



**Environmental
Planning
Commission**

**Agenda Number: 4
Project Number: 1010096
Case #: 14EPC-40037
July 10, 2014**

Staff Report

Agent	Tierra West, LLC
Applicant	Southwest Regional Council of Carpenters
Request	Zone Map Amendment
Legal Description	Tract A-4A, Luecking Park Complex No. 2 and No. 3
Location	East of Interstate 25 between Comanche Road and Vassar Drive
Size	Approximately 2.4 acres
Existing Zoning	SU-1 for Office Park, PRD and Related Uses
Proposed Zoning	M-1

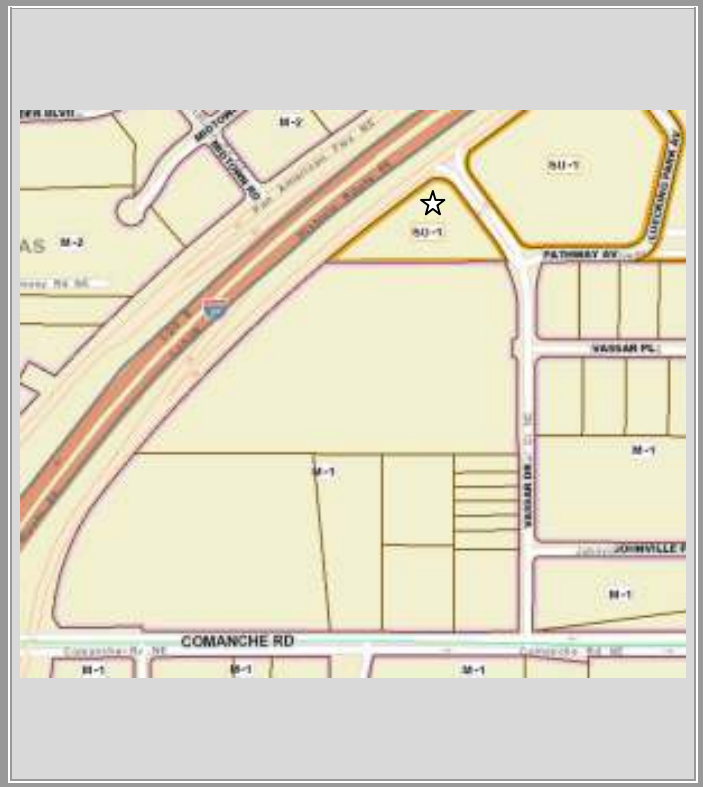
Staff Recommendation
APPROVAL of Case #: 14EPC-40037 based on the Findings beginning on Page 14.

Staff Planner
Lorena Patten-Quintana, Planner

Summary of Analysis

This request is for a Zone Map Amendment from SU-1 for Office Park, PRD and Related Uses to M-1 for a site located East of Interstate 25 between Comanche Road and Vassar Drive. The site is vacant.

The proposal is generally consistent with the applicable policies of the Comprehensive Plan. The applicant’s agent has adequately justified the zone change request as being more advantageous to the community pursuant to R-270-1980. Residents within 100 feet were notified. There is no known opposition. Staff recommends approval of the Zone Map Amendment.



City Departments and other interested agencies reviewed this application from 06/02/2014 to 06/18/2014. Agency comments used in the preparation of this report begin on Page 18.

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-1 for Office Park, PRD & Related Uses	Established Urban	<u><i>Vacant Residential Land in a Platted Subdivision</i></u>
<i>North</i>	Across I-25, M-2	Central Urban; North Valley Area Plan	Commercial Service
<i>South</i>	M-1	Established Urban	Commercial Service
<i>East</i>	Across I-25, M-2	Central Urban; North Valley Area Plan	Warehousing
<i>West</i>	SU-1 for Office Park, PRD & Related Uses	Established Urban	Commercial Service

II. INTRODUCTION

Proposal

This request is for a Zone Map Amendment for Tract A-4A, Luecking Park Complex No. 2 and No. 3, an approximately 2.4 acre site, currently zoned SU-1 for Office Park, PRD and Related Uses to M-1 Light Manufacturing.

EPC Role

The Environmental Planning Commission (EPC) has decision-making authority for the zone change, pursuant to §14-16-4-1(C) of the Zoning Code. This request is a quasi-judicial matter.

