



**Environmental
Planning
Commission**

**Agenda Number: 2
Project #: 2018-001842
Re-Zone #: RZ-2018-00055
Hearing Date: Jan 10, 2018**

Staff Report

Agent	Jim Strozier, Consensus Planning, Inc.
Applicant	Clearbrook Investments, Inc.
Request	Zone Map Amendment (Zone Change)
Legal Description	All or a portion of Tract 4, corrected Plat for Tracts 1, 2, 3, and 4 Land of IHS Acquisition No 120 Incorporated Located on Horizon Blvd., NE, between Alameda NE and Balloon Museum Dr., NE
Location	Located on Horizon Blvd., NE, between Alameda NE and Balloon Museum Dr., NE
Size	5.9 acres.
Existing Zoning	NR-LM
Proposed Zoning	MX-M and R-ML

Staff Recommendation

APPROVAL of Project #2018-001842 RZ-2018-00055 SI-2018-00257 based on the Findings and subject to the Conditions of Approval within this report.

**Staff Planner
Linda Rumpf**

Summary of Analysis

This is a request for approval of a Zone Map Amendment for the eastern 3.02 acres of the property from NR-LM to MX-M and the western 2.9 acre portion from NR-LM to R-ML.

The subject site is located on the west side of Horizon Boulevard NE, north of Alameda Boulevard, and east of Short Hop Road.

There were no neighborhood or facilitated meetings requested. There is no known neighborhood opposition to the request.

Staff recommends APPROVAL subject to findings.



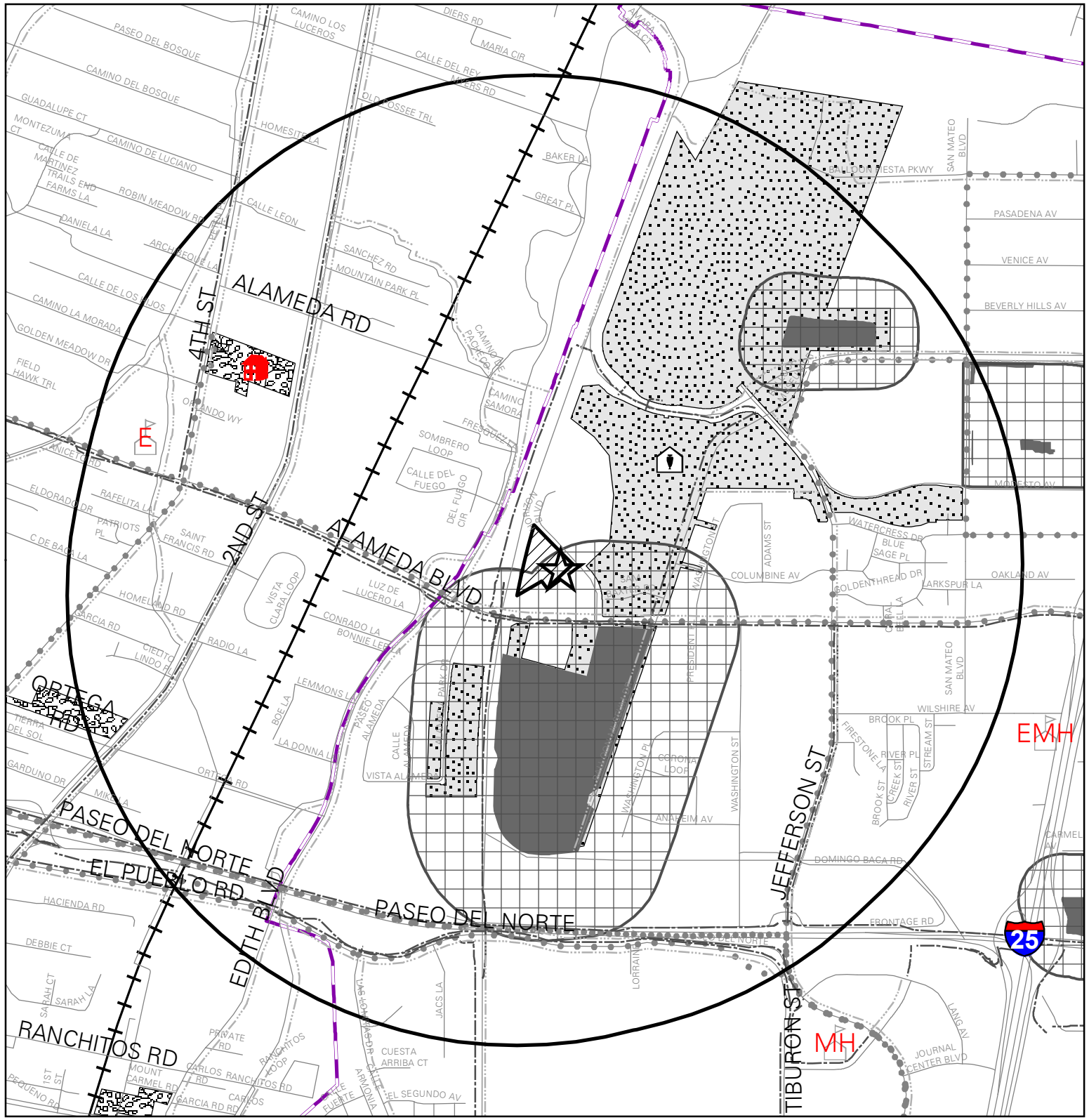
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January 10, 2019

