



## ***Environmental Planning Commission***

**Agenda Number: 1**  
**Project #: PR-2021-005816**  
**Case #: RZ-2022-00023**  
**Hearing Date: June 16, 2022**

### ***Staff Report***

<b>Agent</b>	Consensus Planning Inc.
<b>Applicant</b>	City of Albuquerque
<b>Request</b>	<b>Zoning Map Amendment – EPC</b>
<b>Legal Description</b>	Lot 1 Plat of Lots 1, 2, 3, 4, 5 & 6 Cottonwood Crossing Phase II (Being a Replat of Tracts 14-A & 14-B Black Ranch)
<b>Location</b>	between Coors Blvd. NW and the Corrales Acequia
<b>Size</b>	Approximately 1 acre
<b>Existing Zoning</b>	MX-T
<b>Proposed Zoning</b>	NR-PO-B

### ***Staff Recommendation***

***APPROVAL of RZ-2022-00023, based on  
the Findings beginning on p.23.***

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

### ***Summary of Analysis***

The request is for a Zoning Map Amendment from MX-T to NR-PO-B for an approximately 1-acre site.

The subject site is vacant and surrounded by general retail, commercial, restaurants, and large residential lots, the site would be managed by the City of Albuquerque.

The applicant has adequately justified the request pursuant to the IDO zone change criteria in 14-16-6-7(G)(3). The proposed zoning would be more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies and there are no major conflicts.

The subject site is in an Area of Change and is located within 660ft of a Major Transit Corridor and not located in an Activity Center.

The affected neighborhood organizations are the Westside Coalition of Neighborhood Associations, North Valley Coalition, Alameda North Valley Association, Paradise Hills Civic Association and Cibola Loop Neighborhood Association which were notified. Property owners within 100 feet of the subject site were also notified as required. As of this writing, Staff has not been contacted and there is no known opposition.

Staff recommends approval.



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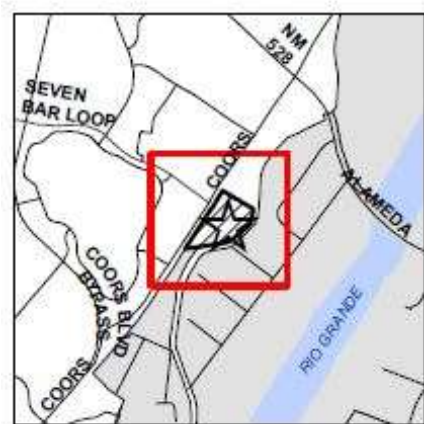
*Attachments*

- 2-Photographs – Existing Conditions
- 3-History
- 4-Zoning
- 5-Applicant Information
- 6-Staff Information
- 7-Notification





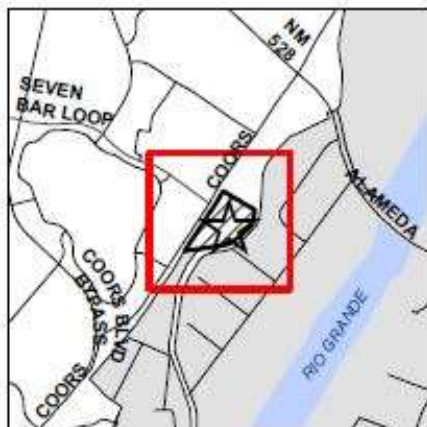




**IDO ZONING MAP**  
Note: Gray shading indicates County.

  
1 inch = 250 feet  
Hearing Date: 6/16/2022  
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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

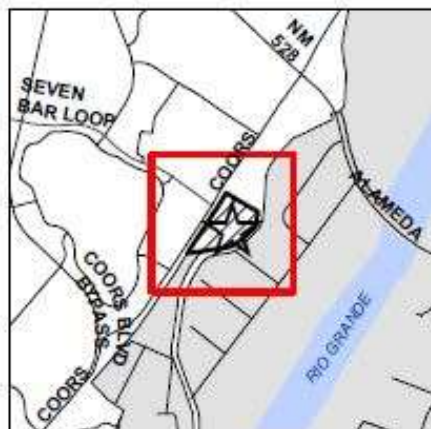
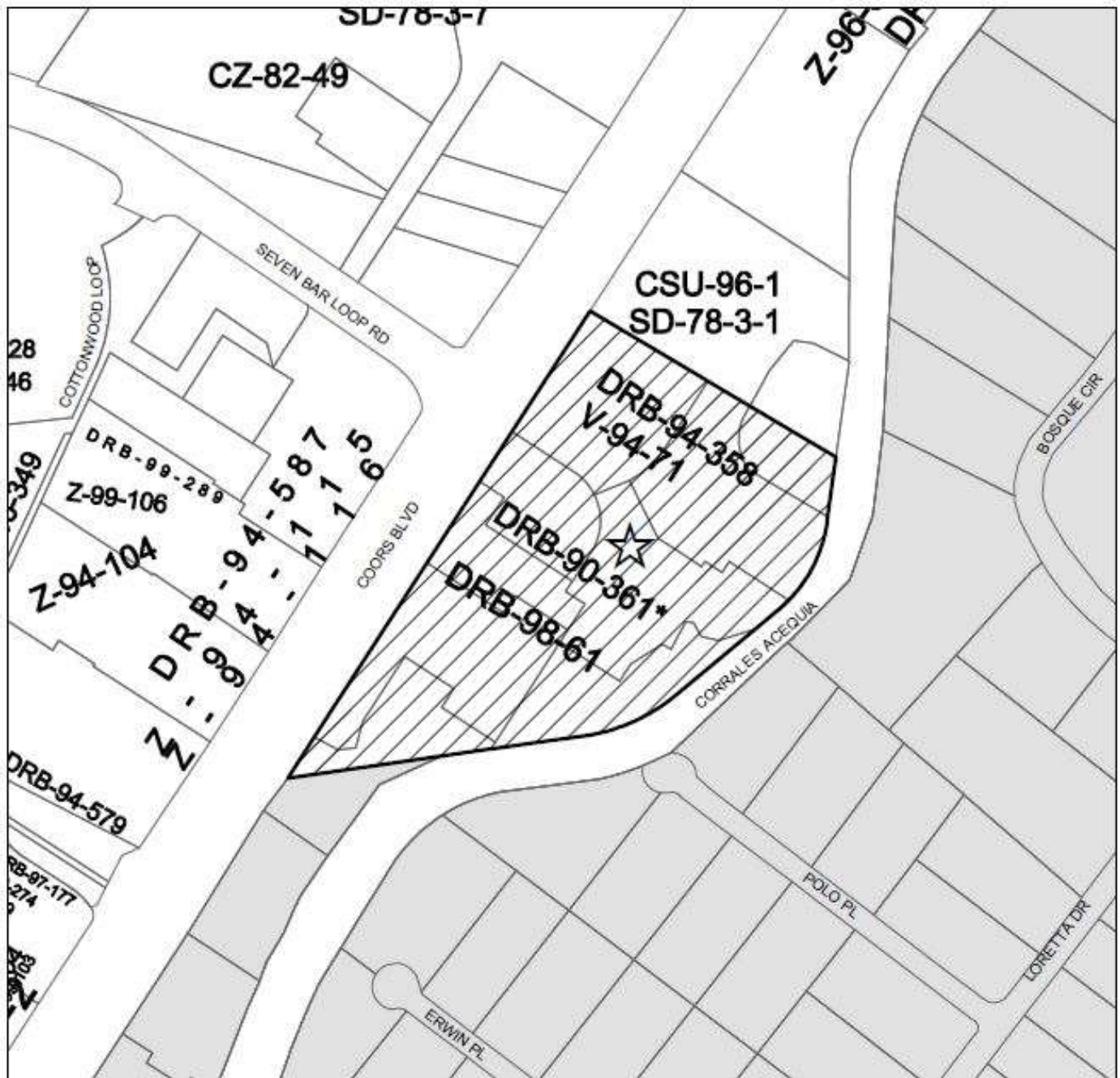


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## HISTORY MAP

Note: Gray shading indicates County.

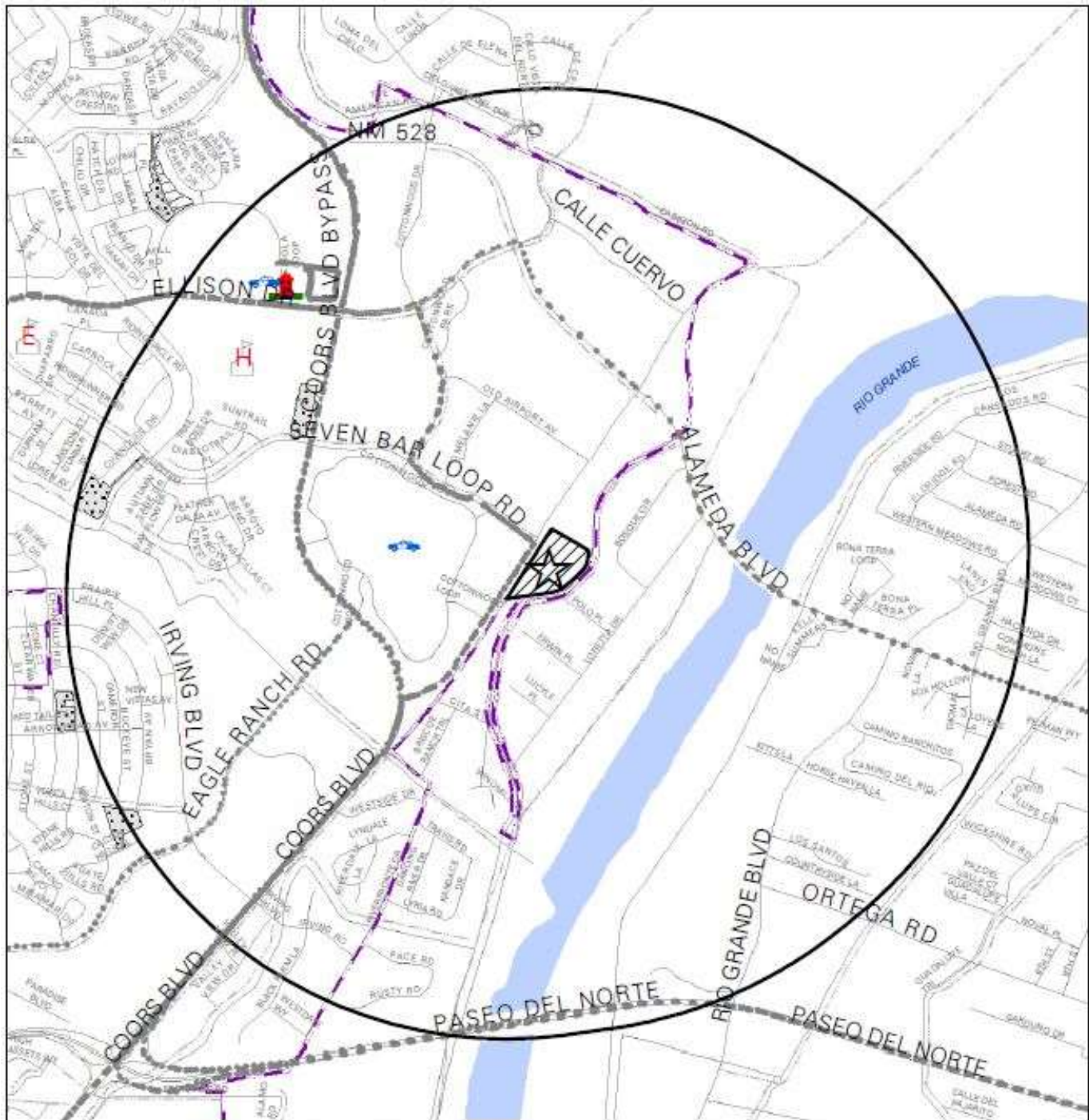


1 inch = 250 feet

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Public Facilities Map with One-Mile Buffer

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

## ***I. INTRODUCTION***

### ***Surrounding zoning, plan designations, and land uses:***

	<b><i>Zoning</i></b>	<b><i>Comprehensive Plan Area</i></b>	<b><i>Land Use</i></b>
<b><i>Site</i></b>	MX-T	Area of Change	Vacant Land
<b><i>North</i></b>	MX-T	Area of Change	Vacant Land
<b><i>South</i></b>	MX-T	Area of Change	Vacant Land
<b><i>East</i></b>	Unincorporated Area	Unincorporated Area	Unincorporated Area
<b><i>West</i></b>	MX-L	Area of Change	Vacant Land

### ***Request***

The request is for a Zoning Map Amendment for an approximately 1-acre site legally described as Lot 1 Plat of Lots 1, 2, 3, 4, 5 & 6 Cottonwood Crossing Phase II (Being a Replat of Tracts 14-A & 14-B Black Ranch) located between Coors Blvd. NW and the Corrales Acequia (“the subject site”). The subject site is currently zoned MX-T (Mixed-Use Transition).

The applicant requests a Zoning Map Amendment from MX-T to NR-PO-B (Non-residential – Park and Open Space, Sub-zone B: Major Public Open Space Zone District).

The subject site is currently vacant and bounded by vacant land and is adjacent to the Corrales Acequia.

### ***EPC Role***

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

### ***Context***

The approximately 1-acre site is located between Coors Blvd. NW and the Corrales Acequia.

The subject site is surrounded by vacant land to the north and south, east of the site lies the Unincorporated Bernalillo County Area as well as the Corrales Acequia, west of the site lies vacant land with small restaurant and commercial retail nearby.

### ***History***

The Calabacillas Pueblo was one of the 12 historic pueblos in what Spanish explorers called the Tiguex Province in the modern-day Albuquerque area. Today, much of what was the Pueblo site has been developed, but several private parcels remain undeveloped.



The Open Space Division received one of these parcels totaling approximately 0.43 acres from a private donor in 2004. The adjacent privately-owned parcel contains multiple visible artifacts and is unfenced, unprotected, and in an area attractive to commercial developers.

The EPC approved a Site Development Plan for Subdivision (03EPC-01085) and a Site Development Plan for Building Permit (03EPC-01086) for all or a portion of Tracts 14-A and 14-B, Black Ranch, zoned SU-1 for C-1 & Restaurant with full-service liquor O-1.

The Site Plan for Subdivision included four buildings on the property closest to Coors Boulevard, future building pad locations that were mass graded, installation of a drainage facility, and preservation of the remaining intact portion of the Calabacillas Pueblo Ruin in the northeast corner of the property.

03EPC-02034 to 03-EPC-02037 – While the first site plan approval was being finalized through the DRB process and the first Administrative Amendment was being approved, a zone change and Sector Development Plan amendment were approved to adjust the zoning boundaries of the site to provide “one uniform zone category except for the archaeological and ponding sites.” It does not appear that the zone change was finalized on the zoning map even through the required replat of the property was completed.

The associated Site Development Plans provided more details on development of the eastern portion of the property, adjusted lot lines for each pad site, and noted which lots were subject to the earlier approvals. The specific parcel (1) has remained vacant and there is an archeological certificate for the site. DRB case number 1002792 shows an approved site development plan. Lot 1 is included in the plan as “archeological site do not disturb”

### ***Roadway System***

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

The LRRS map classifies Coors Boulevard NW as a Regional Principal Arterial Street.

### ***Comprehensive Plan Designations***

Coors Boulevard is classified as a Major Transit Corridors as designated by the Comprehensive Plan. Major transit corridors are intended to be served by high frequency and local transit (e.g. Rapid Ride, local, and commuter buses). These corridors should prioritize transit above other modes of transportation to promote a convenient and efficient transit system. Walkability in these corridors is key to providing a safe environment for walkers, cyclists, and transit users. subject site is located in an Area of Consistency and not within a Transit Corridor as designated by the Comprehensive Plan.

The subject site is not within a designated Center.

### ***Comprehensive Plan Community Planning Area Designation***

The subject site is part of the Northwest Mesa Community Planning Area (CPA). The Northwest Mesa is a predominantly residential community, adjacent to volcanoes and the volcanic Northwest Mesa Escarpment and overlooking the river and mountains. Corrales and Rio Rancho border this

area to the north.

Design/Character Considerations for the Northwest Mesa include: suburban subdivisions with wide streets and landscape buffers and large building setbacks; walls lining minor arterial and collector streets to separate residential development; proximity to the Rio Grande and Petroglyph National Monument, and volcanic Northwest Mesa Escarpment; views of the volcanoes and escarpment to the west and the Rio Grande and mountains to the east; shopping centers set back from the street with parking lots in front.

### ***Overlay Zones***

The subject site is not within a Historic Protection Overlay (HPO). However, the subject site is within the boundaries of the Coors Boulevard Character Protection Overlay Zone, CPO-2 (14-16-3-4(C)) and the Coors Boulevard View Protection Overlay Zone, VPO-1 (14-16-3-6(D)).

The purpose of the Character Protection Overlay (CPO) zone is to preserve areas with distinctive characteristics that are worthy of conservation but are not historical or may lack sufficient significance to qualify as Historic Protection Overlay (HPO) zones.

The purpose of the View Protection Overlay (VPO) zone is to preserve areas with unique and distinctive views that are worthy of conservation, such as those from public rights-of-way to cultural landscapes as identified in the ABC Comprehensive Plan, as amended.

### ***Trails/Bikeways***

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO) identifies existing and proposed routes and trails.

Coors Boulevard has a bike route and a bike lane. Corrales Acequia NW has a proposed unpaved trail.

### ***Transit***

Both the Fixed Route 157 and Commuter Route 96 run north-south on Coors Boulevard and turn west on 7-Bar Loop. The 157 connects the Northwest Transit Center to Kirkland Air Force Base by way of Montano. Route 96 runs from the Walmart at Unser and Southern to Kirkland Air Force Base. As a Commuter it only makes two runs in each of the daily peak hours.

The nearest stop-pair for both routes is at the north entrance to Cottonwood Mall, about 750 feet west of the site. Continued pedestrian access is available.

### ***Public Facilities/Community Services***

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

## ***II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES***

### ***Integrated Development Ordinance (IDO)***

#### ***Definitions***

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private.



Major Public Open Space: Publicly-owned spaces managed by the Open Space Division of the City Parks and Recreation Department, including the Rio Grande State Park (i.e. the Bosque), Petroglyph National Monument, and Sandia foothills. These are typically greater than 5 acres and may include natural and cultural resources, preserves, low-impact recreational facilities, dedicated lands, arroyos, or trail corridors. The adopted Facility Plan for Major Public Open Space guides the management of these areas. For the purposes of this IDO, Major Public Open Space located outside the city municipal boundary still triggers Major Public Open Space Edge requirements for properties within the city adjacent to or within the specified distance of Major Public Open Space.

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

Open Space: In lowercase letters, a generic term for any outdoor space or amenity intended to retain access to open air and sunlight, regardless of location, ownership, or management responsibility. Open space is required through various means in order to provide a psychological and physical respite from development densities. Open space is intended to create healthy places that balance density vs. openness and urban vs. natural environments. For City-owned open space, see Open Space Definitions for Major Public Open Space.

### ***Zoning***

The subject site is currently zoned MX-T (Mixed-Use Transition), IDO 14-16-2-4(A) which was assigned upon the adoption of the IDO. The purpose of the MX-T zone district is to provide a transition between residential neighborhoods and more intense commercial areas. Primary land uses include a range of low-density residential, small-scale multi-family, office, institutional, and pedestrian-oriented commercial uses. Allowable uses are shown in Table 4-2-1.

The request is to change the subject site's zoning into NR-PO-B (Non-Residential – Park and Open Space, Zone District). The purpose of the NR-PO zone district is to protect the natural character of designated private and public parks and open space for public recreation, use, and enjoyment. Primary uses are open space and related recreation facilities, picnic and other shelters, and service/maintenance facilities.

### ***Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)***

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. Areas of Change allow for a mix of uses and development of higher density and intensity in areas where growth is desired and can be supported by multi-modal transportation.

In this case, the Goals and policies below were included by the applicant in the justification letter. Staff finds them all but one applicable. Applicable Goals and policies are listed below. Staff analysis follows in bold italic text.