Context

The subject site is located in the Established Urban Area of the Comprehensive Plan. There are no Rank II or Rank III plans that govern this parcel. The properties North and East of the subject site are zoned M-2 Heavy Manufacturing. They are separated from the subject site by Interstate 25. The parcel to the West is zoned SU-1 for Office Park, PRD & Related Uses and separated from the subject site by Vassar Drive. The parcel abutting to the South is zoned M-1 Light Manufacturing.

The proposed Zone Map Amendment would change the existing zoning from SU-1 for Office Park, PRD and Related Uses to M-1. If approved, the owner proposes to combine this parcel with their existing M-1 zoned parcel to the south by a lot consolidation. The intent is to develop the property with uses that include retail, office and/or restaurants, which are permissive uses in the M-1 zone. The proposal for a mixed use development is compatible with the existing uses in

the area and provides for a wider range of uses consistent with the M-1 zoning of the abutting property to the south.

The site is currently vacant and acting as a surge pond. The pond is no longer needed due to improvements to the storm sewer system downstream by the City of Albuquerque and the improvements built by the Southwest Regional Council of Carpenters when their building was constructed. The existing drainage patterns and paths will be maintained and the site will continue to discharge based upon the revised drainage ordinance. The owner, listed as the Carpenter's Training Center on the City's mapping website, purchased this reclaimed and developable site to consolidate with their existing and abutting property.

Upon approval of the zone change, the applicant has indicated that they will apply for an amendment to the approved site plan for building permit (Project #1006865) by EPC for the property to the south to include the subject site. The applicant also plans on platting the property into the adjoining tract in the Carpenters union project.

The subject site is separated from a multi-family neighborhood to the northeast by existing retail and office development. The North Diversion Channel provides a natural buffer between the project area and the neighborhood to the southwest. There is no direct vehicular access to the neighborhood although there is a pedestrian path that allows residents to walk or bike to this area for services.

History

1980 Z-79-158

Zoning was changed from SU-1 for PRD to SU-1 for Office and Related Uses (A-1 and A-2; A-3 remained PRD). The reason for the request, as listed on the 1979 application for zone change, is as follows: "In light of the location of the subject property which is a 15.7 acre parcel and in light of the adjoining and existing multi-family residential zoning, M-1 zoning and interface with the east frontage road adjoining Interstate 25, the requested change should be granted from Special Use for multi-family residential to Special Use for an office complex and related uses."

1983 Z-83-108

Withdrew request to change from SU-1 for PRD & SU-1 for Office to R-3. The applicant's justification of the request is as follows: The Leucking Park tracts on I-25 south of Montgomery have had previous zoning actions on them which, to date have not led to construction under the uses proposed. Tract A-2 was rezoned Special Use for Planned Residential Development in 1977 and Tract A-1 was rezoned for Special Use for Office and Related Uses in 1980.

To the north and adjacent to the site are the Central Park Apartments. To the south and adjacent to the property is M-1 zoned land. Some of the M-1 land is developed in the form of a UPS truck depot although that building is separated from this project by vacant.

Sites adjacent to major arterials and freeways are usually developed as manufacturing, office, commercial, or higher density residential. As such, this site would be appropriate for any of these uses. Access is good to other areas of the city with an interchange immediately north at Montgomery and presumably, capacity along the frontage road will increase as a result of the planned one-way system. Apartments to the north indicate the appropriateness of such use in this area.

Development patterns for the area have placed many of the jobs and employment generators on the west side of I-25 while residential has tended to be on the east side of I-25. As additional firms locate in the industrial sites, additional nearby residential uses with access to the jobs will follow. Zoning of this land will continue the established development patterns and provide the necessary residential support.

1997 Z-97-115

Approved consolidation of A-1, A-2 and A-3 under a single zone (changed from SU-1 for PRD and SU-1 for Office to SU-1 for Office, PRD and related uses). The reason for the request was to provide the opportunity for more integrated planning and development of the property.

1997 DRB-97-417

DRB approved the Pathway Office Park Site Plan for Subdivision (A-1A, A-1B, A-2 and A-3). The site plan contains extensive design guidelines and architectural objectives. (See attached DRB-97-417 site plan and design guidelines.)

In 2007, the Environmental Planning Commission approved a Site Development Plan for Building Permit for Tract A-1, Comanche Business Park, zoned M-1 (SC). *This is the parcel that abuts the subject site to the south.* The site is approximately 15.7 acres located on Interstate 25, between Comanche Road and Vassar Drive NE, and zoned M-1 (SC), which gives the EPC site development plan approval authority, but does not afford discretion over parking or other zoning code requirements.

