



**Environmental  
Planning  
Commission**

**Agenda Number: 3  
Project Number: 1001902  
Case #s: 13EPC-4040107 & 40108  
May 9, 2013**

**Staff Report**

<b>Agent</b>	William Kleinschmidt, Architect
<b>Applicant</b>	Frederick Eberle
<b>Requests</b>	<b>Site Dev. Plan for Subdivision Site Dev. Plan for Building Permit</b>
<b>Legal Description</b>	Tract A, Lands of Arleen Watrus and Tract 293, MRGCD Map 38
<b>Location</b>	2416-2420 Carson Road NW between Rio Grande Blvd. and Alameda Drain
<b>Size</b>	Approximately 0.198 acres
<b>Existing Zoning</b>	EPC approved SU-1 for PRD zoning November 8, 2012

**Staff Recommendation**

**APPROVAL of Case 13EPC-40108 based on the Findings beginning on Page 13, and subject to the Conditions of Approval beginning on Page 15.**

**APPROVAL of Case 13EPC-40107 based on the Findings beginning on Page 17, and subject to the Conditions of Approval beginning on Page 20.**

**Staff Planner  
Carrie Barkhurst, Planner**

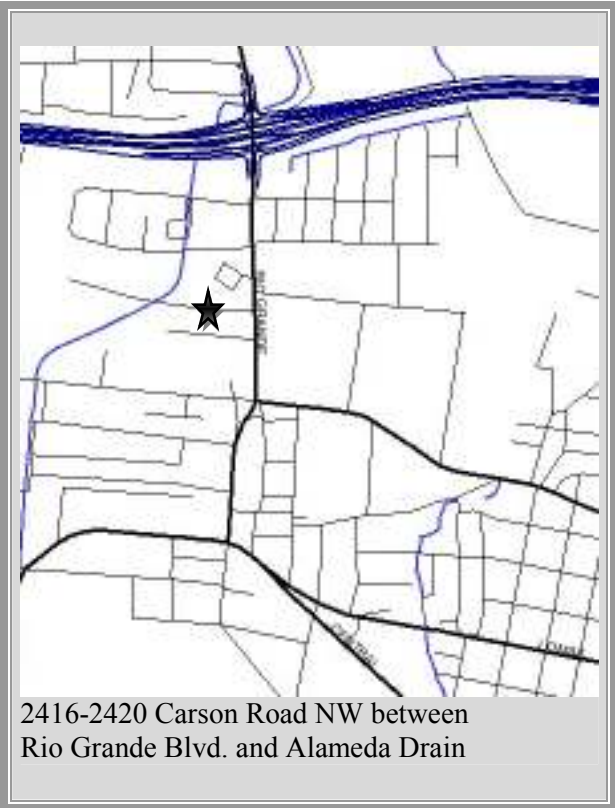
**Summary of Analysis**

This dual request is for a site located in an established urban area west of Rio Grande Blvd. between I-40 and Central Ave. The subject site is within the boundaries of the Old Town Sector Development Plan and is zoned R-1. The applicant proposes to subdivide the two parcels into three new lots, with one house per lot. The existing house would remain; two new houses are proposed.

In November 2012, a zone change and site plan for subdivision request were approved by the EPC, but were appealed to the City Council. City Council upheld the zone change but remanded the site development plan, with instructions that a site plan for building permit shall be submitted concurrently.

Adjacent residents, the West Old Town NA, and the North Valley Coalition were notified. Some opposition to the requested setbacks and height remains.

The request is generally consistent with applicable policies of the Comprehensive Plan and the Old Town Sector Plan. Minor changes to the site development plan are recommended as conditions of approval.



City Departments and other interested agencies reviewed this application from 4/1/2013 to 4/12/2013. Agency comments used in the preparation of this report begin on Page 23.

**I. AREA CHARACTERISTICS AND ZONING HISTORY**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	R-1	Central Urban Area; Old Town SDP	Vacant
<b>North</b>	R-1; R-LT (Res. Light) RC (Residential Commercial)	Central Urban Area; Old Town SDP	Residential
<b>South</b>	R-1	Central Urban Area; Old Town SDP	Residential
<b>East</b>	R-1	Central Urban Area; Old Town SDP Rio Grande Blvd. Corridor Plan	Vacant
<b>West</b>	R-1	Central Urban Area; Old Town SDP	Residential

**II. INTRODUCTION**

**Proposal**

This two-part request is for a Site Development Plan for Subdivision (SPSD) and Site Development Plan for Building Permit (SPBP) for Tract A, Lands of Arleen Watrus and Tract 293, MRGCD Map 38 (the “subject site”). It contains approximately 0.198-acres of land and is located on Carson Road NW between Rio Grande Blvd. and the Alameda Drain. The subject site is within the boundaries of the Old Town Sector Development Plan.

The site is currently zoned R-1, although the EPC approved a zone change request to *SU-1 for PRD* on November 8, 2012. The SU-1 zoning will be officially changed upon final approval of a site development plan. The subject site consists of one long, narrow lot (171’ x 40’) and another that is generally square, with an irregular rear lot boundary (41’ x 40’). The long lot is vacant and the second lot has an existing two-story house, which will remain. Because the site has a lot depth of 40 feet, variances would be required in order to develop a building under the R-1 zone setback requirements. However, the R-1 zone has no design controls, height or view restrictions.

The applicant proposes to replat the two lots into three equal-sized lots and to develop the subject site with two new single-family residences, subject to design regulations. Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. The requested SPSP and SPBP meet the requirements of the Special Use zone.

**EPC Role**

The EPC is the approval body for site development plans that are required by the SU-1 Special Use Zone, §14-16-2-22. The EPC is the final decision-making body for the proposal unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1)].

### ***History***

**Prior development request.** In July 2002, the applicant requested a zone change from R-1 to R-T, in order to develop four townhouses on the subject site and the adjacent parcel to the east (not a part of the current request). The justification for the zone change was that it would allow four moderately priced townhouses to be built instead of two large homes. There was neighborhood opposition at the time, and the applicant considered requesting SU-1 Zoning in order to provide design flexibility and to provide neighbors with greater assurance as to project design. After multiple deferrals, the applicant requested a withdrawal of the request in March 2003.

**Current development request.** In November 2012, the same applicant requested a zone change from R-1 to SU-1 for PRD. The Environmental Planning Commission (EPC) unanimously approved the zone map amendment and voted 3-2 to approve the Site Development Plan for Subdivision. At the EPC hearing, several adjacent residents expressed concern with the proposed development, particularly regarding building size, height and setbacks. The EPC discussed the option of deferring the SPS in order to give the applicant more time to work with the adjacent residents on the final design of the site, however they voted to approve the SPS. A condition was added that a site development plan for building permit (SPBP) would be required to be approved by the EPC prior to development of the site, instead of delegation of future development to building permit review as is typical for SU-1/PRD (Condition 10, SPBP). This would ensure that there was an opportunity for public notification and comment when the architecture and site design was completed.