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

***The subject site is within the Northwest Mesa Community Planning Area. The request to NR-PO-B is to not only reflect the City's ownership, but to protect the natural characteristics of the landscape and to preserve the areas for public recreation and use. This request would be consistent with the preservation of an archeological site. This request furthers Policy 4.1.1-Distinct communities.***

Policy 4.1.3- Placemaking: Protect and enhance special places in the built environment that contribute to a distinct identity and sense of place.

*The request would protect the Black Ranch site by preserving the subject site as a Major Public Open Space. The subject site is adjacent to vacant land to the north, south and west and residential developments to the east. The subject site would protect the existing site and provide the surrounding community with a sense of place by preserving the land as Major Public Open Space. The request furthers Policy 4.1.3 – Placemaking.*

Goal 4.3- City Community Planning Areas (CPA): Protect and enhance the natural and cultural characteristics and features that contribute to a distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas.

*The subject site is within the Northwest Mesa CPA, which is described by the Comp Plan as being characterized by its proximity to the Petroglyph National Monument, and Rio Grande. The request would protect the natural and cultural characteristics of the subject site that contribute to the surrounding residential community and would protect the site from any type of development. The request furthers Goal 4.3 – City Community Planning Areas.*

#### Chapter 5: Land Use

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

*The subject site is currently surrounded by vacant land. Protecting this site and designating it as an open space zone would provide the surrounding area a place where residents can live, learn and play together. The request furthers Goal 5.2- Complete Communities.*

Policy 5.5.1- Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan.

*The request would allow the subject site to become part of the City's network of Open Spaces, therefore creating and expanding more opportunities for the conservation of natural resources. The request would provide access to the area adjacent from the Cottonwood Center and provide the opportunity for education, recreation, cultural activities in a publicly owned Major Public Open Space in the Northwest Mesa. The request would protect the archeological site from future development. The request furthers Policy 5.5.1 – Community Green Space.*

#### Chapter 7: Urban Design

Policy 7.3.1- Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

*The subject site is located in the Coors Boulevard Character Protection Overlay Zone and the Coors Boulevard View Protection Overlay Zone. The request would preserve the natural features and cultural landscape as well as enhance and leverage the subject site as an accessible Open Space amenity. The request furthers Policy 7.3.1- Natural and Cultural Features.*

#### Chapter 10: Parks & Open Space



Goal 10.1- Facilities & Access: Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

*The subject site is adjacent to nearby development that consists of commercial retail, restaurants and an employment center. The request would preserve natural resources and would expand and provide an accessible Open Space amenity to all residents. The request furthers Goal 10.1- Facilities & Access.*

Goal 10.2- Parks: Provide opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote community involvement for all residents.

*The request to NR-PO-B is categorized as a Major Public Open Space. The request would enhance the quality of life for residents within the surrounding neighborhood, by preserving the natural landscape. The request would be accessible to the community, provide opportunities for outdoor education, recreation, and cultural activities. The request furthers Goal 10.2- Parks.*

Goal 10.3- Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

*The request would protect the natural features and provide opportunities for outdoor recreation and education on the subject site. The subject site is located in an area adjacent to an employment center and commercial retail the request would ensure that the subject site is preserved as an environmental asset for outdoor recreation and for education purposes.. The request furthers Goal 10.3- Open Space.*

Policy 10.3.1- Open Space Acquisition: Acquire significant lands throughout the community to shape the urban form, conserve natural and cultural resources, and protect agricultural land.

*The request would reflect the subject site as a Major Public Open Space which would be maintained by the City of Albuquerque. Acquiring this parcel would conserve natural resources and protect the archeological site from future development. The request furthers Policy 10.3.1- Open Space Acquisition.*

## *Chapter 11: Heritage Conservation*

Policy 11.3- Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

*The subject site is located in the Coors Boulevard Character Protection Overlay Zone, and located in the Northwest Mesa which is characterized by its proximity to the volcanoes and volcanic Northwest Mesa Escarpment that overlooks the river and mountains. The site would enhance the area by protecting the cultural landscape- Calabacillas Pueblo and retaining the identity and heritage of the site. The request furthers Policy 11.3.1 – Natural and Cultural Features.*

Policy 11.3.1- Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

*The subject site would be preserved and the Calabacillas Pueblo parcel would retain its cultural significance and retain its distinct identity for the surrounding community. The request furthers Policy 11.3.1 – Natural and Cultural Features.*

Goal 11.4 Archaeological & Paleontological Resources: Identify, acquire and manage significant archaeological and paleontological sites for research, education, tourism, and recreational use.

*The subject site is identified as an archeological site. The request would protect and provide opportunities for research, education and recreational use. The request furthers Policy 11.4 – Archaeological & Paleontological Resources.*

Policy 11.4.2 Proactive Protection: Identify, evaluate, and protect archaeological and paleontological sites and items on a proactive, ongoing basis.

*The subject site is designated as archaeologically significant and was gifted to the city of Albuquerque. The request would protect the site ensuring that no development would occur on or near the site. The request furthers Policy 11.4.2 – Proactive Protection.*

### *Chapter 13: Resilience & Sustainability*

Policy 13.5.2- Healthful Development: Encourage public investments and private development that enhance community health.

*The request would provide access to Open Space within an existing residential community and adjacent to an employment center, therefore continuing to enhance the health of the surrounding community. The request generally furthers Policy 13.5.2- Healthful Development.*

### **Major Public Open Space Facility Plan (Rank II)**

The Major Public Open Space (MPOS) Facility Plan was adopted in 1999 to identify potential open spaces in Bernalillo County. The MPOS Facility Plan (“MPOS Plan”) establishes general policies and area-specific policies regarding management and staffing, vegetation management, revenue, and environmental education. It also contains an inventory of open space (at time of publication), a plant list (Appendix F), a list of potential funding sources (Appendix G), and standards for facility design (Appendix H).

The purpose of the MPOS Plan is to establish guidelines for implementation of the MPOS network goals as outlined in the Comprehensive Plan.

- Conserve natural resources and environmental features
- Provide opportunities for outdoor education and recreation
- Shape the urban form
- Conserve archaeological resources
- Provide trail corridors
- Protect the public from natural hazards

The *Comprehensive Plan* mandates that access to the Rio Grande, Bosque and surrounding river lands be carefully designed to provide entry to areas suitable for recreational, scientific and educational use. The *Major Public Open Space Facility Plan* lists several points of access (both existing and proposed) to provide access to the Bosque area in order “to preserve wildlife habitat and maintain essential watershed and drainage functions.”

Section five in the *Major Public Open Space Facilities Plan*, regarding the Rio Grande Bosque, states several policies. The categories of the policies include planning, land use, management and revenue generation. Applicable policies specific to this project are presented in the land use category and stated below:

Policy B.1(d): Conserve archaeological and cultural resources including petroglyphs, pueblo sites, historic resources and sites sacred to Native Americans.

***The subject site is recognized as an archaeological site, the request would protect and preserve the historic pueblo site and remaining surface and subsurface level artifacts. The request furthers Policy B.1(d)-City of Albuquerque Major Public Open Space Facility Plan. The request furthers Policy B.1(d).***

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

##### Requirements

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

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

##### Justification & Analysis

The zone changes justification letter analyzed here, received on May 31, 2022, is a response to Staff’s request for a revised justification (see attachment). The subject site is currently zoned MX-T (Mixed-Use Transition). The requested zoning is NR-PO-B (Non-Residential – Park and Open Space, Zone District) with Sub-zone B: Major Public Open Space. The reason for the request is to reflect the current ownership and management of these properties by the City of Albuquerque and preserve the subject site as a dedicated Major Public Open Space. The subject site is in an Area of Change.

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

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



*Applicant Response: The proposed Zoning Map Amendment furthers criteria 6-7(G)(3)(a) by maintaining the health, safety, and general welfare of the City, which is demonstrated by the request's consistency with the following Comprehensive Plan goals and policies:*

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

Applicable citations: Policy 4.1.1 Distinct Communities; Policy 4.1.3 Placemaking; Goal 4.3 City Community Planning Areas; Goal 5.2 Complete Communities; Policy 5.5.1 Community Green Space; Policy 7.3.1 Natural and Cultural Features; Goal 10.1 Facilities & Access; Goal 10.2 Parks; Goal 10.3 Open Space; Policy 10.3.1 Open Space Acquisition; Goal 11.3 Cultural Landscape; Policy 11.3.1 Natural and Cultural Features; Goal 11.4 Archaeological & Paleontological Resources; Policy 11.4.2 Proactive Protection; and Policy 13.5.2 Healthful Development.

Non-applicable citations: Policy 8.1.4 Leverage Assets.

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

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

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

*Applicant Response: The subject site is located entirely in an Area of Change.*

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

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

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

*Applicant Response: Calabacillas Pueblo site is located in an Area of Change. The site has been designated as archaeologically significant; therefore, the current zone of MX-T does not adequately protect the site. This request meets sub-criteria policy 2 as the community conditions and urban development occurring around the site justify the zone change to protect the historical and cultural significance of the site. Also, as show in the policy analysis this zone map amendment is more advantageous to the community*

Staff: The subject site is located in an Area of Consistency. The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning. The response to Criterion C is sufficient.

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

*Applicant Response:*

*The existing justification letter includes a list of the permissive uses in the NR-PO-B zone. The nature of the NR-PO-B zone is different from other zones in the IDO for a couple of reasons:*

1. *The uses identified as being permissive are regulated by several additional criteria and approval processes outside of the IDO.*
2. *The zone is informed by the Major Public Open Space Facility Plan. This Rank 2 Plan provides policies and requirements that impact Major Public Open Space. The following information summarizes this Rank 2 Plan.*
3. *The Open Space Advisory Board has the responsibility to review and approve extra-ordinary facilities as defined in the Facility Plan.*

*Based on the policies and procedures in the Facility Plan, the uses listed as permissive in the IDO Use Table, are only permissive if the policies and processes outlined in the Faculty Plan are met. The following summary provides a detailed review of those requirements. Based on the Facility Plan and the policies and procedures, the uses allowed have adequate safeguards to mitigate any harmful impacts from those uses. Permissive uses in NR-PO-B zones are advantageous to creating complete communities and protecting environmentally significant lands. (see attachment)*

*Allowable Uses for NR-PO-B compared to MX-T*

A=Permissive Accessory T= Temporary CA=Conditional Accessory

P=Permissive C=Conditional Primary Blank Cell=Not Allowed

CV=Conditional if Structure is Vacant for 5 years or more

Allowable Uses	MX-T	NR-PO-B
Museum	P	A
Community Garden	P	A
Equestrian Facility		P
General Agriculture		P
Nursery		A
Campground or Recreational Vehicle Park		A
Outdoor Vehicle Storage		A
Paid Parking Lot	C	A
Club or Event Facility	C	P
Self-Storage		A
Amphitheater		A
Farmers Market	T	A
Drainage Facility	P	A
Electric Facility	P	A
Geothermal Energy Generation	A	A
Major Utility, Other	P	A
Automated Teller Machine (ATM)	A	T

Staff: The applicant compared allowable uses in the existing MX-T zone district and the proposed NR-PO-B zone district. Uses allowed as permissive in the IDO are only permissive if the policies and processes outlined in the Major Public Open Space Facility Plan are met. Uses that would be allowed would have adequate protections to mitigate any harmful impacts from those uses.

The response to Criterion D is sufficient.

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

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

*Applicant Response: The Zone Map Amendment meets sub-criteria 1 as the sites will be served by existing infrastructure. There are no development plans for the site.*



Staff: The subject site is adequately served by existing infrastructure (requirement 1) and will have adequate capacity for the purposes of this request to serve as Open Space in the future. The response to Criterion E is sufficient.

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

*Applicant Response: The purposed zone map amendment is being justified based on the advantages they provide for the community rather than their location on a major street.*

Staff: The subject site is located on a major street. However, the justification is not based on the location but based on preserving and archeological site. The response to Criterion F is sufficient.

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

*Applicant Response: The purposed zone map amendment is being justified based on the advantages provided for the community rather than the cost of land.*

Staff: The request is not based on the cost of land or economic consideration, but for preserving a cultural significant parcel and providing access to a Major Public Open Space for the community. The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them. The response to Criterion G is sufficient.

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

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

*Applicant Response: The Calabacillas Pueblo site zone map amendment request will create a differing zone from surrounding properties but in doing so it will help to facilitate the goals and policies of the ABC Comprehensive Plan. Changing the zones to NR-PO-B allows for the preservation of sensitive and archaeologically significant lands. The zone map amendment request meets criteria 2 because it is an archaeologically significant site; therefore, it is not appropriate for any of the uses allowed in the adjacent zone districts.*

Staff: The subject property is not suitable for the uses allowed in any adjacent zone district due to the site being recognized as an archaeological site making the land use special. The response to Criterion H is sufficient.

### **III. AGENCY & NEIGHBORHOOD CONCERNS**

#### **Reviewing Agencies**

City departments and other agencies reviewed this application. Few Agency Comments were received and there were no objections to the proposed ZMA. Standard comments were offered by Solid Waste and PNM, which will become more important as future site plans are reviewed. Agency comments begin on p.30.

#### ***Neighborhood/Public***

Notification requirements are found in 14-16-6, in the Procedures Table 6-1-1 and are further explained in 14-16-6-4(K), Public Notice. 9. The affected, registered neighborhood organizations are the Westside Coalition of Neighborhood Associations, North Valley Coalition, Alameda North Valley Association, Paradise Hills Civic Association and Cibola Loop Neighborhood Association were notified as required. Property owners within 100 feet of the subject site(s) were also notified as required.

A pre-application neighborhood meeting was held as A facilitated on Monday April 25, 2022 from 6:00 pm to 8:00 pm via Zoom. Several questions and comments were made by neighbors regarding the request, which were answered during the meeting. There was no unresolved issues or concerns (see attached Facilitated meeting report).

As of this writing, Staff has not been contacted and is not aware of any opposition.

#### ***IV. CONCLUSION***

The request is for a Zoning Map Amendment for an approximately 1-acre site legally described as Lot 1 Plat of Lots 1, 2, 3, 4, 5 & 6 Cottonwood Crossing Phase II (Being a Replat of Tracts 14-A & 14-B Black Ranch) located between Coors Blvd. NW and the Corrales Acequia ("the subject site").

The subject site is currently zoned MX-T (Mixed-Use Transition) bounded by vacant land and adjacent to the Corrales Acequia.

The applicant is requesting a zone change to NR-PO-B (Non-residential – Park and Open Space, Sub-zone B: Major Public Open Space Zone District) to reflect the current ownership and management of these properties by the City of Albuquerque and to preserve the parcel as a Major Public Open Space.

The applicant has adequately justified the request based upon the proposed zoning being more advantageous to the community than the current zoning because it would further a preponderance of applicable Goals and policies.

The affected neighborhood organizations were notified as required and property owners within 100 feet of the subject site were also notified as required. A neighborhood meeting was held on April 25, 2022. Staff is not aware of any support or opposition as of this writing.

Staff recommends approval.

***FINDINGS – RZ-2022-00023, June 19, 2022 – Zoning Map Amendment***

1. The request is for a Zoning Map Amendment for an approximately 1-acre site legally described as Lot 1 Plat of Lots 1, 2, 3, 4, 5 & 6 Cottonwood Crossing Phase II (Being a Replat of Tracts 14-A & 14-B Black Ranch) located between Coors Blvd. NW and the Corrales Acequia (“the subject site”).
2. The subject site is currently vacant and surrounded by vacant land and adjacent to the Corrales Acequia. It is zoned MX-T (Mixed-Use Transition).
3. The applicant is requesting a zone change to NR-PO-B (Non-residential – Park and Open Space, Sub-zone B: Major Public Open Space Zone District) to reflect the current ownership and management of these properties by the City of Albuquerque and to preserve the subject site as a Major Public Open Space (MPOS).
4. The subject site is in an area that the Comprehensive Plan designated an Area of Change. It is located along a Major Transit Corridor but is not located in a Center as designated by the Comprehensive Plan.
5. The Albuquerque/Bernalillo County Comprehensive Plan, the Major Public Open Space Facilities Plan (MPOS Plan), and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. The request furthers the following, applicable goals and policies from Comprehensive Plan Chapter 4: Community Identity:

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

The subject site is within the Northwest Mesa Community Planning Area. The request to NR-PO-B is to not only reflect the City’s ownership, but to protect the natural characteristics of the landscape and to preserve the areas for public recreation and use. This request would be consistent with the preservation of an archeological site.

- B. Policy 4.1.3- Placemaking: Protect and enhance special places in the built environment that contribute to a distinct identity and sense of place.

The request would protect the Black Ranch site by preserving the subject site as a Major Public Open Space. The subject site is adjacent to vacant land to the north, south and west and residential developments to the east. The subject site would protect the existing site and provide the surrounding community with a sense of place by preserving the land as Major Public Open Space

- C. Goal 4.3- City Community Planning Areas (CPA): Protect and enhance the natural and cultural characteristics and features that contribute to a distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas.

The subject site is within the Northwest Mesa CPA, which is described by the Comp Plan as being characterized by its proximity to the Petroglyph National Monument, and Rio Grande. The request would protect the natural and cultural characteristics of the subject site that



contribute to the surrounding residential community and would protect the site from any type of development.

7. The request furthers the following, additional goals and policies from Comprehensive Plan Chapter 5: Land Use:

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

The subject site is currently surrounded by vacant land. Protecting this site and designating it as an open space zone would provide the surrounding area a place where residents can live, learn and play together.

- B. Policy 5.5.1- Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan.

The request would allow the subject site to become part of the City's network of Open Spaces, therefore creating and expanding more opportunities for the conservation of natural resources. The request would provide access to the area adjacent from the Cottonwood Center and provide the opportunity for education, recreation, cultural activities in a publicly owned Major Public Open Space in the Northwest Mesa. The request would protect the archeological site from future development.

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

Policy 7.3.1- Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

The subject site is located in the Coors Boulevard Character Protection Overlay Zone and the Coors Boulevard View Protection Overlay Zone. The request would preserve the natural features and cultural landscape as well as enhance and leverage the subject site as an accessible Open Space amenity. 10. The request furthers the following goals and policies from Comprehensive Plan Chapter 10: Parks & Open Space:

9. The request furthers the following policy from Comprehensive Plan Chapter 10: Parks and Open space:

- A. Goal 10.1- Facilities & Access: Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

The subject site is adjacent to nearby development that consists of commercial retail, restaurants and an employment center. The request would preserve natural resources and would expand and provide an accessible Open Space amenity to all residents.

- B. Goal 10.2- Parks: Provide opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote community involvement for all residents.

The request to NR-PO-B is categorized as a Major Public Open Space. The request would enhance the quality of life for residents within the surrounding neighborhood, by preserving

the natural landscape. The request would be accessible to the community, provide opportunities for outdoor education, recreation, and cultural activities.

- C. Goal 10.3- Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

The request would protect the natural features and provide opportunities for outdoor recreation and education on the subject site. The subject site is located in an area adjacent to an employment center and commercial retail the request would ensure that the subject site is preserved as an environmental asset for outdoor recreation and for education purposes.

- D. Policy 10.3.1- Open Space Acquisition: Acquire significant lands throughout the community to shape the urban form, conserve natural and cultural resources, and protect agricultural land.

The request would reflect the subject site as a Major Public Open Space which would be maintained by the City of Albuquerque. Acquiring this parcel would conserve natural resources and protect the archeological site from future development.

10. The request furthers the following policy from Comprehensive Plan Chapter 11: Heritage Conservation:

- A. Policy 11.3- Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

The subject site is located in the Coors Boulevard Character Protection Overlay Zone, and located in the Northwest Mesa which is characterized by its proximity to the volcanoes and volcanic Northwest Mesa Escarpment that overlooks the river and mountains. The site would enhance the area by protecting the cultural landscape- Calabacillas Pueblo and retaining the identity and heritage of the site.

- B. Policy 11.3.1- Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

The subject site would be preserved and the Calabacillas Pueblo parcel would retain its cultural significance and retain its distinct identity for the surrounding community.

