



**Environmental  
Planning  
Commission**

**Agenda Number: 6  
Project Number: 1009600  
Case #: 13EPC-40097/40098/40099  
April 11, 2013**

**Staff Report**

<b>Agent</b>	DAC Zoning & Land Use Services
<b>Applicant</b>	SW Regional Council of Carpenters
<b>Requests</b>	<b>Zone Map Amendment; Site Development Plan for Subdivision; Site Development Plan for Building Permit</b>
<b>Legal Description</b>	Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivision
<b>Location</b>	Located at 5600 Alice Avenue NE, between Alvarado and Cardena
<b>Size</b>	Approximately 1.38 acres
<b>Existing Zoning</b>	O-1 & P
<b>Proposed Zoning</b>	SU-1/Town Houses (24 DU MAX)

**Staff Recommendation**

**APPROVAL of 13EPC 40098, Zone Map  
Amendment, based on the Findings beginning  
on Page 16 and subject to the Conditions of  
Approval beginning on Page 18.**

**APPROVAL of 13EPC 40099, Site  
Development Plan for Subdivision, based on  
the Findings beginning on Page 18 and subject  
to the Conditions of Approval beginning on  
Page 20.**

**APPROVAL of 13EPC 40097, Site  
Development Plan for Building Permit, based  
on the Findings beginning on Page 20, and  
subject to the Conditions of Approval  
beginning on Page 22.**

**Staff Planner  
Christopher Hyer, Senior Planner**

**Summary of Analysis**

The purpose for this request is to allow the development of a 24 dwelling unit town house development on the site formerly occupied by the Carpenters Union Hall, just west of the Fair Plaza Shopping Center and north of Lomas Boulevard. The applicant has been working with the neighborhood and agreed to request an SU-1 zone in order to allow full review of the proposed development.

The site is in the Established Urban Area of the Comprehensive Plan and the applicant has provided adequate justification for all portions of this request.

The Fair Heights Neighborhood Association president has written a letter of support.

Staff is recommending approval of all three requests.

City Departments and other interested agencies reviewed this application from 3/4/2013 to 3/15/2013. 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:**

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	P & O-1	Established Urban Area	Vacant
<b>North</b>	O-1 & R-2	"	Office, Multi-family
<b>South</b>	C-2	"	Retail, then Lomas Boulevard
<b>East</b>	C-2	"	Fair Plaza Shopping Center
<b>West</b>	SU-1/Nursery, O-1	"	Nursery, office

**II. INTRODUCTION**

**Proposal**

This is a three-part request for a 2-phase development project: a zone map amendment to change zoning from O-1 and P to SU-1/Town Houses (24 DU MAX); a site development plan for subdivision with Design Standards; and a site development plan for building permit for Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, located on the south side of Alice Avenue between Lomas Boulevard NE and Marble Avenue NE, containing 1.38-acres, the “subject site”. The proposed use is a 24 unit town house development that will be rental units in 4 separate buildings; they will be 2-story, 2 and 3 bedrooms and have built-in garages.

**EPC Role**

The requested zone change, the site development plan for subdivision and the site development plan for building permit is required to be heard by the EPC due to the zone change request and the fact that the requested zoning is SU-1. The EPC is the final approval body for this request, unless the EPC decision is appealed. If the EPC decision is appealed, it will then go to the City Council. As this request is for a specific site, this is a quasi-judicial matter.

**Context**

The subject site is part of the Fair Heights Neighborhood and is located one street north of Lomas Boulevard, directly west of the Fair Plaza Shopping Center, which is located northwest of the intersection of Lomas Boulevard and San Pedro Drive. The subject site has an alley abutting its south side and the properties on the other side of the alley are office and commercial business that front Lomas Boulevard on its north side. Also, abutting the subject site on the west is Rehm’s Nursery – it is zoned SU-1/Nursery.

The office and commercial uses along Lomas and within the surrounding area act as a buffer to the single-family detached homes of the Fair Heights Neighborhood, which is oriented northwest of the site. Many of the immediate surrounding buildings are apartment complexes and have an interwoven variety of commercial, office and residential uses. Lomas Boulevard is an Enhanced Transit Corridor that runs through the middle of this horizontally mixed area – the same type of horizontal mixture of land uses resides on the south side of Lomas as well.

The subject site was the location of the Carpenters Union Hall and a smaller educational building for the union to the west of the property since the early 1960's. Parking was provided on the P zoned lots in the middle of this site, which separated the two buildings. The Carpenters Union campus was relocated and the site was cleared of improvements in the fall of 2012. The site has been vacant since then.

### ***History***

The site is in an older part of town along Lomas Boulevard. It was initially zoned R-2 and changed to O-1 in 1963 (Z-1280). The zoning for the site was O-1 on the east and west sides of the site and P in the middle when off-street parking was required to have a P zone.

The Carpenters Union Hall was built in the mid 1960's - staff cannot read the older microfilms to give an exact year. There was never any design standards for his site or was there an area plan, sector plan or metropolitan redevelopment plan adopted in this area. When the Carpenters Union Hall and educational building were demolished in the fall of 2012, the site was cleaned and has remained vacant ever since.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments, designates Lomas Boulevard as a Principal Arterial and nearby San Pedro Drive as a Minor Arterial with right-of-way widths of 124-feet and 96-feet respectively (Established & Developing Urban). Alice Avenue, Alvarado and Cardenas Drives are local streets.

### ***Comprehensive Plan Corridor Designation***

Lomas Boulevard is designated an Enhanced Transit Corridor by the Comprehensive Plan. This designation is defined as follows: "Roadways designed or redesigned to improve transit and pedestrian opportunities for residents, businesses and other users nearby. The goal is to provide transit service competitive with the car, and develop adjacent land uses and intensities that promote the use of transit."

### ***Trails/Bikeways***

There are no existing bicycle routes, lanes, or trails that pass by the subject site.

### ***Transit***

The subject site is served by bus route #11, Lomas route, which passes near the site on Lomas. The transit stop is approximately 160' to the south at the intersection of Cardenas Drive and Lomas Boulevard. The Comprehensive Plan designates Lomas Boulevard as an Enhanced Transit Corridor.

### ***Public Facilities/Community Services***

Please see the public facilities map at the beginning of this staff report. There are two elementary schools and a high school within the 1-mile radius of the subject site. There are also 6 developed City parks as well as a senior center. Jerry Cline Park is also within the 1-mile distance and is the City's 16 court tennis center.

