

IDO ZONING MAP

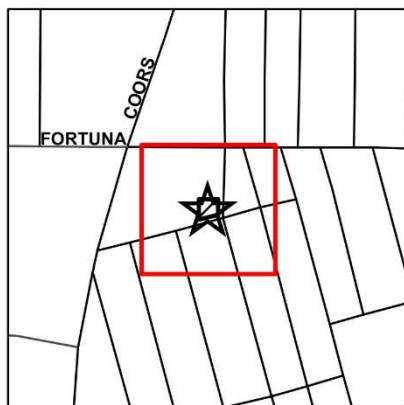
Note: Gray shading indicates County.



1 inch = 100 feet

Hearing Date:
 4/15/2021
 Project Number:
 PR-2021-005200
 Case Numbers:
 RZ-2021-00009

Zone Atlas Page:
 J-11



LAND USE MAP

Note: Gray shading indicates County.

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

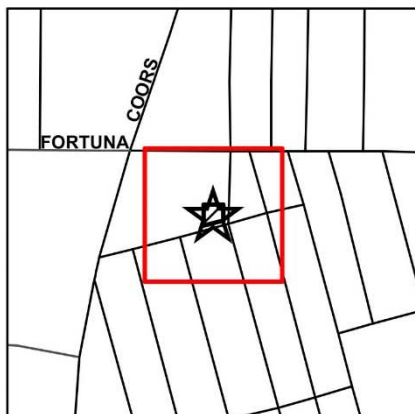
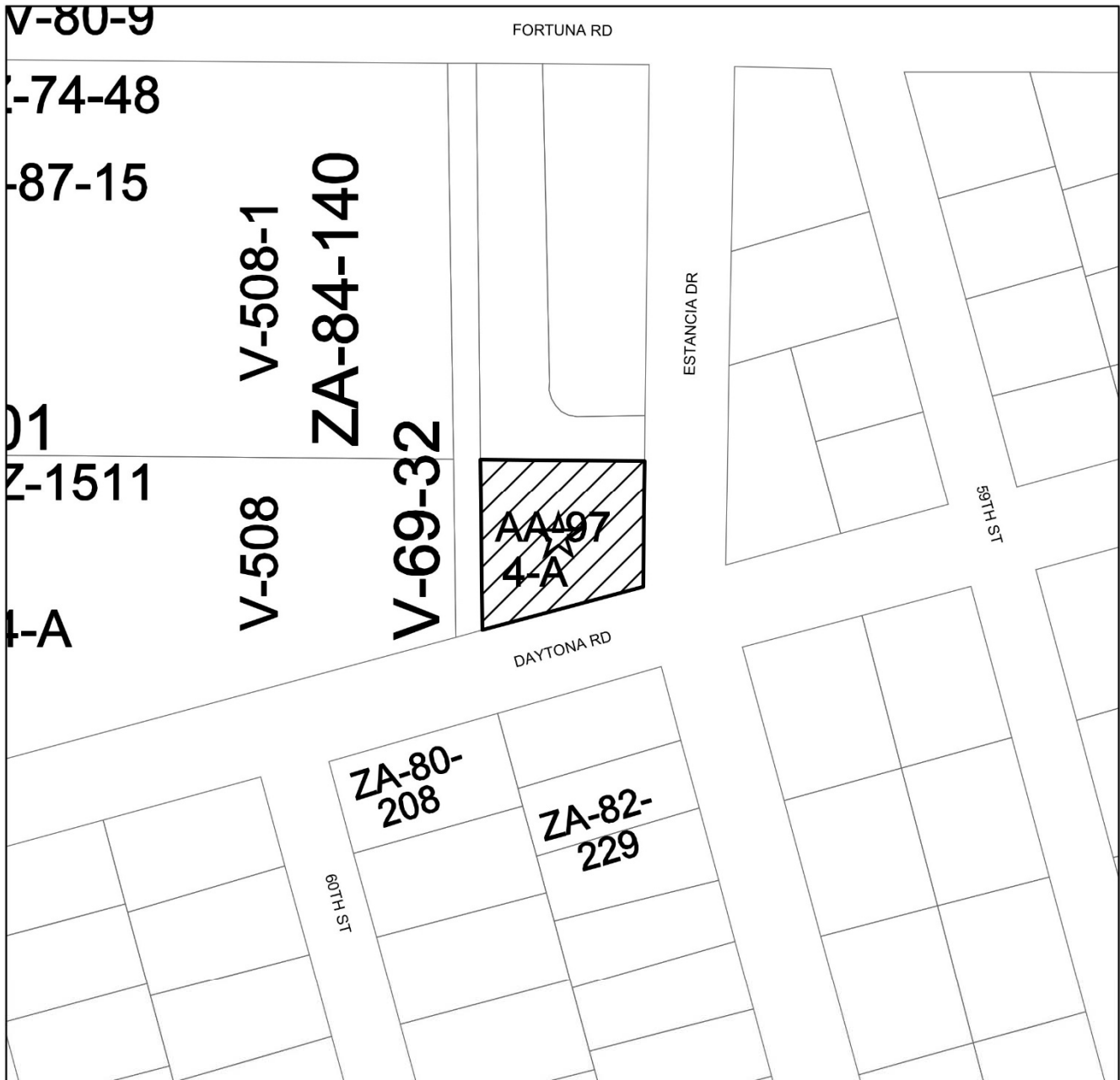