- C. Policy 11.3.1- Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

The subject site would be preserved and the Calabacillas Pueblo parcel would retain its cultural significance and retain its distinct identity for the surrounding community.

- D. Goal 11.4 Archaeological & Paleontological Resources: Identify, acquire and manage significant archaeological and paleontological sites for research, education, tourism, and recreational use.

The subject site is identified as an archeological site. The request would protect and provide opportunities for research, education and recreational use.

- E. Policy 11.4.2 Proactive Protection: Identify, evaluate, and protect archaeological and paleontological sites and items on a proactive, ongoing basis.

The subject site is designated as archaeologically significant and was gifted to the city of Albuquerque. The request would protect the site ensuring that no development would occur on or near the site.

11. The request furthers the following goals and policies from comprehensive Plan Chapter 13: Resilience & Sustainability:

Policy 13.5.2- Healthful Development: Encourage public investments and private development that enhance community health.

The request would provide access to Open Space within an existing residential community and adjacent to an employment center, therefore continuing to enhance the health of the surrounding community.

12. The request furthers the following policies from the MPOS Facility Plan Planning section:

Policy B. 1(d): Conserve archaeological and cultural resources including petroglyphs, pueblo sites, historic resources and sites sacred to Native Americans.

The subject site is recognized as an archaeological site, the request would protect and preserve the historic pueblo site and remaining surface and subsurface level artifacts. The request furthers Policy B.1(d)-City of Albuquerque Major Public Open Space Facility Plan.

13. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:

- A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding Community Identity, Land Use, Urban Design (Natural and Cultural Features), Parks & Open Space, Heritage Conservation, and Resilience & Sustainability and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals and general welfare.
- B. Criterion B: The subject site is located wholly in an Area of Consistency, so this criterion does not apply.
- C. Criterion C: The subject site is located wholly in an Area of Change. The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning.
- D. Criterion D: The applicant compared allowable uses in the existing R-A zone district and the proposed NR-PO-B zone district. Uses allowed as permissive in the IDO are only permissive if the policies and processes outlined in the Major Public Open Space Facility Plan are met.



Uses that would be allowed would have adequate protections to mitigate any harmful impacts from those uses.

- E. Criterion E: The subject site is adequately served by existing infrastructure (requirement 1) and will have adequate capacity for the purposes of this request to serve as Open Space in the future.
  - F. Criterion F: The subject site is located on Coors Boulevard a major street.
  - G. Criterion G: The request is not based on the cost of land or economic consideration, but for the preservation of an archaeological site to a Major Public Open Space for the community. The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
  - H. Criterion H: The subject site is not suitable for the uses allowed in any adjacent zone district due to the site being recognized as an archaeological site making the land use special. The response to Criterion H is sufficient.
14. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding Community Identity, Land Use, Urban Design (Natural and Cultural Features), Parks & Open Space, Heritage Conservation, and Resilience & Sustainability and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals, and general welfare.
15. The affected neighborhood organizations are the Westside Coalition of Neighborhood Associations, Piedras Marcadas Neighborhood Association, Rancho Sereno Neighborhood Association, Taylor Ranch Neighborhood Association, Paradise Hills Civic Association, and Alban Hills Neighborhood Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
16. A pre-application neighborhood meeting was held as A facilitated on Monday April 25, 2022 from 6:00 pm to 8:00 pm via Zoom. Several questions and comments were made by neighbors regarding the request, which were answered during the meeting. There was no unesolved issues or concerns.
17. As of this writing, Staff has not been contacted and is unaware of any opposition.

***RECOMMENDATION - RZ-2022-000023, June 16, 2022***

**APPROVAL of Project #: 2021-005816, Case #: RZ-2022-00023, a zone change from MX-T to NR-PO-B, Lot 1 Plat of Lots 1, 2, 3, 4, 5 & 6 Cottonwood Crossing Phase II (Being a Replat of Tracts 14-A & 14-B Black Ranch) located between Coors Blvd. NW and the Corrales Acequia ("the subject site"). based on the preceding Findings.**

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*Leroy Duarte*

***Leroy Duarte  
Current Planner***

***Notice of Decision CC list:***

New Vistas Subdivision HOA Incorporated, Patricia Baur-Seeger, [baurpati@yahoo.com](mailto:baurpati@yahoo.com)  
The Trails at Seven Bar South HOA Incorporated, Erin Brizuela, [ebrizuela@cgres.com](mailto:ebrizuela@cgres.com)  
The Trails at Seven Bar South HOA Incorporated, Kelly Eggleston, [keggleston@cgres.com](mailto:keggleston@cgres.com)  
North Valley Coalition, Doyle Kimbrough, [newmexmba@aol.com](mailto:newmexmba@aol.com)  
North Valley Coalition, Peggy Norton, [peggynorton@yahoo.com](mailto:peggynorton@yahoo.com)  
Westside Coalition of Neighborhood Associations, Elizabeth Haley, [ekhaley@comcast.net](mailto:ekhaley@comcast.net)  
Westside Coalition of Neighborhood Associations, Rene Horvath, [aboard111@gmail.com](mailto:aboard111@gmail.com)  
Alameda North Valley Association, Steve Wentworth, [anvanews@aol.com](mailto:anvanews@aol.com)  
Paradise Hills Civic Association, Tom Anderson, [ta\\_a@msn.com](mailto:ta_a@msn.com)  
Paradise Hills Civic Association, Maria Warren, [samralphroxy@yahoo.com](mailto:samralphroxy@yahoo.com)  
Cibola Loop NA, Julie Rael, [learrael@aol.com](mailto:learrael@aol.com)  
Cibola Loop NA, Ginny Forrest, [gforrest47@comcast.net](mailto:gforrest47@comcast.net)  
Legal, [dking@cabq.gov](mailto:dking@cabq.gov)  
EPC file

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning / Code Enforcement***

No adverse comments

#### ***Long Range Planning***

#### ***Metropolitan Redevelopment***

No adverse comments

#### ***Transportation Development Review Services***

No adverse comments.

### ***CITY ENGINEER***

#### ***Hydrology***

#### ***Transportation Development Services***

No adverse comments

### ***MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION***

The Transportation has no objection to the Zoning Map Amendment for this item.

### ***POLICE DEPARTMENT/PLANNING***

No adverse comments

### ***SOLID WASTE MANAGEMENT DEPARTMENT***

Project # PR-2021-005816 RZ-2022-00023– Zoning Map Amendment (Zone Change - Calabacillas) --  
If the zone map amendment is approved a site plan approved for access by the Solid Waste Department will be required to show where a dumpster will be located (if a dumpster is needed).

### ***TRANSIT DEPARTMENT***

The first three routes share a stop pair on 7 Bar Loop on either side of the north Cottonwood Mall entrance about 1200 feet from the site. Commuter Route 98's nearest stop pair is in front of the Goodwill Store on Alameda Boulevard. Neither stop pair has a contiguous pedestrian path to the site, and as a burial-in-place archeological site, access is unlikely to be needed.

### ***PARKS AND RECREATION***

### ***ABC WATER UTILITY AUTHORITY (ABCWUA)***

#### ***RP-2022-005816 / RZ-2022-00023***

1. No objections to the zone change.
2. This location is located away from public water and sanitary sewer lines. Extensions of public infrastructure would be required to provide this site service.
3. This project is outside of the adopted service area:
  - a. A Service Connection Agreement is required.

b. The ABCWUA Board must approve all Service Connection Agreements. Generally, a completed package, including executed Serviceability Letter, must be provided to the Utility Development Section by the 7th of the month to be on the agenda for that month. Upon approval by the Board, the ABCWUA Executive Director must sign the approved agreement. This typically takes one to two weeks after the Board meeting.

Please coordinate with Utility Development at the contact above to prepare the relevant documents for the Agreement.

3. Upon development, request an availability/serviceability statement online at the following link: [http://www.abcwua.org/Availability\\_Statements.aspx](http://www.abcwua.org/Availability_Statements.aspx). Requests shall include fire marshal requirements.

### **ALBUQUERQUE PUBLIC SCHOOLS**

Project #2021-005816

- a. EPC Description: RZ-2022-00023—Zoning Map Amendment (Zone Change—Calabacillas).
- b. Site Information: Cottonwood Crossing Phase II, Lot I plat of Lots 1, 2, 3, 4, 5 & 6, and Lot 2-A replat of Tract 2.
- c. Site Location: East of the intersection with Seven Bar Loop Rd., between Coors Blvd. NW and the Corrales Acequia.
- d. Request Description: Request for a zone change from MX-T (Mixed Use—Transition) to NR-PO-B (Non-Residential—Parks and Open Space—Major Public Open Space).
- e. No comment.

### **ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)**

No adverse comments to the zone map amendment. This site is allowed limited discharge into the Corrales Acequia, any future proposal for the site must account for the limited discharge requirement.

### **COUNTY OF BERNALILLO**

No adverse comments.

### **MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)**

PR-2021-005816

MRMPO has no adverse comment. For informational purposes:

Appendix G of Connections 2040 (MTP) supports the following as it relates to the subject request: Promote natural resource and greenspace conservation.

### **MID-REGION METROPOLITAN PLANNING ORGANIZATION(MRMPO)**

MRMPO has no adverse comments.

### **PUBLIC SERVICE COMPANY OF NEW MEXICO**

### **NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)**

### **MIDDLE RIO GRANDE CONSERVANCY DISTRICT PNM COMPANY**

There are PNM facilities abutting the site and/or in easements along the north, west, and northeastern edge of and within the southwest portion of the site.



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

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

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

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

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

**PETROGLYPH NATIONAL MONUMENT**

**AVIATION DEPARTMENT**

**KIRTLAND AIR FORCE BASE**



***Figure 1: Sign posting looking east from Kimmick Dr. NW to the subject site.***



***Figure 2: Looking north from within the subject site.***





***Figure 3: Looking south from within the subject site***



***Figure 4: Looking west from within the subject site.***





***Figure 4: Looking east from within the subject site.***



***Figure 5: Corrales Acequia.***

## HISTORY





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

Date: August 22, 2003

## OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1002792 \***  
03EPC-01086 EPC Site Development Plan-  
Subdivision  
03EPC-01085 EPC Site Development Plan-Building  
Permit

Trust of Albert & Mary Black  
3613 NM State Rd. 528 NW  
Albuq. NM 87114

LEGAL DESCRIPTION: for all or a portion of  
Tracts 14-A & 14B, **Black Ranch**, zoned SU-1 for  
C-1 & restaurant with full service liquor and O-1,  
located on COORS BLVD. NW, between COORS  
NW and SEVEN BAR LOOP NW, containing  
approximately 10 acre(s). (B-14) Debbie Stover,  
Staff Planner

On August 21, 2003 the Environmental Planning Commission voted to approve Project 1002792/03EPC 01086, a site plan for subdivision, for Tracts 14A and 14B, Black Ranch, zoned SU-1 for C-1 & Restaurant w/Full Service Liquor & O-1 based on the following Findings and subject to the following Conditions:

### FINDINGS:

1. This is a request for site development plan for subdivision for a 10-acre site known as Tract 14A and 14B, Black Ranch, located on Coors Boulevard between Alameda Boulevard and the Coors Bypass.
2. The submitted plan is in compliance with the *Albuquerque/Bernalillo County Comprehensive Plan* by providing an effective buffer for the residential development east of the site. The commercial uses will help minimize the effects of this busy, high-automobile usage area on the rural neighborhood to the east. The proposal is using existing streets (Policy e) and is not putting forward a harmful use that would adversely affect nearby neighborhoods (Policy i).
3. The subject request complies with the policies of the *West Side Strategic Plan* by providing appropriate commercial services in areas along a major commercial corridor (Policy 3.8).

OFFICIAL NOTICE OF DECISION  
AUGUST 21, 2003  
PROJECT #1002792  
PAGE 2 OF 5

4. The site plan for subdivision contains all the required components as defined in the *Zoning Code* (§14-16-1-5).
5. The site development plan for subdivision meets the requirements of the *Coors Corridor Plan*.
6. There is no known neighborhood opposition to this request.

**CONDITIONS:**

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

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On August 21, 2003 the Environmental Planning Commission voted to approve Project 1002792/03EPC 01085, a site plan for building permit, for Tracts A1, A2, A3, & A4, Black Ranch, zoned SU-1 for C-1 & Restaurant w/Full Service Liquor & O-1, based on the following Findings and subject to the following Conditions:

**FINDINGS:**

1. This is a request for a site development plan for building permit for Tracts A1, A2, A3, A4 & A5, Black Ranch, a .94-acre parcel located on Coors Boulevard between Paseo del Norte and Irving Boulevard NW.
2. The submitted plan is in compliance with the *Albuquerque/Bernalillo County Comprehensive Plan* by providing an effective buffer for the residential development east of the site. The commercial uses will help minimize the effects of this busy, high-automobile usage area on the neighbors below the bluff. The proposal is using existing streets (Policy e) and is not putting forward a harmful use that would adversely affect nearby neighborhoods (Policy i).
3. The subject request complies with the policies of the *West Side Strategic Plan* by providing appropriate commercial services in areas along a major commercial corridor ((Policy 3.8).
4. With some changes and adjustments, the submittal will be in compliance with the policies of the *Coors Corridor Plan*.

5. The proposal meets the goals of the *Seven-Bar Ranch Sector Development Plan* by adhering to the principles and recommendations of the plan and specifically by providing quality design with landscape buffers and a development that relates to the pedestrian walkway along Coors Boulevard.
6. The submittal will be adequate with some changes and additions.
7. The remaining intact portion of the Calabacillas Pueblo Ruin is located on the northeast corner of the site. The applicant has worked with the State Historic Preservation Office to ensure preservation of the Ruin and intends to dedicate a sufficient portion of the property sufficient to preserve the Ruin to the Albuquerque Open Space Division.
8. There is no known neighborhood opposition to this request.

**CONDITIONS:**

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. A connection to each tract from the 6-foot wide meandering pathway shall be provided.
3. A detail of the proposed light poles shall be provided with height, colors, material and description of the fixture that ensures that it is a full cut-off type that will not allow light spillage to escape the property. In addition, no lights shall be higher than 16-feet if within 100-feet of a residential area.
4. A pedestrian crossing shall be provided at the south entrance to the site. This crossing shall be clearly demarcated with slightly raised and/or textured paving and shall serve as a link to the 6-foot wide meandering pathway along Coors.
5. A minimum of 14 bicycle spaces shall be provided. The calculations and the locations of the bike racks shall be shown within the site plan.
6. Landscaping shall be provided "in" and "around" the paved area of the parking lots. A minimum of 20% of the parking lot area shall be landscaped and shall consist primarily of shade trees and shrubs (CCP, Policy 5, B. 1., p. 94). One tree shall be planted every 10 parking spaces and distributed such that at least one tree is planted per every 15 linear parking space (CCP, Policy 5, B. 2., p. 94).

7. The site plan shall show an average of a 35-foot landscape buffer between Coors Boulevard and the parking areas, buildings and pedestrian ways along the property. No parking area shall intrude upon the 35-foot- wide landscaped setback in Segments 4 of the *Coors Corridor Plan*. A minimum of 50% of this area shall be planted and maintained with live landscaping material which will visually screen and buffer parking development behind the street yard (*Coors Corridor Plan*, Policy 3, p. 91).
8. All colors, including the color of the roof tile and the refuse enclosure, shall be specified as to basic color family.
9. The signs that are shown within the meandering pathway shall be moved. A detail of the two proposed sign shall be provided within the submittal. Details of the signs, including height, width, square-footage of sign face (in accordance with the restrictions in the *Coors Corridor Plan*), colors and materials shall be provided within the site plan prior to DRB approval. No sign shall be higher than 9-feet.
10. The type of native seed to be planted shall be specified on the landscape plan and shall include native grass seed as well as native wildflower seed.
11. CONDITIONS FROM CITY ENGINEER and PUBLIC WORKS:
  - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for, if applicable.
  - b. Traffic Impact study (TIS) is required (has been submitted).
  - c. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
  - d. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.
  - e. Site shall comply and be designed per DPM Standards.
  - f. Right turn lanes on Coors may be required at site entrances by the Traffic Engineer. Check TIS and DPM requirements.
  - g. Main site drive width may need to be adjusted to accommodate four lanes exiting and one lane entering (see TIS).
  - h. Provide cross access agreement between all tracts.
  - i. Dedication of a *minimum* 78 feet of right-of-way from the centerline of Coors Boulevard, a limited access, principal arterial as designated on the Long Range Roadway System.
  - j. Dedication of an additional 6 feet of right-of-way along Coors Boulevard as required by the City Engineer to provide for on-street bicycle lanes.
  - k. Platting consummating the proposed vacation should be a concurrent DRB action.

OFFICIAL NOTICE OF DECISION  
AUGUST 21, 2003  
PROJECT #1002792  
PAGE 5 OF 5

12. The applicant shall provide a minimum 30 inch high screening of parking areas which abut Coors Road NW.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **SEPTEMBER 5, 2003** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

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

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

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

Sincerely,

  
For Victor J. Chavez  
Planning Director

VJC/DS/ac

cc: George Rainhart Arch., 2325 San Pedro NE, Suite 2B, Albuquerque, NM 87110





## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

12/17/03

**15. Project # 1002792**  
03DRB-01780 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for TRUST OF ALBERT & MARY BLACK request(s) the above action(s) for all or a portion of Tract(s) 14A & 14B, BLACK RANCH, (to be known as **COTTONWOOD CROSSING**) zoned SU-1 for C-1 & Rest (ETC) & SU-1,O-1, located on COORS BLVD NW, between ALAMEDA BLVD NW and the CALABACILLAS ARROYO containing approximately 10 acre(s). [REF: 03EPC-01085 & 01086] *[Deferred from 11/12/03 & 11/26/03 & 12/10/03]* (B-14)

At the December 17, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to these provisions:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

If you wish to appeal this decision, you must do so by January 2, 2004, in the manner described below.

Appeal is to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Division form, to the Planning Division, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.



OFFICIAL NOTICE OF DECISION  
PAGE 2

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)

03DRB-01945 Minor-SiteDev Plan Subd/EPC  
03DRB-01946 Minor-SiteDev Plan BldPermit/EPC

GEORGE RAINHART ARCHITECTS & ASSOCIATES, agents for TRUST OF ALBERT & MARY BLACK request(s) the above action(s) for all or a portion of Tract(s) 14A & 14B, BLACK RANCH, (to be known as **COTTONWOOD CROSSING**) zoned SU-1 for C-1 & Rest (ETC) & SU-1, O-1, located on COORS BLVD NW, between ALAMEDA BLVD NW and the CALABACILLAS ARROYO containing approximately 10 acre(s). [REF: 03EPC-01085 & 01086, 03DRB-01780] **[Debbie Stover, EPC Case Planner]** *[Deferred from 11/26/03 & 12/10/03] (B-14).*

At the December 17, 2003, Development Review Board meeting, the site plan for subdivision and site plan for building permit were approved and delegated to Planning for EPC conditions and Utilities Development for Fire Marshal's approval.

If you wish to appeal this decision, you must do so by January 2, 2004, in the manner described below.

Appeal is to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Division form, to the Planning Division, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).



OFFICIAL NOTICE OF DECISION  
PAGE 3

03DRB-02084 Minor-Prelim&Final Plat Approval

TIERRA WEST LLC agent(s) for TRUST OF ALBERT & MARY BLACK request(s) the above action(s) for all or a portion of Tract(s) 14A & 14B, BLACK RANCH, (to be known as **COTTONWOOD CROSSING**) zoned SU-1 for C-1 & Rest. (ETC) & SU-1 O-1, located on COORS BLVD. NW, between COORS BLVD. NW and SEVEN BAR LOOP NW containing approximately 10 acre(s). [REF: DRB-94-358, DRB-98-61, 03EPC 01086] (B-14)

At the December 17, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 12-17-03 and approval of the grading plan engineer stamp dated 12-17-03 the preliminary plat was approved with the following condition of final plat approval:

1. Provide access to Lots 1 and 3.

Final plat was indefinitely deferred for SIA.