The New Mexico State Fair Grounds (Expo New Mexico) is also within a mile of the site, to the southeast.

### ***Albuquerque Comprehensive Zoning Code***

The subject site is currently zoned O-1 (office) and P (parking), §14-16-2-15 and §14-16-2-26 respectively, and the proposed zone is SU-1/Town Houses (24 DU MAX). The requested zone change is necessary as town houses are not a permissive use in O-1 or P zones. The applicant had originally thought that a SU-1/PRD (Planned Residential Development), or an SU-1/R-2 (medium residential) or an SU-1/R-T (residential town house) zoning descriptor would be appropriate. However, the neighborhood expressed concerns that the PRD, R-2 and R-T designations would allow a variety of uses, including office and/or commercial uses, and asked the applicant to restrict the allowable uses to what was intended to be developed. Thus, the proposed zoning, SU-1/Town Houses (24 DU MAX), is not a recognized special use in the Zoning Code and will be treated as being unique.

The SU-1 zone requires that "a Site Development Plan accompany the establishment of zoning and include, at a minimum, all the elements of a Site Development Plan for Subdivision." Further, "no building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee." (Section 14-16-2-22 (A) (1))

This is because the SU-1 zone is "site plan dependent"; the zoning and the associated site development plan cannot be separated. The application requirement for a zone change to the SU-1 zone has been met because a site development plan has been provided.

### ***Definitions (§14-16-1-5)***

**Section 14-16-2-22 SU-1 Special Use Zone.** This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

**Site Development Plan for Subdivision.** The site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio.

**Site Development Plan for Building Permit.** In addition to information required for Subdivision, exact structure locations, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan (e.g., appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building construction), and proposed schedule for development.

---

### III. APPLICABLE ORDINANCES, PLANS AND POLICIES

#### A) Albuquerque / Bernalillo County Comprehensive Plan – Rank I

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

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities with the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

The applicant has cited the following policies to justify the request:

Policy II.B.5.a: The Developing Urban and Established Urban Areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

*This request adds a desirable market based townhouse development controlled by a site development plan. There is substantial office, commercial and single family residential zoning in the area. This proposal will provide infill residential development in an older neighborhood.*

**Staff agrees with the applicant. The request will add a different type of available housing stock to this mixed use neighborhood, expanding the range of urban uses while increasing the overall gross density to 5 dwelling units per acre.**

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

*This is an area already served with mature infrastructure. The Fair Heights Neighborhood Association is in full support of this request believing that it will provide desirable infill development. The property is served by transit on Lomas Boulevard and has an urban shopping center directly to the east. There would be no adverse impact of any natural environmental conditions, carrying capacities, scenic or other resources.*

**Staff agrees with the applicant's justification. Staff would like to emphasize that the Fair Heights Neighborhood Association asked the applicant to narrow the requested zoning to this specific use and not allow a broader use category. The applicant has complied. This demonstrates that the applicant is respecting existing neighborhood values.**

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

*This is a desirable infill development already fully served by all standard urban facilities and services. The neighborhood is in support of this request and the development will be safeguarded by the site development plan process at a public hearing.*

**The zone change request will allow an infill development project on vacant land that is contiguous to existing urban facilities and services. The integrity of the neighborhood would be**

*ensured by narrowing the zoning descriptor to the specific use that is allowed. The applicant is proposing a multi-family development that would increase the type of housing products available in the surrounding area, and is contiguous to existing urban facilities. This is further demonstrating that this request ensures the integrity of the existing neighborhood.*

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

*This is a classic infill development in a mid-city area that has not yet benefitted by the redevelopment efforts enjoyed by nearby Nob Hill. A modern townhouse development will provide a first step into the redevelopment and revitalization of the area. The current O-1 and P zoning categories do not offer an opportunity for new residential development.*

***Staff agrees. The request will allow multi-family units to be added to this neighborhood; they will also be a buffer to the residential portion of this neighborhood from the impacts of the commercial activity lining Lomas Boulevard and Lomas Boulevard itself.***

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

- Technique 2: Emphasize private investment as a primary means to achieve redevelopment objectives.

*This project is privately funded by a local developer (and resident of the neighborhood), and will not require any direct financial participation by the City of Albuquerque.*

***This policy is intended for designated Metropolitan Redevelopment Areas and does not apply to this request.***

#### D. COMMUNITY RESOURCE MANAGEMENT

##### 4. Transportation and Transit

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

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

*Lomas Boulevard is a Major Transit Street served by both local and express routes. This proposal will be one lot and alley north of Lomas. It is also a block away from another transit route on San Pedro NE.*

***Staff agrees that Lomas Boulevard is a major transit street – designated an Enhanced Transit Corridor by the Comprehensive Plan. The request will add to the residential stock within close proximity of this transit corridor.***

#### IV. ANALYSIS – Zone Change

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

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

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

##### *Analysis of Applicant’s Justification*

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

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

*Section 14-16-1-3 of the Zoning Code identifies the intent of the regulations in securing the health, safety, morals and general welfare of the City. Specifically, this request would allow for the opportunity to provide site plan controlled residential housing on a vacant lot in an older, mid-city area seeking to upgrade the neighborhood. The current zoning of O-1 and P does not allow a reasonable opportunity for desired residential development. The surrounding zoning includes SU-1 for a nursery, as well as C-2, O-1 and R-2. The C-2 property to the east of this site is the Fair Plaza shopping center.*

*Water, sewer, accessible public transportation is all available on or near the site. An approved grading and drainage plan will properly channel any flood water runoff and assure the safety and integrity of both this property and the nearby properties affected by this zone change.*

*Approving this zone map amendment will allow a market based townhouse development and provide for “eyes on the street” in area which would help deter potential criminal activity.*

*This request will also eliminate blight by developing a vacant lot and this request will not negatively affect the health, safety, morals and general interest of the City.*

*Schools in this area are not over capacity and townhouse owners tend to be singles and couples with, at most, one or two children.*

***Staff agrees with most of the applicant’s justification. The last sentence regarding schools does not agree with the Albuquerque Public Schools comments at the end of this staff report. Specifically, Mark Twain Elementary School is over capacity. However, it is not known if this issue will persist in future years. The addition of this project raises the housing stock in this area by 24 units, which may have an impact to the overcrowding situation at the elementary school. It is up to Albuquerque Public Schools to alleviate this situation if it becomes a long term issue.***

- 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.

