



**Environmental
Planning
Commission**

*Agenda Number: 2
Project Number: 1009324
Case Number: 12EPC-40043
August 9, 2012*

Staff Report

Agent	Studio Southwest Architects
Applicant	Evergreen Development, LLC
Request	EPC Review of Building Use, pursuant to Downtown 2010 SDP
Legal Description	Lot 18-24, Block 9, Armijo-Francisco y Otero Subdivision
Location	2 nd Street NW between Marquette and Roma
Size	Approximately 0.54 acres
Existing Zoning	SU-3/Government/Financial/Hospitality Focus
Proposed Zoning	No Change

Staff Recommendation

APPROVAL of Case 12EPC-40043, based on the Findings beginning on Page 11.

Staff Planner
Carrie Barkhurst, Planner

Summary of Analysis

The request is for EPC review of residential development on the ground floor of an existing building in the Government/Financial/Hospitality District. The building is predominantly vacant, with several office tenants on the ground floor. Residential uses, a café, and an office on the ground floor are proposed. Façade and landscaping improvements will also be made.

The review criteria are similar to the requirements for a Conditional Use approval. Staff finds that the proposed use is compatible with surrounding land uses, and that it generally will not be injurious to the community.

The site is located in the Central Urban Area of the Comprehensive Plan and within the boundaries of the Downtown 2010 Plan and the Downtown Major Activity Center. The request is consistent with a preponderance of applicable goals and policies. The “Downtown List” of applicable associations was notified. There is general neighborhood support for the project, including a letter of support from the Downtown Action Team.

Staff recommends approval.



City Departments and other interested agencies reviewed this application from 7/2/2012 to 7/13/2012
Agency comments used in the preparation of this report begin on Page 15.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-3/Government/ Financial/Hospitality Focus	Central Urban Area; Downtown 2010	Commercial Services (Office Building / Vacant)
<i>North</i>	SU-3/Government/ Financial/Hospitality Focus	Central Urban Area; Downtown 2010	Commercial Services (Industrial Cleaning)
<i>South</i>	SU-3/Government/ Financial/Hospitality Focus	Central Urban Area; Downtown 2010	Public Facilities (Auditorium or Exhibition)
<i>East</i>	SU-3/Warehouse Focus	Central Urban Area; Downtown 2010	Commercial Services (Industrial Cleaning)
<i>West</i>	SU-3/Government/ Financial/Hospitality Focus	Central Urban Area; Downtown 2010	Commercial Services (Hotel)

II. INTRODUCTION

Request

This request is to allow a residential use on the ground floor in an existing non-residential building located in the Government/Financial/Hospitality Focus District of the Downtown 2010 Sector Development Plan (Downtown 2010 Plan). The site comprises Lots 18-24, Block 9, Armijo-Francisco y Otero Subdivision and is located on approximately 0.5 acres of land at the northeast corner of Marquette and 2nd Street. The applicant proposes to convert a former brewery, more recently used as offices and residential, into apartments with a café and an office.

EPC Role / “Review Required”

The EPC is hearing the case because ground floor residential uses in the Government/Financial/Hospitality Focus District of the Downtown 2010 Sector Development Plan requires review by the Environmental Planning Commission (EPC). The district use matrix (page 32) identifies residential uses above the ground floor as a permissive use, but residential uses on the ground floor require review and approval by the EPC. An approval process flow chart on page 70 of the plan identifies the EPC as the review body (see attachments).

According to the Downtown 2010 Sector Development Plan (DT 2010 SDP), Review Required uses must go through the EPC process and make a case as to why and how the proposed use fits into the Downtown Plan. The applicant must demonstrate that the use will be compatible with surrounding uses in the district and that it would not be injurious to surrounding properties, adjacent neighborhoods or the community. The EPC may approve or disapprove the proposed use (p. 70, DT 2010 SDP).

The approval process is structured similarly to a Conditional Use review. The Planning Commission must determine if residential use on the ground floor is: 1) compatible with surrounding uses; 2) non-injurious to the community; and 3) consistent with the Downtown 2010 Plan. The EPC may impose conditions as necessary to mitigate potential negative impacts of the request, just as the Zoning Hearing Examiner can do for Conditional Use requests.

Staff also must clarify that the EPC's review is not for residential uses on the subject site. The applicant is permissively allowed to develop the upper 6 floors of the building as residential, without EPC review. The commercial and office uses on the ground floor are also permissive. The EPC's task is to focus specifically on the suitability of the ground floor for residential use.

Context

The site is located in the Central Urban Area of the Comprehensive Plan and within the boundaries of the Downtown 2010 Plan and the Downtown Major Activity Center. Although there is no neighborhood association, the "Downtown List" was notified (see attachments).