If you wish to appeal this decision, you must do so by January 2, 2004, in the manner described below.

Appeal is to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Division form, to the Planning Division, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Sheran Matson, AICP, DRB Chair

cc: Trust of Albert & Mary Black, 3613 NM State Road 528 NW, 87114  
Tierra West LLC, 8509 Jefferson NE, 87113  
George Rainhart Architects & Associates, 2325 San Pedro NE, 87110  
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

MARCH 10, 2004

### 13. Project # 1002792

#### 04DRB-00278 Minor-Vacation of Private Easements

TIERRA WEST LLC agent(s) for TRUST OF ALBERT & MARY BLACK request(s) the above action(s) for all or a portion of Lot(s) 1-6, **COTTONWOOD CROSSING, PHASE 2**, zoned SU-1 FOR C-1 & REST. AND SU-1, O-1, located on COORS BLVD NW and SEVEN BAR LOOP NW containing approximately 10 acre(s). [REF: DRB-94-358, SRP5-98-37, DRB-90-361, DRB-98-61, 03EPC-01085, 01086, 03DRB-01780, 03DRB-2084, 04DRB-00184, 04AA-00222] (B-14)

At the March 10, 2004, Development Review Board meeting, the Vacation of Private Easements was approved as shown on Exhibit B in the Planning file, subject to these provisions:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

If you wish to appeal this decision, you must do so by March 25, 2004 in the manner described below.

Appeal is to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Division form, to the Planning Division, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.



**OFFICIAL NOTICE OF DECISION**  
**PAGE 2**

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)

A handwritten signature in black ink, reading "Sheran Matson". The signature is fluid and cursive, with the first name "Sheran" and last name "Matson" clearly distinguishable.

Sheran Matson, AICP, DRB Chair

cc:Trust of Albert & Mary Black, 3613 NM State Rd 528 NW, 87114  
Tierra West LLC, 8509 Jefferson NE, 87113  
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File





# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

## **LEGAL DEPARTMENT REAL PROPERTY DIVISION**

**July 14, 2004**

**Thomas P. Macken  
Macken Law Firm, LLC  
6000 Indian School Rd. NW, Suite 100  
Albuquerque, NM 87110**

**Dear Mr. Macken**

**As you requested, enclosed is a copy of the Special Warranty Deed conveying property from Black Trust to the City for the Archaeological Site in Cottonwood Crossings Phase II.**

**If you have any further questions, please contact me at 768-3145.**

**Sincerely**

**Josephine B. Silva  
Real Property Technician**

## SPECIAL WARRANTY DEED

JOHN F. BLACK and ALBERT WADE BLACK, IV, Co-Trustees of the ALBERT J. BLACK and MARY JANE BLACK REVOCABLE TRUST ("Grantor"), as a charitable donation, grant to CITY OF ALBUQUERQUE, a New Mexico municipal corporation, whose address is P.O. Box 1293, Albuquerque, NM 871103 ("Grantee"), for use by Grantee as open space, all its right, title and interest in and to that certain real property situate in the City of Albuquerque, County of Bernalillo, State of New Mexico, described as follows:

Lot numbered One (1) of COTTONWOOD CROSSING, PHASE II (Being a Replat of Tracts 14-A and 14-B, Black Ranch) within the Town of Alameda Grant in projected Section 8, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, as the same are shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 19, 2004 in Plat Book 2004C, page 56.

LESS AND EXCEPT, and Grantor herein reserves unto itself, all oil, gas and other sub-surface mineral rights appurtenant to the above-described real property, provided that Grantor herein agrees that Grantee's use and possession of the above-described real property shall not be disturbed in any material respect by Grantor's excavation or removal of any oil, gas or other sub-surface minerals.

SUBJECT TO covenants, , conditions, easements and restrictions of record, and taxes for the year 2004 and thereafter; and further

SUBJECT TO the condition subsequent that, in the event the above conveyed real property shall cease to be used by Grantee for open space, it shall automatically, without the need for any action on the part of Grantor, revert and revest in Grantor, or Grantor's successors and assigns;  
With special warranty covenants.



Mary Herrera

Bern. Co. SP4D

R 11.00

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Page: 1 of 2

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ORT 2100381 KLU

**FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS**

THIS FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS AND GRANT OF EASEMENTS (this "First Amendment") is made and entered into effective as of the 26 day of March, 2021, by the parties set forth on Exhibit "A", which is attached hereto and incorporated herein by reference.

**PREAMBLE:**

A. WHEREAS, A. Wade Black and John F. Black, Co-Trustees of the Albert J. Black and Mary J. Black Revocable Trust ("Declarant") made and recorded that certain Declaration of Protective Covenants, Restrictions and Grant of Easements dated February 8, 2004, and recorded on February 19, 2004 in the Real Property Records of Bernalillo County, New Mexico in Book A73, Page 711, as Document No. 2004020771 ("Declaration"), which Declaration covers the property more specifically described in Exhibit "B" attached hereto and made a part hereof by reference (the "Property").

B. WHEREAS, Lot 2 was subdivided and platted into Lot 2-A, Lot 2-B, Lot 2-C, and Lot 2-D by that Plat dated February, 2004, and recorded in the records of the County of Bernalillo as Doc. No. 2004092818 in Book-2004C, Page 201 on July 1, 2004.

C. WHEREAS, the undersigned desire to amend the Declaration to amend certain terms and provisions.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Except as otherwise defined herein, capitalized terms shall have the definitions set forth in the Declaration.

2. The undersigned represent all of the Owners of the Tracts.

3. Exhibit "B" attached hereto and made a part hereof sets forth the legal description of the Lots included in the Declaration as shall replace the legal description set forth in the Declaration.

4. A. Wade Black and John F. Black, Co-Trustees of the Albert J. Black and Mary J. Black Revocable Trust have transferred the rights of Declarant to John F. Black, Manager of JB Holding, LLC, as the trust has been settled. Further, at any time Declarant may transfer its specific rights to a third party who owns an interest in the Shopping Center.

5. The last sentence of Section 1.01 entitled Building Area(s) is hereby deleted.

6. Section 2.01 entitled Construction Compatibility shall be revised as follows:

In order to produce a compatible Premises pursuant to the common general plan contemplated by this Declaration, and to comply with the City ordinances all construction and reconstruction on the Premises shall comply with the building standards concerning design, color, treatments and exterior materials to be

used in the construction and reconstruction of all buildings and structures expressed in the Site plans, as the same may be amended or superseded by applicable City ordinances. With respect to any perimeter-type wall constructed by a Tract Owner, whether voluntarily or by order of the City of Albuquerque, such wall shall be constructed of masonry and color to match the existing perimeter wall on Lot 6. This design criteria pertains to the perimeter wall on the east side of Lots 2A and 2B and of developed Lots immediately adjacent to the Corrales Main Canal, if required by the City.

7. Article III shall be amended to delete the last sentence.

8. Section 5.01 shall be amended as follows:

“Except as provided in Subsections 5.02 and 5.03 below, the Tracts may be used for any lawful purpose not otherwise contrary to the terms of this Declaration. No illegal business or business which is in violation of any zoning law or ordinance will be allowed to function on the Tracts. During the term of this Declaration, the Premises shall be used only for retail purposes, restaurant, brew pubs, office, hotel, motel, financial institution, multi-family residential development or self-storage units on Lots 2A and 2B only, and other uses commonly found in or in close proximity to a first-class mixed-use development.”

9. Paragraph 5.02 (i) is amended as follows:

“Any Mortuary or veterinary hospital except that a small animal veterinary hospital shall be an allowed use on Lots 2A or 2B only”

10. Paragraph 5.02 (k) is amended as follows:

“Any skating rink, bowling alley, bar or pool room, indoor amusement (except incidental to restaurant use or brew pub use), discotheque, dance hall, massage parlor, off-track betting facility, racetrack, adult book stores or "x" rated adult cinemas, "peep shows", or operation of a business devoted primarily to providing entertainment or the sale of products of an obscene or pornographic nature.”

11. Section 5.03 shall be amended as follows:

“Notwithstanding the foregoing, no use or operation will be made, conducted or permitted on or with respect to all or any part of the Premises (other than Lot 5 of the Premises) as a full service, sit down Italian or pizza restaurant without the written permission of the Owner of Lot 5 of the Premises, which permission may be withheld in the sole discretion of the Owner of Lot 5 of the Premises, provided that upon the first to occur of: (a) Lot 5, or any part thereof ceases to be used as, or in connection with, a full service, sit down Italian or pizza restaurant, or (b) the Tract Owner of Lot 5 of the Premises, first operating such restaurant ceases to be the Tract Owner of Lot 5 of the Premises, then the restriction in this subsection 5.03 shall terminate and be deemed lifted and no longer binding on the Premises as to the prohibition on use described in this subsection 5.03. Notwithstanding the foregoing, no use or operation will be made, conducted or permitted on or with respect to all or any part of the Premises (other than Lot 6 of the Premises) as a quick service restaurant whose primary sales are the sale of chicken without the written permission of the Owner of Lot 6 of the Premises, which permission may be withheld in the sole discretion of the Owner of Lot 6 of the Premises, provided that upon the first to occur of: (a) Lot 6, or any part thereof ceases to be used as, or in connection with, a quick service restaurant whose primary sales are the sale of chicken, or (b) the Tract Owner of Lot 6 of the Premises, first operating such restaurant ceases to be the Tract Owner of Lot 6 of the Premises, then the restriction in this subsection 5.03 shall terminate and be deemed lifted and no longer binding on the Premises as to the prohibition on use described in this subsection 5.03. Notwithstanding the foregoing, no use or operation will be made, conducted or permitted on or with respect to all or any part of the Premises (other than Lot 2C of the Premises) as a full service carwash, self-service

carwash or automated carwash without the written permission of the Owner of Lot 2-C of the Premises, which permission may be withheld in the sole discretion of the Owner of Lot 2-C of the Premises, provided that if Lot 2-C permanently ceases to be used as, or in connection with a full service carwash, then the restriction in this subsection 5.03 shall terminate and be deemed lifted and no longer binding on the Premises as to the prohibition on use described in this subsection 5.03.”

12. The Declaration may be modified or cancelled only by the mutual written agreement of (a) Declarant (so long as Declarant owns any Tract in the Shopping Center) and (b) all of the Tract owners; provided, however, future amendments to the Declaration that do not impose any additional obligations or restrictions on Lot 1 shall not require the signature of AMAFCA.

13. All reference to Lot 7 and Lot 8 are hereby deleted as there are no Lot 7 and Lot 8 in the Property.

14. Except as herein modified and amended, the remaining terms and provisions of the Declaration shall remain in full force and effect.

15. This Amendment shall run with the Land and be binding upon the undersigned, their heirs, personal representatives, successors and assigns and all respects.

16. This Amendment may be executed in several counterparts and all so executed counterparts shall constitute one agreement binding on all parties hereto, notwithstanding that all of the parties are not signatories to the original or same counterpart.

IN WITNESS WHEREOF, the parties have executed this Amendment effective as provided for hereinabove.

**SEE SIGNATURE PAGES ATTACHED HERETO  
AND MADE A PART HEREOF.**

SIGNATURE PAGE NO. 1  
TO  
FIRSTAMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

LOT 1:

City of Albuquerque

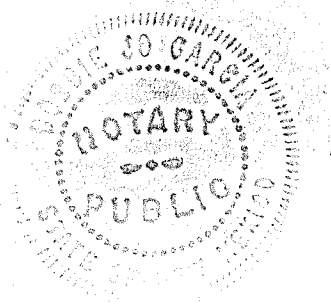
By: *David J. Simon*  
Its: DIRECTOR PARKS + RECREATION DEPT

STATE OF NEW MEXICO   )  
  )  
COUNTY OF BERNALILLO   )

This instrument was acknowledged before me on March 24 2021, by  
David J. Simon, the Director, PRD of City of Albuquerque.

MY COMMISSION EXPIRES:  
June 27, 2022

*Bolivia Garcia*  
Notary Public





SIGNATURE PAGE NO. 2  
TO  
FIRSTAMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

LOT 2-A:

Rolfe Black Trusts

By: Stephanie J Black  
Its: Trustee

By: Stephanie J Black  
Its: Trustee

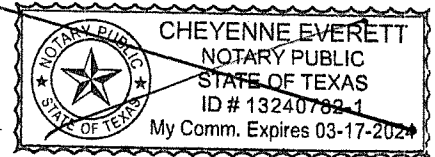
STATE OF Texas )  
COUNTY OF Burnet )

**SEE ATTACHED**

This instrument was acknowledged before me on March 26, 2021, by  
Stephanie J Black the Trustee of Rolfe Black Trusts.

MY COMMISSION EXPIRES:  
03/17/2024

Cheyenne Everett  
Notary Public



STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_, 2021, by  
\_\_\_\_\_, the Trustee of Rolfe Black Trusts.

MY COMMISSION EXPIRES:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public

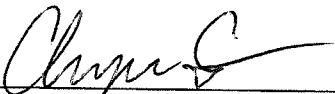
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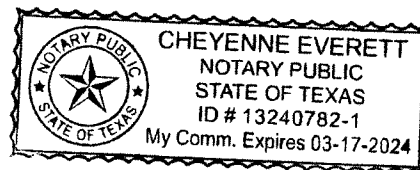
# ACKNOWLEDGEMENT

STATE OF TEXAS                    )  
  ) ss  
COUNTY OF Burnet            )

This instrument was acknowledged before me on March 26, 2021 by  
Stephanie L. Black as Trustee of the Rolfe Black Trust on behalf of said Trust

My commission expires:

  
\_\_\_\_\_  
Notary Public



SIGNATURE PAGE NO. 3  
TO  
FIRSTAMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

LOT 2-B:

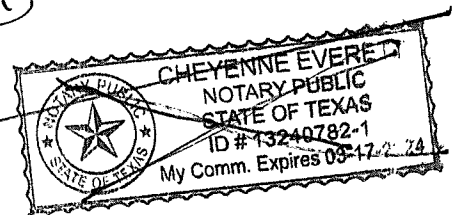
Rolfe Black Trusts

By: Stephan L Black  
Its: Trustee

By: Stephan L Black  
Its: Trustee

~~STATE OF TEXAS )  
COUNTY OF Burnet )~~

**SEE ATTACHED**



~~This instrument was acknowledged before me on March 26, 2021, by  
TEXAS Driver License Trustee of Rolfe Black Trusts.~~

~~MY COMMISSION EXPIRES:  
03/17/2024~~

~~[Signature]  
Notary Public~~

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_, 2021, by  
\_\_\_\_\_, the Trustee of Rolfe Black Trusts.

MY COMMISSION EXPIRES:  
\_\_\_\_\_

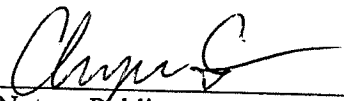
\_\_\_\_\_  
Notary Public

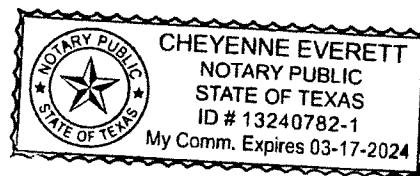
# ACKNOWLEDGEMENT

STATE OF TEXAS           )  
  ) ss  
COUNTY OF Burnet    )

This instrument was acknowledged before me on March 26, 2021 by  
Stephanie L. Black as Trustee of the Rolfe Black Trust on behalf of said Trust

My commission expires:

  
Notary Public



SIGNATURE PAGE NO. 4

TO  
FIRSTAMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

Lot 2-C:

JB Holding, LLC

By: \_\_\_\_\_

( Its: Manager

STATE OF NEW MEXICO )

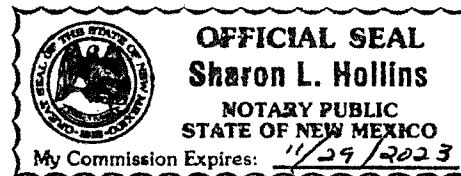
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on Apr. 5<sup>th</sup>, 2021, by  
Johanna F Black, the Manager of JB Holding, LLC, an Alaska limited liability  
company.

MY COMMISSION EXPIRES:

Nov. 29, 2023

Sharon L Hollins  
Notary Public

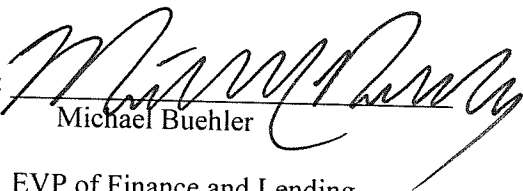


SIGNATURE PAGE NO. 5  
TO  
FIRSTAMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

Lot 2-D:

Nusenda Federal Credit Union, a  
federal credit union

By:

  
Michael Buehler

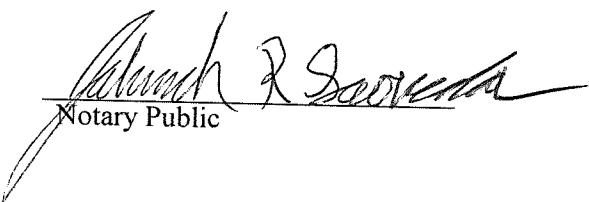
Its: EVP of Finance and Lending

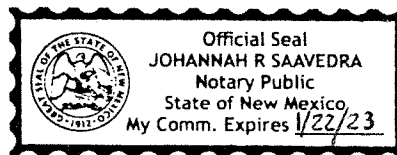
STATE OF NEW MEXICO   )  
  )  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on May 10, 2021, by  
Michael Buehler, the EVP of Finance and Lending of Nusenda Federal Credit Union.

MY COMMISSION EXPIRES:

January 22nd, 2023

  
Notary Public





SIGNATURE PAGE NO. 6  
TO  
FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

Lot 3:

Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA),  
a political subdivision of the state of New Mexico

By:   
Executive Engineer  
AMAFCA

By: Jerry Lovato

Its: \_\_\_\_\_


STATE OF NEW MEXICO     )

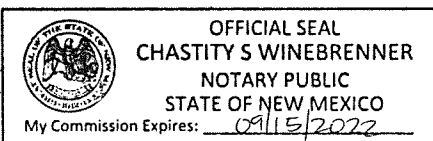
COUNTY OF BERNALILLO    )

This instrument was acknowledged before me on March 31, 2021, by  
Jerry Lovato, the Executive Engineer of AMAFCA.

MY COMMISSION EXPIRES:

09/15/2022

  
\_\_\_\_\_  
Notary Public



SIGNATURE PAGE NO. 7  
TO  
FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

Lot 4:

Double R Farm, Inc., a New Mexico corporation

By: Randy Roberts  
Its: President

STATE OF NEW MEXICO )

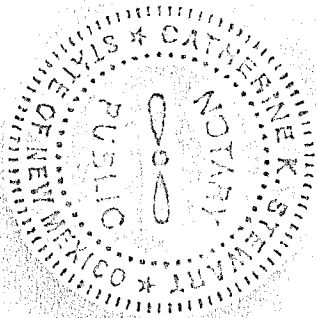
COUNTY OF UNION )

This instrument was acknowledged before me on 24th March, 2021, by  
Randy Roberts, the President of Double R Farms, Inc.

MY COMMISSION EXPIRES:

Sept 20, 2021

Catherine K Stewart  
Notary Public



SIGNATURE PAGE NO. 8  
TO  
FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

Lot 5:

Gourmet Investors, LLC

By:   
Its: Manager Raymond P. Trombino

By: Kathy Trombino  
Its: Manager Kathy Trombino

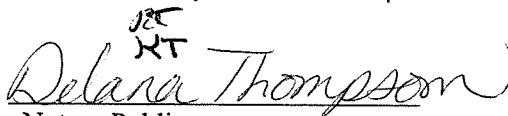
STATE OF NEW MEXICO )

COUNTY OF BERNALILLO )

This instrument was acknowledged before me on March 29, 2021, by  
Raymond, the Manager of Gourmet, LLC.  
Gourmet Investors, LLC

MY COMMISSION EXPIRES:

11/5/23

  
Notary Public



OFFICIAL SEAL  
DELANA THOMPSON  
NOTARY PUBLIC, STATE OF NEW MEXICO  
MY COMMISSION EXPIRES 11/5/23

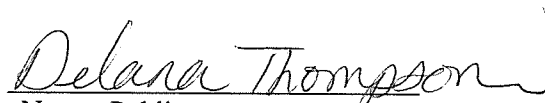
STATE OF NEW MEXICO )

COUNTY OF BERNALILLO )

This instrument was acknowledged before me on March 29, 2021, by  
Kathy, the Manager of Gourmet Investors, LLC.

