



**Environmental
Planning
Commission**

**Agenda Number:2
Project Number: 1009681
Case #: 13EPC-40113 & 14
June 13, 2013**

Staff Report

Agent	Michael J. Henke
Applicant	Michael J. Henke
Request(s)	Zone Map Amendment Site Dev. Plan for Subdivision
Legal Description	Lots 17A and 17B, Zapf Van Addition No. 10
Location	Montano Road NW between North 9 th St. and Guadalupe Trail
Size	Approximately 0.44 acres
Existing Zoning	RA-2
Proposed Zoning	SU-1 for Planned Residential Dev.

Staff Recommendation

APPROVAL of Case 13EPC-40114 based on the Findings beginning on Page 21, and subject to the Condition of Approval on Page 23.

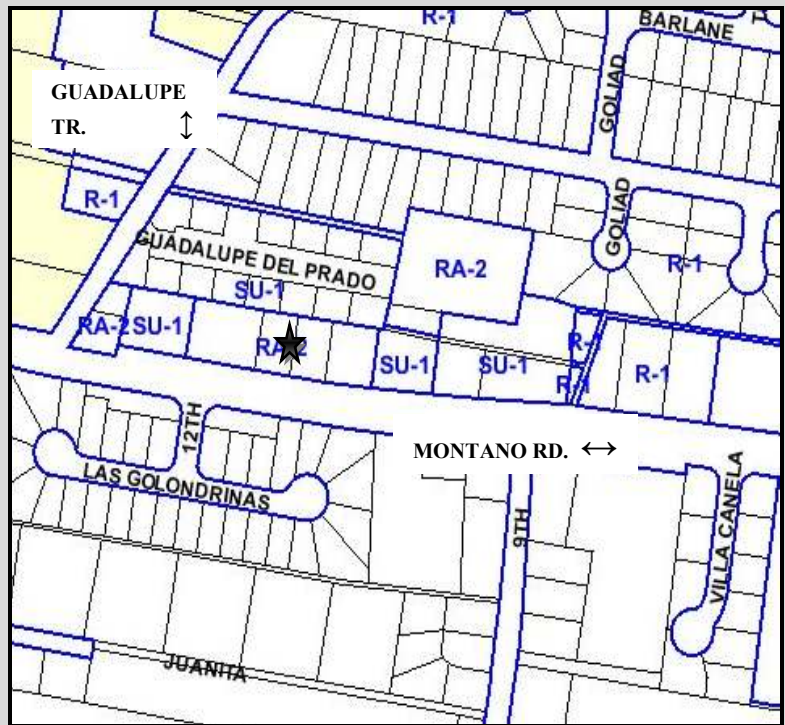
APPROVAL of Case 13EPC-40113 based on the Findings beginning on Page 23, and subject to the Conditions of Approval beginning on Page 25.

**Staff Planner
Chris Glore, Planner**

Summary of Analysis

This dual request is for a site located along Montano Road between North 9th St. and Guadalupe Trail. The subject site is within the boundaries of the North Valley Area Plan and is currently zoned RA-2. The applicant proposes to construct two new buildings, each containing four townhomes, as a permissive use under the requested SU-1 PRD zone.

The proposal is generally consistent with the applicable policies of the Comprehensive Plan and the North Valley Area Plan. The applicant has adequately justified the zone change request as being more advantageous to the community pursuant to R-270-1980. Adjacent residents and the North Valley Coalition were notified. There is no known opposition to the requested SU-1 PRD or the Site Development Plan for Subdivision. Staff recommends approval of the Zone Map Amendment and recommends approval of the Site Development Plan for Subdivision, subject to conditions.



921-923 Montano Road NW between North 9th St. and Guadalupe Trail

City Departments and other interested agencies reviewed this application from 4/29/2013 to 5/10/2013. Agency comments used in the preparation of this report begin on Page 27.

I. SURROUNDING ZONING, PLAN DESIGNATIONS, AND LAND USES

The surrounding zoning, plan designations, and land uses are as listed below:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	RA-2	Established Urban Area; North Valley Area Plan	Vacant
<i>North</i>	SU-1 PRD	Established Urban Area; North Valley Area Plan	Residential
<i>South</i>	R-1	Established Urban Area; North Valley Area Plan	Residential
<i>East</i>	RA-2 & SU-1	Established Urban Area; North Valley Area Plan	Residential; School
<i>West</i>	RA-2 & SU-1	Established Urban Area; North Valley Area Plan	Vacant; Office

II. INTRODUCTION

Proposal

This two-part request is for a Zone map amendment and Site Development Plan for Subdivision for Lots 17A and 17B, Zapf Van Addition No. 10 (the “subject site”). It contains approximately 0.44 acre of land and is located on Montano Road NW between North 9th St. and Guadalupe Trail. The subject site is currently zoned RA-2. The applicant requests SU-1 for PRD zoning. The site is within the boundaries of the Rank II North Valley Area Plan, although the Area Plan does not establish zoning.

The subject site consists of two adjoining lots, each approximately 75 ft. wide and 127 ft. deep. Both lots are vacant. The applicant proposes to develop the subject site with two new buildings, one on each lot, each containing four townhome residences. Per City Code, development within the SU-1 zone may only occur in conformance with an approved Site Development Plan, and in a PRD zone an approved Site Development Plan for Subdivision is required. The associated Site Development Plan for Subdivision meets the requirements of the SU-1 zone as outlined in the Zoning Code (§14-16-2-22).

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. The EPC is the approval body for site development plans that are required by the SU-1 Zone.

Context & History

The subject site is located in the North Valley, where residential development has been on-going incrementally since WW II, including some newer residential subdivisions developed in the past two decades. The existing land uses in the subject site vicinity are predominantly single family residential, with higher densities closer to Montano Road, and lower densities further away. There are some low-intensity commercial uses along Montano Road, including residences that have been converted to commercial use.

Construction of the Montano Bridge significantly increased traffic volumes along Montano Road, and in the subject site area much of the land adjacent to Montano Road has been rezoned and replatted for residential subdivisions, including the Las Golondrinas subdivision adjacent to Montano Road south of the site and the Guadalupe del Prado subdivision abutting the subject site on the north. The newer residential development in the area includes attached and detached dwellings.

The established development pattern in the area includes older homes and accessory structures built prior to the adoption of the City Zoning Code in 1959, and non-conformance with current setback regulations is common. Throughout this area there are older structures that are built within less than ten feet of a property line. Adjacent properties at 919 and 1021 Montano Road each have a principal structure with a side setback of approximately nine feet and front setbacks of between 15 and 40 feet. The abutting Guadalupe del Prado subdivision has rear setbacks of between five and ten feet. Approximately two-thirds of the properties abutting Montano Road, between the Harwood Lateral and the Griegos Drain, are currently zoned SU-1.

