



Environmental Planning Commission

Agenda Number: 4
Project Number: 1000032
Case #: 13EPC-40123
August 8, 2013

Staff Report

Agent	Consensus Planning
Applicant	Oxbow Town Center, LLC
Request	Sector Development Plan Amendment / Zone Change
Legal Description	Tracts X-1-A2 and , Plat of Tracts X-1-A1 & X-1-A2, University of Albuquerque Urban Center
Location	St. Josephs Drive NW between Coors Blvd. and Atrisco Drive
Size	Approximately 47.7 acres
Existing Zoning	SU-3 for Mixed Use (incl. O-1 Uses)
Proposed Zoning	SU-3 for Mixed Use (incl. R-T Uses)

Staff Recommendation

Staff recommends a recommendation of DENIAL to the City Council of Case #13EPC-40123 based on the Findings beginning on Page 27.

Staff Planner
Carrie Barkhurst

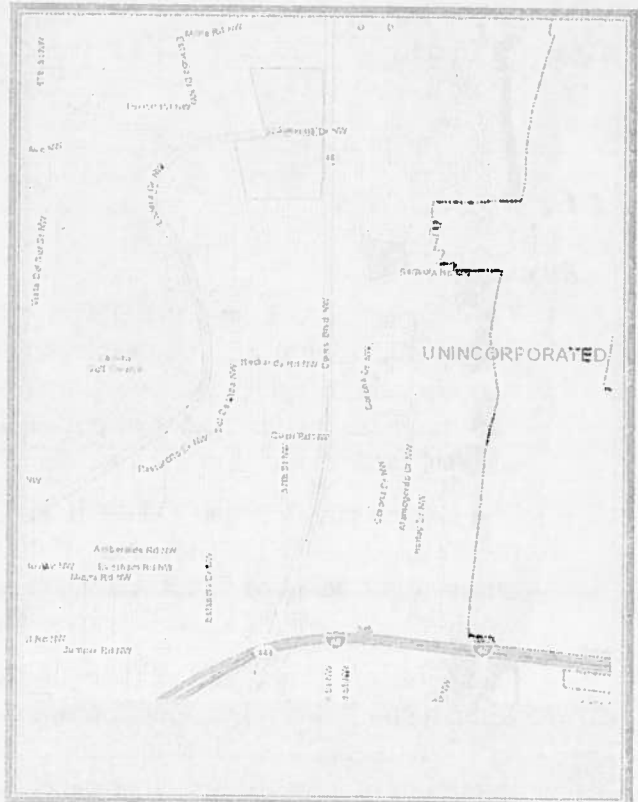
Summary of Analysis

The request is to amend the zoning for Parcels A and B of the University of Albuquerque Sector Development Plan (UASDP). The applicant would like to develop 17 acres of single-family residential uses instead of the required minimum 17 acres of O-1 development. The West Side Strategic Plan and Coors Corridor Plan apply to this request.

The current zone allows houses, townhouses, apartments, and all other forms of residential dwelling units, as regulated by the O-1 and C-2 zones. However, there is a restriction on the development of typical residential subdivisions. Mixed-uses and densities are required.

The request would allow a new 17 acre moderately low-density residential subdivision, which conflicts with Activity Center policies that require higher density residential uses and non-residential uses. This conflict is deemed as "significant" and forms the basis for a recommendation of denial.

There is some support, but mostly opposition to this request by west side neighborhood associations.



City Departments and other interested agencies reviewed this application from 7/1/2013 to 7/12/2013.
Agency comments used in the preparation of this report begin on Page 34.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses relative to the 2 subject tracts:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-3 Mixed Uses (R-3, C-2, and O-1 Uses)	Established Urban; WSSP; University of Albuquerque SDP; Coors Corridor Plan	Vacant
North	SU-3 Mixed Uses (R-LT, R-2, O-1, and C-1 Uses)	Established Urban; WSSP; University of Albuquerque SDP; Coors Corridor Plan	Single-Family Residential
South	SU-1 PRD	Established Urban; WSSP; Coors Corridor Plan	Single-Family Residential
East	SU-1 PDA and SU-3 (Mixed Residential, O-1, and C-1 Uses)	Established Urban; WSSP; University of Albuquerque SDP; Coors Corridor Plan	St. Pius High School, Soccer Fields, and Single-Family Residential
West	SU-3 Mixed Uses (Church); R-3; R-1; O-1; C-1	Established Urban; WSSP; University of Albuquerque SDP; Coors Corridor Plan	St. Joseph's Church, Multi- Family Residential, Single- Family Residential, Offices, and Urgent Care Medical Center

II. INTRODUCTION

Request

This request is to amend the University of Albuquerque Sector Development Plan (UASDP) to change the zoning and allowable land use mix for the subject site, which is located on the western side of Coors Boulevard and both north and south of St. Joseph's Drive. The "subject site" refers to the undeveloped portions of Parcels A and B of the UA SDP. It consists of 47.7-acres of land (Parcel A = 21.2 ac; Parcel B = 26.5 ac).

The subject site is zoned SU-3/Mixed Uses (C-2 and O-1 Uses, with a minimum of 17 acres to be developed as O-1). The intent of the request is to allow single-family residential development on up to 17 acres of Tract A, which is north of St. Joseph's Drive. The remainder of the site would develop with C-2 or O-1 uses. The subject site is currently vacant.

The applicant proposes the following changes to the Zoning for Parcel A: "SU-3/Mixed Use: Church and Related Uses for approximately 10 acres; [- a minimum of approximately -] [+ up to +] 17 acres shall be developed for [- office (O-1) -] [+ residential (R-T uses on Parcel A only, minimum of 8 dwelling units per net acre) +], the balance of the property is to be developed as (C-2) commercial or (O-1) office (approximately 30 acres) approximately 5 acres."

The proposed zoning for Parcel B: "SU-3/Mixed Use: The property is to be developed as commercial (C-2 uses) or office (O-1 uses) for approximately 25 acres. Parcel B shall be considered the 'Core' of the Activity Center."

The University of Albuquerque Sector Development Plan map has been updated by the applicant to show recent amendments to the Plan as well as the changes proposed by this request. The Land Use/Zoning matrix has been amended for Parcels A and B. Additionally, a new table with a partial case history of amendments to the UA SDP has been added, for informational purposes.

Context

The subject site is vacant but is surrounded by development on all sides: to the north is single-family residential development (Rancho Encantado, Del Sur and Valle Alegre); to the east is a public park with soccer fields, St. Pius School, and single-family residential development (Enclave at Oxbow); to the south of Parcel B is a single-family residential development with attached dwelling units (Villa de Paz); and to the west is a church on Parcel A, an Urgent Care Medical Center, offices, and multi-family residential development (Atrisco Apartments).

The subject site is located within the Coors Community Activity Center, as identified in the West Side Strategic Plan, and adjacent to the Coors/Western Trails Neighborhood Activity Center (see attached maps). The neighborhood activity center has not developed with a mix of uses as planned but instead has developed primarily with single-family residential units, with senior housing and commercial uses allocated on the remaining undeveloped 17-acre parcel.

The subject site is approximately 2 miles south of the Coors/Montano Community Activity Center and approximately ½ mile north of the Coors/I-40 Community Activity Center, as designated by the Comprehensive Plan.

The subject site is designated by the West Side Strategic Plan as a Community Activity Center in the Ladera Community. In the Ladera Community, there are three Neighborhood Activity Centers:

1. The Coors/Western Trail NAC abuts the subject site to the north;
2. The Unser/St. Joseph's NAC is approximately 1 mile west of the subject site; and
3. The Unser/Ladera NAC is approximately 2 miles southwest of the subject site.

City Council is currently considering amendments to the Comprehensive Plan to modify the *Activity Centers and Transportation Corridors Map* in the Comprehensive Plan to incorporate appropriate amendments to activity centers adopted within the WSSP, among other updates.

The general service area for a CAC is within a 3-mile radius, and a NAC is a 1-mile radius. Several Neighborhood Activity Centers (typically 3 to 8) may occur in each Community.

Environmental Planning Commission (EPC) Role

The EPC is a recommending body with review authority. The EPC's task is to make a recommendation to the City Council regarding the proposed text/map amendments. The City Council is the City's Zoning Authority and will make the final decision.

History

In the early 1980's the subject site was annexed into the City and designated as an Urban Center (AX-80-26). It was zoned SU-3 and as required by the SU-3 zoning, the University of Albuquerque Sector Plan was adopted to guide future development of the 299-acre Plan area (Z-80-122/SD-80-1). The Urban Center designation meant that the area was to develop with a mix of public, institutional, commercial, retail, and office uses as well as higher density residential.

Since the Urban Center designation and the adoption of the sector plan, the area has undergone many sector plan amendments and has failed to develop as an urban center, as was originally intended. Over the course of the amendments, the original University of Albuquerque Sector Development Plan document was lost, and the Land Use/Zoning Map was retitled as the Sector Development Plan. Also, many of the original notes were left off the land use/zoning map.

In 1996 and 2002, the sector plan zone map was amended to the point that it effectively changed the focus of the plan area from an Urban Center to a mixed use and residential area (Project 1001624). The Urban Center designation was officially eliminated by R-02-41. Concurrently, the West Side Strategic Plan was amended, introducing the Centers and Corridors Concept and designating the southwest corner of the Coors/Western Trail intersection (Parcel V) as the Neighborhood Center for the area (R-01-278). However, Parcel V has subsequently developed as primarily single-family residential. A 17-acre portion of the NAC remains undeveloped, and is designated for multi-family residential, senior housing, and commercial uses.

Even though the Urban Center designation was eliminated, the University of Albuquerque Sector Development Plan still controls the uses in the plan area and still reflects a mix of uses allowed at the subject site. It has been amended several times since 2002 and the amendments that occurred continued to change the composition of land uses from institutional, office, and commercial to residential. The amendments generally shifted the development intensity and density to the west side of Coors Blvd. These amendments have effectively wedged most the land available for commercial and office uses between single-family residential uses, where it has remained undeveloped.

Parcels A & B

At the time of annexation and establishment of zoning, the subject site land use was designated as "Employment Center, Technical Services, Light Industrial, and/or Office Park (Campus Type)." In 1996, City Council approved a change to "A minimum of 40 acres shall be developed as apartments (R-3) at 20-25 du/ac with the balance of the property (approximately 19 acres) shall be developed as commercial (C-2) and/or office (O-1)" (R-58-1996; SD-80-3-3). The applicant requested R-T residential uses as part of the land use mix for the 19-acre portion designated for commercial/office, but this use was determined by EPC and City Council to be inconsistent with Transit policies and the intent of the West Side Strategic Plan.

In 2007, the residential uses were removed from the allowable uses, instead designating a minimum of 17 acres of O-1 development and the remainder as a mix of O-1 and C-2 uses (R-07-256). Concurrently, the WSSP was amended to designate Parcels A and B as a Community Activity Center (R-07-255). The Council Resolution indicated that the size and service area of the activity center was a hybrid of a neighborhood and community activity center.

In 2012, an apartment complex was proposed on Parcel A. In the face of strong neighborhood opposition, in particular, to the intended work-force housing market segment, the applicant withdrew the request (Project 1005357/12EPC-40040/41/42).

The University of Albuquerque Sector Development Plan Land Use Map has been amended 9 times. The following table summarizes changes to the US SDP and other development requests:

Date	Action	Project #	Parcels Affected	Result
1980	Urban Center Designation (299 acres)	AX-80-26	Area between Western Trail and N. Boundary of Town of Atrisco Grant and Atrisco Dr. and the Rio Grande	Established the University of Albuquerque Urban Center and Adoption of the UA SDP
Aug. 31, 1982	Annexation	Council Bill O-65	Parcels A, B, & C	Established SU-3 Zoning
	Adoption of University of Albuquerque Sector Dev. Plan (UA SDP)	SD-80-1	Parcels I, II, III, IV, V, VI, A, B, C, D, E and F	Adoption of Land Use Plan as identified in the Sector Plan
	Establishment of Zoning	Z-80-122	"	
June 16, 1995	Amendment of UA SDP	SD-80-3-1	Parcel V (incorporated 20 acres of Parcel A)	Amendment of land use plan to allow O-1, C-1, and Residential (20 du/ac) uses
Oct. 13, 1995	Amendment of UA SDP	SD-80-3-1	Parcel V (incorporated 20 acres of Parcel A)	Amendment to land use plan to allow residential and commercial uses, a theatre, and alcohol sales
Oct. 20, 1995	Site Development Plan for Subdivision	Z-95-94	Parcel V (incorporated 20 acres of Parcel A)	Illustrated land use allocations; replatted to add 20 acres from Parcel A
Feb. 16, 1996	Amendment of UA SDP	SD-80-3-3	Parcels A and B	Amendment to the land use plan to allow R-3, O-1, and C-2 uses instead of employment center/industrial/education
July 3, 1996	Amendment of UA SDP	SD-80-3-3 (R-58)	Parcels A and B	Reallocation of R-3, O-1, C-2 land uses
Nov. 14, 1996	Amendment of UA SDP	SD-80-3-4	Parcels C, D, E, and F	Modification of Residential densities to 10-25 du/ac

Date	Action	Project #	Parcels Affected	Result
Nov. 14, 1996	Site Development Plan for Subdivision	Z-96-99	Parcels C, D, E, and F	Allows for the development of single-family residential uses
Sept. 19, 1997	Site Development Plan for Subdivision	Z-97-103	Parcels C, D, E, and F	Design Guidelines approved
August 1999	Amendment of UA SDP	SD-80-3-6	Parcel V	Added single-family residential, office, and neighborhood park
	Site Development Plan for Subdivision	Z-99-84	Parcel V	Divided Parcel V into Tracts 1-4
January 2002	Amendment of UA SDP	Project 1001624 File#0113801744	I, II, C, D, and E	Change focus from Employment Center to Mixed Residential (as reflected on current Plan)
	Deletion of Urban Center designation	R-02-41	Parcels I, II, III, IV, V, VI, A, B, C, D, E and F	Urban Center designation Eliminated
Sept. 2002	Amendment of UA SDP	Project 1001624	Parcel V	Reduced development densities and increased acreage allowed for single family residential
	Amendment of Site Development Plan for Subdivision	02EPC-01161 02EPC-01170	Parcel V	Subdivision of Tract 4 into 3 Tracts (4-A, B, & C) and a public roadway
	Site Development Plan for Building Permit	02EPC-01165	Parcel V	6-acre Condominium development on Tract 4-C
April 12, 2007	Amendment of WSSP	07EPC-00122 R-07-255	Parcels A and B	Designate as a new Community Activity Center
	Amendment of UA SDP	07EPC-00115 R-07-256	Parcels A and B	Eliminate high-density residential uses and increase acreage for office and commercial uses
	Site Development Plan for Subdivision	07EPC-00114	Parcel B and portion of Parcel A	Subdivision of a portion of Parcel A and B into 10 new tracts (never finalized)
	Site Development Plan for Building Permit	07EPC-00121	Parcel B	Development of 3 Tracts with commercial uses (never finalized)

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways and makes the following designations:

- Coors Boulevard NW as a Limited-Access Principal arterial, with a ROW of 156'.
- St. Joseph's Drive NW and Western Trail NW as Minor Arterials, with a ROW of 86'.
- Atrisco Drive NW as a Collector Street, with a ROW of 68'.

Comprehensive Plan Corridor Designation

Coors Blvd. is designated as an Enhanced Transit Corridor with the intent to "improve transit and pedestrian opportunities for residents, businesses and other users nearby. These roadways could have similar features to the major transit corridor. Their 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 is an existing multi-purpose trail along the east side of Atrisco Drive, which crosses St. Joseph's and turns into an on-street bike lane. There is also a bike lane along Coors Boulevard adjacent to the subject site.

Transit

ABQ Ride #790 and #155 pass by the subject site along Coors Boulevard. The nearest bus stop is 250' south from the southeast corner of the property, serving the above-mentioned routes is the southbound direction.

Public Facilities/Community Services

To the north of the subject site is a newly developed City park in the Rancho Encantado Neighborhood. Directly across Coors Boulevard are developed soccer fields – these fields are adjacent to the private St. Pius High School. To the south (on the east side of Coors) are the four baseball diamonds of Corona del Sol and is developed adjacent to Fire Station 17 on Yucca Drive. Within close proximity to the subject site, on Ladera Drive, is the Ladera Golf Course.

For more specific information, see the Public Facilities Map (attached).

III. ANALYSIS – APPLICABLE ORDINANCES, PLANS AND POLICIES

A) Albuquerque Comprehensive Zoning Code

The existing zoning of the subject site is SU-3/Mixed Use (O-1 and C-2 uses). The “subject site” refers to the undeveloped portions of Parcels A and B of the UA SDP. It consists of 47.7-acres of land (Parcel A=21.2 ac; Parcel B=26.5 ac). The request is for an amendment to the zoning text.

The subject site is specified to have a minimum of 17 acres of O-1 uses, and a mix of C-2 and O-1 uses for the remaining 30.7 acres. The applicant requests the requirement for a minimum of 17 acres O-1 uses to be removed and replaced by up to 17 acres as R-T uses. The remaining 30.7 acres would allow C-2 and O-1 uses.

Section 14-16-2-22 SU-3 Special Use Zone. This zone allows a variety of uses controlled by a plan, which tailors development to an Urban Center; these include centers of employment, institutional uses, commerce, and high-density dwelling.

Section 14-16-2-15 Office and Institution Zone. This zone provides sites suitable for office, service, institutional, and dwelling uses.

Section 14-16-2-17 C-2 Community Commercial Zone. This zone provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses.

Section 14-16-2-9 R-T Townhouse Residential Zone. This zone provides suitable sites for houses, townhouses, and uses incidental thereto in the Established and Central Urban areas.

The proposed uses are predominantly single-family dwellings and some townhouses, developed according to the R-T zone (17 acres) and C-2 Uses for the remainder of the site (30.7).

The O-1 zone allows houses “constituting up to 25% of the gross floor area on the premises.” Up to 60% of the premises FAR could be developed for dwelling units with a conditional use permit.

The C-2 zone was amended in 2012 to allow residential uses for sites that are within an activity center or adjacent to a major or enhanced transit corridor. Both of those criteria apply to this site, so residential uses would be allowed in the portions of the site that allow C-2 development. The C-2 zone does not allow houses (single-family, detached dwelling units).

Therefore, the proposed use, residential, is allowed permissively under the current zoning. However, the desired development pattern (a single-family residential subdivision) is not permissive under the current zoning. This development pattern would be permissive with the requested zoning.

Development Process

The development process established by the SU-3 zone is: “All uses and structures must have a Site Development Plan and, if relevant, a Landscaping Plan, each approved by the Planning Director.” The original Sector Development Plan, dated July 1980, had a note indicating: “All future plans affecting this property shall be in accordance with standards established by future site development plans.” While requiring a site development plan for all future development, it did not specify the review or approval process. There was also a note that indicated: “Zoning is

SU-3 for the uses specified in the Zoning Legend.” Both of these notes have inexplicably dropped from the Sector Development Plan some time after the 1996 amendment and should be added back to the UA SDP. Other documents associated with UA SDP zone map amendments have referred to requirements for future development to be reviewed and approved by the EPC.

A new note was added after the 1996 UA SDP amendment indicating: “Site Development Plans for Building Permit for single family home developments shall be reviewed and approved by the Development Review Board (DRB). A public hearing shall be required at the DRB for those projects.” There is no procedure defined for multi-family and non-residential developments, so the SU-3 regulations would apply. However, in the past, all developments have been reviewed and approved by the EPC. If an amendment is approved, staff recommends that a note be added to the UA SDP that requires EPC approval of MFR and non-residential development, which would be consistent with the case history and previous versions of the UA SDP Land Use/Zoning Map.

Activity Center Designation

The current request would effectively modify the Activity Center to be only south of St. Joseph’s Drive, where future development of commercial, office, or institutional uses would be possible. If the request is approved, the Planning Department would recommend modifying the boundary of the CAC to exclude Parcel A, and due to the smaller size, reclassifying it as a Neighborhood Activity Center with neighborhood-scale uses (C-1) also being more appropriate. The West Side Strategic Plan Activity Center boundary would need to be amended. The City Council is currently reviewing amendments to the Activity Centers map of the Comprehensive Plan and this matter will be heard on August 5, 2013.

Definitions

The City Zoning Code does not provide definitions for low, medium, or high density development. In a review of other peer agencies, a range between 6 and 25 dwelling units per acre is considered “medium density residential development.” The Urban Design and Development Division defines medium density as between 12 du/acre and 25 du/acre.

Activity Center Policies call for medium density residential uses, 2-3 story buildings, and moderate floor area ratios (0.3 – 1.0) in Community Activity Centers. Enhanced Transit Corridors call for 7-30 du/acre net housing density targets for new development.

density, net – the average number of dwelling units per acre, based on the geographic area of sites devoted to residential and very closely related incidental uses – not including public use areas. (Definition from the Comprehensive Plan)

mixed use zoning – land use regulations which permit a combination of different uses within a single development. (Definition from the Comprehensive Plan)

activity center – a relatively compact area of at least a few different land uses generating employment, attracting trips, and serving as the focus for other activities . . . Major Activity Center, defined elsewhere in the Comprehensive Plan, is the largest form of activity center proposed for Albuquerque, while Neighborhood Activity Centers are the smallest.

B) Albuquerque / Bernalillo County Comprehensive Plan

Policy Citations - Regular Text; *Applicant Response - Italics; Staff Analysis - 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 within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." The subject site is also within a Community Activity Center (CAC) as designated by the WSSP. The Comprehensive Plan is being updated to designate the subject site as a CAC, to be consistent with the more recently amended WSSP. The update is currently under consideration by the City Council and will be heard August 5, 2013. The following Comprehensive Plan Goals and policies apply to this request:

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

The location, intensity, and design of the requested uses respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resources, and other resources of social, cultural, and recreational concern. The applicant achieves this with the goal of developing commercial at the northwest corner of Coors Boulevard (an Express Transit Corridor) and St. Joseph's Drive. There are existing residential uses to the north and south of this area. Adjacent land uses have been designated by the University of Albuquerque Sector Development Plan "SU-3" for a mix of uses, which allows for office, commercial, residential, educational, and church uses. The proposed change from office to residential uses on Parcels A and B is intended to respect the adjacent land uses.

The request respects neighborhood values by proposing a similar use to the existing development pattern north of the subject site. The Rancho Encantado HOA has written in support of single-family housing on Tract A, and believes that it would be a compatible land use. However, in relation to the larger community, other west side residents commented that the application does not contribute to stability of zoning, and that it is not more advantageous to the community in terms of jobs to housing balance on the west side, which is currently heavily weighted towards housing.

Intensity - The request to replace office and institutional uses with low-density residential ones adjacent to an Enhanced Transit Corridor is not consistent with Enhanced Transit corridor Employment Density Targets or Housing Density Targets for New Development (7-30 du/acre) page II-83 Comprehensive Plan. Higher intensity and density development is called for in Community Activity Centers, and single-family residential uses are generally not compatible. The existing zoning/land use allows for a mix of office, commercial, residential, educational, and church uses, however, single-family residential subdivisions are not permitted. Having predominantly low-density development may not respect environmental carrying capacities and community resource management by requiring a larger amount of land per dwelling.

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

Parcels A and B have full urban facilities and services available to them. Direct access is from Coors Boulevard and Saint Joseph's Drive. Existing water, sewer, and other utilities area in place and can accommodate future development. Coors Boulevard is an Enhanced Transit Corridor served by ABQ Ride routes 155, 790, and 96.

Staff agrees that the site is vacant land that has access to existing facilities and services.

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.

As previously stated, the applicant envisions residential development on Parcel A that will be complemented with proposed commercial development at the corner of Coors Boulevard and St. Joseph's drive. The residential and commercial retail/service uses on the property will go through an approval process for Site Plan for Subdivision and Site Plan for Building Permit with the Environmental Planning Commission (EPC) to ensure the quality of design and allow public comment. It will be subject to design regulations in the Coors Corridor Plan.

The request is not strictly consistent with this policy because it asks to replace land zoned for employment and service uses with single-family residential development. The subject site was designated as an appropriate location for services to support the surrounding residential areas. The applicant has not demonstrated that this change would not adversely impact the availability of jobs and services in this area, which already has an abundance of houses.

Note: The process for development of single-family residential uses is for a public hearing at the Development Review Board. Commercial uses would be reviewed administratively by the Planning Director. There is no requirement for future development to go to the EPC.

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 free-standing retailing and contiguous storefronts along streets in older neighborhoods.

The area of commercial retail/services is envisioned to be sited along Coors Boulevard. Site specific development for these future commercial uses should provide pedestrian and bicycle access from the residential communities to the retail/service development. The envisioned residential areas will be well within walking or bicycling distance.

The request would locate residential uses in a location that was determined by City Council to be appropriate for a mix of higher intensity land uses (R-01-278).

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

Policy m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

Any residential and commercial development will be subject to Site Plan for Subdivision and Site Plan for Building Permit review and approval by the EPC. The single family development will be reviewed by the DRB. All development will be measured against the design policies and regulations of the Coors Corridor Plan, West Side Strategic Plan, and the Comprehensive Plan.

Staff does not find these policies applicable to the request to amend zoning/land uses.

II.B.7 Activity Centers: The Goal is to expand and strengthen concentrations of moderate and high density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

The University of Albuquerque Sector Plan area is designated as a Community Activity Center. Specifically, Activity Centers are intended to "provide for unique attractions serving local, regional, and statewide needs". The subject property is accessible by all modes of travel, and has convenient access to the major roadway system, including Coors Boulevard. The envisioned residential and commercial uses are consistent with the examples contained in the Comprehensive Plan; supporting residential, retail, and service uses.

Staff agrees, except noting that single-family residential uses have not been identified as appropriate in Activity Centers. Therefore, the mix of uses allowed by the current zoning/land use would be more appropriate for the site.

Table 22: Table 22 in the Comprehensive Plan provides a description of the appropriate land uses within a Community Activity Center.

Applicant's Response: The proposed change is consistent with this description based on the following: 1) The requested residential (R-T uses) land use allows for medium density housing including town homes and single family detached products, 2) The existing church and proposed elementary school are identified as appropriate uses, and 3) The remaining C-2 zoning permits a mix of uses including multi-family, senior housing, retail, and office uses.

Medium-density housing is listed as an example of typical uses in a Community Activity Center. Medium density is generally described as being 8-20 gross dwelling units per acre. Single-family detached products do not usually fit in this category of medium density since single family homes typically require 3,600 - 6,000 square feet per dwelling unit.

Policy II.B.7a: Existing and proposed Activity Centers are designated by a Comprehensive Plan map where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services.

Allowing for residential uses in proximity to commercial development is consistent with this policy because it will help sustain the University of Albuquerque area by addressing current demands and adding complementary uses in an area unlikely to develop with office uses. The property is currently vacant and has lagged behind development within the Sector Plan on the east side of Coors Boulevard (i.e., Oxbow Communities). These two parcels along Coors Boulevard are accessible by transit, passenger vehicles, bicycles, and pedestrians.

Staff agrees, and notes that the current zoning/land use already allows residential uses. Allowing extensive development of a new single-family residential subdivision in the Activity Center would not likely contribute to mixed use concentrations of interrelated activities within the Activity Center, nor would it improve on the cost-effectiveness of City services, relative to the current use entitlements. The applicant claims that the request addressed "current demands" without identifying how those demands were identified or whose demands they are.

Policy II.B.7i: Multi-unit housing is an appropriate use in Neighborhood, Community and Major Activity Centers.

The request is for low-density residential development within a designated Community Activity Center. Higher-density residential development and mixed uses would be more appropriate, and is possible with the current zoning/land use development entitlements.

II.D.6 Economic Development: The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

The envisioned residential and commercial uses will promote economic activity and allow more people to live in closer proximity to commercial services. The proximity of the commercial retail/service areas to future residential development will increase business success rates as potential clientele can be found nearby.

The Activity Center site is already surrounded by mixed density residential development that would support the development of office, apartment, commercial, and retail services. The mixed-density housing allowed by the current zoning would be more effective in achieving this economic development goal. The development of approximately 1/3 of this Activity Center as low-density residential would not likely improve opportunities for Economic Development on the west side.

C) West Side Strategic Plan

The West Side Strategic Plan (WSSP) was first adopted in 1997 and amended in 2002 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located within the Ladera Community. The Ladera Community is 2,200 acres in size, and could potentially support a population of 15,400. This would result in approximately 6,200 housing units with a potential for 5,100 jobs in the area.

The WSSP identifies locating employment uses on the West Side as critical to achieving the Plan's goals including: reducing vehicle trip distances, decreasing commuter demand across the Rio Grande, decreasing the need for additional lanes of river crossing, decreasing construction and maintenance costs, and establishing healthy activity centers. The subject site is located in the Ladera Community's designated Community Activity Center (CAC).

Because the subject site is located within a CAC, the land uses are expected to develop as a provider of goods and services as well as employment for the area. One of the goals for this area is to encourage higher density housing on vacant parcels along Coors to provide a mix of land uses and increase the residential base of the Ladera community. Another goal is to improve the pedestrian environment along Coors Boulevard by providing pedestrian amenities (Page 102). The following WSSP goals, objectives, and policies apply to the proposal:

Goal 12: The Plan should provide for long-term sustainable development on the West Side.

Objective 1: Provide for a complete mix of land uses on the West Side, including opportunities for large-scale employment, in order to minimize the needs for cross-metro trips. Employment opportunities are encouraged on the West Side. (Page 17) *(Not addressed by the applicant)*

Objective 4: Preserve a sense of community and quality of life for all residents based on wise, long-term decision-making. (Page 17)

Residential uses will more effectively interface with existing neighborhood and community-oriented uses. The proposed change to the land use designation would balance with the surrounding residential, future commercial, and existing institutional uses (i.e., St. Pius High School). The existing Neighborhood Activity Center at Coors Boulevard and Western Trail has developed primarily with single-family residential uses, which suggests that the remaining vacant areas will not support a complete mix of commercial and office uses, as is currently mandated by the Sector Plan.

The request is to replace 17-acres of office and institutional land uses with the same amount of low-density residential uses. As mentioned by the applicant, both the Neighborhood Activity Center and the majority of the University of Albuquerque SDP have developed with predominantly single-family residential uses. This fact alone points to the need to preserve the land within the Community Activity Center for a mix of higher density / intensity uses to serve the surrounding residents. Additional single-family dwelling units would not provide opportunities for jobs and employment, and it would not minimize the need for cross-metro trips. Further, mixed-density residential uses (excluding houses) are permissive in the C-2 zone. If the request is approved, this Activity Center could potentially develop purely with residential uses according to the zoning/land uses allocation for Parcel A and B.

Staff disagrees that the residential uses would more effectively interface with the existing neighborhood. The O-1 zone provides sites suitable for office, service, institutional, and dwelling uses. It is often used as a buffer or transition between single-family residential and commercial uses.

Policy 1.1: Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers. (Page 38)

The applicant did not address this policy.

The applicant intends to develop approximately 80 dwelling units on a 17 acre portion of Tract A. This would result in a low-density development of less than 5 du/acre (gross density), and 8 du/acre (net density). According to this policy, the EPC "shall require that high density and non-residential development occur within Community and Neighborhood Centers." Because the request would allow low-density residential subdivisions, it "shall not be approved." Consequently, the Planning Department has recommended denial of this request.

Policy 1.3: Strip commercial developments shall not be approved on the West Side. Commercial development shall occur in concentrated clustered areas rather than new strip developments. Zone changes to commercial, industrial, or office uses for areas outside the centers are strongly discouraged, in order to reinforce the Neighborhood and Community Centers. Changes of commercial and office zoning outside the centers to residential use is encouraged. This policy is meant to impact the design and layout of commercial areas and their connections to adjacent development and to encourage clustering of commercial and office uses in activity centers. It is not intended to rezone allowed commercial uses. (Page 39)

Policy 1.13: The Community Activity Center shall provide the primary focus for the entire community with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community. Its service area may be approximately three miles (radius) and a population of up to 30,000. (Page 41)

The applicant did not address these policies.

The intent of these policies is to focus higher intensity and mixed-uses within Activity Centers, and to encourage low-density residential development outside of Activity Centers. The request for a zone/land use change to remove 17 acres of O-1 uses in order to allow the same amount of low-density residential development inside a Community Activity Center is not consistent with Policies 1.3 and 1.13.

Policy 1.10: Designated neighborhood and community centers shall be reviewed periodically for viability and appropriateness; if a center comes to exhibit characteristics which justify it, its designation may be amended from neighborhood to community or vice-versa. Similarly, new centers may be located/designated based upon the criteria outlined in Policy 1.9. (Page 39)

If the request is approved, it may be appropriate to exclude Parcel A from the Community Activity Center, and to further consider re-designating Parcel B as a Neighborhood Activity Center, based on its smaller size.

Ladera Community Policies – page 7 of R-07-255 (not amended in WSSP text)

Potential Uses: Retail, service, higher density housing Coors/St. Joseph's Community Center

Goals: Encourage higher density housing on vacant parcels along Coors to provide a mix of land uses and increase the residential base of the Ladera community.