MY COMMISSION EXPIRES:

11/5/23

  
Notary Public

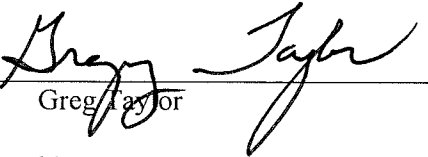


OFFICIAL SEAL  
DELANA THOMPSON  
NOTARY PUBLIC, STATE OF NEW MEXICO  
MY COMMISSION EXPIRES 11/5/23

SIGNATURE PAGE NO. 7  
TO  
FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,  
RESTRICTIONS AND GRANT OF EASEMENTS

LOT 6:

GLS Foods, Inc. , d/b/a Popeyes

By:   
Greg Taylor

Its: President

STATE OF NEW MEXICO     )

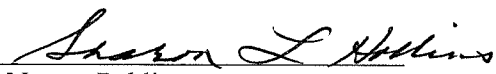
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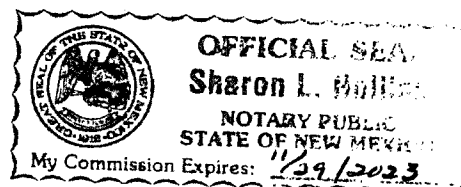
COUNTY OF BERNALILLO    )

This instrument was acknowledged before me on May 5, 2021, by  
Greg Taylor, the President of GLS, Foods, Inc.

MY COMMISSION EXPIRES:

Nov. 29, 2023

  
Notary Public



**EXHIBIT "B"**  
**LEGAL DESCRIPTION OF PROPERTY**

Lots 2-A, 2-B, 2-C and 2-D Cottonwood Crossing, Phase II (being a replay of Tract 2, Cottonwood Crossing Phase II) within the Town of Alameda Grant in Projected Section 8, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico as shown on the Plat thereof dated February, 2004 and recorded in the records of the County of Bernalillo as Doc. No. 2004092818 in Book-2004C, Page 201 on July 1, 2004.

and

Lots 1, 3, 4, 5, and 6 Cottonwood Crossing, Phase II (Being a replat of Tracts 14-A and 14-B, Black Ranch) within the Town of Alameda Grant in Projected Section 8, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico as shown on the Plat thereof dated November, 2003 and recorded in the records of the County of Bernalillo as Doc. No. 200402772 in Book 2004C, Page 56 on February 19, 2004.



**EXHIBIT "A"**  
**LIST OF TRACT OWNERS**

City of Albuquerque	Lot 1
Rolfe Black Trusts	Lot 2A
Rolfe Black Trusts	Lot 2B
JB Holding, LLC	Lot 2C
Nusenda Credit Union	Lot 2D
AMAFCA Pond	Lot 3
Double R Farm, Inc.	Lot 4
Gourmet Investors, LLC, LLC	Lot 5
GLS Foods, Inc. d/b/a Popeyes	Lot 6

### EXISTING ZONING

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

### PROPOSED ZONING

Please refer to IDO Section 14-16-2-5(F) for the NR-PO-B Zone District

## APPLICANT INFORMATION



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

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

### APPLICATION INFORMATION

Applicant: City of Albuquerque		Phone:
Address: Planning Department 600 2nd Street NW		Email:
City: Albuquerque	State: NM	Zip: 87102
Professional/Agent (if any): Consensus Planning, Inc.		Phone: 505 764 9801
Address: 302 Eighth Street NW		Email: frank@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102 cp@consensusplanning.com
Proprietary Interest in Site:	List <u>all</u> owners:	

### BRIEF DESCRIPTION OF REQUEST

Zone Change from MX-T to NR-PO-B

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

Lot or Tract No.: PLEASE SEE ATTACHED	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s): B-14	Existing Zoning: MX-T	Proposed Zoning: NR-PO-B
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): 0.4314 acres

### LOCATION OF PROPERTY BY STREETS

Site Address/Street:	Between:	and:
----------------------	----------	------

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

Signature: <i>Avery Frank</i>	Date: 4/25/2022
Printed Name: Avery Frank	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

### FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

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

## Form Z: Policy Decisions

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

A single PDF file of the complete application including all plans and documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto: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, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.**

Signature:

Date:

Printed Name:

☐ Applicant or ☐ Agent

#### **FOR OFFICIAL USE ONLY**

Project Number:

Case Numbers

-

-

-

Staff Signature:

Date:



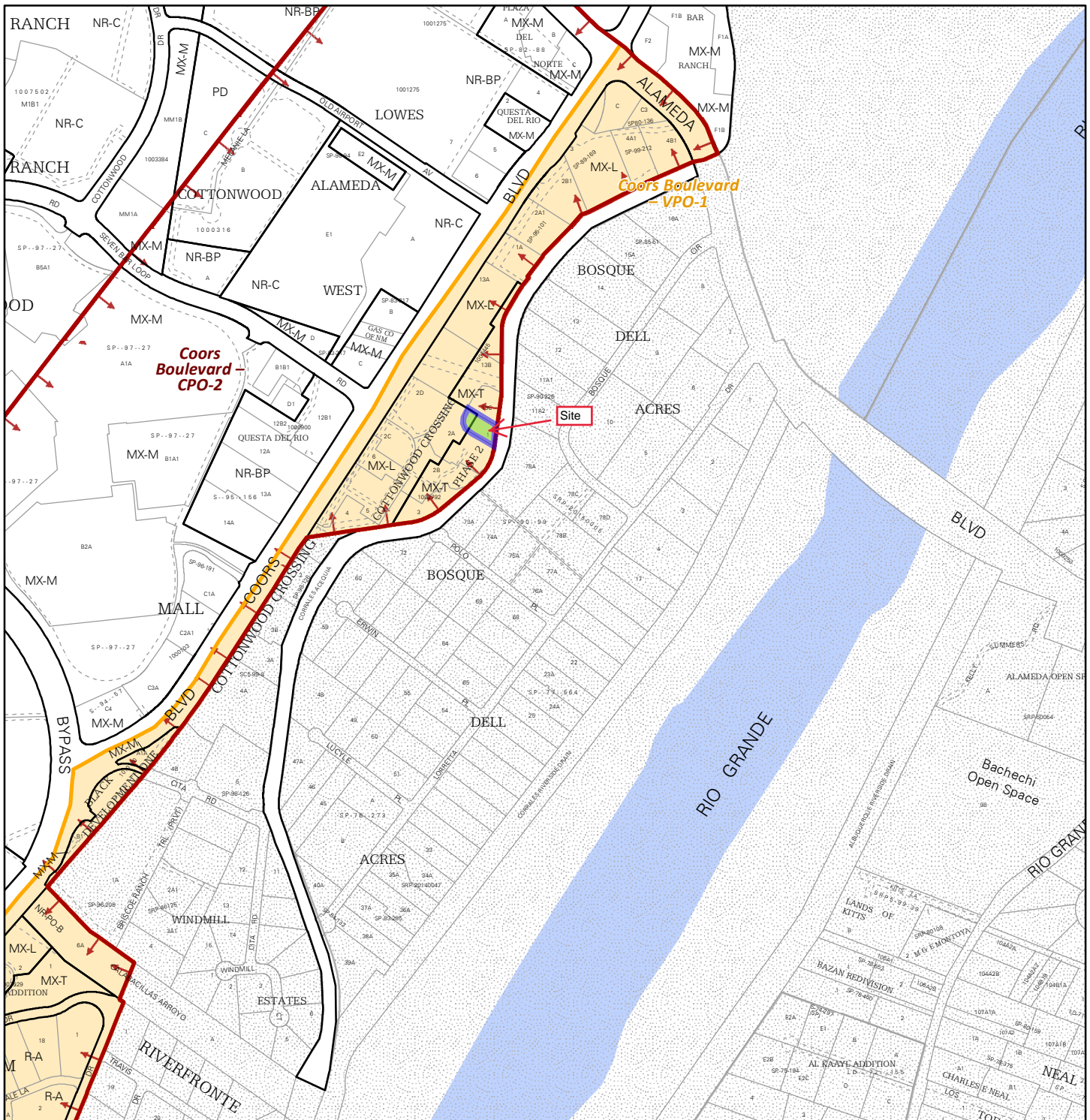
UPC List:

LT 1 PLAT OF LOTS 1, 2, 3, 4, 5 & 6

COTTONWOOD CROSSING PHASE II:

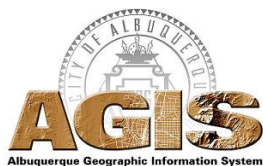
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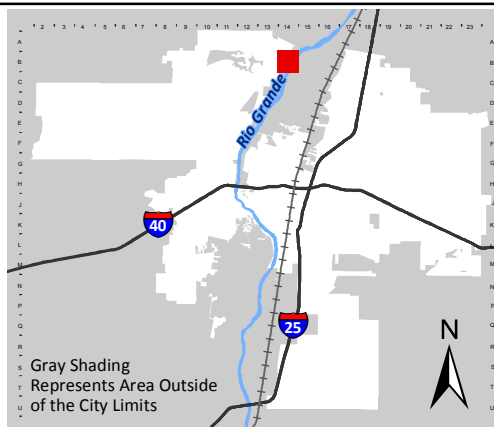


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas May 2018



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



Zone Atlas Page:  
**B-14-Z**

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

0 250 500 1,000 Feet

## PRE-APPLICATION MEETING NOTES

PA#: 22-055 Notes Provided (date): 3-14-22

Site Address and/or Location: Lot 1 plat of lots 1,2,3,6 cottonwood crossing II 87048

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

**Request** ZMA form MX-T to NR-PO-B to reflect ownership and management by City open space division

### Basic Site Information

Current Use(s): Vacant Size (acreage): 0.43

Zoning: MX-T Overlay Zone(s): Coors Blvd VPO-1 & CPO-2

### Comprehensive Plan Designations

Corridor(s): Seven Bar Loop & Coors Blvd Major

Development Area: Change Transit

Center: N/A Near Major Public Open Space (MPOS)?: N/A

### Integrated Development Ordinance (IDO)

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

Proposed Use(s): City Owned Park, Zone Change to NR-PO-B

Use Specific Standards: 4-3(C)(7)(b) NR-PO-B

### Applicable Definition(s): **Major Public Open Space**

Publicly-owned spaces managed by the Open Space Division of the City Parks and Recreation Department, including the Rio Grande State Park (i.e. the Bosque), Petroglyph National Monument, and Sandia foothills. These are typically greater than 5 acres and may include natural and cultural resources, preserves, low-impact recreational facilities, dedicated lands, arroyos, or trail corridors. The adopted Facility Plan for Major Public Open Space guides the management of these areas. For the purposes of this IDO, Major Public Open Space located outside the city municipal boundary still triggers Major Public Open Space Edge requirements for properties within the city adjacent to or within the specified distance of Major Public Open Space.

### Parks and Open Space

All City-owned or managed parks, trails, and Major Public Open Space shall be maintained per City Parks and Recreation standards. Privately-owned parks, trails, and/or open spaces shall be maintained by the property owner (often a homeowner's association) to minimize safety hazards. These areas are subject to Article 9-8 of ROA 1994 (Weeds, Litter, and Snow).

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

### Notice

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

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

### Process

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

Specific Procedure(s)\*: 6-7(G) Zoning Map Amendment - EPC

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

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

#### Handouts Provided

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

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

*Additional Notes:*

#### **Are there any concerns that the size and location do not meet the intent of the MPOS as defined by the IDO?**

- Please see the definition for a MPOS. MPOS is typically greater than 5 acres.
- Please review the MPOS Facilities plan for types and uses:  
<https://documents.cabq.gov/planning/UDD/MajorPublicOpenSpaceFacilityPlan.pdf>

#### **What impact will the zone change have on mixed use development?**

Please review IDO section 5-2(K) Major Public Open Space Edges and 5-2(K)(2) Lots Adjacent to Major Public Open Space for Development Standards regarding development within 330' of a MPOS.

# CITY OF ALBUQUERQUE



March 30<sup>th</sup>, 2022

City of Albuquerque  
Planning Department  
600 2<sup>nd</sup> St. NW  
Albuquerque, NM 87102

Re: Letter of Authorization for Zone Map Amendment

To Whom It May Concern:

Consensus Planning, Inc. is hereby authorized to represent me, the City of Albuquerque Parks and Recreation Department Open Space Division in all matters relating to the Zone Map Amendment from R-A, R-1D, R-1A, PD, and MX-T to NR-PO-B for the following properties: Boca Negra, La Cuentista, Poole Property, and Calabacillas Pueblo. The properties are made up of 17 parcels legally described as the following:

1. **Boca Negra (Zone R-A):** 7 parcels consisting of Tract 10-A, 11-A, 11-B, 6, 8B, 11B, 13 A Volcano Cliffs Subdivision
2. **La Cuentista (Zone R-1D):** 6 parcels consisting of Tract E-1 (easterly, southeasterly, southwesterly portions), D (southeasterly, northerly, southwesterly)
3. **Poole Property (Zone R-A):** 3 parcels consisting of Lots 1 thru 3 of West Bank Estates together with Tract A1 Lands of Suzanne H Poole, Lot 4-A of Tracts C-1, C-2, and Lot 4-A Lands of Suzanne H Poole,
4. **Calabacillas Pueblo (Zone MX-T):** Lot 1 of Cottonwood Crossing

PO Box 1293

Albuquerque

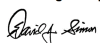
NM 87103

[www.cabq.gov](http://www.cabq.gov)

Sincerely,

City of Albuquerque Parks and Recreation Department, Open Space Division

By:

DocuSigned by:  
  
3A1B8403E7FE4D0...

Printed Name:

David Simon

Title:

Director





# City of Albuquerque

Planning Department  
Development Review Services Division

## Traffic Scoping Form (REV 12/2020)

**Project Title:** COA\_ZMA\_Open Space Building Permit #: \_\_\_\_\_ Hydrology File #: \_\_\_\_\_

Zone Atlas Page: B-14 DRB#: \_\_\_\_\_ EPC#: \_\_\_\_\_ Work Order#: \_\_\_\_\_

Legal Description: LT 1 PLAT OF LOTS 1, 2, 3, 4, 5 & 6 COTTONWOOD CROSSING PHASE II

City Address: \_\_\_\_\_

**Applicant:** Consensus Planning Contact: \_\_\_\_\_

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

Phone#: 505 764 9801 Fax#: \_\_\_\_\_ E-mail: frank@consensusplanning.

### Development Information

Build out/Implementation Year: \_\_\_\_\_ Current/Proposed Zoning: Current MX-T, Proposed NR-PO-B

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

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

Describe development and Uses:

Zone map amendment to reflect current ownership and management of the parcels. No construction or development.

Days and Hours of Operation (if known): n/a

### Facility

Building Size (sq. ft.): n/a

Number of Residential Units: n/a

Number of Commercial Units: n/a

### Traffic Considerations

Expected Number of Daily Visitors/Patrons (if known):\* n/a

Expected Number of Employees (if known):\* n/a

Expected Number of Delivery Trucks/Buses per Day (if known):\* n/a

Trip Generations during PM/AM Peak Hour (if known):\* n/a

Driveway(s) Located on: Street Name

Adjacent Roadway(s) Posted Speed: Street Name Posted Speed

Street Name Posted Speed

## Roadway Information (adjacent to site)

Comprehensive Plan Corridor Designation/Functional Classification: 7 Bar Loop Road Major Transit Corridor  
(arterial, collector, local, main street)

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

Jurisdiction of roadway (NMDOT, City, County): n/a

Adjacent Roadway(s) Traffic Volume: n/a Volume-to-Capacity Ratio: n/a  
(if applicable)

Adjacent Transit Service(s): n/a Nearest Transit Stop(s): n/a

Is site within 660 feet of Premium Transit?: yes

Current/Proposed Bicycle Infrastructure: n/a  
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: n/a

## Relevant Web-sites for Filling out Roadway Information:

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

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

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

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

Bikeways: [http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL\\_Jun25.pdf](http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL_Jun25.pdf) (Map Pages 75 to 81)

## TIS Determination

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

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

Thresholds Met? Yes [ ☐ ] No ☒

Mitigating Reasons for Not Requiring TIS: \_\_\_\_\_ Previously Studied: [ ☐ ]

Notes:

 P.E.

2/25/2022

TRAFFIC ENGINEER

DATE



## **Submittal**

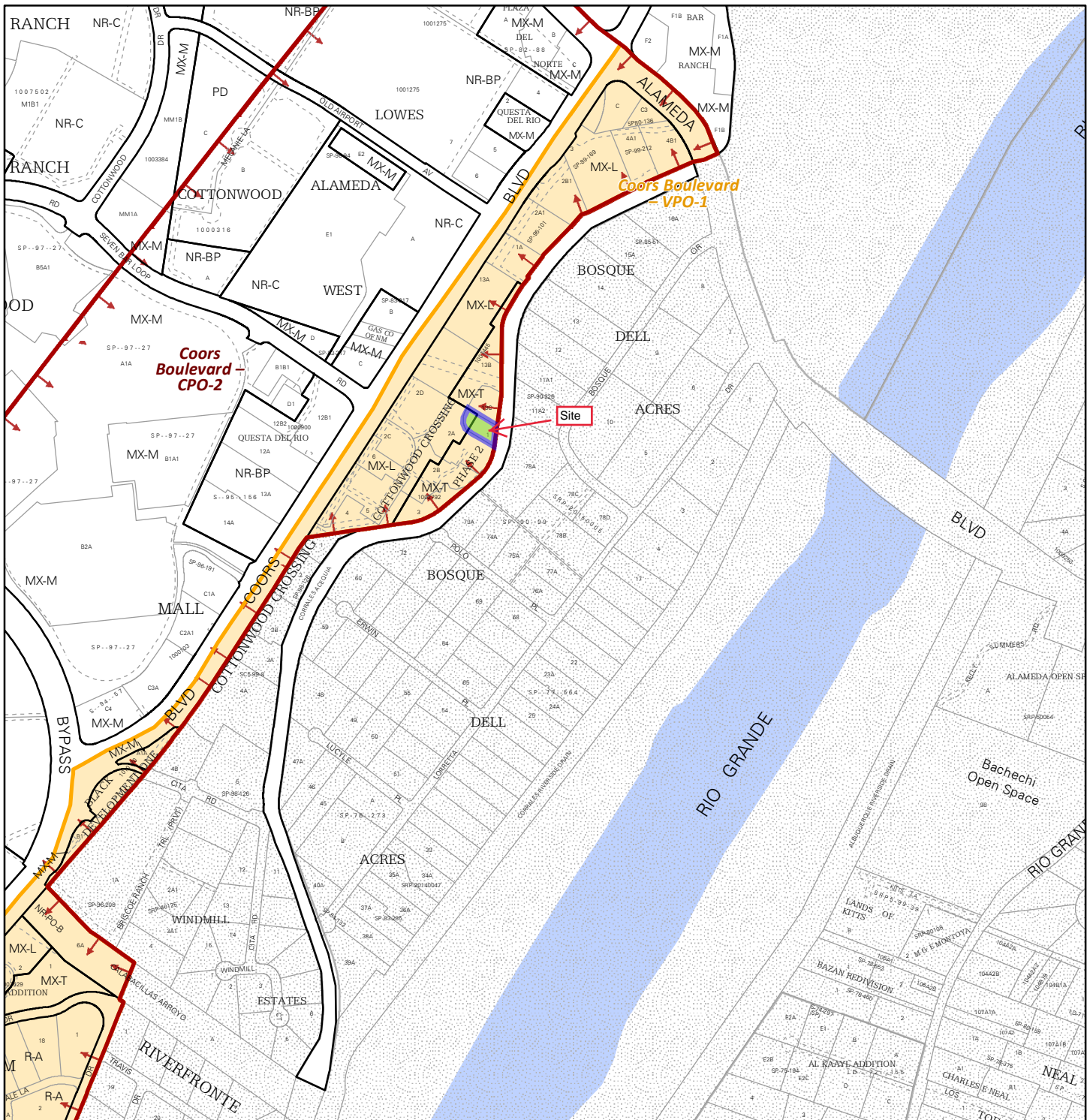
The Scoping Form must be submitted as part of any building permit application, DRB application, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to the City Traffic Engineer [mgrush@cabq.gov](mailto:mgrush@cabq.gov) . Call 924-3362 for information.