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HISTORY MAP

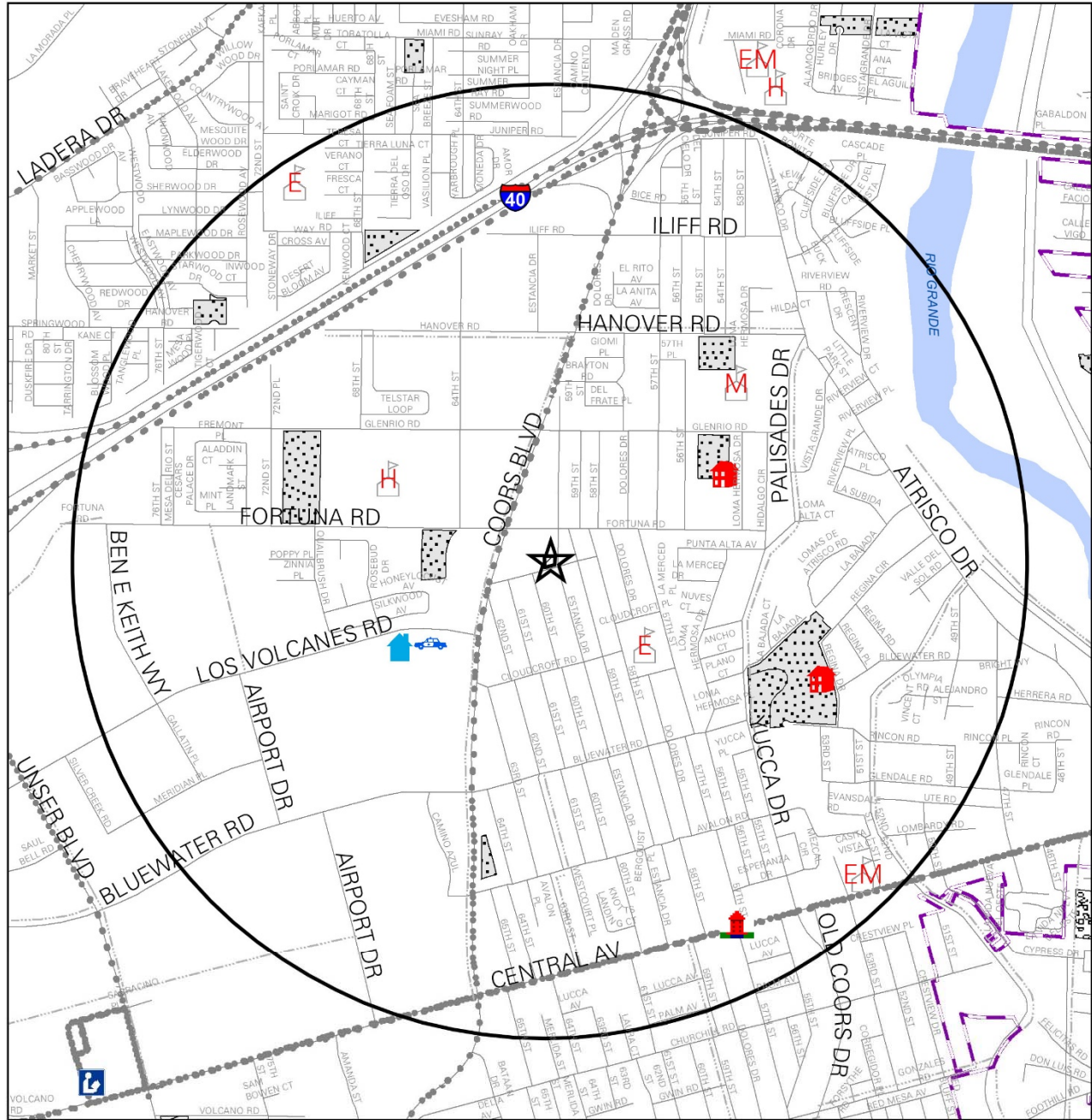
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Public Facilities Map with One-Mile Buffer

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

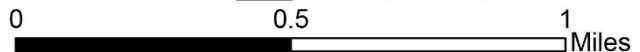


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I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area</i>	<i>Land Use</i>
<i>Site</i>	R-1B	Area of Consistency	Vacant Lot
<i>North</i>	MX-L	Area of Change	Daycare Shopping Center
<i>South</i>	R-1B	Area of Consistency	Single-family residential Multi-family residential
<i>East</i>	R-1B	Area of Consistency	Single Family Residential
<i>West</i>	R-1B	Area of Consistency	Religious institution

Request

The request is for a Zoning Map Amendment (zone change) for an approximately 0.40-acre site legally described as Lot D, Block J, Northern Heights Addition, (the “subject site”).

The subject site consists of an undeveloped lot located at 601 Estancia Drive NW, zoned R-1B (Single-Family Zone District – Medium Lot). The applicant currently runs a light vehicle repair shop in the South Broadway area of town and is requesting the Zoning Map Amendment from R-1B to MX-L (Mixed-Use Low Intensity Zone District) in order to relocate his existing light vehicle repair shop to the subject site. The applicant purchased the subject site from the Rio Grande Presbyterian Church, the adjacent neighbor to the west. The interest of the applicant is to have an owner occupied, locally owned, small business that offers light vehicle repair services to the immediate neighborhood at a convenient location.

The affected neighborhood organizations are the Westside Coalition of Neighborhood Associations, South West Alliance of Neighborhoods (SWAN), and the West Mesa Neighborhood Association. Property owners within 100 feet of the subject site were also notified as required. A pre-application neighborhood meeting was held with the West Mesa Neighborhood Association on February 9, 2021 and they have indicated their support.