Phase I includes a 2 story 93,686 sf carpenters' training center with an assemble hall for 550 people, parking and the main site drive for the development. Phase II includes a one-story, 9,435 sf restaurant, a 2-story, 76,000 sf office building, and a three-story, 57,072 sf office building and associated parking. The total square footage is 245,200 sf. Permissive uses are included on the approved site plan and design guidelines are included.

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 adjacent Interstate 25 as an Urban Interstate.

Comprehensive Plan Corridor Designation

The subject site is adjacent to Interstate 25 which is designated an Express Corridor designed to be limited access with travel speeds at 45 to 55 mph.

Trails/Bikeways

The closest bike lane is on Comanche, south of the subject site.

Transit

There are no adjacent or nearby bus routes. The closest route is on Comanche, south of the subject site.

Public Facilities/Community Services

There are schools, parks and a fire station within one mile of the site.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is zoned SU-1 for Office Park, PRD and Related uses. This zone allows uses permissive in the O-1 Office zone (Section 14-16-2-15) and the uses listed under the SU-1 Special Use Zone (Section 14-16-2-22).

The proposed zone is M-1 (Section 14-16-2-19). The applicant indicates that office, retail and restaurant.

The proposed zone would not allow for residential uses and would allow for more intense uses such as warehousing, wholesaling and heavy equipment sales permissively.

The applicant stated their intention to consolidate the subject site with the site abutting to the south, and under the same ownership. The site to the south of the subject site is by definition a shopping center site because it contains 5 or more acres, is zoned M-1 and is in single ownership (see Section 14-16-1-5 – Definitions). If a new platting action occurs and the subject lot is consolidated, an amended site plan for building permit will be required.

Albuquerque/ Bernalillo County Comprehensive Plan

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

Land Use

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal to:

“to create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers

variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

Applicable policies include:

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

This development (a commercial type development) will be aesthetically appropriate for the adjacent commercial uses. Its location and access to the existing road network fit within the carrying capacities of the local transportation network. The applicant proposes that the building elevations are proposed to be controlled by the design guidelines approved with the Carpenter’s Training Center and bring it into compliance with the Training Center and its amenities. The project is also located within walking distance of the apartments to the north and the single family neighborhood to the east via a pedestrian trail and crossing while being separated and buffered by the North Diversion Channel.

The development regulations listed under the M-1 zone are appropriate for this location because of its adjacency to the interstate and its location within an area predominantly developed with office, manufacturing and industrial uses. Staff agrees that the proposal furthers Policy 5d.

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

The proposed project furthers this policy in that development will occur on vacant land that is contiguous to existing urban facilities and services. As mentioned, this property has been used in the past for drainage but due to the improvements downstream those requirements have been eliminated. As a vacant parcel it also provides a larger tract for M-1 users to develop, which promotes goals of the Comprehensive Plan for employment and reduces Vehicle Miles Traveled (VMT), which improves air quality.

The proposal allows for new growth on a vacant property that is no longer needed for a drainage pond and is contiguous to existing urban facilities and service. The applicant’s justification addresses tract size, employment and vehicle miles traveled, which are not mentioned in the policy cited above. Staff agrees however, that the proposal furthers Policy 5e.

Policy II.B.5i – 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 proposed project furthers this policy by providing employment uses that are close, but not adjacent to residential properties. The project is separated from nearby neighborhoods by other retail and office development. The north diversion channel provides a natural buffer between the project area and the residential neighborhood. There is no direct vehicular access to the neighborhood, although there is a pedestrian path that allows residents to walk or bike to this area for services. The M-1 zoning allows for a much greater variety of uses than just Office use, the other uses listed in the M-1 zone will allow for the property to be put to beneficial use and therefore will contribute to the of employment opportunities.

Once incorporated into the site to the south, the area will provide employment and services that will compliment residential uses because the site development plan shows office, retail and restaurant uses. The applicant did not address noise, lighting or pollution. Based on the applicant's justification, staff believes that the proposal partially furthers Policy 5i.

Policy II.B.5j – Where new commercial development occurs, it should generally be located in existing commercially zoned areas:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In free-standing retailing and contiguous storefronts along streets in older neighborhoods.

The proposed project furthers this policy by providing commercial development in the middle of existing commercial development.

