



Environmental Planning Commission

Staff Report

***Agenda Number: 3
Project #: PR-2021-006087
Case #: RZ-2021-00043
Hearing Date: November 18, 2021***

<i>Agent</i>	Consensus Planning
<i>Applicant</i>	San Antonio Commons LLC
<i>Request</i>	Zone Map Amendment – EPC
<i>Legal Description</i>	Lot 7-A-1 Plat for Lots 5-A-1 and Lot 7-A-1 JJ Subdivision and Lot 4-A Plat for Lots 4-A, 5-A, 6-A, and 7A JJ Subdivision
<i>Location</i>	South side of San Antonio Dr. NE, between San Pedro Dr. NE, and Interstate-25.
<i>Size</i>	Approximately 3.4 total acres
<i>Existing Zoning</i>	MX-L
<i>Proposed Zoning</i>	MX-M

Staff Recommendation

APPROVAL of RZ-2021-00043, based on the Findings beginning on p.21

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

Summary of Analysis

The request is for a zoning map amendment for two vacant sites (approximately 3.4 total acres located on the south end of San Antonio Dr. NE. The applicant wants to change the subject sites zoning to MX-M to facilitate future development. The subject sites are in an Area of Consistency.

The applicant has adequately justified the request pursuant to the IDO zone change criteria in 14-16-6-7(G)(3). The proposed zoning would be more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

The affected neighborhood organizations are the District 4 Coalition of Neighborhood Associations, Vineyard Estates NA and Nor Este NA which were notified as required. Property owners within 100 feet of the subject site were also notified as required. As of this writing, Staff has not been contacted and there is no known opposition.

Staff recommends approval.



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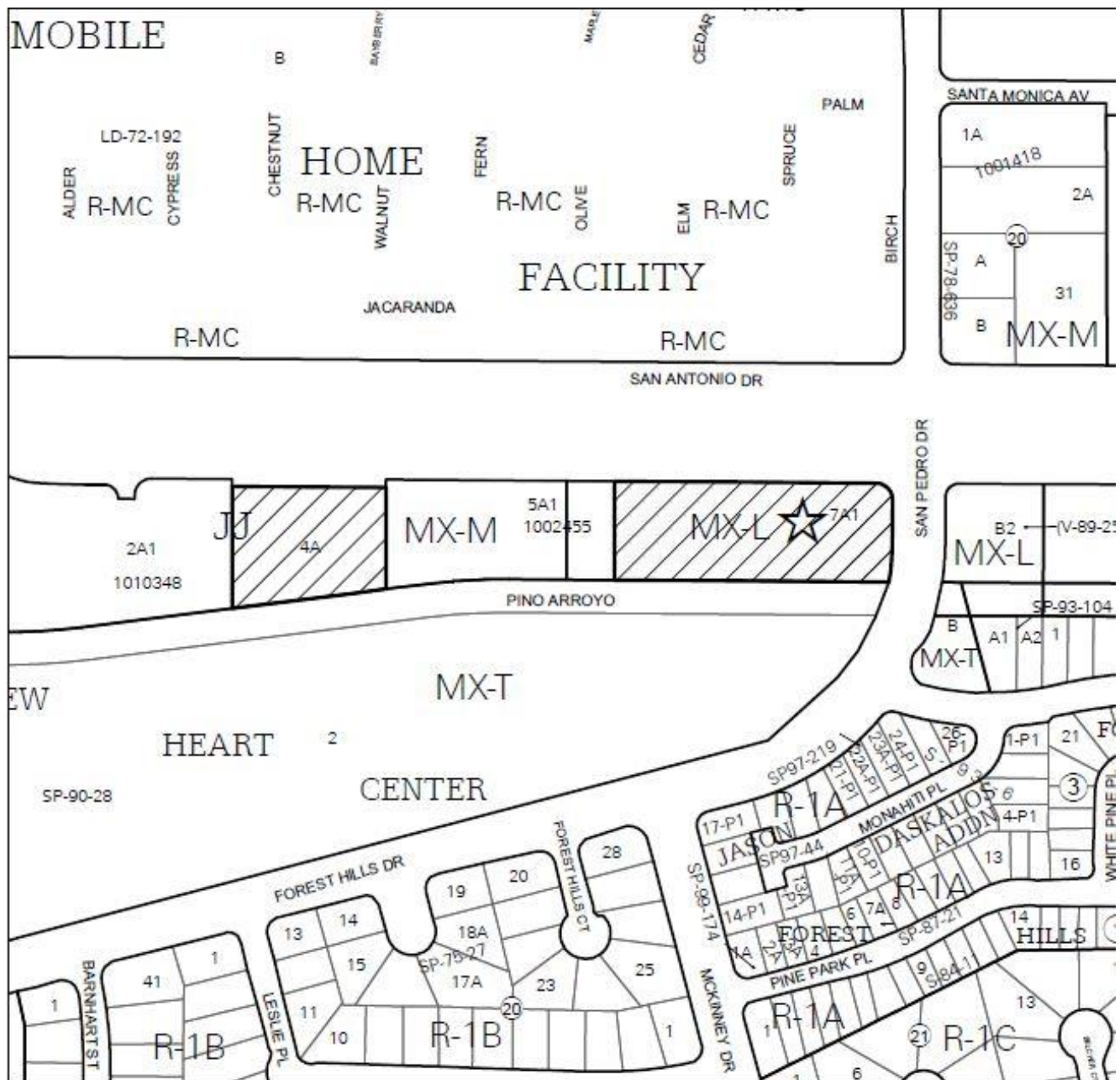
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IDO ZONING MAP

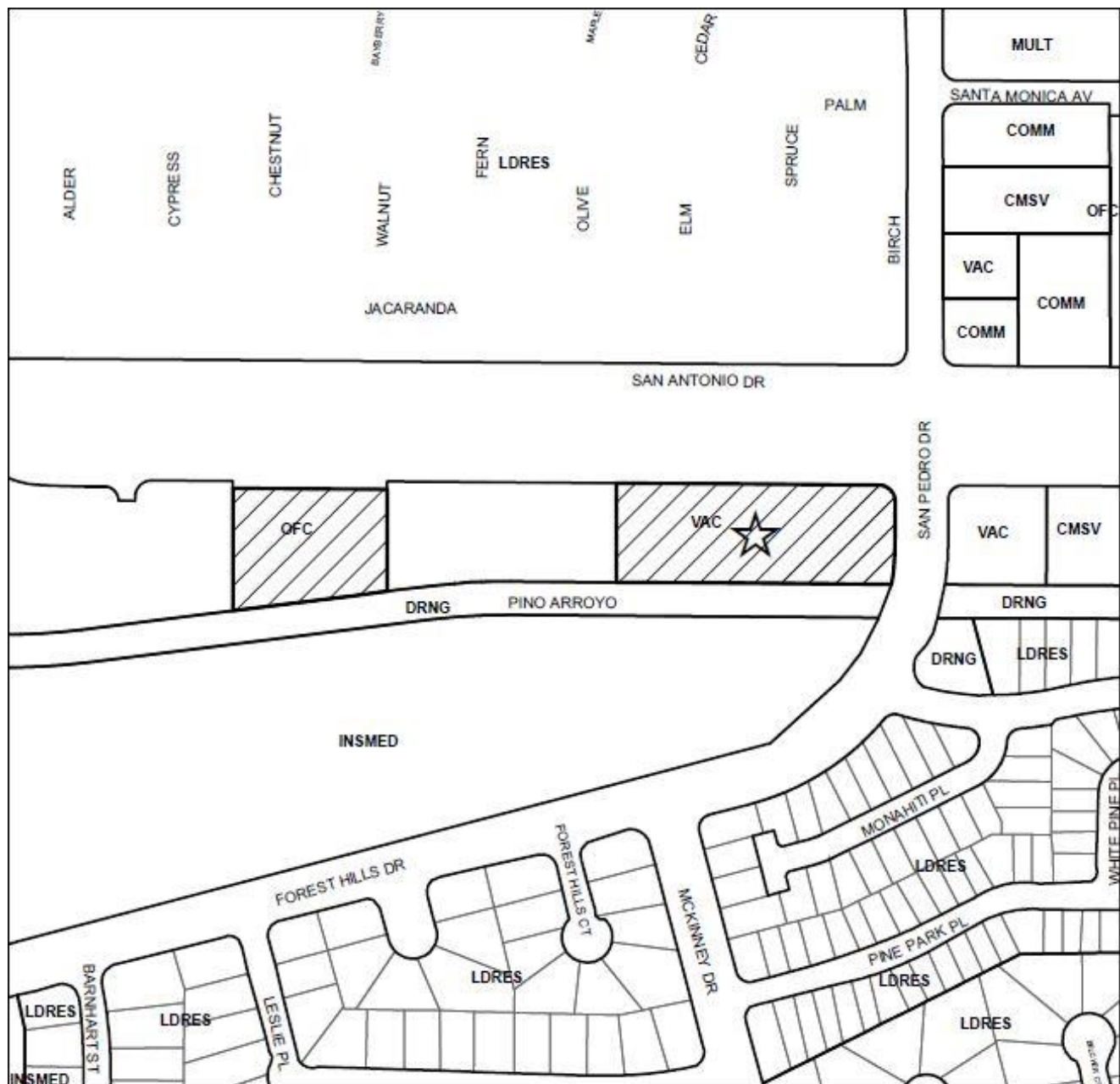
Note: Gray shading
Indicates County.



1 inch = 250 feet

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LAND USE MAP

Note: Gray shading indicates County.

Key to Land Use Abbreviations

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

APRT | Airport
TRANS | Transportation
AGRI | Agriculture
PARK | Parks and Open Space
DRNG | Drainage
VAC | Vacant
UTIL | Utilities
CMTY | Community
KAFB | Kirtland Air Force Base

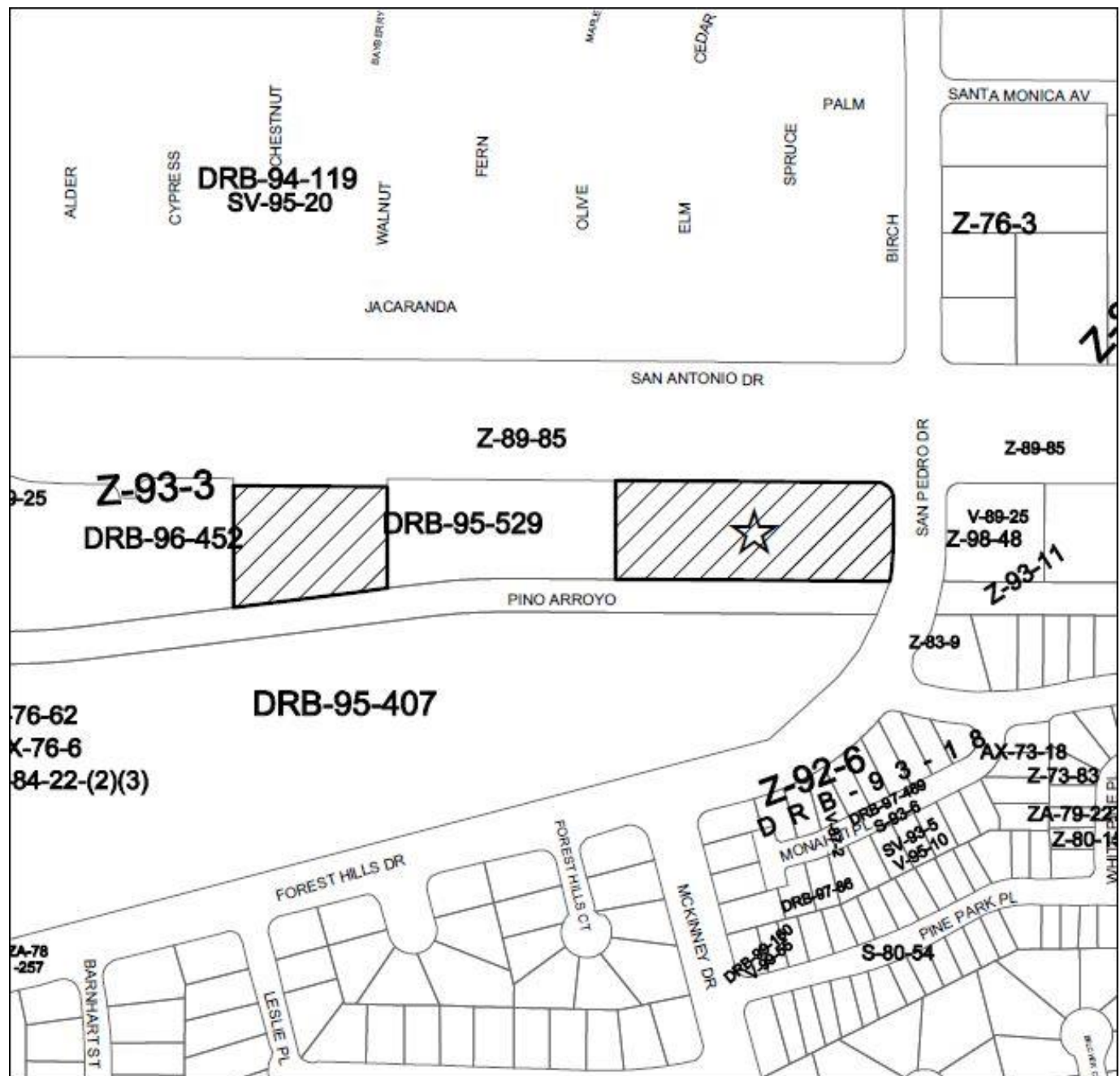


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HISTORY MAP

Note: Gray shading indicates County.

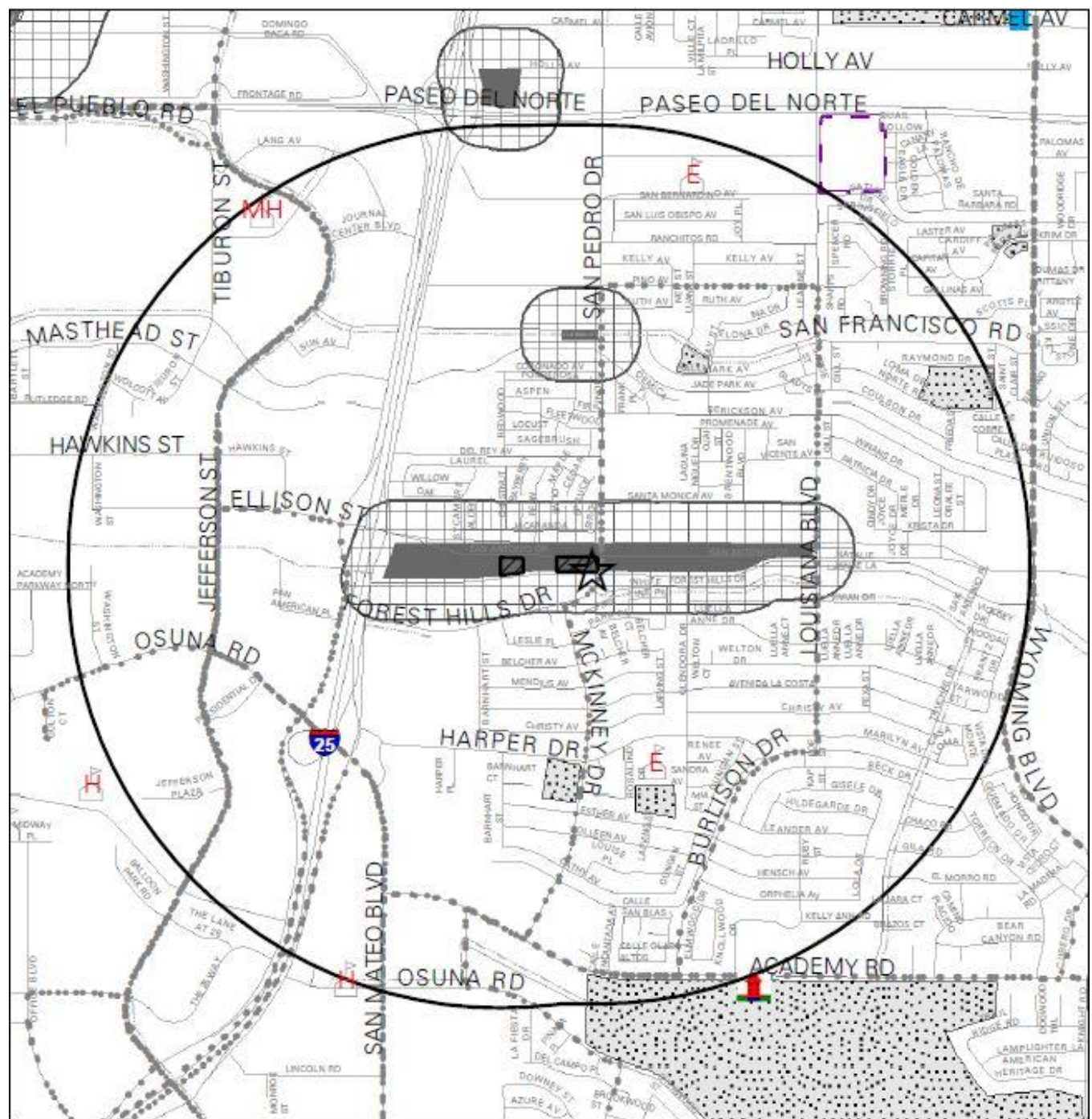


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Public Facilities Map with One-Mile Buffer

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



I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

LOT 4-A

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Site</i>	MX-L	Area of Consistency	Vacant
<i>North</i>	R-MC	Area of Consistency	Low-density Residential
<i>South</i>	MX-T	Area of Consistency	Drainage/ Medical
<i>East</i>	MX-M	Area of Consistency	Office
<i>West</i>	MX-L	Area of Consistency	Office

LOT 7-A

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Site</i>	MX-L	Area of Consistency	Vacant
<i>North</i>	R-MC	Area of Consistency	Low-density Residential
<i>South</i>	MX-T	Area of Consistency	Drainage/ Medical
<i>East</i>	MX-L	Area of Consistency	Vacant
<i>West</i>	MX-M	Area of Consistency	Office

Request

The request is for a Zone Map Amendment, for two lots legally described as Lot 7-A-1 Plat for Lot 5-A-1 and Lot 7-A-1 JJ Subdivision, and Lot 4-A Plat for Lots 4-A, 5-A, 6-A, and 7-A JJ Subdivision, located on San Antonio Dr. NE between Interstate-25 and San Pedro Dr. NE, approximately 3.4 total acres (the “subject sites”).

The subject sites are currently zoned MX-L (Mixed Use -Low Intensity Zone District). The applicant requests to change the subject sites zoning to MX-M. This would facilitate future development by increasing the variety of potential uses allowed.

EPC Role

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

Context

The approximately 3.4-acre sites are located on the southern side of San Antonio Dr. NE. The sites are bounded by San Antonio Dr. NE to the north, San Pedro Dr. NE to the east, Presbyterian Medical Clinic to the south and Interstate-25 to the west. The sites are surrounded by various land uses including: low-density residential to the north, vacant/office to the east, medical and drainage (the South Pino Arroyo) to the south, and office to the west.

The subject sites are located in an Area of Consistency as designated by the Comprehensive Plan. The subject sites are within the boundaries of the North Albuquerque Community Planning Area (CPA).

History

The former San Antonio Landfill is located in northeast Albuquerque, approximately 200 feet (ft) east of Interstate 25 (I-25) along San Antonio Drive Northeast (NE). The northern extent of the landfill is near the center of the median between the east-bound and west-bound lanes of San Antonio Drive NE (INTERA, 2005). The Pino Arroyo (a concrete-lined drainage facility) is accepted as the southern boundary of the landfill. It should be noted that although the landfill was formerly owned and operated by the City of Albuquerque (COA), at the present time the property within the boundaries of the former San Antonio Landfill is both publicly and privately held. The landfill was operated by the COA between 1968 and 1970, when household waste, construction and demolition waste were accepted at the landfill.

The landfill property is primarily developed west of San Pedro Drive. The landfill surface is vacant east of San Pedro Drive. Commercial buildings are presently being constructed at the landfill. The landfill area includes portions of San Antonio Boulevard and San Pedro Drive. San Antonio Boulevard is a divided road with a median that also serves as a corridor for a major overhead power line running east-west across the northern half of the landfill. In general, the surface of the landfill has a slight grade, which promotes positive drainage off the landfill cover; however, many small localized depressions exist on the landfill cover, which capture storm water.

Decisions to approve various types of development on the former San Antonio Landfill and within its associated landfill buffer zone are guided by the requirements of the Interim Guidelines. The Interim Guidelines provide a description of all required components of a development plan for properties on a landfill and/or within the buffer zone. The former San Antonio Landfill is a relatively large landfill and although some buried waste has been removed in areas of development, there is still potentially a large volume of waste in this landfill.

In 2003 a Site Plan for a subdivision was approved in March (Project # 1002455), a building permit for the State Engineers Office was approved along with the Site Development Plan (03EPC-00148). A building permit was granted for two buildings on lot 5 was approved in October 2006. (06EPC-

00458). Following the building permit in 2008 amendments were made for landscaping requirements in response to the site locations being on top of a former landfill.

In 2015 a zone change from SU-1 for C-2 uses was approved. The zone change also allowed the wholesale of beer. This allowed the existing Starr Brothers Brewery to manufacture and sell beer for off-premise consumption. The zoning was later converted into MX-M through the adoption of the IDO. An administrative Amendment was granted in 2016, which included the consolidation of lots 5, 6, and 7 into new lots 5-A-1, and 7-A-1 and easement information being updated.

Roadway System

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

The LRRS map classifies San Antonio Dr. NE as a Minor Arterial Street, and San Pedro Dr. NE as a Major Collector street.

Comprehensive Plan Designations

The subject sites are not along a designated corridor or in an activity center.

Comprehensive Plan Community Planning Area Designation

The subject sites are located within the area designated as the North Albuquerque CPA by the Comprehensive Plan. The North Albuquerque CPA is characterized by its high desert setting, rural densities consisting of post-war low-density large lot subdivisions that consist of walled neighborhoods with retail and institutional uses along corridors.

Trails/Bikeways

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Metropolitan Planning Organization (MRMPO) identifies existing and proposed routes and trails. Currently, San Pedro Dr. NE. has one existing bicycle lane where cars and bicycles share the street. According to the LRBS map, there are plans for a proposed paved bicycle lane along the San Antonio Dr. NE corridor. South of the sites adjacent to the Pino Arroyo lies an existing paved bicycle trail.

Transit

Currently no transit routes serve the subject sites. However, close to the subject sites within walking distance lies San Pedro Dr. NE which is served by the ABQ Ride route 34.

The ABQ Ride 34- San Pedro Commuter Route provides service on weekdays only. The southbound route begins at Louisiana and Pino at 7:16 am and ends at the VA Hospital at 7:52 am. The northbound routes begins at the VA Hospital at 4:40 pm and ends at Louisiana and Pino at 5:13 pm.

Public Facilities/Community Services

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

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Definitions

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private. See also Alley, Multi-use Trail, Private Way, Right-of-way, and Street.

Amendment: Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of any zone district or Overlay zone; or any repeal or abolition of any map, part thereof, or addition thereto.

Area of Consistency: An area designated as an Area of Consistency in the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended, where development must reinforce the character and intensity of existing development.

Infill Development: An area of platted or un-platted land that includes no more than 20 acres of land, that has a public water main and a public sewer main fronting the property within the City right-of-way, and where at least 75 percent of the adjacent lots are developed and contain existing primary buildings.

Environmental Planning Commission (EPC): A 9-member commission appointed by the Mayor, as described in Section 14-16-6-2(E) (Environmental Planning Commission), that makes discretionary and policy decisions and recommendations about land use in the city.

Major Arroyo: An arroyo designated by the Facility Plan for Arroyos as a Major Open Space Arroyo or Major Open Space Link. See also Sensitive Lands Definitions for Arroyo.

Zone District: One of the zone districts established by this IDO and the boundaries of such zone districts shown on the Official Zoning Map. Zoning regulations include the Use Regulations, Development Standards, and Administration and Enforcement provisions of this IDO.

Zoning

The subject sites are currently zoned MX-L (Mixed Use- Low Intensity), IDO 14-16-2-4(B) which was assigned upon the adoption of the IDO. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table 4-2-1.

The request is to change the subject sites zoning to MX-M (Mixed Use- Medium Intensity), IDO 14-16-2-3(B). The purpose of the MX-M zone district is to provide for a wide array of moderate-intensity retail, commercial, institutional and moderate-density residential uses, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in Table 4-2-1.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. In Areas of Consistency, significant growth is unlikely or undesirable and any new development or redevelopment will need to be consistent with the established character of the surrounding context in order to reinforce the existing character of established neighborhoods.

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

Chapter 5: Land Use

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

The request would facilitate infill development by expanding the range of commercial uses, surrounding residential areas to the north will have accessible access to the types of commercial services that will serve the area providing residents the opportunity to work, learn, and shop together. The request generally furthers Goal 5.2 – Complete Communities.

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

The request would create a wider range of allowable commercial uses for potential development with a mix of uses that are similar to its surrounding environment- MX-M. The future development would be conveniently accessible to the surrounding community such as the neighborhood to the north. The request generally furthers Policy 5.2.1 – Land Uses.

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

The request would encourage infill development that is comparable to the surrounding parcels. The request furthers sub-policy(h) 5.2.1 – Land Uses.

Sub-policy(n): Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request would facilitate development of the vacant lots by providing a wider range of uses than what currently exists. The request furthers sub-policy(n) 5.2.1 – Land Uses.

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

The request would generally promote efficient use of the land by creating development patterns that are similar to the adjacent parcels, future development will use existing infrastructure that will support the public good. The request furthers with Goal 5.3 – Efficient Development Patterns.

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

The subject sites are currently surrounded by MX-M, office space and the South Pino Arroyo. Future growth if zone change is granted would utilize existing infrastructure. The request furthers Policy 5.3.1 – Infill Development.

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

The subject sites are located in an Area of Consistency. The request would reinforce the character and intensity of the surrounding area by matching the existing zoning adjacent to the sites (MX-M) which would allow the same character and intensity of development. The request furthers Goal 5.6-City Development Areas.

Policy 5.6.3 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.

The request would protect and enhance the character of the existing area by offering a wider range of permissive uses to promote infill development. The infill development will be consistent with existing zoning, thus enhancing the area with a wider range of commercial services. The request furthers Policy 5.6.3-Areas of Consistency.

FACILITY PLAN FOR ARROYOS (FPA)- RANK II

The Facility Plan for Arroyos (1986) establishes guidelines and procedures for implementing Comprehensive Plan goals in order to create a multi-purpose network of recreational trails and open space along arroyos (FPA, p.11). The Facility Plan for Arroyos (FPA) is a Rank II facility plan that designates some arroyos for further study and development as recreational corridors. The term arroyo is defined as a “small, steep-sided watercourse or gulch with a nearly flat floor” (p.75). The Facility Plan for Arroyos (FPA) contains general policies for all arroyos and seven specific policies for the different classifications of arroyos.

