



**Environmental
Planning
Commission**

*Agenda Number: 5
Project Number: 1000875
Case #: 14EPC 40015 & 14EPC 40016
April 10, 2014*

Staff Report

Agent	Consensus Planning, Inc.
Applicant	Inland Group
	Zone Map Amendment
Requests	Site Development Plan for Building Permit
Legal Description	Tracts B-1 and D-1, Fineland Development Subdivision
Location	McMahon Blvd. NW, adjacent to intersection of Fineland Dr. NW
Size	Approximately 6.64 acres
Existing Zoning	SU-1 for C-1
Proposed Zoning	SU-1 for C-1 and R-2

Staff Recommendation

APPROVAL of 13EPC-40015, based on the Findings beginning on Page 19.

APPROVAL of 13EPC-40016, based on the Findings beginning on Page 22 and subject to the Conditions of Approval beginning on Page 24.

*Staff Planner
Chris Glore, AICP*

Summary of Analysis

This is a two-part proposal; Zone Map Amendment and a Site Development Plan for Building Permit. The applicant intends to build an age-restricted (senior) multi-family housing development.

The subject site is in the Established Urban Area of the Comprehensive Plan. The West Side Strategic Plan also applies. The applicant has adequately justified the Zone Map Amendment request per R270-1980 based on general consistency with a preponderance of applicable Comprehensive Plan goals and policies and West Side Strategic Plan policies.

A facilitated meeting was held on March 25, 2014. There is some neighborhood concern regarding glare potentially created by glazing on the main building.

Staff recommends approval of the Zone Map Amendment and approval of the Site Development Plan for Building Permit subject to conditions.



City Departments and other interested agencies reviewed this application from 3/3/2014 to 3/14/2014. Agency comments used in the preparation of this report begin on Page 27.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for C-1	Established Urban West Side Strategic Plan	Vacant
North	SU-1 for R-2	Established Urban West Side Strategic Plan	Single Family Residential
South	SU-1 for R-2	Established Urban West Side Strategic Plan	Single Family Residential
East	R-LT	Established Urban West Side Strategic Plan	Single Family Residential
West	SU-1 for C-1	Established Urban West Side Strategic Plan	Vacant

II. INTRODUCTION

Proposal

This two-part proposal is for a Zone Map Amendment (ZMA) from SU-1 for C-1 to SU-1 for C-1 and R-2, and a corresponding Site Development Plan for Building Permit (SPBP). The subject site is an approximately 6.64 acre, site located on the north side of McMahan Blvd. NW, adjacent to intersection of Fineland Dr. NW (the “subject site”).

The applicant proposes to develop an age-restricted multi-family residential project with 154 units in a four-story building, plus recreation facilities and parking for residents. Fineland Dr. would be constructed between McMahan Blvd. and Pinnacle Peak Rd. with the site development.

Environmental Planning Commission (EPC) Role

The EPC is the approval body for a Zone Map Amendment, a legislative matter, and development in an SU-1 zone in conformance with an approved SPBP, which is a quasi-judicial matter. The EPC is the final decision-making body for the proposal unless the EPC decision is appealed [Zoning Code §14-16-2-22(A)(1)]. If an appeal were to be filed, it would go to the Land Use Hearing Officer (LUHO) for a recommendation and then to the City Council for final decision.

History

On June 24, 1999, the EPC approved a ZMA for a 40-acre property north and south of the present McMahan Blvd. right-of-way, east of Unser Blvd. (Z-98-31). The subject site was zoned to SU-1 for R-2. Properties at the McMahan Blvd. and Unser Blvd. intersection were zoned SU-1 for C-1

and east of the subject site SU-1 for R-LT. The SU-1 for C-1 zoned property is within the designated Village Center Core under the West side Strategic Plan.

In September 2003, the EPC approved a ZMA (Project No. 1000875) from SU-1 for R-2 to SU-1 for C-1 and a Site Development Plan for Subdivision for Tract E, Fineland Development (03EPC-00503 and 03EPC-00504). That site included the subject site, located on McMahan Blvd. east of Unser Blvd. and west of Stonebridge Dr.

Context

The subject site is located in the Established Urban Area of the Comprehensive Plan. The West Side Strategic Plan also applies to the property. No sector plans apply. The subject site is surrounded by single family residential development to the north and east, and vacant land designated for commercial uses adjacent to the southwest and west. To the north and east the residential neighborhoods are zoned R-LT and SU-1 for R-2 respectively. The properties to the southwest are located in the McMahan Marketplace subdivision, are zoned SU-1 for C-1 and while mostly vacant have been previously approved for development as the McMahan Crossing neighborhood commercial center.

Transportation System

The **Long Range Roadway System (LRRS) map**, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. The Long Range Roadway System map designates McMahan Blvd. east of Unser Blvd. as a Principal Urban Arterial.

Comprehensive Plan Corridor Designation. McMahan Blvd. is currently designated as an Enhanced Transit Corridor, which is “designed or redesigned to improve transit and pedestrian opportunities for residents, businesses and other users nearby.”

Transit. ABQ Ride Route 155 passes by the subject site along McMahan Blvd. to and from Unser Blvd. The service route operates between the Northwest Transit Center and the intersection of Unser Blvd. and Southern Ave. only during peak hours on weekdays.

Trails/Bikeways. McMahan Blvd. in the subject site vicinity is designated for Existing Paved Trail and Proposed Bicycle Lane.

Public Facilities/Community Services

See attached Public Facilities Map.

III. ANALYSIS - APPLICABLE PLANS, POLICIES & REGULATIONS

Albuquerque Comprehensive Zoning Code

The subject site is currently zoned SU-1 for C-1. According to the Zoning Code, the SU-1 special use zone “provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design” (Zoning Code §14-16-2-

22). A site development plan is required when requesting SU-1 zoning [Zoning Code §14-16-2-22(A)(1)]. The applicant has provided a SPBP request to satisfy this requirement.

The C-1 (Neighborhood Commercial) zone provides suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas (Zoning Code §14-16-2-19). In 2012, the City Council adopted an ordinance (Ord. 2012-004) allowing multi-family residential development within a C-1 Zone, subject to certain location and design requirements.

The applicant proposes SU-1 for C-1 and R-2 zoning. The proposed multi-family residential use is permissive under the existing C-1 designation, subject to certain location criteria including being within 660 feet of a Major or Enhanced Transit Corridor or within a Community or Major Activity Center designated by the Comprehensive Plan [§14-16-2-19(A)(7)]. As noted above, McMahon Blvd. adjacent to the subject site is currently designated as an Enhanced Transit Corridor.

Residential uses developed under the C-1 Zone must meet certain site development requirements including maximum density, minimum floor area ratio, building façade treatment, building placement, and parking placement. The C-1 Zone residential design requirements are for a more urban form of development with maximum setbacks, lower parking standards and parking away from the street frontage. By comparison the R-2 Zone development requirements are oriented to a more suburban style of development, with minimum setbacks, maximum floor area ratio, higher parking requirements and surface parking allowable between the building and the street.

Albuquerque / Bernalillo County Comprehensive Plan

Note: Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is in **bold italics**.

Zoning Code §14-16-3-11 states that "Site Development Plans are expected to meet the requirements of adopted city policies and procedures." As such, Staff has reviewed the proposed site development plan for conformance with applicable goals and policies of the Comprehensive Plan.