**Appeal & Remand.** The EPC's approval was appealed to the City Council, on the basis that the EPC erroneously applied adopted city plans, policies and ordinances in arriving at its decisions, and the EPC acted arbitrarily or capriciously in these decisions. On January 7, 2013, the City Council voted to deny the appeal with respect to the sector plan/zone map amendment and to remand the appeal of the site development plan for subdivision (see attachment). Council adopted remand findings on January 23, 2013, which provided instructions for a site development plan for building permit to be concurrently reviewed and heard by the EPC.

**Correction to the 11/8/2013 Staff Report.** The staff report prepared for the original request indicated that the subject site was 0.25 acres. This information was determined from City Geographic Information System records, because the Bernalillo County Assessor and application information was silent on the size of the property. However, upon further research, it was determined that the property was 0.198 acres. This staff report provides analysis that is updated to reflect the actual size of the subject site.

### ***Context***

The subject site is located in Old Town, which is where the oldest development in the City is located. The dimensions of the subject site reflect an historic long-lot, agricultural subdivision pattern, which would allow owners access to both Alameda Drain and Rio Grande Blvd., before having been subdivided. Throughout this area, land has been assembled and replatted into residential subdivisions, including the Pueblo Bonito Subdivision adjacent to and south of the subject site.

The existing land uses in the vicinity are predominantly residential, with higher densities to the north and east, and lower densities to the south and west. There are commercial uses along Rio Grande Blvd., including some homes that have been converted to commercial.

The established development pattern includes many homes and accessory structures that are not compliant with the current setback regulations. Much of this area was built prior to the adoption of the City Zoning Code, and so non-conformance with setback regulations is more the rule than the exception. Throughout this area there are structures that are built on property lines, or within 5 feet of a property line. There is also great variety in the mix of lot size and house sizes. However, the character of the area generally consists of small, single-family residences.

Carson Road is a local access road that intersects with a minor arterial. It is a dead-end road that is not built to the current street width requirements. The right-of-way is only 25-feet, and the existing paved road is 14-feet, exclusive of the 30" mountable curb on the south side of the road.

### ***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 designates Rio Grande Blvd. as a Minor Arterial, with a right-of-way of 86'. Carson Road is classified as a local road.

**Comprehensive Plan Corridor Designation.** Rio Grande is an Enhanced Transit Corridor, which is "designed or redesigned to improve transit and pedestrian opportunities for residents, businesses and other users nearby."

**Trails/Bikeways.** Rio Grande has an existing bicycle lane in the vicinity of the subject site. Nearby is Mountain Road, which is a bicycle boulevard.

**Transit.** ABQ Ride Routes 36 and 790 pass by the subject site on Rio Grande Blvd.

### ***Public Facilities/Community Services***

The Old Town area is well-served with public facilities and services. There are four museums within one-mile of the site, as well as ten parks and two elementary schools. A police substation, library, fire department, and community center are also nearby. For more specific information, see the Public Facilities Map.

## ***III. ANALYSIS – APPLICABLE ORDINANCES, PLANS AND POLICIES***

This is a request for SPSD and SPBP for Tract A, Lands of Arleen Watrus, and Tract 293, MRGCD Map 38 (the "subject site"). The site contains approximately 0.198-acres of land and is located on Carson Road NW between Rio Grande Blvd. and the Alameda Drain.

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

### ***Albuquerque Comprehensive Zoning Code***

The site is currently zoned R-1, although the EPC approved a zone change request to *SU-1 for PRD* on November 8, 2012. The SU-1 zoning will be officially changed upon final approval of a site development plan. For discussion of the different development opportunities between the R-1 and SU-1 for PRD, please see page 3 of the Staff Report dated November 8, 2012. The SU-1 for PRD

zone is governed by a site development plan. A more detailed analysis of the SU-1 for PRD Zone follows:

§14-16-2-22(A)(25) Planned Residential Development (PRD), provided:

(a) Allowed uses include single-family houses, townhouses, apartments, associated accessory structures and home occupations as regulated by the R-1 zone. Residence/work spaces are allowed as approved by the Planning Commission. O-1 permissive and C-1 permissive uses may be allowed, up to 25% of the total gross floor area of the development, as approved by the Planning Commission.

***Uses: The site development plan specifies the use as single-family residential use only.***

(b) A Site Development Plan for Subdivision (§ 14-16-1-5(B)) is required for approval by the Planning Commission in conjunction with a zone map amendment and prior to building permit approval, with specific design requirements that include, but are not limited to: maximum and minimum number of dwelling units and/or density; maximum and minimum lot size(s); maximum building height; minimum building setbacks; architectural design standards, including but not limited to exterior wall materials and colors, roof materials and colors; placement of mechanical units; preliminary grading and drainage plan; landscape design standards; parking; site lighting; design of walls and fences visible from public rights-of-way; and pedestrian amenities.

***Design Standards: The site development plan includes all design standards as specified by the PRD zone, except for information on placement of mechanical units. A note shall be added to the Utilities Design Guidelines regarding placement and screening of mechanical units. A preliminary grading and drainage plan is included with the concurrently submitted Site Development Plan for Building Permit.***

(c) The PRD uses and development are compatible with adjacent properties, including public open spaces, public trails and existing neighborhoods and communities. The standards for compatibility shall include the design requirements in subsection (b).

***Development Compatibility: The request would allow a density of 15 DU/acre. Adjacent property to the north and west is developed at densities that range from 3 DU/acre to 13 DU/acre. Adjacent property to the south is developed at approximately 5 DU/acre. The requested number of dwelling units and density is generally compatible with residential property to the north and west, but much denser than property to the south.***

***The requested height is compatible with the allowable height for adjacent properties. The setbacks that are requested are substantially smaller than what is required in any other residential zone. The small setbacks may adversely impact the adjacent lower-density residential development. Staff notes that there are three existing homes, including one on the subject site, that do not meet the current zoning setback requirements. There are also accessory buildings to the south of the subject site that do not meet the setback requirements.***

***The architectural design standards are generally consistent with what is allowed in the General Zoning Regulations and therefore are compatible with adjacent development.***

(d) Upon approval of a Site Development Plan for Subdivision with design requirements by the Planning Commission, individual site plans for building permit may be submitted for building permit approved unless the Planning Commission specifies additional review.

***Development Process:*** *The City Council remanded the Site Plan for Subdivision with instructions that “approval of the site development plan for building permit by the EPC should be considered concurrently with the approval of the site development plan for subdivision.” Both requests will be considered concurrently at the May 9<sup>th</sup> EPC hearing.*

(e) Signs as permitted and regulated by the Planning Commission.

***Signs:*** *The site development plan does not request any signage.*

### ***Albuquerque / Bernalillo County Comprehensive Plan***

Policy Citations are in Regular Text; ***Staff Analysis is in Bold Italics***

The subject site is located in the area designated Central Urban by the Comprehensive Plan with a Goal to “promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.

Policy II.B.6.b: Upgrading efforts in neighborhoods within the Central Urban Area should be continued and expanded and linkages created between residential areas and cultural/arts/recreation facilities.