The subject site is in an established portion of Downtown. The development pattern along Second Street consists of larger office buildings, civic, and governmental uses. The subject site is between the Convention Center and the Planning Department, with commercial uses to the east and west. The existing building is adjacent to the Dr. Martin Luther King, Jr. bridge overpass. Limited vehicular access to the site is from 1st Street and Roma.

Existing Site Layout

The site is currently developed with a two story main structure, with a tower that adds five more floors. The existing building is built across seven narrow lots that face Second Street, at the corner of Dr. Martin Luther King, Jr. and Second Street. The building extends nearly to the property lines, with approximately 15-feet of sidewalk and landscaping at the front of the building, and an additional 8-foot wide sidewalk in the public right-of-way. There are 9 parking spaces provided to the rear of the site which are accessed from the alley.

History

The subject building was constructed in 1922 as the Albuquerque Ice Company. The building was a utilitarian building consisting of a two-story brick portion to the south and a concrete tower on the north. It was later renovated for use as a brewery, and in 1937 the Rio Grande Brewery was opened. At some later date, the building was "modernized" with metal screen cladding, which has been described as the international style (see attachments). The closest recognized historic resources are the New Mexico-Arizona Wool Warehouse and the Southwestern Brewery and Ice Company building. In total, 9 City Landmarks, 25 historic places, and 3 historic districts are located within ½ mile of the subject site.

The subject site was originally zoned C-4, as was most of the Downtown area. In May 2000, the Downtown 2010 Plan was adopted. The plan included the subject site within the boundaries of the Downtown Core, and the site's zoning was changed to SU-3 Government/Financial/Hospitality Focus District. This zone is designed to "maintain [downtown's] position as the government, financial, and hospitality center of the metropolitan region." (page 30).

The applicant attended a Pre-application Review Team meeting on June 26, 2012, as required by the Downtown 2010 Plan development process. At the meeting, Ms. Marrone advised the applicant that there were three tests the request must meet: compatibility with adjacent uses, non-injuriousness, and compatibility with the Downtown 2010 Plan (see attachment).

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 2nd Street and Dr. Martin Luther King, Jr. Ave. as Principal Arterials, with a desired right-of-way of 124' in the Established Urban areas. In the vicinity, 2nd Street is approximately 58' and Dr. Martin Luther King, Jr. is approximately 66'.

Trails/Bikeways – Dr. Martin Luther King, Jr. Ave. has a bicycle lane. Third Street is a dedicated bicycle route. The downtown area west of the rail road tracks is not particularly well served by bicycle or trail facilities. Perhaps because of the constrained right-of-ways, bicyclists are as frequently found on the sidewalks as they are sharing a vehicular lane.

Transit – The subject site has outstanding bus service, as 2nd Street is the route of most bus lines that leave the Alvarado Transportation Center. The two bus stops just south of Marquette/Dr. Martin Luther King, Jr. are easily accessible from this site. Routes 5, 6, 7, 8, 10, 11, 12, 16/18, 36, 50, 92, 93, and 94 pass adjacent to the subject site.

Public Facilities/Community Services

There are extensive public facilities in the Downtown Core. For specific information, see the attached Public Facilities Map.

III. ANALYSIS – ZONING

The Downtown Core is zoned SU-3 Special Center; uses allowed in the R-3 and C-2 zones of the Comprehensive City Zoning Code are permissive, with some restrictions by District. In the Government/Financial/Hospitality Focus District, residential use above the ground floor is allowed permissively and encouraged. For residential use on the ground floor, review is required to ensure that the requested use will fit into the Plan goals and guidelines. The EPC must approve that the subject site is appropriate for ground floor residential.

The subject site is zoned SU-3 Government/Financial/Hospitality Focus, which is regulated according to the Downtown 2010 Sector Development Plan (page 29). The plan states: “Downtown will maintain its position as the government, financial and hospitality center of the metropolitan region.” This zone is intended to concentrate new government and private office development. Also, “Street level retail is required in the district to provide services and street level vitality.” Retail/services, office/institutional, and residential above the ground floor are permissive uses. Warehousing, wholesaling, and ground level residential uses are allowed with EPC review required. Manufacturing is prohibited in this zone (see page 32).

The subject site is an existing office building. The applicant would like to develop the building primarily with residential units. A café and an office are also proposed. At full build-out, the building is proposed to have 40 apartments. The applicant has argued that the proposed use is compatible with surrounding uses in the district; non-injurious to surrounding properties, neighborhoods, and the general community; and consistent with the goals and policies of the Downtown 2010 Plan (see attached letter).