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. The Long Range Roadway System map designates Montano Road as a Principal Urban Arterial. Between 2008 and 2011, the MRCOG traffic counts recorded an increase in average daily trips (ADT) of approximately 4.8%, from 24,800 to 26,000 ADT along Montano Road between North 4th St. and Guadalupe Trail.

Comprehensive Plan Corridor Designation. Montano Road is currently designated as an Enhanced Transit Corridor, which is “designed or redesigned to improve transit and pedestrian opportunities for residents, businesses and other users nearby.” Amendments to the Comprehensive Plan, recommended for approval by the EPC and currently moving through the City Council review process, include ‘upping’ the designation of Montano Road to a Major Transit Corridor among several transit corridor designation changes initiated by City departments.

Trails/Bikeways. Montano Road has an existing bicycle lane in each direction, adjacent to the subject site. Nearby Guadalupe Trail is a proposed bicycle route.

Transit. ABQ Ride Route 157 passes by the subject site, operating between the Northwest Transit Center and Kirkland AFB.

Public Facilities/Community Services

The area is moderately well served with public facilities and services. There are two elementary schools and three parks within one mile of the site. A library and a fire department station are also nearby. For more specific information, see the Public Facilities Map.

§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 North Valley Area Plan.

III. ANALYSIS

Applicable Ordinances, Plans and Policies

This is a two-part request, for a Zone map amendment to SU-1 PRD, and Site Development Plan for Subdivision. Per City Code, development in a PRD zone may only occur in conformance with an approved Site Development Plan for Subdivision. The Environmental Planning Commission (EPC) has decision-making authority for the zone change because the site is less than one block, pursuant to §14-16-4-1(C)(10) of the Zoning Code, and is the approval body for site development plans that are required by the SU-1 Special Use Zone. All improvements to be made for public occupation will require approval of building permits.

Albuquerque/Bernalillo County Comprehensive Plan

The Comprehensive Plan, the Rank I planning document for the City, contains goals and policies that provide a framework for development and service provision. The Plan's goals and policies serve as a means to evaluate development proposals and requests for zone change such as this.

The subject site is located in the area designated Established Urban by the Comprehensive Plan. The Established Urban Area includes most of the developed City, places well established with urban development. Area characteristics are housing with an average density of up to five dwelling units per acre for the entire Urban Area. The Established Urban Area is subject to policies of Comprehensive Plan section II.B.5.

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

The proposed project will further this goal by offering a new choice in housing that is very intimate, done so in an architectural way that is consistent with the North Valley character

and of quality that will not only be visually pleasing but an asset the City. The close proximity (approximately 4 or 5 blocks) to the Fourth Street business district will allow those that shop and or work there to walk. Montano Road at the property location is served by the City of Albuquerque's Bus system.

The requirement for an approved Site Development Plan for Subdivision prior to any construction under the requested SU-1 for PRD zone will provide the EPC and DRB opportunities to review proposed site improvements and to determine whether the proposed development meets the requirements for approval of a site development plan. The site development plan does not exhibit design that conflicts with the prevailing architecture in the surrounding area. Staff finds that the request furthers Goal II.B.5.

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 proposed zone change request furthers this policy by creating a PRD in an area that presently has a full range of land uses including residential, various types of commercial, churches as well as other PRDs. The subject property is an appropriate location for this type of use since it will be on a Major Transit Corridor and have excellent access to the multi-modal transportation system serving the area. The project furthers this policy by moving the City toward the goal of 5 dwelling units per acre.

Staff agrees. The request furthers 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 proposed town homes project's location, intensity, and design respects the existing neighborhood values and furthers this policy. This is supported by the numerous letters of nearby residents expressing approval of the project and zone map amendment. There is no known neighborhood opposition to the proposed zone map amendment.

The intensity and design standards of the proposed SU-1 PRD zoning respect neighborhood values overall, because while inconsistent with R-1 setback requirements of abutting property to the south (Las Golondrinas), the proposed setbacks and building height are consistent with the setbacks and height of residential development adjacent to the north, east and west and with the height of residential development to the south.

The Zone map amendment and required SDP are not anticipated to have any adverse impact on environmental conditions and carrying capacities. The proposed SU-1 zone designation for the subject property maintains the overall neighborhood residential land use, albeit at a higher density, but comparable to the existing residential densities in the abutting development on the north. The residential development adjacent to the south is at a significantly lower density

than proposed with this SU-1 PRD; however Montano Road buffers that development from the higher density proposed. There is no known neighborhood opposition to the proposed Zone map amendment and SDP. Staff finds the request furthers Policy II.B.5.d.

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

The proposed project represents a different type of infill that is needed in the North Valley and one that blends with its surrounding neighbors and creates a safe and sociable cluster of residences. The existing RA-2 zoning prohibits this type of appropriate infill development. The subject property is served by all public and private utilities including sewer, water, natural gas, electric, telephone and cable TV. Approval of the proposed Zone Map Amendment furthers this policy by allowing private sector investment to implement this infill development.

Staff agrees that the site of the proposed Zone map amendment and SDP is an infill site, within a developed urban area, where a full complement of urban services and utilities are already available. The EPC review and subsequent DRB review of the proposed site development plan will provide opportunities for the City to ensure protection of surrounding properties and thus the integrity of existing neighborhoods. Staff finds the request furthers Policy II.B.5.e.

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

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

The proposed Zone change from RA-2 to SU-1, PRD will allow an approximate density of 18 dwelling units per net acre. The immediate area surrounding the subject property is already an established mixed density pattern established by SU-1 PRD zoning. Montano Road has recently been designated as a Major Transit Corridor with excellent access to the Major Activity Centers of Downtown and Renaissance Center, and both Interstate Highways 25 and 40. The area is definitely in a transition period with many of the existing single family residences along Montano Road having been changed to SU-1 zoning with commercial designations. Approval of this

project furthers the goals of this policy by providing a higher density housing in an area with both excellent access to a major street network and in an areas where transition is needed between single-family homes and much more intensive development.

Situations 1, 4 and 5 do not apply. The proposed site development is consistent with Situations 2 and 3. The subject property fronts Montano Road, a Principal Urban Arterial. A mixed density development pattern of single family homes zoned R-1, and townhouses zoned SU-1 PRD exists in the neighborhood. Along the north side of Montano Road west of the subject site, two of the lots (1029 and 1105 Montano Road) are in non-residential uses. The proposed SU-1 zone designation for the subject property maintains the overall residential neighborhood land use, albeit at a higher density, but comparable to the existing residential densities in the abutting development on the north. While the residential development adjacent to the south is at a significantly lower density than proposed with this SU-1 PRD, Montano Road intervenes. Staff finds the request generally furthers Policy II.B.5.h.