While the zone is consistent with surrounding commercial uses, the applicant only mentioned the first line of the policy and the bullets beneath. The applicant therefore did not address the policy. Based on the applicant's justification, staff believes that the proposal does not further Policy 5j.

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

The proposed project furthers this policy by utilizing the same access points as exist today and there are no neighborhoods in the area that would be affected by any traffic from this

development. Although the frontage road is not classified as an arterial, it is still a major component of the existing transportation systems that would be able to handle the traffic from this development and not affect any of the surrounding neighborhoods.

The residential neighborhoods will be protected from traffic because the project is separated from nearby neighborhoods with other retail and office development. The North Diversion Channel provides a natural buffer between the project area and the neighborhood. Staff agrees that the proposal furthers Policy 5k.

Air Quality

The goal is to improve air quality to safeguard public health and enhance the quality of life. The proposed project furthers the following policies:

Policy II.C.1.c – Traffic engineering techniques shall be improved to permit achievement and maintenance of smooth traffic flow at steady, moderate speeds.

The proposed project furthers this policy by utilizing the existing access points into the property and by providing onsite parking and adequate internal traffic circulation to avoid any adverse impacts on the adjacent major arterial roadways.

Staff agrees that the proposal furthers Policy 1c because of the maintenance of traffic flow through existing access points.

Transportation & Transit

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

The proposed project furthers this goal because the site is located along Interstate 25 and its frontage roads providing immediate access to arterial roadways. Existing pedestrian paths within the property to the south will connect to this property and increase the ease in which pedestrians can access the different uses within the development. These methods of access, including automobile access, provide the desired balance of circulation alternatives to automobile travel while meeting roadway capacity and access needs. By placing more employment opportunities in the area it will reduce the vehicle miles traveled in the area as well.

The proposal provides land uses adjacent to Interstate 25 that will utilize the frontage roads and existing arterials. Existing pedestrian paths on the abutting property provide a balanced circulation system. Staff agrees that the proposal furthers the Transportation and Transit Goal.

Economic Development

The goal is to achieve steady and diversified economic development balanced with other important social, cultural and environmental goals.

Policy II.D.6a – New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The proposed development furthers this policy because it provides an opportunity for jobs to be created on a previously vacant parcel. This parcel is intended to become part of the Carpenter's Center and will provide the uses as shown on the approved Site Plan for Subdivision to include retail, office and/or restaurants as well as light manufacturing, and a variety of uses as articulated in Section 14-16-2-20 that are not allowed in the current zone.

The additional uses will allow for a variety of employment opportunities and occupational skills. Staff agrees that the proposal furthers Policy 6a.

Conclusion

Staff has evaluated the applicant's justification for the zone change and concluded that based on the applicant's justification, the request furthers most applicable Goals and Policies in the Comprehensive Plan.

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

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Analysis of Applicant's Justification

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

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

The proposed zone change from SU-1 for Office Park, PRD and Related Uses to M-1 is consistent with the health, safety, morals, and general welfare of the City. The proposed zoning is consistent with the zoning on the abutting property to which it is proposed to be combined with a future platting action. This is the only parcel zoned SU-1 west of Vassar Drive which provides a natural boundary between the two zones. When combined with the parcels to the south it will allow for a more comprehensive development than if the parcel were left with the current zoning. The parcel is proposed to be governed by the design guidelines on the approved Site Plan for Subdivision for the Carpenter's Training Center. It is in line with the other uses existing in the area. It provides needed infill development to support a growing economy. The current zoning limits the property to O-1 and related uses which are consistent with the development on the east side of Vassar Drive. The M-1 zoning is mostly found to the west of Vassar and to the southeast of this property providing for better continuity for development. The market for O-1 uses is over built with a surplus of available spaces throughout the city. Changing the zoning to M-1 offers a wider range of employment opportunities that reflect the current real estate market trends.

The proposal meets this policy because it is similar in use to existing surrounding uses, provides infill development, and allows for a variety of employment opportunities. The proposal is consistent with the health, safety, morals, and general welfare of the city. Staff agrees the policy furthers policy A.

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

The proposed zone change from SU-1 for Office Park, PRD and Related Uses to M-1 is consistent with the land immediately to the south and will provide for contiguous zoning on a parcel that is proposed to be combined with a future platting action. Vassar Drive provides a natural boundary between the M-1 zoned land to the west and the SU-1 land to the east. This parcel is the only SU-1 zoned land west of Vassar. The parcel is an irregular shape making it less efficient to develop as a stand-alone tract, however, if combined with the property to the south, it becomes a larger, more rectangular shaped parcel that is more efficient to develop and thus more marketable.

