



**Environmental
Planning
Commission**

**Agenda Number: 5
Project Number: 1001580
Case Numbers: 14EPC-40030/40031
November 13, 2014**

**Supplemental Staff Report- Remand
(to be read in conjunction with the original Staff report)**

Agent	Robert Lucero, Rodey Law Firm
Applicant	Roybal-Mack Law PC
Requests	Sector Development Plan Map Amendment (zone change) Site Development Plan for Building Permit
Legal Description	Lot 1-A, Block 6, Plat of Lot 1-A, Block 6-Albright Moore Addition
Location	SE corner of 6 th St. NW and Kinley Ave. NW (1324 6 th St. NW)
Size	Approximately 0.08 acre
Existing Zoning	SU-2 for S-R (Sawmill Residential)
Proposed Zoning	SU-2 for SU-1 for Residential, Law Office, Court Reporter, Accountant, Architect, Engineer

Staff Recommendation

DEFERRAL of 14EPC-40030 and 14EPC-40031 for 30 days to the December 11, 2014 hearing, based on the Findings on Page 1 and at the request of the applicant.

Staff Planner
Catalina Lehner-AICP, Senior Planner

Summary of Analysis

This request for a sector development plan map amendment (zone change) to the Sawmill/Wells Park Sector Development Plan (SWPSDP), and an associated site development plan for building permit, was approved at the June EPC hearing. A single-family home, recently converted into a law office, occupies the subject site.

The approval was appealed and heard by the Land Use Hearing Officer (LUHO) on August 25. The Council affirmed the LUHO’s recommendation to remand the matter to the EPC to re-evaluate the relationship between the SU-2 and SU-1 zones under the SWPSDP, parking, and spot zoning. Additional analysis and revised findings will be provided in the remand Staff report in December.

The applicant has requested a 30 day deferral to allow additional time to continue to explore solutions to the parking issue.



City Departments and other interested agencies reviewed this application from 04/28/'14 to 05/09/'14. Agency comments used in the preparation of the June Staff report begin on Page 23 of that report.

FINDINGS - 14EPC-40030, November 13, 2014- Sector Development Plan Map Amendment (zone change)

1. The subject request is for a sector development plan map amendment (zone change) for Lot 1-A, Block 6, Plat of Lot 1-A, Block 6 of the Albright-Moore Addition, an approximately 0.08 acre site located at the southeast corner of Sixth Street NW and Kinley Avenue NW. The subject site is within the boundaries of the Central Urban Area of the Comprehensive Plan and the Sawmill/Wells Park Sector Development Plan (SWPSDP).
2. The subject request was heard and approved at the June 12, 2014 EPC hearing. A neighbor appealed the decision. The hearing before the Land Use Hearing Officer (LUHO) was held on August 25, 2014. In his September 1, 2014 opinion, the LUHO recommended that the request be remanded to the EPC to supplement the record and to more thoroughly address parking requirements and Section 1I of R270-1980 regarding spot zoning.
3. In a November 3, 2014 letter, the applicant requests a 30 day deferral to allow sufficient time to further explore parking arrangements and solutions prior to the case being heard on remand.

RECOMMENDATION - 14EPC-40030, November 13, 2014

DEFERRAL of 14EPC-40030, a request for a sector development plan map amendment from SU-2 for S-R (Sawmill Residential) to “SU-2 for SU-1 for Residential, Law Office, Court Reporter, Accountant, Architect, Engineer” for Lot 1-A, Block 6, Plat of Lot 1-A, Block 6 of the Albright-Moore Addition, an approximately 0.08 acre site located at the southeast corner of Sixth Street NW and Kinley Avenue NW, for 30 days based on the preceding Findings.

FINDINGS -14EPC-40031, November 13, 2014-Site Development Plan for Building Permit

1. The subject request is for a site development plan for building permit for Lot 1-A, Block 6, Plat of Lot 1-A, Block 6 of the Albright-Moore Addition, an approximately 0.08 acre site located at the southeast corner of Sixth Street NW and Kinley Avenue NW. The subject site is within the boundaries of the Central Urban Area of the Comprehensive Plan and the Sawmill/Wells Park Sector Development Plan (SWPSDP).
2. The subject request was heard and approved at the June 12, 2014 EPC hearing. A neighbor appealed the decision. The hearing before the Land Use Hearing Officer (LUHO) was held on August 25, 2014. In his September 1, 2014 opinion, the LUHO recommended that the request be remanded to the EPC to supplement the record and to more thoroughly address parking requirements and Section 1I of R270-1980 regarding spot zoning.
3. The subject request is accompanied by a sector development plan map amendment (zone change) request (14EPC-40030). The sector development plan map amendment request is justified pursuant to R270-1980.

4. In a November 3, 2014 letter, the applicant requests a 30 day deferral to allow sufficient time to further explore parking arrangements and solutions prior to the case being heard on remand.

RECOMMENDATION - 14EPC-40031, November 13, 2014

DEFERRAL of 14EPC-40031, a Site Development Plan for Building Permit for Lot 1-A, Block 6, Plat of Lot 1-A, Block 6 of the Albright-Moore Addition, zoned SU-2 for S-R (Sawmill Residential), for 30 days based on the preceding Findings.

Catalina Lehner, AICP
Senior Planner

Notice of Decision cc list

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