



## Environmental Planning Commission

Agenda Number: 04  
Project #: PR-2019-002761  
Case #: RZ-2020-00029  
Hearing Date: November 12, 2020

### Staff Report

|                          |  |
|--------------------------|--|
| <b>Agent</b>             | Jacqueline Fishman, Consensus Planning   |
| <b>Applicant</b>         | Legacy Development & Management, LLC   |
| <b>Request</b>           | <b>Zone Map Amendment (Zone Change)</b>  |
| <b>Legal Description</b> | Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres                             |
| <b>Location</b>          | 6511 Eagle Rock Ave. NE, 6700 & 6716 Modesto Ave NE (between Eagle Rock Ave. NE and Modesto Ave. NE) |
| <b>Size</b>              | Approximately 4.8 acres  |
| <b>Existing Zoning</b>   | NR-BP  |
| <b>Proposed Zoning</b>   | MX-L   |

### Staff Recommendation

**APPROVAL** of RZ-2020-00029, based on the Findings beginning on pg. 16 of this report.

Staff Planner  
Francine Pacheco

### Summary of Analysis

The request is for a zoning change for a 4.8-acre site located at 6511 Eagle Rock Ave. NE and 6700 & 6716 Modesto Ave. NE in an Area of Consistency.

Currently the subject site is vacant. The subject site was previously zoned SU-2, prior to the adoption of the Integrated Development Ordinance (IDO). Upon adoption of the IDO, the site was converted to NR-BP, to align with the designated zoning south of the subject site along Eagle Rock Ave. NE. The applicant is requesting a zone change to MX-L, which will match existing zoning north of the site.

This subject site was originally zoned SU-2 as a result of the 2010 North 1-25 Sector Development plan, which was intended to drive growth into an area designated to increase employment opportunities and economic growth. Additionally, a portion of this site is part of an approved Site Plan with the intent to develop warehousing and allow moderate commercial use.

There have been neighborhood concerns regarding a new site plan request, which has been documented in the Land Use Facilitation Report attached to application.

This request is for a downzone and will generally preserve the existing residential community. The applicant has adequately justified the request. Staff recommends approval.





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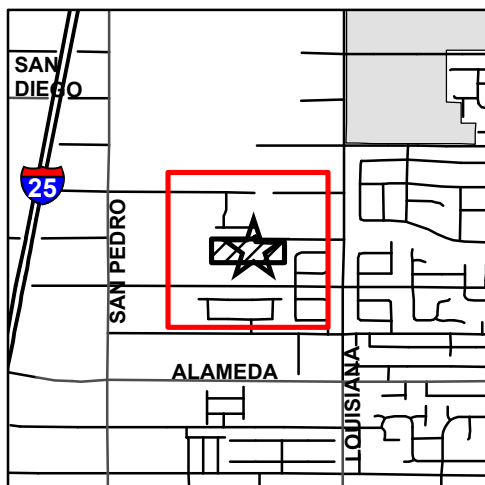
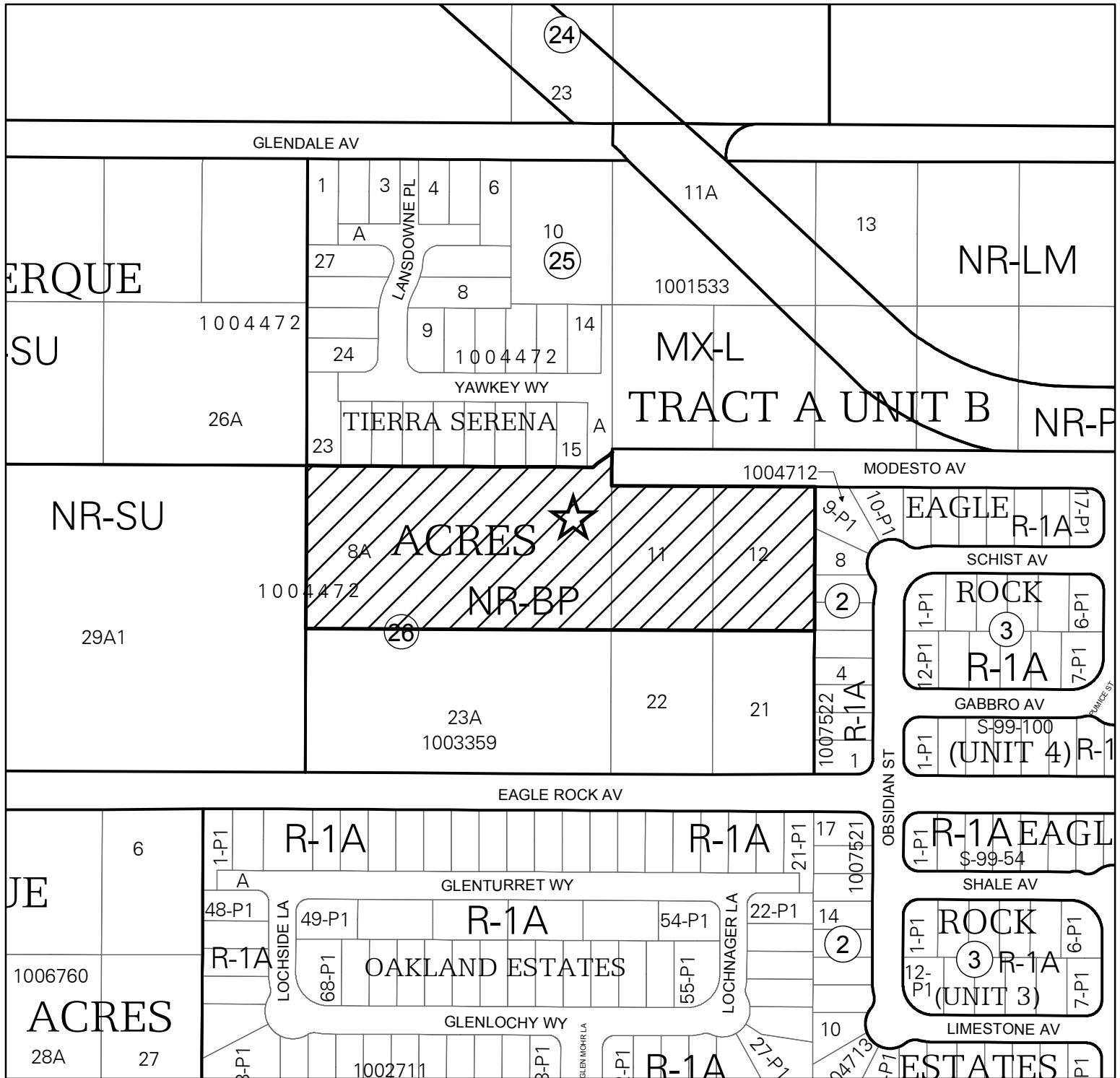
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## IDO ZONING MAP

Note: Gray shading  
indicates County.



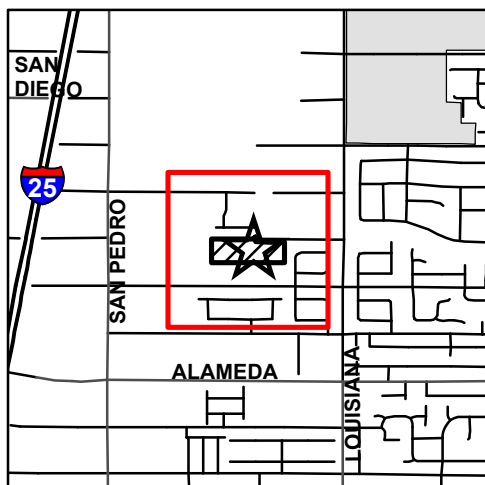
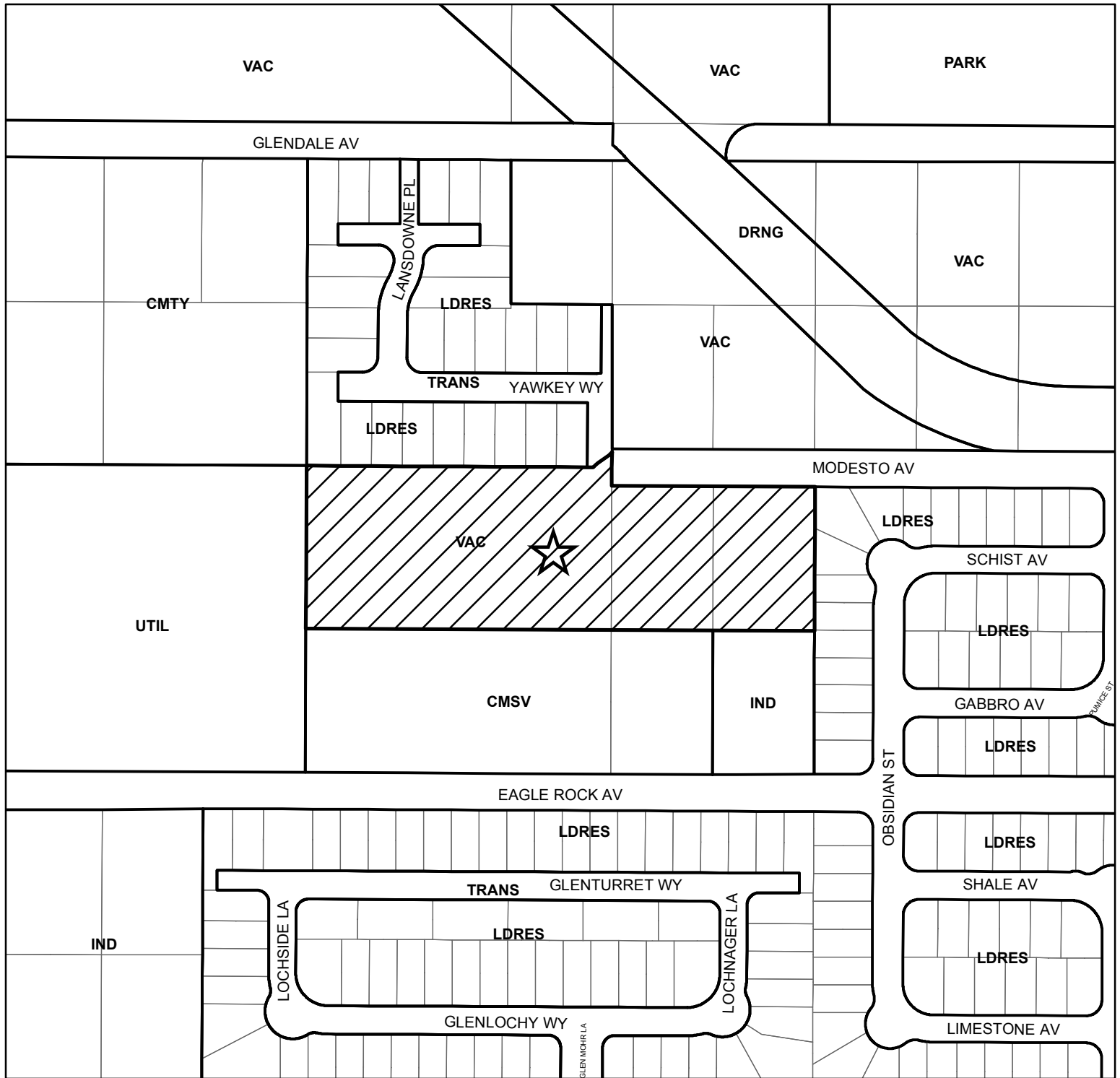
1 inch = 225 feet

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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 |



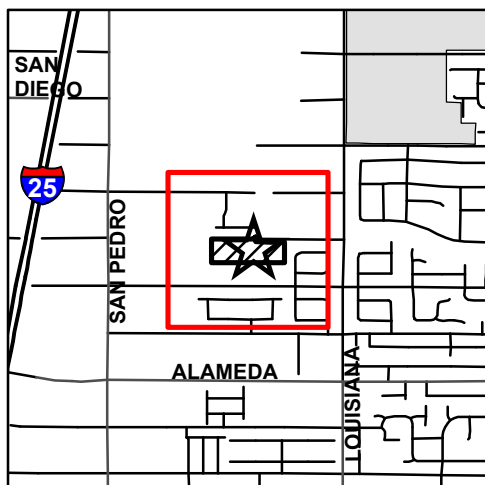
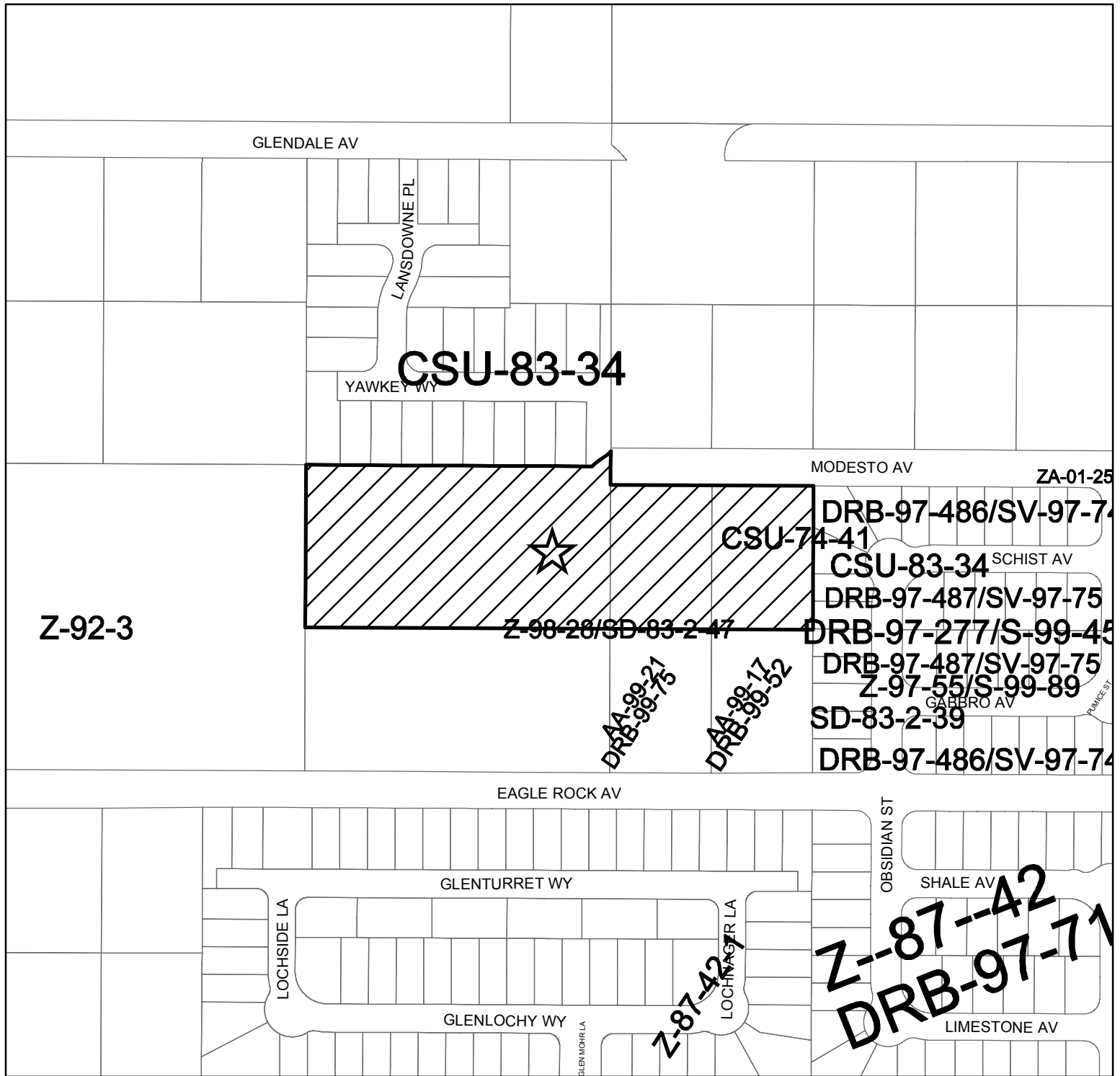
1 inch = 225 feet

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## HISTORY MAP

Note: Gray shading  
indicates County.



1 inch = 225 feet

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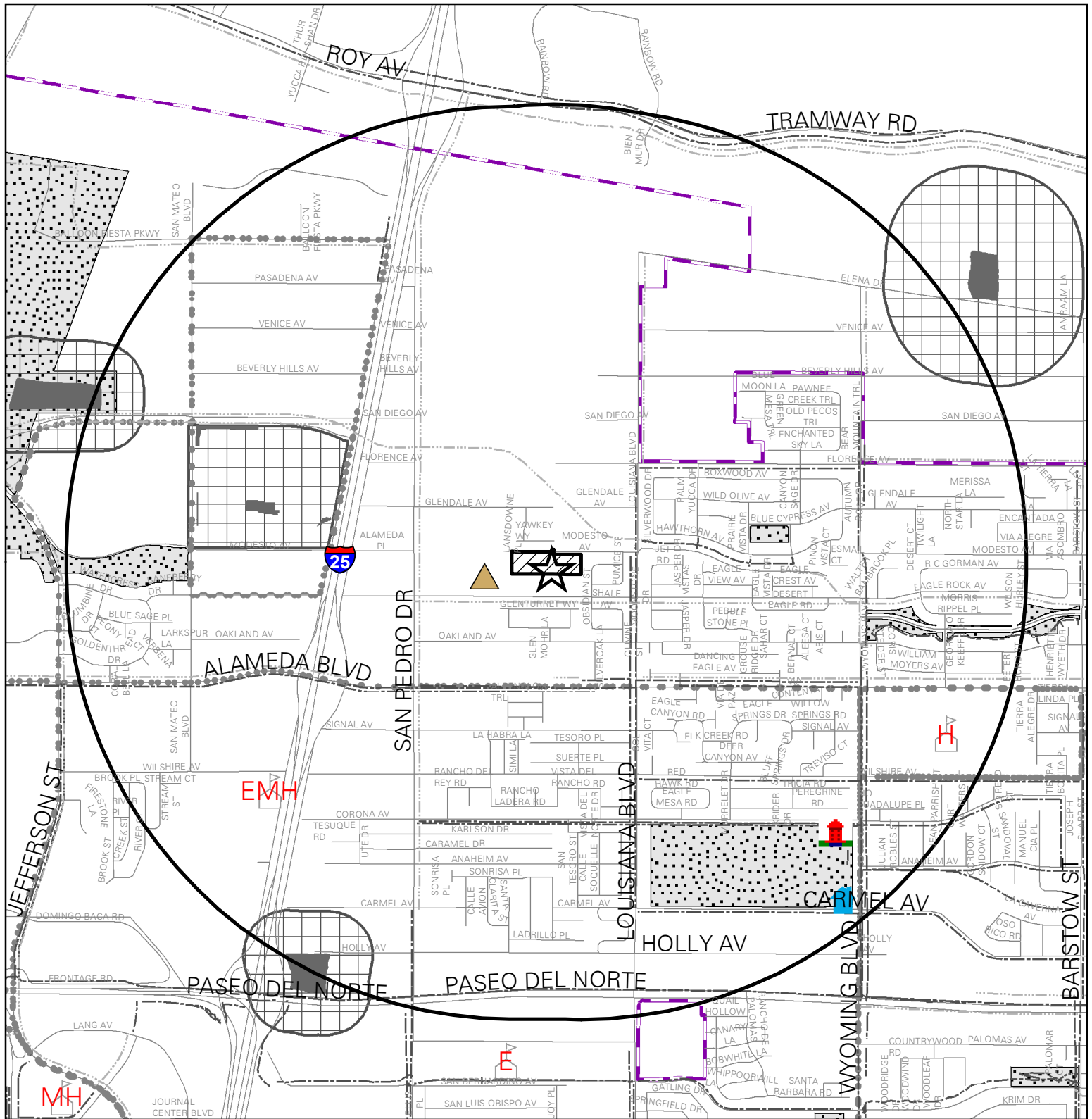
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Zone Atlas Page:





















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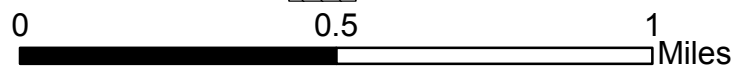


## Public Facilities Map with One-Mile Buffer



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

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## **I. OVERVIEW**

### ***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>  | NR-BP                | Area of Consistency                   | Vacant                                |
| <b><i>North</i></b> | MX-L                 | Area of Consistency                   | Low-Density Residential               |
| <b><i>South</i></b> | NR-BP                | Area of Consistency                   | Non-Residential (Commercial Services) |
| <b><i>East</i></b>  | R1-A                 | Area of Consistency                   | Low Density Residential               |
| <b><i>West</i></b>  | NR-SU                | Area of Consistency                   | Sensitive Use                         |

### ***Request***

The request is for a Zone Map Amendment (zone change) for a 4.8-acre site located on the southwest corner of side of Modesto Ave. NE between Modesto Ave. NE and Eagle Rock Ave. NE (6511 Eagle Rock Ave., 6700 Modesto Ave. NE, and 6716 Modesto Ave. NE). The site is currently vacant with a portion of the site belonging to The Eagle Rock Business Center, a site plan approved prior to the IDO in 2007. The subject site is zoned NR-BP (Non-Residential – Business Park) which it received upon adoption of the Integrated Development Ordinance (IDO) as a conversion from the former zoning of SU-2/IP (Industrial Park).

The applicant is requesting a zone change to MX-L (Mixed Use – Low Intensity Zone District), which will allow for multi-family units, apartments and/or townhomes, along with live-work units while limiting the intensity of commercial uses to those that generally serve neighborhoods.

### ***EPC Role***

The Environmental Planning Commission (EPC) is hearing this case because the EPC is required to hear all zone change cases, regardless of site size, in the City pursuant to IDO 6-7(F)(1)(a). The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) will then hear the appeal and make a recommendation to the City Council. The City Council would then be the final decision-making body. This request is a quasi-judicial matter.

### ***Context***

The subject site is located between Modesto Ave. NE and Eagle Rock Ave NE. It is currently zoned NR-BP and bordered by MX-L on the North, NR-BP to the South, NR-SU on the West and R-1A to the East. The subject site is within ¼ of mile from a multi-modal corridor, Alameda Blvd, which is also considered a commuter corridor. Due West of the site is a cemetery and City of Albuquerque Eagle Rock Convenience Center, along with several other office spaces and small warehouses. North and East of the site are two single-family home subdivisions. Recently, entertainment and recreational facilities such as Tin Can Alley and Stone Age Climbing Gym have been built within the area as well. The applicant is requesting a Zone Map Amendment, and if approved will move



forward to seek approval for a new Site Plan Application – DRB for a multi-family residential development.

Given the location, there is a mixture of uses in the immediate area ranging from office space, commercial retail, to manufacturing, but most importantly single-family housing. The applicant's request for a Zone Map Amendment will potentially offer different types of housing for a mixed range of income, which is lacking in this particular area. Additionally, the MX-L zone allows for proper transition between moderate commercial use (and sensitive uses for the cemetery and recycling center) and single family residential by gradually decreasing intensity in land use and zoning.