EPC Role

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

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

Context

The subject site consists of one lot in the Northern Heights Addition, zoned R-1B (Residential – Single Family Zone District), consists of .40 acres, and is the only undeveloped property in the area, specifically between Estancia Drive and Coors Boulevard. The area is characterized by a variety of land uses. North of the subject site is a daycare and a small shopping center. To the south are single and multi-family residences, and to the west is the Rio Grande Presbyterian Church that is zoned R-1B. East of the subject site are single family residences.

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan. The subject site is within the boundaries of the Southwest Mesa Community Planning Area (CPA).

History

The R-1B zoning for the area was established at the effective date (5/17/18) of the Integrated Development Ordinance (IDO) based upon prior zoning and land use designations (R-1 – Residential). The subject site was part of the Bernalillo County zoning actions prior to annexation into the City of Albuquerque, which occurred in 1948 (City Ordinance).

Case history for the area includes case numbers 1002259 and 1008668. Case #1002259 (02-DRB-01515) was for a minor subdivision action filed by Rio Grande Presbyterian Church on October 9, 2002. The minor subdivision was to divide the R1 land into two lots in order to sell them. They proposed to divide the land with equal frontage on Estancia Drive NW. The request was filed on October 9, 2002.

Project #1008668 was filed by the Rio Grande Presbyterian Church on February 2, 2011. The request was for the addition of a 600 square foot, on-site storage area for the Rio Grande Food Project which was housed in the church and had exceeded capacity.

Coors Boulevard, Character Protection Overlay Zone, CPO-2 (14-16-3-4(C))

The purpose of the Character Protection Overlay (CPO) zone is to preserve areas with distinctive characteristics that are worthy of conservation but may lack sufficient significance to qualify as Historic Protection Overlay (HPO) zones. The following regulations apply to development in the MX-L zone within the CPO-2: setbacks, building height, grading, and signs (please Section 14-16-3-4(C) – pgs. 74-76).

Transportation System

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

Estancia Drive NW, Daytona Road NW, and Fortuna Road NW are classified as Local Urban Streets. Coors Boulevard is classified as a Principal Arterial.

Comprehensive Plan Corridor Designation

The Comprehensive Plan designates Coors Boulevard NW, located approximately 600 feet to the west of the subject site, as a Major Transit Corridor. The subject site is within the 660-foot buffer of Coors Boulevard.

Comprehensive Plan Community Planning Area Designation

The subject site is part of the Southwest Mesa Community Planning Area (CPA). The Southwest Mesa is characterized by its' suburban subdivisions, impressive vistas, and connection to the Western mesa vista. The area has an arid mesa environment characterized by sand flats, dunes, and escarpments dotted with scrub juniper and sage and is the "Gateway" to Albuquerque from the west, where I-40 and Route 66 separate from each other.

Trails/Bikeways

The Long-Range Bikeway System (LRBS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies existing and proposed routes and trails.

Coors Boulevard currently has a bike path. Agency comments report that a proposed protected bicycle lane is identified in the Long Range Bikeway System on Coors Blvd NW in the project area. A proposed buffered bicycle lane is identified in the Long Range Bikeway System while Fortuna Road NW has a bike route (where cars and bicycles share the street).

Transit

ABQ Ride Route #155 runs north-south along Coors Boulevard and offers service Monday through Friday, peak frequency of 33 minutes, and a reduced schedule on Saturdays and Sundays. The route begins at Southern & Unser and ends at Coors & Gun Club. The nearest transit stop is on Coors Boulevard.

Public Facilities/Community Services

Please refer to the Public Facilities Map (Page 6), 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

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

Infill Development: An area platted or un-platted land that includes no more than 20 acres of land and where at least 75 percent of the adjacent lots are developed and contain existing primary buildings.

Center and Corridor Definitions:

Major Transit (MT) Corridor: A Corridor designation from the Comprehensive Plan. High-frequency transit service is planned.

Light Vehicle: A vehicle that has a gross vehicle weight rating of less than 10,000 pounds, including but not limited to automobiles, light trucks, sport utility vehicles, vans, boats, recreational vehicles, trailers, motorcycles, mopeds, scooters, and ATVs.

Light Vehicle Repair: Any facility providing vehicle repair, service, or maintenance of light vehicles.

Major Transit (MT) Area: Lots within 660 feet in any direction of the centerline of a Major Transit Corridor as designated by the ABC Comp Plan, as amended.

Zoning

The subject site is currently zoned R-1B (Residential-Single Family Zone District – Medium Lot), IDO 14-16-2-3(B) that was assigned upon the adoption of the IDO, effective May 17, 2018. The purpose of the R-1 zone district is to provide for neighborhoods of single-family homes with a variety of lot sizes and dimensions. When applied in developed areas, an additional purpose is to require that redevelopment reinforce the established character of the existing neighborhood. Primary land uses include single-family homes on individual lots, with limited civic and institutional uses to serve the surrounding area. Allowable uses are shown in Table 4-2-1, IDO pgs. 143-148.

The request is to change the subject site's zoning to MX-L (Mixed-Use – Low Intensity Zone District), IDO 14-16-2-4(B) that was assigned upon the adoption of the IDO, effective May 17, 2018. The purpose of the MX-L zone district is to provide for neighborhood-scale convenience shopping needs, primarily at intersections of collector streets. Primary land uses include non-destination retail and commercial uses, as well as townhouses, low-density multi-family, and civic and institutional uses to serve the surrounding area, with taller, multi-story buildings encouraged in Centers and Corridors. Allowable uses are shown in Table 4-2-1, IDO pgs. 143-148.

It is important to note that properties to the north of the subject site are zoned MX-L and are in Areas of Change.