There are no parking requirements in the SU-3 Special Center Zone; 9 off-street parking spaces are provided. General regulations also apply, including signage (§14-16-3-5) and lighting (§14-16-3-9). The building itself will not be modified, therefore, landscaping (§14-16-3-10) does not apply.

The Downtown 2010 plan zoning regulations serve as a form of **incentive zoning** to encourage a mix of uses and higher intensity residential. It is important to note that the Downtown 2010 Plan does not regulate development densities, provision of open space, or parking requirements. However, staff has performed the following analysis to understand the full extent of the incentives provided to developments of this type.

This development will result in up to 74 dwelling units per acre. The Downtown 2010 Plan allows R-3 and C-2 Permissive and Conditional Uses, which include apartments up to 75 dwelling units per acre §14-16-2-17(B)(2). Increased residential density is consistent with the goals and policies of the Downtown 2010 Plan. It is also consistent with the recently approved changes to the C-1 and C-2 zones to increase residential density along transit corridors and in activity centers.

In the R-3 zone, usable open space is to be provided at the rate of 200 SF per one bedroom dwelling and 250 SF per two bedroom dwelling (§14-16-2-12). A 2,500 SF roof garden and patio would be provided on the third story, and most apartments would have an outdoor balcony. It appears that approximately 5,500 SF of usable open space is to be provided. This development will have a deficit of 3,900 SF of open space, relative to what would be required in other parts of the City.

Finally, regarding parking, the most comparable standard is “for each dwelling unit, one space per bath but not less than one and one-fourth spaces” for high density apartments (§14-16-3-1(A) (25)). This location qualifies for a 10% parking reduction due to its proximity to transit service. Using this calculation, the development would require 45 parking spaces; 9 are provided. Note: the Downtown 2010 Plan has no parking requirement.

Having a dense and intense downtown is necessary to achieve the vision set forth in the Downtown 2010 Plan. The omission of density caps, open space, and parking requirements are one way that the City provides development flexibility and incentives to redevelop this part of town. Further, because many projects are adaptive reuses of existing buildings, it would not be feasible to require the same standards as applied to new developments.

IV. ANALYSIS – RESIDENTIAL USE ON THE GROUND FLOOR

In the Downtown 2012 SDP, residential use on the ground floor is a “review required” use. The applicant must demonstrate that the request will be compatible with the surrounding area by meeting the following three tests.

A. Compatibility with Surrounding Uses in the District (Process, page 70 Downtown 2010 Plan)

Residential uses have been identified as compatible in all Districts of the Downtown Core, and they are encouraged as one of the primary objectives of this Plan. The Urban Housing Goal is to “Have at least 20,000 people living within one mile of the Downtown Core, and 5,000 living within the Downtown Core by 2010.” While this goal has not yet been achieved, it remains applicable because higher residential densities will support the other desired services and activities. At the densities shown with the site plan, the subject site can permissively develop 28 dwelling units. This request is for an additional 12 units to be located on the ground floor.

The applicant’s justification letter explains that the residential uses on Second Street will “provide ‘eyes on the street’, provide additional customers for downtown businesses, and increase density on an existing transit route.” The applicant cites consistency with several goals of the Downtown 2010 plan as evidence that the requested use is compatible with surrounding uses in the district. Staff further analyses the goals and policies in Section V, page 6 of this report.

Regarding this specific request, which is to allow residential on the ground floor, the entire building would be developed with the same use. Therefore, there would be internal compatibility with the building as a whole. Ground floor residential is also compatible with the surrounding land uses, which include hotel, office, parking garages, commercial services, and convention center, as well as the proposed café. The mixture of uses that is encouraged in downtown helps support other uses – more residential will support area offices, retail and services. Staff finds that there are no specific land use incompatibilities arising from locating residential uses on the ground floor.

B. Proposed Use will not be Injurious to the Adjacent Property, the Neighborhood, or the Community

This test is to evaluate if providing residential uses, instead of other institutional, commercial, office, retail or hospitality uses, will be injurious to the community. The applicant states that this use will not be injurious to the surrounding properties, neighborhood, or the community because the use will help to implement many goals and objectives in the Downtown 2010 Plan. The applicant argues that allowing the proposed residential use will improve the District by redeveloping a vacant building and that it furthers the residential density goals, discussed in detail in Section V of this report.

The request to allow residential, instead of commercial use, in part of the ground floor seems appropriate given the current high vacancy rate for ground floor commercial space in the downtown. The request is consistent with the majority of applicable goals and policies in the Downtown 2010 plan.

