

LAND USE PLANNING AND ZONING COMMITTEE
OF THE
CITY COUNCIL

ZC-1

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

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 317 and 319 16th St., NW, from SU-2/SU-1 for B&B (Bed & Breakfast) to SU-2/DNA-MUM.

Explanation: This amendment, which has been prepared in response to a request from the owner of the subject properties, would change the zoning of the subject properties from SU-2/SU-2 for B&B (Bed & Breakfast) to MUM (Mixed Use Medium). The property owner applied for and the EPC approved a zone change request for the subject properties from SU-1 for B&B to SU-2/RC on January 13, 2011. The SU-2/DNA-MUM zone is intended to replace SU-2/RC zoning from the 1976 DNASDP. Since the subject properties now contain SU-2/RC zoning, it follows logically that they should be rezoned to SU-2/DNA-MUM in the same way that other properties in the vicinity with existing SU-2/RC zoning are rezoned.

LAND USE PLANNING AND ZONING COMMITTEE
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ZC-2/4/5

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

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 415 and 417 7th St., NW and 712 and 715 Marquette Ave., NW from SU-2/DNA-MR to SU-2/DNA-OR

Explanation: This amendment would change the zoning of the subject properties from the proposed MR (Mixed Residential) zone to OR (Office Residential). The subject properties are currently in use as offices and are located within the first block abutting the Downtown Core. This change will further the goal of buffering residential neighborhoods from the higher-intensity activities in the Downtown Core, while respecting existing land uses on these lots.

LAND USE PLANNING AND ZONING COMMITTEE
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CITY COUNCIL

ZC-3

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

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 1201 Lomas Blvd., NW, from SU-2/DNA-MUM to SU-2/DNA-NC.

Explanation: This amendment, which has been prepared in response to a request from the owner of the subject property, would change the zoning of the subject property from MUM (Mixed Use Medium) to NC (Neighborhood Commercial). The property owner testified at the December 2, 2010, EPC hearing that his major concern about the SU-2/DNA-MUM zone is that it does not permissively allow restaurant development, which is why he is requesting to be zoned SU-2/DNA-NC in the 2011 DNASDP. There is really very little difference between the SU-2/DNA-MUM and SU-2/DNA-NC zones, and staff believes that zoning the subject property SU-2/DNA-NC rather than SU-2/DNA-MUM is appropriate given that the property across the street on the northeast corner of 12th and Lomas is proposed to be SU-2/DNA-NC.

LAND USE PLANNING AND ZONING COMMITTEE
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ZC-6

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

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 1802, 1806, and 1808 Old Town Road, NW from SU-2/DNA-SF to SU-2/DNA-TH.

Explanation: This amendment, which has been prepared in response to requests from the owners of the subject properties, would change the zoning of the subject properties from the proposed SF (Single Family) zone to TH (Townhouse). Staff conducted a visit to the subject properties and verified that the existing land use is not, in fact, single family (this is reflected in the updated Existing Land Use map in C/S R-11-225). Based on the fact that there is a compact clustering of existing multifamily residential development in this area, staff supports changing the zoning of these properties from the proposed SU-2/DNA-SF to SU-2/DNA-TH, which is consistent with how similar multifamily properties throughout the 2011 DNASDP area are treated.

LAND USE PLANNING AND ZONING COMMITTEE
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ZC-7

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

AMENDMENT SPONSORED BY COUNCILLOR _____.

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 1213 Granite NW and 900 and 906 Brother Mathias NW from SU-2/DNA-TH to SU-2/DNA-SF.

Explanation: This amendment would change the zoning of the subject properties from TH (Townhouse) to SF (Single Family). The subject properties, which are single-family houses, are located in the first block south of Mountain Road across the street from a retirement home. Properties in similar locations as the subject properties (i.e., in the first block south of Mountain Road) and that are also currently developed and used as single-family residences are proposed to be rezoned from the existing SU-2/TH (per the 1976 DNASDP) to SU-2/DNA-SF in the 2011 DNASDP. Throughout the rest of the DNASDP area, SU-2/DNA-TH (Townhouse) zoning is only being retained or applied where existing townhouse or multi-family development exists. Staff is recommending this change in order to maintain consistency in the application of the SU-2/DNA-TH and SU-2/DNA-SF zones.

Notice of this proposed change, including information about how to register comments or opposition, was mailed to affected property owners on November 14, 2011. As of the presentation of this amendment, no comments have been received.