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated as Established Urban. The goal of the Developing and Established Urban Areas is "to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment."

Land Use

Goal II.B.5: The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

The proposed project will provide more choices for housing and life styles in addition to creating a visually pleasing built environment. Affinity will provide a housing and life style option for seniors while also providing a sense of community. The project is infill development and will improve the visual environment of the Established Urban area of the City. The building has been specifically designed for this site and the context of the surrounding neighborhoods.

Staff agrees. The request would provide housing choice for a rapidly-growing segment of the population, on a vacant site that represents infill development.

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

The development will be site plan controlled, a process that helps maintain the integrity and values of existing neighborhoods nearby by providing the opportunity for affected residents to participate and offer input relative to the proposed development of the property. The surrounding zoning is a combination of SU-1 for C-1 and SU-1 for R-2, which provides an appropriate zoning context for the proposed use. The design is also appropriate since it creates significant setbacks to the four story main building and provides buffers with single story garages and the pool house adjacent to the existing homes to the north and east.

Staff agrees. The requests are subject to a public process providing opportunity for affected residents to participate and offer input relative to the proposed development. A well-attended Facilitated Meeting was held on March 24, 2014. The development would respect neighborhood values by being set back an average of 85 feet from the north and east property lines shared with abutting single family residential uses. However, the proposed building would be over 400 ft. in length and four stories in height, representing a large structure relative to adjacent single family residences. Between the proposed building and adjacent single family residences would be single-story enclosed garages for project residents, providing some transition in intensity between existing residential land uses and the main building proposed. Staff finds the requests further Policy II.B.5d.

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

The proposed project is infill development within the Established Urban area. The site is currently vacant land contiguous to existing urban facilities and services with access to the major street, transit, and trail network. The site is adjacent to McMahan Boulevard and close to Unser Boulevard which have existing transit service (Route 155), multi-use trails, and bike lanes. As stated previously, the development will be site plan controlled which will help ensure the integrity of the existing neighborhoods.

Staff agrees. The requests would be infill development. The proposal would represent new growth in an area where a full complement of urban services is available. The integrity of the existing adjacent neighborhoods would be assured through an 85-foot building setback and

intervening single-story garage structures within the development. The age restriction would be expected to result in lower noise levels than with a typical multi-family residential development. Project-generated traffic would use Fineland Dr. and McMahan Blvd. and would not need to pass through the neighborhoods. Staff finds the requests further Policy II.B.5e.

Policy II.B.5h: Higher density housing is most appropriate in the following situations:

- In designated Activity Centers.
- In areas with excellent access to the major street network.
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per acre.
- In areas where a transition is needed between single-family homes and much more intensive development; densities will vary up to 30 dwelling units per acre according to the intensity of development in adjacent areas.

The site is adjacent to the Unser/McMahan Neighborhood Activity Center and is currently zoned SU-1 for C-1 Uses.

- *The site has excellent access to McMahan Boulevard.*
- *The zoning pattern surrounding the site is a combination of SU-1 for C-1 and R-2 and R-LT. The area is developing with a mix of neighborhood commercial, offices, town homes, and single family neighborhoods. There are two hospitals nearby, which is also an important consideration for this location.*
- *The area is not zoned predominantly single family as previously stated, however, there are no similar apartment projects in the area.*
- *The site does provide a transition between the commercial activities in the Neighborhood Activity Center and the neighborhoods to the north and east.*

Staff agrees. The request would be adjacent to the Unser/McMahan Neighborhood Center and has excellent access to McMahan Blvd. via the Fineland Dr. extension. The proposed multi-family residential development would provide an appropriate transition in intensity of land use between the commercial activities developing in the McMahan Marketplace and the existing single family residential neighborhoods to the north and east of the subject property. The area is not predominantly zoned single-family in that there is considerable land area zoned R-2 and SU-1 for C-1 in the vicinity. Staff finds the requests further Policy II.B.5h.

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

The subject site is adjacent to McMahon Boulevard. The site will construct the much needed connection, Finland Drive, to the newly constructed traffic signal at McMahon Boulevard. The project has excellent access to Finland Drive.

Staff agrees. The requests would result in the completion of Finland Dr. north of McMahon Blvd. and would then have access to Finland Dr. The proposed development would generate lower traffic volumes compared to a conventional multi-family residential project, and with the proposed building setback and landscaped buffer abutting single family residential neighborhoods would not be likely to create harmful effects. A Traffic Impact Study (TIS) was not required with the applications. Staff finds the requests further Policy II.B.5k.

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

All four sides of the building have been equally detailed. The building and site plan have been designed to maximize views for the residents while protecting the adjacent neighbors through large setbacks, landscaping, and single story perimeter buildings.

Staff agrees that the proposed building and site design would provide setbacks and transition in building scale as buffers to adjacent residential neighbors. However, while generally suitable for the site, the proposed design is not innovative. Staff finds the requests partially further Policy II.B.5l.

Policy II.B.5m: Urban and site design which maintains and enhances unique vistas improves the quality of the visual environment shall be encouraged.

The project is infill development which will improve the visual environment by proposing a building that is well placed on the site with adequate setbacks on all four sides of the property. Unique vistas of the Sandia Mountains to the east will be maintained and enhanced.

Staff agrees. The proposed building and site design would provide setbacks and buffers to adjacent residential neighbors. Staff finds the requests further Policy II.B.5m.

Environmental Protection

Goal II.C.8: The Goal is to maintain and improve the natural and developed landscapes' quality.

The landscape plan utilizes a variety of plant materials appropriate for the area. Turf areas are used appropriately to provide areas for outdoor living. The street frontage along McMahon Boulevard and Finland Drive provides an attractive street face to the project and serves to enhance the pedestrian experience adjacent to the project. The north and east portions of the property include a well landscaped buffer with the appropriate use of evergreens adjacent to the existing neighbors.

Staff agrees that the requests would provide a well-landscaped development site in a visually-prominent location in northwest Albuquerque. Building architecture would provide sufficient façade articulation for visual interest through the use of balconies, roofline variation, fenestration, and changes in materials on the ground floor. The east and north site edges would be developed with garage structures similar in architectural detail to the main building. However surface parking including RV parking is depicted along the McMahan Blvd. frontage and should be enclosed or eliminated. Staff finds the requests partially further Goal II.C.8.

Transportation

Goal II.D.4: The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

The proposed project will not disrupt, and will enhance the balanced circulation system of the area. The completion of Fineland Drive provides for the connection from neighborhoods to the north to a signalized intersection with McMahan Boulevard. This connection will also facilitate bicycle and pedestrian connectivity to the transit route and trail and bike lane system.

Staff agrees. The proposed construction of Fineland Dr. between McMahan Blvd. and Pinnacle Peak Rd. would improve vehicular circulation in the area and provide direct connection to McMahan Blvd. from the residential neighborhoods north of the subject site. The proposed project would improve traffic circulation in the area but would not specifically encourage bicycling, walking, and use of transit/paratransit. Staff finds the requests partially further Goal II.D.4.

Policy II.D.4c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major transit and Enhanced Transit streets.