A facilitated meeting was offered to the adjacent neighborhood associations, however, all declined. All indicated their neighborhoods were sufficiently remote from the location and either did not want to weigh in, or had no objection to the plan. Broadway Central Corridors indicated their affirmative approval of the plan, stating that they “totally support more people residing downtown.” Reynolds Addition indicated they “have no objection to this project” and have “supported a similar project at 6th and Gold in the past year.” The Downtown Action Team submitted a letter in support of the request, stating that it allows a variety of urban housing types, promotes higher density housing in the Plan area, and preserves the existing stock of older buildings. Therefore, Staff agrees that the request will not be injurious to the adjacent property, the neighborhood, or the community.

C. Consistency with the Downtown 2010 Plan

The applicant cites several goals and policies that the request will further:

1. “provide 24 hour uses in the Downtown Core”
2. “enhance the character of the neighborhoods surrounding Downtown by promoting high density urban housing development within the core”
3. “goal of 5,000 people within the Downtown Core”

Staff finds that regarding 24-hour uses in the Downtown Core, the request will activate the Downtown Core primarily in the evening and night. However, the mixed use component of the office and restaurant/café space will activate the ground floor during the daytime. The mix of uses shown on the ground floor will allow 24-hour uses at the subject site. This request furthers the intent of 24-hour uses in the Downtown Core.

Staff agrees that the request furthers the increased residential density goals in the Downtown 2010 Plan. The addition of 40 new dwelling units at the subject site will substantially increase the residential density in the northeast part of downtown. The proposal is for 74 dwelling units per acre, which is consistent with the goal of “promoting a high density urban housing development within the core.”

The proposed restaurant will also serve residents in adjacent neighborhoods, providing an additional service for existing neighbors. This mixed use component of the request will help enhance the character of the neighborhoods surrounding Downtown. Allowing for more residents in this portion of downtown will bring more vitality to the predominantly office and governmental portion of the downtown core.

The core of this request is to determine if the allowance of residential uses on the ground floor will contribute to a mix of uses and an active, lively pedestrian streetscape. In the current economic climate, there is an excess of office and retail spaces downtown. This is demonstrated by the underutilized subject site. The proposed new dwelling units, new restaurant/café space, and building renovations will most assuredly contribute to a more vibrant building and block.

V. APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque / Bernalillo County Comprehensive Plan

Note: Policy is in regular text; staff's analysis is in bold italics

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.

This development respects neighborhood values, and environmental carrying capacities by providing additional high-density residential dwelling units in an area that can bear the additional density. There was general support indicated by adjacent neighborhood associations. The request furthers Policy II.B.5.d.

Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The request seeks to locate residential uses in close proximity to employment and services. The request proposes some employment / service uses on site, which complement the residential uses. The site layout proposed has some private outdoor space on the ground floor and balconies, as well as improved landscaping, which should help to buffer the residences from adverse effects of traffic and noise. The request furthers Policy II.B.5.i.

Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

This request will allow an appropriate, adaptive reuse of an existing building that has been substantially vacant for many years. The proposal is to rehabilitate the existing structure, and to improve the streetscape landscaping. Adding new residents to the northeast side of the downtown core may help bring more vitality to this portion of downtown. The request furthers Policy II.B.5.o.

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 seeks to redevelop an underutilized building to provide additional residential dwelling units in a location that is well-served by transportation, cultural, arts, and recreation facilities. The request furthers Policy II.B.6.b.

Downtown 2010 Sector Development Plan (Rank III)

The Downtown 2010 Sector Development Plan was adopted in May 2000. The Downtown 2010 Plan provides a vision and framework for Albuquerque's Downtown's future. It covers 321 acres (0.5 square miles); while its boundaries are somewhat irregular, it is bounded by Coal Avenue on the south, and stretches as far as 10th Street on the west, Marble Avenue on the north, and Broadway Boulevard on the east.

The Plan is a 10-year policy and implementation plan for Downtown, providing the framework to guide public and private decision-making regarding land-use, transportation, development regulations, and public investment. The purpose of the plan can be summarized by the following statement on page 3 of the Plan: "Downtown 2010 will be the catalyst for returning Downtown to its former prominence as the community's premier gathering place and as the center of Albuquerque's Historic District." The plan strongly encourages a mixture of compatible land uses (office/residential, retail/office, arts/entertainment).

The overarching Goal of the DTSDP is "to make Downtown Albuquerque the best mid-sized downtown in the USA" (p. 1). The Plan contains policies and implementation actions for 10 topics, such as Transportation and Parking, Land Use/Design, Urban Housing, Urban Retailing and Employment (p. 6). Prohibited uses are listed on p. 34. There are regulations by building type and design standards. Because the request is an existing building, the design guidelines would not apply. Applicable policies and implementation actions are as follows:

Transportation & Parking #1.4: Bicycle racks and other bicycle-friendly facilities shall be provided throughout Downtown and the Historic District.

