



Environmental Planning Commission

Agenda Number: 3
Project #: PR-2020-004195
Case #: RZ-2020-00021
Hearing Date: September 10, 2020

Staff Report

Agent	Modulus Architects, Inc.
Applicant	Waken LP c/o Zia Management
Request	Zoning Map Amendment (zone change)
Legal Description	Lots A-G and a portion of Lot M, replat of Tract A Franklin Plaza, together with Lots L-1 N and P, amended replat of Lots K, L, and part of Lot M Franklin Plaza
Location	the northeast corner of the Central Ave. NE/Juan Tabo Blvd. NE intersection (108 Juan Tabo Blvd. NE)
Size	Approximately 11 acres
Existing Zoning	MX-L
Proposed Zoning	MX-H

Staff Recommendation

APPROVAL of RZ-2020-00021, based on the Findings beginning on Page 20.

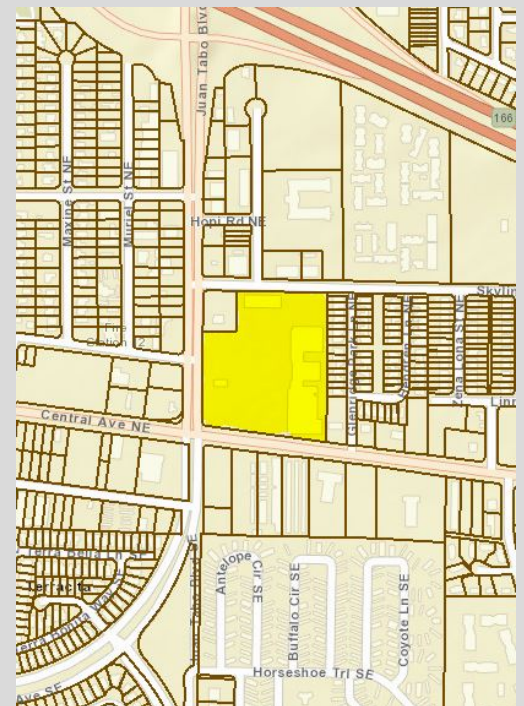
***Staff Planner
Catalina Lehner, AICP-Senior Planner***

Summary of Analysis

The request is for a zoning map amendment for an approximately 11 acre site on the NE corner of the intersection of Juan Tabo Blvd. NE and Central Ave. NE. The subject site, the mostly vacant Franklin Plaza shopping center, was zoned MX-L upon adoption of the Integrated Development Ordinance (IDO). The applicant wants to change the zoning to MX-H to facilitate redevelopment of a variety of mixed-uses and to make the existing 95,000 sf of General Retail, Large buildings to conform to the zoning standards. The subject site is in an Area of Change.

The applicant has adequately justified the request pursuant to the IDO based upon the proposed zoning being more advantageous to the community because a preponderance of Comprehensive Plan Goals and policies are furthered.

The affected neighborhood organizations are the Singing Arrow Neighborhood Association (NA), the Sandia Vista NA, and the East Gateway Coalition, which were all notified as required. Property owners within 100 feet of the subject site were also notified as required. A pre-application meeting was held and there is general support. Staff recommends approval.

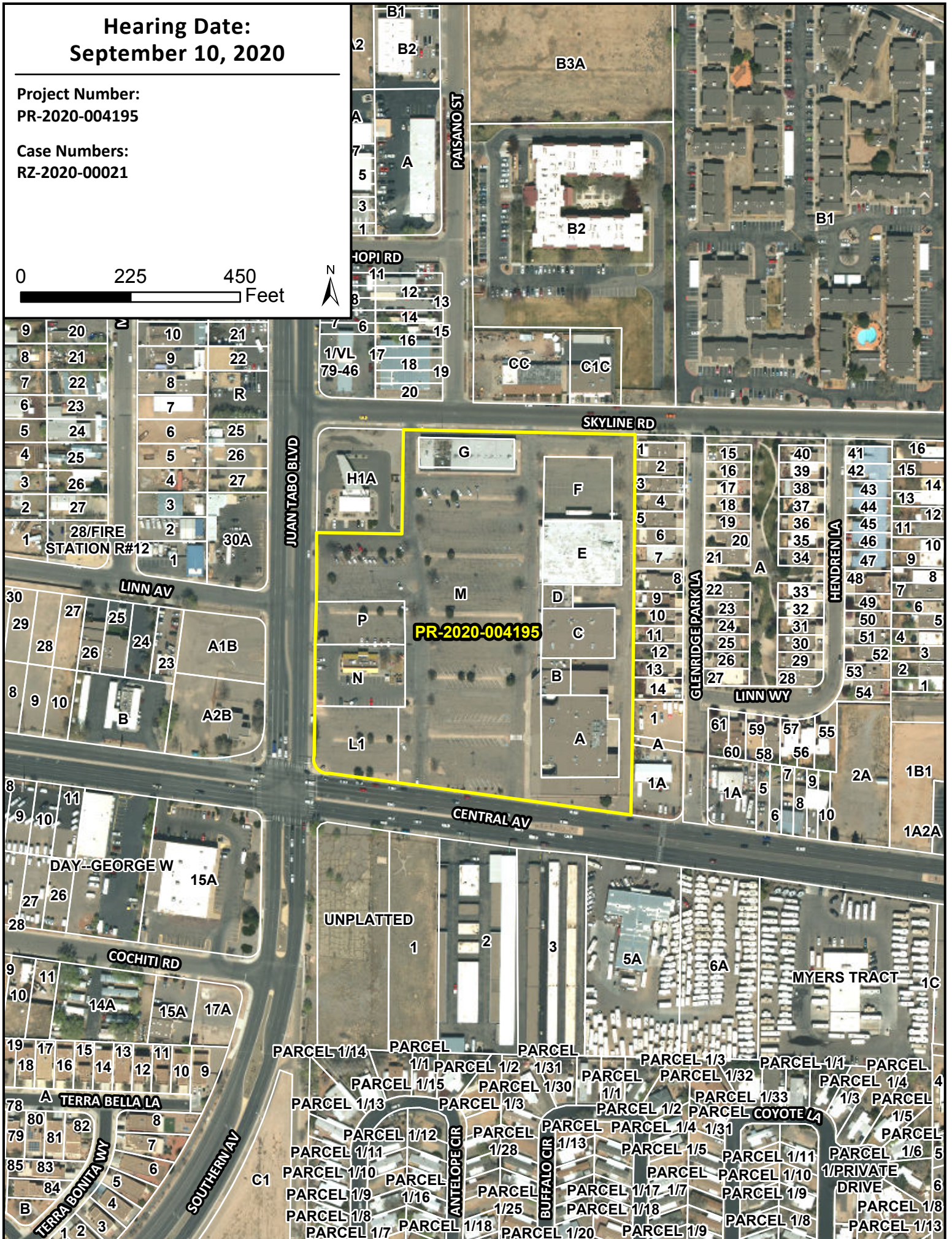


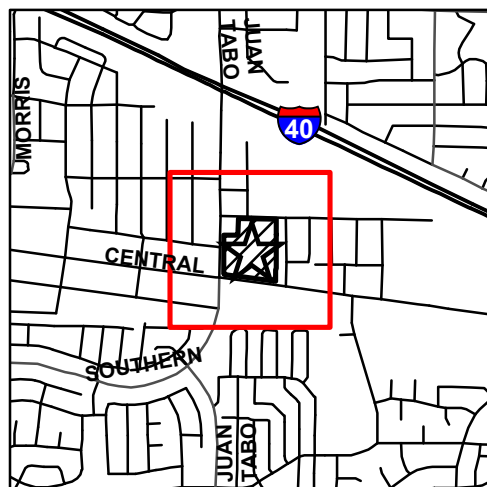
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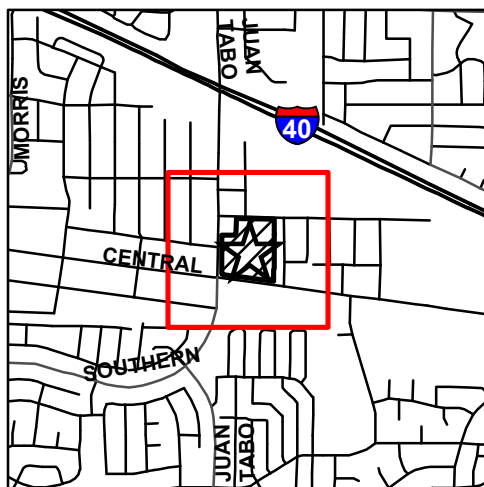




Note: Gray shading indicates County.



Zone Atlas Page:
L-22



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
CMSV Commercial Services	DRNG Drainage
OFC Office	VAC Vacant
IND Industrial	UTIL Utilities
INSMED Institutional / Medical	CMTY Community
ED Educational	KAFB Kirtland Air Force Base

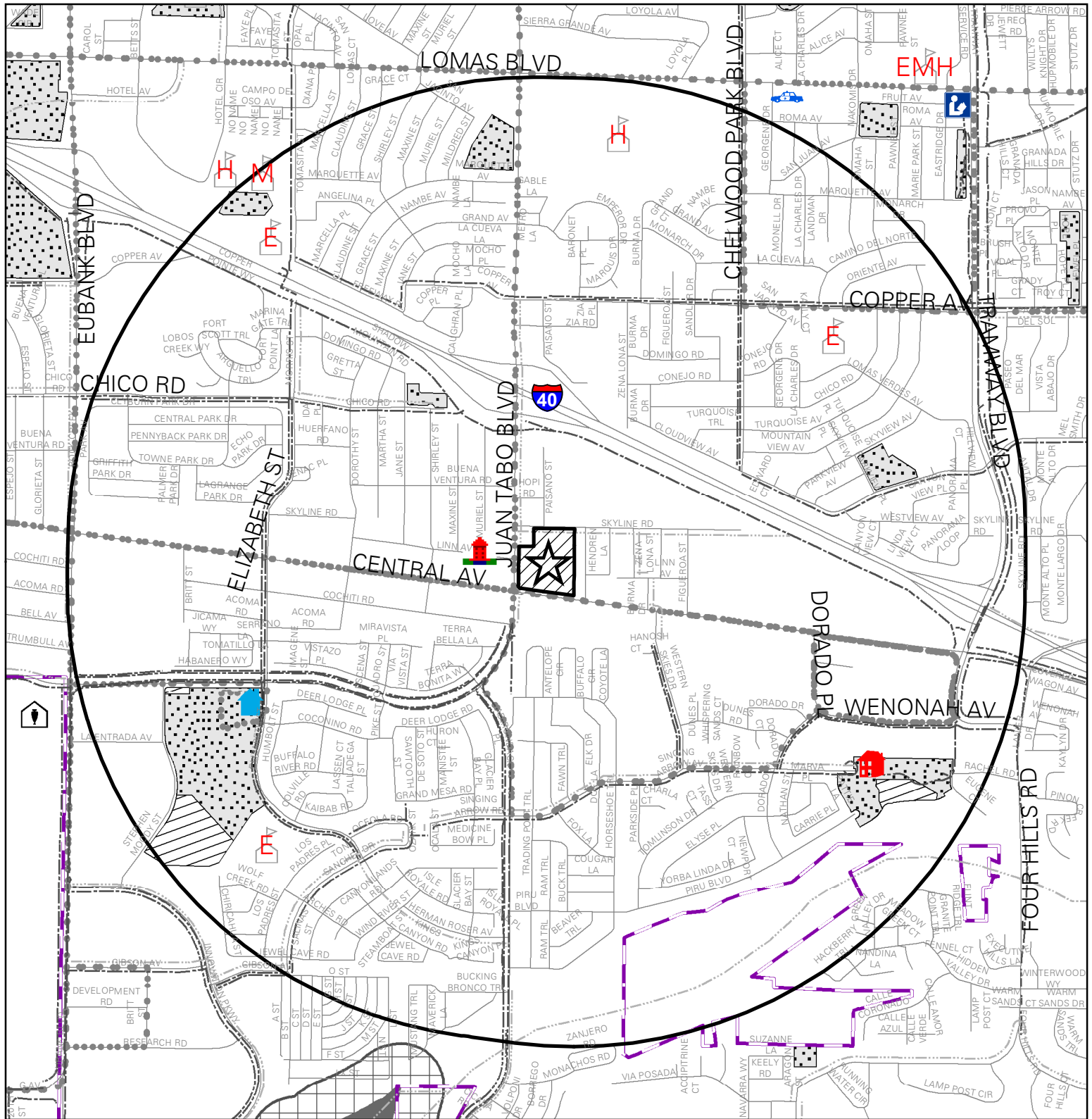


1 inch = 250 feet

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9/10/2020

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Public Facilities Map with One-Mile Buffer



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

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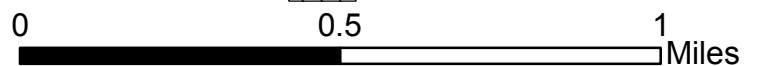


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Attachments

I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Site</i>	MX-L	Area of Change	Large-box retail (closed), smaller strip retail (mostly closed), fast-food
<i>North</i>	NR-C	Area of Change	Bank, car wash, small manufacturing/retail
<i>South</i>	MX-L	Area of Change	Vacant lot, self-storage, RV sales
<i>East</i>	MX-L, R-T	Area of Consistency Area of Change	Townhome development
<i>West</i>	MX-H	Area of Change	Utility substation, recycling business, vacant

Request

The request is for a zoning map amendment (zone change) for an approximately 11-acre site legally described as Lots A-G and a portion of Lot M, replat of Tract A Franklin Plaza, together with Lots L-1 N and P, amended replat of Lots K, L, and part of Lot M Franklin Plaza (aka the “subject site”).

The subject site comprises the northeastern corner of the intersection of Juan Tabo Blvd. NE and Central Ave. NE and is the site of the Franklin Plaza shopping center, which is now mostly boarded-up. Buildings include a vacant large-box retail space on the eastern side, smaller strip retail on the northern side, a large parking lot, and an existing fast-food retailer on the western side. The approximately 0.9 acre lot on the SE corner of Juan Tabo Blvd. NE and Skyline Rd. NE contains a bank and is not included in the request.

The subject site is currently zoned MX-L (Mixed-Use Low Intensity Zone). The applicant is requesting a zone change to MX-H (Mixed Use-High Intensity Zone) to facilitate re-development of the subject site with a variety of uses.

The subject site would have qualified for the voluntary zoning conversion process established via Resolution 18-29 (Enactment No. R-018-019). Upon adoption of the Integrated Development Ordinance (IDO), the vacant large-box building became a non-conforming use because the MX-L zone does not allow retail buildings larger than 10,000 sf in size. However, the property owner did not participate in the zoning conversion process that was finalized last year and is no longer available. Hence this application is now submitted via the IDO’s Zoning Map Amendment process for the EPC’s consideration.

EPC Role

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

City Council. The City Council would make then make the final decision. The request is a quasi-judicial matter.

Context

The subject site is located in a developed area in the East Gateway Metropolitan Redevelopment Area (MRA) and is characterized by a variety of land uses. North of the subject site is a bank on a separate lot, an old car wash, and a strip of small retail/manufacturing businesses (ex. jewelry). To the south is a vacant tract, self-storage, and RV sales. East of the subject site is an established townhome development, auto sales, and a garage (auto repair). To the west are a utility substation, a recycling business, and a vacant lot.

The subject site is located in an Area of Change as designated by the Comprehensive Plan, but is not in a designated Activity Center. The subject site is within the boundaries of the East Gateway Metropolitan Redevelopment Area Plan.

History

The subject site was part of a larger annexation that included land between Eubank Blvd. and Tramway Blvd., and land south of Chico Rd. NE and north of Acoma Rd. SE and just north of Singing Arrow Rd. SE. The annexation occurred in June 1948 (Source: AGIS annexation layer). It appears that the subject site was given zoning of R-1 and C-2, as indicated by a zone change record from 1967. A strip of C-3 zoning had been established along Juan Tabo Blvd. NE and a strip of C-2 zoning had been established along Central Ave. NE (Z-1757). The request was to change a portion of the R-1 and C-2 zoning to C-3 to increase the depth of the C-3 land along Juan Tabo Blvd. NE.

In March 1972, there was a zone change request by El Pueblo Homes to change the R-1 and C-2 zoning to SU-1 for Mobile Home Park. It appears that the request was not approved, though a Notice of Decision was not found.

The original site plan for the subject site was approved in September 1973 (Z-72-59). Interestingly, a large arroyo traversed the site from NE to SW. The site plan showed businesses such as a Safeway grocery store, a Thrifty, and a Sprouse-Reitz at the site's eastern side, separated from the streets by a very large parking lot, consistent with the site design trends of the 1970s. The buildings are in the same locations today.

In June 1984, the lease spaces on the eastern side were slightly reconfigured via an administrative amendment (AA). In October 1992, there was an AA for a new signage plan. Businesses at that time included Furr's cafeteria, a boot store, a Chinese restaurant, and Route 66 Bingo. A request from 1988 (Z-88-53) to add a video store to the site was not heard due to application incompleteness. It's unclear if the request went forward.

Upon adoption of the East Gateway Sector Development Plan (EGSDP) in October 2010, the subject site was re-zoned SU-2/EG-NAC, East Gateway Neighborhood Activity Center zone. The intention was to enable future development. Neighborhood activity centers were generally between 5 and 15 acres, smaller in scale than Community Activity Centers. Permissive uses are listed in the EGSDP and mostly corresponded to the C-1 Neighborhood Commercial zone, with exceptions, and included townhouses, apartments, and live-work.

Upon adoption of the Integrated Development Ordinance (IDO) in May 2018, which replaced the City's zoning code, the subject site's zoning converted to its current zoning of MX-L using the City Council's zoning conversion rules. The MX-L zone was the closest approximation to SU-2/EG-CAC, which approximated the former C-1 zone.

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classifications of roadways. Central Ave. NE and Juan Tabo Blvd. NE are both Community Principal Arterials.

Comprehensive Plan Corridor Designation

The subject site is located at the northeastern corner of the intersection of Central Ave. NE and Juan Tabo Blvd. NE. Central Ave. NE is a designated Premium Transit Corridor and Major Transit Corridor. Juan Tabo Blvd. NE is a designated Multi-Modal Corridor.

The Premium Transit designation acts as an overlay on other corridor designations. Currently, only Central Ave. is designated a Premium Transit Corridor because it has high-capacity and high-frequency transit service, and that designation extends all the way to Tramway Blvd. However, until there are active Premium Transit stations (see IDO definition), the underlying corridor designation is used.

In this case, it's Major Transit Corridor. Major Transit Corridors are anticipated to be served by high-frequency and local transit. These corridors prioritize transit above other modes to ensure a convenient and efficient transit system. Central Ave. NE is not a Main Street Corridor in this location; that designation's eastern boundary is near Wyoming Blvd. NE, west of the subject site.

Juan Tabo Blvd. NE is a designated Multi-Modal Corridor. Multi-Modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development to a more mixed-use, pedestrian-oriented environment and focus heavily on providing safe, multi-modal transportation options. The subject site is an aging auto-oriented commercial development.

Trails/Bikeways

A bicycle lane is proposed along Juan Tabo Blvd. NE abutting the subject site, and would connect to the multi-use trail that begins just south of Central Ave. NE. Skyline Rd. NE, on the subject site's northern side, is a proposed bike boulevard.

Transit

ART Route 777 connects to the constructed ART Corridor and Fixed Route 66- Central Avenue runs east-west on Central Ave. NE; both turn around at Tramway Blvd. and Wenonah. Fixed Route 1- Juan Tabo runs north-south on Juan Tabo and serves Kirtland Air Force Base.

The intersection of Juan Tabo Blvd. NE and Central Ave. NE is extremely well served by transit. Route 1-Juan Tabo has a stop pair on either side of Central Ave. NE. It runs for 12 hours a day on weekdays and for six hours a day on both Saturday and Sunday.

Route 66-Central Avenue and ART 777 share a stop pair about 150 feet either side of Juan Tabo Blvd. NE. Route 66-Central Avenue runs 15 hours on weekdays on a 16-minute headway. ART 777 runs 16 hours a day on weekdays with a 20-minute headway. Both the Central Avenue bus and the ART also run 15 hours a day on Saturdays and Sundays.

Public Facilities/Community Services

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

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

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.

General Retail: An establishment providing for the retail sale of general merchandise or food to the general public for direct use and not for wholesale; including but not limited to sale of general merchandise, clothing and other apparel, flowers and household plants that are not grown on-site, dry goods, convenience and specialty foods, hardware and similar consumer goods, or other retail sales not listed as a separate use in Table 4-2-1. See also Adult Retail, Building and Home Improvement Materials Store, Large Retail Facility, Liquor Retail, and Grocery Store.

General retail is divided into 3 categories based on the size of the establishment or use (not the size of the structure):

1. General Retail, Small: An establishment with no more than 10,000 square feet of gross floor area.
2. General Retail, Medium: An establishment of more than 10,000 square feet of gross floor area and no more than 50,000 square feet of gross floor area.
3. General Retail, Large: An establishment of more than 50,000 square feet of gross floor area. See also *Large Retail Facility*.

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

Transit Station: A designated place where transit vehicles stop for passengers to board or alight from the vehicles. Usually associated with a premium service such as bus rapid transit, transit stations are distinguished from transit stops by having level-boarding platforms and passenger amenities such as ticket vending machines and real-time transit information, as well as common transit stop amenities such as seating and/or shelters.

Zoning

The subject site is currently zoned MX-L [Mixed-Use Low Intensity Zone District, IDO 14-16-2-4(B)], which was assigned upon adoption of the IDO. Primary land uses are non-destination retail and commercial uses, townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area. Specific permissive uses are listed in Table 4-2: Allowable Uses, IDO p. 130.

The request is to change the subject site's zoning to MX-H (Mixed Use, High Intensity Zone District, IDO 14-16-2-4(D)). The purpose of the MX-M zone is to provide for large-scale destination retail and high-intensity residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H

zone is intended to allow higher-density infill development in appropriate locations. Specific permissive uses are listed in Table 4-2 of the IDO.

There are several noteworthy differences between the MX-L and the MX-H zones. The first one that comes to mind is General Retail. The MX-L zone allows General Retail, Small (up to 10,000 sf), but does not allow General Retail, Large (more than 50,000 sf). The first zone in which General Retail, Large is allowed is the MX-H zone. Existing buildings on the subject site total approximately 95,000 sf. In addition to the purpose of the MX-H zone, this is another significant reason the request is for MX-H. Note General Retail, Medium is also allowed in MX-H, but not in MX-L.

Other uses that would become permissive under the MX-H zone, which are not currently allowed by the existing MX-L zoning, are hospital, catering service, nightclub, personal and business services-large, and adult retail. Liquor retail is not allowed in the MX-L zone except for in Downtown, East Downtown (EDO), and the La Cueva area [14-16-4-3-(D)(36)(e)], but would also become permissive in MX-H.

Both the MX-L and MX-H zones allow the same permissive residential uses: live-work, multi-family, and townhouses.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Change. Applicable Goals and policies are listed below. Staff analysis follows in plain text.

When a Goal or policy is listed and is not applicable, it's because the applicant included it in the zone change justification letter. Other Goals and policies that are relevant, but not listed by the applicant, are included at the end as Staff citations.

Chapter 4: Community Identity

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

The community in the vicinity of the subject site is distinct because it is a designated Metropolitan Redevelopment Area (MRA) in the East Gateway area of the City and, as such, is prime for the redevelopment and reinvestment that the request would facilitate. Future development of a mixture of uses would be consistent with the community character of having a variety of land uses. The request furthers Policy 4.1.1-Distinct Communities.

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

The request would facilitate future development on the subject site under the MX-H zone, which would be subject to IDO requirements including Neighborhood Edges (14-16-5-9), the mixed use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5-6-(E)), and building design standards (14-16-4-11). These would help ensure appropriate scale and location of development, character of building design, and that the cohesiveness of the neighborhood to the east is not adversely affected. The mix of uses is unspecified at this time, but any use would be

subject to the aforementioned requirements. The request generally furthers Policy 4.1.4- Identity and Design.

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

This chapter is about the Community Planning Assessment Areas (CPAs). East Gateway is a CPA and the subject site is located there. However, Staff finds that this policy doesn't apply because it's more about long-range planning Staff's process of implementing the CPAs (i.e.-prioritizing projects and programs) than applicable to a particular current planning request. However, the applicant's ideas regarding the distinct identity and character of the area have been incorporated into their response to other Goals and policies.

Chapter 5: Land Use

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

Though not located in a designated Activity Center, the subject site is at the convergence of two designated corridors: Juan Tabo as a Multi-Modal Corridor and Central Ave. as a Major Transit Corridor and the most important corridor in the City. Premium Transit is designated, but not activated yet, for this portion of Central Avenue. The request would facilitate development that would re-inforce these corridors, though could potentially detract from development in designated Activity Centers such as the nearby Four Hills Village Activity Center. The request partially furthers Goal 5.1-Centers & Corridors.

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

For the same reasons as Goal 5.1, the request partially furthers Sub-Policy 5.1.1c. Though the request would encourage employment redevelopment and infill along two designated Corridors, and could result in employment density and compact development, the subject site is outside of a designated Activity Center.

Actions 5.1.1.3 and 5.1.1.4, regarding opportunities for Transit Oriented Development (TOD) and promoting public-private cooperation, respectively, do not apply because the requirement in 14-16-6-7-(F)(3)(a) refers only to Goals and policies.

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

The request would direct more intense growth and development of uses allowed in the MX-H (Mixed-Use High Intensity) zone to an Area of Change at the intersection of two designated corridors: Juan Tabo Blvd. NE is a Multi-Modal Corridor and Central Ave. NE is a Major Transit Corridor with a Premium Transit designation overlay, to be activated in the future. The request generally furthers Policy 5.1.2- Development Areas.

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

Neighborhood-oriented, smaller-scale development is already possible under the MX-L zone, the IDO zone based upon the former C-1 neighborhood commercial zone. Growth resulting from the request could be neighborhood-oriented, but it is more likely to be larger-scale and regional given the proposed change of zone. The request partially furthers Sub-Policy 5.1.6(b).

Policy 5.1.8- Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

The Comprehensive Plan designates Central Ave. NE as a Premium Transit Corridor all the way to Tramway Blvd. However, until Premium Transit stations (see IDO definition) are installed, the Premium Transit overlay designation cannot be used for policy analysis. However, in general, redevelopment of the subject site with mixed uses would foster further development of the Central Avenue Corridor and support the Premium Transit designation. The request generally furthers Policy 5.1.8- Premium Transit Corridors.

Policy 5.1.10- Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

The request would facilitate development of uses permissive in the MX-H zone. More intense uses (especially multi-family residential) are generally desirable along Major Transit Corridors because they would help activate the corridor with more people using transit and walking. The MX-L zone and the MX-M zone allow the same residential uses permissively: townhouse, live-work, and multi-family. Though a zone change is not needed to achieve this, redevelopment of the subject site with more mixed-uses and at a higher intensity than previously allowed would generally foster development of the corridor and support transit service. The request generally furthers Policy 5.1.10-Major Transit Corridors.

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

Staff finds that this policy does not apply because it is particular to designing a corridor and the request would enable re-design of the subject site, and the request is not for a site plan.

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

The request would facilitate redevelopment of the subject site, which would provide additional opportunities for area residents to live, work, shop, and perhaps learn and play, together, and would generally foster such a community. 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 generally contribute to creating a healthy and sustainable community because it would facilitate development of a mix of uses that would be conveniently accessible from surrounding neighborhoods via designated Transit corridors, which would encourage transit use,

walking, and biking. Redevelopment near the City's eastern gateway would contribute to the distinct character of this community. The request furthers Policy 5.2.1-Land Uses.

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

The request would facilitate redevelopment and development on the subject site, which is adjacent to an established neighborhood. Any new goods, services, and amenities would be within walking and biking distance of this neighborhood and of nearby neighborhoods. The subject site's location at an intersection of two designated arterials that are also transit corridors promotes good access by vehicles and transit. The request furthers Sub-Policy 5.2.1(a).

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 subject site is already served by existing infrastructure and public facilities, so the redevelopment made possible by the request would generally promote efficient development patterns and use of land. The request furthers 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 site is located in an infill area already served by existing infrastructure and public facilities; the request would support additional growth in this established area. 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 and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located in an Area of Change, where growth is expected and desired. The request would encourage, enable, and direct growth to it. The request generally furthers Goal 5.6-City Development Areas.

Sub-Policy 5.6.2(b): Encourage development that expands employment opportunities.

Redevelopment of the subject site, facilitated by the request, would generally create and expand employment opportunities in the area. The request generally furthers Sub-Policy 5.6.2(b).

Chapter 8- Economic Development

Goal 8.1-Placemaking: Create places where business and talent will stay and thrive.

The request would facilitate redevelopment that would foster placemaking in this east gateway location, which would generally contribute to creating places where businesses and talent would stay and thrive. The request generally furthers Goal 8.1-Placemaking.

Policy 8.1.1- Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

Redevelopment of the subject site would generally foster a range of interesting places and contexts in the East Gateway area and would potentially encourage additional economic development opportunities. The MX-H zone allows a wide variety of uses, making it more likely that different intensities, densities, and building scales would result. The request generally furthers Policy 8.1.1-Placemaking.

Sub-Policy 8.1.1(a): Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels.

Redevelopment of the subject site would be an investment along two designated Corridors, but not in an Activity Center. Though it would help concentrate employment, it's unknown if the employment would be mostly service jobs or would have a range of occupational skills and salary levels. The request partially furthers Sub-Policy 8.1.1(a).

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

The request would enable redevelopment of the subject site with a wider range of mixed uses than currently allowed, which would generally foster a robust, resilient, and diverse economy with a variety of uses and opportunities. The request would also encourage economic development efforts that would improve quality of life for area residents by offering good, services, and possibly living options. The request generally furthers Policy 8.1.2-Resilient Economy.

Staff adds the following:

Policy 5.6.2- Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request would serve to direct growth and more intense development to an Area of Change, at the convergence of two designated transit corridors, Juan Tabo Blvd. and Central Ave., in the East Gateway Metropolitan Redevelopment Area. The request generally furthers Policy 5.6.2-Areas of Change.

East Gateway Metropolitan Redevelopment Area Plan

The City Council adopted the East Gateway Metropolitan Redevelopment Area Plan (EGMRA) plan in April 2016 (R-16-13). In July 2019, the boundaries were expanded to include Singing Arrow Park and the Rancho de Carnue archaeological site.

The purpose of the EGMRA plan is to make Central Avenue more welcoming to residents and visitors arriving at the City's edge by facilitating redevelopment of vacant and underutilized parcels and providing a greater variety of businesses and services that are much needed in the area (p. 3). Though it does not contain Goals or policies, the Plan makes recommendations for public improvements such as landscaping, promoting redevelopment along the Central corridor, redevelopment of vacant and underutilized parcels, and beautification and safety improvements.

The request is consistent with the purpose of the EGMRA plan because it would facilitate redevelopment of underutilized parcels that would result in a greater variety of businesses and services available in the area.

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

Requirements

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

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 change justification letter analyzed here, received on August 27, 2020, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned MX-L (Mixed-Use Low Intensity Zone). The requested zoning is MX-H (Mixed Use High Intensity Zone). The reason for the request is to allow re-development of the subject site with a greater variety of commercial uses and so that the existing, approximately 95,000 square feet of General Retail, Large buildings conform to their zoning. General Retail, Large is first allowed in the MX-H zone.

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

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

Applicant (summarized): The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comprehensive Plan as amended, and other applicable plans adopted by the City. As demonstrated in our policy narrative above, the proposed zone change would further a preponderance of Goals and Policies found in the ABC Comprehensive Plan and would clearly facilitate the desired goals.

Staff: 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.

Applicable citations: Policy 4.1.1- Distinct Communities; Policy 4.1.2-Identity and Design; Subpolicy 5.1.1.(c); Goal 5.1-Centers and Corridors; Subpolicy 5.1.6(b); Policy 5.1.8-Premium Transit Corridors; Policy 5.1.10-Major Transit Corridors; Policy 5.1.11- Multi-Modal Corridors;

Goal 5.1-Complete Communities; Policy 5.2.1-Land Uses; Subpolicy 5.2.1(a); Goal 5.1-Efficient Development Patterns; Policy 5.3.1-Infill Development; Goal 5.6-City Development Areas; Subpolicy 5.6.2(b); Goal 8.1-Placemaking; Policy 8.1.1-Diverse Places; Policy 8.1.2-Resilient Economy.

Non-applicable citations: Action 5.1.1.3; Action 5.1.1.4; Policy 7.3.5-Development Quality.

The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding distinct and complete communities, transit corridors, redevelopment and infill, Areas of Change, and economic diversity. Therefore, the request is consistent with the City's health, safety, morals and general welfare. The response to Criterion A is sufficient.

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

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

The criterion is not applicable as the proposed amendment is wholly in an Area of Change as shown in the ABC Comp Plan.

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

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

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

Applicant (summarized): The proposed amendment is located in an Area of Change (as shown in the ABC Comp Plan) and our justification has demonstrated that the existing zoning is inappropriate because it meets criteria (3). The proposed zone change would be more

advantageous to the community because many of the ABC Comp Plan goals and policies have been furthered as articulated in the "Policy Analysis" section above. This proposed zone change will allow for redevelopment and implementation of patterns of land use that are consistent with the Comp Plan conditions and historic land use, and will promote connectivity along the Major Transit Corridor/Premium Transit Corridor as a destination for employment and services.

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

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

Applicant (summarized): This zone change request will not include permissive uses that would be harmful to adjacent properties, the neighborhoods or the community. The permissive uses between the MX-L zoning designation and the MX-H zoning designation are very similar. For discussion, I have provided a side-by-side analysis below of the uses that will change under the MX-H zoning district [see table in applicant's justification].

Permissive uses that could be construed as having possible harmful effects such as a taproom, bar, nightclub, light vehicle fueling station, or liquor retail are regulated by local, state and federal requirements and must comply with all New Mexico state laws, including but not limited to, any required spacing. They are also controlled by Specific-Use Standards in the IDO to mitigate potential harmful effects on the surrounding area. These uses that would become permissive will be nonconsequential for the following reasons:

- 1. Bar/Taproom or tasting room – This use is considered Conditional Primary under the MX-L zoning district. Meaning, the use would require a Conditional Use Permit (CUP) through the ZHE before the use can be allowed. The use will become Permissive use the MX-H zoning district. There is not a major difference because the MX-L required an additional step and would have still been Permissive after the CUP was obtained. Additional requirements are defined in 4-3(D)(8) limit this use. The establishment MUST comply with all New Mexico state law requirements.*
- 2. Nightclub - This use will become permissive in the MX-H zone district. Additional requirements defined in 4-3(D)(8) limit the use. The establishment MUST comply with all New Mexico state law requirements.*
- 3. Light vehicle fueling station - This use is considered Conditional Primary under the MX-L zoning district. Meaning, the use would require a Conditional Use Permit (CUP) through the ZHE before the use can be allowed. The use will become Permissive use the MX-H zoning district. There is not a major difference because the MX-L required an additional step and would have still be Permissive after the CUP was obtained. Additional requirements are defined in 4-3(D)(17) limit this use. This use is highly regulated by the EPA as well as State and Local agencies.*

4. *Liquor retail – This use was a Permissive Accessory use under the MX-L zoning district. Meaning, it is permissive as long as it is subordinate in use, area, or purpose to a primary land use on the same lot or the same premises. The use will become permissive in the MX-H zoning district. This does not constitute as a major change because the use was permissive in both zone districts. Additional requirements defined in 4-3(D)(36) limit the use. The establishment MUST comply with all New Mexico state law requirements. Liquor retail has extensive measures put in place for approval. A Conditional Use Permit for liquor retail is required when proposed within 500 feet of any Residential or NR-PO zone district or any group home. As a result, this use will require as CUP on the subject site, which adds extra safety to the surrounding community, because it is within 500 feet of a residential zone district. A CUP is put in place to review potential adverse impacts and any appropriate mitigation to minimize those impacts on nearby properties. This uses would not be harmful to adjacent property, the neighborhood, or the community and the associated Use-specific Standards will adequately mitigate any potential harmful impacts.*

Future re-development of this property and possible uses that could be considered harmful to adjacent property owners have been mitigated by Use-specific Standards (IDO Section 14-16-4-3) and regulations in the IDO. All uses shall comply with City ordinances regulating noise, odors, vibration, glare, heat, and other special nuisance conditions affecting other properties.

Staff: The applicant compared the existing MX-L zoning and the proposed MX-H zoning. Uses that would become permissive under the MX-H zone, which are not currently allowed, are hospital, catering service, nightclub, personal and business services-large, and adult retail. Liquor retail is not allowed in the MX-L zone except for in the Downtown, EDO, and La Cueva areas. Light vehicle fueling station and tap room, currently Conditional Uses, would become permissive.

The applicant also provided a detailed discussion of some common uses that could potentially be considered harmful: nightclub, liquor retail, light vehicle fueling station, and taproom, and explained that the IDO's Use-Specific standards and State laws would adequately regulate these uses and mitigate any potential harm to surrounding properties, the neighborhood, or the community. Staff generally agrees with the discussion and the focus on common uses, but would have addressed additional uses that are not already conditional such as hospital and adult retail. The response to Criterion D is sufficient.

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

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

Applicant (summarized): This request furthers this requirement because the City's existing infrastructure and public improvements currently have adequate capacity to serve the existing development. However, we fully understand that the redevelopment of this property may require ungraded infrastructure, both public and/or private to adequately service the needs of the development. Although improvements are unknown at this time, our clients have sufficient resources to guarantee any work needed via the Infrastructure Agreement process with the City of Albuquerque.

Staff: Staff agrees that the subject site is adequately served by existing infrastructure (requirement 1) and acknowledges that the applicant would make any improvements deemed necessary through the Infrastructure Agreement process (requirement 3). The response to Criterion E is sufficient.

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

Applicant (summarized): The justification is not based on the property's location at the intersection of a Premium Transit Corridor/Major Transit Corridor (Central Ave) and Multi-modal Corridor (Juan Tabo Blvd), but rather on a preponderance of applicable Goals and Policies of the Comp Plan as outlined. The policy analysis reveals that the request is consistent with the health, safety, and general welfare of the City and will be in line with the above mentioned Goals and Policies. While the location of the property at the intersection of a Premium Transit Corridor and Multi-modal Corridor is not the main reason for providing justification; however, it does provide rationale for why this site is suitable for the proposed MX-H zoning and associated uses.

Staff: Staff agrees that the subject site's location at the intersection of designated Multi-Modal and Major Transit/Premium Transit corridors provides rationale for the proposed MX-H zoning. However, this is not the primary reason for the request. Rather, this rationale is tied to the policy analysis, which shows that the request furthers a preponderance of applicable Goals and policies regarding complete communities, development patterns, redevelopment, Corridors, and economic development. The response to Criterion F is sufficient.

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

Applicant (summarized): This justification is not based completely or predominantly on the cost of land or other economic considerations and are not the determining factor for this request. The justification is based on in depth analysis of applicable Goals and Policies the Comp Plan. There are a variety of applicable Goals and Policies that are consistent with the health, safety, and general welfare of the City. The justification is also based on the fact there is an inconsistency in the conversion to the MX-L zone on our subject site. All the existing

surrounding land has been zoned MX-H. The subject site has been spot zoned to MX-L and does not fall in line with the exiting land zone district. The requested zone change will allow MX-H uses to develop.

Economic considerations are a factor, but the applicant's justification is not completely or predominantly based upon them. Nor is the justification based completely or predominantly upon the cost of land since the applicant already owns the subject site. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them. The response to Criterion G is sufficient.

- H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the change will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least one of the following applies:
1. The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.
 2. The site is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
 3. The nature of structures already on the premises makes it unsuitable for the uses allowed in any adjacent zone district.

Applicant (summarized): The zone change does not apply a zone different from surrounding zone districts. The current MX-L zoning may constitute a spot zone because it is different from the surrounding zones to the east, south and west. A spot zone is defined as a zone different from surrounding zoning to one small area, especially when only one premise is involved or to a strip of land along a street. The commercial land surrounding our site is predominantly zoned MX-H, constituting this piece of land to be "spot zoned" per the definition of a spot zone stated above. The requested change to MX-H will clearly facilitate implementation of the ABC Comp Plan as discussed.

This proposal qualifies under criteria (3) above, in that the nature of structures already on the premises make it unsuitable for the uses allowed in any adjacent zone district. The property is developed with approximately 95,000SF buildings. "General retail, large" is a nonconforming use in the MX-L zone. General retail small is the only retail use allowed under the MX-L zone and only allows an establishment with no more than 10,000 square feet of gross floor area. If this site were to stay zoned MX-L the likelihood for redevelopment occurring is virtually null to none, based on the current market demands.

Staff: The request would not result in a spot zone because it would not apply a zone different from surrounding zone districts. MX-H zoning exists in the immediate area to the west, southwest, and southeast. That is sufficient to fulfill the requirement.

However, the applicant makes three more arguments, none of which is necessary to support their justification for the request. The idea that the existing MX-L zoning is a spot zone is

inaccurate because there is other MX-L zoning south of the subject site and because the requirement is about the proposed zoning- not the existing zoning. Though the applicant has demonstrated that the request would clearly facilitate realization of the Comprehensive Plan, the argument that existing structures on the premises are unsuitable for the uses allowed in any adjacent zone district is also incorrect. One of the zones adjacent (see Definition) to the subject site is MX-H, in which General Retail, Large is allowed. The presence of MX-H zoning in the area renders this argument invalid, yet allows the requirement of not creating a spot zone to be met. The response to Criterion H is sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other interested agencies reviewed this application. Few, but significant, agency comments were received.

Long Range Planning notes that additional jobs, retail, services, amenities, and housing would generally help serve existing community members, and recommends that the EPC carefully consider the existing land uses, allowable uses and development standards in the MX-H zone and the potential relationship with the abutting residential community. The subject site has potential to act as a catalyst to spur redevelopment in the area. A key consideration is whether this location is more appropriate for neighborhood-serving uses allowed by MX-L, or for uses that are more regional in scale as allowed by MX-H.

As future Premium Transit (PT) stations are identified, IDO standards for PT areas will apply, including incentives for additional building height, lower parking requirements, and higher-quality building design standards. Allowing more intense development would also help support ART.

The Transit Department strongly supports the request and notes that the intersection of Juan Tabo and Central is extremely well-served by transit. Stop pairs are on either side of Central and routes run about 12 hours a day, with short headway times. For example, ART 777 runs 16 hours a day on a weekday with a 20 minute headway. Both the 66 bus and the ART run 15 hours a day on Saturdays and Sundays.

We further urge the developer to consider the possibilities mentioned in their response to Policy D regarding creating a Transit Oriented Development (TOD) - whether horizontal or vertical in nature.

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, if any. Tomasita Elementary School, Kennedy Middle School, and Manzano High School all have capacity.

PNM offered standard comments, which will become more important as future site plans are reviewed since zone changes cannot be conditioned in this way. Agency comments begin on p.27.

Neighborhood/Public

The Singing Arrow Neighborhood Association (NA), the Sandia Vista NA, and the East Gateway Coalition were required to be notified, which the applicant did (see attachments). Property owners within 100 feet of the subject site were also notified, as required (see attachments).

A pre-application neighborhood meeting was held on June 9, 2020 with members of the Singing Arrow NA (see attachment). The neighbors generally support redevelopment. The applicant informed them that the zone change is the first step in the process, and that they would be able to weigh-in when site plans are submitted for review.

As of this writing, Staff has not received any correspondence or phone calls.

IV. CONCLUSION

The request is for a zoning map amendment (zone change) for an approximately 11 acre site known as the Franklin Plaza shopping center, located at the northeastern corner of the intersection of Juan Tabo Blvd. NE and Central Ave. NE (the “subject site”).

The subject site is zoned MX-L (Mixed-Use Low Intensity Zone). The applicant is requesting a zone change to MX-H (Mixed Use-High Intensity Zone) to facilitate redevelopment of the subject site with a variety of uses.

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

The affected neighborhood organizations are the Singing Arrow Neighborhood Association (NA), the Sandia Vista NA, and the East Gateway Coalition, which were notified as required. Property owners within 100 feet of the subject site were also notified as required. A pre-application neighborhood meeting with the Singing Arrow NA was held. There is general support for redevelopment of the subject site.

Staff recommends approval.

FINDINGS - RZ-2020-00021, September 10, 2020- Zoning Map Amendment (Zone Change)

1. The request is for a zoning map amendment (zone change) for an approximately 11 acre site legally described as Lots A-G and a portion of Lot M, replat of Tract A Franklin Plaza, together with Lots L-1 N and P, amended replat of Lots K, L, and part of Lot M Franklin Plaza (the “subject site”). The subject site comprises the northeastern corner of the intersection of Juan Tabo Blvd. NE and Central Ave. NE (108 Juan Tabo Blvd. NE).
2. The subject site is commonly known as the Franklin Plaza shopping center, which is now mostly boarded-up. Buildings include a vacant large-box retail space on the eastern side, smaller strip retail on the northern side, a large parking lot, and an existing fast-food retailer on the western side. The approximately 0.9 acre lot on the SE corner of Juan Tabo Blvd. NE and Skyline Rd. NE contains a bank and is not included in the request.
3. The subject site is zoned MX-L (Mixed-Use Low Intensity Zone). The applicant is requesting a zone change to MX-H (Mixed Use-High Intensity Zone) to facilitate re-development of the subject site with a variety of uses.
4. The subject site would have qualified for the voluntary zoning conversion process established via Resolution 18-29 (Enactment No. R-018-019). Upon adoption of the Integrated Development Ordinance (IDO), the vacant large-box building became a non-conforming use because the MX-L zone does not allow retail buildings larger than 10,000 sf in size. However, the zoning conversion process was finalized last year and is no longer available.
5. The subject site is in an area that the Comprehensive Plan designated an Area of Change, but is not in a currently designated Activity Center. The subject site is within the boundaries of the East Gateway Metropolitan Redevelopment Area (MRA) Plan.
6. The subject site was rezoned SU-2/EG-NAC, East Gateway Neighborhood Activity Center zone, upon adoption of the East Gateway Sector Development Plan (EGSDP) in October 2010. Permissive uses mostly corresponded to the C-1 Neighborhood Commercial zone, with exceptions, and included townhouses, apartments, and live-work. Upon adoption of the Integrated Development Ordinance (IDO) in May 2018, the subject site’s zoning converted to MX-L pursuant to the City Council’s zoning conversion rules. The MX-L zone was the closest approximation to SU-2/EG-CAC.
7. Central Ave. NE is a designated Premium Transit Corridor all the way to Tramway Blvd., and a Major Transit Corridor. The Premium Transit designation acts as an overlay on other corridor designations. However, until there are active Premium Transit stops, the underlying designation of Major Transit Corridor is used. Juan Tabo Blvd. NE is a designated Multi-Modal Corridor.

8. The Albuquerque/Bernalillo County Comprehensive Plan, the East Gateway Metropolitan Redevelopment Area Plan, and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
9. The request furthers the following, applicable Comprehensive Plan policies from the Chapter 4-Community Identity:
 - A. Policy 4.1.1-Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

The community in the vicinity of the subject site is distinct because it is a designated Metropolitan Redevelopment Area (MRA) in the East Gateway area of the City and, as such, is prime for the redevelopment and reinvestment that the request would facilitate. Future development of a mixture of uses would be consistent with the community character of having a variety of land uses.

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

The request would facilitate future development on the subject site under the MX-H zone, which would be subject to IDO requirements including Neighborhood Edges (14-16-5-9), the mixed use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5-6-(E)), and building design standards (14-16-4-11). These would help ensure appropriate scale and location of development, character of building design, and that the cohesiveness of the neighborhood to the east is not adversely affected. The mix of uses is unspecified at this time, but any use would be subject to the aforementioned requirements.

10. The request furthers the following Goals and policies from Chapter 5: Land Use, pertaining to Development Areas:
 - A. Policy 5.1.2- Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The request would direct more intense growth and development of uses allowed in the MX-H (Mixed-Use High Intensity) zone to an Area of Change at the intersection of two designated corridors: Juan Tabo Blvd. NE is a Multi-Modal Corridor and Central Ave. NE is a Major Transit Corridor with a Premium Transit designation overlay, to be activated in the future.

- B. 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.

The subject site is located in an Area of Change, where growth is expected and desired. The request would encourage, enable, and direct growth to it. The request generally furthers Goal 5.6-City Development Areas.

- C. Policy 5.6.2- Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

The request would serve to direct growth and more intense development to an Area of Change, at the convergence of two designated transit corridors, Juan Tabo Blvd. and Central Ave., in the East Gateway Metropolitan Redevelopment Area.

- D. Sub-Policy 5.6.2(b): Encourage development that expands employment opportunities.

Redevelopment of the subject site, facilitated by the request, would generally create and expand employment opportunities in the area.

11. The request furthers the following Goals and policies from Chapter 5: Land Use, pertaining to Transit Corridors:

- A. Policy 5.1.8- Premium Transit Corridors: Foster corridors that prioritize high-capacity, high-frequency transit service, with mixed-use, transit-oriented development within walking distance of transit stations.

The Comprehensive Plan designates Central Ave. NE as a Premium Transit Corridor all the way to Tramway Blvd. However, until Premium Transit stations (see IDO definition) are installed, the Premium Transit overlay designation cannot be used for policy analysis. However, in general, redevelopment of the subject site with mixed uses would foster further development of the Central Avenue Corridor and support the Premium Transit designation.

- B. Policy 5.1.10- Major Transit Corridors: Foster corridors that prioritize high-frequency transit service with pedestrian-oriented development.

The request would facilitate development of uses permissive in the MX-H zone. More intense uses (especially multi-family residential) are generally desirable along Major Transit Corridors because they would help activate the corridor with more people using transit and walking. The MX-L zone and the MX-M zone allow the same residential uses permissively: townhouse, live-work, and multi-family. Though a zone change is not needed to achieve this, redevelopment of the subject site with more mixed-uses and at a higher intensity than previously allowed would generally foster development of the corridor and support transit service.

12. The request furthers the following Goal and policies in Chapter 5-Land use, with respect to complete communities.

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

The request would facilitate redevelopment of the subject site, which would provide additional opportunities for area residents to live, work, shop, and perhaps learn and play, together, and would generally foster such a community.

- B. 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 generally contribute to creating a healthy and sustainable community because it would facilitate development of a mix of uses that would be conveniently accessible from surrounding neighborhoods via designated Transit corridors, which would encourage transit use, walking, and biking. Redevelopment near the City's eastern gateway would contribute to the distinct character of this community.

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

The request would facilitate redevelopment and development on the subject site, which is adjacent to an established neighborhood. Any new goods, services, and amenities would be within walking and biking distance of this neighborhood and of nearby neighborhoods. The subject site's location at an intersection of two designated arterials that are also transit corridors promotes good access by vehicles and transit.

13. The request furthers the following Goal and policy pair in Chapter 5-Land use, regarding infill development:

- A. 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 subject site is already served by existing infrastructure and public facilities, so the redevelopment made possible by the request would generally promote efficient development patterns and use of land.

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

The subject site is located in an infill area already served by existing infrastructure and public facilities; the request would support additional growth in this established area.

14. The request furthers the following, applicable Goal and policies from Chapter 8- Economic Development:

- A. Goal 8.1-Placemaking: Create places where business and talent will stay and thrive.

The request would facilitate redevelopment that would foster placemaking in this east gateway location, which would generally contribute to creating places where businesses and talent would stay and thrive.

- B. Policy 8.1.1- Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

Redevelopment of the subject site would generally foster a range of interesting places and contexts in the East Gateway area and would potentially encourage additional economic development opportunities. The MX-H zone allows a wide variety of uses, making it more likely that different intensities, densities, and building scales would result.

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

The request would enable redevelopment of the subject site with a wider range of mixed uses than currently allowed, which would generally foster a robust, resilient, and diverse economy with a variety of uses and opportunities. The request would also encourage economic development efforts that would improve quality of life for area residents by offering good, services, and possibly living options.

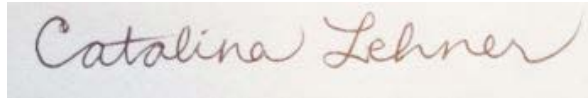
15. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(F)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:

- 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 distinct communities, transit corridors, redevelopment and infill, Areas of Change, and economic diversity. Therefore, the request is consistent with the City's health, safety, morals and general welfare.
- B. Criterion B: This criterion does not apply because the subject site is not located in an Area of Consistency, either wholly or in part.
- C. Criterion C: The subject site is located wholly in an Area of Change. The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning.
- D. Criterion D: The applicant adequately compared the existing MX-L zoning and the proposed MX-H zoning. Prohibited uses that would become permissive under the MX-H zone are hospital, catering service, nightclub, personal and business services-large, and adult retail. The applicant also provided a detailed discussion of some common uses that could potentially be considered harmful: nightclub, liquor retail, light vehicle fueling station, and taproom, and explained that the IDO's Use-Specific standards and State laws would adequately regulate these uses and mitigate any potential harm to surrounding properties, the neighborhood, or the community.

- E. Criterion E: The subject site is adequately served by existing infrastructure (requirement 1) and acknowledges that the applicant would make any improvements deemed necessary through the Infrastructure Agreement process (requirement 3).
 - F. Criterion F: The subject site's location at the intersection of designated Multi-Modal and Major Transit/Premium Transit corridors provides rationale for the proposed MX-H zoning. However, this is not the primary reason for the request. Rather, this rationale is tied to the policy analysis, which shows that the request furthers a preponderance of applicable Goals and policies regarding complete communities, development patterns, redevelopment, Corridors, and economic development.
 - G. Criterion G: Economic considerations are a factor, but the applicant's justification is not completely or predominantly based upon them or upon the cost of land. The applicant already owns the subject site. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
 - H. Criterion H: The request would not result in a spot zone because it would not apply a zone different from surrounding zone districts. MX-H zoning exists in the immediate area to the west, southwest, and southeast.
- 16. The applicant's policy analysis adequately demonstrates that the request furthers applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with it. Based on this demonstration, the proposed zone category would be more advantageous to the community than the current zoning.
 - 17. The request is consistent with the purpose of the East Gateway Metropolitan Redevelopment Area Plan (EGMRA) plan because it would facilitate redevelopment of underutilized parcels that would result in a greater variety of businesses and services available in the area.
 - 18. The affected neighborhood organizations are the Singing Arrow Neighborhood Association (NA), the Sandia Vista NA, and the East Gateway Coalition, 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 received any correspondence or phone calls.
 - 19. A pre-application neighborhood meeting was held on June 9, 2020 with members of the Singing Arrow NA. The neighbors generally support redevelopment of the subject site.

RECOMMENDATION - RZ-2020-00021, September 10, 2020

APPROVAL of Project #: 2020-004195, Case #: 2020-00021, a zone change from MX-L to MX-H, for Lots A-G and a portion of Lot M, replat of Tract A Franklin Plaza, together with Lots L-1 N and P, amended replat of Lots K, L, and part of Lot M Franklin Plaza, an approximately 11 acre site comprising the northeast corner of the Central Ave. NE/Juan Tabo Blvd. NE intersection (108 Juan Tabo Blvd. NE), based on the preceding Findings.

A handwritten signature in brown ink that reads "Catalina Lehner". The signature is written in a cursive style.

***Catalina Lehner, AICP
Senior Planner***

Notice of Decision cc list:

East Gateway Coalition, James Andrews, jamesw.andrews01@gmail.com
East Gateway Coalition, Michael Brasher, brasher@aps.edu
Singing Arrow NA, Judy Young, youngjudy@ymail.com
Singing Arrow NA, abqsana@gmail.com
Sandia Vista NA, Brenda Gebler, Happygranny8@q.com
Sandia Vista NA, Lucia Munoz, lulumu1213@gmail.com

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Long Range Planning

The site is located within an Area of Change, within a Major Transit Corridor, and within the East Gateway Metropolitan Redevelopment district. The applicant requests the zoning map amendment to MX-H, which allows a broader range of uses and taller buildings, to redevelop the site. This site has been largely vacant for many years and has been the subject of interest for redevelopment at several different times. Additional jobs, retail, services, amenities, and housing options would generally help serve existing residents and community members.

EPC should carefully consider the existing land uses surrounding the site, allowable uses and development standards in the MX-H zone, and the potential relationship with the abutting residential and townhouse communities. In addition to these residential uses, surrounding land uses include automotive-related uses such as light vehicle repair, sales and rentals, and auto parts retail, tile manufacturing, and other general retail. MX-H does allow more intense uses that may have a larger potential for negative impacts to the surrounding area, such as light-manufacturing, bars, tap rooms, light vehicle repair, hospital, liquor retail, pawnshop, and wholesaling and storage uses.

This large site at a major intersection has significant potential to offer jobs, services, amenities, and housing options that could benefit the surrounding community and act as a catalyst to spur redevelopment in the area.

While Premium Transit (PT) station areas are only identified as far east as Louisiana on Central Avenue, the corridor is designated as Premium Transit all the way to Tramway. As future station areas are identified in this area, IDO standards for PT areas will apply, including both incentives for additional building height and lower parking requirements, as well as higher-quality building design standards. Allowing more intense and more dense development at this site would also help support and be supported by A.R.T. along this Premium Transit corridor as service expands.

A key consideration is whether this location is more appropriate for neighborhood-serving uses, such as those allowed by MX-L, or for uses that are more community-wide or regional in scale, as allowed by MX-H.

CITY ENGINEER

Transportation Development

No objection to the request.

Hydrology Development

New Mexico Department of Transportation (NMDOT)

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Traffic Engineering Operations (Department of Municipal Development)

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER: none

WATER UTILITY AUTHORITY

Utility Services

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION- No objection.

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division- No comment

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

ART Route 777 connects to the constructed ART Corridor and turns around at Tramway and Wenonah. Fixed Route 66 runs east-west on Central and also turnaround at Tramway and Wenonah. Fixed Route 1 begins at a turnaround at Academy and Lowell, runs north-south on Juan Tabo, and serves Kirtland Air Force Base.

The intersection of Juan Tabo and Central is extremely well served by transit. Fixed Route 1 has a stop pair on either side of Central - in front of the Wienerschitzel and at Cochiti Road. It runs for 12 hours a day on weekdays at about a one hour headway, and runs for six hours a day on both Saturday and Sunday. Fixed Route 66 and ART 777 share a stop pair about 150 feet either side of

Juan Tabo. Fixed Route 66 runs 15 hours on a weekday on a 16 minute headway. ART 777 runs 16 hours a day on a weekday with a 20 minute headway. Both the 66 and the ART also run 15 hours a day on Saturdays and Sundays.

The Transit Department, ABQ RIDE, strongly supports the requested zone change to MX-H. We agree with the applicant's contention that the site may have been inadvertently downzoned, and the applicant is correct that similar sites in the area have been zoned MX-H. The site is as well served by transit as any in the City and lies near districts where many people do not have access to cars or cannot, for whatever reason, drive a car. Even if the project only results in the restoration of vital commercial services, that would be a boon to the demographic of this area.

We further urge the developer to consider the possibilities mentioned in their response to Policy D at page 13 by creating a mixture of commercial and residential uses - a Transit Oriented Development - whether horizontal or vertical in nature. On a technical note: The applicant correctly refers to Juan Tabo as a Multi-Modal Corridor, but refers to Central as a Premium Transit Corridor. While mapped as such the definition of a Premium Corridor relies on the definition of a Transit Station and the center-median, raised platforms of a Bus Rapid Transit System (BRT) like ART. Since there are no Transit Stations (as defined in the IDO) on Central east of Louisiana Boulevard, the area in question does not yet qualify to be a Premium Transit Corridor.

Notwithstanding this minor point in terminology, this portion of Central Avenue is also in a Main Street Corridor, which, like a Premium Corridor, encourages the pursuit of liveable spaces, walkability, and Transit Oriented Development. Again, we strongly support this request.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

Potential residential development at this location will impact Tomasita Elementary School, Kennedy Middle School, and Manzano High School.

School Capacity

School	2019-2020 40th Day Enrollment	Facility Capacity	Space Available
Tomasita Elementary School	325	464	139
Kennedy Middle School	458	600	142
Manzano High School	1,460	1,800	340

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. There is an underground distribution line along the back-lot line on the east side of the property and an overhead distribution line along the west side of the property. It is the applicant's obligation to abide by any conditions or terms of any PNM easements.
2. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.
3. It is necessary that the applicant coordinate with PNM regarding proposed tree species, the height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric transmission and/or distribution lines along the project site. PNM's standard is for trees to be planted outside the PNM easement.
4. The developer shall contact PNM's New Service Delivery Department to coordinate electric service regarding the project. Please submit a service application at www.pnm.com/erequest for PNM to review.



Figure 1: Looking east at the subject site from Juan Tabo Blvd. NE (1 of 2).

Figure 2: Looking east at the subject site from Juan Tabo Blvd. NE (2 of 2).



Figure 3: Looking north at the subject site from Central Ave. NE.



Figure 4: The shopping center sign at the NE corner of the Juan Tabo Blvd. NE/Central Ave. NE intersection.

Figure 5: Looking north while standing on the subject site.



Figure 6: Looking south while standing on the subject site.

Figure 7: Looking east while standing on the subject site (1 of 2).



Figure 8: Looking east while standing on the subject site (2 of 2).

Figure 9: Looking west while standing on the subject site.



HISTORY

P. O. Box 1293
Zip Code 87103

P. O. Box 1293
Zip Code--87103
Telephone 842-7422

Date: 1-31-73
File: 1-72-59

The Printing Corporation made this acknowledgment on or about January 23, 1973.

BE IT RESOLVED, that the revised development plan for Case No. Z-772-55, submitted by the applicant, be approved, subject to the following conditions: (1) The development plan shall be revised to include modification of the access to Dunbar Boulevard, so as to provide for the traffic engineer and inclusion of the land at the southeast and northwest corners of the area in the development plan; approval of the drainage plan by the City Engineer; and filling of a land division plat of the area prior to issuance of building permits, be approved.

Could you write to support this decision, you may do so in the manner described below:

c. Appeals - Appeal of a decision by the Planning Commission may be submitted in writing to the City Commission.

[illegible][illegible]

NEW YORK

Yours sincerely,

Michael J. Harrold
Planner



Letter to Actress

ZONING

Please refer to IDO Section 14-16-2-4(B) for the MX-L Zone District and
Section 14-16-2-4(D) for the MX-H 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	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	Policy Decisions
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
Decisions Requiring a Public Meeting or Hearing	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input checked="" type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Variance – DRB (Form V)	Appeals
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: Waken LP c/o Zia Management		Phone: 949-929-6888
Address: 6121 Indian School Rd NE Suite 218		Email: john@wakenrealty.com
City: Albuquerque	State: NM	Zip: 87110
Professional/Agent (if any): Modulus Architects, Inc. C/O Angela Williamson, CEO		Phone: (505) 338-1499
Address: 100 Sun Ave. NE Suite 600		Email: awilliamson@modulusarchitects.com
City: Albuquerque	State: NM	Zip: 87109
Proprietary Interest in Site: Agent		List all owners: Waken LP c/o Zia Management

BRIEF DESCRIPTION OF REQUEST

Amend the current zoning from MX-L to MX-H

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

Lot or Tract No.: A	Block:	Unit:
Subdivision/Addition: Franklin Plaza	MRGCD Map No.:	UPC Code: 102205603949220901
Zone Atlas Page(s): L-22-Z	Existing Zoning: MX-L	Proposed Zoning: MX-H
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): +/- 10.8373

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 108 Juan Tabo Blvd NE 87123	Between: Central Ave NE	and: Juan Tabo Blvd NE
--	-------------------------	------------------------

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

1003133

Signature: Regina Okoye	Date: 7/30/20
Printed Name: Regina Okoye	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

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? _____ 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: Regina Okoye
Printed Name: Regina Okoye

Date: 7/30/2020

☐ Applicant or ☒ Agent

FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

-

-

-

Staff Signature:

Date:



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

Re: Agent Authorization Notice – Zone Map Amendment Request

To Whom It May Concern,

Waken LP c/o Zia Management Inc. hereby authorizes Angela Williamson, CEO with Modulus Architects, Inc., to perform as the Agent of Record with the City of Albuquerque. This Agent Authorization is for the property located at 108 Juan Tabo Blvd NE Albuquerque NM 87123 and legally described as: LTS A THRU G & A POR OF LT M REPLAT OF TR A FRANKLINPLAZA TOGETHER WITH LTS L-1 N & P AMENDED REPLAT OF LTSK, L & PART OF LT M FRANKLIN PLAZA CONT 10.8373 AC +/-.

This authorization is valid until further written notice from Waken LP c/o Zia Management Inc. or Angela Williamson, CEO with Modulus Architects, Inc. (Agent). Please direct all correspondence and communication to our Agent for the purpose of this request for the Environmental Planning Commission.

Sincerely,



Waken LP
C/O Zia Management Inc.
6121 Indian School Rd NE Suite 218
Albuquerque NM 87110

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Modulus Architects DATE OF REQUEST: 5/19/20 ZONE ATLAS PAGE(S): L-22-Z

CURRENT:

ZONING MX-L

PARCEL SIZE (AC/SQ. FT.) 10.8373 AC +/-

LEGAL DESCRIPTION:

LOT OR TRACT # A THRU G BLOCK # _____

SUBDIVISION NAME Franklin Plaza

REQUESTED CITY ACTION(S):

ANNEXATION []

ZONE CHANGE ☒: From MX-L To MX-H

SECTOR, AREA, FAC, COMP PLAN []

AMENDMENT (Map/Text) []

SITE DEVELOPMENT PLAN: N/A

SUBDIVISION* [] AMENDMENT []

BUILDING PERMIT [] ACCESS PERMIT []

BUILDING PURPOSES [] OTHER []

*includes platting actions

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT ☒

NEW CONSTRUCTION []

EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION: N/A

OF UNITS: _____

BUILDING SIZE: _____ (sq. ft.)

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

APPLICANT OR REPRESENTATIVE Regina Okoye DATE 5/19/2020

(To be signed upon completion of processing by the Traffic Engineer)

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

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

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

Notes:

No TIS required, rezoning only.

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

M. P. E.
TRAFFIC ENGINEER

5/19/2020
DATE

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

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

Revised January 20, 2011

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-346 Date: 12-10-19 Time: 1:30 pm

Address: 108 Juan Tabo Blvd NE (Franklin Plaza)

AGENCY REPRESENTATIVES AT MEETING:

Planning: Catalina Lehner

Code Enforcement: Charles Maestas

Fire Marshall: _____

Transportation: Morgan Madaandari

Other: Shawn Watson

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: Redevelopment and/or construction and the IPA[®]
 (*-please be more specific so we can better assist you).

SITE INFORMATION:

Zone: MX-L (see table 4-2-1) Size: 211 acres

Use: unspecified Overlay Zone: no

Comp Plan Area Of: Change Comp Plan Corridor: major transit

Comp Plan Center: no MPOS or Sensitive Lands: no

Parking: table 5-5-1, p. 229 MR Area: East Gateway

Landscaping: 5-6, p. 251 Street Trees: 5-6(D), p. 258

Use Specific Standards: Depends on what is proposed - see 4-3, p. 135

Dimensional Standards: Table 5-1-2, p. 194

*Neighborhood Organization/s: Sandia Vista NA, Singing Arrow NA, East Gateway

*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: ① DRB - minor subdivision lot consolidation

Type of Action: ② major infrastructure issues

Review and Approval Body: ① OPB Is this PRT a requirement? no/yes

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-346 Date: 12/10/19 Time: 1:30pm
 Address: 108 Guan Taboo Blvd. NE (Franklin Plaza)

NOTES:

- ① Check use table 4-2-1 to see if envisioned uses are allowed (P) or (C) or if as desired what?
- ① MR Area - East Gateway. may want to talk to MR manager, Karen Ahlerson
- ② Existing project: 1003133. Look up to see what it is - see who the approval body was + what plan consists of
 - amendment procedures: 6-4(f), p 368
 - establish new site plan to supersede existing one
 - tenant improvement - Does it amend anything?
- ③ opportunity to build up intensity and/or density at Corner and along Central Ave - support Transit + walkability, revitalize corner space
- ④ odd platting - should replot into one side for new uses - 6-6(f) - Subdivision, minor DRB
- ⑤ process: prior approvals remain valid (7-10(I)-p4), so go back to the original approving body
- ⑥ phasing - phase I (T-I) or minor
 - phase II - go to orig appr. body - EPC?
- ⑦ DRB - minor, but can become major if any infrastructure issues arise. 6-6(f), p 399
- ⑧ could supersede old site plan
- ⑨ sketch plat - DRB
- ⑩ single user - 60K SF - existing building but General retail, Small is the only retail allowed in MXL zone
- ⑪ general retail - Definitions, p. 464



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

August 31, 2020

RE: ZONE MAP AMENDMENT – EPC
108 JUAN TABO BLVD NE – ALBUQUERQUE, NM 87123 (FRANKLIN PLAZA)
LEGALLY DESCRIBED AS: LTS A THRU G & A POR OF LT M REPLAT OF TR A FRANKLIN PLAZA
TOGETHER WITH LTS L-1 N & P AMENDED REPLAT OF LTSK, L & PART OF LT M FRANKLIN PLAZA
CONT 10.8373 AC +/-

Dear Mr. Chairman,

Modulus Architects, Inc., hereafter referred to as “Agent” for the purpose of this request, represents Waken LP., hereafter referred to as “Applicant”. We, “Agent” is requesting approval of a Zone Map Amendment for +/-10.8373 acres legally described as: LTS A THRU G & A POR OF LT M REPLAT OF TR A FRANKLINPLAZA TOGETHER WITH LTS L-1 N & P AMENDED REPLAT OF LTSK, L & PART OF LT M FRANKLIN PLAZA CONT 10.8373 AC +/- . The parcel (the “subject site”) is +/- 10.8373 acres in size, zoned Mixed-use Low Intensity Zone District (MX-L) and is located on the north east corner of Juan Tabo Blvd NE and Central Ave NE. The subject site is currently developed as Franklin Plaza with commercial retail. The majority of Franklin Plaza has become a blighted area in need of reinvestment and redevelopment. The site is characterized by numerous vacant lots, board-up buildings and crumbling facades. The various abandoned and unoccupied properties at Franklin Plaza contribute to the area’s stagnant economic condition.

The purpose of this Zone Map Amendment is to change the current zoning of MX-L, which we will demonstrate is not suitable for this property. The purpose of this letter is to provide the very pertinent background, policy analysis and justification for the proposed Zone Map Amendment request. This request is for a Zone Map Amendment from MX-L to MX-H (**Mixed-use High Intensity Zone District**). The property is developed with three (3) separate building structures. The land use is classified as Commercial Retail (“General Retail”). The MX-H zone is appropriate for this location and would allow the 11-acre site to be to be developed in a manner more consistent with the goals and policies of the Comprehensive Land Use Plan as well as the East Gateway Metropolitan Redevelopment Area Plan policies. Prior sit plan approvals included, but were not limited to, retail and restaurants. The request will also permit for redevelopment to occur, while allowing greater flexibility in utilizing and redeveloping this site.

The requested Zone Map Amendment, if approved, will facilitate a long standing initiative of the City of Albuquerque that was adopted by the City Council in 2008; The East Gateway Metropolitan Redevelopment Area Plan. The purpose of this Metropolitan Redevelopment Plan is to make Central Avenue more welcoming to residents and visitors at the City's edge by facilitating redevelopment of vacant and underutilized parcels and providing for a great variety of business and services that are much need in the area.

In addition to being located in an MR Area, the subject site is also within the Albuquerque/Bernalillo County Comprehensive Plan's Established Urban Area. This designation directs development and redevelopment to take on a mixed-use urban character, which is reiterated in the EGSDP.

The subject site is well served by transit and is an ideal location for a Transit Oriented Development (TOD) which can be created by a mixture of commercial and residential uses, whether horizontal or vertical in nature. Well-planned "transit-oriented development" (TOD) can foster greater use of the site and provide for housing, retail and office developments around transit stops. Incorporating a mix of uses and housing into TODs presents opportunities to meaningfully address the region's growing affordability crisis by tackling housing and transportation costs simultaneously—while expanding access to jobs, educational opportunities and prosperity for the many households living in the Albuquerque region. The redevelopment of this site creates significant potential to offer jobs, services, amenities and housing options that could benefit the surrounding community and act as a catalyst to spur investment and redevelopment in the area.

Our redevelopment of Franklin Plaza will serve as a catalyst for this area and to the goal of a walkable, vibrant, mixed-use environment and is oriented towards frequent, high-quality transit service that connects the community to the rest of the region. Increasing accessibility is one of the most significant ways that public transit promotes economic development. Improved accessibility is vital to regional economic growth as it provides increased regional efficiency, while strengthening linkages between workers and employment.

The Integrated Development Ordinance (IDO) fundamentally should have allowed for Franklin Plaza to be redevelop at the level of density appropriate to Downtown, Urban Neighborhood, or Town Center transit station areas. Transit-oriented developments (TODs) are not restricted to the urban core and can occur in neighborhoods outside of the downtown. In essence, TOD outside of downtown areas will have the essential characteristics of convenient pedestrian access to transit, an integrated mix of land uses, and higher density of residents and/or jobs than comparable areas that are not transit served.

PROPOSAL

This Zone Map Amendment request seeks to "re-zone" the subject property from MX-L to MX-H. The MX-H zone district is clearly more in line with redeveloping this property than the uses currently allowed and is more advantageous to the community as articulated by the ABC Comp Plan goals and policies (*in italics*) and are furthered by the proposed zone change (**in bold**) noted in our "Policy Analysis" portion of this letter.

The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors.

The purpose of the MX-H zone district is: “To provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone district is intended to allow higher-density infill development in appropriate locations”. Our subject site is located in a Major Transit Corridor and will be an infill redevelopment project in an Area of Change. The MX-H will be more advantageous to the subject site. Further development is subject to IDO regulations for process and development standards. Properties with more than 5 acres will be reviewed by the Development Review Board (DRB).

The obvious inconsistency in the conversion to the MX-L zone begins with the fact that all the existing surrounding land has been zoned MX-H. The subject site has been spot zoned to MX-L and does not fall in line with the exiting land zone district. The surrounding land zoned MX-H had the old zoning description of SU-2, which is the same as our subject site. Once the IDO came into effect, the SU-2 uses of the surrounding area converted to MX-H. Our subject site was excluded from the consistent conversion and fell into MX-L. On table 2-2-1 of the IDO (P.9), it states the processes on how the SU-2 zone got converted. “Zones were converted to the closest match identified where Sector Development Plan references other base zones.” The description above is not consistent with how this site was zoned. If it were to be referenced to other base zones in the vicinity, the site zoning would fall in line with the MX-H district to be consistent with the surround areas or the existing use on the property. If this site were to stay zoned MX-L, the likelihood for redevelopment occurring is virtually null to none.

Zone district is defined per the IDO as: “One of the base 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.” Based on that definition our subject site is within the boundaries of the existing MX-H zoning and has not been sufficiently zoned. The zoning conversions attempted to match existing zones with the IDO zones with the closest set of permissive uses. The intent was not to up zone, downzone, or make any discretionary change to existing zoning entitlements. The subject property has been downzoned as compared to the existing land zoning and previous zoning.

PERMITTED USES

All uses permitted in the requested MX-H zoning designation are very similar to the MX-L zoning. The requested MX-H zone will allow for redevelopment that is more direct and consistent with the existing structures than the current MX-L zone.

The subject site has stayed vacant and boarded up for a plethora of years because the current zoning does not allow for the current market demands of retail to develop in this area because the size restrictions. The current zoning restricts building size, uses, and heights to the point that it is virtually null to none that redevelopment would take place on this site based off the market demands and the demands of the community. The biggest difference from MX-L to MX-H that is preventing this site from redeveloping is retail (General Retail Small vs. General Retail Medium). For example, stores such as: TJ Max, Lowes, Home Goods, etc. can never be developed on this property. I want to be clear that we are not promising any of these uses but since they are currently not allowed, it is proving extremely difficult to obtain any tenants to commit until a zone change is approved. The requested MX-H zone will allow for development of this nature on site and development that is more direct and consistent with the market demands that will benefit the existing community, than the current MX-L zone.

Also, of grave concern, is the use restrictions on a grocery store. General retail is divided into 3 categories based on the size of the establishment or use (not the size of the structure):

1. General Retail, Small: An establishment with no more than 10,000 square feet of gross floor area.
2. General Retail, Medium: An establishment of more than 10,000 square feet of gross floor area and no more than 50,000 square feet of gross floor area.
3. General Retail, Large: An establishment of more than 50,000 square feet of gross floor area.

4-3(D)(35) Grocery Store

4-3(D)(35)(b) In the MX-L zone, this use is limited to establishments of no more than 15,000 square feet of gross floor area.

The property is developed with approximately 95,000SF buildings (not including the Wienerschnitzel). “General retail, large” is a nonconforming use in the MX-L zone. To be conforming in the MX-L zone, the building would have to be divided into over 10 separate establishments or tenant spaces. Even with two tenants, the building is larger than would be allowed as a “General retail, small” use. General retail small is the only retail use allowed under the MX-L zone. General retail only allows an establishment with no more than 10,000 square feet of gross floor area. If this site were to stay zoned MX-L the likelihood for redevelopment occurring is virtually null to none, based on the current market demands. This zone map amendment will allow for permissive uses that were not allowed in the current zoning (See Section D in Policy Analysis for details).

There are no uses being proposed at this time. There are no set deals for the existing structures because the restrictions of the existing zoning uses. If this request is approved, it will allow the future of Franklin Plaza to develop per market demands and the demands of the surrounding community. The Use-specific Standards and newly permissive uses will not cause any adverse effects on the surrounding community, rather will bring life back to this area and provide community necessities and employment opportunities.

SUBJECT SITE BACKGROUND

This site is within Central Ave Major Transit Corridor and in an Area of Change. The site is also along a Premium Transit Corridor (Central Ave) and a Multi-Modal Corridor (Juan Tabo Blvd), according to the ABC Comprehensive Plan (ABC Comp Plan). The subject site is also located in Albuquerque’s East Gateway Community Planning Area.

The existing predominantly vacant Shopping Center was approved by the EPC (Z-72-59) on July 24, 1972. In that same project approval, a Zone Map Amendment was approved for the property. The site developed as originally intended. In 2004, an Administrative Amendment was approved in project 1003133 for the relocation of Wienerschnitzel, to include a new landscaping plan. After the adoption of the IDO on May 18, 2020, the zoning on this site changed from SU-2 to MX-L.

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

There is a Metropolitan Redevelopment Plan (East Gateway) associated with this area. The purpose of this plan is to make Central Ave more welcoming to resident and visitors arriving at the City’s edge by facilitating redevelopment of vacant and underutilized parcels and providing for greater variety of businesses and services that are much needed in the area. This plan is aimed to stimulate development/redevelopment in the area. This property is underutilized and a majority of the existing structures are currently boarded up and vacant. They are serving as a mecca for the homeless, violence and as a dumping station. This zone map amendment and subsequent redevelopment will be a positive change as compared to if the property were to stay in its current condition and will be in line with the Metropolitan Redevelopment Plan stated above. This opportunity for redevelopment will provide more mixed-use options, housing diversity options and commercial retail choices for the area. There is existing access from both Central Ave NE and Juan Tabo

Bldv NE, this access eliminates the need for vehicles to drive through the adjacent neighborhoods to access the project.

Figure 1. Subject Site (Highlighted in Blue)

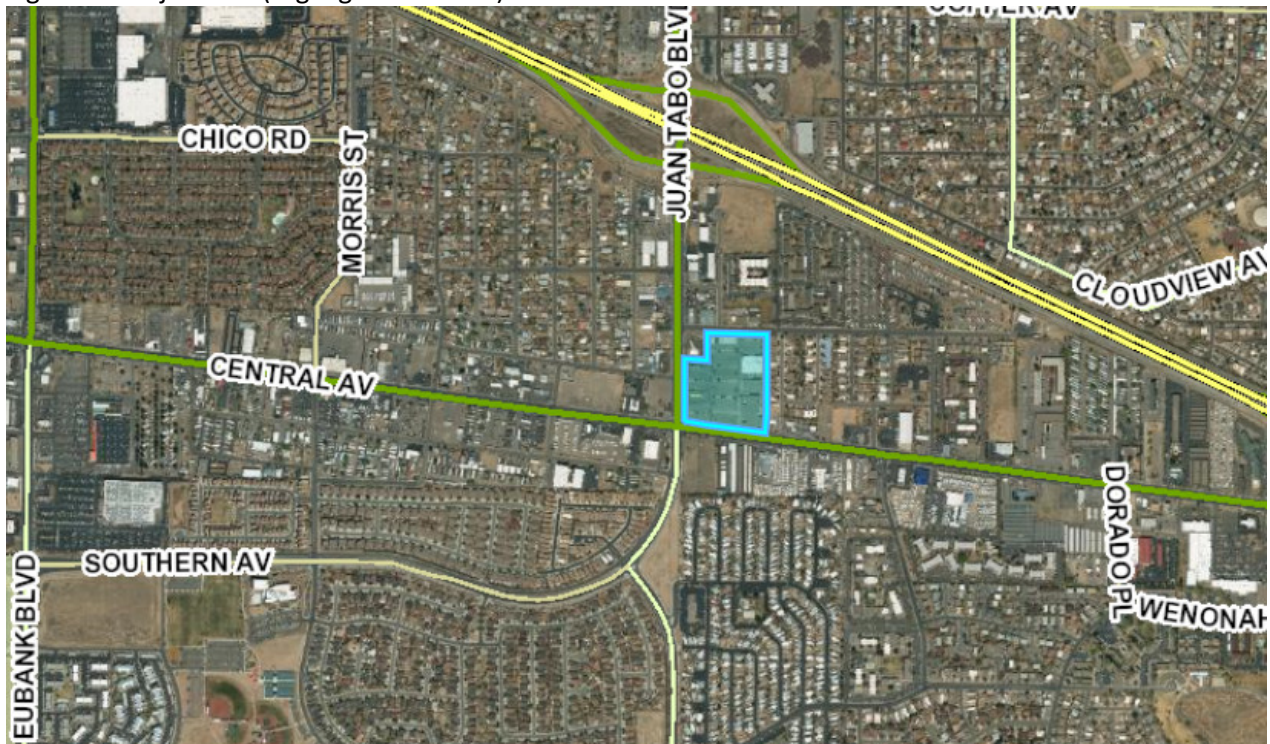


Image 2: Existing Vacant Structure (East View)



Image 3: Existing Vacant Structure (South View)



Image 4: Existing Vacant Structure (West View)



Image 5: Existing Wienerschnitzel (East View)



POLICY ANALYSIS

6-7(F) ZONING MAP AMENDMENT – EPC

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

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

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

Response:

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

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

CHAPTER 4: CHARACTER

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

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

Response:

The subject site is located within an Area of Change and within East Gateway Community Planning Area, furthering this Policy because this request will encourage quality development that is consistent with the distinct character of the community. A Community Planning Area distinctively defines each area. This Zone Map Amendment will fall in line with the district characteristics of the surrounding zoning area. As a result, any redevelopment will respect the existing neighborhood values and social, cultural and recreational resources that are established. A majority of the surrounding commercial area is zoned MX-H. The request will not divert from the intended characteristic, rather contribute to it. Future development will follow the IDO and DPM standards. These standards will not deviate from the vision of this community.

This Zone Map Amendment will fall in line with its surrounding area allowing the request to not alter with East Gateway's Community Planning Area or the Area of Change. Area of Change is defined as "An area designated as an Area of Change in the Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended, where growth and development is encouraged, primarily in Centers other than Old Town, Corridors other than Commuter Corridors, Master Development Plan areas, planned communities, and Metropolitan Redevelopment Areas". This request will not alter with the very definition, nor will it disturb the surrounding zone districts. The redevelopment of this land will be compatible in scale and character with the surrounding area, will encourage growth and will add convenience services for the surrounding neighborhoods. The request furthers Policy 4.1.1.

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

Response:

This request furthers this Policy because future development on the subject site under the MX-H zone, which the request would make possible, would be subject to IDO requirements including neighborhood edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6-(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development, mix of uses, and character of building design. The request furthers Policy 4.1.4.

Goal 4.3 City Community Planning Area

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

Response:

This request for a Zone Map Amendment furthers this Goal because the East Gateway CPA is one of Albuquerque's "front doors", meaning this area is the first impression of Albuquerque for millions of travelers every year. It focuses on dramatic views of the west, while emphasizing topography of Sandia and Manzano foothills. In other words, this area is centered on view and visualization. This site is currently not representing the identity of the community and is currently not giving the lasting impression that Albuquerque should have on its visitors. This

request will help revitalize this important area. The MX-H zoning will allow for a wider array of developments on the subject site and will be designed based on the IDO and the DPM. The IDO and the DPM will add additional protections to allow the site to redevelop with distinct identity of the existing community. This project will allow for uses to emerge that will meet the needs of the community and nearby neighborhoods. They will also keep future developments consistent in the area, while protecting and enhancing the surrounding community. Additionally, continuous development of this subject site must still go through a review with the City of Albuquerque to ensure compliance and adherence to the standards of the IDO as well as the DPM. The request further Goal 4.3.

CHAPTER 5: LAND USE

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

Response:

This request furthers this Policy because this property is located in “Area of Change” and would be an infill project located in a Major Transit Corridor/Premium Transit Corridor, it would encourage employment density and redevelopment within the mentioned corridors. It would also further this policy as this is an infill project in Transit Corridors and is the most appropriate area to accommodate growth and discourage the need for development at the urban edge. The range of mixed uses permitted by the requested MX-H near Four Hills Village Activity Center will contribute toward the growth of the surrounding community. The requested MX-H zone will redevelop the land encouraging employment density, compact development, and infill in an area that is seeking mixed uses to provide for employment, entertainment and services without requiring driving. Lastly, it will promote the vision of the East Gateway Metropolitan Redevelopment Area Plan as defined in the “Subject Site Background” section of this letter. This request furthers Policy 5.1.1(c).

Action 5.1.1.3 Evaluate existing land uses and development trends to identify opportunities for increased land use intensity to support transit-oriented development within 660 ft. of transit stations along Premium or Major Transit Corridors. [ABC]

Response:

Action 5.1.1.3 is furthered because the subject property has been utilized as a retail shopping center for a plethora of years. This is clearly an opportunity to further this policy by increasing the land use intensity to support infill development within a Major and Premium Transit Corridor. The subject site is within 660 ft. of two major transit stations (Bus Route 66 and 777), which will support transit-oriented developments. This request furthers Policy 5.1.1.3 – Land Use.

Action 5.1.1.4 Promote ongoing public-private cooperation necessary to create private market conditions that support intensified development of jobs and housing in Transit Corridors. [ABC]

Response:

Action 5.1.1.4 is furthered because the property is located in a Major/Premium Transit Corridor and in close proximity to Interstate I-40. The ability to redevelop the property in the future is crucial in maintaining its commercial viability in order to continue to provide employment and services necessary to create opportunities to live, learn and work. The location is most appropriate to accommodate redevelopment and encourage employment density in an infill location, in a Transit Corridor, and thus discourage the need for development at the urban edge. This request furthers Action 5.1.1.4.

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

Response:

The subject site is located in a designated Transit Corridor, and in an Area of Change that is intended to develop, furthering Policy 5.1.2. The purpose of the MX-H zone is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone district is intended to allow higher-density infill development in appropriate locations. This zone will direct more intense growth to the existing corridors that our site is within. It will maintain appropriate density and scale of development within the area and will be in line with the surrounding commercial zone districts. Relative to the surrounding area, the more-intense development that the request would make possible would be along this Major and Premium Transit Corridor. The request furthers Policy 5.1.2.

GOAL 5.1 Centers & Corridors

Grow as a community of strong Centers connected by a multi-modal network of Corridors

Response:

This request is consistent with Goal 5.1 because the subject site, although not designated as a Center, is nestled in close proximity to Four Hills Village Activity Center. This Activity Center is east of the site and is connected by a Major/Premium Transit Corridor creating a strong community of Centers. The Comprehensive Plan designates Centers as areas of more intense development with a variety of uses that allow many different activities connected by Corridors that include a mix of uses and transportation connections within walking distance. Although our site is not within a Center, our site can handle the MX-H zone district because it is connected by a strong network of Corridors. It is also surrounded by plethora of MX-H zone districts outside of the center. This request furthers Goal 5.1.

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

Response:

This policy is furthered by the MX-H zone. The requested MX-H Zone will allow for a wide range neighborhood-oriented commercial, retail, institutional, and public services. This site is an ideal location for an MX-H zone. The MH-H zone will provide more consistency and relevance in future

land use and won't be in contrary to the purpose of the existing surrounding land zoning intent of the IDO. This request furthers Policy 5.1.6(c).

POLICY 5.1.8 Premium Transit Corridors: Foster corridors that prioritize high capacity, high-frequency transit service, with mixed-use, transit oriented development within walking distance of transit stations. [ABC]

Response:

This request is consistent with Policy 5.1.8 because the subject site is located along a Premium Transit Corridor (Central Ave NE). This request will contribute to fostering high frequency transit service, with mixed-use, and transit oriented redevelopment in this area. This site is within walking distance to a plethora of transit stations located to the north, south, and west of the site. Bus Route 66 and 777 are two transit stations, to name a few, that are in walking distance of the subject site. These buses have a peak frequency of 15 min, meaning they run every 15 min. This is a prime site for pedestrian activity. This request furthers 5.1.8.

POLICY 5.1.10 Major Transit Corridor

Foster corridors that prioritize high frequency transit service with pedestrian-oriented development

Response:

This request is consistent with Policy 5.1.10 because the subject site is within Central Av Major Transit Corridor fostering high frequency transit service with pedestrian-oriented development minimizing negative impacts on nearby neighborhoods by providing transitions between development along a Transit Corridor and residential areas.

POLICY 5.1.11 Multi-Modal Corridors:

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

- a) Encourage the redevelopment of aging auto-oriented commercial strip development to a more mixed-use, pedestrian-oriented environment.*
- b) Prioritize improvements that increase pedestrian safety and convenience and make bicycle and transit options more viable.*

Response:

This request is consistent with this Policy because the subject site is located along a Multi-modal Corridor (Juan Tabo Blvd) and the MX-H zone will allow for more variety for mixed-uses on site. In turn, will allow the site to increase the pedestrian-oriented development minimizing negative impacts on nearby neighborhoods by providing transitions between the development and residential areas. The site is adjacent to residential zoning and the redevelopment of this site will provide pedestrian-friendly development that the nearby residence can easily and conveniently access on a daily basis. This request furthers Policy 5.1.11.

GOAL 5.2 Complete Communities

Foster communities where residents can live, work, learn, shop and play together.

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

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

Response:

This request furthers Goal 5.2, Policy 5.2.1 and Policy 5.2.1(a) because the proposed zone change request for mixed-use zone of MX-H would allow for a mixture of non-residential and high dense residential uses that could help create a healthy, sustainable and distinct community in an Area of Change. The request would make possible development of commercial uses in close proximity to I-40. Central and Juan Tabo are close to the surrounding neighborhoods to the east, south and west sides of this corridor which is conveniently accessible from surrounding neighborhoods. This will encourage redevelopment that brings goods and services within walking and biking distance of neighborhoods. The location within transit corridors offers choice transportation to services and employment. Characteristics of the community will be maintained since the requested zoning is virtually equivalent to the historic zoning designation, equivalent to the surrounding land zoning and occur in an existing commercial zone within a Major and Premium Transit Corridor. The continued commercial viability of the property is necessary to maintain productive use of the property and avoid the continued existence of a shuttered under-utilized property. Neighborhoods with locally-serving businesses promote sustainable economic growth and reinvestment of local dollars. A range of amenities in neighborhoods reduces the need to drive increasing active transportation opportunities. The current limited variety in retail uses and lack of daily goods and services for neighboring residents fails to foster sociability. This request furthers Policy 5.2, Policy 5.2.1 and Policy 5.2.1(a).

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

POLICY 5.3.1

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

Response:

This request furthers Policy 5.3 and Policy 5.3.1 because the proposed zone change will support additional growth in an Area of Change with existing infrastructure and public facilities. The property is well serviced by existing infrastructure and other public facilities including access roads, water and sewage. In addition, the subject site is surrounded by existing MX-H zoning; therefore, the requested MX-H zone will maximize an efficient, redevelopment pattern of mixed uses on an infill property, supporting the public good. This request furthers Policy 5.3 and Policy 5.3.1.

GOAL 5.6 City Development Areas

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

Response:

This request furthers Policy 5.6 because the subject Property is located in an Area of Change and will direct growth and more intense development to this corridor where change is encouraged. The proposed zone change will encourage growth and high-quality future redevelopment in accordance with this policy in a Transit Corridor and in an area with adequate infrastructure. The site is adjacent to an Area of Consistency and our amended will reinforce the character and intensity of the surrounding area because the provisions that are set in place in both the IDO and the DPM. This request furthers Policy 5.6.

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

Response:

The designation of MX-H zoning will encourage commercial and institutional development that will expand employment opportunities in the area, furthering Policy 5.6.2(b). The zone change from MX-L zoning to the requested MX-H zoning will have the effect of discouraging zone changes from industrial uses to either mixed use or residential zones. This request furthers Policy 5.6, Policy 5.6.2 and Policy 5.6.2(b).

CHAPTER 7: URBAN DESIGN

POLICY 7.3.5

Development Quality: Encourage innovative and high-quality design in all development. [ABC]

Response:

This Policy is furthered because the proposed zone change and subsequent redevelopment is being led by Modulus Architects, Inc. a local architecture firm with a long history of high-quality design such as the rebirth of Winrock Town Center, Sierra Vista Shopping Center which was the former Kmart at Montgomery and Eubank and West Central Plaza, the former Kmart at Central and Atrisco. Modulus Architects is known for innovative and high-quality design, which will be implemented into this redevelopment project when it comes time. This request furthers Policy 7.3.5.

CHAPTER 8: ECONOMIC DEVELOPMENT

GOAL 8.1 Placemaking

Create places where business and talent will stay and thrive

Response:

This request furthers Goal 8.1 because the approval of this request for a Zone Map Amendment to MX-H will allow for businesses and local talent to move into and thrive. This is a central location for Albuquerque where there is a lot of traffic coming in and out the area. This location would be a viable place for a business to stay, expand, and thrive. This request furthers Goal 8.1.

POLICY 8.1.1 Diverse Places

Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage economic development opportunities.

- a) Invest in Centers and Corridors to concentrate a variety of employment opportunities for a range of occupational skills and salary levels. [ABC]*

Response:

This request furthers Policy 8.1.1 because this request for a Zone Map Amendment to MX-H will foster a range of opportunities for different densities and uses in a location highly visible, accessible and central to all of Albuquerque for a rare opportunity to create a sense of “place” and encourage a diverse range of economic development opportunities in an Area of Change

nestled in close proximity to an Activity Center(although not located within one) and adjacent to a Premium Transit Corridor/Major Transit Corridor. This request furthers Policy 8.1.1.

POLICY 8.1.2

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

Response:

This request furthers this Policy because the proposed zone change will encourage economic development by providing community needs. The MX-H zoning district will in turn provide more beneficial allowable uses such as grocery store and general retail (medium). These uses are not allowed under the current zoning, but will be allowed under the MX-H. By converting to the MX-H zone district it will make possible these opportunities for this community. There is no known uses at this time but with this amendment and future opportunities for redevelopment it will provide jobs, goods, and services which will improve the life for new and existing residents and contribute to a diverse and vibrant economy by revitalizing a developed area with growth that is consistent with and enhances the establish character of existing development. Future redevelopment of the property has the capability to provide an incentive for local business to expand and diversify employment. It will promote local hiring, promote higher wages and business will contribute to the economic base of the community and region. This type of economic development is best suited for infill locations supported by commercial corridors. This subject site encompasses all aspects of successful economic development and furthers Policy 8.1.2.

As demonstrated in our policy narrative above, the proposed zone change would further a preponderance of Goals and Policies found in the ABC Comprehensive Plan and would clearly facilitate the desired goals of the Comp Plan which provides a framework to guide private development land use decisions, and decision-makers as they contemplate new plans affecting the whole community.

- B. If the proposed amendment is located wholly or partially in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:
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 Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Response:

The above criterion are not applicable as the proposed amendment is wholly in an Area of Change as shown on the ABC Comp Plan.

- C. If the proposed amendment is located wholly in an Area of Change (as shown in the ABC Comp

Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets at least one of the following criteria:

1. There was typographical or clerical error (as opposed to an error in the judgment of the approving body) 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 Com Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Response:

The proposed amendment is located in an Area of Change (as shown in the ABC Comp Plan) and our justification and application has demonstrated that the existing zoning is inappropriate because it meets criteria (3). The proposed zone change would be more advantageous to the community because many of the ABC Comp Plan goals and policies have been furthered as articulated in the "Policy Analysis" section above. This proposed zone change will allow for the implementation of redevelopment and implementation of patterns of land use that are consistent with the Comp Plan conditions and historic land use, and will promote connectivity along the Major Transit Corridor/Premium Transit Corridor as a destination for employment and services.

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

Response:

This zone change request will not include permissive uses that would be harmful to adjacent properties, the neighborhoods or the community. The permissive uses between the MX-L zoning designation and the MX-H zoning designation are very similar. For discussion, I have provided a side-by-side analysis below of the uses that will change under the MX-H zoning district. Table 1. Side-by-Side Analysis of Uses.

Proposed IDO New Permissive Uses (MX-H Zoning)	Existing IDO Use Status (MX-L Zoning)	Related IDO Development Standards That May Apply (Specific Use Standards 16-16-4-3)
Hospital	Not Permissive	4-3(C)(5)
Sports Field	Conditional Primary	No use specific standards
University or College	Conditional Primary	
Auditorium or Theater	Permissive Accessory	4-3(D)(7)
Bar	Conditional Primary	4-3(D)(8)
Catering service	Not Permissive	

Nightclub	Not Permissive	4-3(D)(8)
Tap room or tasting room	Conditional Primary	4-3(D)(8)
Light vehicle fueling station	Conditional Primary	4-3(D)(17)
Light vehicle sales and rental	Conditional Primary	4-3(D)(19)
Mortuary	Conditional Primary	No use specific standards
Personal and business services, large	Not Permissive	4-3(D)(26)
Self-storage	Conditional Primary	4-3(D)(28)
Adult retail	Not Permissive	4-3(D)(6)
General retail, medium	Not Permissive	4-3(D)(34)
Liquor retail	Permissive Accessory	4-3(D)(36)
Pawn Shop	Conditional Primary	4-3(D)(37)
Transit facility	Conditional Primary	4-3(D)(41)

Permissive uses that could be construed as having possible harmful effects such as a taproom, bar, nightclub, light vehicle fueling station or liquor retail are regulated by local, state and federal requirements and must comply with all New Mexico state laws, including but not limited to any required spacing from other uses or facilities. They are also controlled by Specific-Use Standards found in the IDO to mitigate potential harmful effects on the surrounding area. These uses that would become permissive that are outlined above will be nonconsequential for the following reasons:

1. Bar/Taproom or tasting room – This use is considered Conditional Primary under the MX-L zoning district. Meaning, the use would require a Conditional Use Permit (CUP) through the ZHE before the use can be allowed. The use will become Permissive use the MX-H zoning district. There is not a major difference because the MX-L required an additional step and would have still been Permissive after the CUP was obtained. Additional requirements are defined in 4-3(D)(8) limit this use. The establishment MUST comply with all New Mexico state law requirements.
2. Nightclub - This use will become permissive in the MX-H zone district. Additional requirements defined in 4-3(D)(8) limit the use. The establishment MUST comply with all New Mexico state law requirements.
3. Light vehicle fueling station - This use is considered Conditional Primary under the MX-L zoning district. Meaning, the use would require a Conditional Use Permit (CUP) through the ZHE before the use can be allowed. The use will become Permissive use the MX-H zoning district. There is not

a major difference because the MX-L required an additional step and would have still be Permissive after the CUP was obtained. Additional requirements are defined in 4-3(D)(17) limit this use. This use is highly regulated by the Federal EPA as well as State and Local agencies including the New Mexico Air Quality Control Board and the United States Environmental Protection Agency.

4. Liquor retail – This use was a Permissive Accessory use under the MX-L zoning district. Meaning, it is permissive as long as it is subordinate in use, area, or purpose to a primary land use on the same lot or the same premises. The use will become permissive in the MX-H zoning district. This does not constitute as a major change because the use was permissive in both zone districts. Additional requirements defined in 4-3(D)(36) limit the use. The establishment MUST comply with all New Mexico state law requirements. Liquor retail has extensive measures put in place for approval. A Conditional Use Permit for liquor retail is required when proposed within 500 feet of any Residential or NR-PO zone district or any group home. As a result, this use will require as CUP on the subject site, which adds extra safety to the surrounding community, because it is within 500 feet of a residential zone district. A CUP is put in place to review potential adverse impacts and any appropriate mitigation to minimize those impacts on nearby properties. This uses would not be harmful to adjacent property, the neighborhood, or the community and the associated Use-specific Standards will adequately mitigate any potential harmful impacts.

Future re-development of this property and possible uses that could be considered harmful to adjacent property owners have been mitigated by Use-specific Standards (IDO Section 14-16-4-3) and regulations identified in the Integrated Development Ordinance. All uses shall comply with City ordinances regulating noise, odors, vibration, glare, heat, and other special nuisance conditions affecting other properties as well as use-specific standards.

The uses that could be considered harmful as listed above will in turn become nonconsequential for the reason stated. Future development on the subject site under the MX-H zone would be subject to IDO requirements including neighborhood edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6(E)), and building design standards (14-16-5-11). These would help ensure appropriate scale and location of development and character of building design. These Use Standards include precautionary measures such as distance requirements, size restrictions, design standards, screening requirements and various other measures. Additionally, redevelopment of this subject site must still go through a rigorous site planning approval process at which time the public will be fully engaged.

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

Response:

This request furthers requirement (1) because the City's existing infrastructure and public improvements currently have adequate capacity to serve the existing development made possible by the zone change. However, we fully understand that the redevelopment of this property may require ungraded infrastructure, both public and/or private to adequately service the needs of the development. Although specific improvements are unknown at this time, our clients have sufficient resources to guarantee any work needed via the Infrastructure Agreement process with the City of Albuquerque.

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

Response:

The justification provided herein is not based on the property's location at the intersection of a Premium Transit Corridor/Major Transit Corridor (Central Ave) and Multi-modal Corridor (Juan Tabo Blvd), but rather on a preponderance of applicable Goals and Policies of the Comp Plan as outlined in our policy narrative. The policy analysis revealed that this request is consistent with the health, safety, and general welfare of the City and will be in line with the above mentioned Goals and Policies. The redevelopment of this site will improve not only the community but the visualization factor that the Comp Plan, the CPA and the Metropolitan Redevelopment Plan emphasizes and is centered on. This request is also about cleaning and upgrading the site to decrease the crime in the area and increase the community's piece of mind and safety. Not to mention, this site has the potential to become a booming pedestrian-friendly redevelopment in an important area of Albuquerque.

The current zoning request is to allow for future MX-H uses, future development permissive by the MX-H zone will further multiple goals and policies of the Comprehensive Plan and will serve as an excellent redevelopment opportunity. This zone change seeks to provide use options that are in demand in the surrounding area and the City as a whole. While the location of the property at the intersection of a Premium Transit Corridor and Multi-modal Corridor, is not the main reason for providing justification for commercial zoning; however, it does provide rationale for why this site is suitable for the proposed MX-H zoning and associated uses. Access and connectivity are important considerations for mixed-use development.

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

Response:

This justification is not based completely or predominantly on the cost of land or other economic considerations and are not the determining factor for this zone change request. The justification is based on in depth analysis of the applicable Goals and Policies the Comp Plan demonstrated above. There are a variety of different and applicable Goals and Policies that are consistent with the health, safety, and general welfare of the City. The justification is also based on the fact there is an inconsistency in the conversion to the MX-L zone on our subject site. All the existing surrounding land has been zoned MX-H. The subject site has been spot zoned to MX-L and does not fall in line with the exiting land zone district. The requested zone change will allow MX-H uses to develop, thereby providing more commercial, retail, and mixed-use housing choices in an area of Albuquerque's East Gateway Community Planning Area. This will stay consistent with the surrounding land uses in the area.

- H. The zone change does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create

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

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

Response:

The zone change does not apply a zone different from surrounding zone districts. The current MX-L zoning may constitute a spot zone because it is different from the surrounding zones to the east, south and west. A spot zone is defined as a zone different from surrounding zoning to one small area, especially when only one premise is involved or to a strip of land along a street. The commercial land surrounding our site is predominantly zoned MX-H, constituting this piece of land to be “spot zoned” per the definition of a spot zone stated above. The requested change to MX-H will clearly facilitate implementation of the ABC Comp Plan, as amended, as discussed in the preponderance of goals and policies further by the change. The request will be more relevant and fall in line with the surrounding zones.

This proposal qualifies under criteria (3) above, in that the nature of structures already on the premises make it unsuitable for the uses allowed in any adjacent zone district, because the property is developed with approximately 95,000SF buildings (not including the Wienerschnitzel). “General retail, large” is a nonconforming use in the MX-L zone. To be conforming in the MX-L zone, the building would have to be divided into over 10 separate establishments or tenant spaces. Even with two tenants, the building is larger than would be allowed as a “General retail, small” use. General retail small is the only retail use allowed under the MX-L zone. General retail only allows an establishment with no more than 10,000 square feet of gross floor area. If this site were to stay zoned MX-L the likelihood for redevelopment occurring is virtually null to none, based on the current market demands.

CONCLUSION

This request is for a Zone Map Amendment (Zone Change) for an approximately +/-10.8 acre property located in Albuquerque’s East Gateway Community Planning Area, in an Area of Change, in a Major/Premium Transit Corridor and along a Multi-modal Corridor.

The East Gateway Coalition, Signing Arrow NA, Sandia Vista NA, and property owners 215 feet of the subject site were notified of the request. A voluntary neighborhood meeting were held. The meetings went into detail on the project being proposed and possible redevelopment options in the near future. There was positive feedback that came from the meeting. The associations are excited to see this predominantly vacant site become a vibrant and thriving piece of their community. After extensive discussions with the neighborhood associations and property owners, they prefer to see this underutilized and crime infested site, flourishing and bring vibrancy back into their community. The Signing Arrow Association are big advocates in their community and are very opinionated in this matter. They are in full support of our request and want to see this site redevelop into something that they can be proud of and want it done sooner rather than later. The approval of this request for a zone change to MX-H for the subject property will ensure that a very important and crucial property in Albuquerque remains a viable project prime for redevelopment. This redevelopment will provide more employment and convenient services within the community. The MX-H zoning is consistent with the zoning pattern in the vicinity and represents a justifiable request for a Zone Map Amendment. The future development of this site will be subject to MX-H zoning and subject to the IDO requirements including neighborhood edges (14-16- 5-9), the mixed-use zone dimensional standards (Table 5-1-2), buffer landscaping (14-16-5- 6-(E)), and building design standards (14-16-5-11). These requirements would help ensure appropriate scale and location of

development and character of building design. Use-specific Standards include precautionary measures such as distance requirements, size restrictions, design standards, screening requirements, and various other measures.

Additionally, redevelopment of this subject site must still go through a review with the City of Albuquerque to ensure compliance and adherence to the standards of the IDO as well as the DPM. This requests will not have any negative effects on the surrounding community or its' residence. This requested MX-H zone will clearly help align the appropriate zone with goals and policies of the Comprehensive Plan.

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

Sincerely,

Angela M. Williamson, CEO/Principal
Modulus Architects, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, New Mexico 87109
Office: 505.338.1499 ext. 1000
Cell: 505.999.8016
Email: awilliamson@modulusarchitects.com

STAFF INFORMATION

August 19, 2020

TO: Angela Williamson, Modulus Architects

FROM: Catalina Lehner, Senior Planner
City of Albuquerque Planning Department

TEL: (505) 924-3935

RE: Project #2020-004195/RZ-2020-00021, Franklin Plaza Zone Change

I've completed a first review of the proposed zoning map amendment (zone change). I have a few questions and some suggestions regarding the justification. I am available to answer questions about the process and requirements. Please provide the following:

⇒ A revised zoning change justification letter pursuant to the zone change criteria (one copy) by:

5 pm on Thursday, August 27, 2020.

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

1) Introduction:

- A. Though I've done my best for this review, additional items may arise as the case progresses. If so, I will inform you immediately.
- B. This is what I have for the legal description: Lots A-G and a portion of Lot M, replat of Tract A Franklin Plaza, together with Lots L-1 N and P, amended replat of Lots K, L, and part of Lot M Franklin Plaza, containing approximately 11 acres. Is this correct?
- C. Please clarify: i) Is the approximately 0.9 acre lot on the SE corner of Juan Tabo Blvd. NE and Skyline Rd. NE included in the request? ii) Is the approximately 0.6 acre lot near the subject site's SE corner included in the request?
- D. Please tell me about the project that the proposed zone change will make possible. What are some ideas so far?
- E. Note: Because the zoning requested is a mixed-use zone, a variety of residential and commercial uses would be allowed and are already allowed under the current MX-L zoning. The difference between the two zones is a key element of this case.

2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at:
<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing for September is the 10th. Final staff reports will be available one week prior, on September 3rd.

- C. Note that, if a zone change request is denied, you cannot reapply again for one year.
- D. Agency comments will be distributed around Wednesday, August 26th. I will email you a copy of the comments and will forward any late ones to you.

3) Notification:

Notification requirements for a zone change are explained in Section 14-16-6-4(K), Public Notice (IDO, p. 345). 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. Generally, I had a bit of difficulty disentangling what piece of paper is intended for what notice. Clear labels or tabs would make this easier on future reviewers.
- B. For example, the July 28, 2020 letter. Did this go to both neighborhood representatives and property owners?
- C. E-mail notification to NA representatives: i) is Judy Young's email really @ymail.com? Is this a type-O? Looks like it was carried over from the ONC list. ii) Requirements for content of the notice are found in 14-16-6-4(K)(6). I did not see the name of the property owner in the July 28, 2020 email. If it's not there, please include it and re-send the email.
- D. Thank you for providing photos of the envelopes; however, there are too many envelopes per photo and the resolution is blurry, so as of this writing I could not cross-check envelopes against the mailing labels list so I requested that the original photos or clear print-outs be sent to me.
- E. The sooner I receive either, the sooner I can cross check. If anyone was left out of notification, I will ask you to notify them at least 15 days prior to the hearing (I suggest 20 days to be safe).

4) Neighborhood Issues:

- A. Do you anticipate that a facilitated meeting will be requested?
- B. Have any neighborhood representatives or members of the public contacted you in addition to the pre-application meeting held on June 9th with the Singing Arrow NA? As of this writing, no one has contacted me.
- C. From the pre-application meeting notes, it looks like the neighbors are generally supportive but don't have a specific understanding of the request. What is your impression? (note: I will discuss the comment about the voluntary zoning conversion later).

5) Case Background:

- A. The AGIS system shows some unusual platting on the subject site. The lot on the NW corner and the lot near the SE corner are platted separately, of course, but it appears that the strip mall on the northern side and the buildings on the eastern side are actually separate lots. Let's discuss.
- B. What do you know about the subject site's history? I found some case history and case tracking numbers on AGIS.

- C. The voluntary zone conversion process was available starting May 2018, in two batches, and in 2019 and is no longer available. The subject site may have qualified under criterion 1-Non-Conforming use, but it appears that this was not requested or perhaps not envisioned at that time.

6) Project Letter:

- A. In general, the project letter (pages 1 through 6) skips around in topics and repeats certain information. The Proposal portion is really background, and the Subject Site Background portion paragraphs 1 and 3 repeats what's on p 1. Also, the purpose of the MX-L and MX-H zones is repeated three times. Please re-organize this part of the letter.
- B. I'm not sure how relevant the argument about qualifying for a voluntary zoning conversion is. Would the subject site have qualified or not? Why is this important in your view, especially since this process was finalized last year? p. 2 tends to ramble, so please tighten it up.
- C. It seems like most of the discussion of Permitted Uses on p. 3 belongs in the introduction (ex. last paragraph) and/or the discussion of Subsection D of the justification.
- D. I don't think the statement that the subject site would be "impossible" to redevelop under MX-L zoning is entirely accurate. It could redevelop, but not the way envisioned.
- E. Page 6, top. Existing and proposed zoning- not sure why this is repeated here, but I'm open to your thoughts.

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

Note: A zone change justification is about the requirements of the zone change criteria 14-16-6-7 (F)(3) and how a proposed project can be demonstrated to fulfill them. The merits of the project and neighborhood support (or opposition) are not included directly because there is no criterion under which they fall.

- 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: The zone change criteria do not contain a provision that allows for use of a historical argument to justify a request. Any prior zoning on the subject site was superseded by the IDO zoning of MX-L.
- C. 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. This can be done by:
- i. answering the questions in the customary way (see examples).
 - ii. using conclusory statements such as "because_____".
 - iii. re-phrasing the requirement itself in the response, and
 - iv. choosing an option when needed to respond to a requirement.

- D. Version 1 (v.1) of the zone change justification is a good start, but a strengthened and more precise policy analysis is needed.

8) 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.

A. Criterion A (strengthen):

- What is the Comp Plan designation for Central Ave. at this location? What about Juan Tabo? Use Goals and policies accordingly.
- Is there an applicable Metropolitan Redevelopment plan?
- Is MX-H too intense outside of a designated Center? Why or why not?
- Tip: do not choose Goals and policies about site design, because a site development plan is not a part of the request.
- Please provide a response to each Goals and each policy cited, underneath each one.
- In each response to the Goals and policies, please strengthen the connection between the citation and the request. Think “because” and “why”.
- p. 6- address Policy 4.1.1 and Goal 4.3. What is the distinct character of this area and why?
- p. 7- Policy 5.1.1. Would the request lead to regional growth? Why or why not?
- p. 8- Policy 8.1.2. Without a site plan, how do we know that the future development would be TOD?
- p. 9- Policy 5.1.10. Re: designation of Central Ave. and Juan Tabo at this location (bullet 1, above).
- p. 11- Policy 8.1.3. Economic base jobs are usually considered to be manufacturing, not retail.
- Please include a conclusory statement regarding the entirety of Criterion A.

B. Criterion B: OK

- C. Criterion C: OK, but please remember that the zone contains a variety of uses that will become permissive, not just retail.

- D. Criterion D (strengthen): What uses would become permissive in MX-H that are not already permissive in MX-L? Please focus on those because they would be added, and address each with respect to harm.

The first sentence after the table reads more like an opinion, so I suggest placing it elsewhere.

E. Criterion E: OK

- F. Criterion F (strengthen): It seems like the request for intense zoning, MX-H, is based on the subject site’s location along a Major (Premium?) Transit Corridor and a Multi-Modal Corridor.

What about a preponderance of policies- what does the request do with respect to these? Please try to focus more on the arguments that emerge from the Goals and policy discussion, which will help strengthen this response.

- G. Criterion G (clarify): If not on economic considerations, what is the request based upon? Please tie the response back to the discussion of applicable Goals and policies.
- H. Criterion H (re-do): Would the request result in a spot zone? Why or why not? How is a spot zone defined? It's not about the current zoning. I'm not sure that the third paragraph adds anything to H. Seems like it could go elsewhere.

NOTIFICATION

Regina Okoye

From: Carmona, Dalaina L. <dlcarmona@cabq.gov>
Sent: Tuesday, May 19, 2020 1:24 PM
To: Regina Okoye
Subject: 108 Juan Tabo BLVD NE Neighborhood Meeting Inquiry
Attachments: IDOZoneAtlasPage_L-22-Z.PDF

Dear Applicant,

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

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
East Gateway Coalition	James	Andrews	jamesw.andrews01@gmail.com	13121 Nandina Lane SE	Albuquerque	NM	87123		5052969700
East Gateway Coalition	Michael	Brasher	brasher@aps.edu	216 Zena Lona NE	Albuquerque	NM	87123	5053822964	5052988312
Singing Arrow NA	Judy	Young	youngjudy@ymail.com	13309 Rachel Road SE	Albuquerque	NM	87123	5053503108	
Singing Arrow NA	Singing Arrow NA		abqsana@gmail.com	12614 Singing Arrow SE	Albuquerque	NM	87123		5056750479
Sandia Vista NA	Brenda	Gebler	happygranny8@q.com	PO Box 50219	Albuquerque	NM	87181	5054409450	5052935543
Sandia Vista NA	Lucia	Munoz	lulumu1213@gmail.com	316 Dorothy Street NE	Albuquerque	NM	87123	5056207164	

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

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

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

Thanks,



Dalaina L. Carmona

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



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

Sent: Tuesday, May 19, 2020 10:43 AM

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

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

Subject: Neighborhood Meeting Inquiry Sheet Submission

Neighborhood Meeting Inquiry For:
Environmental Planning Commission

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

Contact Name

Regina Okoye

Telephone Number

5052677686

Email Address

rokoye@modulusarchitects.com

Company Name

Modulus Architects

Company Address

City

Albuquerque

State

ZIP

87109

Legal description of the subject site for this project:

UPC: 102205603949220901

Owner: WAKEN LP C/O ZIA MANAGEMENT INC

Owner Address: 6121 INDIAN SCHOOL RD NE SUITE 218 ALBUQUERQUE NM 87110-3179

Situs Address: 108 JUAN TABO BLVD NE ALBUQUERQUE NM 87123

Legal Description: LTS A THRU G & A POR OF LT M REPLAT OF TR A FRANKLINPLAZA TOGETHER WITH LTS L-1 N & P
AMENDED REPLAT OF LTSK, L & PART OF LT M FRANKLIN PLAZA CONT 10.8373 AC +/-

Acres: 10.837

Tax Year: 2020

Physical address of subject site:

108 Juan Tabo BLVD NE 87123

Subject site cross streets:

Central Ave NE and Juan Tabo Blvd NE

Other subject site identifiers:

This site is located on the following zone atlas page:

L-22-Z

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This message has been analyzed by Deep Discovery Email Inspector.

Regina Okoye

From: Carmona, Dalaina L. <dlcarmona@cabq.gov>
Sent: Thursday, July 16, 2020 3:52 PM
To: Regina Okoye
Subject: RE: Public Notice Inquiry Sheet Submission
Attachments: 05 - IDOZoneAtlasPage_L-22-Z.PDF

Dear Applicant:

Please find the neighborhood contact information listed below.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
East Gateway Coalition	James	Andrews	jamesw.andrews01@gmail.com	13121 Nandina Lane SE	Albuquerque	NM	87123		5052969700
East Gateway Coalition	Michael	Brasher	brasher@aps.edu	216 Zena Lona NE	Albuquerque	NM	87123	5053822964	5052988312
Singing Arrow NA	Singing Arrow NA		abqsana@gmail.com	12614 Singing Arrow SE	Albuquerque	NM	87123		5056750479
Singing Arrow NA	Judy	Young	youngjudy@ymail.com	13309 Rachel Road SE	Albuquerque	NM	87123	5053503108	
Sandia Vista NA	Brenda	Gebler	happygranny8@q.com	PO Box 50219	Albuquerque	NM	87181	5054409450	5052935543
Sandia Vista NA	Lucia	Munoz	lulumu1213@gmail.com	316 Dorothy Street NE	Albuquerque	NM	87123	5056207164	

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

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

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

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

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

Thanks,



Dalaina L. Carmona

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

dlcarmona@cabq.gov or ONC@cabq.gov

Website: www.cabq.gov/neighborhoods



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

Sent: Thursday, July 16, 2020 2:40 PM

To: Office of Neighborhood Coordination <rokoye@modulusarchitects.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:
Environmental Planning Commission

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

Contact Name
Regina Okoye
Telephone Number
5052677686
Email Address
rokoye@modulusarchitects.com
Company Name
Modulus Architects
Company Address
100 Sun Ave NE. Suite 600
City
Albuquerque
State
NM
ZIP
87109

Legal description of the subject site for this project:
UPC: 102205603949220901
Owner: WAKEN LP C/O ZIA MANAGEMENT INC
Owner Address: 6121 INDIAN SCHOOL RD NE SUITE 218 ALBUQUERQUE NM 87110-3179
Situs Address: 108 JUAN TABO BLVD NE ALBUQUERQUE NM 87123
Legal Description: LTS A THRU G & A POR OF LT M REPLAT OF TR A FRANKLINPLAZA TOGETHER WITH LTS L-1 N & P
AMENDED REPLAT OF LTSK, L & PART OF LT M FRANKLIN PLAZA CONT 10.8373 AC +/-
Acres: 10.837
Tax Year: 2020

Physical address of subject site:
108 Juan Tabo BLVD NE 87123

Subject site cross streets:
Central Ave NE and Juan Tabo Blvd NE

Other subject site identifiers:
This site is located on the following zone atlas page:

L-22-Z

=====

This message has been analyzed by Deep Discovery Email Inspector.

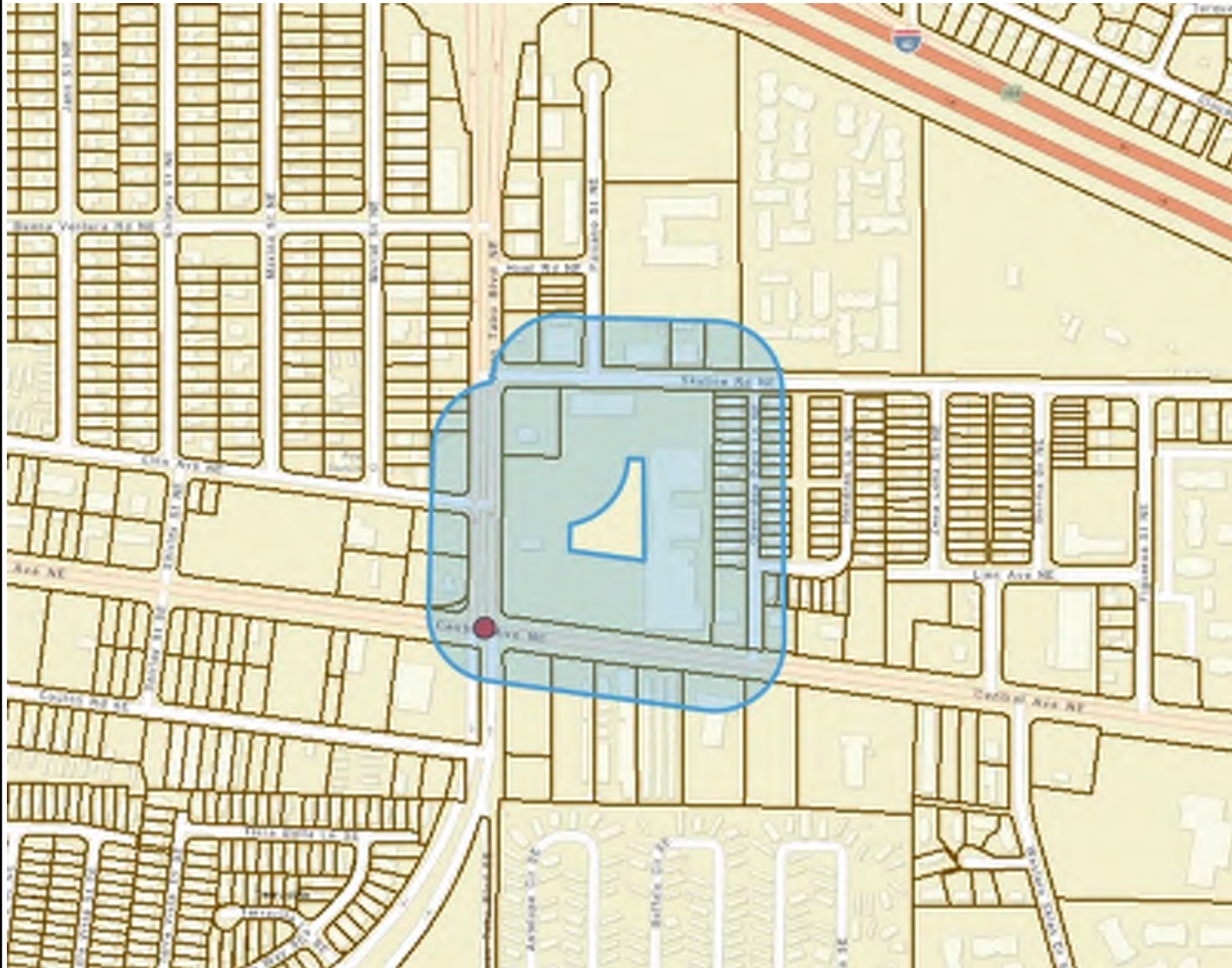


108 Juan Tabo BLVD NE



Legend

■ Bernalillo County Parcels



Notes

Buffer: 215 Ft.
ROW Juan Tabo: 115

908 0 454 908 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
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1: 5,448

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

SMYERS JOHN D JR & ELLA M
216 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123-5551

MCDUFFIE MICHAL RYAN
228 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123

LIECHTY GARY H & DENISE G CO TRUSTEES
LIECHTY RVT
51 OJITO DR
ESPANOLA NM 87532-9429

221 JUAN TABO LLC
13912 INDIAN SCHOOL RD NE
ALBUQUERQUE NM 87112-4918

JENKINS CHRISTIPHER D
248 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123

LOCHER BOB
209 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123

FELSEN JUDITH E
224 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123

KEENAN MICHAEL R SR & RAMONA L &
KEENAN MICHAEL R JR & ALISHA
13133 BLACKSTONE RD NE
ALBUQUERQUE NM 87111-3007

SMITH JOCELYN
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ESS VRS OWNER LLC PTA EX 534 C/O
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CROWDER IRA C/O JUAN TABO & CENTRAL LLC
PO BOX 3176
ALBUQUERQUE NM 87190-3176

GLENRIDGE PARK JOINT VENTURE
5 WESTLAKE DR NE
ALBUQUERQUE NM 87112-4264

OVERTON GAIL C
223 GLENRIDGE PARK LN NE
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JAVIER OTERO LLC
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REGALADO TIM M
247 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123-5548

TRAMWAY INVESTMENTS LLC C/O PETER
PINEDA
8225 CONNECTICUT ST NE
ALBUQUERQUE NM 87110-2407

ZUFFRANIERI JASON V
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ALBUQUERQUE NM 87110

CHISOLM PROPERTIES LLC
12020 CENTRAL AVE SE
ALBUQUERQUE NM 87123

WASHINGTON GILBERT JR & PENSRI
260 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87108

FITSUM TESFA & ATALETECH ASFAW
8914 WOODLAND AVE NE
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204 MONTE LARGO DR NE
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YU KUM N
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PO BOX 27195
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GEMINI LAS COLINAS LLC C/O RYAN LLC
BANK OF AMERICA CENTER
15 W 6THST ST SUITE 2400
TULSA OK 74119-5417

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LIECHTY HIEN THI & RONALD C RVT &
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SRI KANAKA DURGA LLC C/O CNC
INVESTMENTS LTD
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JUDY YOUNG
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SINGING ARROW NA
12614 SINGING ARROW SE
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BRENDA GEBLER
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SANDIA VISTA NA
LUCIA MUNOZ
316 DOROTHY STREET NE
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Regina Okoye

From: Regina Okoye
Sent: Thursday, May 21, 2020 1:49 PM
To: 'jamesw.andrews01@gmail.com'; 'brasher@aps.edu'; 'youngjudy@ymail.com'; 'abqsana@gmail.com'; 'happygranny8@q.com'; 'lulumu1213@gmail.com'
Cc: Angela Williamson
Subject: RE: NEIGHBORHOOD MEETING ABOUT FUTURE ENVIRONMENTAL PLANNING COMMISSION APPLICATION

Tracking:	Recipient	Delivery
	'jamesw.andrews01@gmail.com'	
	'brasher@aps.edu'	
	'youngjudy@ymail.com'	
	'abqsana@gmail.com'	
	'happygranny8@q.com'	
	'lulumu1213@gmail.com'	
	Angela Williamson	Delivered: 5/21/2020 1:49 PM



May 21, 2020

RE: NEIGHBORHOOD MEETING ABOUT FUTURE ENVIRONMENTAL PLANNING COMMISSION APPLICATION FOR PROPERTY LOCATED AT 108 JUAN TABO BLVD NE, ALBUQUERQUE NM 87123 TO AMEND THE EXISTING IDO ZONE DISTRICT FROM THE CURRENT MX-L (MIXED-USE - LOW INTENSITY ZONE DISTRICT) TO MX-H (MIXED-USE – HIGH INTENSITY ZONE DISTRICT)

To Whom It May Concern,

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

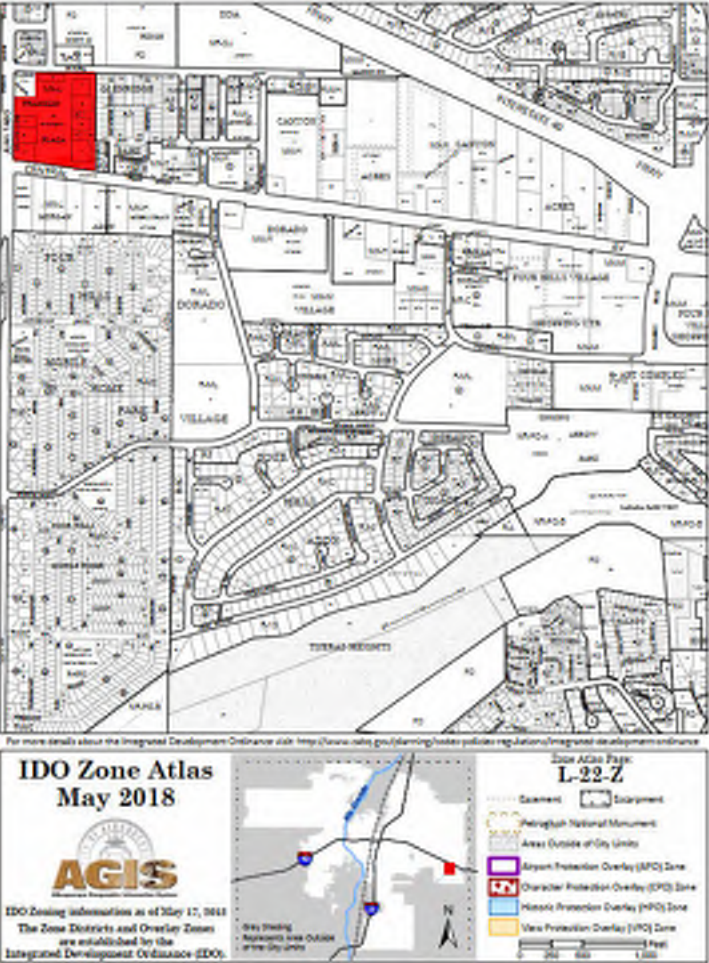
MX-L vs. MX-H

MX-L Purpose:
The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table 4-2-1.
MX-H Purpose:
The purpose of the MX-H zone district is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone district

is intended to allow higher-density infill development in appropriate locations. Allowable uses are shown in Table 4-2-1.

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

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



Project or Development Proposal
Franklin Plaza
108 Juan Tabo BLVD
Albuquerque, NM 87123
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

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

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

Per the IDO, you have 15 days from May 21, 2020 to respond, by either 1) requesting a meeting or 2) declining the meeting. If you do not respond within 15 days, you are waiving the opportunity for a Neighborhood Meeting, and we can submit our application anytime thereafter. We would like to submit our application on **June 25, 2020.**

If you would like to meet, please let us know when your next regular neighborhood meeting is scheduled or provide a few alternative dates that fall within 30 days of your response to this letter/email.

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

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

Useful Links

Integrated Development Ordinance (IDO)
<http://documents.cabq.gov/planning/IDO/IDO-Effective-2018-05-17.pdf>

IDO Interactive Map
<https://tinyurl.com/IDOzoningmap>

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

Sincerely,

Angela Williamson, CEO/Principal
Modulus Architects, Inc.
100 Sun Ave NE, Suite 600
Albuquerque, NM 87109

awilliamson@modulusarchitects.com
Office (505) 338-1499 ext. 1000
Mobile (505) 999-8016

REGINA OKOYE, ENTITLEMENTS PROJECT MANAGER
MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 600
Albuquerque, NM 87109
Office 505.338.1499 (Ext. 1003)
Mobile + Text 505.267.7686
www.modulusarchitects.com





May 21, 2020

RE: NEIGHBORHOOD MEETING ABOUT FUTURE ENVIRONMENTAL PLANNING COMMISSION APPLICATION FOR PROPERTY LOCATED AT 108 JUAN TABO BLVD NE, ALBUQUERQUE NM 87123 TO AMEND THE EXISTING IDO ZONE DISTRICT FROM THE CURRENT MX-L (MIXED-USE - LOW INTENSITY ZONE DISTRICT) TO MX-H (MIXED-USE – HIGH INTENSITY ZONE DISTRICT)

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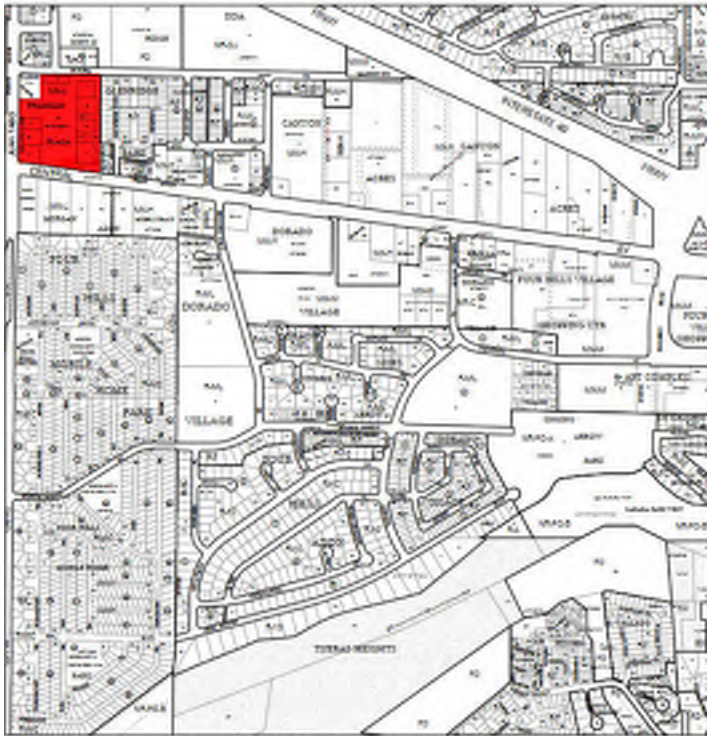
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MX-L vs. MX-H

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Albuquerque, NM 87123
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

Contact Information

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awilliamson@modulusarchitects.com



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Sincerely,

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REGALADO YIM M
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221 JUAN TABO LLC
13912 INDIAN SCHOOL RD NE
ALBUQUERQUE NM 87112-4918



Modulus Architects, Inc.
100 Sun Avenue NE, Suite 400
Albuquerque, New Mexico 87109



OVERTON GAIL C
223 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123-5548

=====

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ALBUQUERQUE, NM 87109-9998
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Total:			\$55.00

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Regina Okoye

From: Regina Okoye
Sent: Tuesday, July 28, 2020 9:28 AM
To: 'jamesw.andrews01@gmail.com'; 'brasher@aps.edu'; 'youngjudy@ymail.com'; 'abqsana@gmail.com'; 'happygranny8@q.com'; 'lulumu1213@gmail.com'
Cc: Angela Williamson
Subject: UPDATED: NEIGHBORHOOD MEETING ABOUT FUTURE ENVIRONMENTAL PLANNING COMMISSION APPLICATION

Tracking:

Recipient

Delivery

'jamesw.andrews01@gmail.com'

'brasher@aps.edu'

'youngjudy@ymail.com'

'abqsana@gmail.com'

'happygranny8@q.com'

'lulumu1213@gmail.com'

Angela Williamson

Delivered: 7/28/2020 9:28 AM



July 28, 2020

UPDATED: NEIGHBORHOOD MEETING ABOUT FUTURE ENVIRONMENTAL PLANNING COMMISSION APPLICATION FOR PROPERTY LOCATED AT 108 JUAN TABO BLVD NE, ALBUQUERQUE NM 87123 TO AMEND THE EXISTING IDO ZONE DISTRICT FROM THE CURRENT MX-L (MIXED-USE - LOW INTENSITY ZONE DISTRICT) TO MX-H (MIXED-USE – HIGH INTENSITY ZONE DISTRICT)

To Whom It May Concern,

In accordance with the procedures of the City of Albuquerque’s Integrated Development Ordinance (IDO) **Subsection 14-16-6-4(C) Neighborhood Meeting**, we have provided you an opportunity to discuss an EPC Application for a Zone Map Amendment from Mixed-Use- Low Intensity Zone District (MX-L) to Mixed-use – High Intensity Zone District (MX-H). **The initial notice was sent on May 21, 2020. Neighborhood meetings were previously held for this project. This notice is only to inform you about the updated project submittal date. We initially intended to submit to the EPC on June 25, 2020, per the initial notice that we sent out. We deferred our submittal by 1 month. We would like to submit our application on July 30, 2020.** The Zone Map Amendment description is as followed:

MX-L vs. MX-H

MX-L Purpose:
The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table 4-2-1.
MX-H Purpose:
The purpose of the MX-H zone district is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone district is intended to allow higher-density infill development in appropriate locations. Allowable uses are shown in Table 4-2-1.