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 proposed project is not adjacent to an arterial street but rather on a Major Transit Corridor. As shown on the Site Development Plan residents and visitors will be able to drive directly from Montano Road into the town home complex. The area between the two buildings provides ample frontal parking and separate one car garages. Due to the 24' width of the driveway area vehicles will be able to safely turn around and exit onto Montano in a forward direction. The project furthers this policy by minimizing the effects of traffic. Livality of the existing neighborhood will be maintained by the safety of vehicle ingress and egress. The increase in density will produce an insignificant increase to traffic on Montano Road.

Staff notes that Montano Road is classified by the MRCOG as a Principal Urban Arterial. Staff agrees that the requested increase in density will not adversely impact the traffic along Montano Road. Ingress/egress to the subject property will only be from Montano Road and thus the increase in density will have no adverse effect on properties farther into the neighborhoods beyond the subject property. Staff finds the request furthers Policy II.B.5.k.

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

The proposed town home project will use the SU-1 for PRD designation to deliver an innovative design that would bring an attractive Northern New Mexico architectural style which blends nicely with the existing North Valley Neighborhood. The project is designed with a building footprint of about 27% with the remaining for open space, backyard privacy and driveways all nicely landscaped. The majority of rainfall is harvested for landscape watering. These quality and innovative design features further this policy.

Staff finds the proposed design, set by the SU-1 PRD, is consistent with surrounding properties. Staff finds the request furthers Policy II.B.5.l.

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

While this project is not mixed use it is a mixed density project within and established neighborhood that is undergoing significant transition away from single family residences to more commercial use. This project will help balance the areas mixed needs of commercial, single family residential and higher density residential that town homes can offer. Development on this vacant lot furthers the policy of redevelopment and rehabilitation of older neighborhoods.

Staff agrees. Changing the zone designation from RA-2 to SU-1 / PRD furthers this policy through 1) facilitating the development of un-used infill lots in an older, established neighborhood, and 2) implementation of a site development plan which controls the character, scale, and quality of the development to strengthen the neighborhood and the Established Urban Area. Staff finds the request furthers Policy II.B.5.o.

Policy II.B.5.p: Cost-effective redevelopment techniques shall be developed and utilized.

This project would be a cost effective redevelopment as presented which would not require direct City investment in new infrastructure and be funded exclusively by private investment. The opportunity for this infill development and need by the market place for housing is now and will bring a positive economic development to the City including increased property valuation and resultant property taxes, gross receipt taxes from the construction and future building maintenance. The project furthers this policy by stimulating private investment in redevelopment.

Staff agrees. The project represents an infill development within an urban area already served by urban infrastructure. Staff finds the request furthers Policy II.B.5.p.

Section II.D.4 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 encourage 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 zone change and resultant project will provide new housing that is a short drive, walk, or bike ride from services, recreation, entertainment, and jobs which furthers the Transportation and Transit goals. The proposed project is located on the Major Transit Corridor of Montano Road served by ABQ Ride Bus Line, Route 157 with bus stops within a couple hundred feet. There also is a designated bike lane and adequate sidewalks on Montano connecting Fourth Street to the Rio Grande River where there is multi-use trails both north and south.

Staff agrees. The subject site is well situated to encourage residents of the proposed development to avail themselves of modes of transportation other than the single-occupant automobile. Staff finds the request is consistent with the Section II.D.4 Goal.

Policy II.D.4.b. The City will structure capital expenditures and land use regulations in support of creating additional housing and jobs within Major Transit and Enhanced Transit Corridors, and will promote ongoing public/private cooperation necessary to create market conditions that support intensified development of jobs and housing in these corridors.

The proposed project and zone change will not require any new or additional capital expenditures from the City but will add eight housing units on Montano Road which has been recently designated as a Major Transit Corridor. Approval of the project will promote ongoing public/private cooperation and allow new housing in this Corridor which supports the implementation of this goal. Without approval it is unlikely that the property will be developed in the near future.

Staff agrees. The proposed development will not require capital expenditures to provide additional housing along Montano Road, a Major Transit Corridor. Staff finds the request furthers Policy II.D.4.b.

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

The proposed project of eight town homes couldn't get any closer than being on the Montano Major Transit Corridor and served by ABQ Ride Bus Line, Route 157. The proposed project will not destabilize the neighborhood and is supported by many nearby residents and property owners. The project furthers this goal by increasing transit ridership.

Montano Road is a designated Enhanced Transit Corridor, proposed to be re-designated as a Major Transit Corridor, adjacent to the subject site. The request will provide additional dwelling units adjacent to a transit corridor. The Comprehensive Plan 'Development Form' for an Enhanced Transit Corridor includes "minimum setback, to provide landscaping or pedestrian activity areas only; parking separated from the street by the building or to the side; floor area ratio of 0.5 – 1.5 and housing density for new development 7 – 30 DU/acre." Staff finds the request furthers Policy II.D.4.c.

Goal 5. To reduce or eliminate flooding and improve ponding and drainage capacities in the plan area.

Presently rainwater is retained on the property by ponding in low areas due to terrain and during severe rains drainage may occur to adjacent properties. The proposed project furthers this policy by eliminating drainage onto adjacent properties. This is shown by an engineered drainage plan within this submittal. The plan will incorporate water harvesting for landscape,

sloped grades to retention ponds and channels to divert minor drainage to the street storm system.

Staff agrees that the proposed development will further this goal compared to existing undeveloped conditions on the property. However, any development on the property would be required by City code to improve drainage conditions where problems exist.

Rank II Plans

The North Valley Area Plan was adopted in 1993. The Plan generally encompasses the area bounded by I-40 on the south, the Rio Grande River on the west, Roy Avenue on the north, and Interstate 25 on the east. The stated purpose of the plan was to inventory the area's cultural and environmental resources, define citizen needs and desires, identify issues, prepare programs to implement policy, and recommend policy changes if necessary.

Goal 2. To preserve and enhance the environmental quality of the North Valley Area by:

- a) maintaining the rural flavor of the North Valley
- d) providing a variety of housing opportunities and life styles including different socioeconomic types

The zone change request for SU-1 for PRD furthers this policy by allowing cluster housing that maintains the rural flavor of the North Valley and provides housing opportunities and life styles including different socioeconomic types. The existing North Valley character will be maintained by the orientation of the residences facing each other, the open space and the Northern New Mexico style architecture. The NVAP encourages higher density residential development adjacent to shopping areas to reduce motoring needs. A nearby resident who supports the project stated that he would like to see the project completed so his daughter, who was raised in the area, could move from the West side. Fourth Street shopping, restaurants, and businesses are only four or five blocks away and within walking distance. In addition, cluster housing principles are suggested in NVAP Housing Policy 4 and Agriculture and Rural Character Policy 2b.

Staff agrees that the request will incrementally add to a variety of housing opportunities including different socioeconomic types. The proposal will not maintain the rural environment existing in many areas of the North Valley, primarily well away from major streets, because the request is for a higher density development. Staff finds the request neither furthers nor hinders Goal 2.