There has been strong opposition towards the proposed site plan from neighboring communities and Neighborhood Associations, citing the proposed development of a multi-family complex will change the community character and will increase crime. Although this analysis is solely focused on the Zone Map Amendment, staff has carefully evaluated the difference in land use permitted with existing and requested zoning.

### ***History***

The site has remained over the years vacant previously zoned SU-2 as part of the 2010 North I-25 Sector Development Plan. At the time, the North I-25 Sector Development Plan was to guide growth towards the appropriate locations and establish a pronounced area focused on economic growth. In addition to the vision provided by the North I-25 Sector Plan, the site also carries over as part of an approved site plan from 2007 for office space and warehousing. The approved site plan was guided by an older version of the North I-25 Sector Development Plan (1986). The site plan has since been amended to increase square footage of the proposed warehousing, allowing for 14 separate bays all facing North, towards Modesto Ave. NE.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classifications of roadways. Modesto Ave. NE and Eagle Rock Ave. NE are both local streets.

### ***Comprehensive Plan Designation***

The subject site is not located in a designated Activity Center.

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

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

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

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

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. The Goals and policies analyzed below are cited by the applicant in the zone change justification letter dated September 22, 2020 (see attachment).

#### Chapter 4: Community Identity

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

*Applicant Response: The request furthers this policy by downzoning a site that is located adjacent to two single-family residential neighborhoods, thus providing a transition zone and ensuring a more appropriate scale, location of development, mix of uses, and character of building design than presently allowed. The change to the MX-L zone district will eliminate many potentially harmful and intense uses that could otherwise locate on the site under the existing zoning. The zone change would introduce residential uses that are more compatible and appropriate to share access from Modesto Avenue along with the existing subdivisions. The existing zoning allows up to 65 feet of building height whereas the requested MX-L zone reduces that to 35 feet, which is much more in scale with the surrounding residences, many of which are two-story.*

**Staff Response:** This request furthers Goal 4.1 and Policy 4.1.2 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 by providing the appropriate scale of intensity to transition from NR-BP down to R-1A. Additionally, by downzoning, the traffic will be significantly decreased opposed to the traffic created by the existing approved site plan.

#### Chapter 5: Land Use

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

g) Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership

*Applicant Response: The subject site is in a neighborhood just north of the Alameda Boulevard Multi-modal Corridor. Multi-modal Corridors are intended to encourage the redevelopment of the area "to a more mixed-use, pedestrian-oriented environment that focuses heavily on providing safe, multi-modal transportation options." The request furthers this goal and policy by providing more housing density and opportunities for mixed-use development near such a Corridor. Future businesses or residents at the site will have convenient access to bicycle facilities such as bike lanes on Louisiana Boulevard and along the La Cueva arroyo channel connecting them to new commercial development along Alameda, North Domingo Baca Park, and the La Cueva Activity Center. Additional multi-family development and appropriate densities may incentivize an increase in transit service along Alameda in what is becoming a much more mixed-use destination.*

a) Create walkable places that provide opportunities to live, work, learn, shop, and play.



**Staff Response:** This request furthers Goal 5.1 and Policy 5.1.1 by encouraging an appropriate scale of land use intensity, density, and multiple residential uses near designated multi-modal corridors that provide multiple transportation options to residents including walking, driving, and transit access.

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

*Applicant Response: As an Area of Consistency, the site is appropriate for a downzone that provides more appropriate uses, scale, and intensity of development to act as a transition to the neighboring single-family neighborhoods, thus furthering this policy.*

**Staff Response:** This request furthers Policy 5.1.2 by maintaining an appropriate scale between the NR-BP zone and R-1A zone that borders the site on the South, West, and East and appropriately matches the zoning due North. If request is denied, a heavier intensity of non-residential use will be abutting both single-family subdivisions to the North and East.

Policy 5.1.11 Multi-Modal Corridors: Design safe Multi-Modal Corridors that balance the competing needs of multiple modes of travel and become more mixed-use and pedestrian-oriented over time.

b) Prioritize improvements that increase pedestrian safety and convenience and make bicycle and transit options more viable.

*Applicant Response: The subject site is located just north of the Alameda Boulevard Multi-modal Corridor. The request furthers this policy by allowing a combination of uses that are more appropriate for a mixed-use and pedestrian oriented area than the current NR-BP zoning. Allowing more neighborhood-serving uses and multi-family residential development will provide improvements to the area, including infill density and a reduction in potential truck traffic, that will make the surrounding roadway safer and more convenient for bicycles and pedestrians. An increase in residential densities will make transit in this area more viable.*

**Staff Response:** This request furthers Policy 5.1.11 by increasing amount of residential development near a multi-modal corridor that gives access to employment, recreation, and retail ensuring future development will take into consideration potential pedestrian and bike traffic coming from the extended residential uses nearby.

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

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

- a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.
- b) Encourage development that offers choice in transportation, work areas, and lifestyles.
- d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.
- e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.
- f) Encourage higher density housing as an appropriate use in the following situations:
  - v. In areas where a transition is needed between single-family homes and much more intensive development.
- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.
- n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

*Applicant Response: The request furthers this goal and policy and numerous sub-policies by allowing for development of a mix of uses including multi-family residential on the subject property, which is currently developed with two multitenant office/warehouse buildings. These lots have been vacant for a long time and are no longer appropriate for the intensive uses currently allowed under the NR-BP zone due to their adjacency to single-family residential. The request will allow new development and multi-family residential where it can function as a transition to more intensive development. Infill development of the site will provide for broader potential housing options in this area to meet a range of incomes or lifestyles relatively close to a major employment center west of Interstate 25 in a form that is compatible with the surrounding area.*

**Staff Response: Policy 5.2.1 is generally supported and furthered by this request by increasing density, expanding housing options that are available to mixed income residents, all while encouraging development within walking distance of employment centers, recreation, retail, and promoting multi-modal systems.**

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

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

*Applicant Response: The North I-25 corridor area is a major employment area for Albuquerque. The requested zone change furthers this policy by providing opportunities for additional higher-density housing near an area of concentrated employment without further overburdening river crossings due to the site's location east of the River.*

**Staff Response:** The subject site is not West of the Rio Grande, therefore this goal and policy do not apply.

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

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

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

e) In areas with predominantly non-residential land uses, carefully consider zone changes from non-residential to mixed-use or residential zones for potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.

*Applicant Response: The request furthers this policy through the careful consideration of the request to downzone to a mixed-use district in an area that currently includes predominantly non-residential zoning and land uses near single family residential. The proposed zone change will allow development that reinforces the scale, intensity, and setbacks of the immediately surrounding context while also acknowledging and respecting the abutting properties by encouraging more compatible land uses.*

**Staff Response:** This request to encourage higher density housing and mixed use development will ensure potential growth will not impose on the existing single family subdivisions by creating a buffer and allowing for a proper scale of transition which will protect and enhance the character of this existing residential neighborhood North and East.

Policy 5.6.4 Appropriate Transitions: Provide Transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

a) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.

b) Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

*Applicant Response: The Applicant has carefully considered the transition between the subject site and neighboring low-density residential. The request for the MX-L zone will provide an appropriate transition from the existing non-residential zoning and land uses to the neighboring single-family neighborhoods. It will significantly lower allowable building heights (from 65 feet to 35 feet) and reduce the potential for negative effects from noise, lighting, air pollution, and traffic that could otherwise be generated by a warehousing or*

*business park use and associated large trucks on the property and access onto Modesto Avenue.*

**Staff Response:** Appropriate transitions will be applied given the downzoning of the area and the placement of the zone districts. An appropriate transition will occur being the zones transition from NR-BP to MX-L to R1-A. This will negate any potential harmful impacts to the nearby R1-A and other single family homes by slowly scaling down the intensity and density with this request.

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

**Staff Response:** The request would facilitate infill because it is allowing for a higher density use other than single-family housing that is permissive in R1-A on an otherwise vacant lot that is approved for warehousing, yet will limit the intensity of the infill to blend in between commercial warehousing and the existing low-density residential that is abutting the site.

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

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

a) Increase the supply of housing that is affordable for all income levels.

*Applicant Response: Downzoning the subject site from NR-BP to MX-L allows for the development of multi-family residential, which furthers this goal and policy to allow for new multi-family development in an area that is underserved by such development. According to the CBRE January 2019 Multi-family Market Survey, the North I-25 area (MLS Areas 21, 100, and 102) have a combined 935 units, both market rate and affordable, with an occupancy rate of approximately 94.8% (See Figure 6 on [report]). Most of the multi-family residential development in Albuquerque is located south of Paseo del Norte on the east side of the River with a significant number of units near the Cottonwood Mall west of the River. Providing more multi-family farther north, east of the River, and closer to the employment in the vicinity is appropriate and this request will help contribute to the balancing of housing options.*

**Staff Report:** This request supports Goal 9.1 and Policy 9.1.1 by making multi-family development permissive in this area encouraging developers to expand housing options for individuals and families who may choose not to live in a single-family home. This request also furthers the goal and policy by encouraging a market rate and affordable purchase/rental options for more than one income bracket.



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

Policy 9.3.2 Other Areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.

- a) Encourage higher-density residential and mixed-use development as appropriate uses near existing public facilities, educational facilities, job centers, social services, and shopping districts.
- b) Encourage multi-family and mixed-use development in areas where a transition is needed between single-family homes and more intense development.

*Applicant Response: The request furthers this goal and policy by providing mixed use and multi-family residential development opportunities near a large job center and an upcoming commercial district along the Alameda corridor. The proposed otherwise be generated by a warehousing or business park use and associated large trucks on the property and access onto Modesto Avenue.*

**Staff Response: Policy 9.3.2 is further supported by the request due to the type of housing permissive within the MX-L zone district, allowing for higher density within walking distance of desirable amenities existing in the area.**

Goal 13.5 Community Health: Protect and maintain safe and healthy environments where people can thrive.

Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.

- a) Protect public health, safety, and welfare by discouraging incompatible land uses in close proximity, such as housing and industrial activity.

*Applicant Response: The request furthers this goal and policy by providing a better and more compatible transition between the existing single-family residential and adjacent non-residential uses. The downzone from NR-BP to MX-L will limit further growth and development of industrial activities that may otherwise be allowable under the existing zoning, which includes the potential for heavy truck traffic accessing the property along Modesto Avenue.*

**Staff Response: It is hard to determine the extent of preventative measures taken by developer to mitigate harmful environmental hazards that may occur from nearby sensitive use zones with the existing cemetery and recycling center. It is advised by staff that applicant be sure to further address what preventative measures are being taken by the developer to protect existing residential subdivisions and proposed residential development from these existing uses.**

***Integrated Development Ordinance (IDO) 14-16-6-7(F)(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 pursuant to Subsection 6-4(F)(2).

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.

**Justification & Analysis**

The subject site is currently zoned NR-BP (Non-Residential – Business Park). The proposed zoning is MX-L (Mixed Use – Low Intensity). The reason for the request is to allow multi-family residential units to be developed.

The applicant's justification letter, analyzed here, was received on September 22, 2020. Pursuant to the IDO Subsection 6-4(F)(2), the applicant bears the burden of providing a sound justification for the request, based on substantial evidence.

The applicant believes that the proposed zone map amendment (zone change) meets the zone change decision criteria [14-16-6-7(F)(3)] as elaborated in the justification letter. The citations are from the IDO. The applicant's arguments are in *italics*. Staff analysis follows with the heading "**Staff Response**".

- A. A proposed zone change must be found to be 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:** *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering a preponderance of the applicable Comprehensive Plan Goals and Policies.*

**Staff Response:** This request will preserve the health, safety, and general welfare of city residents by offering a variety of options for housing development along with establishing a proper transition in density between moderate commercial use/sensitive use and single family residential. It is important that a variety of housing options be accessible by the community members of Albuquerque who live within different income levels, 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.

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

- There was typographical or clerical error when the existing zone district was applied to the property.
- There has been a significant change in neighborhood or community conditions affecting the site.
- 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: Once the two adjacent single-family subdivisions were developed to the north and east, the existing NR-BP zoning became inappropriate for the subject site. The existing NR-BP zoning allows for incompatible land uses and development next to existing residences, which does not reinforce or strengthen the character of the surrounding Area of Consistency. The requested downzone will reinforce the character of the area and would not permit development significantly different than that character by creating a transition zoning category that matches the zoning to the north, lowers building heights, and permits development more in scale with what presently exists.*

*The proposed zone change to MX-L is also more advantageous to the community as articulated by the ABC Comp Plan (described in detail earlier in this justification letter). The proposed downzone enhances the nearby Multi-modal Corridor; provides a needed transition between incompatible land uses; supports infill and a variety of housing options and lifestyles; appropriately considers the surrounding context; and provides needed housing and density near an important job center.*

**Staff Response: This request demonstrates that the MX-L will be more advantageous by supporting infill that will offer a variety of housing options to community members. Additionally, it will not allow for an increase in density or intensity of use considering the request is for a substantial downzone.**

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

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

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

*Applicant: The subject property is located wholly in an Area of Consistency and this criterion does not apply*

**Staff Response: This section is not applicable.**

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

*Applicant: None of the permissive uses in the MX-L zone will be harmful to the adjacent property, neighborhood, or community. The following table provides a comparison of the NR-BP and MX-L zones. As is clearly shown, a very limited number of new uses are facilitated by the requested change, primarily the allowance of townhouses and multi-family residential uses along with a variety of group living uses, community center or library, residential community amenities, and grocery store. It should be noted that liquor retail is shown as an "A" in the Use Table within the MX-L zone district, but the Use-specific standard actually limits this accessory use to mapped locations only, which does not include the subject site, so liquor retail will not become allowable based on this zone change. In contrast, many intense and inappropriate uses will no longer be able to be developed on the subject site following approval of the downzone, including but not limited to hospitals, adult entertainment and retail, nightclubs, large retail stores, helipad, and distribution centers. Overall, the request will benefit and add protections for adjacent properties, the neighborhood, and the community*

**Staff Response: Applicant has made sufficient comparison and full table of uses can be found on Justification Letter dated September 22, 2020, pg. 12 (see attached). Overall, the number and intensity of uses will decrease dramatically. 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. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet 1 of the following requirements:
  1. Have adequate capacity to serve the development made possible by the change of zone.
  2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.



3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement.
4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City- approved Development Agreement between the City and the applicant.

*Applicant: The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill development property near existing developed improvements, including roadways, trails, and sidewalk systems. Due to the request being a downzone with fewer intense uses that allow heavy truck traffic, the impacts on existing infrastructure will be minimized. Any necessary improvements to infrastructure attributed to this development will be the sole responsibility of the developers in fulfilling their obligations under the IDO, the DPM, or an Infrastructure Improvements Agreement if one is required for future development of the site.*

**Staff Response: The development of this site will not incur any additional expenditures for the City of Albuquerque and will fall solely on the developer and/or owner as development occurs.**

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

*Applicant: The property is not located on any major streets and this justification is not based completely upon such circumstances.*

**Staff Response: This request is based on allowing a variety of housing and lower density land uses, not on the property's location on a major street.**

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

*Applicant: The cost of land or other economic considerations are not the determining factor for this zone change request. The requested zone change will provide an appropriate transition with compatible uses for the adjacent neighbors consistent with and furthering numerous City goals and policies as articulated in the Comprehensive Plan.*

**Staff Response: The applicant's justification is not based completely or predominantly on the cost of land or economic considerations because it will allow an appropriate transition between land uses and is a significant downzone from the allowed commercial uses of the NR-BP zone to the lower intensity uses allowed in the MX-L zone.**

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

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

*Applicant: The area of the requested zone change is approximately 4.8 acres in size and matches the existing zoning to the north, so it cannot be considered a spot zone. Even if it were considered a spot zone, the request clearly facilitates realization of the Comprehensive Plan goals and policies related to appropriate scale and uses; protection of existing neighborhoods; promoting more mixed-use and walkable development, particularly near Multi-modal corridors and job centers; and increasing housing options and density in appropriate locations.*

**Staff Response: This request will not create a “spot zone” and will create a transition between the two zone districts, NR-BP and R-1A, along with already existing MX-L.**

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

For comments from Reviewing Agencies, please refer to p. 22 of this Staff report.

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

A Land Use Facilitation Program Project Meeting has determined there is strong opposition to the proposed development of a multi-family complex that has been presented by the developer and applicant. Neary Neighborhood Associations and coalitions have expressed concerns regarding the preservation of neighborhood character and safety. One community member cited that multi-family complexes such as apartment complexes are conducive to increased crime rates, therefore, putting the existing community at risk. At this time, the staff refuses to base any determination of a zone map amendment or site plan approval on the false justification of categorizing populations by choice of dwelling type, whether it be single family housing or higher density housing such as apartment complexes, townhome, or condos. Neighborhood concern has been acknowledged by staff.

Out of obligation to the public, it is necessary to mention at the time of a site visit by staff on Monday November 2, 2020 no yellow notification signs were visible. A time stamped video was taken from both Eagle Rock Ave NE and Modesto Ave. NE. Applicant was notified and immediately remedied the situation. Applicant submitted photos of the sign being posted on

October 25, 2020 and stated the sign must have been blown down. Without verification on whether the sign remained up for 15 consecutive days per IDO 6-4(K)3:

#### **Posted Sign**

Where Table 6-1-1 requires posted notice, the applicant shall post at least 1 notice on each public right-of-way abutting the property that is the subject of the application, at a point clearly visible from that public right-of-way, for at least 15 consecutive days before the public meeting or hearing, as applicable, or for at least 15 consecutive days after an application for Sign – Admin is accepted as complete. Signs for such posted notices shall be furnished by the City. Posted notice is not required for appeals of those decisions where Table 6-1-1 requires posted notice of the initial public hearing.

City legal was consulted and advised to move forward on good faith per IDO 6-4(K)(7):

#### **Documentation of Good Faith Effort Required**

If the applicant provides evidence that the required notices were timely provided, then failure of a property owner or Neighborhood Association to receive actual notice due to changes of address since the latest update to the City or County real estate records, or due to changes of e-mail addresses since those were last provided to the City, or due to errors in postal delivery or newspaper publishing, or for other reasons beyond the control of applicant or City, shall not be grounds for a delay of application review or public hearings, or for appeal of the resulting decision.

Although remedied immediately, staff concerns remain on whether sufficient notice was given to public. Two other signs were present, including a smaller “For Sale” sign that remained in upright position.

#### **IV. CONCLUSION**

The request is for a zone change for a 4.8-acre site located on the southwest corner of side of Modesto Ave. NE between Modesto Ave. NE and Eagle Rock Ave. NE (6511 Eagle Rock Ave., 6700 Modesto Ave. NE, and 6716 Modesto Ave. NE). The subject site is zoned NR-BP, received upon adoption of the IDO. The applicant is requesting a zone change to MX-L in order to make multi-family housing permissive on the site. By obtaining MX-L status, higher density housing will be secured, more housing options will be available, live-work space can be encouraged, and an appropriate transition between existing zoning districts will be created. All of which is vital to the health, safety, and welfare of the community. No adverse impacts will be of consequence of this zone change as this is a significant down zone. By downzoning to MX-L, this will significantly limit future higher intensity commercial development, including an already approved site plan for warehousing. The request to downzone will not pose any threat or harmful impacts to the existing

residential zones, but preserve community character. Overall, no adverse impacts will be absorbed by the community, including adjacent property sites.

The zone map amendment has been adequately justified pursuant to the IDO Review and Decision criteria for zone changes in IDO 14-16-6-7(F)(3).

Staff recommends approval of the zone change request.



***FINDINGS - RZ-2019-00029, November 12, 2020- Zone Map Amendment (Zone Change)***

1. The request is for a zone map amendment (zone change) for a 4.8-acre site known as Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres (the “subject site”). The subject site is located between Eagle Rock Ave. NE and Modesto Ave. NE (6511 Eagle Rock Ave. NE, 6700 Modesto Ave. NE, and 6716 Modesto Ave. NE).
2. The subject site is zoned NR-BP (Non-Residential – Business Park) which it received upon adoption of the Integrated Development Ordinance (IDO) as a conversion from the former zoning of SU-2/IP.
3. The subject site is controlled by an approved site plan allowing for warehouse development that has been recently amended to expand the square footage and number of units allowed. The property owner is seeking the Zone Map Amendment to allow for residential use, the future development of a multi-family use.
4. The subject site is in an area that the Comprehensive Plan has designated an Area of Consistency.
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 4.1.2 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 by providing the appropriate scale of intensity to transition from NR-BP down to R-1A. Additionally, by downzoning, the traffic will be significantly decreased opposed to the traffic created by the existing approved site plan.
7. This request furthers ABC Comp Plan Goal 5.1 and Policy 5.1.1 by encouraging an appropriate scale of land use intensity, density, and multiple residential uses 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 5.1.2 by maintaining an appropriate scale between the NR-BP zone and R-1A zone that borders the site on the South, West, and East and appropriately matches the zoning due North. If request is denied, a heavier intensity of non-residential use will be abutting both single-family subdivisions to the North and East.
9. The Zone Map Amendment would further Policy 5.1.11 by increasing amount of residential development near a multi-modal corridor that gives access to employment, recreation, and retail

ensuring future development will take into consideration potential pedestrian and bike traffic coming from the extended residential uses nearby.

10. This request would continue to further Policy 5.2.1 by increasing density, expanding housing options that are available to mixed income residents, all while encouraging development within walking distance of employment centers, recreation, retail, and promoting multi-modal systems.
11. ABC Comp Plan Goal 5.6.3 is furthered by encouraging higher density housing and mixed-use development that will ensure potential growth will not impose on the existing single-family subdivisions by creating a buffer and allowing for a proper scale of transition which will protect and enhance the character of the existing residential neighborhood North and East.
12. ABC Comp Plan Goal 5.6.4 will be furthered by the appropriate transitions that will be applied given the downzoning of the area and the placement of the zone districts. An appropriate transition will occur, being the zones transition from NR-BP to MX-L to R1-A. This will negate any potential harmful impacts to the nearby R1-A and other single-family homes by slowly scaling down the intensity and density with this request.
13. The request would facilitate infill because it is allowing for a higher density use other than single-family housing that is permissive in R1-A on an otherwise vacant lot that is approved for warehousing, yet will limit the intensity of the infill to blend in between commercial warehousing and the existing low-density residential that is abutting the site, which is in alignment with ABC Comp Plan Policy 7.3.4
14. This request supports Goal 9.1 and Policy 9.1.1 by making multi-family development permissive in this area encouraging developers to expand housing options for individuals and families who may choose not to live in a single-family home. This request also furthers the goal and policy by encouraging a market rate and affordable purchase/rental options for more than one income bracket.
15. ABC Comp Plan Policy 9.3.2 is further supported by the request due to the type of housing permissive within the MX-L zone district, allowing for higher density within walking distance of desirable amenities existing in the area.
16. In order to further address ABC Comp Plan Policy 13.5.1 a statement summarizing the extent of preventative measures taken by developer to mitigate harmful environmental hazards that may occur from nearby sensitive use zones with the existing cemetery and recycling center is requested. It is advised by staff that applicant be sure to further address what preventative measures are being taken by the developer to protect existing residential subdivisions and proposed residential development from these existing uses in order to comply and further the aforementioned ABC Comp Plan Policy.