The request has the potential to further this policy if bicycle parking is included with the site redesign.

Transportation & Parking #2.1: All parking requirements for Downtown development shall be removed; On-street parking shall be maximized throughout Downtown.

The request is consistent with the Transportation and Parking Policy because it maximizes the potential for on-site parking while primarily relying on nearby parking garages and metered on-street parking spaces to meet its parking demand.

Urban Housing Goal: Have at least 20,000 people living within one mile of the Downtown Core, and 5,000 living within the Downtown Core by 2010.

This request furthers the Urban Housing Goal by allowing 12 additional dwelling units to be constructed on the ground floor, which is proposed to have a total of 40 dwelling units.

Urban Housing #2.1: Developing a variety of housing types throughout Downtown (townhouses, urban apartments, lofts, condominiums, live/work etc.) High density housing (50 du's/acre or more) is encouraged within the Downtown Core.

The request proposes new apartments in an existing commercial/office building, which provides a variety in housing types. This request furtheres the Urban Housing Policy 2.1 by allowing 12 additional dwelling units in a development that is designed for an overall density of 74 dwelling units per acre.

Urban Housing #2.2: Redevelop existing commercial and industrial buildings into loft housing and artist live/work space.

This request furtheres the Urban Housing Policy 2.2 by redeveloping a former manufacturing building into residential uses.

Land Use & Design #3.1: This Plan promotes and requires retail and other uses at street level and provides improvements to the public right-of-way that support pedestrian activity.

The request furtheres Land Use & Design Policy 3.1 by providing an office and restaurant/café at the street level. The streetscape will be improved, which should better support pedestrian activity.

Urban Housing #3.2: Neighborhood commercial businesses shall be attracted to locate Downtown.

Healthy Neighborhoods #2.1: The Plan designates an urban Housing District within the Downtown Core which encourages high density urban living mixed with neighborhood support sources compatible with urban living.

Employment #2: Encouraging small businesses to locate and stay Downtown.

The request is consistent with these policies by way of adding more dwelling units and residents, who would support neighborhood commercial businesses. The request includes an office and restaurant/café on the ground floor, which is considered a neighborhood commercial uses. The request furtheres Urban Housing Policy 3.2, Healthy Neighborhoods Policy 2.1, and Employment Policy 2.

VI. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

Long Range Planning and Metropolitan Redevelopment provided comments that indicate that the request is consistent with the goals and vision for the area. Hydrology would like to see some water harvesting wherever possible if they are doing site work. APS commented that the elementary school is currently exceeding capacity. There may be some impacts to the school system, but staff notes that the two bedroom apartments proposed are not likely to house a large number of families with school age children.

Neighborhood/Public

Notification of the request was mailed to the Downtown NA List consisting of the following: Barelans NA, Broadway Central Corridors Partnership, Inc., Citizen's Information Committee of Martineztown, Downtown NA, Huning Highland Historic District Assoc., Raynold Addition NA, Santa Barbara-Martinez Assoc., South Broadway NA, and Downtown Action Team. Property owners within 100-feet of the subject site were also notified.

A facilitated meeting was offered, but declined by the area neighborhood associations. All indicated their neighborhoods were sufficiently remote from the location they either did not want to weigh in or had no objection to the plan. Broadway Central Corridors indicated their affirmative approval of the plan, stating that they "totally support more people residing downtown." Raynolds Addition indicated they "have no objection to this project" and have "supported a similar project at 6th and Gold in the past year." The Downtown Action Team submitted a letter of support, indicating this project will help further important goals of the plan.

VII. CONCLUSION

This is a request to approve ground floor residential use in an existing building in the Government/Financial/Hospitality Focus District of the Downtown 2010 Sector Development Plan. The subject site is located on a 0.54 acre tract of land on Second Street, between Marquette Ave. and Roma Ave. NW.

The applicant has adequately demonstrated that the proposed use will be compatible with surrounding uses in the district, that it will generally not be injurious to surrounding properties, adjacent neighborhoods or the community, and that it is consistent with the Downtown 2010 SDP.

Staff agrees that the request is consistent with a preponderance of applicable goals and policies in the Comprehensive Plan and the Downtown 2010 plan. The request will facilitate redevelopment of an existing, underutilized building for residential uses. This supports the goal of having 5,000 people living in the downtown core; the policy of promoting high density urban housing; and the policy of developing a variety of housing types. The mixed uses proposed on the ground floor support the policies of encouraging small businesses in downtown; providing employment opportunities; contributing to a more lively ground floor; and encouraging 24 hour use of the downtown core.