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Feet

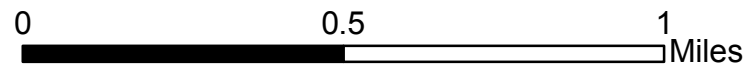


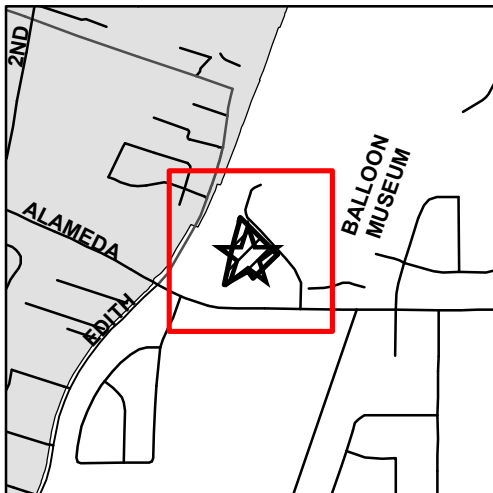
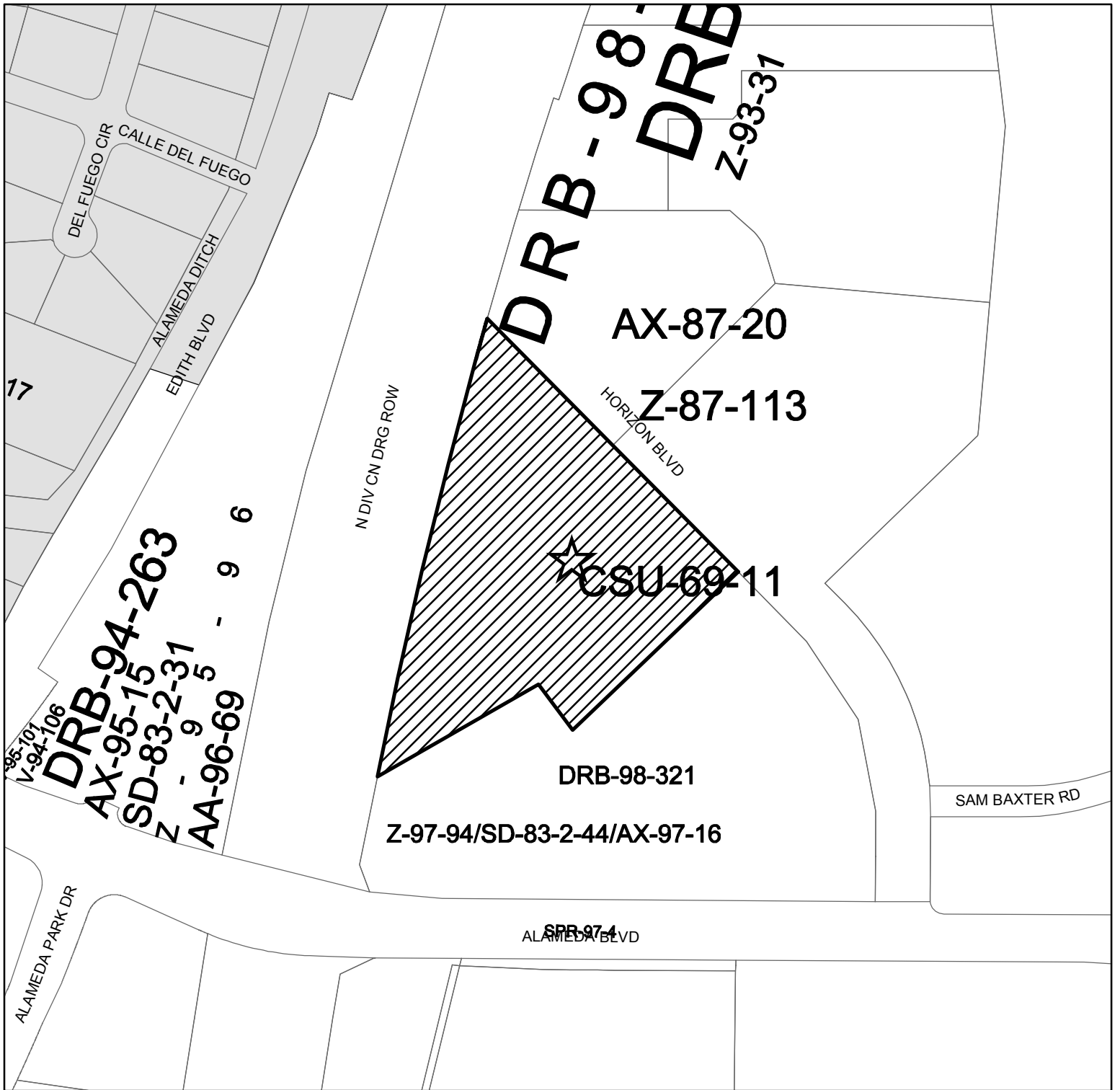


Public Facilities Map with One-Mile Buffer



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





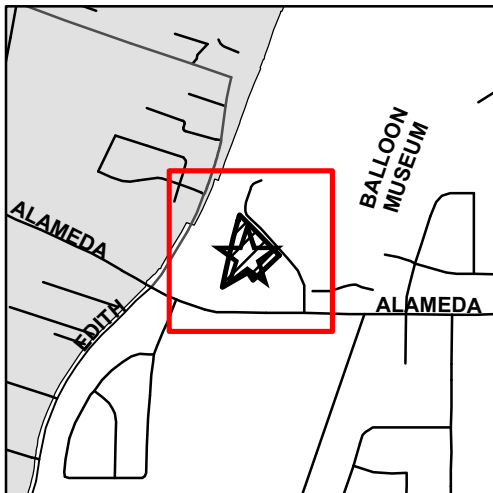
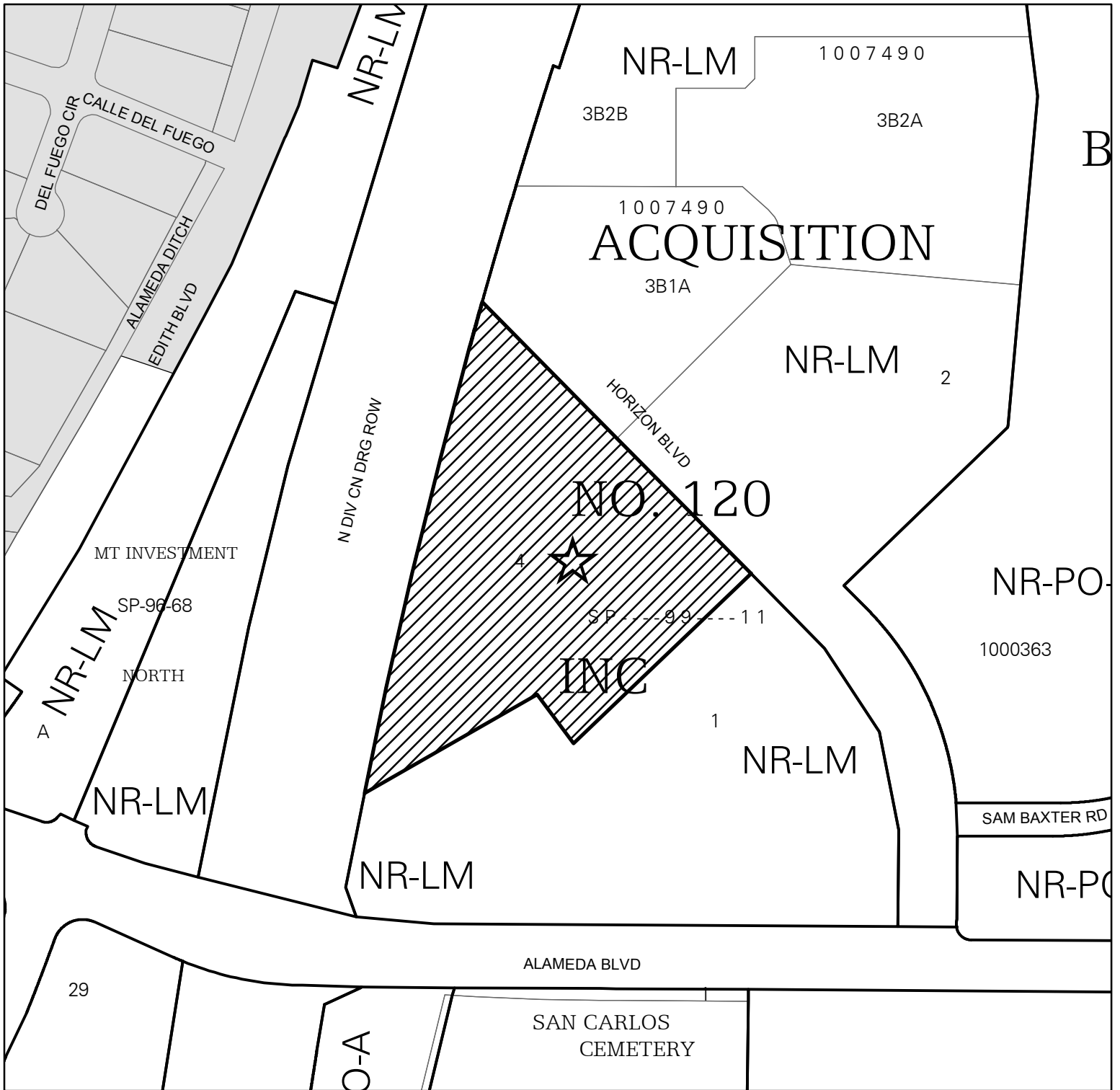
HISTORY MAP