16. 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 the request furthers a preponderance of applicable Comp Plan Goals and Policies. The request would offer a variety of options for housing along with establishing a proper transition in density between moderate commercial use/sensitive use and single family residential. It is important that a variety of housing options be accessible by the community members of Albuquerque who live within different income levels, which is a major component of health, safety, and general welfare.
- B. Criterion B: The applicant has demonstrated that the MX-L zone district will be more advantageous by supporting infill that will offer a variety of housing options to community members. Additionally, it will not allow for an increase in density or intensity of use considering the request is for a substantial downzone.
- 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 found in the applicant's justification letter. Overall, the number and intensity of uses will decrease dramatically. The property owner is giving up a lot of entitlements to ensure that no harm or adverse effects can be a consequence of zoning. This downzone will be not be harmful to those residing on the site, nor to the community or to adjacent properties.
- E. Criterion E: The future development of the subject site will not incur any additional expenditures for the City of Albuquerque and will fall solely on the developer and/or owner as development occurs.
- F. Criterion F: This request is not based on location. Rather, the request is based on allowing a variety of housing and lower density land uses, not on the subject site'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 an appropriate transition between land uses and is a significant downzone from the allowed commercial uses of the NR-BP zone to the lower intensity uses permissive in the MX-L zone.
- H. Criterion H: This request will not create a "spot zone and will create a transition between the two zone districts, NR-BP and R-1A, along with already existing MX-L zoning nearby.

17. The applicant notified representatives of the affected neighborhood organizations, and property owners within 100 feet of the subject site, as required.
18. Please see the Land Use Facilitation Program Project Meeting Report for neighborhood opposition. Staff planners' comments addressing opposition can be found in Section III: Agency and Neighborhood Concerns on pg. 14 of this report.

***RECOMMENDATION - RZ-2020-00029, November 12, 2020***

**APPROVAL of Project #: 2019-002761, Case #: 2020-00029, a zone change from NR-BP to MX-L, for Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres, located at 6511 Eagle Rock Ave. NE and 6700 & 6716 Modesto Ave NE.**

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***Francine Pacheco  
Planner***



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

### ***PLANNING DEPARTMENT***

#### ***Zoning Enforcement***

#### ***Office of Neighborhood Coordination***

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

This is a request for a Zoning Map Amendment – EPC from NR-BP to MX-L to do 118 multi-family dwelling units. This 1.2-acre site is the vacant portion of the larger block zoned NR-BP. This site is part of a prior approval (Project #1003359) for an office/warehouse development. The original site plan will need to be amended either to add this property and proposed development or amend out this property so that the applicant can come in with a new site plan for the multi-family project from DRB.

The applicant requests MX-L, which allows multi-family dwelling permissively, as an appropriate zone district, given surrounding non-residential zoning. MX-L also matches the abutting zoning to the north that is built with single-family dwellings that abut a cemetery zoned NR-SU.

The first major consideration in this request is the appropriateness of a zone change that would allow residential uses next to the existing Eagle Rock Solid Waste Convenience Center, which is a sensitive use and therefore zoned NR-SU. The Comprehensive Plan provides two policies that are relevant and will need careful weighing by EPC.

Policy 5.2.1.a.v says multi-family is appropriate “in areas where a transition is needed between single-family homes and much more intensive development.” This situation is clearly relevant in this case, where there is single-family to the north and more intensive development to the west and south.

Policy 13.5.1.b. discourages incompatible land uses in close proximity, such as housing and industrial activity.

If the zone change is granted, the IDO requires neighborhood edges to protect the single-family to the north. Unfortunately, the IDO does not include edge buffer requirements for residential uses that “come to a nuisance” or locate willingly next to industrial activity. If the applicant goes forward with this

### ***CITY ENGINEER***

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

The Transportation Department has no adverse comments.

#### **COMMENTS:**

No adverse comment. Project does not have foreseeable impact to Bernalillo County transportation network.

**Hydrology Development**

**New Mexico Department of Transportation (NMDOT)**

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

BCPWD Transportation Planning Comments 10/08/2020 1  
Project #2019-002761  
RZ-2020-00029– Zoning Map Amendment (Zone  
Change)

**Traffic Engineering Operations (Department of Municipal Development)**

No comment.

**Street Maintenance (Department of Municipal Development)**

**RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:** none.

**WATER UTILITY AUTHORITY**

No adverse comments to the proposed zone change.

**Utility Services**

No adverse comment for the proposed zone map amendment from NR-C to RM-C

**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

**Environmental Services Division**

**PARKS AND RECREATION**

**Planning and Design**

No comment

**Open Space Division**

No adverse comment

**City Forester**

**POLICE DEPARTMENT/Planning**

No comment.

**SOLID WASTE MANAGEMENT DEPARTMENT**

PR-2019-002761- A TCL signed by the Solid Waste Department will be required, along with a trash compactor enclosure that meets the C.O.A of minimum requirements if zone change is approved.

**FIRE DEPARTMENT/Planning**

**TRANSIT DEPARTMENT**

ABQ RIDE has no substantive comment on either case

**COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY**

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

No adverse comments.

**ALBUQUERQUE PUBLIC SCHOOLS**

**1. Project #2019-002761**

- a. EPC Description: RZ-2020-00029 – Zoning Map Amendment (Zone Change).
- b. Site Information: North Albuquerque Acres, Lots 8-A, 11, and 12, Block 26, Tract A, Unit B.
- c. Site Location: 6511 Eagle Rock Ave NE and 6700 and 6716 Modesto Ave NE, between Eagle Rock Ave. NE and Modesto Ave NE.
- d. Request Description: This is an application for a zone change from NR-BP (Non-Residential Business-Park to Mixed Use-Low Intensity) on approximately 4.8 acres of land. Purpose is to apply for site plan for the development and construction of a 118 unit multi-family residential development. Location is less than one mile from La Cueva High School.
- e. Case comments: The development of residential dwellings has direct impacts to Albuquerque Public Schools. A residential development at this location will have impacts to Edmund G. Ross Elementary School, Desert Ridge Middle School, and La Cueva High School. Edmund G. Ross Elementary is over capacity, and development will be a strain on the school.
  - i. Residential Units: **118**
  - ii. Est. Elementary School Students: **30**
  - iii. Est. Middle School Students: **13**
  - iv. Est. High School Students: **13**
  - v. Est. Total # of Students from Project: **56**

\*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

**School Capacity**

| School | 2019-2020<br>40 <sup>th</sup> Day<br>Enrollment | Facility<br>Capacity | Space<br>Available |
|--------|---|----------------------|--------------------|
|--------|---|----------------------|--------------------|

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|                            |       |       |     |
|----------------------------|-------|-------|-----|
| EG Ross Elementary School  | 478   | 464   | -14 |
| Desert Ridge Middle School | 996   | 1,050 | 54  |
| La Cueva High School       | 1,804 | 2,043 | 239 |

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

- Provide new capacity (long term solution)
    - Construct new schools or additions
    - Add portables
    - Use of non-classroom spaces for temporary classrooms
    - Lease facilities
    - Use other public facilities
  - Improve facility efficiency (short term solution)
    - Schedule Changes
      - Double sessions
      - Multi-track year-round
    - Other
      - Float teachers (flex schedule)
  - Shift students to Schools with Capacity (short term solution)
    - Boundary Adjustments / Busing
    - Grade reconfiguration
  - Combination of above strategies
- All planned additions to existing educational facilities are contingent upon taxpayer approval.**

***MID-REGION COUNCIL OF GOVERNMENTS***

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

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

**Information:**

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 [www.pnm.com/erequest](http://www.pnm.com/erequest) for PNM to review.

*November 12, 2020*



Figure 1: Looking southwest from northeast corner of subject site.

Figure 2: Looking southwest from north property line of the subject site.



*November 12, 2020*



Figure 3: Looking east from center of the site.



Figure 4: Looking south across the site.



*November 12, 2020*

Figure 5: Looking north  
across at development  
directly to the south of the  
subject site.



Figure 6: Looking  
north at development  
to the south.

## HISTORY

## ZONING

for specifics of the NR-BP zone,  
please refer to IDO Section 14-16-2-5

## STAFF INFORMATION

## 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.

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

### APPLICATION INFORMATION

|  |           |   |
|--|-----------|---|
| Applicant: Legacy Development & Management, LLC          |           | Phone: (505) 243-6000                               |
| Address: 5051 Journal Center Blvd, Suite 500             |           | Email: fkassam@legacydm.net                         |
| City: Albuquerque  | State: NM | Zip: 87109  |
| Professional/Agent (if any): Consensus Planning, Inc.    |           | Phone: (505) 764-9801                               |
| Address: 302 8th Street NW                               |           | Email: fishman@consensusplanning.com                |
| City: Albuquerque  | State: NM | Zip: 87102  |
| Proprietary Interest in Site: Owner & Contract Purchaser |           | List all owners: Kassam Land Acquisition 9 (Legacy) |

### BRIEF DESCRIPTION OF REQUEST

Sara Otto-Diniz, and Scott Cole

Zone Change from NR-BP to MX-L

UPC Codes: 101806440851110701, 101806443651210522, and 101806445251210521

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

|   |                        |  |
|---|------------------------|--|
| Lot or Tract No.: 8-A, 11, and 12             | Block: 26              | Unit: Tract A, Unit B                    |
| Subdivision/Addition: North Albuquerque Acres | MRGCD Map No.:         | UPC Code: See Description Above          |
| Zone Atlas Page(s): C-18                      | Existing Zoning: NR-BP | Proposed Zoning: MX-L                    |
| # of Existing Lots: 3                         | # of Proposed Lots: 3  | Total Area of Site (acres): 4.7885 acres |

### LOCATION OF PROPERTY BY STREETS

Site Address/Street: 6511 Eagle Rock Ave NE  
6700 & 6716 Modesto Ave NE

Between: San Pedro Drive NE and: Louisiana Blvd NE

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

Project #1003359 and PR-2019-002761

|  |   |
|--|---|
| Signature:                             | Date: 9/23/20   |
| Printed Name: Jacqueline Fishman, AICP | <input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent |

### FOR OFFICIAL USE ONLY

| Case Numbers                            | Action          | Fees                     |
|---|-----------------|--------------------------|
| RZ-2020-00029                           | ZMA             | \$750                    |
| -                                       |                 |                          |
| -                                       |                 |                          |
| -                                       |                 |                          |
| Meeting/Hearing Date: November 12, 2020 |                 | Fee Total: \$750         |
| Staff Signature:                        | Date: 9/24/2020 | Project # PR-2019-002761 |



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

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

☐ **AMENDMENT TO IDO TEXT**

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

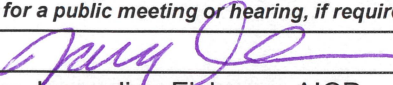

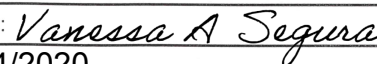
☒ **ZONING MAP AMENDMENT – EPC**

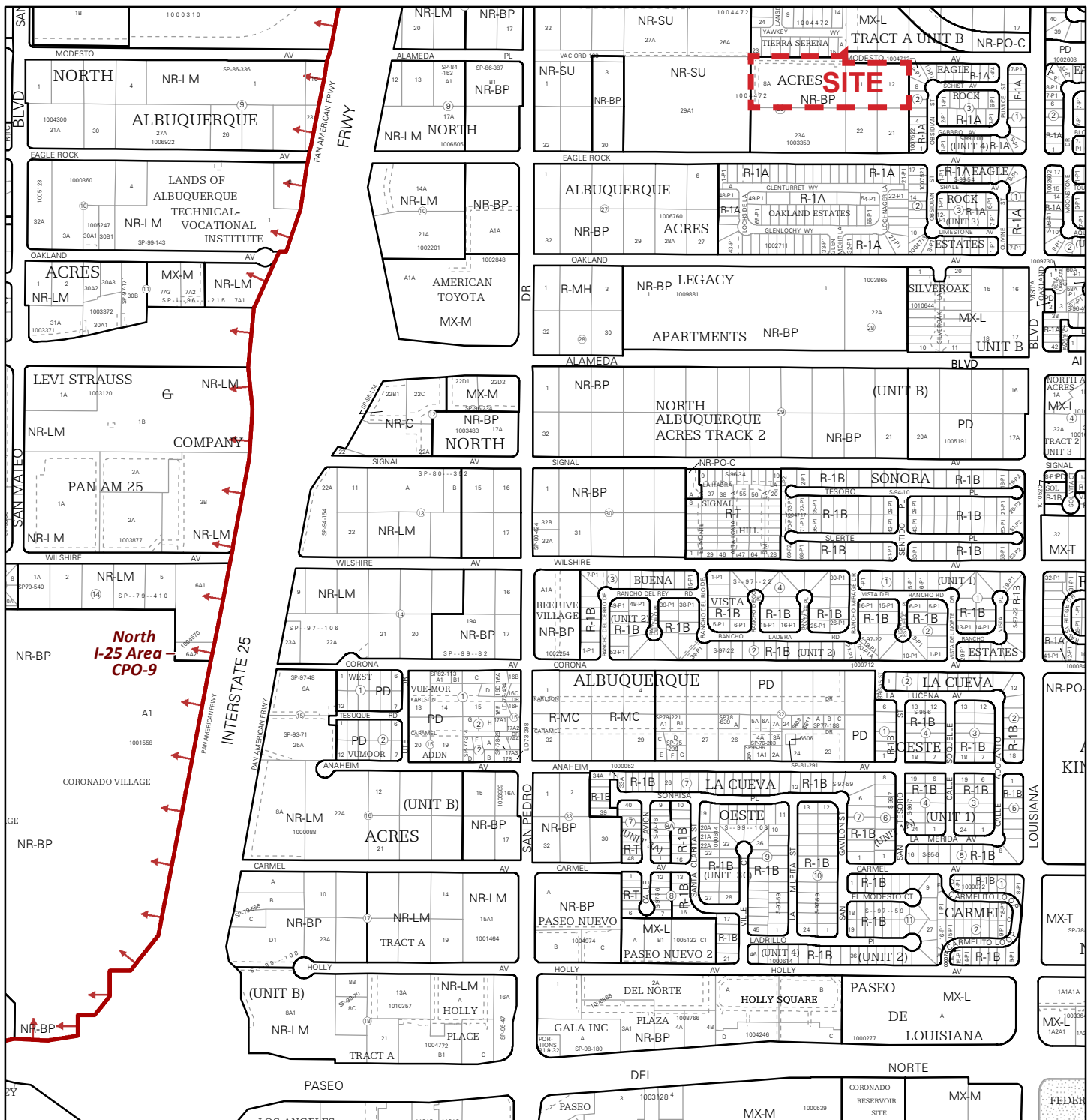
☐ **ZONING MAP AMENDMENT – COUNCIL**

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

☐ **ANNEXATION OF LAND**

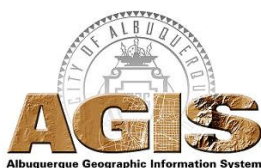
- \_\_\_ Application for Zoning Map Amendment *Establishment of zoning must be applied for simultaneously with Annexation of Land.*
- \_\_\_ Petition for Annexation Form and necessary attachments
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)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

|   |   |  |
|---|---|--|
| <i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i> |   |  |
| Signature:   | Date: 9/23/20   |  |
| Printed Name: Jacqueline Fishman, AICP  | <input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent |  |
| <b>FOR OFFICIAL USE ONLY</b>  |   |  |
| Project Number:<br>RZ-2020-00029  | Case Numbers<br>PR-2019-002761  |  |
|    |   |  |
|   |   |  |
|   |   |  |
| Staff Signature:   |   |  |
| Date: 9/24/2020   |   |  |

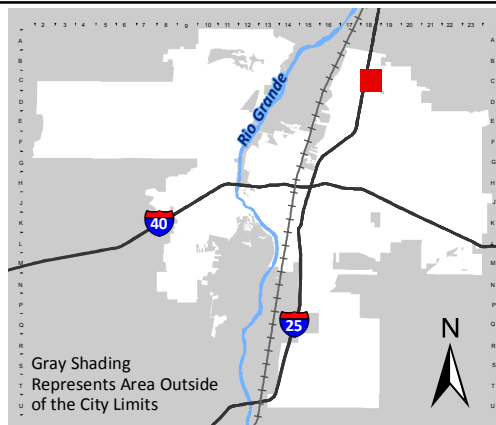


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# 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:  
**C-18-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



September 21, 2020

Mr. Dan Serrano, Chairperson  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

Dear Chairman Serrano,

The purpose of this letter is to authorize Consensus Planning, Inc. to act as the agent for Kassam Land Acquisition 9, LLC and Legacy Development & Management, LLC for Zoning Map Amendment – EPC, Site Plan – DRB, and related applications for our property located at 6511 Eagle Rock Avenue NE. The legal description is below:

- Lot 8-A, Block 26, Tract A, Unit B, North Albuquerque Acres containing 3.0157 acres

Kassam Land Acquisition 9, LLC is the owner of the property. Thank you for your consideration.

Sincerely,



Faizel Kassam  
Managing Member

September 21, 2020

Mr. Dan Serrano, Chairperson  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

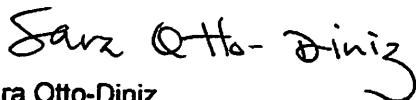
Dear Chairman Serrano,

The purpose of this letter is to authorize Consensus Planning, Inc. to act as agent for Zoning Map Amendment – EPC, Site Plan – DRB, and related applications for my property located at 6700 Modesto Avenue NE. The legal description is below:

- Lot 11, Block 26, Tract A, Unit B, North Albuquerque Acres containing 0.8864 acres

Thank you for your consideration.

Sincerely,



Sara Otto-Diniz

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. **PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval.** Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).

When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a \$50 PRT fee.

| Official Use only            |        |                          |
|------------------------------|--------|--------------------------|
| PA#:                         | 20-155 | Received By: Diego Ewell |
|                              |        | Date: 9/4/2020           |
| APPOINTMENT DATE & TIME: N/A |        |                          |

Applicant Name: Legacy Development & Management Phone#: (505) 764-9801 Email: fishman@consensusplanning.com  
Agent: Consensus Planning

### PROJECT INFORMATION:

**For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.**

Size of Site: 4.8 acres Existing Zoning: NR-BP Proposed Zoning: MX-L

Previous case number(s) for this site: 1003359, PR-2019-002761

Applicable Overlays or Mapped Areas: N/A

Residential – Type and No. of Units: Multi-family; 118 dwelling units

Non-residential – Estimated building square footage: No. of Employees:

Mixed-use – Project specifics:

### LOCATION OF REQUEST:

Physical Address: 6501 Eagle Rock Ave NE Zone Atlas Page (Please identify subject site on the map and attach) C-18  
6700 and 6716 Modesto Ave NE

### BRIEFLY DESCRIBE YOUR REQUEST (What do you plan to develop on this site?)

Zone change to allow development of multi-family residential uses and site plan for construction of a 118-unit multi-family residential development.

### QUESTIONS OR CONCERNS (Please be specific so that our staff can do the appropriate research)

We think MX-L is the most appropriate zone to request for the anticipated project based on the surrounding zones. Does staff have any concerns with this?

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-155 Date: 9/14/20 Time: N/A (sent via email to [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com))

Address: 6501 Eagle Rock AVE NE

### **AGENCY REPRESENTATIVES PRESENT AT MEETING**

Planning: Linda Rumpf ([lrumpf@cabq.gov](mailto:lrumpf@cabq.gov))

Zoning/Code Enforcement: Marcelo Ibarra ([marceloibarra@cabq.gov](mailto:marceloibarra@cabq.gov))

Fire Marshall: Bob Nevárez ([rnevarez@cabq.gov](mailto:rnevarez@cabq.gov)) or call 505-924-3611 (if needed)

Transportation: Nilo Salgado ([nsalgado-fernandez@cabq.gov](mailto:nsalgado-fernandez@cabq.gov))

### **PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!**

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

*Additional research may be necessary to determine the exact type of application and/or process needed.*

*Factors unknown at this time and/or thought of as minor could become significant as the case progresses.*

**REQUEST:** Zone change to allow development of multi-family residential uses and site plan for construction of a 118-unit multi-family residential development.

### **SITE INFORMATION:**

Zone: NR-BP -> MX-L

Size: 4.8 acres

Use: Commercial Services

Overlay zone: x

Comp Plan Area of: Consistency

Comp Plan Corridor: x

Comp Plan Center: x

MPOS or Sensitive Lands: x

Parking: 5-5

MR Area: x

Landscaping: 5-6

Street Trees: 5-6(D)(1)

Use Specific Standards: Allowable Uses, Table 4-2-1

Dimensional Standards: Table 5-1-2: Mixed-use Zone District Dimensional Standards

\*Neighborhood Organization/s: District 4 Coalition of NAs, Nor Este NA

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

### **PROCESS:**

Type of Action: Zoning Map Amendment – EPC 6-7(F)

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

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-155 Date: 9/14/20 Time: N/A (sent via email)

Address: 6501 Eagle Rock AVE NE

### NOTES:

See the **Integrated Development Ordinance**

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

**Case Number:** 1003359, 1004557

### Records requests

To request a site plan and/or Notice of Decision, please use ABQ Records web page:

<https://www.cabq.gov/clerk/public-records>

Please include the site's address and the Case Tracking #s (see Zoning Comments) in your request.

### Requests to Inspect Public Records

Any person may submit their request to inspect public records to the Office of the City Clerk by clicking on the following link to request records using our ABQ Records portal. <https://cabq.nextrequest.com/>

This enables us to respond to requests in the order in which they are received. Plus, it's a better way to share large files.

- Linda Rumpf, [lrumpf@cabq.gov](mailto:lrumpf@cabq.gov)

### Development Services Comments

Please contact Jay Rodenbeck for information on how to submit files electronically. He can be reached at [jrodenbeck@cabq.gov](mailto:jrodenbeck@cabq.gov).

### Current Planning Comments

- MX-L – staff has no concerns, but RM-L is also appropriate, especially if it's going to be purely residential.

