsection 6-5(G) or 6-6(G), if the request for MX-L is approved, or Subsection 6-6(H) under the PD zone.

Further, the applicant did not include the existing site plan that specifies allowable uses, so those uses cannot be compared to the uses and use-specific standards allowed in the requested MX-L zone district at this time. The application materials seem to be inconsistent in what uses are allowed on the site. The letter states that the “existing PD zone permits a much greater range of uses,” but the letter also implies that the site plan only allows residential uses. The EPC staff planner should confirm existing uses on the approved site plan. The request needs to provide additional justification for Criterion D that compares potential impacts of the uses that are allowed in the approved site plan to the uses in the MX-L zone, instead of the potential uses that could be developed in the PD zone.

The EPC should carefully consider the allowable uses in the existing site plan compared to the allowable uses in the requested MX-L zone district to determine if there are substantial differences in the uses that could be developed at this location and if those allowable uses would be more advantageous to the community per the ABC Comprehensive Plan. The request also needs to provide additional justification for Criterion B to demonstrate if and how the new zone would clearly reinforce or strengthen the established character of the surrounding area, in comparison to the existing PD zone and approved site plan. This justification was not provided in Subsection 6-7(F)(3)(b) of the zone change request justification letter.

Zoning/Code Enforcement

(text)

Metropolitan Redevelopment

(text)

CITY ENGINEER

Transportation Development

No Comment

Hydrology

(text)

DEPARTMENT OF MUNICIPAL DEVELOPMENT (DMD)

Transportation Planning

No Comment

Traffic Engineering Operations

Project #2018-001681

RZ-2020-00009 – Zone Map Amendment (Zone Change)

Transportation Section:

No Comments

Street Maintenance

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:

(text)

WATER UTILITY AUTHORITY

Regarding project #2018-001681:
No adverse comments to the proposed zone change.

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION

Planning and Design

No Comment

Open Space Division

No Adverse Comments

City Forester

POLICE DEPARTMENT/PLANNING

No Comment

SOLID WASTE MANAGEMENT DEPARTMENT

TRANSIT DEPARTMENT

Transit Department Review of EPC Case 2018-001682, Case RZ-2020-00009

- Not on a Corridor but within walking distance of the Central Avenue Premium Transit Corridor
- The most immediate transit access is to Fixed Route 198 on 98th Street and Fixed Route 54 on Unser Boulevard. The pedestrian distance to the Central and Unser Transit Center is just over one-mile on a contiguous sidewalk system. The transit center is served by ART routes 766 and 777, by the Fixed Route 66, and by the 92 and 94 commuter routes.
- Fixed Route 198 runs north-south on 98th Street and has two stop pairs in the vicinity of the site - one north of Sunset Gardens about halfway to Central and the second significantly south of Sunset Gardens near Fire Station 14. Fixed Route 54 runs north south on Unser and the stop pair is significantly split on either side of Sunset Gardens. As noted pedestrian access to the Central and Unser Transit Center - just over a mile from the site - is good and connects the site to multiple transit routes.
- No Comment

FIRE DEPARTMENT

COMMENTS FROM OTHER AGENCIES

ALBUQUERQUE PUBLIC SCHOOLS

(text)

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

(text)

BERNALILLO COUNTY

(text)

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

Mid-Region Metropolitan Planning Organization
Project #2018-001681

MRMPO has no adverse comments.

For informational purposes:

- The Metropolitan Transportation Plan, Connections 2040, indicates that member agencies should, “promote a healthy jobs housing balance west of the river through preserving commercially zoned land, site-readiness programs, etc.
- 86th St. SW is functionally classified as a “major collector.”

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

(TEXT)

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

Project Number: 2018-001681

Case Description: Zone Map Amendment

Location: Sunset Gardens Road SW and 86th Street

Type of Development (Residential/Commercial): Residential Sub-Division

Possible Impacted NMDOT roadway(s): NA

Department Comments:

- NMDOT does not have any comments at this time

PUBLIC SERVICE COMPANY OF NEW MEXICO

Conditions of Approval for Project #2018-001681 (RZ-2020-00009) Zone Map Amendment/zone change located on Sunset Gardens Rd. between 82nd & 86th St SW (Vacant land)

1. An existing underground distribution line is located along the side of the subject site. It is the applicant’s obligation to abide by any conditions or terms of those easements.
2. As a condition, the developer shall contact PNM’s New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at www.pnm.com/erequest for PNM review.
3. Ground-mounted equipment screening will be designed to allow access to utility facilities. All screening and vegetation surrounding ground-mouted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

ANY OTHER AGENCY THAT COMMENTED

PICTURE PAGES

June 11, 2020



Figure 1: Looking west from 82nd St across the site.



Figure 2: Looking west along southern border of the subject site.

June 11, 2020

Figure 3: Looking northwest from the northeast corner of the subject site. Development to the north is the only one in the area not addressing the street with a solid wall.



Figure 4: Looking west along Sunset Garden Rd., the northern border of the site.

June 11, 2020

Figure 5: Looking east
across the site from 86th St.



Figure 6: Looking east
across long the southern
border of the site.

June 11, 2020

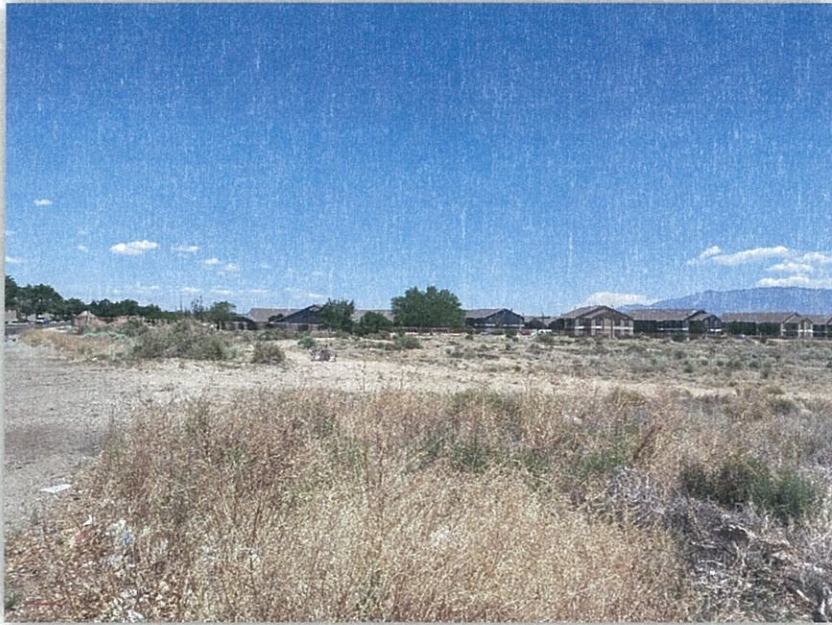


Figure 7: Looking north from southern edge of the site.

ZONING

Please refer to the Integrated Development Ordinance
for specifics of MX-L and PD zones.

APPLICATION



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 | <input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L) | <input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2) |
| <input type="checkbox"/> Archaeological Certificate (Form P3) | <input type="checkbox"/> Historic Design Standards and Guidelines (Form L) | Policy Decisions |
| <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 Comprehensive Plan or Facility Plan (Form Z) |
| <input type="checkbox"/> Alternative Signage Plan (Form P3) | <input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1) | <input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L) |
| <input type="checkbox"/> WTF Approval (Form W1) | <input type="checkbox"/> Site Plan – DRB (Form P2) | <input type="checkbox"/> Amendment of IDO Text (Form Z) |
| <input type="checkbox"/> Minor Amendment to Site Plan (Form P3) | <input type="checkbox"/> Subdivision of Land – Minor (Form S2) | <input type="checkbox"/> Annexation of Land (Form Z) |
| Decisions Requiring a Public Meeting or Hearing | <input type="checkbox"/> Subdivision of Land – Major (Form S1) | <input checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z) |
| <input type="checkbox"/> Conditional Use Approval (Form ZHE) | <input type="checkbox"/> Vacation of Easement or Right-of-way (Form V) | <input type="checkbox"/> Amendment to Zoning Map – Council (Form Z) |
| <input type="checkbox"/> Demolition Outside of HPO (Form L) | <input type="checkbox"/> Variance – DRB (Form V) | Appeals |
| <input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE) | <input type="checkbox"/> Variance – ZHE (Form ZHE) | <input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A) |

APPLICATION INFORMATION

| | | |
|--|---------------------------------|--|
| Applicant: Two Rivers, LLC | | Phone: 505-508-5830 |
| Address: 5800 San Francisco Road NE | | Email: jimjgifford@gmail.com |
| City: Albuquerque | State: NM | Zip: 87109 |
| Professional/Agent (if any): Modulus Architects, Inc. C/O Angela Williamson, CEO | | Phone: (505) 338-1499 |
| Address: 100 Sun Ave. NE Suite 600 | | Email: awilliamson@modulusarchitects.com |
| City: Albuquerque | State: NM | Zip: 87109 |
| Proprietary Interest in Site: Agent | List all owners: Two River, LLC | |

BRIEF DESCRIPTION OF REQUEST

Amend the current zoning from PD to MX-L

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

| | | |
|----------------------------|-----------------------|----------------------------------|
| Lot or Tract No.: 52 | Block: | Unit: 2 |
| Subdivision/Addition: | MRGCD Map No.: | UPC Code: 100905647441510205 |
| Zone Atlas Page(s): L-09-Z | Existing Zoning: PD | Proposed Zoning: MX-L |
| # of Existing Lots: 1 | # of Proposed Lots: 1 | Total Area of Site (acres): 6.04 |

LOCATION OF PROPERTY BY STREETS

| | | |
|---|-------------------------------|-----------------|
| Site Address/Street: N/A ALBUQUERQUE NM 87121 | Between: Sunset Gardens RD SW | and: 86th St SW |
|---|-------------------------------|-----------------|