The proposed project adds 154 dwelling units adjacent to McMahan Boulevard. This development has the potential to increase transit ridership and will not destabilize adjacent neighborhoods. Enhancing connectivity to the transit route along McMahan Boulevard could increase ridership and make additional routes more likely in the future.

Staff agrees. The proposed multi-family residential development would add potential transit riders adjacent to McMahan Blvd., a designated Enhanced Transit Corridor. The elderly are often more transit-dependent than the general population as driving skills decline. Staff finds the requests further Policy II.D.4c.

Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

Pedestrian opportunities will be promoted through connections to the new sidewalk system along Fineland Drive that links the subject site with the adjacent trail and neighborhood commercial uses existing and proposed in the adjacent Neighborhood Activity Center.

Staff agrees. The proposed development of the Fineland Dr. connection would provide pedestrian connectivity between the emerging activity center and the residential neighborhoods to the north and east. Staff finds the requests further Policy II.D.4g.

Housing

Goal II.D.5: The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

The proposed project will provide housing to a special portion of the population, senior citizens. Senior housing is in demand and this demand is anticipated to increase as the “baby boomers” reach retirement in the years to come. The proposed project will help meet the demand for quality senior housing in an area that does not have this type of housing.

Staff agrees that the proposed project would provide housing opportunities for a segment of the population that is growing, and in many cases preferring to ‘downsize’ away from more traditional single family detached residential developments. However the proposed project would not directly address housing affordability and the needs of low-income residents. Staff finds the requests partially further Goal II.D.5.

Rank II Plan

The subject site for the requested Zone map amendment is within the boundaries of the adopted West Side Strategic Rank II Plan. The West Side Strategic Plan was first adopted in 1997. The Plan encompasses properties generally bounded by Sandoval County on the north, the Rio Puerco Escarpment on the west, the Atrisco Grant line on the south, and the Rio Grande River/Coors Blvd. on the east. The purpose of the Plan was to “provide a framework of strategic policies within which to manage future growth and development on Albuquerque’s west side.”

Analysis of Policy Consistency

Note: West Side Strategic Plan Policy text is in regular font; ***staff’s analysis is in bold italics.***

Policy 1.1: Thirteen distinct Communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential

development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

The subject site is within the Seven Bar Ranch Community of the West Side Strategic Plan (WSSP). It is not within a designated Community or Neighborhood Center. The Westside Strategic Plan identifies the McMahon Blvd./Unser Blvd. area adjacent to the west and southwest of the subject site as a Neighborhood Center. The requests would provide for multi-family residential development on a site located adjacent to a designated Neighborhood Center. Staff finds the requests further Policy 1.1.

Policy 3.4: Several clusters of neighborhoods will develop within the Seven Bar Ranch Community. Each of these shall be served by a Neighborhood Center, so neighborhood commercial, public and quasi-public uses, and other uses appropriate for such Centers shall be encouraged. The lowest density single family residential development shall not occur within these Centers, but must have safe pedestrian and bicycle access to them.

The requested ZMA and SPBP would provide for multi-family residential development adjacent to a designated Neighborhood Center. Pedestrian and bicycle access to the Neighborhood Center would be available to residents of the development for some of their retail and service needs via the existing paved trail and bicycle lane along McMahon Blvd. Staff finds the requests further Policy 3.4.

Policy 4.6:

Height

The Uniform Development Code and design guidelines prepared as a follow up to this Plan would look at height standards that reinforce the urban form desired for the West Side. Community Centers, Neighborhood Centers, and the Regional Center would be areas of higher density, with taller buildings encouraged. Outlying areas would have more lower density, clustered development, generally with lower buildings.

The subject site is adjacent to, but not within, a designated Neighborhood Center. The requested zone change to SU-1 for C-1 Uses and R-2 Uses would allow for buildings over 26 feet in height, subject to the 45-degree angle plane to be developed anywhere on the subject site, and over 26 feet in height unrestricted by angle plane where set back at least 85 feet from abutting residential properties. The proposed building height of 49.1 feet shown on the SPBP elevations would be allowable where the building is setback 85 feet from abutting single-family residential uses, but would be substantially taller than surrounding development. Staff finds overall the requests neither further nor hinder Policy 4.6 – Height.

Lighting

A relatively “dark sky” is a desirable part of the West Side lifestyle. Although this area will develop as a primarily urban area, “dark sky” objectives will be established and achieved. This does not mean that lighting will be eliminated or unduly restricted. Vehicular and pedestrian safety must be the primary concern at all times. Careful design to prevent unnecessary “light

pollution” is the desired effect. Pedestrian scale lighting in residential and commercial areas (including parking lots) is strongly encouraged in preference to large "cobra head" street lights.

The requested ZMA and SPBP would result in multi-family residential development with lighting of parking lots and building entrances typical of a multi-family residential development. In general, a residential development creates less nighttime lighting than a commercial development. The SPBP shows parking area lighting consisting of ‘shoe-box’ style fixtures on poles not exceeding 16 feet in height within 100 feet of any residential property line. Staff finds the requests further Policy 4.6 – Lighting.

Policy 4.10: It is important to promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation, encourage ridership, enhance public mobility and promote alternatives to single occupant vehicle use.

The requested ZMA and SPBP would allow residential development on a site located adjacent to existing pedestrian and bicycle facilities along McMahan Blvd., and adjacent to a neighborhood commercial center at the McMahan Blvd./Unser Blvd. intersection. The proposed development would be within walking distance of ABQ Ride Route 155 operating along Unser Blvd., thereby making transit potentially attractive to residents. Staff finds the requests further Policy 4.10.

Resolution 270-1980 (Policies for Zone Map Change Applications)

Requirements

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications pursuant to the City Zoning Code. 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, not on the City to show why a change should not 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 map pattern was created; or 2) changed neighborhood or community conditions justify the change; or 3) a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Justification & Analysis

The zone change justification letter analyzed here, dated February 27, 2014 is included with the project letter (see attachment). The subject site is currently zoned SU-1 for C-1. The proposed zoning is SU-1 for C-1 and R-2.

Pursuant to Section 1.B of R-270-1980, the burden is on the applicant to show why a change should be made, not on the City to show why a change should not be made. The applicant believes that the zone map amendment request conforms to R270-1980 as elaborated below.

Analysis of Applicant's Justification (Response to Section 1, A-J)

Note: Policy is in regular text; *Applicant's justification is in italics; Staff analysis follows in bold italics.*

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The proposed zone change from SU-1 for C-1 Uses to SU-1 for C-1 and R-2 Uses will not jeopardize the health, safety, morals and general welfare of the City. The proposed zone is not radically different from the existing zone, which already allows residential uses. Providing additional housing opportunities, specifically for seniors, adjacent to a Neighborhood Activity Center, trails, and transit service will help to improve our community.

Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable goals and policies from the Comprehensive Plan and, in this case, the West Side Strategic Plan (see also response to Section C). Staff finds the applicant's response to Section 1.A is sufficient.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

There is an array of uses (residential, office, and commercial) permitted by the existing zoning of the property. The proposed change adds a different type of residential that is complementary to the existing and surrounding zoning in the area. It will not destabilize the area, but rather help to stabilize the neighborhood. The proposed zone change will allow this vacant land to be utilized and serve the aging population. The aging population is increasing as the "baby boomer" generation comes closer to retirement, thereby raising the demand for this type of facility. Making adequate senior housing available is a social goal worthy of this zone change.