### **Site Plan/Traffic Scoping Checklist**

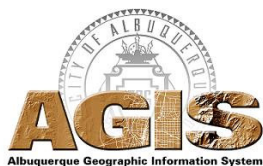
Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:

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

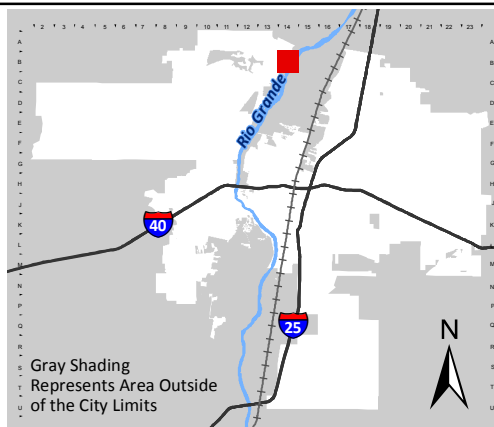


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas May 2018



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



Zone Atlas Page:  
**B-14-Z**

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

0 250 500 1,000 Feet



Environmental Planning Commission  
City of Albuquerque Planning Department  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102  
Date 5/5/22

RE: Request for a Zoning Map Amendment

Dear Mr. Chairman:

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

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

The purpose of this letter is to justify our request for NR-PO-B Zoning Map Amendment – EPC for the Calabacillas Pueblo Property which comprises 1 parcel totaling .43 acres. The parcel is legally described as:



1. LT 1 PLAT OF LOTS 1, 2, 3, 4, 5 & 6 COTTONWOOD CROSSING PHASE II (BEING A REPLAT OF TRACTS 14-A & 14-B BLACK RANCH)CONT .4314 AC (UPC 101406521832220321)

The parcel is currently zoned MX-T and the request is to rezone the parcel to NR-PO-B to reflect the current ownership and management of this property by the City of Albuquerque. Per IDO the purpose of the NR-PO-B zone district is to protect the natural character of lands designated as Major Public Open Space and to preserve these areas for public recreation, use, and enjoyment. The request meets the applicability criteria in IDO section 14-16-6-7(G), therefore the request is subject to approval by the Environmental Planning Commission as a Zoning Map Amendment – EPC and does not require City Council approval.

## PRINCIPALS

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

## SITE OVERVIEW + LAND USE AND ZONING

Site Overview:	Zoning & Land Use:
	
<p>Current Zone Designation: MX-T  Proposed Zone Designation: NR-PO-B  Size of Site: 0.4314  Current Condition: Vacant lot  Surrounding Conditions: Nusenda Credit Union, Hong Kong Buffet, Popeyes Chicken, large lot residential housing (unincorporated county)  City Development Area: Change  Community Planning Area:  Transit Corridor: 7 Bar Loop Major Transit Corridor  Boundary Streets: Coors Boulevard NW</p>	<p>The Calabacillas Pueblo site is currently zoned MX-T (Mixed-Use Transition) which allows for low-density multi-family residential and smallscale office, institutional, and pedestrian-oriented commercial uses. The nearest boundary street to the site is Coors Boulevard NW. The site is not located in a Center although it is less than a ¼ of a mile away from the Cottonwood Employment Center which is located on the west side of Coors Boulevard. The site is located within 660 ft. of the Coors Boulevard Major Transit Corridor. The site is located in the Northwest Mesa Community Planning Area and is designated an Area of Change by the ABC Comprehensive Plan.</p>

**TABLE 4. Calabacillas Pueblo Surrounding Zoning**

<b>NORTH</b>	MX-L, MX-M, MX-T, NR-C, NR-BP	General retail, commercial, restaurant
<b>SOUTH</b>	MX-T, MX-L	Vacant land, unincorporated area
<b>EAST</b>	Unincorporated land	Large lot residential
<b>WEST</b>	NR-BP, MX-M	General retail, commercial, restaurants





## THE REQUEST

The applicant, the City of Albuquerque, seeks a Zone Map Amendment for approximately .43 acres of land consisting of 1 parcel. The request seeks to change the current zoning to NR-PO-B to reflect the correct ownership and management of the property.

## SITE HISTORY

Historic aerial imagery from 1949 shows several small structures near the parcel. By 2004 the structures are gone and the land is vacant. Between 2004 and 2006 a commercial property was established near the parcel. Between 2006 and 2008 two more commercial properties are established near the parcel. The specific parcel has remained vacant and there is an archeological certificate for the site. There is a DRB case with project number 1002792 from 2003 which shows an approved site development plan. Lot 1 is included in the plan as “archeological site do not disturb”

## INTEGRATED DEVELOPMENT ORDINANCE JUSTIFICATION CRITERIA

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

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

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

*Applicant response: The proposed zone changes are consistent with the health, safety, and general welfare of the City by aligning with a majority of applicable Goals and Policies as outlined in the ABC Comprehensive Plan. This zone change request coincides with placemaking initiatives, community green spaces, efficient development, cultural significance, Open Space acquisition, equitable distribution of amenities, and land use. Please refer to subsequent sections for in-depth policy analysis.*

## ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN

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

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

*Applicant Response: This zone map amendment encourages quality development that is consistent with the distinct character of the community by preserving an archaeological site, natural amenities, and views of the scenery. The site falls under the Northwest Mesa Community Planning Area which is described by the ABC Comp Plan as a suburban community with superb views of natural geological features such as the North West Mesa Escarpment, Sandia Mountains, the Bosque, and the Volcanoes. The preservation of Open Space in this area: therefore, is in line with and helps to preserve the distinct characteristics of the communities.*

**POLICY 4.1.3 Placemaking:** Protect and enhance special places in the built environment that contribute to a distinct identity and sense of place.

*Applicant Response: This zone map amendment helps to protect and enhance special places in the built environment that contribute to the distinct identity and sense of place by preserving an archeological significant site and natural geological features which contributes to and highlights the distinct identities, cultures, and sense of place of the region.*

#### **Goal 4.3 City Community Planning Areas**

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

*Applicant Response: This zone map amendment helps to protect and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities by preserving for community use geologically, archeological, and culturally significant outdoor spaces that are adjacent to the Bosque designating them as Major Public Open Space.*

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

*Applicant Response: Adding land to the existing Open Space Network fosters communities where residents can play and learn about cultural, historical, archaeological, and geological information by providing increased access to Major Public Open Space areas in and near neighborhoods.*

**POLICY 5.5.1 Community Green Space:** Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan.

*Applicant Response: Dedicating land as Open Space is an eco-conscious way of providing relief from urbanization that helps to preserve and protect natural resources and landscapes. Therefore this zone map amendment provides visual relief from urbanization and offers opportunities for education, recreation, and cultural activities by correctly zoning a small archeologically significant site as Open Space land on Albuquerque's west side.*



**POLICY 7.3.1 Natural and Cultural Features:** Preserve, enhance, and leverage natural features and views of cultural landscapes.

*Applicant Response: This zone map amendment preserves, enhances, and leverages natural features and views of the cultural landscape by correctly zoning Major Public Open Space areas that are near significant geological, cultural, and historical places thereby preserving these spaces for community use. The Calabacillas Pueblo site is in the Coors View Protection Overlay zone furthering the importance of preserving the natural landscape and views.*

**POLICY 8.1.4 Leverage Assets:** Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

*Applicant Response: This zone map amendment enhances the region's unique characteristics in order to improve the quality of life of residents and incentivize tourism by preserving Open Space lands that have historical and archeological significance.*

**Goal 10.1 Facilities & Access:** Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

*Applicant Response: This zone map amendment seeks to add a historically and archeologically significant site to the existing Open Space Network to create more opportunities for community access to outdoor education and recreation.*

**Goal 10.2 Parks** Provide opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote community involvement for all residents.

*Applicant Response: This zone map amendment provides opportunities for outdoor recreation, education, and cultural activities that meet community needs, enhance quality of life, and promote community involvement by correctly zoning the parcel to increase the community's connection to history and culture.*

**Goal 10.3 Open Space** Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

*Applicant Response: This zone map amendment protects the integrity and quality of the region's natural features and environmental assets while providing opportunities for outdoor education by correctly zoning lands with a unique and cultural asset.*

**POLICY 10.3.1 Open Space Acquisition:** Acquire significant lands throughout the community to shape the urban form, conserve natural and cultural resources, and protect agricultural land.

*Applicant Response: The Calabacillas Pueblo site is culturally and historically significant as a designated archeological site; therefore, this zone map amendment provides the appropriate zone for this parcel which helps with conservation, education, and protection.*



**Goal 11.3 Cultural Landscapes** Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

*Applicant Response: The Calabacillas Pueblo site is recognized as a historically and culturally significant site. This zone map amendment request seeks to correctly zone the Calabacillas parcel thereby protecting the cultural landscape, contributing to our rich heritage, and increasing the Open Space Network.*

**POLICY 11.3.1 Natural and Cultural Features:** Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

*Applicant Response: This zone map amendment helps to preserve and enhance the natural and cultural characteristics of the Calabacillas Pueblo parcel which ultimately contributes to the cultural landscape and history of the region.*

**Goal 11.4 Archaeological & Paleontological Resources** Identify, acquire and manage significant archaeological and paleontological sites for research, education, tourism, and recreational use.

*Applicant Response: The Calabacillas Pueblo has been identified as a significant archeological site that can provide opportunities for research and preservation. This zone map amendment seeks to align the City's ownership and management of the site with the appropriate zone classification.*

**POLICY 11.4.2 Proactive Protection:** Identify, evaluate, and protect archaeological and paleontological sites and items on a proactive, ongoing basis.

*Applicant Response: The Calabacillas Pueblo property has been designated as archaeologically significant and is currently owned by the City of Albuquerque which justifies Open Space zoning in order to protect the site.*

**POLICY 13.5.2 Healthful Development:** Encourage public investments and private development that enhance community health.

*Applicant Response: This zone map amendment encourages public investments that enhance community health by creating spaces for outdoor education and leisure as well as protecting a historically, culturally, and archeologically significant site.*

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

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



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

*Applicant response: The subject site is located entirely in an Area of Change.*

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

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

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

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

*Applicant Response: Calabacillas Pueblo site is located in an Area of Change. The site has been designated as archaeologically significant; therefore, the current zone of MX-T does not adequately protect the site. This request meets sub-criteria policy 2 as the community conditions and urban development occurring around the site justify the zone change to protect the historical and cultural significance of the site. Also as show in the policy analysis this zone map amendment is more advantageous to the community*

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

*Applicant Response: Permissive uses in NR-PO-B zones are advantageous to creating complete communities and protecting environmentally significant lands.*

*Allowable Uses for NR-PO-B compared to MX-T*

A=Permissive Accessory T= Temporary CA=Conditional Accessory

P=Permissive C=Conditional Primary Blank Cell=Not Allowed

CV=Conditional if Structure is Vacant for 5 years or more

Allowable Uses	MX-T	NR-PO-B
Museum	P	A
Community Garden	P	A
Equestrian Facility		P
General Agriculture		P
Nursery		A

Campground or Recreational Vehicle Park		A
Outdoor Vehicle Storage		A
Paid Parking Lot	C	A
Club or Event Facility	C	P
Self-Storage		A
Amphitheater		A
Farmers Market	T	A
Drainage Facility	P	A
Electric Facility	P	A
Geothermal Energy Generation	A	A
Major Utility, Other	P	A
Automated Teller Machine (ATM)	A	T

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

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

*Applicant Response: The Zone Map Amendment meets sub-criteria 1 as the sites will be served by existing infrastructure. There are no development plans for the site.*

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

*Applicant's Response: The purposed zone map amendment is being justified based on the advantages they provide for the community rather than their location on a major street.*

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

*Applicant's Response: The purposed zone map amendment is being justified based on the advantages provided for the community rather than the cost of land.*

**6-7(G)(3)(h) The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premise (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a**



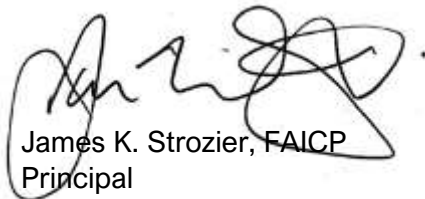
“strip zone”) unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:

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

*Applicant Response: The Calabacillas Pueblo site zone map amendment request will create a differing zone from surrounding properties but in doing so it will help to facilitate the goals and policies of the ABC Comprehensive Plan. Changing the zones to NR-PO-B allows for the preservation of sensitive and archaeologically significant lands. The zone map amendment request meets criteria 2 because it is an archaeologically significant site; therefore, it is not appropriate for any of the uses allowed in the adjacent zone districts.*

**Conclusion:** The requested zone change to NR-PO-B for the property listed within this letter will provide numerous benefits for the community and environment as outlined in the above goals and policies. On behalf of the City of Albuquerque, we respectfully request the Environmental Planning Commission’s approval of this Zoning Map Amendment

Sincerely,




James K. Strozier, FAICP  
Principal



# Major Public Open Space ZMA Memorandum

**To:** Ms. Catalina Lehner, Principal Planner

**From:** Jim Strozier, Consensus Planning, Inc. 

**Date:** June 7, 2022

**Re:** ZMA Criterion D and Major Public Open Space Facility Plan Review

The purpose of this memorandum is to respond to staff's questions and provide supplemental response to the IDO ZMA EPC Criterion (d) as follows:

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

*Applicant Response:* The existing justification letter includes a list of the permissive uses in the NR-PO-B zone. The nature of the NR-PO-B zone is different from other zones in the IDO for a couple of reasons:

1. The uses identified as being permissive are regulated by several additional criteria and approval processes outside of the IDO.
2. The zone is informed by the Major Public Open Space Facility Plan. This Rank 2 Plan provides policies and requirements that impact Major Public Open Space. The following information summarizes this Rank 2 Plan.
3. The Open Space Advisory Board has the responsibility to review and approve extra-ordinary facilities as defined in the Facility Plan.

*Based on the policies and procedures in the Facility Plan, the uses listed as permissive in the IDO Use Table, are only permissive if the policies and processes outlined in the Faculty Plan are met. The following summary provides a detailed review of those requirements. Based on the Facility Plan and the policies and procedures, the uses allowed have adequate safeguards to mitigate any harmful impacts from those uses.*

**Major Public Open Space Facility Plan Overview:** Open Space is defined by the Major Public Open Space Facility Plan as relatively undeveloped City or County owned land dedicated to conservation, preservation, outdoor education, and low impact recreation. The Major Public Open Space Network is intended by the corresponding MPOS Facility Plan to provide relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources. This memo outlines the applicable policies and plans that guide the development of MPOS (Major Public Open Space) and provide supplemental information regarding the different types of MPOS.

## **Guiding Plans:**

Area Plans, Facility Plans, Sector Development Plans, and Corridor Plans, which are now incorporated into the IDO, establish more specific policies for geographic areas and for particular types of facilities all of which can have policies related to the MPOS Network. In addition to these plans, numerous

ordinances affect and regulate the operation of the MPOS Program including but not limited to the *City of Albuquerque Open Space Management Ordinance*, the *Bernalillo County Open Space Management Ordinance*, and the *Open Space Advisory Board*. There are several federal regulations that the MPOS Program must comply with, including but not limited to the *Land and Water Conservation Fund Act of 1965*, the *National Environmental Policy Act of 1969*, and the *National Recreation Public Purposes Act*. The MPOS Program must comply with several state regulations including the *Cultural Properties Act*, *Chapter 16 of NM State Acts, Parks, Recreation and Fairs*, and *Chapter 17 of NM State Acts Game and Fish*.

#### **Types of Major Public Open Space:**

1. *Open Space Preserve*: an area set aside for its exceptional natural, cultural, or scenic value. Resources are fragile and protection is the primary management objective.
2. *Protected Undeveloped Open Space*: Significant undeveloped or conserved area with outstanding natural features or scenic qualities suitable for low impact recreational activities with no substantial facilities or improvements.
3. *Open Space Facility*: Land area with outstanding natural features and outdoor recreation opportunities. Some active recreational activities are appropriate along with facilities to support compatible uses within MPOS (5 classes of facilities).
4. *Open Space Trail*: A linear corridor within MPOS or linking MPOS to other facilities. Open Space trails include MPOS arroyos and MPOS links.
5. *Special Use Area*: Parcels within the MPOS Network that serves a unique function and is developed with facilities that are unique in the Parks Open Space and Trails (POST) Network. These facilities contribute to the inventory of recreation opportunities in the metropolitan area but are not commonly found in the MPOS Network.
6. *Asset Lands*: Parcels that are suitable for revenue-producing facilities. These properties may or may not serve MPOS purposes. Asset lands are not part of the MPOS Network but are managed by the Open Space Division.
7. *Land Bank*: Parcels that generally do not serve a MPOS purpose but are intended for sale or trade. These lands are not part of the MPOS Network.

#### **Planning Process:**

**Policy A.1.A:** Resource Management Plans and Master Development Plans shall designate types of MPOS for all land within their boundaries. Parcels enter the Network as Protected Undeveloped Open Space.

**Policy A.2.A:** A planning process shall be established to ensure the implementation and protection of all the functions identified in the ABC Comp Plan and the MPOS Facility Plan.

There are two types of planning for the MPOS Network—(a) acquisition and evaluation, and (b) management of holdings.

Resource Management Plans have been completed for Los Poblanos and Rio Grande Bosque but are needed for the remaining Open Space areas. The purpose of these plans is to:

- a) identify land use, access points, facility locations, and areas to be monitored,
- b) establish policies for resource management,
- c) classify the parcels,

- d) and evaluate impacts of proposed development within the MPOS Network.

Master Development Plans shall be prepared for MPOS contiguous parcels of 100 acres or more that are not covered by the Resource Management plans. The purpose of these plans are to:

- a) identify land use, access points, facility locations,
- b) inventory visual, cultural, archeological and ecosystem resources,
- c) classify areas by MPOS type,
- d) establish areas to be monitored,
- e) develop policies for resource management,
- f) and evaluate impacts of proposed development within the MPOS Network.

**Public Involvement:**

Policy A.2.G: Public involvement shall occur throughout the planning process. Land use and facility planning shall be done in consultation with adjacent landowners and community planning area partnerships. At a minimum, public meetings will be held at points of initial scoping, draft report and final draft of Resource Management, Master Plans, and site plans for conditional uses. Minimum notification for these meetings shall be:

- a) Posting at major entrances to the site,
- b) legal published notice in local newspaper,
- c) written notification to the parks, open space, and trails community planner,
- d) a certified mailing to recognized City and County neighborhood associations, and
- e) a mailing to persons attending previous meetings for a plan.

**West Side Open Space:**

Policy B.1: West Side Open Space lands shall be acquired and managed to promote the purposes of MPOS as stated in the Comp Plan and Facility plan for arroyos with the following subgoals:

- a) Conserve natural resources and environmental features.
- b) Provide opportunities for outdoor education and recreation including trails for a variety of users; archeological, biological, and geological based environmental education.
- c) Shape urban form by providing a development-free visual western edge for Albuquerque formed by volcanoes and basaltic escarpment and Atrisco terrace.
- d) Conserve archaeological and cultural resources including petroglyphs, pueblo sites, historic resources, and sites sacred to Native Americans.
- e) Provide trail corridors.
- f) Protect the public from natural hazards including flooding, steep slopes, unstable soils, headward erosion, and rock slides.