There are some notable differences between the R-1B and MX-L zones, mainly in the Motor Vehicle Related category. Car wash and light vehicle repair are not allowed in the R-1B zone but are permissive in the MX-L zone. Light vehicle fueling stations are not allowed in the R-1B zone but are conditional in the MX-L zone along with light vehicle sales and rental.

Several uses are conditional in the R-1B zone but become permissive in the MX-L zone: community center or library, elementary or middle and high school and veterinary hospitals/other pet services. Outdoor storage is not allowed in the R-1B zone but is conditional accessory in the MX-L zone. Dwelling-townhouse, live-work, and multi-family are permissive in the MX-L zone but not allowed in the R-1B zone.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated as an Area of Consistency. In Areas of Consistency, the focus is on protecting and enhancing the character of single-family neighborhoods and green spaces. Revitalization and developments that do occur should be at scale and density (or intensity) similar to the immediately surrounding development in order to reinforce the existing character of established neighborhoods.

Applicable Goals and policies are listed below. Staff analysis follows in plain text.

- * indicates a Goal or policy chosen by the applicant in their response to zone change criterion 14-16-6-7(G)(3)(a). When a Goal or policy is listed and is not applicable, it is because the applicant included it in the zone change justification letter.

Chapter 4: Community Identity

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

The request would contribute to enhancing, protecting, and preserving the community by allowing for the development of a vacant lot near residential neighborhoods. The request would also expand the area’s mix of uses to neighborhoods that are mostly zoned R-1B. MX-L zoning is found north of the subject site at Le Petite Academy (Daycare) and Volcano Plaza (Shopping Center). The site plan for development of the property would be subject to IDO requirements. Neighborhood edges (14-16-5-9), landscape buffering and screening (14-16-5-9), and mixed-use low intensity dimensional standards (14-16-5-1) would have to be followed in order to protect and preserve the distinct community of the Southwest Mesa CPA. The request furthers Goal 4.1 – Character.

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

The request would help activate the site that has always been vacant due to its’ existing zoning of R-1B and will serve the surrounding area which is largely single-family residential. The request will not greatly impact the area but will help transition to permissive uses for retail and commercial development that are intended to be neighborhood in scale. The purpose of the MX-L zoning is intended to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. The zone change uses an existing zone found north of the subject site. If the Applicant should decide not to relocate his current light vehicle repair shop to the subject site, further development under the MX-L would be subject to applicable IDO standards that would generally serve to protect and preserve the identity and design of the neighborhood. The request furthers Policy 4.1.2 – Identity and Design.

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

Although the request would facilitate development at the SE corner of an intersection (Daytona Road NW and Estancia Drive NW), it would not contribute to the neighborhood’s long-term health and vitality. Staff finds that Policy 4.1.4 – Neighborhood does not apply.

Chapter 5: Land Use

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

The request would facilitate development of the subject site, which would provide additional opportunities for residents to work and shop in the area although the subject site’s small size (.40 acre) limits some of those opportunities. The request would foster complete communities where

residents can live and work together because the proposed light vehicle auto repair shop will be within walking distance of residential neighborhoods and ¼ of a mile to transit stops on Coors Boulevard for Ride Route #155. 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 requested zone change will create healthy, sustainable and distinct communities with a mix of uses by locating the light vehicle auto repair shop at the intersection of Daytona Road NW and Estancia Drive NW that is easily accessible to surrounding neighborhoods. There are neighborhoods zoned R-1B to the east and south of the subject site that can easily drop off their vehicles to be serviced/go to work at the subject site and return home walking. The request furthers Policy 5.2.1 – Land Uses.

*Subpolicy a) Encourage development and redevelopment that brings goods, services, and amenities within walking distance of neighborhoods and promotes good access for all residents.

The requested MX-L zone would encourage development that will bring a light vehicle repair shop within walking distance of the residential neighborhoods nearby while promoting good access for all residents due to its' location. The request furthers subpolicy 5.2.1a.

*Subpolicy e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

A healthy and sustainable community with a mix of uses will be created as the currently vacant lot will be developed and use existing infrastructure that is accessible to surrounding neighborhoods. Staff finds that subpolicy 5.2.1e is furthered.

*Subpolicy k) Discourage zone changes to detached single-family residential uses on the West Side.

Staff finds that the MX-L zone does not include single-family residential permissive uses (see Page 12). Subpolicy 5.2.1k is furthered.

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

The MX-L zone will allow for a more productive use of the vacant land by allowing the light vehicle repair shop to relocate to the subject site if the Zoning Map Amendment were to be approved. Staff finds that subpolicy 5.2.1n is furthered.

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

The surrounding neighborhoods are already developed and even though the subject site is not, the area is served by existing infrastructure and public facilities, so the development 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 consists of a vacant lot and infill development generally occurs on vacant and underused lots in otherwise built-up sites or areas. The subject site is served by existing infrastructure and is within walking distance of public transportation (Ride Route #155) that has transit stops on Coors Boulevard. There are also bicycle routes/paths nearby (Fortuna Road/Coors Boulevard) that could be accessed if someone was to work at the repair shop and not have automobile transportation readily available. The request furthers Goal 5.3 – Infill Development.

*Policy 5.3.2 – Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The request would facilitate mixed use development where infrastructure and public facilities already exist (see page 6). The request furthers Policy 5.3.2 – Leapfrog Development.

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

The subject site is located in an Area of Consistency and the request furthers this Goal because Areas of Change are located further north of the subject site and would reinforce the character and intensity of those areas. The request would facilitate development of the subject site that consists of one lot and would thereby encourage and direct growth to the area. The areas immediately to the east and south of the subject site are residential zones in Areas of Consistency that would benefit from having a light vehicle auto repair shop nearby. The request furthers Goal 5.6 – City Development Areas.