*Re-zoning from O-1 and P, will provide for stability of land use and zoning. Residential uses are desired by the neighborhood, and the P zone is an anachronism that allows no development other than parking facilities. A rezone of the P zoned lots in combination with the adjoining O-1 lots in a site plan controlled residential development will enhance the neighborhood, by providing modern development on the southern entrance to the subdivision. There is substantial O-1 zoning in the area and townhouses are more desirable to the neighborhood than offices.*

***Staff agrees with the applicant's reasoning. The neighborhood worked with the applicant to ensure this project met their desires. The surrounding area already has many urban uses, which include other multi-family developments. Further, this request would add to the buffering of the residential areas from the impacts generated along Lomas Boulevard and the non-residential uses that line this Principle Arterial.***

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

*The site is located in the Established Urban Area of the Comprehensive Plan. The Goal of this area is "to create a quality urban development 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."*

*Applicant believes that this request is supported by several policies of the Comprehensive Plan and does not significantly conflict with any adopted elements of that Plan. Specifically, applicant cites the following policies as justification for this request:*

***Staff agrees that applicable Goals and Policies of the Comprehensive Plan are not in conflict with the zone change request. The applicant has provided adequate justification for the proposed change as this project relates to the Comprehensive Plan policies, and is supported by the neighborhood with the proposed layout of the site. Please refer to the policy analysis above.***

- 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 believes that both 2) and 3) apply, though the primary justification is based on 3).*

*As noted, this property is located in the Developing and Established Urban Area of the Comprehensive Plan.*

*Neighborhood and community conditions have both changed by the virtual elimination of P zoning in Albuquerque. The original purpose of P zoning was to provide off street parking before such*



*parking regulations were adopted in 1965, or to provide additional parking while ensuring that the lot would not be later developed for another purpose. Current regulations require that any development must meet parking requirements on site. Providing such parking on the P zoned lots would likely lead to an awkward development of the adjoining lots, while providing nothing but asphalt and a little landscaping in between. This proposal will allow for parking that is integrated with the development and not a standalone use.*

*In addition to the elements of the Comprehensive Plan identified in Section C. of this narrative, applicant would add two other policies that are furthered by this request:*

*Although it is only minimally relevant, applicant would also state that Policy II.B.5.m. may also be applied to this site: "Urban and site design which maintains and enhances unique vistas and impress the quality of the visual environment shall be encouraged."*

*Clearly there are no vistas to be protected at this site, however, the site design has been vetted with the neighborhood as an example of the type of urban design they wish to encourage, including a low rise facade near the street that rises in the back. .*

*Also, Economic Development Policy 2.C.6.f says that "[t]he City and County should remove obstacles to sound growth management and economic development throughout the community." The P zone category is clearly an obstacle to development of this property. Re-zoning to SU-1 for a cohesive development of those lots and the adjoining lots will remove that obstacle.*

***The applicant states that two portions of this policy, D2) and D3), apply; the existing zoning is inappropriate because a portion of the existing zoning is obsolete and therefore, there is a change in the surrounding area and a different use category is more advantageous to the community. Staff agrees with the applicant's justification and finds these tests are met. The P zone (parking) is an older zone that is not used anymore as off street parking is allowed in all zones and is usually accommodated with every site. Having the P zone (parking use only, in the middle of the subject site) is not more advantageous to the community. As the site is only 1.38 acres in total, there is not a lot of space left at either end of this vacant area to develop new O-1 uses. Thus, this request to change the zoning of the entire site to the same zoning and allow for the compatible use of town houses is found to be more advantageous to the community.***

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

*This request is to re-zone the property to SU-1 for a townhouse development not to exceed 24 dwelling units. Only those uses generally allowed in the RT zone will be permitted. The property is contiguous to C-2 zoning on the south, R-2 and O-1 on the north and SU-1 for a nursery on the west. Across the street to the east is a C-2 shopping center. All uses allowed in this zoning will be compatible or complementary to the surrounding zone categories and to the neighborhood in general.*

***Staff agrees with the applicant's justification. However, the requested zoning is very specific, SU-1/Town Houses (24 DU MAX), and does not allow any other uses, permissively or conditionally, on the site. The reference to R-T zoning is not correct, although the R-T zone is the zone for town house development. Since the zoning is SU-1 and names a specific use, the site plan shows what the site will look like and further guidance is given by the Design***

---

***Standards listed on the site development plan for subdivision – R-T uses are not listed as being permissive. Thus, there are no other possible uses in this neighborhood approved, specific zone category that would be harmful to adjacent property, the neighborhood or the community.***

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

*This proposed zone change requires no capital expenditures by the City to be developed.*

***The request will not result in unprogrammed capital expenditures.***

- 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 believes that this request furthers specific City policies regarding economic development, but asks for no specific consideration regarding any economic issue with this zone change request.*

***Staff agrees.***

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

*This property abuts only local streets.*

***Staff agrees. Moreover, the close proximity of Lomas Boulevard and its designation as an Enhanced Transit Corridor is an added benefit for the location of a new town house development and the transit corridor.***

- 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 believes that this can only marginally be considered a spot zone because there is SU-1 zoning abutting to the east. Even so, this property serves as a transition into the neighborhood from the C-2 zoning on Lomas to the R-2 zoning across the street. As such, this request clearly facilitates realization of the Comprehensive Plan.*

***The requested zoning of SU-1/Town Houses (24 DU MAX), is a spot zone. However, it is justified for the main reason that the neighborhood association required that the subject site be tailored to fit with existing developments in the neighborhood and further, the change of zoning***

*should be specific as to only allow the proposed development, not any other uses that would be permissive in a broader straight zoned category. It is compatible with other developments within the vicinity and adds to the mixed use nature of the surrounding area.*

- 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.