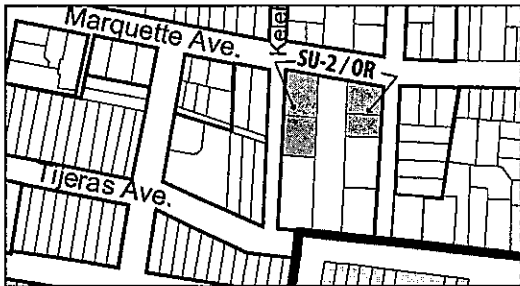
LAND USE PLANNING AND ZONING COMMITTEE
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CITY COUNCIL

ZC-9

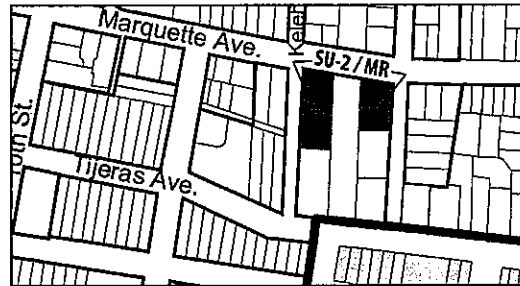
COMMITTEE AMENDMENT NO. _____ TO C/S R-11-225

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 312 and 314 Keleher St., 800 Marquette Ave., and 417 8th St., NW from SU-2/DNA-OR to SU-2/DNA-MR.



EPC Draft (10.28.2010 Proposed Zoning)



Zoning Established By This Amendment

Explanation: This amendment would change the zoning of the subject properties from the proposed OR (Office Residential) zone to MR (Mixed Residential). The properties are currently used for residential purposes, and given the predominantly residential character of Marquette and concerns from neighborhood residents about further encroachment of non-residential uses into residential areas, it is appropriate to limit these properties to their existing residential uses.

LAND USE PLANNING AND ZONING COMMITTEE
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ZC-10/12

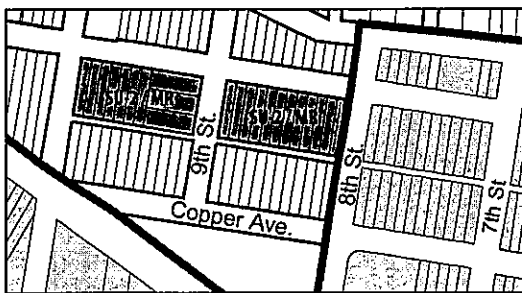
COMMITTEE AMENDMENT NO. _____ TO C/S R-11-225

AMENDMENT SPONSORED BY COUNCILLOR _____

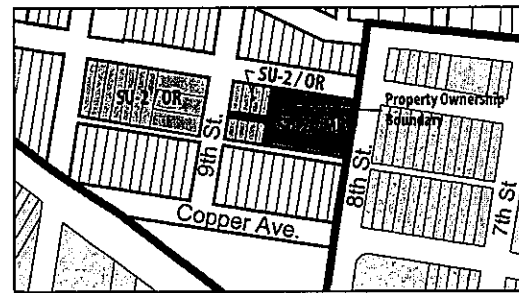
On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of the following properties:

- 216 9th St. NW, whose legal description is *00090043THRU LOT 12 SOUTH 50FT OF NMT ADDN and which is bounded by an ownership parcel incorporating the southernmost 50 feet of lots 9, 10, 11 and 12 of the southern 800 block of Kent NW; and
- 220 9th St. NW, whose legal description is NM T ADD N 92FT OF LOT 9 TO 12 BLK 43 and which is bounded by an ownership parcel incorporating the northernmost 92 feet of lots 9, 10, 11 and 12 of the southern 800 block of Kent NW; and
- 120, 122 and 124 10th St. NW; 918 and 920 Kent Ave. NW; and 215, 219 and 223 9th St. NW

from SU-2/DNA-MR to SU-2/DNA-OR.



EPC Draft (10.28.2010 Proposed Zoning)



Zoning Established By This Amendment

Explanation: This amendment would change the zoning of the subject properties from the proposed MR (Mixed Residential) zone to OR (Office Residential). Structures on the subject properties vary from single-family

detached houses to what appears to have once been a commercial storefront (120 10th St., NW), and at least four are currently in use as offices. Allowing office and very limited commercial uses is appropriate for this transition area between the higher-density SU-2/DNA-CC (Central Corridor) zone to the south and the residential areas of the neighborhood to the north.