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

The subject site is in an Area of Consistency, where the Comprehensive Plan encourages support of zone changes in predominantly single-family residential neighborhoods that help align the appropriate zone with existing land uses. The zone change will ensure that the development will reinforce the scale, intensity and setbacks of the immediately surrounding context. The properties to the north of the subject site are already zoned for mixed-use development therefore the requested MX-L zone would be consistent with the character of those areas. Staff finds that Policy 5.6.3 – Areas of Consistency is furthered.

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

The requested MX-L zone furthers subpolicy 5.6.3d because it would bring the zoning of the site into alignment with existing land uses. Staff finds that subpolicy 5.6.3 is furthered.

*Goal 8.2 – Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private business to grow.

The requested MX-L zone will permit the Applicant to operate a local business that has been in service for over 20 years at various locations thereby fostering a culture of entrepreneurship along with encouraging private business to grow. Staff finds that Goal 8.2 – Entrepreneurship is furthered.

*Policy 8.2.1 – Local business: Emphasize local business development.

The requested MX-L zone will permit the Applicant to operate a local business that has been in service for over 20 years thereby emphasizing local business development. The request furthers Policy 9.2.1 – Local Business.

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

Requirements

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

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone district was applied to the property; or 2) there has been a significant change in neighborhood or community conditions affecting the site; or 3) a different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.

Justification & Analysis

The Zone Map Amendment justification letter analyzed here, received on March 29, 2021, is a response to Staff's request for a revised justification letter (see attachment). The subject site is currently zoned R-1B (Single-family residential-medium lot) but is currently an undeveloped lot. The requested zoning is MX-L (Mixed-Use Low Intensity Zone District). The reason for the request is to obtain zoning that will facilitate development that will support a light vehicle repair shop. The subject site is in an Area of Consistency.

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

- A. The proposed zone 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.

The proposed zone map amendment is consistent with the health, safety, and general welfare of the City by supporting a zone that already exists in the immediate area, which establishes consistency in both land use and zoning at the appropriate location. The MX-L zone is designed to provide neighborhood scale, non-destination retail and commercial uses. These are the existing land uses on adjacent properties, which reflect furthering a preponderance of Goals and Policies in the ABC Comprehensive Plan.

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: Goal 4.1 – Character, Policy 4.1.2 – Identity and Design, Goal 5.2 – Complete Communities, Policy 5.2.1 – Land uses, subpolicies 5.2.1a, e, k, n, Goal 5.3 – Efficient Development Patterns, Policy 5.3.1 – Infill Development, Policy 5.3.2- - Leapfrog Development, Goal 5.6 – City Development Areas, Policy 5.6.3 – Areas of Consistency, Goal 8.2 – Entrepreneurship, Policy 8.2.1 – Local Business.

Non-Applicable Citations: Policy 4.1.4 – Neighborhoods,

The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and Policies regarding character, distinct communities, identity and design, complete communities, land uses, and efficient development patterns. 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 subject site is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site.
 3. A different zone district is more advantageous to the community as articulated by the ABC 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 requested MX-L zone is the zoning that works best on the subject property if it is to be considered for development. The policy analysis provides examples where the request furthers numerous Comprehensive Plan Goals and Policies regarding infill development, the proposed land use, support of local business and Areas of Consistency in an area in proximity to existing residential development and adjacent as a transition to Areas of Change.

The requested MX-L zone is more advantageous to the community as articulated in the Comprehensive Plan that the proposed zone is consistent with adjacent and abutting zoning and land uses, including as they relate to development density and intensity and connectivity as articulated in the Policy analysis. The rezone will support the relocation of locally owned neighborhood-scale commercial business as an opportunity to serve surrounding areas.

Staff: The subject site is located wholly in an Area of Consistency but the MX-L zone is more advantageous to the community as it will allow for the development of an underutilized, vacant lot that has been undeveloped due to its' current zoning. The site was never developed with single family residential uses due to it being owned by the religious institution to the west of the subject site. The applicant's policy-based analysis (Criterion 3) 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 B is sufficient.

- C. If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria: There was typographical or clerical error when the existing zone district was applied to the property.
1. There was a 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).

The Criterion is non-applicable in that the proposed amendment is located wholly in an Area of Consistency as shown in the Comprehensive Plan.

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

- 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.

The requested zone and proposed use are intended to be neighborhood in scale. Allowable permitted uses in the MX-L zone are not anticipated to be harmful to the adjacent property, the neighborhood or community. This is also reflected in the support of the West Mesa Neighborhood Association. The neighborhood association specifically mentioned their support for local small businesses in the community. The MX-L will allow for more flexibility but yet will be under the jurisdiction of the IDO. The IDO requires protections for abutting neighborhoods through a variety of methods, such as site plan that must be reviewed and processed by the City. These items include size limitations, landscaping, distance separations, parking, and other use-specific standards that will be applied with any intent to develop the property. Permissive uses and the proposed development will not be harmful to the adjacent property, neighborhood or community.

