

LAND USE PLANNING AND ZONING COMMITTEE  
OF THE  
CITY COUNCIL

OA-1

COMMITTEE AMENDMENT NO. \_\_\_\_\_ TO C/S R-11-225

AMENDMENT SPONSORED BY COUNCILLOR \_\_\_\_\_

On page 100, in the SU-2/DNA-MR (Mixed Residential) zone, amend section A.1.a as follows:

"a. Townhouses shall be as regulated in the SU-2/DNA-TH zone as specified in this Plan, except as follows:

- i. Minimum lot area shall be 1,000 square feet for structures that do not exceed 26 feet in height.
- ii. Minimum lot area shall be 1,500 square feet for structures that are greater than 26 feet in height but do not exceed 40 feet."

**Explanation:** This amendment has been prepared in response to a request from a property owner who is developing a townhouse project on a small, infill site within the proposed MR (Mixed Residential) zone. The requestor has a 3,520 square foot lot on which he would like to build three townhouses. The 10.28.10 Draft of the DNASDP that was submitted to the EPC contained a minimum lot size for townhouses of 2,000 square feet, meaning that the requestor would have been limited to building one unit on his property. In a proposed Committee Substitute that was presented to the LUPZ Committee on 9-14-11, Council staff recommended reducing the lot size requirement for townhouses from 2,000 square feet to 1,500 in order to recognize both the urban and transition natures of the MR zone (see memo titled "9-14-11\_DNASDP (R-11-225)\_LUPZ Response Memo 1\_General Issues" #10). This would allow the requestor to built two townhouses on his property. It should be noted that the permissive building height in the MR zone is 40 feet.

The requestor is suggesting the following compromise: allowing a smaller minimum lot size (1,000 square feet vs. 1,500 square feet) while capping the maximum building height (26 feet vs. 40 feet). Requestor's letter is attached for reference.

LEE GAMELSKY ARCHITECTS P.C.

4 November 2011

Crystal Ortega, Clerk of the City Council  
City of Albuquerque  
City Council  
P.O. Box 1293  
Albuquerque, NM 87103

RE: Proposed Changes to the Downtown Neighborhood Area Sector Development Plan.

Dear Ms. Ortega;

This letter is written as a follow up to my 17 October 2011 letter in which I opposed the proposed DNASDP. Since then I have reviewed the Substitute R -11-225 Red-Blue-Green version of the DNASDP. **I can now support the Substitute version if it contains the additional language that I am proposing regarding the minimum lot size area in the SU-2/MR Zone for Townhouses.**

I own a vacant parcel in the Downtown Neighborhood Area.

It is located at 510 Eighth Street NW. The property is located 1 block from the west edge of the Downtown 2010 Plan and the Downtown Central Business District. It is in a transition area.

The area of the property is 3,520 SF/0.08 acres.

Legal: Lot B-1-A, Block 7, Subdivision: Perfecto, Mariano and Jesus Armijo Addition,

UPC: 101405806305031203.

The current zoning of the property is SU-2/HDA. There is no minimum lot size requirement.

Under the Current Zoning, the property can have a permissive multistory residential building.

The proposed zoning of the property is SU-2/MR. Under the proposed zoning regulations there will be a minimum lot size requirement.

Under the Current Zoning Requirements I would like to subdivide the property into 3 separate parcels and develop 3 townhouses on the properties. This is now permissive.

Under the proposed Substitute Zoning regulations I could not develop 3 townhouses, only 2.

There is a proposed minimum lot size requirement of 1,500 SF for Townhouses.

In reviewing the Substitute R-11-225 Red, Blue, Green DNASDP, I make the following observations:

The opening paragraph in SECTION 1: EXECUTIVE SUMMARY reads:

"The Downtown Neighborhood Area is a beautiful and **diverse residential** neighborhood with well preserved historic homes, **small apartments,.....**"

My interpretation of the opening paragraph is that **small residential units are to be encouraged.**

SECTION 4: GOALS AND OBJECTIVES, LAND USE AND ZONING, states:

Land Use Goal 2: **The Downtown Neighborhood area will promote infill development of surface parking lots and vacant parcels....**

In my opinion the DNASDP should provide flexibility in promoting development, and not be so prescriptive as to be limiting the opportunities in the area, especially in the transition areas abutting the Downtown Core.

In reviewing the Committee Substitute DNASDP SECTION 6: ZONING REGULATIONS , the following items should be revised:

Under TOWNHOUSE ZONE-SU-2/TH, Paragraph D.3

This item calls for Townhouse buildings to maintain a minimum distance of 10 feet from each other.

By definition, (page 146 in the Glossary) a Townhouse has common walls and it is a building. This item is not correct and it needs to be revised. I believe it is referring to the distance between a cluster of Townhouses (2-8 townhouse units), but it is not worded properly.

In reviewing the **MIXED RESIDENTIAL ZONE – SU-2/MR regulations**, I agree with most of the changes made in the Committee Substitute R-11-225 **EXCEPT for the minimum lot area requirement of 1,500 Square Feet for Townhouses.**

The SU-2/HDA Zone is being downzoned by a great deal. Imposing a minimum lot size on the properties does not promote development. The size of the development will already be limited by setbacks, on-site parking, and useable open space requirements. As the first paragraph of SECTION 1 alludes to: small size residential units should be encouraged.

**Therefore, I propose: in Item A. Permissive Uses, the following sentence be added to Item 1.a:**

**The minimum lot area shall be 1,000 Square feet for Townhouses with a maximum height of 26 feet.**

I would certainly support and encourage there be no minimum lot area for the zone, but I would be able to develop my proposed development with a minimum lot area of 1,000 SF.

With the inclusion of my proposed language in item A.1.a of the MR Zone I will support the adoption of the Committee Substitute R-11-225 Red-Blue-Green version.

Sincerely,



Lee Gamelsky AIA, LEED AP, Principal

Xc: Petra Morris, Planner, Long Range Planning Section

Kara Shair-Rosenfield, Policy Analyst/Planning, Albuquerque City Council

Andrew Webb, Policy Analyst/Planning, Albuquerque City Council

Diane Dolan, Policy Analyst, Albuquerque City Council

Kelly Sanchez-Pare, Policy Analyst, Albuquerque City Council



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On page 100, in the SU-2/DNA-MR (Mixed Residential) zone, amend section A.1 by adding a new subsection "d" as follows:

"d. For properties that do not abut properties zoned SU-2/DNA-SF, non-residential uses permitted in the SU-2/DNA-MUL zone, provided they do not exceed ten percent of the gross floor area on the premises."

**Explanation:** This amendment would add limited opportunities for non-residential development for properties within the MR zone, generally corresponding to what is allowed in the HDA (High Density Apartment) zone that the MR zone is replacing. This amendment corresponds to an issue that is discussed in the staff memo titled "Downtown Neighborhood Area Sector Development Plan R-11-225) – Responses to and Recommendations for Requests for Individual Plan Amendments Without Corresponding Recommended Change to Proposed Zoning Map," (November 30, 2011), #4.