***The request is for two new residential units on a long-standing vacant property. It provides additional residences in close proximity to arts, cultural and recreation facilities. The request furthers Policy II.B.6.b.***

Policy II.B.5.a: The Developing Urban and Established Urban Areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

***The request is to develop additional residential uses in the Central Urban Area, at a net density of 15 DU/acre. This will move the city as a whole towards a gross density of 5 dwelling units per acre. The request is consistent with Policy II.B.5.a.***

Policy II.B.5.d: 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 request is partially consistent with this policy. The proposed development of the site is inconsistent with standard R-1 lot size and setback requirements of abutting property to the south. The 5-foot rear yard setback and two-story building height does not respect the neighborhood value of lower density development. However, the buildings are designed so that the south-facing, second-story windows are opaque in order to respect the privacy of the neighborhood to the south, and the height is limited to 20 feet.***

---

*Neighborhood values are respected in that the request is for approval of a site development plan to implement the site's Special Use Zoning for Planned Residential Development. The request proposes two new single-family residences that are designed to be unique in style, but compatible in scale with other houses fronting on Carson Rd. This design control – of massing, style, articulation, finishes, and layout - provides neighbors with greater assurance as to the project outcome. The R-1 zone does not provide these same controls, and development under that zone could be much larger and less well-articulated and contextual than what is proposed.*

*The request respects environmental conditions and carrying capacities by limiting the maximum building footprint to 38% of the site, which is consistent with City Hydrology's requirements. The request is mostly consistent with Policy II.B.5.d.*

Policy II.B.5.k: 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 request provides adequate off-street parking and is not likely to adversely impact the traffic along Carson Rd. or Rio Grande Blvd. The request is consistent with Policy II.B.5.k.*

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

*Development at this site will improve the visual quality of the environment, which is currently an underutilized dirt lot. The site plan for building permit regulates the building facades for the three houses at the subject site. The elevations demonstrate three different, but compatible, architectural styles. They contain a variety of building volumes and are all carefully articulated, which will improve the quality of the visual environment. The request is consistent with Policy II.B.5.m.*

#### Rank II Plans

The Old Town Sector Development Plan was first adopted in 1977. The Plan generally encompasses properties bounded by I-40, Rio Grande Boulevard, Central Avenue, and the Albuquerque Riverside Drain. Specific boundaries of the plan area are shown on Page 3. The purpose of the plan was for all redevelopment activities within the area, including housing rehabilitation, land acquisition and public improvements to be guided by the Sector Development Plan.

The Plan sets forth a General Purpose on page 13 that establish a framework for the development of the plan and its recommendations: "To reach these objectives [a quality urban environment and rehabilitation of older neighborhoods] in the Old Town area while solving several basic physical problems of the area, including traffic and housing, and maintaining the present residential and semi-rural character of the area."

*The request will generally facilitate development and rehabilitation of older neighborhoods. Although the request is for a higher density residential development, this request is consistent with the Plan's established character zones – "the existing character of the area as primarily*

---

*single-family residential in the eastern portion with commercial activities along Central Avenue and Rio Grande Boulevard and semi-rural in the western portion should not be altered,” page 15.*

Long-Term Objectives (p. 14)

1. Elimination of blight and prevention of blighting influences.
2. Elimination of conditions which are detrimental to the public health, safety and welfare.
3. Conservation, improvement and expansion of the housing available to low- and moderate-income families until all housing in the area meets City Housing Code standards.
4. Enhancement of the area as a primarily residential area in the eastern portion and a primarily semi-rural area in the western portion.

*The request helps eliminate blight, enhance opportunities for affordable housing, and enhance the residential character of the eastern portion of the Sector Plan Area. The development of smaller, single-family residential houses on small lots increases the variety and affordability of housing in the area. The request does not specifically contribute to elimination of conditions that are detrimental to the public health, safety and welfare because no changes are proposed to the narrow road section, however, widening the road for one segment would provide no substantial public benefit because it remains narrow further west. The request generally furthers the Long-Term Objectives of the Old Town SDP.*

#### **IV. ANALYSIS – SITE DEVELOPMENT PLAN FOR SUBDIVISION**

The site data and design standards provided in the Site Development Plan for Subdivision must be consistent with the proposed development (Site Development Plan for Building Permit). They also will guide decision making for future site plan amendments or redevelopment.

##### ***Site Plan Layout / Configuration***

**Lot Size.** The proposed site layout is generally compatible with surrounding development in this mixed-density neighborhood. The proposed lot sizes are equivalent to the lot sizes in the subdivision on the north side of Carson Road, the Carson Grande Subdivision. However, the R-1 lot sizes that are adjacent to the property on the south are over twice as large as the three proposed lots (approximately 7,800 sf compared to 2,887sf).

**Height.** The requested maximum building height is 20 feet, which is less than the 26’ height allowed in the R-1 zone. This building height is consistent with the existing home on the subject site. It is shorter than the two story development that the subject site faces on the north side of Carson Road, but taller than the existing single story houses to the south.

**Setbacks.** The minimum front setback is 2 feet; the minimum rear setback is 5 feet. The westernmost lot, with the existing house, is proposed to have 5 foot minimum side setbacks. The two eastern lots, Tract B-1 and B-2, are proposed to have a 0-foot line setback between the two, and a 10 foot setback on the eastern and western sides of the two lots. This would allow an attached townhouse type development for those two lots, although an 11 foot side setback is proposed for each lot along the common lot line in the site development plan for building permit.



The setbacks that are requested are substantially smaller than what is required in other residential zones. The request would allow an 18-foot variance to the minimum front setback, 5-foot variance to the minimum side setback, and a 10-foot variance to the minimum rear setback, relative to the R-1 zone. These deviations from standard setbacks can be allowed through the SU-1 for PRD zone, in conjunction with other design controls that ensure a compatible development, including the Design Standards and the Site Plan for Building Permit.

**Open Space/FAR.** The site proposes a maximum FAR of 0.6. This would allow up to 1,732 SF developed footprint on each 2,887 SF lot. In the original request, City Hydrology commented the lots should be restricted to a footprint of 1,200 SF, to allow for on-site stormwater drainage management; required on-site infiltration of storm water could also be managed in ponding areas or cisterns. The applicant has met with hydrology to address infiltration requirements.

### *Vehicular and Pedestrian Access*

Vehicular access to each lot is via Carson Road. The existing paved road is 14-feet wide, with a 30” mountable curb on the south side of Carson Road. The applicant is not requesting to change the existing built road section. The fire department requires 20-feet of unobstructed roadway. The subject site has provided its portion of the required 20-foot clear road width through 7-feet of road way, south of the road centerline, the 30” mountable curb, and the 3’ wide crusher fine path. However, PNM utility poles are located at the edge of the right-of-way. The applicant is required to coordinate with the Fire Department to get “access only” approval when the site is replatted.

### *Conceptual Utility Plan*

The conceptual utility plan shows connections to each lot for water, sewer, and natural gas. The site plan indicates that there are existing overhead electric lines, and two existing utility poles where the crusher fine pathway is proposed, although because no sidewalk exists in the vicinity, transportation has not required one to be provided. One overhead electric line that crosses the property has a note that indicates it is to be relocated, in accordance with PNM requirements.