Staff agrees that the zone change request would provide another vehicle for multi-family residential development at the site and would not destabilize the area. The development standards for multi-family residential development differ between the C-1 Zone and the R-2 Zone, therefore the request would provide development standards more traditional in multi-family residential development. At the same time, the range of permissive uses would be expanded to include certain types of group homes. The density and intensity (FAR) of the proposed multi-family residential development would be within allowable ranges under either the C-1 or R-2 zones. Staff finds the applicant's response to Section 1.B is sufficient.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

The proposed change is not in conflict with adopted elements of the Comprehensive Plan, rather it furthers several goals and policies related to the Established Urban area, Developed Landscape,

Transportation and Transit, and Housing, as discussed above. The proposed use also furthers goals and policies in the West Side Strategic Plan.

Staff agrees that there is no significant conflict overall with the Comprehensive Plan or other City plan. Staff finds the policy discussion in the applicant's justification letter provides a sufficient response to Section 1.C.

D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

Changed community conditions justify the present zone change request. The need for senior housing has increased and will continue to increase as the "baby boomer" generation approaches the age for retirement. The Comprehensive Plan has also changed, adding policies that support infill development, and the efficient placement of multi-unit housing and employment in areas to complement Activity Centers and along Transit Corridors. Such policies are furthered by the proposed project, as previously explained in the Comprehensive Plan policy analysis.

Staff agrees that there has been growing demand for senior housing in the City since the current zoning designation of SU-1 for C-1 was assigned to the subject property in 2003. At that time, multi-family residential development was not a C-1 permissible use. Currently, multi-family residential development is permissible under the C-1 and the R-2 designations. Staff finds the applicant's response to Section 1.D is sufficient.

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The proposed zone change will not include any permissive uses that would be harmful to adjacent property, the neighborhood, or the community. As mentioned previously, the zone change sought is not a major change from the existing zoning of the property, because residential uses are already permissive. The nature of this land use will not pose a threat to the adjacent property, the neighborhood, or the community.

Staff agrees that the permissive uses under R-2 zoning would not be harmful to adjacent property, the neighborhood, or the community and finds that the request is generally compatible with adjacent land uses and zoning. The applicant has held two meetings for the surrounding community regarding these requests, the most recent of which was a Facilitated Meeting held on March 27, 2014. Facilitated Meeting attendees asked design-related questions and expressed concern regarding glazing on the main building but did not voice opposition to the requests. Staff finds the applicant's response to Section 1.E is sufficient.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The proposed zone change will not require major and unprogrammed capital expenditures by the City, and in fact the project will provide for new infrastructure (Fineland Drive) needed for the surrounding neighborhoods at no expense to the City. Adequate infrastructure, including McMahon Boulevard, water, sewer, and stormwater facilities are available to serve the project.

Staff agrees that the request will not require major or unprogrammed capital expenditures by the City. Staff finds the applicant's response to Section 1.F is sufficient.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

The cost of land or other economic considerations are not the determining factor for this zone change request. The proposed use will positively contribute to the area through construction jobs, gross receipts taxes, and increased property values.

Staff agrees that the cost of land or other economic considerations are not the determining factor for the proposed zone change. The proposed multi-family residential development could be built under the current or proposed property zoning. Staff finds the applicant's response to Section 1.G is sufficient.

H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The current request is not based on its location on McMahon Blvd. This request furthers multiple goals and policies of the Comprehensive Plan and will serve as an excellent neighbor to the surrounding uses. This zone change seeks to expand the permissive uses on the property to allow the proposed project.

Staff agrees that location on a major street is not being used, in itself, as justification for the proposed zone change. However, the applicant's statement that the requested zone change would expand the permissive uses on the property to allow the proposed project is inaccurate. The proposed use, age-restricted multi-family residential development, would be permissive under the current C-1 Zone and the proposed R-2 Zone. Staff finds the applicant's response to Section 1.H is sufficient overall.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The request is not a spot zone since the surrounding properties are already zoned SU-1 for C-1 and SU-1 for R-2 uses.

Staff agrees that the request would not create a spot zone in that the subject site is adjacent to properties zoned SU-1 for R-2, north of the site. Staff notes that SU-1 zoning is generally considered a justifiable spot zone. Staff finds the applicant's response to Section 1.I is sufficient.

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The present zone change request is not considered "strip commercial zoning."

Staff agrees. The request would not result in a strip commercial zone. Staff finds the applicant's response to Section 1.J is sufficient.

IV. ANALYSIS - SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Site Plan Layout / Configuration

Use. The use of Tracts B-1 and D-1, Fineland Development Subdivision for multi-family residential development would be permissive under the current zoning of SU-1 for C-1 and under the proposed zoning of SU-1 for C-1 and R-2. Because of the age restriction on residency in the development, daily trip generation would be lower than with a typical multi-family residential development as many of the residents would not be driving to and from work on a daily basis.

Open Space/FAR/Density: The SPBP proposes a building footprint of 46,269 sq. ft., for lot coverage of 16%. The FAR with the total 166,361 sq. ft. of building area would be 0.58, more than

the minimum 0.3 FAR required by Zoning Code §14-16-2-16(7). A maximum density of 30 dwelling units per acre is allowed, and the SPBP density would be 23.19 dwelling units per acre.

The site layout would be consistent with the requirements of the R-2 Zone per Zoning Code §14-16-2-11(C-E) and (G). The SPBP does not demonstrate compliance with the R-2 Zone Usable Open Space requirements of 400 sq. ft. per studio and one bedroom unit, and 500 sq. ft. per two bedroom unit, which would be 1.6 acres for this proposed development. However, approximately 15% of the site area would be landscaped and the proposed building would have a usable outdoor patio space of 575 sq. ft. Most of the units would also have individual walk-out balconies, however the size of each is not provided with the application materials.

Vehicular Access, Circulation and Parking

Vehicular access to the site would be from Fineland Dr. only, where there would be three vehicle entrances, one at the main entrance and one each on the north and south ends of the property. After entering, vehicles could proceed around the site in a loop connecting at the east side of the site. Access to the proposed garages would be at the north, south and east sections of the circulator road. Vehicles could proceed directly to the building's main entrance and un-enclosed parking approximately mid-block along Fineland Dr. A Traffic Impact Study (TIS) was not required with the applications.

Required parking is calculated pursuant to Zoning Code §14-16-3-1. For multi-family residential uses, one space is required for every bathroom provided in units with a net leasable area of less than 1,000 sq. ft. but no less than 1.5 spaces per unit, and one space per bath and no less than two spaces per unit over 1,000 sq. ft. of leasable area, so 249 spaces would be required. However, in this case, parking required can be reduced by up to 10% for developments within 300 ft. of a regular ABQ Ride transit route, thus the total required parking for the proposed development is 224 spaces. Of the required parking spaces, eight must be handicap accessible (HC).

A total of 238 parking spaces would be provided. Of these, 125 would be surface parking, 41 spaces within carports, 68 spaces within garages, and four surface parking spaces designed to accommodate an RV. Five HC spaces are proposed. Staff recommends a condition of approval requiring the SPBP be revised to depict a minimum of eight HC parking spaces.