*This request does not meet the definition of a strip zone as the property to the west is also zoned SU-1. Again, however, applicant believes that this request furthers realization of the Comprehensive Plan.*

*Staff agrees.*

*In conclusion, staff considers that the applicant has provided an adequate justification for the requested zone change. The applicant has demonstrated that the proposed SU-1/Town Houses (24 DU MAX) zoning will allow the proposed project to be built, be compatible with surrounding land uses and satisfy concerns of the neighborhood that the zoning is kept specific to the proposed use.*

## **V. SITE DEVELOPMENT PLAN FOR SUBDIVISION AMENDMENT and SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

### **Request**

This is a request for a site development plan for subdivision (SPS) and a site development plan for building permit for a rectangular shaped piece of land on the south side of Alice Avenue NE and the west side of Cardenas Drive NE, containing 1.38-acres, the “subject site”. The proposed use is a 24 unit town house development that will consist of 4 separate buildings and be built in 2 phases.

The site development plan for subdivision was not initially provided with the submittal. There is a comment from the City Engineer requesting the SPS for review. Staff mentioned that a SPS was required if Design Standards were to be listed as desired by the neighborhood. The applicant submitted the SPS.

Although all the elements that are required for a site plan for subdivision are also provided on the site development plan for building permit, the site development plan for subdivision provides the Design Standards that were agreed to by the applicant and the neighborhood. Also, the site consists of nine residential lots that will be replatted into one large lot for this development. The applicant has satisfied the SPS requirements as follows:

- Proposed Use: Town Houses, 24 Dwelling Units Maximum.
- Pedestrian and vehicular ingress and egress: Two vehicular access points, one for each phase, that are between the two buildings of that phase, accessed from Alice Avenue NE – there is no vehicular access to the site from the alley. There will be pedestrian connections to a private sidewalk network from the public sidewalks that are along Alice and Cardenas. There is also a continuous sidewalk along the southern length of the site against the alley that will serve as a walkway for the guest parking that is parallel to the alley (accessed from the alley) and offer access to the refuse containers that face the alley.
- Internal Circulation: Each dwelling unit will have a garage connected to an internal drive aisle on one side of the building and a walkway that connects to an internal walkway system leading to the public sidewalk on the other side.
- Maximum Building Height: Max building height will be 24’.
- Minimum Building Setback: Front-yard setback: 10’ (Alice Avenue)  
Side-yard setback: 15’ (Cardenas Drive)  
Rear-yard setback: 15.5’ (Alley)  
West Property line – 24.42’.
- Maximum Dwelling Units: 24.

### ***Design Guidelines***

The Design Standards listed on the site development plan for subdivision are fairly inclusive and include citations to regulations presented in the Zoning Code; they are also specific to this request. The neighborhood asked the applicant to list these Design Standards out to have certainty as to what is actually developed – the applicant has complied.

### ***Site Plan Layout/Configuration***

The site is oriented in an east-west configuration with public right of ways (ROW) on three sides of the subject site. That is, Alice Avenue is a local street running the length of the site on the north, Cardenas Drive perpendicularly intersects Alice Avenue and is the eastern boundary of the site, and an 18’ wide paved alley runs the length of the site’s southern side. The site abuts a nursery on its western side. There is a public sidewalk abutting the site along the northern and eastern ROWs (Alice Avenue and Cardenas Drive) and an internal sidewalk running parallel to the alley along the southern side.

The four proposed buildings (townhouses) are turned 90-degrees with their sides facing Alice Avenue, the front yard. The phase line runs north-south dividing the site into two similar tracts. Each phase will have two buildings with 6 units each that face each other, making a common vehicular drive aisle/drive way area. There will be a pedestrian walkway against the front of each building as well that connects to the public ROW. Also, each unit will have a rear yard enclosed by a wall. Phase 1 and Phase 2 are mirror images of each other with the exception that the buildings in Phase 2 will be 6’6” farther apart in order to accommodate an existing utility easement.

The applicant is in compliance with the rest of the Design Standards of the SPS as well.

### ***Private Open Space***

The site development plan for building permit, elevations (Sheet EPC-5), has a Useable Open Space diagram for the entire site. The SU-1 zone requires that at least 250 square-foot - 2-bedroom dwelling, and 300 square feet - 3-bedroom dwelling must be provided as Useable Open Space. The R-T zone requires a larger amount of open Useable Open Space for each town house – 750 square feet per unit. The site plan diagram for open space shows that 13,441 square feet for Phase 1 and 13,932 square feet for Phase 2 will be provided as Useable Open Space. The 12 dwelling units in each phase multiplied by the 750 square feet requirement gives 9,000 square feet of Useable Open Space as being required. The site plan shows this requirement is met if the R-T open space requirement is used.

Since the zoning of the subject site will be SU-1, this requirement is lower – 250 square feet for 2-bedroom units and 300 square feet for 3-bedroom units. Each phase will have 10 2-bedroom units and 2 3-bedroom units, which gives 3,100 square feet as required Useable Open Space for each phase. Again, the site plan shows this requirement is met.

As part of the total Usable Open Space for each phase, each individual unit will have a private back yard that is enclosed by a CMU wall. The back yards are as small of 15’X15’, which gives 225 square feet, and 24’5”X28’, which gives 680 square feet.

### ***Public Outdoor Space***

There is not a place for the general public to gather, as this site is rather tight and accommodates the individual living units only with open space. However, as this request will become an element of the larger neighborhood, there are public gathering places at nearby parks that are within the one-mile radius.

### ***Vehicular Access, Circulation and Parking***

As mentioned, there are two points of access into the site via driveways that connect to Alice Avenue – these are the curb cuts that allow residents to park their car in front of their unit or in their garage. The internal drive aisles are north-south without connectivity to the alley. The width of the Phase 1 drive aisle is 24’ and the Phase 2 drive aisle is 31’6” wide due to the utility easement. These two drive aisles are between the two respective buildings in each phase and allow access to the drive pad and garage in front of each unit. These drive pads are 18’ long and 10’ wide.

Parking is accommodated on site by each unit have a parking space in front of their garage. As required by the Zoning Code, Section 14-16-3-1 (A) (24), “one parking space shall be provided for each bath, but not less than two spaces” (for each dwelling unit). The number of baths for each unit is not disclosed, but staff will assume that there are two baths; each bath will require one parking space to be provided.

There are 20 units that have a one car garage with a parking pad in front of the garage, and thus, have two parking spaces provided. The units on the end of each building (closest to Alice Avenue) have two drive pads and a two car garage – this gives them 4 parking spaces each. This totals 56 spaces provided for the town house units. The site plan also shows an additional 7 parallel spaces, accessed from the alley, as guest parking. Thus, the total parking spaces provided for the site is

63. The required number of spaces is: 2 spaces/unit X 24 units = 48 spaces required. The number of spaces provided exceeds the number of spaces required.

