

PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

September 21, 2023 amended September 27, 2023

Rosalie and Andrew S. Green
2726 Campbell Rd. NW
Albuquerque, NM 87104

Project # PR-2023-009067
RZ-2023-00025– Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

ABQ Land Use Consulting LLC, c/o Carl Garcia, agent for Rosalie and Andrew S. Green, requests a zoning map amendment from R-A to R-MC, for all or a portion of Tract 11, Alvarado Gardens Unit 2, located at 2726 Campbell Rd. NW, between Calle Tranquillo NW and Trellis Dr. NW, west of Rio Grande Blvd., approximately 2.5 acres (G-12)
Staff Planner: Lorena Patten-Quintana & Michael Vos

On September 21, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-009067, RZ-2023-00025– a Zoning Map Amendment (Zone Change), based on the following Findings*: **Finding 2 amended to indicate the correct number of manufactured homes on the subject site.*

1. The request is for a zoning map amendment (zone change) for an approximately 2.5-acre site described as Tract 11, Alvarado Gardens Unit 2 (the “subject site”) located at 2726 Campbell Rd. NW, between Calle Tranquillo NW and Trellis Dr. NW, west of Rio Grande Boulevard.
2. The subject site is zoned R-A and is developed with 36 manufactured home dwellings and an assortment of other office and storage buildings.
3. The applicant is requesting a zone change to R-MC (Residential – Manufactured Home Community Zone District), which will bring the non-conforming use of the subject site, currently a manufactured home park, into compliance with its zoning.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is in an Area of Consistency as designated by the Comprehensive Plan and is in the Near North Valley Community Planning Area (CPA). The subject site is not within a Comprehensive Plan Center or Corridor.

6. The request furthers the following Goal and Policies from Chapter 4: Community Identity:

A. Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

The request furthers Goal 4.1 because the R-MC zone district will bring the existing nonconforming use into compliance with the IDO and help preserve and protect this longstanding community from potentially harmful uses and match the surrounding residential character of the area.

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

The requested R-MC zone would protect the cohesiveness of the neighborhood by bringing the subject site's zoning into compliance with its land use, thus permitting the existing character to continue.

C. 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 furthers implementation of the ABC Comp Plan, as amended, Policy 4.1.2 by protecting the identity and cohesiveness of the neighborhood. The R-MC zone district standards will ensure the appropriate scale and design of development on this site. The subject site is located in a neighborhood that has had manufactured home communities since its original development. The lot abuts a manufactured home community on one side and faces another one across the street to the north. The request would establish a zone district that better matches the existing land use. The requested R-MC zone district is compatible with surrounding land uses and zoning patterns, which would act to reinforce and strengthen established character and protect identity and cohesiveness in developed neighborhoods.

D. Policy 4.1.4 Neighborhoods – Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

This request helps preserve and protect an existing manufactured home community and residential neighborhood because it aligns the zoning with the existing land use. This change will allow the existing use to remain in place and facilitate improvements should the applicant desire by eliminating the nonconforming use status.

7. The request furthers the following Goals and Policies from Chapter 5: Land Use:

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 request contributes to efficient development patterns because it allows for and reinforces the same type of housing found on the site as well as north and west of the subject site. By adding more residential development options and bringing the existing use and zoning into compliance with each other, the request helps preserve an existing community and allows for maintenance, improvement, or expansion on this infill site. Allowing this long-standing development to remain on site would ensure the property maximizes the utility of existing infrastructure and public facilities for residential uses.

- 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 within an Area of Consistency. The request furthers Goal 5.6 because aligning the zoning with the existing residential land use ensures the development in and near Areas of Consistency reinforces the character and intensity of the surrounding area, which is mostly residential with only smaller-scale commercial options.

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

The request furthers policy 5.6.3 – Areas of Consistency because the subject site and the surrounding areas are located in an Area of Consistency, where the Comprehensive Plan intends and encourages support of zone changes in predominantly single-family residential neighborhoods that help align the appropriate zone with existing land uses. It seeks to ensure that development will reinforce the scale, intensity, and setbacks of the immediately surrounding context. The requested R-MC zoning is consistent with the zoning of properties to the north and west of the subject site and bring the subject site into alignment with the existing use.

- D. Sub-policy 5.6.3.d – In areas with predominantly single-family residential uses, support zone changes that help to align the appropriate zone with existing land uses.

The requested R-MC zone matches densities in the area and the existing use of the subject site, and would align the appropriate zone with the existing land use.