With the O-1 and related uses oversaturated with other vacant parcels in the city, the M-1 zone provides for a broader range of uses that is more conducive to current market needs. This allows for an immediate impact to employment opportunities and reduces the vehicle miles traveled thus improving air quality.

The zone change request creates more stability for development opportunities since the O-1 market is saturated with vacant properties. The zone change request is consistent with the

Albuquerque Bernalillo County Comprehensive policies: Land Use 5d, 5e, 5i, 5j, 5k, and Air Quality Policies 1c and 6a.

The proposal will help stabilize the area because it would provide zoning and uses consistent with the property to the south which is also under the same ownership. The intent is to combine the parcels into one mixed-use development. The zone change and proposed lot consolidation will provide land use stability. Staff agrees the proposal furthers Policy B.

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

The proposed change is not in conflict, significant or otherwise, with adopted elements of the Comprehensive Plan, any City Master Plans or any privately developed area plans. The proposed change along with the proposed project furthers numerous policies within the Comprehensive Plan as cited previously in this letter such as Land Use 5d, 5e, 5i, 5j, 5k, and Air Quality Policies 1c and 6a.

The proposal is not in conflict with, but rather supports applicable goals and policies of the Comprehensive Plan. Staff agrees the proposal furthers Land Use Policies 5d, 5e, 5i, 5j, 5k, and Air Quality Policy 1c and Economic Development Policy 6a.

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

It is our opinion that the use category sought by this application for this site would be more advantageous to the community. The proposed use is compatible with the existing uses in the area and provides for a wider range of uses that is consistent with the properties to the west of Vassar Drive.

Changed Conditions have eliminated the need for the use as a pond and the proposed development will bring more of M-1 uses into beneficial use. The pond was originally part of the Pathway Office Park development but it was separated from the rest of the development by Vassar Drive. Allowing the M-1 use opens the parcel up to more options for development to provide more diverse services to the neighborhoods located north and east of this area.

The proposal to change the zone to be consistent with the property to the south is based on the changed condition that occurred when the need for the pond was eliminated. Additionally, the M-1 use category, which is compatible with existing area uses, is more advantageous to the community because it will allow for a variety of employment opportunities. Staff agrees with the applicant's justification of changed conditions and that a different use category is more advantageous to the community.

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

This change would not be harmful to the adjacent property since the properties are compatible with this specific use. There are no neighborhoods adjacent to the property. The project is separated from nearby neighborhoods with other retail and office development. The North Diversion Channel provides a natural buffer between the project area and the neighborhood. There is not direct vehicular access to the neighborhood although there is a pedestrian path that allows residents to walk or bike to this area for services. The parcel is proposed to be subjected to the design guidelines listed on the approved Site Plan for Subdivision for the Carpenter's Training Center once the parcel is combined with that property.

The proposal would not be harmful to adjacent property, the neighborhood, or the community because the project is buffered from residential uses by surrounding commercial uses and the North Diversion Channel. Staff agrees that the applicant's justification is sufficient.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
 2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

This proposed zone change will require no capital expenditures by the City of Albuquerque. The capital improvements that would be needed for this parcel were already completed with the Pathway Office Park development and the Carpenter's Training Center development. All of the utility services are existing and can accommodate this site. The existing transportation network, consisting of the frontage road and Vassar Drive, provides the needed support for this change in zoning. This request would allow a broader range of employment opportunities not found in this area and reduce the VMT which reduces air pollution.

The request would not require major or unprogrammed capital expenditures by the City. The response to Section F is sufficient.

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

Economic considerations or land costs are not a factor in this request. The determining factors for approving this zone change are supported by numerous policies found in the Albuquerque Bernalillo County Comprehensive Plan previously cited in this letter, such as: Land Use 5d, 5e, 5i, 5j, 5k, and Air Quality Policies 1c and 6a.

Economic considerations are a factor, but the applicant is not raising them as the determining factor for the request. The response to Section G is sufficient.

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

The site is not located on a collector or major street therefore this was not a consideration for justification of this zone change request.

Staff agrees that the subject site's location is not being used as justification for the zone change. The response to Section H is sufficient.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The proposed change does not create a spot zone as the other properties adjacent to the site are also zoned M-1.