### Zoning Comments

Location: 6501 Eagle Rock Ave NE;

6700 Modesto Ave NE and

6716 Modesto Ave NE

Lots: 23A,11 & 12 Block: 26, Subdivision: N Abq Acres Tr A Unit B

Project – Requesting ZONE Change to MX-L to allow Multi-Family Residential Development

Current Zoning – NR-BP

Area of Consistency

Previous Zoning – SU-2

Reference case history --> 1003359, 1004557

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-155 Date: 9/14/20 Time: N/A (sent via email)

Address: 6501 Eagle Rock AVE NE

Dwelling, Multi-family - A building, located on a single lot, containing 3 or more dwelling units, each of which is designed for or occupied by one family only, with separate housekeeping and cooking facilities for each, and that does not meet the definition of a townhouse dwelling. See also Development, Multi-family

Dwelling, Multi-Family 4-3(B)(7)

Code Staff has no objection for this request

### Process:

Zoning Map Amendment – EPC 6-7(F)

As always, if the applicant has specific questions pertaining to zoning and/or the development standards they are encouraged to reach out to the zoning counter at 505-924-3857 option 1.

### Transportation Development comments

For additional information contact Jeanne Wolfenbarger (924-3991)

- Since these site plan have been to DRB, contact Jeanne Wolfenbarger for review, comments and discussions.

### General comments below-Only if applicable to your development:

#### Curb Cuts

- Follow DPM guidelines for residential curb cuts.
- Residential curb cut requirements – (12 feet to 22 feet wide for residential, 30 feet only if there is a 3-car garage or parking for RV)
- Location of drive with respect to intersection depends on classification of the street. (See attached table.) Classification of street is according to the Long Range Master Plan developed by MRCOG.

#### Clear Sight Triangle at Access Points and Intersections

- Clear sight triangle (See attached hand-outs.) Nothing opaque should be in the triangle.

#### Private Site and Parking Lot Design

- Follow DPM and IDO Guidelines for Site and Parking Lot Design. Current ADA standards must be followed including required number of handicapped parking spaces and drive aisles, ADA access to public right-of-way, and ADA access to on-site buildings.
- See the Traffic Circulation Layout (TCL) Checklist. A TCL is required for any change or addition to a building > 500 sq. ft. or if the parking or circulation is changed. (This includes a repaving of parking lot.) Drawing must be stamped by a registered engineer or architect.

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-155 Date: 9/14/20 Time: N/A (sent via email)

Address: 6501 Eagle Rock AVE NE

- When developing a parking lot layout, include all dimensioning for construction purposes. Also include all curb, curb ramp and signage details.
- Parking Calculations must be provided and per the requirements in the IDO. Number of vehicular spaces, motorcycle spaces, and bicycle spaces shall be specified and follow IDO requirements.
- Demonstrate queuing capacity when needed in situations such as for drive-thru facilities. It is imperative to demonstrate that the queuing will not block accessways to the site or cause vehicles to back into the main roadway. Also, provide necessary one-way signage and pavement markings.
- Shared access/parking agreement is required if access/parking is shared with parking lot adjacent to site. (This can be established on a plat if submittal of a plat is required or by an agreement.)
- Existing driveways that are not being used are required to be removed and replaced with standard curb and sidewalk to match existing.

### Traffic Studies and Traffic Signals

1. See the Traffic Impact Study (TIS) thresholds. In general, a minimum of 100 vehicles entering or exiting in the peak hour warrants a Traffic Impact Study. Visit with Traffic Engineer for determination, and fill out a TIS Form that states whether one is warranted. In some cases, a trip generation may be requested for determination.
2. A proposed new traffic signal needs to A) follow guidelines for traffic signal spacing, B) meet the requirements for a traffic signal warrant study to be in operation and C) be approved by both Planning and by Traffic Operations.

### Platting and Public Infrastructure Requirements for Roadways

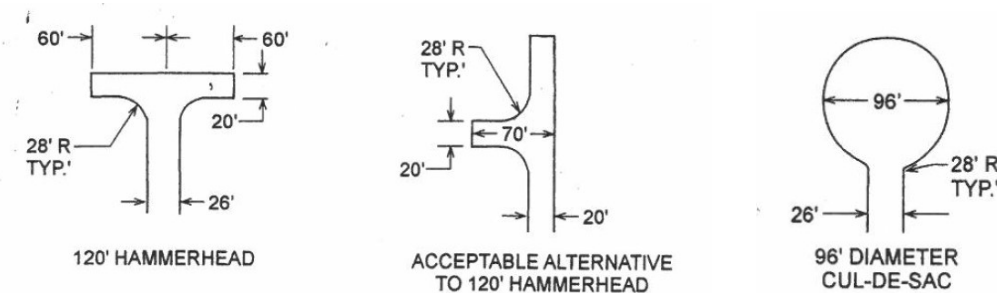
1. When submitting to DRB, all public roadway improvements that are required shall be shown on an infrastructure list. Public improvements must be included on a public work order set of drawings.
2. All public roadway facilities must be within public right-of-way including the entire width of the public sidewalk, all public curb ramps, overhead utilities, traffic signals and lighting, etc.
3. Curb and sidewalk is required along entire frontage of property. Follow IDO/DPM for specific width requirements.
4. There is a Bikeway Master Plan that is prepared MRCOG which lays out proposed bicycle facilities including bicycle trails, bike lanes, and bike routes. The site would be required to provide such facilities along the site frontage if they have not been constructed yet. Right-of-way dedication would likely be required.
5. Depending on site's use of an adjacent alleyway and on type of use for proposed site, alleyway improvements are required. This would include paving and/or proper right-of-way dedication to meet current width standards.

## PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 20-155 Date: 9/14/20 Time: N/A (sent via email)

Address: 6501 Eagle Rock AVE NE

6. Follow DPM and MRCOG's Long Range Master Plan for roadway width requirements. Provide roadway cross-section. (New roadway requirements and roadway widening is also coordinated with Department of Municipal Development, depending on what plans or projects they may have on a specific roadway.)
7. If private road is over 150' long, the turnaround shall be per fire code dimensions. Fire Marshall Approval and Solid Waste Approval is required on all site layouts. For dead-ends, see options below for space dedicated to turn-arounds:



8. For any private access easements on plats, all beneficiaries and maintenance responsibilities must be listed.
9. Due to sight distance concerns and to construct sufficient curb ramps, right-of-way dedication is required to add curves to corners of properties at intersections if they are not already developed. See Table 23.3 of the DPM.
10. Any private structures that are located within public right-of-way such as fences and walls shall either be removed or else a revocable permit with the City is required in which an annual fee is paid per year, based on square footage of the encroachment.

*If you would have additional questions or would like to schedule a follow-up conference call meeting please contact Linda Rumpf at [lrumpf@cabaq.gov](mailto:lrumpf@cabaq.gov)*





# City of Albuquerque

Planning Department  
Development Review Services Division

## Traffic Scoping Form (REV 07/2020)

**Project Title:** Markana Modesto

Building Permit #: \_\_\_\_\_ Hydrology File #: \_\_\_\_\_

Zone Atlas Page: C-18-Z DRB#: \_\_\_\_\_ EPC#: PR-2019-002761 Work Order#: \_\_\_\_\_

Legal Description: Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres

Development Street Address: 6511 Eagle Rock Ave NE and 6700 & 6716 Modesto Ave NE

**Applicant:** Legacy Development & Management, LLC (Agent: Consensus Planning) Contact: Jackie Fishman

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

Phone#: (505) 764-9801 Fax#: N/A

E-mail: fishman@consensusplanning.com

### Development Information

Build out/Implementation Year: 2021-2022 Current/Proposed Zoning: NR-BP / MX-L

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:

Western portion of site has current approval for an office/warehouse development. Proposing a zone change to MX-L to allow for multi-family development followed by a site plan for approximately 118 dwelling unit apartment complex.

Days and Hours of Operation (if known): \_\_\_\_\_

### Facility

Building Size (sq. ft.): \_\_\_\_\_

Number of Residential Units: 118 multi-family dwelling units

Number of Commercial Units: \_\_\_\_\_

### Traffic Considerations

ITE Trip Generation Land Use Code 220 and 221 (some two-story buildings and some three-story)

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

Expected Number of Employees (if known):\* \_\_\_\_\_

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

Trip Generations during PM/AM Peak Hour (if known):\* AM 48 vph, PM 64 vph using ITE code #220

Driveway(s) Located on: Street Name Primary access on Modesto Ave NE with secondary to Eagle Rock Ave NE through the Eagle Rock Business Center property to the south.

Adjacent Roadway(s) Posted Speed: Street Name Eagle Rock Ave NE Posted Speed 30 mph  
Street Name Louisiana Blvd NE Posted Speed 35-40 mph

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

### **Roadway Information (adjacent to site)**

Comprehensive Plan Corridor Designation/Functional Classification: San Pedro and Louisiana - Major Collectors; Modesto and Eagle Rock - Local Streets  
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: N/A  
(urban center, employment center, activity center)

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

Adjacent Roadway(s) Traffic Volume: San Pedro: 4900 N. of Alameda Volume-to-Capacity Ratio (v/c): N/A Adjacent  
(if applicable) San Pedro: 0.0-0.5+

Adjacent Transit Service(s): N/A (nearest route on Alameda) Nearest Transit Stop(s): Alameda and Louisiana

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: Existing Bike Lanes on Louisiana; Proposed Bike Lanes on Eagle Rock and San Pedro  
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: Sidewalks exist at adjacent properties and will be installed at these during future construction.

### **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 ☒

Thresholds Met? Yes [ ] No ☒

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

Notes:

M. P. E.

9/22/2020

TRAFFIC ENGINEER

DATE

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### **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 [plndrs@cabq.gov](mailto:plndrs@cabq.gov) and 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 volume to capacity (v/c) ratio on this form.

## NEIGHBORHOOD INFORMATION

**From:** Carmona, Dalaina L.  
**To:** Michael Vos  
**Subject:** 6511 Eagle Rock and 6700 & 6716 Modesto NE Neighborhood Meeting Inquiry  
**Date:** Thursday, August 6, 2020 12:08:13 PM  
**Attachments:** image001.png  
image002.png  
image003.png  
image004.png  
image007.png  
ZoneAtlas-C-18-Site.pdf

Dear Applicant,

Please find the neighborhood contact information listed below.

| Association Name                                  | First Name | Last Name | Email                      | Address Line 1          | City        | State | Zip   | Mobile Phone | Phone      |
|---|------------|-----------|----------------------------|-------------------------|-------------|-------|-------|--------------|------------|
| District 4 Coalition of Neighborhood Associations | Daniel     | Regan     | dlreganabq@gmail.com       | 4109 Chama Street NE    | Albuquerque | NM    | 87109 | 5052802549   |            |
| District 4 Coalition of Neighborhood Associations | Mildred    | Griffee   | nena_treasurer@noreste.org | PO Box 94115            | Albuquerque | NM    | 87119 | 5052800082   |            |
| Nor Este NA                                       | Uri        | Bassan    | uri.bassan@noreste.org     | 9000 Modesto Avenue NE  | Albuquerque | NM    | 87122 | 5054179990   |            |
| Nor Este NA                                       | Gina       | Pioquinto | rpmartinez003@gmail.com    | 9015 Moonstone Drive NE | Albuquerque | NM    | 87113 | 5052385495   | 5058560926 |

You will need to e-mail each of the listed contacts and let them know that you are applying for a permit for your project. You can use this online link to find template language if you're not sure what information you need to include in your e-mail.

<https://www.cabq.gov/planning/urban-design-development/public-notice>

If your permit application or project requires a neighborhood meeting, you can click on this link to find template language to use in your e-mail notification: <https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

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

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

Once you have e-mailed the contact individuals 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 permit application and submit it to the Planning Department for approval. **PLEASE NOTE:** The ONC does not have any jurisdiction over any other aspect of your permit application beyond the neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, or project plans, so we encourage you to contact the Planning Department at: 505-924-3860 or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

**If your permit or project 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.**

Thanks,



*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  
[dlcarmona@cabq.gov](mailto:dlcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)  
Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



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

**Sent:** Thursday, August 06, 2020 10:40 AM

**To:** Office of Neighborhood Coordination <vos@consensusplanning.com>

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

**Subject:** Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:

Environmental Planning Commission

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

Contact Name

Michael Vos

Telephone Number

5057649801

Email Address

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

Company Name

Consensus Planning, Inc.

Company Address

302 8th Street NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres

Physical address of subject site:

6511 Eagle Rock and 6700 & 6716 Modesto NE

Subject site cross streets:

Modesto and Louisiana

Other subject site identifiers:

West of Louisiana between Modesto and Eagle Rock

This site is located on the following zone atlas page:

C-18

=====

This message has been analyzed by Deep Discovery Email Inspector.

**From:** [Jackie Fishman](#)  
**To:** [dlreganabq@gmail.com](mailto:dlreganabq@gmail.com); [nena\\_treasurer@noreste.org](mailto:nena_treasurer@noreste.org)  
**Subject:** Preapplication Notification - District 4 Coalition  
**Date:** Monday, August 10, 2020 5:33:54 PM  
**Attachments:** [ZoneAtlas-C-18-Site.pdf](#)  
[20213-COLOR SITE PLAN.PDF](#)

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Dear Neighbors,

This email is notification that Consensus Planning is preparing applications for a Zone Map Amendment and Site Plan on behalf of Legacy Development for property legally described as Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres and located on Modesto Avenue NE west of Louisiana Boulevard (see attached zone atlas page).

The subject property is currently zoned NR-BP (Non-Residential Business Park). The proposed Zone Map Amendment request will be to downzone the property to MX-L (Mixed-use Low Intensity), which matches the zoning of the new Tierra Serena subdivision located adjacent to the project site's north boundary. The Applicant is proposing a multi-family residential development with approximately 118 dwelling units in a combination of two- and three-story buildings and a combination of interior garages and surface parking. The conceptual site plan is attached. The Applicant has submitted a request to the City Planning Director that the associated Site Plan be reviewed concurrently with the Zone Map Amendment by the EPC in accordance with provisions contained in the Integrated Development Ordinance (IDO).

In accordance with the IDO, we are providing you an opportunity to discuss these applications prior to submittal. Should you desire to request a meeting regarding these requests, please do not hesitate to email me at [fishman@consensusplanning.com](mailto:fishman@consensusplanning.com) or contact me by phone at (505) 764-9801. Per the IDO, you have 15 days or until August 25, 2020 to request a meeting.

Sincerely,

**Jacqueline Fishman, AICP**  
Principal  
Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102  
P: 505.764.9801

**From:** [Jackie Fishman](#)  
**To:** [uri.bassan@noreste.org](mailto:uri.bassan@noreste.org); [rpmartinez003@gmail.com](mailto:rpmartinez003@gmail.com)  
**Subject:** Preapplication Notification - Nor Este NA  
**Date:** Monday, August 10, 2020 5:30:42 PM  
**Attachments:** [ZoneAtlas-C-18-Site.pdf](#)  
[20213-COLOR SITE PLAN.PDF](#)

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Dear Neighbors,

This email is notification that Consensus Planning is preparing applications for a Zone Map Amendment and Site Plan on behalf of Legacy Development for property legally described as Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres and located on Modesto Avenue NE west of Louisiana Boulevard (see attached zone atlas page).

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Sincerely,

**Jacqueline Fishman, AICP**  
Principal  
Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102  
P: 505.764.9801



# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

**Project:** Pre-application for EPC Zone Change

**Property Description/Address:** Modesto & Glendale NE

**Date Submitted:** September 11, 2020

**Submitted By:** Philip Crump and Jocelyn M. Torres

**Meeting Date/Time:** September 9, 2020, 6:00 – 7:45 PM

**Meeting Location:** Via Zoom

**Facilitator:** Philip Crump

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

**Applicant:** Legacy Hospitality

**Agent:** Consensus Planning

**Neighborhood Associations/Interested Parties** – Nor Este Neighborhood Association (NENA),  
Tierra Serena Community Association (TSCA), District 4 Coalition (District 4)

### **Background Summary:**

Legacy Hospitality (“Legacy”) is planning to submit an Integrated Development Ordinance (IDO) zone change application with the CABQ Environmental Planning Commission (EPC) in order to develop two- and three-story apartments (“Legacy Modesto”) with 118 units on this 4.8-acre property. Legacy currently owns the Eagle Rock Business Center (Business Center) offices and warehouses located on the property’s southern boundary, which face Eagle Rock NE. The CABQ Eagle Rock Convenience Center (Convenience Center) is located west of this property. A cemetery is located to the west and northwest of the Convenience Center. This property’s northern boundary is buffered by a CABQ utility easement facing Pulte’s Tierra Serena Single Family Home Subdivision (Tierra Serena). The eastern boundary faces Eagle Rock Estates. The Business Center site plan was approved in 2007 and amended in 2019.

CABQ Planning Director Brennan Williams did not approve Legacy’s request for joint submission of its zone change and site plan applications. If the zone change is approved, Legacy will submit a site plan to the Development Review Board (DRB). Legacy anticipates beginning construction at the end of 2021, if all requests (zone change, site plan) are approved.

### **Outcomes:**

- ***Areas of Agreement:***
- Legacy will address action items.
- ***Unresolved Issues & Concerns:***
- Neighbors voiced strong opposition to the contemplated zone change and apartment complex; none of the citizen commenters expressed support.

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

### **Meeting Specifics:**

#### **1. Introduction.**

Facilitator Philip Crump asked that those in attendance email their name, affiliation and contact email in order to receive a recording of the meeting and a report. Philip Crump and Jocelyn M. Torres are neutral contract facilitators for the City of Albuquerque. Philip is a mediator and facilitator. Jocelyn is an attorney, mediator and facilitator.

Developer Faizel Kassan and Agents Jackie Fishman and Michael Vos attended on behalf of Legacy Hospitality. Members and representatives of Nor Este NA, Vineyard Estates NA, Tierra Serena CA, and District 4 Coalition also attended. Participants' names and affiliations are listed in this report.

#### **2. Apartment Location and Access Roads.**

- a. The apartments will be located west of Louisiana and will border Modesto on the north.
- b. Modesto will be the primary access route.
- c. The secondary/emergency access route will face the Business Center on the south and will access Eagle Rock through the Business Center roadway.
- d. Legacy will complete all necessary CABQ and IDO improvements for the property and immediate access roadways.
- e. Legacy is not required to improve surrounding roadways, such as Glendale.

#### **3. Neighborhood Questions.**

- a. Can questions be submitted in advance of the meeting?
  - i. CABQ protocol requires that the facilitators record comments submitted at the meeting, rather than those submitted in advance.
- b. Is Legacy responsible for the three to four feet of dirt that was dumped off of Yawkey Way, north of the building site? The CABQ easement fencing was partially removed and the Tierra Serena cinder block peepholes were blocked by the dirt.
  - i. Legacy is trying to stockpile dirt from the Alameda and San Pedro Apartment Complex. Mr. Kassam will ask Albert Cortez, the building contractor and advise facilitators and participants of the response. *See Action Item.*

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

- b. How many apartment building units does Legacy currently own in ABQ? What is the rent for these units?
  - i. Legacy owns 232 one- and 135 two-bedroom units.
  - ii. Rent is approximately \$1,500.00-\$1600.00 per month. Mr. Kassam will check into this information and advise facilitators and participants of the response. *See Action Item.*
- c. What is the approximate income level of apartment residents?
  - i. Approximately mid-income. Mr. Kassam will verify and advise. *See Action Item.*
- d. Will the influx of children cause APS school redistricting?
  - i. APS will review both the zoning and site plan applications and advise the assigned City Planner on this issue. Legacy and/or its Agents will advise Nor Este and District 4 representatives when a City Planner is assigned. *See Action Item.*
- e. Will the apartment units (especially unit number 7) be affected by the noise from the Convenience center?
  - i. Legacy will review and advise. *See Action Item.*
- f. Will home values decrease due to the location of the apartment complex?
  - i. Legacy will inquire and advise. *See Action Item.*

#### 4. Capacity and Design.

- a. The 118-apartment complex will include one- two- and three-story buildings.
- b. The clubhouse facing north is one story.
- c. The apartment building on the east side of the property facing Eagle Rock Estates is two stories.
- d. The other six apartment buildings have two stories facing Modesto and Eagle Rock and three stories behind the front facing units.
- e. Because the two-story east, north and south facing apartment units will be level with existing two-story homes, Legacy expects that those apartment balconies will not create privacy problems for existing two-story homes.
- f. The MXL zone change request allows for a maximum of three stories (35 feet), so there will not be four-story apartments.
- g. Legacy will meet IDO landscaping, shrubbery, sidewalk and exterior appearance requirements.
- h. There is a 75-foot distance between the location of the apartment buildings and the City's utility easement, which provides a privacy buffer. **Note - this Action Item has been met.**

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT**

- i. Legacy will meet serviceability permitting requirements established by the Water Utility Authority regarding water availability and usage.
- j. The apartment complex will be gated and have 175 parking spaces, including those located in interior garages and surface parking.
- k. Legacy will look into crime statistics for that location. *See Action Item.*
- l. It is Legacy's position that the requested MXL zone change will benefit the neighborhood by creating residential housing units rather than increasing industrial and business uses per the current zoning designation.

### **5. Traffic and Access.**

- a. This 118-unit complex does not require a traffic study.
  - i) Legacy will subsidize all required infrastructure for the apartment complex and all immediately surrounding roadways, such as Modesto and Eagle Rock.
  - ii) Legacy will not subsidize infrastructure that is not legally required for this apartment complex and its immediately surrounding roadways.

### **6. Pet Friendly.**

- a. Neighbors asked whether the apartment complex will be pet friendly.
  - i) Yes, it will be pet friendly.

### **Action Items:**

- Mr. Kassam will advise facilitators and participants of the Building Contractor Albert Cortez's response regarding the reported three to four feet of dirt alongside the City's Modesto utility easement.
- Mr. Kassam believes that rent on Legacy's existing ABQ apartments is approximately \$1,500.00-\$1600.00 per month. He will review this information and respond to facilitators and participants.
- Mr. Kassam will review and advise regarding approximate income level of existing ABQ apartment tenants.
- APS will review the zoning and site plan applications and advise the assigned City Planner on school districting. Legacy and/or its Agents will advise Nor Este and District 4 representatives when a City Planner is assigned.
- Legacy will review and advise whether the apartment units (especially unit number 7) will be affected by the noise from the Convenience center.
- Legacy will inquire and advise as to whether existing home values will decrease due to the location of the apartment complex.
- Legacy will look into and report crime statistics for the Modesto/Louisiana location.

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

**Meeting Adjourned.**

### **Application and Hearing details:**

- **EPC Application will be submitted September 24, 2020.**
- **EPC Agenda will be published November 5, 2020.**
- **EPC Hearing will be held November 12, 2020.**
- DRB application will be submitted if zone change is approved.