### *Design Standards*

**Walls/Fences.** The “Yard Walls and Fences” design regulations appear to be generally consistent with the Zoning Code General Height and Design Regulations for Walls and Fences. The use of chain link fence is prohibited. A “front street buffer wall shall be placed no closer than 2 feet from the front property line,” which is consistent with the General Wall regulation §14-16-3-19(A)(2). The Design Standards do not specifically indicate the site plan will be compliant with the General Wall regulations, which is a recommended condition of approval.

**Lighting and Security.** The “Building-Mounted and Landscape Lighting” design regulations appear to be generally consistent with the Zoning Code Area Lighting Regulations, and are written to minimize light impact to adjacent properties and preserve dark skies. The Design Standards do not specifically indicate the site plan will be compliant with the General Area Lighting regulations, which is recommended as a condition of approval.

**Landscaping.** The design regulations indicate that 2-foot landscaping buffer is required in between the pedestrian walkway and the house or yard wall. There is also a requirement for at least 2 trees per lot. Development in the R-1 zone does not specify the type or quantity of landscaping required.

**Architecture.** The Site Plan proposes design regulations for “Building Massing, Configuration and Finishes.” They prohibit asphalt shingles and unpainted metal windows. Garages are required to be set back at least 10 feet from the front property line; the second story is encouraged to be setback or overhang the first story, “to break up the massing of the building elevation and add visual interest.” Second story decks are allowed.

As discussed in the Site Plan Layout/Configuration section above and the Public Concerns section below, adjacent residents have privacy concerns about allowing two-story buildings in such close proximity to the property line and adjacent residences. Staff believes that it is reasonable to allow two-stories but limit windows and not allow balconies on the rear building elevation within the typical residential 15-foot setback distance.

## ***V. ANALYSIS – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT***

### ***Site Plan Layout / Configuration***

**Lot Size.** The site plan proposes to replat the two parcels into three equal-sized parcels. They will each be 2,887 SF with approximately 70-75 feet of street frontage each.

**Height.** The requested maximum building height is 20 feet. This height is less than the 26-foot height allowed in the R-1 zone.

**Setbacks.** The site plan proposes a front setback of 2 feet; the minimum rear setback is 5 feet. The westernmost lot, with the existing house, is proposed to have 5 foot minimum side setbacks. The two eastern lots, Tract B-1 and B-2, are proposed to have a 0-lot line setback between the two, and a 10 foot setback on the eastern and western sides of the two lots.

The side and rear setbacks are consistent with the R-LT zone, although the front setback is substantially less than any residential zone, due to the unusual lot dimensions. This deviation from standard setbacks can be allowed through the SU-1 for PRD zone, in conjunction with other design controls that ensure a compatible development.

**Open Space/FAR.** The site proposes a maximum FAR of 0.6. The maximum building footprint is 955, which covers 38% of the lot area. The lots each have a usable outdoor patio space that is 465 SF, 290 SF, and 270 SF (west to east), in addition to other landscaping areas.

### ***Vehicular and Pedestrian Access, Circulation and Parking***

Vehicular access to each lot is via Carson Road. Each house is required to have 1 parking space per restroom, but not less than two off-street parking spaces. Two parking spaces are provided for each house; the two new houses have a one-car garage each, with the remainder of parking provided uncovered outside.

The Design Standards require that the garage or carport be setback 10 feet from the property line and shall be setback from the house front wall. The site plan shows the garages setback 13.5 feet from the property line. The garage is recessed beneath the second story of the house, and set back from the building entrance. These design choices serve to downplay the dominance of the garage. The front doors are also visible from the road, which improves the quality of pedestrian access.

### ***Walls/Fences***

Six-foot adobe walls are proposed as front buffer walls and side perimeter walls. Near the front entrances of the new houses and the entry gate of the existing house, the front yard wall transitions into a 2-foot high planter. This allows better visibility to the front door, as well as an integrated landscaping design. It appears that the rear wall (south side) will not be modified from the existing conditions, which is an existing wood fence and concrete block wall.

The proposed 6-foot adobe wall on Tract A-1 needs to be moved south 2 feet to respect the SPSD Design Standards, and the Zoning Code General Wall regulations. Alternatively, it could be lowered to 3 feet tall within the front setback area. Any wall over 3 feet in the front setback area would require a variance to be approved by the Zoning Hearing Examiner (ZHE).

### ***Lighting and Security***

There are no building-mounted or other lighting indicated on the site plan. Any accent lighting or porch lights must be consistent with the Site Plan for Subdivision's "Building-Mounted and Landscape Lighting" Design Regulations and the Zoning Code Area Lighting Regulations.

### ***Landscaping***

The Design regulations indicate that 2-foot landscaping buffer is required in between the pedestrian walkway and the house or yard wall. This has been provided on the two eastern lots, but the western lot needs to be modified so that there is a landscape buffer between the yard wall and the public right-of-way.

A minimum of 2 trees, 2" caliper or 8 feet in height at the time of planting, is required for each property. The western-most property has two existing, mature elm trees. The center property is proposed to have three American Plum trees, one New Mexico Olive, and one New Mexico Locust. The eastern-most property is proposed to have two American Plum trees, two New Mexico Olive trees, and one New Mexico Locust. Staff recommends that the site plan specify the trees planted in the buffer area between the house and the property to the south be a minimum of 2" caliper at the time of installation. This would be consistent with the SPSD Design Standards.

### ***Conceptual Utility Plan***

The conceptual utility plan shows connections to each lot for water, sewer, and natural gas.

PNM has indicated that there are existing overhead electric lines, and two existing utility poles where the sidewalk is proposed. Adequate clearance for electric utilities must be provided for operation and maintenance purposes. Any relocation, changes or realignment regarding existing electric utilities will be done at the developer's expense. In some cases, relocation or changes to existing facilities may not be feasible due to physical, use or safety clearance constraints. PNM will review all technical needs, issues and safety clearances for its electric power systems.

### ***Architecture***

The overall site elevations, Sheet A1, clearly demonstrate the overall composition of the exterior of the major volumes of a building and their relationship to each other in a sequence. The building massing shown provides a variety of forms on each building and between the three houses. The building and wall setbacks create a rhythm in massing along the road frontage that varies between 2.5' setback, 13.5' setback, and 32.5' setback. The articulation of the houses also breaks up the

facade and provides interest at all levels of the building, which also helps soften the impact of the two story structures. The design stands out in stark contrast to the adjacent R-T development on the north side of Carson Road, which utilizes monolithic massing with little articulation or variation in surface treatment.

As discussed in the Site Plan Layout/Configuration section, above, and Public Concerns section, below, there are privacy concerns that the adjacent residences have about allowing two-story buildings in such close proximity to the property line and adjacent residences. The Site Development Plan for Building permit demonstrates careful detail in the building architecture that aims to mitigate the privacy concerns. On the south side of the building, all of the windows that are on the second story are designed to have obscure glazing. The designs eliminated the second-story balconies that were originally requested, except for the existing balcony on the north side of the existing house. The building height was limited to 20 feet, where residential zones typically allow up to 26 feet or higher. The setbacks on the new houses are stepped, ranging from 5 feet to 15 feet.