Goal 6. To encourage quality commercial/industrial development and redevelopment in response to area needs in already developed/established commercial zones and areas. To discourage future commercial/industrial development on lots not already zoned commercial/industrial.

The proposed project seeks amendment from RA-2 zoning to SU-1 for PRD which will maintain the residential use and eliminate potential for commercial/industrial development which furthers this goal.

Staff finds this Goal 6 is not applicable to the request.

Policy 4, Housing. The County and City shall remove disincentives, provide incentives, and/or require housing development which meets the Cluster Housing Principles of preserving open land, providing new housing at appropriate densities, lower infrastructure costs, and design flexibility and creativity.

The proposed project seeks to employ an innovative design to create an attractive and appropriately scaled intimate neighborhood. The project is unique and features a small cluster with a relatively small footprint of only 27%, maintains the existing street character with community areas for parking, and shared and secure backyards. The proposed project lowers new infrastructure costs by taking advantage of all private and public utilities being in place. The proposed project furthers and enhances the Housing Policy goal.

Staff finds the recited text from the North Valley Area Plan is directed more at decision-makers at City and County agencies rather than private property developers, and is not directly applicable to the request.

Albuquerque Comprehensive Zoning Code

The subject site is currently zoned RA-2, and the request is for SU-1 for Planned Residential Development (SU-1 for PRD). Both zones allow residential uses. The major difference between the two is the development regulations, particularly lot size and setbacks.

<u>Current RA-2 Zone</u>	<u>Requested SU-1 for PRD</u>
- Minimum lot size = 9,500 sq.ft.* / DU	- Minimum lot size = 9,500 sq.ft.* (2,375 sq.ft. / DU)
- Front Setback = 20 ft. Minimum	- Front Setback = 24 ft. Minimum
- Side Setbacks = 5 ft. and 10 ft. on one side Minimum	- Side Setbacks = 5 ft. Minimum
- Rear Setback = 25 ft. Minimum	- Rear Setback = 15 ft. Minimum

*** Existing non-conforming condition**

Development within the SU-1 for PRD zone is governed by a site development plan, which is not required in the “R” zones. The proposed SU-1 for PRD zone would allow eight townhouses, four on each of two lots, where only one dwelling unit is currently permitted on each lot. The proposed use would not be permissive under the current zoning because it is not consistent with the minimum lot size, setbacks and maximum density standards in an RA-2 zone. The current

lot sizes of approximately 9,500 sq. ft. are non-conforming as to the minimum lot size requirement of 10,890 sq. ft. under the exiting RA-2 Zone. Because of the orientation of the two proposed buildings, the proposed setbacks are measured as front being between the access drive and the front and garage doors of the units, with the rear yard opposite the front yard and side yards on the building sides. A more detailed analysis of the proposed SU-1 for PRD zone follows, with *Staff analysis in bold italics*.

§14-16-2-22(A)(25) PLANNED RESIDENTIAL DEVELOPMENT (PRD):

- (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 townhouse 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 design standards as required under the PRD zone.

- (c) The PRD uses and development are compatible with adjacent properties, including 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 six additional dwelling units, three on each of the two lots, compared to the current RA-2 zone. The allowable density would increase from 4.5 DU/acre to 18 DU/acre. The abutting residential subdivision to the north is developed at a density of approximately 10 DU/acre. Adjacent property to the south is developed at approximately 5.5 DU/acre. The proposed development density is higher but generally compatible with the properties to the north, but is significantly denser than residential development to the south of Montano Road.

The proposed setbacks are smaller than what is required in surrounding R-1 residential zones. The setbacks in the adjacent Las Golondrinas subdivision to the south vary between lots, but are generally 20 feet front and rear. Because Montano Road lies between the subject site and Las Golondrinas, the smaller side and rear setbacks proposed will not adversely impact Las

Golondrinas. The side setbacks are comparable to the rear yard setbacks in the abutting Guadalupe del Prado subdivision. The existing structures on the properties adjacent to the west and east of the subject site have side setbacks of 10 feet or less and front setbacks of approximately 15 feet.

The requested height (26 feet) is comparable with the allowable height for adjacent properties.

The architectural design standards are generally consistent with what is required for an SU-1 PRD zone and in the General Zoning Regulations, and 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 site development plan states that future construction will be delegated to the building permit review process.*

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

Signs: *The site development plan does not specify a request for signage.*

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: 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.

The zone change justification letter analyzed here, dated May 13, 2013 is the result of Staff's two requests for revised justification. The proposed zoning is SU-1 for PRD, to allow development of eight townhomes on a vacant property along Montano Road.

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

Note: Policy text is in regular font; *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 RA-2 to SU-1 for PRD will serve, at least in a small way, the health of Albuquerque by reducing airborne particulates. The buildings together with pavement and landscaping will create an effective stabilizing dust cover and will reduce soil erosion. Potable water is a valuable resource and should not be wasted. This project will promote water conservation through the use of low-water-use landscape materials, rain water harvesting, and water saving toilets and low-flow faucets and shower heads. This project will produce no adverse noise impact. To many vacant lots are unsightly and a new building on the property would improve the overall aesthetics. Because the proposed development can be considered an infill project and provides eight new close-in residences it may reduce traffic, reduce vehicular emissions and encourage use of public transportation. Montano Road has recently been declared a Major Transit Corridor as defined by the Albuquerque/Bernalillo Comprehensive Plan. Quoting from this definition "These corridors would focus on the movement of many people in a pedestrian environment, would emphasize short trips and convenience and would be prime candidates for significant mixed use infill and redevelopment." This project supports this focus having an existing 8 foot sidewalk/buffer across the front of the lots that are handicapped accessible and location on Montano Road served by the City of Albuquerque's bus transit system with east and west stops within a few hundred feet. There is nothing about this project which would negatively impact the health, safety, morals or general welfare of the citizens of Albuquerque. In fact the Commission should have received multiple letters of support from neighbors who live in all four directions of the project. The zone change would be beneficial to the City while furthering the goals and policies of both the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan by providing a unique housing alternative while maintaining the residential neighborhood and enhancing the Montano Road character.

Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a zone change request furthers a preponderance of applicable goals and policies from the Comprehensive Plan and, in the case of this request, the North Valley Area Plan. The applicant utilizes a policy-based justification for the request (see Section below), so the response to Section 1.A is sufficient.