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

1003449, PR-2018-001681, SI-2018-00194

| | |
|---|---|
| Signature: <i>Angela M. Williamson, Agent</i> | Date: <i>4/29/20</i> |
| Printed Name: <i>Angela M. Williamson</i> | <input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent |

FOR OFFICIAL USE ONLY

| Case Numbers | Action | Fees |
|--|------------------|-------------------------|
| SI-2020.00194 | ZMA | |
| - | | |
| - | | |
| - | | |
| Meeting/Hearing Date: June 11, 2020 | Fee Total: \$825 | |
| Staff Signature: <i>Vanessa A Segura</i> | Date: 4/30/2020 | Project# PR-2018-001681 |

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? _____ 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>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.</i> | |
| Signature: <u>Ansel M. Williamson / Modulus</u> | Date: <u>4/29/20</u> |
| Printed Name: <u>Ansel M. Williamson</u> | <input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent |
| FOR OFFICIAL USE ONLY | |
| Project Number: <u>PR-2018-001681</u> | Case Numbers: <u>SI-2020-00194</u> |
| Staff Signature: <u>Vanessa A Segura</u> |  |
| Date: <u>4/30/2020</u> | |

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Modulus Architects DATE OF REQUEST: 12/9/19 ZONE ATLAS PAGE(S): L-09-2

CURRENT:
ZONING PD
PARCEL SIZE (AC/SQ. FT.) 6.04 acres

LEGAL DESCRIPTION:
LOT OR TRACT # 52 BLOCK # 0000
SUBDIVISION NAME Town of Atrisco Grant
Unit 2

REQUESTED CITY ACTION(S):
ANNEXATION []
ZONE CHANGE []: From PD To MX-L
SECTOR, AREA, FAC. COMP PLAN []
AMENDMENT (Map/Text) []

SITE DEVELOPMENT PLAN: N/A
SUBDIVISION* [] AMENDMENT []
BUILDING PERMIT [] ACCESS PERMIT []
BUILDING PURPOSES [] OTHER []
*includes platting actions

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT
NEW CONSTRUCTION []
EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:
OF UNITS: _____
BUILDING SIZE: _____ (sq. ft.) N/A

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

APPLICANT OR REPRESENTATIVE Regina Orozco DATE 12/9/19
(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

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

THRESHOLDS MET? YES [] NO MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: []
Notes:

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

[Signature]
TRAFFIC ENGINEER

12-9-19
DATE

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

TIS -SUBMITTED / /
-FINALIZED / / TRAFFIC ENGINEER _____ DATE _____

City of Albuquerque
Environmental Planning Commission
Plaza Del Sol, 600 Second Street NW
Albuquerque, NM 87102

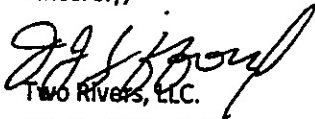
Re: Agent Authorization Notice -- Zone Map Amendment Request

To Whom It May Concern,

Two Rivers, LLC. C/o Jim Gifford hereby authorizes Angela Williamson, CEO with Modulus Architects, Inc., to perform as the Agent of Record with the City of Albuquerque. This Agent Authorization is for the property located south of Sunset Gardens Rd. SW between 82nd ST SW and 86th ST SW and legally described as: TRACT 52 UNIT 2 ATRISCO GRANT.

This authorization is valid until further written notice from Two Rivers, LLC or Angela Williamson, CEO with Modulus Architects, Inc. (Agent). Please direct all correspondence and communication to our Agent for the purpose of this request for the Environmental Planning Commission.

Sincerely,



Two Rivers, LLC.

C/o Jim Gifford, Managing Partner
5800 San Francisco Road NE
Albuquerque, NM 87109

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-347 Date: 12.10.19 Time: 2⁰⁰ pm
Address: SUNSET GARDENS 3 86TH

AGENCY REPRESENTATIVES AT MEETING:

Planning: WHITNEY PHELAN

Code Enforcement: _____

Fire Marshal: _____

Transportation: MOTSIAN MAADANBAR

Other: _____

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!

THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL..

*Additional research may be necessary to determine the exact type of application and/or process needed.
Factors unknown at this time and/or thought of as minor could become significant as the case progresses.*

REQUEST: PD → MX-L

SITE INFORMATION:

Zone: PD Size: MX-L
Use: _____ Overlay Zone: _____
Comp Plan Area Of: CONSISTENCY Comp Plan Corridor: _____
Comp Plan Center: _____ MPOS or Sensitive Lands: _____
Parking: _____ MR Area: _____
Landscaping: _____ Street Trees: _____
Use Specific Standards: _____
Dimensional Standards: _____

*Neighborhood Organization/s: _____

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

PROCESS:

Type of Action: ZONE MAP AMENDMENT - EPC

Review and Approval Body: EPC Is this PRT a requirement? YES

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-347 Date: 12.10.19 Time: 2:00pm

Address: _____

NOTES: _____

- ZONE MAP AMENDMENT - EPC 6-7(F) Pg 426
6-7(F)(3) Pg 427
- REVIEW USES FOR MX-T + MX-L
- NEIGHBORHOOD MTG OFFER REQUIRED

* 5-9 (100) NEIGHBORHOOD EDGE PROVISIONS

* TIS

* SITE PLAN FOR PD



Mr. Dan Serrano, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM. 87102

April 30, 2020

**RE: ZONE MAP AMENDMENT - SUNSET GARDENS RD SW BETWEEN 82nd & 86th ST SW -
ALBUQUERQUE, NM (VACENT) - TRACT 52 UNIT 2 ATRISCO GRANT – 6.04 ACRES**

Dear Mr. Chairman,

Modulus Architects, Inc., hereafter referred to as “Agent” for the purpose of this request, represents Two Rivers, LLC. hereafter referred to as “Applicant”. We, “Agent” are requesting approval of a Zone Map Amendment for 6.04 acres legally described as: TRACT 52 UNIT 2 ATRISCO GRANT. The parcel (the “subject site”) is 6.04 acres in size, zoned Planned Development (PD) and is located south of Sunset Gardens Rd. SW between 82nd ST SW and 86th ST SW. The subject site is currently vacant land.

The purpose of this Zone Map Amendment is to change the current zoning of PD to MX-L (Mixed-Use Low Intensity Zone District) which we will demonstrate that a change in the zoning can substantially further the demand for a mix of uses to include employment, good and services. All uses permitted in the requested MX-L zone are also permitted in the existing PD zone. PD uses are determined on a case-by case basis; however, the negotiated uses are required to be shown on a Site Plan, reviewed and approved by the EPC, prior to development. The requested MX-L zone permits a variety of commercial uses with a much more efficient process of development. The existing PD zone permits a much greater range of uses, however the requested MX-L zone will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an EPC-Site Plan. **The requested MX-L zone will allow for development that is more direct and consistent than the current zone of PD, which relies upon negotiated land uses and is intended for development that cannot be accommodated in one of the IDO's base zones.**

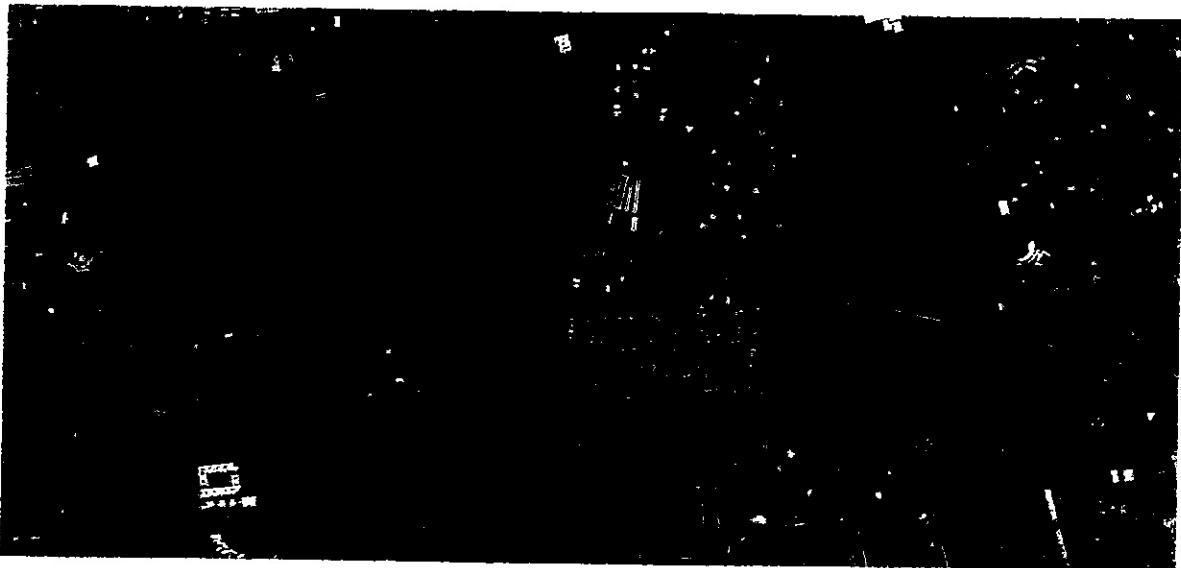
The area is largely characterized by residential uses and it would be advantageous to the existing residents for mixed use development that would include commercial services to be located in close proximity. The Comprehensive Plan and IDO encourage mixed-use communities and responding to market demand rather than exerting restrictions as long as the permitted uses are not harmful to the adjacent communities. In addition, IDO regulations will provide design controls for development. The permissive

uses between the PD zoning designation and the MX-L zoning designation will be more limited and more controlled.

Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive, increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability.