There are no handicap, motorcycle or bicycle spaces provided.

***Pedestrian and Bicycle Access and Circulation, Transit Access***

As mentioned above in the site plan layout discussion, pedestrian access is well provided. The subject site has a public sidewalk abutting on the north and east and an alley on the south sides. There are four sidewalks that run the width of the site and a private sidewalk adjacent to the alley. Each unit has a walkway accessing the front. Bicycles can use the same access walkways.

ABQ Ride route #11 runs along Lomas Boulevard and is about 160' from the site – within the ¼ mile distance required by the City for the site to be considered served with transit access.

***Walls/Fences***

Each of the units has a back yard that is enclosed by a wall. Most will be a 5' high CMU wall with a stucco finish. The unit on the corner of Cardenas and Alice will have a 3' high wall due to the required clear site triangle. The units of the western most building (Building "D") will have a 6' high wall enclosing the back yards to provide better privacy from the adjoining nonresidential use. There are no other walls on the site and no fences.

***Lighting and Security***

The site lighting will be building mounted fixtures and will provide lighting on the drive aisle side of the buildings as well as the alley side. The site will have no free standing light fixtures.

***Landscaping***

The site is approximately 1.4-acres, which equates to 61,880 square-feet. The Gross building area for each phase is 10,440 square-feet. Since each phase is not exactly the same area due to an existing utility easement running across the site at the location of Building "C", the required landscaping area will not be equal. It is: 2,960 square feet for Phase 1 and 3,191 square feet for Phase 2. The landscaping area provided is: 5,731 square feet for Phase 1 and 5,344 square feet for Phase 2. The landscaping requirements for each phase (and the overall project) are met. The Landscaping Plan shows the landscaped area to be 11,075 square-feet, roughly 27% of the net area of the site.

The landscaping for the entire site consists of 10 large shade trees 8 medium ornamental trees. There are also 6 smaller native trees. Along with the trees, there are many various types of shrubs and ground covers that will help to provide the required 75% living ground cover. Santa Fe Brown decorative gravel will be used in landscaped areas as mulch and grey gravel will be the mulch used along the alley.

There is sufficient landscaping for this project. Section 14-16-3-10 of the Zoning Code makes a requirement that at least one tree shall be provided per each ground floor dwelling unit. This requirement is met as there is an equal number of trees as there are dwelling units.

***Grading, Drainage, Utility Plans***

The site is generally flat. There will be water harvesting ponds that are 1' deep developed at the Alice Avenue side of each building. These harvest ponds will drain to Alice via a 12" sidewalk

culvert. Also, each of the walled back yards will have overflow outlets that drain to the north in case of over accumulation.

Water will be provided from Alice Avenue and sanitary sewer service will be provided from the Alley. An electrical transformer will be located in the southwest corner of the site.

### ***Architecture***

The buildings will be 2-story units that are brown stuccoed and have white trim, with gabled ends and teak shingled roofs. The buildings colors will alternate in their shade of brown stucco as to add some visual relief. The buildings are 117'7" long, 49'10" wide and 24' high. The roof is gabled over every pair of living units as it is gabled on each end. There is a reduced massing of the building on the ends that face Alice Avenue where the end units have an additional 1-story living space; these are the 3-bedroom units.

The four buildings are identical with living quarters and a garage on the ground floor and reduced square footage on the second floor. The lower story with the garage end, will stick out relative to the 2<sup>nd</sup> story. The front entrance doors will be to the sides of the garage doors. The rear of each unit will have a 6' X 6'6" sliding glass door flanked by a glass block array (1'X1' each) and an 8'6"X3' shingle frame awning above it. Each unit will also have a window, trimmed in white, on each side on the 2<sup>nd</sup> story. Also, the 1'X1' glass block array is randomly utilized on the building's façade, providing visual relief to the overall walls.

### ***Signage***

Each building has sign identifying the street address on the side that faces Alice Avenue. Also, each unit will have an identifying sign on the front entrance door, identifying their unique location. That is all the signage shown on the site plan.

## ***VI. AGENCY & NEIGHBORHOOD CONCERNS***

### ***Reviewing Agencies/Pre-Hearing Discussion***

In response to the City Engineer's comments, the applicant has revised the site plan submittal and provides dimensions of all site elements, detail for major site elements, ADA detail and additional landscaping. These were the outstanding comments provided; otherwise refer to the agency comments at the end of the staff report

### ***Neighborhood/Public***

Property owners within 100' of the subject site were notified of this request. Also, the Fair Heights Neighborhood Association and the District 7 Coalition of Neighborhood Associations were notified. The applicant has been working with the Fair Heights Neighborhood and there is a letter of support from the neighborhood association's president. An office neighbor to this project also came to the Planning Department to review the submittal. This neighbor expressed support for this project. Staff has also spoken with the owner of Rehm's Nursery and she supports this request as well.

There was no other communications regarding this project.

***VII. CONCLUSION***

This is a three-part request for a 2-phased development project: a zone map amendment to change zoning from O-1 and P to SU-1/Town Houses (24 DU MAX); a site plan for subdivision; and a site development plan for building permit for Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, located on the south side of Alice Avenue between Lomas Boulevard NE and Marble Avenue NE, containing 1.38-acres. The proposed use is a 24 unit town house development that will be offered for rent. The subject site was the location of the Carpenters Union Hall and an associated educational building. That development was demolished and the site has remained vacant for 6 months.

The applicant has provided an adequate justification for the zone change per R-270-1980 and by demonstrating that the request is consistent with a preponderance of applicable goals and policies in the Comprehensive Plan.

Staff has received a letter of support from the Fair Heights Neighborhood Association president and verbal support from two other business neighbors in the area.

Staff recommends approval.