Note: Gray shading indicates County.



1 inch = 250 feet

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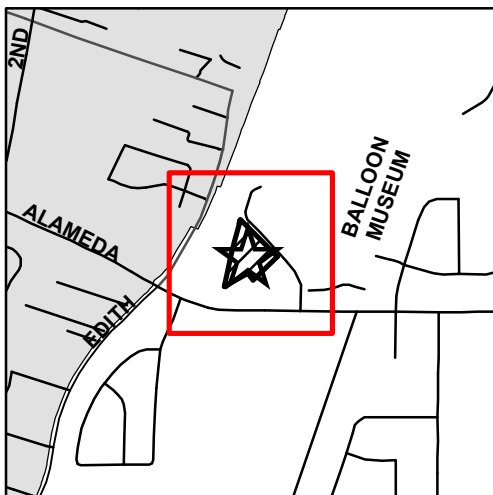
IDO ZONING MAP

Note: Gray shading indicates County.



1 inch = 233 feet

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LAND USE MAP

Note: Gray shading indicates County.

KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



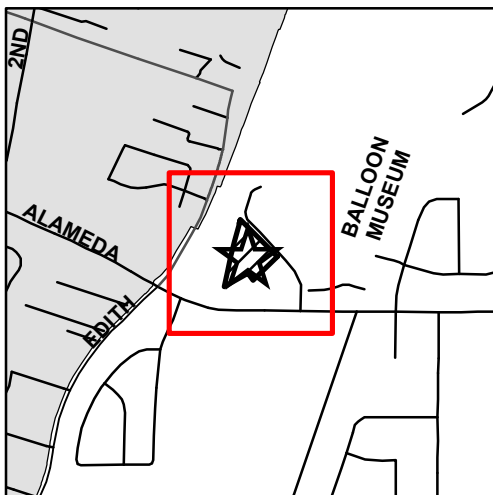
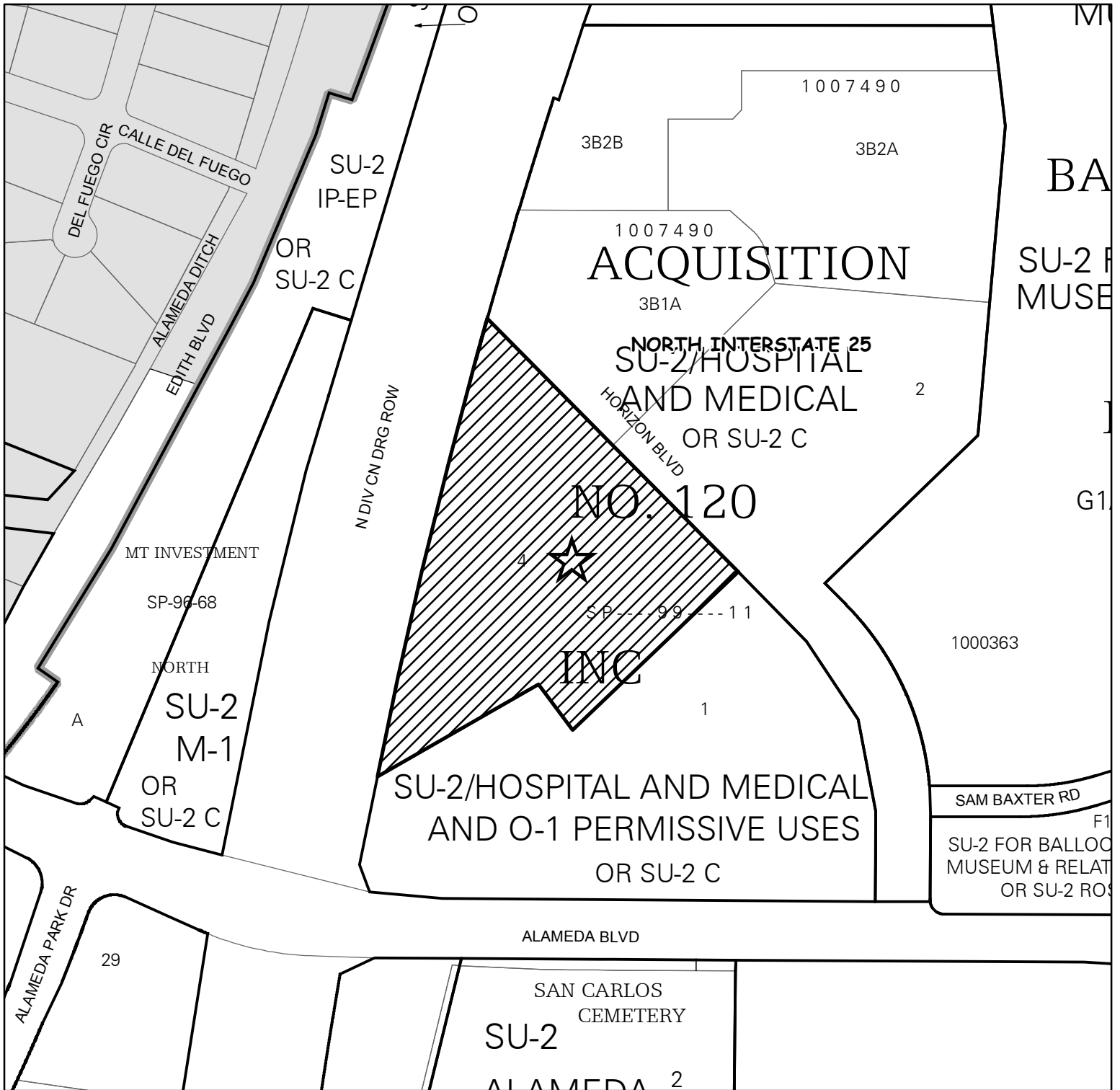
1 inch = 250 feet

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OLD ZONING MAP

Note: Gray shading indicates County.