The subject site is located in Albuquerque's Southwest Mesa where the imbalance of jobs to households poses a significant challenge for our future due to limited river crossings and our limited ability to increase the capacity of existing crossings. On the whole, residents drive less if there are job opportunities and services near their homes and desirable housing and amenities near workplaces. In areas with more houses than jobs, commute times tend to be longer, and congestion tends to be worse. East of the Rio Grande, there are almost 1.5 jobs for every household. West of the river, there is less than one job for every two households. Particularly at peak hours, traffic congestion at river crossings is expected to worsen dramatically over time, leading to bridge crossing times of an hour or more by 2040 without significant job growth on the West Side, as workers will have to continue commuting to jobs east of the river.

Changing demographics pose an opportunity for our region as preferences shift about the kinds of places we live and the transportation options we choose. In general, preferences are shifting toward places that give people options to walk, bike, or take public transportation. Complete, walkable neighborhoods with a range of housing and amenities make non-auto transportation options safer and more accessible.



PROPOSAL

This is a request for a Zone Map Amendment (Zone Change) for approximately 6 acres located Sunset Gardens Road between 86th street and 82nd street in Albuquerque's Southwest Mesa. The request is to re-zone the property from the existing PD Planned Development Zone District, to the proposed MX-L Mixed-Use Low Intensity Zone District. The existing PD zone has an EPC approved site development plan for a

residential development, whereas the MX-L zone permits a wide array of low-intensity retail, commercial, and moderate-density residential uses by right; and if approved would be reviewed by the Development Review Board (DRB) and governed by IDO regulations. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses.

The site is located less than 1/8 mile (980 ft.) from the boundary of the West Route 66 Activity Center and less than a mile from the Tower Employment Center but is surrounded by a sea of residential development which makes the opportunity for low intensity commercial development at this site so important and meets the very intent and focus of the Comprehensive Plan Goals and Policies for this area.

CONTEXT

The subject site includes approximately +/-6.04 acres located on Sunset Gardens Road SW between 82nd Street SW and 86th Street SW. The site is in Area of Consistency and was established by the Tower/Unser Sector Development Plan (SDP) (Rank III) through annexation and established a RD-9/du zone. The subject site is within the Southwest Mesa Community Planning Area and is just south (980 ft.) from the West Route 66 Activity Center and the Tower Employment Center to the East. Central Avenue is one block north which is a designated Premium Transit Corridor with Unser to the East which is a Commuter corridor.

The area is characterized predominantly by single-family homes and high density multifamily to the north, east, south and west. The LRRS designates 86th street as a Major Collector, with Sunset Gardens and 82nd Street being collector streets.

In 2018 the EPC voted to approve Project #1003449/18EPC-40031, 40032 which was a Sector Development Plan Map Amendment and Site Development Plan for a yet another residential development. The request changed the zoning of this site from RD-9 DU/acres (Residential and Related Uses, Developing Area for 9 Dwelling Units per Acre) to SU-1 for PRD (Special Use for Planned Residential Development). The request included a Site Development Plan for Building Permit. The site Plan for the PRD defines all design elements such as setbacks, buildings heights, density, signage, etc. The land has continued to remain vacant since.

Subsequent to the above outlined approvals, the ownership of the site has changed. As a result, in the change in ownership the direction in development of this site has shifted. The proposed Sunset Gardens Apartments project was re-evaluated and it was overwhelmingly determined that this site, this community and the residents therein would be better served with an opportunity for more of the vital goods and services that are so desperately needed in the Southwest Mesa.

EXISTING IDO ZONING

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

4-2-1. Therefore, the PD zone does not have a set of uses but must submit a Site Plan for EPC review and approval prior to development. All IDO uses are potential uses in the PD zone.

PROPOSED IDO ZONING

The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses. Further development is subject to IDO regulations for process and development standards (process per Section 6-5(G) Site Plan – Administrative). Properties with more than 5 acres will be reviewed by the Development Review Board (DRB).

The area is largely characterized by residential uses and it would be advantageous to the existing residents for commercial services to be located in close proximity. The Comprehensive Plan and IDO encourages mixed-use communities and options in development to support market demand.

Permitted Uses Are:

This Zone Map Amendment requests seeks to “rezone” the subject property from PD to MX-L (Mixed Use Low Intensity). The MX-L zone district is clearly more in line with developing this property with what is more advantageous to the community as articulated by the ABC Comp Plan goals and policies noted in our policy justification portion of this letter and are furthered by the proposed zone change (**in bold italics**). All uses permitted in the requested MX-L zone are also permitted in the existing PD zone. PD uses are determined on a case-by-case basis; however, the negotiated uses are required to be shown on a Site Plan, reviewed and approved by the EPC, prior to development. The requested MX-L zone permits a variety of commercial uses with a much more efficient process of development. The existing PD zone permits a much greater range of uses, however the requested MX-L zone will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an EPC-Site Plan.

The requested MX-L zone will allow for development that is more direct and consistent than the current zone of PD, which relies upon negotiating the land uses and is intended for development that cannot be accommodated in one of the IDO's base zones.

POLICY ANALYSIS

6-7(F) ZONING MAP AMENDMENT – EPC

6-7(F)(3) Review and Decision Criteria

An application for an Amendment to Official Zoning Map shall be approved if it meets all of the following criteria:

- 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.

Response:

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 Comprehensive Plan, as amended, and other applicable plans adopted by the City.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

CHAPTER 4: CHARACTER

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

- a) Respect existing neighborhood values and social, cultural, recreational resources.

Response:

The subject site is located within an Area of Consistency and in a Community Planning area. A Community Planning Area distinctively defines each area. This Zone Map Amendment will fall in line with the district characteristics of the Southwest Mesa community. Future developments will follow the IDO standards and the standards not deviating from the vision of this community. The request furthers Policy 4.1.1.

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. [ABC]

Response:

Future development on the subject site under the MX-L zone, which the request would make possible, would be subject to IDO requirements including Neighborhood Edges (14-16-5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5-6(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design as well as protect the identity and cohesiveness of the neighborhood. The request furthers Policy 4.1.2.

Goal 4.3 City Community Planning Area

Protect and enhance the natural and cultural characteristics and features that contribute to distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas. [A]

Response:

This request for a Zone Map Amendment with further this Goal because MX-L zoning allows for a wider array of developments for the subject site and will be designed based on the IDO and the DPM. The IDO and the DPM will add additional protection to allow the site to develop with identity of the existing community. They will also keep future developments consistent, while protecting the surrounding community. Additionally, continuous development of this subject site must still go through a review with the City of Albuquerque to ensure compliance and adherence to the standards of the IDO as well as the DPM. The request further Goal 4.3.

CHAPTER 5: LAND USE

POLICY 5.1.1(c): Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

The request furthers Policy 5.1.1(c) because permitting the range of mixed uses permitted by the requested MX-L zone near WR 66 Activity Center will contribute toward the growth of the surrounding community. The existing PD zone will also permit a range of uses, however the requested MX-L zone will permit the property owners to develop per IDO regulations in an efficient process rather than requiring an EPC-Site Plan. The requested MX-L zone will encourage employment density, compact development, redevelopment, and infill in an area that is seeking mixed use area that provide for employment, entertainment and services without requiring driving. Demands that are not sufficiently being met, in large part, existing land use policies and regulations strongly encourage suburban, single family development over compact mixed use commercial opportunities.

POLICY 5.1.6 (b): Provide neighborhood-oriented commercial, retail, institutional, and public services.

This policy is furthered by the MX-L zone. The requested MX-L Zone will allow for a wide range of low intensity, commercial, retail, institutional, and public services. This site is an ideal location for an MX-L zone. The current zone of PD provides more uncertainty in future land use and requires unnecessary site plan review and approvals, contrary to the purpose and intent of the IDO.

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

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

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

Response:

This request furthers Goal 5.2, Policy 5.2.1 and Policy 5.2.1(a) because the proposed Zone Map Amendment request for mixed-use zone MX-L would allow for a mixture of non-residential uses that could help create a healthy, sustainable and distinct community in an Area of Consistency in Southwest Mesa's Community Planning Area. The request would make possible development of commercial uses along Sunset Gardens Rd. with close proximity to the surrounding neighborhoods on the east, south, and west sides of this subject site. The subject site is conveniently accessible from surrounding neighborhoods. The development of this site brings goods and services within walking and biking distance of neighborhoods. The location will offer choice services and employment and provides excellent access and connectivity for the surrounding neighborhoods.

Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive,

increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability.

The subject site is located in Albuquerque's Southwest Mesa where the imbalance of jobs to households poses a significant challenge for our future due to limited river crossings and our limited ability to increase the capacity of existing crossings. On the whole, residents drive less if there are job opportunities and services near their homes and desirable housing and amenities near workplaces. In areas with more houses than jobs, commute times tend to be longer, and congestion tends to be worse. East of the Rio Grande, there are almost 1.5 jobs for every household. West of the river, there is less than one job for every two households. Particularly at peak hours, traffic congestion at river crossings is expected to worsen dramatically over time, leading to bridge crossing times of an hour or more by 2040 without significant job growth on the West Side, as workers will have to continue commuting to jobs east of the river.

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

The requested MX-L zone furthers this policy by allowing for low intensity commercial and mixed uses in an area dominated by single-family development and lacking non-residential services. The MX-L zone is compatible and desirable in form and scale to the surrounding development, which includes single family, one-story detached houses, townhouses and apartments.

POLICY 5.2.1 (k) Discourage zone changes to detached single-family residential uses on the West Side.

This request furthers Policy 5.2.1 (k) Comprehensive Plan encourages job growth and commercial development on the West Side in place of residential. Although the requested MX-L zone would permit townhouse and multi-family versus a non-residential zone such as NR-C, the requested MX-L zone does not permit single-family residential development, which is specifically discouraged by this policy.