The applicant did not address these policies.

The request would allow low density residential development in the Community Activity Center, and conflicts with the uses and goals of the Ladera Community

D) Coors Corridor Plan

The subject site lies within the boundaries of the Coors Corridor Plan, a Rank III plan adopted in 1984. It contains policies, regulations, and guidelines for the development of Coors Boulevard. The subject property is in Segment 2 of the Corridor Plan, which extends from I-40 on the south to the Western Trail on the north. The following CCP policies and design regulations apply to the proposal:

Policy 1 – Adopted Plans: Land use decisions shall be made in accordance with adopted plans for Northwest Mesa area. The City of Albuquerque has adopted a hierarchical plan ranking system. The Rank 1 plan includes all the elements of the Albuquerque/Bernalillo County Comprehensive Plan. Rank 2 plans include area plans such as the Northwest Mesa Area Plan. Rank 3 plans include sector development plans including this Coors Corridor Plan. Plans of lower rank must comply with all provisions of all higher ranking plans, including issues such as land use and commercial site locations.

Adopted plans for this area have been addressed in this justification letter. Relevant policies from applicable plans have been cited. This request complies with applicable policies of higher ranking plans, thereby furthering this policy.

As analyzed above, the request does have a significant conflict with the intent and policies of the WSSP regarding land use within Activity Centers.

Policy 3 – Recommended Land Use: The Coors Corridor Plan recommends land uses which are identified on the following maps. They specify existing and recommended zoning and recommended land uses. These recommended land uses shall guide the development in the plan area.

The subject property is located in Segment 2 of the Coors Corridor Plan Zoning and Land Use maps. Existing zoning at the time the Plan was written was SU-3 for Employment Center. No zone change was recommended, although the land use designation has since been changed. The Coors Corridor Plan's recommended land use for the site is industrial/employment. The Coors Corridor land use recommendation reflects the University, Technology Park, and high density development that was envisioned at the time of the Plan's adoption. Since the Plan's adoption, there have been several amendments to the land use within the University of Albuquerque Sector Plan due to changing conditions in the area. Notably, the Coors Corridor Plan was adopted in 1984, around the same time as the University of Albuquerque Sector Plan. Therefore, the land use vision presented by both plans does not reflect existing conditions and uses that would be advantageous to the current community.

Staff agrees, but notes that the request would conflict with the zoning/land use designation established by the UA SDP more recently in 2007, as well as the Community Activity Center Designation established at that same time.

Site Planning and Architecture Policies: Various design policies apply to development within the Coors Corridor Plan area. These include: site design, building setback height and bulk, front landscaped street yard, site landscaping, off-street parking, commercial sites, access, bikeways and horse trails, site lighting, and architectural design. (summarized by the applicant)

Site Plans for Building Permits shall comply with Coors Corridor building and site regulations as provided in the Sector Plan.

Staff agrees that Site Development Plans for Building Permits would be reviewed by the Planning Director and/or DRB for consistency with these Policies and Design Regulations. However, this is not a request for site development plan approval.

Conclusion of Policy Analysis

Single-family residential development is not consistent with the goals and intent of applicable plans for sites designated as Activity Centers. Higher density residential development would be appropriate within a mixed use development. There are several ways the Planning Commission could craft a Zoning Description to require a higher residential density: 1) establish minimum gross density targets (i.e., 12-25 du/acre), 2) provide a maximum acreage that could be developed as single-family residences, or 3) establish a maximum lot size for single-family residences (4,000 SF would result in a gross density \approx 8 du/acre, and a net density \approx 11 du/acre).

E) 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.

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.

This request is consistent with the health, safety, morals, and general welfare of the City. The permissive uses in the Sector Development Plan already allow residential uses, including single family, multi-family, and senior housing. Replacing office uses with residential uses will reinstate the residential uses (to a lesser extent) that were allowed prior to the Activity Center designation and zone change that occurred in 2007 and will provide a more logical transition between the more intense commercial uses and the adjacent neighborhoods and church.

Staff agrees that residential uses are appropriate within the UA SDP area, and that there is no conflict with the health, safety, or morals of the city. However, more low-density residential uses on the west side of the river and within a CAC may not be consistent with the general welfare of the City. It would further exacerbate the jobs and housing imbalance, by removing land that could be developed into non-residential or mixed uses. In 2004, the west side of the city has 1/2 a job per household, while the east side of the city has 1.5 jobs per household (2030 Metropolitan Transportation Plan, page 2-8). As a designated Activity Center, City Council intended for this land to be developed with higher-intensity, mixed uses (R-07-255).

Staff notes that single-family residential dwellings are not allowed in the C-2 zone, and that is what the applicant would like to develop. Staff is unclear how single-family residences would form a transition between other houses and future commercial uses, and finds that office and institutional uses may serve as a better transition. If more houses were built in advance of commercial development, they too would need a transition between C-2 commercial uses.

- 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.

As previously stated, the permissive uses established for the University of Albuquerque Sector Plan already allow single and multi-family residential development. Expanding residential uses to Parcels A and B will better match and mirror the demands of this area (specifically, those for single family residential on Parcel A) that existed prior to the 2007 amendment when a portion of Parcel A was allocated for residential uses. Commercial uses are also envisioned on Parcel A of the Sector Plan, which will create a symbiotic relationship between existing and future residents of the Sector Plan area and future services.

The subject site and Sector Plan Area has demonstrated instability in zoning over time, as the Sector Plan has been amended repeatedly to respond to development opportunities which have not materialized. Over time, predominantly single-family dwellings have been built throughout

the UASDP, which is one reason why this remaining undeveloped portion was designated as an Activity Center.

The residential uses allowed prior to the 2007 designation as an Activity Center were for multi-family (24-30 du/acre), which would be appropriate densities for an Activity Center. Single-family dwellings have never been included as permissive uses at this location. The applicant has not provided a sound justification for why the change should be made.

- 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 applicant's justification primarily relies on the fact that single-family residences are allowed in other areas of the Sector Development Plan, and therefore would also be compatible at this location. Also mentioned is that the zoning/land use change will not preclude a mix of commercial uses on the remaining 4 acres of Parcel A and the entire 26 acres of Parcel B. See Policy Analysis in sections B, C, and D above. No significant conflict is noted.

Staff finds that there is a significant conflict with the request for low-density residential uses in an Activity Center. See the Policy Analysis section III.C, D, and E, 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.

This request is justified based upon both changed conditions and that the change is better for the community as articulated in the Comprehensive Plan and other City plans and policies.

Since the Sector Plan's adoption in 1982, the plan has been amended 7 times. These changes have all stemmed from the original premise that the area would develop with a University campus and surrounding employment, research and development, and high density student housing. This is the reason that the property was zoned SU-3 for an Urban Center. The City Council even passed a resolution in 2002 that eliminated the site as an urban center, but kept the SU-3 zoning. The bulk of the area within the Sector Plan boundaries has developed with a high school, church, neighborhood park, and residential neighborhoods. The proposed change responds to those changes and provides for an additional single family neighborhood to transition between Coors Boulevard and the Commercial areas to the church and adjacent neighborhoods.

The existing community surrounding the subject site has observed a significant increase in traffic along Atrisco Drive. This increase appears to be an unforeseen consequence of Unser Boulevard being extended north into Rio Rancho. This traffic occurs as commuters heading

south on Unser Boulevard NW towards I-40 take a shortcut by hopping on to Atrisco Drive, heading west towards Coors Boulevard NW, and then south to the freeway. The proposed revision from office to single-family residential will result in a significant reduction in trips generated from this property.

The proposed change is also more advantageous to the community as articulated in numerous City plans and policies. In addition to these plans and policies, the neighborhood to the north and the church expressed concern over a proposal for high density housing and stated their preference for single family homes in this area. While the Office Park was not opposed, it is more intense and was anticipated to be 3-stories. The single family homes will also generate significantly less traffic. Specific policies that support this change are provided in Section C of this response and include neighborhood stability, quality of life, enhance the sense of community in the area, and provide for additional variety of housing options.

The existing Church on Parcel A is in the process of building an affiliated elementary school on the remainder of its 10 acre property. The addition of a school in this location is a very compatible use with the proposed single-family residential. Furthermore, the addition of this elementary school will help alleviate the local elementary school.

Staff generally agrees with the applicant's analysis, but does not find that the applicant has demonstrated why the existing zone is inappropriate.

(2) Changed community conditions: The applicant primarily discusses changed conditions since the 1982 UA SDP adoption. There was no discussion of any changed community conditions since the 2007 rezoning of the property that would justify this change.

(3) More advantageous to the community: As analyzed above, the request has significant conflicts with applicable Goals and policies of the Comprehensive Plan and WSSP. The current zone has been demonstrated as beneficial to the community because it provides greater opportunity for neighborhood and community scale commercial, office, and employment uses to develop in an area in need of more services and employment opportunities. Office, commercial and employment uses may reduce the need for west side residents to travel across the river. Further, residential uses are currently permissive at the subject site without a Sector Plan Amendment. It remains unclear how a new single-family residential neighborhood would help transition between existing neighborhoods and future new commercial areas. Regarding traffic impacts, research has consistently shown that neighborhoods that mix land uses, make walking safe and convenient, and are near other development allow residents and workers to drive significantly less if they choose.

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

The proposed change to the existing land use designation from O-1 to R-T would not be harmful to the adjacent property, the neighborhood, or the community. As previously stated, the permissive uses established for the University of Albuquerque Sector Plan already allow single and multi-family residential development. Eliminating the requirement that a minimum of 17 acres must be developed as O-1, and allowing R-T residential uses is a better and more

appropriate use than the current restriction requiring office uses. The stability of the future land use will be facilitated through a transition from the existing neighborhoods and the church to the envisioned commercial uses at the corner of Coors Boulevard and St. Joseph's Drive. In 2012, an application for high density residential development was proposed and withdrawn due to neighborhood concern over the height and density of the proposed development. As it currently stands, the land use designation for the subject property allows office uses that would typically be 3 stories, or higher. The current request takes into consideration the neighborhood's concern by proposing to amend the O-1 use to R-T to allow the future development of single-family residential homes on the site.

This request not only meets the adjacent neighborhoods' wishes, but it also maintains a consistency with City plans and policies. Specifically, the request does not eliminate the C-2 and O-1 uses that currently dictate the land use on the two parcels and reflect the goals of a Community Activity Center designation. Rather, our request keeps 5 acres of C-2 and O-1 uses on Parcel A as well as 25 acres of C-2 and O-1 uses on Parcel B. The combination of the proposed R-T use for up to 17 acres on Parcel A as well as the conservation of the C-2 and O-1 uses on 5 acres of Parcel A and 25 acres of Parcel B is a balanced request that upholds City plans and policies as well as respects the neighborhoods request for medium to low density development.

The applicant argues that because single-family dwellings are allowed in other portions of the 299-acre Sector Plan area, they are suitable for an additional 17 acres of land within a designated Community Activity Center. Staff agrees that adjacent neighbors favor low-density residential development. However, the intent of activity centers is to concentrate development density and intensity within their boundaries.

Staff agrees that the requested permissive uses would not be harmful to adjacent property or neighborhoods. However, additional residences on the west side without an increase in the number of jobs and services would negatively impact traffic congestion, which would be harmful to the city as a whole.

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

The proposed land use change will not necessitate the need of capital expenditures by the City. The proposed site is privately owned by Oxbow Town Center, LLC. and all future development and infrastructure improvements necessitated by this development will be funded by Oxbow Town Center, LLC.

Staff agrees that the request would not require any major or unprogrammed capital expenditures by the City.

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

The cost of land and other economic considerations pertaining to the applicant are not the determining factor for the proposed land use change. Rather, the desire to see this long vacant area develop is the driving force behind these proposed amendments.

The onset of a digitalized, connected world has influenced changes in the office market. Tenants are downsizing their office space as they are increasingly implementing technology to support their employees' ability to work anywhere and anytime. Additional trends that are impacting the office market include office space sharing and the growing acceptance of telecommuting and working remotely. The addition of home office and home occupation workers has a significant impact on commuter trips nationally, locally, and potentially Albuquerque's West Side. Specifically, the trend away from the traditional office environment has reduced the demand for office space as well as future traffic congestion due to cross-metro commutes.

While economic considerations are not the primary determining factor, they have influenced a change of conditions locally and nationally. According to the Office Trends Report of 2012 by Grubb & Ellis New Mexico, the Albuquerque metro area's office vacancy rate was at a high of 18.8 percent in 2012. This rate mirrors that of the nation. In addition to new technological trends, as described above, another cause of these high vacancy rates is associated with job losses in the professional and business services, considered some of the major private-sector users of office space. At a typical, pre-recession pace it would take an estimated 4 ½ years to reduce the office vacancy rate to what is considered a healthy rate of 12 percent. It is even more of a challenge to achieve this reduction given that Grubb & Ellis estimate another 400,000 square feet of office space will free up over the next two years.

These national and local market trends are an important consideration for the requested land use designation amendment. Maintaining the current office land use for Parcels A and B would negate the importance of recognizing these changes and their impact on future land use needs in the community.

Staff agrees that recent social, economic, and demographic trends have made traditional office parks unviable. However, other forms of office and institutional development would be appropriate. The "desire to see this long vacant area develop" appears to be an economic argument at its foundation.

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

This request to replace the requirement of 17 acres of O-1 and allow up to 17 acres of RT uses is not based on the property location on a major roadway.

Staff agrees.

- 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.

The request to R-T is not considered a spot zone because it involves 17 acres in size and contiguous properties to the north are also residential. It is appropriate because it facilitates realization of the changed conditions, the Comprehensive Plan, and the West Side Strategic Plan as delineated in this justification.

Staff agrees that there is R-T density residential development in other portions of the Sector Development Plan area, including the parcel adjacent to the north of Parcel A. Further, the applicant is not requesting to remove the SU-3 designation, so the request would not create a spot zone.

- 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 proposed zone change does not classify as strip zoning because it is not a strip of land and it is keeping with the current zoning trends of the surrounding area.

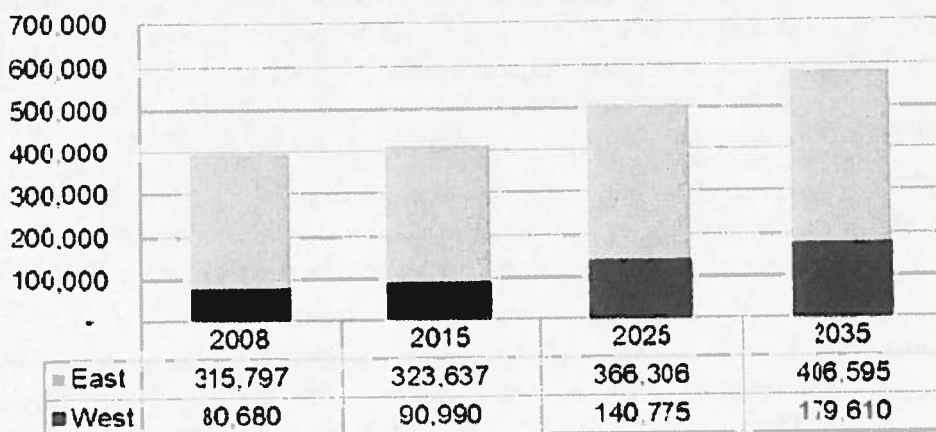
Staff agrees.

F) Specialized Impact Analysis

Jobs to Housing Balance – There has been a long-standing imbalance on the west side of the Rio Grande of the jobs to housing ratio. The 2035 MTP states that approximately 44% of the Albuquerque Metro Area's population lives west of the river, but only approximately 28% of jobs are on the west side. By 2035, the west side is forecasted to represent 58% of the area's population. This will result in an expected 1 million daily river crossings by 2035, essentially doubling the number of crossings that are made currently.

The projected jobs to housing ratio for the west side of the city for 2015 is 0.56, while for the east side of the river it is projected to be 1.53. A low ratio means workers are likely to have to drive further for employment. A widely accepted target is 1.5 jobs to every one household. The following figure shows the projected employment growth for the west side of the city, and is based on current zoning and development entitlements.

Figure 2-8: Employment East and West of the Rio Grande, Current and Projected



Traffic Impact Analysis - The 2035 Metropolitan Transportation Plan (MTP) stresses the connection between land use and transportation planning to address the region's projected traffic congestion problems. In conjunction with the MTP, the Metropolitan Transportation Board (MTB) established mode share goals of 10% of river crossing trips to be completed by transit by 2025 and 25% by 2035. To achieve this goal, more transit-supportive developments should be encouraged throughout the metropolitan area. The UA SDP amendment is oriented more towards low density residential and auto centric development on Albuquerque's Westside. Creating a walkable and bikeable environment that bolsters transit use should be encouraged and is vital to the success of the mode share goal and addressing congestion on Albuquerque's west side. This is especially true as we are faced with limited funding sources for surface transportation improvements (e.g. roadway expansion), significant growth projections, and mounting challenges of congestion on river crossings and future air quality concerns.

Mixed-use development traffic impacts research – The Institute of Transportation Engineers (ITE) sponsored research into improving Trip Generation modeling for mixed-use developments, infill developments, and Transit-Oriented Development. A summary of one research study states:

In developing traffic and transportation impact analyses, professionals often rely on the Institute of Transportation Engineers' (ITE) published trip-generation rates for various types of land uses; however, it may not be accurate to use currently available trip-generation rates to analyze traffic impacts associated with proposed infill land use projects. Such data typically does not take into account variations in type and location of proposed land uses, the availability and proximity of transit service, and the existence of pedestrian and bicycle facilities. Applying available trip-generation

rates to proposed urban or suburban infill development projects that have transit or good pedestrian access can over-predict vehicular traffic impacts.

The consequences of over-estimating vehicle trips can lead to recommendations for excessive traffic mitigation fees and infrastructure improvements, leading to possible neighborhood opposition (and sometimes costly and time-consuming lawsuits). This process can also result in demand for more parking spaces than may actually be needed to support the proposed development. Over-estimating mitigation can, in turn, result in higher development costs as well as delay and even cancellation of otherwise beneficial infill projects—impacts that can stall economic development and the provision of needed housing and job growth within existing urban and suburban redevelopment areas.

Another study, sponsored by the American Planning Association evaluated existing research and performed case studies of existing mixed-use infill projects to determine the actual traffic impacts, as compared to those predicted by the ITE Trip Generation methodology. This is an excerpt from the document Getting Trip Generation Right: Eliminating the Bias Against Mixed Use Development:

The conventional methods used by traffic engineers throughout the U.S. to evaluate traffic impacts fail to account for the benefits of mixed use and other forms of lower-impact development. They exaggerate estimates of impacts and result in excessive development costs, skewed public perceptions, and decision maker resistance. These techniques overlook the full potential for internalizing trips through interaction among on-site activities and the extent to which development with a variety of nearby complementary destinations and high-quality transit access will produce less traffic. These effects can reduce the number of vehicle trips generated to a far greater degree than recognized in standard traffic engineering practice.

The ITE trip-generation data and analysis methods apply primarily to single-use and freestanding sites, which limits their applicability to compact, mixed-use, transit oriented developments (ITE 2004, 2012). Commonly used methods unjustifiably favor types of development that consume greater resources and generate greater impacts, shifting our attention away from development forms and locations that stimulate higher levels of social interaction and benefit to established communities.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

MRCOG - The proposed amendment to the sector plan will add to a growing problem of congestion on Albuquerque's Westside and its limited river crossings. This leads to diminished air quality, loss in economic activity, and increased travel times. The following request does not implement the MTP's key strategies above and will place more of a burden on the existing infrastructure of Coors Blvd which is the 2nd most congested corridor in the Albuquerque Metropolitan Planning Area (AMPA). It is our opinion, based on the information noted above,

that the goals and strategies of the 2035 Metropolitan Transportation Plan would be best served in this area with mixed-use development which accommodates alternate modes of transportation.

APS - The elementary school is over-capacity. The middle and high schools have excess capacity. Additional residences will impact the schools' capacity.

PNM, Transportation, Hydrology, NMDOT, and APD provided comments that are more appropriate to a site development plan, and they will be addressed at that stage of development.

For the complete record of comments submitted, see page 34 of this report.

Neighborhood/Public

Property-owners within 100-feet of the subject site and the following Neighborhood Associations were notified of this request: Ladera Heights NA; Vista Grande NA; Rancho Encantado HOA; Villa De Paz HOA; The Enclave at Oxbow HOA; Westside Coalition of NA's.

A facilitated meeting was held on July 17, 2013. Some neighbors spoke in favor of this proposal, while others expressed concern over the loss of office development. They feel the advantage of office uses would help alleviate traffic city-wide by providing more jobs on the west side of town for the west-side residents, thereby eliminating commutes. These same neighbors expressed the need for more health services, such as dentists, doctors, and lab facilities on the west side, which they hope would be the occupants of offices that would be built in the area.

Other concerns that seemed to be primary to the neighbors included traffic and school overcrowding.

Letters of support and opposition have been submitted to the Planning Department. The Rancho Encantado HOA submitted a letter in support of "a majority of single family homes ...a 5 acre allotment at the NE corner of St. Joseph's and Coors for commercial, and a potential gated Town Home development to the north of the commercial lot." The letter also mentioned that this association was vehemently opposed to the 2012 request to develop affordable multi-family housing at the subject site, which could have negatively impacted property values.

Ten letters of opposition were received from 10 neighborhood associations and 1 nearby resident/business owner: the Oxbow Village HOA, the Quaker Heights NA, Ladera West NA, Grande Heights NA, Vista Grande NA, West Bluff NA, the San Blas Townhomes Association, the Taylor Ranch NA, the Alban Hills NA, and the West Side Coalition of NA's. These letters took a more regional approach, considering the jobs to housing ratio of the west side of the city, the desire to reduce traffic congestion, to improve home prices and quality of life through more walkable neighborhoods, and the desire for this land to develop as a town center. Stability in zoning was also cited as a reason to maintain the current zoning, stating "a zone map isn't based on market trends." Several also mentioned that they did not believe there were changed neighborhood conditions that would justify the change or that the proposed project would be more advantageous to the community.

V. CONCLUSION

This request is to amend the University of Albuquerque Sector Development Plan (UASDP) to change the zoning and allowable land use mix for the subject site, which is located on the western side of Coors Boulevard and both north and south of St. Joseph's Drive. The "subject site" refers to the undeveloped portions of Parcels A and B of the UA SDP. It consists of 47.7-acres of land (Parcel A = 21.2 ac; Parcel B = 26.5 ac).

The applicant proposes the following changes to the Zoning for Parcel A: "SU-3/Mixed Use: Church and Related Uses for approximately 10 acres; [- ~~a minimum of approximately~~ -] [+ up to +] 17 acres shall be developed for [- ~~office (O-1)~~ -] [+ residential (R-T uses on Parcel A only, minimum of 8 dwelling units per net acre) +], the balance of the property is to be developed as (C-2) commercial or (O-1) office (approximately 30 acres) approximately 5 acres." Parcel B would remain with the current zoning, which allows O-1 and C-2 uses.

The proposed uses are predominantly single-family dwellings and some townhouses, developed according to the R-T zone (17 acres) and C-2 Uses for the remainder of the site (30.7). The O-1 zone allows houses, townhouses and apartments, and the C-2 zone now allows residential uses in Activity Centers and on Transit Corridors, but does not allow houses (single-family, detached dwelling units).

Therefore, the proposed use, residential, is allowed permissively under the current zoning. However, the desired development pattern (a single-family residential subdivision) is not permissive under the current zoning.

Single-family residential development is not consistent with the goals and intent of applicable plans for sites designated as Activity Centers. Higher density residential development would be appropriate within a mixed use development. There are several ways the Planning Commission could craft a Zoning Description to require a higher residential density: 1) establish minimum gross density targets, 2) provide a maximum acreage that could be developed as single-family residences, or 3) establish a maximum lot size for single-family residences.

According to Policy 1.1 of the West Side Strategic Plan, the EPC "shall require that high density and non-residential development occur within Community and Neighborhood Centers." Because the request would allow low-density residential subdivisions, it "shall not be approved."

The applicant has not adequately justified the request for a zone map amendment based on applicable policies found in the Comprehensive Plan and the West Side Strategic Plan. A facilitated meeting was held in which neighbors expressed concerns about the appropriateness of the zone change and whether the zone change is actually supported by the Comprehensive Plan.

Consequently, the Planning Department has recommended denial of this request.

FINDINGS-13EPC-40123 – August 8, 2013 – Sector Plan Amendment

1. This is a request for a sector development plan amendment map/text amendment for Tracts X-1-A2 and Plat of Tracts X-1-A1 & X-1-A2, University of Albuquerque Urban Center, which is part of Parcels A and B of the University of Albuquerque Sector Development Plan. The subject site is currently zoned “SU-3 for Mixed Use: Church and Related Uses for approximately 10 acres; a minimum of approximately 17 acres shall be developed for office (O-1), the balance of the property is to be developed as (C-2) commercial or (O-1) office (approximately 30 acres).” The applicant proposes to develop 17 acres of attached and detached single-family residential uses.
2. The proposed zoning reads: “Parcel A: SU-3 / Mixed Use: Church and Related Uses for approximately 10 acres; up to 17 acres shall be developed for residential (R-T uses on Parcel A only, minimum of 8 dwelling units per net acre), the balance of the property is to be developed as (C-2) commercial or O-1 office (approximately 30 acres) approximately 5 acres” and “Parcel B: SU-3 / Mixed Use: The property is to be developed as commercial (C-2 uses) or office (O-1 uses) for approximately 25 acres. Parcel B shall be considered the ‘Core’ of the Activity Center.”
3. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Coors Corridor Sector Development Plan, University of Albuquerque Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The applicant proposes to re-allocate 17 acres from office uses to residential. The proposed use, residential, is allowed permissively under the current zoning. However, the desired development pattern (a single-family residential subdivision) is not permissive under the current zoning. This development pattern would be permissive with the requested zoning.
5. The subject site was annexed in 1980 as part of a 299-acre tract of land designated as an Urban Center, pursuant to the University of Albuquerque Sector Development Plan. The Plan designated the subject site as an Employment Center with light industrial and office uses. In 1996 the zoning was changed to allow mixed use development, with a minimum of 40 acres as apartments (20-25 du/acre) and 19 acres as commercial or office. In 2007, the site’s current zoning was established. Residential uses were removed from the site’s zoning and the site was designated as a Community Activity Center in the West Side Strategic Plan.
6. In 2012, the commercial zones were amended by City Council to allow residential uses as a permissive use in the C-2 zone for sites within an Activity Center or adjacent to a Transit

Corridor. This action reintroduced residential uses to the subject site's zoning entitlements. Houses are not allowed by the C-2 regulations.

7. The subject site is within the Established Urban Area of the Comprehensive Plan and the following policies apply:
- i. Policy II.B.5d - location, intensity, and design of new development: The request respects neighborhood values for compatible development patterns, but does not respect the intensity and density guidelines for Community Activity Centers, which are intended to improve the carrying capacity of the city.
 - ii. Policy II.B.5e - vacant land / existing facilities and services: The site is vacant land that has access to existing facilities and services.
 - iii. Policy II.B.5i: Employment and service uses / residential areas: The subject site is designated as an appropriate location for services to support the surrounding residential areas. The request would replace services with houses.
 - iv. Policy II.B.5j new commercial development / located in existing commercially zoned areas: The request would locate single-family residential uses in a location that was determined by City Council to be appropriate for a mix of higher intensity land uses (R-01-278).
 - v. II.B.7 Activity Centers Goal - expand and strengthen concentrations of moderate and high density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities: Single-family residential development has not been identified as appropriate in Activity Centers. Medium-density residential development is appropriate.
 - vi. Policy II.B.7a - sustainable development pattern / mixed use concentrations of interrelated activities / maximize cost-effectiveness of City services: It is unclear how more single-family residential development would implement this policy.
 - vii. Policy II.B.7b and 7i - Multi-unit housing is an appropriate use in Neighborhood, Community and Major Activity Centers: The request would allow 17 acres of houses, while the existing zoning allows multi-family residential uses.
 - viii. II.D.4 Transportation and Transit Goal – develop streets and adjacent land uses to provide a balanced circulation system: Coors Blvd. is a designated Enhanced Transit Corridor. Additional dwelling units are encouraged close to Enhanced Transit Streets at a density of between 7 -30 du/acre.
 - ix. II.D.6 Economic Development Goal - steady and diversified economic development: The designation of the site as an Activity Center was designed to promote economic development and services on the west side, which currently has an abundance of housing.

8. The subject site is within the boundaries of the West Side Strategic Plan and the following policies apply:
 - i. Goal 12 - long-term sustainable development; Objective 1 – provide a complete mix of land uses to minimize need for cross-metro trips; Objective 4 – preserve a sense of community and quality of life based on wise, long-term decision-making: Additional single-family dwelling units would not provide opportunities for jobs and employment, and it would not minimize the need for cross-metro trips. The request is to support a current development opportunity at the expense of developing a mixed-use Community Activity Center.
 - ii. Policy 1.1 - Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development (typical 3-5 du/acre) shall not be approved within the Centers: The request would allow a low density residential development within an activity center. Limiting the extent of houses allowed would preserve more land for non-residential development and higher-density residential uses.
 - iii. Policy 1.3 – Strip commercial developments shall not be approved; Policy 1.13 – CAC shall provide higher concentration and greater variety of commercial, entertainment, community-wide services, civic land uses, employment, and the most intense land uses: The intent of these policies is to focus higher intensity and mixed-uses within Activity Centers, and to encourage low-density residential development outside of Activity Centers. The request would remove 17 acres of mixed use zoning to accommodate a residential subdivision. This change may result in strip development of the remaining commercial land.
9. Single-family residential development is not consistent with the goals and intent of applicable plans for sites designated as Activity Centers. Higher density residential development would be appropriate within a mixed use development. There are several ways the Planning Commission could craft a Zoning Description to require a higher density: 1) establish minimum gross density targets (i.e., 12-25 du/acre), 2) provide a maximum acreage that could be developed as single-family residences, or 3) establish a maximum lot size for single-family residences (4,000 SF would result in a gross density \approx 8 du/acre, and a net density \approx 11 du/acre).
10. The applicant requests an amendment to the land use/zoning text of the University of Albuquerque SDP, which is a change of zoning. The following are the results of the R-270-1980 analysis:
 - i. Policy A – The proposed zoning is not consistent with the general welfare of the City since it will allow an expansion single-family residential subdivisions on the west side in a Community Activity Center, contrary to adopted policies that aim to balance the jobs to housing ratio, ease traffic congestion, and support higher density development along transit corridors.

- ii. Policy B – The request for R-T uses does not promote the stability of land use and zoning. The area surrounding the subject site has an unbalanced jobs/ housing ratio, and the UA SDP area has already developed primarily with single-family residential development. An employment generating use that could be provided under the current zoning is more appropriate at this location and also provides more stability between land use and zoning.
 - iii. Policy C – The proposed zoning is in significant conflict with many of the Goals and policies of the Comprehensive Plan and West Side Strategic Plan regarding sustainable growth, job/housing balance, Activity Center uses, among others.
 - iv. Policy D - The applicant has not adequately demonstrated that the existing zoning is inappropriate pursuant to parts 2 & 3 of this policy:
 - (2) The applicant has not demonstrated any change in neighborhood or community conditions that would justify the removal O-1 uses to be replaced by R-T uses.
 - (3) The applicant has not demonstrated why the map amendment would be more advantageous to the community, as articulated in the Comprehensive Plan. The current zone was demonstrated to be more beneficial to the community because it provides greater opportunity for neighborhood and community scale commercial, office, and employment uses to develop in an area in need of more services and employment opportunities. Office, commercial and employment uses may reduce the need for west side residents to travel across the river.
 - v. Policy E – The permissive uses in the R-T zone will be harmful to the neighborhood and the community because it will displace jobs and eliminate the daily service of convenience goods and personal services.
 - vi. Policy F – The proposed sector plan map amendment would not require unprogrammed capital expenditures.
 - vii. Policy G – The applicant has not referred to or relied on economic considerations pertaining to this request.
 - viii. Policy H – The site's location is not used as justification for the change.
 - ix. Policy I – The requested sector plan map amendment will not create a spot zone.
 - x. Policy J – The request is not a strip zone; however, the request could cause strip like development by pushing needed commercial and employment generating development into other areas where it has not been planned for, as clusters of land becomes scarcer.
11. Property-owners within 100-feet of the subject site and the following Neighborhood Associations were notified of this request: Ladera Heights NA; Vista Grande NA; Rancho Encantado HOA; Villa De Paz HOA; The Enclave at Oxbow HOA; Westside Coalition of

NA's. One Homeowner's Association wrote in support of the request and eight Neighborhood and Homeowner's Associations wrote in opposition to this request. Supporters favor low-density development of compatible size and value to adjacent subdivisions. Residents in opposition cited the jobs to housing ratio of the west side of the city, the desire to reduce traffic congestion, to improve home prices and quality of life through more walkable neighborhoods, and the desire for this land to develop as a town center. Stability in zoning was also cited as a reason to maintain the current zoning. Several letters also mentioned that the neighborhood associations did not believe there were changed neighborhood conditions that would justify the change or that the proposed project would be more advantageous to the community. Ten letters of opposition were received from neighborhood associations and one from a nearby resident/business owner.