Policy B.2: The Open Space Division shall develop a master plan for West Mesa Open Space adjacent to Petroglyph National Monument prior to expansion/modification of existing facilities and/or construction of new facilities.

Policy B.4: Planning for West Mesa Open Space should be conducted in coordination with community planning areas: Westside, Southwest Mesa, and South Valley.



Policy C.1: Land uses on MPOS adjacent to Petroglyph National Monument will complement the management objectives of the monument.

Policy C.3: Facility development adjacent to the escarpment shall be consistent with the requirements of the Northwest Mesa Escarpment Plan.

Policy C.4: Recreational uses appropriate in the MPOS areas adjacent to the monument include scenic overlooks, parking, restrooms, picnic areas and trails.

Policy C.6: The primary uses within the protected, underdeveloped areas of the West Side Open Space will be hiking, jogging, horseback riding, mountain biking and other dispersed, informal recreation.

### **Bosque Open Space:**

Policy B.1: Planning for the Rio Grande Bosque should be conducted in coordination with community planning areas: Westside, North Valley, Central, Southwest Mesa, and South Valley.

Policy C.2: Land uses in the Rio Grande Valley State Park shall be compatible with biophysical land units in the Bosque Action Plan

Policy C.3: Compatible land uses in most of the Rio Grande Valley State Park may include walking, bicycling, fishing, picnicking, horseback riding, and canoeing. Land uses in wildlife preserve areas shall be limited to scientific study.

**Conclusion:** The MPOS Facility Plan along with the ABC Comp Plan, State and Federal ordinances, numerous local plans, and the IDO all help to regulate, preserve, and protect the character of the Open Space Network. The mission of the MPOS Program is to acquire and protect the natural character of land designated as Major Public Open Space in the ABC Comp Plan. The lands are managed to conserve natural and archaeological resources, provide opportunities for outdoor education and low impact recreation, and define the edges of the urban environment. Open Space lands that have been designated for protection include the Petroglyph National Monument and the Bosque. The La Cuentista and Boca Negra sites are adjacent to the Petroglyph National Monument and the West Mesa while the Poole Property is adjacent to the Bosque. The Major Public Open Space designation will allow these lands to remain protected while increasing the size of the open space network. Use-specific standards are further regulated in the IDO and require public input prior to any decisions or approvals for requests are granted.

## STAFF INFORMATION

May 24, 2022

TO: Jim Strozier & Avery Frank, Consensus Planning

FROM: Sergio Lozoya, Leroy Duarte & Megan Jones - Current Planners  
City of Albuquerque Planning Department

TEL: (505) 924-3352

RE: NR-PO-B Zone Changes

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We've completed a first review of the proposed zoning map amendment (zone change). We would like to discuss the request and have a few revisions to the justification letter. We're available to answer questions about the process and requirements. Please provide the following:

⇒ A revised zoning change justification letter pursuant to the zone change criteria (one PDF copy) by:  
**Tuesday, May 31, 2022.**

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

1) Introduction:

- A. Though We've done our best for this review, additional items may arise as the case progresses. If so, we will inform you immediately.
- B. It is our understanding that you have submitted 4 separate requests for a Zone Map Amendment to 4 separate subject sites. Each of these requests will require individual justification letters, Staff Reports, and be presented separately at the EPC.
- C. This is what we have for the legal descriptions:

Poole (PR-2018-001402)

Lots 1 through 3, block 1, plat of West Bank Estates, together with tract A1 lands of Suzanne H. Poole

Lot 4-A plat of Tracts C-1, C-2 & lot 4-A, lands of Suzanne H. Poole, being a replat of Tract C, lands of Suzanne H. Poole, Tract C annexation plat, land in section 25 & 36 T11N R2E, lot 4 block 1 west.

Tract C-1, plat of Tracts C-1, C-2 & lot 4-A, lands of Suzanne H. Poole, being a replat of Tract C, lands of Suzanne H. Poole, Tract C annexation plat, land in section 25 & 36 T11N R2E, lot 4 block 1 west.

Boca Negra

Tract 6, correction plat for Montecito West, Unit 1 (being comprised of Lots 15 through 21, Volcano Cliffs Subdivision, Unit 6, Together with a portion of vacated Retablo Road NW and Albericoque)

Tract 8-B and 11-B, Replat of Tract 8, Unit 9, Volcano Cliffs Subdivision  
Tract 10-A, Replat of Tract 11, Unit 6 Volcano Cliffs Subdivision  
Tract 11-A and 11-B, Replat of Tract 11, Unit 6, Volcano Cliffs Subdivision  
Tract 13-A, Replat of Tract 13, Unit 9, Volcano Cliffs Subdivision

Calabacillas (PR-2021-005816)

Lot 1 Plat of Lots 1, 2, 3, 4, 5 & 6 Cottonwood Crossing Phase II (Being a Replat of Tracts 14-A & 14-B Black Ranch) 0.5 acres.

La Cuentista (PR-2022-006906)

Northerly Portion of Tract D Correction Plat of the bulk land Plat of La Cuentista Subdivision (tracts A thru E) 5.1 acres.

South-westerly Portion of Tract D Correction Plat of the bulk land Plat of La Cuentista Subdivision (tracts A thru E) 5 acres.

Southerly Portion of Tract D Correction Plat of the bulk land Plat of La Cuentista Subdivision (tracts A thru E) 5.1 acres.

South-westerly Portion of Tract E-1 Plat of Tracts E-1 Thru E-5 La Cuentista Subdivision (A Replat of Tact E of the Corrected Plat of the bulk land Plat of La Cuentista Subdivision) 10.4 acres.

South-easterly Portion of Tract E-1 Plat of Tracts E-1 Thru E-5 La Cuentista Subdivision (A Replat of Tact E of the Corrected Plat of the bulk land Plat of La Cuentista Subdivision) 10.1 acres.

2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:  
<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing for June 16, 2022. Final staff reports will be available one week prior, on June 9, 2022.
- C. Note that, if a zone change request is denied, you cannot reapply again for one year.
- D. Agency comments will be distributed as staff receives them. I will email you a copy of the comments.

3) Notification & Neighborhood Issues:

*Notification requirements for a zone change are explained in Section 14-16-6-4(K), Public Notice (IDO, p. 378). The required notification consists of: i) an emailed letter to neighborhood representatives indicated by the ONC, and ii) a mailed letter (first-class) to property owners within 100 feet of the subject site.*

- A. It appears that notification offering the pre-application facilitated meeting is complete.
- B. A facilitated meeting was held Via Zoom on 4-28-22 and several questions and comments were made. Is that correct?
- C. The notification to property owners appears that it may be incomplete for some sites. Please provide a correct list for each of the subject sites individually. Thank you for providing photos of the certified mail receipts and a list of the neighbors within a 100' buffer.
- D. **The sign posting period is 15 days prior and after the EPC hearing date from Wednesday June 1, 2022 to July 1, 2022.**
- E. Have any neighborhood representatives or members of the public contacted you so far?

4) Project Letter:

- A. Please provide a separate justification letter for each subject site.
- B. Each letter should demonstrate how the ZMA review and decision criteria, 6-7(G)(3) are met per each individual subject site. E.g., the policy analysis needs to be specific to each site.
- C. Please expand on the history and context of each of the subject sites.

5) Zone Map Amendment (zone change)- Overview: .

- A. The task in a zone change justification is to choose applicable Goals and policies from the Comprehensive Plan and demonstrate how the request furthers (makes a reality) each applicable Goal and policy. **Furthering is shown by providing explanations using “because” statements and tailoring the response to match the wording of the Goal or policy.**
- B. Please revise or add goals/policies that align with zone map request pursuant to each individual site.

## NOTIFICATION

**From:** [Carmona, Dalaina L.](#)  
**To:** [Avery Frank](#)  
**Subject:** Near Coors and 7 Bar Loop Neighborhood Meeting Inquiry-City Project  
**Date:** Monday, April 4, 2022 2:38:42 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image007.png](#)  
[calabasillas.pdf](#)

Dear Applicant:

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

Association Name	First Name	Last Name	Email	Address Line 1	Address Line 2	City	State	Zip	Mobile Phone	Phone
New Vistas Subdivision HOA Incorporated	Patricia	Baur-Seegeer	baurpati@yahoo.com	4105 New Vistas Court NW			Albuquerque	NM	87114	2487085598
The Trails at Seven Bar South HOA Incorporated	Erin	Brizuela	ebrizuela@cgres.com	8500 Jefferson Street NE	Suite B	Albuquerque	NM	87113		5053422797
The Trails at Seven Bar South HOA Incorporated	Kelly	Eggleston	keggleson@cgres.com	8500 Jefferson Street NE	Suite B	Albuquerque	NM	87113		5053422797
North Valley Coalition	Doyle	Kimbrough	newmexmba@aol.com	2327 Campbell Road NW			Albuquerque	NM	87104	5052490938
North Valley Coalition	Peggy	Norton	peggynorton@yahoo.com	P.O. Box 70232		Albuquerque	NM	87197	5058509293	5053459567
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	ekhaley@comcast.net	6005 Chaparral Circle NW			Albuquerque	NM	87114	5054074381
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW			Albuquerque	NM	87120	
Alameda North Valley Association	Steve	Wentworth	anvanews@aol.com	8919 Boe Lane NE			Albuquerque	NM	87113	
Paradise Hills Civic Association	Tom	Anderson	ta_a@msn.com	10013 Plunkett Drive NW			Albuquerque	NM	87114	5053040106
Paradise Hills Civic Association	Maria	Warren	samralphroxy@yahoo.com	5020 Russell Drive NW			Albuquerque	NM	87114	5054402240
Cibola Loop NA	Julie	Rael	learrael@aol.com	10700 Del Sol Park Drive NW			Albuquerque	NM	87114	5052358189
Cibola Loop NA	Ginny	Forrest	gforrest47@comcast.net	4113 Logan Road NW			Albuquerque	NM	87114	5054170373

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

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

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

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

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

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

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



**Dalaina L. Carmona**

Senior Administrative Assistant  
Office of Neighborhood Coordination  
Council Services Department  
1 Civic Plaza NW, Suite 9087, 9<sup>th</sup> Floor  
Albuquerque, NM 87102  
505-768-3334  
[dcarmona@cabq.gov](mailto:dcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)  
Website: [www.cabq.gov/neighborhoods](http://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) <[webmaster=cabq.gov@mailgun.org](mailto:webmaster=cabq.gov@mailgun.org)> **On Behalf Of** [webmaster@cabq.gov](mailto:webmaster@cabq.gov)  
**Sent:** Monday, April 4, 2022 8:40 AM  
**To:** Office of Neighborhood Coordination <[frank@consensusplanning.com](mailto:frank@consensusplanning.com)>  
**Cc:** Office of Neighborhood Coordination <[onc@cabq.gov](mailto:onc@cabq.gov)>  
**Subject:** Neighborhood Meeting Inquiry Sheet Submission

**[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.**

Neighborhood Meeting Inquiry For:

Other (please specify in field below)

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

City project EPC

Contact Name

Avery

Telephone Number

5057649801

Email Address

[frank@consensusplanning.com](mailto:frank@consensusplanning.com)

Company Name

Company Address

City

State

ZIP

Legal description of the subject site for this project:

Physical address of subject site:

Subject site cross streets:

Near Coors and 7 Bar Loop

Other subject site identifiers:

This site is located on the following zone atlas page:



**From:** [Avery Frank](#)  
**To:** ["aboard111@gmail.com"](#); ["abqrmeyners@gmail.com"](#); ["akingnm@gmail.com"](#); ["albgdog@aol.com"](#); ["aludi2wo@yahoo.com"](#); ["aludi415@gmail.com"](#); ["amanda.candelaria1@gmail.com"](#); ["anvanews@aol.com"](#); ["aotero82@gmail.com"](#); ["associations@corderandcompany.com"](#); ["baurpati@yahoo.com"](#); ["bhetherington@associatedasset.com"](#); ["bobnsh@aol.com"](#); ["cjames@ups.com"](#); ["dana@nationalheat.com"](#); ["dchavez@cgres.com"](#); ["debracox62@comcast.net"](#); ["dgi.llla.board@gmail.com"](#); ["dlrhealing@aol.com"](#); ["dvoth@uark.edu"](#); ["eawalth@comcast.net"](#); ["ebrizuela@cgres.com"](#); ["ekhaley@comcast.net"](#); ["epapafra@gmail.com"](#); ["fpawlak@cgres.com"](#); ["gforrest47@comcast.net"](#); ["gillingworth@hoamco.com"](#); ["gyonas@aol.com"](#); ["jane.baechle@gmail.com"](#); ["jholt@hoamco.com"](#); ["jillson66@comcast.net"](#); ["jillyeagley@swcp.com"](#); ["jim@vmnet.us"](#); ["jvigil56@outlook.com"](#); ["keggleston@cgres.com"](#); ["lajenn21@yahoo.com"](#); ["learrael@aol.com"](#); ["lftrost@gmail.com"](#); ["lilog2002@yahoo.com"](#); ["limabq@gmail.com"](#); ["marijo.rymer@gmail.com"](#); ["maryann@hlsnm.org"](#); ["mazmasher@aol.com"](#); ["mofitz48@gmail.com"](#); ["n2ition@hotmail.com"](#); ["newmexmba@aol.com"](#); ["nick.new.mex@comcast.net"](#); ["patsyncnelson@msn.com"](#); ["peggynorton@yahoo.com"](#); ["pmeyer@sentrymgt.com"](#); ["president@alvaradoneighborhood.com"](#); ["rchabala@cgres.com"](#); ["reschlecht@yahoo.com"](#); ["rgar4@comcast.net"](#); ["rlawlor619@gmail.com"](#); ["roberer@comcast.net"](#); ["samralphroxy@yahoo.com"](#); ["sanderue@comcast.net"](#); ["Schaefer@unm.edu"](#); ["secretary@trna.org"](#); ["steidley@centurylink.net"](#); ["stevek.mebod@gmail.com"](#); ["steven.m.stewart@gmail.com"](#); ["ta\\_a@msn.com"](#); ["timbowen9@aol.com"](#); ["valarid@gmail.com"](#)  
**Cc:** [Jim Strozier](#); ["oweegon@bridgesofpeace.com"](#)  
**Subject:** Notice of Zone Map Amendment  
**Date:** Wednesday, April 13, 2022 5:09:00 PM  
**Attachments:** [open space complete pacakge.pdf](#)

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Hello,

This email is to inform you that Consensus Planning, Inc. on behalf of the City of Albuquerque is requesting a Zone Map Amendment to Major Public Open Space for several parcels of land located at various locations in the city. You are invited to attend a facilitated neighborhood association meeting. All the information is attached to this email including a formal notice for a neighborhood meeting along with supplemental information about the specific properties. The Zoom information is provided below as well as in the email attachments. If you have any questions or concerns prior to the meeting, please feel free to reach out. Thank you and we look forward to seeing you at the scheduled neighborhood association meeting.

**Zoom Information:**

**When:** Monday, April 25, 2022

**Time:** 6:00 pm to 8:00 pm

**Place:** Zoom meeting

- **You do need to register in advance for this meeting by clicking this link: [Register for Meeting](#)**
- After registering, you will receive a confirmation email containing information about joining the meeting.

**Purpose of the Facilitated Meeting is to:**

- Hear a presentation on the project from Consensus Planning, Agent.
- Have a facilitated conversation between the neighbors and the agent
- Document neighbors' feedback
- Discuss/negotiate potential resolution of any concerns
- Submit a summary report of this meeting to City of Albuquerque and all meeting participants by a neutral professional facilitator.

**Agenda:**

- Facilitator opens the meeting
- Applicant or agent presents information pertinent to application
- Facilitator will elicit feedback from the meeting attendees and create a list of related concerns (if any).
- Participants will have the opportunity to clarify and elaborate on each listed concern, with applicant having the opportunity to respond.
- Negotiations, if viable at this time, will be facilitated.

For questions about the meeting or reporting process, please contact: Kathleen Oweegon, contract facilitator: [oweegon@bridgesofpeace.com](mailto:oweegon@bridgesofpeace.com) or (505) 501-7000.

For questions about the application, contact: [frank@consensuplanning.com](mailto:frank@consensuplanning.com), Consensus Planning, Agent: Avery Frank

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

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

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

Date of Notice\*: 5/5/22

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

Property Owner within 100 feet\*: See attached

Mailing Address\*: See attached

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

1. Subject Property Address\* See attached  
Location Description \_\_\_\_\_
2. Property Owner\* City of Albuquerque
3. Agent/Applicant\* [if applicable] Consensus Planning
4. Application(s) Type\* per IDO [Table 6-1-1](#) [mark all that apply]

☒ Zoning Map Amendment

☐ Other: \_\_\_\_\_

Summary of project/request<sup>1</sup>\*:

Zone Map Amendment to NR-PO-B (City Owned or Managed Major Public Open Space)

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

☒ Environmental Planning Commission (EPC)

☐ City Council

This application will be first reviewed and recommended by:

☐ Environmental Planning Commission (EPC)

☐ Landmarks Commission (LC)

☐ Not applicable (Zoning Map Amendment – EPC only)

Date/Time\*: EPC Hearing June 16th @ 8:30 am

Location\*<sup>2</sup>: <https://cabq.zoom.us/j/2269592859>

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

<sup>2</sup> Physical address or Zoom link

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

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

To contact staff, email [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found\*<sup>3</sup>:  
Please call or email [frank@consensusplanning.com](mailto:frank@consensusplanning.com) 505 764 9801

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

1. Zone Atlas Page(s)<sup>\*4</sup> Please see attached
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant\*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project\*:

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

Explanation\*:

n/a

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

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

Please see attached

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

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

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

### Additional Information:

From the IDO Zoning Map<sup>5</sup>:

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

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

### Useful Links

#### Integrated Development Ordinance (IDO):

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

#### IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

---

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

**From:** [Avery Frank](#)  
**To:** "aboard111@gmail.com"; "abqrmeyners@gmail.com"; "akingnm@gmail.com"; "albgdog@aol.com"; "aludi2wo@yahoo.com"; "aludi415@gmail.com"; "amanda.candelaria1@gmail.com"; "anvanews@aol.com"; "aotero82@gmail.com"; "associations@corderandcompany.com"; "baurpati@yahoo.com"; "bhetherington@associatedasset.com"; "bobnsh@aol.com"; "cjames@ups.com"; "dana@nationalheat.com"; "dchavez@cgres.com"; "debracox62@comcast.net"; "dgi.lla.board@gmail.com"; "dlrhealing@aol.com"; "dvoth@uark.edu"; "eawalth@comcast.net"; "ebrizuela@cgres.com"; "ekhaley@comcast.net"; "epapafra@gmail.com"; "fpawlak@cgres.com"; "gforrest47@comcast.net"; "gillingworth@hoamco.com"; "gyonas@aol.com"; "jane.baechle@gmail.com"; "jholt@hoamco.com"; "jillson66@comcast.net"; "jillyeagley@swcp.com"; "jim@vmnet.us"; "jvigil56@outlook.com"; "keggleston@cgres.com"; "lajenn21@yahoo.com"; "learrael@aol.com"; "lftrost@gmail.com"; "lilog2002@yahoo.com"; "limabq@gmail.com"; "marijo.rymer@gmail.com"; "maryann@hlsnm.org"; "mazmasher@aol.com"; "mofitz48@gmail.com"; "n2ition@hotmail.com"; "newmexmba@aol.com"; "nick.new.mex@comcast.net"; "patsyncnelson@msn.com"; "peggynorton@yahoo.com"; "pmeyer@sentrymgt.com"; "president@alvaradoneighborhood.com"; "rchabala@cgres.com"; "reschleicht@yahoo.com"; "rgar4@comcast.net"; "rlawlor619@gmail.com"; "roberer@comcast.net"; "samralphroxy@yahoo.com"; "sanderrue@comcast.net"; "Schaefer@unm.edu"; "secretary@trna.org"; "steidley@centurylink.net"; "stevek.mebod@gmail.com"; "steven.m.stewart@gmail.com"; "ta\_a@msn.com"; "timbowen9@aol.com"; "valarid@gmail.com"  
**Cc:** [Jim Strozier](#)  
**Subject:** Zone Map Amendment  
**Date:** Thursday, May 5, 2022 10:36:00 AM  
**Attachments:** [neighborhood association emailed notice.pdf](#)  
[property owner boca.docx](#)  
[CABQ-Official public notice form-2019.pdf](#)  
[CABQ Open Space Proposed Zone Map Amendment Meeting Report .pdf](#)  
[calabasillas.pdf](#)  
[cuentista.pdf](#)  
[poole.pdf](#)  
[boca.pdf](#)

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Dear Neighbors,

This email is a notification that Consensus Planning has submitted four Zoning Map Amendment – EPC applications on behalf of the City of Albuquerque for open space properties. These applications will change the zoning for these sites (see attached zone atlas pages) to NR-PO-B (Non-residential City-Owned Major Public Open Space). Also attached are meeting notes from the pre-application neighborhood meeting that was held to discuss these changes.