***FINDINGS – 13EPC 40098, April 11, 2013 - Zone Map Amendment***

1. This request is for a zone map amendment from O-1 and P to SU-1/Town Houses (24 DU MAX) for all of Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, located on the south side of Alice Avenue between Lomas Boulevard NE and Marble Avenue NE, containing 1.38-acres.
2. The requested zone change is accompanied by a site development plan for building permit request – Project #1009600, 13EPC-40097 and a site development plan for subdivision – Project #1009600, 13EPC-40099. This request is contingent on the approval of those two requests as the site plan controls the zoning on all SU-1 zoned sites.
3. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is in the Established Urban Area of the Comprehensive Plan and is nearby a designated Enhanced Transit Corridor – Lomas Boulevard.
5. The request is justified per R-270-1980:
  - A. The proposed zone change is consistent with the health, safety, morals and general welfare of the City as the zone change request allows for a site plan controlled residential town house development on a vacant lot in an older area, which will help eliminate blight and be a positive addition to the neighborhood.
  - B. This change will not destabilize the land use and zoning in the surrounding area as it is already a horizontally mixed use area that incorporates single and multi-family homes, office uses and commercial uses. The Fair Heights Neighborhood Association asked that this site’s zoning be SU-1 so that they would have input into the type of use and the site’s design and the applicant has agreed. Also, the proposed use of the subject site will add to a buffer of the single family homes from the impacts of the commercial activity along Lomas Boulevard and Lomas Boulevard itself.
  - C. The request is not in significant conflict with adopted elements of the Comprehensive Plan or other city master plans including the following:

**COMPREHENSIVE PLAN ESTABLISHED URBAN AREA POLICIES**

The requested zone change will not have an adverse effect on the surrounding area and will respect existing neighborhood values by allowing new infill development on a site that is currently vacant. The proposed development will provide a higher density residential use adjacent to existing commercial office and other multi-family uses and will add buffering to the single family residential neighborhood from impacts of Lomas Boulevard.

(Comprehensive Plan Policies II.B.5.a, d, e and o)

D. Community Resource Management

4. Transportation and Transit Policies

The residential use will add to the ridership of transit along the Comprehensive Plan designated Enhanced Transit Corridor along Lomas Boulevard. (Comprehensive Plan Policy II.D.4.c)

- D. The current zoning on the subject site is O-1 and P – Parking. The Parking zone is an obsolete zone that only allows off-street parking; it sits in the middle of this site. Eliminating this zone helps to create a changed condition in the neighborhood. Further, the applicant has shown that the proposed zoning is more advantageous to the community by furthering a preponderance of applicable goals and policies in the Comprehensive Plan. The requested zone change will contribute to a quality urban environment that will offer a variation of multi-family housing to this mixed use area. This request expands the range of urban land uses, respects neighborhood values and complements residential areas by providing an additional residential use, and adds to the ridership base by providing residents a multi-modal transportation alternative close to the Enhanced Transit Corridor of Lomas Boulevard.
- E. There are no permissive uses that would be harmful to the adjacent property, the neighborhood or the community as the zoning for the site is specific to a particular use. The residential use is consistent with the residential neighborhood to the northwest and compatible with the mixed uses of the area; there are other multi-family uses in the immediate vicinity as well.
- F. The request will not result in unprogrammed capital expenditures by the City.
- G. The cost of land or other economic considerations are not the primary determining factors for the requested zone map amendment.
- H. The property abuts only local streets. However, the close proximity of Lomas Boulevard and its designation as an Enhanced Transit Corridor is an added benefit for the location of a new town house development and the transit corridor.
- I. This request would result in a spot zone; however, it is justified for two reasons: the use and proposed development is compatible with other uses within the vicinity and adds to the mixed use nature of the surrounding area; and, the requested zoning of special use requires a site development plan approval and allows a tailored use. It is because the neighborhood association required that the subject site be tailored to fit with existing developments in the neighborhood and the change of zoning will be specific as to only allow the proposed development, not any other uses that would be permissive.
- J. The request does not constitute a strip zone.
7. Property owners within 100 feet of the subject site, the Fair Heights Neighborhood Association and the District 7 Coalition of Neighborhood Associations were notified. The applicant has been working with members of the Fair Heights Neighborhood Association and staff has received a letter of support from the president. Staff has also had conversations with adjacent property owners who also support this request. There is no known opposition.

---

***RECOMMENDATION - 13EPC 40098, April 11, 2013 – Zone Map Amendment***

**APPROVAL of 13EPC 40098, a zone map amendment from O-1 and P to SU-1/Town Houses (24 DU MAX), for Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, based on the preceding Findings and subject to the Following Conditions.**

***CONDITIONS OF APPROVAL - 13EPC 40098, April 11, 2013 – Zone Map Amendment***

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB pursuant to §14-16-4-1(C) (11) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

---

***FINDINGS – 13EPC 40099, April 11, 2013 - Site Development Plan for Subdivision***

1. There is a request for a site development plan for subdivision, for Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, located on the south side of Alice Avenue between Lomas Boulevard NE and Marble Avenue NE, containing 1.38-acres.
2. The requested site development plan for subdivision is accompanied by an amendment to the Zone Map, Project #1009600, 13EPC-40098, and a site development plan for building permit request – Project #1009600, 13EPC-40097. The zone map amendment is contingent on the approval of this request and the approval of the site development plan for building permit as the site plan controls the zoning on all SU-1 zoned sites.
3. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The subject site is in the Established Urban Area of the Comprehensive Plan and is nearby a designated Enhanced Transit Corridor – Lomas Boulevard.
5. The required depiction of the site, vehicular and pedestrian circulation, ingress/egress points, maximum building height, maximum number of residential units and minimum setbacks are shown on the site development plan for subdivision. Design Standards are also included.

6. The applicant is proposing to develop the site in two phases and has provided Design Standards to guide the future development of Phase 2.
7. This request will combine the nine lots, Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, into one lot. This platting action will take place at DRB.
8. The request is not in significant conflict with adopted elements of the Comprehensive Plan or other city master plans including the following:

**COMPREHENSIVE PLAN, DEVELOPING URBAN AREA POLICIES**

The requested site development plan for subdivision will not have an adverse effect on the surrounding area and will respect existing neighborhood values by allowing new infill development on a site that is currently vacant. The proposed development will provide a higher density residential use adjacent to existing commercial office and other multi-family uses and will add buffering to the single family residential neighborhood from impacts of Lomas Boulevard. (Comprehensive Plan Policies II.B.5.a, d, e and o)

**D. Community Resource Management**

**4. Transportation and Transit Policies**

The residential use will add to the ridership of transit along the Comprehensive Plan designated Enhanced Transit Corridor along Lomas Boulevard. (Comprehensive Plan Policy II.D.4.c)

8. Property owners within 100 feet of the subject site, the Fair Heights Neighborhood Association and the District 7 Coalition of Neighborhood Associations were notified. The applicant has been working with members of the Fair Heights Neighborhood Association and staff has received a letter of support from the president. Staff has also had conversations with adjacent property owners who also support this request. There is no known opposition.