Additional comments may be submitted to the project case planner, who will be designated when the application has been submitted

**NOTE:** The Zoom meeting was recorded. Until 10 October 2020, the recording may be accessed:

**[https://us02web.zoom.us/rec/share/ass6yJCdjd3udcAzsjWVO\\_cx8QoliQ1eNCFJ4pfL0RPQG\\_7YhU\\_6hIYee4m\\_Oago.HWHWh6ymqGryA9st](https://us02web.zoom.us/rec/share/ass6yJCdjd3udcAzsjWVO_cx8QoliQ1eNCFJ4pfL0RPQG_7YhU_6hIYee4m_Oago.HWHWh6ymqGryA9st) Passcode: =0gpRbT.**

**Exhibits Attached**— Comments from Dan Regan of District 4 Coalition and Agent's presentation document (PDF)

### **Names & Affiliations of Attendees:**

|                 |                    |                    |                         |
|-----------------|--------------------|--------------------|-------------------------|
| Jackie Fishman  | Consensus Planning | David Ehrlich      | Tierra Serena           |
| Michael Vos     | Consensus Planning | Victor Cabezas     | Tierra Serena           |
| Faizel Kassam   | Legacy Hospitality | Linda Winona       | Tierra Serena           |
| Dan & Liz Regan | Dist 4 Coalition   | Brittany Harmon    | Tierra Serena           |
| Loree Wright    | Eagle Rock Estates | Frank Berkley      | Tierra Serena           |
| Kimberly Chase  | neighbor           | Christopher Harmon | Tierra Serena           |
| Kira Jarmer     | Nor Este NA        | Tien Appert        | Tierra Serena           |
| Greg Jarmer     | Nor Este NA        | Albert Cortez      | Tierra Serena CA, VP    |
| Jason Young     | NorEste NA         | Steven Iverson     | Tierra Serena CA, Board |
| Uri Bassan      | NorEste NA         | Lucy Baca          | Vineyard Est NA, Dist 4 |

# CITY OF ALBUQUERQUE

## LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

### ADDENDUM ONE:

Comments submitted by Dan Regan:

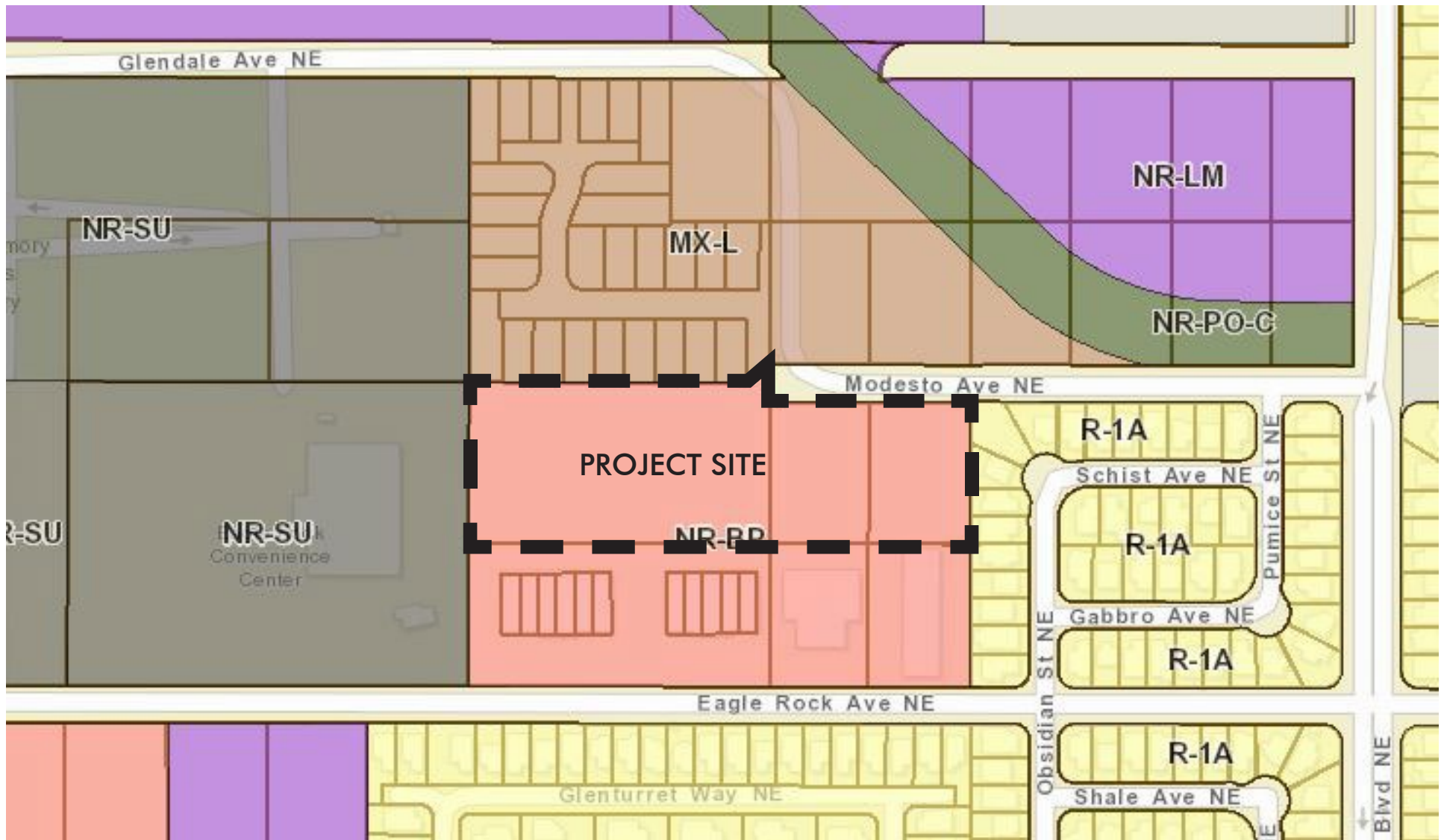
I am submitting a written capture of my comments which I made at the Pre-Application Facilitated Meeting last night for a zone change for the proposed Markana Modesto apartments. I was using a Samsung Tablet to participate in this meeting and it did not have the “umph” to carry both the video and audio signals from my end, hence my spoken words were not able to be intelligibly heard by the other participants.

My comments made during this ZOOM were about two topics:

- The height of the proposed apartment buildings: Jackie Fishman noted that the MX-L zone being sought would allow for a 35 foot height of the complex at its highest. I noted that with the 35 foot max allowed, Consensus Planning, as it has done consistently with its other projects, would likely request the 10% incremental adjustment (I don’t know what the IDO calls this 10% adjustment). That will mean that the 35 foot max would go to 38.5 feet max height.....just saying.
- The issue of additional crime occurring along with the proposed apartments was also discussed. Changes in the crime stats related to the Markana I apartments were requested. My comments about the crime issue were: I am anticipating the response of this developer and the agent, based on the standard response I have heard in six other apartment proposals, e.g., we (developer & agent) can’t be held responsible for any actions of citizens who live in or frequent what we build. I agree that the actions of criminals cannot be laid on real estate developers & agents.....however, I find it more than a little incredulous that developers, agents and the City of Albuquerque have established an IDO implementation that knowingly puts city residents at risk of higher crime levels immediately proximate to their homes. Crime stats will bear this out when it comes to large apartment complexes. This phenomenon, both the increase in crime and the disavowal of responsibility by all parties, reminds me of our tech companies (everyone from Experian to Equifax to Facebook to Twitter) who have made user information and data the actual “commodity” for business purposes, but who take absolutely NO responsibility for the security of their systems or the hacks that occur because of their unwillingness to protect what they have created and from which they make money. I note that in just the past several months, TEENAGERS have hacked Twitter (to the tune of \$130+K of bitcoin activity) and two different remote learning school systems (Miami-Dade & Madison, CT). What kind of city would allow its development industry to create those conditions which historically and concurrently create higher incidents of crime, including murder, and think that they are serving their residents in a competent and moral manner?

Dan Regan  
District 4 Coalition  
Zoning / Development Committee Chair

**ADDENDUM TWO:** PDF presentation of the project by the Agent—sent in a companion file (“MARKANA DOCS 9.9.20”) due to its large size











EAGLE ROCK BUSINESS CENTER - VIEW FROM EAGLE ROCK



EAGLE ROCK BUSINESS CENTER - VIEW SOUTH FROM PROJECT SITE



VIEW NORTH TO TIERRA SERENA SUBDIVISION



VIEW WEST TO CITY TRANSFER STATION

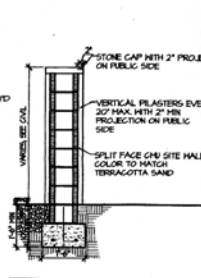
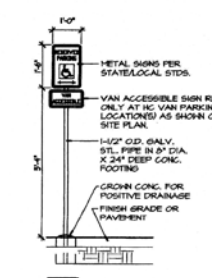
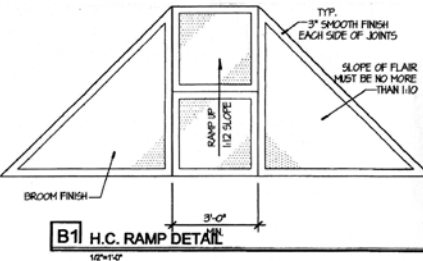
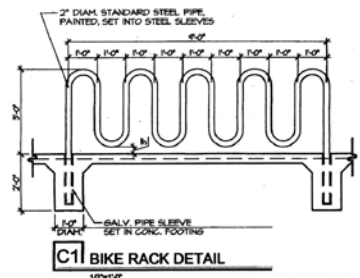
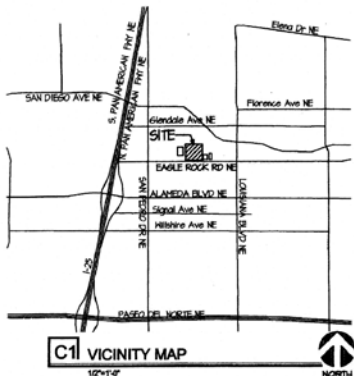




VIEW EAST TO EAGLE ROCK ESTATES

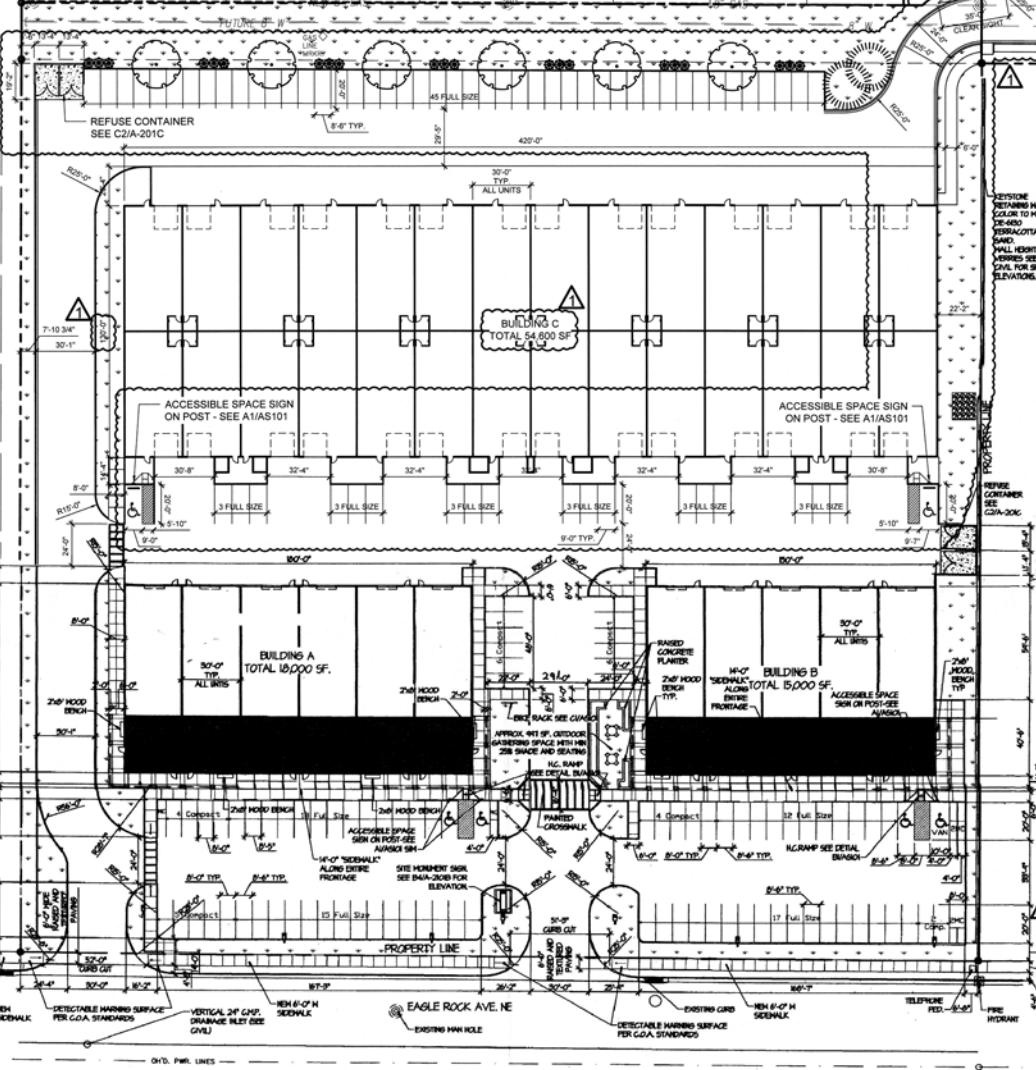


VIEW SOUTH TO WAREHOUSE BUILDINGS



**PLANT LEGEND**

| QTY. | SYMBOL | SCIENTIFIC NAME<br>COMMON NAME | SIZE       | MATURE SIZE        | WATER USE |
|------|--------|--------------------------------|------------|--------------------|-----------|
| 2    | 9      | PAULS NIGRA                    | 8" HT. BAB | 30' HT. X 25' SPR. | MED       |
| 6    | 10     | AUSTRIAN PINE                  | 2" HT. BAB | 35' HT. X 25' SPR. | MED+      |
| 1    | 11     | EMERALD SPRING ELM             | 15 GAL     | 35' HT. X 25' SPR. | LOW+      |
| 21   | 12     | AMERICAN SCOTCH LORNA MEDORA   | 15 GAL     | 12' HT. X 9' SPR.  | LOW+      |



PROJECT NUMBER: 1003359  
Application Number: 07M6-70227

Is an Informational List required? (C) Yes ( ) No If Yes, then a set of approved DRB plans with a seal and signature is required for any construction within Public Right-of-Way for the construction of public improvements.

DRB SITE DEVELOPMENT PLAN FOR BUILDING PERMIT:

|                            |         |
|----------------------------|---------|
| <i>Richard A. Bush</i>     | 9-19-07 |
| <i>Christine Stenderal</i> | 9-19-07 |
| <i>William A. Bush</i>     | 9-19-07 |
| <i>William A. Bush</i>     | 9-25-07 |
| <i>William A. Bush</i>     | 9-25-07 |
| <i>William A. Bush</i>     | 9-25-07 |

**DRAWING INDEX**

- AS01 SITE PLAN FOR BUILDING PERMIT
- L-1 LANDSCAPE PLAN
- C-101 GRADING AND DRAINAGE PLAN
- A-200A BUILDING AND STRUCTURE ELEVATIONS A
- A-200B BUILDING AND STRUCTURE ELEVATIONS B
- A-200C BUILDING AND STRUCTURE ELEVATIONS C
- C-102 SITE UTILITY PLAN

**SITE / BUILDING INFORMATION**

LOTS 6-10 AND 23-25 BLOCK 26, TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES  
ZONE- SU-2 1P (INDUSTRIAL PARK)  
SITE AREA = 6 ACRES  
CONSTRUCTION TYPE = 2B

**PARKING CALCULATIONS**

|                                     |              |
|-------------------------------------|--------------|
| BUILDINGS A+B TOTAL 11 UNITS        |              |
| BUILDINGS A+B UNIT SIZE             | = 3,000 SF.  |
| BUILDINGS A+B UNIT WAREHOUSE SIZE   | = 2,000 SF.  |
| BUILDINGS A+B UNIT OFFICE SIZE      | = 200 SF.    |
| BUILDING C TOTAL 28 UNITS           |              |
| BUILDING C UNIT SIZE                | = 1,950 SF.  |
| BUILDING C UNIT WAREHOUSE SIZE      | = 1,950 SF.  |
| GROSS LEASABLE AREA OFFICE SPACE    | = 10,000 SF. |
| GROSS LEASABLE AREA WAREHOUSE SPACE | = 77,500 SF. |
| NET LEASABLE AREA                   | = 87,500 SF. |

OFFICE SPACE PARKING 22,032/200 = 110 SPACES REQUIRED  
WAREHOUSE PARKING NO REQUIREMENT = 0 SPACES REQUIRED  
TOTAL PARKING PROVIDED = 110 SPACES PROVIDED  
TOTAL PARKING PROVIDED = 153 SPACES PROVIDED  
COMPACT SPACES PROVIDED = 27 (20% OF TOTAL)  
FULL SIZE SPACES PROVIDED = 126  
BICYCLE SPACE PROVIDED = 6  
MOTORCYCLE SPACES PROVIDED = 3  
BICYCLE SPACE PROVIDED = 9 (8 OF BIKES)  
BICYCLE SPACE PROVIDED = 10 (1 RACK WITH 10 BICYCLE CAPACITY)

CLEAR SIGHT DISTANCE, LANDSCAPING AND SIGNAGE WILL NOT INTERFERE WITH CLEAR SIGHT REQUIREMENTS. THEREFORE, SIGN, WALLS, TREES, AND SHUBBERY BETWEEN 3 AND 8 FEET TALL (AS MEASURED FROM THE GUTTER PAN) WILL NOT BE ACCEPTABLE IN THE AREA.

**LEGEND**

- NEW CONCRETE PER CIVIL
- ASPHALT
- LANDSCAPED AREA
- FULL CUT-OFF LIGHT POLE 15'-0" HIGH WITH 250 MAINT METAL BULB TYP.
- PROPOSED OFFICE AREA

ADMINISTRATIVE AMENDMENT  
FILE #002219 PROJECT #002219  
LAURENCE BUSH, C.F., LANDSCAPE ARCHITECT, P.C.  
CONNECTION TO MODESTO AVE  
APPROVED BY DATE

A4 DRB SITE PLAN

The subject property is located near a former landfill. Due to the subject property being near a former landfill, certain precautionary measures may need to be taken to ensure health and safety of the public. Recommendation made by a professional engineer with experience in landfills and landfill gas issues (as required by the most current version of the *Journal Guidelines for Development within City Designated Landfill Buffer Zones*) shall be incorporated prior to development of the site.  
*Laurence Bush* 9-25-07  
Albuquerque Environmental Health Department

Administrative Amendment (8/15/2019): Warehouse Building C square footage increased by 4,680 square feet; parking spaces have decreased by 14 spaces; a drive connection has been made to Modesto Avenue in the north east corner of the property and the landscape buffer along the north edge of the property has been updated.

EDIN VNC IARMOINCMENTAL  
145 TULSA STREET NE  
ALBUQUERQUE, NM 87102  
TEL: 505.242.2001 FAX: 505.242.2002

EAGLE ROCK BUSINESS CENTER  
9401 EAGLE ROCK AVE NW  
ALBUQUERQUE, NM 87117

STATE OF NEW MEXICO  
KIRSTEN B. GALLAGHER  
REGISTERED ROCKETEER

ISSUE: BUILDING PERMIT SET  
DRAWN: DMB  
CHECKED: NC  
DATE: 08.08.07

REVISIONS

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

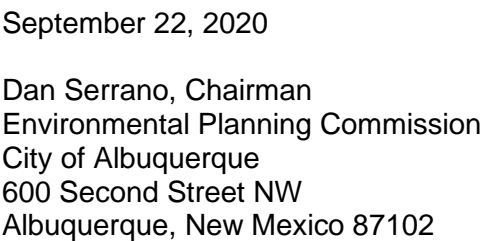
0720  
AS101



## 4.7683 Ac.

**DATA**

**118 UNITS**  
**175 PARKING SPACES**



RE: Zoning Map Amendment for 6511 Eagle Rock and 6700 & 6716 Modesto NE

Dear Mr. Chairman:

On behalf of Legacy Development & Management, LLC, Consensus Planning submits this request for approval of a Zoning Map Amendment – EPC. The purpose of this letter is to provide justification of the Applicant's request for a Zoning Map Amendment by responding to the decision criteria specified in Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3). The subject site is located on the south side of Modesto Avenue NE west of Louisiana Boulevard and legally described as Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres (see Figure 1).



Figure 1. Subject site bounded in red and area context.

## LAND USE CONTEXT AND PROJECT SUMMARY

The subject site is approximately 4.8 acres in size and currently vacant. The western approximate 3 acres of the subject site is part of a prior approval for an office/warehouse development. The southern half contains two of the three buildings approved as part of the 2007 Site Plan (Eagle Rock Business Center), which is owned by the Applicant. These properties are all zoned NR-BP: Non-residential Business Park zone district and the Applicant is proposing a zone change for the subject site to MX-L: Mixed-use Low Intensity zone district, which matches the existing zoning to the north.

## PRINCIPALS

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



If the zone change is approved, the Applicant intends to submit a Site Plan – DRB application for a multi-family residential development on the subject site. The Applicant requested approval from the Planning Director for concurrent review of both the zone change and site plan by the EPC, but that request was denied, so only the zoning request is being made at this time.

The property is within the North Albuquerque Community Planning Area and is designated as an “Area of Consistency” in the 2017 Albuquerque/Bernalillo County Comprehensive Plan. Approximately ¼-mile south of the subject site, Alameda Boulevard is designated as a Multi-modal Corridor. I-25, to the west of the subject site, and Alameda west of I-25 are Commuter Corridors. The site is approximately one mile east of the North I-25 Employment Center.

The North I-25 corridor is primarily commercial with several large employers located west of the Interstate, including Presbyterian Healthcare and General Mills among others. Many smaller office, warehouse, and industrial uses are located within three business parks in the area. Recently, new development east of I-25 has trended toward residential including several single-family subdivisions and apartment complexes, as well as more commercial retail and services including Tin Can Alley and a second location for Stone Age Climbing Gym along Alameda Boulevard.

Adjacent to the subject site are two single-family residential subdivisions; the older Eagle Rock Estates Unit 4 is to the east and the recently built Tierra Serena subdivision is to the north. West of the site are the City of Albuquerque Eagle Rock Convenience Center and a cemetery. South of the site is the Eagle Rock Business Center and other office/warehouse uses. Farther south is additional single-family residential and automobile towing, recycling, and storage uses.