## **VI. AGENCY & NEIGHBORHOOD CONCERNS**

### ***Reviewing Agencies/Pre-Hearing Discussion***

The Fire Department and PNM provided comments, which were discussed in the preceding section. The Fire Marshall's Office commented that the applicant can come to the office to show the plans to get an "access only approval," which can be stamped over the counter.

Hydrology is concerned about the amount of impervious area in the valley due to flat grades and lack of adequate drainage infrastructure. The applicant has been working with the City Hydrologist to address these concerns.

Transportation Planning provided several comments. The one that could impact the overall site design is that the existing conditions appear to deviate from the Development Process Manual (DPM) requirements regarding pavement/right-of-way width, proposed sidewalk width, etc. The road is a developed road with asphalt paving, curb and gutter, and no sidewalks; there are no current plans to widen it.

When subdivisions are governed by an approved site development plan, the DRB normally should grant a variance to assure conformance with an approved site development plan. Separate design variance requests, with justification and supporting documentation, must be provided at Development Review Board (DRB).

All of these requirements have been addressed as recommended conditions of approval.

### ***Neighborhood/Public***

Representatives from the West Old Town NA, the North Valley Coalition, and property-owners within 100-feet of the subject site were notified. A facilitated meeting was requested by the applicant and adjacent residents.

At the time of the original development request in November 2012, two adjacent property owners contacted the Planning Department. One resident of the Pueblo Bonito subdivision expressed concerns about the proposed density, indicating "that's a lot to cram into the space." The other resident, abutting and south of the subject site, has indicated opposition to the request as proposed. Their main concern was regarding loss of privacy if two two-story houses are constructed in such

close proximity to their house and yard. Another concern is that the rear setback is too small, and it is less than what was required for the three houses (zoned R-LT) recently constructed north of the subject site. Essentially, nearby residents did not believe that the proposed development was compatible with the adjacent R-1 subdivision, and that there were inadequate buffers (road, alley, or setbacks) between the proposed development and their property.

A facilitated meeting was held on April 23, 2013 (see attachment). Neighbors agreed that the revised proposal is a marked improvement over the original one and liked that the houses are now smaller and have nice features. However, they still expressed a preference for one-story instead of two-story houses, concern about traffic on Carson Rd. since the street is narrow, and concern about setbacks since they're smaller than R-1 setbacks.

Other outcomes are that the blank south façade of the Tract B-1 house should have windows added, and that fence heights between Carson Rd. and Pueblo Bonito will be adjusted to meet neighbor preferences.

## **VII. CONCLUSION**

This two-part request is for a Site Development Plan for Subdivision and Site Development Plan for Building Permit for an approximately 0.198-acre site located on Carson Road NW between Rio Grande Blvd. and the Alameda Drain (the "subject site"). The subject site is within the boundaries of the Old Town Sector Development Plan and is currently zoned R-1, though the EPC approved a zone change request for SU-1 for Planned Residential Development (SU-1 for PRD) on November 8, 2012. Approval of the current request would meet the condition of approval and complete the zone change.

The request generally furthers applicable Goals and policies, but partially furthers Policy II.B.5d-Neighborhood values and environmental carrying capacities because some neighborhood concerns remain. A facilitated meeting was held on April 23, 2013. Neighbors agreed that the revised proposal is a marked improvement over the original one, but still expressed a preference for one-story instead of two-story houses, concern about traffic on Carson Rd. since the street is narrow, and concern about setbacks since they're smaller than R-1 setbacks.

Regarding the Site Development Plan for Subdivision, adjacent residents have privacy concerns about two-story buildings in such close proximity to adjacent residences. Staff believes that it is reasonable to allow two-stories, but limit windows and not allow balconies on the rear building elevation within the typical residential 15-foot setback distance. Regarding the Site Development Plan for Building Permit, Staff finds that it demonstrates careful detail in building architecture and aims to mitigate the privacy concerns.

Staff recommends approval, subject to conditions.

***FINDINGS – 13EPC-40108 – May 9, 2013 – Site Development Plan for Subdivision***

1. This is a request for a Site Development Plan for Subdivision for Tract A, Lands of Arleen Watrus and Tract 293, MRGCD Map 38, located at 2416-2420 Carson Road NW, between Rio Grande Blvd. and the Alameda Drain, containing approximately 0.198 acres.
2. The subject site is wide and shallow. The applicant proposes to subdivide two parcels into three, and develop two new single-family residences in addition to the existing one. The two new lots are approximately 75-feet wide and 40-feet deep. The third lot is 64-feet wide and 40-feet deep.
3. There is an accompanying request for a Site Development Plan for Building Permit (13EPC-40107).
4. The EPC approval of a zone map amendment and a site development plan for subdivision (12EPC-40065 and 40064) was appealed to the City Council on the basis that the EPC erroneously applied adopted city plans, policies and ordinances and that it acted arbitrarily or capriciously. On January 7, 2013, the City Council upheld the zone map amendment and remanded the site plan for subdivision. Council's findings, dated January 23, 2013, instruct the EPC to concurrently review and hear a site development plan for building permit. Therefore, the current dual request is for a site development plan for subdivision (remanded) and a site development plan for building permit (new).
5. The subject site is currently zoned R-1, although the EPC approved a zone change request to *SU-1 for PRD* on November 8, 2012 (12EPC-40065). The SU-1 zoning will be officially changed upon final approval of an associated site development plan.
6. The subject site is in the Central Urban Area of the Comprehensive Plan, which is part of the Established Urban Area, and within the boundaries of the Old Town Sector Development Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.
7. The Albuquerque/Bernalillo County Comprehensive Plan, Old Town Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
8. The Central Urban Area includes places well-established in the early Twentieth Century. The area has a very high building density. Development intensities in the Central Urban Area should generally be higher than in other portions of Established Urban.

9. The established development pattern includes many homes and accessory structures that were built prior to adoption of the Zoning Code and are not compliant with the current setback regulations. There is also great variety in the mix of lot size and house sizes. However, the character of the area generally consists of small, single-family residences and slightly larger townhouses.
  
10. The request furthers the following *Comprehensive Plan* policies for Central and Established Urban Areas:
  - a. Policy II.B.6.b - Upgrading efforts in neighborhoods. The request for two new residential units on a vacant property would provide additional residences in close proximity to arts, cultural and recreation facilities.
  - b. Policy II.B.5.a- Full range of urban land uses. The request to develop additional residential uses in the Central Urban Area, at a net density of 15 DU/acre, will move the city as a whole towards a gross density of 5 dwelling units per acre.
  - c. Policy II.B.5.k – Transportation’s impact on livability and safety. The request provides adequate off-street parking and is not likely to adversely impact the traffic along Carson Rd. or Rio Grande Blvd.
  - d. Policy II.B.5.m- Design and quality of visual environment. The request would improve the quality of the visual environment. The elevations demonstrate three different, but compatible, architectural styles and a variety of building volumes. All are carefully articulated.
  