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.

POLICY 5.3.1

Infill Development: Support additional growth in areas with existing infrastructure and public facilities. [ABC]

Response:

The request furthers Goal 5.3 and Policy 5.3.2 because this property is well serviced by existing infrastructure and other public facilities including access roads, water, sewer, and community parks. In addition, the subject site is surrounded by existing residential zoning; therefore, the requested MX-L zone will maximize an efficient, development pattern of mixed uses on an infill property.

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.

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

POLICY 5 4.2 (a): Ensure adequate capacity of land zoned for commercial, office, and industrial uses west of the Rio Grande to support additional job growth.

POLICY 5.4.2 (b): Prioritize employment opportunities within Centers.

The requested MX-L zone will further this goal and policy by allowing for development that will create jobs on the West Side. The requested MX-L zone at this location is far more suited to further this goal and policy than the current undefined PD zone.

The imbalance of jobs to households poses a significant challenge due to limited river crossings and our limited ability to increase the capacity of existing crossings. On the whole, residents drive less if there are job opportunities and services near their homes and desirable housing and amenities near workplaces. In areas with more houses than jobs, commute times tend to be longer, and congestion tends to be worse. East of the Rio Grande, there are almost 1.5 jobs for every household. West of the river, there is less than one job for every two households. Particularly at peak hours, traffic congestion at river crossings is expected to worsen dramatically over time, leading to bridge crossing times of an hour or more by 2040 without significant job growth on the West Side, as workers will have to continue commuting to jobs east of the river.

Policy 5.6.3

Area of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. [A]

- a) Ensure that development reinforces the scale, intensity, and setback of the immediately surrounding context.

Response:

Future development of this site will be subject under MX-L zone and subject to the IDO requirements including Neighborhood Edges (14-16- 5-9), the non-residential zone dimensional standards (Table 5-1-3), buffer landscaping (14-16-5- 6-(E), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design. These standards will protect and enhance the character of existing single-family neighborhoods. It will allow this land to develop increasing the aesthetics of the community while protecting its character. the requested MX-L zone will offer an efficient development process for the subject site, thereby directing growth where it is expected and desired as well as reinforcing the character and intensity of the surrounding area. This request furthers Policy 5.6.

POLICY 5.6.2 (b): Encourage development that expands employment opportunities.

As mentioned before, the designation of MX-L zoning will encourage commercial and institutional development that will expand employment opportunities in the area.

CHAPTER 7: URBAN DESIGN

Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian development in urban contexts, and increase pedestrian safety in auto-oriented context.

Policy 7.2.1: Walkability: Ensure convenient and comfortable pedestrian travel. [ABC]

Response:

Currently, this vacant site lacks any sidewalks or bike lands. Development within the MX-L zone will require sidewalk construction by the developer along the property's street frontage, creating better pedestrian connectivity to surrounding residents and fill a longstanding void in the connectivity of pedestrian travel. This will allow residents in the community to have more community necessities that they currently lack. This will in turn promote walking to more convenient locations within their community. The development of this site will encourage a pedestrian-friendly community. This request furthers Goal 7.2 and Policy 7.2.1.

POLICY 7.3.3: Place-making: Encourage efforts to establish and strengthen district identity within Centers, business districts, and neighborhoods.

Commercial development in the Southwest Mesa has not materialized anywhere near the growth the rest of Albuquerque has seen but it certainly remains one of the most underserved markets in Albuquerque. The requested MX-L zone will further this policy in a more direct and consistent manner than the current zone of PD, which relies upon negotiating the land uses and is intended for development that cannot be accommodated in one of the IDO's base zones.

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

- a) Promote building and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designated, appropriately located, and consistent with the existing development context and neighborhood character. [A]
- b) POLICY 7.3.4 (b): Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood scale.

The request furthers Policy 7.3.4, and Policy 7.3.4 (b) because the requested MX-L zone will permit a more efficient development process with mixed- uses in an infill location. IDO regulations will encourage development that enhances the built environment and is compatible with the character of the surrounding context and similar in height mass and volume to adjacent development.

CHAPTER 8: ECONOMIC DEVELOPMENT

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

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.

POLICY 8.1.2

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

Response:

This request furthers Goal 8.1, Policy 8.1.1 and Policy 8.1.2 because this request for a Zone Map Amendment to MX-L will foster a greater range of opportunities for different densities and uses in a location highly visible, accessible and central to Southwest Mesa Community Planning Area. This request will help to reduce barriers to infill, redevelopment, and adaptive reuse in urbanized areas. Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive, increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability or economic vitality.

POLICY 8.1.3 Economic Base: Strengthen and diversify the economic base to help reduce reliance on government spending. [ABC]

Response:

This request furthers this Policy by allowing for future development of the property providing an incentive to local business to expand and diversify employment, promote local hiring, higher wages and business that contributes to the economic base of the community and region that helps reduce reliance on government spending. This request furthers Policy 8.1.3 – Economic Base.

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, a and decision-makers as they contemplate new plans affecting the whole community.

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

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

- b. *There has been a significant change in neighborhood or community conditions affecting the site.*
- c. *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).*

Response:

The proposed amendment is located in an Area of Consistency (as shown in the ABC Comp Plan). Our justification demonstrated that criteria number 3 would be most suitable for our application. The amendment would be more advantageous to the community since many of the ABC Comp Plan goals and policies will be furthered as articulated in the policy analysis section to follow. This proposed zone change will all for implementation of development and implementation of patterns of land use that are consistent with the Comp Plan conditions and historic land use, development density and intensity and connectivity as a designation for employment and services.

- C. *If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:*
 - a. *There was typographical or clerical error (as opposed to an error in the judgment of the approving body) when the existing zone district was applied to the property.*
 - b. *There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.*
 - c. *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).*

Response:

This criterion is not applicable as the proposed amendment is wholly in an Area of Consistency as shown on the ABC Comp Plan.

- 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.*

Response:

All uses permitted in the requested MX-L zone are also permitted in the existing PD zone. PD uses are determined on a case-by-case basis; however, the negotiated uses are required to be shown on a Site Plan, reviewed and approved by the EPC, prior to development. The requested MX-M zone permits a variety of commercial uses plus the potential for residential uses from townhouse to higher density multifamily, as well as an efficient process of development. The area is largely characterized by residential uses and it would be advantageous to the existing residents for commercial services to be located in close proximity. The Comprehensive Plan and IDO generally encourage mixed-use communities and responding to market demand rather than exerting restrictions as long as the permitted uses are not harmful to the adjacent

communities. In addition, IDO regulations will provide design controls for both high-density residential and commercial development.

The permissive uses between the PD zoning designation and the MX-L zoning designation will be more limited and more controlled. For discussion, I have outlined the permissive uses in MX-L in the following bullet list as identified in Table 4-2-1 of the IDO (Allowable Uses):

MX-L Permissive

| | |
|--|--|
| <i>Dwelling, Townhouse</i> | <i>Dwelling, live-work</i> |
| <i>Dwelling, multi-family</i> | <i>Assisted living facility</i> |
| <i>Community residential facility small</i> | <i>Community Residential facility medium</i> |
| <i>Community residential facility, large</i> | <i>Group home, small</i> |
| <i>Group home, medium</i> | <i>Sorority or fraternity</i> |
| <i>Adult or child day care facility</i> | <i>Community center or library</i> |
| <i>Elementary or middle school</i> | <i>High school</i> |
| <i>Museum or art gallery</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>Residential Community amenity</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 business, small</i> |
| <i>Research or Testing Facility</i> | <i>Residential community amenity</i> |
| <i>Bakery goods</i> | <i>Farmers Market</i> |
| <i>General retail, small</i> | <i>Grocery store</i> |
| <i>Artisan manufacturing</i> | <i>Solar energy generation</i> |
| <i>Utility, electric</i> | <i>Utility, other major</i> |
| <i>Freestanding</i> | |

This property is underutilized and has stayed vacant. This zone map amendment will be a positive change as compared to if the property were to stay in its current condition. This opportunity to develop will provide more commercial retail choices for the area. There is existing access from Sunset Gardens Rd SW this access eliminates the need for vehicles to drive through of the surrounding neighborhoods to access the project.

Future development of this property and possible uses that could be considered harmful to adjacent property owners have been mitigated by specific use standards and regulations identified in the Integrated Development Ordinance. All uses shall comply with City ordinances regulating noise, odors, vibration, glare, heat, and other special nuisance conditions affecting other properties as well as use-specific standards.

Permissive uses that could be construed as having possible harmful effects such as a club or event facility, light vehicle repairs or artisan manufacturing are regulated by local, state and federal requirements and must comply with all New Mexico state laws, including but not limited to any required spacing from other uses or facilities. They are also controlled by Specific-Use Standards found in the IDO to mitigate potential harmful effects on the surrounding area. Future development on the subject site under the MX-L zone would be subject to IDO requirements including Neighborhood Edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6-(E), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design. These Use Standards include precautionary measures such as distance requirements, size restrictions, design standards, screening requirements and various other measures. Additionally, development of this subject site must still go through a rigorous site planning approval process at which time the public will be fully engaged.

- E. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 the following requirements:
- a. Have adequate capacity to serve the development made possible by the change of zone.
 - b. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 - c. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
 - d. 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.

Response:

This request furthers this requirement because the City's existing infrastructure and public improvements currently have adequate capacity to serve the existing development.