RECOMMENDATION –13EPC-40123 – August 8, 2013 – Sector Plan Amendment

DENIAL of 13EPC-40123, a request for Sector Development Plan Amendment for the University of Albuquerque Sector Development Plan, based on the preceding Findings.


K. Carrie Barkhurst
Planner

Notice of Decision cc list:

Consensus Planning, Inc., 302 Eighth Street NW, Albuquerque, NM 87102
Oxbow Town Center, LLC, 1401 Central Ave. NE, Albuquerque, NM 87104
Allan Ludi, 6212 St. Josephs NW, Albuquerque, NM 87120
Pat Moses, 6314 Dona Linda Pl. NW, Albuquerque, NM 87120
Berent Broth, 3546 Sequoia Pl. NW, Albuquerque, NM 87120
Richard Schaefer, 3579 Sequoia Pl. NW, Albuquerque, NM 87120
Colin Semper, 5809 Mesa Sombra Pl. NW, Albuquerque, NM 87120
Kevin McCarty, 5800 Mesa Sombra Pl. NW, Albuquerque, NM 87120
John Scholz, 115 Cale Sol Se Mete NW, Albuquerque, NM 87120
Judith Kanester, 54 Calle Monte Aplando NW, Albuquerque, NM 87120
Jill Greene, 3915 Fox Sparrow Trail NW, Albuquerque, NM 87120
Forrest Uppendahl, 3900 Rock Dove Trail NW, Albuquerque, NM 87120
Candelaria Paterson, 7608 Elderwood NW, Albuquerque, NM 87120
Harry Hendriksen, 10592 Rio Del Sole Ct. NW, Albuquerque, NM 87120

Attachments

1. Additional Information
 - a. Photographs
 - b. R-270-1980
 - c. Land Use/Zoning Designation Notice of Decision & Concurrent University of Albuquerque Area Land Use Plan (later titled Sector Development Plan)
 - d. Zoning Certification, May 9, 2013
2. University of Albuquerque SDP – History for Parcels A & B
 - a. R-07-256 – Establishing the Site's zoning, 2007
 - b. R-58-1996 – Establishing the Site's zoning, 1996 & accompanying City Council records and EPC Notice of Decision
 - c. O-63-1982 – Annexation and Adoption of University of Albuquerque SDP
 - d. Original Version of University of Albuquerque SDP, 1980
3. Applicable West Side Strategic Plan Resolutions
 - a. R-07-255 – Designating Parcels A & B as a new CAC
 - b. R-05-297 – Adopting a policy to discourage zone map amendments from non-residential uses to residential uses
 - c. R-01-278 – Adopting amendments to promote development of Neighborhood and Community Activity Centers
4. Existing & Proposed Zoning
 - a. Existing Zoning/Land Uses – SU-3 Special Center Zone; O-1 Office and Institution Zone; C-2 Community Commercial Zone
 - b. Proposed Zoning/Land Uses – R-T Residential Zone
5. Activity Center Information
 - a. Activity Centers Description, Comprehensive Plan Table 22
 - b. Transit Service and Development Form, Comprehensive Plan
 - c. Activity Centers Concept, Comprehensive Plan
 - d. Transit Corridors & Land Use Concept, Comprehensive Plan
 - e. Jobs to Housing Balance slide from MRCOG's 2035 MTP Proposed Regional Forecast
 - f. Excerpt from Measuring Density: Working Definitions for Residential Density and Building Intensity, Ann Forsyth, University of Minnesota
6. Application
 - a. Cover Page
 - b. TIS Form
 - c. Authorization letter
 - d. Request & Justification letter

- e. Support material from applicant - Trip Generation Calculation
- 7. Neighborhood Notification & Comments
 - a. ONC letter
 - b. Applicant letter & certified mail receipts
 - c. Neighborhood comments/letters
 - d. Facilitator's Report
 - e. Letter of Support – Rancho Encantado HOA
 - f. Letters of Opposition – a resident/business owner, the Oxbow Village HOA, the Quaker Heights NA, Ladera West NA, Grande Heights NA, Vista Grande NA, West Bluff NA, the San Blas Townhomes Association, the Taylor Ranch NA, the Alban Hills NA, and the West Side Coalition of NA's.
- 8. Sector Development Plan reductions
 - a. Existing Sector Development Plan
 - b. Proposed Sector Development Plan

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Reviewed- No comments

Office of Neighborhood Coordination

Ladera Heights NA (R); Vista Grande NA (R); Rancho Encatado HOA; Villa De Paz HOA; The Enclave at Oxbow HOA; Westside Coalition of NA's

7/1/13 – Recommended for Facilitation – sdb

7/1/13 – Assigned to Kathleen Oweegon – sdb

7/9/13 – Facilitated Meeting scheduled for Wednesday, July 17, 2013 @ 6:30 pm at the Taylor Ranch (Don Newton) Community Center, 4900 Kachina St. NW

Long Range Planning

The O-1 zone allows a limited set of uses. The current trend for the City has been to allow a wider mix of uses, especially for sites within activity centers and along transit corridors. Higher density housing maybe more appropriate at this location.

Metropolitan Redevelopment

The subject properties for Plan amendments are not within a Redevelopment Area, and therefore Metropolitan Redevelopment Section staff has no comments specific to redevelopment activities.

CITY ENGINEER

Transportation Development

- According to the current LRRS adopted by MRCOG: Coors Blvd. is classified a Limited Access Arterial, Atrisco Dr. is classified a Collector and Saint Joseph Dr. is classified a Minor Arterial with Limited Access.
- Access points to the development of Parcels A and B must be granted by the City Engineer.
- Public transportation and bicycle routes are well connected to parcels A and B, creating public access and connectivity for the future creation of an Urban Center to provide commercial and office use to service the area as set forth in the University of Albuquerque Area Sector Development Plan, October 2008.

Hydrology Development

Condition: These sites are subject to a stormwater detention requirement of 0.5 to 1.0 cfs/acre. In a residential zone this will most likely be accomplished with a neighborhood pond(s).

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

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

Traffic Engineering Operations

No comments received.

Street Maintenance

No comments received.

WATER UTILITY AUTHORITY

Utility Services - No comments received

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division – No comments received

Environmental Services Division – No comments received

PARKS AND RECREATION

Planning and Design

No comments

POLICE DEPARTMENT/Planning

The mixing of land use could present a problem for the residential environment. If commercial and single-family development becomes a reality, a clear distinction between the two is advisable. Recommend a mix of physical barriers, territorial ground cover and treatments, clearly defined public and public/private pedestrian and vehicle areas. Increase set-backs and separation distances should also be considered. Natural and video surveillance capability would be important in the mix as well.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved as long as it complies with SWMD Ordinance

FIRE DEPARTMENT/Planning – No Comments received

TRANSIT DEPARTMENT – No Comments received

COMMENTS FROM OTHER AGENCIES

ALBUQUERQUE PUBLIC SCHOOLS

University of Albuquerque Urban Center, Lots X-1-A-2 and X-2-A, is located on St. Josephs Dr between Coors and Atrisco. The owner of the above property requests a zone change from O-1 to RT to allow for the development of 17 single family homes. Any residential development in this area will impact Chapparal Elementary School, John Adams Middle School, and West Mesa High School. Currently, Chaparral Elementary School is exceeding capacity, John Adams Middle School and West Mesa High School have excess capacity.

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

Loc No	School	2012-13 40th Day	2012-13 Capacity	Space Available
234	CHAPARRAL	894	809	-85
405	JOHN ADAMS	703	1200	497
570	WEST MESA	1551	2000	449

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

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

BERNALILLO COUNTY – No Comments received

MID-REGION COUNCIL OF GOVERNMENTS

See attached, next page.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT – No Comments received

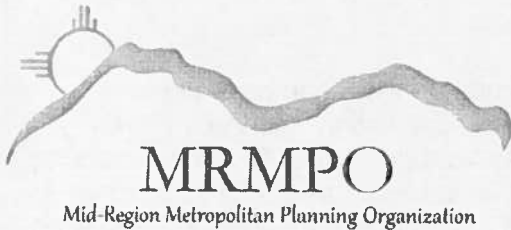
NEW MEXICO DEPARTMENT OF TRANSPORTATION

Possible Impact NMDOT roadway(s): NM 45

Department Comments: The NMDOT requests additional information and/or construction plans prior to approval to determine any off site impacts to the adjacent state roadway system.

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. Any existing or proposed public utility easements are to be indicated on the site plan and utility sheet prior to DRB review.
3. Existing overhead electric distribution utility facilities are located along the east side of the subject property on Coors Boulevard NW and on the north side of St. Joseph's Drive NW along the property.
4. It is necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding proposed tree location and height, sign location and height, and lighting height in order to ensure sufficient safety clearances with the existing overhead distribution facilities on the property.
5. 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.



Mid-Region Metropolitan Planning Organization

Mid-Region Council of Governments
809 Copper Avenue NW
Albuquerque, New Mexico 87102
(505) 247-1750-tel. (505) 247-1753-fax
www.mrcog-nm.gov

TO: Carrie Barkhurst, Chris Hyer, Catalina Lehner, Petra Morris,
Maggie Gould, and Chris Glore
City of Albuquerque Planning Department

FR: Steven Montiel, Transportation Planner

RE: Review of City Environmental Planning Commission cases
Scheduled for the August 8, 2103 Hearing

July 26, 2013

The following staff comments relate to transportation systems planning within the Albuquerque Metropolitan Planning Area (AMPA). Principal guidance comes from the *2035 Metropolitan Transportation Plan* and the maps therein; *Transportation Improvement Program (TIP)*; the *Intelligent Transportation Systems (ITS) Regional Architecture*; and the *Roadway Access Policies* of the Transportation Coordinating Committee (TCC) of the Metropolitan Transportation Board (MTB).

Project # 1000032; 13 EPC-40123 07/22/13 for 08/08/2013 EPC

The Mid Region Metropolitan Planning Organization (MRMPO) has reviewed the proposed sector plan amendment for project #100032 and has following comments related to:

- The Metropolitan Transportation Plan: key strategies
- Congestion management
- Linking land use and transportation planning
- MRMPO Compact Land Use Scenario

2035 Metropolitan Transportation Plan Strategies

It is important to note that the *2035 Metropolitan Transportation Plan (MTP)* has identified key comprehensive strategies that will aid the metropolitan area in planning for future infrastructure needs to handle increases in population, employment and travel demand in order to help mitigate congestion, air pollution and other problems. The key strategies of the 2035 MTP are as follows:

- Expand transit and alternative modes of transportation
- Integrate land use and transportation planning
- Maximize the efficiency of existing infrastructure

The 2035 MTP stresses the connection between land use and transportation planning to address the region's projected traffic congestion problems. In conjunction with the MTP, the Metropolitan Transportation Board (MTB) established mode share goals of 10% of river crossing trips to be completed by transit by 2025 and 25% by 2035. To achieve this goal, more transit-supportive developments should be encouraged throughout the metropolitan area. The following proposal is oriented to more towards low density residential and auto centric development on Albuquerque's Westside. Creating a walkable and bikeable environment that bolsters transit use should be encouraged and is vital to the success of the mode share goal and addressing congestion on Albuquerque's west side. This is especially true as we are faced with limited funding sources for surface transportation improvements (e.g. roadway expansion), significant growth projections, and mounting challenges of congestion on river crossings and future air quality concerns. Better coordination between transportation and land use along with wise investments in premium transit and alternate modes will be needed to keep a projected population of 1.3 million moving in 2035.

Congestion Management Process

MRMPO understands the need for different development patterns on Albuquerque's Westside. The proposed amendment to the sector plan will add to a growing problem of congestion on Albuquerque's Westside and its limited river crossings. This leads to diminished air quality, loss in economic activity, and increased travel times. The following request does not implement the MTP's key strategies above and will place more of a burden on the existing infrastructure of Coors Blvd which is the 2nd most congested corridor in the Albuquerque Metropolitan Planning Area (AMPA) according to MRMPO's, *"A Profile in Congestion: The 30 Most Congested Corridors In the AMPA"*.

As part of its transportation planning activities for the AMPA, MRMPO facilitates a Congestion Management Process (CMP). The CMP is a program that assesses the performance of the regional transportation system, and recommends appropriate strategies to manage congestion. The proposed request falls within a location with some of the greatest congestion issues (Coors Blvd). See attached profile for Coors blvd and the full 2013 A Profile in Congestion Document for more information.

Linking Land Use and Transportation Planning

In the AMPA, transportation planners, decision makers, and the general public realize that the "building our way out of congestion" approach to transportation in the region will no longer suffice. The 2035 MTP stresses the symbiotic relationship between land use and transportation planning to address the region's projected traffic congestion problems.

MRMPO is in favor of the current zoning of the subject properties because they are better suited to achieve a different development pattern for Albuquerque's West side. MRMPO believes that transit supportive development patterns and land uses better suit this area. The reality is that opportunities for this type of development are often overlooked and replaced with a business as usual approach (low density single family housing). This is often perceived as lower risk for the developer and inevitable for planners that lack sufficient tools to change the paradigm. This has been the pattern in our recent past and particularly during the housing boom as our residential land use increased by 25 percent (20,000 acres) in the years between 2000 and 2008.

MRMPO Compact Land Use Scenario

As an alternative to low density residential development, MRMPO supports the potential for new development as proposed in the Volcano Heights Development Sector Plan as a model for compact, sustainable growth that includes multiple transportation options. Scenario analysis allows for the consideration of a series of “what-if” questions, such as:

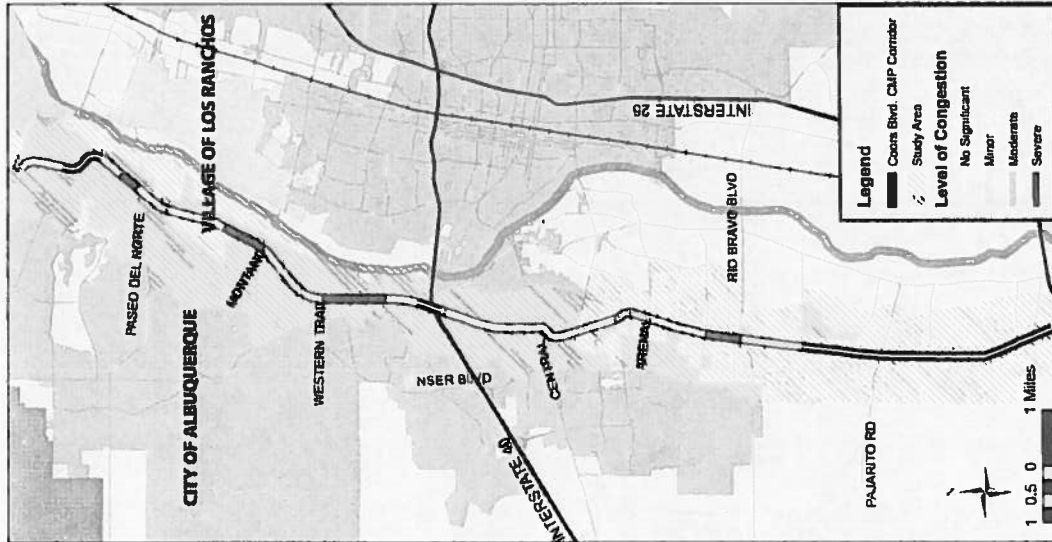
- What if transit service could be relied upon to shoulder the additional burden to the transportation system? And what if transit service was extensive enough along major corridors to attract true transit-oriented development?
- What if more employers located their businesses in distinct employment centers that were balanced with the location of housing?
- What changes would a compact development pattern incur on the transportation network and what would be the impact on indicators such as vehicle miles traveled, travel times and average speeds?

In the 2035 MTP MRMPO provided a first brush effort to address the final “what if” question above by measuring the impact on the transportation network of more compact future development along transit corridors. The results of this simple alternative growth scenario analysis showed that we can lower regional vehicle miles traveled by encouraging compact development along transit corridors and major activity centers.

Summary

It is our opinion, based on the information noted above, that the goals and strategies of the *2035 Metropolitan Transportation Plan* would be best served in this area with mixed-use development which accommodates alternate modes of transportation.

Coors Blvd



Corridor Notes

- Coors Blvd is the primary north-south facility in the AMPA west of the Rio Grande.
- The Coors CMP Corridor extends nearly 20 miles from I-25 to NM 528. The corridor covers parts of unincorporated Bernalillo County and the City of Albuquerque, and provides access to the City of Rio Rancho (via NM 528).
- The most severe congestion occurs between I-40 and the Coors Bypass. Congestion is tied to overall slow speeds across the corridor and particularly high volumes during the peak periods between Montano and Paseo del Norte. There is very little congestion south of Rio Bravo Blvd.
- Sections of Coors at Paseo del Norte and I-40 have daily volumes of more than 60,000 and 80,000 respectively.
- The slowest speeds along Coors are found south of Pajarito Rd.
- Crash rates across the corridor are significantly above the regional average and a major source of non-recurring congestion. The intersections at Central and Paseo del Norte both have crash rates more than four times the regional average.
- A considerable amount of growth and infill development is projected along corridor with more than 13,000 new residents and 12,000 jobs apiece by 2035.

Transit Characteristics

- ABQ Ride operates two routes along Coors Blvd (additional commuter routes run along small portions of northern Coors).
- The Rapid Ride Blue Line (Route 790) originates at the Northwest Transit Center and runs south on Coors to I-40 before connecting to Downtown and the University of New Mexico. Ridership on the Blue Line surpasses 2,000 on weekdays while UNM is in session. The vast majority of Blue Line riders board at the Northwest Transit Center or at Cottonwood mall and travel to UNM. Route 155 provides north-south local service along the Coors CMP corridor between Rio Bravo and Ellison and averaged more than 1,100 riders per weekday in April 2011.
- The Northwest Transit Center at Coors and Ellison is a major regional transit facility. A total of nine routes, four of which are commuter, operate out of the facility.

Profile & Statistics

Corridor Profile			
Study Area	32.5 Sq. Miles		
Length & No. of Segments	19.6 Miles - 42 segments		
Functional Class	Principal Arterial		
Access Control	Limited Access: Rio Bravo to Coors Bypass		
Lanes	4 - 7 lanes		
	Majority of corridor is 6 lanes		
Intelligent Transportation	Designated corridor: Yes		
Systems	ITS deployment: Yes - PF, CCTV, DMS, VDS		
Transit	ABQ Ride : 790 (Rapid Ride Blue), 155 (local)		
	Northwest Transit Center at Coors/Ellison		
Bicycle Facilities	Lanes: South of Sage to Central		
	Lanes: Ladera to Paseo del Norte		
Summary Data			
Daily Volume	5,000 - 80,500		
Average Speeds (PM North)	19 - 56 mph		
Average Speeds (PM South)	19 - 59 mph		
Total Delay (PM North)	404 seconds (21 sec./mile)		
Total Delay (PM South)	529 seconds (27 sec./mile)		
Demographic Trends			
Measure	2000	2008	2035
Population	78,171	95,142	108,417
Employment	20,892	30,467	42,619
Corridor Ranks			
Volume/Capacity Ratio	14 / 30		
Speed Differential	12 / 30		
Crash Rates	2 / 30		
Overall Rank	8 / 30		

#8

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
CURRENT PLANNING SECTION**

**ENVIRONMENTAL PLANNING COMMISSION
Project #: 1000032, Case #: 13EPC-40123
Hearing Date: August 8, 2013
Pictures Taken: July 15, 2013**



Figure 1: Looking north across the subject site, towards an existing church (on Parcel A). Houses and condominiums are beyond on Parcel V (visible on the right side of the photo).



Figure 2: Looking south from St. Josephs across the subject site (Parcel B), towards a townhouse subdivision and apartments on the west side of Atrisco.



Figure 3: Looking east across the subject site at St. Josephs Rd., with a view of the Sandia Mountains. St. Pius School is not visible, but it is located along the horizon line.

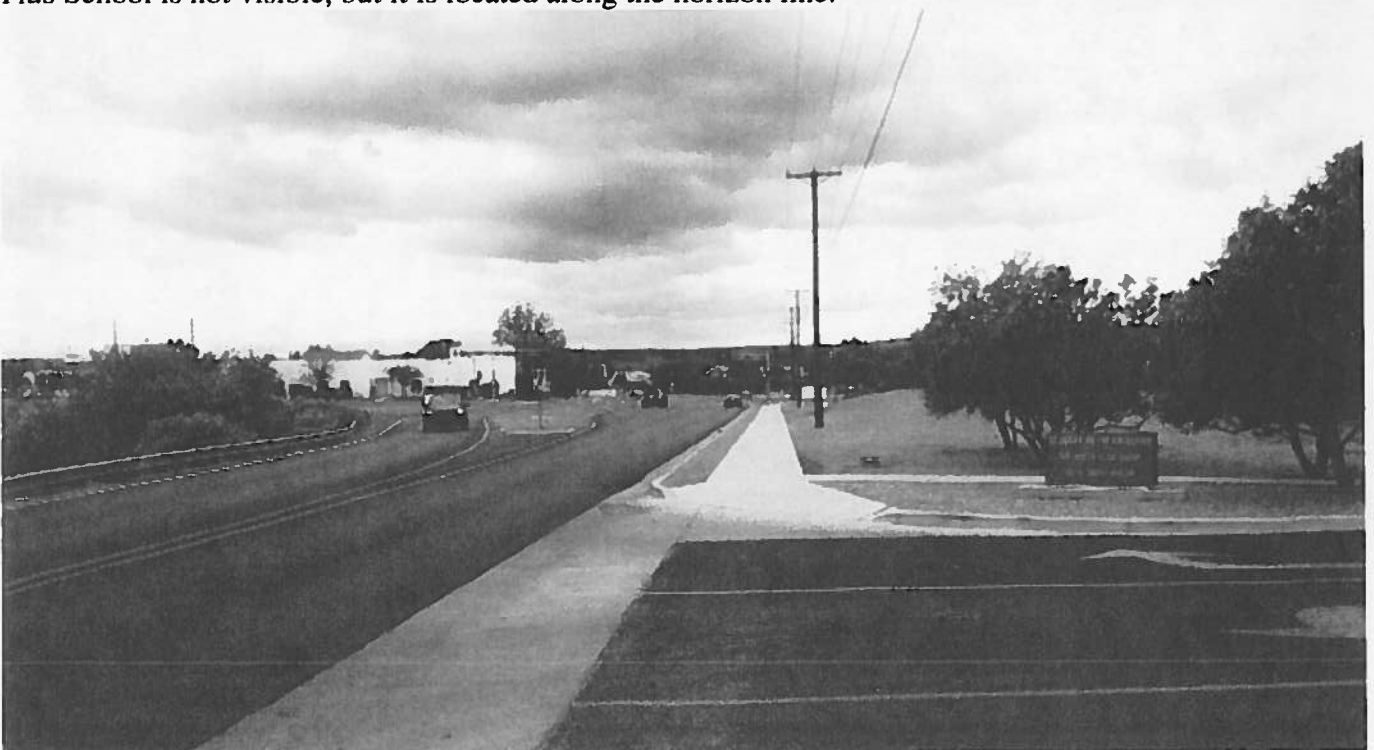


Figure 4: Looking west from the subject site, at the church driveway, towards a medical clinic, offices, and residences beyond.

APPENDIX B

ENACTMENT 270-1980

ADOPTING POLICIES FOR ZONE MAP CHANGE APPLICATIONS AND APPEALS OF ENVIRONMENTAL PLANNING COMMISSION DECISIONS; SUPERSEDING CITY COUNCIL RESOLUTIONS 217-1975 AND 182-1978 RELATING TO ZONE CHANGE APPLICATIONS AND APPEALS.

WHEREAS, the usefulness of the Comprehensive City Zoning Code in implementing the City's Comprehensive Plan and promoting health, safety, morals, and general welfare is enhanced by a reasonable flexibility in order to deal reasonably with changes in the physical, economic, and sociological aspects of the city; and

WHEREAS, certain general policies for consideration of zone map changes and other zoning regulation changes should be recognized as determinative.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

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

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.

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.

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 (1) or (2) above do not apply.

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.

F. A proposed zone change which, to be utilized through land development, requires major and un-programmed 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.

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

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

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 make the site unsuitable for the uses allowed in any adjacent zone.

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.

Section 2. City Council Resolutions 217-1975 and 182-1978 adopting policies for zone map change applications and appeals of (the) Environmental Planning Commission are hereby superseded.

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
P. O. BOX 1293
ALBUQUERQUE, NEW MEXICO 87103

Date: January 26, 1998

Jim Strozier
Consensus Planning, Inc.
718 Central Avenue SW
Albuquerque, NM 87102

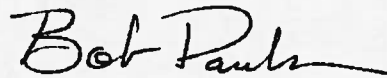
FILE: SD-80-3-3 (BILL R-58)
LEGAL: For Tracts X1A and X2A, University of
Albuquerque Urban Center (SP-95-135 and SP-95-
136), located on the northwest and southwest corners
of Coors Boulevard NW and St. Joseph's Drive NW,
containing approximately 57.7 acres. (G-11). KYM
DICOME, STAFF PLANNER

On June 17, 1996, the City Council approved your request to amend the University of Albuquerque Sector
Development Plan and to amend the land use designation as it applies to the above-cited property. The possible
appeal period having expired, the property status is now changed as follows:

**THE LAND USE DESIGNATION IS AMENDED FROM EMPLOYMENT
CENTER TO MIXED RESIDENTIAL: A MINIMUM OF 40 ACRES WITHIN
TRACTS X1A and X2A SHALL BE DEVELOPED AS APARTMENTS
(R-3 USES) AT 20 TO 25 DU-AC WITH THE BALANCE OF THE
PROPERTY (APPROXIMATELY 19 ACRES) SHALL BE DEVELOPED
AS COMMERCIAL (C-2) AND/OR OFFICE (O-1)**

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of
the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. You should
take two copies of your plans to the Building & Inspection Division of the City to initiate a building permit.

Sincerely,



FOR Fabrizio Bertoletti
Acting Planning Director

cc: Tom Keleher, Altura West LTD. Co., P. O. Drawer AA, 87103
Consensus Planning, 718 Central Avenue SW, 87103
Kenneth Berry, Ladera Heights N.A., 3301 R Coors Blvd., NW, 227, 87120
Marvin Hack, Ladera Hts., N.A., 7140 Maxim Court NW, 87120
Susan Homer, Vista Grande N.A., 5000 Sequoia NW, 87120
Ted Schmidt, Vista Grande N.A., 3626 Vista Grande NW, 87120
File

CODE ENFORCEMENT DIVISION

Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, New Mexico 87102

Richard J. Berry, Mayor

May 9, 2013

Jim Strozier, AICP
Consensus Planning
302 8th St. NW
Albuquerque, New Mexico 87102

Re: NW and SW corners of Coors Blvd. & St. Josephs Dr. NW

Dear Mr. Strozier:

This letter will verify that according to the map on file in this office on this date, the properties located at the northwest and southwest corners of Coors Boulevard and St. Josephs Drive, legally described as Lot X1A2 and Lot X2A, University of Abq Urban Center Subdivision (a.k.a. Parcels A & B as referenced by the University of Albuquerque Sector Development Plan), Albuquerque, Bernalillo County, New Mexico, are zoned SU-3 and are governed by the University of Albuquerque Sector Development Plan.

The sector development plan denotes that "(C-2) commercial or (O-1) office" development may occur on portions of Parcels A & B. This includes residential uses as enumerated and regulated in the C-2 Community Commercial and O-1 Office and Institution zones of the Comprehensive City Zoning Code.

The West Side Strategic Plan designates these parcels as a Community Activity Center (R-07-255).

If you have additional questions regarding this matter, please feel free to contact me at (505) 924-3454 or bnwilliams@cabq.gov.

Sincerely,

Brennon Williams
Code Compliance Manager

University of Albuquerque Sector Development Plan
History for Parcels A & B

**CITY of ALBUQUERQUE
SEVENTEENTH COUNCIL**

COUNCIL BILL NO. R-07-256 ENACTMENT NO. 112-2007

SPONSORED BY: Michael Cadigan, by request

RESOLUTION

**SECTOR DEVELOPMENT PLAN AMENDMENT 07EPC-00115, AMENDING THE
UNIVERSITY OF ALBUQUERQUE SECTOR DEVELOPMENT PLAN TO CHANGE
THE ZONING DESIGNATION FROM SU-3 FOR MIXED USES- A MINIMUM OF
APPROXIMATELY 30 ACRES WITHIN TRACTS A AND B SHALL BE
DEVELOPED AS APARTMENTS (R-3) AT 24-30 DU/AC; THE BALANCE OF THE
PROPERTY IS TO BE DEVELOPED AS (C-2) COMMERCIAL OR (O-1) OFFICE
(APPROXIMATELY 19 ACRES); AND CHURCH AND RELATED USES;
RESIDENTIAL USES (R-3) AT 24-30 DU/AC AND/OR JOINT USE PARK AND
RIDE FACILITY (TEN ACRES OR LESS) TO SU-3 FOR CHURCH AND RELATED
USES FOR APPROXIMATELY 10 ACRES; A MINIMUM OF APPROXIMATELY 17
ACRES SHALL BE DEVELOPED FOR OFFICE (O-1), THE BALANCE OF THE
PROPERTY IS TO BE DEVELOPED AS (C-2) COMMERCIAL OR (O-1) OFFICE
(APPROXIMATELY 30 ACRES). FOR ALL OR A PORTION OF PARCELS A AND
B (TRACTS X1A1, X1A2, AND X2A), UNIVERSITY OF ALBUQUERQUE URBAN
CENTER, LOCATED ON COORS BOULEVARD NW BETWEEN WESTERN
TRAIL NW AND SEQUOIA ROAD NW, CONTAINING APPROXIMATELY 57
ACRES.**

**WHEREAS, the Council, the Governing Body of the City of Albuquerque,
has the authority to adopt and amend plans for the physical development of
areas within the planning and platting jurisdiction of the City authorized by
statute, Section 3-19-3, NMSA 1978, and by its home rule powers; and**

**WHEREAS, the City of Albuquerque adopted the University of Albuquerque
Sector Development Plan in 1982 through Council Ordinance C/S O-63,
Enactment No. 53-1982; and**

1 WHEREAS, the Council has the authority to not only adopt but amend such
2 a sector development plan; and

3 WHEREAS, on April 12, 2007, the Environmental Planning Commission, in
4 its advisory role on land use and planning matters, recommended approval to
5 the City Council of an amendment to the University of Albuquerque Sector
6 Development Plan to change the zoning designation of the subject site from
7 SU-3 for Mixed Uses- A minimum of approximately 30 acres within Tracts A
8 and B shall be developed as apartments (R-3) at 24-30 du/ac; the balance of
9 the property is to be developed as (C-2) commercial or (O-1) office
10 (approximately 19 acres); and church and related uses; residential uses (R-3)
11 at 24-30 du/ac and/or joint use park and ride facility (ten acres or less) to SU-3
12 for Church and related uses for approximately 10 acres; a minimum of
13 approximately 17 acres shall be developed for office (O-1), the balance of the
14 property is to be developed as (C-2) commercial or (O-1) office (approximately
15 30 acres); and

16 WHEREAS, the Environmental Planning Commission found the above
17 Sector Development Plan amendment was consistent with applicable
18 Comprehensive Plan, West Side Strategic Plan, Coors Corridor Plan, and
19 Northwest Mesa Area Plan, and R-270-1980 policies.

20 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
21 ALBUQUERQUE:

22 Section 1. UNIVERSITY OF ALBUQUERQUE SECTOR DEVELOPMENT
23 PLAN AMENDED. The Sector Development Plan is amended to change the
24 zoning designation of Parcel(s) A and B, University of Albuquerque Urban
25 Center, from SU-3 for Mixed Uses- A minimum of approximately 30 acres
26 within Tracts A and B shall be developed as apartments (R-3) at 24-30 du/ac;
27 the balance of the property is to be developed as (C-2) commercial or (O-1)
28 office (approximately 19 acres); and church and related uses; residential uses
29 (R-3) at 24-30 du/ac and/or joint use park and ride facility (ten acres or less) to
30 SU-3 for Church and related uses for approximately 10 acres; a minimum of
31 approximately 17 acres shall be developed for office (O-1), the balance of the
32 property is to be developed as (C-2) commercial or (O-1) office (approximately
33 30 acres).