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

The proposed zone change from RA-2 to SU-1 PRD is consistent with what is currently happening along Montano Road west of Fourth Street to the Rio Grande River. The existing RA-2 zoning is inappropriate due to widening of Montano Road and the construction of the bridge crossing of the River. Since that time the traffic count has increased to nearly 30,000 vehicles per day. The subject property has remained undeveloped not only because of this change that has made single family residences undesirable but also the lots' depths were reduced by over 20' by the widening of Montano Road. The property as currently configured would not meet the

requirements for minimum lot size of 10,980 square feet as required by the present zone, RA-2. Stability of land use will be maintained as the property directly behind the proposed project is Guadalupe Del Prado a high density residential community with a SU-1, PRD designation. Likewise directly across the street from the proposed project is Las Golondrinas, a residential community with a SU-1 PRD zoning. The zoning of nearby lots east, west and north have changed over time which has been a move away from residential/agricultural and toward low-key mixed uses: SU-1 for RC, SU-1 for PRD, SU-1 for school, SU-1 for church & daycare center, SU-1 for construction yard and office and SU-1 for insurance office. In this particular case, residential/agricultural is the one use which is "not like the others." The proposed SU-1 for PRD townhome project will be a low-key compliment to the neighborhood and maintains a residential use on the property rather than an office or commercial use that could be permitted in the SU-1 zone.

Staff agrees that because the existing lot sizes are below the minimum required in the RA-2 zone, this property could not be developed with any residential use without a variance or zone change. Staff also agrees that the requested zone maintains the stability of use in the area, as it is going from one residential zone to another. Construction of the Montano Road Bridge was instrumental in changing conditions along Montano Road. Most properties fronting Montano Road are no longer in residential use.

Staff notes that any non-residential development on the subject site would require a Site Development Plan, as the SU-1 zone allows O-1 and C-1 permissive uses up to 25% of the total gross floor area of the development. The SU-1 for PRD requested would not adversely affect stability of zoning in the area, which is primarily zoned for residential land uses including RA-2, R-1, and SU-1 for PRD. Non-residential zoning in the immediate vicinity of the subject site consists of SU-1 for Insurance Office, SU-1 for RC Uses and SU-1 for School.

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 zone map amendment is not in conflict with the interests of the neighborhood or general public interest nor is it in conflict with the spirit and intent of the Albuquerque/Bernalillo County Comprehensive Plan, the North Valley Area Plan and other written policies adopted by the City. The subject property is within the Developing and Established Urban Areas as defined by the Comprehensive Plan. The project and associated zone map amendment are consistent with the following goals and policies of the plans as outlined.

Staff agrees with the applicant's citations of Comprehensive Plan Goals and Policies, and with the applicant's citations from the North Valley Area Plan except Goal 2 which calls in part for maintaining the rural flavor of the North Valley, and Goal 6 which does not apply because it refers to commercial development. Staff notes that the applicant cited North Valley Area Plan descriptive text regarding housing, which is not typically used in justifications for Zone map

amendments.

- 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.

The existing residential/agricultural zoning is inappropriate because of changed neighborhood and community conditions. As Albuquerque grew, there was an explosion of new growth west of the Rio Grande. One of the results of the City's western development was the need for more river crossing bridges. The construction of the Montano Bridge and the expansion of the Montano Road corridor have, over the years, impacted the older communities on the eastern side. Residential/agricultural zoning is less appropriate now than it was years ago when the existing zone map was created. This is supported by the fact that these lots have never been developed. The nearby lots which have developed are those with SU-1 zoning for residential and mixed non-residential uses. These existing uses represent a fair cross-section of neighborhood services (school, church, day-care center, insurance office and multi-family residential). The one use which does not really fit is RA-2 Residential/Agricultural.

Staff agrees with the applicant's assertion that the requested zone is more appropriate given changed neighborhood community conditions, primarily resulting from construction of the Montano Road bridge and widening of the road to four lanes between 4th St. and Coors Road. As discussed above under the staff analysis of goals and policies of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan, staff finds that the applicant has adequately justified that the requests further a preponderance of Comprehensive Plan goals and policies.

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

The SU-1, Special Use Zone encompasses the following by definition: "This zone provides for suitable sites for uses which are special because of infrequent occurrence, effect of surrounding property, safety, hazard, or other reasons, and which the appropriateness of the use to the specific location is partly or entirely dependent of the character of the design. Planned Residential Development (PRD) is one of the many permissive uses within the SU-1 zone. The proposed change of zone from RA-2 to SU-1 for PRD eliminates other permissive uses. A Site Development Plan for Subdivision with very specific design standards is required and accompanies this submittal for approval by the Planning Commission in conjunction with the zone map amendment prior to building permit. Any departure from the approved Site

Development Plan, although permissive by the SU-1 zoning would require approval from the Planning Commission.

Staff agrees and finds that the requested permissive use of townhome residential will not be harmful to adjacent property, the neighborhood or the community.

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

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

The proposed zone change from RA-1 to SU-1 for PRD is an infill development project and located at a site with access to all necessary and existing utilities. The City will not be required to make any unprogrammed capital improvements or expenditures. Given the very limited scope of this project, there are going to be very few demands on the existing transportation infrastructure.

Staff agrees. The request will not result in any major or unprogrammed capital expenditures by the City.

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 are not the determining factor for the requested zone change from RA-2 to SU-1 for PRD. Economic considerations are always important to an Owner/Developer. However, the justification that precedes this demonstrates that the proposed zone change is warranted by consistency with City's Comprehensive Plan, the North Valley Area Plan and good planning practices. The project will increase the property value and generate additional property tax revenue as well as gross receipts taxes during construction and future maintenance.

Staff agrees. The cost of land is not the determining factor for the requested change of zone.

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

Although the project is not only on a major street it is on Montano Road, a Major Transit Corridor, it is not in itself sufficient justification for the change of zoning from RA-2 to SU-1 for PRD. It is justified by consistency with numerous policies cited in this submittal from both the Comprehensive Plan and North Valley Area Plan. The proximity of nearby existing mixed non-residential uses (both east and west of the site) and the proximity of an existing high density PRD use to the north (Guadalupe Del Prado) and to the West (Tierra Del Rio) provide additional justification for approval. The daily volume of traffic on Montano Road (nearly 30,000 per day)

is further reason why these lots are unlikely to ever develop as residential/agricultural and why RA-2 is not the appropriate zoning.

Staff agrees. The Zone map amendment request is appropriate for a number of reasons, including consistency with applicable goals and policies of the Comprehensive Plan, and changed conditions in the site vicinity. A major change in the area has been the construction of the Montano Road Bridge and widening of the roadway to accommodate Arterial-level traffic volumes.

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.

Our request for zone change to SU-1 for PRD does not constitute spot zoning. We are surrounded by SU-1 zoning. To the north there is an adjacent SU-1 for PRD; to the east there is SU-1 for School, SU-1 for RC uses and SU-1 for Church & Daycare Center and to the west there is SU-1 for an Insurance Office.

There are a variety of mixed uses on this block. Our proposed strategy of planned residential development maintains a residential use (albeit, with a higher density) which helps to provide a non-commercial buffer between the traffic volume of the Montano corridor and lower density single family housing.