Staff recommends approval.

FINDINGS – 12EPC-40043, August 9, 2012 – EPC Review of Residential Uses on the Ground Floor

1. This is a request for EPC review and approval of a residential use on the ground floor for Lots 181-24, Block 9, Armijo-Francisco y Otero Subdivision, located Second Street between Marquette and Roma Avenues, and containing approximately 0.54 acres. The applicant proposes a residential development, café and an office in a predominantly vacant building.
2. The subject site is zoned *SU-3 Government/Financial/Hospitality Focus District*, pursuant to the Downtown 2010 Sector Development Plan. The proposed use is permissive under the current zoning, with EPC approval required.
3. The site is located within the Central Urban Area of the Comprehensive Plan and within the boundaries of the Downtown 2010 Sector Development Plan and the Downtown Major Activity Center.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Downtown 2010 Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following Comprehensive Plan policies of the Central Urban Area:
 - a. Policy II.B.5.d - Location, intensity, and design of new development shall respect neighborhood values. This development respects neighborhood values, and environmental carrying capacities by providing additional high-density residential dwelling units in an area that can bear the additional density. There is general support indicated by adjacent neighborhood associations.
 - b. Policy II.B.5.i - Employment and service uses shall be located to complement residential areas. The request seeks to locate residential uses in close proximity to employment and services. The request proposes some employment / service uses on site, which complement the residential uses. The site layout proposed has some private outdoor space on the ground floor and balconies, as well as improved landscaping, which should help to buffer the residences from adverse effects of traffic and noise.
 - c. Policy II.B.5.o - Redevelopment and rehabilitation of older neighborhoods shall be encouraged. This request will allow an appropriate, adaptive reuse of an existing building that has been underutilized for many years. The proposal is to rehabilitate the existing structure, and to improve the streetscape landscaping.

- d. Policy II.B.6.b - Upgrading efforts in neighborhoods within the Central Urban Area. The request seeks to redevelop an underutilized building in a location that is well-served by transportation, cultural, arts, and recreation facilities.
6. The request furthers the following applicable goals policies of the Downtown 2010 Sector Development Plan:
 - a. Transportation & Parking #2.1 - All parking requirements are removed. The request primarily relies on nearby parking garages and on-street parking to meet its parking demand.
 - b. Urban Housing Goal - Have at least 20,000 people living within one mile of the Downtown Core, and 5,000 living within the Downtown Core by 2010. This request furthers the Urban Housing Goal by allowing 12 additional dwelling units to be constructed on the ground floor, which is proposed to have a total of 40 dwelling units.
 - c. Urban Housing #2.1 - High density housing (50 du/acre or more) is encouraged within the Downtown Core. The request proposes new apartments in an existing commercial/office building, which provides a variety in housing types. This request allows 12 additional dwelling units in a development that may achieve an overall density of 74 dwelling units per acre.
 - d. Urban Housing #2.2 - Redevelop existing commercial and industrial buildings into residential space. This request redevelops an historic brewery into residential uses.
 - e. Land Use & Design #3.1 - Retail and other uses are required at street level. The request provides an office and restaurant/café at the street level.
 - f. Urban Housing #3.2 - Neighborhood commercial businesses shall be attracted;
Healthy Neighborhoods #2.1 - High density urban living is encouraged with neighborhood support sources compatible with urban living; and
Employment #2 - Small businesses are encouraged to locate and stay Downtown.
The request is consistent with these policies by adding more dwelling units, and residents, who would support neighborhood commercial businesses. The request includes an office and restaurant/café on the ground floor, which is considered a neighborhood commercial use.
 7. The applicant has demonstrated that the requested use will be compatible with surrounding uses in the Government/Financial/Hospitality District, that it will generally not be injurious to surrounding properties, adjacent neighborhoods or the community, and that the use is consistent with the intent and the requirements of the Downtown 2010 Sector Development Plan.
 8. A Pre-application Review Team meeting is mandatory for all development within the Downtown 2010 Sector Development Plan. The meeting was held on June 26, 2012.

-
9. The request must comply with the design standards presented in the Downtown 2010 Plan.

 10. The “Downtown List” of applicable neighborhood associations was notified. A facilitated meeting was offered, but declined, by adjacent neighborhood associations. There is general neighborhood support for this request, and a letter of support was provided from the Downtown Action Team.