In addition to the required spaces, five motorcycle (MC) spaces are required. The applicant has not provided motorcycle parking spaces, citing experience at other communities operated by the same applicant where motorcycle parking utilized full-size carports or garage spaces. For bicycle parking, calculated at the rate of 1 space/20 required parking spaces, 12 spaces would be required and five would be provided on one bike rack. Staff recommends a condition of approval requiring the SPBP be revised to demonstrate compliance with Zoning Code requirements for bicycle parking.

Refuse Enclosure

The refuse enclosures would be inside the proposed building, at the north and south ends of the building. Access by tenants would be from the building interior.

Public Outdoor Space

Zoning Code §14-16-3-18(C)(3) requires outdoor seating for major facades greater than 100 feet in length. The SPBP shows the building with two facades, the east and west, at approximately 275 feet in length. The Zoning Code seating must be provided at the rate of one seat per 25 linear feet of façade. For each of the two facades, there would be 11 seats required.

A small patio space is proposed on the building's east side. This would be the likely location for the required seating although the SPBP does not provide detail of patio furnishings.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian access would be provided from the street (Fineland Dr.) to the building's main entrance and to secondary entrances at the buildings north and south ends. The six foot wide sidewalks from Fineland Dr. to the building entrances would necessitate crossing the drive aisle at the northern end.

Walls/Fences

Security fence and/or new walls are not proposed around the subject site's perimeter. At the northern and eastern property lines concrete block walls exist, as privacy fencing for the existing residences.

Lighting and Security

The SPBP shows parking area lighting consisting of 'shoe-box' style, full cut-off fixtures mounted on poles not exceeding 16 feet in height within 100 feet of any residential property line.

Landscaping

Requirements: Zoning Code §14-16-3-10, Landscaping Regulations Applicable to Apartment and Non-Residential Development, applies. The minimum requirement for 75% coverage with living, vegetative materials would be met in all required locations.

Parking Lot Trees: One parking lot tree is required for every 10 parking spaces. A total of 238 parking spaces would require 24 parking lot trees. A total of 24 trees would be provided (Desert Willow, Chitalpa, Austrian Pine and Modesto Ash).

Street Trees: Street trees are required pursuant to the Street Tree Ordinance (§ 6-6-2-1). A total of 12 Chitalpa and Modesto Ash are proposed along McMahan Blvd. frontage, and 23 Chitalpa, Crape Myrtle and Modesto Ash are proposed along Fineland Dr. frontage. The required tree spacing, about 30 feet on-center, would be achieved.

Grading & Drainage Plan

The subject site generally slopes downward, approximately south to north, with about an 18 foot drop. Proposed grading would create contour elevations ranging from 5,280 ft. near the far northern property boundary to 5,303 ft. along the southern boundary of the site. Three ponding areas are proposed, within the landscape areas in the site's northwest quadrant.

Utility Plan

Utility connections for domestic water and fire service would be made within an existing, 25 foot wide public drainage, utility and pedestrian access easement within the existing public roadway easement for the connection of Fineland Dr. between McMahon Blvd. and Pinnacle Peak Rd. Sewer connection would be made to the existing line stub-out at the northeast corner of the subject property. A new water line and a new sanitary sewer line are proposed to run from the existing stub-outs.

Architecture

The proposed building elevations on SPBP sheets A5.0 – A5.3 show a four-story building and façade detailing including change of wall materials, fenestration, step backs, and varied rooflines. Exterior materials would include tinted stucco walls with stacked stone accents and decorative wood corbels and fascia. The proposed building stucco would be tinted in four colors to create façade variation. Corbels and fascia would be painted dark brown. Roofing would be asphalt shingle.

Signage

The proposed monument sign would be aluminum panel, double-sided, and mounted to two concrete support columns faced with stone veer on the lower three feet 10 inches. The sign structure would be seven feet high and 12 feet in width. The sign area detail shows a dimension of seven feet height by three feet eleven inches, for approximately 27.44 sq. ft. of sign face area.

VII. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

Transportation Planning provided several comments on the SPBP. One that could have an impact on the site design is that a number of easements conflict with the proposed site layout and must be vacated prior to placing any parking or structures in this area. Recommended conditions of approval include one that would require a replat to vacate easements and lot lines must be approved Prior to Building Permit approval.

Neighborhood/Public

Representatives from the Tuscany Neighborhood Association and the Westside Coalition of Neighborhood Association and property owners within 100 feet of the subject site were notified. A Facilitated Meeting was held and concern with building glazing was expressed. There is no known opposition to the requests.

VIII. CONCLUSION

This two-part proposal is for a Zone Map Amendment from SU-1 for C-1 to SU-1 for C-1 and R-2, and a corresponding Site Development Plan for Building Permit. The subject site is approximately 6.64 acres located on the north side of McMahon Blvd. NW, adjacent to intersection of Fineland Dr. NW. The applicant proposes to develop an age-restricted multi-family residential project with 154

units in a four-story building, plus recreation facilities and parking for residents. Fineland Dr. would be constructed between McMahon Blvd. and Pinnacle Peak Rd. with the site development.

The subject site is in the Established Urban Area of the Comprehensive Plan. The West Side Strategic Plan also applies. The applicant has adequately justified the Zone Map Amendment request per R270-1980 based on general consistency with a preponderance of applicable Comprehensive Plan goals and policies and West Side Strategic Plan policies. Staff recommends approval.

Regarding the Site Development Plan for Building Permit, the proposed development would further a preponderance of applicable Comprehensive Plan goals and policies and West Side Strategic Plan policies, including consistency with adjacent residential development and the appropriateness of proposed building and landscape design. Staff recommends approval subject to conditions.

FINDINGS – 14EPC 40015, April 10, 2014, Zone Map Amendment

1. This is a request for a zone map amendment from SU-1 for C-1 to SU-1 for C-1 and R-2, for Tracts B-1 and D-1, Fineland Development Subdivision located on McMahon Blvd. NW, adjacent to the intersection of Fineland Dr. NW.
2. There is an accompanying request for a Site Development Plan for Building Permit (14EPC-40016).
3. The subject site is in the Established Urban Areas of the Comprehensive Plan and within the area of the West Side Strategic Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.
4. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The applicant has justified the Zone Map Amendment request pursuant to **Resolution 270-1980** as follows:
 - A. Section 1A: The proposed zone change will not jeopardize the health, safety, morals and general welfare of the City. The proposed zone is not radically different from the existing zone, which already allows residential uses. Providing additional housing opportunities, specifically for seniors, adjacent to a Neighborhood Activity Center, trails, and transit service will help to improve our community.
 - B. Section 1B: There is an array of uses (residential, office, and commercial) permitted by the existing zoning of the property. The proposed change adds a different type of residential that is complementary to the existing and surrounding zoning in the area. It will not destabilize the area, but rather help to stabilize the neighborhood. The proposed zone change will allow this vacant land to be utilized and serve the aging population.
 - C. Section 1C: The applicant has adequately justified how the requested zone change furthers a preponderance of the Goals and Policies that are represented in the Comprehensive Plan.

Policy II.B.5.d: New development respects neighborhood values, environmental conditions, scenic resources. The development will be site plan controlled, a process that helps maintain the integrity and values of existing neighborhoods nearby. The surrounding zoning is a combination of SU-1 for C-1 and SU-1 for R-2, which provides an appropriate zoning context for the proposed use.