***RECOMMENDATION - 13EPC 40099, April 11, 2013 – Site Development Plan for Subdivision***

**APPROVAL of 13EPC 40099, a site development plan for subdivision, for Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, based on the preceding Findings and subject to the Following Conditions.**

---

***CONDITIONS OF APPROVAL - 13EPC 40099, April 11, 2013 - Site Development Plan for  
Subdivision***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB pursuant to §14-16-4-1(C)(11) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

---

***FINDINGS – 13EPC 40097, April 11, 2013 - Site Development Plan for Building Permit***

1. There is a request for a site development plan for building permit, for Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivision, located on the south side of Alice Avenue between Lomas Boulevard NE and Marble Avenue NE, containing 1.38-acres.
2. The requested site development plan for building permit is accompanied by an amendment to the Zone Map, Project #1009600, 13EPC-40098, and a site development plan for subdivision request – Project #1009600, 13EPC-40099. The zone map amendment is contingent on the approval of this request and the approval of the site development plan for subdivision as the site plan controls the zoning on all SU-1 zoned sites.
3. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

4. The subject site is in the Established Urban Area of the Comprehensive Plan and is nearby a designated Enhanced Transit Corridor – Lomas Boulevard.
5. The request is not in significant conflict with adopted elements of the Comprehensive Plan or other city master plans including the following:

**COMPREHENSIVE PLAN DEVELOPING URBAN AREA POLICIES**

The requested site development plan for building permit request is for a multifamily town house development in a mixed use portion of the Fair Heights neighborhood. Development of this request will not have an adverse effect on the surrounding area and will respect existing neighborhood values by allowing new infill development on a site that is currently vacant. The proposed development will provide a higher density residential use adjacent to existing commercial office and other multi-family uses and will add buffering to the single family residential neighborhood from impacts of Lomas Boulevard. (Comprehensive Plan Policies II.B.5.a, d, e and o)

**D. Community Resource Management**

**4. Transportation and Transit Policies**

The residential use will add to the ridership of transit along the Comprehensive Plan designated Enhanced Transit Corridor along Lomas Boulevard. (Comprehensive Plan Policy II.D.4.c)

6. The site development plan for building permit will be developed in two phases. The accompanying site development plan for subdivision provides Design Standards to guide development of Phase 2.
7. Property owners within 100 feet of the subject site, the Fair Heights Neighborhood Association and the District 7 Coalition of Neighborhood Associations were notified. The applicant has been working with members of the Fair Heights Neighborhood Association and staff has received a letter of support from the president. Staff has also had conversations with adjacent property owners who also support this request. There is no known opposition.

***RECOMMENDATION - 13EPC 40097, April 11, 2013 – Site Development Plan for Building Permit***

**APPROVAL of 13EPC 40097, a site development plan for building permit, for Lots 7, 8, 9, 10, 11 & 12, Tract 14, Mile Hi Addition, Willis Subdivision & 7, 8 & 9, Tract 13, Mile Hi Addition, McCaffrey Subdivison, based on the preceding Findings and subject to the Following Conditions.**

***CONDITIONS OF APPROVAL - 13EPC 40099, April 11, 2013 - Site Development Plan for Building Permit***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
  2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
  3. Conditions from City Engineer, Municipal Development, Water Authority and NMDOT:
    - a. Provide/label/detail all dimensions, classifications and proposed infrastructure within the site. (Include drive pad/ADA sidewalk, sidewalk/fire hydrant location, refuse gates, curbs, tie-in details, ADA ramps).
    - b. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.
    - c. All easements and access agreements must be shown and labeled on Site Plan. Provide recording information.
    - d. Add the following note to the Landscaping Plan: "Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area."
    - e. Please revise courtyard wall heights to comply with DPM standards for clear sight triangle requirements.
    - f. Roof flows of building D shall drain to the east or be guttered to drain to Alice Ave. The courtyard areas of building D could then pond what falls on them.
    - g. Submit a Conceptual Grading and Drainage Plan to Hydrology for DRB approval.
  4. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB pursuant to §14-16-4-1(C)(11) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.
-

***Christopher Hyer  
Senior Planner***

***Notice of Decision cc list:***

DAC Zoning & Land Use Services, 9520 MacAllen Road NE, Albuquerque, NM, 87112  
SW Regional Council of Carpenters, c/o Randy J. Sowell, 533 S. Freemont Avenue,  
9<sup>th</sup> Floor, Los Angeles, CA, 90071  
Elvira Lopez, 1504 Cardenas NE, Albuquerque, NM, 87110  
Suzanne Ziglar, 5520 Mountain Road NE, Albuquerque, NM, 87110  
Bill Hoch, 813 Calle del Corte NE, Albuquerque, NM, 87110  
Lynne Martin, 1531 Espejo NE, Albuquerque, NM, 87112



---

## CITY OF ALBUQUERQUE AGENCY COMMENTS

### PLANNING DEPARTMENT

#### Zoning Enforcement

Reviewed, no comment.

#### Office of Neighborhood Coordination

Fair Heights NA (R)

District 7 Coalition of NA's

#### Long Range Planning

The proposed zone would be compatible with the existing development.

Is there pedestrian access from the townhouses to the alley?

#### Metropolitan Redevelopment Section

The subject property is not within a Redevelopment Area, and therefore Metropolitan Redevelopment Section staff have no comments on this application.

### CITY ENGINEER

#### Site Development Plan for Building Permit:

#### **Transportation Development (City Engineer/Planning Department):**

- Provide/label/detail all dimensions, classifications and proposed infrastructure within the site.
- All easements and access agreements must be shown and labeled on Site Plan. Provide recording information.
- Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements
- Please clarify proposed drive pads with detail drawings. How wide is the abutting ADA sidewalk and where is the location? Plans reference COA Std. Dwg. #2425 Sec. D-D, but that is not reflected on site plan drawing.
- If any portions of public sidewalk, including ADA pathways, are located outside of City of Albuquerque right of way, a public sidewalk easement must be provided.
- A clear sight triangle at intersections must be maintained: within a horizontal setback of 35 feet from intersecting flow lines of gutters, a vertical clearance between 3 and 8 feet measured from the gutter pan must be free of visual obstruction. It appears both courtyard walls at the corners of Alice/Cardenas and Cardenas/Alleyway encroach on the clear sight requirement. Please revise courtyard wall heights to comply with DPM standards.
- Please rephrase Introduction note on Sheet DRB-5 Requirements: b. to correctly reflect clear sight triangle requirements per the DPM.