1 inch = 250 feet

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I. Introduction

	Zoning	Comprehensive Plan Area	Land Use
Site	NR-LM	Area of Consistency	Public/Institutional
North	NR-LM and R-T	Area of Consistency	Assisted Living, Nursing Home, Software Company, and vacant R-T property.
South	NR-LM	Area of Consistency	Undeveloped
East	NR-LM and NR-PO-A	Area of Consistency	United Healthcare and Eastdale Little League
West	UNCL	Area of Consistency	Diversion Channel

Proposal

The request is for approval of a Zone Map Amendment for a site is located on the west side of Horizon Boulevard NE, north of Alameda Boulevard, and east of Short Hop Road (see Figure 1). It is comprised of one parcel that is 5.9 acres in size, vacant, and is currently zoned NR-LM: Non-Residential Light Manufacturing. The property is legally described as: Tract 4, Corrected Plat for Tracts 1, 2, 3, and 4 Land of IHS Acquisition No 120 Incorporated. The site is currently undeveloped.

The property falls within the North I-25 Community Planning Area and is designated as an “Area of Consistency” in the Albuquerque/Bernalillo County Comprehensive Plan. The property was previously zoned SU-1 for Hospital and Medical Uses and O-1 Permissive Uses or SU-2 Commerce. The previous North 1-25 Sector Development Plan allowed property owners to choose between the old zoning or the new Sector Plan zones. The IDO conversion used the Commerce Zone from the Sector Plan. This resulted in a conversion of most of the adjacent properties to NR-LM and created several non-conforming uses on the adjacent tracts. Historic uses in the area have included office, medical office, assisted living, and nursing home, all of which are residential uses with permanent residents. At the north end of Horizon Boulevard, an R-T zoned single family subdivision is going through the City approval process.

Zone Map Amendment:

1. The request is to rezone the eastern 3.02 acres of the property from NR-LM to MX-M.
2. The western 2.9 acre portion is requested to change from NR-LM to R-ML.

Proposed Zone Boundaries



EPC Role

The EPC's responsibility is to determine if the requested change is consistent with applicable policies from the 2017 ABC Comprehensive Plan. This case is going before the EPC because it is a zone change for a property less than 10 acres in an Area of Consistency. This case is a quasi-judicial matter.

History/Background

Site History: Annexed in 1998. A zone map amendment to SU-1 was approved in 2007. The site plan then went to the DRB where it received approval but was delegated to the City Engineer and Planning. That project was never completed. This is a vacant lot that has served as parking for the surrounding areas.

Context

The subject site is located along Horizon Boulevard (a private landscaped street), north of Alameda Boulevard, and east of Short Hop Road. The site is near unincorporated residential areas of Bernalillo County to the west; however, these properties sit significantly below the elevation of this property. Immediately west of the Diversion Channel are two existing non-residential buildings with associated parking. To the east of the property is an existing office building (8801 Horizon Boulevard NE) with office and medical office users. North of the site are a variety of uses including vacant R-T zoned land, nursing home, office, and an assisted living facility. The Balloon Museum and Balloon Fiesta Park are to the north. Eastdale Little League is located just to the east of Horizon Boulevard. The area includes residential, park areas, a museum, office and warehouse uses. There is very little actual industrial or manufacturing in the immediate area of the subject property.

The applicant is requesting a zone change to R-ML and MX-M to allow for the development of townhomes, mixed-use, and office and commercial use. The property's current zoning, NR-LM, does not allow for any residential or mixed land uses. The NR-LM zone allows for office and limited commercial uses.

Although currently zoned for non-residential, light manufacturing, the applicant believes that townhomes and mixed-use office and commercial are the appropriate uses for this site, given the surrounding, compatible uses. This type of development could help meet demand for a variety of housing options as encouraged by the Comprehensive Plan.

Land Use

The subject site, one 5.9 acre parcel could be developed with a mix of townhouse and commercial/office development.

To the north of the site, there is an existing healthcare facility, assisted living, and software company. To the east of the site is the United Healthcare building that shares its space with other office users. Just east of that building and Horizon Boulevard is Eastdale Little League. Immediately west of the property is the North Diversion Channel and Trail. Adjacent to and south of the property is parking associated with the United Healthcare building.

Roadway System and Comprehensive Plan Corridor

The Long Range Roadway System (2040 LRRS) map designates

Alameda Boulevard NE as an Urban Principal Arterial and a primary freight corridor.

The Comprehensive Plan designates Alameda as a Commuter Corridor.

Access & Public Transit

Horizon Boulevard NE at Alameda Boulevard NE provides the primary access into Fiesta Horizon (the commercial/office component of the site) and Aldea Horizon (the townhomes).

There is an existing bus stop on Alameda Boulevard NE and Balloon Museum Drive that serves the westbound ABQ Ride Route 98. This stop is within 1/10 mile from the primary entrance on Horizon Boulevard NE. There is also bus stop on the opposite side of Alameda Boulevard serving Route 98 eastbound.

Public Amenities & Schools

The site is south of Balloon Fiesta Park and the Anderson Abruzzo Balloon Museum. In addition to being home to the Albuquerque International Balloon Fiesta every October, the Park is also the location of many annual events throughout the year.

In order to ensure that new residents are informed about these events and adjacent uses, the applicant pledges that each buyer will be required to review and sign a disclosure statement. Additionally, the developer proposes that the Covenants, Conditions and Restrictions will have language addressing and disclosing Balloon Fiesta and other events that will be recorded with the property.

Eastdale Little League Complex is east of Horizon Boulevard and consists of T-Ball, Rookie, Minor, and Major Baseball and Softball fields.

Area schools include Corrales International, Cottonwood Classical Preparatory, Edmund G. Ross, La Cueva High School, Desert Ridge Middle School, North Star Elementary School, and New Mexico International School.

Trails/Bikeways

Existing bicycle and pedestrian trails in the immediate vicinity include the North Diversion Channel multi-use trail that runs along the western side of the drainage

channel. The subject site currently does not have direct access to this trail. There is also another multi-use trail on the south side of Alameda Boulevard.

Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

II. Analysis of City Plans and Ordinances

Integrated Development Ordinance (IDO)

The application for this request was submitted subsequent to the effective date on May 17, 2018 of the Integrated Development Ordinance, which replaced the City's Zoning Code, and is therefore subject to its regulations.

Pre-IDO Zoning

Prior to the effective date of the IDO on May 17, 2018, the subject site's zoning was SU-2.

Existing Post-IDO Zoning

The current zoning is NR-LM.

Proposed Zoning

The request is to rezone the property from NR-LM to MX-M (mixed-use) and R-ML (multi-family low). The proposed zone change would allow multi-family, mixed-use, and commercial retail and service uses to be developed.

Character Protection Overlay

The North I-25 Character Protection Overlay limits building height on the subject site to 39 feet.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

Applicant's Justification is in Italics.