Policy II.B.5e: New growth accommodated where vacant land is contiguous to urban facilities and the integrity of existing neighborhoods ensured. The proposed project is infill development within the Established Urban area. The site is currently vacant land contiguous to existing urban facilities and services with access to the major street, transit, and trail network.

Policy II.B.5h: Higher density most appropriate with excellent access; where a mixed density pattern is already established; where a transition is needed between single-family homes and more intensive development. The site is adjacent to the Unser/McMahon Neighborhood Activity Center and has excellent access to McMahon Boulevard. The site does provide a transition between the commercial activities in the Neighborhood Activity Center and the neighborhoods to the north and east.

Policy II.B.5.k: Land and transportation planned to minimize harmful effects of traffic. The subject site is adjacent to McMahon Boulevard and will construct the needed connection, Fineland Drive, to the traffic signal at McMahon Boulevard. The project has excellent access to Fineland Drive.

Policy II.B.5.m: Development shall respect existing neighborhood values, natural environmental conditions and carrying capacities. The project will improve the visual environment by a building that is well placed on the site with adequate setbacks on all four sides of the property. Unique vistas of the Sandia Mountains will be maintained and enhanced.

Policy II.D.4c: Additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets. The project adds 154 dwelling units adjacent to McMahon Boulevard and has the potential to increase transit ridership and will not destabilize adjacent neighborhoods.

Policy II.D.4g: Pedestrian opportunities integrated into development to create safe and pleasant non-motorized travel conditions. Pedestrian opportunities will be promoted through connections to the new sidewalk system along Fineland Drive that links the subject site with the adjacent trail and neighborhood commercial uses existing and proposed in the adjacent Neighborhood Activity Center.

The Zone Map Amendment request **partially furthers** the following **Comprehensive Plan** policy:

Policy II.B.5.l: Quality and innovation in design encouraged which is appropriate to the Plan area. The building and site plan have been designed to maximize views for the residents while protecting the adjacent neighbors through large setbacks, landscaping, and single story perimeter buildings. While suitable for the site, the proposed design is not innovative.

The Zone Map Amendment request **furthers** the following **Westside Strategic Plan** policies:

Policy 1.1: High density and non-residential development within Community and Neighborhood Centers. The requests would provide for multi-family residential development on a site located adjacent to a designated Neighborhood Center.

Policy 3.4: Several clusters of neighborhoods will develop within the Seven Bar Ranch Community and each served by a Neighborhood Center. Pedestrian and bicycle access to the Neighborhood Center would be available to residents of the development via the existing paved trail and bicycle lane along McMahon Blvd.

Policy 4.6 – Lighting: “Dark sky” objectives will be achieved. Careful design to prevent unnecessary “light pollution” is the desired effect. The SPBP shows parking area lighting consisting of ‘shoe-box’ style fixtures on poles not exceeding 16 feet in height within 100 feet of any residential property line.

Policy 4.10: Promote land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation. The site is located adjacent to pedestrian and bicycle facilities along McMahon Blvd., would be within walking distance of ABQ Ride Route 155 operating along Unser Blvd.

- D. Section 1D: Changed community conditions justify the present zone change request. The need for senior housing has increased and will continue to increase as the “baby boomer” generation approaches the age for retirement. The Comprehensive Plan has also changed, adding policies that support infill development, and the efficient placement of multi-unit housing and employment in areas to complement Activity Centers and along Transit Corridors.
- E. Section 1E: The proposed zone change will not include any permissive uses that would be harmful to adjacent property, the neighborhood, or the community. The zone change sought is not a major change from the existing zoning, because residential uses are already permissive. The nature of this land use will not pose a threat to the adjacent property, the neighborhood, or the community.
- F. Section 1F: The proposed zone change will not require major and unprogrammed capital expenditures by the City, and will provide for new infrastructure (Finland Drive). Adequate infrastructure, including McMahon Boulevard, water, sewer, and stormwater facilities are available to serve the project.
- G. Section 1G: The cost of land or other economic considerations are not the determining factor for this zone change request. The proposed use will positively contribute to the area through construction jobs, gross receipts taxes, and increased property values.
- H. Section 1H: The current request is not based on its location on McMahon Blvd. This request furthers multiple goals and policies of the Comprehensive Plan and will serve as an excellent neighbor to the surrounding uses.
- I. Section 1I: The request is not a spot zone since the surrounding properties are already zoned SU-1 for C-1 and SU-1 for R-2 uses.
- J. Section 1J: The present zone change request is not considered “strip commercial zoning.”

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6. Representatives from the Tuscany Neighborhood Association and the Westside Coalition of Neighborhood Association and property owners within 100 feet of the subject site were notified. A Facilitated Meeting was held and concern with building glazing was expressed. There is no known opposition to the requests.

RECOMMENDATION - 14EPC 40015, April 10, 2014, Zone Map Amendment

APPROVAL of 14EPC 40015, a request for a Zone Map Amendment from SU-1 for C-1 to SU-1 for C-1 and R-2, for Tracts B-1 and D-1, Fineland Development Subdivision located on McMahan Blvd. NW, adjacent to intersection of Fineland Dr. NW, based on the preceding Findings.

FINDINGS – 14EPC 40016, April 10, 2014, Site Development Plan for Building Permit

1. This is a request for a Site Development Plan for Building Permit, for Tracts B-1 and D-1, Fineland Development Subdivision located on McMahan Blvd. NW, adjacent to the intersection of Fineland Dr. NW.
2. There is an accompanying request for a Zone Map Amendment from SU-1 for C-1 to SU-1 for C-1 and R-2 (14EPC-40015).
3. The subject site is in the Established Urban Areas of the Comprehensive Plan and within the area of the West Side Strategic Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.
4. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The Site Development Plan for Building Permit request furthers the following Comprehensive Plan policies:

Policy II.B.5.d: New development respects neighborhood values, environmental conditions, scenic resources. The development will be site plan controlled, a process that helps maintain the integrity and values of existing neighborhoods nearby. The surrounding zoning is a combination of SU-1 for C-1 and SU-1 for R-2, which provides an appropriate zoning context for the proposed use.

Policy II.B.5e: New growth accommodated where vacant land is contiguous to urban facilities and the integrity of existing neighborhoods ensured. The proposed project is infill development within the Established Urban area. The site is currently vacant land contiguous to existing urban facilities and services with access to the major street, transit, and trail network.

Policy II.B.5h: Higher density most appropriate with excellent access; where a mixed density pattern is already established; where a transition is needed between single-family

homes and more intensive development. The site is adjacent to the Unser/McMahon Neighborhood Activity Center and has excellent access to McMahon Boulevard. The site does provide a transition between the commercial activities in the Neighborhood Activity Center and the neighborhoods to the north and east.

Policy II.B.5.k: Land and transportation planned to minimize harmful effects of traffic. The subject site is adjacent to McMahon Boulevard and will construct the needed connection, Finland Drive, to the traffic signal at McMahon Boulevard. The project has excellent access to Finland Drive.

Policy II.B.5.m: Development shall respect existing neighborhood values, natural environmental conditions and carrying capacities. The project will improve the visual environment by a building that is well placed on the site with adequate setbacks on all four sides of the property. Unique vistas of the Sandia Mountains will be maintained and enhanced.