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

Response:

The justification provided herein is not based on the property's location at the intersection of a local urban street (Sunset Gardens RD SW), a local urban street (82nd ST SW), and an urban major collector (86th ST SW) but rather on the preponderance of applicable Goals and Policies of the Comp Plan as outlined in our policy narrative. The current zoning request is to allow for future MX-L uses, future development permissive by the MX-L zone will further multiple goals and policies of the Comprehensive Plan and will serve as an excellent development opportunity and will be in line with the surrounding community. This zone change seeks to provide use options that are in demand in the surrounding area and the City as a whole. While the location of the property is not the main reason for providing justification for commercial zoning, it does provide rationale for why this site is suitable for the proposed MX-Ls zoning and associated use. Access and connectivity are important considerations for mixed-use development.

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

Response:

This justification is not based completely or predominantly on the cost of land or other economic considerations and are not the determining factor for this zone change request. The requested zone change will allow MX-L uses to develop, thereby providing more commercial, retail, and mixed-use housing choices in an area of Albuquerque currently underserved by such facilities. The subject site is located in Albuquerque's Southwest Mesa where the imbalance of jobs to households in the poses a significant challenge for our future due to limited river crossings and our limited ability to increase the capacity of existing crossings. On the whole, residents drive less if there are job opportunities and services near their homes and desirable housing and amenities near workplaces. In areas with more houses than jobs, commute times tend to be longer, and congestion tends to be worse. East of the Rio Grande, there are almost 1.5 jobs for every household. West of the river, there is less than one job for every two households. Particularly at peak hours, traffic congestion at river crossings is expected to worsen dramatically over time, leading to bridge crossing times of an hour or more by 2040 without significant job growth on the West Side, as workers will have to continue commuting to jobs east of the river.

Changing demographics pose both a challenge and opportunity for our region as preferences shift about the kinds of places we live and the transportation options we choose. In general, preferences are shifting toward places that give people options to walk, bike, or take public transportation. Complete, walkable neighborhoods with a range of housing and amenities make non-auto transportation options safer and more accessible.

Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive, increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability.

- 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:
- a. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
 - b. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
 - c. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

Response:

Application of the MX-L zone may constitute a spot zone because it is different from the surrounding zones to the north, east, south and west. The requested change to MX-L will clearly facilitate implementation of the ABC Comp Plan, as amended, as discussed in the preponderance of goals and policies further by the change.

This proposal qualifies under criteria (a) in that the surrounding area is residential and MX-L has less permissive uses than the current PD zonings. The MX-L zone will protect the neighborhood in a greater way than PD zone does. Per the permissive uses above it limits the uses that can be considered harmful more than PD zoning. This in turn will benefit the surrounding neighborhoods will function as a transition between adjacent zone districts.

This Zone Map Amendment will fall in line with its surrounding area allowing the request to not alter the Area of Consistency that the site fall under. Area of Consistency is defined as "An area designated as an Area of Consistency in the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended, where development must reinforce the character and intensity of existing development". This request will not alter with the very definition, nor will it disturb the surrounding zone districts. The development of this land will be compatible in scale and character with the surrounding area will adding an extra layer of protection for the surrounding neighborhoods.

CONCLUSION

This is a request for a Zone Map Amendment (Zone Change) for an approximately 6-acre property located in Albuquerque's Southwest Mesa.

The primary difference between the existing PD zone and the requested MX-L zone is that the existing PD zone requires an EPC approved Site Plan and the requested MX-L zone would proceed to either administrative approval or the Development Review Board (DRB) depending on thresholds. Therefore, the EPC will not review the Site Plan.

The South West Alliance of Neighborhoods, Westside Coalition of Neighborhood Association, South Valley Coalition of Neighborhood Association and property owners within 165 feet of the subject site were notified of the request. There was not a request for a neighborhood meeting, rather calls inquiring more information on what was being proposed on site. There has not been any opposition to the request.

The approval of this request for a zone change to MX-L for the subject property will ensure that the current undeveloped property become a valuable project to the community and provide more employment and convenient services within the community. Future development of this site will be subject under MX-L zoning and subject to the IDO requirements including Neighborhood Edges (14-16- 5-9), the non-residential zone dimensional standards (Table 5-1-3), buffer landscaping (14-16-5- 6-(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design. These Use Standards include precautionary measures such as distance requirements, size restrictions, design standards, screening requirements, and various other measures. Additionally, continuous development of this subject site must still go through a review with the City of Albuquerque to ensure compliance and adherence to the standards of the IDO as well as the DPM. This requests will not have any negative effects on the Community Planning Area. This request to MX-L will clearly help align the appropriate zone with goals and policies of the Comprehensive Plan.

We respectfully request that the EPC support this request with an approval.

Sincerely,

Angela Williamson

Angela M. Williamson, CEO/Principal
Modulus Architects, Inc.
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Albuquerque, New Mexico 87109
Office: 505.338.1499 ext. 1000
Cell: 505.999.8016
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NOTIFICATION

Regina Okoye

From: Carmona, Dalaina L. <dlcarmona@cabq.gov>
Sent: Wednesday, February 26, 2020 10:03 AM
To: Regina Okoye
Subject: Sunset Gardens & 86th Public Notice Inquiry
Attachments: 04- IDOZoneAtlasPage_L-09-Z.PDF

Dear Applicant,

See list of associations below regarding your Public Notice Inquiry. In addition, we have included web links below that will provide you with additional details about the new Integrated Development Ordinance (IDO) requirements. The web links also include notification templates that you may utilize when contacting each association. Thank you.

| Association Name | First Name | Last Name | Email | Address Line 1 | City | State | Zip | Mobile Phone |
|---|------------|------------|--------------------------|--------------------------|-------------|-------|-------|--------------|
| South West Alliance of Neighborhoods (SWAN Coalition) | Cherise | Quezada | cherquezada@yahoo.com | 10304 Paso Fino Place SW | Albuquerque | NM | 87121 | 5052631178 |
| South West Alliance of Neighborhoods (SWAN Coalition) | Jerry | Gallegos | jgallegoswccdg@gmail.com | 5921 Central Avenue NW | Albuquerque | NM | 87105 | 5053855809 |
| Westside Coalition of Neighborhood Associations | Rene | Horvath | aboard111@gmail.com | 5515 Palomino Drive NW | Albuquerque | NM | 87120 | |
| Westside Coalition of Neighborhood Associations | Harry | Hendriksen | hlhen@comcast.net | 10592 Rio Del Sol NW | Albuquerque | NM | 87114 | |
| South Valley Coalition of Neighborhood Associations | Marcia | Fernandez | mbfernandez1@gmail.com | 2401 Violet SW | Albuquerque | NM | 87105 | 5052356511 |
| South Valley Coalition of Neighborhood Associations | Roberto | Roibal | rroibal@comcast.net | 2233 Don Felipe Road SW | Albuquerque | NM | 87105 | 5059809651 |

IDO – Public Notice Requirements & Template: <https://www.cabq.gov/planning/urban-design-development/public-notice>

IDO – Neighborhood Meeting Requirements & Template: <https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

IDO - Administration & Enforcement section: <http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17-Part6.pdf>

Thanks,



Dalaina L. Carmona

Senior Administrative Assistant
Office of Neighborhood Coordination
Council Services Department
1 Civic Plaza NW, Suite 9087, 9th Floor
Albuquerque, NM 87102
505-768-3334

dlcarmona@cabq.gov or ONC@cabq.gov

Website: www.cabq.gov/neighborhoods



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

Sent: Wednesday, February 26, 2020 9:05 AM

To: Office of Neighborhood Coordination <rokoye@modulusarchitects.com>

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

Subject: Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Regina Okoye

Telephone Number

505-338-1499

Email Address

rokoye@modulusarchitects.com

Company Name

Modulus Architects Inc.

Company Address

100 SUN AVE NE STE 600

City

Albuquerque
State
NM
ZIP
87109

Legal description of the subject site for this project:
UPC: 100905647441510205
Owner: TWO RIVERS LLC
Situs Address: N/A ALBUQUERQUE NM 87121
Legal Description: TRACT 52 UNIT 2 ATRISCO GRANT
Acres: 6.04

Physical address of subject site:
N/A ALBUQUERQUE NM 87121

Subject site cross streets:
Sunset Gardens & 86th

Other subject site identifiers:

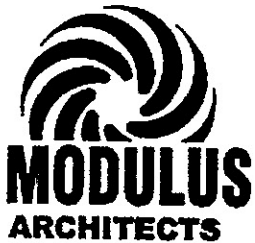
This site is located on the following zone atlas page:
L-09-Z

=====
This message has been analyzed by Deep Discovery Email Inspector.

Regina Okoye

From: Regina Okoye
Sent: Friday, February 28, 2020 3:46 PM
To: 'cherquezada@yahoo.com'; 'jgallegoswccdg@gmail.com'; 'aboard111@gmail.com'; 'hlhen@comcast.net'; 'mbfernandez1@gmail.com'; 'rroibal@comcast.net'
Cc: Angela Williamson
Subject: Neighborhood Meeting about Future Environmental Planning Commission Application for Property Located on Sunset Gardens to Amend the Existing IDO Zone District from the current PD (Planned Development) to MX-L (Mixed Use Low Intensity)

| Tracking: | Recipient | Delivery |
|-----------|----------------------------|------------------------------|
| | 'cherquezada@yahoo.com' | |
| | 'jgallegoswccdg@gmail.com' | |
| | 'aboard111@gmail.com' | |
| | 'hlhen@comcast.net' | |
| | 'mbfernandez1@gmail.com' | |
| | 'rroibal@comcast.net' | |
| | Angela Williamson | Delivered: 2/28/2020 3:46 PM |



February 28, 2020

RE: Neighborhood Meeting about Future Environmental Planning Commission Application for Property Located on Sunset Gardens to Amend the Existing IDO Zone District from the current PD (Planned Development) to MX-L (Mixed Use Low Intensity)

To Whom It May Concern,

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-4(C) *Neighborhood Meeting*, we are providing you an opportunity to discuss an EPC Application for a Zone Map Amendment from Planned Development Zone District (PD) to Mixed-use- Low Intensity (MX-L).