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

Below is the zone atlas map with the entire site outlined.

**Project Location**

Franklin Plaza
108 Juan Tabo BLVD
Albuquerque, NM 87123
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

Contact Information

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

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

Useful Links**Integrated Development Ordinance (IDO)**

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

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

Sincerely,

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

REGINA OKOYE, ENTITLEMENTS PROJECT MANAGER

MODULUS ARCHITECTS, INC.

100 Sun Avenue NE, Suite 600
Albuquerque, NM 87109
Office 505.338.1499 (Ext. 1003)
Mobile + Text 505.267.7686
www.modulusarchitects.com





July 28, 2020

UPDATED: NEIGHBORHOOD MEETING ABOUT FUTURE ENVIRONMENTAL PLANNING COMMISSION APPLICATION FOR PROPERTY LOCATED AT 108 JUAN TABO BLVD NE, ALBUQUERQUE NM 87123 TO AMEND THE EXISTING IDO ZONE DISTRICT FROM THE CURRENT MX-L (MIXED-USE - LOW INTENSITY ZONE DISTRICT) TO MX-H (MIXED-USE - HIGH INTENSITY ZONE DISTRICT)

To Whom It May Concern,

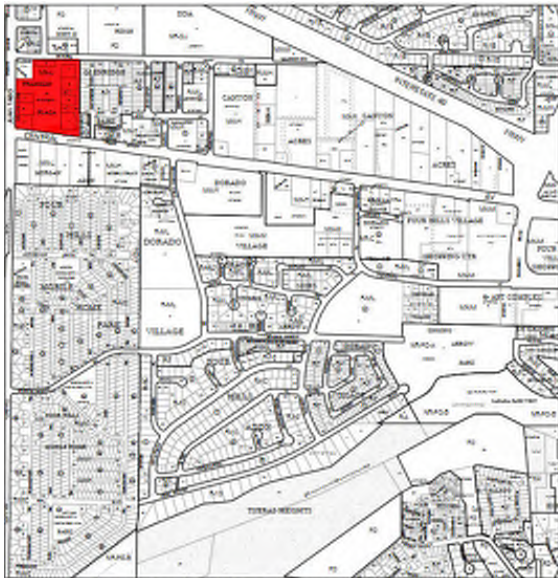
In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-4(C) Neighborhood Meeting**, we have provided you an opportunity to discuss an EPC Application for a Zone Map Amendment from Mixed-Use- Low Intensity Zone District (MX-L) to Mixed-use – High Intensity Zone District (MX-H). **The initial notice was sent on May 21, 2020. Neighborhood meetings were previously held for this project. This notice is only to inform you about the updated project submittal date. We initially intended to submit to the EPC on June 25, 2020, per the initial notice that we sent out. We deferred our submittal by 1 month. We would like to submit our application on July 30, 2020.** The Zone Map Amendment description is as followed:

MX-L vs. MX-H

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MX-H Purpose:
The purpose of the MX-H zone district is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone district is intended to allow higher-density infill development in appropriate locations. Allowable uses are shown in Table 4-2-1.

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

Below is the zone atlas map with the entire site outlined.



Project Location

Franklin Plaza
108 Juan Tabo BLVD
Albuquerque, NM 87123
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

Contact Information

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



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

Useful Links

Integrated Development Ordinance (IDO)

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

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

Sincerely,

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



July 28, 2020

RE: PUBLIC NOTICE OF ENVIRONMENTAL PLANNING COMMISSION (EPC) HEARING FOR PROPERTY LOCATED AT 108 JUAN TABO BLVD NE, ALBUQUERQUE NM 87123 TO AMEND THE EXISTING IDO ZONE DISTRICT FROM THE CURRENT MX-L (MIXED-USE - LOW INTENSITY ZONE DISTRICT) TO MX-H (MIXED-USE – HIGH INTENSITY ZONE DISTRICT)

To Whom It May Concern,

Modulus Architects, Inc. on behalf of the Waken LP will be submitting an application to the Environmental Planning Commission (EPC) for approval of Zone Map Amendment from the current Mixed-use- Low Intensity Zone District (MX-L) to Mixed-use- High Intensity Zone District (MX-H). We are not proposing any developments at this time. We will be proposing the following:

MX-L vs. MX-H

MX-L Purpose:
The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table 4-2-1.
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The purpose of the MX-H zone district is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone district is intended to allow higher-density infill development in appropriate locations. Allowable uses are shown in Table 4-2-1.

Follow link below name "Integrated Development Ordinance (IDO)" to see allowable uses shown in Table 4-2-1 (page 130-134).

Useful Links

Integrated Development Ordinance (IDO)

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Below is the zone atlas map with the entire site outlined.



Project Proposal Location

Franklin Plaza
108 Juan Tabo BLVD
Albuquerque, NM 87123
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

Contact Information

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

We will be submitting our application on **July 30, 2020 for an EPC Hearing via Zoom to be held on September 10, 2020 at 8:30 am. The Zoom information for the hearing is as followed:**

EPC - September 10, 2020
Join Zoom Meeting
<https://cabq.zoom.us/j/95170033733>
Meeting ID: 951 7003 3733
One tap mobile
+13017158592,,95170033733# US (Germantown)
+13126266799,,95170033733# US (Chicago)2
Dial by your location
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
+1 346 248 7799 US (Houston)
+1 646 558 8656 US (New York)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
Meeting ID: 951 7003 3733
Find your local number: <https://cabq.zoom.us/j/95170033733>

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

Sincerely,

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

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JURY MORGAN
12004 BACHMAN ROAD SE
ALBUQUERQUE, NM 87123

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ALBUQUERQUE, NM 87109

WASDEN C/O DA MANAGEMENT INC
6111 INDIAN SCHOOL RD NE SUITE 218
ALBUQUERQUE, NM 87110-1178

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

CHESON C S
13000 CENTRAL AVE SE
ALBUQUERQUE, NM 87123

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

SPORFORD INVESTMENTS LLC
620 VIA PONDOSA SE
ALBUQUERQUE, NM 87123

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100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109

SILVER STAR JEWELRY INC
13017 SHILINE RD NE
ALBUQUERQUE, NM 87123

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304 MONTE LARGO DR NE
ALBUQUERQUE, NM 87123

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ALBUQUERQUE, NM 87109

SPARK TIGER J
240 GLENRIDGE PARK LN NE
ALBUQUERQUE, NM 87123-5551

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GOOLEY JOSEPH A & MARY R
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MIRANDA CORINA
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ALBUQUERQUE, NM 87123

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JURY MORGAN
708 DOROTHY STREET NE
ALBUQUERQUE, NM 87123

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EAST GARDEN COALITION
MICHAEL BRADY
215 DENA CORA NE
ALBUQUERQUE, NM 87123

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ALBUQUERQUE, NM 87109

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INVESTMENTS LTD
4400 FM 1960 RD SUITE 204
HOUSTON TX 77060-3403

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BUDLANS TODD & WATMAN
642 MAXINE ST NE
ALBUQUERQUE, NM 87123

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TANNER, AMY J
11100 LUNA HWY NE
ALBUQUERQUE, NM 87123-5557

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GEMIN LAS CORP INC C/O RYAN LLC
BANK OF AMERICA CENTER
15 W 4TH ST SUITE 2400
TULSA OK 74103-5417

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CITY OF ALBUQUERQUE
PO BOX 5295
ALBUQUERQUE, NM 87105-2244

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REGALADO TIM M
247 GLENRIDGE PARK LN NE
ALBUQUERQUE, NM 87123-5548

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ALBUQUERQUE, NM 87109

CHERTON GAIL C
221 GLENRIDGE PARK LN NE
ALBUQUERQUE, NM 87123-5548

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SHAWT TRACY INC CUSTODIAN FOR PATRICK
JENNIFER SA C/O LAM TONG & COMPANY LLC
PO BOX 5295
ALBUQUERQUE, NM 87105-2244

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ALBUQUERQUE, NM 87109

WYNNE MICHAEL F JR & SHAWNEE L
MICHAEL MICHAEL F JR & SHAWNEE L
13111 BLACKSTONE RD NE
ALBUQUERQUE, NM 87111-3807

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

THE HRS DRIVER LLC P/O SA 134 C/O
PARKVIEW 1300 DRCLUP
PO BOX 800729
DALLAS TX 75280-0729

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LOCHER BOB
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ALBUQUERQUE, NM 87123

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221 JUAN TAMB LLC
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ALBUQUERQUE, NM 87112-4918

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BRENDA SHAWNEE
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644 JORNADA ST SW
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MODULUS ARCHITECTS INC.
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JAMES ANDREWS
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CASTILLO ISABEL L & VIOLA A
227 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123

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LECHTY GARY H & DENISE
205 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123

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NORWEST BANK NM NA C/O DELOITTE
TAX LLP
PO BOX 2606
CARLSBAD CA 92008

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US WEST COMMUNICATIONS INC
6300 S SHIRACUSE WAY
ENGLEWOOD CO 80111-4720

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11504 HERMAN ROSE AVE SE
ALBUQUERQUE NM 87123-5712

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ALBUQUERQUE, NM 87109

DOMINGUEZ JACQUELINE KARRAE
259 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123-5548

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

GLENRIDGE PARK JOINT VENTURE
5 WESTLARK DR NE
ALBUQUERQUE NM 87123-4264

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ALBUQUERQUE, NM 87109

BAROS GLORIA
PO BOX 27195
ALBUQUERQUE NM 87125-7195

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BREIDING EVAN J
212 GLENRIDGE PARK LN NE
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ALBUQUERQUE, NM 87109

JAVIER OTERO LLC
1800 E SAHARA AVE SUITE 113
LAS VEGAS NV 89104-3732

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800 PASEO VERDE RD NE
ALBUQUERQUE NM 87113-2850

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ALBUQUERQUE NM 87123-5548

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CANDELABA TERESA J
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ALBUQUERQUE NM 87123

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260 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87108

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100 SUN AVENUE NE, SUITE 600
ALBUQUERQUE, NM 87109

LECHTY GARY H & DENISE D CO TRUSTEES
LECHTY RYT
51 ORTO DR
ESPANOLA NM 87532-0429

MODULUS ARCHITECTS INC.
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SMITH JOCELYN
255 GLENRIDGE PARK LN NE
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MODULUS ARCHITECTS INC.
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CHISOLM PROPERTIES LLC
12000 CENTRAL AVE SE
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MODULUS ARCHITECTS INC.
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TRAMPAY INVESTMENTS LLC C/O PETER
PINEDA
8225 CONNECTICUT ST NE
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MODULUS ARCHITECTS INC.
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PREUCER ROBERT E & YEROL L
12104 LUNA WAY NE
ALBUQUERQUE NM 87113-5552

MODULUS ARCHITECTS INC.
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ALBUQUERQUE, NM 87109

NEAT IRVING B TRUSTEE NEAT LUTHERA TN
PO BOX 1544
LOAKATA CA 90113-5444

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

JENKINS CHRISTOPHER D
248 GLENRIDGE PARK LN NE
ALBUQUERQUE NM 87123

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

SMITHS JOHN D JR & ELLA M
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	Subtotal:	55.00
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Regina Okoye

From: Regina Okoye
Sent: Tuesday, July 28, 2020 11:26 AM
To: 'jamesw.andrews01@gmail.com'; 'brasher@aps.edu'; 'youngjudy@ymail.com'; 'abqsana@gmail.com'; 'happygranny8@q.com'; 'lulumu1213@gmail.com'
Cc: Angela Williamson
Subject: RE: PUBLIC NOTICE OF ENVIRONMENTAL PLANNING COMMISSION (EPC) HEARING

Tracking:	Recipient	Delivery	Read
	'jamesw.andrews01@gmail.com'		
	'brasher@aps.edu'		
	'youngjudy@ymail.com'		
	'abqsana@gmail.com'		
	'happygranny8@q.com'		
	'lulumu1213@gmail.com'		
	Angela Williamson	Delivered: 7/28/2020 11:26 AM	Read: 7/28/2020 11:28 AM



July 28, 2020

RE: PUBLIC NOTICE OF ENVIRONMENTAL PLANNING COMMISSION (EPC) HEARING FOR PROPERTY LOCATED AT 108 JUAN TABO BLVD NE, ALBUQUERQUE NM 87123 TO AMEND THE EXISTING IDO ZONE DISTRICT FROM THE CURRENT MX-L (MIXED-USE - LOW INTENSITY ZONE DISTRICT) TO MX-H (MIXED-USE – HIGH INTENSITY ZONE DISTRICT)

To Whom It May Concern,

Modulus Architects, Inc. on behalf of the Waken LP will be submitting an application to the Environmental Planning Commission (EPC) for approval of Zone Map Amendment from the current Mixed-use- Low Intensity Zone District (MX-L) to Mixed-use- High Intensity Zone District (MX-H). We are not proposing any developments at this time. We will be proposing the following:

MX-L vs. MX-H

MX-L Purpose:
The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family residential dwellings, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Other allowable uses are shown in Table 4-2-1.
MX-H Purpose:
The purpose of the MX-H zone district is to provide for large-scale destination retail and high-intensity commercial, residential, light industrial, and institutional uses, as well as high-density residential uses, particularly along Transit Corridors and in Urban Centers. The MX-H zone district is intended to allow higher-density infill development in appropriate locations. Allowable uses are shown in Table 4-2-1.

Follow link below name "Integrated Development Ordinance (IDO)" to see allowable uses shown in Table 4-2-1 (page 130-134).

Useful Links

Integrated Development Ordinance (IDO)

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

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Below is the zone atlas map with the entire site outlined.



Project Proposal Location

Franklin Plaza
108 Juan Tabo BLVD
Albuquerque, NM 87123
Modulus Architects, Inc.
c/o Angela Williamson, CEO/Principal

Contact Information

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

We will be submitting our application on **July 30, 2020 for an EPC Hearing via Zoom to be held on September 10, 2020 at 8:30 am. The Zoom information for the hearing is as followed:**

EPC - September 10, 2020
Join Zoom Meeting
<https://cabq.zoom.us/j/95170033733>
Meeting ID: 951 7003 3733
One tap mobile

+13017158592,,95170033733# US (Germantown)

+13126266799,,95170033733# US (Chicago)2

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 951 7003 3733

Find your local number: <https://cabq.zoom.us/j/aeCzG8gSxl>

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

Sincerely,

Angela Williamson, CEO/Principal

Modulus Architects, Inc.

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PRE-APPLICATION MEEETING



VOLUNTARY NEIGHBORHOOD MEETING NOTES

Franklin Plaza (EPC Zone Map Amendment Request)

Location: Zoom Conference Call

Date: June 9, 2020

Time: 1:00 pm – 1:40 pm

Neighborhood Associations in Attendance:

1. Singing Arrow NA

On Behalf of Modulus Architects, Inc.:

1. Angela Williamson
2. Regina Okoye

AGENDA/PURPOSE OF MEETING:

Voluntary EPC neighborhood meeting to discuss Zone Map Amendment (Zone Change), discuss recommendations, answer any questions, address any concerns of the surrounding associations and property owners pertaining to the Franklin Plaza Zone Change and future Redevelopment.

The meeting commenced with the introduction from a member of the Singing Arrow NA and she explain who she was and how the meeting will flow. The next member explained the background and history of Franklin Plaza. They also explained that they want to be as knowledgeable and informed as possible with the future of the site. They want to support the redevelopment of the site and see the site develop into something that they can be proud of. They informed us that they are aware of the zoning issues around town. They made it clear that they want to help Modulus Architects with this request and help us along the process. Modulus Architects then took over and explained the project in depth. The meeting then proceeded with questions and answers. The meeting concluded with additional comments from the neighborhood association members and Modulus. Singing Arrow then dismissed everyone and thanked them for their attendance.

Questions, recommendations and concerns that were addressed by Angela Williamson on behalf of Modulus Architects, Inc. are listed below.

SUMMARY:

MAIN QUESTIONS THAT AROSE:



1. Does this site fall under voluntary zone conversion?
 - a. Modulus Response: Yes it should fall under the voluntary zone conversion but it is a long process through the City so we took the EPC route instead.
2. Has the City Councilor been involved?
 - a. Modulus Response: This is quasi-judicial and we are not allowed to talk to the councilor or involve him with this request. It is to our understanding that he is aware of the request.
3. What would be most helpful to you all for this project? Letters before hearing or comments at hearing?
 - a. Modulus Response: Both would be helpful.

NOTES/COMMENTS:

- The members were in full support and are grateful of our project. They are tired of the existing condition that the site is in.
- They want to be more of an overall positive influence regarding this site and they will be submitting emails and letters to the City. They will continue to do what they can to help us out.
- They want the project done fast and as soon as possible.
- They were thankful for the communication they have had with Modulus and all the hard work put in towards the site so far.
- They want to support Modulus at the EPC hearing.
- Modulus informed them that this is the first step to many. They will have additional opportunities to weigh in on what will be constructed on the site. The next step would be a Site Plan for review.