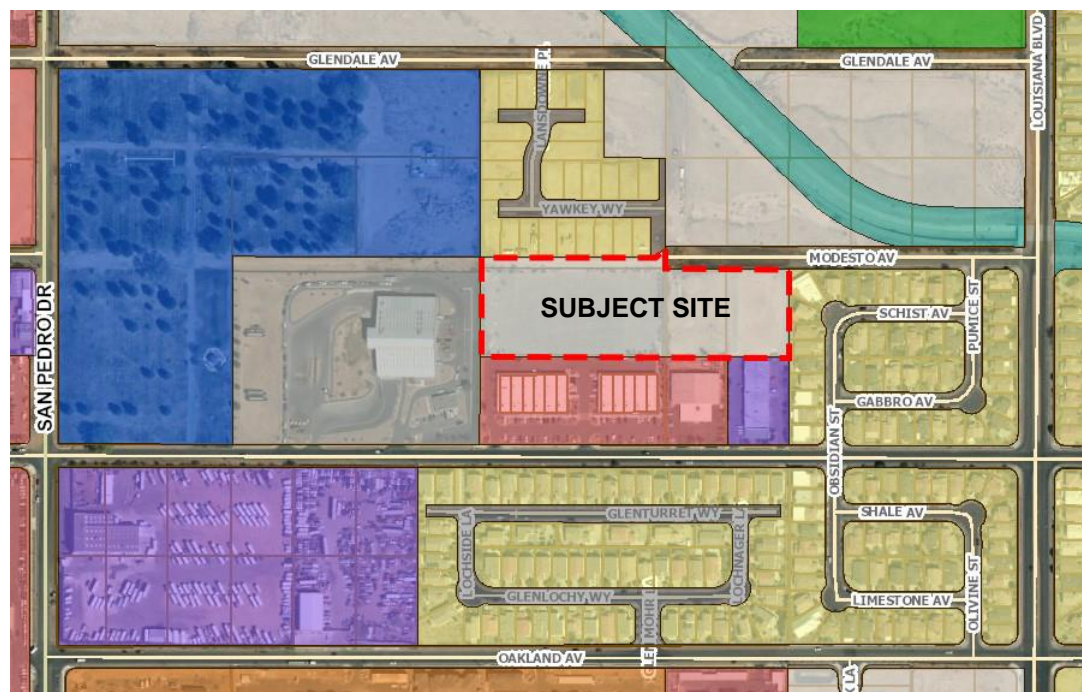


Figure 2. Land Use Context (area of zone change bounded in red)

## Site History and Zoning

As previously mentioned, the current zoning of the subject site and those to the south along Eagle Rock Avenue is NR-BP, Non-residential Business Park zone. The Eagle Rock Estates subdivision to the east is zoned R-1A and developed with small lots between 4,300 and 4,700 square feet in size. The Tierra Serena subdivision to the north is zoned MX-L and includes lot sizes of approximately 5,200 square feet in size. Both the convenience center and cemetery to the west are zone NR-SU, Non-residential Sensitive Use (Figure 3).

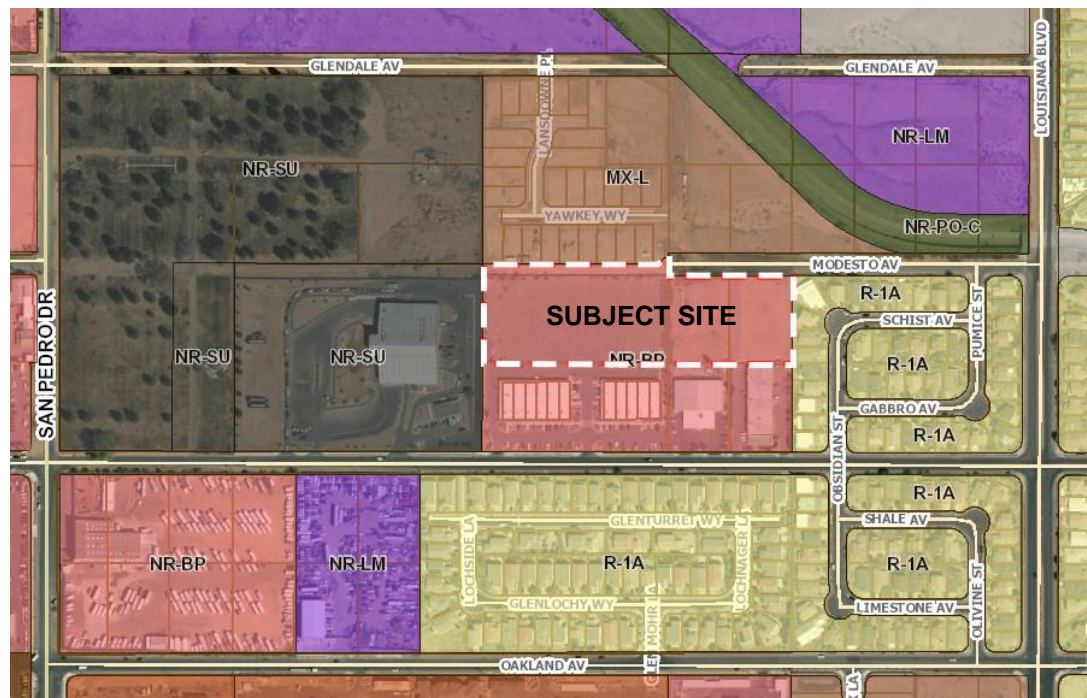


Figure 3. Existing Zoning (area of zone change bounded in white)

**TABLE 1. Surrounding Zoning & Land Use**

|              |       |   |
|--------------|-------|---|
| <b>NORTH</b> | MX-L  | Single-family residential                       |
| <b>EAST</b>  | R-1A  | Single-family residential                       |
| <b>SOUTH</b> | NR-BP | Office/warehouse                                |
| <b>WEST</b>  | NR-SU | COA Solid Waste Convenience Center and Cemetery |

These zone districts were established at the effective date of the IDO based upon prior zoning and land use designations created by the 2010 North I-25 Sector Development Plan. The purpose of the North I-25 Sector Plan was to guide the future development of the area “as a regional employment center and to buffer the residential development that has grown up within the area on its eastern boundary.” The plan accomplished this by adding a Land Use District Overlay and applying design standards to all future development, whether done by the underlying zoning of each property or the Overlay districts.

Prior to adoption of the 2010 Sector Plan, the previous 1986 Sector Plan zoning included mostly intense industrial uses that extended east of I-25 and were adjacent to residential areas. While not eliminating those zone categories due to the use of

the Overlay districts, the 2010 Plan introduced a wider array of commercial use areas with varying intensities. A lower intensity Neighborhood Commercial (NC) district was applied to most of the properties east of I-25 near existing residential areas, including the subject site in order to “create a transition zone between residential and non-residential uses.” This applied to the subject site as well as the property to the north, which was zoned SU-2 Cemetery or NC. While the intent of the Sector Plan was to limit additional single-family residential development in the commercial areas, an interpretation was made several years prior to adoption of the IDO and subsequent repeal of the Sector Plan that allowed single-family development within the NC Land Use area due to a cross-reference to the old Comprehensive Zoning Code’s Residential-Commercial (RC) zone.

A portion of the subject site has an approved Site Development Plan from 2007 for office and warehouse uses under the older 1986 North I-25 SU-2 Industrial Park zoning (Project #1003359). This approval was amended in 2012 for an interim use as a Harley Davidson motorcycle training school. Both were prior to the vacation of Modesto Avenue on the north side of the site or development of the Tierra Serena residential uses. In 2019, the prior office and warehouse approval was amended to increase the square footage of the proposed warehouse building with 14 separate bays that face north, add access to Modesto at the corner, and adjust landscaping (See Figures 4 and 5).

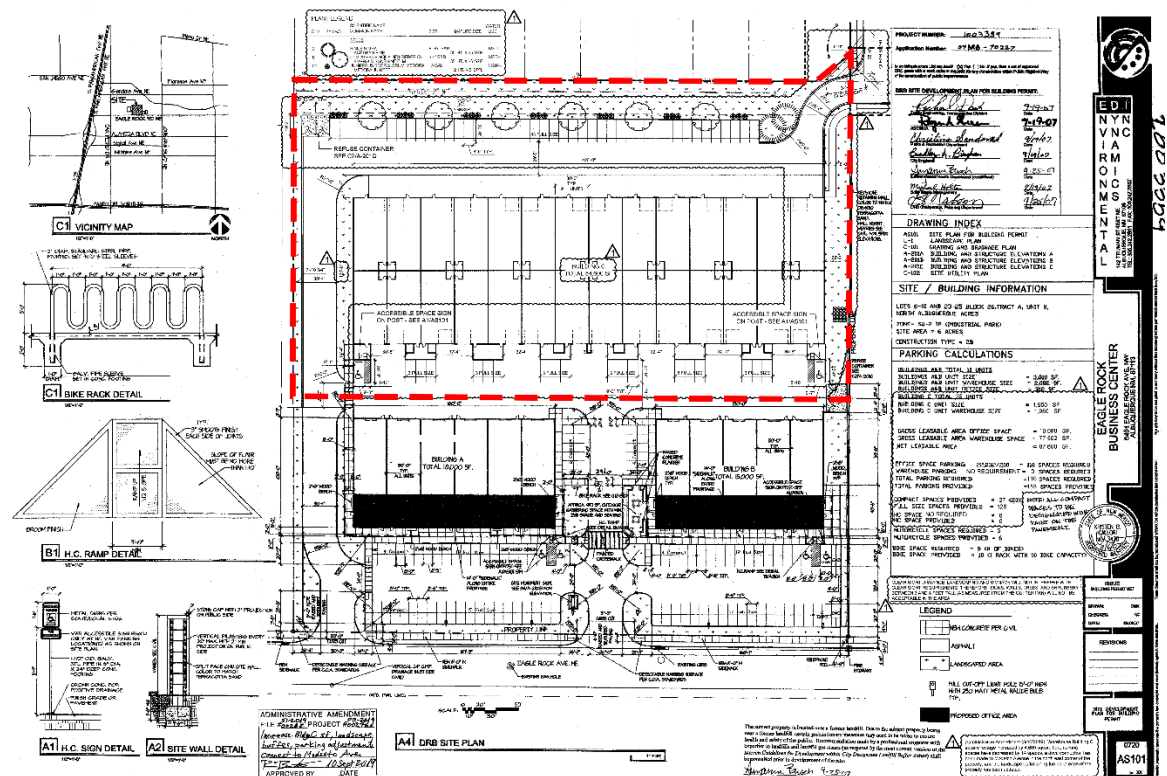


Figure 4. Approved Site Plan for office and warehouse uses with access on Modesto Ave NE.



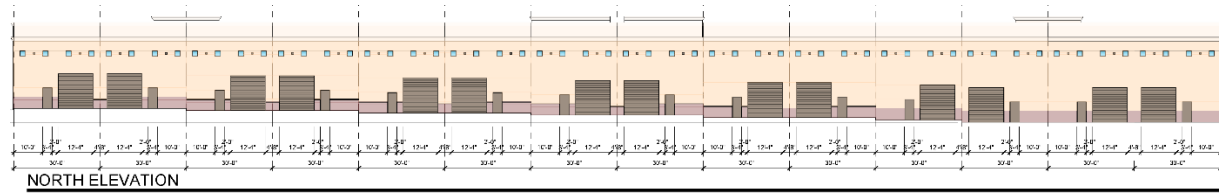


Figure 5. Approved elevation from existing Site Plan with 14 bay doors facing north.

## Summary of Request

The Applicant is requesting a downzone to MX-L, Mixed-Use Low Intensity zoning for the subject property. The requested MX-L zone will allow for townhouses, live-work units, and multi-family apartments, which are not presently allowed while sharply limiting the number, types, and intensity of allowable non-residential uses as demonstrated later in this letter.

The proposed MX-L zoning will match the zoning to the north and provide a less intense transition and buffer to adjacent single-family residential neighbors than the currently approved warehousing use, which allows access for truck traffic from Modesto Avenue. As discussed earlier, the 2010 North I-25 Sector Plan designated this property for neighborhood commercial uses with an intent to provide such a transition. However, due to the remaining underlying 1986 zoning entitlements and a desire not to diminish the property rights of existing owners, the initial zoning conversion completed upon the adoption of the IDO converted to the IDO zone districts most closely aligned with the *more* intense zoning/land use option under the Sector Plan. For the subject site, this meant a conversion from Industrial Park to Business Park zoning. For other sites, such as the Tierra Serena subdivision, this resulted in a conversion to MX-L due to the NC land use designation.

This conversion technique, and the unusual composition of the zoning/land use overlay system from the Sector Plan, led to a few locations where there are inappropriate adjacencies of industrial and business park zoning near low-density residential uses.

In addition to developing the existing office and warehousing uses abutting the subject site to the south, the Applicant has developed multi-family residential in the surrounding area along Alameda and understands the need to provide such housing, particularly within relatively close proximity to employment uses that are prevalent in this area. As such, it is our belief that the proposed zone change is much more advantageous to the community and justified. This request is supported by Comprehensive Plan goals and policies and meets the requirements for a Zoning Map Amendment – EPC per IDO Section 14-16-6-7(F) as described below.

## JUSTIFICATION

This request for a Zoning Map Amendment complies with the criteria outlined in Section 14-16-6-7(F)(3) of the Integrated Development Ordinance (IDO) as follows:

**6-7(F)(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's Response:** *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering a preponderance of the applicable Comprehensive Plan goals and policies, as follows:*

**Comprehensive Plan Policies (responses in italics):**

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

**Applicant Response:** *The request furthers this policy by downzoning a site that is located adjacent to two single-family residential neighborhoods, thus providing a transition zone and ensuring a more appropriate scale, location of development, mix of uses, and character of building design than presently allowed. The change to the MX-L zone district will eliminate many potentially harmful and intense uses that could otherwise locate on the site under the existing zoning. The zone change would introduce residential uses that are more compatible and appropriate to share access from Modesto Avenue along with the existing subdivisions. The existing zoning allows up to 65 feet of building height whereas the requested MX-L zone reduces that to 35 feet, which is much more in scale with the surrounding residences, many of which are two-story.*

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

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

**g) Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership**

**Applicant Response:** *The subject site is in a neighborhood just north of the Alameda Boulevard Multi-modal Corridor. Multi-modal Corridors are intended to encourage the redevelopment of the area "to a more mixed-use, pedestrian-oriented environment that focuses heavily on providing safe, multi-modal transportation options." The request furthers this goal and policy by providing more housing density and opportunities for mixed-use development near such a Corridor. Future businesses or residents at the site will have convenient access to bicycle facilities such as bike lanes on Louisiana Boulevard and along the La Cueva arroyo channel connecting them to new commercial development along Alameda, North Domingo Baca Park, and the La Cueva Activity Center. Additional multi-family development and appropriate densities may incentivize an increase in transit service along Alameda in what is becoming a much more mixed-use destination.*

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

**Applicant Response:** *As an Area of Consistency, the site is appropriate for a downzone that provides more appropriate uses, scale, and intensity of development to act as a transition to the neighboring single-family neighborhoods, thus furthering this policy.*

**Policy 5.1.11 Multi-Modal Corridors:** Design safe Multi-Modal Corridors that balance the competing needs of multiple modes of travel and become more mixed-use and pedestrian-oriented over time.

- b) Prioritize improvements that increase pedestrian safety and convenience and make bicycle and transit options more viable.**

**Applicant Response:** *The subject site is located just north of the Alameda Boulevard Multi-modal Corridor. The request furthers this policy by allowing a combination of uses that are more appropriate for a mixed-use and pedestrian-oriented area than the current NR-BP zoning. Allowing more neighborhood-serving uses and multi-family residential development will provide improvements to the area, including infill density and a reduction in potential truck traffic, that will make the surrounding roadways safer and more convenient for bicycles and pedestrians. An increase in residential densities will make transit in this area more viable.*

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

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

- a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.**
- b) Encourage development that offers choice in transportation, work areas, and lifestyles.**
- d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.**
- e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.**
- f) Encourage higher density housing as an appropriate use in the following situations:**
  - v. In areas where a transition is needed between single-family homes and much more intensive development.**
- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.**
- n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.**

**Applicant Response:** *The request furthers this goal and policy and numerous sub-policies by allowing for development of a mix of uses including multi-family residential on the subject property, which is currently developed with two multi-tenant office/warehouse buildings. These lots have been vacant for a long time and are no longer appropriate for the intensive uses currently allowed under the NR-BP zone due to their adjacency to single-family residential. The request will allow new development and multi-family residential where it can function as a transition to more intensive development. Infill development of the site will provide for broader*

*potential housing options in this area to meet a range of incomes or lifestyles relatively close to a major employment center west of Interstate 25 in a form that is compatible with the surrounding area.*

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

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

*Applicant Response: The request furthers this goal and policy because the change would support development of the site, which is in a mostly developed area with access to existing infrastructure including roadways, storm drainage facilities, water and sewer, and other utilities.*

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

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

*Applicant Response: The North I-25 corridor area is a major employment area for Albuquerque. The requested zone change furthers this policy by providing opportunities for additional higher-density housing near an area of concentrated employment without further overburdening river crossings due to the site's location east of the River.*

**Policy 5.6.2 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.**

- b) **Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.**
- e) **In areas with predominantly non-residential land uses, carefully consider zone changes from non-residential to mixed-use or residential zones for potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.**

*Applicant Response: The request furthers this policy through the careful consideration of the request to downzone to a mixed-use district in an area that currently includes predominantly non-residential zoning and land uses near single-family residential. The proposed zone change will allow development that reinforces the scale, intensity, and setbacks of the immediately surrounding context while also acknowledging and respecting the abutting properties by encouraging more compatible land uses.*

**Policy 5.6.4 Appropriate Transitions: Provide Transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.**

- a) **Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family**

neighborhoods to protect the character and integrity of existing residential areas.

- b) **Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.**

**Applicant Response:** *The Applicant has carefully considered the transition between the subject site and neighboring low-density residential. The request for the MX-L zone will provide an appropriate transition from the existing non-residential zoning and land uses to the neighboring single-family neighborhoods. It will significantly lower allowable building heights (from 65 feet to 35 feet) and reduce the potential for negative effects from noise, lighting, air pollution, and traffic that could otherwise be generated by a warehousing or business park use and associated large trucks on the property and access onto Modesto Avenue.*

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

**Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.**

- a) **Increase the supply of housing that is affordable for all income levels.**

**Applicant Response:** *Downzoning the subject site from NR-BP to MX-L allows for the development of multi-family residential, which furthers this goal and policy to allow for new multi-family development in an area that is underserved by such development. According to the CBRE January 2019 Multi-family Market Survey, the North I-25 area (MLS Areas 21, 100, and 102) have a combined 935 units, both market rate and affordable, with an occupancy rate of approximately 94.8% (See Figure 6 on next page). Most of the multi-family residential development in Albuquerque is located south of Paseo del Norte on the east side of the River with a significant number of units near the Cottonwood Mall west of the River. Providing more multi-family farther north, east of the River, and closer to the employment in the vicinity is appropriate and this request will help contribute to the balancing of housing options.*

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

**Policy 9.3.2 Other Areas: Increase housing density and housing options in other areas by locating near appropriate uses and services and maintaining the scale of surrounding development.**

- a) **Encourage higher-density residential and mixed-use development as appropriate uses near existing public facilities, educational facilities, job centers, social services, and shopping districts.**
- b) **Encourage multi-family and mixed-use development in areas where a transition is needed between single-family homes and more intense development.**

**Applicant Response:** *The request furthers this goal and policy by providing mixed-use and multi-family residential development opportunities near a large job center and an upcoming commercial district along the Alameda corridor. The proposed*



*MX-L zone is low intensity and will provide a transition between existing single-family homes and more intense development. It will be more compatible in scale with the surrounding development by utilizing a low building height compared to other zoning options.*

| MLS Area | Total # Units | # Vacant Units | Weighted Occupancy | Total SQFT | Weighted Average SQFT | Weighted Average Rent | Rent Per SQFT |
|----------|---------------|----------------|--------------------|------------|-----------------------|-----------------------|---------------|
| 21       | 216           | 21             | 90.28%             | 232,400    | 1,076                 | \$1,269               | \$1.18        |
| 30       | 5,587         | 226            | 95.95%             |            |                       |                       |               |
| 31       | 430           | 10             | 97.67%             |            |                       |                       |               |
| 32       | 5,784         | 446            | 92.29%             |            |                       |                       |               |
| 40       | 965           | 88             | 90.88%             |            |                       |                       |               |
| 41       | 4,556         | 374            | 91.79%             |            |                       |                       |               |
| 42       | 1,164         | 29             | 97.51%             |            |                       |                       |               |
| 50       | 5,445         | 253            | 95.35%             |            |                       |                       |               |
| 51       | 378           | 48             | 87.30%             |            |                       |                       |               |
| 70       | 251           | 11             | 95.62%             |            |                       |                       |               |
| 71       | 3,316         | 196            | 94.09%             |            |                       |                       |               |
| 80       | 1,142         | 47             | 95.88%             |            |                       |                       |               |
| 92       | 658           | 50             | 92.40%             |            |                       |                       |               |
| 100      | 495           | 8              | 98.38%             |            |                       |                       |               |
| 101      | 300           | 7              | 97.67%             |            |                       |                       |               |
| 102      | 224           | 20             | 91.07%             |            |                       |                       |               |
| 103      | 334           | 11             | 96.71%             |            |                       |                       |               |
| 110      | 1,333         | 60             | 95.50%             |            |                       |                       |               |
| 111      | 2,423         | 117            | 95.17%             |            |                       |                       |               |
| 120      | 548           | 19             | 96.53%             |            |                       |                       |               |
| 121      | 3,734         | 111            | 97.03%             |            |                       |                       |               |
|          |               |                |                    | 3,458,371  | 926                   | \$912                 | \$0.98        |



Figure 6. Excerpt from the January 2019 Albuquerque Multi-family Market Survey report. Approximate location of the subject site identified by asterisk (Source: CBRE).