RECOMMENDATION – 12EPC-40043, August 9, 2012 – EPC Review of Residential Uses on the Ground Floor

APPROVAL of 12EPC-40043, a request for EPC Review of a Residential Use on the Ground Floor of the Government/Financial/Hospitality District of the Downtown 2010 Plan, for Lots 18 - 24, Block 9, Armijo – Francisco y Otero Subdivision, based on the preceding Findings.

***K. Carrie Barkhurst
Planner***

Notice of Decision cc list:

Studio Southwest Architects, 2101 Mountain Rd. NW, Albuquerque, NM 87104
Evergreen Development, LLC, 3002 Rio Bravo SW, Albuquerque, NM 87105
Frank Martinez, 501 Edith NE, Albuquerque, NM 87102
Dorothy Chavez, 612 10th Street NW, Albuquerque, NM 87102
Robert Bello, 1424 Roma NW, Albuquerque, NM 87104
Rob Dickson, 401 Central Ave. NE, Suite D, Albuquerque, NM 87102
Ann L. Carson, 416 Walter SE, Albuquerque, NM 87102
Deborah Foster, 1307 Gold SW, Albuquerque, NM 87102
Christina J. Chavez Apodaca, 517 Marble NE, Albuquerque, NM 87102
Chal-Marie Lucero, 420 Hannett NE, Albuquerque, NM 87102
Lorraine Smith, 1123 William SE, Albuquerque, NM 87102
Jess R. Martinez, 501 Edith NE, Albuquerque, NM 87102
Christopher Frachette, 1315 Gold SW, Albuquerque, NM 87102
Javier Benavidez, 1115 Barelaz SW, Albuquerque, NM 87102
Amberley Pyles, 306 Edith Ave. SE, Albuquerque, NM 87102
Randi McGinn, 201 Broadway Blvd. SE, Albuquerque, NM 87102

Grace Gibson, 702 Broadway Blvd SE, A-6, Albuquerque, NM 87102
Jacqueline Wright, 509 11th Street NW, Albuquerque, NM 87102

Attachments

1. Additional staff information
 - a. Photographs
 - b. SU-3 Zoning Description
 - c. Resolution adopting SDP
 - d. Downtown 2010 Plan Approval Process, page 70
 - e. Pre-Application Review Team Meeting Notes
 - f. Historical Documentation on the subject site
2. Application
 - a. Application Cover Page
 - b. TIS form
 - c. Authorization letter
 - d. Request letter
3. Neighborhood information
 - a. ONC letter
 - b. Applicant letter & certified mail receipts
 - c. Neighborhood comments/letters
 - d. Facilitator's Report
4. Illustrative Site Plan reductions

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

A calculation for Density and Floor Area Ratio should be provided for the proposed residential development.

Office of Neighborhood Coordination

Downtown NA List consisting of the following: Barelás NA (R), Broadway Central Corridors Partnership, Inc. (R), Citizen's Information Committee of Martineztown (R), Downtown NA (R), Huning Highland Historic District Assoc. (R), Raynold Addition NA (R), Santa Barbara-Martineztown Assoc. (R), South Broadway NA (R), Downtown Action Team

7/2/12 – Recommended for Facilitation – sdb

7/3/12 – Assigned to Pilar Vaile– sdb

Long Range Planning

Central Urban; Downtown 2010 Plan

The Downtown 2010 Plan has several policies that promote infill development and housing in the Downtown core. This request would further those policies.

Under the existing zoning housing could be developed on the upper floors of the building, but not the ground floor. Approval of this request will allow the ground floor to be developed as housing also.

Metropolitan Redevelopment

The subject development site is within the Downtown Redevelopment Area, and therefore Metropolitan Redevelopment Section staff have input to offer on this application. The Downtown 2010 Sector Development Plan replaced the 1989 Center City Revitalization Strategy Downtown Core Plan (MR Plan) and is therefore both the Sector Development Plan and MR Plan for the downtown core. This proposed Site Development Plan amendment is responsive to the Downtown 2010 Sector Development Plan policies to 'promote high density urban housing within the Downtown Core,' 'develop a variety of housing types throughout the Downtown.' The proposal is also directly responsive to the description of the Downtown 2010 Warehouse District where it is located, by 'the reuse and rehabilitation of existing older commercial buildings' and by encouraging a broad and diverse mix of uses including residential. The request to allow residential instead of commercial use in part of the ground floor seems appropriate given the current high vacancy rate for ground floor commercial space in the downtown. MR staff support the application as proposed.

CITY ENGINEER

Transportation Development Services

Reviewed, no comment.

Hydrology

Hydrology would like to see some water harvesting wherever possible if they are doing site work.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Reviewed, and no comments regarding on-street bikeways or roadway system facilities.