PD vs. MX-L

PD Purpose:

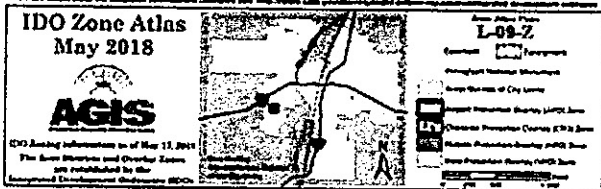
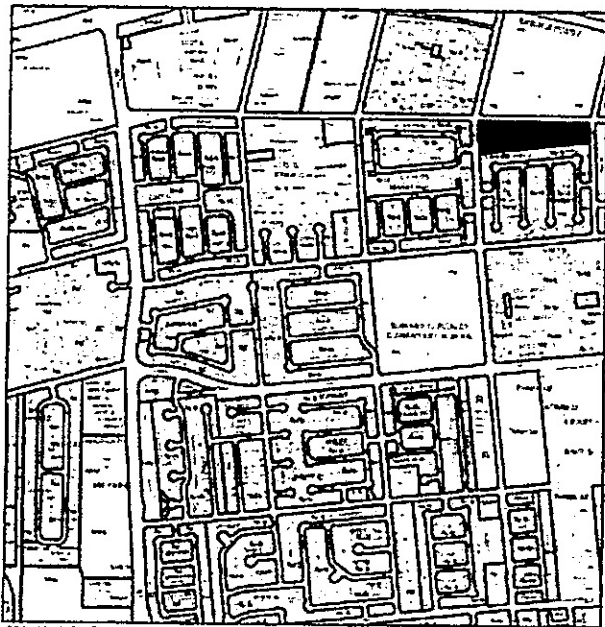
The purpose of the PD zone district is to accommodate small- and medium-scale innovative projects that cannot be accommodated through the use of other base zone districts, provided that those projects are consistent with the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended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

MX-L Purpose:

The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, 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.

Follow link below name "Integrated Development Ordinance (IDO)" to see allowable uses shown in Table 4-2-1 (page 164-168).

Below is the zone atlas map with the entire site outlined with the existing zoning labeled.



This application is being proposed in or near your neighborhood and before we submit an application, we would be glad to address any questions you may have. This would be an informal meeting where Modulus Architects, Inc. c/o Angela Williamson, CEO/Principal, would present the proposal, and we would discuss any ideas or concerns you may have.

Project or Development Proposal

Sunset Gardens – Sunset Gardens RD SW & 86th St SW
Albuquerque, NM 87121
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

Contact Information

Modulus Architects, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, New Mexico 87109
c/o Angela Williamson, CEO/Principal
(505) 338-1499 ext. 1000
awilliamson@modulusarchitects.com

Per the IDO, you have 15 days from February 28, 2020 to respond, by either 1) requesting a meeting or 2) declining the meeting. If you do not respond within 15 days, you are waiving the opportunity for a Neighborhood Meeting, and we can submit our application anytime thereafter. We would like to submit our application on April 30, 2020. If you would like to meet, please let us know when your next regular neighborhood meeting is scheduled or provide a few alternative dates that fall within 30 days of your response to this letter/email.

Before submitting our application, we will send mailed and/or emailed Public Notice as required by IDO Table 6-1-1 to make you aware of the public hearing at which the project will be reviewed and decided by the City.

The following is what we are currently proposing for this development: IDO Text Amendment.

Useful Links

Integrated Development Ordinance (IDO)

<http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17.pdf>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me. Sincerely,

REGINA OKOYE, ENTITLEMENTS PROJECT MANAGER

MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 305

Albuquerque, NM 87109

Office 505.338.1499 (Ext. 1003)

Mobile + Text 505.267.7686

www.modulusarchitects.com



ORTIZ PABLO
8515 DUNHILL AVE SW
ALBUQUERQUE NM 87121

ROYBAL MARIA L
405 MAYFAIR PL SW
ALBUQUERQUE NM 87121

ROMERO CRYSTAL T
336 CALLE AMARILLO SW
ALBUQUERQUE NM 87121-9300

VALLE DEL CANTO HOMEOWNERS ASSOC C/O
CAROL PICKERT & ASSOC ATTN: JODY
4121 EUBANK BLVD NE
ALBUQUERQUE NM 87111-3421

MCCANN PATRICIA K
8409 DUNHILL AVE SW
ALBUQUERQUE NM 87121-2279

CHAVEZ SANDRA C
8119 GEM POINTE RD SW
ALBUQUERQUE NM 87121

DINH DUYET
8501 DUNHILL AVE SW
ALBUQUERQUE NM 87121

PC SANDIA LLC
1474 E 820 NO
OREM UT 84097-5481

BURDEX MARGARET
8505 DUNHILL AVE SW
ALBUQUERQUE NM 87121

ABRISZ CRYSTAL
503 WHISPER POINTE SW
ALBUQUERQUE NM 87121

ROMERO JACOB & ROBERTA
8719 ODIN RD SW
ALBUQUERQUE NM 87121

ESCOBEDO DANIEL
8415 DUNHILL AVE SW
ALBUQUERQUE NM 87121-2279

TWO RIVERS LLC
5800 SAN FRANCISCO RD NE
ALBUQUERQUE NM 87109-4604

ARCHULETA HERMAN & ROBERTA
340 CALLE AMARILLO SW
ALBUQUERQUE NM 87121-9300

TRUJILLO SHIRLEY M
404 CARFAX PL SW
ALBUQUERQUE NM 87121

MARTINEZ JOSEPH V & ESTHER
8209 DUNHILL AVE SW
ALBUQUERQUE NM 87121

MARINELARENA SERGIO R
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ALBUQUERQUE NM 87121-2276

OROZCO-VILLALOBOS PATRICIA V
401 MAYFAIR PL SW
ALBUQUERQUE NM 87121-2283

AGUILAR CINTHIA
8704 THOR RD SW
ALBUQUERQUE NM 87121

DELARA DANIEL J & APUAN-DELARA MAIGAN &
APUAN GEORGINA S
1715 GRIEGOS RD NW UNIT B
ALBUQUERQUE NM 87107-3336

ULIBARRI DEBBIE
8509 DUNHILL AVE SW
ALBUQUERQUE NM 87121-2280

NAVARRO ANGELICA
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ALBUQUERQUE NM 87121

RODRIGUEZ DONALD J & MICHELLE DANAYA-
RODRIGUEZ
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8708 THOR RD SW
ALBUQUERQUE NM 87121

LOVATO RICHARD
505 WHISPER POINT ST SW
ALBUQUERQUE NM 87121

NELSON STEVE F & CANDILARIA T
2215 MARGO RD SW
ALBUQUERQUE NM 87105

ZARAGOZA YVETTE L
8523 DUNHILL AVE SW
ALBUQUERQUE NM 87121-2280

SAILER JASON E & ELIZABETH
8401 DUNHILL AVE SW
ALBUQUERQUE NM 87121

TRUJILLO JUAN V & TRUJILLO CARMEN S
8700 THOR RD SW
ALBUQUERQUE NM 87121

PLC PROPERTIES LLC
7900 RICHWOOD RD NW
ALBUQUERQUE NM 87120-4088

ARMSTRONG DAVID A & BETHANY
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ALBUQUERQUE NM 87121

VILLEGAS RACQUEL D
10601 ANTLER TOOL RD SW
ALBUQUERQUE NM 87121-5433

RODRIGUEZ ANNA
8709 ODIN RD SW
ALBUQUERQUE NM 87121-9318

HILL LINDOL & LORETTA A
8405 DUNHILL AVE SW
ALBUQUERQUE NM 87121

DARK HORSE INVESTMENTS INC
10000 WILSHIRE AVE NE
ALBUQUERQUE NM 87122-3018

VARGAS RITA M & VARGAS-CASTILLO
JOYCE FELICIA
8715 ODIN RD SW
ALBUQUERQUE NM 87121-9318

JURADO RAMON A & CAROLINA
8128 GREYTHORN RD SW
ALBUQUERQUE NM 87121

LUCERO TED G & SYLVIA M
8419 DUNHILL AVE SW
ALBUQUERQUE NM 87121

GREGORY CARMEN M
507 WHISPER POINTE SW
ALBUQUERQUE NM 87121

THOMAS CAROLYN R
501 WHISPER POINTE ST SW
ALBUQUERQUE NM 87102

GILES LARRY
8123 GEM POINTE RD SW
ALBUQUERQUE NM 87121

SOUTH WEST ALLIANCE OF NEIGHBORHOODS
QUEZADA CHERISE
10304 PASO FINO PLACE SW
ALBUQUERQUE NM 87121

SOUTH WEST ALLIANCE OF NEIGHBORHOODS
GALLEGOS JERRY
5921 CENTRAL AVENUE NW
ALBUQUERQUE NM 87105

WESTSIDE COALITION OF NEIGHBORHOOD ASSOC.
HENDRIKSEN HARRY
10592 RIO DEL SOL NW
ALBUQUERQUE NM 87114

WESTSIDE COALITION OF NEIGHBORHOOD ASSOC.
HORVATH RENE
5515 PALOMINO DRIVE NW
ALBUQUERQUE NM 87120

SOUTH VALLEY COALITION OF
NEIGHBORHOOD ASSOC.
FERNANDEZ MARCIA
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ALBUQUERQUE NM 87105