These applications will be considered by the EPC at the June 16, 2022, at 8:30 AM via Zoom. You may join the Zoom meeting using the following information:

Join Zoom Meeting: <https://cabq.zoom.us/j/2269592859>

To call in: (301) 715-8592

Meeting ID: 226 959 2859

Additional information, including a copy of the staff report and meeting agenda will be available on the EPC webpage approximately one week before the hearing:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>

If you have any questions or need additional information please reach out to Jim Strozier at [cp@consensusplanning.com](mailto:cp@consensusplanning.com) or myself at [frank@consensusplanning.com](mailto:frank@consensusplanning.com). We can be reached by phone at (505) 764-9801.

Sincerely,

*Avery M Frank*

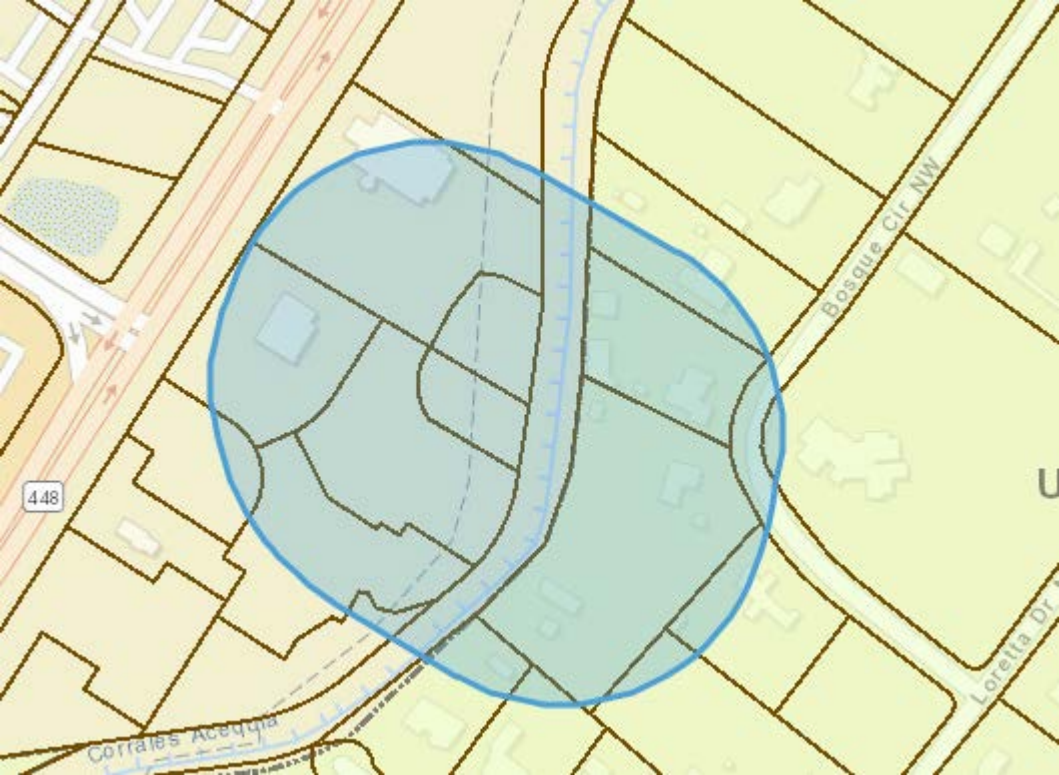
**Consensus Planning, Inc.**

302 8th Street NW

Albuquerque, NM 87102

Phone (505) 764-9801





Owner	Owner Address	Owner Address 2
GARDUNO DAVID	4205 BRYAN AVE NE	ALBUQUERQUE NM 87114-5475
BRANCH TURNER W & N	2025 RIO GRANDE BLVD NW	ALBUQUERQUE NM 87104
BLACK A ROLFE & DORO	114 FLAMINGO CIR	HIGHLAND HAVEN TX 78654-8235
CITY OF ALBUQUERQUE	PO BOX 1293	ALBUQUERQUE NM 87103-2248
BOWLIN RUSSELL TODD	10101 BOSQUE CIR NW	ALBUQUERQUE NM 87114
LCW NM LP C/O HONG K	10100 COORS BLVD NW	ALBUQUERQUE NM 87114-4022
SALAZAR BERNABE L & L	1507 POLO PL NW	ALBUQUERQUE NM 87114-8811
HAYCRAFT DEBORAH AN	1511 POLO PL NW	ALBUQUERQUE NM 87114-8811
BLACK A ROLFE & BLACK	114 FLAMINGO CIR	HIGHLAND HAVEN TX 78654-8235
JB HOLDING LLC C/O JOE	2976 E CULLUMBER ST	GILBERT AZ 85234-6348
BERNAL ALBERT B & YVC	10077 BOSQUE CIR NW	ALBUQUERQUE NM 87114
ESPAT ROBERTO & ROSE	10102 BOSQUE CIR NW	ALBUQUERQUE NM 87114
NEW MEXICO EDUCATO	PO BOX 8530	ALBUQUERQUE NM 87198-8530
ESTES JACLYN & CASEY	10021 LORETTA DR NW	ALBUQUERQUE NM 87114-8808
DECATUR EDWARD N &	10039 BOSQUE CIR NW	ALBUQUERQUE NM 87114-8825
COMMUNITY COMMON	2600 PROSPECT AVE NE	ALBUQUERQUE NM 87107-1836
PROCHNOW ERMYS & JE	10037 BOSQUE CIR NW	ALBUQUERQUE NM 87114-8825



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Albuquerque NM 87114

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Postage \$0.78

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Sent To: JACLYN & CASEY 10021 LORETTA  
DR NW ALBUQUERQUE NM 87114-8808

City, State, ZIP+4®: Albuquerque, NM 87114-8808

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# 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.

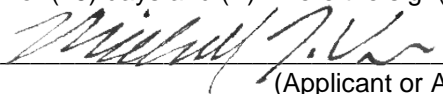
#### 4. TIME

Signs must be posted from June 1, 2022 To July 1, 2022

#### 5. REMOVAL

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

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

  
(Applicant or Agent)

5/5/22  
(Date)

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

**PROJECT NUMBER:** \_\_\_\_\_

## FACILITATED MEETING REPORT

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### City of Albuquerque: Proposed Open Space Zone Map Amendment Pre-Application Meeting

**Project:** CABQ Pre-Application for Open Space Sites' Zone Map Amendment

**Property Description/Address:** Calabacillas Pueblo; La Cuentista; Boca Negra; & Poole Property.

**Date Submitted:** April 28, 2022

**Submitted By:** Kathleen Oweegon

**Meeting Date/Time:** April 25, 2022, 6:00-8:00 pm

**Meeting Location:** Via Zoom

**Facilitator:** Kathleen Oweegon

**Co-facilitator:** Jocelyn M. Torres

**Applicant:** City of Albuquerque (City)

**Agent:** Consensus Planning

**Neighborhood Associations/Interested Parties:** Various Neighborhood Associations (NA); Districts 1, 2, 4, 5 and 6 NA Coalitions; President of City and County Districts; Representative for City Councilor Dan Lewis.

#### Background Summary:

This was a Pre-Application meeting for an EPC zone change, which allows property owners to request a different zone from the one currently assigned.<sup>1</sup> The City of Albuquerque is requesting a Zone Map Amendment for four groups of properties totaling approximately 83 acres. The properties were purchased after the enactment of the Integrated Development Ordinance (IDO). They are located at various points in the city. This request seeks to change existing zoning to NR-PO-B (Major Public Open Space). This will reflect the proper zone classification under the City's ownership and management of the properties. All lots are vacant. Three lots are adjacent to existing Major Public Open Space; thereby increasing the size of the Open Space network if approved. Calabacillas Pueblo is not adjacent to existing Open Space.

This zone change will enable the City to display increased transparency regarding this Open Space designation and management. The City also seeks to support and implement the ABC Comprehensive Plan; provide relief from urbanization; preserve green space; protect the landscape's natural and cultural characteristics; enhance the character of existing single-family neighborhoods; conserve natural resources; and protect fragile ecosystems.

#### Parcel Identification

##### **Boca Negra:**

Current Zone: R-A (Rural Agricultural)

Size of Site: 25.49 acres (7 parcels)

Current Conditions: The site is vacant and surrounded by single-family housing, vacant land, and Major Public Open Space.

Nearest Streets: Quivira Drive, Villa Real Road, and Retablo Road NW.

Development Pattern: Area of Consistency.

##### **La Cuentista:**

Current Zone: R-1D (Residential Single-Family Extra-Large Lot)

Size of Site: 35.4082 acres (6 parcels)

Current Conditions: The site is vacant and surrounded by single/multi-family housing, vacant land, and Major Public Open Space.

Nearest Streets: Rosa Parks Road NW and Kimmick Drive NW.

Development Patterns: Area of Consistency.

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<sup>1</sup> See Attached Consensus Power Point Presentation

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### City of Albuquerque: Proposed Open Space Zone Map Amendment Pre-Application Meeting

#### Poole Property:

Current Zone: R-A (Rural Agricultural)

Size of Site: 22.716 acres (3 parcels)

Current Conditions: The site is vacant and surrounded by single-family housing, a neighborhood park, private Open Space, and Major Public Open Space.

Nearest Streets: La Bienvenida Place NW, Tres Gracias NW, and Namaste Road NW.

Development Patterns: Area of Consistency.

#### Calabacillas:

Current Zone: MX-T (Mixed Use Transition)

Size of Site: 0.4314 acres (1 parcel)

Current Conditions: The site is vacant and surrounded by commercial, vacant commercial land, and large lot (unincorporated County) residential.

Nearest Streets: Coors Boulevard NW, and 7 Bar Loop NW.

Development Patterns: Area of Change.

#### Outcomes:

##### 1) Areas of Agreement:

- a) Participants asked several questions and generally voiced support for the contemplated EPC zone change to Major Open Space.

##### 2) Areas of Discussion:

- a) Participants encouraged adherence to strict guidelines that do not deviate from the primary purpose of having Open Space to include protection of the existing landscape; ecosystem; and native wildlife species.

##### 3) Unresolved Issues & Concerns

- a) None noted

**Meeting Specifics:** *Neighbor questions and comments are in Italics. Q = Question; C = Comment*

#### 1) Current Designation

- a) *Q/C: You're speaking though you know all these properties that are owned by the city are already Open Space, but isn't it true that they're actually just properties that aren't zoned for open space, so they're just properties owned by the city?*

A: These properties have been acquired by the city, and they've been acquired for the purpose of expanding the city's Open Space network. This action that we're that we're moving forward on the city's behalf is to make it clear and finish that effort to make them officially part of the city's Open Space network.

#### 1) Open Space Zoning Requirements.<sup>2</sup>

- a) *Q/C: How will the City abide by the strict requirements of the Open Space designation? There are several allowable and permissive uses for the NR-PO-B designation.*

A: The City relies on its Open Space Advisory Board to ensure that the Open Space restrictions are implemented and maintained. The IDO also requires that the City implement a site plan and master plan. Although the list includes several things that could possibly be done, there are processes and protections in place that would at least require community review.

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<sup>2</sup> See attached Consensus Planning table: "Allowable Uses – Open Space" (for NR-PO-B compared to R-1A/D, R-A, MX-T)

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### City of Albuquerque: Proposed Open Space Zone Map Amendment Pre-Application Meeting

b) *Q: What are the master plans? Are they in existence or will they be separate plans for these properties?*

A: I think that for the most part these particular properties are not included in an existing master plan.

I think that the city would have to take additional steps to either bring these properties into an existing master plan or do a separate master plan for those properties once the zoning is in place is my understanding of it.

*C: I think that one of the contingencies of having this happen is that the City should do a master plan for these areas that is consistent with what's presented here tonight.*

c) *Q: What does the "B" mean? I agree that some uses may be OK and some not OK. Are we including the neighborhoods working together so it's not such a battle all the time? I'm really glad we got these parcels and want it to be something that everyone agrees is appropriate.*

A: The Agent quoted a portion of IDO page 56 in stating that (in Subzone B) there will be oversight by the Open Space Advisory Board and there should be community input as to the City's use of Major Public Open Space.<sup>3</sup> Three properties are adjacent to City Open Space. The Open Space Division can also be asked whether they intend to do anything else with these properties.

The Agent quoted the definition of "Major Public Open Space" from IDO pages 563-564.<sup>4</sup> He also offered to look into the City's facility plan for Major Public Open Space.

## 2) Protection of Ecosystems and Wildlife.

a) *Q: I live in District 1, Andalucia. I agree with the goals of protecting wildlife and fragile ecosystems. The Poole Property drains into the wetlands with beavers, porcupines and a waterfall. I'm concerned about a mass pilgrimage to that location.*

A: From our conversations with the City Open Space Division, they are in sync with what you've just said in terms of their goals for management of that property.

b) *C/Q: I have a master's in architecture and planning and was a consultant for the National Park Service. The Trump administration loosened up development uses in areas relegated as migratory bird flyways. Are the IDO City processes sufficient to meet those larger state and federal regulations?*

A: We have discussed the goals and definitions of Major Public Open Space. There is also a facility plan for the Open Space Division that we will look into. The City's management of Oxbow and the Petroglyph National Monument demonstrates that its purpose is in alignment (with the preservation of migratory birds). The Open Space Division has a small staff that is very dedicated towards protecting and managing these lands.

*C: There's a lot of Federal and State programs and grants for these kinds of things.*

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<sup>3</sup> 2-5(F)(3)(b) Sub-zone B: Major Public Open Space

1. Uses and development standards specified in a Resource Management Plan or Master Plan approved or amended by the Open Space Division of the City Parks and Recreation Department for each facility or in the Facility Plan for Major Public Open Space prevail over IDO standards and may be reflected in Site Plans approved pursuant to this IDO.
2. For facilities without a Resource Management Plan or Master Plan, allowable uses other than those specified in Table 4-2-1 or the Facility Plan for Major Public Open Space may be approved pursuant to Subsection 14-16-6-6(J) (Site Plan – EPC).
3. Any Extraordinary Facility shall be reviewed and decided pursuant to Subsection 14-16-6-6(J) (Site Plan – EPC).

<sup>4</sup> Major Public Open Space: Publicly-owned spaces managed by the Open Space Division of the City Parks and Recreation Department, including the Rio Grande State Park (i.e. the Bosque), Petroglyph National Monument, and Sandia foothills. These are typically greater than 5 acres and may include natural and cultural resources, preserves, low-impact recreational facilities, dedicated lands, arroyos, or trail corridors. The adopted Facility Plan for Major Public Open Space guides the management of these areas. For the purposes of this IDO, Major Public Open Space located outside the city municipal boundary still triggers Major Public Open Space Edge requirements for properties within the city adjacent to or within the specified distance of Major Public Open Space



# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### City of Albuquerque: Proposed Open Space Zone Map Amendment Pre-Application Meeting

#### 3) Nature and Purpose of Zone Change.

- a) *C/Q: A couple of comments, and then a question for clarity. I'm in (the) District 4 Coalition. The District 4 Coalition is connected with private citizens that caused the Poole Property to not become 93 McDonald mansions. The west side, especially the Poole Property, is part of the entire City. I understand that both tonight and Wednesday night we're talking about a zone map amendment or amendments. I need to understand which decision-making body will handle the zone map amendments. A second part is what's the difference or distinction between zone map amendment, and a zone change? My concern is that we would take a can of tomato soup and put a new label on it, and say it's chicken gumbo, and on the map it's going to show the difference, but in reality, nothing has changed except the map. If you would help me understand that.*

A: A zone map amendment, zone mapping amendment, and a zone change are all different terminology for the same process. They all mean the same thing. Had the Poole property been acquired by the City for Open Space at the time the IDO was created, the zoning would have automatically been changed to NR-PO-B. Since the City did not own these properties when the IDO was adopted, this process is required to have the proper zone designation for these properties and accuracy as to the City's online interactive display. There may not be a practical difference, but it's important for the public, so people can look at the online interactive zoning map and see the purpose of the property. This is important for disclosure and transparency. The Poole Property looks like it is zoned for those 93 houses, but it's not. It is owned and managed by the City as Open Space. The properties purchased by the City for the purpose of Open Space are usually not initially zoned for that purpose. This is the process that the City can go through to change the zoning to align with the new use. That also brings into play the City's Facility Plan for Major Public Open Space, which is tied directly to the properties that are zoned for Major Public Open Space. That is why there is an Open Space Advisory Board and Environmental Planning Commission to make those decisions.

*Q: Who is the decision-making body for this?*

A: The EPC decides zone map amendments. The application will be filed May 5, 2022. The EPC hearing on all four properties will be held June 16, 2022. Although the EPC will have to make a separate decision for each property, their purpose/use is the same so they will be grouped for the purpose of the presentation to the EPC.

#### 4) City's Property Purchases.

- a) *Q: Please display the map of La Cuentista. (see slide #6 of Agent's PowerPoint presentation) How much Open Space property is the City purchasing?*

A: They're in the process of acquiring additional properties. We thought we were going to be making this application for 6 parcels because they haven't completed the transaction on the sixth, so we're only at 5: the ones outlined in blue. I believe the City plans to acquire the two La Cuentista properties in yellow highlighting near the blue outline, and also near the street named Rosa Parks, but has not yet done that.<sup>5</sup>

*C: The two properties highlighted in yellow have nice rock formations and petroglyphs. I favor the City purchasing them. I'm a neighbor and hope the City also purchases the arroyo outlined in blue.*

- b) *Q: Regarding the Boca Negra property, the outlined in blue next to the green area that's already Open Space, that's along an arroyo. They're going to leave that natural, right?*

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<sup>5</sup> See attached: "Open Space Zone Map Amendment" – description and maps provided by Agent.

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### City of Albuquerque: Proposed Open Space Zone Map Amendment Pre-Application Meeting

A: This is another area where I believe the City is interested in acquiring more land surrounding the arroyo that you've mentioned but hasn't done so yet. We're only allowed to request the zone change on the properties that the City owns now.

*C: I hope that will be left natural. There's another grouping of rocks with petroglyphs there. It would be nice to leave it and protect it. I hope the City acquires as much land as it can around that arroyo.*

A: I think the Open Space Division shares your goals for that.

#### 5) Other

- a) A participant requested to know which Council district each meeting participant resides in. Six people responded: D1: (1), D2: (1), D3: (1), D4: (1), D5: (2)

#### Anticipated Application and Hearing timetable:

EPC Application will be filed May 5, 2022

EPC Hearing will be held June 16, 2022.

#### Names & Affiliations of Attendees

Jim Strozier	Consensus Planning
Avery Frank	Consensus Planning
Melissa Sanchez	District 1
Peggy Neff	District 2
Dan Regan	District 4 Coalition
Elizabeth Haley	West Side Coalition of NAs President
Joshua Beutler	District 5
Tony Chavez	District 3
Alan Schwartz:	District 5
Laura Mason	No affiliation noted