Traffic Engineering Operations

Reviewed, and no comments regarding on-street bikeways or roadway system facilities.

Street Maintenance

No comments received

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

Conditions of approval for the proposed Site Development Plan for Building Permit and Amendment to Site Development Plan for Subdivision shall include:

Hydrology would like to see some water harvesting wherever possible if they are doing site work.

WATER UTILITY AUTHORITY

Utility Services – no comment received

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division – no comment received

Environmental Services Division – no comment received

PARKS AND RECREATION

Planning and Design

No Comments.

Open Space Division – no comment received

City Forester – no comment received

POLICE DEPARTMENT/Planning

This project is in the Valley Area Command

- Access control to the ground floor residential areas could present a possible safety issue for tenants in the current design.
- Suggest creating a one-way-in, one-way-out configuration. All tenants should enter and exit in the same location, which will direct all legitimate users to the same location. This single access point will create more activity and pedestrian traffic flow. More eyes and ears in the same location will increase security.
- All other ground floor access doors proposed in the plan should be converted to exit only for purposes of emergency egress. The proposed exterior doors leading directly into an apartment should be eliminated from the plans completely.
- If tenant parking is located on the southeast portion of the facility and/or the lot immediately north of the Convention Center, suggest incorporating the south entrance to the building as the "Main" access point.
- The area outside the door should be well lit and have video surveillance cameras positioned on the exterior of the building to view approaches from all directions. Each camera image should be monitored and recorded for real-time and historical use. A good position for a monitor would be just inside the Main door. This monitor could be used by tenants to view the area prior to exit.
- The door should be equipped with a card access reader. Each tenant should be required to use the card swipe for access into the building. The system should have the capability to de-activate a card once occupancy has expired.
- The proposed "patio" configuration along Second Street should be re-evaluated. The current design provides easy access to non-legitimate users of the property. Additionally, the proposed ground level wall reduces natural surveillance and blocks street-level view, which would allow the criminal element to gain access to apartments without detection.
- If "patios" are considered a vital part of the plan, recommend placing wrought iron along the top of the wall.
- Recommend providing just a single access door for each apartment into the "patio" area. Regardless of the number of "patio" access points a secondary security door should be installed - each door should have a wrought iron security door equipped with heavy mesh screening, vertical bars, deadbolt locks and installed in their own metal frame.
- Each interior apartment door should be solid-core or metal, have a deadbolt lock with a minimum 1 inch throw and four inch screws with the deadbolt strike plate. Each door should also have a large 180 degree eye viewer.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division – no comment received

FIRE DEPARTMENT/Planning

All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal’s Office Plans Checking Division for review and approval.

TRANSIT DEPARTMENT

Project # 1009324 <i>12EPC-40043 AMEND SITE DEVELOPMENT PLAN -BUILDING PERMIT.</i>	Adjacent and nearby routes	Route #5, Montgomery-Carlisle, Route#7, Candelaria commuter route, Route#10, N. Fourth Street route, Route #11, Lomas route, and Route# 36, 12 th Street and Rio Grande route pass the site on 2 nd Street.
	Adjacent bus stops	Nearest bus stop serving the above-mentioned routes is approximately 110’ south from the south west corner of the property.
	Site plan requirements	None.
	Large site TDM suggestions	None.
	Other information	None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY – no comment received

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

Armijo-Francisco y Otero, Lots 18-24, Block 9, is located on 2nd St between Roma and Marquette. The owner of the above property requests approval of a Amendment to the Site Development Plan for Building Permit to allow a portion of the existing building be utilized for residential uses where there had previously been multi-family units. Any residential units developed within this area will have impacts on Lew Wallace Elementary School, Washington Middle School, and Albuquerque High School. Currently, Lew Wallace Elementary School is exceeding capacity, Washington Middle School and Albuquerque High School have excess capacity.

Loc No	School	2011-12 40th Day	2011-12 Capacity	Space Available
373	Lew Wallace ES	296	279	-17
465	Washington MS	505	739	234
590	Albuquerque HS	1602	1794	192

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
 - Construct new schools or additions
 - Add portables
 - Use of non-classroom spaces for temporary classrooms
 - Lease facilities
 - Use other public facilities
- Improve facility efficiency (short term solution)
 - Schedule Changes
 - Double sessions
 - Multi-track year-round
 - Other
 - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
 - Boundary Adjustments / Busing
 - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

MID-REGION COUNCIL OF GOVERNMENTS – no comment received

MIDDLE RIO GRANDE CONSERVANCY DISTRICT – no comment received

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has no comments based on information provided to date.