Staff finds that while the request will create a spot zone, in that it is an SU-1 zone for a specific development site, it is justified because it furthers a preponderance of applicable goals and policies in the Comprehensive Plan and the North Valley Area Plan. Staff notes that the SU-1 zoning is generally considered a justifiable spot zone. The use requested is consistent with the use allowed under the current zoning, however the development intensity and character of the site will be substantially more intense.

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.

Our request for zone change to SU-1 for PRD does not, by any definition, constitute strip zoning. The mixed non-residential and residential SU-1 zoned properties nearby represent a cross-section of mixed low-key neighborhood uses.

We believe approval of this request for zone change is supported by the facts and is consistent with the health, safety, morals and general welfare of the people of Albuquerque. It is not in conflict with the interests of the neighborhood or general public interest nor is it in conflict with the spirit and intent of the Comprehensive Plan, the North Valley Area Plan and other written policies adopted by the City. The proposed zone change will not result in a strip commercial zone.

Staff agrees. The request will not result in a strip commercial zone.

SITE DEVELOPMENT PLAN FOR SUBDIVISION

This is a request for a Site Development Plan for Subdivision (SPSD) for Lots 17A and 17B, Zapf Van Addition No. 10 (the “subject site”). The site is currently zoned RA-2, with a concurrent request for SU-1 for PRD. The site contains approximately 0.44 acres of land and is located on the north side of Montano Road NW between 9th St. NW and Guadalupe Trail.

Site Plan Layout / Configuration

Lot Size. The proposed site layout is compatible with adjacent development to the north, west and east. The applicant has indicated the intent to construct two two-story, 2,808 sq. ft. buildings each containing four townhomes; each townhome will be approximately 1,150 sq. ft. The abutting development on the north, the Guadalupe del Prado subdivision, is a zero-lot line development of attached residences where abutting the subject site.

Height. The requested maximum building height is 22 feet. This height is less than the 26-foot height allowed in the current RA-2 zone. The 22-foot building height is consistent with the existing homes in the abutting development to the north. The subdivision to the south consists of one-story and two-story homes.

Setbacks. The current RA-2 zone requires a minimum front yard setback of 20 feet; side yard setbacks of 5 feet and 10 feet; and a rear yard setback of 25 feet. The current zoning requires a minimum lot size of 10,980 sq. ft., more than the lots each contain. In order to meet setback requirements the property could be developed with two single family homes, each not exceeding a depth of 30 feet on the lot if all setback requirements were met.

The request is for a front yard setback of 24 feet; side yard setback of five feet; and a rear yard setback of 15 feet. These requested setbacks are smaller than what is required in the RA-2 or R-1 residential zones.

Open Space/FAR. The site development plan proposes development of two buildings, each with a footprint of approximately 2,808 sq. ft. Over the 0.44-acre site, the resulting FAR will be 0.3. The landscaped areas will be common access, with no rear yard fencing proposed for the individual units.

Vehicular and Pedestrian Access, Circulation and Parking

Vehicular access will be a single access via Montano Road. Each dwelling unit will have two off-street parking spaces, one inside a single-car garage, and the other outside the garage in the driveway. Two off-street spaces for guests will also be provided on the site for common use.

The existing Montano Road is paved to 68-foot width, with four through-lanes for automobile traffic and two bicycle lanes, one on each side. Six-foot wide sidewalks exist along both sides of the road. The Site Development Plan for Subdivision proposes to retain the existing six-foot sidewalk along the Montano Road frontage, and to construct two four-foot wide internal sidewalks for connection between the street, off-street parking, and front entrances to each unit. A clear-sight area is required where the project access driveway meets Montano Road. A Traffic Impact Study (TIS) was not required.

Walls/Fences

The Site Development Plan indicates that existing walls and fences on adjoining property boundaries will be utilized as perimeter fencing. New walls of four-foot height will be constructed to provide privacy to townhome rear yards from Montano Road, and to fence off the two detention areas at the rear of the site.

Lighting and Security

Exterior lighting, not shown on the exhibits, will be limited to typical residential porch lighting at the front door and rear patio door of each dwelling unit.

Landscaping

The Landscape Plan shows landscaping material surrounding both new buildings except paved areas, including 20 one-inch caliper trees. Zoning Code 14-16-3-10(F) requires, for apartment and non-residential developments, planted trees to be a minimum of two-inch caliper. While the proposed Site Development Plan is not for an apartment or non-residential development, site landscaping should include 20 two-inch caliper trees.

Conceptual Utility Plan

The conceptual utility plan shows connections to each dwelling unit for water, electricity, and natural gas.

Architecture

The building elevations exhibit proposes tan stucco exterior, tan-colored trim, white windows, and “pro-panel” roofing. Second floor fronts are to be set back six feet from the front wall plane above the garages.

Signage

The site development plan does not specify a request for signage.

V. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

Transportation Planning provided several comments. One that would have a minor impact on the overall site design is that the proposed sidewalks for internal access to the units provide sufficient space for wheel-chair turnaround at the northern end. These comments are included as recommended conditions of approval.

Neighborhood/Public

Representatives from the North Valley Coalition, and property owners within 100 feet of the subject site were notified. A facilitated meeting was neither offered nor requested. A letter of support was submitted by the President of the Guadalupe del Prado Homeowner’s Association, and is attached. No comments were received from notified property owners.

VI. CONCLUSION

This two-part request is for a Zone map amendment and Site Development Plan for Subdivision for the “subject site”, which contains approximately 0.44 acres of land located on Montano Road NW between 9th St. NW. and Gualalupe Trail. The site is currently vacant and zoned RA-2. The subject site is within the boundaries of the North Valley Area Plan, although the plan does not establish zoning. The applicant requests SU-1 for PRD zoning.

The zone change request is consistent with a preponderance of applicable Comprehensive Plan goals and policies to develop on infill sites in existing neighborhoods that are served by public services and facilities, and to promote higher density housing along transit corridors. The request is inconsistent with the rural character desired in the North Valley Area Plan area. However, the Area Plan, adopted in 1993, did not anticipate the changes to Montano Road with construction of the bridge in 2004.

Regarding the Site Development Plan for Subdivision, determining if the request is compatible with surrounding development hinges on which properties are considered – the development the site faces on Montano Road, or the adjacent residential subdivision to the south. While this property is located between different residential densities, the Montano Road location makes it suitable for the density proposed to be developed. Staff recommends approval, subject to conditions.