11. The request partially furthers the following Comprehensive Plan policy for Central and Established Urban Areas: Policy II.B.5.d. - Neighborhood values and environmental carrying capacities. Neighborhood values are respected in that the applicant has adjusted the site development plan to accommodate neighborhood concerns. The two, proposed single-family residences would be compatible in scale with other houses fronting Carson Rd., though the 5-foot rear yard setback and two-story building height still raise concerns for the neighborhood. Environmental conditions and carrying capacities are respected because the maximum building footprint is limited to 38% of the site, consistent with City Hydrology requirements.
  
12. The request generally furthers the following *Old Town Sector Development Plan* goals and policies:
  - a. General Purpose of the Old Town SDP. The request will generally facilitate development and rehabilitation of older neighborhoods. Though for higher density residential development, this request is consistent with the Plan’s established character zones and would not alter the existing character of the area as primarily single-family residential.
  - b. Long-Term Objectives of the Old Town SDP. The request would help eliminate blight, enhance opportunities for affordable housing, and enhance the residential character of the

eastern portion of the Sector Plan Area. Development of single-family homes on smaller lots increases the variety and affordability of housing in the area. The request does not specifically contribute to elimination of conditions detrimental to the public health, safety and welfare because no changes are proposed to the narrow road section, and widening one road segment would provide no substantial public benefit because it would remain narrow further west.

13. Any new residential units within this area will impact Reginald Chavez Elementary School, Washington Middle School, and Albuquerque High School. Currently, all three schools have excess capacity. The request will not have an adverse impact for APS.
14. Notes 1, 2, and 3 under “Driveways and Sidewalks” do not comply with current DPM and ADA standards. Since most of the area is not built to these standards, a variance to these standards should be granted by the DRB in order to maintain the character of the area.
15. Representatives from the West Old Town NA, the North Valley Coalition, and property-owners within 100-feet of the subject site were notified. A facilitated meeting was held on April 23, 2013. Neighbors agreed that the revised proposal is a marked improvement over the original and that the houses have nice features. However, they still expressed a preference for one-story houses, concern about traffic on Carson Rd. and concern about setbacks.

***RECOMMENDATION – 13EPC-40108 – May 9, 2013 – Site Development Plan for Subdivision***

**APPROVAL of 13EPC-40108, a request for Sector Development Plan Map Amendment, from R-1 to SU-1 for PRD for Tract A, Lands of Arleen Watrus and Tract 293, MRGCD Map 38, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL – 13EPC-40108 – May 9, 2013 – Site Development Plan for Subdivision***

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.



*Design Standards*

3. Properties to the South:

- a. A new category, "Building Rear Elevation" shall be added after "Building Massing, Configuration and Finishes."
- b. Design Standard 1: "To protect the privacy of adjacent properties to the south, opaque windows shall be provided on the rear building elevation."
- c. Design Standard 2: "Opaque windows shall be required on any portion of the building over 8 feet high."
- d. Design Standard 3: "Balconies shall not be allowed on the second story of the rear building elevation within the typical residential 15-foot setback distance."

4. Utilities:

A note regarding placement and screening of mechanical units shall be added to the Utilities Design Standards (it will be 2) to address the design standards specified by the PRD zone.

5. Minor "Clean-Up":

- a. Any mis-spellings shall be corrected.
- b. The term "pedestrian walkway" shall be used consistently, instead of "sidewalk."

6. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Subdivision:

- a. Concurrent Platting Action required at DRB for proposed lot lines.
- b. Right-of-way dedication to the City Of Albuquerque may be required at DRB.
- c. Design Standards provided on the SDPS must comply with current DPM and ADA standards. Notes 1, 2 & 3 under Driveways and Sidewalks do not comply with these standards. Additionally, Note 3 must be corrected to state "...in accordance with City of Albuquerque DPM" not Public Works.
- d. Add the following note to the Landscaping Standards: "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area."
- e. All proposed improvements shown on the Site Development Plan for Subdivision must be noted as "illustrative only" or removed.
- f. All easements, access agreements, and property lines must be shown and labeled on Site Plan. Provide recording information.

- 
- g. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.
  - h. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
  - i. The second sentence in the Hydrology paragraph shall be changed from “It is encouraged...” to “It is required...”
- 

***FINDINGS – 13EPC-40107 – May 9, 2013 – Site Development Plan for Building Permit***

1. This is a request for a Site Development Plan for Building Permit for Tract A, Lands of Arleen Watrus and Tract 293, MRGCD Map 38, located at 2416-2420 Carson Road NW, between Rio Grande Blvd. and the Alameda Drain, containing approximately 0.198 acres.
2. The applicant proposes to subdivide the two parcels into three, and develop two new single-family residences in addition to the existing one.
3. There is an accompanying request for a Site Development Plan for Subdivision (13EPC-40108).
4. The EPC approval of a zone map amendment and a site development plan for subdivision (12EPC-40065 and 40064) was appealed to the City Council on the basis that the EPC erroneously applied adopted city plans, policies and ordinances and that it acted arbitrarily or capriciously. On January 7, 2013, the City Council upheld the zone map amendment and remanded the site plan for subdivision. Council’s findings, dated January 23, 2013, instruct the EPC to concurrently review and hear a site development plan for building permit. Therefore, the current dual request is for a site development plan for subdivision (remanded) and a site development plan for building permit (new).
5. The subject site is currently zoned R-1, although the EPC approved a zone change request to *SU-1 for PRD* on November 8, 2012 (12EPC-40065). The SU-1 zoning will be officially changed upon final approval of an associated site development plan.
6. The subject site is in the Central and Established Urban Areas of the Comprehensive Plan and within the boundaries of the Old Town Sector Development Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.

7. The Albuquerque/Bernalillo County Comprehensive Plan, Old Town Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
8. The Central Urban Area includes places well-established in the early Twentieth Century. The area has a very high building density. Development intensities in the Central Urban Area should generally be higher than in other portions of Established Urban.
9. The established development pattern includes many homes and accessory structures that were built prior to adoption of the Zoning Code and are not compliant with the current setback regulations. There is also great variety in the mix of lot size and house sizes. However, the character of the area generally consists of small, single-family residences or slightly larger townhomes.
10. The SU-1 zone is appropriate in this location because it allows development requirements and design standards to be customized to fit the character of the area.
11. The request furthers the following *Comprehensive Plan* policies for Central and Established Urban Areas:
  - a. Policy II.B.6.b - Upgrading efforts in neighborhoods. The request for two new residential units on a vacant property would provide additional residences in close proximity to arts, cultural and recreation facilities.
  - b. Policy II.B.5.a- Full range of urban land uses. The request to develop additional residential uses in the Central Urban Area, at a net density of 15 DU/acre, will move the city as a whole towards a gross density of 5 dwelling units per acre.
  - c. Policy II.B.5.k – Transportation’s impact on livability and safety. The request provides adequate off-street parking and is not likely to adversely impact the traffic along Carson Rd. or Rio Grande Blvd.
  - d. Policy II.B.5.m- Design and quality of visual environment. The request would improve the quality of the visual environment. The elevations demonstrate three different, but compatible, architectural styles and a variety of building volumes. All are carefully articulated.
12. The request partially furthers the following Comprehensive Plan policy for Central and Established Urban Areas: Policy II.B.5.d. - Neighborhood values and environmental carrying capacities. Neighborhood values are respected in that the applicant has adjusted the site development plan to accommodate neighborhood concerns. The two, proposed single-family residences would be compatible in scale with other houses fronting Carson Rd., though the 5-foot rear yard setback and two-story building height still raise concerns for the neighborhood. Environmental conditions and carrying capacities are respected because the

maximum building footprint is limited to 38% of the site, consistent with City Hydrology requirements.

