

PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

May 21, 2020

Aztec Village MHC LLC
3000 Aztec Rd NE
Albuquerque NM 87107

Project #2020-003550
RZ-2020-00006 – Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Tierra West LLC., agent for Aztec Village MHC LLC, request the above action from NR-C to R-MC for all or a portion of Lot SW1/4 SE1/4 SEC 3 T10N R3E CONT Block 0000 of Porters Replat Portion Subdivision, Located at 3000 Aztec Rd NE, between Aztec Rd NE, and Lafayette Dr NE, approximately 19.67 acres
(G-16-Z) Staff Planner: Francine Pacheco, Planner

On May 21, 2020, the Environmental Planning Commission (EPC) voted to forward a RECOMMENDATION OF APPROVAL to City Council of Project 2020-03550 / RZ-2020-00006, Zoning Map Amendment (Zone Change), based on the following FINDINGS and subject to RECOMMENDED CONDITONS OF APPROVAL.

1. The request is for a zone map amendment (zone change) for a 19.67acre site known as Porters Replat Portion SW1/4 SE1/4 SEC 3 T10N R3E (the “subject site”). The subject site is located on On Southwest corner of Azted Rd, NE and Lafeyette Dr. NE (3000 Aztec Rd. NE).
2. The subject site is zoned N-RC (nonresidential-commercial), which it received upon adoption of the Integrated Development Ordinance (IDO) as a conversion from the former zoning of C-3. This conversion changed the mobile home park from a C-3 allowed conditional use to a nonconforming use in the NR-C zoning district.
3. For over 50 years the site, Aztec Mobile Home Village has operated as a mobile home community as an allowed conditional use under the previous C-3 zoning. The Aztec Mobile Home Village is at full capacity with all 163 lots/spaces occupied with homes. Given the established community that offers an affordable housing option to its residents, the property owner is seeking the Zone Map Amendment to secure continued use as a mobile home community beyond the year 2047.
4. The subject site is in an area that the Comprehensive Plan has designated an Area of Consistency.

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5. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. This Zone Map Amendment request furthers ABC Comp Plan Goal 4.1 and Policy 4.1.4 because it would protect and preserve this distinct neighborhood and community in a mixed-use area that supports the city's long-term health and vitality.
7. This request furthers ABC Comp Plan Goal 5.1 and Policy 5.1.8 by preserving an appropriate residential use near designated multi-modal corridors that provide multiple transportation options to residents including walking, driving, and transit access.
8. This request furthers ABC Comp Plan Policy 5.1.10 because the site is within walking distance of transit service and non-residential development on Carlisle, Comanche, and Candelaria.
9. The Zone Map Amendment would preserve the existing housing use as conforming on the subject site furthers ABC Comp Plan Goal 5.6 and Policy 5.6.3 by reinforcing the existing character and intensity of development on the site, which will protect and enhance the character of this existing residential neighborhood.
10. This request would continue to provide affordable housing options for a variety of income levels and types of residents and households, including manufactured housing options furthering ABC Comp Plan Goal 9.1 and Policy 9.1.2 (a).
11. ABC Comp Plan Goal 9.5 is furthered by preserving affordable housing that the market would not otherwise be able to provide, especially for vulnerable populations and those who are of low-income status.
12. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 6-7(F)(3)-Review and Decision Criteria for Zone 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 a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them. The applicant has adequately demonstrated that the request would be consistent with the City's health, safety, morals and general welfare by fully analyzing and showing conformance with applicable Comprehensive Plan Goals and policies.

The applicant has demonstrated his request will preserve the health, safety, and general welfare of city residents by allowing the site to continue operating as mobile home community which provides affordable housing and avoid displacement. It is important that affordable housing

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options like the Aztec Village remain protected to prevent homelessness and provide shelter, which is a major component of health, safety, and general welfare. A preponderance of applicable Comp Plan Goals and Policies are furthered by the request. The response to Criterion A is sufficient.

B. Criterion B: The applicant has demonstrated that the R-MC will be more advantageous by preserving an existing use that will continue to offer affordable housing options to community members. Additionally, it will not allow for an increase in density or intensity of use. The use will be strictly limited to residential with the option of adding amenities such as a club house, pool, or recreation center. The requested zoning district is more advantageous to the community as articulated by the ABC Comp Plan

C. Criterion C: This criterion does not apply as the subject site is not located in an Area of Change.

D. Criterion D: Sufficient comparison has been thoroughly demonstrated on the table of uses provided by the applicant which can be found on Justification Letter dated May 8, 2020, pg. 8-9 (see attached). Overall, the number and intensity of uses will decrease dramatically. The only permitted uses are residential and site amenities (pool, club house etc.) It is important to note property owner is giving up a lot of entitlements to ensure no harm or adverse effects can be a consequence of zoning. This is a significant downzone that will be not be harmful to those residing on the site, nor to adjacent properties.

E. Criterion E: This criterion does not apply due to the site being fully developed. and use on the subject site will not require any capital expenditure by the City.

F. Criterion F: This request is not based on locality. This request is based on securing conforming use status of the site and to preserve and protect an already limited supply of affordable housing and not on the property's location on a major street.

G. Criterion G: Considering this request is a downzone, the applicant's justification is not based completely or predominantly on the cost of land or economic considerations because it will allow the continued use of the property as a manufactured home community. This request is a significant downzone from the allowed commercial uses of the NR-C zone to the limited uses allowed in the R-MC zone.

H. Criterion H: This request will create a "spot zone" that aligns with 6-7(F)(3)(h)(3) as the existing mobile home community makes the premises unsuitable for the uses allowed in any other zoning district of adjacent properties.

13. There is no known opposition to this request.

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APPEAL: It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15-day period following the EPC's recommendation by 5 June 2020.

Sincerely,

for Brennon Williams
Planning Director

BW/LN

cc: EPC file

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Tierra West LLC, 5571 Midway Park PL NE, Albuquerque NM, 87109

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