SOUTH VALLEY COALITION OF
NEIGHBORHOOD ASSOC.
ROIBAL ROBERTO
2233 DON FELIPE ROAD SW
ALBUQUERQUE NM 87105

SOTELO CHRISTOPHER & SYLVIA ANNE V
GALLEGOS
509 WHISPER POINTE ST SW
ALBUQUERQUE NM 87121

STANLEY RUBY K
8201 DUNHILL AVE SW
ALBUQUERQUE NM 87121

MARTINEZ ENRIQUE
400 CARFAX PL SW
ALBUQUERQUE NM 87121



February 28, 2020

ORTIZ PABLO
8515 DUNHILL AVE SW
ALBUQUERQUE NM 87121

RE: Neighborhood Meeting about Future Environmental Planning Commission Application for Property Located on Sunset Gardens to Amend the Existing IDO Zone District from the current PD (Planned Development) to MX-L (Mixed Use Low Intensity)

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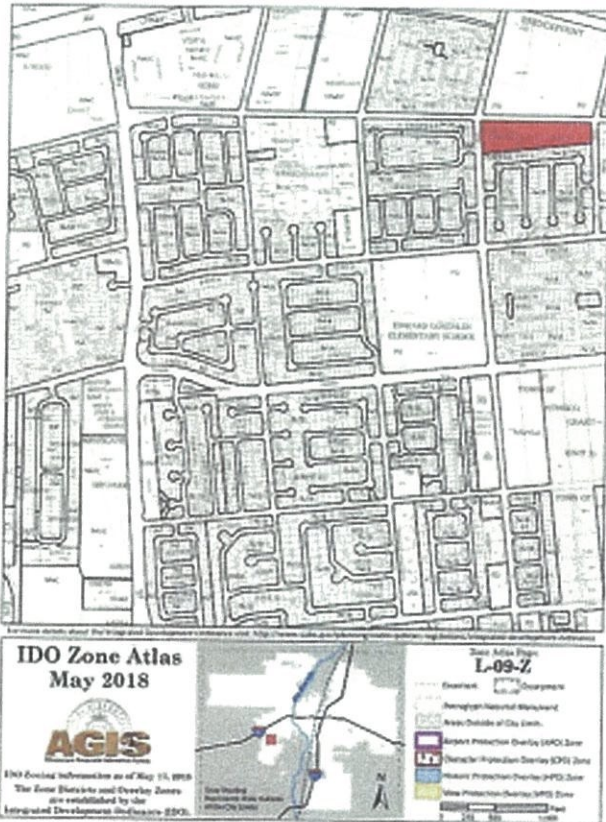
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Sunset Gardens – Sunset Gardens RD SW & 86th St SW
Albuquerque, NM 87121
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

Contact Information

Modulus Architects, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, New Mexico 87109
c/o Angela Williamson, CEO/Principal
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Sincerely,


Angela Williamson, CEO/Principal
Modulus Architects, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, NM 87109
awilliamson@modulusarchitects.com
Office (505) 338-1499 ext. 1000
Mobile (505) 999-8016

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SOUTH WEST ALLIANCE OF NEIGHBORHOODS
CHALLENGE FUND
9311 CENTRAL AVENUE NW
ALBUQUERQUE, NM 87105

MODULUS ARCHITECTS INC. 
100 SUN AVENUE NE, SUITE 300
ALBUQUERQUE, NM 87109


HARTWITZ ENRQUE
400 CANYON PL SW
ALBUQUERQUE, NM 87102

MODULUS ARCHITECTS INC. 
100 SUN AVENUE NE, SUITE 300
ALBUQUERQUE, NM 87109

THOMAS CAROLYN R
500 WINGFEE POINTE ST SW
ALBUQUERQUE, NM 87102

MODULUS ARCHITECTS INC. 
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ALBUQUERQUE, NM 87109


MILLARD & LORETTA A
8405 DUNHILL AVE SW
ALBUQUERQUE, NM 87122

MODULUS ARCHITECTS INC. 
100 SUN AVENUE NE, SUITE 300
ALBUQUERQUE, NM 87109


WESTSIDE COALITION OF NEIGHBORHOOD ASSOC.
PETERSON MARY
25855 807 561 SW
ALBUQUERQUE, NM 87114

MODULUS ARCHITECTS INC. 
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ALBUQUERQUE, NM 87109

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8123 GEM POINTE RD SW
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6202 DUNHILL AVE SW
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DAVEY HORSE INVESTMENTS INC
10000 WASHBURG AVE NE
ALBUQUERQUE, NM 87223-3018

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 400
ALBUQUERQUE, NM 87109

VILLASAS RACQUIL D
12001 ANTLER TOLL RD SW
ALBUQUERQUE NM 87125 5415

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 400
ALBUQUERQUE, NM 87109

PUL PROPERTIES LLC
1900 HICKWOOD RD SW
ALBUQUERQUE NM 87120-4088

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 400
ALBUQUERQUE, NM 87109

ZANASCO PIVETTE L
8123 DANIEL AVE SW
ALBUQUERQUE NM 87121-2280

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 400
ALBUQUERQUE, NM 87109

LOVATO RICHARD
505 WHISPER POINT ST SW
ALBUQUERQUE NM 87123

MODULUS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

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3400 WILSON DR SW
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MODULUS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

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JOSHUA BROWN
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ANDRE CHRISTOPHER & STINA BANNY
8424005
100 WHISPER POINT ST SW
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ARMSTRONG DAVID A & BETHANY
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8100 THOR RD SW
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SALTA JASON E & ELIZABETH
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MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 400
ALBUQUERQUE, NM 87109

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RECRUITER ANNA
8709 QUINN RD SW
ALBUQUERQUE NM 87125 9158

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3400 WILSON DR SW
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OSCARO VILCA (OSCAR) PARRICA V
WY TAMAYANA
ARROYO NEGRO, NM 87111-2214

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MARCELA PATY BENDIGO A
ERIC DOMINGUEZ
ALBUQUERQUE, NM 87117-2218

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ALBUQUERQUE, NM 87111

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KIM JOSEPH
ALBUQUERQUE, NM 87111

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BIN CHAN FAY, SW
ALBUQUERQUE, NM 87111

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ANGELITA GONZALEZ & ROBERTA
MARTINEZ
ALBUQUERQUE, NM 87121-8000

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BESS DOMINGUEZ
ALBUQUERQUE, NM 87115

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ALBUQUERQUE, NM 87109

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ALBUQUERQUE, NM 87109

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ALBUQUERQUE, NM 87109

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ALBUQUERQUE, NM 87109

ADRIAN DOMINA
8000 100th SW
ALBUQUERQUE, NM 87111

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ALBUQUERQUE, NM 87109

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IVY GARCIA
ALBUQUERQUE, NM 87111

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ALBUQUERQUE, NM 87109

ANGELITA GONZALEZ & ROBERTA
MARTINEZ
ALBUQUERQUE, NM 87121



MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

CITE AMDO
8751 DUNNIN AVE SW
ALBUQUERQUE, NM 87115

MIKELAS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

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805 MONTANA PL SW
ALBUQUERQUE, NM 87101

MIKELAS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

ROMANO OFFICIAL
THE CALZADAMARCO BLDG
ALBUQUERQUE, NM 87111-8906

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

ALLIANCE FOR THE ENVIRONMENT
1417 CALLE SAN ANTONIO
ALBUQUERQUE, NM 87111-1442

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

MCCABE PETERSON &
MAYSONHELD LLP
ALBUQUERQUE, NM 87111-2219

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

CLARA PETERSON & ASSOCIATES
P.O. BOX 1000
ALBUQUERQUE, NM 87111

MIKELAS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

TRAC INVESTORS
1000 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109



MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

CHARLES LANGRISH
8113 CHINA PAPER RD SW
ALBUQUERQUE, NM 87111

MIKELAS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

DAVE DUBRETT
8501 DUNNIN AVE SW
ALBUQUERQUE, NM 87117

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

PELUMBA LLC
14711 1ST ST
GARDEN CITY, NM 87138

MIKELAS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

WALTER MARRAS
8505 DUNNIN AVE SW
ALBUQUERQUE, NM 87117

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

ARIEL CAPITAL
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

ROMANO FLORES & ROBERTS
8751 DUNNIN AVE SW
ALBUQUERQUE, NM 87117

MIKELAS ARCHITECTS INC.
100 SUN AVENUE N.E. SUITE 100
ALBUQUERQUE, NM 87109

ROBERTO GARCIA
8113 CHINA PAPER RD SW
ALBUQUERQUE, NM 87111-2718

=====

ACADEMY
6255 SAN ANTONIO DR NE
ALBUQUERQUE, NM 87109-9998
340128-0109
(800)275-8777
02/27/2020 04:04 PM

=====

| Product | Qty | Unit Price | Price |
|------------------|-----|------------|---------|
| US Flag Coil/100 | 1 | \$55.00 | \$55.00 |
| Total: | | | \$55.00 |

Credit Card Remitd \$55.00
(Card Name: VISA)
(Account #:XXXXXXXXXXXX1521)
(Approval #: 033256)
(Transaction #: 522)
(AID: A0000000031010 Chip)
(AL: VISA CREDIT)
(PIN: Not Required CAPITAL ONE VISA)

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or scan this code with
your mobile device:



or call 1-800-410-7420.

YOUR OPINION COUNTS.