- Add the following note to the Landscaping Plan: “Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.”
- Please clarify proposed curbing and sidewalk along Alleyway by providing design details, as well as details of tie-ins to existing infrastructure.
- Will the existing “estate curb” remain or be affected by the proposed curbing along the Alleyway?
- Is there an ADA accessible sidewalk ramp at the corners of Alice & Cardenas and Cardenas and the Alleyway? If not, will you be providing?
- Please provide details of new fire hydrant’s location within the COA sidewalk. An accessible ADA path width must be maintained.
- Please provide a note that all abandoned drive pads will be removed and replaced with sidewalk, curb and gutter to COA standards.
- Please provide refuse gate details if a gate is proposed.
- The Legend on Sheet DRB-2 is missing information and unclear.
- The Legend on Sheet DRB-3 does not reflect line types within site plan drawing.

**Hydrology Development (City Engineer/Planning Department):**

- Hydrology appreciates the water harvesting ponds shown north of the buildings; however they appear to be within 10 feet of the building. The water harvesting areas should possibly be relocated to the tree wells in the common areas and the landscape area along the southern boundary.
- Neighbors may block the holes in the side yard block walls. Consider draining internal courtyard areas to the common area tree wells. The courtyard areas of building A could drain to Cardenas Dr.
- Roof flows of building D shall drain to the east or be guttered to drain to Alice Ave. The courtyard areas of building D could then pond what falls on them.
- Submit a Conceptual Grading and Drainage Plan to Hydrology for DRB approval.

**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.

Amendment to Zone Map:

**Transportation Development (City Engineer/Planning Department):**

- Reviewed, no comments.

**Hydrology Development (City Engineer/Planning Department):**

- Hydrology has no objection.

**Transportation Planning (Department of Municipal Development):**

- No comments.

**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.

Site Development Plan for Subdivision:

**Transportation Development (City Engineer/Planning Department):**

- Please provide a separate *Site Development Plan for Subdivision* for review. Please follow SDPS checklist for submittal provided on the COA Planning website or pickup at our counter.
- All easements and access agreements must be shown and labeled on Site Plan. Provide recording information.

**Hydrology Development (City Engineer/Planning Department):**

- Hydrology has no objection.

**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 – Building Permit shall include:

1. Provide/label/detail all dimensions, classifications and proposed infrastructure within the site. (Include drive pad/ADA sidewalk, sidewalk/fire hydrant location, refuse gates, curbs, tie-in details, ADA ramps).
2. Site plan shall comply and be in accordance with DPM (Development Process Manual) and current ADA standards/ requirements.
3. All easements and access agreements must be shown and labeled on Site Plan. Provide recording information.
4. Add the following note to the Landscaping Plan: “Landscaping and signing will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.”

5. Please revise courtyard wall heights to comply with DPM standards for clear sight triangle requirements.
6. Roof flows of building D shall drain to the east or be guttered to drain to Alice Ave. The courtyard areas of building D could then pond what falls on them.
7. Submit a Conceptual Grading and Drainage Plan to Hydrology for DRB approval.

Conditions of approval for the proposed Amendment to Zone Map shall include:

1. none

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

1. Please provide a separate *Site Development Plan for Subdivision* for review.

### ***WATER UTILITY AUTHORITY***

#### ***Utility Services***

Will require an availability statement in order to address fire flow requirements, service sizes, etc.

### ***ENVIRONMENTAL HEALTH DEPARTMENT***

#### ***Air Quality Division***

No comment received.

#### ***Environmental Services Division***

No comment received.

### ***PARKS AND RECREATION***

#### ***Planning and Design***

No comment received.

#### ***Open Space Division***

No comment received.

#### ***City Forester***

No comment received.

### ***POLICE DEPARTMENT/Planning***

- This project is in the Southeast Area Command
- Exterior lights and landscaping should not be in conflict with each other. When given the opportunity, tree variety landscaping should not be placed near or adjacent to pole lights. Once the trees grow to maturity, the available lighting will be diminished.

- A video surveillance system should be part of the plans. Recommend cameras be positioned to cover all parking lots, walkways, common areas, recreational areas and building entrances. Each camera should be monitored and recorded for real time and historical use.
- If the property is used as rentals, recommend conducting criminal background checks on all prospective residents older than 18.

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

No comment received.

**FIRE DEPARTMENT/Planning**

No comment received.

**TRANSIT DEPARTMENT**

Adjacent and nearby routes	Route #11, Lomas route, passes near the site on Lomas.
Adjacent bus stops	None.
Site plan requirements	None.
Large site TDM suggestions	None.
Other information	None.

**COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY**

No comment received.

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

Reviewed, no comment.

**ALBUQUERQUE PUBLIC SCHOOLS**

Any residential developments in this area will impact Mark Twain Elementary School, Hayes Middle School, and Highland High School. Currently, Mark Twain Elementary School is exceeding capacity, Hayes Middle School and Highland High School.

<b>Loc No</b>	<b>School</b>	<b>2012-13 40th Day</b>	<b>2012-13 Capacity</b>	<b>Space Available</b>
364	Mark Twain ES	402	357	-45
416	Hayes MS	370	741	371
520	Highland HS	1620	1800	180

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities
- Improve facility efficiency (short term solution)
  - Schedule Changes
    - Double sessions
    - Multi-track year-round
  - Other
    - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration
- Combination of above strategies

**All planned additions to existing educational facilities are contingent upon taxpayer approval.**

***MID-REGION COUNCIL OF GOVERNMENTS***

No comment received.

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

No comment received.

***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](http://www.pnm.com) for specifications.
3. There is an existing overhead electric distribution line located on the south side of the subject property. It is necessary for the applicant to contact PNM's New Service Delivery Department regarding the proposed tree species noted on the Landscape Plan, tree placement and height at maturity, sign location and height, and lighting height in order to ensure sufficient safety clearances and to avoid interference with the existing facilities. PNM's standard is for trees to be planted outside the PNM easement. PNM recommends a shorter tree selection along the southern property boundary and to locate trees outside of PNM easements.