FINDINGS – 13EPC-40114 – June 13, 2013 – Zone Map Amendment

1. This is a request for a Zone Map Amendment for Lots 17A and 17B, Zapf Van Addition No. 10, located at 921-923 Montano Road NW, and containing approximately 0.44 acre.
2. The applicant proposes to change the zone from RA-2 to SU-1 for PRD in order to develop a total of eight townhouse residences in two new buildings.
3. There is an accompanying request for a Site Development Plan for Subdivision (13EPC-40113).
4. The subject site is in the Established Urban Area of the Comprehensive Plan, and within the boundaries of the North Valley Area Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.
5. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The applicant has justified the Zone change request pursuant to *Resolution 270-1980* as follows:
 - A. Section 1A: Consistency with the City's health, safety, morals and general welfare is demonstrated because the request furthers a preponderance of Goals and Policies of the Comprehensive Plan and the North Valley Area Plan. The proposed zoning is not likely to have an adverse impact on the welfare of the neighborhood or the City.
 - B. Section 1B: The requested zone maintains the stability of use in the area, as it is going from one residential zone to another and it is controlled through a site development plan, which will ensure compatible development.
 - C. Section 1C: The applicant has adequately justified how the requested zone change furthers a preponderance of the Goals and Policies that are presented in the Comprehensive Plan.

Policy II.B.5.a – residential density up to 5 du/acre. The proposed development furthers this policy by moving the city toward the goal of 5 DU/AC. The subject property will be on a Major Transit Corridor and have excellent access to the multi-modal transportation system serving the area.

Policy II.B.5.d: - location, intensity, and design of new development. The intensity and design standards of the proposed SU-1 PRD zoning respect neighborhood values overall, because while inconsistent with lot size and some setbacks of abutting property to the south, the proposed setbacks and building height are consistent with other surrounding residential development.

Policy II.B.5.e. – new growth in areas where vacant land is contiguous to urban facilities and services. The site of the proposed Zone map amendment and SDP is vacant land within a developed urban area, where a full complement of urban services and utilities are already available.

Policy II.B.5.h: higher density housing is most appropriate with a major street network and a mixed density pattern. The proposal will add higher density housing to a site fronting Montano Road, a designated Principal Urban Arterial.

Policy II.B.5.k – transportation’s impact on livability and safety. The requested increase in density will not adversely impact the traffic along Montano Road.

Policy II.B.5.l – quality and innovation in design. The proposed design, set by the SU-1 PRD, is consistent with surrounding properties.

Policy II.B.5.o - redevelopment and rehabilitation of older neighborhoods. The request will facilitate the development of un-used infill lots in an older, established neighborhood.

Policy II.B.5.p - cost-effective redevelopment techniques. The project represents an infill development within an urban area already served by urban infrastructure.

Policy II.D.4.b – structure capital expenditures and land use regulations in support of Transit Corridors. The request will add additional dwelling units along an Enhanced Transit Corridor.

Policy II.D.4.c – additional dwelling units near transit corridors. Montano Road is a Major Transit Corridor and the request will add dwelling units along the Transit Corridor.

The request partially hinders and partially furthers the following North Valley Area Plan goal:

Goal 2. To preserve and enhance the North Valley Area by maintaining the rural flavor and providing a variety of housing opportunities.

- D. Section 1D: The requested zone is more appropriate given changed neighborhood conditions, as it will allow infill development in an established residential neighborhood along a Principal Arterial and an Enhanced Transit Corridor.
- E. Section 1E: The requested permissive use of townhome residential will not be harmful to adjacent property, the neighborhood or the community.
- F. Section 1F: The proposed zone change requires no major or programmed capital expenditures by the City.
- G. Section 1G: Economic considerations are not the determining factor for this request. The applicant has demonstrated that the proposed zone change furthers a preponderance of relevant policies in the Comprehensive Plan.
- H. Section 1H: Location on a collector or major street is not used as justification for the proposed zone change.
- I. Section 1I: All SU-1 zones for specific sites, including the request, create a “spot zone.”
- J. Section 1J: The request does not create a “strip zone.”

7. Representatives from the North Valley Coalition, and property-owners within 100 feet of the subject site were notified. A facilitated meeting was not requested. There is no known opposition to the requests. A letter of support was submitted by the President of the Guadalupe del Prado Homeowner's Association.
8. The applicant has satisfied §14-16-4-1(B)(25)(d) by providing a set of plans in lieu of a set of design standards. Future site plans for building permit will not require EPC approval.

RECOMMENDATION – 13EPC-40114 – June 13, 2013 – Zone Map Amendment

APPROVAL of 13EPC-40114, a request for Zone Map Amendment, from RA-2 to SU-1 for PRD for Lots 17A and 17B, Zapf Van Addition No. 10, based on the preceding Findings and subject to the following Condition of Approval.

CONDITION OF APPROVAL – 13EPC-40114 – June 13, 2013 – Zone Map Amendment

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

FINDINGS – 13EPC-40113 – June 13, 2013 – Site Development Plan for Subdivision

1. This is a request for a Site Development Plan for Subdivision for Lots 17A and 17B, Zapf Van Addition No. 10, located at 921-923 Montano Road NW and containing approximately 0.44 acres
2. The subject site is zoned RA-2. The applicant requests SU-1 for PRD. Residential use is permissive under the current zoning, although a maximum of two houses would be allowed, where eight attached residential townhomes will be allowed under the requested SU-1 for PRD zone.
3. The established development pattern in the surrounding area includes homes and accessory structures that were built prior to adoption of the Zoning Code and/or prior to widening of Montano Road 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 single-family detached residences or patio townhomes, and some single-family residences converted to non-residential uses.
4. The subject site is in the Established Urban Areas of the Comprehensive Plan and within the boundaries of the North Valley Area Plan. The proposal must comply with the Zoning Regulations and General Regulations of the Zoning Code.

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5. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
 6. 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.
 7. The Site Development Plan request furthers the following *Comprehensive Plan* policies:

Policy II.B.5.e – new growth in areas where vacant land is contiguous to urban facilities and services. The site of the proposed Zone map amendment and SDP is vacant land within a developed urban area, where a full complement of urban services and utilities are already available.

Policy II.B.5.h: higher density housing is most appropriate with a major street network and a mixed density pattern. The proposal will add higher density housing to a site fronting Montano Road, a designated Principal Urban Arterial.

Policy II.B.5.k – transportation’s impact on livability and safety. The requested increase in density will not adversely impact the traffic along Montano Road.

Policy II.B.5.l – quality and innovation in design. The proposed design, set by the SU-1 PRD, is consistent with surrounding properties.

Policy II.B.5.o - redevelopment and rehabilitation of older neighborhoods. The request will facilitate the development of un-used infill lots in an older, established neighborhood.

Policy II.B.5.p - cost-effective redevelopment techniques. The project represents an infill development within an urban area already served by urban infrastructure.

Policy II.D.4.b – structure capital expenditures and land use regulations in support of Transit Corridors. The request will add additional dwelling units along a Major Transit Corridor.

Policy II.D.4.c – additional dwelling units near transit corridors. Montano Road is a Major Transit Corridor and the request will add dwelling units along the Transit Corridor.

Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects and established residential neighborhoods shall be protected. The requested increase in density will not adversely impact the traffic along Montano Road.