Receipt #: 840-58700065-2-5955880-1
Clerk: 05

Regina Okoye

From: Carmona, Dalaina L. <dlcarmona@cabq.gov>
Sent: Wednesday, April 29, 2020 11:28 AM
To: Regina Okoye
Subject: Sunset Gardens & 86th Public Notice Inquiry
Attachments: 05- Zone Atlas Map.pdf

Dear Applicant,

See list of associations below regarding your Public Notice Inquiry. In addition, we have included web links below that will provide you with additional details about the new Integrated Development Ordinance (IDO) requirements. The web links also include notification templates that you may utilize when contacting each association. Thank you.

| Association Name | First Name | Last Name | Email | Address Line 1 | City | State | Zip | Mobile Phone |
|---|------------|------------|-------------------------|--------------------------|-------------|-------|-------|--------------|
| South West Alliance of Neighborhoods (SWAN Coalition) | Jerry | Gallegos | jgallegoswccd@gmail.com | 5921 Central Avenue NW | Albuquerque | NM | 87105 | 5053855809 |
| South West Alliance of Neighborhoods (SWAN Coalition) | Cherise | Quezada | cherquezada@yahoo.com | 10304 Paso Fino Place SW | Albuquerque | NM | 87121 | 5052631178 |
| Westside Coalition of Neighborhood Associations | Rene | Horvath | aboard111@gmail.com | 5515 Palomino Drive NW | Albuquerque | NM | 87120 | |
| Westside Coalition of Neighborhood Associations | Harry | Hendriksen | hlhen@comcast.net | 10592 Rio Del Sol NW | Albuquerque | NM | 87114 | |
| South Valley Coalition of Neighborhood Associations | Roberto | Roibal | rroibal@comcast.net | 211 10th Street SW | Albuquerque | NM | 87105 | 5059809651 |
| South Valley Coalition of Neighborhood Associations | Marcia | Fernandez | mbfernandez1@gmail.com | 2401 Violet SW | Albuquerque | NM | 87105 | |

IDO – Public Notice Requirements & Template: <https://www.cabq.gov/planning/urban-design-development/public-notice>

IDO – Neighborhood Meeting Requirements & Template: <https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

IDO - Administration & Enforcement section: <http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17-Part6.pdf>

Thanks,



Dalaina L. Carmona

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



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

From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov
Sent: Wednesday, April 29, 2020 8:45 AM
To: Office of Neighborhood Coordination <rokoye@modulusarchitects.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Regina Okoye

Telephone Number

5052677686

Email Address

rokoye@modulusarchitects.com

Company Name

Company Address

Modulus Architets

City

Albuquerque

State

NM
ZIP

87109

Legal description of the subject site for this project:

UPC: 100905647441510205

Owner: TWO RIVERS LLC

Situs Address: N/A ALBUQUERQUE NM 87121

Legal Description: TRACT 52 UNIT 2 ATRISCO GRANT

Acres: 6.04

Physical address of subject site:

N/A ALBUQUERQUE NM 87121

Subject site cross streets:

Sunset Gardens & 86th

Other subject site identifiers:

This site is located on the following zone atlas page:

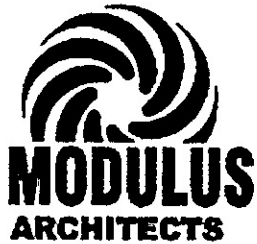
L-09-Z

=====
This message has been analyzed by Deep Discovery Email Inspector.

Regina Okoye

From: Regina Okoye
Sent: Wednesday, April 29, 2020 4:39 PM
To: 'cherquezada@yahoo.com'; 'jgallegoswccdg@gmail.com'; 'aboard111@gmail.com'; 'hlhen@comcast.net'; 'mbfernandez1@gmail.com'; 'rroibal@comcast.net'
Cc: Angela Williamson
Subject: RE: PUBLIC NOTICE OF EPC HEARING

| Tracking: | Recipient | Delivery |
|------------------|----------------------------|------------------------------|
| | 'cherquezada@yahoo.com' | |
| | 'jgallegoswccdg@gmail.com' | |
| | 'aboard111@gmail.com' | |
| | 'hlhen@comcast.net' | |
| | 'mbfernandez1@gmail.com' | |
| | 'rroibal@comcast.net' | |
| | Angela Williamson | Delivered: 4/29/2020 4:39 PM |



April 29, 2020

RE: PUBLIC NOTICE OF EPC HEARING

To Whom It May Concern,

Modulus Architects, Inc. on behalf of the Two Rivers, LLC will be submitting an application to the Environmental Planning Commission (EPC) for approval of Zone Map Amendment from the current PD (Planned Development) to MX-L (Mixed Use Low Intensity). We will be proposing the following:

PD vs. MX-L

| |
|--------------------|
| PD Purpose: |
|--------------------|

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

MX-L Purpose:

The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, 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.

Follow link below name "Integrated Development Ordinance (IDO)" to see allowable uses shown in Table 4-2-1 (page 164-168).

Below is the zone atlas map with the entire site outlined with the existing zoning labeled.

We will be submitting our application on April 30, 2020.

Project or Development Proposal

Sunset Gardens – Sunset Gardens RD SW & 86th St SW
 Albuquerque, NM 87121
 Modulus Architects, Inc.
 c/o Angela Williamson, CEO/Principal

Contact Information
 Modulus Architects, Inc.
 c/o Angela Williamson, CEO/Principal
 (505) 338-1499 ext. 1000
awilliamson@modulusarchitects.com



A Hearing will be held on June 11, 2020 at 8:30 am in the Hearing Room (Basement Level) of Plaza Del Sol, 600 2nd St. NW, Albuquerque, NM 87102.

Useful Links

Integrated Development Ordinance (IDO)

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

Angela Williamson, CEO/Principal
Modulus Architects, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, NM 87109
Office (505) 338-1499 ext. 1000
Mobile (505) 999-8016
awilliamson@modulusarchitects.com



April 29, 2020

ORTIZ PABLO
8515 DUNHILL AVE SW
ALBUQUERQUE NM 87121

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IDO Interactive Map

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Sincerely,

Angela Williamson, CEO/Principal
Modulus Architects, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, NM 87109
Office (505) 338-1499 ext. 1000
Mobile (505) 999-8016
awilliamson@modulusarchitects.com

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



AGUILAR CINTHIA
8704 THOMAS RD SW
ALBUQUERQUE NM 87123

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



DIRK OLIVET
1521 DUNHILL AVE SW
ALBUQUERQUE NM 87121

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



PC SANDRA LLC
1474 E 820 RD
OHM UT 84067-5461

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



SOUTH VALLEY COALITION OF
NEIGHBORHOOD ASSOC.
FERNANDEZ MARKET
1202 HOLLY DR
ALBUQUERQUE NM 87105

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



CRUZ-VILLALBA PATRICIA V
401 MAYFAIR PL SW
ALBUQUERQUE NM 87121-2181

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



ROMERO JACOB & ROBERTA
8719 CORN RD SW
ALBUQUERQUE NM 87121

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



ROMERO CRISTAL T
836 CALLE AMARILLO SW
ALBUQUERQUE NM 87121-9000

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



MARINELARNA SERGIO R
8301 DUNHILL AVE SW
ALBUQUERQUE NM 87121-2276

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



ROYAL MARIA L
425 MAYFAIR PL SW
ALBUQUERQUE NM 87121

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



MARTINEZ JOSEPH V & ESTHER
8209 DUNHILL AVE SW
ALBUQUERQUE NM 87121

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



ORTEZ PABLO
8511 DUNHILL AVE SW
ALBUQUERQUE NM 87121

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



TRUJILLO SHIRLEY M
404 CARRAN PL SW
ALBUQUERQUE NM 87121

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



TWO RIVERS LLC
8809 SAN FRANCISCO RD NE
ALBUQUERQUE NM 87109-4604

MODULUS ARCHITECTS INC.
100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109



ARCHULETA HERMAN & ROBERTA
140 CALLE AMARILLO SW
ALBUQUERQUE NM 87121-9300

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

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ALBUQUERQUE, NM 87102

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

LUIGI B. & SYLVIA M.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

DEBORAH CAMPBELL M.
300 WHISPER POINTE SW
ALBUQUERQUE, NM 87102

THOMAS CAROLIN M.
300 WHISPER POINTE SW
ALBUQUERQUE, NM 87102

SARAH MADOLE LA. LUDWIG M.
300 WHISPER POINTE SW
ALBUQUERQUE, NM 87102

MARCO MARCO A. & CINDY LARA
300 WHISPER POINTE SW
ALBUQUERQUE, NM 87102

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

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ALBUQUERQUE, NM 87102

EMANUELE PISTELLI
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

ANDREW L. GARDNER & BETHANN
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

WYSONE TUCKER & CAROLANNA
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

LOUISE BUCHANE
300 WHISPER POINTE SW
ALBUQUERQUE, NM 87102

EMANUELE PISTELLI & BETTYA
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

Abriz Crystal
503 Whisper Pointe SW
Albuquerque NM 87102

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

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MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

STANLEY BURKE
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

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ALBUQUERQUE, NM 87102

MODKUS ARCHITECTS INC.
300 SAN JUAN AVENUE SW, SUITE 600
ALBUQUERQUE, NM 87102

ACADEMY
6255 SAN ANTONIO DR NE
ALBUQUERQUE, NM 87109-9998
340128-0109
(800) 275-8777
04/29/2020 09:30 AM

Sunset
Gardens

| Product | Qty | Unit Price | Price |
|------------------|-----|------------|----------------|
| US Flag Coil/100 | 1 | \$55.00 | \$55.00 |
| Total: | | | \$55.00 |

Debit Card Remit'd \$55.00
(Card Name:VISA)
(Account #:XXXXXXXXXX00002315)
(Approval #)
(Transaction #:411)
(Receipt #:032732)
(Debit Card Purchase:\$55.00)
(Cash Back:\$0.00)
(AID:A0000000980840 Chip)
(AL:US DEBIT)
(PIN:Verified)

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840-5870-0065-001-00053-16817-01

or scan this code with
your mobile device:



or call 1-800-410-7420.

YOUR OPINION COUNTS

Receipt #: 840-58700065-1-5316817-1
Clark: 88

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from May 27, 2020 To June 11, 2020

5. REMOVAL

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

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

Regina Graye
(Applicant or Agent)

4/30/2020
(Date)

I issued 3 signs for this application, 4/30/2020, Vanessa A Segura
(Date) (Staff Member)

PROJECT NUMBER: PR-2018-001681