Comparison of R-1B and MX-L

IDO Zoning Comparison: R1-B vs. MX-L		
Use	R-1B	MX-L
RESIDENTIAL		
Dwelling, single-family detached	P	-
Dwelling, cluster development	P	-
Dwelling, cottage development	P	-
Dwelling, two-family detached (duplex)	P	-
Dwelling, townhouse	-	P
Dwelling, live-work	-	P
Dwelling, multi-family	-	P
GROUP LIVING		
Assisted living facility or nursing home	-	P
Community residential facility, small	P	P
Community residential facility, large	-	P
Group home, small	-	P
Group home, medium	-	P
Group home, large	-	
CIVIC AND INSTUTIONAL		
Adult or child day care facility	-	P
Community center or library	C	P
Elementary or middle school	C	P
High school	C	P
Parks and open space	P	p
Religious institution	P	P
COMERCIAL USES		
Community garden	P	P
General agriculture	P	
Bar	-	C
Health club or gym	-	P
MOTOR VEHICLE-RELATED		
Car wash	-	P
Light vehicle repair	-	P
Light vehicle sales and rental	-	C

Light vehicle fueling station	-	C
Paid parking lot	-	P
Parking structure	-	P
OFFICES AND SERVICES		
Bank	-	P
Club or event facility	-	P
Commercial services	-	P
Office	-	P
Personal and business services, small	-	P
Research or testing facility	-	P
Self-storage	-	P

Staff: The requested MX-L (Mixed-Use-Low Intensity Zone) and use of the subject site are intended to be more neighborhood in scale. Permissive uses in the MX-L zone are listed above, specifically in the Motor Vehicle Related category. Light vehicle repair could be harmful to nearby residences to the east of the subject site, but the IDO’s Development Standards serve to limit the overall density on the site, specifically for this 0.40 acre site. The MX-L will allow for more flexibility but yet will be under the jurisdiction of the IDO. 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.

The site falls within an area to have adequate capacity to serve the development made possible by the zone change, thus meeting the requirement of sub-Criterion 1. The site falls within an area with access to existing infrastructure and public improvements. No capital funds or development agreements are needed at this time. The established area has sufficient adjacent infrastructure to support permissive uses of the MX-L zone.

Staff: Staff agrees that the City’s existing infrastructure and public improvements have adequate capacity to serve the development made possible by the zone change (requirement 1). 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.

The subject site is located along two Local Roads. Access to the site will be solely from Daytona Road which is along its southern boundary. Another Local road, Estancia Drive serves as the eastern boundary of the property. Estancia Drive provides access to other MX-L zoned properties in the neighborhood. Coors Boulevard which is the nearest major street, is not being used as a justification for the zone change request. Justification is based on furthering a preponderance of applicable Comprehensive Plan Goals and Policies as demonstrated in the analysis.

Staff: Staff agrees that the Applicant's justification is not completely based on the property's location on a major street. The property is located on Estancia Drive NW, between Fortuna Road NW and Daytona Road NW, which are both local roads. 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.

The subject application is not based on economic considerations rather the interest lies in developing the property with zone that supports the relocation of a family owned local business. The cost of land is not the primary determining factor in pursuit of the appropriate zoning.

Staff: Economic considerations are always a factor with private development, but the Applicant's justification for the MX-L zone is not based completely or predominantly on the cost of land or economic considerations. Rather, the Applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies. 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.

The proposed zoning will be consistent with the surrounding zone districts and will not result in a "spot zone" or "strip zone". The proposed MX-L zone serves as the northern boundary of the subject property. The policy analysis demonstrates the zone change will clearly facilitate implementation of the Comprehensive Plan.

Staff: The request will not create a spot zone. The proposed zoning will be consistent with zone districts to the north of the subject site and the uses for the property will be more appropriate. The response to Criterion H is sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other interested agencies reviewed this application. Few agency comments were received. The Transportation Development Review Services section had no objection to the request.

Albuquerque Public Schools (APS) noted no adverse impacts by the proposed zone change. PNM offered standard comments. Agency comments begin on p. 28.

Neighborhood/Public

The West Mesa Neighborhood Association, South West Alliance of Neighborhoods (SWAN), and the Westside Coalition of Neighborhood Associations 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 February 9, 2021 with members of the West Mesa Neighborhood Association (see attachment). The Association generally supports the development.

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) from R-1B to MX-L for Lot D, Block J, Northern Heights Addition, located at 601 Estancia Drive NW, between Fortuna Road NW and Daytona Road NW, approximately 0.40 acres (the “subject site”). The applicant would like to change the subject site’s zoning to MX-L in order to develop (the “subject site”) and relocate his light vehicle repair shop to the vacant lot. The subject site is in an Area of Consistency

The Applicant has adequately justified the zoning Map Amendment based upon the proposed zoning being more advantageous to the community than the current zoning, and because it would further a preponderance of applicable Goals and policies in the Comprehensive Plan.

The affected neighborhood organizations are the West Mesa Neighborhood Association, South West Alliance of Neighborhoods (SWAN), and the Westside Coalition of Neighborhood Associations. Property owners within 100 feet of the subject site were also notified as required. A pre-application neighborhood meeting was requested and held on February 9, 2021 with members of the West Mesa Neighborhood Association. The association generally supports the development. A letter of support from the West Mesa Neighborhood Association dated February 11, 2021 was submitted as part of the application.

Staff recommends approval.

FINDINGS – RZ-2021-00009, April 15, 2021 – Zoning Map Amendment (Zone Change).

1. The request is for a Zoning Map Amendment (zone change) for an approximately 0.40-acre site legally described as Lot D, Block J, Northern Heights Addition, located at 601 Estancia Drive NW, between Daytona Road NW and Fortuna Road NW.
2. The subject site is zoned R-1B (Single-Family Zone District – Medium Lot). The zoning was received as a conversion from the subject site’s former zoning of R-1 (Residential). The R-1B zone primarily referenced the R-1 zone of the Comprehensive Zoning code which was how the Integrated Development Ordinance (IDO) zoning conversion to R-1B was determined.
3. The Applicant is requesting a zone change to MX-L (Mixed-Use Low Intensity Zone District) in order to develop the subject site and relocate his light vehicle repair shop to it.
4. The subject site is in an Area of Consistency as designated by the Comprehensive Plan and is in the Southwest Mesa Community Planning Area (CPA).
5. The subject site is located approximately 600 feet from Coors Boulevard, a Major Transit Corridor as designated by the Comprehensive Plan. The subject site is within the 660-foot buffer of Coors Boulevard.
6. 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.