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- 1 Section 2. FINDINGS ACCEPTED. The following findings for the Sector
2 Development Plan amendment are adopted by the City Council:
- 3 1. This request is for an amendment to the University of Albuquerque
4 Sector Plan to change the zoning on Parcels A and B (Tracts X1A1,
5 X1A2, and X2A) from "SU-3 for Mixed Uses- A minimum of
6 approximately 30 acres within Tracts A and B shall be developed as
7 apartments (R-3) at 24-30 du/ac; the balance of the property is to be
8 developed as (C-2) commercial or (O-1) office (approximately 19 acres);
9 and church and related uses; residential uses (R-3) at 24-30 du/ac
10 and/or joint use park and ride facility (ten acres or less)" to "SU-3 for
11 Church and related uses for approximately 10 acres; a minimum of
12 approximately 17 acres shall be developed for office (O-1), the balance
13 of the property is to be developed as (C-2) commercial or (O-1) office
14 (approximately 30 acres)".
- 15 2. This request is accompanied by an amendment to the West Side
16 Strategic Plan (07EPC-00122), a site development plan for subdivision
17 (07EPC-00114), and a site development plan for building permit (07EPC-
18 00121).
- 19 3. The Comprehensive Plan's Established Urban Area goal and policies a,
20 d, e, i, and j are furthered because the sector plan map amendment will
21 provide a complementary mix of commercial, office, and employment
22 uses in close proximity to moderate density residential uses. The site is
23 located in an area that can accommodate these uses and where the
24 needed infrastructure is in place to support them.
- 25 4. The Comprehensive Plan's Activity Center:
- 26 a. Goal and policy a are furthered because commercial and office
27 uses are allowed on the site and high-density and moderate-
28 density multi-family and single-family uses surround the site. The
29 addition of employment and service uses at this location will help
30 contribute to a sustainable development pattern by balancing the
31 mix of residential and commercial uses.
- 32 b. Policies e and i are partially furthered because the subject site
33 meets some of the criteria for designation as an activity center.

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1 Although high-density residential uses will not be permitted, the
2 site is surrounded by moderate-density residential development
3 and area schools are currently at or over capacity.

- 4 5. An AQIA was required and was provided to the City on 3/7/07. The
5 Comprehensive Plan's Air Quality goal and policy b are furthered
6 because according to the AQIA analysis provided by the City's Air
7 Quality Division, the proposed development is "not expected to cause
8 or contribute to any air quality exceedance." Policies d and i are only
9 partially furthered since the level of service at the Coors/St. Joseph's
10 intersection is poor, as indicated in the TIS. These policies will be
11 completely furthered as the TIS mitigation recommendations are
12 implemented.
- 13 6. The Comprehensive Plan's Noise goal is partially furthered because the
14 subject site is currently vacant and generates little if any additional
15 noise for neighboring residents. Additional noise will be generated by
16 the development of the site under the existing (and proposed) zoning.
- 17 7. The Comprehensive Plan's Community Identity and Urban Design policy
18 d is partially furthered by the zoning change because the proposed
19 zoning will allow uses that can contribute to an effective interface
20 between the adjacent residential uses and the proposed office and
21 commercial uses. However, the elimination of residential zoning will
22 limit the on-site mix of uses.
- 23 8. The Comprehensive Plan's Transportation and Transit goal is furthered
24 because the adjacent roadways are designated to support a mix of
25 commercial, office, and institutional uses at the site. The proposed
26 office and commercial uses are desired in this area of the community
27 and may help to reduce the number of cross-river trips for west side
28 residents seeking goods, services, and employment.
- 29 9. This request furthers West Side Strategic Plan goals, objectives, and
30 policies:
- 31 a. Goal 12 and Objectives 1, 4, and 8 are furthered because the
32 proposed uses will provide more area for a mix of neighborhood
33 and community oriented uses that will more effectively interface

- 1 with existing residential uses. The allowed uses will help to
2 balance the jobs/housing ratio, which contributes to a sustainable
3 community and may reduce the number of cross-town trips for
4 area residents.
- 5 b. Policies 1.13 and 1.14 are furthered because the site's zoning
6 allows a mix of commercial, retail, service, and employment uses
7 and will function as the hub of activity for the surrounding area.
8 The site is approximately mid-way between two Community
9 Activity Centers, one at Coors/Montano and the other at Coors/I-
10 40.
- 11 c. Policy 2.5 is furthered because area schools are currently at or
12 over capacity and the proposed zoning will eliminate the potential
13 for 720-900 additional dwelling units (279 students).
- 14 d. Policy 3.21 is furthered because neighborhood-scale commercial
15 development, which is not strip development, is proposed north
16 (and south) of St. Joseph's Drive on Coors.
- 17 e. Ladera Community policies 3.23 is furthered because the
18 proposed development will locate commercial services near the
19 existing residential and public facilities that already exist in the
20 Ladera Community.
- 21 f. The proposed relocation of the Coors/Western Trail
22 Neighborhood Activity Center to the subject site furthers the
23 objectives of the Ladera Community because the proposed uses
24 will contribute to the mix of commercial, retail, service, and
25 employment uses. This request furthers West Side Strategic Plan
26 goals, objectives, and policies.
- 27 10. This request furthers Coors Corridor Plan goals, objectives, and
28 policies because office and commercial uses are called for by the
29 Plan at the subject site.
- 30 11. This request does not conflict with the Northwest Mesa Area Plan.
- 31 12. This request does not significantly conflict with the University of
32 Albuquerque Sector Plan, which has been amended many times
33 since its adoption, since a mix of commercial and office uses will be

allowed and moderate-density, single family residential uses surround the site.

13. This request is justified by the applicant as required by Resolution 270-1980:

- a. Policy A because the proposed zoning supports the health, safety, morals, and general welfare of the City since it will allow an expansion of already allowed uses on the subject site, will provide a needed mix of commercial and office uses, and will eliminate residential uses that would have a negative impact on Albuquerque Public School facilities.
- b. Policy B because the proposed zoning will not destabilize allowed land uses on the subject site or in the surrounding area. It will help the area to regain economic stability since the area's designated neighborhood center has developed primarily with single-family residential uses. The addition of acreage for commercial and office uses will help to provide a balance to the predominately residential uses in the area. In addition, the applicant provided a convincing letter supporting the change. The letter cited changed neighborhood and community conditions as the primary reason for the change.
- c. Policy C because the proposed change is not in conflict with City plans and policies and supports many City goals, objectives, and policies related to sustainable growth, job/housing balance, urban design, among others. The furtherance of these policies justifies the elimination of residential uses from the site. This is in conflict with the underlying University of Albuquerque Sector Plan but is justified because the surrounding area, instead of developing with the needed mix of commercial and service uses as anticipated, has developed primarily with single-family residential uses.
- d. Policy D because the applicant demonstrated that the existing zoning is inappropriate because:

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- i. Changed neighborhood or community conditions justify the change:
 - 1. The changed conditions cited by the applicant are:
 - a. The various changes to the sector plan which reconfigured land uses to allow the reduction of residential uses at “urban” densities.
 - b. The development of primarily single-family dwelling units in the designated Coors/Western Trail Neighborhood Activity Center thereby reducing its effectiveness at providing neighborhood scale commercial uses.
 - c. Public schools in the area are over capacity as evidenced by the letter provided by APS dated October 24, 2006 and included with the applicant’s justification.
 - ii. 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:
 - 1. The applicant cites several City goals, objectives, and policies that are furthered by the request (as mentioned in previous findings) thereby making the request more beneficial to the community because:
 - 2. It provides greater opportunity for neighborhood and community scale commercial, office, and employment uses to develop in a coherent and clustered way in an area in need of more services and employment opportunities.
 - 3. The change allows more commercial, office, and employment uses that may reduce the need for west side residents to travel across the river.

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- 4. The allowed commercial and office uses will not negatively impact APS schools. The reduction of high-density residential uses will eliminate the potential for 720-900 additional dwelling units in the area, which could generate approximately 279 more students at over-capacity APS schools.
 - e. Policy E because the proposed sector plan map amendment will eliminate the currently allowed high-density residential uses on the subject site. Additional residential uses in the area would have an adverse effect on APS schools in the area since the schools are operating at or over capacity. The expansion of the already allowed commercial and office uses on the site will not have an adverse effect on the surrounding community since commercial, service, office and employment uses are needed in this area.
 - f. Policy F because the proposed sector plan map amendment does not require unprogrammed capital expenditures.
 - g. Policy G because the cost of land or other economic considerations pertaining to the applicant are not factors in this sector plan map amendment request. The request is supported by several City plans and policies that do not relate to the cost of land or other economic considerations.
 - h. Policy H because the site's location is not used as justification for the change.
 - i. Policy I because the requested sector plan map amendment will not create a spot zone.
 - j. Policy J because the requested sector plan map amendment will not create a strip zone.
14. The following Recognized Neighborhood Associations were notified of this request: Villa De Paz H.O.A., Oxbow Village H.O.A., St. Joseph Townhouse Association, Story Rock H.O.A., Vista Grande, West Bluff, La Luz Del Sol, La Luz Landowners Association, Ladera West, Quaker Heights, and Taylor Ranch. A facilitated meeting was held on Monday

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1 February 26 at 7pm at Cross of Hope Lutheran Church, 6104 Taylor
2 Ranch Road, NW. There is general neighborhood support for this
3 request.

4 Section 3. **CONDITION ACCEPTED.** The following condition for the Sector
5 Development Plan amendment is adopted by the City Council:

6 1. None.

7 Section 4. **EFFECTIVE DATE AND PUBLICATION.** This legislation shall
8 take effect ninety days after publication by title and general summary.

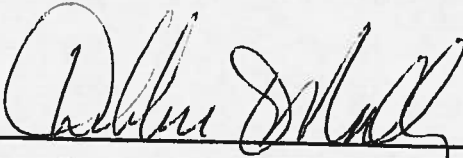
9 Section 5. **SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
10 clause, word or phrase of this resolution is for any reason held to be invalid or
11 unenforceable by any court of competent jurisdiction, such decision shall not
12 affect the validity of the remaining provisions of this resolution. The Council
13 hereby declares that it would have passed this resolution and each section,
14 paragraph, sentence, clause, word or phrase thereof irrespective of any
15 provisions being declared unconstitutional or otherwise invalid.

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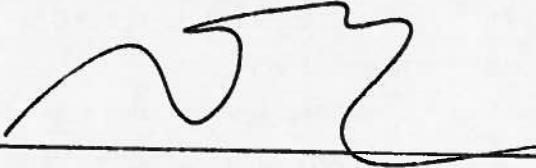
1 PASSED AND ADOPTED THIS 17th DAY OF September, 2007
2 BY A VOTE OF: 8 FOR 0 AGAINST.
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4

5 Excused: Harris
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8 _____
9 Debbie O'Malley, President
10 City Council
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12
13 APPROVED THIS 24th DAY OF September, 2007
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16 Bill No. R-07-256
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21 _____
22 Martin J. Chávez, Mayor
23 City of Albuquerque
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27 ATTEST: 
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29 _____
30 City Clerk
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Final Version

**CITY of ALBUQUERQUE
TWELFTH COUNCIL**

COUNCIL BILL NO. R-58 ENACTMENT NO. 79-1996

SPONSORED BY: Alan B. Armijo

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1 **RESOLUTION**
2 AMENDING THE UNIVERSITY OF ALBUQUERQUE SECTOR DEVELOPMENT PLAN TO
3 CHANGE THE LAND USE DESIGNATION FOR TRACTS X1A AND X2A, ALBUQUERQUE
4 URBAN CENTER (SP-95-135 AND SP-95-136) FROM EMPLOYMENT CENTER TO MIXED
5 RESIDENTIAL: 40 ACRES WITHIN TRACTS X1A AND X2A SHALL BE DEVELOPED AS
6 APARTMENTS R-3 USES) AT 20 TO 25 DU/AC WITH THE BALANCE OF THE PROPERTY
7 (APPROXIMATELY 19 ACRES) SHALL BE DEVELOPED AS COMMERCIAL (C-2) AND/OR
8 OFFICE (O-1).
9 WHEREAS, the City adopted the University of Albuquerque Sector
10 Development Plan in August 1982 through Council Bill O-65; and
11 WHEREAS, the City Council has the authority to amend such a sector
12 development plan; and
13 WHEREAS, all of the area within the University of Albuquerque
14 Sector Development Plan is zoned SU-3 and is designated as an Urban
15 Center, and
16 WHEREAS, the urban center designation was based on the development
17 of the University of Albuquerque and the potential spin-off
18 development. The focus of the sector development plan has changed
19 because the site developed as a private high school which does not
20 generate the types of uses first envisioned; and
21 WHEREAS, the West Side Strategic Plan is a draft plan but was used
22 as a guide for review of this case; and
23 WHEREAS, the West Side Strategic Plan identifies Coors Boulevard
24 as a transit corridor which calls for higher density (minimum of 8
25 du/acre) residential and non-residential development to be located
26 within a quarter mile; and

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1 WHEREAS, this site falls within the boundary of the Ladera
2 Community Core Area, as defined in the West Side Strategic plan, which
3 encourages additional mixed uses; and

4 WHEREAS, the Environmental Planning Commission, in its advisory
5 role has held a public input on this amendment and recommends approval.


6 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
7 ALBUQUERQUE:

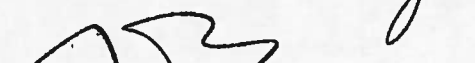
8 Section 1. That the Land Use Plan of the University of
9 Albuquerque Sector Development Plan shall be amended to add the
10 following category which applies to this 58 acre site: "Mixed
11 Residential: 40 acres within Tracts X1A and X2A shall be developed for
12 Apartments (R-3) at 20 to 25 du/acre with the balance of the property
13 (approximately 19 acres) shall be developed as commercial (C-2) and/or
14 office (O-1)."

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Understood Material - New
[Bracketed Material] - Deletion

1. PASSED AND ADOPTED THIS 17th DAY OF June, 1996
2 BY A VOTE OF 9 FOR AND 0 AGAINST.

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Steve D. Gallegos, President
City Council

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10 APPROVED THIS 3rd DAY OF July, 1996
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13 Martin J. Chavez, Mayor
14 City of Albuquerque

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16 ATTEST:

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18 City Clerk

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RECEIVED
ALBUQUERQUE CITY CLERK

CITY OF ALBUQUERQUE
ALBUQUERQUE, NEW MEXICO

INTER-OFFICE CORRESPONDENCE

REF: WPPPLN4/15573-177

April 9, 1996

TO: Steve D. Gallegos, City Council President

FROM: Martin J. Chavez, Mayor

SUBJECT: SD-80-3-3 - The Environmental Planning Commission recommends and Consensus Planning, agent for Altura West Ltd. Co., requests approval of an amendment to the University of Albuquerque Sector Development Plan to amend the Land Use Plan for designated parcels A & B, Tracts X1A and X2A, University of Albuquerque Urban Center (SP-95-135 and SP-95-136), located on the northwest and southwest corners of Coors Boulevard NW and St. Joseph's Drive NW, containing approximately 57.7 acres (G-11). KYM DICOME, STAFF PLANNER

This is a request to change the land use designation for approximately 60 acres located on the west side of Coors Boulevard north and south of St. Joseph's Drive. Presently this site is designated Employment Center under the University of Albuquerque Sector Development Plan and the request would change the use to allow high density residential, commercial and office. This change requires amending the Land Use Plan of the University of Albuquerque Sector Development Plan which requires City Council approval.

The Environmental Planning Commission heard this case along with the property to the east of Coors Boulevard (SD-80-3-2) because they are owned by the same applicant and should be reviewed together rather than piece-mealing the sector plan. The proposed land uses included 40 acres to be developed as apartments and the remainder could be developed as either commercial, office and/or townhouses. Staff nor EPC supported the allowance of townhomes and no non-residential, therefore, the option of allowing townhomes to be built on the remaining 19 acres was removed from the amendment.

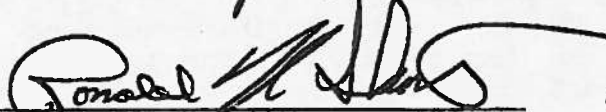
The Environmental Planning Commission found that the request site along with all the property in the University of Albuquerque Sector Development Plan is zoned SU-3 which allows intensive urban development and the West Side Strategic Plan identifies Coors Boulevard as a transit corridor which calls for high density and intensive development to be located within a quarter mile. Important elements of mixed uses development are the design and the integration of those uses, which must be shown on a site development plan for subdivision with design standards. The site plan must be approved by the Environmental Planning Commission.

Steve D. Gallegos
April 9, 1996
SD-80-3-3
Page 2

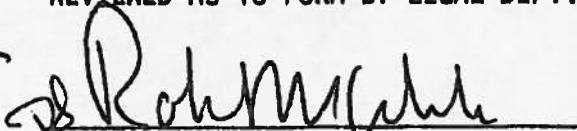
The Environmental Planning Commission voted 8 to 0 on February 15, 1996 to recommend to the City Council approval of this amendment.

RECOMMENDED BY:

R. Dineen


Ronald N. Short, AICP
Planning Director

REVIEWED AS TO FORM BY LEGAL DEPT.:


Robert M. White
City Attorney

REVIEWED BY:


Irene F. Garcia, Director
Department of Finance & Administrative
Services

RECOMMENDED BY:


Lawrence Rael
Chief Administrative Officer

LUPZ Con
from Laura,
May 29

Item No. 9 Bill No. R-58, Amending the University of Albuquerque Sector Development Plan, Parcels A & B Tracts X1A and X2A, University of Albuquerque Urban Center (Armijo)

This item and item no. 10 were heard together at the EPC because both involve amendments to the same plan, the University of Albuquerque Sector Development Plan. This matter involves two tracts consisting of approximately 59 acres that are located on the west side of Coors Blvd. Across from St. Pius High School, on the north and south of Ladera Drive NW. That property is currently zoned SU-3 Special Center Zone and designated as an employment center as part of the Urban Center associated with the former University of Albuquerque campus. The current zoning was adopted in 1982 and the light industrial uses, technical services and campus type office park planned for this area never materialized. The zoning being sought is "mixed use commercial/office/residential".

The amended zone would require a minimum of 40 acres to be developed for apartments (at an R-3 density of 20 to 25 dwelling units per acre or 800 to 1000 units), with the balance of the property to be developed as commercial (C-2) and/or office (O-1). The applicants had originally asked for 19 acres of townhouse development which the Planning Department rejected. The changes requested by the Planning Department were requested to reflect the policies of the proposed West Side Strategic Plan, to work together with the approved development to the north and the proposed development to the east across Coors. The Planning Department's proposed changes better reflect Coors Blvd.'s identification as a transit corridor which calls for high density and intensive development within a quarter mile.

There was no opposition to this amendment at the EPC hearing, and several individuals and associations spoke in favor of this item and the following item. The Urban Center designation would remain unchanged and any specific development proposals will have to go before the EPC for approval.

Question:

It was unclear from the packet whether the Planning Department and EPC would favor any more than 40 acres of high density multi-family on this site. As the Resolution is presently worded (using "a minimum of 40 acres"), all 59 acres could be developed as R-3. However, if the amount of land to be used for commercial and office uses is to stay around 19 acres, the word "minimum" should be deleted or a range of acceptable acreage should be given.

~~Item No. 10 Bill No. R-59, Amending the University of Albuquerque Sector Development Plan, Parcels C, D, E and F, Annexation Plat SP-82-8 (Armijo)~~

~~This bill also concerns an amendment of the University of Albuquerque Sector Plan but for property across Coors along St. Joseph's Drive and south and east of St. Pius High School. The property consists of 89 acres and is presently zoned Mixed Use (with residential densities of 10 to 25 du/acre, commercial and office). The proposed zone a new category called Mixed Residential which would include residential development not to exceed 25 du/acre and Neighborhood Commercial/Office (C-1 and O-1 uses). The~~

City of Albuquerque
Planning Department
Development Services Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: February 16, 1996

OFFICIAL NOTIFICATION OF DECISION

Altura West Ltd. Co.
c/o Tom Kaleher
P.O. Drawer AA
Albuquerque, NM 87103

FILE: SD-80-3-3

LEGAL DESCRIPTION: For Tracts X1A and X2A, University of Albuquerque Urban Center (SP-95-135 and SP-95-136), located on the northwest and southwest corners of Coors Boulevard NW and St. Joseph's Drive NW, containing approximately 57.7 acres (G-11). KYM
DICOME, STAFF PLANNER

On February 15, 1996, the Environmental Planning Commission voted to approve SD-80-3-3, an amendment to the University of Albuquerque Sector Development Plan to amend the Land Use Plan for designated Parcels A & B, is recommended to City Council based on the following Findings and subject to the following Conditions:

FINDINGS:

1. The applicant is proposing 40 acres of residential development with a density of 20 to 25 du/acre and the remaining 19 acres to be developed as either commercial, office or/and medium density (RT) residential.
2. The request site falls within the University of Albuquerque Sector Development Plan boundary and is zoned SU-3 which allows intensive urban development.
3. The original intent of the urban center designation of the University of Albuquerque Sector Development Plan area was based on the development of the University of Albuquerque and the potential spin-off development. The former university is now a private high school which will not generate the types of uses first envisioned. This has changed the focus of the sector development plan but the area is still designated as an urban center.
4. The West Side Strategic Plan (draft October 1995) identifies Coors Boulevard as a transit corridor which calls for higher density and intensity development to be located within a quarter mile which is considered a distance people are willing to walk. This request site falls within the quarter mile and should be developed with high density residential and non-residential development.
5. The request includes the potential of 19 acres of townhouse development which is considered medium density. The inclusion of the townhouse (R-T use) development does not meet the intent of the West Side Strategic Plan which requires a mixed use with high-density residential development as well as commercial and office.

6. A site development plan which includes design standards is required prior to the development of this site and must be approved by the Environmental Planning Commission.
7. A Traffic Impact Study is required prior to the submittal of the site development plan per Transportation Division as indicated on the TIS/AQIA form.

CONDITIONS:

1. The Land Use Plan of the University of Albuquerque Sector Development Plan must be amended to redesignate this site from Employment Center to "Mixed Residential: A minimum of 40 acres within Tracts A & B shall be developed for Apartments (R-3) at 20 to 25 du/acre with the balance of the property (approximately 19 acres) shall be developed as commercial (C-2) and/or office (O-1)."

IF YOU WISH TO APPEAL THIS DECISION, YOU MUST DO SO BY MARCH 1, 1996, IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE OF \$50 IS REQUIRED AT THE TIME THE APPEAL IS FILED.

Appeal to the City Council: Persons aggrieved with any determination of the Environmental Planning Commission acting under this ordinance and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY OTHER PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

Sincerely,


Ronald N. Short, AICP
Planning Director

RNS/JC/ac/1132/

cc: Consensus Planning, Inc., 718 Central Ave. SW, Albuquerque, NM 87102
Kenneth Berry, Ladera Heights Neigh. Assoc., 3101 R Coors Blvd NW, Albuquerque, NM 87120
Marvin Hack, Ladera Heights Neigh. Assoc., 7140 Maxim Ct NW, Albuquerque, NM 87120
Susan Homer, Vista Grande Neigh. Assoc., 5000 Sequoia NW, Albuquerque, NM 87120
Ted Schmidt, Vista Grande Neigh. Assoc., 3626 Vista Grande NW, Albuquerque, NM 87120
Tom Keleher, 414 Silver SW, Albuquerque, NM 87102
Keith Baltz, 3648 Vista Grande NW, Albuquerque, NM 87120
Berent Groth, 3546 Tucson NW, Albuquerque, NM 87120
Carol Walkington, 3630 Vista Grande NW, Albuquerque, NM 87120
Tom Schellenback, 4000 St. Josephs Pl. NW, Albuquerque, NM 87120

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CITY of ALBUQUERQUE

FIFTH COUNCIL

50-80-3

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COUNCIL BILL NO. C/S 0-63

ENACTMENT NO. 53-1982

SPONSORED BY: THOMAS W. HOOPER

ORDINANCE

1
2 ANNEXING TRACTS A, B AND C OF ANNEXATION PLAT SP-82-128,
3 CONSISTING OF APPROXIMATELY 102 ACRES; AND THREE TRACTS AND
4 PUBLIC RIGHT OF WAY SHOWN ON ANNEXATION PLAT SP-82-8,
5 CONSISTING OF APPROXIMATELY 197 ACRES, FOR A COMBINED TOTAL
6 OF APPROXIMATELY 299 ACRES, TO THE CITY OF ALBUQUERQUE, NEW
7 MEXICO; ADOPTING THE UNIVERSITY OF ALBUQUERQUE URBAN
8 CENTER SECTOR DEVELOPMENT PLAN; AND AMENDING THE CITY
9 ZONING CODE AND ZONE MAP.

10 WHEREAS, the owners of the area hereby annexed, which land is
11 contiguous to the boundaries of the City of Albuquerque, New Mexico, have
12 presented a petition properly signed, accompanied by a map of said
13 contiguous territory, requesting the Governing Body of the City of
14 Albuquerque, New Mexico, to pass and adopt an ordinance annexing said land
15 to the City; and

16 WHEREAS, the Council, the Governing Body of the City of Albuquerque
17 has the authority to adopt plans and zoning within its area of planning and
18 platting jurisdiction, as specified by Articles 19 and 21 of Chapter 3 of New
19 Mexico Statutes Annotated 1978, and by the City Charter as allowed under
20 home rule provisions of the Constitution of New Mexico; and

21 WHEREAS, the Albuquerque/Bernalillo County Comprehensive Plan
22 specifies that the University of Albuquerque area, which is within the City's
23 planning and platting jurisdiction, is a Community Urban Center, an area
24 appropriate for concentrations of activities and/or densities; and

25 WHEREAS, the plan adequately addresses elements specified in Section
26 2.D of the City Resolution 69-1975 adopting the Metropolitan Areas and

Underscored Material - New
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1 Urban Centers Plan; it determines "specific boundaries, height and bulk
2 regulations, land use, landscaping, pedestrian and transportation facilities,
3 and parking strategy"; and

4 WHEREAS, the two goals from the Comprehensive Plan particularly
5 cited in the Northwest Mesa Area Plan are met by the University of
6 Albuquerque Urban Center Sector Development Plan (Sector Plan).

7 "A2. The goal is a quality urban environment which perpetuates
8 the tradition of identifiable, individualistic communities within the
9 metropolitan area and offers variety and maximum choice in housing, work
10 areas and lifestyles, while creating visually pleasing architecture, landscaping
11 and vistas to enhance the appearance of the community."

12 "A3. The goal is to minimize transportation requirements through
13 efficient placement of employment and services convenient to people, and to
14 provide a balanced circulation system through encouragement of bicycling,
15 walking and use of mass transit as alternatives to automobile travel, while
16 providing sufficient roadway capacity to meet mobility and access needs";
17 and

18 WHEREAS, the definition of this urban center shown on the
19 Comprehensive Plan map states that the appropriate uses are "education,
20 residential, technical services, and commercial"; and

21 WHEREAS, the Northwest Mesa Area Plan also indicates that mixed use
22 development is appropriate for this urban center, emphasizing larger offices,
23 retailing, higher density housing, and services; and

24 WHEREAS, Section 32 of the City Zoning Code provides for
25 Metropolitan Urban Centers being zoned SU-3 and regulated under the terms
26 of an appropriate sector development plan; and

27 WHEREAS, the west boundary and the western portion of the south
28 boundary of Tract C of Plat SP-82-128 and the bluff line shown on the
29 attached Land Use Plan, within the eastern tract of Plat SP-82-8, is the
30 exact boundary of the established urban area as established by the
31 Metropolitan Areas and Urban Centers Plan; and

32 WHEREAS, the Environmental Planning Commission, in its advisory role
33 on planning, zoning and environmental protection, approved and

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1 recommended the adoption of the Sector Plan (although not entirely with the
2 zoning adopted hereby) at the public hearing on September 17, 1981.

3 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE
4 CITY OF ALBUQUERQUE:

5 Section 1. The following described territory is hereby annexed to and
6 made a part of the City of Albuquerque for all purposes upon filing a copy of
7 this ordinance and map of the territory so annexed in the office of the
8 County Clerk of Bernalillo County, New Mexico, and publication of this
9 ordinance according to law.

10 A. Tracts A, B and C of annexation plat SP-82-128, land in
11 Sections 35 and 36, T11N, R2E, N.M.P.M., within Town of Albuquerque Grant,
12 Bernalillo County, New Mexico, as filed in the office of the County Clerk of
13 Bernalillo County, New Mexico, on May 17, 1982.

14 B. Three Tracts and the "St. Joseph's Place" public right of way
15 as shown in annexation plat SP-82-8, land in Section 2, T10N, R2E, N.M.P.M.,
16 and Section 35, T11N, R2E, N.M.P.M., within Town of Albuquerque Grant,
17 Bernalillo County, New Mexico, June, 1980 filed January 20, 1982.

18 Section 2. The zone map adopted by Section 7-14-46.C, R. O. 1974, is
19 hereby amended as follows:

20 A. Establishment of SU-3 zoning for land uses and other
21 provisions of the Sector Plan (including the Land Use Plan), for the area
22 described in Section 1 above, except Tract C of Plat SP-82-128 and that part
23 of the eastern tract of Plat SP-82-8 which is east of the Bluff Line delineated
24 on the attached Land Use Plan.

25 B. Establishment of SU-1 zoning, planned unit development for
26 open space and one dwelling unit per 20 acres for Tract C of Plat SP-82-128
27 and for that part of the eastern tract of Plat SP-82-8 which is east of the
28 bluff line delineated on the attached Land Use Plan.

29 Section 3. The Sector Plan, including the sign regulations in the plan
30 appendix (unless subsequently amended by the Planning Commission), and the
31 University of Albuquerque Land Use Plan sheet, all of which is attached
32 hereto and made a part hereof, is hereby adopted as the sector-development-
33 plan land use control. This action is pursuant to the Albuquerque/Bernalillo

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1 County Comprehensive Plan and Sections 7-14-32 and 7-14-41, R. O. 1974,
 2 the City Zoning Code. However, parts III and IV are not hereby adopted as
 3 zoning controls. To the extent there is conflict, the Land Use Plan is
 4 dominant and the Sector Plan is so altered. The Planning Commission shall
 5 review the Sector Plan before the first site development plan is approved in
 6 any given subarea; the Planning Commission may require more detail in the
 7 Sector Plan for the subarea. Approval of such detailed sector planning is
 8 hereby delegated to the Planning Commission.

9 Section 4. The attached Sector Plan is adopted also as a detailed plan
 10 consistent with and leading to implementation of the Albuquerque/Bernalillo
 11 County Comprehensive Plan. Development activities in the University of
 12 Albuquerque area shall be guided by the Sector Plan as well as the Northwest
 13 Mesa Area Plan and the Comprehensive Plan. The plan is amended to call
 14 "St. Joseph's Place" Alamogordo Drive.

15 Section 5. The Mayor shall prepare and submit a zone map amendment
 16 and sector development plan amendment to make the SU-1 University of
 17 Albuquerque land a part of the SU-3 urban center.

18 Section 6. Some or all of the land covered by this ordinance will also be
 19 required to comply with the Coors Corridor Plan.

20 Section 7. Severability Clause. If any section, subsection, sentence,
 21 clause, word, or phrase of this ordinance is for any reason held to be
 22 unconstitutional or otherwise invalid by any court of competent jurisdiction,
 23 such decision shall not affect the validity of the remaining portions of this
 24 ordinance. The Council, the Governing Body of the City of Albuquerque,
 25 hereby declares that it would have passed this ordinance and each section,
 26 subsection, sentence, clause, word, or phrase thereof irrespective of any one
 27 or more sections, subsections, sentences, clauses, words, or phrases being
 28 declared unconstitutional or otherwise invalid.

29 Section 8. Effective Date and Publication. This ordinance shall
 30 become effective five days after publication in summary.

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1 PASSED AND ADOPTED THIS 16th DAYS OF AUGUST, 1982.

2 BY A VOTE OF 9 FOR AND 0 AGAINST

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5 Patrick J. Bacc
6 Patrick J. Bacc, President
7 City Council
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10 APPROVED THIS 31st DAY OF August, 1982.

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12 Harry E. Kinney
13 Harry E. Kinney, Mayor
14 City of Albuquerque
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19 ATTEST:

20 Cynthia Lucini
21 City Clerk/Recorder
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STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

'82 SEP 10 P2:36

957 934-953

PK. TERRY A. CAMP
RD CLERK & REC'D

-21- Len Dube

**University of Albuquerque
Urban Center
Sector Development Plan**

July, 1980

UNIVERSITY OF ALBUQUERQUE URBAN CENTER SECTOR DEVELOPMENT PLAN

URBAN CENTER IN THE CONTEXT OF THE COMPREHENSIVE PLAN

The Albuquerque/Bernalillo County Comprehensive Plan designates an urban center around the University of Albuquerque. The urban center is to contain mixed land uses with the University of Albuquerque educational facility being the core of the center. The Kaleher-White group wishes to implement this portion of the Comprehensive Plan by creating a high quality urban center containing a mixture of compatible land uses.

The land uses proposed for the University of Albuquerque Urban Center will supplement and complement the existing educational facilities. Apartments and townhouses will provide centrally located convenient northwest area housing. Light industrial, office and commercial uses will provide support services and employment for northwest area residents. Because employment will be provided close to the University of Albuquerque, mass transportation routes on Coors should work more efficiently and show increased ridership since the center will be a common destination area.

The plan area west of Coors Road is proposed to consist of industrial-office-commercial uses in a planned park-like environment. The plan area east of Coors Road is proposed to consist of a mixture of neighborhood commercial-office and residential uses with the commercial-office uses oriented toward Coors Road and the residential uses oriented toward the Rio Grande Bosque and Sandia Mountains.