The subject site is located in an **Area of Consistency** as designated by the Comprehensive Plan which has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Applicable policies include:

Policy 5.1.12 Commuter Corridors. b) Buffer residential land uses adjacent to Commuter Corridors. *The residential development is set back over 300 feet from Alameda Boulevard and screened with street trees and a large parking lot.*

Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods. b) Encourage development that offers choice in transportation, work areas, and lifestyles. *The proposed zone change provides a mix of uses including office, commercial, and residential with easy access to a principle arterial, transit service, and a main multi-use trail system (both north-south and east-west), and jobs. The request furthers this policy.*

d) Encourage development that broadens housing options to meet a range of incomes and lifestyles. *The addition of residential uses in this area will further this policy and directly broaden the housing options in this area. The area has seen a recent influx of housing – The Ascension subdivision at the north end of Horizon Boulevard and the new Broadstone North multi-family project on San Mateo. The addition of 31 paired and town homes to the area will add an additional housing option to the area.*

h) Encourage Infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development. *The proposed zone changes, by adding mixed uses, that include residential uses, will be complementary to the surrounding development. The development to the west includes small industrial buildings with single family residential below. To the east is a large office tower that is an anomaly in terms of form and scale to the area. To the north are a mix of two-story assisted living and office buildings.*

n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking. *The subject property is currently vacant and underutilized.*

Staff Analysis: Staff agrees that the development would broaden housing options to meet a range of incomes and lifestyles as well as provide a compatible form and scale to the surrounding area.

GOAL 5.4 Jobs-Housing Balance, Balance jobs and housing by encouraging residential growth near employment across the region . . . *The proposed zone change adds another residential option near the existing North I-25 Employment Center.*

Staff Analysis: Staff feels this is the most compelling reason for this project. The residential uses allowed by the R-ML and MX-M zones would bring residential growth near the North I-25 employment center.

GOAL 9.1 Housing – Supply. Ensure a sufficient supply and ranch of high-quality housing types that meet current and future needs at a variety of price levels to

ensure more balanced housing options. *The requested zone changes further this goal by adding an underrepresented housing product in an area that is currently only served by single family detached housing and apartment complexes.*

Applicant's justification: *The proposed townhouse and mixed-use commercial development contributes to the supply and range of housing types by providing a high-quality neighborhood that meets current and future needs. The proposed townhomes will be available for sale.*

Staff Analysis: Staff agrees that the additional townhomes will contribute to the range of high-quality housing types that meet current and future needs.

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 proposed zone change supports the development of new paired and town homes that adds to the variety of housing options in this area.*

- a) **Increase the supply of housing that is affordable for all income levels.** *The proposed zone change increases the supply of housing in an area currently restricted from adding any residential despite the mixed-use character of the area.*

- e) **Provide for the development of quality housing for elderly residents.** *Paired and town homes are a popular product for empty nesters and active adults. Medium density housing provides for a quality neighborhood without large yard areas that require significant upkeep.*

Policy 9.1.2 Housing Affordability: Provide for mixed-income neighborhoods by encouraging high-quality, affordable and mixed income housing options throughout the area. *The zone change will allow for an underrepresented housing option to be added to the area.*

- b) **Encourage a diversity of housing types, such as live/work spaces, stacked flats, townhouses, urban apartments, and lofts, accessory dwelling units, and condominiums.** *As stated previously, this zone change allows for the appropriate addition of residential in an existing mixed-use area (not in an employment center) and allows for a currently underrepresented set of housing products – paired and town homes. It should also be noted that the applicant's intent, if the zone change is approved, is to request a conditional use to allow for live-work units in the R-ML portion of the project.*

- e) **Encourage mixed-use development that includes non-residential uses and the opportunity for access to services.** *The project includes a commercial service and office component to further this policy. These services will be within easy walking distance of the residences.*

Staff Analysis: Multi-Family, townhouse, and mixed-use development can provide housing options that are more affordable than Single-Family dwelling units.

GOAL 9.2 Sustainable Design: “Promote housing design that is sustainable and compatible with the natural and built environments.”

Applicant’s justification: *The proposed townhomes are sustainably designed through collocation of commercial/office uses that will serve the future residents. These uses will be within walking distance of the townhome residents. Furthermore, the site is located in close proximity to existing recreation facilities that include a little league field, Balloon Fiesta Park, and the multi-use trail to the west of the Diversion Channel.*

Staff Analysis: The IDO design and development standards will guide and regulate future housing development per the R-ML and MX-M zone districts.

Relevant Rank 2 or Rank 3 Plans

The Balloon Fiesta Park Master Plan is a Rank 3 Plan that was developed and approved by an implementing City department to guide the development, maintenance, and operation of individual public resources or facilities. It provides the necessary framework for the phased development and implementation of the Balloon Fiesta Park and provides uses and conditions on operations governed by the Balloon Fiesta Park Master Plan for the Balloon Fiesta Park, a multiuse, regional, recreational, and cultural park complex. The Balloon Fiesta Park is located on City of Albuquerque property, between the North Diversion Channel on the west, San Mateo Boulevard on the east, and north and south of Alameda Boulevard.

III. Zone Map Amendment (Zone Change)

Applicant’s Justification is in Italics.

Pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".

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

Applicant’s Response: *The proposed zone change is consistent with the health, safety, and general welfare of the City. The existing zoning is not appropriate and is inconsistent*

with the existing uses in the area along Horizon Boulevard north of Alameda. The existing zone created a number of non-conforming uses on the developed properties to the east and north of the subject property. The proposed zone change will allow residential and office/commercial uses to develop in area in need of those uses. The residential uses are not permissive in the existing zoning. Allowing mixed use and limited residential within this nearly built out employment area furthers the Comprehensive Plan and allows people the opportunity to live in an area with jobs.

The applicant's proposed uses will serve the surrounding and overall community with in-demand housing and retail options, particularly in this area of the City that is well-served by existing amenities, jobs, and with convenient access to Alameda and I-25. The proposed uses will provide an appropriate and organic transition to the existing office, medical and recreation uses to the north, south, and east.

Staff Analysis: Staff agrees that the proposed zone change is consistent with the health, safety, and general welfare of the City because a preponderance of applicable Comp Plan Goals and Policies are furthered by the request.

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

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

Applicant's Response: *The existing zoning is inappropriate because a different use category is more advantageous to the community, as articulated by the Comprehensive Plan and as explained (above):*

Criteria #3. More Advantageous to the Community

Applicants Response: *The proposed zone change will allow residential and commercial retail and service uses to be developed under the R-ML and MX-M zones. The existing zoning is inappropriate and unduly restricts residential uses from developing on this property that has excellent potential for adding to the diversity of housing and retail choices and lessening the drive time for employees that work within the area and others*

who do not wish to live in and maintain a traditional large lot, single-family home. There is a current need for medium density residential zoning immediately west of Interstate 25 and north of Alameda. As such, the R-ML and MX-M zoning are more advantageous to the community than the current NR-LM zoning, which is limited to light manufacturing, office uses, and commercial and no residential development. As noted previously, the NR-LM also includes uses that might not be advantageous to the community including adult retail, light manufacturing, and warehousing.