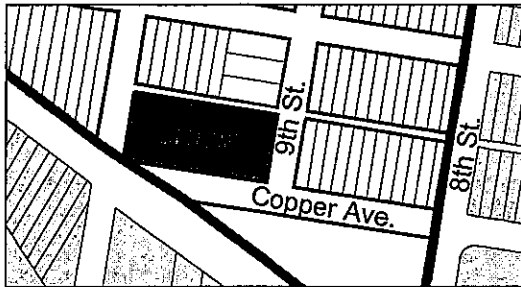
LAND USE PLANNING AND ZONING COMMITTEE
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CITY COUNCIL

ZC-11

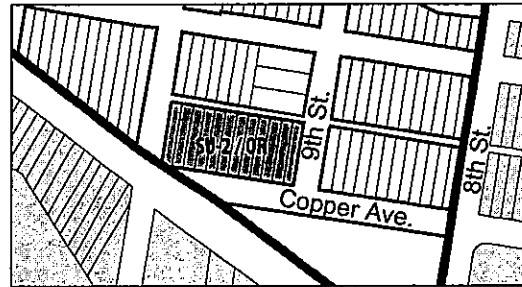
COMMITTEE AMENDMENT NO. _____ TO C/S R-11-225

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 903, 909, 913, 915, 917 and 919 Copper Ave., NW from SU-2/DNA-MR to SU-2/DNA-OR.



EPC Draft (10.28.2010 Proposed Zoning)



Zoning Established By This Amendment

Explanation: This amendment would change the zoning of the 900 block of Copper Ave., NW from the proposed MR (Mixed Residential) zone to OR (Office Residential). A number of property owners on this block submitted comments to Planning staff during the EPC hearing process, requesting the MUM (Mixed Use Medium) zone instead of the proposed MR zone and citing the fact that their respective properties had been used for non-residential purposes, namely offices, in the past as reason for desiring a zoning designation that would allow more than just residential uses. The EPC recommended changing the zoning of this block to MUM per property owners' request, and Council staff initially agreed with the recommendation. However, Council staff has ended up recommending significant changes to the OR zone and now feels that the revamped OR zone is more appropriate for the subject location given the proposed zoning of surrounding properties, historic use of the properties on this block, and generally being more in line with the intent of the OR zone than the MUM zone, which is primarily intended to be a corridor zone and is more suitable for higher-activity/higher-trafficked areas (such as Lomas Blvd.).

LAND USE PLANNING AND ZONING COMMITTEE
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ZC-13east

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

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of the entire south side of the 1000 block of Tijeras NW, which is bounded by Tijeras to the north, Kent to the south, 10th to the east and 11th to the west, from SU-2/DNA-MUM to SU-2/DNA-OR.

Explanation: This amendment would change the zoning for the subject properties from MUM (Mixed-Use Medium) to OR (Office Residential). The OR zone (as revised) is an appropriate designation for properties on the south side of the 1000 block of Tijeras, given: 1) the existing, large office building on the north side of Tijeras in this same block, which is proposed to be zoned OR, 2) their proximity to Central Avenue and property that is proposed to be zone CC (Central Corridor), the highest-intensity zone within the DNASDP, and 3) furtherance of/compliance with II.B.5 Policy i, II.B.5 Policy o, and II.C.1 Policy b of the Comprehensive Plan (see Part 1, #5 above).

LAND USE PLANNING AND ZONING COMMITTEE
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ZC-13west

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

AMENDMENT SPONSORED BY COUNCILLOR _____

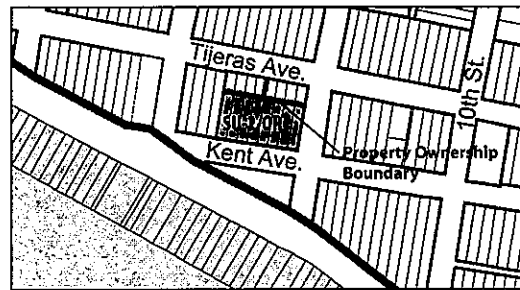
On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of the four ownership parcels comprised of the southernmost 100 feet of lots 1 through 8 of the southern 1100 block of Tijeras, NW, whose legal descriptions are:

- 057N M T ADD SOUTH 100 FT OF LOT 1 & 2;
- SOUTH 100 FT OF LOTS 3 & 4 OF THE N M TOWN COMPANY'S ORIGINAL TOWNSITE;
- S 100FT OF LOT 5 & 6 BLK 57 NEW MEXICO TOWNSITE ADD; and
- 057N M T ADD S100FT OF LOT 7 X 8

from SU-2/DNA-MUM to SU-2/DNA-OR.