URBAN CENTER ZONING

The appropriate zoning for the urban center is SU-3. The SU-3 zone "allows a variety of uses controlled by a plan which tailors development to an urban center, these uses include centers of employment, institutional uses, commerce, and high density dwelling."¹

Because the tracts are unincorporated and designated "Urban Center" on the Comprehensive Plan, annexation, establishment of SU-3 zoning, and sector development plan approval are proposed to occur simultaneously.

EXISTING CONDITIONS

The 171 acre plan area consists of 82 acres west of Coors Road, and 89 acres east of Coors Road, surrounding the University of Albuquerque Campus on the east, west, and south sides. The tracts are presently undeveloped and zoned R-1 and A-1. The areas adjacent to the plan area are zoned A-1 to the north and R-1 to the south and west. The Rio Grande lies directly to the east. (See Plate 1)

1 · City of Albuquerque-Comprehensive City Zoning Code, Section 32.

The 82 acres of the plan area west of Coors Road are owned by the Kalerher-White group. Of the 89 acres east of Coors Road, 87.5 acres are owned by the Kalerher-White group and 1.5 acres located at the southeast corner of the University of Albuquerque tract are owned by Concha Kleven.

Slopes range from 1 percent to 5 percent across the western and central areas of the plan and range from 5 percent to 20 percent on the area of the plan east of the University of Albuquerque.

There are two distinct soil types found in the plan area. The western and central areas consist of Madurez-Wink association soils and the steeper portions, east of the University of Albuquerque, consist of Bluepoint-Kokan association soils. Both soil types are suitable for development.²

ALLOWED USES

Areas A* and B* of the plan area are designated "light industrial-office." Uses permissive in the IP zone (Comprehensive City Zoning Code) would be allowed with controls as described below.

Areas C* and D* are designated "office" and "neighborhood commercial" respectively. Uses allowed in the C-1 and O-1 zones (Comprehensive City Zoning Code) would be allowed with controls as described below.

Areas E* and F* are designated "mixed residential." Uses allowed in the R-3 zone (Comprehensive City Zoning Code) would be allowed. It is proposed that the Kleven parcel contain mixed residential uses.

STRUCTURE HEIGHT

Structure heights in the University of Albuquerque Urban Center will be controlled by height limitations of the R-3 zone (Comprehensive City Zoning Code).

LOT COVERAGE

The most intensive uses in the University of Albuquerque Urban Center are located between Coors Road and Atrisco Drive north and south of St. Joseph's Drive. The lighter commercial and office uses on the east side of Coors Road will buffer the residential area of the plan from Coors Road. The residential area is oriented toward the Rio Grande Bosque and Sandia Mountains and away from the commercial uses and Coors Road.

* Refer to Plate 2 for area designations, A-F.

2 Soil Survey of Bernalillo County and parts of Sandoval and Valencia Counties, New Mexico, U.S. Department of Agriculture.

TABLE 1: LOT COVERAGE STANDARDS

	A	B	C	D	E	F	Total
AREA (ACRES)	52.40	29.63	12.88	8.13	10.67	57.57	171.28
GROSS BUILDING AREA (GBA- SQ.FT.)	798,890	451,740	140,260	88,540	144,000	921,600	
FLOOR AREA RATIO (FAR)	.35	.35	.25	.25	.31	.37	
DWELLING UNITS	NA	NA	NA	NA	160	576	736
GROSS RESIDENTIAL DENSITY (DU/AC)	NA	NA	NA	NA	15	10	

Refer to Plate 2 for area designations A, B, C, D, E, and F.

STORM DRAINAGE

A drainage report is being prepared at this time and upon completion will be forwarded under a separate cover. The drainage report will establish guidelines for the handling and conveyance of storm water.

The drainage report will propose one solution for the east parcel and two alternative solutions for the west parcel:

East

The land east of Coors will drain to the Rio Grande via an underground conduit the outfall of which is at the south boundary of the parcel. Conveyance is proposed to be via the streets and parking lots to curb inlets. An energy dissipator is proposed at the conduit outfall.

West

1. The land west of Coors can drain to the underground conduit similarly to the east parcel and outfall at the same location.
2. The parcel west of Coors could drain to the north if a new storm sewer is constructed in Coors Road.

PROVISIONS FOR TRANSPORTATION

Current transportation planning being done for the northwest mesa suggests that Coors Road will be upgraded to a limited access six lane divided expressway in the future. A 160' right-of-way will be needed to accommodate that facility.

Because the existing right-of-way of Coors Road is 120' through the plan area, the planning anticipates that an additional 20' on each side of Coors Road will be acquired by the city at a future time. Should the anticipated additional right-of-way not be acquired, then the proposed land uses will be revised to reflect the existing right-of-way.

Direct access to Coors Road from the project will be limited to St. Joseph's Drive. Secondary access to Coors Road is proposed from Western Trail and Sequoia. Access to Sequoia is south on Alamogordo which has a 60' right-of-way.

The residential—townhouse area is proposed to be served by a public residential street with a 50' right-of-way connecting St. Joseph's Place with Western Trail. All other residential roads will be private 24' wide streets. All parking for the residential areas will be off-street parking.

A traffic analysis shows that at full development, between 25.4 percent to 28.3 percent of Coors capacity at St. Joseph's will be utilized by traffic generated by the development and between 23.4 percent to 26 percent at Coors capacity at Western Trail. (Assuming that Coors, as a six-lane divided expressway operating at level of service C* can be expected to carry 45,000 — 50,000 ADT.)

A summary of rights-of-way widths follows:

Coors Road	120' Existing-20' each side reserved**
Atrisco Drive	106' Existing
St. Joseph's — 250' Segment East of Coors	106' Proposed
St. Joseph's — to Southern Property Line	68' Proposed
Public Residential Road	50' Proposed
Private Residential Road	24' Paving Width Proposed

ARCHITECTURAL CONTROLS

The creation of a quality urban center requires a close working relationship between the purchaser or lessee of the land and the owner. In order to achieve the desired quality and establish harmonious relationships between the different uses in the project area, restrictive covenants will be formulated, and an Architectural Review Committee (ARC) will be established by the owners. The ARC will review plans to ensure that they are compatible with development guidelines and covenants.

Included as Appendix A are the proposed development guidelines intended to facilitate the work of the Architectural Review Committee. These guidelines are subject to change prior to the time they are filed as restrictive covenants.

* Level of service is a qualitative measure of the effect of several factors on the operating conditions of a given street when it is accommodating various traffic volumes. The measured factors include speed, travel time, traffic interruption, freedom to maneuver, safety, driving comfort and convenience, and operating costs. Levels of service are usually defined by speed and volume-to-capacity ratios. (From Highway Research Board, 1963, pp. 7 and 80).

"Level of service C is in the zone of stable flow, but speeds and maneuverability are more closely controlled by the higher volumes. Most of the drivers are restricted in their freedom to select their own speed, change lanes, or pass. A relatively satisfactory operating speed is still obtained, with service volumes perhaps suitable for urban design practice." (p.81)

Source: Highway Capacity Manual 1985, Highway Research Board, Special Report No. 87, Washington, D.C.

** Planning based on anticipation that 20' of additional R/W on each side of Coors Road will be acquired by the city at a future time.

APPENDIX A
PROPOSED
DEVELOPMENT GUIDELINES

INTRODUCTION

The development of each parcel of land in this Center will be subject to certain restrictive covenants which will be filed of record and will be part of every land sale and lease. The "Restrictive Covenants" will establish several important ways and means of ensuring orderly, attractive and lasting qualities which will preserve and enhance land values for all. These development guidelines will serve as the model for the "Restrictive Covenants" and do not necessarily represent the final form of the "Restrictive Covenants."

Among the important provisions of the covenants is the establishment of an "Architectural Review Committee" (ARC). The ARC is the reviewing body which ensures the proper interpretation of the general development plan and the performance of each piece to an overall design. The ARC is structured to protect the interests of all concerned parties. The committee is concerned with aesthetics, maintenance, operational aspects of the facility, community acceptance and the overall economics of the project. It is the responsibility and purpose of the ARC to set forth and administer certain development criteria and procedures — "Guidelines" — which are the basis upon which the ARC reviews and approves plans for site and architectural improvements.

PURPOSE

The primary objectives in establishing these development guidelines are:

- o To protect property values and enhance investment within the center by ensuring a well-planned and well maintained development.
- o To make a significant and pleasing contribution to the area and the whole community by ensuring a harmonious relationship with other buildings and sites in the center.
- o To minimize disturbing influences on neighboring properties.
- o To create a good working environment.

The development guidelines are structured to be both *general*, in the sense that guidelines are presented which refer to development considerations and procedures for all areas, and *specific*, so that a set of standards can be identified within a specific development parcel. The development guidelines refer to the owner's ultimate plans for the site. If future phases of expansion cannot be detailed when the initial site development plans are prepared, they will be reviewed in accordance with the criteria set forth in this document at the time they become definitive proposals.

ARCHITECTURAL REVIEW PROCEDURES

After the sale or lease of a parcel, detailed plans are prepared by individual project developers and submitted for approval by the ARC.

Submission of project plans to the ARC is made in three (3) sequential stages: Schematic, Preliminary and Final.

STAGE 1: SCHEMATIC (SCHEMATIC DESIGN DOCUMENTS)

The Schematic submission consists of sketch plans of the proposed project, including:

- A building location plan with dimensions
- Parking types and locations
- Relationship of new structures and parking to existing and adjacent structures
- Grading plan relating existing conditions both on-site and on adjacent property as appropriate to proposed development
- Proposed drainage
- Proposed utilities extensions
- Proposed location of trash collectors
- Conceptual landscaping plan
- Schematic building elevations indicating building materials and color

After the ARC has approved the schematic project plans, a request for Site Development Plan approval, as procedures set forth in the City of Albuquerque Comprehensive City Zoning Ordinance will be required.

STAGE II: PRELIMINARY (DESIGN DEVELOPMENT DOCUMENTS)

- o The Preliminary submission consists of more detailed plans reflecting the approved Schematic plans and including:
- o Details of site improvements, such as curbing, walks, fences, and transformers, special screening where applicable
- o Detailed grading and drainage plans
- o Location and details for signs and lighting
- o Detailed building plans
- o Exterior elevations to include heights, materials and exact finishes and colors
- o Roof apertures and equipment with suitable screening
- o Planting details indicating size and specie of all materials.

STAGE III: FINAL (CONSTRUCTION DOCUMENTS)

At the Final stage, working drawings and specification, reflecting the approved Preliminary Plans, are submitted for review and approval.

At the Final state, an actual, current budget estimate by a Landscape Architect for implementation of the proposed landscaping plan is required.

Design revisions occurring after final approval by the ARC shall be subject to review and approval by the Committee.

All Submissions to the ARC are to be made in *duplicate*.

The review of each submission by the ARC will be promptly carried out from the date of each submission; and notification of decision will be provided in writing. After approval by the ARC, the individual developer should submit the landscaping plan to the planning director for approval and issuance of a building permit.

SITE DEVELOPMENT -- GENERAL CRITERIA

GRADING

- o Any changes to site grades must conform to the existing or planned and approved new elevations of other properties in the site vicinity. Each site must be made to conform to existing grade conditions at its property line(s).

- o All slopes must be properly stabilized to avoid erosion.

DRAINAGE

- o Surface drainage must be collected on-site and not cause damage to adjacent properties as a result of development either during construction or after completion of project.
- o Off-site drainage must be considered carefully. Swales, berms or closed systems must be adequate to handle the entire drainage area.
- o Drainage will normally be collected by way of a closed system to connect with the overall drainage system of the center.
- o Drainage from roof areas should be channeled to downspouts and splash boxes or via a closed system for large roof areas.

LAND COVERAGE

- o Land coverage standards allow for a maximum of percent of the site to be covered by buildings and a maximum of percent of the site to be covered by paving and parking; a minimum of percent of the site to be devoted to landscaping and Open Space.
- o Specific site requirements, allowing for more or less coverage by buildings and/or parking, are provided to owners on a project-by-project basis by the ARC, at the time site-specific criteria are made available to the owner.

CIRCULATION

- o Truck loading facilities should be separated from employee and visitor circulation, residential areas and parking areas wherever feasible.

PLANTING

- o A unit amount according to the following table should be budgeted for trees that are 2½" in caliper or larger, and evergreens that are 6' in height or larger. All planting plans must be prepared by a qualified Landscape Architect. Cost estimates must be submitted to the ARC in Final submission stage, in order to substantiate the budget requirement. (See following table)

All major shade trees are to be selected from Appendix B, Section b.5 and b.6 (City of Albuquerque Comprehensive City Zoning Code)

No. of Acres	Budget Required Per Gross Acre
0-5	\$ 2,000.00/Per Acre
5-10	\$ 1,750.00
10+	\$ 1,500.00

(Budgets required include all costs for major shade trees and intermediate material [Pines, Crabapples, etc.]. Seeding and sodding, final grading and design fees are not a part of this budget. *All figures quoted above shall be subject to annual review by the ARC.*)

- o Landscaping plans must be comprehensive for an entire project.

STREET TREES

Street trees are planted by the Owners, according to master street tree plans. Such planting is implemented when construction is 90 percent complete in project area and in the closest most desirable planting season.

STREET LIGHTING

Arrangements for street lighting shall be made by the Owner, according to master plans. An assessment for street lighting is made on a front-footage basis, as outlined in the Agreement of Sale.

ENTRANCE SIGNS AND SPECIAL FEATURES

Identification entrance signs, and in certain cases, special landscaping and/or lighting will be installed by the Owner.

TEMPORARY SIGNS

Any temporary sign must be constructed in accordance with the criteria specified in the following examples. ARC temporary sign criteria for construction purposes are based on compliance with the City of Albuquerque comprehensive City Zoning Code. Signs must be on the construction site, shed or trailer. Signs conforming to the criteria need not be submitted to the ARC for approval. Temporary signs must be removed within fourteen (14) days after completion of construction. ARC criteria allow for no more than one (1) such sign per site.

CURBING

Concrete curbs are required at entrances off of public roads, and asphalt curbing is acceptable along interior roadways and parking areas. In all cases, adequate protection for trees from automobiles shall be provided by the use of curbs and/or bollards.

ARCHITECTURE -- GENERAL CRITERIA

THE BUILDING

o The shape of the building and the character of the architecture must be in harmony with the surrounding architectural development. This concept of harmony will be interpreted by the ARC to stem from the existence of other buildings in the vicinity which have had previous ARC approval. The elements to be considered are: (a) the size and shape of the buildings; (b) the range and quality of the materials used; (c) the treatment of the facades relative to fenestration, entrances, fascias, color; and (d) site and landscape treatment.

o Buildings must be designed to appear substantial and in no way temporary in nature. Materials used should support this intent; i.e., brick, well-finished concrete (pre-cast or poured in place), architectural block (painted standard concrete or cinderblock is not acceptable), standard well-designed metal sidings, and wood and glass were appropriate.

o All buildings must be considered in the round, i.e., since the buildings will be viewed from all sides, they cannot have a special treatment only on the front or entry, but an architectural concept must be consistent throughout.

o Within the basic architectural style, the following items will be of concern: (a) basic proportions of all elements; (b) the relationship of openings to their surroundings; (c) the appearance of all vents, louvers and other apertures, (d) the use of color, texture and other architectural devices (e) the treatment of flues, downspouts and like elements.

o All mechanical equipment must be screened from the view of adjacent roads with a parapet or other screening devices which are integral to the architecture of the building.

SERVICE AND STORAGE AREAS

To the extent that truck loading areas are designated in the building design, they shall be located in a way that would screen loading docks from the view of major public roads or adjacent residential or other public areas. Such screening can be done directly by the position of the docks relative to such viewing points or by the placement of landscaping devices such as planted mounds, fencing or other techniques. Outdoor storage areas will, in most cases, require opaque fencing in order to screen typically unsightly storage areas from public view. Where storage areas are not deemed to be visible but require security, chain link fences will be considered appropriate.

LIGHTING

All exterior lighting must be from concealed light sources so that adjoining properties will not be subject to glare, except where decorative fixtures are intended as part of the overall architectural and site plan. The choice of fixture, their location and color must be specified in both architectural and site development drawings and illustrated. All metal posts supporting exterior fixtures shall be of anodized aluminum or other material in the bronze to brown color range. Where entrances and pedestrian ways are indicated in the plan, special pedestrian scale lighting should be supplied

SIGNING AND GRAPHICS CRITERIA

The design and placement of signs and their proper illumination is considered important by the ARC, and it is strongly recommended that graphic designers be employed to augment the architect's skills in this regard. Corporate logos may be used in conjunction with the standard letter forms. The size and positioning of signs attached to or integral to building facades will be approved by the ARC. Signs must not project significantly from the building wall except as needed for structure or back lighting. No signs will be permitted to extend above roof or parapet line. Free-standing signs will be permitted to designate the identification of the building at points near the entrance or as otherwise approved by the ARC. No moving or flashing signs will be allowed.

All exterior signs or graphic elements of a project must have approval of the ARC prior to any installation.

All exterior signs or graphic elements must conform to the following criteria.

SINGLE TENANT BUILDING SIGNAGE

A-1 All buildings shall be allowed to have identity graphics on one to three faces of the building.

A-2 The maximum allowable sign area on any face of the building is limited to 100 sq. ft.

A-3 The copy on these signs is limited to building identification and/or tenant identification, logos, and type of business.

A-4 The minimum allowable cap height for this type of signage is determined by the building setback from the curb as follows:

0'-40'	8" min.
40'-60'	10" min.
60'-80'	12" min.
80'-100'	14" min.
100'-120'	16" min.

Add 2" cap height for every 20' of set back.

A-5 The maximum allowable cap height is 48".

A-6 The location of identity signs shall be determined by site lines, grading, and architectural finish. Signs are to be placed at least 10' above the finished grade and below the roof line. Signs are not to be placed on surfaces that vary in finished depth by more than 6".

Factors to consider in location:

1. Existing site lines
2. Existing planting
3. Future site plans
4. Future growth of plant material

A-7 Corporate typefaces and logos may be used. Where there is no corporate typeface Helvetica Medium or Craw Clarendon is to be used.

See Figure A-7

A-8 Types of signs that can be attached to the face of the building.

A-8-1

Pinned Off Letters . . .

The area of the sign shall be computed by the dimensions of the rectangle or square formed by the message.

See Figure A-8-1

Where pinned off letters are to be used the following minimums are required for returns:

Cap Height	Return
8" - 12"	1"
12" - 18"	2"
18" - 24"	3"
24" - 36"	4"
36" - 48"	6"

Pinned off letters are to be set off the face of the building as follows:

Cap Height	Return
8" - 12"	1" to 1½"
12" - 18"	1" to 2"
18" - 24"	1½" to 2½"
24" - 36"	2" to 3"
36" - 48"	2½" to 4"

Pinned off letters must be made of bronze, stainless steel, or aluminum. Internally illuminated letters are to have acrylic faces. The faces are to be flush with the edge of the return or recessed. The returns must have non-metallic finish. All letters within a sign are to be the same color. The face of an internally illuminated letter may be a different color than the metal returns. It must be a solid color.

A-8-2

Box/Panel Signs

Box/Panel Signs must be constructed of fiberglass, wood or metal and finished to meet standard electrical codes. The dimensions of the box/panel can never exceed 24 square feet of sign face and must be at least 3 inches deep. All box/panel signs must be mounted 2-4 inches from the face of the wall.

In all cases the background color must be darker than the message or graphic elements of a box/panel sign. Returns must be finished to match background color.

Faces must be sub-surface fiberglass, acrylic, or cut metal backed up with white acrylic for internally illuminated box panels.

Faces may be sub-surface fiberglass, painted metal, or acrylic for non-illuminated or externally lighted box/panel signs.

A-9 Signage may be illuminated by one of the following methods:

1. Pinned off letters may be back-lighted.
2. Individual letters may be internally illuminated
3. Ground lighting.
4. Wall Washers.
5. Illuminated Box signs. Background color must be darker than the verbal message and graphics.
6. Exposed neon shall not be permitted.

NOTE: All electrical conduits, transformers, raceways, wires, etc., must be concealed behind the face of the building.

SINGLE TENANT FREESTANDING SIGN

B-1 All buildings shall be allowed to have a freestanding sign at each entry point.

B-2 The height of a freestanding sign and its structure is limited to 4 feet. The minimum depth of a freestanding sign is 6". The maximum allowable sign area is 24 square feet on a single face. A double faced sign is allowed to have 24 square feet of sign area per face.

B-3 Freestanding signs must be set back from the road right-of-way one foot for every square foot of sign area on the largest face of the sign. See Figure B-3.

B-4 Copy of freestanding sign is limited to building identification, and/or tenant identification, logos, and the type of business.

B-5 Corporate typefaces and logos may be used. Where there is no corporate typeface Helvetica Medium or Craw Clarendon is to be used. If the building has signing on the facia and a freestanding sign the typeface must be the same.

B-6 The background color of a freestanding sign must be darker than the copy.

B-7 The edges, back, and supporting structure are to be the same color as the background.

B-8 Freestanding signs may be internally illuminated or ground lighted.

MULTI-TENANT BUILDINGS

C-1 Building identification for multi-tenant buildings shall conform to the same criteria established for single tenant buildings.

C-2 Secondary tenant identification shall be considered as a whole system common to the building. Signs of secondary nature shall be granted for individual tenant entrances to the same building. Where individual tenants do not have individual entrances a grouping of tenant identities will be allowed.

The size and number of identity signs allowed will be judged as to how they relate to the whole building signing system - as approved by the Architectural Review Committee. The signs must be alike in size, materials, color, finish, and typeface.

C-3 A general tenant directory must be installed when tenant entries are not readily apparent. The tenant directory must be visible from the main entries to a multi-tenant building.

Applicable West Side Strategic Plan Resolutions

CITY of ALBUQUERQUE

SEVENTEENTH COUNCIL

COUNCIL BILL NO. R-07-255

ENACTMENT NO. 111-2007

SPONSORED BY: Michael Cadigan, by request

RESOLUTION

1
2 SECTOR DEVELOPMENT PLAN AMENDMENT 07EPC-00122, AMENDING THE
3 WEST SIDE STRATEGIC PLAN TO DESIGNATE TRACTS X1A1, X1A2, AND
4 X2A, UNIVERSITY OF ALBUQUERQUE URBAN CENTER, LOCATED ON THE
5 NORTH AND SOUTH SIDES OF ST. JOSEPH'S DRIVE NW AND WEST OF
6 COORS BOULEVARD NW, AS A COMMUNITY ACTIVITY CENTER FOR THE
7 LADERA COMMUNITY AND AMENDING THE TEXT OF THE PLAN TO REFLECT
8 THE DESIGNATION.

9 WHEREAS, the Council, the Governing Body of the City of Albuquerque,
10 has the authority to adopt and amend plans for the physical development of
11 areas within the planning and platting jurisdiction of the City authorized by
12 statute, Section 3-19-3, NMSA 1978, and by its home rule powers; and

13 WHEREAS, the City of Albuquerque adopted the West Side Strategic Plan,
14 a Rank II Area Plan, in 1997 through Council Resolution R-51, Enactment
15 Number 35-1997; and

16 WHEREAS, the Council has the authority to not only adopt but amend such
17 a plan; and

18 WHEREAS, on April 12, 2007, the Environmental Planning Commission, in
19 its advisory role on land use and planning matters, recommended approval to
20 the City Council of an amendment to the West Side Strategic Plan, a Rank II
21 Area Plan, to designate Tracts X1A1, X1A2, and X2A, University of
22 Albuquerque Urban Center, located on the north and south sides of St.
23 Joseph's Drive NW and west of Coors Boulevard NW, as a Community Activity
24 Center for the Ladera Community and amending the text of the Plan to reflect
25 the designation; and

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1 WHEREAS, the Environmental Planning Commission found the above West
2 Side Strategic Plan amendment was consistent with applicable
3 Comprehensive Plan and West Side Strategic Plan goals, objectives, and
4 policies.

5 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
6 ALBUQUERQUE:

7 Section 1. WEST SIDE STRATEGIC PLAN, A RANK II AREA PLAN,
8 AMENDED. The West Side Strategic Plan, a Rank II Area Plan, is amended to
9 designate Tracts X1A1, X1A2, and X2A, University of Albuquerque Urban
10 Center, located on the north and south sides of St. Joseph's Drive NW and
11 west of Coors Boulevard NW, as a Community Activity Center for the Ladera
12 Community and amending the text of the Plan to reflect the designation.

13 Section 2. FINDINGS ACCEPTED. The following findings for the West Side
14 Strategic Plan amendment are adopted by the City Council:

- 15 1. This request is for a text amendment to the West Side Strategic
16 Plan to designate Tracts X1A1, X1A2 and X2A, University of
17 Albuquerque Urban Center, an approximately 57-acre site, located
18 at the NW and SW quadrants of the Coors Boulevard/St. Joseph's
19 Drive intersection, as a Community Activity Center.
- 20 2. This request is accompanied by an amendment to the University
21 of Albuquerque Sector Plan (07EPC-00115), a site development
22 plan for subdivision (07EPC-00114), and a site development plan
23 for building permit (07EPC-00121).
- 24 3. The Comprehensive Plan's Established Urban Area goal and
25 policies a, d, e, i, and j are furthered because the designation as a
26 Community Activity Center will provide a complementary mix of
27 commercial, office and employment uses in an area that can
28 accommodate these uses and where the needed infrastructure is
29 in place to support them.
- 30 4. The Comprehensive Plan's Activity Center:
 - 31 a. Goal and policy a are furthered because commercial and office
32 uses are allowed on the site and high-density and moderate-
33 density multi-family and single-family uses surround the site. The

- 1 addition of employment and service uses at this location will help
2 contribute to a sustainable development pattern by balancing the
3 mix of residential and commercial uses.
- 4 b. Policies d and e are partially furthered because the acreage of the
5 subject site is slightly higher than what is called for in a
6 Neighborhood Activity and the uses will serve a larger geographic
7 area. The site's size and proposed mix of uses reflects a hybrid of
8 Neighborhood Activity Center and Community Activity Center
9 objectives.
- 10 c. Policies e and i are partially furthered because the subject site
11 meets some of the criteria for designation as an activity center.
12 Although high-density residential uses may not be located in the
13 Activity Center, the site is surrounded by moderate density
14 residential development and area schools are currently at or over
15 capacity.
- 16 d. The Coors/Western Trail Neighborhood Activity Center will still be
17 designated as the Neighborhood Activity Center for the area. It
18 will retain the existing SU-3 zoning, which allows moderate
19 density residential, office, neighborhood scale retail uses, in
20 addition to residential uses.
- 21 5. An AQIA was required and was provided to the City on 3/7/07. The
22 Comprehensive Plan's Air Quality goal and policy b are furthered
23 because according to the AQIA analysis provided by the City's Air
24 Quality Division, the proposed development is "not expected to
25 cause or contribute to any air quality exceedance." Policies d and
26 i are only partially furthered since the level of service at the
27 Coors/St. Joseph's intersection is poor, as indicated in the TIS.
28 These policies will be completely furthered if the TIS mitigation
29 recommendations are implemented.
- 30 6. The Comprehensive Plan's Noise goal is partially furthered
31 because the subject site is currently vacant and generates little if
32 any additional noise for neighboring residents. Additional noise

- 1 will be generated by the development of the site under the
2 existing (and proposed) zoning.
- 3 7. The Comprehensive Plan's Community Identity and Urban Design
4 policy d is furthered because the designation as a Community
5 Activity Center will contribute to a more effective interface
6 between the adjacent residential uses and the proposed office
7 and commercial uses. The site is relatively open and easily
8 accessible by various modes of transit. The Neighborhood
9 Activity Center's existing location has limited accessibility
10 because it has developed primarily with residential uses, walls,
11 and cul de sacs. The designation as a Community Activity Center
12 and the proposed development will both contribute to a livelier
13 neighborhood with more opportunity for on-street interaction,
14 which is desired within activity centers.
- 15 8. The Comprehensive Plan's Transportation and Transit goal is
16 furthered because the adjacent roadways are designated to
17 support a mix of commercial, office, and institutional
18 development. The proposed office and commercial uses are
19 desired in this area of the community and may help to reduce the
20 number of cross-river trips for west side residents seeking goods,
21 services, and employment.
- 22 9. This request furthers West Side Strategic Plan goals, objectives,
23 and policies:
- 24 a. Goal 12 and Objectives 1, 4, and 8 are furthered because the
25 designation as a Community Activity Center will provide more
26 area for a mix of neighborhood and community oriented uses that
27 will more effectively interface with existing residential uses. The
28 allowed uses will help to balance the jobs/housing ratio, which
29 contributes to a sustainable community and may reduce the
30 number of cross-town trips for area residents.
- 31 b. Policy 1.5 is furthered because pedestrian and bicycle
32 connections through and adjacent to the site are illustrated on the
33 accompanying site development plan for subdivision.

- 1 c. Policy 1.9 and 1.10 are furthered because the subject site
2 (Coors/St. Joseph's area) will be designated as a Community
3 Activity Center because it is approximately 57- acres in size,
4 which is larger than a typical Neighborhood Activity Center but
5 smaller than a typical Community Activity Center. This request is
6 justified because the allowed uses will balance the surrounding
7 residential development. The existing Neighborhood Activity
8 Center at Coors/Western Trail has developed primarily with
9 single-family residential uses, which makes the remaining vacant
10 areas less likely to develop with a complete mix of commercial
11 and office uses as desired.
- 12 d. Policies 1.13 and 1.14 are furthered because the site's zoning
13 allows a mix of commercial, retail, service, and employment uses
14 and will function as the hub of activity for the surrounding area.
15 The site is approximately mid-way between two Community
16 Activity Centers, one at Coors/Montano and the other at Coors/I-
17 40.
- 18 e. Policy 3.21 is furthered because community and neighborhood-
19 scale commercial development, which is not strip development, is
20 proposed north (and south) of St. Joseph's Drive on Coors.
- 21 f. Ladera Community policies 3.23 and 3.25 are furthered because
22 the proposed development will locate commercial services near
23 the existing residential and public facilities that already exist in
24 the Ladera Community. Strip commercial development is not
25 proposed and the site is accessible to area residents via bike
26 lanes, sidewalks, and transit.
- 27 g. The proposed designation as a Community Activity Center
28 furthers the objectives of the Ladera Community because the
29 proposed uses will contribute to the mix of commercial, retail,
30 service, and employment uses.
- 31 10. The following Recognized Neighborhood Associations were
32 notified of this request: Villa De Paz H.O.A., Oxbow Village H.O.A.,
33 St. Joseph Townhouse Association, Story Rock H.O.A., Vista

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1 Grande, West Bluff, La Luz Del Sol, La Luz Landowners
2 Association, Ladera West, Quaker Heights, and Taylor Ranch. A
3 facilitated meeting was held on Monday February 26 at 7pm at
4 Cross of Hope Lutheran Church, 6104 Taylor Ranch Road, NW.

5 There is general neighborhood support for this request.

6 Section 3. CONDITIONS ACCEPTED. The following conditions for the
7 West Side Strategic Plan amendment are adopted by the City Council:

8 1. The text changes beginning on page 97 of the West Side Strategic
9 Plan shall read:

10 "Ladera Community

11 The Ladera community encompasses 2,926 acres, of which 40
12 percent is vacant. Major existing streets are Coors Boulevard and Atrisco.
13 Ladera and Ouray provide east/west access through the community.

14 Population is projected to increase substantially in the Ladera
15 community – from 10,730 in 1995 to 19,283 in 2020. Based on its
16 geographic size and buildout population, the Ladera community could
17 support two Neighborhood Centers. Its projected population in 2020 is less
18 than the minimum population required to support a community retail
19 center.

20 Employment growth from 3,458 to 9,482 is projected during the 1995
21 to 2020 time period. Significant growth is projected for all sectors, with
22 over 70 percent of total employment in 2020 in the service sector.

23 Coors Boulevard Community Center

24 Substantial community scale development currently exists in a strip
25 along Coors Boulevard – a commercial and service oriented strip that,
26 because of its location, serves the entire northwest mesa. Because of the
27 substantial retail development in place along Coors, functions that would
28 be located in a Neighborhood Center are provided in this area at a
29 Community scale. Therefore, this community center should focus on other
30 types of activities and minimize new retail development.

31 A significant portion of existing retail space in shopping
32 centers is occupied by service businesses. This trend would be
33 expected to continue as retail opportunities are provided in other

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1 communities and as traffic patterns change in response to
2 transportation improvements.

3 Community area: 2,926 acres

4 2020 population served: 19,283

5 2020 Employment: 9,482

6 Center area: 91

7 Potential uses: Retail, service, higher density housing

8 Coors/St. Joseph's Community Center (proposed development straddling
9 St. Joseph's Drive on Coors)

10 Area of surrounding neighborhoods: 1,226 acre

11 2020 population served: 8,901

12 2020 employment: 7,407

13 Center area: 57 acre

14 Potential uses: Convenience retail, service; fringe area will
15 contain public/institutional (St. Plus X High School), medium
16 and high density housing, and services.

17 1. Encourage higher density housing on vacant parcels along
18 Coors to provide a mix of land uses and increase the
19 residential base of the Ladera community.