There is a growing demand for medium and higher density housing and neighborhood commercial options. The proposed project will meet this demand by providing the ability for appropriate residential uses to locate on the site and within region. Per the R-ML zone and the North I-25 Community Planning Area, the allowable height for paired and town homes is restricted to a maximum of 35 feet, thereby limiting the density and number of units. The Site Plan proposed 31 paired and town homes, are proposed to be a combination of two and three-story homes. The number of units and stories proposed are ideal for the subject site's development scale potential.

Staff Analysis: The requested zoning 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, especially given the height restrictions of the North I-25 CPO and the pre-existing resident uses and zoning already in the surrounding area. The request is more advantageous to the community by furthering applicable Comp Plan Goals and Policies.

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

Applicant's Response: *None of the permissive uses in the MX-M zone will be harmful to the adjacent property, neighborhood, or community. The existing NR-LM zoning allows light manufacturing, adult retail, and Warehousing as permissive uses (highlighted in the zoning analysis table below), which could be harmful to adjacent property and are inappropriate for the subject property. The proposed zone change would decrease the intensity of the uses allowed on the MX-M portion of the subject property and the R-ML would significantly decrease the intensity allowed. The R-ML zone will provide a better and more appropriate transition to the North Diversion Channel, Recreational Trail, and the residential uses further west. Due to the property's proximity to Alameda Boulevard, an urban principal arterial, the proposed transition of R-ML on the west side and MX-M on the east side will provide a better transition between the existing NR-LM zoning and uses to the east. The following table provides a comparison between many of the potential uses allowed in the different IDO zone categories (the use is not exhaustive, please consult the IDO Use Table for all uses in each zone category):*

Proposed		HORIZON LAND - IDO ZONING ANALYSIS NR-LM vs. MX-M & R-ML	Existing LM
MX-M	R-ML		
✓	✓	Town House- Multi Family	X
✓	✓	Assisted Living/ Nursing Home	X
✓	C	Day Care (elderly, adult)	A
✓	X	Hospital	X
✓	✓	School: Elementary and Middle	X
✓	C	High School	X
✓	X	Vocational	✓
✓	X	Veterinary Hospital	✓
✓	A	Health Club	✓
✓	X	Restaurant	✓
✓	X	Tap Room	✓
✓	X	Hotel	✓
✓	X	Office	✓
X	X	Adult Retail	✓
✓	X	Liquor	C
✓	X	Retail Small	✓
✓	X	Retail Medium	C
C	X	Retail Large	X
✓	X	Grocery	✓
X	X	Light Manufacturing	✓
✓	X	Artisanal Manufacturing	✓
C	X	Warehousing	✓
A	X	Drive-Up Facility	A

This property is underutilized and vacant. At one point, the property was intended to mirror the United Healthcare development to the east with another medical/office building. This plan never came to fruition, as the demand was nonexistent. This zone map amendment and subsequent development will be a positive change as compared to if the property developed at the currently allowed NR-LM uses, as it provides more mixed-use options, housing diversity, and commercial retail choices for the area employees and less drive time. There is existing access from Interstate 25 and Alameda. This access eliminates the need for vehicles to drive through any neighborhoods to access the project.

Staff Analysis: The most notable new uses allowed by the R-ML and MX-M zones are residential, which would not be harmful to existing or potential uses in

the surrounding area. The North I-25 Character Protection Overlay, includes special standards that speak to building height and outdoor lighting.

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

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

Applicant's Response: *The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill redevelopment property and adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Any required extension of these services will be the responsibility of the developer.*

Staff Analysis: Staff agrees,

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

Applicant's Response: *The current zoning request is to allow for future MX-M uses, including townhouse development and commercial retail uses. Future development permissible by the MX-M zone will further multiple goals and policies of the Comprehensive Plan and will serve as an excellent, low impact neighbor to the surrounding uses. The proposed zone change is a "down zone" in that it will allow uses of lesser intensity than we is currently allowed by the existing zoning. 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 nearby Alameda Boulevard, an Urban Principal Arterial, 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-M and R-ML zoning and associated uses. Access and connectivity are important considerations for mixed-use, commercial, office, and medium density residential uses.*

Staff Analysis: Staff concurs.

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

Applicant’s Response: *The cost of land or other economic considerations are not the determining factor for this zone change request. The requested zone change will allow MX-M uses to develop, thereby providing more retail, office, and housing choices in an area of Albuquerque currently underserved by mixed-use and multi-family living facilities and demands additional neighborhood commercial options.*

Staff Analysis: Economic considerations are not the determining factor for the applicant’s justification.

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

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

Applicant’s Response: *The proposed zone change is considered a spot zone. However, the area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts and uses. The NR-LM zoning and uses on the properties to the north, south, and east lend themselves to the proposed uses identified on the Site Plan. The medical office, assisted living, commercial, and sports fields allow the proposed development to function as a transition between adjacent zone districts, especially with the diversion channel and pedestrian trail to the west.*

Staff Analysis: Staff concurs.

IV. Agency & Neighborhood Concerns

Reviewing Agencies

The Parks and Recreation Department has submitted comments and concerns regarding this project's proximity to the Balloon Fiesta Park Master Development Plan and the year-round activity in this area.

In 2016, project #1010963, a Zone Change Request, was presented to the EPC. The Parks and Recreation Department had similar concerns, which the EPC considered before approving a zone change to residential.

Please see full agency comments at the end of the staff report.

Neighborhood/Public

The following neighborhoods were notified

- Alameda North Valley Association
- North Edith Commercial Corridor Association
- Vista Del Norte Alliance
- Wildflower Area NA
- District 4 Coalition of Neighborhood Associations
- North Valley Coalition

There were no neighborhood or facilitated meetings requested. There is no known neighborhood opposition to the request.

V. Conclusion

This is a request for approval of a Zone Map Amendment on behalf of Clearbrook Investments, Inc. The subject site is located on the west side of Horizon Boulevard NE, north of Alameda Boulevard, and east of Short Hop Road. It is comprised of one parcel that is 5.9 acres in size, vacant, and is currently zoned NR-LM: Non-Residential Light Manufacturing (NR-LM). The property is legally described as: Tract 4, Corrected Plat for Tracts 1, 2, 3, and 4 Land of IHS Acquisition No 120 Incorporated. The site is currently undeveloped.

Zone Map Amendment:

1. The request is to rezone the eastern 3.02 acres of the property from NR-LM to MX-M.
2. The western 2.9 acre portion is requested to change from NR-LM to R-ML.

The property falls within the North I-25 Community Planning Area and is designated as an “Area of Consistency” in the Albuquerque/Bernalillo County Comprehensive Plan.

The proposed development will diversify the area by adding an additional housing option and increasing population in an effort to balance jobs and housing.

Staff recommends approval.