Policy II.D.4c: Additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets. The project adds 154 dwelling units adjacent to McMahon Boulevard and has the potential to increase transit ridership and will not destabilize adjacent neighborhoods.

Policy II.D.4g: Pedestrian opportunities integrated into development to create safe and pleasant non-motorized travel conditions. Pedestrian opportunities will be promoted through connections to the new sidewalk system along Finland Drive that links the subject site with the adjacent trail and neighborhood commercial uses existing and proposed in the adjacent Neighborhood Activity Center.

6. The Site Development Plan for Building Permit request partially furthers the following Comprehensive Plan policies:

Policy II.B.5.l: Quality and innovation in design encouraged which is appropriate to the Plan area. The building and site plan have been designed to maximize views for the residents while protecting the adjacent neighbors through large setbacks, landscaping, and single story perimeter buildings. While suitable for the site, the proposed design is not innovative.

7. The Site Development Plan for Building Permit request **furthers** the following **Westside Strategic Plan** policies:

Policy 1.1: High density and non-residential development within Community and Neighborhood Centers. The requests would provide for multi-family residential development on a site located adjacent to a designated Neighborhood Center.

Policy 3.4: Several clusters of neighborhoods will develop within the Seven Bar Ranch Community and each served by a Neighborhood Center. Pedestrian and bicycle access to

the Neighborhood Center would be available to residents of the development via the existing paved trail and bicycle lane along McMahon Blvd.

Policy 4.6 – Lighting: “Dark sky” objectives will be achieved. Careful design to prevent unnecessary “light pollution” is the desired effect. The SPBP shows parking area lighting consisting of ‘shoe-box’ style fixtures on poles not exceeding 16 feet in height within 100 feet of any residential property line.

Policy 4.10: Promote land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation. The site is located adjacent to pedestrian and bicycle facilities along McMahon Blvd., would be within walking distance of ABQ Ride Route 155 operating along Unser Blvd.

8. The Zoning Code requires five motorcycle (MC) spaces for the development. The applicant has not provided motorcycle parking spaces, citing experience where motorcycle parking utilized full-size carports or garage spaces. Per Zoning Code § 14-16-2-22 (C) the EPC may adopt site-specific parking requirements for a development within an SU-1 Zone. Designated MC spaces are not required for this SPBP.
9. Representatives from the Tuscany Neighborhood Association and the Westside Coalition of Neighborhood Association and property owners within 100 feet of the subject site were notified. A Facilitated Meeting was held and concern with building glazing was expressed. There is no known opposition to the requests.

RECOMMENDATION - 14EPC 40016, April 10, 2014, Site Development Plan for Building Permit

APPROVAL of 14EPC 40016, a request for a Site Development Plan for Building Permit, Tracts B-1 and D-1, Fineland Development Subdivision located on McMahon Blvd. NW, adjacent to intersection of Fineland Dr. NW, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL -14EPC 40016, April 10, 2014, Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Prior to application submittal to the DRB, the SPBP shall be revised to depict a minimum of eight HC parking spaces.

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4. Prior to application submittal to the DRB, the SPBP shall be revised to demonstrate compliance with the R-2 Zone Usable Open Space requirements of 400 sq. ft. per studio and one bedroom unit, and 500 sq. ft. per two bedroom unit. Alternatively, a variance shall be approved by the ZHE prior to application submittal to the DRB.
 5. Prior to application submittal to the DRB, the SPBP shall be revised to demonstrate compliance with Zoning Code requirements for bicycle parking, calculated at the rate of 1 space/20 required. A number of easements conflict with the proposed site layout.
 6. Prior to DRB approval, additional information/clarification must be provided regarding existing Easements and Lot Lines to the proposed Development. Please refer to the following easements, granted with the Bulk Land Plat of the Fineland Development (recorded 01/11/2002 Bk-2002C pg-16):
 - a. 25 ft. Public Drainage, Utility & Pedestrian Access Easement to the CoA, PNM & NMUI along the northern property line of Parcel B;
 - b. 25 ft. Utility & Pedestrian Access Easement to the CoA along the eastern property line of Parcel B & D;
 - c. 48 ft. Public Roadway Easement to the CoA and a 10 ft. PNM Easement along shared property line of Parcel B & D from eastern property to centerline of Fineland roadway; and
 - d. 60 ft. Public Roadway Easement and a 10 ft. PMN Easement along shared property line of Parcel A with Parcel B & D. These easements must be vacated prior to placing any parking or structures in this area.
 7. Prior to Building Permit approval, a replat to vacate easements and lot lines must be approved through the DRB.
 8. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
 9. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
 10. Current Grading and Landscape Plans do not allow for Pedestrian Access Easement to remain viable; reference Sheet 3/12 Sections 1, 2 and 3.
 11. Easement 1, provided on SPBP, does not reflect the easements as shown on the most recent platting action. All easements must be shown accurately and show location and width.
 12. A DRC Work order will be required for work proposed within City of Albuquerque right of way (including Fineland Drive and McMahon Blvd frontage).
-

***Chris Glore, AICP
Planner***

Notice of Decision cc list:

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Attachments

1. Additional Staff information:
 - a. June 28, 1999 EPC Notice of Decision
 - b. September 18, 2003 EPC Notice of Decision
 - c. Photographs
 - d. R-2 Zone
 - e. R270-1980
2. Application:
 - a. Cover Page
 - b. TIS form
 - c. Authorization letters
 - d. Justification letter
3. Neighborhood info/input
 - a. ONC letter
 - b. Applicant letter & certified mail receipts
 - c. Facilitated Meeting Report
4. Site Plan reductions

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

- Surface parking including RV parking is shown along the McMahon Blvd. frontage and should be enclosed or eliminated.
- The Street Tree ordinance applies to Collector streets as well as Arterial streets, thus the site frontage along Fineland Dr. must also meet the requirement.
- Zoning Code §14-16-3-18(C)(3) requires outdoor seating for major facades greater than 100 feet in length. The SPBP shows two facades, the east and west, at approximately 275 feet in length each. The SPBP shall be revised to demonstrate consistency with Zoning Code seating required.

Zoning Enforcement

- Project 1000875 Affinity
Off street parking per 14-16-2-22(C)
Height per 14-16-2-22(D)

Office of Neighborhood Coordination

- Tuscany NA (R)

Westside Coalition of NA's

3/3/14 – Recommended for Facilitation – siw

3/7/14 – Assigned to Diane Grover - th

3/16/14 – A Facilitated Meeting scheduled for Monday, 3/24/14 at 6:30 pm at the NW APD Area Command, 10401 Cibola Loop NW - siw

Long Range Planning

- McMahon is designated as an Enhanced Transit Corridor per the ABQ/Bernco Comprehensive Plan. The C-1 zone allows R-3 uses permissively on tracts of .5 acres or more along Major or Enhanced Transit Corridors, in Activity Center and in MRA areas. The applicant could develop this project without the zone map amendment. The building would have to meet the design standards of 14-16-2-16-(A)(7)(b).

Metropolitan Redevelopment – No comments received.