20 2. Provide pedestrian amenities to improve the pedestrian
21 environment along this section of Coors.

22 2. The Activity Center maps shall be amended to show a new
23 Community Activity Center at the subject site (Tracts X1A1, X1A2
24 and X2A, University of Albuquerque Urban Center)".

25 Section 4. EFFECTIVE DATE AND PUBLICATION. This legislation shall
26 take effect ninety days after publication by title and general summary.

27 Section 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
28 clause, word or phrase of this resolution is for any reason held to be invalid or
29 unenforceable by any court of competent jurisdiction, such decision shall not
30 affect the validity of the remaining provisions of this resolution. The Council
31 hereby declares that it would have passed this resolution and each section,
32 paragraph, sentence, clause, word or phrase thereof irrespective of any
33 provisions being declared unconstitutional or otherwise invalid.

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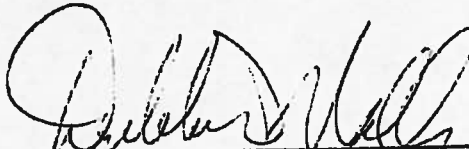
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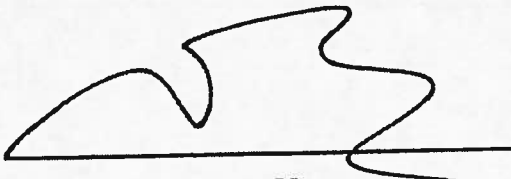
1 PASSED AND ADOPTED THIS 17th DAY OF September, 2007
2 BY A VOTE OF: 8 FOR 0 AGAINST.

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5 Excused: Harris

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9 Debbie O'Malley, President
10 City Council

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13 APPROVED THIS 24th DAY OF September, 2007

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16 Bill No. R-07-255

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20 Martin J. Chávez, Mayor
21 City of Albuquerque

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24 ATTEST: 

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27 City Clerk

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**CITY of ALBUQUERQUE
SIXTEENTH COUNCIL**

COUNCIL BILL NO. F/S R-05-297 ENACTMENT NO. R-2005-177

SPONSORED BY: **MICHAEL CADIGAN**

RESOLUTION

**AMENDING THE WEST SIDE STRATEGIC PLAN TO INCLUDE A POLICY TO
DISCOURAGE ZONE MAP AMENDMENTS FROM NON-RESIDENTIAL USES TO
RESIDENTIAL USES; PROVIDING REQUIREMENTS FOR SUCH
AMENDMENTS.**

**WHEREAS, the West Side Strategic Plan area lacks the commercial,
institutional and office uses to support the growing number of residential
units in that area; and**

**WHEREAS, the recent zone map amendments have allowed additional
residential uses and have eliminated zoning for potential employment areas;
and**

**WHEREAS, the absence of an appropriate mix of land uses causes traffic
congestion and degradation of air quality, and negatively impacts the quality
of life of West Side residents.**

**BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
ALBUQUERQUE:**

**1. The West Side Strategic Plan adopted March 17, 1997 and thereafter
amended, page 37, paragraph 3 is amended as follows:**

**"The design and location of future commercial/mixed-use developments
will be important to the overall character of each area. The intent of strip
commercial policies within the Plan is to concentrate commercial development
in clusters within Community and Neighborhood Centers, rather than in long
strips along roadways. There are more opportunities for commercial
development beyond the Centers, so zone changes to non-residential use
outside the centers identified in this Plan should only be allowed through
careful consideration as outlined in policy 1.9. Zone changes from non-**

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1 residential to residential uses outside the centers should be encouraged
2 except where area schools are at or over capacity. In cases where area
3 schools are at or over their designed capacity, zone changes from non-
4 residential to residential uses should be denied unless the applicant
5 demonstrates that the proposed development will create no net increase in
6 enrollment for area schools (e.g., senior housing).

7 Many Albuquerque Public Schools, primarily on the west side, are at or
8 over capacity. Increased residential development on the west side is not
9 encouraged where the area schools are at or over capacity. The approval of
10 residential subdivisions and zone changes to residential or higher density
11 residential zoning should only be allowed through careful consideration as
12 outlined in policies 1.3 and 2.5 and when APS has provided a viable solution
13 for affected schools. "

14 2. Policy 1.3 on page 38 of the West Side Strategic Plan is amended as
15 follows:

16 "Strip commercial developments shall not be approved on the West Side.
17 Commercial development shall occur in concentrated clustered areas rather
18 than new strip developments. Zone changes to commercial, industrial, or
19 office uses for areas outside the centers are strongly discouraged, in order to
20 reinforce the neighborhood and Community Centers. Changes of commercial
21 and office zoning outside the centers to residential use is encouraged except
22 where area schools are at or over design capacity. In cases where area
23 schools are at or over their designed capacity, zone changes from non-
24 residential to residential uses should be denied unless the applicant
25 demonstrates that the proposed development will create no net increase in
26 enrollment for area schools (e.g., senior housing). This policy is meant to
27 impact the design and layout of commercial areas and their connections to
28 adjacent development and to encourage clustering of commercial and office
29 uses in activity centers. It is not intended to rezone allowed commercial
30 uses."

31 3. Policy 2.5 on page 46 of the West Side Strategic Plan is amended as
32 follows:

1 "When considering approval of subdivisions or site development plans for
2 residential development or zone changes to residential or higher density
3 residential, the City Planning Department shall consider whether local public
4 schools have sufficient capacity to support the increased number of homes. If
5 area schools are at or over their designed capacity, then the requested action
6 should be denied unless the applicant demonstrates that the proposed
7 development will create no net increase in enrollment for area schools (e.g.,
8 senior housing)."
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1 PASSED AND ADOPTED THIS 21st DAY OF November 2005
2 BY A VOTE OF: 6 FOR 0 AGAINST.
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4 Excused: Cummins, Gomez, Mayer
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6 Brad Winter
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8 Brad Winter, President
9 City Council
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13 APPROVED THIS 5 DAY OF December, 2005
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16 Bill No. F/S R-05-297
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18 [Signature]
19 Martin J. Chavez, Mayor
20 City of Albuquerque
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24 ATTEST:
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26 Millie Santillana
27 City Clerk
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CITY of ALBUQUERQUE

FOURTEENTH COUNCIL

COUNCIL BILL NO. R-01-278ENACTMENT NO. 35-2002SPONSORED BY: Alan B. Armijo

RESOLUTION

1
2 **ADOPTING AMENDMENTS TO THE WEST SIDE STRATEGIC PLAN TO HELP**
3 **PROMOTE DEVELOPMENT OF NEIGHBORHOOD AND COMMUNITY ACTIVITY**
4 **CENTERS.**

5 **WHEREAS, The City Council, in adopting the West Side Strategic Plan**
6 **(WSSP) in March 1997, called for design guidelines for activity centers to be**
7 **developed as a follow-up, and**

8 **WHEREAS, The Planning Department has engaged in preparation of various**
9 **forms of proposed design and development guidelines to create west side**
10 **activity centers as a response to the somewhat random patterns of commercial,**
11 **office, institutional and industrial development, and**

12 **WHEREAS, boundaries of some of the centers established by the WSSP**
13 **were larger than called for in policies of the Plan, and some require adjustment**
14 **in order to function more effectively, and**

15 **WHEREAS, the WSSP proposes village and community centers that**
16 **emphasize mixed land use activities and site planning, access, parking and**
17 **circulation that is more pedestrian, bicycle and transit friendly than development**
18 **that has been occurring on Albuquerque's west side, and**

19 **WHEREAS, the WSSP seems to give some conflicting direction with regard**
20 **to developing design policies, notably that policies should be prepared to**
21 **implement the centers while in another section calling for design guidelines to**
22 **be applied to all commercial development on the west side, and**

23 **WHEREAS, to actually develop vital community activity centers at particular**
24 **locations, it is necessary to provide realistic public incentives to private**
25 **development, and**

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1 WHEREAS, while the WSSP calls for development of significant employment
2 opportunities mainly in three locations - Seven Bar, Atrisco Park and, in the
3 longer term, the Double Eagle II Airport area it doesn't emphasize the need for a
4 mixture of office, retail and entertainment uses in centers to encourage
5 employment other than retail jobs, and

6 WHEREAS, the WSSP does not include specific policy with regard to
7 breaking up large parking areas into smaller lots or to enabling the later addition
8 of structured parking and greater intensity of uses, nor does it adequately
9 include the market area effects of Rio Rancho and other jurisdictions in locating
10 village and community centers, and

11 WHEREAS, the WSSP refers to Regional, Community, Village, and
12 Employment centers, Community and Village Cores and adjacent areas while
13 other plan/policy documents use other terms and definitions for centers, and

14 WHEREAS, the WSSP has no specific policy that allows consideration of
15 amendments to activity center boundaries or addition of new centers as
16 conditions evolve, nor does it specifically require that activity centers be
17 located/designated where transportation infrastructure is planned to be adequate
18 for support of the scale and intensity of the centers, and

19 WHEREAS, adjacent areas as presently treated in the WSSP are not
20 sufficiently inclusive of all possible land uses which might be effective adjacent
21 to core areas, do not speak to the relationship between residential and
22 commercial uses, and the way they are mapped is arbitrary and often too big to
23 defend as being adjacent, and

24 WHEREAS, the WSSP designates some centers which do not appear well-
25 advised, and others which are significantly larger than called for in the policies
26 of the Plan, and

27 WHEREAS, the WSSP does not identify specific incentives which the City
28 and/or County could use to support the creation of activity centers, and

29 WHEREAS, imposing special design requirements or guidelines on only west
30 side centers would likely be viewed by developers as more a disincentive than
31 an incentive, causing many to opt for developing commercial and mixed uses in
32 other, non-designated locations which do not carry the same requirements, and

1 WHEREAS, a special EPC Task Force was formed to develop tools for
2 implementation of the WSSP with regard to the village and community centers
3 concept in response to the City Councils' directive, and

4 WHEREAS, the special EPC Task Force and Planning Department staff held
5 three public meetings on the West Side to review its conclusions and
6 recommendations with interested parties, responded to issues raised in the
7 meeting, and distributed the proposed amendments to commenting agencies for
8 additional review before finalizing the proposed amendments; and

9 WHEREAS, the West Side Strategic Plan is essential to preserve the health,
10 safety and property values of west side residents.

11 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
12 ALBUQUERQUE THAT:

13 SECTION 1. The text, policy and map amendments to the West Side
14 Strategic Plan, attached hereto and made a part hereof, are herewith adopted.

15 SECTION 2. Amendments to the West Side Strategic Plan that are outside
16 of a comprehensive amendment process shall be discouraged.

17 SECTION 3. The West Side Strategic Plan amendments attached hereto are
18 recommended to the Bernalillo County Planning Commission and Board of
19 County Commissioners.

20 SECTION 4. The West Side Strategic Plan is a Rank 2 Plan and its provisions
21 shall be mandatory except where they conflict with existing zoning.

22 SECTION 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
23 clause, word or phrase of this resolution is for any reason held to be invalid or
24 unenforceable by any court of competent jurisdiction, such decision shall not
25 affect the validity of the remaining provisions of this resolution. The Council
26 hereby declares that it would have this resolution and each section, paragraph,
27 sentence, clause, word or phrase thereof irrespective of any provisions being
28 declared unconstitutional or otherwise invalid.

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1 PASSED AND ADOPTED THIS 8th DAY OF MAY, 2002
2 BY A VOTE OF: 8 FOR 1 AGAINST.

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4 Yes: 8

5 No: Cummins
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11 Brad Winter

12 Brad Winter, President
13 City Council
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17 APPROVED THIS 24 DAY OF may, 2002

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19 BILL No. R-02-278

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21 [Signature]

22 Martin Chávez, Mayor
23 City of Albuquerque
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25 ATTEST:

26 [Signature]

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28 City Clerk
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Existing & Proposed Zoning

§ 14-16-2-24 SU-3 SPECIAL CENTER ZONE.

This zone allows a variety of uses controlled by a plan which tailors development to an Urban Center; these include centers of employment, institutional uses, commerce, and high density dwelling.

- (A) **Control.** Any use consistent with the master plan and specified by a duly adopted Sector Development Plan is permitted. Specifications contained in the Sector Development Plan shall control. However, if a matter controlled in the R-3 or C-2 zones is not mentioned in the Sector Development Plan, then the provisions of the R-3 zone shall be applicable for residential uses and the provisions of the C-2 zone shall be applicable for nonresidential uses.
- (B) **Procedure for Total Urban Center.** Procedure for the total Urban Center, in addition to that specified in § 14-16-4-3 of this Zoning Code, shall be as follows:
- (1) An application for SU-3 shall include a proposed Sector Development Plan.
 - (2) The City Council or other approval body shall follow the procedures of § 14-16-4-1(C). The zone shall not be approved without approving a Sector Development Plan.
- (C) **Procedure for Individual Premises within the Total Urban Center.** All uses and structures must have a Site Development Plan and, if relevant, a Landscaping Plan, each approved by the Planning Director.
- (1) These shall be approved only when they are consistent with the Sector Development Plan.
 - (2) The Planning Director or a designee may approve site plans for park-and-ride temporary facilities.
- (D) **Open Space.** The amount of open space required per dwelling and the alternatives for satisfying the requirement shall be stated in the Sector Development Plan for each SU-3 zone mapped in an area not designated by the master plan as Redeveloping or Established Urban.
- (E) **Large Retail Facility Regulations.** Any site containing a large retail facility, as defined in § 14-16-1-5 of the Zoning Code, is subject to the special development regulations for large retail facilities as provided in § 14-16-3-2 of the Zoning Code unless the site is governed by a Rank III Plan that contains design regulations or other similar standards applicable to retail development, as determined by the Planning Director, then the regulations of the Rank III Plan shall apply.

('74 Code, § 7-14-32) (Ord. 80-1975; Am. Ord. 77-1984; Am. Ord. 12-1990; Am. Ord. 58-1995; Am. Ord. 23-2007; Am. Ord. 19-2010; Am. Ord. 2012-036)

§ 14-16-2-9 R-T RESIDENTIAL ZONE.

This zone provides suitable sites for houses, townhouses, and uses incidental thereto in the Established and Central Urban areas.

(A) Permissive Uses.

- (1) Uses permissive in the R-1 zone, except:
 - (a) Agricultural animal keeping (see § 14-16-2-6(A)(2)(b)) is not permitted;
 - (b) Front yard parking of recreational vehicles (§ 14-16-2-6(A)(2)(h)3.) is not permitted;
 - (c) Hobby breeders (see § 14-16-2-6(A)(2)(k)) are not permitted; and
 - (d) Houses are not limited to one per lot.
- (2) Townhouses.

(B) Conditional Uses. Uses conditional in the R-1 zone.**(C) Height.** Structures shall not exceed 26 feet in height, except as provided in § 14-16-3-3 of this Zoning Code.**(D) Lot Size.**

- (1) For a townhouse, except as provided in division (2) below, minimum lot area shall be 2,200 square feet per dwelling unit; minimum lot width shall be 22 feet per dwelling unit.
- (2) For a townhouse in a Family Housing Development or for a townhouse with vehicle access only to the rear yard from an alley, minimum lot area shall be 1,760 square feet; minimum lot width shall be 18 feet.
- (3) For a house, except as provided in division (4) below, minimum lot area shall be 3,600 square feet per dwelling unit; minimum lot width shall be 36 feet.
- (4) For a house in a Family Housing Development or for a house with vehicle access only to the rear yard from an alley or for a lot with a detached garage located in the rear yard and accessed by a driveway with a maximum width of 12 feet in the front yard and in the side yard abutting the side of the dwelling, minimum lot area shall be 2,880 square feet; minimum lot width shall be 29 feet.

(E) Setback.

- (1) There shall be a front-yard setback of not less than 15 feet except driveways shall be not less than 20 feet long.
- (2) For lots created after January 1, 2005 and for lots granted conditional use approval, if one of the following conditions is met, then there shall be a front yard setback of not less than 10 feet:
 - (a) Vehicle access is only to the rear yard from an alley, or

- (b) The garage is set back not less than 25 feet and comprises no more than 50% of the width of the street-facing building facade and driveways and off-street parking areas cover no more than 60% of the area of the front yard.
- (3) There shall be no required side-yard setback except:
 - (a) There shall be ten feet on the street side of corner lots.
 - (b) There shall be five feet from a side lot line that separates the R-T zone from another zone.
- (4) There shall be a rear-yard setback of:
 - (a) Not less than 15 feet; or
 - (b) For houses with offset rear lot lines, not less than five feet, provided that the average rear yard setback is not less than 15 feet. Such reduced setbacks are allowed only when approved by the Planning Director and specified on a subdivision plat for not less than two back-to-back lots.
 - (c) For lots created after January 1, 2005, if alleys are provided, either a second story heated space or the rear yard wall or fence shall provide a view of the alley.
- (5) There shall be a distance of not less than ten feet between residential buildings.

(F) Off-Street Parking.

- (1) Off-street parking spaces shall be as provided in § 14-16-3-1 of this Zoning Code.
- (2) Maximum front yard setback area that can be an improved parking and maneuvering area: 85%, but no more than 22 feet in width or the width of the front of the garage, whichever is wider, perpendicular to the curb.
- (3) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.

(G) Usable Open Space.

- (1) Usable open space shall be provided on-site at 750 square feet per house, 650 square feet per house on a lot with vehicle access only to the rear yard from an alley or on a lot with a detached garage located in the rear yard and accessed by a driveway with a maximum width of 12 feet in the front yard and in the side yard abutting the side of the dwelling, 550 square feet per townhouse dwelling unit, and 360 square feet per townhouse dwelling unit on a lot with vehicle access only to the rear yard from an alley.
- (2) Where an aggregate of two or more dwelling units is constructed on any given lot, the development shall include landscaping of the ground-level usable open space planted and maintained according to a landscaping plan approved by the Zoning Enforcement Officer.

- (H) Dwelling Units Per Building.** Where the rear yard(s) of townhouse units abut the rear or side yard areas of lots zoned specifically for houses, no more than two townhouse units per residential building shall be permitted.

- (I) **Materials.** Barbed tape, razor wire, barbed wire or similar materials are prohibited except at public utility structures and Albuquerque Police Department or Transit Department Facilities.

('74 Code, § 7-14-13) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 38-1978; Am. Ord. 23-1979; Am. Ord. 54-1980; Am. Ord. 92-1980; Am. Ord. 3-1986; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 69-1990; Am. Ord. 4-1995; Am. Ord. 15-1999; Am. Ord. 44-2005; Am. Ord. 17-2007; Am. Ord. 19-2010; 2013)

§ 14-16-2-15 O-1 OFFICE AND INSTITUTION ZONE.

This zone provides sites suitable for office, service, institutional, and dwelling uses.

(A) Permissive Uses.

- (1) Antenna, up to 65 feet in height.
- (2) Beauty shop, barber shop.
- (3) Church, or other place of worship, including the usual incidental facilities. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code.
- (4) Club, provided there is no liquor license.
- (5) Community residential program except not either Community residential corrections program or Community residential program for substance abusers: up to 18 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (6) Dwelling unit (house, townhouse, or apartment) constituting up to 25% of the gross floor area on the premises, provided usable open space is provided on-site in an amount equal to 400 square feet for each efficiency or one-bedroom dwelling unit, 500 square feet for each two-bedroom dwelling unit, and 600 square feet for each dwelling unit containing three or more bedrooms. If located in an area designated by the master plan as "Developing" or "Semi-Urban," the total open space requirement of the R-D or RA-1 zone, respectively, shall also be met.
- (7) Incidental uses within a building, most of which is occupied by offices and/or dwelling units, such as news, cigar or candy stand, restaurant, personal-service shop, and the like, provided the incidental uses comply with the following:
 - (a) The use is intended primarily for the use of the occupants of the structure.
 - (b) At least 10,000 square feet of floor area are contained in the structure.
 - (c) The use is limited to a maximum of 10% of the total floor area.
 - (d) The use is so situated within the structure that it is not directly accessible from a public right-of-way.
 - (e) A sign or window display relating to the use is not discernible from a public right-of-way, except that a portable sign shall be allowed per small business pursuant to the General Signage Regulations.
- (8) Institution, including library, museum, nursing or rest home, school, day care center, except not hospital for human beings, sanatorium, or disciplinary or mental institutions.
- (9) Medical supplies and services, such as drug prescription and supply shop, physical therapy office, or shop for fabricating and fitting prosthetic or correcting devices, or medical or dental laboratory.
- (10) Office.

- (11) Park-and-ride temporary facilities.
- (12) Parking lot, providing it complies with the following:
 - (a) Paving, all of which shall be maintained level and serviceable.
 - 1. The lot must be graded and surfaced with one of the following:
 - a. Blacktop or equal: Two inches of asphalt concrete on a prime coat over a four inch compacted subgrade, or a surface of equal or superior performance characteristics.
 - b. For parking lots of 20 or fewer spaces, Gravel: A layer at least two inches thick of gravel sized from 3/8 minimum to one inch maximum diameter, at least ½ inch of which shall be maintained on the surface; gravel shall be kept off the right-of-way.
 - 2. If street curbs and gutters exist adjacent to the parking lot property on a side where lot egress is allowed, the surfacing shall be blacktop for the width of the egress drive(s) and shall extend inward from the property line a minimum of 25 feet along all normal lines of egress traffic flow from the lot.
 - (b) The lot shall have barriers which prevent vehicles from extending over the sidewalk or abutting lots, or beyond the sides of a parking structure.
 - (c) A solid wall or fence at least six feet high shall be erected on sides which abut land, other than public right-of-way land, in a residential zone. (See also § 14-16-3-10 of this Zoning Code.) However:
 - 1. Such wall or fence shall be three feet high in the area within 11 feet of a public sidewalk or planned public sidewalk location.
 - 2. If the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by the same process and criteria required for a conditional use.
 - (d) In a parking structure there shall be a six-foot solid wall on every parking level where the structure is within 19 feet of privately owned land in a residential zone.
 - (e) Ingress or egress shall be designed to discourage parking lot traffic from using local residential streets for more than 150 feet, unless no reasonable alternative is available.
 - (f) A parking lot hereafter developed shall include landscaping planted and maintained according to a Landscaping Plan approved by the Planning Director; however, the Planning Commission may waive this requirement where it is found not useful to achieving the intent of this Zoning Code.
- (13) Photocopy, photography studio, except adult photo studio.
- (14) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.

(15) Radio or television studio.

(16) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:

(a) Location.

1. Only wall signs, canopy signs, and free-standing or projecting signs are permitted.
2. A sign may not overhang into the public right-of-way, except a wall sign may protrude up to one foot into the public right-of-way. (See also § 14-16-3-5(B)(2) of this Zoning Code.)
3. Projecting signs shall not project horizontally more than four feet.

(b) Number.

1. No limit on number of wall signs.
2. One canopy sign per entrance or exit shall be permitted.
3. In the Established or Redeveloping Areas, one free-standing or projecting sign structure shall be permitted for each premises, or joint sign premises, providing the premises or joint sign premises is at least 100 feet wide.
4. In the Developing or Semi- Urban Areas:
 - a. Free-standing or projecting sign not permitted on premises of under five acres.
 - b. One free-standing or projecting sign on premises of five acres or more, provided the street frontage is at least 100 feet wide.

(c) Size.

1. Size of Free-Standing or Projecting Signs. Sign area of a free-standing or projecting sign shall not exceed 75 square feet.
2. Size of Building-Mounted Signs, Except Projecting Signs. Sign area of a building-mounted sign shall not exceed 15% of the area of the facade to which it is applied if there is no free-standing or projecting on-premise sign on the premises or joint sign premises, or 7.5% of the area of the facade if there is such a free-standing or projecting sign on the premises or joint sign premises.

(d) Height. Sign height shall not exceed 26 feet or the height of the walls of the tallest building on the premises, whichever is lower.

(e) Motion. Signs or sign parts shall not move; there shall be no wind devices. No sign shall automatically change its message unless it is a time or temperature sign.

(f) Lettering. No lettering on a free-standing sign shall have any character exceeding nine inches in height.

- (17) Storage structure or yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed, or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year unless the time is extended by the Planning Director.
- (18) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:
 - (a) A concealed wireless telecommunications facility, up to 65 feet in height.
 - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
 - (c) A face-mounted wireless telecommunications facility.
 - (d) A roof-mounted free-standing wireless telecommunications facility, up to 20 feet above the parapet of the building on which it is placed.
 - (e) A wireless telecommunications facility, the antennas of which are all mounted on an existing vertical structure.

(B) Conditional Uses.

- (1) Antenna, over 65 feet in height.
- (2) Community residential corrections program: up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (3) Community residential program for substance abusers with up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (4) Dwelling units constituting more than 25% of the gross floor area on a premises, provided:
 - (a) No more than 60% of the gross floor area of the structures on the site shall be developed as dwelling units, and
 - (b) Open space is provided as specified for permissive dwelling units in this zone.
 - (c) A dwelling unit constructed as a conditional use in an O-1 Zone shall permanently retain its status as an approved conditional use even if the use of the property as a dwelling unit ceases for a continuous period of more than one year. The provisions of § 14-16-4-2(D)(3) shall not apply to a conditional use approved for a dwelling unit in an O-1 Zone.
 - (d) A dwelling unit constructed as a conditional use or a permissive use in an O-1 Zone under any former ordinance shall not become a non-conforming use based on a failure to conform with (B)(4)(a).
 - (e) The request for approval of a conditional use under § 14-16-2-15(B)(4) shall be accompanied by at least one copy of an accurate site development plan for building including a proposed schedule for development. The failure to demonstrate that the non-residential uses will be developed concurrently with the residential uses is evidence that the proposal will be injurious to the neighborhood and the community.

- (5) Instruction in music, dance, fine arts, or crafts.
- (6) Public utility structure which is not permissive.
- (7) Office machines and equipment sales and repair.
- (8) Printing, copying, blueprinting incidental to office uses.
- (9) Retailing of food and drink, for consumption on premises or off, but not drive-in facility and provided that alcoholic drink is not dispensed for off-premise consumption in broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a designated Metropolitan Redevelopment Area (as defined in the State Metropolitan Redevelopment Code), a city owned park or city owned major public open space:
 - (a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;
 - (b) beer, as defined in the New Mexico Liquor Control Act, in any single container labeled as containing 16 or fewer ounces; and
 - (c) fortified wines with a volume of alcohol of more than 13.5 percent, provided that retailing alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994.
- (10) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is placed, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.

(C) Height.

- (1) Structure height up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle from the same boundaries or centerline. Exceptions to the above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section. Notwithstanding any of the above regulations, structures shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses.
- (2) Exceptions to division (1) above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section.

(D) Lot Size. No requirements.

(E) Setback. The following regulations apply to structures other than signs except as provided in §§ 14-16-3-1 and 14-16-3-3 of this Zoning Code:

- (1) There shall be a front and a corner side yard setback of not less than five feet and a setback of 11 feet from the junction of a driveway or alley and a public sidewalk or planned public sidewalk location.

- (2) Near residential zones, the following greater setback requirements shall apply:
- (a) There shall be a front or corner side setback of not less than ten feet where the lot is across the street from the front lot line of a facing lot in a residential zone. This setback applies to on- and off-premise signs.
 - (b) There shall be a side or rear setback of not less than five feet where the site abuts the side of a lot in a residential zone.
 - (c) There shall be a side or rear setback of not less than 15 feet where the site abuts the rear of a lot in a residential zone.
- (3) The clear sight triangle shall not be infringed upon.

(F) Off-Street Parking. Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.

('74 Code, § 7-14-20) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 48-1980; Am. Ord. 61-1980; Am. Ord. 39-1983; Am. Ord. 40-1983; Am. Ord. 54-1983; Am. Ord. 11-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 58-1995; Am. Ord. 9-1999; Am. Ord. 11-2002; Am. Ord. 36-2002; Am. Ord. 4-2005; Am. Ord. 16-2005; Am. Ord. 5-2008; Am. Ord. 40-2008; Am. Ord. 6-2009; Am. Ord. 19-2010)

§ 14-16-2-17 C-2 COMMUNITY COMMERCIAL ZONE.

This zone provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses.

(A) **Permissive Uses.** Permissive uses, provided there is no outdoor storage except parking and as specifically allowed below:

- (1) Antenna, up to 65 feet in height.
- (2) Clinic.
- (3) Copying, blueprinting.
- (4) Institution:
 - (a) Club.
 - (b) Day Care Center.
 - (c) Library.
 - (d) Museum.
 - (e) School, including caretaker's mobile home.
- (5) Office.
- (6) Park-and-ride temporary facilities.
- (7) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.
- (8) Residential uses permissive in the R-3 Zone with the following requirements and exceptions:
 - (a) Relationship to Sector Development Plans.
 1. Where SU-2 zones refer to the C-2 zone and specify regulations for residential uses that impose different restrictions and/or development standards than those contained in this section, the provisions of the SU-2 zones shall prevail.
 2. Where SU-2 zones refer to the C-2 zone but do not specify provisions for the regulation of residential uses, residential development shall be regulated by section (B)(6) below.
 - (b) Site, or any portion thereof, shall be located within 660 feet from the right-of-way line of a Major or Enhanced Transit Corridor or within a Community or Major Activity Center as designated by the Comprehensive Plan, or be located within a designated Metropolitan Redevelopment Area (MRA).
 - (c) Houses are not allowed.

- (d) Residential uses may be part of a vertical mix of uses (e.g., residential over commercial or residential over office).
- (e) Where residential uses are proposed, the following regulations shall apply:
 - 1. Area: minimum of 0.5 acres.
 - 2. Height: Pursuant to the R-3 Zone.
 - 3. Number of dwelling units: Maximum 30 dwelling units per acre; however, residential structures constructed in applicable sites located within 660 feet of the centerline of San Mateo Blvd., Central Ave. and Montgomery Blvd. may have up to 75 dwelling units per acre.
 - 4. Density: The total square footage of all buildings shall achieve a minimum floor area ratio of 0.3.
 - 5. Usable open space: Pursuant to the R-3 Zone. At least 50% of the required open space shall be provided in the form of shared or aggregate open space.
 - 6. Parking requirements and allowances:
 - a. One space/unit;
 - b. Shared Parking: As provided in § 14-16-3-1(E)(6)(b) except that parking for residential uses is eligible for a shared parking exception.
 - c. On-street parking credit: one space per available, adjacent on-street parking space.
 - 7. Approval process: Site Development Plan for Building Permit approval by the Environmental Planning Commission for sites five acres in size and larger. Site development plan approval by the Planning Director or his/her designee for sites under five acres in size.
 - 8. For new residential development, in addition to the applicable General Regulations in the City Zoning Code, the following regulations must also be met:
 - a. Building Frontage and Articulation. The following regulations shall apply to all facades fronting a street:
 - i. The design standards of § 14-16-3-18(C)(2)(a), (b), (c), (d) and (e) shall apply.
 - ii. The design standards of § 14-16-3-18 (D)(2), except section (h), shall apply.
 - iii. A minimum of 30% of the ground floor shall have windows. For facades with doors, the percentage of windows may be reduced to 20%.
 - iv. Upper floors shall have a minimum of 20% glazing.

- v. The primary entry to the building shall be oriented toward the street or within 50 feet of a central courtyard.
 - b. Alleys: Existing alleys should remain in place to provide access to a site.
 - c. Building Placement:
 - i. Buildings shall be set back 0 to 15 feet from property lines adjacent to a street.
 - ii. Side and rear setbacks shall be pursuant to the underlying zone.
 - d. Pedestrian Access: Residential uses shall provide direct pedestrian connections from the residential building(s) to all street sidewalks and to other building(s) on the premise or project site. See § 14-16-3-1(H).
 - e. Landscaping:
 - i. Building setbacks not used for pedestrian activity shall have a minimum landscape area of 50%. Asphalt is not a permitted material within the setback area.
 - ii. Landscaping on roof decks may be counted toward the required area landscaping as regulated by § 14-16-3-10.
 - f. Parking Placement: Parking shall be located to the rear or to the side of a building, in a common parking area located interior to the block, or in a combination of the above. Parking is not permitted between a building and the street on which it fronts. Parking areas between a building and a side street are limited to 64 feet in width and shall have landscaped buffers facing the streets with a minimum depth of four feet and a screen wall with a minimum height of 36 inches. Wall material shall be as regulated by § 14-16-3-19(c).
 - g. Signage: Signage shall be as regulated by the O-1 zone, with the following exceptions:
 - i. Building-mounted signs shall be limited to 25 square feet.
 - ii. No more than one wall-mounted sign per building façade.
 - iii. Freestanding signs are not permitted on premises of under five acres.
 - iv. The maximum height of freestanding signs is eight feet.
9. Redevelopment of existing structures that results in a net 25% increase in square footage shall comply with the preceding regulations as determined by the Planning Director or his or her designee.
- (9) Sign, off-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:
- (a) Location.