The applicant has demonstrated in the response to Section C that the proposed change would facilitate realization of the Comprehensive Plan. The response to Section I is sufficient.

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

The proposed change will not create a strip commercial zone because it is surrounded by existing commercial development and will be integrated into the larger property to the south that is owned by the applicant.

Staff agrees that the request would not result in a strip zone. The subject site does not constitute a "strip of land along a street". The response to Section J is sufficient.

Conclusion

The Changed Conditions which resulted in the elimination of the storm drain pond provides an opportunity for infill development in the Established Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan according to the Goals and Policies found in that Plan. The

proposal would use the land within a predominantly built-up area and allow for further mixed use development.

Staff finds that the applicant has adequately justified the zone map amendment pursuant R270-1980. The policy-based response to Section C demonstrates how the request furthers applicable goals and policies in the Comprehensive Plan, and that there is no “significant conflict”.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

There were no objections or negative comments. Refer to the agency comments beginning on page 18.

Neighborhood/Public

There are no Neighborhood and/or Homeowner Associations in the vicinity. The District 7 Coalition of Neighborhood Associations, the North Valley Coalition and all property owners within 100 feet of the subject site were notified.

There is no known opposition.

V. CONCLUSION

This request is for a Zone Map Amendment for Tract A-4A, Luecking Park Complex No. 2 and No. 3 currently zoned SU-1 for Office Park, PRD and Related Uses as shown on the approved Site Plan for Subdivision (DRB-97-417) to M-1 zoning. The subject site contains approximately 2.4 acres and is bordered on the north and east by Vassar Drive, south by the Carpenter’s Training Center, and west by Interstate 25.

The zone change request meets the criteria for a Zone Map Amendment under R-270-1980 and is consistent with a preponderance of applicable Comprehensive Plan goals and policies.

FINDINGS - 14EPC-40037 July 10, 2014 - Zone Map Amendment

1. This is a request for a Zone Map Amendment for Tract A-4A, Luecking Park Complex No. 2 and No. 3, containing approximately 2.4 acres and located East of Interstate 25 between Comanche Road and Vassar Drive.
2. The applicant proposes to change the zone from SU-1 for Office Park, PRD and Related Uses as shown on the approved Site Plan for Subdivision (DRB-97-417) to M-1 zoning.
3. The subject site is in the Established Urban Area of the Comprehensive Plan.
4. The Albuquerque/Bernalillo County Comprehensive Plan is incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following, applicable Albuquerque/Bernalillo Comprehensive Plan policies:
 - A. Policy II.B.5d – The development regulations listed under the M-1 zone are appropriate for this location because of its adjacency to the interstate and its location within an area predominantly developed with office, manufacturing and industrial uses.
 - B. Policy II.B.5e – The proposal allows for new growth on a vacant property that is no longer needed for a drainage pond and is contiguous to existing urban facilities and service.
 - C. Policy II.B.5k – The residential neighborhoods will be protected from traffic because the project is separated from nearby neighborhoods with other retail and office development. The North Diversion Channel provides a natural buffer between the project area and the neighborhood.
 - D. Policy II.C.1.c –The proposed project will maintain traffic flow through existing access points.

- E. Goal II.D.4 – The proposal provides land uses adjacent to Interstate 25 that will utilize the frontage roads and existing arterials. Existing pedestrian paths on the abutting property provide a balanced circulation system.

- F. Policy II.D.6a –The additional uses will allow for a variety of employment opportunities and occupational skills.

- 6. The request partially furthers the following, applicable Albuquerque/Bernalillo Comprehensive Plan policy:

Policy II.B.5i – Once incorporated into the site to the south, the area will provide employment and services that will compliment residential uses because the site development plan shows office, retail and restaurant uses. The applicant did not address noise, lighting or pollution.

- 7. The request does not further the following, applicable Albuquerque/Bernalillo Comprehensive Plan policy:

Policy II.B.5j – While the zone is consistent with surrounding commercial uses, the applicant only mentioned the first line of the policy and the bullets beneath. The applicant therefore did not address the policy.

- 8. The applicant has justified the Zone change request pursuant to *Resolution 270-1980* as follows:
 - A. Section A. The proposal meets this policy because it is similar in use to existing surrounding uses, provides infill development, and allows for a variety of employment opportunities. The proposal is consistent with the health, safety, morals, and general welfare of the city.

 - B. Section B. The proposal will help stabilize the area because it would provide zoning and uses consistent with the property to the south which is also under the same ownership. The intent is to combine the parcels into one mixed-use development. The zone change and proposed lot consolidation will provide land use stability.