Findings, Zoning Map Amendment (Zone Change)

Project #: 2018-001842, RZ: 2018-00055

1. This is a two part zoning request for all or a portion of Tract 4, corrected Plat for Tracts 1, 2, 3, and 4 Land of IHS Acquisition No 120 Incorporated located on Horizon Boulevard NE and containing approximately 5.9 acres. The western portion of the property (2.92 acres) is proposed to change from NR-LM to R-ML. The Eastern portion of the property (3.02 acres) is proposed to change from NR-LM to MX-M.
2. The subject site abuts the boundary of an activity center that includes the Balloon Museum and the Albuquerque Balloon Fiesta Park.
3. The property falls within the North I-25 Community Planning Area between the railroad tracks to the west and I-25 to the east, which is characterized by business and industrial parks and some residential neighborhoods.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Balloon Fiesta Park Master Development 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 within an Area of Consistency as designated by the Comprehensive Plan and the following policies apply:
 - a) ***This request furthers Policy 5.1.12 because The subject site is adjacent to a designated Commuter Corridor, which are intended for long-distance trips across town by automobile, including limited-access streets. These roads tend to be higher-speed and higher-traffic volume routes.***
 - b) ***This request furthers Policy 5.2.1 because the development would broaden housing options to meet a range of incomes and lifestyles as well as provide a compatible form and scale to the surrounding area.***
 - c) ***This request furthers GOAL 5.4 because the proposed zone change adds another residential option near the existing North I-25 Employment Center.***
 - d) ***This request furthers GOAL 9.1 because the additional residential options will contribute to the range of high-quality housing types that meet current and future needs.***
 - e) ***This request furthers Policy 9.1.1 because the proposed zone change supports the development of new paired and residential uses that adds to the variety of housing options in this area.***
 - f) ***This request furthers Policy 9.1.2 because this zone change allows for the appropriate addition of residential in an existing mixed-use area (not in an***

employment center) and allows for a currently underrepresented set of housing products –townhomes, apartments and mixed-uses.

g) This request furthers GOAL 9.2 because the future development will be sustainably designed through collocation of commercial/office uses that will serve the future residents. These uses will be within walking distance of the new residents.

6. The applicant has adequately justified the request pursuant to section 14-16-6-7(F)(3) of the Integrated Development Ordinance, Review and Decision Criteria, "An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria".
 - a) Criterion A: the proposed zone change is consistent with the health, safety, and general welfare of the City by demonstrating that applicable Comp Plan Goals and Polices are furthered.
 - b) Criterion B: this subject area is in an Area of Consistency. The existing zoning is inappropriate because a different use category is more advantageous to the community as shown by the furtherance of applicable Comp Plan Goals and Polices. CPO-9 and IDO standards will ensure the consistency of development with the area.
 - c) Criterion C: this criterion does not apply because the subject site is not in an Area of Change.
 - d) Criterion D: The proposed zoning for the subject property does not allow uses that are potentially harmful to the existing adjacent uses that include a nursing facility, assisted living, and office uses.
 - e) Criterion E: The proposed zone change will not require major and unprogrammed capital expenditures by the City. This is an infill redevelopment property and adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Any required extension of these services will be the responsibility of the developer.
 - f) Criterion F: The current zoning request is to allow for future R-M Land MX-M uses, including residential and commercial retail uses. Future development by the MX-M zone will further multiple goals and policies of the Comprehensive Plan and will serve as low impact neighbor to the surrounding uses.
 - g) Criterion G: The cost of land or other economic considerations are not the determining factor for this zone change request.
 - h) Criterion H: The proposed zone change is considered a spot zone. However, the area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts and uses.

7. There were no neighborhood or facilitated meetings requested. There is no known neighborhood opposition to the request.

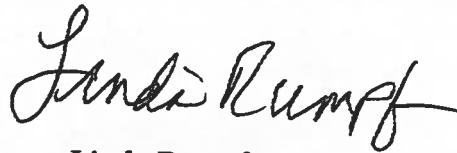
Recommendation

APPROVAL of Project #: 2018-001842, RZ-2018-00055, a request for Zoning Map Amendment, to rezone the eastern approximately 3.02 acres of the property from NR-LM to MX-M and change the western approximately 2.9 acre portion from NR-LM to R-ML, for all or a portion of Tract 4, corrected Plat for Tracts 1, 2, 3, and 4 Land of IHS Acquisition No 120 Incorporated, based on the Findings and subject to the Following Conditions.

Conditions of Approval - Zoning Map Amendment (Zone Change)

Project #: 2018-001842, Re-Zone #: 2018-00055, Zone Map Amendment

1. The applicant shall coordinate with the staff planner to ensure that all Conditions of Approval are met.
 2. The site shall be re-platted to create lot lines that correspond to the submitted zone change exhibit.
-



**Linda Rumpf
Staff Planner**

Notice of Decision cc list:

cc: Clearbrook Investments, INC., 8801 Jefferson St. NE, #A, ABQ, NM 87113
Consensus Planning, Inc, 302 Eight St., NW, ABQ, NM 87102
Alameda North Valley Assoc., Steve Wentworth, 8919 Boe Lane NE, ABQ, NM 87113
Alameda North Valley Assoc., Mark Rupert, 909 Tijeras Ave. NW, ABQ, NM 87102
North Edith Commercial Corridor Assoc., Christine Benavidez, 10417 Edith Blvd. NE, ABQ, NM 87113
North Edith Commercial Corridor Assoc., Robert Warrick, 444 Niagara NE, ABQ, NM 87113
Vista Del Norte Alliance, Fred Harsany, P.O. Box 6270, ABQ, NM 87197
Vista Del Norte Alliance, Janelle Johnson, P.O. Box 6270, ABQ, NM 87197
Wildflower Area NA, Larry Caudill, 4915 Watercress Dr. NE, ABQ, NM 87113
Wildflower Area NA, Charles Bates, 5000 Watercress Dr. NE, ABQ, NM 87113
North Valley Coalition, Doyle Kimbrough, 2327 Campbell Rd NW, ABQ, NM 87104
North Valley Coalition, Peggy Norton, P.O. Box 70232, ABQ, NM 87199
Dist. 4 Coalition of NA's, Daniel Regan, 4109 Chama St. NE, ABQ, NM 87109
Dist. 4 Coalition of NA's, Michael Pridham, 6413 Northland Ave., NE, ABQ, NM 87109
John Dubois, jdubois@cabq.gov

VI. Agency Comments

PLANNING DEPARTMENT

Long Range Planning

Comments for Zone Map Amendment:

This request is for a zone map amendment from NR-LM to MX-M. It is comprised of one parcel that contains 5.9 acres. The site is surrounded by NR-LM to the north, south, east, and west. Bernalillo County property neighbors the NR-LM zoned parcels to the west, and NR-PO-A zoned property is located adjacent to the NR-LM to the east. The site falls within an Area of Consistency and the North I-25 Area CPO 9, Building Height Sub-Area 2¹, and Alameda Boulevard Sub-area. While this zone change would be a spot zone, the size of the property allows a wide mix of uses that would serve as transition between NR-LM, commercial and office use, and medium-density residential uses. Close proximity to I-25 and the North Diversion Trail create ideal conditions to have a mixed-use development in this area.