8. Representatives from the North Valley Coalition, and property-owners within 100 feet of the subject site were notified. A facilitated meeting was not requested. There is no known opposition to the requests. A letter of support was submitted by the President of the Guadalupe del Prado Homeowner’s Association.
9. The applicant has satisfied §14-16-4-1(B)(25)(d) by providing a set of plans in lieu of a set of design standards. Future site plans for building permit will not require EPC approval.

RECOMMENDATION – 13EPC-40113 –April 18 2013– Site Development Plan for Subdivision

APPROVAL of 13EPC-40013, a request for Site Development Plan for Subdivision, for Lots 17A and 17B, Zapf Van Addition No. 10, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – 13EPC-40113 – June 13, 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.
3. All easements and access agreements need to be shown and labeled on Site Plan. Provide recording information.
4. 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).
5. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.
6. Right-of-way dedication to the City of Albuquerque may be required at DRB.
7. The site will require consolidation of two lots into one through re-platting action or a shared access and cross-access agreement will be required.
8. The construction of access points using curb return style construction is encouraged on Arterials and Collector streets. A curb return, COA Standard Dwg #2426, is requested for this development.
9. 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.”
10. Provide/label/detail all dimensions, classifications and proposed infrastructure within the site for clarity: internal sidewalk widths including details at dead-end (is there sufficient width for turning a wheelchair around?), height of curbing, and ramp design where pedestrian sidewalk and trash cart circulation interface.

11. Prior to application submittal to the DRB, the landscaping plan shall be revised to show twenty (20) trees of minimum two-inch caliper at time of planting.
 12. The Site Development Plan shall comply with the General Regulations of the Zoning Code and all other applicable design regulations, except as specifically approved by the EPC.
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***Chris Glore
Planner***

Notice of Decision cc list:

David Wood, 158 Pleasant NW, Albuquerque NM 87107

Chris Catechis, 5733 Guadalupe Tr. NW, Albuquerque NM 87107

Attachments

1. Additional staff info:
 - a. Photographs
 - b. R-270-1980
 - c. SU-1 PRD
 2. Application:
 - a. Cover Page
 - b. TIS form
 - c. Justification letter
 3. Neighborhood info/input:
 - a. ONC letter
 - b. Applicant letter & certified mail receipts
 4. Site Plan reductions
-
10. Any new residential units within this area will impact Griegos Elementary School, Garfield Middle School, and Valley High School. Currently, all three schools have excess capacity. The request will not have an adverse impact for APS.

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

- No comments received.

Office of Neighborhood Coordination

- North Valley Coalition – no comments received

Long Range Planning

- The R-270-1980 justification does not cite any policies of the Comprehensive Plan or the North Valley Area Plan. The Housing chapter of the North Valley Area Plan begins on page 115.

Metropolitan Redevelopment

- No comments received.

CITY ENGINEER

Transportation Development Services

SITE DEVELOPMENT - SUBDIVISION

- All easements and access agreements need to be shown and labeled on Site Plan. Provide recording information.
- 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).
- Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.
- Right-of-way dedication to the City of Albuquerque may be required at DRB.
- The site will require consolidation of two lots into one through re-platting action or a shared access and cross-access agreement will be required.
- The construction of access points using curb return style construction is encouraged on Arterials and Collector streets. A curb return, COA Standard Dwg #2426, is requested for this development.
- 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 for clarity: internal sidewalk widths including details at dead-end (is there sufficient width

for turning a wheelchair around?), height of curbing, and ramp design where pedestrian sidewalk and trash cart circulation interface.

AMENDMENT TO ZONE MAP

- No comment received.

Hydrology

SITE DEVELOPMENT – SUBDIVISION

AMENDMENT TO ZONE MAP

- Hydrology has no adverse comments.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Development

- Reviewed, no comments.

Transportation Planning

SITE DEVELOPMENT – SUBDIVISION

AMENDMENT TO ZONE MAP

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

Traffic Engineering Operations

SITE DEVELOPMENT – SUBDIVISION

AMENDMENT TO ZONE MAP

- No comments received

Street Maintenance

SITE DEVELOPMENT – SUBDIVISION

AMENDMENT TO ZONE MAP

- No comments received

NEW MEXICO DEPARTMENT OF TRANSPORTATION

SITE DEVELOPMENT – SUBDIVISION

AMENDMENT TO ZONE MAP

- No comments received

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

SITE DEVELOPMENT – SUBDIVISION

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

- All easements and access agreements need to be shown and labeled on Site Plan. Provide recording information.
- 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).
- Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.
- Right-of-way dedication to the City of Albuquerque may be required at DRB.
- The site will require consolidation of two lots into one through replatting action or a shared access and cross-access agreement will be required.
- The construction of access points using curb return style construction is encouraged on Arterials and Collector streets per the DPM. A curb return, COA Standard Dwg #2426, is requested for this development.
- 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 to guide the future development if the applicant is requesting delegation of future site development plans for building permit to the DRB or other approval body.

WATER UTILITY AUTHORITY

Utility Services – An Availability Statement from the WUA specific to this project must be obtained prior to any commitment of either water or sewer service to the site by the WUA.

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.

City Forester – No comments received.

POLICE DEPARTMENT/Planning

- No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

- No comments received.

FIRE DEPARTMENT/Planning

- No comments received.

TRANSIT DEPARTMENT

<p>Project # 1009681 13 PC-40113 SITE DEVELOPMENT-SUBDIVISION 13 PC-40114 AMNDT TO ZONE MAP (ESTB ZONING/ZONE CHG) LOTS 17a & 17b, ZAPT VAN ADDITION NO 10. ZONED RA-2 TO SU-1/PRD LOCATED ON MONTANO B/W 9TH & GUADALUPE TRAIL.</p>	<p>Adjacent and nearby routes</p>	<p>Route #157, Montano-uptown</p>
	<p>Adjacent bus stops</p>	<p>Nearest bus stop is 360' west from the southwest corner of the property serving the above-mentioned route.</p>
	<p>Site plan requirements</p>	<p>None.</p>
	<p>Large site TDM suggestions</p>	<p>None.</p>
	<p>Other information</p>	<p>None.</p>

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY – No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY – No comments received.

ALBUQUERQUE PUBLIC SCHOOLS

Zapt Van Addition No. 10, Lots 17A and 17B, is located on Montano Rd NW between 9th St NW and Guadalupe Trl NW. The owner of the above property requests approval of a Site Development Plan for Subdivision and a Zone Change from RA-2 to SU-1 PRD to allow for the development of 8 townhomes. Any residential development in the area will impact Griegos Elementary School, Garfield Middle School, and Valley High School. Currently, all three schools have excess capacity.

Loc No	School	2012-13 40th Day	2012-13 Capacity	Space Available
267	Griegos ES	378	387	9
410	Garfield MS	347	598	251
560	Valley HS	1340	1632	292

MID-REGION COUNCIL OF GOVERNMENTS – No comments received.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT – No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO – No comments received.