**Goal 13.5 Community Health: Protect and maintain safe and healthy environments where people can thrive.**

**Policy 13.5.1 Land Use Impacts: Prevent environmental hazards related to land uses.**

- a) **Protect public health, safety, and welfare by discouraging incompatible land uses in close proximity, such as housing and industrial activity.**

**Applicant Response:** *The request furthers this goal and policy by providing a better and more compatible transition between the existing single-family residential and adjacent non-residential uses. The downzone from NR-BP to MX-L will limit further growth and development of industrial activities that may otherwise be allowable under the existing zoning, which includes the potential for heavy truck traffic accessing the property along Modesto Avenue.*

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

- 1. There was typographical or clerical error when the existing zone district was applied to the property.**
- 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:** *Once the two adjacent single-family subdivisions were developed to the north and east, the existing NR-BP zoning became inappropriate for the subject site. The existing NR-BP zoning allows for incompatible land uses and development next to existing residences, which does not reinforce or strengthen the character of the surrounding Area of Consistency. The requested downzone will reinforce the character of the area and would not permit development significantly different than that character by creating a transition zoning category that matches the zoning to the north, lowers building heights, and permits development more in scale with what presently exists.*

*The proposed zone change to MX-L is also more advantageous to the community as articulated by the ABC Comp Plan (described in detail earlier in this justification letter). The proposed downzone enhances the nearby Multi-modal Corridor; provides a needed transition between incompatible land uses; supports infill and a variety of housing options and lifestyles; appropriately considers the surrounding context; and provides needed housing and density near an important job center.*

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

**Applicant's Response:** *The subject site is located wholly in an Area of Consistency, so this criterion does not apply.*

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

**Applicant's Response:** *None of the permissive uses in the MX-L zone will be harmful to the adjacent property, neighborhood, or community. The following table provides a comparison of the NR-BP and MX-L zones. As is clearly shown, a very limited number of new uses are facilitated by the requested change, primarily the allowance of townhouses and multi-family residential uses along with a variety of group living uses, community center or library, residential community amenities, and*

grocery store. It should be noted that liquor retail is shown as an “A” in the Use Table within the MX-L zone district, but the Use-specific standard actually limits this accessory use to mapped locations only, which does not include the subject site, so liquor retail will not become allowable based on this zone change. In contrast, many intense and inappropriate uses will no longer be able to be developed on the subject site following approval of the downzone, including but not limited to hospitals, adult entertainment and retail, nightclubs, large retail stores, helipad, and distribution centers. Overall, the request will benefit and add protections for adjacent properties, the neighborhood, and the community.

| IDO Zoning Comparison: NR-BP vs. MX-L                          |       |      |
|--|-------|------|
| Use  | NR-BP | MX-L |
| Dwelling, townhouse & Dwelling, multi-family                   | -     | P    |
| Dwelling, live work  | CA    | P    |
| Group Living Category (except Group home, large)               | -     | P    |
| Community center or library                                    | C     | P    |
| Daytime gathering facility & Overnight shelter                 | C     | -    |
| Hospital   | P     | -    |
| University or college & Sports field                           | P     | C    |
| General agriculture  | C     | -    |
| Kennel   | P     | C    |
| Nursery  | P     | -    |
| Adult entertainment  | P     | -    |
| Auditorium or theater  | P     | A    |
| Bar & Tap room or tasting room                                 | P     | C    |
| Catering service   | P     | -    |
| Nightclub  | P     | -    |
| Residential community amenity                                  | -     | P    |
| Heavy vehicle and equipment sales, rental, fueling, and repair | C     | -    |
| Light vehicle fueling station & sales and rental               | P     | C    |
| Outdoor vehicle storage  | C     | -    |
| Blood services facility  | P     | -    |
| Construction contractor facility and yard                      | P     | -    |
| Mortuary   | P     | C    |
| Personal and business services, large                          | P     | -    |
| Self-storage   | P     | C    |
| Amphitheater & Drive-in theater                                | C     | -    |
| Other outdoor entertainment                                    | P     | A    |
| Adult retail   | P     | -    |
| Building and home improvement materials store                  | P     | -    |
| General retail, medium   | C     | -    |
| General retail, large  | P     | -    |
| Grocery store  | -     | P    |
| Liquor retail  | C     | A    |
| Pawn shop  | P     | C    |
| Freight terminal or dispatch center & railroad yard            | C     | -    |

|  |   |    |
|--|---|----|
| Helipad  | P | -  |
| Park-and-ride lot & Transit facility   | P | C  |
| Light manufacturing  | P | -  |
| Geothermal energy generation   | P | -  |
| Salvage yard   | C | -  |
| Warehousing & Wholesaling and distribution center                              | P | -  |
| Drive-through or drive-up facility   | A | CA |
| Parking of more than 2 truck tractors and 2 semitrailers for more than 2 hours | A | -  |

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

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

**Applicant's Response:** *The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill development property near existing developed improvements, including roadways, trails, and sidewalk systems. Due to the request being a downzone with fewer intense uses that allow heavy truck traffic, the impacts on existing infrastructure will be minimized. Any necessary improvements to infrastructure attributed to this development will be the sole responsibility of the developers in fulfilling their obligations under the IDO, the DPM, or an Infrastructure Improvements Agreement if one is required for future development of the site.*

**6-7(F)(3)(f) The applicant's justification for the requested zone change is not completely based on the property's location on a major street.**

**Applicant's Response:** *The property is not located on any major streets and this justification is not based completely upon such circumstances.*

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

**Applicant's Response:** *The cost of land or other economic considerations are not the determining factor for this zone change request. The requested zone change will provide an appropriate transition with compatible uses for the adjacent neighbors consistent with and furthering numerous City goals and policies as articulated in the Comprehensive Plan.*



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

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

**Applicant’s Response:** *The area of the requested zone change is approximately 4.8 acres in size and matches the existing zoning to the north, so it cannot be considered a spot zone. Even if it were considered a spot zone, the request clearly facilitates realization of the Comprehensive Plan goals and policies related to appropriate scale and uses; protection of existing neighborhoods; promoting more mixed-use and walkable development, particularly near Multi-modal corridors and job centers; and increasing housing options and density in appropriate locations.*

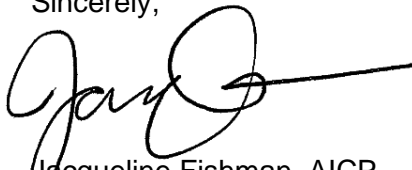
## CONCLUSION

The request for a downzone from NR-BP to MX-L furthers numerous goals and policies of the Comprehensive Plan and creates an appropriate transition between intense non-residential uses and low-density single-family residences. Not only is this desired under the Comprehensive Plan, but this also reflects and furthers the overarching goal of the former North I-25 Sector Development Plan to provide more neighborhood serving uses east of Interstate 25.

On behalf of Legacy Development & Management LLC, we respectfully request that the Environmental Planning Commission approve this request for a Zoning Map Amendment for the subject site based on the information provided.

Thank you for your consideration.

Sincerely,



Jacqueline Fishman, AICP  
Principal

**From:** Carmona, Dalaina L.  
**To:** Michael Vos  
**Subject:** 6511 Eagle Rock and 6700 & 6716 Modesto NE Public Notice Inquiry  
**Date:** Tuesday, September 22, 2020 9:35:19 AM  
**Attachments:** image001.png  
image002.png  
image003.png  
image004.png  
image007.png  
ZoneAtlas-C-18-Site.pdf

Dear Applicant,

Please find the neighborhood contact information listed below.

| Association Name                                  | First Name | Last Name | Email                   | Address Line 1          | City        | State | Zip   | Mobile Phone | Phone      |
|---|------------|-----------|-------------------------|-------------------------|-------------|-------|-------|--------------|------------|
| District 4 Coalition of Neighborhood Associations | Daniel     | Regan     | dlreganabq@gmail.com    | 4109 Chama Street NE    | Albuquerque | NM    | 87109 | 5052802549   |            |
| District 4 Coalition of Neighborhood Associations | Mildred    | Griffiee  | mgriffiee@noreste.org   | PO Box 90986            | Albuquerque | NM    | 87199 | 5052800082   |            |
| Nor Este NA                                       | Uri        | Bassan    | uri.bassan@noreste.org  | 9000 Modesto Avenue NE  | Albuquerque | NM    | 87122 | 5054179990   |            |
| Nor Este NA                                       | Gina       | Pioquinto | rpmartinez003@gmail.com | 9015 Moonstone Drive NE | Albuquerque | NM    | 87113 | 5052385495   | 5058560926 |

You will need to e-mail each of the listed contacts and let them know that you are applying for a permit for your project. You can use this online link to find template language if you're not sure what information you need to include in your e-mail. <https://www.cabq.gov/planning/urban-design-development/public-notice>

If your permit application or project requires a neighborhood meeting, you can click on this link to find template language to use in your e-mail notification: <https://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If you have questions about what type of notification is required for your particular project, please click on the link below to see a table of different types of projects and what notification is required for each: <http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17-Part6.pdf>

Once you have e-mailed the contact individuals 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 permit application and submit it to the Planning Department for approval. **PLEASE NOTE:** The ONC does not have any jurisdiction over any other aspect of your permit application beyond the neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, or project plans, so we encourage you to contact the Planning Department at: 505-924-3860 or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

**If your permit or project 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.**

Thanks,



*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  
[dlcarmona@cabq.gov](mailto:dlcarmona@cabq.gov) or [ONC@cabq.gov](mailto:ONC@cabq.gov)  
Website: [www.cabq.gov/neighborhoods](http://www.cabq.gov/neighborhoods)



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**From:** webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov  
**Sent:** Monday, September 21, 2020 10:48 PM

**To:** Office of Neighborhood Coordination <vos@consensusplanning.com>

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

**Subject:** Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Environmental Planning Commission

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

Contact Name

Michael Vos

Telephone Number

5057649801

Email Address

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

Company Name

Consensus Planning, Inc.

Company Address

302 8th Street NW

City

Albuquerque

State

NM

ZIP

87102

Legal description of the subject site for this project:

Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres

Physical address of subject site:

6511 Eagle Rock and 6700 & 6716 Modesto NE

Subject site cross streets:

Modesto and Louisiana

Other subject site identifiers:

West of Louisiana between Modesto and Eagle Rock

This site is located on the following zone atlas page:

C-18

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



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

#### PRINCIPALS

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

September 24, 2020

Daniel Regan  
District 4 Coalition  
4109 Chama Street NE  
Albuquerque, NM 87109

Mildred Griffiee  
District 4 Coalition  
PO Box 90986  
Albuquerque, NM 87199

Dear Neighbors:

This letter is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Legacy Development & Management, LLC. The subject site consists of Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres containing approximately 4.8 acres. The property is located west of Louisiana Boulevard between Modesto Avenue and Eagle Rock Avenue and currently addressed as 6511 Eagle Rock Ave and 6700 & 6716 Modesto Ave NE (see attached zone atlas page). The current owners of the property are Kassam Land Acquisition 9, LLC (Legacy Development), Sara Otto-Diniz, and Scott Cole.

The Applicant is requesting a downzone from NR-BP (Non-residential Business Park) to MX-L (Mixed-use Low Intensity), which will allow for low intensity neighborhood-scale commercial and multi-family residential development and eliminate many potentially harmful uses and development standards currently allowed by the existing zoning.

The EPC Public Hearing for this application will be held on Thursday, November 12, 2020 starting at 8:40 AM. Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform. The URL for joining via videoconference or call-in numbers for audio only are as follows:

Join Zoom Meeting: <https://cabq.zoom.us/j/95938270222>

Meeting ID: 959 3827 0222

One tap mobile

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+12532158782,,95938270222# US (Tacoma)

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PLANNING

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Sincerely,

Jacqueline Fishman, AICP  
Principal

Attached: Zone Atlas Map C-18



September 24, 2020

Uri Bassan  
Nor Este NA  
9000 Modesto Avenue NE  
Albuquerque, NM 87122

Landscape Architecture  
Urban Design  
Planning Services

Gina Pioquinto  
Nor Este NA  
9015 Moonstone Drive NE  
Albuquerque, NM 87113

302 Eighth St. NW  
Albuquerque, NM 87102

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

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## PRINCIPALS

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



CONSENSUS

PLANNING

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Sincerely,

Jacqueline Fishman, AICP  
Principal

Attached: Zone Atlas Map C-18

s Planning  
treet NW  
NM 87102

Uri Bassan  
Nor Este NA  
9000 Modesto Avenue NE  
Albuquerque, NM 87122

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02 1P \$ 000.50<sup>0</sup>  
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Planning  
eet NW  
NM 87102

Gina Pioquinto  
Nor Este NA  
9015 Moonstone Drive NE  
Albuquerque, NM 87113

FIRST-CLASS



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0002118651 SEP 24 2020  
MAILED FROM ZIP CODE 87102

Planning  
et NW  
NM 87102

Daniel Regan  
District 4 Coalition  
4109 Chama Street NE  
Albuquerque, NM 87109



Planning  
et NW  
NM 87102

Mildred Griffiee  
District 4 Coalition  
PO Box 90986  
Albuquerque, NM 87199



**From:** [Jackie Fishman](#)  
**To:** [uri.bassan@noreste.org](mailto:uri.bassan@noreste.org); [rpmartinez003@gmail.com](mailto:rpmartinez003@gmail.com)  
**Cc:** [Michael Vos](#)  
**Subject:** Application Notification - Modesto Zone Change -  
**Date:** Thursday, September 24, 2020 11:41:12 AM  
**Attachments:** [ZoneAtlas-C-18-Site.pdf](#)

---

Dear Neighbors:

This email is notification that Consensus Planning has applied for a Zoning Map Amendment – EPC to the Environmental Planning Commission (EPC) on behalf of Legacy Development & Management, LLC. The subject site consists of Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres containing approximately 4.8 acres. The property is located west of Louisiana Boulevard between Modesto Avenue and Eagle Rock Avenue and currently addressed as 6511 Eagle Rock Ave and 6700 & 6716 Modesto Ave NE (see attached zone atlas page). The current owners of the property are Kassam Land Acquisition 9, LLC (Legacy Development), Sara Otto-Diniz, and Scott Cole.

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Find your local number: <https://cabq.zoom.us/u/acn75hg9We>

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Sincerely,

**Jacqueline Fishman, AICP**

Principal

Consensus Planning, Inc.

302 Eighth Street NW

Albuquerque, NM 87102

P: 505.764.9801

**From:** [Jackie Fishman](#)  
**To:** [mgriffie@noreste.org](mailto:mgriffie@noreste.org); [dlreganabq@gmail.com](mailto:dlreganabq@gmail.com)  
**Cc:** [Michael Vos](#)  
**Subject:** Application Notification - Modesto Zone Change - District 4 Coalition  
**Date:** Thursday, September 24, 2020 11:39:13 AM  
**Attachments:** [ZoneAtlas-C-18-Site.pdf](#)

---

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Sincerely,

**Jacqueline Fishman, AICP**

Principal

Consensus Planning, Inc.

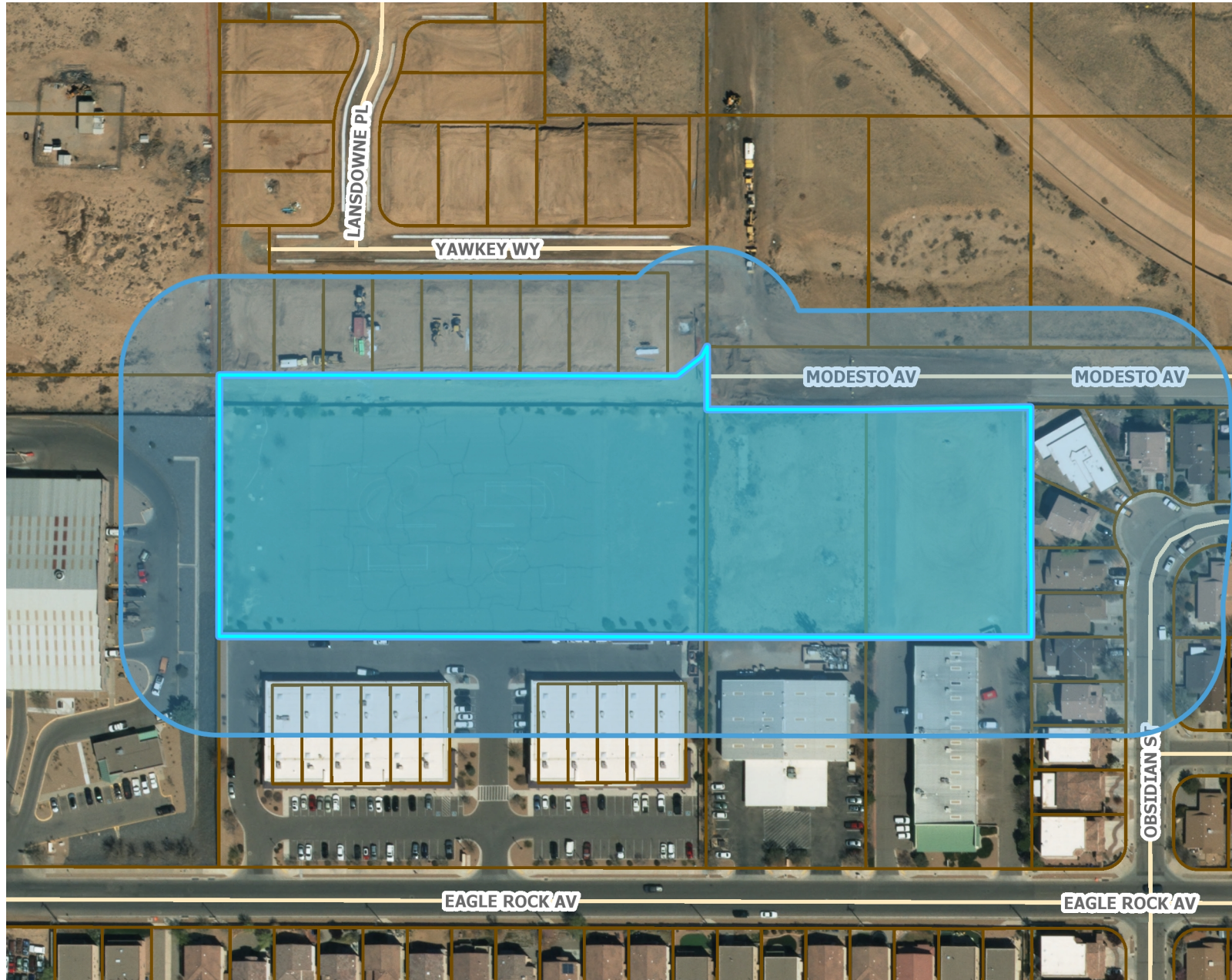
302 Eighth Street NW

Albuquerque, NM 87102

P: 505.764.9801



# 100-Foot Property Owner Buffer Map



## Legend

- Bernalillo County Parcels
- Primary Streets
  - Freeway
  - Principal Arterial
  - Minor Arterial
  - Local Streets
- BN and SF Railroad
- Other Streets
- Municipal Limits
  - Corrales
  - Edgewood
  - Los Ranchos
  - Rio Rancho
  - Tijeras
  - UNINCORPORATED
- World Street Map

## Notes

Prepared by Consensus Planning  
9/24/20

301 0 150 301 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
9/24/2020 © City of Albuquerque