The subject sites southern boundaries abut the South Pino Arroyo, which originates in the canyons of the Sandia foothills (p. 36). The FPA classifies the South Pino Arroyo as a Major Open Space Link. Major Open Space Link arroyos are slated for development of arroyo corridor plans (p. 33), though so far this has not occurred for the Pino Arroyo. The FPA intends that Major Open Space Link arroyos have recreational trails and form continuous east-west linkages across the City.

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

Requirements

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

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings:

- 1) There was an error when the existing zone district was applied to the property; or

- 2) There has been a significant change in neighborhood or community conditions affecting the site;
or
3) A different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.

Justification & Analysis

The Zone Map Amendment justification letter analyzed here, received on November 03, 2021, is a response to Staff's request for a revised justification letter (see attachment). The subject sites are currently zoned MX-L (Mixed Use- Low Intensity) and undeveloped. The requested zoning is for MX-M (Mixed Use- Medium Intensity). The reason for the request is to obtain zoning to facilitate development by permitting more uses than what MX-L allows. The subject sites are in an Area of Consistency.

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

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

Applicant: The proposed zone change is consistent with the health, safety, and general welfare of the City by furthering a preponderance of applicable goals and policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City as included below. The following policy analysis shows the zone change is clearly consistent with the ABC Comprehensive Plan and demonstrates that the proposed zone change is advantageous to the surrounding neighborhood and the City as a whole by creating a complete community that is healthy, sustainable, and distinct and conveniently assessed from surrounding neighborhoods; promoting infill and more productive use of vacant lots on property that sits above an old City landfill in an area with existing infrastructure and transportation systems and within an Area of Consistency; and promoting a development pattern that maximizes the utility of existing infrastructure, public trail facility, and efficient use of land to support the public good.

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

Applicable Citations: Goal 5.2- Complete Communities, Policy 5.2.1 Land Uses and Sub-Policy (e), Sub-Policy(h), Sub-Policy(n), Goal 5.3- Efficient Development Patterns, Policy 5.3.1 Infill Development, Goal 5.6- City Development Areas, Policy 5.6.3 Areas of Consistency.

Non-applicable citations: none.

The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding character, identity, complete communities, land uses, efficient development patterns, infill development, city development areas and compatibility and does not present any significant conflicts with the Comprehensive Plan. Therefore,

the request is consistent with the City's health, safety, and general welfare. The response to Criterion A is sufficient.

B. Criterion 6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would be more advantageous to the community and 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: The proposed zone change to MX-M is more advantageous to the community than the existing MX-L zone by virtue of creating a more consistent pattern of zoning, land use, and development intensity in this area along San Antonio Drive. Lot 5-A-1, which lies between the two subject properties, was the subject of a previous zone change in 2015 (15EPC-40010) to SU-1 for C-2 Uses including the Wholesale of Beer that allowed for the manufacturing and the sale of beer for off-premise consumption at Starr Brothers Brewery.

The existing zoning in this area is a mix of NR-C, MX-H, MX-M, MX-L, MX-T, and R-MC, which contain a broad mix of land uses (see Table 1: Land Use and Zoning on page 9). Given the designation of the subject properties and the surrounding neighborhood as an Area of Consistency, this request presents an opportunity to create a more uniform zoning pattern and ensure greater consistency in intensity of uses. MX-M is an appropriate zone for this area due to its proximity to Interstate 25 and lack of single-family residential properties adjacent to or abutting the subject property. Additionally, because the subject properties were formerly part of the San Antonio Landfill, the additional uses allowed in the MX-M zone will increase the potential of developing this vacant infill site to serve the larger community and fulfill important Comprehensive Plan goals and policies.

These conditions underscore how the zone change to MX-M will be advantageous to the community by reinforcing and strengthening the established character along San Antonio Dr NE. Since MX-M is already an existing zone on an adjacent property and properties to the west and northeast, this zone change (as well as the related zone change request on the southeast corner of San Antonio and San Pedro Drive) will create consistent zoning and intensity of land use along San Antonio Dr NE and will not permit development that is significantly different than the existing neighborhood character.

Staff: The subject site is located in an Area of Consistency, the applicant's response demonstrates that the request would clearly implement a consistency of patterns of land use through zoning, infill development, and the utilization of existing utilities and infrastructure. Density and intensity will match the surrounding area and will also create connectivity with existing infrastructure (sidewalks) along the San Antonio corridor. The response to Criterion B is sufficient.

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

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

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

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

Applicant: None of the permissive uses in the MX-M zone will be harmful to the adjacent property, neighborhood, or community. The table below provides a comparison of uses from the MX-L and MX-M zones. As previously stated, Lot 5-A-1, which splits the two subject properties, is zoned MX-M and has been in operation since 2015 and has not been harmful to the adjacent properties, neighborhood, or community. The subject properties are appropriately and adequately buffered to the north by the wide right-of-way within San Antonio Drive and to the south by the 60-foot Pino Arroyo and the large MX-T parcel containing a Presbyterian Health facility. These existing buffers ensure that the single-family residential community to the southeast and the Albuquerque Meadows mobile home park north of San Antonio Drive will be protected from potential harmful uses allowed under the MX-M zone, such as a light vehicle fueling station, mortuary, bar, or nightclub. This is further evidenced by the existing brewery and taproom uses on Lot 5-A-1.

IDO ZONING COMPARISON: MX-L VS. MX-M		
USE	MX-L	MX-M
Group home, large	-	C
Hospital	-	P
Sports Field	C	P
University or College	C	P
Nursery	-	A
Auditorium or Theater	A	P
Bar	C	P
Catering Service	-	P
Nightclub	-	P
Tap room or tasting room	C	P
Campground or recreational vehicle park	-	C
Light vehicle fueling station	C	P
Light vehicle sales and rental	C	P
Blood services facility	-	C
Mortuary	C	P
Personal and business services, large	-	P
Drive-in theater	-	C
Building and home improvement materials store	-	C
General retail, medium	-	P
General retail, larger	-	C
Liquor retail	A	C
Nicotine retail	A	C
Pawn shop	C	P
Helipad	-	CA
Park-and-ride lot	C	P
Transit facility	C	P
Outdoor storage	CA	C
Warehousing	-	C
Wholesaling and distribution center	-	C
Circus	-	T

Staff: The applicant compared the existing MX-L zoning and the proposed MX-M zoning. Potential, harmful uses that would become permissive under the proposed MX-M zone include nightclub and pawnshop. In addition, the use-specific standards for these uses would be permissive and would not mitigate harm and could be placed on site. The response to Criterion D is sufficient.

- E. Criterion 6-7(G)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet any of the following requirements:
1. Have adequate capacity to serve the development made possible by the change of zone.
 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).

4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.

Applicant: The proposed zone change to MX-M meets Criteria 1 and 3. The Applicant, San Antonio Commons, has already made improvements related to the long history of entitlements and construction of the three existing buildings on the other parcels covered by the existing Site Plan for Subdivision. The subject properties will be adequately served by existing infrastructure and transportation facilities immediately adjacent to and on the property, including San Antonio Drive (a Minor Arterial), San Pedro Drive (a Major Collector), and water, sewer, and drainage facilities that will serve future development on the site. It also includes the existing public sidewalk fronting Lot 4-A and Lot 5-A-1 and the median break in San Antonio Drive that was designed and constructed to accommodate development on the Applicant's property. Additional infrastructure requirements, with the exception of extending the public sidewalk to serve Lot 7-A-1, are not anticipated to be required for development of the subject properties.

The proposed zone change to MX-M meets Criterion 3 because any future development must meet the regulations and development standards contained in the IDO and DPM, and an Infrastructure Improvements Agreement for the extension of the public sidewalk to serve Lot 7-A-1. In addition, the Applicant will be required to provide mitigation and ongoing monitoring of the landfill gases, which will be coordinated through the City Environmental Health Department.

Staff: Staff agrees that the subject sites will adequately be served by existing infrastructure (requirement 1). The response to Criterion E is sufficient.

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

Applicant: The justification for this zone change is not completely based on the property's location on a major street. The justification is based on the existing checkerboard zoning pattern of higher intensity zones, as well as the history of the subject properties being on a City landfill, separated from single family development, and being just east of I-25. The zone change to MX-M will assist in making this property more conducive to infill development by allowing for a wider range of commercial uses that can be accommodated and appropriated sited.

Staff: San Antonio Dr. NE is classified as a minor arterial street; therefore, the applicants Zone Map Amendment is not based on the property's location on a major street. Rather, it is based on creating a wider range of uses to encourage infill development and efficient land use patterns with uniform zoning. The response to Criterion F is sufficient.

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

Applicant: The justification for this zone change to MX-M does not rely on the cost of land or economic considerations. The Applicant has owned this property for many years and has diligently addressed landfill mitigation issues and provided utilities to support development of the other adjacent parcels. The requested zone change is justified based on being more advantageous for the community as expressed in the goals and policies contained in the Comprehensive Plan and strengthening the character of the area as a commercial service destination. The Applicant is proposing a change that will help facilitate infill development on a former City landfill that has long been vacant and an eyesore in this area of Albuquerque.

Staff: The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and Policies: the cost of land and other economic considerations do not conflict with plan goals and policies. Therefore the response to Criterion G is sufficient.

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

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

Applicant: The proposed zone change to MX-M would not create a “spot zone” because there is adjacent MX-M zoning that is covered by the Site Plan for Subdivision and other parcels zoned MX-M to the northeast and west. The special circumstance of the City landfill supports the rezone of the subject properties, which will create more uniformity in zoning and land use intensity along San Antonio Drive.

Staff: The proposed zone will match with the existing zoning of the parcel in between both subject sites to the west and northeast. Therefore, the request would not apply a zone district different from surrounding zone districts and would not create a spot zone. The response to Criterion H is sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other agencies reviewed this application. Few agency comments were received.

Albuquerque Public Schools (APS) noted that the school system (elementary, junior high, and high school) would be able to accommodate any new students generated by future development of residential uses. Dennis Chavez Elementary School, Madison Middle School, and La Cueva High School all have capacity.

PNM offered standard comments, which will become more important as future site plans are reviewed. Agency comments begin on p.25.

Water Utility Authority offered standard comments, which will become more important as future site plans are reviewed. Agency comments begin on p.25.

Neighborhood/Public

Notification requirements are found in 14-16-6, in the Procedures Table 6-1-1 and are further explained in 14-16-6-4(K), Public Notice. The affected, registered neighborhood organizations are the District 4 Coalition of Neighborhood Associations and the Cherry Hills Civic Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required (see attachments).

On September 28, 2021, a pre-submittal facilitated meeting was held via Google Meet. The facilitator for the meeting was Phillip Crump and was accompanied by co-facilitator Jocelyn M. Torres. Also, in attendance was Jackie Fishman and Markie Anderle on behalf of Consensus Planning, San Antonio Commons LLC, Motal LLC, and three community members. Community members had concerns regarding the type of development that was to occur, infrastructure, environmental concerns, traffic safety issues, cannabis and liquor sales, types of uses that are permitted in MX-M zoning, and decreased property values. All questions were answered by the applicant. (See attachment)

IV. CONCLUSION

The request is for a zoning map amendment for two approximately 3.4-acre, vacant sites located on the south side of San Antonio Dr. NE. The applicant wants to change the subject sites zoning to MX-M to facilitate future development. The subject sites are in an Area of Consistency.

The applicant has adequately justified the request pursuant to the IDO zone change criteria in 14-16-6-7(G)(3). The proposed zoning would be generally more advantageous to the community overall because it furthers a preponderance of applicable Comprehensive Plan Goals and policies.

The affected neighborhood organizations are the District 4 Coalition of Neighborhood Associations, Vineyard Estates NA and Nor Este NA, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A pre-submittal meeting was held on September 28, 2021. Concerns include; traffic safety issues, cannabis and liquor sales, types of uses that are permitted in MX-M zoning, and decreased property values. As of this writing, Staff has not been contacted and there is no known opposition.

Staff recommends approval.

FINDINGS – RZ-2021-00043 November 21st, 2021 – Zoning Map Amendment

1. The request is for a zoning map amendment for two vacant sites approximately 3.4 total acres located, between San Pedro Dr. NE and Interstate-25, on the southern side of San Antonio Dr. NE. (the “subject sites”)
2. The subject sites are zoned MX-L (Mixed Use – Low Intensity). The applicant is requesting a zone change to MX-M (Mixed Use Medium Intensity) to facilitate future development by allowing for a wider range of permissive uses.
3. The subject sites are in an Area of Consistency and is not in a designated Center or along a designated Corridor.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes. The Facility Plan for Arroyos also applies due to the adjacency of the South Pino Arroyo.
5. The request generally furthers the following Goal and sub-policies from Comprehensive Plan Chapter 5: Land Use.
 - A. Goal 5.2 Complete Communities: Foster communities where residents can live, work, learn, shop and play together.

The request would facilitate development of a new single-family housing development and foster a community within the established community. Residents in the newly developed subdivision will have the opportunity to live, work, learn, shop and play together based on the amenities close in proximity to the proposed subdivision.

- B. Sub-policy(h) 5.2.1 – Land Uses: Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request will encourage infill development that is comparable to the surrounding area MX-M.

- C. Sub-policy(n) 5.2.1 – Land Uses: Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The zone change request will be an efficient and productive use of the vacant land by creating a wider range of uses that will promote development. The request furthers the following Goal from Comprehensive Plan Chapter 5: Land Use.

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

The zone change request will create a wider range of permissive uses that will promote development patterns that are similar, while also using existing infrastructure of the surrounding area.

6. The request furthers the following goal, policy, and sub-policy from Comprehensive Plan Chapter 5: Land Use.

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

The subject sites are located in an Area of Consistency. The request would reinforce the character and intensity of the surrounding area by matching the existing zoning adjacent to the sites (MX-M) which would allow the same character and intensity of development.

- B. Policy 5.6.3 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.

The request would protect and enhance the character of the existing area by offering a wider range of permissive uses to promote infill development. The infill development will be consistent with existing zoning, thus enhancing the area with a wider range of commercial services.

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

- A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant's policy-based response demonstrates that the request furthers a preponderance of applicable Goals and policies regarding character, identity, complete communities, land uses, efficient development patterns, infill development, city development areas and compatibility. Therefore, the request is consistent with the City's health, safety, morals and general welfare.

- B. Criterion B: The subject site is located in an Area of Consistency. The applicant's response demonstrates that the request would clearly reinforce a preponderance of applicable Comprehensive Plan Goals and policies and therefore would generally be more advantageous to the community than the current zoning.

- C. Criterion C: This criterion does not apply because the subject site is not located in an Area of Change, either wholly or in part.

- D. Criterion D: The applicant compared the existing MX-L zoning and the proposed MX-M zoning and discussed potential uses that could be harmful. Harmful uses that would become permissive under the proposed MX-M zone include nightclub and pawnshop. In addition, the use-specific standards for these uses would be permissive and would not mitigate harm. The surrounding land is zoned MX-M, uses that would become permissive already exist in the current zone and are not considered to be harmful in this setting because the uses would become identical.

- E. Criterion E: The subject properties are located in an infill site that is adequately served by existing infrastructure and therefore meets requirement 1.
- F. Criterion F: The request is not based on the property's location on a major street. The request reinforces and strengthens the character of the area in accordance with applicable Comprehensive Plan Goals and policies.
- G. Criterion G: The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them, so the cost of land or other economic considerations are not the driving factors for the proposed request.
- H. Criterion H: The applicant has demonstrated that the request would result in zoning that would match the existing zoning of the surrounding area and therefore would not create a "spot zone".
8. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding, infill and efficient development patterns, utilization of existing infrastructure, and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals, and general welfare.
9. The affected, registered neighborhood organizations District 4 Coalition of Neighborhood Associations and Albuquerque Meadows Residents Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
10. A pre-submittal meeting was held on September 28, 2021. Concerns included- traffic safety issues, cannabis and liquor sales, types of uses that are permitted in MX-M zoning, and decreased property values.
11. As of this writing, Staff has not been contacted and is unaware of any opposition.

RECOMMENDATION – PR-2021-006087, RZ-2021-00043, November 18,2021

APPROVAL of Project#2021-006087, Case#RZ-2021-00043, a zone change from MX-L to MX-M, for Lot 7-A-1 Plat for Lots 5-A-1 and Lot 7-A-1 JJ Subdivision and Lot 4-A Plat for Lots 4-A, 5-A, 6-A, and 7A JJ Subdivision, approximately 3.4-acres (combined), located between Interstate-25 and San Pedro Dr. NE, based on the preceding findings.

Leroy Duarte

**Leroy Duarte
Current Planner**

Notice of Decision CC list:

District 4 Coalition of NA, Daniel Regan, dlreganabq@gmail.com
District 4 Coalition of NA, Mildred Griffiee, mgriffiee@noreste.org
Consensus Planning, fishman@consensusplanning.com
Legal, kmorrow@cabq.gov
EPC file

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning / Code Enforcement

Long Range Planning

Metropolitan Redevelopment

Transportation Development Review Services

No adverse comments to zone change.

CITY ENGINEER

Hydrology

Transportation Development Services

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

No adverse comments to zone change.

POLICE DEPARTMENT/PLANNING

SOLID WASTE MANAGEMENT DEPARTMENT

No comments at this time.

TRANSIT DEPARTMENT

The Transportation has no objection to the Zoning Map Amendment for any of these items.

PARKS AND RECREATION

No objection to the proposed zone change.

ABC WATER UTILITY AUTHORITY (ABCWUA)

No adverse comment to the proposed zone change.

ALBUQUERQUE PUBLIC SCHOOLS

1. Project #2021-006087

- a. EPC Description: RZ-2021-00043—Zoning Map Amendment (Zone Change).
- b. Site Information: JJ, Lot 7A1, 4A.
- c. Site Location: Located on San Antonio Drive NE, between San Antonio Dr. and Forest Hills Dr.
- d. Request Description: Zoning change from MX-L to MX-M, indeterminate future land use; retired city landfill site.
- e. Comment: As the application states, MX-M zone is intended, “to provide for a wide array of moderate-intensity retail, commercial, institutional, and moderate-density residential uses.” Should future land use at this location involve residential development, the following schools will be impacted: Arroyo Del Oso Elementary School, Cleveland Middle School, and Del Norte High School.

School Capacity

School	2021-2022 (20th Day) Enrollment	Facility Capacity	Space Available
Arroyo Del Oso Elementary School	313	456	143
Cleveland Middle School	585	700	115
Del Norte High School	1,076	1,343	267

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No adverse comments.

COUNTY OF BERNALILLO

No adverse comments.

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

MID-REGION METROPOLITAN PLANNING ORGANIZATION(MRMPO)

MRMPO has no adverse comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

None of the applications for the November 18th EPC hearing are within MRGCD's service area.

PNM GAS COMPANY

There are existing PNM facilities abutting the site and/or in easements along San Antonio Dr and Forest Hills Dr NE. There are also PNM facilities along the Pino Arroyo and within the sites.

The applicant should contact PNM's New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at

<https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at

<https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

PETROGLYPH NATIONAL MONUMENT

AVIATION DEPARTMENT

KIRTLAND AIR FORCE BASE



Figure 1: Sign posting looking south from San Antonio Dr. NE to the subject site. (Lot 4)



Figure 2: Looking north at subject site (Lot 4).



Figure 3: Looking south at subject site (Lot 4).



Figure 4: Looking west at subject site (Lot 4).



Figure 5: Looking east at subject site (Lot 4).



Figure 6: Sign posting looking south from San Antonio Dr. NE to the subject site. (Lot 7)



Figure 7: Sign posting looking west from San Pedro Dr. NE to the subject site. (Lot 7)



Figure 8: Looking north at subject site (Lot 7).



Figure 9: Looking south at subject site (Lot 7).



Figure 10: Looking east at subject site (Lot 7).



Figure 11: Looking west at subject site (Lot 7).

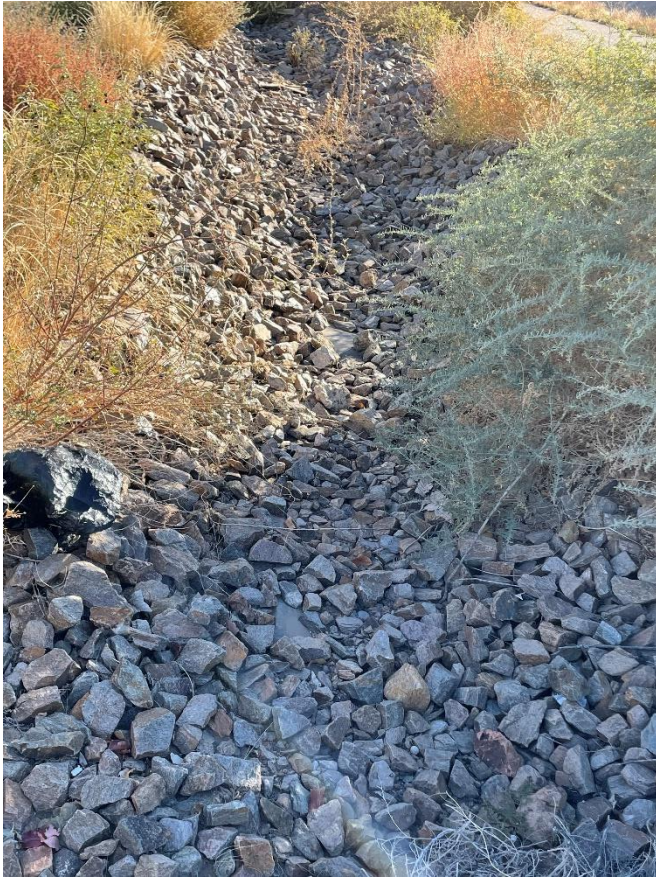
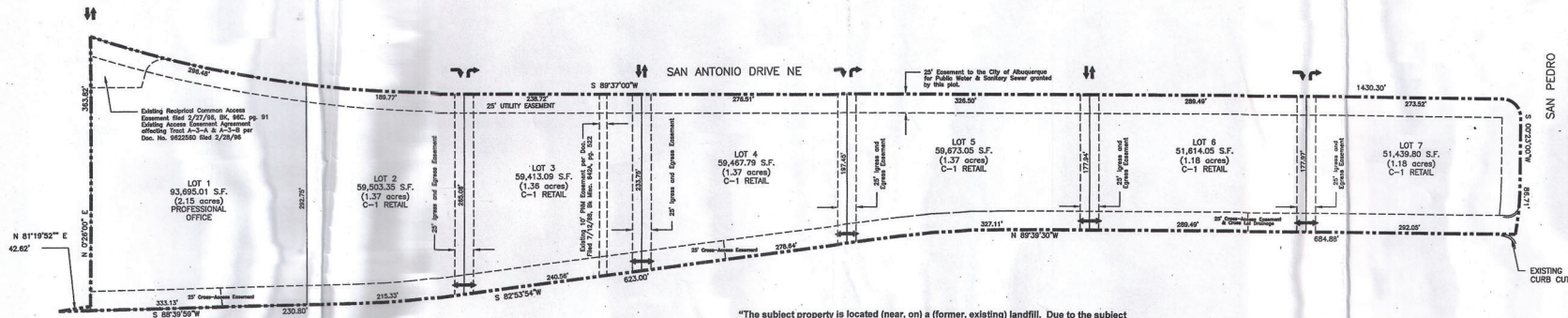


Figure 12: Drainage south of site(s)



Figure 13: South Pino Arroyo Bike Trail south of site(s)

HISTORY



LEGAL DESCRIPTION

LOTS 1 THRU 7
JJ SUBDIVISION

BEING A REPLAT OF TRACT A-3-B,
J GROUP ADDITION, TRACT 1,
NEW HEART CENTER & TRACT 1,
NORTHSIDE SUBDIVISION

WITHIN PROJECTED SECTION 25
TOWNSHIP 11 NORTH, RANGE 3 EAST
NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE
BERNALILLO COUNTY
NEW MEXICO

NOTES: LOTS 1 thru 7

BUILDING HEIGHT NOT TO EXCEED 26 FT.
MAXIMUM FLOOR-AREA RATIO: 20.0%
BUILDING MINIMUM SETBACKS:

FRONT: 25.0 FT.
SIDE: 5.0 FT.
REAR: 5.0 FT.

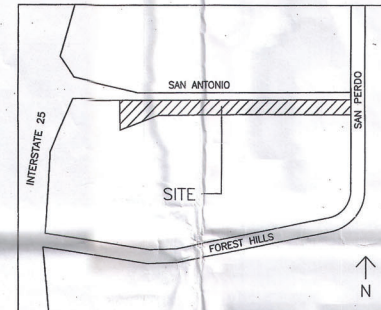
TRAFFIC FLOW NOTES

- ↔ - TWO WAY INGRESS AND EGRESS TRAFFIC FLOW
- ↘ - RIGHT TURN ONLY INTO LOT
- ↗ - RIGHT TURN ONLY OUT OF LOT
- ↔ - TWO WAY INTERIOR AND CROSS-LOT TRAFFIC FLOW

PROPOSED GENERAL DESIGN CRITERIA:

- ALL STRUCTURES ON LOTS WILL BE LIMITED TO THE GENERAL CRITERIA DESCRIBED HEREIN.
- EXTERIOR APPEARANCE OF STRUCTURES WILL BE AS DEPICTED ON SHEET.
- PARKING WILL NOT EXCEED THE REQUIRED PLUS 10%.
- NO MORE THAN 25% OF THE REQUIRED PARKING WILL BE LOCATED IN FRONT OF THE BUILDING BETWEEN THE BUILDING AND THE STREET.
- ADA-COMPLIANT PARKING WILL BE LOCATED ADJACENT TO THE MAIN BUILDING ENTRY.
- ALL SIDEWALKS WILL HAVE A MINIMUM OF 6 FEET CLEAN TRAVEL AREA PROTECTED BY PERMANENT CAR STOPS.
- FRONT ENTRY SIDEWALK AREAS WILL BE COVERED OR SHADED BY TREES.
- ALL STRUCTURES SHALL BE CONNECTED BY PEDESTRIAN PATHWAYS PER CITY OF ALBUQUERQUE (COA) REQUIREMENTS.
- PATIO AREAS FOR EMPLOYEES WILL BE PROVIDED AND SHADED.
- BICYCLE RACKS WILL BE PROVIDED PER COA CODE.
- ALL LANDSCAPING WILL BE PER COA CODE. NO GREATER THAN 20% OF LANDSCAPED AREA WILL BE HIGH WATER USE AND ALL APPLICABLE WATER CONSERVATION MEASURES REQUIRED AT THE TIME OF BUILDING PERMIT APPLICATION WILL BE ADHERED TO.
- PERIMETER WALLS WILL COMPLY WITH PLANNING DEPARTMENT GUIDELINES AT TIME OF BUILDING PERMIT APPLICATION.
- ALL ROOFTOP OR GROUND LEVEL MECHANICAL UNITS WILL BE PHYSICALLY SCREENED FROM VIEW OR PAINTED TO BLEND WITH SURROUNDING STRUCTURE'S COLOR. ALL ROOF PENETRATIONS WILL MATCH STRUCTURE OR ROOF COLOR.
- FRONT FACADES WILL BE SHADED BY EITHER THE BUILDING STRUCTURE, CANOPIES, PORTALS, AWNINGS, OR SHADE TREES PLANTED IN A MANNER TO SHADE THE ENTIRE FRONT FACADE OF THE STRUCTURE.
- LOADING DOCKS SHALL BE SCREENED BY WALLS, TREES, AND OR STRUCTURE ELEMENTS THAT ARE ARCHITECTURALLY INTEGRATED INTO THE STRUCTURE.
- ALL REFUSE ENCLOSURES WILL COMPLY WITH COA CODE AND SOLID WASTE REGULATIONS.
- BUILDING FRONTS WILL BE NO CLOSER THAN 12 FEET FROM THE FACE OF CURB TO THE STRUCTURE.
- MONUMENT SIGNS ARCHITECTURALLY INTEGRATED WITH THE STRUCTURE DESIGN WILL NOT EXCEED 10 FEET HIGH OR 75 SQUARE FEET PER SIGN.
- BUILDING SIGNS SHALL NOT EXCEED 6% OF THE FACADE AREA.
- SITE AND BUILDING LIGHTING WILL COMPLY WITH COA CODES AND REGULATIONS. IN NO INSTANCE SHALL LIGHT ESCAPE BEYOND THE PROPERTY LINE.