7. The request furthers the following Goals and policies from Chapter 4: Community Identity:

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

The request for a Zoning Map Amendment to facilitate future development of the site would contribute to enhancing, protecting, and preserving the community by allowing for the development of a vacant lot that is near residential neighborhoods. The request would also expand the area’s mix of uses to neighborhoods that are mostly zoned R-1B. MX-L zoning is found north of the subject site at Le Petite Academy (Daycare) and Volcano Plaza (Shopping Center). If the Zoning Map Amendment were to be approved, the Applicant would be required to submit a Site Plan- DRB for development of the property and the site plan would be subject to IDO requirements. Neighborhood edges (14-16-5-9), landscape buffering and screening (14-16-5-9), and mixed-use low intensity dimensional standards (14-16-5-1) would have to be followed in order to protect and preserve the distinct community of the Southwest Mesa CPA.

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

The requested Zoning Map Amendment to MX-L from R-1B will help activate the site that has always been vacant due to its’ existing zoning of R-1B and will serve the surrounding area which is largely single-family residential. The request will not greatly impact the area but will help

transition to permissive uses for retail and commercial development that are intended to be neighborhood in scale. The purpose of the MX-L zoning is intended to provide for neighborhood-scale convenience shopping needs, primarily at the corners of collector intersections. Furthermore, if the Zoning Map Amendment is approved, it will reinforce the neighborhood identity by allowing for development of a vacant lot. The zone change uses an existing zone that is found north of the subject site at the Le Petite Academy and Volcano Plaza. If the Applicant should decide not to relocate his current light vehicle auto repair shop to the subject site, further development under the MX-L would be subject to applicable IDO standards that would serve to protect and preserve the identity and design of the neighborhood

8. The request furthers the following Goals and Policies from Chapter 5: Land Use:
- A. Goal 5.2 – Complete Communities: Foster communities where residents can live, work, learn, shop and play together.

The request would facilitate development of the subject site, which would provide additional opportunities for residents to work and shop in the area although the subject site's small size (0.40 acre) limits some of those opportunities. The request would foster complete communities where residents can live and work together because the proposed light vehicle auto repair shop will be within walking distance of residential neighborhoods and ¼ of a mile to transit stops on Coors Boulevard for Ride Route #155.

- 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 requested zone change will create healthy, sustainable and distinct communities with a mix of uses by locating the light vehicle auto repair shop at the intersection of Daytona Road NW and Estancia Drive NW that is easily accessible to surrounding neighborhoods. There are neighborhoods that are zoned R-1B to the east and south of the subject site that can easily drop off their vehicles to be serviced/go to work at the subject site and return home walking.

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

The requested MX-L zone will encourage development that will bring a light vehicle repair shop within walking distance of the residential neighborhoods nearby while promoting good access for all residents due to its' location.

Subpolicy e) Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

A healthy and sustainable community with a mix of uses will be created as the currently vacant lot will be developed and use existing infrastructure that is accessible to surrounding neighborhoods.

Subpolicy k) Discourage zone changes to detached single-family residential uses on the West Side.

The MX-L zone does not include single-family residential permissive uses.

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

The proposed Zoning Map Amendment would allow for the development of a single, vacant lot that has been undeveloped due to the current zoning. The MX-L zone will allow for a more productive use of the vacant land by allowing the light vehicle repair shop to relocate to the subject site if the Zoning Map Amendment were to be approved.

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

The surrounding neighborhoods are already developed and even though the subject site is not, the area is served by existing infrastructure and public facilities, so the development made possible by the request would generally promote efficient development patterns and use of land.

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

The subject site consists of a vacant lot and infill development generally occurs on vacant and underused lots in otherwise built-up sites or areas. The location of the subject site is within walking distance of public transportation (Ride Route #155) that has transit stops on Coors Boulevard. There are also bicycle routes/paths nearby (Fortuna Road/Coors Boulevard) that could be accessed if someone was to work at the repair shop and not have automobile transportation readily available.

- E. Policy 5.3.2 – Leapfrog Development: Discourage growth in areas without existing infrastructure and public facilities.

The request would expand mixed use development where infrastructure and public facilities already exist (see page 6).

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

The request would further this Goal because Areas of Change are located further north of the subject site and would reinforce the character and intensity of those areas. The request would facilitate development of the subject site that consists of one lot and would thereby encourage and direct growth to the area. The areas immediately to the east and south of the subject site are residential zones in Areas of Consistency that would benefit from having a light vehicle auto repair shop nearby.

- G. 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 subject site is in an Area of Consistency, where the Comprehensive Plan encourages support of zone changes in predominantly single-family residential neighborhoods that help align the appropriate zone with existing land uses. The zone change will ensure that the development will reinforce the scale, intensity and setbacks of the immediately surrounding context. The properties to the north of the subject site are already zoned for mixed-use development therefore the requested MX-L zone would be consistent with the character of those areas.

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

The requested MX-L zone furthers subpolicy 5.6.3d because it would bring the zoning of the site into alignment with existing land uses further north of the subject site.

9. The request furthers Goals and Policies from Chapter 8: Economic Development:
- A. *Goal 8.2 – Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private business to grow.

The requested MX-L zone will permit the Applicant to operate a local business that has been in service for over 20 years at various locations thereby fostering a culture of entrepreneurship along with encouraging private business to grow.