13. The request generally furthers the following *Old Town Sector Development Plan* goals and policies:
  - a. General Purpose of the Old Town SDP. The request will generally facilitate development and rehabilitation of older neighborhoods. Though for higher density residential development, this request is consistent with the Plan's established character zones and would not alter the existing character of the area as primarily single-family residential.
  - b. Long-Term Objectives of the Old Town SDP. The request would help eliminate blight, enhance opportunities for affordable housing, and enhance the residential character of the eastern portion of the Sector Plan Area. Development of single-family homes on smaller lots increases the variety and affordability of housing in the area. The request does not specifically contribute to elimination of conditions detrimental to the public health, safety and welfare because no changes are proposed to the narrow road section, and widening one road segment would provide no substantial public benefit because it would remain narrow further west.
14. The site development plan for building permit deviates from the DPM standards regarding pavement/right-of-way widths, sidewalk widths and design, drive pad, etc. The EPC supports approval of a variance to the DPM standards in order to maintain the character of the area.
15. Any new residential units within this area will impact Reginald Chavez Elementary School, Washington Middle School, and Albuquerque High School. Currently, all three schools have excess capacity.
16. Representatives from the West Old Town NA, the North Valley Coalition, and property-owners within 100-feet of the subject site were notified. A facilitated meeting was held on April 23, 2013. Neighbors agreed that the revised proposal is a marked improvement over the original and that the houses have nice features. However, they still expressed a preference for one-story houses, concern about traffic on Carson Rd. and concern about setbacks.

***RECOMMENDATION – 13EPC-40107 – May 9, 2012 – Site Development Plan for Building Permit***

**APPROVAL of 13EPC-40107, a request for Site Development Plan for Subdivision, for Tract A, Lands of Arleen Watrus and Tract 293, MRGCD Map 38, based on the preceding Findings and subject to the following Conditions of Approval.**

---

---

***CONDITIONS OF APPROVAL – 13EPC-40107 – May 9, 2013 – 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. Fire apparatus access roads shall have an unobstructed width of 20 feet (Fire Apparatus Access, IFC 503.2.1).
4. The proposed 6' adobe wall on Tract A-1 shall be relocated 2 feet south of the property line to be consistent with the Site Plan for Subdivision Design Standards and the General Wall Regulations, §14-16-3-19(A)(2)(a).
5. The site plan shall clarify that the trees planted in the buffer area between the house and the adjacent property to the south be a minimum of 2" caliper at the time of installation. This would be consistent with the SPSD Design Standards and the General Landscaping Regulations.
6. Minor "Clean-Up": The labels Landscaping Plan, Grading & Drainage Plan, Utility Plan and Elevations shall be used on sheets L1, G1, U1 and A1, respectively.
7. Conditions of approval from the City Engineer, Municipal Development and NMDOT for the proposed Site Development Plan for Building Permit:
  - a. The existing and proposed conditions appear to deviate from the Development Process Manual (DPM) requirements regarding pavement/right-of-way widths, sidewalk widths and design, drive pad, etc. Please note that separate design variance request(s), with justification and supporting documentation, must be provided at Development Review Board (DRB).
  - b. Right-of-way dedication to the City Of Albuquerque may be required at DRB.
  - c. Please add the following note to the Landscaping Plan: "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery

between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.”

- d. Provide/label/detail all dimensions, classifications and proposed infrastructure within the site.
- e. All easements, access agreements, and property lines must be shown and labeled on Site Plan. Provide recording information.
- f. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements
- g. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- h. The plan shall show how the site will mitigate stormwater runoff.

8. Conditions of approval from PNM:

There are existing overhead electric facilities located at the site. Adequate clearance for electric utilities must be provided for operation and maintenance purposes. Any relocation, changes or realignment regarding existing electric utilities will be done at the developer’s expense. In some cases, relocation or changes to existing facilities may not be feasible due to physical, use or safety clearance constraints. PNM will review all technical needs, issues and safety clearances for its electric power systems.

---

---

***K. Carrie Barkhurst  
Planner***

Notice of Decision cc list:

William Kleinschmidt, 3441 Juan Tabo NE, Albuquerque, NM 87111  
Frederick Eberle, 3000 Arno St. NE, Albuquerque, NM 87107  
Anna Padilla Morgan, 2633 Marble Ave. NW, Albuquerque, NM 87104  
Sarah Wentzel-Fisher, 2515 Consuelo NW, Albuquerque, NM 87104  
Chris Catechis, 5733 Guadalupe Trail NW, Albuquerque, NM 87107  
David Wood, 158 Pleasant NW, Albuquerque, NM 87107  
Mr. and Mrs. Lingenfelter, 2425 Pueblo Bonito Ct NW, Albuquerque, NM 87104  
Mr. and Mrs. Garrick, PO Box 7995, Albuquerque, NM 87194

***Attachments***

1. Additional Staff information:
  - a. Photographs
  - b. Council's Remand Instructions
  - c. Previous EPC Notice of Decision
  
2. Application:
  - a. Cover Page
  - b. TIS form
  - c. Authorization letter
  - d. Justification letters
3. Neighborhood info/input
  - a. ONC letter
  - b. Applicant letter & certified mail receipts
  - c. Facilitated Meeting Report
  - d. Neighborhood comments/letter
4. Site Plan reductions

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Enforcement***

Reviewed, no comments

#### ***Office of Neighborhood Coordination***

West Old Town NA (R); North Valley Coalition

4/1/13 – Recommended for Facilitation – siw

4/2013 – Assigned to David Gold – sdb

4/12/13 – A Facilitated Meeting has been scheduled for Tuesday, 4/23/13 at 6-8pm at West Mesa Community Center, 5500 Glenrio Rd. NW

#### ***Long Range Planning***

Central Urban; Old Town Sector Development Plan

#### ***Metropolitan Redevelopment***

*Amendment to Zone Map and Site Development Plan for Subdivision.* The subject property is not within a Redevelopment Area, and therefore Metropolitan Redevelopment Section staff have no comments on this application.

### ***CITY ENGINEER***

#### ***Transportation Development Services***

- Design Standards provided on the SDPS must comply with current DPM and ADA standards. Notes 1, 2 & 3 under Driveways and Sidewalks do not comply with these standards. Additionally, Note 3 must be corrected to state "...in accordance with City of Albuquerque DPM" not Public Works.
- Add the following note to the Landscaping Standards: "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area."
- All proposed improvements shown on the Site Development Plan for Subdivision must be noted as "illustrative only" or removed.
- Concurrent Platting Action required at DRB for proposed lot lines.
- Right-of-way dedication to the City Of Albuquerque may be required at DRB.
- All easements, access agreements, and property lines must be shown and labeled on Site Plan. Provide recording information.
- Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.



- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- The existing and proposed conditions appear to deviate from the Development Process Manual (DPM) requirements regarding pavement/right-of-way widths, sidewalk widths and design, drive pad, etc. Please note that separate design variance request(s), with justification and supporting documentation, must be provided at Development Review Board (DRB). (1) Two directional residential roads require 22-24 feet of pavement width along with a 4 foot sidewalk and a minimum 5 foot sidewalk setback. (2)Public sidewalks and drive pads within the COA ROW shall also be constructed according to current DPM standards. Currently, concrete is the accepted design material, minimum sidewalk width is 4 feet built to abut property line, and residential drive pad widths are between 12-22 feet unless an exception can be demonstrated.
- Right-of-way dedication to the City Of Albuquerque may be required at DRB.
- The proposed landscaping plan suggests vegetation will abut the public ROW without providing a curb or concrete sidewalk to contain landscaping from encroaching/ washing into pedestrian path. Landscape design must comply with COA DPM
- Demonstrate that the 6 foot adobe buffer wall will not interfere with the sight distance requirements at all curb cuts.
- Please add the following note to the Landscaping Plan: “Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.”
- Provide/label/detail all dimensions, classifications and proposed infrastructure within the site.
- All easements, access agreements, and property lines must be shown and labeled on Site Plan. Provide recording information.
- Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements
- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).

### **Hydrology**

- The second sentence in the Hydrology paragraph shall be changed from “It is encouraged...” to “It is required...”
- The plan shall show how the site will mitigate stormwater runoff.

## **DEPARTMENT of MUNICIPAL DEVELOPMENT**

### **Transportation Planning**

- Reviewed, and no comments regarding on-street bikeways or roadway system facilities.
- Utility Plan indicates a ¾” sewer line stub-in for the “New House” on New Tract “B-1”.

### **Traffic Engineering Operations**

No comments received.

**Street Maintenance**

No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT  
and NMDOT:**

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

1. Concurrent Platting Action required at DRB for proposed lot lines.
2. Right-of-way dedication to the City Of Albuquerque may be required at DRB.
3. Design Standards provided on the SDPS must comply with current DPM and ADA standards. Notes 1, 2 & 3 under Driveways and Sidewalks do not comply with these standards. Additionally, Note 3 must be corrected to state "...in accordance with City of Albuquerque DPM" not Public Works.
4. Add the following note to the Landscaping Standards: "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area."
5. All proposed improvements shown on the Site Development Plan for Subdivision must be noted as "illustrative only" or removed.
6. All easements, access agreements, and property lines must be shown and labeled on Site Plan. Provide recording information.
7. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.
8. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
9. The second sentence in the Hydrology paragraph shall be changed from "It is encouraged..." to "It is required..."

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

1. The existing and proposed conditions appear to deviate from the Development Process Manual (DPM) requirements regarding pavement/right-of-way widths, sidewalk widths and design, drive pad, etc. Please note that separate design variance request(s), with justification and supporting documentation, must be provided at Development Review Board (DRB).
2. Right-of-way dedication to the City Of Albuquerque may be required at DRB.
3. Please add the following note to the Landscaping Plan: "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area."
4. Provide/label/detail all dimensions, classifications and proposed infrastructure within the site.

5. All easements, access agreements, and property lines must be shown and labeled on Site Plan. Provide recording information.
6. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements
7. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
8. The plan shall show how the site will mitigate stormwater runoff.

**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

Reviewed, no objection.

Open Space Division – No comments received.

**POLICE DEPARTMENT/Planning**

This project is in the Valley Area Command. No Crime Prevention or CPTED comments concerning the proposed Site Development Plan for Building Permit and Site Development Plan for Subdivision requests at this time.

**SOLID WASTE MANAGEMENT DEPARTMENT**

Refuse Division

Approved as long as they comply with SWMD Ordinance.

**FIRE DEPARTMENT/Planning**

1) Apparatus Access (IFC 503.2.1): Please be aware fire apparatus access. Fire apparatus access roads shall have an unobstructed width of 20 feet.

**TRANSIT DEPARTMENT**

<b>Project # 1001902</b>  <b>12EPC-40064 SITE                  DEVELOPMENT –                  SUBDIVISION.</b>	Adjacent and nearby routes	Route #36, 12 <sup>th</sup> Street/ Rio Grande, route passes near the site on Rio Grande.
	Adjacent bus stops	None.
	Site plan requirements	None.

<b>12EPC-40065 AMNDT          TO ZONE MAP (ESTB          ZONING/ZONE CHG)</b>	Large site TDM suggestions	None.
	Other information	None.

## **COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY** – No comments received.

### **ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

Reviewed, no comment.

### **ALBUQUERQUE PUBLIC SCHOOLS**

(Tract B/293), is located on 2416-2420 Carson Rd NW. The owner of the above property requests a Site Development Plan for Subdivision that will expand the Tract A that currently consists of a single family home and create two new single family lots (Tracts B-1 and B-2) and a Zone Change from R-1 to SU-1/PRD. Any new residential units within this area will impact Reginald Chavez Elementary School, Washington Middle School, and Albuquerque High School. Currently, all three schools have excess capacity.

<u>Loc No</u>	<u>School</u>	<u>2012-13</u>	<u>40th Day</u>	<u>2012-13 Capacity</u>	<u>Space Available</u>
330	Reginald Chavez ES	340	406	66	
465	Washington MS	463	739	276	
590	Albuquerque HS	1712	1794	82	

**MID-REGION COUNCIL OF GOVERNMENTS** – No comments received.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT** – No comments received.

### **PUBLIC SERVICE COMPANY OF NEW MEXICO**

There are existing overhead electric facilities located at the site. Adequate clearance for electric utilities must be provided for operation and maintenance purposes. Any relocation, changes or realignment regarding existing electric utilities will be done at the developer’s expense. In some cases, relocation or changes to existing facilities may not be feasible due to physical, use or safety clearance constraints. PNM will review all technical needs, issues and safety clearances for its electric power systems.

1. It is the applicant’s obligation to determine if existing utility easements and electric distribution lines cross the property and to abide by any conditions or terms of those easements or electric distribution service lines.
2. There are existing overhead electric distribution facilities located at the site. Sheet U1 indicates that the “overhead line and pole will be relocated per PNM Standards”. Those electric distribution lines currently provide electric service to the existing homes south of the proposed project. The applicant

must contact PNM New Service Delivery to address electric distribution facility relocations at this site to ensure that 1) the alternative location is suitable to PNM, and existing customers, 2) provides adequate clearance, and 3) is compatible with proposed landscaping as identified on Sheet L1. Any relocation, changes or realignment regarding existing electric utilities will be done at the developer's expense. In some cases, relocation or changes to existing facilities may not be feasible due to physical location, use or safety clearance constraints.