"The subject property is located (near, on) a (former, existing) landfill. Due to the subject property being (on, near), a former landfill, certain precautionary measures may need to be taken to ensure the health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the "Interim Guidelines for Development within 1000 Feet of Landfills") shall be consulted prior to development of the site."



VICINITY MAP

PROJECT NUMBER: 1002455

Application Number:

This plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), date March 21, 2003, and the Findings and Conditions in the Official Notification of Decision are satisfied.

DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

<i>[Signature]</i> Traffic Engineering, Transportation Division	10-29-03 Date
<i>[Signature]</i> Utilities Development	10-29-03 Date
<i>[Signature]</i> Parks and Recreation Department	10/29/03 Date
<i>[Signature]</i> City Engineer	10-29-03 Date
<i>[Signature]</i> (Replacement for Original) Environmental Health Department	05-29-2003 Date
<i>[Signature]</i> (will comply with all SW ordinances) Solid Waste Management	10/29/03 Date
<i>[Signature]</i> DRB Chairperson, Planning Department	10/29/03 Date

SITE PLAN FOR SUBDIVISION

Scale 1"=70'-0"



DATE:	30 September 2003
REVISIONS:	

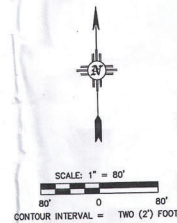
Sheet Title:	SITE PLAN FOR SUBDIVISION
Drawn By:	RLJ
Checked By:	MLL

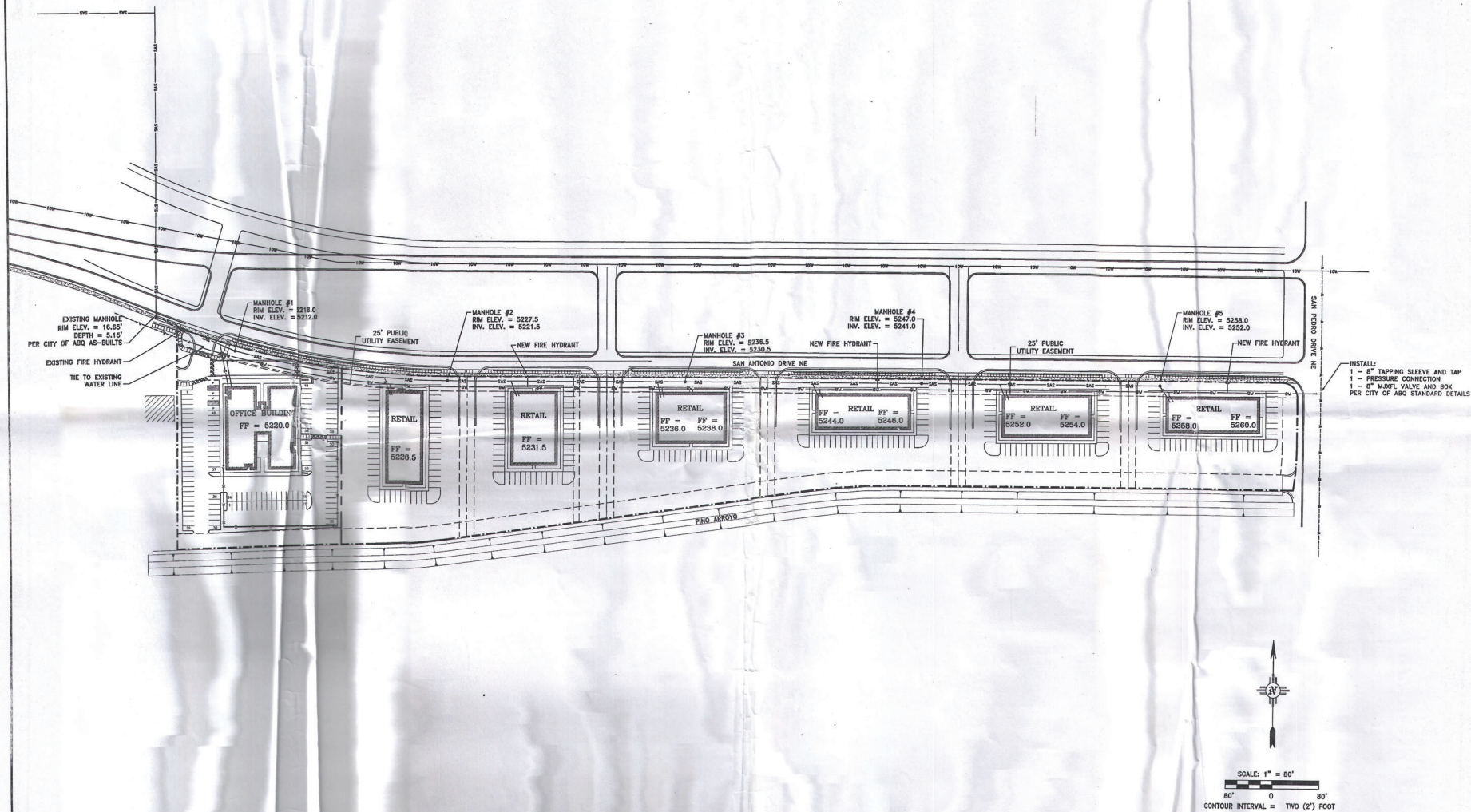
TIM OTT / DEVELOPER
PO BOX 35981 ALBUQUERQUE, N.M. 87776 (505) 255-4675

Project Name:	J GROUP SUBDIVISION
ALBUQUERQUE, NEW MEXICO	

SHEET NO.	SP
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PROJECT# 1002455





CITY REVIEW		PROJECT: TRACT A-3-B	
DEPARTMENT	SIGN-OFF	DATE	
WASTEWATER MGMT. DIV.			
WATER SERVICES			
STREETS			
TRAFFIC			
THE DEPARTMENT	CITY USE ONLY		
SHEET NO.		DATE	
C-2		08/20/2008	

SHEET TITLE: MASTER UTILITY PLAN	
PROJECT: TRACT A-3-B	STATE OFFICE BUILDING
DESIGNED BY: A.E.R.	FILED 08-204
UTILITY DRAWN BY: C.D.A.	DATE: 08/20/2008
CHECKED BY: M.E.R.	SCALE: AS NOTED

Civil Engineering • Water Resources • Traffic Engineering
W.E. Walker Engineering
 905 Cumbo Sierra Vista, • Santa Fe, NM 87001
 505-820-7990
 FAX 505-820-3339
 E-MAIL: enl@walkerengineering.net



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

Date: March 21, 2003

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1002455 *
03EPC-00147 EPC Site Development Plan-Subdivision
03EPC-00148 EPC Site Development Plan-Building
Permit

Joe Cotruzzola
7508 Northridge Ave. NE
Albuq. NM 871

LEGAL DESCRIPTION: for all or a portion of Lot(s) A3B, J Group Addition, and Tract 1 of New Heart Center Addition, and Tract 1 of Northside Subdivision, zoned SU-1 C-1, located on SAN ANTONIO NE, between I-25 and SAN PEDRO NE, containing approximately 10 acre(s). (E-18)
Deborah Stover, Staff Planner

On March 20, 2003 the Environmental Planning Commission voted to approve Project 1001455/03EPC 00147, a request for site development plan for subdivision, for Tract A3B, J Group Addition, zoned SU-1 C-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for a site development plan for subdivision for a 10.03-acre tract of land into 7 separate lots. The 10-acre tract is currently known as Tract A3B, J Group Addition, located on San Antonio Drive between Interstate-25 and San Pedro Drive NE, and will be replatted into Lots A-3-B-1 through A-3-B-7.
2. The submitted site plan for subdivision meets the requirements of the *Zoning Code* for site development plan for subdivision.
3. The site development plan for subdivision furthers the applicable goals and policies of the *Comprehensive Plan*. It proposes a quality urban environment with new growth accommodated on vacant land, contiguous to existing urban facilities and with a design that is appropriate to the plan area (*Established Urban Policies d, e, l*).

4. This site is located on the old San Antonio Landfill. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary.

CONDITIONS:

1. The submittal of this site plan to the DRB shall meet all EPC conditions. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. The solid line weight on the site plan for subdivision depicting the 25-foot cross-access agreement shall be changed to a dashed line.
3. The cross-access agreement that is in effect for the entrance to the site as well as to the hotel site to the west shall be noted on the site plan for subdivision.
4. The developer shall follow the most current version of the "Interim Guidelines for Development Within 1000 Feet of a Landfill". A review of the site plans, the proposed construction, design drawings, and a certification of construction shall be required by the Environmental Health Department.
5. A re-plat of the property shall be submitted to DRB for concurrent approval of this request.
6. The developer shall obtain an approved master plan for land gas remediation for the entire 10.03 acre site prior to development.

On March 20, 2003 the Environmental Planning Commission voted to approve Project 1002455/03EPC 00148, a site development plan for building permit, for Tract A-3-B-1, J Group Addition, zoned SU-1 C-1 based on the following Findings and subject to the following Conditions:

FINDINGS:

OFFICIAL NOTICE OF DECISION
MARCH 20, 2003
PROJECT #1002455
PAGE 3

1. This is a request for a site development plan for building permit for Lot A-3-B-1, J Group Addition, located on San Antonio Drive between Interstate-25 and San Pedro Drive NE. The site plan proposes a 15,500 square foot office building.
2. This request is generally in conformance with the goals and polices of the *Comprehensive Plan*, specifically, by locating a commercial use within an existing commercially zoned area and by improving the quality of the visual environment. Site landscaping and building façade treatments will blend with the surrounding area (*Established Urban Policies j and m*).
3. This request is in conformance with Policy i of the *Comprehensive Plan* by locating employment and service uses to complement residential areas and by placing them to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.
4. This request is in conformance with Established Urban Policy j of the *Comprehensive Plan* by proposing a location, intensity, and design of new development that shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.
5. The request is for new growth in an area where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured (*Established Urban Policy e*).
6. The subject site is located on land adjacent to arterial streets and has been planned to minimize harmful effects of traffic. In this way, the livability and safety of established residential neighborhoods is protected by transportation planning and operations (*Established Urban Policy k*).
7. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary. Because the site is located on an old landfill, this proposal presents the opportunity to mitigate the effects of the environmental concerns about the landfill site and ultimately create a safer environment for the community.

CONDITIONS:

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

OFFICIAL NOTICE OF DECISION
MARCH 20, 2003
PROJECT #1002455
PAGE 4

2. The solid line weight on the site plan for building permit depicting the 25-foot cross-access agreement shall be changed to a dashed line.
3. The cross-access agreement that is in effect for the entrance to the site as well as to the hotel site to the west shall be noted on the site plan for subdivision.
4. The developer shall follow the most current version of the "Interim Guidelines for Development Within 1000 Feet of a Landfill". A review of the site plans, the proposed construction, design drawings, and a certification of construction shall be required by the Environmental Health Department.
5. All pedestrian crossings shall be raised and/or textured and of material other than asphalt. The crosswalks on the site plan appear to be stone, but this material shall be clearly stated on the site plan.
6. The site plan should show an ADA accessible paved connection from the south end of the site to the Pino Arroyo. This connection shall be similar in width and style to other pedestrian connections within the site.
7. A minimum of 6 bicycle parking spaces shall be provided.
8. The proposed Navajo willow shall be removed from the landscape plan and substituted with an assortment of Texas umbrella tree, Texas red oak, Kentucky coffee tree, Jujube, or Mexican Elder.
9. Landscape regulations require that 75% of landscape areas over 36 square feet in size must be covered with living, vegetative material. Planting beds shall obtain 75% coverage of living vegetation at time of maturity. Additional low water use shrubs, groundcovers and flowers shall be added to the planting beds to ensure this coverage.
10. The site plan shall provide shade trees in all of the parking lot areas. Trees should be provided at a rate of 1 for every 10 parking spaces to provide shade. No parking space shall be more than 100 feet from a tree trunk
11. An outdoor patio space that is a minimum of 300 square feet in size with tables and seating shall be provided. The patio shall have adequate shading provided by trees and/or a shade structure that integrates with building architecture.
12. The site plan shall state the color family proposed for the building materials. The exact color and materials of the sign shall be noted.

13. The type, height, material and color of the fencing proposed for the site shall be noted on the site plan. No chainlink, razor wire or plastic/vinyl fencing is permitted.
14. The refuse enclosure shall be compatible in design, color and material with building architecture. The gates shall be opaque and chain link gates are not allowed. A detail showing the proposed refuse enclosure shall be provided on the site plan.
15. The location of light poles, if any, shall be included on the site plan. Light fixtures shall be a maximum of 20-feet high, with and maximum of 16-feet high if within 50-feet of a residentially zoned site. The light fixtures shall be fully shielded horizontal lamps so that no fugitive light shall escape beyond the property line. All light fixtures shall be full-cut-off type to prevent fugitive light. No light source shall be visible from the site perimeter.
16. Transportation Planning/Public Works Conditions:
 - a. All the requirements of previous actions taken by the EPC and the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter and sidewalk that have not already been provided for.
 - c. Completion of the required TIS mitigation measures, per Transportation Development Staff, must be completed if assumed to be in place for the current TIS for this site.
 - d. Site shall comply and be designed per DPM Standards and current COA Zoning Code.
 - e. Provide cross access agreement between Lot A-3-B-1 and public access road to Hawthorne Suites Property.
 - f. The Traffic Engineer, based on development of the remaining parcels, may modify access points.
 - g. The submittal does not include a conceptual utility plan. Development will require extension of public water and sanitary sewer lines on Tract A3A, east along San Antonio to San Pedro. Financial guarantees will be require as a condition of plat approval. A water and sanitary sewer availability statement must be requested and completed prior to any DRB approval(s).
 - h. An approved conceptual grading and drainage plan is required for Site Plan sign-off by the City Engineer. Approval of drainage plan required prior to placement on DRB agenda.
 - i. Platting should be a concurrent DRB action.
17. The proposed building has two principle facades north and south, Both shall have a minimum 8 ft. wide sidewalk along the entire length of the façade.
18. The parking spaces smaller then 8 ft. 6 by 20 feet shall be designated as compact only and the parking calculations shall note the number of full size and compact spaces. The total mix shall meet the standard city requirements for such.

OFFICIAL NOTICE OF DECISION
MARCH 20, 2003
PROJECT #1002455
PAGE 6

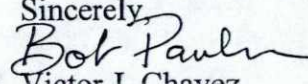
19. Provide 8 linear feet of fixed seating at each of the two principal entry ways to the building.
20. Provide a planting strip of native vegetation adjacent to the Pino Arroyo.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY **APRIL 4, 2003** IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

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

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

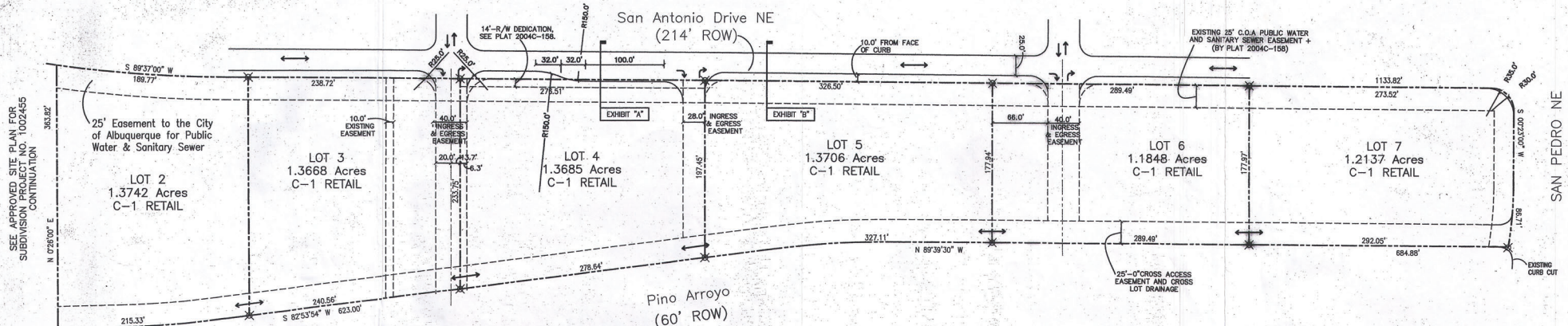
Successful applicants should be aware of the termination provisions for Site Development Plans specified in Section 14-16-3-11 of the Comprehensive Zoning Code. Generally plan approval is terminated 7 years after approval by the EPC

Sincerely,

FOR Victor J. Chavez
Planning Director

VJC/DS/ac

cc: Timothy Ott, 40 Chaco, Los Alamos, NM 87544
Irene Minke, Academy Acres North NA, 6504 Dungan NE, Albuquerque, NM 87109
Roberta Lipman, Academy Acres North NA, 6503 Mendius NE, Albuquerque, NM 87109

EPC



AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION



"The subject property is located on an existing landfill. Due to the subject property being on a landfill, certain precautionary measures may need to be taken to ensure the health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the "Interim Guidelines for Development within City - Designated Landfill Buffer Zones") shall be consulted prior to development of the site."

"THE DEVELOPERS OF THIS SITE ARE REQUIRED TO FOLLOW THE MOST CURRENT VERSION OF THE CITY OF ALBUQUERQUE INTERIM GUIDELINES FOR DEVELOPMENT WITHIN CITY DESIGNATED LANDFILL BUFFER ZONES. A REVIEW AND APPROVAL OF THE SITE PLAN(S), THE PROPOSED CONSTRUCTION, DESIGN DRAWINGS, AND A CERTIFICATION OF CONSTRUCTION WILL BE REQUIRED BY THE ENVIRONMENTAL HEALTH DEPARTMENT (EHD), ENVIRONMENTAL SERVICES DIVISION."

LEGAL DESCRIPTION

LOTS 2 THRU 7
JJ SUBDIVISION
BEING A REPLAT OF TRACT A-3-B,
J GROUP ADDITION, TRACT 1,
NEW HEART CENTER & TRACT 1,
NORTHSIDE SUBDIVISION

WITHIN PROJECTED SECTION 25
TOWNSHIP 11 NORTH, RANGE 3 EAST
NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE
BERNALILLO COUNTY
NEW MEXICO

GENERAL DESIGN CRITERIA:

1. ALL STRUCTURES ON LOTS WILL BE LIMITED TO THE GENERAL CRITERIA DESCRIBED HEREIN.
2. DESIGN OF BUILDING SHALL BE A COMPATIBLE STYLE, MATERIALS AND COLORS THROUGHOUT LOTS 2-7.
3. PARKING WILL NOT EXCEED THE REQUIRED PLUS 10%.
4. ACCESSIBLE (ADA) COMPLIANT PARKING WILL BE LOCATED ADJACENT TO THE MAIN BUILDING ENTRY, AND REQUIRED PARKING SHALL BE DISTRIBUTED ON AT LEAST TWO SIDES OF A BUILDING.
5. ALL SIDEWALKS WILL HAVE A MINIMUM OF 6 FEET CLEAN WALKWAY AREA PROTECTED BY PERMANENT CAR STOPS.
6. FRONT ENTRY SIDEWALK AREAS WILL BE COVERED OR SHADED BY TREES.
7. ALL STRUCTURES SHALL BE CONNECTED BY PEDESTRIAN PATHWAYS PER CITY OF ALBUQUERQUE (COA) REQUIREMENTS AND THRU VEHICULAR AREAS.
8. PATIO AREAS FOR EMPLOYEES WILL BE PROVIDED AND SHADED.
9. BICYCLE RACKS WILL BE PROVIDED PER COA CODE.
10. ALL LANDSCAPING WILL BE PER COA CODE. NO GREATER THAN 20% OF LANDSCAPED AREA WILL BE LOW WATER USE AND ALL APPLICABLE WATER CONSERVATIONS MEASURES REQUIRED AT THE TIME OF BUILDING PERMIT APPLICATION WILL BE ADHERED TO. 80% MINIMUM GROUND COVERAGE WITH LOW WATER USE OF NATIVE PLANTS.
11. SCREEN WALLS WILL NOT TO EXCEED 3'-4" HIGH, AND SHALL MATCH STUCCO COLOR OF BUILDINGS.
12. ALL ROOF TOP OR GROUND LEVEL MECHANICAL UNITS WILL BE PHYSICALLY SCREENED FROM VIEW OR PAINTED TO BLEND WITH SURROUNDING STRUCTURE'S COLOR. ALL ROOF PENETRATIONS WILL MATCH STRUCTURE OR ROOF COLOR.
13. FRONT FACADES WILL BE SHADED BY EITHER THE BUILDING STRUCTURE, CANOPIES, PORTALS, AWNINGS, OR SHADE TREES PLANTED IN A MANNER TO SHADE THERE ENTIRE FRONT FACADE OF THE STRUCTURE.
14. LOADING DOCKS SHALL BE SCREENED BY WALLS, TREES, AND OR STRUCTURE ELEMENTS THAT ARE ARCHITECTURALLY INTEGRATED INTO THE STRUCTURE.
15. ALL REFUSE ENCLOSURES WILL COMPLY WITH COA CODE AND SOLID WASTE REGULATIONS.
16. MONUMENT SIGNS ARCHITECTURALLY INTEGRATED WITH THE STRUCTURE DESIGN WILL NOT EXCEED 10 FEET HIGH OR 75 SQUARE FEET PER SIGN.
17. BUILDING SIGNS SHALL NOT EXCEED 6% OF THE FACADE AREA.
18. SITE AND BUILDING LIGHTING WILL COMPLY WITH COA CODES AND REGULATIONS, FULLY SHIELDED, ONE DESIGN TYPE, FOOTING SHALL MATCH STUCCO COLOR, AND 18'-0" HIGH MAXIMUM.
19. 3'-0" HIGH BOLLARD ILLUMINATION (AT LEAST ONE) AT CURB RAMPS ENTERING A CROSSWALK, BE ONE DESIGN TYPE, FULLY SHIELDED.
20. ALL CROSSWALKS TO BE TEXTURED WITH COLORED CONCRETE OR BRICK PAVING.

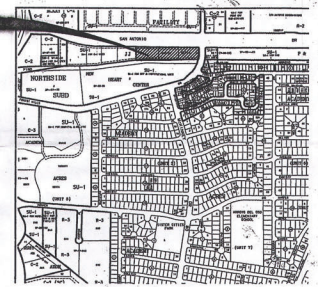
NOTES: LOTS 2 THRU 7

BUILDING HEIGHT NOT TO EXCEED 34 FT.
MAXIMUM FLOOR-AREA RATION: 20.0%
BUILDING MINIMUM SETBACKS:
FRONT: 25.0 FT
SIDE: 5.0 FT
REAR: 5.0 FT

TRAFFIC FLOW NOTES

- TWO WAY INGRESS AND EGRESS TRAFFIC FLOW
- RIGHT TURN ONLY INTO LOT
- RIGHT TURN ONLY OUT OF LOT
- TWO WAY INTERIOR AND CROSS-LOT TRAFFIC FLOW

SITE LOCATION



LOCATION MAP
ZONE ATLAS: E-18-2

PROJECT NUMBER: 1002455
APPLICATION NUMBER: ~~06EPC-0106EPC~~

THIS PLAN IS CONSISTENT WITH THE SPECIFIC SITE DEVELOPMENT PLAN APPROVED BY THE ENVIRONMENTAL PLANNING COMMISSION (EPC) DATE: 10-19-2006 AND THE FINDING SAN CONDITIONS IN THE OFFICIAL NOTIFICATION OF DECISION ARE SATISFIED.

DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

TRAFFIC ENGINEERING, TRANSPORTATION DIVISION
UTILITIES DEVELOPMENT
PARKS AND RECREATIONAL DEPARTMENT
CITY ENGINEER
ENVIRONMENTAL HEALTH DEPARTMENT
SOLID WASTE MANAGEMENT
DRB/CHAIRPERSON, PLANNING DEPARTMENT

DATE: 6-11-08
DATE: 6-11-08
DATE: 6-11-08
DATE: 6-11-08
DATE: 6-11-08
DATE: 6-11-08
DATE: 6-11-08

AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION

1"=60'-0"

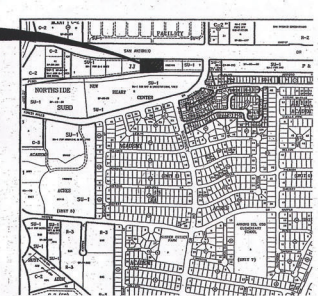
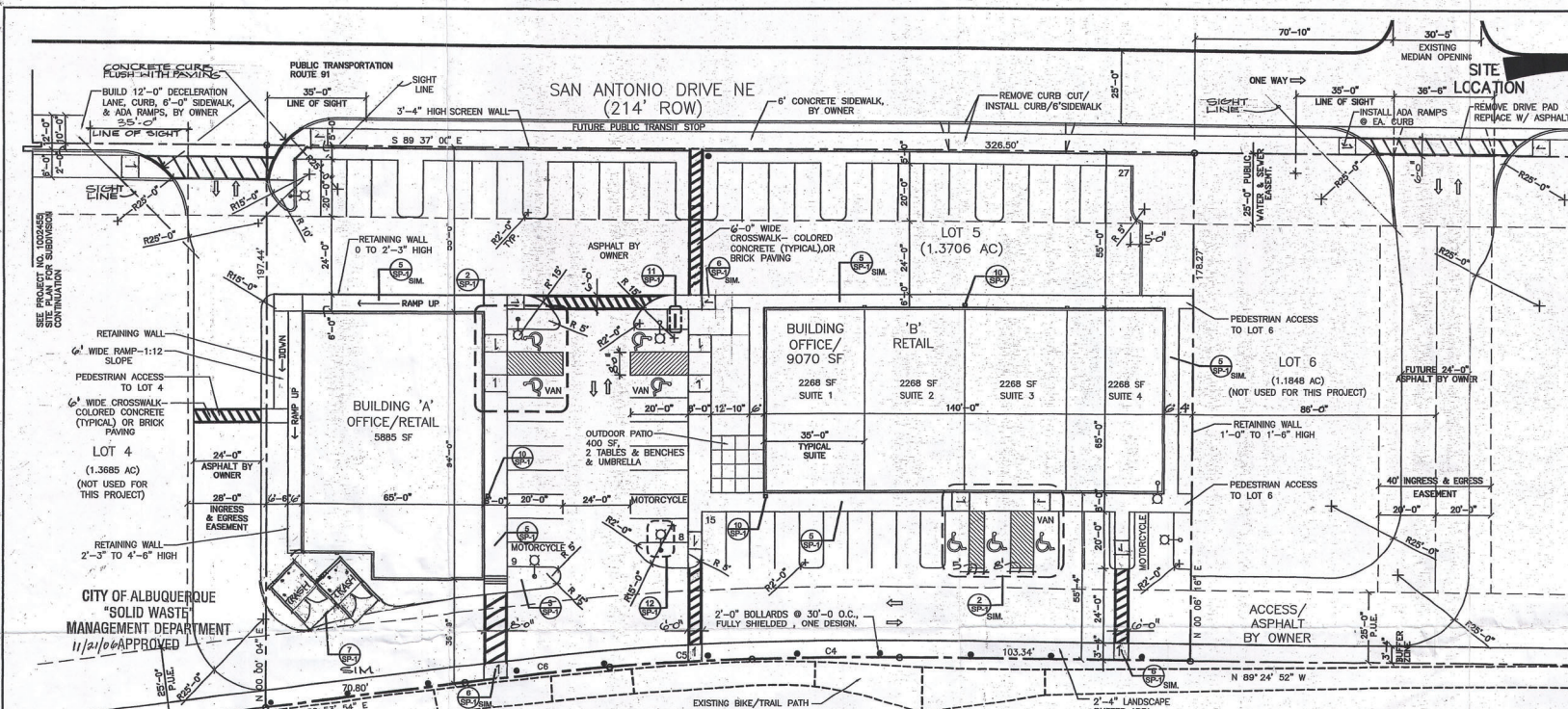
AFRA Construction & Design
2301 Yale Blvd, Suite 102
Albuquerque, New Mexico 87106
Tel 505.988.3128
Tel 505.988.3129

SAN ANTONIO OFFICE & RETAIL
ALBUQUERQUE, NM

REV	DATE	DESCRIPTION	APVD
1			
2			
3			
4			



SD-1
6.9.06



LOCATION MAP

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 EXPERTISE IN LANDFILL AND LANDFILL GAS ISSUES (AS REQUIRED BY THE MOST CURRENT VERSION OF THE INTERIM GUIDELINES FOR DEVELOPMENT WITHIN CITY DESIGNATED LANDFILL BUFFER ZONES) SHALL BE CONSULTED PRIOR TO DEVELOPMENT OF THE SITE.

Marjorie Sanchez
Albuquerque Environmental Health Department

PROJECT NUMBER: 000455
APPLICATION NUMBER: 214 DEAS-011-017

THIS PLAN IS CONSISTENT WITH THE SPECIFIC SITE DEVELOPMENT PLAN APPROVED BY THE ENVIRONMENTAL PLANNING COMMISSION (EPC) DATE 11/21/06 AND THE FINDING IS AN INDICATION IN THE OFFICIAL NOTIFICATION OF DECISION ARE SATISFIED.

DEB SITE DEVELOPMENT PLAN SIGNATURE APPROVAL:

<i>Regina L. Khan</i> TRAFFIC ENGINEERING, TRANSPORTATION DIVISION	6/18/08
<i>Christine Sandoval</i> PARKS AND RECREATION DEPARTMENT	6-18-08
<i>Alfred D. Dant</i> CITY ENGINEER	7-17-08
<i>Jananne Busch</i> ENVIRONMENTAL HEALTH DEPARTMENT	7-17-08
<i>Michael Holten</i> SOLID WASTE MANAGEMENT	11/21/06
<i>Michael Holten</i> DRINCHAMP/PERSON, PLANNING DEPARTMENT	8-7-08

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

SCALE: 1"=20'-0"

AFRA Construction & Design

2901 Yale Blvd. Suite 102
Albuquerque, New Mexico 87106
Tel 505.315.4492

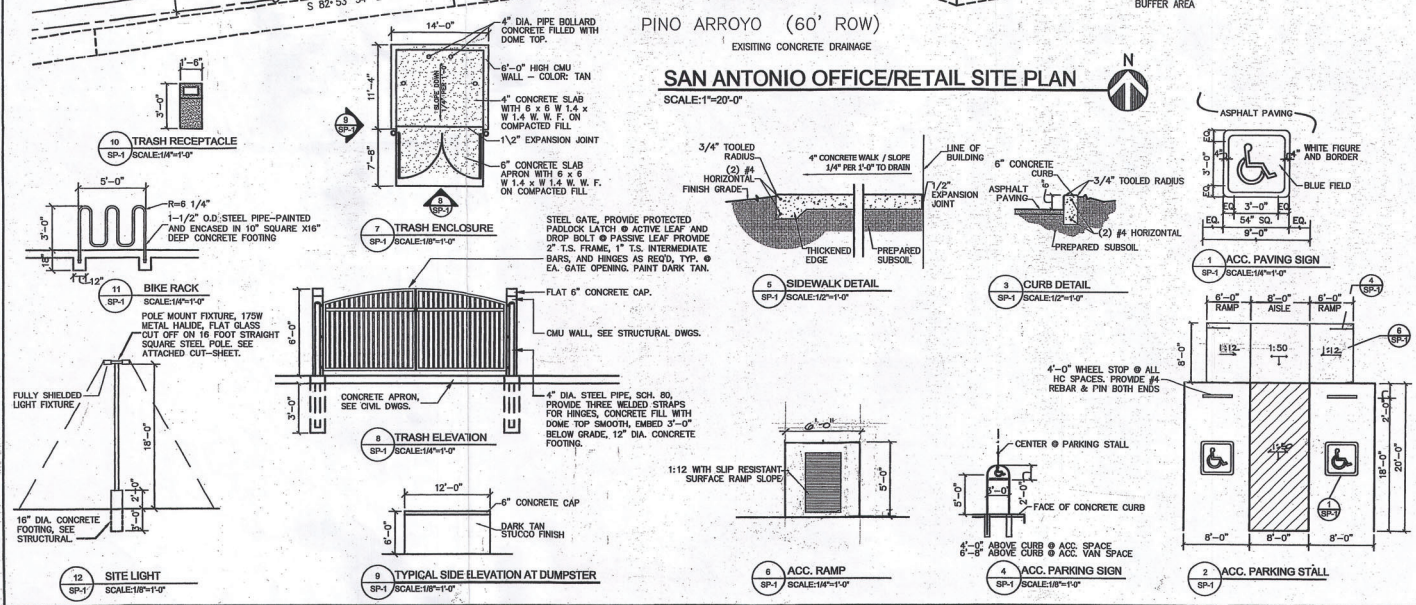
SAN ANTONIO ALBUQUERQUE, NM

REV	DATE	DESCRIPTION	APVD
1	21-08-06		
2			
3			
4			

SP-1
11.15.06

SAN ANTONIO OFFICE/RETAIL SITE PLAN

SCALE: 1"=20'-0"



GENERAL INFORMATION

ALL REQUIRED INFRASTRUCTURE WILL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF ALBUQUERQUE STANDARD SPECIFICATIONS AND DRAWINGS.

DRIVEPADS - EXISTING SIDEWALK COA STD DWG 2430 A & B WHEEL CHAIR RAMP COA STD DWG 2440 AND 2441 PAVEMENT COA STD DWG 2450

THE PROPOSED RETAINING WALLS WILL BE COLORED TO MATCH THE BUILDING STUCCO.

PARKING ANALYSIS

TOTAL GROSS BUILDING AREA = 14,958 SF
TOTAL NET LEASABLE SQ. FT. = 11,957 SF
REQUIRED PARKING SPACES = 60 SPACES
10% FOR BUS ROUTE = 6 SPACES
PROVIDED PARKING SPACES = 60 SPACES
ACCESSIBLE PARKING SPACES REQUIRED = 4 SPACES
ACCESSIBLE PARKING SPACES PROVIDED = 5 SPACES
MOTORCYCLE PARKING SPACES = 2 SPACES

BIKE TABULATION
1 BIKE PER 20 PARKING SPACES
4 BIKE RACKS REQUIRED
4 BIKE RACKS PROVIDED

Fire Access Only
AFD PLANS CHECKING OFFICE
Drawing: 214-0808-001
APPROVED: 4/2/08
SIGNATURE & DATE

GRAPHIC SCALE
0' 5' 10' 20'



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

Date: October 20, 2006

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project # 1002455**
06EPC-00458 EPC Site Development Plan-
Building Permit
06EPC-01076 EPC Site Development Plan-
Subdivision

Douglas W. Simms
2712 Castaneda Dr. NW
Albuq. NM 87107

LEGAL DESCRIPTION: for all or a portion of
Lots 2-7, **JJ Subdivision**, zoned SU-1 for C-1
Uses, located on the south side of SAN
ANTONIO DR., NE, between I-25 and SAN
PEDRO DR. NE, containing approximately 2
acres. (E-18) Carmen Marrone, Staff Planner

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1002455/06EPC 01076, an amendment to a site development plan for subdivision for Lots 2-7, JJ Subdivision, zoned SU-1/C-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request to amend a site development plan for subdivision for **Lots 2-7, JJ Subdivision**, located on the south side of San Antonio Drive NE between I-25 and San Pedro NE. The site development plan for subdivision was approved by the DRB on October of 2003.
2. This site is located on the old San Antonio Landfill. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary.
3. The request involves several amendments to the approved Site Plan for Subdivision including: (a) the removal of several reciprocal access easements straddling the common lot lines of lots 2 through 7; (b) the provision of two new 40' wide cross access easements straddling lots 3 and 4 and lots 5 and 6 to be in line with the median cuts on San Antonio Drive, (c) the provision of a new 28' wide cross access easement straddling lots 4 and 5; (d) the inclusion of a deceleration lane along San Antonio Drive at the request of the City Traffic Engineering Division, (e) the modification of the design criterion limiting parking in front of a building to no more than 25% of a site's required parking; (f) establishment of wall height limitations; and (g) additional lighting requirements.

4. The proposed amendments to the Site Plan for Subdivision will facilitate development of the site in a more reasonable manner by providing improved access to the site. In addition, the proposed amendments will improve the quality of development on the site by providing additional design guidelines that require compatible site elements. (*Comp Plan Policies II.B.5.d and II.B.5.l*)
5. The Rank II *Facility Plan for Arroyos* governs this site. A multi-purpose trail is located south of the site within the Pino Arroyo. The request furthers the design guidelines of the *Facility Plan for Arroyos* by linking the subject site to the arroyo trail (*Parking and Service Areas Policy 3*).
6. Both the *Academy Acres North* and *Albuquerque Meadows* Neighborhood Associations were notified of this project. No comments were received from either association.
7. There is no known opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to an application for final DRB sign-off, the applicant shall meet with the staff planner to ensure that all conditions of approval are satisfactorily met.
3. Development of this site is required to follow the most current version of the Interim Guidelines for Development within City Designated Landfill Buffer Zones. Approval of the Site Development Plan will be required by the Environmental Health Department.
4. Delete the word "Proposed" in the title "Proposed General Design Criteria"
5. The fourth design regulation shall be replaced with the following language: "Required parking shall be distributed on at least two sides of a building."
6. Provide additional design criteria requiring compatible building style, materials and colors throughout lots 2-7.
7. Provide additional design criteria requiring consistent parking lot screening along San Antonio.
8. Lighting regulations shall include language requiring design and height consistency. On-site light poles shall be limited to 18 feet in height.

9. Provide additional design criteria requiring all crosswalks to be textured with colored concrete or brick paving.
10. CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Delete note on site plan that states, "future sidewalk by City of Albuquerque". Sidewalk is the developer's responsibility and will be constructed as required.
 - d. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - e. The developer will need to define and provide cross access from the proposed west site drive across lot four to lot five, as shown on the site plan. This is in addition, to the proposed north/south access easements that cross lots four and six linking San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - f. Direct access to lot five from lot six via the existing east drive cut, as shown on the site plan, is not permitted. Delete 24' drive aisle on lot six, as shown on the site plan, and provide a five-foot keyway on lot five at property line (end of drive aisle). Access to lot five across lot six will be via the proposed north/south access easement that links San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - g. Proposed site drive and existing drive cut to be 36' to 40' wide with 25' to 30' curb return radii.
 - h. North/south access easements across lot four and lot six to be paved/improved. Twenty-five foot east/west access easement, south side of property adjacent to site, to be paved/improved.
 - i. Construction of right turn deceleration lane at proposed west site drive required. Length to be determined per TIS and DPM.
 - j. Site plan shall comply and be designed per DPM Standards.

On October 19, 2006 the Environmental Planning Commission voted to approve Project 1002455/06EPC 00458, a site development plan for building permit for Lot 5, JJ Subdivision, zoned SU-1/C-1, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. This is a request for approval of a site development plan for building permit purposes on 1.3706-acre tract identified as **Lot 5, JJ Subdivision**, for the construction of a neighborhood commercial/retail center with a gross building area of +/-14,958 square feet. This development request was deferred at the May 18 and June 15, 2006 public hearings of the Environmental planning Commission at the request of the applicant.
2. The subject site is part of an overall 7-lot site plan for subdivision that received DRB approval in October of 2003. A site plan for building permit to accommodate the construction of a state office building on Lot 1 was approved in conjunction with the site development plan for subdivision (03EPC.00148). The design of this building was not intended to serve as the architectural anchor for the remainder of development within the overall subdivision. This current application constitutes the second development request within the overall subdivision.
3. This site is located on the old San Antonio Landfill. Development of this site is dependant on the applicant's cooperation with the Environmental Health Department's requirements regarding developing on a landfill site. Environmental Health has submitted a letter concerning this issue and the applicant is required to work with this department to submit mitigation measures if necessary.
4. The request furthers several Established Urban goals and policies of the *Comprehensive Plan*:
 - a. The site plan review process plays a crucial role in maintaining area values, ensuring a safe, visually amenable, and integral development and provides the opportunity for affected property owners to participate and offer input relative to the proposed development of the property (*Policies d, k, l and m*).
 - b. The project site is contiguous to existing municipal services, and the applicant will be responsible for any necessary public improvements and utility extensions (*Policies e, and p*).
 - c. The proposed development is located in an existing commercially zoned area and will provide a reasonable level of goods, services and employment that will not have an adverse effect on residential environments (*Policies i and j*).
5. The request furthers Comprehensive Plan Transportation/Transit *Policies II.D.4.g and II.D.4.h* because the applicant will be responsible for the development of any necessary bicycle lanes and connections to existing multi-purpose public trails in order to provide both connectivity between non-residential and residential uses and alternative mobility.
6. The Rank II *Facility Plan for Arroyos* governs this site. A multi-purpose trail is located south of the site within the Pino Arroyo. The request furthers the design guidelines of the *Facility Plan for Arroyos* by orienting windows and entrances to the arroyo trail and by linking the subject site to the arroyo trail (*Orientation Policy 1.b and Parking and Service Areas Policy 3*).

7. Both the *Academy Acres North* and *Albuquerque Meadows* Neighborhood Associations were notified of this project. No comments were received from either association.
8. There is no known opposition to this request.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to an application for final DRB sign-off, the applicant shall meet with the staff planner to ensure that all conditions of approval are satisfactorily met.
3. Label Sheet SP.1 "Site Development Plan for Building Permit".
4. Provide details on sign illumination.
5. Landscaping:
 - a. The final landscape plan shall also include heavier emphasis upon native re-vegetation that will attain a minimum 80% ground coverage by living materials and rely less upon Santa Fe brown gravel ground coverage.
 - b. Walkways shall remain clear of vegetation. Some vegetation will need to be removed from the walkways connecting to the Pino Arroyo trail.
 - c. Honey Locust shall be the shade master of variety.
 - d. Use Hall Honeysuckle on the east side and an upright variety of Rosemary such as Tucson Blue.
6. The applicant shall adhere to the most current version of the *Interim Guidelines for Development within City-designated Landfill Buffer Zones*. A review and approval of the site plan, proposed construction, design drawings and a certification of construction will be required by the City's Environmental Health Department, Environmental Services Division.
7. Relocate the outdoor patio on the east side of Building B to the southwest corner of Building B and move Building B further east on the site. Provide additional landscaping on the east side of Building B.

8. CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:
- a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan for subdivision. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Delete note on site plan that states, "future sidewalk by City of Albuquerque". Sidewalk is the developer's responsibility and will be constructed as required.
 - d. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - e. The developer will need to define and provide cross access from the proposed west site drive across lot four to lot five, as shown on the site plan. This is in addition, to the proposed north/south access easements that cross lots four and six linking San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - f. Direct access to lot five from lot six via the existing east drive cut, as shown on the site plan, is not permitted. Delete 24' drive aisle on lot six, as shown on the site plan, and provide a five-foot keyway on lot five at property line (end of drive aisle). Access to lot five across lot six will be via the proposed north/south access easement that links San Antonio Drive with the existing 25' east/west cross access easement and cross lot drainage easement on the south side of the site.
 - g. Proposed site drive and existing drive cut to be 36' to 40' wide with 25' to 30' curb return radii.
 - h. North/south access easements across lot four and lot six to be paved/improved. Twenty-five foot east/west access easement, south side of property adjacent to site, to be paved/improved.
 - i. Construction of right turn deceleration lane at proposed west site drive required. Length to be determined per TIS and DPM.
 - j. Site plan shall comply and be designed per DPM Standards.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY NOVEMBER 3, 2006 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC's DECISION.

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

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

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

Sincerely,


for Richard Dineen
Planning Director

RD/CM/ac

cc: Tafazzul Hussain, 2501 Yale Blvd. SE, Ste 102, Albuquerque, NM 87106
Irene Minke, Academy Acres NA, 6504 Dungan, NE, Albuquerque, NM 87109
Jody Lynch, Academy Acres NA, PO Box 94387, Albuquerque, NM 87199
Dick Schlaefel, Albuquerque Meadows NA, 7112-148 Pan American Frwy, NE, Albuquerque, NM 87109
Douglas Berry, Albuquerque Meadows NA, 7112-102 Pan American Frwy, NE, Albuquerque, NM 87109



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

Date: July 25, 2008

OFFICIAL NOTIFICATION OF DECISION

FILE: **Project# 1002455**
08EPC-40045 SITE DEVELOPMENT -
BUILDG PRMT
08EPC-40046 AMEND SITE DEVELOPMENT
PLAN - SUBDVN

Timothy Ott
5620 Venice NE, Suite G
Albuq. NM 87113

LEGAL DESCRIPTION: for all or a portion of
lots 2 & 3, subdivision JJ zoned SU-1 for C-1
located on SAN ANTONIO NE BETWEEN SAN
PEDRO NE AND I-25 containing approximately
2.75 acres. (E-18) Carol Toffaleti, Staff Planner

On July 24, 2008 the Environmental Planning Commission voted to approve Project 1002455/ 08EPC 40046, an Amendment to a Site Development Plan for Subdivision, for Lots 2 - 7, JJ Subdivision, zoned SU-1 for C-1 uses, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. The request is to amend the site development plan for subdivision for Lots 2-7, JJ Subdivision approved by the EPC in 2006 (#1002455, 06EPC-01076, 10/19/2006, 06DRB-01648, 6/11/08). The subject site is located on the south side of San Antonio Dr. between I-25 and San Pedro Dr..
2. The request is accompanied by a site development plan for building permit for Lots 2 and 3 to construct an office building for lease to a New Mexico state agency (#1002455, 08EPC-40045).
3. The subject site is part of a 7-lot site development plan for subdivision (SDPS) of approximately 10 acres zoned SU-1 for C-1 uses, that was approved by the EPC in 2003 (#1002455, 03EPC-00147, 3/20/2003, signed off by DRB on 10/29/03). In conjunction with the SDPS, a site development plan for building permit was approved for a state office building on Lot 1 (#1002455, 03EPC-00148, 3/20/2003, 04DRB-00984, 9/28/04).
4. Lots 1 and 2 of the JJ Subdivision are currently under single ownership.

5. The subject site lies above the former San Antonio municipal landfill. A Master Landfill Gas Evaluation and Abatement System Plan for the Proposed Subdivision at I-25 and San Antonio Boulevard, Lots A-3-B-1 through 7, dated July 18, 2003, was prepared for the applicant.
6. A TIS dated May 2003 was submitted to the City for Lots 1-7, JJ Subdivision, based on office use on Lot 1 and a retail center on Lots 2-7.
7. The proposed amendments to the 2006 SDPS consist of: the proposed use for office on Lots 2 and 3; a new deceleration lane on San Antonio Dr. and 25'-wide access easement between Lots 2 and 3; vacation of the lot line between Lots 2 and 3 to form a single parcel; and changes to the General Design Criteria governing Lots 2 - 7. The latter concern which lots must demonstrate compatibility of design, the percentage of live vegetative ground cover and typographical errors.
8. The City Forester and the City's Environmental Services Division have discussed adjustments to standard street tree and landscaping requirements due to the site's location over a landfill, which requires lining and maximum depths of landscaped areas. Trees and shrubs may be installed in clusters or a serpentine pattern without necessarily achieving 75% live ground cover of landscaped beds in all areas of the site. Infiltration of rainwater into landscaped beds is allowed, where they are fully lined and plants are selected to withstand poor drainage.
9. The proposed amendment to the site development plan for subdivision furthers the following applicable goals and policies of the Comprehensive Plan:
 - a. Established Urban Area Policy II.B.5.k, because the site layout adjacent to a minor arterial includes a deceleration lane and an access easement that aligns with the median cut of the roadway, which improve access to the subdivision for motorists and minimizes harmful effects on traffic flows and safety.
 - b. The Water Quality Goal and Policies II.C.2.a and II.C.2.c, because it refers to compliance with the current version of the Interim Guidelines for Development within City-designated Landfill Buffer Zones, which prevent groundwater contamination from stormwater runoff and irrigation water.
10. Neighboring property-owners, the Academy Acres North Neighborhood Association and the Albuquerque Meadows Residents' Association were notified of the proposal. No facilitated meeting was held. No comments were received and there is no known opposition to the proposal.

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JULY 24, 2008

PROJECT #1002455

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CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - d. Locate full access ingress and egress easements at San Antonio median openings. Improvements to easement required (i.e. paving, curbing, etc.). Includes a physical connection to San Antonio (i.e. 36' wide site drive).
 - e. Right turn deceleration lane to be constructed per DPM requirements.
 - f. A concurrent platting action will be required at DRB.
 - g. Site plan shall comply and be designed per DPM Standards.
4. The amended site development plan for subdivision shall indicate the correct zoning designation, i.e. SU-1 for C-1 uses.
5. The proposed pedestrian link on Lot 1 shall be reviewed and approved administratively prior to DRB sign-off of this amended site development plan for subdivision.
6. Design criterion #2 shall require design compatibility between Lots 2 – 7.

7. Design criterion #10 shall also refer to compliance with the landfill gas abatement plan for the site.
8. The typographical errors shall be corrected.
9. The first paragraph on sheet SD1 shall be put on the current site development plan (sheet SDP).
10. A "cloud" shall be put around any design criteria that have been amended on the 2006 Site Development Plan for Subdivision.

On July 24, 2008 the Environmental Planning Commission voted to approve Project 1002455/ 08EPC 08EPC 40045, a Site Development Plan for Building Permit, for Lots 2 and 3, JJ Subdivision, zoned SU-1 for C-1 uses, based on the following Findings and subject to the following Conditions:

FINDINGS:

1. The request is for a site development plan for building permit for Lots 2 and 3, JJ Subdivision, a site of approximately 2.73-acres, zoned SU-1 for C-1 uses and located on the south side of San Antonio Dr. between I-25 and San Pedro Dr.. A two-story office building with a total square footage of 33,734 sf is proposed, which will house a NM state agency.
2. The request is accompanied by an amendment to the 2006 site development plan for subdivision (#1002455, 08EPC-40046).
3. The subject site is part of a 7-lot site development plan for subdivision (SDPS) zoned SU-1 for C-1 uses, that was approved by the EPC in 2003 (#1002455, 03EPC-00147, 3/20/2003, signed off at DRB 10/29/03). In conjunction with the SDPS, a site development plan for building permit was approved for a state office building on Lot 1 (#1002455, 03EPC-00148, 3/20/2003, 04DRB-00984, 9/28/04).
4. The subject site lies above the former San Antonio municipal landfill. A Master Landfill Gas Evaluation and Abatement System Plan for the Proposed Subdivision at I-25 and San Antonio Boulevard, Lots A-3-B-1 through 7, dated July 18, 2003, was prepared for the applicant.
5. The City Forester and the City's Environmental Services Division have discussed adjustments to standard street tree and landscaping requirements due to the site's location over a landfill, which requires lining and maximum depths of landscaped areas. Trees and shrubs may be installed in clusters or a serpentine pattern without necessarily achieving 75% live ground cover of landscaped beds in all areas of the site. Infiltration of rainwater into landscaped beds is allowed, where they are fully lined and plants are selected to withstand poor drainage.

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JULY 24, 2008

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6. A TIS dated May 2003 was submitted to the City for Lots 1-7, JJ Subdivision, based on office use on Lot 1 and a retail center on the remaining Lots 2-7.
7. The proposal furthers the following applicable goals and policies of the Comprehensive Plan:
 - a. Established Urban Area (EUA) Policy II.B.5.e: the subject site is vacant land contiguous to existing public infrastructure and facilities.
 - b. EUA Policy II.B.5.i: the employment and government service uses are sited at a considerable distance (approximately 240') from the nearest residential zone with direct access from a minor arterial street, which will minimize potential adverse effects on residential environments.
 - c. EUA Policy II.B.5.k: a deceleration lane is provided on the adjoining arterial, which will minimize harmful effects of trips generated by the development on traffic flows and safety on the arterial.
 - d. EUA Policy II.B.5.l: the architecture of the office building uses quality materials in earth tones and the contemporary style is compatible with other commercial buildings in the area.
 - e. EUA Policy II.B.5.m: the architecture and landscape design will improve the visual quality of a vacant site on a former landfill.
 - f. EUA Policy II.B.5.p, because the proposed redevelopment of 2.73 acres of a former municipal landfill will be accomplished through private investment and be cost-effective for the City.
 - g. Open Space Network Policy II.B.1.f, and Transportation and Transit Policies II.D.4.g and II.D.4.h: the development extends the sidewalk on San Antonio Dr. and provides pedestrian access to the South Pino Arroyo trail and safe and convenient internal walkways.
 - h. Transportation and Transit Policy II.D.4.d: the number of driveways is limited to two on an arterial frontage of more than 400', and one of the driveways will be shared with adjoining lots.
8. The proposal furthers General Policies 5 and 6, and Design Guidelines for Adjacent Development / Orientation Policy 1 of the Facility Plan for Arroyos (FPA) and Access standard of the Trails and Bikeways Facilities Plan (TBFP), because the site development plan provides a pedestrian connection to the South Pino Arroyo Trail and the two-storied office development has windows and an employee patio facing the arroyo right-of-way.
9. Neighboring property-owners, the Academy Acres North Neighborhood Association and the Albuquerque Meadows Residents' Association were notified of the proposal. No facilitated meeting was held. No comments were received and there is no known opposition to the proposal.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - c. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - d. Locate full access ingress and egress easements at San Antonio median openings. Improvements to easement required (i.e. paving, curbing, etc.). Includes a physical connection to San Antonio (i.e. 36' wide site drive).
 - e. Right turn deceleration lane to be constructed per DPM requirements.
 - f. A concurrent platting action will be required at DRB.
 - g. Site plan shall comply and be designed per DPM Standards.
4. There is the potential for above-named project to be impacted by the presence of landfill gas generated by a former City owned/operated landfill (San Antonio Landfill). The developers of this site are required to follow the most current version of the City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones. A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department (EHD), Environmental Services Division. The developers of this site are also required to follow the Master Landfill Gas Evaluation and Abatement System Plan for the Proposed Subdivision at I-25 and San Antonio Boulevard, Lots A-3-B-1 through 7, dated July 18, 2003, prepared for Mr.. Tim Ott, ISBS LLC, 40 Chaco, Los Alamos, NM 87544, by Lawrence Earth Engineering.
5. Site Plan Layout / Configuration: All structural elements shall be labeled or keyed, including the building projections and shading walls.
6. Parking:
 - a. Replace the easternmost handicapped space with a standard parking space, as it is not wide enough to serve as a handicapped space and is in excess of requirements, and adjust the parking calculations accordingly. The remainder of the handicapped spaces shall be adjusted per the Zoning Code;

- b. Indicate that the 6 spaces north of the refuse and recycling enclosures are compact spaces (8' wide);
- c. Eliminate the easternmost 1 or 2 motorcycle spaces, which are in excess of requirements, to accommodate the proposed fire hydrant and pedestrian link.

7. Pedestrian access and circulation

- a. The legend and site layout shall indicate that the material of crosswalks only, not sidewalks and walkways, is textured and colored concrete to match Lot 1.
- b. Indicate a curb around the perimeter of the walkway that surrounds the building.
- c. Relocate the arroyo access to the west side, adjacent to and accessible from the patio.

8. Lighting – Bollard lighting shall be added at both ends of the crosswalk to the South Pino Arroyo Trail.

9. Landscaping:

- a. Tree placement shall be coordinated with the lighting and signage plan, and with utility and PNM lines.
- b. Tree planting detail: The root collar shall be placed at finish grade. Staking should only be used if necessary and shall use fabric (arbor tie or similar) material, no wire (see attached drawing).
- c. The plant list shall *exclude* Aesculus Hippocastanum, Abies concolor, Picea Abies and Juniperus Virginiana. It shall *include*:
 - 'Sensation' Box Elder
 - Honey Locust
 - Scholar Tree
 - Tree Lilac - not a shade tree
 - Ornamental Apple - not a shade tree
 - Sumac - Not a shade tree
 - Cotoneaster - shrub
 - Fernbush – shrubTree sizes shall be the actual expected in Albuquerque.

d. Plants/trees from the following list shall be used in areas that are found to hold water:

- Bald Cypress
- Dawn Redwood
- Sycamore
- Hackberry
- Maple
- Western Redbud
- Crape Myrtle
- Butterfly bush – shrub

- Lilac – shrub
 - Spirea – shrub
- e. A more detailed description of the proposed drip irrigation shall be provided, including the number of emitters, flow rates and runtime to establish and maintain trees and shrubs.
- f. The species used to screen the refuse and recycling enclosures shall be evergreen.
- g. The landscape buffer along San Antonio Dr. shall be as continuous as possible, but shrubs shall be planted between 3' and 5' from tree trunks, and consist of evergreen shrubs in order to screen parked cars, per Section 14-16-3-1 (F)(4) of the Zoning Code.
- h. A note shall state that the landscaped beds between rows of parking east of the building are depressed to allow storm runoff to infiltrate.
10. The easement along the south boundary of the site shall be fully labeled as a *25' cross-access and cross-lot drainage easement* on all sheets of the site development plan for building permit.
11. The location of the proposed underground or overhead distribution lines shall be indicated on all sheets of the site development plan for building permit.
12. Architecture:
- a. Redesign the shading walls on the west and south facades so that they do not obstruct windows, shade more of the building surface and are harmonious with the architecture of the building.
 - b. Indicate the material and common colors of all the structural elements, including window frames, shading walls and patio structure.
 - c. The detail of the refuse and recycling enclosures shall match the site plan layout and include gates. The material and color of walls and gates shall match those used in the building.
 - d. Add a note stating that roof top or ground mounted equipment shall be screened from view or painted to match adjacent structure, per Design Criterion 11 of the amended SDP for Subdivision.
13. Signage:
- a. The monument sign shall be shown perpendicular to San Antonio Dr. on the site development plan.
 - b. The location of the wall sign shall be indicated on the north façade and the sign face shall be dimensioned to fit.
 - c. The color, material and size of the lettering of the wall sign shall be indicated, to ensure its legibility and compatibility with the building design. A minimum of 50% contrast shall be achieved between the graphics and background.
14. The typographical errors shall be corrected.


PROTEST: IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION, WHICH IS BY AUGUST 8, 2008.

APPEAL: IF YOU WISH TO APPEAL A FINAL DECISION, YOU MUST DO SO BY AUGUST 8, 2008 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED.

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

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

Sincerely,

Richard Dineen
Planning Director

RD/CT/ac

cc: Jody Lynch, Academy Acres North NA, P.O. Box 94387, Albuquerque, NM 87199
Irene Minke, Academy Acres North NA, 6504 Dungan NE, Albuquerque, NM 87109
Sharen Johnson, Meadows Residents Assoc., 7112 Pan American Frwy NE, #301, Albuquerque, NM 87109
Betty Skelly, Meadows Residents Assoc., 7112 Pan American Frwy NE, #240, Albuquerque, NM 87109

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION

600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

April 10, 2015

Stroup Co.
5343 Wyoming Boulevard NE
Albuquerque, NM 87109

Project# 1002455
15EPC-40010 Amendment to Zone Map (Zone Change)

LEGAL DESCRIPTION:

The above action for all or a portion of Lot 5-A Plat for Lots 4-A, 5-A, 6-A & 7-A, JJ Subdivision zoned SU-1 for C-1 Uses to SU-1 for C-2 Uses, located on San Antonio Dr. NE, between San Pedro Dr. NE and I-25, containing approximately 1.4 acres. (E-18)
Staff Planner: Vicente Quevedo

PO Box 1293

Albuquerque

On April 9, 2015, the Environmental Planning Commission (EPC) voted to Approve Project# 1002455, an Amendment to Zone Map (Establish Zoning/Zone Change), based on the following findings:

- New Mexico 87103
1. This is a request for a Zone Map Amendment (Zone Change) for Lot 5-A Plat for Lots 4-A, 5-A, 6-A & 7-A, JJ Subdivision located on San Antonio Dr. NE, between San Pedro DR. NE and I-25 and containing approximately 1.4 acres.
- www.cabq.gov
2. The subject site is currently zoned SU-1 for C-1 Uses (Neighborhood Commercial). The request is for a change to SU-1 for C-2 Uses zoning (Community Commercial). While the existing zoning will allow for retail and commercial uses, the C-1 zone restricts the sale of alcoholic beverages for off-premise consumption.
3. An approved request for a Zone Map Amendment from SU-1 for C-1 Uses to SU-1 for C-2 Uses would allow for permissive and conditional uses listed within the C-2 zone on the subject site.
4. The subject site is part of a site development plan for subdivision of approximately 10 acres for an office/retail center on lots 1 – 7 that was approved by the EPC in 2003 (03EPC-00147). In October of 2006 the EPC approved a site development plan for

OFFICIAL NOTICE OF DECISION

Project #1002455

April 9, 2015

Page 2 of 8

building permit for a neighborhood commercial/retail center of approximately 15,000 sf for the subject site (06EPC-00458). The subject site currently contains two separate vacant commercial buildings.

5. The City operated a municipal landfill between 1968 and 1970 on the site and on adjoining tracts. As a result of the subject site's location over the abandoned landfill, development was subject to regulations administered by the Environmental Health Department. Mitigation measures have already been taken in order to develop the existing buildings on the subject site.

The site was converted from SU-1 for C-1 Permissive Uses to its present SU-1 for C-1 Uses in 1993 (Z-93-3). While the files for Z-93-3 are missing from the City's record, Planning Staff was able to confirm that the zone map amendment was officially recorded in 1993 per a staff review of the City of Albuquerque Zoning Atlas dated July 1, 1993 (E-18-Z).

6. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, Trails & Bikeways Facility Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

7. The subject site is within the Established Urban Area of the Comprehensive Plan. The request furthers the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.d.: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

The uses surrounding the subject site are compatible with the future use proposed within this application. Staff agrees that the proposed tap room and brewery use respects existing neighborhood values by creating a space for residents to convene for recreational purposes. The request furthers Policy II.B.5.d.

- B. Policy II.B.5.e.: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The request is for new growth in an area where vacant land is contiguous to existing or programmed urban facilities and services, and the integrity of existing neighborhoods can be ensured as the proposed use will occur on a site that contains appropriate buffers as well as trail access for pedestrians. The request furthers Policy II.B.5.e.

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- C. Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The potential employment opportunities that the proposed microbrewery would create sufficiently compliment the residential uses in the nearby neighborhood. The request furthers Policy II.B.5.i.

- D. Policy II.B.5.k.: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

The subject site is adjacent to a minor arterial street (San Antonio Dr.) and the existing commercial buildings were found by the EPC in 2006 to be planned in a way so as to minimize any potential harmful effects on the surrounding established neighborhoods. Therefore, the request furthers Policy II.B.5.k.

- E. Policy II.B.5.l.: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

Staff agrees that the existing building has already been approved to ensure conformance with City plans and policies, and that the building design is appropriate to the Plan area which is Established Urban. The request furthers Policy II.B.5.l.

- F. Policy II.B.5.o.: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The proposal to rehabilitate existing buildings into a space that provides employment opportunities and a community gathering space on a site where the existing buildings are currently vacant demonstrates redevelopment efforts that strengthen the surrounding/ established residential area. The request furthers Policy II.B.5.o.

- G. Policy II.B.5.p.: Cost-effective redevelopment techniques shall be developed and utilized.

The proposed use will take place on a previously approved commercial site that contains two existing vacant commercial buildings which constitutes a cost-effective redevelopment technique. The request furthers Policy II.B.5.p.

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Project #1002455

April 9, 2015

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- H. Solid Waste: The goal is an economical and environmentally sound method of solid waste disposal which utilizes the energy content and material value of municipal solid waste. Applicable policies include:
- Policy II.C.3.e.: Landfills shall be designed and engineered in accordance with their ultimate use, improving the land's open space or reuse potential where needed and appropriate.

The request seeks to increase the reuse potential of the currently vacant commercial buildings on the subject site. Therefore, the request furthers Policy II.C.3.e.

- I. Economic Development: The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals. Applicable policies include:

Policy II.D.6.b.: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The request furthers Policy II.D.6.b.- local business and recruitment, because it would contribute to the development of a local business.

Policy II.D.6.d.: Tourism shall be promoted.

The current microbrewery trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

8. The request partially furthers the following applicable goals and policies of the Comprehensive Plan:

- A. Policy II.B.5.i.: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:
- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
 - In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

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Project #1002455

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- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

The proposed use will be located in an existing commercially zoned area and the approved site development plan currently includes pedestrian and bicycle access to the nearby Pino Arroyo Trail (a paved multi-use trail). However, the applicant has argued that the requested zoning and land uses are more appropriate based on a "community emphasis" rather than a "neighborhood emphasis". Therefore, the request partially furthers Policy II.B.5.j.

9. The request is in general compliance with the following applicable goals and policies of the Facility Plan for Arroyos:
 - A. The approved site development plan for building permit for the subject site was evaluated against the requirements of the Facility Plan for Arroyos at the time that the site development plan for building permit was reviewed and approved by the EPC. Items considered that pertained to the development of the vacant site focused on encouraging development within a quarter mile of the arroyo, trail access for pedestrians, and design guidelines promoting a "highly visible and extensively used network of recreational trails adjacent to arroyos (pg. 55)". No additional analysis is required related to the present request for a zone map amendment.
10. The request is in general compliance with the following applicable goals and policies of the Trails and Bikeways Facility Plan:
 - A. The approved site development plan for building permit for the subject site was required to comply with the policies and standards of the Trails & Bikeways Facility Plan and currently includes bicycle and pedestrian access points to the Pino Arroyo paved multi-use trail south of the subject site. No additional analysis is required related to the present request for a zone map amendment.
11. Approval of the request would support several Rank I and II plan policies regarding increasing the reuse potential of a vacated municipal landfill site, promoting tourism and helping expand local employment opportunities.
12. The proposed use will be appropriately located in an existing commercially zoned area and will not negatively impact the surrounding residential areas located to the north and south from the subject site because the site is buffered by San Antonio Drive, the Pino

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Arroyo and other non-residential uses allowing for sufficient separation between the requested C-2 uses and residential development.

13. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:
 - A. Staff agrees that the cited Comprehensive Plan policies support the statement that the request is consistent with the health, safety, and morals of the city.
 - B. The SU-1 designation constitutes the applicable zoning designation per the Zoning Code which will not change. Additionally, the proposed change from C-1 to C-2 designation still constitutes commercial land uses. Therefore, staff agrees that the request still ensures land use and zoning stability.
 - C. The request is generally consistent with several goals and policies of the applicable plans (see Finding 5 - 8).
 - D. Staff agrees that the request furthers Comprehensive Plan policies related to cost-effective redevelopment techniques (II.B.5.p.) and increasing a landfill's reuse potential (II.C.3.e.), and that there is a public need for increased community commercial activity and services in this part of Albuquerque.
 - E. Staff agrees that the Pino Arroyo provides an adequate buffer along the south edge of the subject site and that the SU-1 designation provides enough regulatory oversight by the EPC regarding any potential future major changes to the site development plan for building permit.
 - F. Staff agrees that approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure.
 - G. Staff agrees that the cost of land or other economic considerations are not the sole determining factor for the change of zone.
 - H. Staff agrees that the request is not being justified based solely on the sites location on a major roadway.
 - I. Staff agrees that the request does not constitute a spot zone as approval of the request will still maintain the special use zoning designation that will continue to be site plan controlled.
 - J. Staff agrees that the requested zone map amendment will not result in a strip zone.
14. The Academy Acres North Neighborhood Association, Albuquerque Meadows Resident's Association and District 4 Coalition of Neighborhood Associations along with

OFFICIAL NOTICE OF DECISION

Project #1002455

April 9, 2015

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property owners with 100 feet were notified of this request. A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **APRIL 24, 2015**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

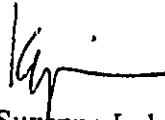
ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

OFFICIAL NOTICE OF DECISION
Project #1002455
April 9, 2015
Page 8 of 8

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


for Suzanne Lubar
Planning Director

SL/VQ

cc: Stroup Co., 5343 Wyoming Blvd NE, Albuquerque, NM 87109
Consensus Planning, Inc., 302 Eight Street NW, Albuquerque, NM 87102
Jacob Tellier, P.O. Box 90181, Albuquerque, NM 87199
Irene Minke, P.O. Box 90181, Albuquerque, NM 87199
Mary Jo Valley, 7112-26 Pan American Frwy. NE, Albuquerque, NM 87109
Bob Stetson, 7112-154 Pan American Frwy. NE, Albuquerque, NM 87109
Michael Pridham, 6413 Northland Ave. NE, Albuquerque, NM 87109
Peggy Neff, 8305 Calle Soquella NE, Albuquerque, NM 87113

CURRENT ZONING

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

PROPOSED ZONING

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

APPLICANT INFORMATION



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

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

APPLICATION INFORMATION

Applicant: San Antonio Commons LLC		Phone: 505-764-9801
Address: 5600 WYOMING BLVD NE SUITE 180		Email: fishman@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87109
Professional/Agent (if any): Consensus Planning		Phone: 505-764-9801
Address: 302 8th St NW		Email: fishman@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87104
Proprietary Interest in Site:		List <u>all</u> owners:

BRIEF DESCRIPTION OF REQUEST

This is a request for a Zoning Map Amendment for the subject property from MX-L to MX-M.

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

Lot or Tract No.: 7A1 / 4A	Block: 0000 / 0000	Unit:
Subdivision/Addition: JJ / JJ	MRGCD Map No.:	UPC Code: 101806223850320146 / 101806215950320143
Zone Atlas Page(s): E-18	Existing Zoning: MX-L	Proposed Zoning: MX-M
# of Existing Lots: 1	# of Proposed Lots:	Total Area of Site (acres): 3.34

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 99999 San Antonio Dr NE & 99999 San Antonio Dr NE	Between:	and:
--	----------	------

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

1002455;

Signature:	Date: October 7, 2021
Printed Name: Jacqueline Fishman	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

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

Form Z: Policy Decisions

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

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

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

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

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

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

☐ **AMENDMENT TO IDO TEXT**

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

☒ **ZONING MAP AMENDMENT – EPC**

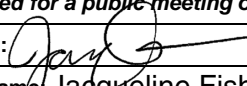
☐ **ZONING MAP AMENDMENT – COUNCIL**

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

☐ **ANNEXATION OF LAND**

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

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

Signature: 

Date: 10/7/21

Printed Name: Jacqueline Fishman, AICP

☐ Applicant or ☒ Agent

FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

-

-

-

Staff Signature:

Date:



PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-193 Date: 09/14/21 Time: N/A (sent via email to)

Address: Corner of San Antonio Dr and Forest Hills Dr

AGENCY REPRESENTATIVES

Planning: Catalina Lehner (clehner@cabq.gov) James Aranda (imaranda@cabq.gov)

Zoning/Code Enforcement: Carl Garcia (cagarcia@cabq.gov)

Fire Marshal: Antonio Chinchilla (achinchilla@cabq.gov) or call 505-924-3611 (if needed)

Transportation: Jeanne Wolfenbarger (jwolfenbarger@cabq.gov)

Hydrology: Ernest Armijo, P.E. (earmijo@cabq.gov)

Solid Waste: Herman Gallegos (hgallegos@cabq.gov)

Water Authority: David Gutierrez - dggutierrez@abcwua.org or call 505.289.3307; 505.241.9630

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 Map Amendment (MX-L-MX-M)

SITE INFORMATION:

Zone: MX-L

Size: Approx. 3.34 acres (combined)

Use: Mixed-Use Low Intensity

Overlay zone: N/A

Comp Plan Area of: Consistency

Comp Plan Corridor: N/A

Comp Plan Center: N/A

MPOS or Sensitive Lands: X Flood zone

Parking: 14-16 5-5

MR Area: North Albuquerque

Landscaping: 14-16 5-6

Street Trees: 14-16 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 Neighborhood Associations

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

PROCESS:

Type of Action: 6-7(G) Zone Map Amendment

Review and Approval Body: EPC Is this a PRT requirement? Yes (Table 6-1-1)

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-193 Date: 09/14/21 Time: N/A (sent via email)

Address: Corner of San Antonio Dr and Forest Hills Dr

NOTES:

See the **Integrated Development Ordinance**

<https://documents.cabq.gov/planning/IDO/IDO-2019-Effective-2020-11-02.pdf>

Download Forms & Applications

<https://www.cabq.gov/planning/online-forms>

New Public Notice Forms

We have created forms for all email/mailed public notice and for Pre-submittal Neighborhood Meetings. Please complete these forms for public notice:

- Neighborhood Meeting - <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>
- Public Notice - <http://www.cabq.gov/planning/urban-design-development/public-notice>

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.

File Submittal

For Administrative Amendments, DRB, EPC, hydrology and traffic submittals, e-mail electronic files to PLNDRS@cabq.gov. For questions about an application submittal or the submittal process itself, please contact Jay Rodenbeck at jrodenbeck@cabq.gov and/or to Maggie Gould at mgould@cabq.gov.

For other questions, please contact the Planning representative at the top of the PRT Notes.

For Building Safety Plan Review, contact Building Safety at 924-3963. Website:

<https://www.cabq.gov/planning/building-safety-permits>

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-193 Date: 09/14/21 Time: N/A (sent via email)

Address: Corner of San Antonio Dr and Forest Hills Dr

Zoning Comments

PRT 21-193

PROPERTY INFORMATION

- Address: Corner of San Antonio Dr and Forest Hills Dr
- Lot: 4A Block: 0000
- Subdivision: JJ
- Type: Consistency
- Calculated GIS Acres: 3.34 (combined)
- IDO Zoning: **MX-L**
- Old Zoning Designation: SU-1
- Old Zoning Description: C-1 Uses
- Old Zoning Category: Commercial

CASE HISTORY

- 1002455
- 1009888

ALLOWABLE USE(S)

- Office

USE SPECIFIC STANDARDS

- N/A

DEFINITIONS

- N/A

DEVELOPMENT STANDARDS

Landfills (5-2): SAN ANTONIO

APPLICANT'S QUESTIONS

- N/A

PROCESS

6-7(G) Zone Map Amendment-EPC

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

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-193 Date: 09/14/21 Time: N/A (sent via email)

Address: Corner of San Antonio Dr and Forest Hills Dr

Transportation Development Comments

PRT 21-193 (99999 San Antonio Dr NE., case no:1002455)

Information for Site Development – Transportation Development

For additional information contact Jeanne Wolfenbarger (924-3991)

General comments for proposed development (if applicable):

Curb Cuts

- Follow DPM guidelines for residential /commercial 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.
- 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.
- 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.)

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-193 Date: 09/14/21 Time: N/A (sent via email)

Address: Corner of San Antonio Dr and Forest Hills Dr

- *Existing driveways that are not being used are required to be removed and replaced with standard curb and sidewalk to match existing.*

Traffic Studies

- *See the Traffic Impact Study (TIS) thresholds. In general, a minimum combination of 100 vehicles entering and 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.*

Platting and Public Infrastructure Requirements for Roadways

- *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.*
- *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.*
- *Curb and sidewalk are required along entire frontage of property. Follow IDO/DPM for specific width requirements.*
- *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.*
- *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.*
- *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.)*
- *For any private access easements on plats, all beneficiaries and maintenance responsibilities must be listed.*
- *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.*

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 21-193 Date: 09/14/21 Time: N/A (sent via email)

Address: Corner of San Antonio Dr and Forest Hills Dr

- *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 Zoom meeting please contact Diego Ewell at dewell@cabq.gov

SAN ANTONIO COMMONS LLC
5600 WYOMING BLVD NE SUITE 180
ALBUQUERQUE NM 87109-3149

October 6, 2021

Tim MacEachen, Chair.
Environmental Planning Commission
City of Albuquerque
600 2nd St NW
Albuquerque, NM 87102

Re: Letter of Authorization for Zoning Map Amendment

To Whom It May Concern:

San Antonio Commons LLC hereby authorizes Consensus Planning act as our agent related to the two properties located on San Antonio Dr NE. These properties are legally described as Lot 7-A-1 (Plat for Lot 5-A-1 and Lot 7-A-1 JJ Subdivision containing 2.04 acres) and Lot 4-A (Plat for Lots 4-A, 5-A, 6-A, & 7A JJ Subdivision containing 1.3 acres).

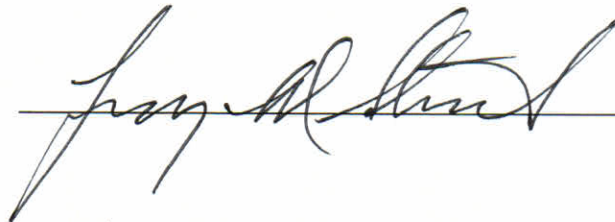
Sincerely,

San Antonio Commons LLC

By:

Printed
Name:

Title:



LARRY D. STROUP

Contracted LLC Mgr



City of Albuquerque

Planning Department
Development Review Services Division

Traffic Scoping Form (REV 07/2020)

Project Title: Zoning Map Amendment - San Antonio SW

Building Permit #: _____ Hydrology File #: _____

Zone Atlas Page: E-18 DRB#: _____ EPC#: _____ Work Order#: _____

Legal Description: LT 7-A-1 PLAT FOR LOT 5-A-1 AND LOT 7-A-1 JJ SUBDIVISIONCONT 2.0450 AC;
LT 4-A PLAT FOR LTS 4-A, 5-A, 6-A & 7-A JJ SUBDCONT 1.3050 AC

Development Street Address: The first and third lot to the southwest on San Antonio Dr NE at the intersection of San Antonio and San Pedro

Applicant: San Antonio Commons LLC Contact: Jackie Fishman

Address: 5600 WYOMING BLVD NE SUITE 180 ALBUQUERQUE NM 87109-3149

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

E-mail: fishman@consensusplanning.com

Development Information

Build out/Implementation Year: _____ Current/Proposed Zoning: MX-L (current); MX-M (proposed)

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

Change of Zoning: ☒

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

Describe development and Uses:

Unknown at this time.

Days and Hours of Operation (if known): _____

Facility

Building Size (sq. ft.): _____

Number of Residential Units: _____

Number of Commercial Units: _____

Traffic Considerations

ITE Trip Generation Land Use Code _____

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

Expected Number of Employees (if known):* _____

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

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

Driveway(s) Located on: Street Name

Adjacent Roadway(s) Posted Speed:	Street Name	San Antonio Dr NE	Posted Speed	35 MPH
	Street Name	San Pedro Dr NE	Posted Speed	35 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 Antonio - 3; San Pedro - 4
(arterial, collector, local, main street)

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

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

Adjacent Roadway(s) Traffic Volume: San Antonio - 25,649 Volume-to-Capacity Ratio (v/c): _____
San Pedro - 13,245 (if applicable)

Adjacent Transit Service(s): 34 - San Pedro Commuter Nearest Transit Stop(s): Bus Route 34 Stop on the north side of San Pedro

Is site within 660 feet of Premium Transit?: No

Current/Proposed Bicycle Infrastructure: Bike Lane on west side of San Pedro, Bike Path on east side of San Pedro
(bike lanes, trails) Pino Arroyo Trail to the south

Current/Proposed Sidewalk Infrastructure: N/A

Relevant Web-sites for Filling out Roadway Information:

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

Comprehensive Plan Corridor/Designation: See GIS map.

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

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

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

TIS Determination

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

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

Thresholds Met? Yes [] No ☒

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

Notes:

M. P. E.

9/10/2021

TRAFFIC ENGINEER

DATE

Submittal



November 2, 2021 (*replaces 10.7.2021 letter*)

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

RE: Request for Zoning Map Amendment on San Antonio Drive NE (SW properties)

Landscape Architecture
Urban Design
Planning Services

302 Eighth St. NW
Albuquerque, NM 87102

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

Dear Mr. Chairman:

The purpose of this letter is to request a Zoning Map Amendment – EPC for two parcels located along the south side of San Antonio Drive NE, west of San Pedro Drive NE, on behalf of San Antonio Commons LLC. These parcels are currently zoned MX-L, Mixed-Use - Low Intensity and legally described as Lot 7-A-1 (Plat for Lot 5-A-1 and Lot 7-A-1 JJ Subdivision containing 2.04 acres) and Lot 4-A (Plat for Lots 4-A, 5-A, 6-A, & 7A JJ Subdivision containing 1.3 acres). The Applicant's request is to rezone the properties to MX-M, Mixed-Use - Medium Intensity. This request is being submitted simultaneously with another zone change application for the property at the southeast corner of the intersection at San Antonio Drive NE and San Pedro Drive NE.

Figure 1. Subject site (in pink) and surrounding context.



SITE HISTORY

The two subject properties are part of an overall Site Plan for Subdivision (Lots 2-7 JJ Subdivision) that was approved in March 2003 and still controls development on this property. Of the original six lots covered by the Site Plan for Subdivision, all have been developed except the subject parcels, Lot 4-A and Lot 7-A-1. Lot consolidation and development has occurred over time. The entitlement history for this property covered by the Site Plan for Subdivision is described on the following page.

PRINCIPALS

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

- **1989/1993:** It is unclear when the property was originally zoned SU-1 for C-1; it was either in 1989 (Z-89-95) or 1993 (Z-93-3). The files for the 1993 zone map amendment are missing from the City's records. Case history research suggests that the zone change occurred in 1989 when approximately 20.1 acres of land located "between San Antonio Avenue NE and Pino Arroyo, and either side of San Pedro Avenue NE" were approved by the Environmental Planning Commission (EPC) for a zone map amendment from R-2 and O-1 to SU-1 for C-1 Permissive Uses excluding the portion of the properties which the City later took for right-of-way. The zone change was justified due to the constraints and potential hazards associated with the landfill. It was determined that residential development was not desirable on the site and that commercial uses would be more appropriate.
- **2003:** The Site Plan for Subdivision was approved by the EPC in March 2003 (Project #1002455, 03EPC-00147) and platted in 2004. A Site Plan for Building Permit to accommodate the construction of an office building for the State Engineer located on Lots 2 and 3 was approved in conjunction with the Site Development Plan for Subdivision (03EPC-00148).
- **2006:** A Site Plan for Building Permit for two buildings located on Lot 5 was approved in October 2006 (06EPC-00458).
- **2008:** Amendments to adjust the landscaping requirements due to the site's location over a landfill (08EPC-40045; 08EPC-40046).
- **2015:** Zone change on Tract 5-1-A (15EPC-40010) from SU-1 for C-2 to SU-1 for C-2 Uses, including the Wholesale of Beer, that allowed the existing Starr Brothers brewery to manufacture and sell beer for off-premise consumption. The zoning was later converted to MX-M through the adoption of the IDO.
- **2016:** An Administrative Amendment to update all easement information and consolidate lots 5, 6, and 7 into new lots 5-A-1 and 7-A-1 (16AA-10008).

The Site Plan for Subdivision included the following language regarding the San Antonio Landfill:

The subject property is located on an existing landfill. Due to the subject property being on a landfill, certain precautionary measures may need to be taken to ensure the health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the "Interim Guidelines for Development within City – Designated Landfill Buffer Zones") shall be consulted prior to development of the site.

EXISTING CONTEXT, LAND USE, AND ZONING

The subject properties are located within the North Albuquerque Community Planning Area and within an Area of Consistency. They are situated within the San Antonio Landfill area along the south side of San Antonio Drive (a Minor

Arterial), between I-25 (an Urban Freeway) to the west, San Pedro Drive (a Major Collector) to the east, and the Pino Arroyo to the south.

The San Antonio Landfill was in operation from 1968 to 1970 and encompassed approximately 42.9 acres. Development projects within the landfill buffer zone are reviewed and certified by the City's Environmental Health Department for landfill gas impacts and mitigation actions. The City conducts semi-annual landfill gas and annual groundwater monitoring for property within the landfill buffer area. The presence of the landfill does not prevent development of these properties but does impact any future development on the site. Lot 5-A-1, which is located between the two subject properties, is zoned MX-M and fully developed with appropriate landfill mitigation in place as shown in the photo below.



The existing zoning on the subject properties is MX-L and the surrounding existing zoning is varied with a checkerboard mix of MX-M, MX-L, MX-H, R-MC, MX-T, and NR-C (see Figure 1 and Table 1). The Pino Arroyo Multi-Use Trail runs south of the properties and serves as a buffer between the properties facing San Antonio Drive and a large MX-T parcel that contains a Presbyterian Health Services facility. To the east across San Pedro Dr NE is the subject property of a simultaneous Zoning Map Amendment application for MX-L to MX-M. To the west is property zoned MX-L and containing the Dental Care on San Antonio facility. Further west are properties zoned MX-L and MX-M and containing New Mexico Regulation and Licensing Department offices, Homewood Suites, Hilton Garden Inn, and Cracker Barrel restaurant. To the north across San Antonio, the property is zoned R-MC, Residential – Manufactured Home Community and containing the Albuquerque Meadows Mobile Home Park. To the northeast is property is zoned MX-M and containing a convenience store with a gas station. To the northwest is property is zoned MX-M and containing La Quinta Inn, Denny's, and Comfort Suites.

TABLE 1. SURROUNDING ZONING & LAND USE

NORTH	R-MC, MX-M	Albuquerque Meadows Mobile Home Park, La Quinta Inn, Comfort Suites North Albuquerque, Denny's restaurant, Alon gas station, Blake's Lotaburger
EAST	MX-L, MX-M, MX-H, R-1A	Vacant lot, United States Postal Service, storage facility, single-family residential
SOUTH	MX-T	Presbyterian Health facility, vacant land
WEST	MX-L, MX-M	Dental Care on San Antonio, New Mexico state offices, Homewood Suites, Cracker Barrel, Hilton Garden Inn

Figure 1. Existing Zoning

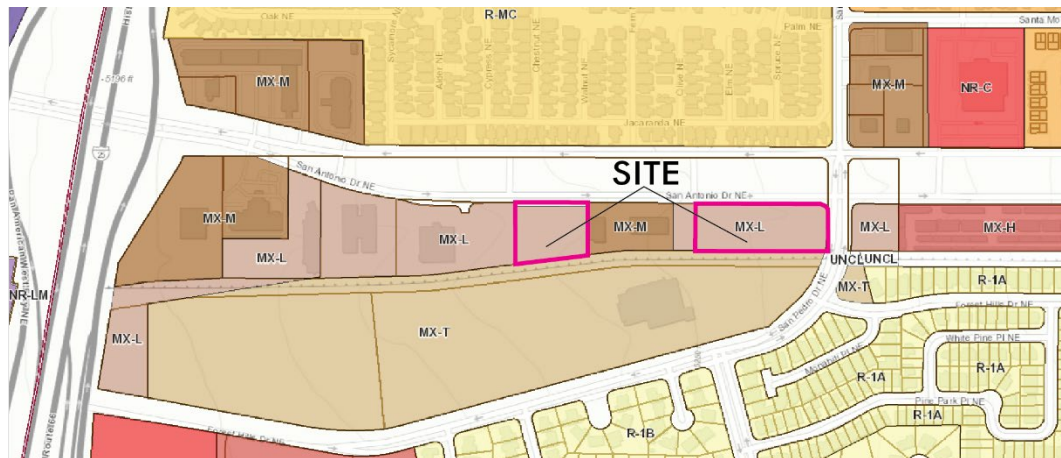


Figure 2. Existing Land Use

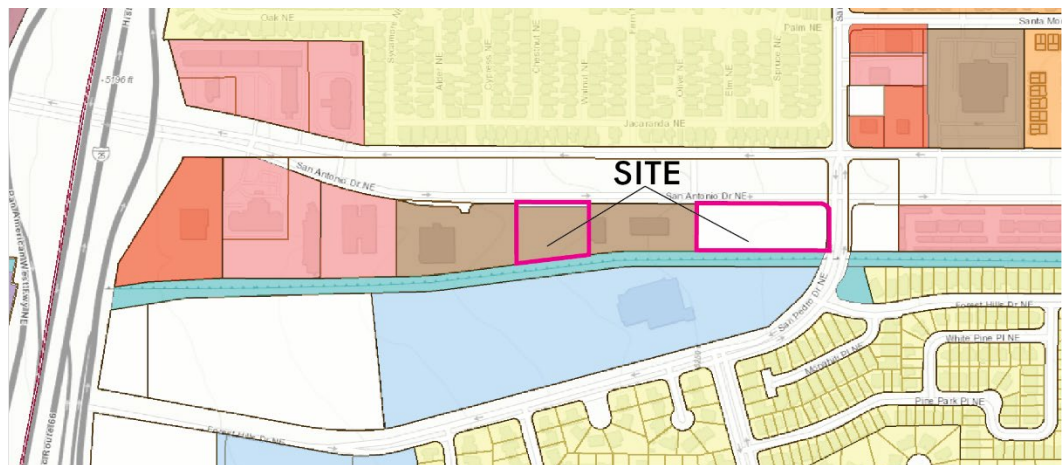


Figure 4: Aerial showing site context.



INTEGRATED DEVELOPMENT ORDINANCE JUSTIFICATION CRITERIA

The request for a Zoning Map Amendment complies with the criteria outlined in Section 14-16-6-7(G) Zoning Map Amendment – EPC as follows:

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

Applicant Response: The proposed zone change is consistent with the health, safety, and general welfare of the City by furthering a preponderance of applicable goals and policies in the ABC Comprehensive Plan, as amended, and other applicable plans adopted by the City as included below. The following policy analysis shows the zone change is clearly consistent with the ABC Comprehensive Plan and demonstrates that the proposed zone change is advantageous to the surrounding neighborhood and the City as a whole by creating a complete community that is healthy, sustainable, and distinct and conveniently assessed from surrounding neighborhoods; promoting infill and more productive use of vacant lots on property that sits above an old City landfill in an area with existing infrastructure and transportation systems and within an Area of Consistency; and promoting a development pattern that maximizes the utility of existing infrastructure, public trail facility, and efficient use of land to support the public good.

Comprehensive Plan Goals and Policies:

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

Applicant Response: The proposed zone change to MX-M furthers Goal 5.2 regarding fostering complete communities by allowing for a greater range of

permissive commercial land uses that can serve this area of Albuquerque. The subject properties are close to I-25 and in an area currently characterized by hotel and associated restaurant uses along San Antonio Drive, which does little to serve the commercial needs of the residential neighborhoods north of San Antonio and southeast of the Pino Arroyo. The residents in this area currently must travel to other areas of Albuquerque to meet their commercial service needs. Travelers to and from I-25 will also be served by expanding the potential uses that support the commercial development of the subject properties.

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

Applicant Response: The proposed zone change to MX-M furthers Policy 5.2.1 by allowing appropriate uses on the subject properties that have remained undeveloped likely due to the difficulty of mitigating landfill issues. The subject properties are conveniently accessed from surrounding neighborhoods and motorists driving from or to I-25. Due to the significant development challenges for the subject properties, the zone change will expand the range of allowable commercial uses to help the City create a better land use mix and more sustainable land use pattern in this area, increasing the potential for development, and supporting mitigation and monitoring of the landfill that will ensure a more healthy, sustainable, and distinct community.

Sub-policy h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

Applicant Response: The proposed zone change to MX-M furthers Sub-policy h by allowing additional complementary uses that support and promote infill in an area that would benefit from commercial development but challenged by the previous landfill. Allowing these additional higher intensity uses of the MX-M zone will fit within the context of the surrounding area that is characterized by other MX-M, MX-H, and NR-C zoned properties, and will help eliminate the checkerboard pattern of MX-M and MX-L zoning along the south side of San Antonio between I-25 and San Pedro Drive.

Rezoning this property to MX-M will encourage land uses that are complementary and compatible in form and scale to the manufacturing (brewery), office, and hospitality uses to the west and commercial use to the northeast. All the properties along this portion of San Antonio Drive, specifically the subject properties and the property in between them (Lot 5-A-1), will be subject to the same zoning and use specific regulations and development standards that address form and scale of development, including building size, height, setbacks, and façade articulation that will ensure consistency and compatibility with surrounding development.

Sub-policy n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

Applicant Response: The proposed zone change to MX-M furthers Sub-policy n by allowing additional uses at an appropriate intensity on these vacant parcels along San Antonio Drive, thereby increasing the potential for development and ensuring productive use of the subject properties.

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

Applicant Response: The proposed zone change to MX-M furthers Goal 5.3 by maximizing the use of the existing infrastructure and transportation systems along San Antonio Drive and San Pedro Drive. The property in between the subject properties of this request was developed by the same Applicant who brought infrastructure services to the property, including water, sewer, electricity, and gas services, developed the existing median cut in San Antonio, engaged in landfill gas monitoring activities, and installed the existing sidewalk along San Antonio Drive along a portion of the San Antonio frontage and a curb ramp at the southwest corner of San Pedro Drive and San Antonio Drive. The zone change request will promote an appropriate development pattern and efficient use of land uniquely situated within a landfill area that is buffered to the south by the 60-foot Pino Arroyo and the Presbyterian Health facility, and will help maximize the use of the adjacent public trail facility (Pino Arroyo multi-use trail) 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 proposed zone change to MX-M furthers Policy 5.3.1 by increasing the potential for infill development in an area with existing infrastructure and public facilities, and containing a diverse mix of higher intensity zones including MX-M, MX-H, NR-LM, and NR-C. Expanding the number of uses through the zone change will help ensure future opportunities for development that serves this area just east of I-25 and help eliminate the checkerboard pattern of zoning that occurred with the IDO conversions.

San Antonio Drive is a Minor Arterial that is fully developed with a very wide median and turn bays that can be utilized by the subject properties. There is an existing public sidewalk along San Antonio Drive in front of the vacant Lot 4-A and the developed site of Lot 5-A-1 that will be extended east to serve Lot 7-A-1 and a pedestrian ramp at the intersection of San Pedro Drive and San Antonio Drive. The Pino Arroyo public multi-use trail provides additional access to the site. The zone change will support additional growth in this area containing existing infrastructure systems and the public sidewalk and trail facility.

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

Applicant Response: The proposed zone change from MX-L to MX-M furthers Goal 5.6 because it will help create a more consistent zoning pattern that reinforces the existing character and land use intensity within an Area of Consistency. The existing irregular zoning pattern in this area was created as a result of the IDO conversion of SU-1 properties. The existing MX-L zone is intended to ...”to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets”. The subject properties are at the intersection of a minor arterial and a major collector, and the immediate area

surrounding the subject properties contains no adjacent or abutting single family zoned parcels. Changing the zoning of the subject properties to MX-M, which is intended ...”to provide for a wide array of moderate-intensity retail, commercial, institutional, and moderate-density residential uses...”, will create a more consistent zoning pattern, correct the spot zone on Tract 5-A-1 that separates the two subject properties, and allow for the wide array of uses intended for these types of locations.

POLICY 5.6.3 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.

Applicant Response: The proposed zone change to MX-M furthers Policy 5.6.3 by creating a more uniform zoning pattern in an area outside of a Center or Corridor. The zone change will help to eliminate any potential zoning conflicts and will help protect and enhance the character of this area by increasing the potential for development of compatible moderate-intensity uses that is separated from single-family neighborhoods by the 60-foot Pino Arroyo and separated from the large mobile home park by the wide median in San Antonio Drive.

To the south, the development allowed under the zone change will be separated from single-family residential neighborhoods by the Presbyterian Health facility, Pino Arroyo and the multi-use trail, and the right-of-way along San Pedro Drive. The wide right-of-way of San Antonio Drive and the 6-foot opaque perimeter wall surrounding the entire Albuquerque Meadows property will ensure the mobile home park is adequately buffered and protected from development allowed with this zone change. This is further evidenced by the Applicant’s existing MX-M property that contains a brewery and taproom that has not adversely impacted the surrounding community. The character of the existing single-family residential neighborhoods is thereby protected and enhanced through this zone change to MX-M. There is no Major Public Open Space in the vicinity of the subject properties.

CRITERION 6-7(G)(3)(b): If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character.

The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including



implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant Response: The proposed zone change to MX-M is more advantageous to the community than the existing MX-L zone by virtue of creating a more consistent pattern of zoning, land use, and development intensity in this area along San Antonio Drive. Lot 5-A-1, which lies between the two subject properties, was the subject of a previous zone change in 2015 (15EPC-40010) to SU-1 for C-2 Uses including the Wholesale of Beer that allowed for the manufacturing and the sale of beer for off-premise consumption at Starr Brothers Brewery.

The existing zoning in this area is a mix of NR-C, MX-H, MX-M, MX-L, MX-T, and R-MC, which contain a broad mix of land uses (*see Table 1: Land Use and Zoning on page 9*). Given the designation of the subject properties and the surrounding neighborhood as an Area of Consistency, this request presents an opportunity to create a more uniform zoning pattern and ensure greater consistency in intensity of uses. MX-M is an appropriate zone for this area due to its proximity to Interstate 25 and lack of single-family residential properties adjacent to or abutting the subject property. Additionally, because the subject properties were formerly part of the San Antonio Landfill, the additional uses allowed in the MX-M zone will increase the potential of developing this vacant infill site to serve the larger community and fulfill important Comprehensive Plan goals and policies.

These conditions underscore how the zone change to MX-M will be advantageous to the community by reinforcing and strengthening the established character along San Antonio Dr NE. Since MX-M is already an existing zone on an adjacent property and properties to the west and northeast, this zone change (as well as the related zone change request on the southeast corner of San Antonio and San Pedro Drive) will create consistent zoning and intensity of land use along San Antonio Dr NE and will not permit development that is significantly different than the existing neighborhood character.

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

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

Applicant Response: The subject properties are located entirely in an Area of Consistency, so this criterion does not apply.

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

Applicant Response: None of the permissive uses in the MX-M zone will be harmful to the adjacent property, neighborhood, or community. The table below provides a comparison of uses from the MX-L and MX-M zones. As previously stated, Lot 5-A-1, which splits the two subject properties, is zoned MX-M and has been in operation since 2015 and has not been harmful to the adjacent properties, neighborhood, or community. The subject properties are appropriately and adequately buffered to the north by the wide right-of-way within San Antonio Drive and to the south by the 60-foot Pino Arroyo and the large MX-T parcel containing a Presbyterian Health facility. These existing buffers ensure that the single-family residential community to the southeast and the Albuquerque Meadows mobile home park north of San Antonio Drive will be protected from potential harmful uses allowed under the MX-M zone, such as a light vehicle fueling station, mortuary, bar, or nightclub. This is further evidenced by the existing brewery and taproom uses on Lot 5-A-1.

IDO ZONING COMPARISON: MX-L VS. MX-M		
USE	MX-L	MX-M
Group home, large	-	C
Hospital	-	P
Sports Field	C	P
University or College	C	P
Nursery	-	A
Auditorium or Theater	A	P
Bar	C	P
Catering Service	-	P
Nightclub	-	P
Tap room or tasting room	C	P
Campground or recreational vehicle park	-	C
Light vehicle fueling station	C	P
Light vehicle sales and rental	C	P
Blood services facility	-	C
Mortuary	C	P
Personal and business services, large	-	P
Drive-in theater	-	C
Building and home improvement materials store	-	C
General retail, medium	-	P
General retail, larger	-	C
Liquor retail	A	C
Nicotine retail	A	C
Pawn shop	C	P
Helipad	-	CA
Park-and-ride lot	C	P
Transit facility	C	P

Outdoor storage	CA	C
Warehousing	-	C
Wholesaling and distribution center	-	C
Circus	-	T

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

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

Applicant Response: The proposed zone change to MX-M meets Criteria 1 and 3. The Applicant, San Antonio Commons, has already made improvements related to the long history of entitlements and construction of the three existing buildings on the other parcels covered by the existing Site Plan for Subdivision. The subject properties will be adequately served by existing infrastructure and transportation facilities immediately adjacent to and on the property, including San Antonio Drive (a Minor Arterial), San Pedro Drive (a Major Collector), and water, sewer, and drainage facilities that will serve future development on the site. It also includes the existing public sidewalk fronting Lot 4-A and Lot 5-A-1 and the median break in San Antonio Drive that was designed and constructed to accommodate development on the Applicant's property. Additional infrastructure requirements, with the exception of extending the public sidewalk to serve Lot 7-A-1, are not anticipated to be required for development of the subject properties.

The proposed zone change to MX-M meets Criterion 3 because any future development must meet the regulations and development standards contained in the IDO and DPM, and an Infrastructure Improvements Agreement for the extension of the public sidewalk to serve Lot 7-A-1. In addition, the Applicant will be required to provide mitigation and ongoing monitoring of the landfill gases, which will be coordinated through the City Environmental Health Department.

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

Applicant Response: The justification for this zone change is not completely based on the property's location on a major street. The justification is based on the existing checkerboard zoning pattern of higher intensity zones, as well as the history of the subject properties being on a City landfill, separated from single family development, and being just east of I-25. The zone change to MX-M will

assist in making this property more conducive to infill development by allowing for a wider range of commercial uses that can be accommodated and appropriated sited.

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

Applicant Response: The justification for this zone change to MX-M does not rely on the cost of land or economic considerations. The Applicant has owned this property for many years and has diligently addressed landfill mitigation issues and provided utilities to support development of the other adjacent parcels. The requested zone change is justified based on being more advantageous for the community as expressed in the goals and policies contained in the Comprehensive Plan and strengthening the character of the area as a commercial service destination. The Applicant is proposing a change that will help facilitate infill development on a former City landfill that has long been vacant and an eyesore in this area of Albuquerque.

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

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

Applicant Response: The proposed zone change to MX-M would not create a "spot zone" because there is adjacent MX-M zoning that is covered by the Site Plan for Subdivision and other parcels zoned MX-M to the northeast and west. The special circumstance of the City landfill supports the rezone of the subject properties, which will create more uniformity in zoning and land use intensity along San Antonio Drive.

NEIGHBORHOOD COORDINATION

A facilitated meeting was held on September 28, 2021, which was attended by three community members. The Applicant was provided initial information from the Office of Neighborhood Coordination (ONC) for the IDO Neighborhood Notification requirement that did not include the Albuquerque Meadows Neighborhood Association. After coordination with ONC, Consensus Planning provided the required notification to Albuquerque Meadows and ensured they were invited to the facilitated meeting. No one from Albuquerque Meadows attended the facilitated meeting or responded to the email notification.



CONCLUSION

The request for a zone change from MX-L to MX-M provides additional commercial options in this area of Albuquerque. It is justified by being more advantageous to the community by furthering a preponderance of goals and policies of the Comprehensive Plan, as described in this justification letter, by creating a more uniform zoning pattern and land use intensity along San Antonio Drive and within an Area of Consistency, supporting infill development on the City's former San Antonio Landfill, and promoting development in an area with existing capacity, and existing infrastructure and transportation systems.

On behalf of San Antonio Commons LLC, we respectfully request the Environmental Planning Commission's approval of this Zoning Map Amendment.

Thank you for your consideration.

Sincerely,

Jacqueline Fishman, AICP
Principal

STAFF INFORMATION

October 25, 2021

TO: Consensus Planning
FROM: Leroy Duarte, Staff Planner
City of Albuquerque Planning Department
TEL: (505) 924-3452
RE: Project #2021-006087 RZ-2021-0043, San Antonio Commons LLC Zone Map Amendment

I am the Staff Planner reviewing your application for project #2021-006087, a zone map amendment (zone change) for the subject site located on San Antonio Dr. NE, between San Antonio Dr. NE. and Forest Hills Dr. NE. The zone change is from MX-L to MX-M to the facilitate the development of the subject site.

Although I have done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately. After review of the application material including the justification letter, the following comments are provided along with changes or additions requested.

The response to some of the Goals and Policies need to be expanded/adjusted in order to justify the proposed Zone Map Amendment while others listed do not further the Comprehensive Plan Goals and Policies.

Please provide the following:

⇒ A revised zone change justification letter pursuant to the zone change criteria in the IDO (electronic copy) by:

12 pm on Monday November 2, 2021.

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

1) Introduction:

- A. This is what I have for the legal description and request: Consensus Planning, agent for San Antonio Commons LLC, requests a zoning map amendment from MX-L to MX-M for Lot 7-A-1 Plat for Lots 5-A-1 and Lot 7-A-1 JJ Subdivision approximately 2.05-acres, and Lot 4-A Plat for Lots 4-A, 5-A, 6-A, and 7A JJ Subdivision, approximately 1.3-acres located on San Antonio Dr. NE, between San Antonio Dr. NE and Forest Hills Dr. NE, approximately 3.35-acres (E-18-Z). Is that correct?

2) Resources/Process:

- A. Note: The City has a publicly available GIS based map viewer that you can use to query a variety of land use and zoning topics:

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

- B. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:

<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>

- C. Timelines and EPC calendar: these are unclear as of this writing. The EPC public hearing for November is scheduled for the 18th. Final staff reports will be available one week prior to the hearing, on November 11th.
- D. Agency comments will be distributed as they come in. I will email you a copy of the comments (if any are provided) and will forward any late ones to you.

3) Notification and Neighborhood Issues:

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

- A. It appears that notification offering the pre-application facilitated meeting is complete. I found that each person on the ONC list received, via email: cover letter, required meeting request form, letter of explanation, and zone atlas page.
- B. I saw that the facilitated meeting notes, thank you for including those.
- C. Were the facilitated meeting notes/summary sent to property owners and NA representatives? IDO 6-4 (K)
- D. Other than the facilitated meeting notes, the notification to property owners also appears to be complete. Thank you for providing scans of the postage receipts.
- E. Please ensure that the sign is posted for the appropriate dates, 15 consecutive days before the EPC.
- F. Have you had any other neighborhood representatives or members of the public contact you so far?

4) Project Letter:

In general, I can follow the project letter. I have a few comments regarding the policy analysis in the next section.