EPC Draft (10.28.2010 Proposed Zoning)



Zoning Established By This Amendment

Explanation: This amendment would change the zoning of four ownership parcels on the southern edge of the south 1100 block of Tijeras from the proposed MUM (Mixed Use Medium) to OR (Office Residential). Establishing SU-2/DNA-OR zoning on the southernmost ownership parcels of this block will help allow for existing and new office and limited commercial uses, appropriate to this area near the higher-intensity SU-2/DNA-CC zone.

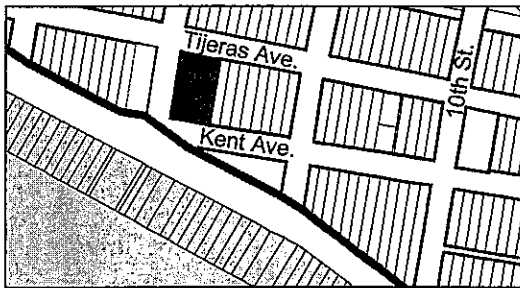
LAND USE PLANNING AND ZONING COMMITTEE
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CITY COUNCIL

ZC-14

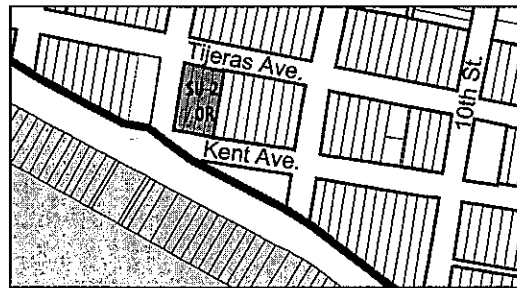
COMMITTEE AMENDMENT NO. _____ TO C/S R-11-225

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of lots 9, 10, 11 and 12 of the 1100 Block of Tijeras, NW from SU-2/DNA-CC to SU-2/DNA-OR.



EPC Draft (10.28.2010 Proposed Zoning)



Zoning Established By This Amendment

Explanation: This amendment would change the zoning of the four westernmost lots of the 1100 block of Tijeras from the proposed CC (Central Corridor) to OR (Office Residential). Establishing SU-2/DNA-OR zoning on the subject properties will allow for existing office uses and limited commercial uses in the future, while providing an appropriate buffer zone that is more compatible with the residential area to the immediate north than the CC zone would be. The CC zone would potentially allow for building heights up to 52 feet and many more permissive uses than the OR zone, which would cap building heights at 40 feet and allows fewer, more neighborhood-compatible non-residential uses.

LAND USE PLANNING AND ZONING COMMITTEE
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COMMITTEE AMENDMENT NO. _____ TO C/S R-11-225

AMENDMENT SPONSORED BY COUNCILLOR _____

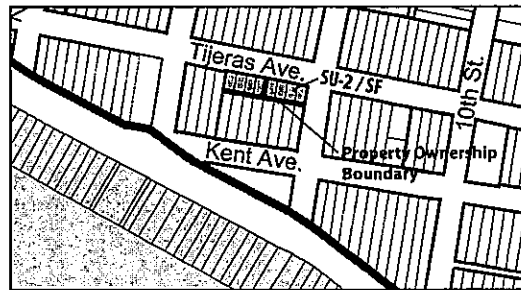
On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of the following properties:

- 1100 Tijeras NW, whose legal description is as follows:
57N M T ADD ORIGINAL N 57FT X 4 1/2IN OF LOTS 1 THRU 4 and which is bounded by an ownership parcel incorporating the northernmost 57 feet, 4.5 inches of lots 1, 2, 3 and 4 of the southern 1100 block of Tijeras, NW; and
- 1120 Tijeras NW, whose legal description is as follows:
057NMT ORIGINAL N57FT4IN OF LTS 5 6 7 and 8 and which is bounded by an ownership parcel incorporating the northernmost 57 feet 4 inches of blocks 5, 6, 7 and 8 of the southern 1100 block of Tijeras, NW

from SU-2/DNA-MUM to SU-2/DNA-SF.



EPC Draft (10.28.2010 Proposed Zoning)



Zoning Established By This Amendment

Explanation: This amendment would change the zoning for two properties on the south side of the 1100 block of Tijeras from the proposed MUM (Mixed-Use Medium) zone to SF (Single-Family). Both of these properties are located within the Fourth Ward Historic Overlay Zone and are currently used as single-family homes; they face similar residential development on the north side of Tijeras. Establishing Single-Family zoning on the subject properties will help buffer the residential area to the immediate north from more intense uses near Central Ave. to the south, while preventing further encroachment of office uses in single-family structures on the north side of this block, which is a concern that has been expressed by neighborhood residents.

Though the existing zoning of the subject properties is RC (Residential Commercial), rezoning them to SF (Single Family) would be more advantageous to the community based on the following:

- R-270-1980, Policy (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." [Note: In the case of Sector Development Plans, the City is the applicant.]

The existing land use of the subject properties is single-family residential development, while the existing zoning is SU-2/RC (Residential Commercial). It should be noted that the existing zoning has been in place for 35 years, but non-residential development has not occurred on the subject properties. Also, the first of the "Major Planning Themes" listed in the Executive Summary of the Plan is "Matching the zoning with the existing land use for properties within the Downtown Neighborhood Area" (C/S R-11-225, p. 4).

Given the discrepancy between existing land use and existing zoning, staff believes that protecting the stability of existing land use, which is less intense than what existing zoning allows, is what will help to "promote the health, safety, convenience, and general welfare of the citizens of the city," which is the stated intent of the Zoning Code (§ 14-16-1-3 (A)), and, therefore, outweighs the need to preserve the existing zoning, which, as noted above, has never been utilized.

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

The subject properties are actually part of the "residential environment" and are, therefore, not appropriate locations for employment and service uses.

LAND USE PLANNING AND ZONING COMMITTEE
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CITY COUNCIL

ZC-16

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

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 211 12th St., NW, from SU-2/DNA-OR to SU-2/DNA-SF.

Explanation: This amendment would change the zoning of the subject property from the proposed OR (Office Residential) zone to SF (Single Family). The subject property is currently zoned SU-2/TH per the 1976 DNASDP and contains a single-family detached house located between several registered historic homes to the south, which are currently used as offices, and a registered historic home to the north that is currently in use as a residence. At the time that the land-use survey that informed proposed new zoning was developed in 2009-2010, the property was in use as a law office. For that reason, the proposed zoning in the EPC Draft (10.28.10) was OR (Office Residential) to reflect the then-use of the property. Since that time, a number of things have happened that made staff revisit the proposed zoning of this property, which has resulted in a changed recommendation.

First, the law firm that was operating from the property has relocated, and there is no indication that the property is currently in use as a law or other office. Second, there are extensive comments in the record from property owners and residents along and in the immediate area of the 12th Street residential area, requesting protection from further encroachment of non-residential uses into established single-family residential areas.

It is unclear how this property came to be used as an office in the first place, given that its zoning is TH (townhouse), but there is an opportunity, now, to restore zoning to the property that matches both its use and design and that is more compatible with surrounding uses. It should be noted that the property to the immediate south of the subject property that is located on the corner of 12th and Tijeras is proposed to have OR zoning; this is because the property has been in use as an office since 1975, predating the 1976 DNASDP. Furthermore, its large size would likely preclude its reversion to single-family use, and its proximity to Central Avenue makes it an appropriate location for a non-residential use.

LAND USE PLANNING AND ZONING COMMITTEE
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ZC-17

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

AMENDMENT SPONSORED BY COUNCILLOR _____

On page 129, in the map titled "Zoning Established by the 2012 Downtown Neighborhood Area SDP," change the zoning designation of 1519 Fruit Ave., NW and 306, 310, 312, 314, 316, and 320 16th St., NW, from SU-2/DNA-TH to SU-2/DNA-SF.

Explanation: This amendment would change the zoning of the subject properties from TH (Townhouse) to SF (Single Family). The subject properties, which are single-family houses, are located in the first block south of Lomas Boulevard across the street from single-family and townhouse development. Properties in similar locations as the subject properties (i.e., in the first block south of Lomas Boulevard) and that are also currently developed and used as single family residences are proposed to be rezoned from the existing SU-2/TH (per the 1976 DNASDP) to SU-2/DNA-SF in the 2011 DNASDP. Throughout the rest of the DNASDP area, SU-2/DNA-TH (townhouse) zoning is only being retained or applied where existing townhouse or multi-family development exists. Staff is recommending this change in order to maintain consistency in the application of the SU-2/DNA-TH and SU-2/DNA-SF zones.

Notice of this proposed change, including information about how to register comments or opposition, was mailed to affected property owners on November 14, 2011. As of the presentation of this amendment, no comments have been received.