The MX-H zone district would more closely match the surrounding NR-LM zone in terms of uses. The MX-H zone allows similar uses as MX-M, including townhouse, multi-family, and commercial uses, but would also maintain some light industrial uses of NR-LM, albeit as accessory. The building height is regulated within the CPO-9 by location (Subareas) and would be the same for MX-M or MX-H.

ABC Comprehensive Plan Policy 5.1.1(i) *Locate industrial development in Employment Centers or in existing industrial zones within the I-25 and I-40 corridors.*

ABC Comprehensive Plan Policy 5.1.5(c) *Until 80 percent of the available land in Employment Centers has developed with uses associated with employment opportunities, discourage residential uses on the ground floor.*

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

- a)** *Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.*
- b)** *Encourage development that offers choice in transportation, work areas, and lifestyles.*
- d)** *Encourage development that broadens housing options to meet a range of incomes and lifestyles.*

¹ Note: The official zoning map in AGIS shows this parcel correctly as Sub-area 2 (and a triangular parcel to the north as Sub-area 1), whereas the small map in the IDO document shows the 2 parcels incorrectly. This small map will be corrected as part of the Annual Update of the IDO.

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

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

ABC Comprehensive Plan 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.*

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

ABC Comprehensive Plan Policy 13.5.1(b) *Protect public health, safety, and welfare by discouraging incompatible land uses in close proximity, such as housing and industrial activity.*

Metropolitan Redevelopment

No response received.

Hydrology

No response received.

Neighborhood Coordination

No response received.

Transportation Development Services

No response received.

Engineering Division

No response received.

Zoning / Code Enforcement

#2018-001842 (Zone Change) - No Comment

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

No response received.

PARKS & RECREATION DEPARTMENT

The Parks and Recreation Department has reviewed this application and does not support the requested zone change from NR-LM to MX-M. The existing zoning appears to be compatible with the adjacent similarly zoned commercial uses.

The 2012 updated Balloon Fiesta Park Master Development Plan made no assumptions of a zone change from commercial uses to single family residential uses for any adjacent properties. Rather, it allowed for additional recreation activities to occur at the expanded Balloon Fiesta Park and provides guidance as to park priorities for additional development. The Parks & Recreation Department has already experienced an increase in activities at the Park as additional facilities are developed. The Department is presently developing a Traffic Control Plan for special events due to an anticipation of continuing increases in traffic during special events at all of the facilities at the Park.

As the property in this request is located adjacent to the Eastdale Little League facility, the Albuquerque Balloon Fiesta Park and Albuquerque Balloon Museum, it is important for the applicant and the Environmental Planning Commission to understand the number of events and number of attendees at events currently occurring at the Balloon Museum and the Balloon Fiesta Park throughout the year, not just during the 10 days of the Balloon Fiesta.

The Balloon Fiesta Park is closed from September through October for setup and tear down before and after the event. The increase in activities for these two months include semi-trucks coming and going accessing the park through the AMAFCA channel road to the west of the proposed development along with many workers on-site erecting large tents, bringing in construction equipment and infrastructure for the set up for the vendors and pilots prior to the event. It is truly “an exercise in building a village.” The RV campers begin to arrive well in advance of the events and many are set up across Alameda Blvd. at the “south parking lot” as well as on the south side of the Balloon Museum, the and east and north sides of the Park and south of the Event Center. Traffic increases accordingly during the months of September and October. During fiesta the park is active around the clock with trash trucks arriving daily around 4 a.m. prior to the 5:30 a.m. dawn patrol.

The Event Center at Balloon Fiesta Park and the Balloon Museum hold large-scale events throughout the year as well as events outdoors in the Park itself. The park holds approximately 200 events a year. These events include large weddings and other private parties in the Event Center as well as the Friends and Lovers Balloon Rally in February, Fourth of July “Freedom Fourth” Festival, Food Truck events Celtic Festival, New Mexico Wine Festival and Jingle Bell Balloon Rally in the Park, music festivals just to name a few. The park see nearly 1.5 M visitors annually and that number continues to grow.

The Balloon Museum (not managed by the Parks & Recreation Department) holds over 125 events annually. The long range plans for the museum include a teathered balloon ride which would hover over the proposed residential development.

A residential use is incompatible with existing and proposed future Regional and Community Park purposes due to the noise and traffic created by this special use facility . The Parks and Recreation Department urges you to deny this request.

POLICE DEPARTMENT/PLANNING

Regarding the above referenced EPC case, I respectfully submit the following comments:

- Ensure adequate lighting throughout the project, to include parking areas, pedestrian walkways, entrances, and residential and delivery areas.
- Ensure natural surveillance and clear lines of sight throughout the project. Natural surveillance requires a space free from natural and physical barrier. Establish a clear line of sight from the parking areas to the buildings and from the buildings the parking areas. Open stairwells, balcony railing, and offset picket screening materials can all enhance natural surveillance.
- Ensure that landscaping is maintained to provide natural surveillance, trimming trees up to create a canopy of at least six feet; and trimming shrubs and bushes down to three feet.
- Ensure adequate locking devices, including but not limited to, deadbolt, electronic keypad and keyless entry where appropriate.
- Include eye-viewers on primary and secondary entrance doors on residences and commercial development in loading/dock areas, cash handling offices, etc.
- Limit and clearly delineate access to the property; i.e. Residential, Commercial Deliveries, Employee Parking, Customer Parking.
- Provide signage that clearly directs visitors to the appropriate parking and/or entrance(s), include a map if necessary.
- Clearly delineate public, semi-public, semi-private, and private space throughout the project.
- Consider technical and mechanical surveillance systems such as cameras and alarm systems.

If you have any questions regarding these CPTED recommendations, please call me at 768-2006. I am also available to do an on-site security survey after the project is complete.

SOLID WASTE MANAGEMENT DEPARTMENT

No response received.

TRANSIT DEPARTMENT

No response received.

ABC WATER UTILITY AUTHORITY (ABCWUA)

The following are the comments:

- Identification: UPC – 101706403945020230
- 1. RZ-2018-00055 – Zone Map Amendment (Zone Change)
 - a. No adverse comment to the proposed zone change.

ALBUQUERQUE PUBLIC SCHOOLS

No response received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No response received.

COUNTY OF BERNALILLO

No response received.

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

The following staff comments relate to transportation systems planning within the Albuquerque Metropolitan Planning Area (AMPA). Principal guidance comes from the *2040 Metropolitan Transportation Plan* and the maps therein; *Transportation Improvement Program (TIP) for FFY 2016-2021*; the *Intelligent Transportation Systems (ITS) Regional Architecture*; and the *Roadway Access Policies* of the Transportation Coordinating Committee (TCC) of the Metropolitan Transportation Board (MTB).

MRMPO has no adverse comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO

No response received.

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

No response received.