- B. *Policy 8.2.1 – Local business: Emphasize local business development.
The requested MX-L zone will permit the Applicant to operate a local business that has been in service for over 20 years thereby emphasizing local business development.

10. 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 community identity, identity and design, land use, infill development, entrepreneurship, and local business.

B. Criterion B: The subject site is located wholly in an Area of Consistency but the MX-L zone is more advantageous to the community. The site was never developed with single family residential uses due to it being owned by the religious institution to the west of the subject site. The applicant’s policy-based analysis (Criterion 3) 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.

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

- D. Criterion D: The requested MX-L (Mixed-Use-Low Intensity Zone) and use of the subject site are intended to be more neighborhood in scale. Permissive uses in the MX-L zone are listed above, specifically in the Motor Vehicle Related category. Light vehicle repair could be harmful to nearby residences to the east of the subject site, but the IDO's Development Standards serve to limit the overall density on the site, specifically for this 0.40 acre site. The MX-L will allow for more flexibility but yet will be under the jurisdiction of the IDO.
- E. Criterion E: The City's existing infrastructure and public improvements have adequate capacity to serve the development made possible by the zone change.
- F. Criterion F: The Applicant's justification is not completely based on the property's location on a major street. The property is located on Estancia Drive NW, between Fortuna Road NW and Daytona Road NW, which are both local roads.
- G. Criterion G: Economic considerations are always a factor, but the Applicant's justification for the MX-L zone is not based completely or predominantly on the cost of land or economic considerations. Rather, the Applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies.
- H. Criterion H: The request will not create a spot zone. The proposed zoning will be consistent with zone districts to the north of the subject site and the uses for the property will be more appropriate.
11. 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.
12. The affected neighborhood organizations are the West Mesa Neighborhood Association , South West Alliance of Neighborhoods (SWAN), and the Westside Coalition of Neighborhood Associations, 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.
13. A pre-application neighborhood meeting was held on February 9, 2021 with members of the West Mesa Neighborhood Association. The Association generally supports the development that the request would facilitate. A letter of support from the West Mesa Neighborhood Association dated February 11, 2021 was submitted as part of the application.
14. Staff has not received further communication of support or opposition.

RECOMMENDATION - RZ-2021-00009, April 15, 2021

APPROVAL of Project #: 2021-005200, Case #RZ-2021-00009, a zone change from R-1B to MX-L for Lot D, Block J, Northern Heights Addition, an approximately 0.40 acre site, located at 601 Estancia Drive NW, between Fortuna Road NW and Daytona Road NW, based on the preceding Findings.

Silvia Bolivar

**Silvia Bolivar, PLA, ASLA
Current Planner**

Notice of Decision cc list:

cc: Edward Esquivel, 2400 Mervosh Pl. SW, Abq., NM 87105
Arch + Plan Land Use Consultants, arch.plan@comcast.net
West Mesa NA, Dee Silva, ddee4329@aol.com
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Westside Coalition of Neighborhood Associations, Rene Horvath, aboard111@gmail.com
Westside Coalition of Neighborhood Associations, Elizabeth Haley, ekhaley@comcast.net
Legal, avarela@cabq.gov
EPC file

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Long Range Planning

No comments were provided.

Transportation Development

Hydrology Development

New Mexico Department of Transportation (NMDOT)

Department of Municipal Development

No adverse comments.

Traffic Engineering Operations (Department of Municipal Development)

For informational purposes:

- Coors Blvd NW is functionally classified as an Existing Principal Arterial in the project area.
- Coors Blvd NW is an NMDOT limited access facility. Please refer to the State Access Management Manual (SAMM) or contact Acting District 3 Engineer Rick Padilla at 505-934-0354 or Rick.Padilla@state.nm.us with any questions about access control.
- Coors Blvd NW is an Intelligent Transportation System (ITS) Corridor. Please consult the reviewing agency's Traffic Engineering and/or ITS Department with any questions regarding ITS infrastructure.
- A proposed protected bicycle lane is identified in the Long Range Bikeway System on Coors Blvd NW in the project area.
- A proposed buffered bicycle lane is identified in the Long Range Bikeway System on Fortuna Rd NW in the project area.
- Coors Blvd NW is identified as a Rapid Ride Route in the Long Range Transit Network. Rapid ride routes have anticipated peak frequencies of 7 - 15 minutes.
- Appendix G of the MTP recommends the following as it relates to the subject request: o Promote a healthy jobs housing balance west of the river through preserving commercially zoned land, site-readiness programs, etc.

Street Maintenance (Department of Municipal Development)

RECOMMENDED CONDITIONS FROM THE CITY ENGINEER:

None.

Water Utility Authority

No adverse comment to the proposed zone change.

For information only:

Since development is known, if service is desired please request an availability at the link: <https://www.abcwua.org/info-for-builders-availability-statements/>. The request shall include a City Fire Marshal approved Fire 1 Plan, a zone map showing the site location, and the proposed Utility Plan.

Please note that a condition of the approval of the subsequent site plan submittal, identified in this Zoning Map Amendment (Zone Change) submittal, will be an Availability Statement request with the aforementioned supporting documentation present at the time of the submittal.

PNM

There are existing PNM facilities abutting the site along both Estancia Dr NW and Daytona Rd NW. There is also a power line along the site's western edge within an existing easement. Any relocation or alteration of existing PNM facilities is at the property owner's expense.

The applicant should contact PNM's New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at www.pnm.com/erequest for PNM to review.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

Parks and Recreation

No objection to the proposed zone change.

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division- The trash enclosure on proposed site plan will have to be relocated. It is inaccessible.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY TRANSPORTATION PLANNING

No adverse comments to zone change.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

No adverse impacts.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO