



**Environmental
Planning
Commission**

**Agenda Number: 2
Project Number: 1000184
Case #: 13EPC 40112/40106
May 9, 2013**

Staff Report

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|--------------------------|--|
| Agent | Rick Davis |
| Applicant | R. Davis Companies (The Library, LLC) |
| Requests | Zone Change Site Development Plan for Building Permit Amendment |
| Legal Description | Tract A-5, Banner Square Addition (The Library) |
| Location | 200 Broadway Blvd. NE |
| Size | Approximately 0.16 acre |
| Existing Zoning | SU-2/SU-1 PUD (Planned Urban Development) |
| Proposed Zoning | SU-2/SU-1 PUD (Planned Urban Development) |

Staff Recommendation

APPROVAL of 13EPC-40112, based on the Findings beginning on Page 16 and subject to the Conditions of Approval beginning on Page 19.

APPROVAL of 13EPC-40106, based on the Findings beginning on Page 19 and subject to the Condition of Approval beginning on Page 22.

Staff Planner

Catalina Lehner, AICP- Senior Planner

Summary of Analysis

The proposal is for an amendment to the site development plan for building permit for Old Albuquerque High School, zoned SU-2/SU-1 PUD. Approved in 2001, the site development plan specifies land uses for each building. The applicant wants to add limited institutional uses to The Library (Tract A-5). Adding new uses to an SU-1 zone, which is site plan dependent and defined therein, constitutes a change of zone and must be justified pursuant to R270-1980.

The subject site is in the Central Urban Area of the Comprehensive Plan just east of Downtown 2010 Plan boundaries. The Huning Highland Sector Development Plan applies. Overall, the applicant has justified the zone change request in this case, though some policies cited do not apply (Section 1.C).

A facilitated meeting was held. There is support provided that institutional uses are limited as proposed. The Historic Campus Association submitted a letter of support. Staff recommends approval subject to minor conditions.

City Departments and other interested agencies reviewed this application from 4/1/2013 to 4/12/2013. Agency comments used in the preparation of this report begin on Page 24.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

| | Zoning | Comprehensive Plan Area; Applicable Rank II & III Plans | Land Use |
|--------------|---|--|--|
| Site | SU-2/SU-1 PUD | Central Urban Huning Highland Sector Devel. Plan | Vacant building (Tract A-5) |
| North | SU-2/SU-1 PUD | “ | Multi-family residential, commercial |
| South | SU-2/SU-1 PUD | “ | Multi-family residential |
| East | SU-2/SU-1 PUD | “ | Multi-family residential, common area |
| West | SU-3 Mixed Use Corridor SU-3 Warehouse Focus | Central Urban Downtown 2010 Sector Devel. Plan | Broadway Blvd., church and associated parking lot |

II. INTRODUCTION

Proposal

This proposal is for an amendment to the existing site development plan for building permit for Old Albuquerque High School (Project #1000184, 00450-00000-01167 and 00128-00000-00143, see also History section of this report) to add certain “institutional” uses to The Library site (Tract A-5). The applicant is willing to limit the institutional uses to school (9th grade – adult), museum and library. The idea is to facilitate reutilization of the building, which is currently vacant and has already been redeveloped along with the rest of the Old AHS site.

The approved site development plan specifies “Office/Commercial/Retail Use” and the applicant wants to add limited institutional uses. Doing so constitutes an amendment to the existing site development plan for the larger, approximately (≈) 7 acre site, although the proposal only affects the ≈ 0.16 acre Tract A-5 that corresponds to the Library building and a small outdoor area (the “subject site”, see attachment).

The subject site is zoned SU-2/SU-1 PUD (Planned Urban Development), a term which is defined by the site development plan. Because new uses would be added to an SU-1 zone, which is site plan dependent, the zoning would change (see also Zoning section of this report). Therefore, justification of a zone change pursuant to R270-1980 is required.

Environmental Planning Commission (EPC) Role

The EPC is hearing this case because the subject site is zoned SU-1 and zone change requests are required to receive approval from the EPC. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1)]. If so, because a zone change request is involved, an appeal would go to the City Council rather than the Land Use Hearing Officer (LUHO). The LUHO does not hear appeals of zone changes. The proposal is a quasi-judicial matter.

Context (Land Use)

The subject site is located in the Central Urban Area of the Comprehensive Plan. The Huning Highland Sector Development Plan (HHSDP) applies. Note that the HHSDP area is designated as the Huning Highland Historic Overlay Zone. The Downtown 2010 Sector Development Plan does not apply; its eastern boundary is the west side of Broadway Blvd. Therefore, the subject site is not located in the designated Downtown Major Activity Center. Also, the subject site is not within the boundaries of the East Downtown (EDO) Regulatory Plan.

The campus of the Old Albuquerque High School (AHS), its parking structure and the Belvedere development, comprise the AHS Metropolitan Redevelopment Area (MRA). The subject site is also included in a designated Pocket of Poverty, which generally encompasses the area between Broadway Blvd. and I-25 and Coal Ave. and Lomas Blvd.

The subject site and the land surrounding it have been developed for many years. To the north, within the Old AHS campus, is a residential building. Further north is the Belvedere development, which is mostly residential with some ground-floor commercial space. To the south and within the campus are two residential buildings, then Central Ave. To the east and within the campus are common space areas and another residential building, then Arno St. To the west of the subject site is Broadway Blvd., the eastern border of the Downtown area. Across that street is a church and associated parking lot.

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. Broadway Blvd. and Central Ave. are classified as urban principal arterials. Tijeras Ave. is a local road.

The subject site is accessible by Transit. Route 16/18, Broadway-University-Gibson, passes the site on Broadway Blvd. Route #66, Central, runs along Central Ave., less than a quarter mile to the south. Route 766, the Red Line Rapid Ride, and Route 777, the Green Line Rapid Ride, also run along Central Ave. and offer the most frequent bus service in the City.

Public Facilities/Community Services

See attached Public Facilities Map for details.

III. HISTORY

Context (Historical)

Huning's Highland Addition was platted in 1880 and became one of the City's most popular and attractive residential areas through the 1930s. Commercial and institutional uses moved in and people began to move to the newer heights subdivisions. After WWII the neighborhood began to decline, as it was cut-off by the construction of I-25 and the one-way Lead and Coal Avenues. Much of the neighborhood was zoned for office use in 1959, when zoning was first implemented in the City. In the 1970s, interest in Huning Highlands returned and the neighborhood was nominated for historic status in 1978 (Source: Huning Highland Sector Development Plan (HHSDP), p. 7).

The Huning Highland area is designated as the Huning Highland Historic Overlay Zone (Bill No. R-04-146, Enactment No. R-2005-033). The boundaries of the HHSDP and the Historic Overlay Zone (HOZ)

are similar, though the HOZ is larger because it includes the block between Coal Ave. and Iron Ave., from Broadway Blvd. to Elm St., as well as properties on the west side of Broadway Blvd.

Huning Highlands is a registered historic district listed on the State Register of Cultural Properties and on the National Register of Historic Places. It is the City's largest and most intact example of a turn-of-the-century neighborhood and features many architectural examples characteristic of the period and local interpretations of such architecture. Properties in Huning Highland are subject to Huning Highland Historic Overlay Zone Design Regulations (see Zoning Code §14-16-2-28). Review by the Landmarks and Urban Conservation Commission (LUCC) is required. As a designated City landmark, development and redevelopment of the Old Albuquerque High School (OAHS) is subject to the OAHS Development Guidelines.

When the LUCC approves an action, it issues a Certificate of Appropriateness. Within the LUCC's purview are rehabilitations, demolitions, modifications and new construction in the designated Historic districts. The current proposal to add "institutional" uses to the Library site does not include any changes to design or the building's exterior; the building has already been redeveloped. Therefore, the proposal does not need to go through the LUCC process. Staff has confirmed this with LUCC Staff.

The Old AHS Site & the Subject Site

Background

The Old Albuquerque High School (OAHS), built in 1914, consists of five buildings (including the Library) arranged around a central courtyard. It served as the City's only high school from 1914 to 1948, and continued to function as a school until 1977. Albuquerque Public Schools (APS) vacated it in 1977. The new AHS was built in its present location on Mountain Rd. Since 1977, the buildings deteriorated and the City Council designated OAHS a blighted area. In 1980, the Council designated OAHS a Metropolitan Redevelopment Area (MRA).

In the 1980s, a couple of significant redevelopment efforts were envisioned but ultimately did not come to fruition. In May 1981, a joint hearing of the Environmental Planning Commission (EPC) and the Metropolitan Redevelopment Commission (MRC) was held regarding 4.2 acres, zoned SU-1 for NCR and referred to as Harrington Square (Z-81-56). An office development was proposed, though it's unclear what was approved since Staff did not find the Official Notice of Decision.

In September 1984, the EPC approved a zone change for approx. 6 acres known as Banner Square, from SU-1 for Office to "SU-1 for Planned Development Area* to include office, retail museum, recreation, athletic club and restaurant, including service and sale of alcoholic beverages only in conjunction with restaurant operations, but not to include package sales..." (Z-84-114). An associated site development plan for Banner Square was included.

* the same Notice of Decision also says Mixed Use in lieu of Planned Development Area.

The decision was appealed by First Baptist Church (AC-84-29). Council found procedural errors and remanded the case to the EPC. Since the City was applying for a grant, everything had to be finalized by the end of the year. The City applied for a zone change from SU-2 for NCR to SU-2/SU-1 for Planned Development Area. The site development plan was also re-heard. Apparently, the remand resulted in approval of the proposal with conditions.

In May 1985, the EPC approved amendments to the Banner Square site development plan to include a movie theater complex and add retail uses (Z-84-114-1, see attachment). The approval was appealed by four individuals, who were mostly concerned about traffic impacts, air pollution and effects on their residential area (AC-85-10). The City Council denied the appeal.

In the 1990s, an out-of-state developer purchased the property from APS and entered into an agreement with local investors. However, the developer defaulted on loan payments and the property was foreclosed upon and was taken over by the FDIC (Source: Staff report, March 2000). In 1997, the City acquired the majority of the OAHS site and issued an RFP for redevelopment of the property. The Metropolitan Redevelopment Commission (MRC) selected, and the City confirmed, Paradigm LLC. In 1999, the City and the developer entered into a development agreement, which has been amended a few times since then.

Current, Approved Site Development Plan

In April 2000, the EPC approved a site development plan for what's known as the Old Albuquerque High School (AHS) site (Project #1000184, see attachment), an approximately 7 acre site. The proposal consisted of a site development plan for subdivision (00128-00000-00144) and a site development plan for building permit (00450-00000-01168). Final sign-off was obtained in 2001. The site development plan for subdivision created seven tracts (Tracts A-1 – A-7) and specified land uses by tract. The site development plan for building permit also specified land uses by tract, and further included design guidelines for the overlay zone, development guidelines, phasing and general notes.

Six development phases (A – F) were established and approved; all but Phase A were for the future. The subject site of today's proposal was included with Phase A. Phase A was for redevelopment of the campus central courtyard, terrace and plaza; exterior renovation of Old Main and the classroom, library and gym buildings; construction of the parking garage; demolition of two minor, non-contributing structures.

| Future Phase | B | C | D | E | F |
|--------------|----------------------|------------------------------------|--|---|---|
| Description | Gym interior remodel | Buildout of some wrapper buildings | Parking garage construction, landscaping | Buildout of the other wrapper buildings | Development of the future building site |

Also in April 2000, the LUCC approved a Certificate of Appropriateness for demolitions, rehabilitations and new construction for the above-mentioned 7 acre site (Tracts A-1, B-1 and C-1 of the Banner Square Addition). Other Certificates of Appropriateness were issued subsequently, but not that affect the Library building.

In October 2003, an administrative approval (AA) was made for building elevation changes and new window openings for the Library building (Project #1000184/03AA-01436).

Between 2000 and 2004, about 20 Development Review Board (DRB) actions were approved for the Old AHS site (see also Associated Site Development Plan for Subdivision section of this report). All are filed under Project #1000184. These include vacations of public rights-of-way, vacation of easements, preliminary and final plats and realigning a couple of lots to create Tract A-1-A-1 and A-1-7-1. The

DRB actions directly relevant to the subject site are the approvals in 2000 that were associated with the EPC approvals (see above).

IV. ALBUQUERQUE COMPREHENSIVE ZONING CODE

Zoning

The subject site is currently zoned “SU-2/SU-1 for PUD” (Planned Urban Development), a term which is defined by the site development plan. The SU-2 Special Neighborhood Zone “allows a mixture of uses controlled by a sector development plan” that specifies development and redevelopment appropriate for a given planning area. SU-2 zoning is typically applied within a sector development plan area. Many, but not all, sector development plans use SU-2 zoning.

The SU-1 special use zone (Zoning Code §14-16-2-22) provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. A site development plan is required when requesting SU-1 zoning; the two are inextricably linked [Ref: §14-16-2-22(A)(1)]. In this case, the applicant has provided a site development plan for building permit amendment that would amend uses specified in the existing SU-1 site development plan. Since the existing site development plan is proposed to be amended with respect to uses allowed, the corresponding SU-1 zone is also being amended.

Use Limitations & Timeframes

Adding the limited institutional uses of “School (grade 9 – adult), Library and Museum” means that only these institutional uses would be allowed on the Library site. Other institutional uses, such as church, schools with other grades, and mental or correctional institution would not be allowed.

Pursuant to Zoning Code §14-16-4-1(A)(5), another zone change cannot be applied for within one year from the date of final action for the current request. Therefore, if an institutional use other than those requested becomes a possibility at the Library, the applicant would have to wait a full year before requesting another zone change to allow an additional use.

V. ANALYSIS- APPLICABLE PLANS, POLICIES & REGULATIONS

A) Albuquerque / Bernalillo County Comprehensive Plan (Rank I)

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

Zoning Code §14-16-3-11 states that “Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” As such, Staff has reviewed the proposed site development plan for conformance with applicable goals and policies of the Comprehensive Plan.

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated as Central Urban. The goal of the Central Urban Area is “to promote the Central Urban Area as a focus for arts, cultural, and public facilities/ activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.”

Because the Central Urban Area is also a part of the Established Urban Area, the Goals and policies for the Developing and Established Urban Areas also apply. The goal of the Developing and Established

Urban Areas 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.” Applicable policies include:

B. Land Use- Central Urban Area

Goal: To promote the Central Urban Area as a focus for arts, cultural, and public facilities/ activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.

Adding limited institutional uses of school, library and museum to the subject site would generally help promote public facilities, cultural and arts activities in the Central Urban Area. The re-use of the existing building would recognize the importance of the subject site’s historic center location and the character of the existing residential uses nearby. The proposal generally furthers the Central Urban Goal.

Policy II.B.6a: New public, cultural, and arts facilities should be located in the Central Urban area and existing facilities preserved.

The proposal would facilitate re-utilization of an existing building, and thereby its preservation, which is located in the Central Urban Area and would be used for public, cultural and arts activities. The proposal furthers Policy II.B.6a.

Policy II.B.6b: Upgrading efforts in neighborhoods within the Central Urban Area should be continued and expanded and linkages created between residential areas and cultural/arts/recreation facilities.

The proposal would allow cultural/arts/recreation facilities to be introduced on the subject site, which is in the Central Urban Area and part of a larger, site-plan controlled site that constitutes a residential area to which linkages could occur. The proposal furthers Policy II.B.6b.

B. Land Use-Developing & Established Urban Areas

Goal: 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.

Adding limited institutional uses of school, library and museum would generally help perpetuate the tradition of the Old AHS site as an identifiable part of the Downtown metropolitan area. Though the tradition has changed into more of a mixed-use environment, the additional uses would generally help support maximum choice in life styles in the East Downtown (EDO) area, which is becoming a more integrated community. The proposal generally furthers the Developing & Established Urban Goal.

Policy II.B.5a: The Established and Developing 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 addition of certain institutional uses to the subject site, on which office, commercial and retail uses are allowed, would provide for a full range of urban land uses in this mixed-use area. The proposal generally furthers Policy II.B.5a- full range of urban land uses.

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

The school, library and museum institutional uses can be considered “employment and service uses” and would be located to generally complement the surrounding neighborhood and are not likely to adversely affect it. However, the school, library and museum uses would not be without some impact. The Old AHS campus is also a residential area, though the density is higher than the neighborhood. Depending on the specific use chosen, additional noise and traffic could be generated to the degree that residents could be affected. The proposal partially furthers Policy II.B.5i.

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

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

Policy II.B.5j does not apply because the proposal is not for a new commercial development.

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

“Redevelopment and rehabilitation” has already occurred and is not proposed now, so these would not be “continued and strengthened” by the proposal. In a general sense, however, adding new uses would facilitate the continued rehabilitation of the neighborhood and area. The proposal generally furthers Policy II.B.5o.

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

No redevelopment activity, such as building and site upgrades and/or modifications, is included with the proposal. However, in a broad sense, adding new uses to an existing building can be considered a “redevelopment technique” that is cost-effective. The proposal generally furthers Policy II.B.5p.

The following, additional Goals also apply:

C.5. Environmental Protection & Heritage Conservation- Historic Resources

Goal: To protect, reuse, or enhance significant historic districts and buildings.

The Historic Resources Goal is furthered. As part of the Old AHS campus, the Library building is a historic building and is located in the Huning Highlands registered historic district. Adding limited

institutional uses would allow the building to be reused for other functions, while enhancing the historic district by offering uses such as a school, library or museum.

C.9. Environmental Protection & Heritage Conservation- Community Identity & Urban Design

Goal: To preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

Downtown Albuquerque can be considered a sub-area and a collection of neighborhoods; East Downtown (EDO) is a distinct community within that sub-area. Adding certain institutional uses (school, museum, library) would generally help enhance the Old AHS campus by facilitating usage of the building for social, cultural and/or historic purposes. The proposal generally furthers the Community Identity & Urban Design Goal.

D.6. Community Resource Management- Economic Development

Goal: To achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

The proposal would generally facilitate economic development and some new employment opportunities. It's likely that a school, library or museum would be balanced with social and cultural goals such as providing educational and/or cultural opportunities that are likely to be balanced with other goals. The proposal generally furthers the Economic Development Goal.

B) Huning Highland Sector Development Plan (Rank 3)

The Huning Highland Sector Development Plan (HHSDP) includes the area south of MLK (Grand) Avenue, north of Coal Ave., east of Locust St. and generally west of Broadway Blvd. The HHSDP was originally adopted in 1977 (R4-1977) and amended in 1978 because substantial changes were needed. Planning efforts began in 1985 to rewrite zoning language, clarify requirements and update existing conditions. Staff determined that a new Plan, rather than an amendment, should be prepared. The result is the existing HHSDP, which was adopted in 1988 (Bill No. R-336, Enactment No. 3-1988). The HHSDP established zoning throughout the Plan area and used the SU-2 designation.

Two amendments were enacted in 1985. One established the SU-2/CRZ Corridor Revitalization Zone for lots fronting Central Ave. between Broadway Blvd. and lots fronting Broadway Blvd. between Central and Coal Aves. (Bill No. R-04-155, Enactment No. R-2005-033). The other amended this and the HOZ legislation to establish the Huning Highland-East Downtown Urban Conservation Overlay Zone and associated regulations.

The HHSDP contains an overarching Goal (p. 1) and eleven objectives (p. 6). The following apply:

Goal: The continued development of Huning Highlands into a viable residential and commercial area, building on its unique historic character and location.

In a general sense, the proposal would facilitate continued development of the Huning Highland area that would build on the Library's unique historic character and location as part of the Old AHS campus. Though the Goal does not mention institutional uses, the possible school, library and/or

museum could contribute to a viable residential and commercial area. The proposal generally furthers the HHSDP Goal.

Note: Staff did not cite Policy A.2.b, which is found in the HHSDP's section "Conformance with the Comprehensive Plan" (p.1). Policy A.2.b is no longer in the Comprehensive Plan.

Objective 2: To encourage and support appropriate commercial development.

Objective 2 does not apply. The new uses are institutional and the proposal would not constitute "commercial development".

Objective 3: To clarify zoning language for easier use.

Objective 3 does not apply. It refers to the zoning language in the HHSDP, which needed to be clarified between the 1987 and 1988 versions of the Plan.

Objective 8: To encourage appropriate neighborhood-oriented use of vacant lands and buildings.

The proposal would add "school, library and/or museum" uses to the currently vacant Library building. Depending on the specific use, it may be neighborhood-oriented (such as a library) or tourist-oriented (such as a museum), or both. The proposal partially furthers Objective 8.

C) Metropolitan Redevelopment Plan 1 & Plan II (informational)

The primary goal of these redevelopment plans is to eliminate physical and economic blight. The objective of Plan I is to facilitate redevelopment of the southern portion of the Old Albuquerque High School (OAHS) site. The OAHS site, approx. 6 acres, was first designated as appropriate for a Metropolitan Redevelopment Project, as defined in the Metropolitan Redevelopment Code, in 1980 (Bill No. R-478, Enactment No. 4-1980).

The boundaries of the Metropolitan Redevelopment (MR) area were amended in 1983 (Bill No. R-295, Enactment No. 15-1983) to include the area of the present-day parking garage. MR Plan II is similar to MR Plan I, but sets forth the process by which redevelopment will be carried out.

VI. ZONE MAP AMENDMENT

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

Requirements

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications pursuant to the City Zoning Code. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made, not on the City to show why a 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 land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Justification & Analysis

The zone change justification letter analyzed here, dated April 24, 2013, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned "SU-1 for PUD (Planned Urban Development)", with land uses specified pursuant to the associated site development plan. The proposed zoning is also "SU-1 for PUD (Planned Urban Development)", but with the additional of certain institutional uses to the site development plan. Adding new land uses to a site development plan controlled site changes the zoning.

Pursuant to Section 1.B of R-270-1980, the burden is on the applicant to show why a change should be made, not on the City to show why a change should not be made. The applicant believes that the zone map amendment conforms to R270-1980 as elaborated below.

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

Note: Policy is in regular text; *Applicant's justification is in italics; Staff analysis follows 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.

Applicant (summarized): The proposed addition of limited institutional uses is consistent with the health, safety and welfare of the City. The Library site already allows commercial, retail and office uses and limited institutional uses would not jeopardize the health, safety and welfare of the City. Institutional uses are an integral part of urban cores and residential neighborhoods and would contribute greatly to quality of life.

Comprehensive Plan Section C covers several "health, safety and welfare" conditions (air and water quality, historic resources, etc.). The addition of "limited institutional resources" at the Library will not negatively impact them and therefore is consistent with the health, safety and welfare of the City.

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and, in this case, the Huning Highland Sector Development Plan. The applicant states that adding institutional uses is compatible with zoning and land use policies, but does not refer to the response to Section 1.C. Rather, the applicant refers to Comprehensive Plan topics such as air quality, water quality, historic resources, etc. and states that the request will not adversely affect them and therefore is consistent with health, safety and welfare. This is an ok way to approach the question because it's linked to a policy-based explanation, though not strongly. The response to Section 1.A is sufficient in this case.

- 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.

Applicant (summarized): The stability of the land use and zoning will be preserved and enhanced by the ability to lease the Library to a small school, museum, cultural arts center or library. This would further the Goal of the Old AHS MRA Plan I, which anticipates mixed uses. An institutional tenant could serve the existing tenants and residents. The addition of institutional uses at the Library is appropriate for the mixed-use zoning currently in place. Given the location in the urban center, it will provide commuters

and tenants with convenient public transportation and plenty of parking and close proximity to downtown.

Staff: Staff agrees that adding limited institutional uses at the Library is appropriate for the mixed-use zoning currently in place. The proposal would not adversely affect stability of land use and zoning in the area, which is zoned for a variety of uses including multi-family residential, commercial and institutional. Adding certain institutional uses, which would be limited by the Library's size, to the Old AHS campus would not change the underlying zoning, but would add new uses to it under the framework of the SU-1 zone- which equates to site development plan control of the subject site that would help to further ensure stability. The applicant has provided an acceptable justification for the proposed change. The response to Section 1.B is sufficient.

- 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.

Applicant (summarized): The proposed change is not in conflict with existing City plans and policies. The change will be advantageous for the area and will further the policies of the Westside Strategic Plan and the Comprehensive Plan.

Citations: Developing and Established Urban Goal, Land Use policies II.B.5a, 5i, 5j, 5o and 5p. Central Urban Goal and policies a and b. HHSDP Goal, Policy A.2b and Objectives 2 and 3.

Staff: Staff agrees with most of the applicant's citations of applicable Goals and policies, but finds that Land Use policy 5j and HHSDP Objectives 2 and 3 do not apply (see Section V of this report for explanations).

The applicant should have used Goals for Historic Resources, Community Identity & Urban Design and Economic Development. Staff does not agree with the argument that, because institutional uses are allowed in commercial zones, they are therefore compatible and that policies pertaining to commercial development apply to the proposal. For purposes of policy analysis, the school, library and museum uses are institutional uses.

The explanations show that the applicant has given thoughtful consideration to policy. Overall, the discussion demonstrates that there is no "significant conflict" with an adopted element of the Comprehensive Plan or other City master plan. The response to Section 1.C is sufficient.

- 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.

Applicant (summarized): The existing zoning is inappropriate because a different use is more advantageous to the community as articulated in the City policies cited in Section C above. Adding limited institutional uses would be advantageous to the community because it would attract a cultural or educational tenant and would further goals and policies. Though the neighborhood hasn't changed, the community has. Additional uses would help maintain a vibrant community and mixed-use development.

Staff: The applicant has shown that a different use category is more advantageous to the community (1) because the proposal furthers a preponderance of applicable policies in the Comprehensive Plan and the Huning Highland Sector Development Plan, and states that the library lends itself to institutional and public uses. The applicant also notes that the community, not the neighborhood, has changed but doesn't expand this thought to address how changed conditions can justify the zone change. Therefore, Staff does not consider that (2) is being used. Overall, the response to Section 1.D is sufficient.

- 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.

Applicant (summarized): Policy E appears to relate to a zone change request from one district to another, in which permissive uses aren't limited. In that case, some permissive uses could be harmful to adjacent property, the neighborhood or the community. In the case of this request, the three additional uses (school grade 9-adult, library and museum) have no harmful functions or characteristics associated with them. They don't produce dust, noise, lighting or have late hours of operation. We have received positive neighborhood support, too, and therefore conclude that the three uses would not be harmful to adjacent property, the neighborhood or the community.

Staff: Staff points out that the permissive uses in the site's SU-2/SU-1 PUD zoning are broad in scope and are listed on the associated site development plan. The addition of the three institutional uses, limited from all "institutional uses" as originally proposed in order to address neighborhood concerns, is not likely to be harmful to adjacent property, the neighborhood, or the community in this mixed-use setting. The uses would be limited by the size of Library site and generally don't have the harmful characteristics the applicant refers to above. The response to Section 1.E is sufficient.

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

Applicant (summarized): There are no major and unprogrammed capital expenditures by the City. No changes are proposed to the existing building, campus design or public infrastructure.

Staff: The proposal will not require major or unprogrammed capital expenditures by the City. The response to Section 1.F is sufficient.

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

Applicant (summarized): The cost of land and other economic considerations has not been the impetus for this request. As owner of the Library, I was involved with campus redevelopment and the renovation and preservation of the Library building.

Staff: The applicant did not address the question directly: are the cost of land and other economic factors a determining factor in the proposed zone change? Why or why not? The response to Section 1.G would benefit from elaboration by the applicant.

Staff finds that economic considerations are a factor because the applicant wants to be able to lease the space to more than commercial and office users, though they are probably not the determining factor. In this case, the costs were mostly associated with redevelopment, which is not part of the proposal.

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

Applicant (summarized): The subject property is located on Broadway Blvd., just north of Central Ave. This is not in itself justification for approval of limited institutional uses at the Library. The building's location provides great proximity to Downtown for cultural and civic uses.

Staff: Staff agrees that location on a major street (an urban principal arterial) is not being used, in itself, as justification for the proposed zone change. The response to Section 1.H is sufficient.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Applicant (summarized): The proposed addition of limited institutional uses does not classify as spot zoning because the property and the surrounding campus are all zoned SU-2/SU-1 PUD. We don't anticipate the need to change the zone map. The SU-1 zoning can be further defined through the site development plan.

Staff: Conceptually, the proposal would allow additional uses on Tract A-5, which would make it different from the rest of the campus' allowed uses. In this particular case, the zoning the descriptor

would not change and therefore the request does not constitute a spot zone. The response to Section 1.I is sufficient.

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

Applicant (summarized): The proposed addition of limited institutional uses does not classify as strip zoning because it is not a strip of land, but rather is one of several buildings on a mixed-use campus.

Staff: The proposal would not result in a strip zone because the subject site does not constitute a “strip of land along a street”. The response to Section 1.J is sufficient.

VII. SITE DEVELOPMENT PLAN AMENDMENTS

The subject site is zoned SU2/SU-1 for PUD (Planned Urban Development) and the PUD is defined through the site development plan, so amending it constitutes both a change of zone (see Section VI of this report) and changes to the approved site development plan.

The applicant proposes to amend the existing site development plan for building permit (Sheet 3) for the Old Albuquerque High School (Old AHS) to add the following institutional uses to the Library site: “School (9th grade – adult), Museum and Library”. A keyed note 2 indicates the May 2013 date and the additional uses. Tract A-5 is bubbled and the additional uses are listed below. A new signature block is provided.

Though not originally proposed, the site development plan for subdivision (Sheet 1) will have to be correspondingly amended as noted by Staff. This can be done at the Development Review Board (DRB) as a subdivision action for Tract A-5. The applicant has provided Sheet 1 with the additional uses, to match what’s shown on the site development plan for building permit. The land use table, by tract and near the top of the sheet, is also shown as amended.

VIII. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

City Departments and other agencies reviewed this application from 4/1/’13 to 4/12/’13. Zoning Enforcement Staff noted that the addition of "institutional uses" should be enumerated or should include exceptions such as hospitals for human beings and disciplinary institutions such as correctional programs. Long Range Planning Staff also commented that uses should be listed. Metropolitan Redevelopment (MR) Staff have no objection. Other comments were received but are not as significant and/or applicable.

Neighborhood/Public

The affected neighborhood associations (NAs), homeowner associations (HOAs) and Coalitions, as cited by the Office of Neighborhood Coordination (ONC), comprise the Downtown list (see attachment): the Barelas NA, the Broadway Central Corridors Partnership, Inc., the Citizen's Information Committee of Martineztown, the Downtown NA, the Huning Highland Historic District Association, the Martineztown Work Group, the Raynold Addition NA, the Santa Barbara-Martineztown Association, the South Broadway NA (R), the Downtown Action Team and the North Valley Coalition. Property owners within 100 feet of the subject site were also notified as required.

Staff is concerned about potential impacts that could result from a new institutional use on the subject site. Depending upon the use chosen, the impacts of additional noise and traffic could affect nearby residents. The applicant states that the size of the Library, limited to a 133 occupancy load, would not lend itself to larger institutional uses and, consequently, would not generate impacts to the degree that residents would be adversely affected.

Meetings

A facilitated meeting was held on April 25, 2013 (see attachment). Meeting participants were generally supportive of the proposal, provided that institutional uses are limited. The original request was for all institutional uses. Residents stated they would not support medical facilities, social services or religious organizations on the subject site.

The Historic Campus Association (HCA) submitted a letter of support (see attachment). The HCA represents residents of the Old AHS campus, though it does not include the building on Tract A-2. The buildings on Tracts A-4 and A-6 are closest to the Library site. The applicant had met with HCA representatives early in the process and they support the proposal.

IX. CONCLUSION

This two-part proposal is for a zone change to add certain institutional uses (school grade 9 – adult, museum and library) to the Library site (Tract A-5) at the Old Albuquerque High School campus, which is zoned SU2/SU-1 PUD (Planned Urban Development), and to amend the associated site development plan for building permit. Land uses are specified through the existing site development plan approved in 2001.

The subject site is in the Central Urban Area of the Comprehensive Plan, just east of Downtown 2010 Plan boundaries. The Huning Highland Sector Development Plan (HHSDP) applies. Overall, the applicant has justified the zone change request in this case. The zone map would not have to be amended because the zoning descriptor would stay the same.

A facilitated meeting was held on April 25, 2013. There is support provided that institutional uses are limited as proposed. A letter of support was received from the Historic Campus Association (HCA). Staff recommends approval subject to minor conditions, one being that the associated site development plan for subdivision amendment be done at the DRB.

FINDINGS – 13EPC-40112, May 9, 2013, Zone Change

1. The request is for a zone change pertaining to the Library site of the Old Albuquerque High School campus, which is located at the northeast corner of Broadway Boulevard and Central Avenue. The Library site is approximately 0.16 acre, and is Tract A-5 (the “subject site”).
2. The subject site and the surrounding campus are zoned SU-2/SU-1 PUD (Planned Urban Development). The site development plan defines this zoning, and further stipulates that “Office/Commercial/Retail” land uses are allowed on Tract A-5.
3. The applicant wants to add the following institutional uses to the Library site (Tract A-5): “**School (9th grade – adult), Museum and Library**” in order to reuse the building, which is currently vacant.
4. Adding limited institutional uses to the “Office/Commercial/Retail” uses already allowed constitutes a zone change, which must be justified pursuant to R270-1980.
5. The request is accompanied by a request for a site development plan for building permit amendment (13EPC-40106) regarding the Library site (Tract A-5) of the Old Albuquerque High School campus (Project #1000184, 00450-00000-01167 and 00128-00000-00143).
6. The subject site is located in the Central Urban Area of the Comprehensive Plan, and in the boundaries of the Huning Highland Sector Development Plan (HHSDP) and the Huning Highland Historic District. It is not included in the Huning Highland East Downtown Urban Conservation Overlay Zone (UCOZ).
7. The Albuquerque/Bernalillo County Comprehensive Plan, the HHSDP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
8. The zone change request is justified pursuant to Resolution 270-1980 as follows:
 - A. Section 1A: The request is generally compatible with zoning and land use policies and would not adversely affect air quality, water quality and historic resources, which are called out in the Comprehensive Plan, and therefore is consistent with the City’s health, safety and general welfare.
 - B. Section 1B: The request would not adversely affect stability of land use and zoning in the area, which includes a variety of residential commercial uses. Adding certain institutional uses, which would be limited by the Library’s size, would not change the underlying zoning. The applicant has provided an acceptable justification for the proposed change.
 - C. Section 1C: The request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and the Huning Highland Sector Development Plan. There is no “significant conflict” with an adopted element of either.

- D. Section 1D: A different use category is more advantageous to the community because the request furthers a preponderance of Goals and policies in the Comprehensive Plan and the Huning Highland Sector Development Plan.
 - E. Section 1E: The request would introduce additional permissive uses to Tract A-5 that would not be harmful to adjacent property, the neighborhood, or the community because the larger campus is a mixed-use site, the building is relatively small and the uses generally don't have harmful characteristics such as dust, noise or late operating hours.
 - F. Section 1F: The request will not require major or unprogrammed capital expenditures by the City.
 - G. Section 1G: The cost of land or other economic considerations are not the determining factor for the proposed zone change. The applicant owns the subject site.
 - H. Section 1H: Location on a major street (an urban principal arterial) is not being used, in itself, as justification for the proposed zone change.
 - I. Section 1I: In this case, the zoning the descriptor would not change and the surrounding campus is also zoned SU-2/SU-1 PUD so a spot zone would not be created.
 - J. Section 1J: The request would not result in a strip zone because the subject site does not constitute a "strip of land along a street", but rather is one of several buildings on a mixed-use campus.
9. The request furthers the Central Urban Goal of the Comprehensive Plan the following Central Urban policies:
- A. Goal- Adding limited institutional uses of school, library and museum would generally help promote public facilities and cultural/arts activities in the Central Urban Area. Re-using the existing building would recognize the importance of the subject site's historic central location.
 - B. Policy II.B.6a- Re-utilization and preservation of an existing building, located in the Central Urban Area, would be facilitated. The building could be used for public, cultural and arts activities.
 - C. Policy II.B.6b- Cultural/arts/recreation facilities could be introduced on the subject site, which is in the Central Urban Area and part of a larger site that constitutes a residential area to which linkages could occur.
10. The request generally furthers the following Comprehensive Plan Goals:
- A. II.B.5. Developing & Established Urban Areas- Adding limited institutional uses of school, library and museum would generally help perpetuate the tradition of the Old AHS site as an

- identifiable part of the metropolitan area and would generally help support maximum choice in life styles in the East Downtown (EDO) area, which is becoming a more integrated community.
- B. II.C.5. Environmental Protection & Heritage Conservation, Historic Resources- Adding limited institutional uses would allow the Library building to be reused for other functions, while enhancing the historic district by offering uses such as a school, library or museum.
 - C. II.C.9. Community Identity & Urban Design- East Downtown (EDO) is a distinct community sub-area. Adding certain institutional uses (school, museum, library) would generally help enhance the Old AHS campus by facilitating usage of the building for social, cultural and/or historic purposes.
 - D. II.D.6. Community Resource Management- Economic Development- The proposal would generally facilitate economic development. It's likely that a school, library or museum would be balanced with social, recreational and cultural goals because it would provide educational and/or cultural opportunities.
11. The request furthers the following, applicable Comprehensive Plan Land Use policies:
- A. Policy II.B.5a- full range of urban land uses. The addition of certain institutional uses to the subject site, on which office, commercial and retail uses are allowed, would provide for a full range of urban land uses in this mixed-use area.
 - B. Policy II.B.5o- redevelopment/rehabilitation. In a general sense, adding new uses to would facilitate the continued rehabilitation of the older neighborhood and area near the subject site.
 - C. Policy II.B.5p- cost-effective redevelopment techniques. In a broad sense, adding new uses to an existing building can be considered a "redevelopment technique" that is cost-effective.
12. The request generally furthers the Huning Highland Sector Development Plan (HHSDP) Goal and partially furthers Objective 8. The proposal would facilitate continued redevelopment of the Huning Highland area based on the Library's unique historic character and location. A school, library and/or museum could contribute to a viable residential and commercial area (Goal). The proposal could result in a use that is considered neighborhood-oriented (such as a school or library) or a use that typically is not (such as a museum) (Objective 8).
13. Adding the limited institutional uses of "School (grade 9 – adult), Library and Museum" means that only these institutional uses would be allowed on the Library site. Other institutional uses would not be allowed. Pursuant to Zoning Code §14-16-4-1(A)(5), another zone change cannot be applied for within one year from the date of final action for the current request.
14. A new institutional use on the subject site will generate some impacts. Depending upon the use chosen, additional noise and traffic could affect nearby residents. The applicant states that the size of

the Library, limited to a 133 occupancy load, would not lend itself to larger institutional uses and, consequently, would not generate impacts to the degree that residents would be adversely affected.

15. The affected neighborhood organizations are those on the Downtown list: the Barelás Neighborhood Association (NA), the Broadway Central Corridors Partnership, Inc., the Citizen's Information Committee of Martineztown, the Downtown NA, the Huning Highland Historic District Association, the Martineztown Work Group, the Raynold Addition NA, the Santa Barbara-Martineztown Association, the South Broadway NA, the Downtown Action Team and the North Valley Coalition. Property owners within 100 feet of the subject site were also notified as required.
16. A facilitated meeting was held on April 25, 2013. Participants were generally supportive, provided that institutional uses are limited as proposed. The original request would have allowed all institutional uses. Staff received a letter of support from the Historic Campus Association (HCA), a group that represents residents of the Old AHS campus.

RECOMMENDATION - 13EPC-40112, May 9, 2013, Zone Change

APPROVAL of 13EPC-40112, a request for a Zone Change to add the limited institutional uses of "School (9th grade – adult), Museum and Library" to Tract A-5, Banner Square Addition, the Library site, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 13EPC-40112, May 9, 2013, Zone Change

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the Development Review Board (DRB) pursuant to Zoning Code §14-16-4-1(C)(11). 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.
2. The associated amendments to the site development plan for subdivision, pertaining to Tract A-5, shall be accomplished at the DRB.

FINDINGS – 13EPC-40106, May 9, 2013, Site Development Plan for Building Permit Amendment

1. This request is for an amendment to the existing site development plan for building permit for Old Albuquerque High School (Project #1000184, 00450-00000-01167 and 00128-00000-00143) regarding the Library site (the "subject site"). The Library site is the approximately 0.16 acre, Tract A-5 of the Old AHS campus, which is located at the northeast corner of Broadway Boulevard and Central Avenue.

2. The applicant wants to add the following, limited institutional uses to the Library site (Tract A-5): **“School (9th grade – adult), Museum and Library”**. The subject site and the surrounding campus are zoned SU-2/SU-1 PUD (Planned Urban Development). The site development plan defines this zoning, and further stipulates that Office/Commercial/Retail land uses are allowed on Tract A-5.
3. The subject site is located in the Central Urban Area of the Comprehensive Plan, and in the boundaries of the Huning Highland Sector Development Plan (HHS DP) and the Huning Highland Historic District. It is not included in the Huning Highland East Downtown Urban Conservation Overlay Zone (UCOZ).
4. The Albuquerque/Bernalillo County Comprehensive Plan, the HHS DP and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. A request for a zone change (13EPC-40112) accompanies this request.
6. The request furthers the Central Urban Goal of the Comprehensive Plan the following Central Urban policies:
 - A. Goal- Adding limited institutional uses of school, library and museum would generally help promote public facilities and cultural/arts activities in the Central Urban Area. Re-using the existing building would recognize the importance of the subject site’s historic central location.
 - B. Policy II.B.6a- Re-utilization and preservation of an existing building, located in the Central Urban Area, would be facilitated. The building could be used for public, cultural and arts activities.
 - C. Policy II.B.6b- Cultural/arts/recreation facilities could be introduced on the subject site, which is in the Central Urban Area and part of a larger site that constitutes a residential area to which linkages could occur.
7. The request generally furthers the following Comprehensive Plan Goals:
 - A. II.B.5. Developing & Established Urban Areas- Adding limited institutional uses of school, library and museum would generally help perpetuate the tradition of the Old AHS site as an identifiable part of the metropolitan area and would generally help support maximum choice in life styles in the East Downtown (EDO) area, which is becoming a more integrated community.
 - B. II.C.5. Environmental Protection & Heritage Conservation, Historic Resources- Adding limited institutional uses would allow the Library building to be reused for other functions, while enhancing the historic district by offering uses such as a school, library or museum.
 - C. II.C.9. Community Identity & Urban Design- East Downtown (EDO) is a distinct community sub-area. Adding certain institutional uses (school, museum, library) would generally help

- enhance the Old AHS campus by facilitating usage of the building for social, cultural and/or historic purposes.
- D. II.D.6. Community Resource Management- Economic Development- The proposal would generally facilitate economic development. It's likely that a school, library or museum would be balanced with social, recreational and cultural goals because it would provide educational and/or cultural opportunities.
8. The request furthers the following, applicable Comprehensive Plan Land Use policies:
- A. Policy II.B.5a- full range of urban land uses. The addition of certain institutional uses to the subject site, on which office, commercial and retail uses are allowed, would provide for a full range of urban land uses in this mixed-use area.
 - B. Policy II.B.5o- redevelopment/rehabilitation. In a general sense, adding new uses to would facilitate the continued rehabilitation of the older neighborhood and area near the subject site.
 - C. Policy II.B.5p- cost-effective redevelopment techniques. In a broad sense, adding new uses to an existing building can be considered a "redevelopment technique" that is cost-effective.
9. The request generally furthers the Huning Highland Sector Development Plan (HHSDP) Goal and partially furthers Objective 8. The proposal would facilitate continued redevelopment of the Huning Highland area based on the Library's unique historic character and location. A school, library and/or museum could contribute to a viable residential and commercial area (Goal). The proposal could result in a use that is considered neighborhood-oriented (such as a school or library) or a use that typically is not (such as a museum) (Objective 8).
10. A Traffic Impact Study (TIS) was not required because no development is proposed.
11. The affected neighborhood organizations are those on the Downtown list: the Barelás Neighborhood Association (NA), the Broadway Central Corridors Partnership, Inc., the Citizen's Information Committee of Martineztown, the Downtown NA, the Huning Highland Historic District Association, the Martineztown Work Group, the Raynold Addition NA, the Santa Barbara-Martineztown Association, the South Broadway NA, the Downtown Action Team and the North Valley Coalition. Property owners within 100 feet of the subject site were also notified as required.
12. A new institutional use on the subject site will generate some impacts. Depending upon the use chosen, additional noise and traffic could affect nearby residents. The applicant states that the size of the Library, limited to a 133 occupancy load, would not lend itself to larger institutional uses and, consequently, would not generate impacts to the degree that residents would be adversely affected.
13. A facilitated meeting was held on April 25, 2013. Participants were generally supportive, provided that institutional uses are limited as proposed. The original request would have allowed all

institutional uses. Staff received a letter of support from the Historic Campus Association (HCA), a group that represents residents of the Old AHS campus.

RECOMMENDATION - 13EPC-40106, May 9, 2013, Site Development Plan for Building Permit Amendment

APPROVAL of 13EPC-40106, a request for a Site Development Plan for Building Permit amendment to add the limited institutional uses of “School (9th grade – adult), Museum and Library” to Tract A-5, Banner Square Addition, the Library site, based on the preceding Findings and subject to the following Condition of Approval.

CONDITION OF APPROVAL - 13EPC-40106, May 9, 2013, Site Development Plan for Building Permit Amendment

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.

***Catalina Lehner, AICP
Senior Planner***

Notice of Decision cc list:

Rick Davis, R. Davis Companies, 8220 Louisiana NE, Suite B, Albuquerque, NM 87113
Barelas Neighborhood Association, Dorothy Chavez, 612 10th St. SW, Albuquerque, NM 87102
Barelas Neighborhood Association, Javier Benavidez, 1115 Barelas SW, Albuquerque, NM 87102
Broadway Central Corridors Partnership, INC, Randi McGinn, 201 Broadway SE, Albuquerque, NM 87102
Broadway Central Corridors Partnership, INC, Rob Dickson, 401 Central Ave. NE, Ste. D, Albuquerque NM 87102
Citizens Information Committee of Martineztown, Jess R. Martinez, 501 Edith NE, Albuquerque NM 87102
Citizens Information Committee of Martineztown, Frank H. Martinez, 501 Edith NE, Albuquerque, NM 87102
Downtown Neighborhoods Association, Susan Brych, 927 11th St. NW, Albuquerque, NM 87102
Downtown Neighborhoods Association, Jacqueline Wright, 509 11th St. NW, Albuquerque, NM 87102
Huning Highland Historic District Association, Moises Gonzalez, 111 Walter NE, Albuquerque, NM 87102
Huning Highland Historic District Association, Ann L. Carson, 416 Walter SE, Albuquerque, NM 87102
Martineztown Work Group, Loretta Naranjo Lopez, 1127 Walter NE, Albuquerque, NM 87102
Martineztown Work Group, Ivan Westergaard, 1008 Calle Garza NE, Albuquerque, NM 87113
Raynolds Addition Neighborhood Association, Christopher Frechette, 1315 Gold SW, Albuquerque, NM 87102

Raynolds Addition Neighborhood Association, Deborah Foster, 1307 Gold SW, Albuquerque, NM 87102
Santa Barbara-Martineztown Association, Christina Chavez, 517 Marble NE, Albuquerque, NM 87102
Santa Barbara-Martineztown Association, Carol Carrillo Pimentel, 340 Prospect Ave. NE, Albuquerque, NM 87102
South Broadway Neighborhood Association, Lorraine Smith, 1123 William SE, Albuquerque, NM 87102
South Broadway Neighborhood Association, Grace Gibson, 702 Broadway SE, Condo A-6, Albuquerque, NM 87102
Downtown Action Team, Debbie Stover, 100 Gold St. SW, Ste. 204, Albuquerque, NM 87102
Downtown Action Team, Rick Rennie, 100 Gold St. SW, Ste. 204, Albuquerque, NM 87102
North Valley Coalition, Chris Catechis, 5733 Guadalupe Trail NW, Albuquerque, NM 87107
North Valley Coalition, David Wood, 158 Pleasant NW, Albuquerque, NM 87107

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

If approved, the addition of "institutional uses" should be enumerated or should include exceptions- i.e. except hospitals for human beings and disciplinary institutions such as correctional programs

Office of Neighborhood Coordination

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

4/1/13 – Recommended for Facilitation – siw

4/2013 – Assigned to Jessie Lawrence – sdb

4/9/13 – A Facilitated Meeting has been scheduled for Tuesday, 4/23/13 at 6:30 pm at CABQ ADR Office, One Civic Plaza, Second Floor, Rm. 201

Long Range Planning

The subject site is located within the boundaries of the Huning Highland Sector Development Plan. Is the letter referencing the Downtown 2010 Sector Development Plan supposed to be part of this submittal?

What will the new zoning be, SU-2, SU-1 PUD to include ...? The uses should be clearly stated. The proposed inclusion of institutional uses seems to fit in with the surrounding area and would be appropriate.

Metropolitan Redevelopment

The subject property is within the Albuquerque High Redevelopment Area. The Albuquerque High Redevelopment Area Plan, adopted in 1984, anticipates future land use to be a mixture of uses, including retail, restaurants, offices, a sports facility, and possibly a museum. The Redevelopment Area Plan does not identify institutional uses as permissive, nor does it expressly prohibit such uses. Metropolitan Redevelopment Section staff have no objection to this application.

CITY ENGINEER

Transportation Development Services:

Transportation Development (City Engineer/Planning Department):

- Reviewed, no Comments

Hydrology Development (City Engineer/Planning Department):

- Hydrology has no adverse comments.

Transportation Planning (Department of Municipal Development):

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

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Site Development Plan for Building Permit shall include: None.

WATER UTILITY AUTHORITY

Utility Services

No adverse comment.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Refer to Street Tree Ordinance 6-6-2-4 (C). ...Maintenance of landscaping in the public right of way is the responsibility of the adjacent property owner.

Open Space Division

POLICE DEPARTMENT/Planning

This project is in the Valley Area Command. No Crime Prevention or CPTED comments concerning the proposed Amended Site Development Plan for Building Permit general request for Institutional Use at this time. However, if it is decided a "school" is an approved use, further comments will be warranted.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

| | | |
|--|----------------------------|---|
| Project # 1000184 13EPC-40106 AMEND SITE DEVELOPMENT PLAN- BUILDING PERMIT. BANNER SQUARE ZONED SU-1/SU-2 PUD ON 200 BROADWAY BLVD NE. (0.1555 ACRES) | Adjacent and nearby routes | Route #66, Central route, Route 766, Red Line rapid ride and Route #777, Green Line rapid ride, pass the site on Central. Route 16/18, Broadway-University-Gibson route, passes the site on Broadway. |
| | Adjacent bus stops | None. |
| | Site plan requirements | None. |
| | Large site TDM suggestions | None. |

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

| | |
|---|--|
| Project #1000184 13EPC-40106 AMEND SITE DEVELOPMENT PLAN-BLD PRMT | Banner Square, Lots A-5, is located on 200 Broadway Blvd NE. The owner of the above property requests an Amendment to the Site Development Plan for Building Permit to allow for “institutional use” be added to the “the Library” at the old Albuquerque High. This will have no adverse impacts to the APS district. |
|---|--|

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. It is the applicant’s obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
2. Screening should be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Please refer to the PNM Electric Service Guide at www.pnm.com for specifications.