CITY ENGINEER

Transportation Development:

1. A number of easements conflict with the proposed site layout. Please refer to the following easements, granted with the Bulk Land Plat of the Fineland Development (recorded 01/11/2002 Bk-2002C pg-16):

-
- 25 ft. Public Drainage, Utility & Pedestrian Access Easement to the CoA, PNM & NMUI along the northern property line of Parcel B
 - 25 ft. Utility & Pedestrian Access Easement to the CoA along the eastern property line of Parcel B & D.
 - 48 ft. Public Roadway Easement to the CoA and a 10 ft. PNM Easement along shared property line of Parcel B & D from eastern property to centerline of Fineland roadway.
 - 60 ft. Public Roadway Easement and a 10 ft. PMN Easement along shared property line of Parcel A with Parcel B & D.

These easements must be vacated prior to placing any parking or structures in this area.

2. Prior to Building Permit approval, a replat to vacate easements and lot lines must be approved through the DRB.
3. Current Grading and Landscape Plans do not allow for Pedestrian Access Easement to remain viable; reference Sheet 3/12 Sections 1, 2 and 3.
4. Easement 1, provided on SPBP, does not reflect the easements as shown on the most recent platting action. All easements must be shown accurately and show location and width.
5. A DRC Work order will be required for work proposed within City of Albuquerque right of way (including Fineland Drive and McMahan Blvd frontage). The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
6. Handicap Parking required by zoning is 8 but only 7 are indicated on SPBP.
7. Does Zoning require designated motorcycle stalls? None are provided.
8. RV parking located in SE corner of site appears to be tight for maneuvering. Provide a turning template exhibit.
9. It is indicated that the current Encroachment area at the SE corner of site will be deeded to the adjacent property owner. Provide additional clarification.
10. A pedestrian crossing, indicated in *Keyed Note 11*, located between north end of proposed building and eastern property line, goes between garages and dead ends into an easement with unspecified grade. Please clarify intention and accessibility.
11. The proposed Pool House identifies a garage but provides no vehicular access.
12. Provide build notes and details for all items being built within the site.
13. Refuse enclosures are indicated within the building. However, there are no solid waste refuse enclosures within the vehicular paths; clarify.
14. Please provide the location of the Monument Sign and provide a sight distance exhibit.

Hydrology Development:

- Drainage at this site is restricted to approximately 1 cfs/ac. The grading plan shows ponds, however more information is required to determine if they are sized adequately. The ponds may change as the site proceeds through DRB.
- Section 3 of the Grading Plan should show a swale or channel and include a note to that affect to direct flows to the ponding area
- The carport roofs should drain to the parking lot. Sheets 3 of 12 and AG2.1 should be revised.
- Easements should be shown full width, rather than pointing to a line of zero width.
- An approved drainage report and conceptual grading plan are required for site plan approval at DRB.

DEPARTMENT OF MUNICIPAL DEVELOPMENT

Transportation Planning:

- Regarding roadway system facilities, McMahon Blvd. is a Principal Arterial with access limitations per the Long Range Roadway System Map and the Transportation & Land Use Concept Map for the Westside/McMahon Corridor within the West Side Strategic Plan.
- The full-access intersection proposed on McMahon Blvd. in connection with this request is positioned in accordance with these maps.
- Bicycle lanes and a multi-use trail also exist on McMahon at this location.
- There is an existing on-site pedestrian access easement located around the perimeter of the site that potentially could be connected to other pedestrian access opportunities within the adjoining subdivision to the east (a walled corridor extends off-site toward Monterey Bay Court from the site's northeast corner).

Traffic Engineering Operations - No comments received.

Street Maintenance - No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER:

Conditions of approval for the proposed Amndt to Zone Map shall include: None

Conditions of approval for the proposed Site Development – Building Permit shall include:

- 1 A number of easements conflict with the proposed site layout. Please refer to the following easements, granted with the Bulk Land Plat of the Fineland Development (recorded 01/11/2002 Bk-2002C pg-16):

- 25 ft. Public Drainage, Utility & Pedestrian Access Easement to the CoA, PNM & NMUI along the northern property line of Parcel B
- 25 ft. Utility & Pedestrian Access Easement to the CoA along the eastern property line of Parcel B & D.
- 48 ft. Public Roadway Easement to the CoA and a 10 ft. PNM Easement along shared property line of Parcel B & D from eastern property to centerline of Fineland roadway.
- 60 ft. Public Roadway Easement and a 10 ft. PMN Easement along shared property line of Parcel A with Parcel B & D.

These easements must be vacated prior to placing any parking or structures in this area.

- 2 The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as required by the Development Review Board (DRB).
- 3 Prior to DRB approval, additional information/clarification must be provided regarding existing Easements and Lot Lines to the proposed Development.
- 4 Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the *Development Process Manual* and current ADA criteria.
- 5 Prior to Building Permit approval, a replat to vacate easements and lot lines must be approved through the DRB.
- 6 Current Grading and Landscape Plans do not allow for Pedestrian Access Easement to remain viable; reference Sheet 3/12 Sections 1, 2 and 3.
- 7 Easement 1, provided on SPBP, does not reflect the easements as shown on the most recent platting action. All easements must be shown accurately and show location and width.
- 8 A DRC Work order will be required for work proposed within City of Albuquerque right of way (including Fineland Drive and McMahon Blvd frontage)

WATER UTILITY AUTHORITY

Utility Services - No comments received.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division - No comments received.

Environmental Services Division - No comments received.

PARKS AND RECREATION

Planning and Design

- **14EPC-40015 Amendment to Zone Map (Establish Zoning/Zone Change)**
 - No comments
- **14EPC-40016 Site Development Plan for Building Permit**
 - Please indicate method of protecting the existing Trail along McMahon from damages during construction. Any damage to be repaired to City Standards at the Developer’s expense prior to issuance of C.O. Please contact City Trails Planner, James Lewis at 768-5325 for information and coordination

Open Space Division - No comments received.

POLICE DEPARTMENT/Planning

- This project is in the Northwest Area Command.
 - Recommend the placement of proposed exterior lighting and landscaping do not conflict with each other. Proposed lighting of out-door parking areas, covered canopy’s, enclosed garage areas, walkways, building approaches, common areas and maintenance facilities should not be placed in the same general area as large variety plantings. The areas listed should be free of obstruction and provide clear lines-of-sight, illumination and natural surveillance. Once tree’s become mature, they will likely reduce the effectiveness of available illumination. Lower-level bush varieties should be kept to a level of no more than three (3) feet off the ground.
 - The proposed building and surrounding areas should include a video surveillance camera system. Cameras should be positioned to view all vehicle access points, parking areas – to include open, canopy and garages, walkways, building approaches and common areas. Each camera should be monitored and recorded for real-time and historical use.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division - No comments received.

FIRE DEPARTMENT/Planning - No comments received.

TRANSIT DEPARTMENT

Project # 1000875 14EPC-40015 AMNDT TO ZONE MAP (ESTB ZONING/ZONE CHG) 14EPC-40016 SITE DEVELOPMENT - BUILDING PERMIT	Adjacent and nearby routes	None.
	Adjacent bus stops	None
	Site plan requirements	No comments received.

LOTS B-1 & D-1, FINLAND DEVELOPMENT ZONED SU-1 C-1 & R-2 LOCATED ON NE CORNER OF FINLAND DR AND MCMAHON BLVD NW. APPROX. 6.64 ACRES (A-11).	Large site TDM suggestions	None.
	Other information	None.