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

- A. The task in a zone change justification is to choose applicable Goals and policies from the Comprehensive Plan and demonstrate how the request furthers (makes a reality) each applicable Goal and policy. Furthering is shown by providing explanations using “because” statements and tailoring the response to match the wording of the Goal or policy.
- B. Please note: Responding to the zone change criteria is more of a legal exercise than anything else. It is critical to “hit the nail on the head” both conceptually and in terms of form.
- C. The submitted justification letter is a good start but a strengthened and expanded policy analysis is needed to fulfill Criterion A.

6) Zone Map Amendment (zone change) – section by section:

Please address and incorporate the following to provide a strengthened response to the IDO zone change criteria.

- Explain how the proposed change contributes to the goal or policy by specifically addressing the language found in the goals or policies.

Be sure to include a conclusory statement regarding the entirety of Criterion A.

A. Criterion A (refine): Please see comments listed under each Goal or policy as the arguments/response need to be strengthened in order to justify request.

Chapter 5 Land Use:

Policy 5.2.1: If there are development challenges how does this create healthy, sustainable and distinct communities with a mix of uses if development is limited? Elaborate a little more.

Sub-Policy h: The sub-policy reads “compatible in form and scale”, how will the zone change ensure that the form and scale of potential development will be compatible?

Goal 5.3: Discuss in more detail how this request would promote development patterns that maximize the use of existing public facilities, and the efficient use of land to support the public good.

Policy 5.3.1: Are there existing public facilities nearby?

Policy 5.6.3: How does increasing zoning uses protect existing single-family neighborhoods when the original zoning limits types and intensity use?

Policy 12.2.2: Please remove this section as this only applies to the city.

Please provide a summary demonstrating that criterion A was met (a summary of the policy analysis).

B. Criterion B (good): The response is sufficient.

C. Criterion C (sufficient): The response is sufficient.

D. Criterion D (refine): Please provide a brief discussion regarding the potential for harmful uses, should the zone change be approved. For example: Bar, nightclub, light vehicle fueling station and mortuary.

E. Criterion E (refine): The response identifies criterion 1 being met. Please consider adding criterion 3 as well, and include a brief description stating applicant will fulfill obligation under the IDO, APM, and/or an Infrastructure Improvements agreement (IIA) if need be.

F. Criterion F (good): The response is sufficient.

G. Criterion G (sufficient): The response is sufficient.

h. Criterion H (sufficient): The response is sufficient.

NOTIFICATION

Markie Anderle

From: Carmona, Dalaina L. <dlcarmona@cabq.gov>
Sent: Tuesday, August 31, 2021 9:52 AM
To: Markie Anderle
Subject: San Antonio Dr NE and San Pedro Dr NE Neighborhood Meeting Inquiry
Attachments: Zone Atlas Marked - SW.PDF

Dear Applicant:

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

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone
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

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

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit. <https://www.cabq.gov/planning/urban-design-development/public-notice>. Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

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

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

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:
<https://ido.abc-zone.com/integrated-development-ordinance-ido#page=393>

Markie Anderle

From: Jackie Fishman
Sent: Wednesday, September 1, 2021 4:08 PM
To: dlreganabq@gmail.com; mgriffie@noreste.org
Cc: Markie Anderle
Subject: Pre-Application Notification - San Antonio Drive NE
Attachments: Neighborhood Meeting Request Forms - San Antonio SW.pdf

Dear Neighbors:

This is a notification that Consensus Planning is preparing an application for a Zoning Map Amendment at two properties located on San Antonio Dr NE (see attachment). This request will be submitted simultaneously with another zone change application for property east of San Pedro NE. Per the City's Integrated Development Ordinance (IDO), this amendment will need to be reviewed and approved by the Environmental Planning Commission (EPC). The legal description of these properties is **Lot 7-A-1 Plat for Lot 5-A-1 and Lot 7-A-1 JJ Subdivision containing 2.05 acres and Lot 4-A Plat for Lots 4-A, 5-A, 6-A & 7-A JJ Subdivision containing 1.30 acres.** The proposed amendment will rezone the property from MX-L, Mixed Use, Low Intensity to MX-M, Mixed Use, Medium intensity. This zone change will help encourage future development on these currently vacant properties.

Please see the attached City forms containing the details of the property and this request. As part of the City process and in accordance with IDO Subsection 14-16-6-4(c) Neighborhood Meeting, we are sending this email to allow an opportunity to schedule a public meeting concerning the project if desired.

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 this request, please do not hesitate to email me at fishman@consensusplanning.com or contact me by phone at (505) 764-9801. Per the IDO, you have 15 days or until September 16, 2021, to request a meeting.

Sincerely,

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

Markie Anderle

From: Jackie Fishman
Sent: Tuesday, September 21, 2021 8:35 AM
To: devindawn2010@gmail.com; agnes.rivera1@aol.com
Cc: Markie Anderle
Subject: Zone Change Notification - Albuquerque Meadows Residents Association
Attachments: Zoning Atlas Marked - SE.pdf; Zone Atlas Marked - SW.pdf

Dear Neighbors:

This is a notification that Consensus Planning is preparing two requests for zone changes for the property located at 6200 San Antonio Dr NE, and two properties located along San Antonio Dr NE to the southwest of the intersection at San Pedro Dr NE (see attachment). The legal descriptions are as follows:

- Tract B-2 J Group Addition Plat of Tracts B-1A & B-2 J Group Addition containing 0.72 acres.
- Lot 7-A-1 Plat for Lot 5-A-1 and Lot 7-A-1 JJ Subdivision containing 2.05 acres and Lot 4-A Plat for Lots 4-A, 5-A, 6-A & 7-A JJ Subdivision containing 1.30 acres.

The proposed amendments will rezone these properties from MX-L, Mixed Use, Low Intensity to MX-M, Mixed Use, Medium Intensity. This zone change is intended to encourage appropriate development on these currently vacant properties.

As part of our neighborhood notification process, we were made aware that the Albuquerque Meadows Residents Association is located across San Antonio Dr NE to the north of the subject properties. While we were not required by the Office of Neighborhood Coordination to notify Albuquerque Meadows as part of the City's Integrated Development Ordinance (IDO) process, we are happy to provide information about the applications given the proximity of Albuquerque Meadows to the subject properties. We have attached the forms sent to the District 4 Coalition of Neighborhood Associations as part of our required notification.

We would like to extend an invitation to a facilitated meeting on September 28, 2021 at 5:30 PM that was requested by the District 4 Coalition of Neighborhood Associations. This meeting will be held virtually via Google Meet, and we will send login details when they are made available.

Joining info Join with Google Meet
meet.google.com/dwh-yujp-vxv

Join by phone
(US) [+1 609-469-1601](tel:+16094691601) (PIN: 851900078)

Please do not hesitate to email me at fishman@consensusplanning.com or contact me by phone at (505) 764-9801 with any questions.

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

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



PART I - PROCESS

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

Application Type: Zoning Map Amendment

Decision-making Body: Environmental Planning Commission

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

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

PART II – DETAILS OF REQUEST

Address of property listed in application: 99999 San Antonio Dr NE & 99999 San Antonio Dr NE

Name of property owner: San Antonio Commons LLC

Name of applicant: San Antonio Commons LLC

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

October 21, 2021 at 8:30 AM; see EPC website for additional details (bottom of page); the meeting will be held via zoom unless otherwise noted

Address, phone number, or website for additional information:

Contact Jackie Fishman at Consensus Planning at 505-764-9801 or fishman@consensusplanning.com

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.


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

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

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

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

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

 (Applicant signature) September 1, 2021 (Date)

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

EPC WEBSITE FOR HEARING DETAILS:

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

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

www.cabq.gov

Printed 11/1/2020

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

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

Date of Request*: September 1, 2021

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

Neighborhood Association (NA)*: District 4 Coalition of Neighborhood Associations

Name of NA Representative*: Daniel Regan; Mildred Griffiee

Email Address* or Mailing Address* of NA Representative¹: dlreganabq@gmail.com; mgriffiee@noreste.org

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

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

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

Meeting Date / Time / Location:

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

1. Subject Property Address* 99999 San Antonio Dr NE & 99999 San Antonio Dr NE
Location Description the first and third properties to the west from the intersection of San Antonio Dr NE and Forest Hills Dr NE
2. Property Owner* San Antonio Commons LLC
3. Agent/Applicant* [if applicable] Consensus Planning / San Antonio Commons LLC
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)

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

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

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

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

Summary of project/request^{3*}:

This is a Zoning Map Amendment to rezone these properties from MX-L to MX-M.

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

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

1. Zone Atlas Page(s)^{*5} E-18
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:
☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation:

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

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

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

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

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

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

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

Additional Information:

1. From the IDO Zoning Map⁶:

- a. Area of Property [typically in acres] 3.08 acres
- b. IDO Zone District MX-L
- c. Overlay Zone(s) [if applicable] _____
- d. Center or Corridor Area [if applicable] _____

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

Useful Links

Integrated Development Ordinance (IDO):

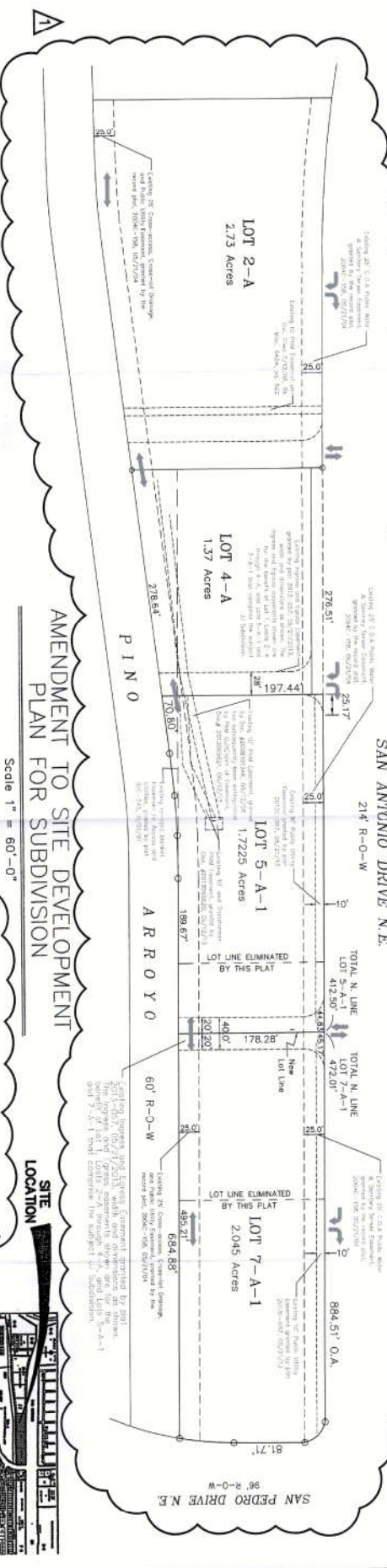
<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

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



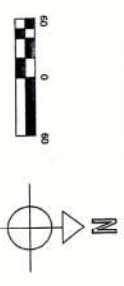
LEGAL DESCRIPTION

LOTS 2 THRU 7
 J1 SUBDIVISION
 BEING A REPLAT OF TRACT A-3-B,
 J1 GROUP ADDITION, TRACT 1,
 NEW HEART CENTER & TRACT 1,
 NORTHSIDE SUBDIVISION
 WITHIN PROJECTED SECTION 25
 TOWNSHIP 11 NORTH, RANGE 3 EAST
 NEW MEXICO PRINCIPAL MERIDIAN
 ZONING: SU-1 FOR C-1 USES

CITY OF ALBUQUERQUE
 BERNALILLO COUNTY
 NEW MEXICO

NOTES: LOTS 2 THRU 7
 BUILDING HEIGHT NOT TO EXCEED 34 FT.
 MAXIMUM FLOOR-AREA RATIO: 30.0%
 BUILDING MINIMUM SETBACKS:
 FRONT: 25.0 FT.
 SIDE: 5.0 FT.
 REAR: 5.0 FT.

TRAFFIC FLOW NOTES
 - TWO WAY INGRESS AND EGRESS
 TRAFFIC FLOW
 - RIGHT TURN ONLY INTO LOT
 - RIGHT TURN ONLY OUT OF LOT
 - TWO WAY INTERIOR AND CROSS-LOT
 TRAFFIC FLOW



AMENDMENT TO SITE DEVELOPMENT PLAN FOR SUBDIVISION

Scale 1" = 60'-0"

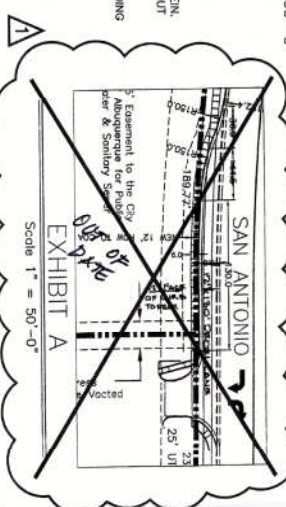


EXHIBIT A
 Scale 1" = 50'-0"

The developers of this site are required to follow the most current version of the City of Albuquerque Interim Guidelines for Landfill Development. The proposed development is a landfill and is subject to the City of Albuquerque Interim Guidelines for Landfill Development. The proposed development is a landfill and is subject to the City of Albuquerque Interim Guidelines for Landfill Development. The proposed development is a landfill and is subject to the City of Albuquerque Interim Guidelines for Landfill Development.



LOCATION MAP
 ZONE ALB-5-18-2

PROJECT NUMBER: 1002455

Application Number: 11-20-08
 Date: 11-20-08
 Traffic Engineering, Transportation Division
 City Engineer: [Signature]
 Date: 11-20-08

Public and Recreation Department
 City Engineer: [Signature]
 Date: 11-20-08

Environmental Health Department
 City Engineer: [Signature]
 Date: 11-20-08

ADMINISTRATIVE AMENDMENT
 FILE # 1002455
 PROJECT # 1002455
 TO BE ENTERED INTO THE CITY RECORDS
 DATE 12/21/08
 APPROVED BY [Signature]
 DATE 12/21/08

12/21/08

DATE 04-01-09
 DDBB Chairperson, Planning Department

SDP

Project Name
**STATE ENGINEERING
 ALBUQUERQUE BUILDING**
 ALBUQUERQUE, NEW MEXICO

TM OTT / DEVELOPER
 6820 VANDERBILT AVE NE, SUITE G
 ALBUQUERQUE, NM 87131
 (505) 253-4675
 MICHAEL, DELL, MARTINO / ARCHITECT
 7308 DELWOOD RD NE, SUITE 100
 ALBUQUERQUE, NM 87110

Sheet Title
**AMENDED SITE PLAN
 FOR SUBDIVISION**
 Drawn By: PESLAK, SA
 Checked By: T. OTT

DATE	REVISION
1 MAY 2008	
02 JULY 2008	
09 OCTOBER 2008	
27 OCTOBER 2008	
04 NOVEMBER 2008	
10 NOVEMBER 2008	

IDO ZONING COMPARISON: MX-L VS. MX-M		
USE	MX-L	MX-M
Group home, large	-	C
Hospital	-	P
Sports Field	C	P
University or College	C	P
Nursery	-	A
Auditorium or Theater	A	P
Bar	C	P
Catering Service	-	P
Nightclub	-	P
Tap room or tasting room	C	P
Campground or recreational vehicle park	-	C
Light vehicle fueling station	C	P
Light vehicle sales and rental	C	P
Blood services facility	-	C
Mortuary	C	P
Personal and business services, large	-	P
Drive-in theater	-	C
Building and home improvement materials store	-	C
General retail, medium	-	P
General retail, larger	-	C
Liquor retail	A	C
Nicotine retail	A	C
Pawn shop	C	P
Helipad	-	CA
Park-and-ride lot	C	P
Transit facility	C	P
Outdoor storage	CA	C
Warehousing	-	C
Wholesaling and distribution center	-	C
Circus	-	T

FACILITATED MEETING REPORT AMENDMENT

6200 San Antonio NE Pre-application

Date Submitted: 2 October 2021
Original Submission: 29 September 2021
Submitted By: Philip Crump
Facilitator: Philip Crump
Co-facilitator: Jocelyn Torres
Project Number: N/A
Meeting Date and Time: 28 September 2021 5:30-7:30 pm

Neighbor Questions and Meeting Specifics

3. *Q: What about notice to Albuquerque Meadows?*

A: Initial notice should have been sent to Albuquerque Meadows, has since been sent and will be sent regarding future applications/development in this vicinity Integrated Development Ordinance (IDO) requirements.

Should read

A: I apologize for the error made by ONC in determining who we were required to notify. The application has not been submitted, but I did send Albuquerque Meadows the pre-application notice and invited them to the facilitated meeting last week and today. I didn't get a response from them. We will provide future notices regarding the project to Albuquerque Meadows per Integrated Development Ordinance (IDO) requirements.

Markie Anderle

From: Carmona, Dalaina L. <dlcarmona@cabq.gov>
Sent: Wednesday, October 6, 2021 2:58 PM
To: Markie Anderle
Subject: The first and third lots from the intersection of San Antonio Dr NE and San Pedro Dr SE to the southwest Public Notice Inquiry
Attachments: Zone Atlas Marked - SW.PDF

Dear Applicant:

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

Association Name	First Name	Last Name	Email	Address Line 1	City
Albuquerque Meadows Residents Association	Agnes	Rivera	agnes.rivera1@aol.com	7112-231 Pan American Freeway NE	Albuq
Albuquerque Meadows Residents Association	Dawn	Jones	devindawn2010@gmail.com	7112-61 Pan American Freeway NE	Albuq
District 4 Coalition of Neighborhood Associations	Daniel	Regan	dlreganabq@gmail.com	4109 Chama Street NE	Albuq
District 4 Coalition of Neighborhood Associations	Mildred	Griffiee	mgriffiee@noreste.org	PO Box 90986	Albuq

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

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit. <https://www.cabq.gov/planning/urban-design-development/public-notice>. Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

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

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

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

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

Thanks,



Dalaina L. Carmona

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



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

From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov
Sent: Wednesday, October 06, 2021 10:42 AM
To: Office of Neighborhood Coordination <anderle@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

Markie Anderle

Telephone Number

2167125037

Email Address

anderle@consensusplanning.com

Company Name

Consensus Planning

Company Address

City

State

ZIP

Legal description of the subject site for this project:

LT 7-A-1 PLAT FOR LOT 5-A-1 AND LOT 7-A-1 JJ SUBDIVISIONCONT 2.0450 AC;
and

LT 4-A PLAT FOR LTS 4-A, 5-A, 6-A & 7-A JJ SUBDCONT 1.3050 AC

Physical address of subject site:

N/A

Subject site cross streets:

The first and third lots from the intersection of San Antonio Dr NE and San Pedro Dr SE to the southwest

Other subject site identifiers:

Please include Albuquerque Meadows NA.

This site is located on the following zone atlas page:

From: [Jackie Fishman](#)
To: agnes.rivera1@aol.com; devindawn2010@gmail.com; dlreganabq@gmail.com; mgriffiee@noreste.org
Cc: [Markie Anderle](#); [Michael Vos](#)
Subject: Application Notification for Zone Change on San Antonio - SW properties
Date: Thursday, October 7, 2021 10:41:30 AM
Attachments: [Zone Atlas E-18 with Site Identified.pdf](#)
[Public Notice Forms Compiled - San Antonio west of San Pedro.pdf](#)

Dear Neighbors,

This email is notification that Consensus Planning applied for a Zoning Map Amendment on behalf of San Antonio Commons, LLC for the property legally described as Lots 4-A and 7-A-1, JJ Subdivision and located on the south side of San Antonio Drive west of San Pedro Drive (see attached Zone Atlas Page).

The subject property is currently zoned MX-L (Mixed-use Low Intensity). The Applicant is proposing to rezone the property to MX-M (Mixed-Use Moderate Intensity) to provide a more consistent zoning pattern and land use intensity while providing additional options for development of a challenging former landfill site.

The item will be heard at the November 18, 2021 via Zoom. Please see the hearing and other required information in the attached notice forms, including the Zoom link and phone numbers to participate.

Sincerely,

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

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



PART I - PROCESS

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

Application Type: Zoning Map Amendment

Decision-making Body: Environmental Planning Commission

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

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

PART II – DETAILS OF REQUEST

Address of property listed in application: The first and third lot to the southwest on San Antonio Dr NE at the intersection of San Antonio and San Pedro Dr NE

Name of property owner: San Antonio Commons LLC

Name of applicant: San Antonio Commons LLC

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

November 18, 2021 at 8:30 AM, see attached zoom details to participate.

Address, phone number, or website for additional information:

Contact Jackie Fishman for more information at 505-764-9801 or fishman@consensusplanning.com

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.

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

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

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

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

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

____ (Applicant signature) October 6, 2021 (Date)

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

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

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed/Emailed to a Neighborhood Association**

Date of Notice*: October 7, 2021

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

District 4 Coalition of Neighborhood Associations;
Neighborhood Association (NA)*: Albuquerque Meadows Residents Association

Dan Regan / Mildred Griffie
Name of NA Representative*: Dawn Jones / Agnes Rivera

Email Address* or Mailing Address* of NA Representative¹: dlreganabq@gmail.com / mgriffie@noreste.org;
devindawn2010@gmail.com / agnes.rivera1@aol.com

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

1. Subject Property Address* 99999 San Antonio Dr NE & 99999 San Antonio Dr NE
Location Description The first and third lot to the southwest on San Antonio Dr NE at the intersection of San Antonio and San Pedro
2. Property Owner* San Antonio Commons LLC
3. Agent/Applicant* [if applicable] Consensus Planning / San Antonio Commons LLC
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☐ Variance
 - ☐ Waiver
 - ☒ Other: Zoning Map Amendment

Summary of project/request²*:

This request is for a Zoning Map Amendment to rezone the properties from

MX-L (Mixed-use - Low Intensity) to MX-M (Mixed-use - Medium Intensity).

*This request is being submitted simultaneously with an application for a zone change from MX-L to MX-M for the property at the southeast corner of San Antonio Dr NE and San Pedro Dr NE

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

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

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

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

☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
☐ Landmarks Commission (LC) ☒ Environmental Planning Commission (EPC)

Date/Time*: November 18, 2021 at 8:30 AM

Location*³: Online Meeting via Zoom, see attached details

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

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

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

Contact Jackie Fishman at 505-764-9801 or fishman@consensusplanning.com

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

1. Zone Atlas Page(s)*⁵ E-18
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

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

Explanation*:

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

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

A pre-submittal meeting was held on September 28, 2021. A summary of this meeting is attached with this notice.

³ Physical address or Zoom link

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

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

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

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

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

Additional Information [Optional]:

From the IDO Zoning Map⁶:

1. Area of Property [typically in acres] 3.34
 2. IDO Zone District MX-L
 3. Overlay Zone(s) [if applicable] _____
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] vacant
-

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

Useful Links

Integrated Development Ordinance (IDO):

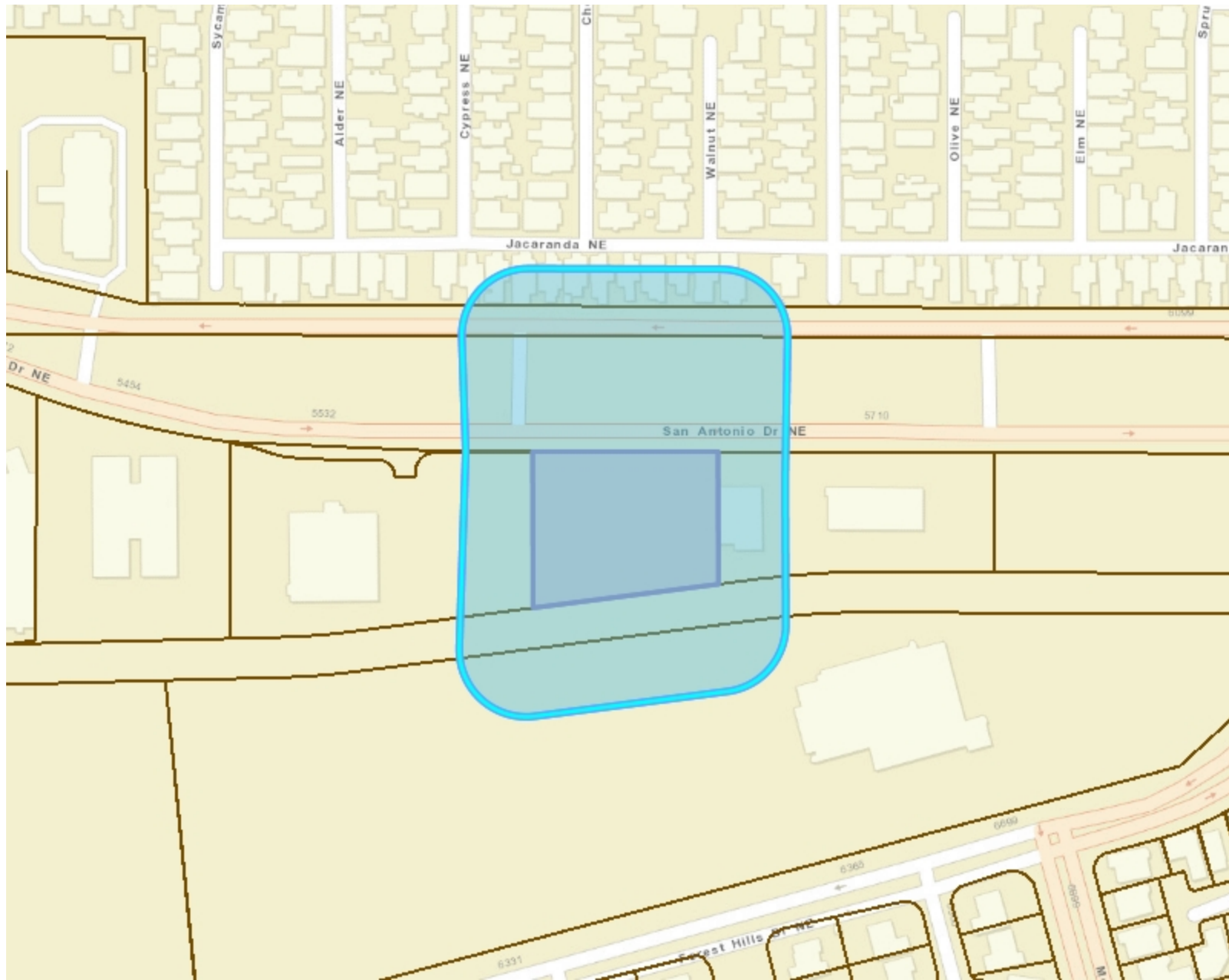
<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

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




WGS_1984_Web_Mercator_Auxiliary_Sphere
10/6/2021 © City of Albuquerque


1: 2,641







The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.


THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

-  Bernalillo County Parcels

 Municipal Limits

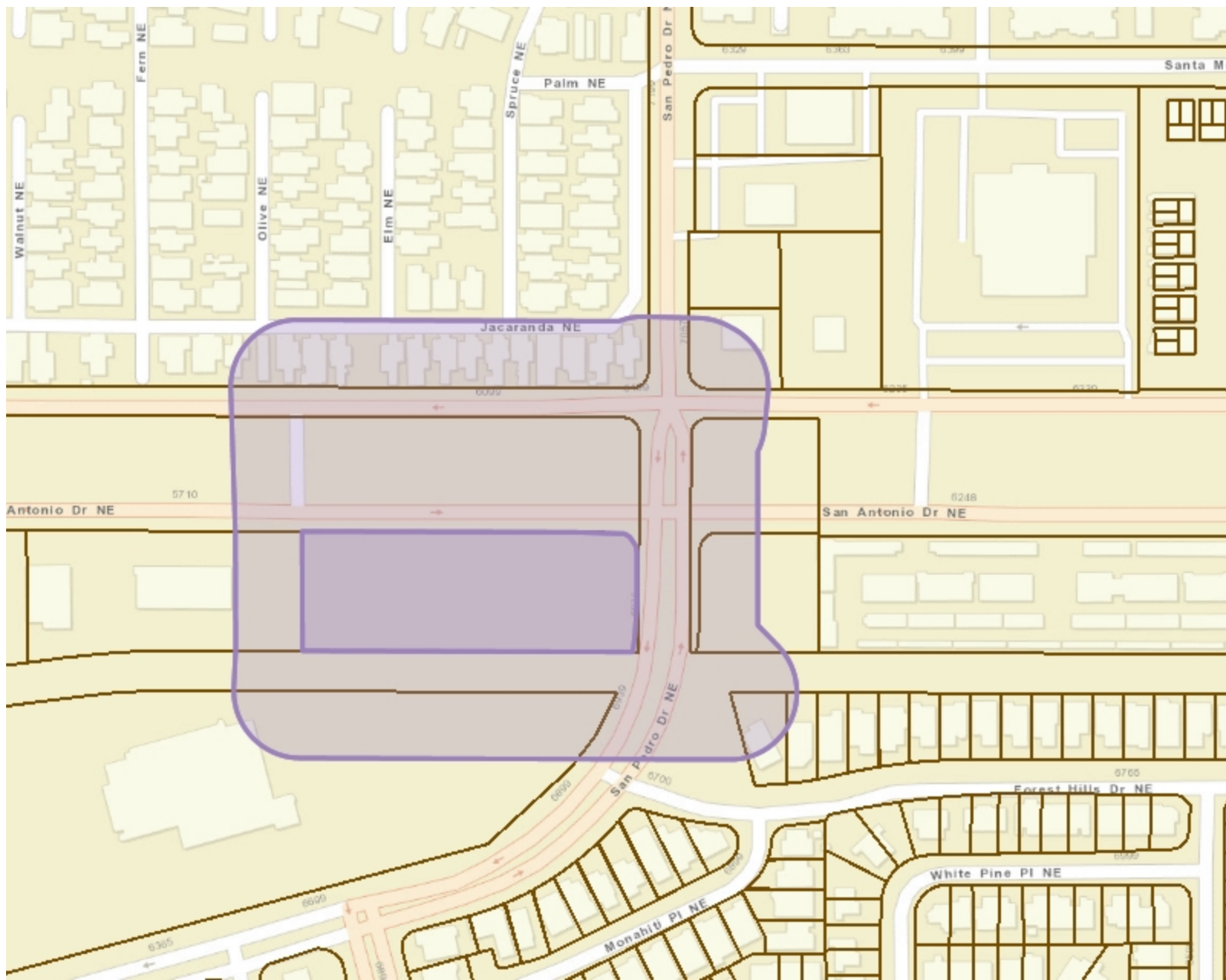
 -  Corrales
 -  Edgewood
 -  Los Ranchos
 -  Rio Rancho
 -  Tijeras
 -  UNINCORPORATED

 World Street Map

Notes



City of Albuquerque



Legend

- Bernalillo County Parcels
- Municipal Limits
 - Corrales
 - Edgewood
 - Los Ranchos
 - Rio Rancho
 - Tijeras
 - UNINCORPORATED
- World Street Map

Notes

440 0 220 440 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
10/6/2021 © City of Albuquerque

1: 2,641

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

UPC	Owner	Owner Address	Owner Address 2	SITUS Address	SITUSADD2	Legal Description	Property (Acres)
101806327401040101	JAMES A DICK CO C/O K E ANDREWS & COMPANY	1900 DALROCK RD	ROWLETT TX 75088-5526	6201 SAN ANTONIO NE	ALBUQUERQUE NM 87109	TR B PLAT OF DIV OF LT 32 BLK 20 OF TR A UNIT A NORTH ALB ACRES EXC SLY POR TO R/W AT SAN ANT C	0.3259
101806228848010854	PANNELL ROSINA E TRUSTEE PANNELL RVT	6715 FOREST HILLS DR NE	ALBUQUERQUE NM 87109-4092	6715 FOREST HILLS DR NE	ALBUQUERQUE NM 87109	TRACT A-2 BLK 1 REPLAT OF TRACT A IN BLK 1 OF ACADAMY ACRESUNIT 16 CONT 0.1410 AC M/L OR 6, R	0.141
101806227750710225	MO TAL LLC	5600 WYOMING BLVD NE SUITE 180	ALBUQUERQUE NM 87109-3149	SAN PEDRO	ALBUQUERQUE NM 87109	TRACT B-2 J GROUP ADDN PLAT OF TRS B-1A & B-2 J GROUP ADDN CONT 31,551 SQ FT M/L	V 0.7243
101806313505330110	OCEAN WEST INVESTORS LLC & MESA DUNES MHC INV	7112 PAN AMERICAN FWY NE	ALBUQUERQUE NM 87109-0000	7112 PAN AMERICAN FRWY NE	ALBUQUERQUE NM 87109	TR B THE MEADOWS MOBILE HOME FACILITY CONT 49,795 AC	R 49.8
101806227751910205	CITY OF ALBUQUERQUE	PO BOX 1293	ALBUQUERQUE NM 87103-2248	N/A	ALBUQUERQUE NM 87109	TRACT B-1A J GROUP ADDN PLAT OF TRS B-1A & B-2 J GROUP ADDNCONT 35,078 SQ FT M/L	V 0.8053
101806228348010801	CHAVEZ CHARLES DAVID & EMILIA VIOLA	6711 FOREST HILLS DR NE	ALBUQUERQUE NM 87109-4092	6711 FOREST HILLS DR NE	ALBUQUERQUE NM 87109	TR A-1 BLK 1 REPLAT OF TR A, BLK 1 CREATING TRACTS A-1 & A-2BLOCK 1, ACADEMY ACRES UNIT 16 C R	0.209
101806216646720105	PRESBYTERIAN HEALTHCARE SVC ATTN: REAL ESTATE D	PO BOX 26666	ALBUQUERQUE NM 87125-6666	6301 FOREST HILLS NE	ALBUQUERQUE NM 87109	TRACT 2 SUBDIVISION & DEDICATION PLAT FOR NEW HEART CENTER CONT 14.4371 AC +-	C 28.8742
101806223850320146	SAN ANTONIO COMMONS LLC	5600 WYOMING BLVD NE SUITE 180	ALBUQUERQUE NM 87109	SAN ANTONIO DR NE	ALBUQUERQUE NM 87109	LT 7-A-1 PLAT FOR LOT 5-A-1 AND LOT 7-A-1 JJ SUBDIVISIONCONT 2.0450 AC	V 2.045
101806219250320144	SAN ANTONIO COMMONS LLC	5600 WYOMING BLVD NE SUITE 180	ALBUQUERQUE NM 87109	5700 SAN ANTONIO DR NE	ALBUQUERQUE NM 87109	LT 5-A-1 PLAT FOR LOT 5-A-1 AND LOT 7-A-1 JJ SUBDIVISIONCONT 1.7225 AC	C 1.7225
101806217551820130	CITY OF ALBUQUERQUE	PO BOX 1293	ALBUQUERQUE NM 87103-2248	N/A	ALBUQUERQUE NM 87109	TRACT A-2-A-1 J GROUP ADDN PLAT OF TRS A-2-A-1 & A-3 J GROUP ADDN CONT 7.6079 AC M/L	V 7.61

UPC	Owner	Owner Address	Owner Address 2	SITUS Address	SITUSADD2	Legal Description	Property (Acres)	
101806313505330110	OCEAN WEST INVESTORS LLC & MESA DUNES MHC INVESTORS LLC & ETAL	7112 PAN AMERICAN FWY NE	ALBUQUERQUE NM 87109-0000	7112 PAN AMERICAN FRWY NE	ALBUQUERQUE NM 87109	TR B THE MEADOWS MOBILE HOME FACILITY CONT 49.795 AC	R	49.8
101806216646720105	PRESBYTERIAN HEALTHCARE SVC ATTN: REAL ESTATE DEPARTMENT	PO BOX 26666	ALBUQUERQUE NM 87125-6666	6301 FOREST HILLS NE	ALBUQUERQUE NM 87109	TRACT 2 SUBDIVISION & DEDICATION PLAT FOR NEW HEART CENTER CON' C	C	28.8742
101806215950320143	SAN ANTONIO COMMONS LLC	5600 WYOMING BLVD NE SUITE 180	ALBUQUERQUE NM 87109	SAN ANTONIO DR NE	ALBUQUERQUE NM 87109	LT 4-A PLAT FOR LTS 4-A, 5-A, 6-A & 7-A JJ SUBDCONT 1.3050 AC	V	1.305
101806219250320144	SAN ANTONIO COMMONS LLC	5600 WYOMING BLVD NE SUITE 180	ALBUQUERQUE NM 87109	5700 SAN ANTONIO DR NE	ALBUQUERQUE NM 87109	LT 5-A-1 PLAT FOR LOT 5-A-1 AND LOT 7-A-1 JJ SUBDIVISIONCONT 1.7225	C	1.7225
101806217551820130	CITY OF ALBUQUERQUE	PO BOX 1293	ALBUQUERQUE NM 87103-2248	N/A	ALBUQUERQUE NM 87109	TRACT A-2-A-1 J GROUP ADDN PLAT OF TRS A-2-A-1 & A-3 J GROUP ADDN V	V	7.61
101806212149920141	BIRCHMAN LLC	1620 CENTRAL AVE SUITE 202	CHEYENNE WY 82001-4575	5550 SAN ANTONIO DR NE	ALBUQUERQUE NM 87109	LT 2-A-1 PLAT FOR LOT 2-A-1, JJ SUBDIVISION CONT 2.6541 AC	C	2.6541

JAMES A DICK CO C/O K E ANDREWS &
COMPANY
1900 DALROCK RD
ROWLETT TX 75088-5526

PANNELL ROSINA E TRUSTEE PANNELL RVT
6715 FOREST HILLS DR NE
ALBUQUERQUE NM 87109-4092

MO TAL LLC
5600 WYOMING BLVD NE SUITE 180
ALBUQUERQUE NM 87109-3149

OCEAN WEST INVESTORS LLC & MESA
DUNES MHC INVESTORS LLC & ETAL
7112 PAN AMERICAN FWY NE
ALBUQUERQUE NM 87109-0000

CITY OF ALBUQUERQUE
PO BOX 1293
ALBUQUERQUE NM 87103-2248

CHAVEZ CHARLES DAVID & EMILIA VIOLA
6711 FOREST HILLS DR NE
ALBUQUERQUE NM 87109-4092

PRESBYTERIAN HEALTHCARE SVC ATTN:
REAL ESTATE DEPARTMENT
PO BOX 26666
ALBUQUERQUE NM 87125-6666

SAN ANTONIO COMMONS LLC
5600 WYOMING BLVD NE SUITE 180
ALBUQUERQUE NM 87109

BIRCHMAN LLC
1620 CENTRAL AVE SUITE 202
CHEYENNE WY 82001-4575

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



PART I - PROCESS

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

Application Type: Zoning Map Amendment

Decision-making Body: Environmental Planning Commission

Pre-Application meeting required: ☒ Yes ☐ No

Neighborhood meeting required: ☒ Yes ☐ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

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

PART II – DETAILS OF REQUEST

Address of property listed in application: The first and third lot to the southwest on San Antonio Dr NE at the intersection of San Antonio and San Pedro Dr NE

Name of property owner: San Antonio Commons LLC

Name of applicant: San Antonio Commons LLC

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

November 18, 2021 at 8:30 AM, see attached zoom details to participate.

Address, phone number, or website for additional information:

Contact Jackie Fishman for more information at 505-764-9801 or fishman@consensusplanning.com

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.

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

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

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

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

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

____ (Applicant signature) October 6, 2021 (Date)

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

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

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: October 7, 2021

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

Property Owner within 100 feet*: _____

Mailing Address*: _____

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

1. Subject Property Address* 99999 San Antonio Dr NE & 99999 San Antonio Dr NE
Location Description _____
2. Property Owner* San Antonio Commons LLC
3. Agent/Applicant* [if applicable] Consensus Planning / San Antonio Commons LLC
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)
 - ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
 - ☐ Variance
 - ☐ Waiver
 - ☒ Other: Zoning Map Amendment

Summary of project/request¹*:

This request is for a Zoning Map Amendment to rezone the properties from

MX-L (Mixed-use - Low Intensity to MX-M (Mixed-use - Medium Intensity).

*This request is being submitted simultaneously with an application for a zone change from MX-L to MX-M for the property at the southeast corner of San Antonio Dr NE and San Pedro Dr NE

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

- | | |
|--|---|
| <input type="checkbox"/> Zoning Hearing Examiner (ZHE) | <input type="checkbox"/> Development Review Board (DRB) |
| <input type="checkbox"/> Landmarks Commission (LC) | <input checked="" type="checkbox"/> Environmental Planning Commission (EPC) |

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

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

Date/Time*: November 18, 2021 at 8:30 AM

Location*²: Via Zoom, See attached details

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

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

6. Where more information about the project can be found*³:
Contact Jackie Fishman at 505-764-9801 or fishman@consensusplanning.com

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

1. Zone Atlas Page(s)*⁴ E-18
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*:

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

Explanation*:

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

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

A pre-submittal meeting was held on September 28, 2021. A summary of this
meeting is attached with this notice.

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

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

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

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

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

- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] 3.34
 2. IDO Zone District MX-L
 3. Overlay Zone(s) [if applicable] _____
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] Vacant
-

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

Useful Links

Integrated Development Ordinance (IDO):

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

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

7021 0350 0000 8531 5505

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Albuquerque, NM 87109

Certified Mail Fee	\$3.75	0101
Extra Services & Fees (check box, add fees as appropriate)	\$3.05	24
<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	\$1.56	
Total Postage	\$8.36	
Sent To	CHAVEZ CHARLES DAVID & EMILIA VIOLA	
Street and Apt.	6711 FOREST HILLS DR NE	
City, State, ZIP	ALBUQUERQUE NM 87109-4092	

Postmark Here
10/07/2021

7021 0350 0000 8531 5599

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Rowlett, TX 75088

Certified Mail Fee	\$3.75	0101
Extra Services & Fees (check box, add fees as appropriate)	\$3.05	24
<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	\$1.56	
Total Postage	\$8.36	
Sent To	JAMES A DICK CO C/O K E ANDREWS & COMPANY	
Street and Apt.	1900 DALROCK RD	
City, State, ZIP	ROWLETT TX 75088-5526	

Postmark Here
10/07/2021

7021 0350 0000 8531 5673

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Albuquerque, NM 87109

Certified Mail Fee	\$3.75	0101
Extra Services & Fees (check box, add fees as appropriate)	\$3.05	24
<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	\$1.56	
Total Postage	\$8.36	
Sent To	OCEAN WEST INVESTORS LLC & MESA DUNES MHC INVESTORS LLC & ETAL	
Street and Apt.	7112 PAN AMERICAN FWY NE	
City, State, ZIP	ALBUQUERQUE NM 87109-0000	

Postmark Here
10/07/2021

7021 0350 0000 8531 5710

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Cheyenne, WY 82001

Certified Mail Fee	\$3.75	0101
Extra Services & Fees (check box, add fees as appropriate)	\$3.05	24
<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	\$1.56	
Total Postage	\$8.36	
Sent To	BIRCHMAN LLC	
Street and Apt.	1620 CENTRAL AVE SUITE 202	
City, State, ZIP	CHEYENNE WY 82001-4575	

Postmark Here
10/07/2021

7021 0350 0000 8531 5642

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Albuquerque, NM 87103

Certified Mail Fee	\$3.75	0101
Extra Services & Fees (check box, add fees as appropriate)	\$3.05	24
<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	\$1.56	
Total Postage	\$8.36	
Sent To	CITY OF ALBUQUERQUE	
Street and Apt.	PO BOX 1293	
City, State, ZIP	ALBUQUERQUE NM 87103-2248	

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7021 0350 0000 8531 5666

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Albuquerque, NM 87109

Certified Mail Fee	\$3.75	0101
Extra Services & Fees (check box, add fees as appropriate)	\$3.05	24
<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	\$1.56	
Total Postage	\$8.36	
Sent To	MO TAL LLC	
Street and Apt.	5600 WYOMING BLVD NE SUITE 180	
City, State, ZIP	ALBUQUERQUE NM 87109-3149	

Postmark Here
10/07/2021

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Albuquerque, NM 87125

Certified Mail Fee \$3.75

\$3.05

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$0.00

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.56

Total Postage \$8.36

Sent To

Street and Apt. #

City, State, ZIP+

PS Form 3800

PRESBYTERIAN HEALTHCARE SVC ATTN:

REAL ESTATE DEPARTMENT

PO BOX 26666

ALBUQUERQUE NM 87125-6666

PS Form 3800

PS Form 3800

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\$3.05

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$0.00

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.56

Total Postage \$8.36

Sent To

Street and Apt. #

City, State, ZIP+

PS Form 3800

PANNELL ROSINA E

TRUSTEE PANNELL RVT

6715 FOREST HILLS DR NE

ALBUQUERQUE NM 87109-4092

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☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.56

Total Postage \$8.36

Sent To

Street and Apt. #

City, State, ZIP+

PS Form 3800

SAN ANTONIO COMMONS LLC

5600 WYOMING BLVD NE SUITE 180

ALBUQUERQUE NM 87109

PS Form 3800

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Consensus Planning
302 8th Street NW
Albuquerque, NM 87102

CERTIFIED MAIL



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87101
OCT 07, 21
AMOUNT

\$8.36

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**LN
10-8**

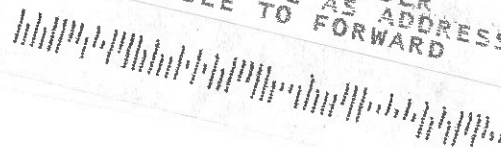
CHAVEZ CHANDELLE A
6719 FOREST HILLS DR NE
ALBUQUERQUE NM 87109

NIXIE

851 FE 1

6011/06/21

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD



Consensus Planning
302 8th Street NW
Albuquerque, NM 87102

CERTIFIED MAIL



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ALBUQUERQUE, NM
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AMOUNT

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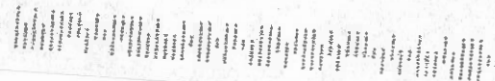
OCEAN WEST INVESTORS LLC & MESA
DUNES MHC INVESTORS LLC & ETAL

NIXIE

851 FE 1

0010/22/21

RETURN TO SENDER
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UNABLE TO FORWARD



Consensus Planning
302 8th Street NW
Albuquerque, NM 87102

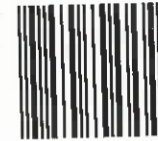
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ALBUQUERQUE, N
87101
OCT 07, 21
AMOUNT

\$8.36

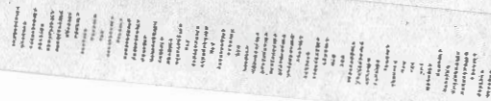
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INVESTORS LLC & MESA
NIXIE

851 FE 1

0010/22/21

RETURN TO SENDER
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Consensus Planning
302 8th Street NW
Albuquerque, NM 87102



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87101
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DENVER FACILITIES SERV OFFICE/USPS
160 INVERNESS DR W SUITE 400
ENGLEWOOD CO 80112

NIXIE

808 EE 1

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7210/23/21

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. 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. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public 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 at a charge of \$3.75 each.

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 _____ To _____

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)
Jim Strozier, Consensus Planning

July 31, 2021
(Date)

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

PROJECT NUMBER: _____

FACILITATED MEETING REPORT

CITY OF ALBUQUERQUE
LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT
6200 San Antonio Pre-Application

Project: Zone Change Pre-Application

Property Description/Address: 6200 San Antonio NE

Date Submitted: September 29, 2021

Submitted By: Philip Crump and Jocelyn M. Torres

Meeting Date/Time: September 28, 2021 5:30-7:30 pm

Meeting Location: Google Meet

Facilitator: Philip Crump

Co-facilitator: Jocelyn M. Torres

Applicant/Agent: San Antonio Commons LLC and Motal LLC / Consensus Planning--Jackie Fishman, Principal and Markie Anderle, Planner.

Neighborhood Associations/Interested Parties: Vineyard Estates NA, Nor Este NA, District 4 Coalition, Albuquerque Meadows Residents' Association, Neighbors.

Background Summary:

Applicant/Agent plan to file two separate applications with the EPC, seeking a zone change from MX-L to MX-M on three noncontiguous parcels of land on the southwest and southeast corners of San Antonio and San Pedro NE.

The two parcels on the SW corner are separated by a center parcel, also owned by Applicant, which is already zoned MX-M. Prior to the IDO, these parcels were zoned SU-1. There is currently a brewery and dental office located on the center parcel. The small parcel at the SE corner is adjacent to a parcel zoned MX-H, which is a more intense zone. [Refer to included diagrams for clarification of SE and SW parcels]

The Applicant has not determined the exact nature of the development that will occupy these two parcels. The parcel to the east is only three quarters of an acre, which limits development possibilities. Also, the parcels are located above a retired City landfill. The landfill is closer to the surface as you get closer to I-25. Venting and monitoring are required for all structures located on that site. All development must comply with applicable environmental standards promulgated by the City's Environmental Health Department.

Introduction:

Facilitators: Philip Crump: phcrumpsf@gmail.com.; and

Jocelyn M. Torres: nmlawyer09@comcast.net.

Philip Crump and Jocelyn M. Torres are neutral facilitators for the City of Albuquerque.

Applicants include San Antonio Commons and Motal LLC (Both Applicants have the same managing partner).

Agent is Consensus Planning: Jackie Fishman, Principal and Markie Anderle, Planner.

Neighbor Questions and Meeting Specifics (*Italicized Q/C designate question/comment*):

1. *Q: Are both parcels owned by the same owner?*

A: Yes.

CITY OF ALBUQUERQUE
LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT
6200 San Antonio Pre-Application

2. *Q: What is the intended use for these properties?*
A: The intended use is currently unknown. The development must comply with environmental standards regarding retired landfills. The MX-L/MX-M chart provides the indicated uses for each zoning designation.
3. *Q: What about notice to Albuquerque Meadows?*
A: Initial notice should have been sent to Albuquerque Meadows, has since been sent and will be sent regarding future applications/development in this vicinity Integrated Development Ordinance (IDO) requirements.
4. *C: I want the record to reflect that the AGIS protocol incorrectly puts Albuquerque Meadows within 0.025 miles of these parcels. It is in fact within .25 miles of these parcels (1,32__feet); thus meeting the IDO notice requirements. The Albuquerque Office of Neighborhood Coordination (ONC) and Consensus Planning should have been aware of this IDO requirement. I do know that City Planning is working with the ONC to correct the problem.*
5. *Q: Where on the map are the power lines?*
A: They are located in the median.
Q: So they are not near these parcels?
A: Correct.
6. *Q: What happened to the Modulus project (from last March) for an office building and gas station at the southwest corner of San Antonio and San Pedro?*
A: I spoke with Angela Williamson of Modulus. That project was abandoned because the gas station could not be located above the landfill without excessive remediation costs.
7. *Q: Will the site require significant remediation because of the gases and chemicals coming out of the ground?*
A: That depends on what Environmental Health directs. The nearby Legacy LLC hotel did require significant remediation.
8. *Q: No single family housing, hospitals, outdoor auto storage, adult entertainment or manufacturing can be located in MX-M, right?*
A: I'm not sure but that sounds right.
C: The corner of Wyoming/Montgomery is a potential location for a hospital/ER. An urgent care is being built at La Mirada.
9. *Q: What about liquor and marijuana sales?*
A: Liquor is conditional in both MX-L and MX-M. Marijuana is permissive in both zones.
10. *C: There are no Albuquerque Meadows residents in attendance. I understand they are concerned about the following potential issues with development on San Antonio:*
 - a. *Interference with pedestrian traffic to nearby businesses and the post office;*
 - b. *Increased traffic safety issues involving inebriated drivers; and*
 - c. *Decreased property values.**C: I don't see a pedestrian traffic problem with the existing brewery and dental office.*

CITY OF ALBUQUERQUE
LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT
6200 San Antonio Pre-Application

Meeting Adjourned.

Attachments: San Antonio Diagrams:

Zone Atlas page E-18-Z, showing the three parcels

Amendment to Site Development Plan for Subdivision, dated January 21, 2016, for previous zoning

IDO Zoning Comparison: MX-L vs MX-M

Next Steps:

Applicant/Agent will file two applications for zone map amendments from MX-L to MX-M.

Names & Affiliations of Attendees (and Interested Parties Not Attending):

Jackie Fishman	Consensus Planning
Michael Vos	Consensus Planning
Markie Anderle	Consensus Planning
Mildred Griffiee	District 4 Coalition of NAs
Dan Regan	District 4 Coalition of NAs
Mark Reynolds	District 4 Coalition of NAs
Michael Pridham	District 4 Coalition of NAs
Lucy Baca	Vineyard Estates NA, Dist 4
Jim Griffiee	NorEste NA
Uri Bassan	NorEste NA
Pat Stetson	Albq Meadows Residents' Association
Jocelyn M Torres	Land Use Facilitator
Philip Crump	Land Use Facilitator
Tyson Hummell	COA ADR Coordinator

FACILITATED MEETING REPORT AMENDMENT

6200 San Antonio NE Pre-application

Date Submitted: 2 October 2021
Original Submission: 29 September 2021
Submitted By: Philip Crump
Facilitator: Philip Crump
Co-facilitator: Jocelyn Torres
Project Number: N/A
Meeting Date and Time: 28 September 2021 5:30-7:30 pm

Neighbor Questions and Meeting Specifics

3. *Q: What about notice to Albuquerque Meadows?*

A: Initial notice should have been sent to Albuquerque Meadows, has since been sent and will be sent regarding future applications/development in this vicinity Integrated Development Ordinance (IDO) requirements.

Should read

A: I apologize for the error made by ONC in determining who we were required to notify. The application has not been submitted, but I did send Albuquerque Meadows the pre-application notice and invited them to the facilitated meeting last week and today. I didn't get a response from them. We will provide future notices regarding the project to Albuquerque Meadows per Integrated Development Ordinance (IDO) requirements.