8. The request furthers the following Goal and Policy from Chapter 9: Housing:

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

The request furthers Goal 9.1 because aligning the zoning with the existing land use will ensure the continued operation of the manufactured home community, which provides an additional housing option to residents. Additionally, manufactured homes are a more affordable housing option, which helps meet current and future housing needs at a variety of price levels to ensure more balanced housing options in the North Valley and Central Albuquerque CPA.

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

The request would support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households by maintaining a sufficient supply and range of housing types.

- C. Policy 9.2.1 Affordability: Provide for mixed-income neighborhoods by encouraging high quality, affordable and mixed income housing options throughout the area.

The request furthers implementation of the ABC Comp Plan, as amended, Policy 9.2.1, Affordability, by allowing the retention of the existing manufactured home dwellings on the subject site, and maintaining options for mixed-income neighborhoods. The remaining R-A zoning on this block and adjacent blocks provide opportunities for single-family residential development, which is a lower density land use that can serve a variety of incomes. This block would remain stable with its present manufactured home community zoning for lots that are developed with that land use; this is an affordable option for single-family home ownership. And blocks to the northwest provide townhouse housing, which provide a moderately affordable housing type for this neighborhood. The range of dwelling types in this area provide options for households of multiple income levels to live in this area. This request would provide opportunities for this mixed-income neighborhood to maintain high-quality, affordable, and mixed-income housing options in the Near North Valley area.

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

- A. Criterion A: The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable goals and policies regarding community character, land use, and housing and does not present any significant conflicts with the Comprehensive Plan. Based upon the applicant's responses, the request clearly reinforces and strengthens the City's health, safety, and morals and general welfare, as well as the character of the area surrounding the subject site.
- B. Criterion B: The subject site is located wholly in an Area of Consistency. A zone change from R-A to R-MC will reinforce and strengthen the established character of the subject site and surrounding parcels. A different zone district (R-MC) would be more advantageous to the community than the existing zone districts. The request would further Comprehensive Plan goals and policies relating to community character, land use, and housing.
- C. Criterion C: The subject site is located wholly in an Area of Consistency, so this Criterion does not apply.
- D. Criterion D: The applicant is requesting a change to R-MC which will make the current manufactured home community use of the property conforming. The proposed Residential – Manufactured Home Community zone district is limited to low-density residential land uses and

a few accessory uses that are compatible with a neighborhood, such as residential amenities, day care facilities, and small retail. The only permissive use in the R-MC zone district that is not also permissive in the existing and surrounding R-A zone district is Dwelling, mobile home. As an existing use on the subject site, as well as on neighboring properties, this use is not considered harmful to adjacent property, the neighborhood, or the community. Further Use-specific Standards will control future changes to the subject site and the manufactured home use, thus minimizing any potential harmful impacts.

- E. Criterion E: The City's existing infrastructure and public improvements will have adequate capacity to serve the development made possible by the zone change (Criterion 1).
 - F. Criterion F: The justification is not based on the property's location on a major street. Campbell Road is classified as a local street.
 - G. Criterion G: The justification for the R-MC zone is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request is to bring the property's zoning into alignment with its use and is more advantageous to the community.
 - H. Criterion H: The request creates a spot zone because there is no other R-MC zone district applicable to any other surrounding property. The request to apply the R-MC zone to the subject site is only for one lot; however, the applicant has demonstrated that the request clearly facilitates realization of the Comprehensive Plan through their policy analysis and the nature of the structures already on the property make it unsuitable for the uses allowed in any adjacent zone district. As described, the site contains a mobile home park that predates both the IDO and the establishment of zoning in Albuquerque. These homes are only allowed in the R-MC zone district and are not permitted in any other zone. Therefore, the requested spot zone is appropriate.
- 10. The applicant's policy analysis adequately demonstrates that the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with them. Based on this demonstration, the proposed zone category would generally be more advantageous to the community than the current zoning.
 - 11. The affected neighborhood organizations are Thomas Village, Alvarado Gardens, and North Valley Coalition, which were notified of this application. Property owners within 100 feet of the subject site were also notified as required.
 - 12. A neighborhood meeting was not requested by any of the notified neighborhood associations.
 - 13. As of this writing, Staff has not received any comments in support or opposition to the request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **October 6, 2023**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

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

Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/WS

cc: Andrew S. & Rosalie Green, crmgabq@yahoo.com
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