 - C. Section C. The proposal is not in conflict with, but rather supports applicable goals and policies of the Comprehensive Plan. Staff agrees the proposal furthers Land Use

Policies 5d, 5e, 5i, 5j, 5k, and Air Quality Policy 1c and Economic Development Policy 6a.

- D. Section D. The proposal to change the zone to be consistent with the property to the south is based on the changed condition that occurred when the need for the pond was eliminated. Additionally, the M-1 use category, which is compatible with existing area uses, is more advantageous to the community because it will allow for a variety of employment opportunities.
 - E. Section E. The proposal would not be harmful to adjacent property, the neighborhood, or the community because the project is buffered from residential uses by surrounding commercial uses and the North Diversion Channel.
 - F. Section F. The request would not require major or unprogrammed capital expenditures by the City.
 - G. Section G. Economic considerations are a factor, but the applicant is not raising them as the determining factor for the request.
 - H. Section H. The subject site's location is not being used as justification for the zone change.
 - I. Section I. The applicant has demonstrated in the response to Section C that the proposed change would facilitate realization of the Comprehensive Plan.
 - J. Section J. The request would not result in a strip zone. The subject site does not constitute a "strip of land along a street".
9. There are no Neighborhood and/or Homeowner Associations in the vicinity. The District 7 Coalition of Neighborhood Associations, the North Valley Coalition and all property owners within 100 feet of the subject site were notified. There is no known opposition to this request.

RECOMMENDATION - 14EPC-40037 July 10, 2014

APPROVAL of project #1010096, a request for Zone Map Amendment from SU-1 for Office Park, PRD and Related Uses to M-1 for Tract A-4A, Luecking Park Complex No. 2 and No. 3, based on the preceding Findings.

***Lorena Patten-Quintana
Planner***

Notice of Decision cc list:

R. Sowell, Southwest Regional Council of Carpenters, 533 S. Fremont Ave Floor 9, Los Angeles, CA 90071
Ron Bohannan, 5571 Midway Park Place NE, Albuquerque, New Mexico 87109
Bill Hoch, 813 Calle Del Corte NE, Albuquerque, New Mexico 87110
Lynne Martin, 1531 Espejo NE, Albuquerque, New Mexico 87112
Kyle Silber, 4465 Jupiter Street NW, Albuquerque, New Mexico 87107
David Wood, 158 Pleasant NW, Albuquerque, New Mexico 87107

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No comments received

Office of Neighborhood Coordination

No Neighborhood and/or Homeowner Associations

District 7 Coalition of NA's

North Valley Coalition

Long Range Planning

The request is not within the boundaries of a Sector Development Plan. The nearby vicinity is predominantly developed with office, manufacturing, and industrial uses. The request would allow a more cohesive site development by giving the same zone to the entire premises of abutting parcels with the same owner.

Metropolitan Redevelopment Agency

No comments received

CITY ENGINEER

Transportation Development

Reviewed, no comments

Hydrology Development

No adverse comments

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

No comments regarding bicycle, trail, or roadway system facilities pertaining to this request

Traffic Engineering Operations

No comments received

WATER UTILITY AUTHORITY

Utility Services

No objection

ENVIRONMENTAL HEALTH DEPARTMENT

No comments received

PARKS AND RECREATION

Planning and Design

Reviewed, no comment

Open Space Division

No comments received

City Forester

No comments received

POLICE DEPARTMENT/Planning

Reviewed, no comment

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No comments received

FIRE DEPARTMENT/Planning

No comments received

TRANSIT DEPARTMENT

Adjacent and nearby routes None

Adjacent bus stops None

Site plan requirements None

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

No comments received

MID-REGION COUNCIL OF GOVERNMENTS

No comments received

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. Existing overhead electric distribution poles are located on the southwest corner of the subject property. In addition, underground electric facilities are located along the western edge of the site. The applicant is responsible to abide by any conditions or terms of those easements.
2. Coordination with PNM will be necessary for future projects regarding proposed tree species, the height at maturity and tree placement, sign location and height, and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric distribution facilities along the western site boundary.
3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

NEW MEXICO DEPARTMENT OF TRANSPORTATION

The NMDOT has no objection to the amendment to the zone map with the understanding that I-25 Northbound Frontage Road at the existing access for Carpenters Training Center as stated in the submittal.