1: 1,803

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

| UPC                  | Owner   | Owner Address                    | Owner Address 2           | SITUS Address             | SITUSADD2            | Legal Description  | Acres  |
|----------------------|---|----------------------------------|---------------------------|---------------------------|----------------------|--|--------|
| 101806440749010708AC | 1750 FIFTH AVE LLC                              | 1770 4TH AVE                     | SAN DIEGO CA 92101        | 6501 EAGLE ROCK AV NE A-3 | ALBUQUERQUE NM 87113 | UNIT A-3 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806440749010708AD | 1750 FIFTH AVE LLC                              | 1770 4TH AVE                     | SAN DIEGO CA 92101        | 6501 EAGLE ROCK AV NE A-4 | ALBUQUERQUE NM 87113 | UNIT A-4 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806540104440917   | AGARWAL SHWETA & YADAV PUNEET                   | 6624 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6624 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 17 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806446649610531   | BACA JENNY RENEE                                | 9015 OBSIDIAN ST NE              | ALBUQUERQUE NM 87113      | 9015 OBSIDIAN ST NE       | ALBUQUERQUE NM 87113 | LOT 4 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .0987 AC                | 0.0987 |
| 101806446650010532   | BRYAN E HANDING & LYNN C HANDING LIVING TRUST   | 9019 OBSIDIAN ST NE              | ALBUQUERQUE NM 87113-1925 | 9019 OBSIDIAN ST NE       | ALBUQUERQUE NM 87113 | LOT 5 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .0987 AC                | 0.0987 |
| 101806539704440918   | CABEZAS VICTOR & CLAUDIA VIVIANA PEREZ          | 6620 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6620 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 18 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806440749010708AG | CHERRY ENGINEERING INC                          | 8805 SCARLET NIGHT ST NE         | ALBUQUERQUE NM 87122      | 6501 EAGLE ROCK AV NE B-1 | ALBUQUERQUE NM 87113 | UNIT B-1 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806434950010526   | CITY OF ALBUQUERQUE                             | PO BOX 2248                      | ALBUQUERQUE NM 87103-2248 | 6301 EAGLE ROCK AVE       | ALBUQUERQUE NM 87113 | LT 29-A-1 BLK 26 BULK LAND PLAT OF LOTS 8-A, 26-A & 27-A, BLOCK 26 TRACT     | 7.5469 |
| 101806445251210521   | COLE SCOTT                                      | 200 HERMOSA DR NE OFC 210        | ALBUQUERQUE NM 87108-1070 | MODESTO AVE NE            | ALBUQUERQUE NM 87113 | * 012 026TRA UB N ALBU AC  | 0.8864 |
| 101806445249010512   | COLE SCOTT M                                    | 200 HERMOSA DR NE OFC 210        | ALBUQUERQUE NM 87108      | 6715 EAGLE ROCK AVE NE    | ALBUQUERQUE NM 87113 | * 021 026TRA UB N ALBU AC  | 0.8864 |
| 101806447849811201   | DAEUBLE DONA R                                  | 6901 GABBRO AVE NE               | ALBUQUERQUE NM 87113      | 6901 GABBRO AV NE         | ALBUQUERQUE NM 87113 | LOT 12-P1 BLOCK 3 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .1174 AC            | 0.1174 |
| 101806443549010511   | EAGLE ROCK PROPERTIES LLC                       | 6705 EAGLE ROCK AVE NE           | ALBUQUERQUE NM 87113      | 6705 EAGLE ROCK AV NE     | ALBUQUERQUE NM 87113 | * 022 026TRA UB N ALBU AC  | 0.8864 |
| 101806440749010708AF | EAST WEST INTEGRATED PAIN & REHAB CENTER LLC    | 6501 EAGLE ROCK AVE NE UNIT A-6  | ALBUQUERQUE NM 87113-2478 | 6501 EAGLE ROCK AV NE A-6 | ALBUQUERQUE NM 87113 | UNIT A-6 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806440749010708AA | EK LONG FRIEND LLC                              | 8923 ROBS PL NE                  | ALBUQUERQUE NM 87122      | 6501 EAGLE ROCK AV NE A-1 | ALBUQUERQUE NM 87113 | UNIT A-1 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806538604440920   | GONZALES CHARLES G & VALERIE A                  | 6612 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6612 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 20 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806446852410536   | GUTIERREZ ANSELMO SR                            | PO BOX 50039                     | ALBUQUERQUE NM 87181      | 6801 SCHIST AVE NE        | ALBUQUERQUE NM 87113 | LT 9-P1 BLK 2 PLAT OF LOT 9-P1 BLK 2 UNIT 4 EAGLE ROCK ESTATES CONT .16      | 0.164  |
| 101806541104440915   | HARMON CHRISTOPHER D & BRITTANY N               | 6632 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6632 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 15 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806448252210539   | HIX JEFFREY S & STEPHANIE M                     | 9800 SAMAR RD NE                 | ALBUQUERQUE NM 87122-3348 | 6905 SCHIST AV NE         | ALBUQUERQUE NM 87113 | LOT 12-P1 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .0982 AC            | 0.0982 |
| 101806447252210537   | JACKSON LARRY D                                 | 6805 SCHIST AVE NE               | ALBUQUERQUE NM 87113      | 6805 SCHIST AV NE         | ALBUQUERQUE NM 87113 | LOT 10-P1 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .1271 AC            | 0.1271 |
| 101806440749010708   | KASSAM BUSINESS CENTER LLC                      | 6501 AMERICAS PKWY NE SUITE 1050 | ALBUQUERQUE NM 87110-5313 | 6501 EAGLE ROCK AV NE     | ALBUQUERQUE NM 87113 | LT 23-A BLK 26 PLAT OF LT 23-A (BEING A REPL OF LT 23, 24, 25 TR A UNIT B BL | 2.6599 |
| 101806440851110701   | KASSAM LAND ACQUISITION 9 LLC                   | 6501 EAGLE ROCK AVE NE           | ALBUQUERQUE NM 87113-2478 | 6501 EAGLE ROCK AV NE     | ALBUQUERQUE NM 87113 | LT 8-A BLK 26 BULK LAND PLAT OF LOTS 8-A, 26-A & 27-A, BLOCK 26 TRACT A      | 3.0157 |
| 101806440749010708AE | KASSAM LAND ACQUISITION 9 LLC                   | 6501 EAGLE ROCK AVE NE UNIT B-5  | ALBUQUERQUE NM 87113-2478 | 6501 EAGLE ROCK AV NE A-5 | ALBUQUERQUE NM 87113 | UNIT A-5 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806440749010708AH | KASSAM LAND ACQUISITIONS 9 LLC                  | 6501 EAGLE ROCK RD NE SUITE B-5  | ALBUQUERQUE NM 87113-2477 | 6501 EAGLE ROCK AV NE B-2 | ALBUQUERQUE NM 87113 | UNIT B-2 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806440749010708AK | KASSAM LAND ACQUISITIONS 9 LLC                  | 6501 EAGLE ROCK AVE NE SUITE B-5 | ALBUQUERQUE NM 87113-2477 | 6501 EAGLE ROCK AV NE B-4 | ALBUQUERQUE NM 87113 | UNIT B-4 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806440749010708AL | KASSAM LAND ACQUISITIONS 9 LLC                  | 6501 EAGLE ROCK AVE NE UNIT B-5  | ALBUQUERQUE NM 87113      | 6501 EAGLE ROCK AV NE B-5 | ALBUQUERQUE NM 87113 | UNIT B-5 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806538104440921   | KATOCH HARMANJIT S & ANJANA                     | 6608 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6608 YAWKEY WAY NE        | ALBUQUERQUE NM 87113 | LT 21 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806539104440919   | KHIMJI HASSAN J                                 | 6616 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6616 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 19 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806540504440916   | LARSON PHILIP M & MARCEY A                      | 6628 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6628 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 16 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806537604440922   | MEYER ROSS E & MARYANNE                         | 6604 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6604 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 22 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1205          | 0.1205 |
| 101806446651510535   | ORTIZ ROBERT J                                  | 9031 OBSIDIAN ST NE              | ALBUQUERQUE NM 87113      | 9031 OBSIDIAN ST NE       | ALBUQUERQUE NM 87113 | LOT 8 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .1098 AC                | 0.1098 |
| 101806446650510533   | OTTO CHERI L                                    | 9023 OBSIDIAN ST NE              | ALBUQUERQUE NM 87113      | 9023 OBSIDIAN ST NE       | ALBUQUERQUE NM 87113 | LOT 6 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .0987 AC                | 0.0987 |
| 101806443651210522   | OTTO-DINIZ SARA J                               | 8720 LA SALA DEL CENTRO NE       | ALBUQUERQUE NM 87111-4522 | 6700 MODESTO AV NE        | ALBUQUERQUE NM 87113 | * 011 026TRA UB N ALBU AC  | 0.8864 |
| 101806547401740113   | PUEBLO OF SANDIA                                | 481 SANDIA LOOP RD               | BERNALILLO NM 87004       | MODESTO AV NE             | ALBUQUERQUE NM 87113 | * 020 025TR A UNIT B NORTH ALBUQ ACRES                                       | 0.8864 |
| 101806545801640112   | PUEBLO OF SANDIA                                | 481 SANDIA LOOP RD               | BERNALILLO NM 87004       | MODESTO AV NE             | ALBUQUERQUE NM 87113 | * 021 025TR A UNIT B NORTH ALBUQ ACRES                                       | 0.8864 |
| 101806548901740114   | PUEBLO OF SANDIA                                | 481 SANDIA LOOP RD               | BERNALILLO NM 87004       | MODESTO AV NE             | ALBUQUERQUE NM 87113 | * 019 025TR A UNIT B NORTH ALBUQ ACRES                                       | 0.8864 |
| 101806544101640111   | PUEBLO OF SANDIA                                | 481 SANDIA LOOP RD               | BERNALILLO NM 87004       | MODESTO AV NE             | ALBUQUERQUE NM 87113 | * 022 025TR A UNIT B NORTH ALBUQ ACRES                                       | 0.8864 |
| 101806538119240928   | PULTE HOMES                                     | 7601 JEFFERSON ST NE SUITE 32C   | ALBUQUERQUE NM 87109      |                           | ALBUQUERQUE NM 87113 | TR A CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT 1.109C          | 1.109  |
| 101806446651010534   | ROBINSON BRANDON & JENNIFER                     | 9027 OBSIDIAN ST NE              | ALBUQUERQUE NM 87113-1925 | 9027 OBSIDIAN ST NE       | ALBUQUERQUE NM 87113 | LOT 7 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVONT .0997 AC                 | 0.0997 |
| 101806537004440923   | SHEPARD NICOLE ANN                              | 6600 YAWKEY WAY NE               | ALBUQUERQUE NM 87113-3200 | 6600 YAWKEY WY NE         | ALBUQUERQUE NM 87113 | LT 23 CORRECTION FINAL PLAT FOR TIERRA SERENA SUBDIVISIONCONT .1875          | 0.1875 |
| 101806447950711212   | SILVA HENRY J                                   | 6900 SCHIST AVE NE               | ALBUQUERQUE NM 87113      | 6900 SCHIST AV NE         | ALBUQUERQUE NM 87113 | LOT 1-P1 BLOCK 3 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .1327 AC             | 0.1327 |
| 101806535001140103   | SMI ABQ ASSETS LLC DBA DANIELS FUNERAL SERVICES | 1100 COAL AVE SE                 | ALBUQUERQUE NM 87106-5208 | MODESTO AVE NE            | ALBUQUERQUE NM 87113 | LT 26-A BLK 25 BULK LAND PLAT OF LOTS 8-A, 26-A & 27-A, BLOCK 26 TRACT A     | 1.9997 |
| 101806440749010708AJ | TITAN INVESTMENTS LLC                           | 7916 RANCHITOS LP NE             | ALBUQUERQUE NM 87113      | 6501 EAGLE ROCK AV NE B-3 | ALBUQUERQUE NM 87113 | UNIT B-3 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806446648410547   | TRAN HOA V & PHAM-TRAN BICH VAN T               | 9009 OBSIDIAN ST NE              | ALBUQUERQUE NM 87113      | 9009 OBSIDIAN ST NE       | ALBUQUERQUE NM 87113 | LT 3 BLK 2 PLAT OF LTS 1 THRU 3 BLK 2 UNIT 4 EAGLE ROCK ESTATES CONT .09     | 0.0987 |
| 101806440749010708AB | WBMC LLC  | 316 LA CHAMISAL LN NW            | ALBUQUERQUE NM 87107      | 6501 EAGLE ROCK AV NE A-2 | ALBUQUERQUE NM 87113 | UNIT A-2 OF EAGLE ROCK BUSINESS CENTER CONDOMINIUM TOGETHER WITH             | 0      |
| 101806447752210538   | YOUNG JASON L                                   | 6901 SCHIST AVE NE               | ALBUQUERQUE NM 87113      | 6901 SCHIST AV NE         | ALBUQUERQUE NM 87113 | LOT 11-P1 BLOCK 2 PLAT OF EAGLE ROCK ESTATES UNIT IVCONT .0992 AC            | 0.0992 |

1750 FIFTH AVE LLC  
1770 4TH AVE  
SAN DIEGO CA 92101

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BACA JENNY RENEE  
9015 OBSIDIAN ST NE  
ALBUQUERQUE NM 87113

BRYAN E HANDING & LYNN C HANDING  
LIVING TRUST  
9019 OBSIDIAN ST NE  
ALBUQUERQUE NM 87113-1925

CABEZAS VICTOR & CLAUDIA VIVIANA  
PEREZ  
6620 YAWKEY WAY NE  
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CHERRY ENGINEERING INC  
8805 SCARLET NIGHT ST NE  
ALBUQUERQUE NM 87122

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COLE SCOTT M  
200 HERMOSA DR NE OFC 210  
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DAEUBLE DONA R  
6901 GABBRO AVE NE  
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EAGLE ROCK PROPERTIES LLC  
6705 EAGLE ROCK AVE NE  
ALBUQUERQUE NM 87113

EAST WEST INTEGRATED PAIN & REHAB  
CENTER LLC  
6501 EAGLE ROCK AVE NE UNIT A-6  
ALBUQUERQUE NM 87113-2478

EK LONG FRIEND LLC  
8923 ROBS PL NE  
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GUTIERREZ ANSELMO SR  
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ALBUQUERQUE NM 87181

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N  
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9800 SAMAR RD NE  
ALBUQUERQUE NM 87122-3348

JACKSON LARRY D  
6805 SCHIST AVE NE  
ALBUQUERQUE NM 87113

KASSAM BUSINESS CENTER LLC  
6501 AMERICAS PKWY NE SUITE 1050  
ALBUQUERQUE NM 87110-5313

KASSAM LAND ACQUISITION 9 LLC  
6501 EAGLE ROCK AVE NE UNIT B-5  
ALBUQUERQUE NM 87113-2478

KATOCH HARMANJIT S & ANJANA  
6608 YAWKEY WAY NE  
ALBUQUERQUE NM 87113-3200

KHIMJI HASSAN J  
6616 YAWKEY WAY NE  
ALBUQUERQUE NM 87113-3200

LARSON PHILIP M & MARCEY A  
6628 YAWKEY WAY NE  
ALBUQUERQUE NM 87113-3200

MEYER ROSS E & MARYANNE  
6604 YAWKEY WAY NE  
ALBUQUERQUE NM 87113-3200

ORTIZ ROBERT J  
9031 OBSIDIAN ST NE  
ALBUQUERQUE NM 87113

OTTO CHERI L  
9023 OBSIDIAN ST NE  
ALBUQUERQUE NM 87113

OTTO-DINIZ SARA J  
8720 LA SALA DEL CENTRO NE  
ALBUQUERQUE NM 87111-4522

PUEBLO OF SANDIA  
481 SANDIA LOOP RD  
BERNALILLO NM 87004

PULTE HOMES  
7601 JEFFERSON ST NE SUITE 320  
ALBUQUERQUE NM 87109

ROBINSON BRANDON & JENNIFER  
9027 OBSIDIAN ST NE  
ALBUQUERQUE NM 87113-1925

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6600 YAWKEY WAY NE  
ALBUQUERQUE NM 87113-3200

SILVA HENRY J  
6900 SCHIST AVE NE  
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ALBUQUERQUE NM 87106-5208

TITAN INVESTMENTS LLC  
7916 RANCHITOS LP NE  
ALBUQUERQUE NM 87113

TRAN HOA V & PHAM-TRAN BICH VAN  
T  
9009 OBSIDIAN ST NE  
ALBUQUERQUE NM 87113

WBMC LLC  
316 LA CHAMISAL LN NW  
ALBUQUERQUE NM 87107

YOUNG JASON L  
6901 SCHIST AVE NE  
ALBUQUERQUE NM 87113

September 24, 2020

Property Owner:

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, November 12, 2020 at 8:40 a.m.** to consider the following items. **Due to the ongoing public health orders, this meeting will be in a virtual format via the Zoom software platform. The URL for joining via videoconference or call-in numbers for audio only are as follows:**

Join Zoom Meeting: <https://cabq.zoom.us/j/95938270222>

Meeting ID: 959 3827 0222

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Find your local number: <https://cabq.zoom.us/j/95938270222>

#### EPC RULES OF CONDUCT OF BUSINESS

A copy of the Rules of Conduct is posted on the Planning Department's website at <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission> and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact the Planning Department at (505) 924-3860.

Staff reports and supplemental materials will be posted on the City website, <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>, on Friday, November 6, 2020.

#### REQUEST

Consensus Planning, Inc. is requesting approval of a Zoning Map Amendment on behalf of Legacy Development & Management, LLC for the property legally described as Lots 8-A, 11, and 12, Block 26, Tract A, Unit B, North Albuquerque Acres. The subject site is generally located west of Louisiana Boulevard between Modesto Avenue and Eagle Rock Avenue and currently addresses as 6511 Eagle Rock Ave and 6700 & 6716 Modesto Ave NE. It contains approximately 4.8 acres and the current property owners are Kassam Land Acquisition 9, LLC (Legacy Development), Sara Otto-Diniz, and Scott Cole.

The Applicant is requesting a downzone from the existing NR-BP (Non-residential Business Park) zone to MX-L (Mixed-use Low Intensity) zone to allow for low intensity neighborhood-scale commercial and multi-family residential development and eliminate many potentially harmful uses and development standards currently allowed by the existing zoning.

If you have questions or need additional information regarding this request, feel free to contact us at (505) 764-9801.

Sincerely,  
Consensus Planning, Inc.



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Postage \$0.55

 \$  
 Total Postage and Fees \$6.95

Sent To

Street and

City, State

 BACA JENNY RENEE  
 9015 OBSIDIAN ST NE  
 ALBUQUERQUE NM 87113

PS Form 3800, April 2015 PSN 7530-02-000-9047

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Albuquerque, NM 87111

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| \$   | \$2.85 |
| Extra Services & Fees (check box, add fee as appropriate)    |        |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55

 \$  
 Total Postage and Fees \$6.95

Sent To

Street and

City, State

 OTTO-DINIZ SARA J  
 8720 LA SALA DEL CENTRO NE  
 ALBUQUERQUE NM 87111-4522

PS Form 3800, April 2015 PSN 7530-02-000-9047

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7018 0360 0000 1718 6992

7018 0360 0000 1718 7043

7018 0360 0000 1718 7029

7018 0360 0000 1718 7005

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Albuquerque, NM 87122

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| \$   | \$2.85 |
| Extra Services & Fees (check box, add fee as appropriate)    |        |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55

 \$  
 Total Postage and Fees \$6.95

Sent To

Street

City, State

 EK LONG FRIEND LLC  
 8923 ROBS PL NE  
 ALBUQUERQUE NM 87122

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Albuquerque, NM 87122

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| \$   | \$2.85 |
| Extra Services & Fees (check box, add fee as appropriate)    |        |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55

 \$  
 Total Postage and Fees \$6.95

Sent To

Street and

City, State

 CHERRY ENGINEERING INC  
 8805 SCARLET NIGHT ST NE  
 ALBUQUERQUE NM 87122

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Albuquerque, NM 87113

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| \$   | \$2.85 |
| Extra Services & Fees (check box, add fee as appropriate)    |        |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55

 \$  
 Total Postage and Fees \$6.95

Sent To

Street

City, State

 ROBINSON BRANDON & JENNIFER  
 9027 OBSIDIAN ST NE  
 ALBUQUERQUE NM 87113-1925

PS Form 3800, April 2015 PSN 7530-02-000-9047

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7018 0360 0000 1718 6978

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Albuquerque, NM 87113

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|  |        |      |
|--|--------|------|
| Certified Mail Fee   | \$3.55 | 0101 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 | 21   |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |      |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |      |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |      |
| Postage  | \$0.55 |      |
| Total Postage and Fees                                       | \$6.95 |      |

Sent To: KATOCH HARMANJIT S & ANJANA  
 Street: 6608 YAWKEY WAY NE  
 City, State: ALBUQUERQUE NM 87113-3200

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Albuquerque, NM 87181

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|  |        |      |
|--|--------|------|
| Certified Mail Fee   | \$3.55 | 0101 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 | 21   |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |      |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |      |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |      |
| Postage  | \$0.55 |      |
| Total Postage and Fees                                       | \$6.95 |      |

Sent To: GUTIERREZ ANSELMO SR  
 Street: PO BOX 50039  
 City, State: ALBUQUERQUE NM 87181

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0360 0000 1718 6954

7018 0360 0000 1718 6930

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Albuquerque, NM 87108

**OFFICIAL USE**

|  |        |      |
|--|--------|------|
| Certified Mail Fee   | \$3.55 | 0101 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 | 21   |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |      |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |      |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |      |
| Postage  | \$0.55 |      |
| Total Postage and Fees                                       | \$6.95 |      |

Sent To: COLE SCOTT M  
 Street: 200 HERMOSA DR NE OFC 210  
 City, State: ALBUQUERQUE NM 87108

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7018 0360 0000 1718 6985

7018 0360 0000 1718 6961

7018 0360 0000 1718 6947

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Albuquerque, NM 87113

**OFFICIAL USE**

|  |        |      |
|--|--------|------|
| Certified Mail Fee   | \$3.55 | 0101 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 | 21   |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |      |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |      |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |      |
| Postage  | \$0.55 |      |
| Total Postage and Fees                                       | \$6.95 |      |

Sent To: MEYER ROSS E & MARYANNE  
 Street: 6604 YAWKEY WAY NE  
 City, State: ALBUQUERQUE NM 87113-3200

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|  |        |      |
|--|--------|------|
| Certified Mail Fee   | \$3.55 | 0101 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 | 21   |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |      |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |      |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |      |
| Postage  | \$0.55 |      |
| Total Postage and Fees                                       | \$6.95 |      |

Sent To: JACKSON LARRY D  
 Street: 6805 SCHIST AVE NE  
 City, State: ALBUQUERQUE NM 87113

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**OFFICIAL USE**

|  |        |      |
|--|--------|------|
| Certified Mail Fee   | \$3.55 | 0101 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 | 21   |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |      |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |      |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |      |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |      |
| Postage  | \$0.55 |      |
| Total Postage and Fees                                       | \$6.95 |      |

Sent To: EAST WEST INTEGRATED PAIN & REHAB  
 Street: CENTER LLC  
 City, State: 6501 EAGLE ROCK AVE NE UNIT A-6  
 ALBUQUERQUE NM 87113-2478

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7018 0360 0000 1718 6916

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|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage  | \$0.55 |
| Total Postage and Fees                                       | \$6.95 |

Sent To: AGARWAL SHWETA & YADAV PUNEET  
 Street: 6624 YAWKEY WAY NE  
 City, State: ALBUQUERQUE NM 87113-3200

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7018 0360 0000 1718 6893

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|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage  | \$0.55 |
| Total Postage and Fees                                       | \$6.95 |

Sent To: OTTO CHERI L  
 Street: 9023 OBSIDIAN ST NE  
 City, State: ALBUQUERQUE NM 87113

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7018 0360 0000 1671 6299

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**OFFICIAL USE**

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage  | \$0.55 |
| Total Postage and Fees                                       | \$6.95 |

Sent To: KASSAM LAND ACQUISITION 9 LLC  
 Street: 6501 EAGLE ROCK AVE NE UNIT B-5  
 City, State: ALBUQUERQUE NM 87113-2478

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7018 0360 0000 1718 6923

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**OFFICIAL USE**

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage  | \$0.55 |
| Total Postage and Fees                                       | \$6.95 |

Sent To: CABEZAS VICTOR & CLAUDIA VIVIANA  
 Street: PEREZ  
 City, State: ALBUQUERQUE NM 87113-3200

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0360 0000 1718 6890

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**OFFICIAL USE**

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage  | \$0.55 |
| Total Postage and Fees                                       | \$6.95 |

Sent To: PULTE HOMES  
 Street: 7601 JEFFERSON ST NE SUITE 320  
 City, State: ALBUQUERQUE NM 87109

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0360 0000 1671 6305

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|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage  | \$0.55 |
| Total Postage and Fees                                       | \$6.95 |

Sent To: LARSON PHILIP M & MARCEY A  
 Street: 6628 YAWKEY WAY NE  
 City, State: ALBUQUERQUE NM 87113-3200

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7018 0360 0000 1671 6275

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Albuquerque, NM 87113

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55  
 Total Postage and Fees \$6.95



Sent \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, \_\_\_\_\_  
 GONZALES CHARLES G & VALERIE A  
 6612 YAWKEY WAY NE  
 ALBUQUERQUE NM 87113-3200

PS Form 3800, April 2015 PSN 7530-02-000-9047

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Albuquerque, NM 87103

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55  
 Total Postage and Fees \$6.95



Sent To \_\_\_\_\_  
 Street a \_\_\_\_\_  
 City, State \_\_\_\_\_  
 CITY OF ALBUQUERQUE  
 PO BOX 2248  
 ALBUQUERQUE NM 87103-2248

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San Diego, CA 92101

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55  
 Total Postage and Fees \$6.95



Sent To \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, State \_\_\_\_\_  
 1750 FIFTH AVE LLC  
 1770 4TH AVE  
 SAN DIEGO CA 92101

PS Form 3800, April 2015 PSN 7530-02-000-9047

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7018 0360 0000 1671 6237

7018 0360 0000 1671 6282

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Albuquerque, NM 87122

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55  
 Total Postage and Fees \$6.95



Sent \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, \_\_\_\_\_  
 HIX JEFFREY S & STEPHANIE M  
 9800 SAMAR RD NE  
 ALBUQUERQUE NM 87122-3348

PS Form 3800, April 2015 PSN 7530-02-000-9047

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Albuquerque, NM 87113

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55  
 Total Postage and Fees \$6.95



Sent To \_\_\_\_\_  
 Street and \_\_\_\_\_  
 City, State \_\_\_\_\_  
 EAGLE ROCK PROPERTIES LLC  
 6705 EAGLE ROCK AVE NE  
 ALBUQUERQUE NM 87113

PS Form 3800, April 2015 PSN 7530-02-000-9047

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Albuquerque, NM 87113

|  |        |
|--|--------|
| Certified Mail Fee   | \$3.55 |
| Extra Services & Fees (check box, add fee as appropriate)    | \$2.85 |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic)         | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$0.00 |
| <input type="checkbox"/> Adult Signature Required            | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |

Postage \$0.55  
 Total Postage and Fees \$6.95



Sent To \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, State \_\_\_\_\_  
 JUAN E HANDING & LYNN C HANDING  
 LIVING TRUST  
 9019 OBSIDIAN ST NE  
 ALBUQUERQUE NM 87113-1925

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7018 0360 0000 1671 6244

# 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.

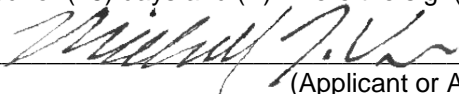
#### 4. TIME

Signs must be posted from October 28, 2020 To November 12, 2020

#### 5. REMOVAL

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

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

  
(Applicant or Agent)

9/23/20  
(Date)

I issued 1 signs for this application, 9/24/2020, Vanessa A Segura  
(Date) (Staff Member)

**PROJECT NUMBER:** PR-2019-002761