1. Only wall signs and free-standing signs are permitted in the Established or Redeveloping Areas.
 2. Only wall signs are permitted in the Developing or Semi-Urban Areas except that free-standing signs designated to be read from the Interstate Highway and with at least one edge within 150 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, are also permitted.
 3. Separation.
 - a. No sign shall be nearer than 300 feet to any other off-premise sign.
 - b. No sign within 660 feet of the nearest edge of the public right-of-way of an Interstate Highway shall be nearer than 1,000 feet to any other off-premise sign.
 - c. But divisions a. and b. above shall not apply as to the distance between two signs separated by a building or other obstruction where the face of only one sign is visible from any point on the public right-of-way.
 - d. But divisions a. and b. above shall not apply to signs which are at some point within five feet of each other and only one of the sign faces is designed to be read from any given lane of traffic.
 4. No free-standing sign erected after January 1, 1976, shall be nearer than 100 feet to any preexisting on-premise sign.
 5. Setback
 - a. No sign shall be nearer than seven feet to any public street right-of-way, except a public right-of-way containing an Interstate Highway without a frontage road between the sign and the Interstate Highway.
 - b. No sign shall overhang a public right-of-way containing an Interstate Highway without a frontage road between the sign and the Interstate Highway.
 6. No free-standing sign shall be nearer than 150 feet to any conforming residential property.
- (b) Size.
1. Free-standing sign area of any one sign shall not exceed 300 square feet plus an additional add-on sign area of 18 square feet, except that within 150 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, the area of any one sign designed to be read from the Interstate Highway may be up to but shall not exceed 672 square feet plus an additional add-on sign area of 34 square feet. Free-standing sign length shall not exceed 60 feet.
 2. Wall sign area shall be controlled by the provisions of division (9)(c)2. of this division (A).
- (c) Height.

1. Sign height shall not exceed 26 feet, except:
 - a. As provided in division 2. below; and
 - b. the height of an add-on sign may be up to but shall not exceed 31 feet.
 2. Within 150 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, the height of the highest point of the sign shall not exceed 29 feet, measured either from grade or from the elevation of the Interstate Highway at its closest point, except the height of an add-on sign may be up to but shall not exceed 34 feet, measured in the same way.
- (d) Illumination, Motion: No regulations, apart from the general sign regulations.
- (10) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:
- (a) Location.
1. Building-mounted signs extending above the height of the building shall be permitted only if they are:
 - a. A continuation of the plane of a projecting sign or of the nearest facade; or
 - b. Counted and controlled by all number, size, and height regulations for free-standing signs, including division (c)2.b. below.
 2. A sign shall not overhang into the public right-of-way more than five feet.
 3. Projecting signs shall not project horizontally more than five feet, except marquee signs are permitted to project ten feet.
- (b) Number.
1. In the Established or Redeveloped Areas. One free-standing or projecting sign shall be permitted for each street frontage of each premises or joint sign premises which has at least 100 feet of street frontage, or one per 300 feet of total street frontage (e.g., up to two signs allowed if 630 feet of frontage), whichever is more permissive. A portable sign may also be permitted pursuant to the General Signage Regulations.
 2. In the Developing, Semi- Urban, or Rural and Open Areas.
 - a. No free-standing signs on sites of under five acres except a portable sign may also be permitted pursuant to the General Signage Regulations.
 - b. One free-standing sign per street frontage shall be permitted on premises of five acres or more, provided the street frontage is at least 100 feet wide.
 - c. One free-standing sign shall be permitted on a premises with 250 feet or more of street frontage but an area under five acres, provided the maximum sign area for each of one or two faces shall not exceed 35 square feet per face.
 3. One canopy sign per entrance or exit shall be permitted.

4. No limit on number of wall signs.

(c) Size.

1. Size of Free-Standing and Projecting Signs. Sign area for a free-standing or projecting sign shall not exceed the following area:
 - a. Seventy-five square feet if the most important street abutting the lot is a local street.
 - b. One hundred square feet if the most important street abutting the lot is a collector street.
 - c. Two hundred and fifty square feet if the most important street abutting the lot is an arterial street or freeway (if division d. below does not apply).
 - d. Three hundred square feet if the sign is within 200 feet of a moving lane of a freeway and is visible from the freeway; in addition to the regular limits on numbers of signs, there shall be no more than one sign this large per business.
2. Size, Building-Mounted Signs, Except Projecting Signs.
 - a. A building-mounted sign on premises or joint sign premises where there is no free-standing on- or off-premise sign shall not exceed the following:
 - i. Twenty percent of the area of the facade to which it is applied, if the sign area is not wholly visible from an abutting collector street, arterial street, or freeway;
 - ii. Twenty-five percent of the area to which it is applied, if the sign area is wholly visible from an abutting collector street; or
 - iii. Thirty percent of the area of the facade to which it is applied, if the sign area is wholly visible from an abutting arterial street or freeway.
 - b. A building-mounted sign on premises or joint sign premises where there is a free-standing or projecting on- or off-premise sign shall not exceed one-half the percentage of facade area listed in division a. above.
 - c. An off-premise wall sign may be substituted for the area which otherwise would be permitted for an on-premise sign; such sign shall be regulated by height regulations for off-premise signs.

(d) Height.

1. Height of a free-standing sign shall not exceed 26 feet, except a sign which is within 200 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, may be up to but shall not exceed 26 feet above the freeway at its closest point.
2. Height of a building-mounted sign shall not exceed five feet above the height of the building, or it shall not exceed 30 feet, whichever is lower.

3. However, height of either a non-illuminated wall sign or an illuminated wall sign for a hotel or motel may be over 30 feet.
- (e) Illumination, Motion, Lettering. No regulations, apart from general sign regulations.
 - (f) Exceptions.
 1. Permitted building-mounted sign area from the front and sides of the principal building of the business may be transferred from the building to a customer service area of the same business on the same premises, provided the height of such signs shall not exceed 15 feet and setback shall be at least ten feet; such signing shall not be considered free-standing.
 2. Any exceptions allowed for shopping centers, in order to provide adequate signing in special situations, shall be as provided in § 14-16-3-2 of this Zoning Code. Such a sign exception must be specifically defined in the Planning Commission resolution. Shopping centers approved prior to the effective date of this Zoning Code shall comply with sign regulations in this article unless an exception is specifically defined in a Planning Commission resolution.
- (11) Radio or television studio or station.
 - (12) Recycling bin as an accessory use on the site, as provided in § 14-16-3-15 of this Zoning Code.
 - (13) Retailing of any consumer product and provision of any customer, personal, or business service, except adult amusement establishments and adult stores, hospitals for human beings and transit facilities, provided it is not listed as a conditional use in this zone, or as a permissive or conditional use listed for the first time in the C-3 zone, and with the following limitation:
 - (a) Alcoholic drink sales for consumption off premises; except the sale of alcoholic drink within 500 feet of a community residential program or hospital for treatment of substance abusers is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994:
 1. are limited to building area which is not within 500 feet of a residential zone; and
 2. shall not include the sale of broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a designated Metropolitan Redevelopment Area (as defined in the State Metropolitan Redevelopment Code), a city owned park or city owned major public open space:
 - A. distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;
 - B. beer, as defined in the New Mexico Liquor Control Act, in any single container labeled as containing 16 or fewer ounces; and
 - C. fortified wines with a volume of alcohol of more than 13.5 percent.
 - (b) Vehicle sales, rental, service, repair, and storage, both indoor and outdoor, provided:

1. Outdoor activity areas (display and storage of stock in trade) meet all the specifications for a parking lot, as regulated in the O-1 zone.
 2. Outdoor storage of inoperative vehicles is limited to two vehicles at any time, and a given inoperative vehicle shall not be parked outdoors over two weeks in any 12-month period.
 3. Painting and major automotive repair is conducted within a completely enclosed building at least 20 feet from any residential zone.
 4. A truck terminal is not permitted.
 5. Outdoor vehicle storage as a principal business, where vehicles are typically not moved for one week or more, is not a permissive use.
- (c) Banking, loaning money, including pawn. Drive-in facilities included on the condition the vehicle movement plan is approved by the Traffic Engineer.
- (d) Building materials, provided they are in a completely enclosed building or within an area enclosed on all sides by a wall or fence at least six feet high which must be solid when it faces or is contiguous to land not zoned C-2, C-3, M-1 or M-2.
- (e) Circus or Carnival operation outdoor or in a tent provided:
1. The use is located at least 300 feet from a dwelling in a residential zone;
 2. The use is permitted at one location for a period not to exceed seven days in any calendar year;
 3. Hours of operation, including erection and dismantling of equipment are:
 - a. If the use is located between 300 feet and 500 feet from a dwelling, between 7:30 a.m. and 10:30 p.m.;
 - b. If the use is located 500 feet or more from a dwelling, between 6:00 a.m. and 11:30 p.m.;
 4. There is sufficient off-street parking available on the premises to meet parking requirements for all the uses on the premises. The Zoning Enforcement Officer shall approve a site plan which shall demonstrate adequate parking and vehicle circulations;
 5. There are toilet facilities on the premises; and
 6. The City Fire Marshal or his authorized representative gives prior approval of any tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
- (f) Drive-in restaurant, provided a solid wall or fence at least six feet high shall be erected on sides which abut land, other than public right-of-way land, in a residential zone. However, if the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by the same process and criteria required for a conditional use.

- (g) Dry cleaning, laundry, clothes pressing, provided:
 - 1. Only cleaning fluid which is not flammable at temperatures below 138.5° Fahrenheit may be used;
 - 2. The number of persons engaged in operating a laundry or dry cleaning establishment is limited to five, excluding pressers, office, clerical, or delivery personnel;
 - 3. That portion of the structure in which any cleaning process is done is at least 50 feet from any residential zone.
- (h) Flowers and plants, including out-door sales.
- (i) Gasoline, oil, and liquified petroleum gas retailing, including outdoor sales, but not truck plazas.
- (j) Golf driving range, miniature golf course, baseball batting range, located in a building or outdoors, provided fencing or other suitable device is employed to insure that balls are not hit out of premises.
- (k) Hospital for animals, provided it has no outside pens. One outside exercise run is permitted, provided it is enclosed with a solid wall or fence at least six feet high, and no more than one animal is permitted in the run at any one time.
- (l) One mobile home for a watchman or caretaker on the same lot with commercial uses, permissive or conditional in this zone, which do not have or normally require a permanent structure, including but not limited to used car sales lot; mobile home or recreational vehicles sales or rental lot; and circus, carnival, or similar enterprise. However, the mobile home shall not be within 100 feet of a lot in a residential zone or a dwelling unit in any zone.
- (m) Parking lot, as regulated in the O-1 zone.
- (n) Pets, as regulated in the C-1 zone.
- (o) Restaurant with outdoor seating.
- (p) Sample dwelling unit used to sell such units, including incidental sales office activity.
- (q) Secondhand store, including outside storage in the side or rear yard and if enclosed by a solid wall or fence at least six feet high.
- (r) Stand or vehicle selling fruit, vegetables, or nursery stock, provided it is limited to a period of 90 days in any calendar year. However, one renewal for an additional 90 days may be permitted by the Planning Director.
- (s) Not permissive as retailing or services are uses listed as conditional use in this section and uses that are in substantial part industrial or manufacturing activities, e.g., automobile dismantling, sheet metal working, or tire recapping and retreading.
- (14) Storage structure or yard for equipment, material or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed or work on the project has been dormant for a period of six

or more months, and further provided that it is limited to a period of one year unless the time is extended by the Planning Director.

- (15) Wholesaling of jewelry.
- (16) Uses or activities in a tent, if the uses or activities are listed elsewhere in this subsection, provided:
 - (a) The tent may not be erected for more than seven days at a time and may not be erected more than two times a year on a given premises;
 - (b) There is sufficient paved off-street parking available on the premises to meet parking requirements for all uses on the premises, including the activity in the tent. The Zoning Enforcement Officer shall approve the site plan for the tent, which shall demonstrate adequate parking and vehicle circulation, prior to erection of the tent; and
 - (c) There are toilet facilities on the premises available to the users of the tent; and
 - (d) The City Fire Marshall or his authorized representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
- (17) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:
 - (a) A concealed wireless telecommunications facility, up to 65 feet in height.
 - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
 - (c) A face-mounted wireless telecommunications facility.
 - (d) A roof-mounted free-standing wireless telecommunications facility, up to 20 feet above the parapet of the building on which it is placed.
 - (e) A wireless telecommunications facility, the antennas of which are all mounted on an existing vertical structure.

(B) Conditional Uses.

- (1) Antenna, over 65 feet in height.
- (2) Apartment, as permitted in division (A)(8) above, if there are more than 30 dwelling units per acre but not more than 75 dwelling units per acre. Conditional use applications shall be considered on the basis of a site plan.
- (3) Church or other place of worship, including incidental recreational and educational facilities. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code.
- (4) Cold storage plant.
- (5) Community residential program, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

- (6) Drive-in theater.
- (7) Dwelling unit (house, townhouse, apartment), for properties that do not meet the criteria of divisions (A)(8)(b) and (A)(8)(e)1 above or with SU-2 zoning that refers to the C-1 zone but does not specify provisions for the regulation of residential uses, provided:
 - (a) There are not over 30 dwelling units per net acre.
 - (b) Usable open space is provided on site in an amount no less than specified in the R-3 zone; no more shall be required than specified in the R-2 zone except if located in an area designated by the master plan as "Developing" or "Semi-Urban," the total open space requirements of the R-D or RA-1 zone, respectively, shall be met.
 - (c) Development shall comply with the regulations specified in division (A)(8)(e)8 above.
- (8) Emergency shelter, provided the standards of § 14-16-3-13 of this Zoning Code are met.
- (9) Fire wood sales and related storage, provided the wood is not visible from land not zoned C-2, C-3, M-1, or M-2.
- (10) Kennel.
- (11) Mobile home development, provided the development contains at least three acres. Approval of a site development plan and landscaping plan is required prior to development.
- (12) One mobile home for a watchman or caretaker on the same premises with a commercial use other than one of those uses enumerated in division (A)(12)(l) of this section. However, the mobile home shall not be within 100 feet of a lot in a residential zone or a dwelling unit in any zone.
- (13) Outdoor storage or activity, except as specifically listed as a permissive or conditional use in this section, and as further provided below:
 - (a) No outdoor storage or activity specified as a principal special use in § 14-16-2-22(B) of the Zoning Code, the SU-1 zone, may be a conditional use considered under this division (B).
 - (b) Combinations of uses, some or all of which are outdoor uses, which interact to create a more intense use, operating as one coordinated enterprise or attraction are not normally appropriate for approval as conditional uses under this division (B), being more properly controlled as SU-1 zone special uses.
 - (c) Outdoor uses which would impact their environs with appearance, light, noise, odor, or similar environmental problems likely to be unpleasant to neighboring premises and uses shall not be approved.
 - (d) Outdoor conditional uses often justify special requirements to keep the appearance or other aspects of the outdoor storage or activity from negatively impacting adjacent land.
 - (e) Outdoor vehicle storage as a principal business, where vehicles are typically not moved for one week or more, is not appropriate if it will be significantly visible from adjacent streets or nearby residential, office, or commercial uses: if approved, this type of storage requires special buffering.

- (14) Parking of more than two truck tractors and two semitrailers for over two hours.
- (15) Park-and-ride joint-use facilities, if it is determined that under the conditions imposed there will not be a shortage of on-site parking for the activities on the site; in such situations, no parking variance is required.
- (16) Pony riding without stables, provided it is located at least 300 feet from a dwelling which is a conforming use.
- (17) Public utility structure which is not permissive.
- (18) Retail sale of alcoholic drink for consumption off premises, where the portion of the building used for such business is within 500 feet of a residential zone, provided such sales shall not include the sale of broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a city owned park or city owned major public open space except the retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994 and further provided that such sales shall not include:
 - (a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;
 - (b) beer, as defined in the New Mexico Liquor Control Act, in any single container; and
 - (c) fortified wines with a volume of alcohol of more than 13.5 percent.
- (19) Retail business in which products may be manufactured, compounded, processed, assembled, or treated, as an accessory use, including carpentry, plumbing, sheet-metal working, upholstering, sign painting, making of metal stamps, catering, baking, confectionery making, or jewelry or curio making, provided:
 - (a) All activities are conducted within a completely enclosed building.
 - (b) The number of persons engaged in the manufacturing, processing, assembling, or treating of products is limited to ten, excluding office, clerical or delivery personnel.
 - (c) Activities or products are not objectionable due to odor, dust, smoke, noise, vibration, or other cause.
- (20) Uses or activities in a tent, if the uses or activities are listed elsewhere in this section, provided there is sufficient paved off-street parking available on the premises to meet parking requirements for all uses on the premises, including the activity in the tent, and provided that the Fire Marshal [i.e., the Chief of the Fire Prevention Bureau] or his designated representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
- (21) Tire recapping or retreading, provided:
 - (a) The activity is incidental to the major use and is conducted within a completely enclosed building.
 - (b) Outdoor storage of tires is enclosed by a solid wall or fence at least six feet high.

- (c) Tires stored outdoors may not be stacked above the plane established by the top of the required surrounding wall.
- (22) Transfer or storage of household goods, provided:
 - (a) Parking and maneuvering of trucks is permitted only off the street in an off-street parking area as regulated by this article.
 - (b) Servicing of trucks is permitted only within a building or an area completely enclosed by a solid wall or fence at least eight feet high.
- (23) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is placed, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.
- (C) **Height.** Height shall be as provided in the O-1 zone, except sign and antenna height shall be as provided in division (A) of this section.
- (D) **Lot Size.** No requirements.
- (E) **Setback.** Setback shall be as provided in the O-1 zone.
- (F) **Off-Street Parking.** Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.
- (G) **Shopping Center Regulations.** Any site in this zone classified as a Shopping Center site, as defined in § 14-16-1-5 of this Zoning Code, is subject to special site development regulations. The Shopping Center Regulations are provided in § 14-16-3-2 of this Zoning Code.

('74 Code, § 7-14-22) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 57-1976; Am. Ord. 13-1977; Am. Ord. 26-1977; Am. Ord. 74-1977; Am. Ord. 38-1978; Am. Ord. 55-1978; Am. Ord. 74-1980; Am. Ord. 42-1981; Am. Ord. 40-1983; Am. Ord. 54-1983; Am. Ord. 74-1985; Am. Ord. 11-1986; Am. Ord. 80-1986; Am. Ord. 41-1987; Am. Ord. 62-1988; Am. Ord. 3-1990; Am. Ord. 12-1990; Am. Ord. 30-1990; Am. Ord. 47-1990; Am. Ord. 63-1990; Am. Ord. 69-1990; Am. Ord. 43-1991; Am. Ord. 39-1992; Am. Ord. 50-1992; Am. Ord. 13-1993; Am. Ord. 2-1994; Am. Ord. 58-1995; Am. Ord. 9-1999; Am. Ord. 11-2002; Am. Ord. 10-2004; Am. Ord. 42-2004; Am. Ord. 4-2005; Am. Ord. 16-2005; Am. Ord. 43-2005; Am. Ord. 7-2006; Am. Ord. 23-2007; Am. Ord. 5-2008; Am. Ord. 6-2009; Am. Ord. 19-2010; Am. Ord. 2012-004)

Activity Center Information

Table 22: Policy s: TYPES OF ACTIVITY CENTERS

	Neighborhood Activity Center	Community Activity Center	Major Activity Center	Specialty Activity Center	Rural Village Center
Purpose:	Provides for the daily service of convenience goods & personal services for the surrounding neighborhoods. It serves as the social and recreational focal point for the surrounding neighborhoods and is accessible from all surrounding residential developments.	Provides the primary focus for the entire community sub-area with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community sub-area.	Provides the most highly concentrated locations of commercial, service and employment uses in conjunction with area-wide needs.	Provides locations for unique attractions serving local, regional and state-wide needs.	Provides a location for the daily goods and service needs of surrounding rural communities. It should include pedestrian and non-motorized travel amenities such as sidewalks or trails, depending on area character and respecting its history.
Service/Market Area:	- ideally up to .5 mile walking distance - serves 15,000 population - in a larger driving service area	- up to 3 miles - serves population of 30,000+	- serves the entire metropolitan population and beyond	- serves the entire population of the metro area; draws some users from around New Mexico and nationally	- surrounding rural communities
Access: - street designation - modes of travel	- located on local or collector streets - least auto dependent - active pedestrian and bicycle connections should be provided to all adjacent neighborhoods, schools, and parks - convenient transit services should be connected with community-wide and regional transit development	- very accessible by automobile - located on minor & major arterial streets - should provide main hub connecting to regional transit system - community-wide trail network should provide access to center - the interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas	- accessible by all modes of travel, including pedestrians and bikes - located at major roadways and/or major transit stops/transfer points - served by on street and off-street parking structures encouraged - major street intersections designed to facilitate pedestrian - transit connections	- accessible by all modes of travel, depending on nature of uses - located on or easily accessible to major roadways - served mainly by off-street parking	- accessible by vehicle, located on an arterial street - should afford opportunity to walk safely from one use to another, proximate use on same side of roadway - pedestrian and non-motorized travel amenities
Land Uses:	Core Area: 5-15 acres - minimum noxious impacts to sensitive adjacent uses EXAMPLE OF TYPICAL USES: - convenience grocery, dry cleaners, gift shop, deli - public and quasi-public uses (branch library, post office, police, fire, etc.) - garden offices - Neighborhood Service Area - daycare center - apartments, townhouses, patio homes and shop houses - elementary school	Core Area: 15-60 acres + adjacent contributing uses EXAMPLE OF TYPICAL USES: - low-rise office - public & quasi-public uses (e.g. post office, library) - entertainment (restaurants, theaters, etc.) - hotel/motel - shelter care - medical facilities - education facilities - large religious institutions - medium density residential - middle/high school - senior housing - community or senior center - park-and-ride facility under certain conditions	Area: 300 acres or more - land uses typical in modern commercial, office, and technology centers, including medium to high density residential in sensitive relationship to employment - transition from intense core to surrounding residential neighborhoods EXAMPLE OF USES: - mid & high rise office - hotels - major cultural, entertainment uses - regional & corporate offices - retail service - technology/light manufacturing - higher education facilities - public & quasi-public uses - medium to high density residential	Area: Up to several hundred acres, depending on nature of uses EXAMPLES OF USES: - unique, large-scale recreational attractions - major air transportation hub - supporting retail and service uses (e.g. restaurants gift shops, administrative offices) - retail and service uses - residential	Area: several acres, depending on use/mix EXAMPLES OF USES: - grocery - service station - post office or other civic use - restaurant - office - retail and service uses - residential
Scale: a. platting b. buildings (size, massing, height, intensity, setbacks) c. parking d. pedestrian amenities	a. walkable from one side to another; fine grain/small parcels b. 1-2 story; small buildings close or touching each other, is transparent; windows toward street buildings oriented to street c. on-street parking is encouraged; "nasser" parking; park once; bicycle parking is required d. intimate outdoor seating should be provided by individual businesses for informal gathering (depends on business) at or near pedestrian paths/sidewalks	a. Some larger parcels, but heavily punctuated with fine grain, smaller parcels; very walkable b. 2-3 story; moderate floor area ratios (3 to 1.0); connections between buildings and to sidewalks; more than one facade; buildings separate off-street parking from the street c. predominantly off-street parking; site circulation plan is important to avoid conflict between pedestrian and auto; parking in lots or structures; pedestrian paths between parking & bldg.; bicycle parking is encouraged d. public plaza/open space should be provided	a. typically one large parcel, but may be broken up by multiple buildings b. buildings and related facilities may be of any height, appropriate to use and size c. predominantly off-street surface parking; site circulation plan should avert conflict between pedestrian movement and vehicles d. interior of center should be very accommodating to the pedestrian, even within off-street parking areas	a. platting varies with use b. 1-2 story buildings in scale with surrounding rural character & market c. off-street parking per use; might be shared d. should afford opportunity for pedestrians to walk from one use to another, especially when on same side of highway	

Transit Service				
Policy Objective	Express	Major Transit	Enhanced Transit	Arterial
Bus Service Type	Express rush hour service	Local; some express	Some local; mostly express	Local; some express
Frequencies:Peak Hour	20-30 minutes	5-10 minutes	5-15 minutes local; 15-30 minutes express	15-30 minutes
Frequencies:Off Peak Hour	Express service	10 minutes maximum, except late evening hours	15-30 minutes local; 60 minutes express	20-45 minutes
Target Service Hours	Approximately 6 am to 9 pm	Approximately 5 am to midnight	Approximately 5 am to midnight	Approximately 6 am to 9 pm
Route & Service Commitment	Long term capital commitment	Long term capital commitment	Long term capital commitment	Flexible
Stations/Stops (Capital Commitment)	Enhanced bus stops at activity nodes; park-n-ride with enhanced stops; bus bays	Varies; amenity based on adjacent uses	Weather-protected bus stops	Weather-protected bus stops at select locations
High Capacity Service (community-wide high capacity study)	Not anticipated	Future service possible	Future service possible	Not anticipated

Development Form				
Policy Objective	Express	Major Transit	Enhanced Transit	Arterial
Building Access from Street	Flexible	Provide major entrance from street	Provide an entrance from street	Flexible
Building Setback	Based on zoning ordinance	Minimum setback; setback to provide landscaping or pedestrian activity areas only	Minimum setback; setback to provide landscaping or pedestrian activity areas only	Based on zoning ordinance
Parking Location	Flexible	Separated from the street by the building	Separated from the street by the building or to the side of the building	Flexible
Parking Reductions	10% allowed if transit stop available; shared parking allowed	10% mandatory and up to 25% encouraged; shared parking encouraged	10-20% encouraged; shared parking encouraged	10% encouraged if transit stop available; shared parking allowed
Employment Density Targets for New Development	Flexible	Floor area ratio of 1.0 - 2.0	Floor area ratio of 0.5-1.5	Flexible
Housing Density Targets for New Development	5-12 du/acres (net)	10-35 du/acre (net)	7-30 du/acre (net)	5-20 du/acre (net)
Modal Hierarchy	Autos Transit Bikes Pedestrians	Transit Pedestrians Autos Bikes	Transit & Autos Pedestrians Bikes	Various accommodations of modal needs

NOTE: Not all the above objectives will be implemented throughout the system due to such constraints as right-of-way width, costs of acquisition etc.

6. ACTIVITY CENTERS

Trend

As noted elsewhere in the Comprehensive Plan, much of Albuquerque's development for the last 50 years has been in a form characterized by buildings with large setbacks and parking lots served by a grid of arterial streets designed primarily to move vehicular traffic. Commercial, office and retail land uses typically are not concentrated in well-differentiated activity centers, but rather tend to be strung out along many of the arterial streets. Also typically, these land uses are auto/driver oriented, with substantial amounts of surface parking. This trend has been made more prevalent in the last two or three decades by increasing numbers of big box retail establishments, and by larger formats for medical services.

While it is true that slightly more agglomerated activity nodes occur at arterial street intersections, they seldom function as singular activity centers with easy walking connections among uses. Instead, they work more like four "sub-centers", one on each corner, separated by multiple lanes of traffic, not at all conducive to pedestrian trips from one side to the other, nor to mass transit usage.

Activity Centers Concept

The Plan's Activity Centers element describes a concept that can have a major effect on urban form through balanced growth and consumption of land. Activity Centers are intended to concentrate a diversity of community activities at appropriate locations. Designated Activity Centers should be the focus of City and County efforts to build upon existing locations and develop future Activity Centers as vibrant, transit-oriented urban places that encourage walking to destinations throughout each center.

The Activity Centers concept provides a rational framework for the efficient allocation of public and private resources. The concept would concentrate land uses for greater efficiency, stability, image, diversity and control while safeguarding the city's single-family residential areas from potential intrusion by more intense land uses. Population concentrations located within Activity Centers and interconnected corridors could help reduce automobile travel, provide better mass transit opportunities, and decrease adverse environmental effects. Other benefits may include housing close to jobs and services, reduced personal transportation costs which can go toward other needs, and increased options for living an urban lifestyle with easy access to a great variety of activities.

Figure 12: Auto-oriented strip commercial development





Beacon Hill in Boston is an area where high lot coverage and small setbacks combine to make a high quality environment.

Many of the most charming environments in the world have buildings with small setbacks, high building coverage, and relatively small distances between buildings. More open space is not necessarily better, particularly when such open space is poorly designed.

Another area of confusion is the issue of **crowding**, which is a perception that there are too many people (Churchman 1999). However, in housing studies crowding is generally operationalized as the number of people per room, per bedroom, or square foot. Obviously density and crowding are not the same and are not even related. It is possible to live at very high density in a spacious apartment with no crowding, and conversely it is possible to live in a detached farm house that is crowded in terms of having many people per room.

In addition there is **unclear terminology even when it appears to be specific**. Net density refers to densities where the base land area calculation focuses only on the parcel or, if covering a larger

areas, excludes certain uses. Gross densities do not have such exclusions. However, as is obvious from the set of working definitions **there are a number of "net" and "gross" density definitions** and so what area is being considered needs to be specified. Saying net or gross is not enough.

While people often talk about low, medium, and high densities **there are no agreed upon standards for what constitutes high, medium, and low densities**. A high density in Minneapolis might be medium or even low density in Paris or Singapore.

Often people **confuse density with building type** and assume, for example, that detached houses are lower density than attached housing types. While this is generally true it is not always the case. A high-rise tower with large units set on a park-like site may be lower density than a set of detached houses on small lots.

A larger question is that of **perceived density** (Rapoport 1975). Perceived density is not highly related to actual density but is profoundly affected by landscaping, aesthetics, noise, and building type. Often, when people say an area is dense, they base this assessment on a perception that a development is ugly, has little vegetation, and has caused parking problems for neighbors, rather than a count of the actual number of units per acre. Design can make an enormous difference to perceived density.

Finally, some people associate higher densities with **social and economic characteristics** such as renter and low-income households, and high crime neighborhoods. They may misperceive densities because of this, underestimating the densities of more affluent areas with larger numbers of owners. The definitions in this paper will help add clarity to such discussions.

Terminology

Density is a much used term. At its simplest, **density is a number of units in a given area.** However, there are no agreed-upon standard definitions of density, rather each location and profession has come up with an idiosyncratic view.

A key area of difference and confusion is in the **base land area calculation**—what is included and what is excluded to make density figures truly comparable. Is it only the site or the entire neighborhood? This is the key dimension of variation in the range of density definitions in Part A of the working definitions section of this paper. Practically it results in a huge variation in density as can be seen below in the table. These densities are for a hypothetical site set in an area where each residential area has the same site density in dwelling units (DUs) per acre but different density definitions lead to very different measures. (The different kinds of density are explained in the next section.)

Table: Comparison of Density Measures for the Same Location

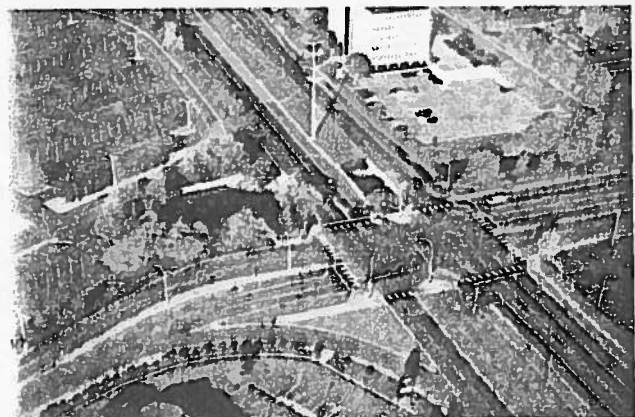
Site density	10 DUs per acre
Block density	8 DUs per acre
Net residential density	10 DUs per acre
Net neighborhood density	6 DUs per acre
Gross neighborhood density	5 DUs per acre
City density	4 DUs per acre
Metropolitan density	3 DUs per acre

The difference between these numbers is that as the base land area being considered increases there are more and more nonresidential uses added into the calculation. These nonresidential uses such as offices and open space have residential densities of zero and thus lower average

residential densities across these wider areas. These more inclusive densities are important measures and have much to say about such issues as the overall walkability of the site. Given these figures, however, if an overall aim is to achieve a city density of 4 dwelling units per acre then the site density will need to be much greater.

Similarly, **household size affects population density.** An area with a site density of 10 DUs per acre may have a site population density of 15 people per acre in an area full of empty nesters and seniors, or a site population density of 35 people per acre in an area with many households with children or extended families. This makes a great deal of difference in terms of how many people are present to support community facilities. However, it is much harder for governments to regulate household size as opposed to dwelling numbers so most policy discussions focus on densities of dwelling units.

One area of confusion is between density and other related terms. On one side are **physical measures of the intensity of use of land** including measures of building bulk and coverage. A number of such measures are listed in Part B of the working definitions section. These measures say something about how big the buildings are, although they are only rough measures.



Large setbacks are not always attractive. Large areas devoted to the automobile can also force the neighborhood and city level densities down, even when the residential areas have many dwellings on a small amount of land.

Measuring Density: Working Definitions for Residential Density and Building Intensity

Ann Forsyth, Director

Overview

Density is a controversial term. Increased density is feared by those who imagine ugly buildings, overshadowed open space, parking problems, and irresponsible residents. It is promoted by those who value urbane streetscapes, efficient infrastructure supply, walkable neighborhoods, and increased housing options.

However, within these debates is a surprising lack of clarity about what counts when considering density, and about how to measure it. This design brief outlines a number of general considerations in measuring density and then proposes twenty measures that quantify different aspects of place such as residential population and dwelling density, and the intensity of building on a site. Some of the measures are easy to use in practice, and some more difficult. All focus on residential areas. While some can be applied to other kinds of uses of land the translation is not always direct. Indicators of density in mixed use environments are particularly lacking.

Key Points

- Density is a number of units—people, dwellings, trees, square feet of building—in a given land area.
- Density varies greatly depending on the base land area used in the density calculation. The parcel or site density is almost always higher than the neighborhood density, because at a neighborhood scale much land is included in the base land area calculation that does not have houses.
- Population density depends on both dwelling unit density and household size. Given a certain dwelling unit density, the population density will be lower with small households such as empty nesters than with large families with several children.
- Intensity of building development is measured with several physical indicators related to how much built area there is on the site. Most measure building bulk and are quite crude. More important issues of design quality are much more difficult to quantify.

For more detail, supporting facts, and references read on.....

Design Center for American Urban Landscape
Design Brief, Number 8/ July 2003

Measuring Density: Working Definitions for Residential Density and Building Intensity



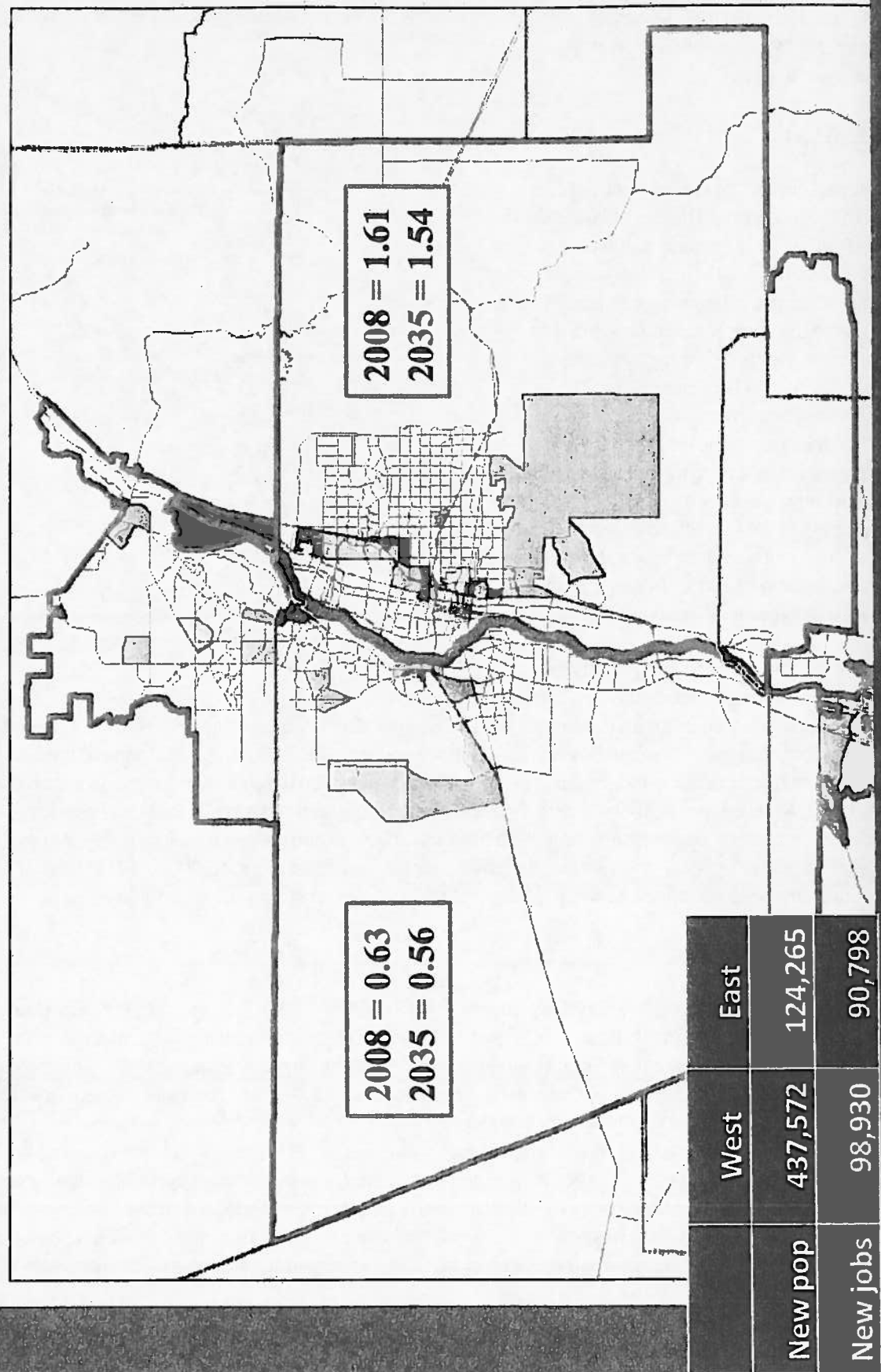
Ann Forsyth, Director

November 2003

cala^xumn

UNIVERSITY OF MINNESOTA

Jobs to Housing Balance?



	West	East
New pop	437,572	124,265
New jobs	98,930	90,798

One Million Daily River Crossings in 2035!

(Americans with Disabilities Act)
Standards for sidewalk design and
pedestrian access.

Land Use

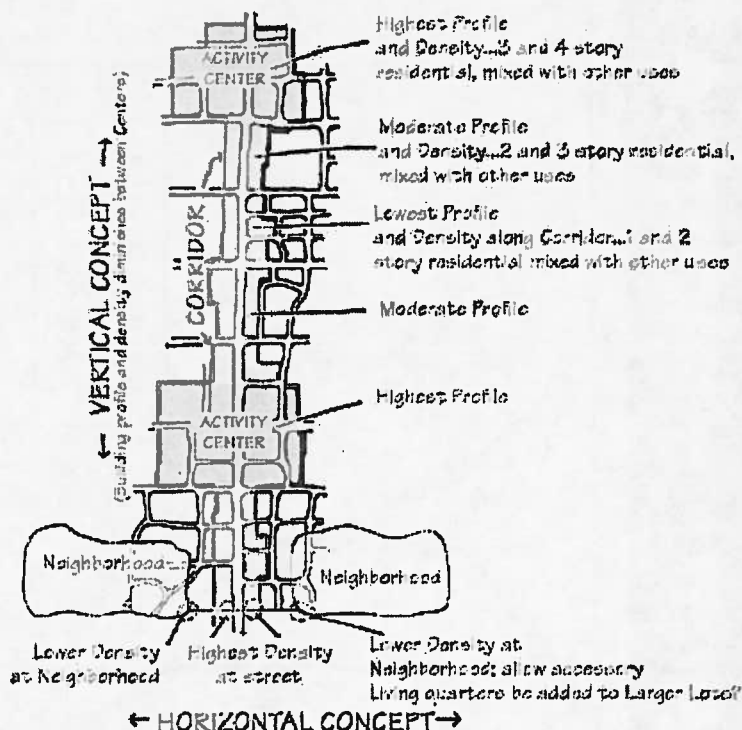
Internal circulation is closely associated with the location and design of land uses that generate the need for movement. Reducing the need to travel by automobile and reducing trip lengths are as important as providing transportation facilities that meet area needs. Altering the placement and mix of land uses can make alternatives to private automobile travel feasible. Mixed land use, for example, congregates several different activities at one location, facilitating work, leisure, and shopping functions without driving. Not everyone will live close to where they work, or shop close to where they live, but the option should be available.

Density of housing and intensity of non-residential development should be highest where corridors coincide with designated activity centers. Between seven and twelve dwelling units per net acre is necessary to support frequent bus service. Density and intensity should, generally speaking, also be highest at or near the street/corridor, and diminish as the adjacent residential neighborhoods are encountered. Successfully developed Activity Centers and linking corridors with mixed residential and non-residential uses offer an alternative to sprawl, creating more life - style choices and a more sustainable city in the process. With cooperation among local government, the private sector, and consumers, 15,000 to 20,000 housing units could be added by 2025 within the Activity Centers and the transit corridors shown on Figure 20.

Planning Coordination

The Middle Rio Grande Council of Governments' (MRGCOG) Urban Transportation Policy Board (UTPPB), composed of elected officials from the City, the County and other local governments and agencies in the region, is responsible for setting regional transportation policy. By contrast, land use planning and zoning decisions fall under the jurisdiction of the respective local government, be it the City of Albuquerque, Bernalillo County, Corrales or Tijeras. The current urban form has evolved based upon the desires and policies of the past. The Activity Centers and transportation corridors policy concept seeks to promote a more compact built environment with areas of greater population and mix of uses, that increases opportunities for transit, bicycle, and walking. Early coordination is essential to properly planning multi-modal transportation systems for this changed pattern of growth. These coordinating efforts also need to incorporate such concepts as carpooling/vanpooling, Intelligent Transportation Systems (ITS), and Transportation Demand Management (TDM).

Figure 29: A general concept for distribution of land use intensity in a transit corridor linking two activity centers.



accessibility and transit usage. This objective is important because the goal of community centers is to serve mainly the routine daily and weekly service needs of nearby neighborhoods, with some employment. This Plan prescribes a "baseline" set of design/development policy objectives for Community Activity Centers. More detailed design objectives appropriate to different locations should be set forth in smaller area planning efforts.

Land use, zoning and transportation decisions made incrementally over decades have undermined effective implementation of the Activity Centers concept at designated locations. A dispersed pattern of commercial, office, industrial and low to medium-density residential zoning and use has developed since the 1975 Plan's adoption. The availability of lower cost vacant land with equivalent zoning outside the designated Activity Centers works against attempts to concentrate uses in the Activity Centers.

With rigorous community support, public investment and effort to contain intense uses in designated Activity Center areas over the next 20 to 25 years, the concept might succeed. Travel would become less dispersed, making transit systems more efficient and public/private expenditures for pedestrian ways and community amenities more feasible.

As of 2001, with a limited capital program that annually is \$20 million short of funding infrastructure rehabilitation needs, and with declining Gross Receipts Tax revenue undermining local government operating capacity, Albuquerque and Bernalillo County will need the efficiencies which can be achieved through implementation of Activity Centers and transportation corridors development policy.* A corollary benefit would be a more compact urban area that is more sustainable, not only fiscally and economically by virtue of more concentrated and efficiently used infrastructure, but also environmentally by virtue of shorter travel distances and reduced landscape irrigation. And finally, property values within the built urban area would be stabilized or improved through reinvestment.

Activity Center development can only be accomplished through careful analysis and identification of advantageous connections among interrelated factors such as land use form and intensity, zoning and its spatial distribution, demographics, market trends, transit considerations, redevelopment and infrastructure conditions and objectives. Ongoing public-private cooperation is essential to creating market conditions that support Activity Center development.

Assumptions that underlie successful development of mixed use Activity Centers and transportation corridors include:

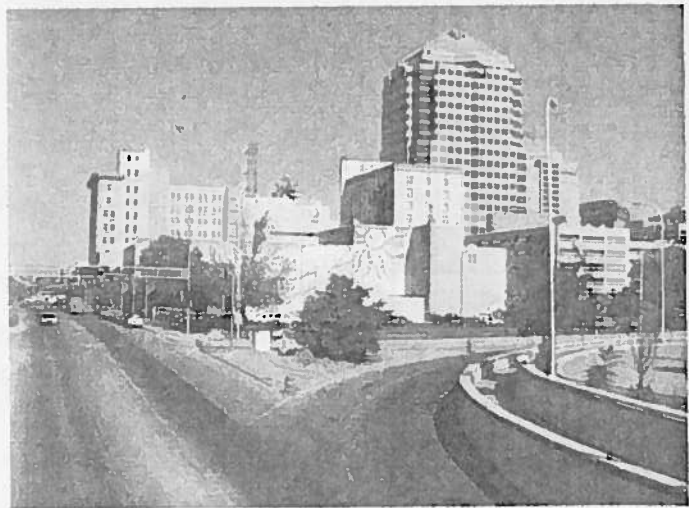
- Albuquerque and Bernalillo County will continue to grow, probably at or near the recent annual rate of 1.4%, most years through 2025, adding more than 60,000 additional households.
- Personal vehicles will continue to be the predominant choice in mode of transportation, though drive time will erode considerably, and a larger share of trips than today will be taken on mass transit, bicycles, or by walking or ridesharing.
- Arterial streets will be maintained and/or reconstructed, with greater attention to serving travel modes including mass transit, walking and bicycling as well as vehicles.
- Transit services will be improved in terms of comfort, convenience and competitiveness as a viable transportation choice.

* It is also useful to note that, in 2001, there is an estimated \$1.8 billion backlog of water, sewer, transportation and hydrology rehabilitation needs, as well as \$700 million in deficiencies.

institutional uses such as elementary schools. Access is generally by local and collector streets. Too numerous to indicate on the following map, Neighborhood Activity Centers should be specifically located and mapped in the course of smaller area planning.

- **Rural Village Activity Centers:** These Activity Centers exist at several locations in unincorporated areas of Bernalillo County. They are designated to serve daily convenience goods and service needs of residents living in the surrounding Rural and Semi-Urban Areas. Similar to Neighborhood Activity Centers in the Urban Area, Rural Village Activity Centers are usually only a few acres in size, located on an arterial street or highway, and should ultimately contain a mix of small scale retail and service uses such as grocery stores, restaurants, gasoline service stations, hardware stores and offices, as well as some housing within walking distance of the other uses.

Figure 17: Downtown, Albuquerque's original Major Activity Center.



Objectives for Creating Activity Centers

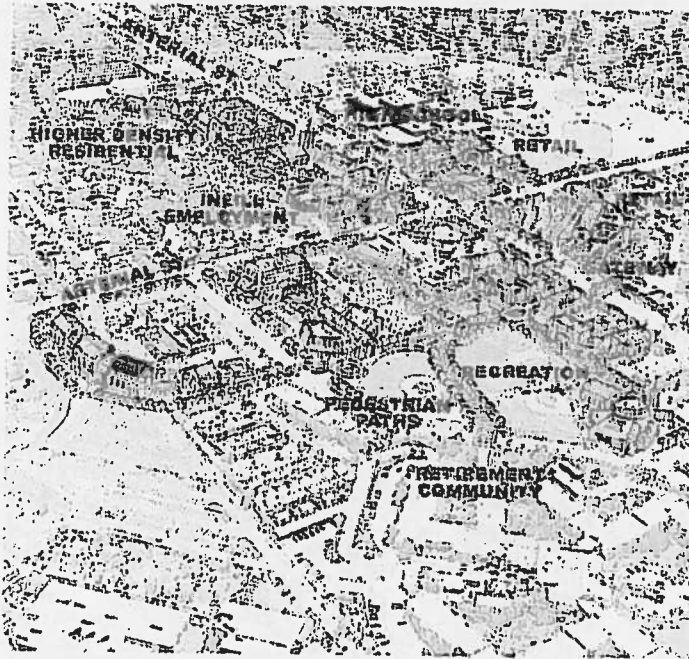
Generally speaking, Major Activity Centers designated by Figure 30 are too diverse in terms of function to be effectively governed by a single set of design principles, either for streets or the private realm. Where Downtown (in the near term, and perhaps Uptown in the longer term) can realistically pursue a development philosophy of "park once and walk" to multiple destinations during the course of a day, the relatively low density employment district of a Journal Center lacks the small block grid and mixed land use necessary to successfully promote significant pedestrian activity. Specific solutions suited to the unique circumstances of each Major Activity Center must be designed to effectively build and redevelop street features and complimentary land uses. This is best accomplished through Rank Three development plans, similar to those already in place for Downtown and Uptown.

Most of the remaining Activity Centers designated by Figure 30 are community scale in nature, and while they too are quite diverse in their history and functional character, it is useful to establish basic community identity design and development objectives intended to gradually move them toward greater pedestrian and bicycle

Figure 18: One illustration of Downtown developed with more building intensity, transit and pedestrian opportunities.



Figure 15: The same arterial intersection showing infill/redevelopment that would convert the area into a community-scale activity center.



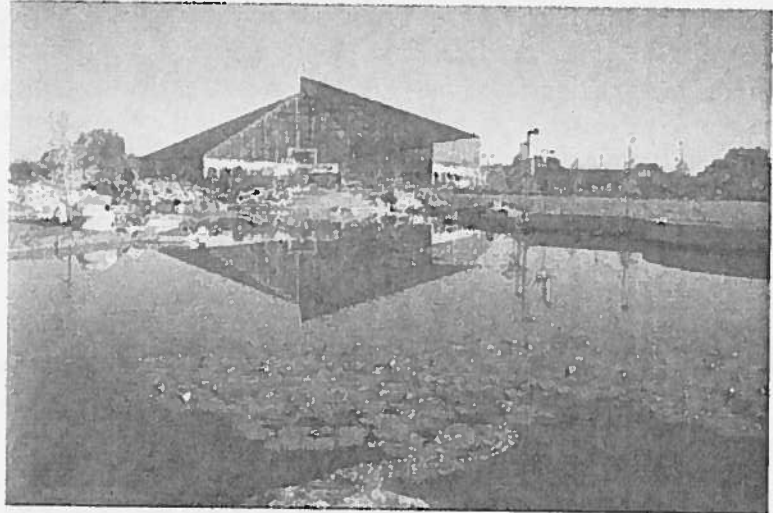
commercial, office, entertainment, medium density residential, and institutional uses accessed by arterial streets and a range of transit service levels depending on composition; adjacent, contributing uses could result in larger quantities of acreage.

The ideal Community Activity Center would have parcels and buildings scaled to pedestrians, small enough to encourage parking once and walking to more than one destination. Off-street parking is often shared, and on-street parking helps contribute to the intimate scale typical of well functioning pedestrian areas. Parking located between and behind buildings would permit people to walk more safely and comfortably between uses that front on sidewalks rather than parking lots. Seating and shade along pedestrian routes also promote walking and informal gathering. The successful multi-use Community Activity Center is a vibrant people place especially serving the surrounding community area as defined by the Plan's "Community Identity and Urban Design" Plan

sections and map, e.g. the San Mateo/Montgomery and Hoffmantown Community Activity Centers serve the Mid-Heights Community Area.

- **Specialty Activity Centers:** Several "one-of-a-kind" facilities or Specialty Activity Centers, need support to continue providing the metropolitan area population with variety and interest. The State Fairgrounds, UNM Sports Complex, Balloon Fiesta Park, Old Town/Museum Complex, Biological Park and Zoo all provide unique recreational and entertainment opportunities and, in some cases other, more year-round uses that are complementary to the primary use. The Albuquerque Sunport, the regional air travel hub, is a Specialty Activity Center with another type of significance to Albuquerque and this part of New Mexico. Specialty Activity Centers tend to be quite large, several hundred acres in size, due to their extensive regional, state, and national "service area".

Figure 16: Albuquerque's Biopark exemplifies the uniqueness of Specialty Activity Centers.



- **Neighborhood Activity Centers:** These are designated to meet the daily "convenience" goods and service needs of residents in two or three immediately adjacent neighborhoods. Their size would not usually exceed 10 acres, and would include a mix of small scale retail/service uses, neighborhood park and perhaps small

Activity Centers can become magnets for activity and development which positively affect urban form, environmental quality, and the transportation network. Committing capital implementation funds specifically to public improvement in Activity Centers and taking actions necessary to limit the range and intensity of land uses outside the Activity Centers are key needs if such a new development style is to be realized, and it will likely take two decades or more to accomplish, depending on what proportion of the capital program is committed to Activity Centers implementation, and on land use regulatory success and private sector response.

Types of Activity Centers

The Plan envisions five basic Activity Center types: Major Activity Centers, Community, and Neighborhood Centers, as well as Specialty Centers and Rural Village Centers. The Plan contains policies which address the function and composition of each.

- **Major Activity Centers:** These are areas whose major focus is concentration of commercial and/or major employment uses.

A Major Activity Center is an area between 300 and 1,000 acres designated to provide a place of work for residents throughout the metropolitan area, but also including medium (7-12 dwelling units per net acre) to high-density (12 dwelling units or greater per net acre) housing and other uses in support of employees and commerce in the area and region. Predominantly auto-oriented in Albuquerque at the

present time, Major Activity Centers should be more concentrated in the future to better support transit usage, and be redesigned for greater pedestrian access. Major Activity Centers floor area ratios should be higher than elsewhere in the city, and they should contain such activities as regional shopping centers, government and financial institutions, and major cultural and entertainment features. Major transportation corridors would connect these Activity Centers with each other and with residential areas.

- **Community Activity Centers:** These are Areas designated to provide focus, identity, and convenient goods and services as well as some employment for a number of surrounding neighborhoods with a combined population of 30,000 or more. The ideal Community Activity Center should be between 15 and 60 acres of

Figure 13: Typical major arterial intersection and auto-oriented land use.



Figure 14: Nob Hill contains good examples of "community scale" center development.



Application



Supplemental Form (SF)

SUBDIVISION

- ☐ Major subdivision action
☐ Minor subdivision action
☐ Vacation
☐ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- ☐ for Subdivision
☐ for Building Permit
☐ Administrative Amendment/Approval (AA)
☐ IP Master Development Plan
☐ Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- ☐ Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- ☐ Annexation
☐ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
☐ Adoption of Rank 2 or 3 Plan or similar Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
☒ Sector Plan Amendment
☐ Street Name Change (Local & Collector)
☐ **APPEAL / PROTEST of...**
☐ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102.
Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Consensus Planning, Inc. PHONE: (505) 764-9801
 ADDRESS: 302 Eighth St. NW FAX: (505) 842-5495
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com
 APPLICANT: Oxbow Town Center, LLC PHONE: (505) 247-9080
 ADDRESS: 1401 Central Ave. NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87104 E-MAIL: j.m@sunlandnm.com
 Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: Sector Plan Amendment

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ☐ Yes ☒ No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. X-1-A2, X-2A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: University of Albuquerque Urban Center
 Existing Zoning: SU-3 for mixed use Proposed zoning: _____ MRGCD Map No. _____
 Zone Atlas page(s): G-11-2 UPC Code: 101106019549120846; 1011060180387207

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.): _____

Project # 1000032, B-07-256

CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? ☒ No
 No. of existing lots: 2 No. of proposed lots: 2 Total site area (acres): 47.7 acres

LOCATION OF PROPERTY BY STREETS: On or Near: St. Josephs Drive
 Between: Coors Boulevard and Atrisco Drive

Check if project was previously reviewed by: Sketch Plat/Plan ☐ or Pre-application Review Team (PRT) ☐ Review Date: _____

SIGNATURE

(Print Name)

James K. Strozic, AICP

DATE 6/27/13

Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY

- ☒ INTERNAL ROUTING
☒ All checklists are complete
☒ All fees have been collected
☒ All case #s are assigned
☒ AGIS copy has been sent
☐ Case history #s are listed
☐ Site is within 1000ft of a landfill
☐ F.H.D.P. density bonus
☐ F.H.D.P. fee rebate

Application case numbers

13EPC 40123

Action

CMF

ADV

S.F.

Revised: 4/2012

Fees

\$425.00

\$50.00

\$75.00

Hearing date August 8, 2013

6-26-13

Staff signature & Date

Project # 1000032

Total \$550.00

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Consensus Planning, Inc. DATE OF REQUEST: 6/23/13 ZONE ATLAS PAGE(S): G-11-Z

CURRENT:

ZONING SU-3 for mixed use

PARCEL SIZE (AC/SQ. FT.) 47.7 acres

LEGAL DESCRIPTION: x-1 - A2 1/2

LOT OR TRACT # X-2-A BLOCK # _____

SUBDIVISION NAME University of Albuquerque Urban Center

REQUESTED CITY ACTION(S):

ANNEXATION []

ZONE CHANGE []: From _____ To _____

SECTOR AREA, FAC, COMP PLAN ☒

AMENDMENT (Map/Text) ☒

SITE DEVELOPMENT PLAN:

SUBDIVISION* [] AMENDMENT []

BUILDING PERMIT [] ACCESS PERMIT []

BUILDING PURPOSES [] OTHER []

*includes platting actions

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT ☒

NEW CONSTRUCTION []

EXPANSION OF EXISTING DEVELOPMENT []

GENERAL DESCRIPTION OF ACTION:

OF UNITS: _____

BUILDING SIZE: _____ (sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE [Signature]

DATE 6-26-13

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [] NO ☒ BORDERLINE [] NOT REQUIRED FOR THIS SUBMITTAL.

THRESHOLDS MET? YES [] NO ☒ MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: []

Notes: TIS DETERMINATION REQUIRED PRIOR TO SITE PLAN FOR SUBDIVISION.

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

[Signature]
TRAFFIC ENGINEER

6-23-13
DATE

Required TIS must be completed prior to applying to the EPC and/or the DRB. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED 1/1/
-FINALIZED 1/1/

TRAFFIC ENGINEER _____

DATE _____

Revised January 20, 2011

**OXBOW TOWN CENTER, LLC
P.O. Box AA
Albuquerque, NM 87103**

June 27, 2013

Hugh Floyd, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Re: Sector Plan Amendment and Site Plan for Subdivision Amendment –
Tracts X-1-A2 and X-2-A, University of Albuquerque Urban Center

Dear Mr. Chairman:

This letter confirms that Consensus Planning is authorized to act as agent for Oxbow Town Center, LLC for a land use Amendment to the University of Albuquerque Sector Plan and Site Plan for Subdivision Amendment for the above-referenced property.

Thank you for your consideration.

Very truly yours,

OXBOW TOWN CENTER, LLC

By: Tom Keleher
Thomas F. Keleher, Managing Member

TFK:mab
00190570/10535.01

DRAFT

June 27, 2013

Mr. Hugh Floyd, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

RE: Sector Plan Amendment for Tracts X-1-A2 and X-2-A

Dear Mr. Chairman:

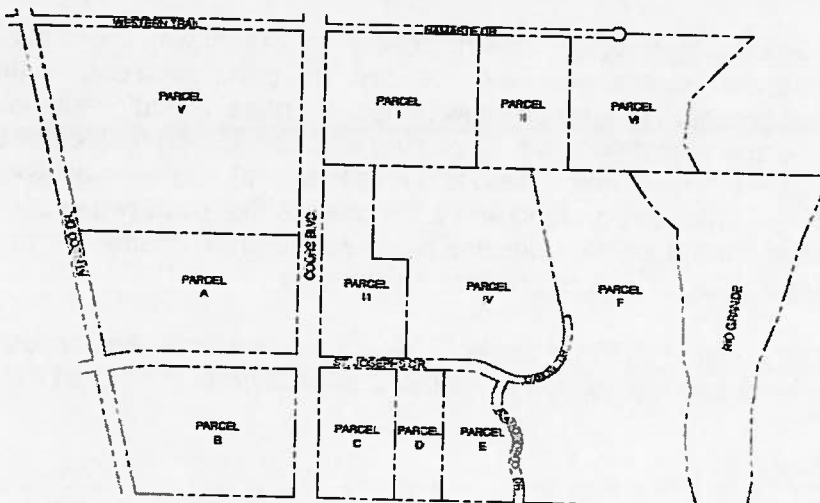
The purpose of this letter is to request a Sector Plan Amendment on behalf of Oxbow Town Center, LLC the owners of tracts X-1-A2 and X-2-A of the University of Albuquerque area on behalf of Oxbow Town Center, LLC. The property is located on the west side of Coors Boulevard, north and south of St. Joseph's Drive. Tracts X-1-A2, X-1-A1, and X-2-A are shown as Parcels A and B in the Sector Plan (see Sector Plan Map Below).

The following is a brief description of the request:

Sector Plan Amendment – The applicant's request is to modify the land use designation for Parcels A and B. The Sector Plan currently requires a minimum of 17 acres of office (O-1 uses) on Parcels A and B. This request proposes to change this land use requirement from office (O-1 uses) to residential (R-T uses) to allow up to 17 acres of single family residential development on Parcel A only. The balance of the Parcel A property is to be developed as commercial (C-2 uses) or office (O-1 uses) for approximately 5 acres. Parcel B is to be developed as commercial (C-2 uses) or office (O-1 uses) for approximately 25 acres.

CASE HISTORY

The subject property falls under the **University of Albuquerque Sector Development Plan**, which has undergone a long history of amendments. There have also been area and strategic plan adoptions and amendments before and since the initial approval of the University of Albuquerque Sector Plan in 1982 that impact the proposal.



47 acres of Parcels A and B are the focus of the proposed Sector Plan amendment. The applicant envisions single family development, with some commercial use in the southeast corner of Parcel A. The applicant's goal is to develop the property south of St. Joseph's Drive (Parcel B), with a mix of uses as allowed within the C-2 zone. It is anticipated that these uses would include a mix of restaurants, retail stores, commercial services, and medium to high density residential uses. Site Development Plans for Subdivision and Building Permit and their respective applications will reflect these development goals at a future date.

Residential communities (the Quaker Heights and Calle Tierra Amerilla neighborhoods) are located north and south of Parcels A and B. Single family and multi-family development exists directly north of the property on Parcel V while multifamily units have been developed to the south of Parcel B. In 2012, multi-family development was proposed for a portion of Parcel A. However, the proposal faced opposition from the adjacent neighbors and was withdrawn. Therefore, the applicant is requesting R-T zoning for future single family development to reflect the community's preferences.

SURROUNDING LAND USE AND ZONING

North – Zoned SU-3 for Mixed Use which includes residential uses and has been developed as single and multi-family residential (Bosque Encantado and Encantado del Sur).

South – Zoned SU-1 for PRD and developed for residential uses including multi-family residential (Villa de Paz).

East – Zoned SU-1 for PDA which includes St. Pius High School and single family residential (Oxbow Enclave).

West – Zoned C-1, O-1, and R-3 for commercial, an urgent care facility, medical offices, church, town houses, and multi-family residential development.

SECTOR PLAN AMENDMENT - RESPONSE TO RESOLUTION 270-1980

The Sector Plan land use change request is in compliance with Resolution 270-1980 as follows:

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

Applicant's Response: This request is consistent with the health, safety, morals, and general welfare of the City. The permissive uses in the Sector Development Plan already allow residential uses, including single family, multi-family, and senior housing. Replacing office uses with residential uses will reinstate the residential uses (to a lesser extent) that were allowed prior to the Activity Center designation and zone change that occurred in 2007 and will provide a more logical transition between the more intense commercial uses and the adjacent neighborhoods and church.

- 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*

Applicant's Response: Parcels A and B have full urban facilities and services available to them. Direct access is from Coors Boulevard and Saint Joseph's Drive. Existing water, sewer, and other utilities area in place and can accommodate future development. Coors Boulevard is an Enhanced Transit Corridor served by ABQ Ride routes 155, 790, and 96.

Policy j: *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.*

Applicant's Response: As previously stated, the applicant envisions residential development on Parcel A that will be complemented with proposed commercial development at the corner of Coors Boulevard and St. Joseph's drive. The residential and commercial retail/service uses on the property will go through an approval process for Site Plan for Subdivision and Site Plan for Building Permit with the Environmental Planning Commission (EPC) to ensure the quality of design and allow public comment. It will be subject to design regulations in the Coors Corridor Plan.

Policy j: *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 free-standing retailing and contiguous storefronts along streets in older neighborhoods.*

Applicant's Response: The area of commercial retail/services is envisioned to be sited along Coors Boulevard. Site specific development for these future commercial uses should provide pedestrian and bicycle access from the residential communities to the retail/service development. The envisioned residential areas will be well within walking or bicycling distance.

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

Policy m: *Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.*

Applicant's Response: Any residential and commercial development will be subject to Site Plan for Subdivision and Site Plan for Building Permit review and approval by the EPC. The single family development will be reviewed by the DRB. All development will be measured against the design policies and regulations of the Coors Corridor Plan, West Side Strategic Plan, and the Comprehensive Plan.

West Side Strategic Plan

Goal 12

The Plan should provide for long-term sustainable development on the West Side.

Objective 4: *Preserve a sense of community and quality of life for all residents based on wise, long-term decision-making.*

Applicant's Response: Residential uses will more effectively interface with existing neighborhood and community-oriented uses. The proposed change to the land use designation would balance with the surrounding residential, future commercial, and existing institutional uses (i.e., St. Pius High School). The existing Neighborhood Activity Center at Coors Boulevard and Western Trail has developed primarily with single-family residential uses, which suggests that the remaining vacant areas will not support a complete mix of commercial and office uses, as is currently mandated by the Sector Plan.

Coors Corridor Plan

The subject site lies within the boundaries of the Coors Corridor Sector Development Plan, a Rank III plan adopted in 1984. It contains policies, regulations, and guidelines for the development of Coors Boulevard. The subject property is in Segment 2 of the Corridor Plan, which extends from I-40 on the south to the Western Trail on the north.

Policy 1 – Adopted Plans: *Land use decisions shall be made in accordance with adopted plans for Northwest Mesa area. The City of Albuquerque has adopted a hierarchical plan ranking system. The Rank 1 plan includes all the elements of the Albuquerque/Bernalillo County Comprehensive Plan. Rank 2 plans include area plans such as the Northwest Mesa Area Plan. Rank 3 plans include sector development plans including this Coors Corridor Plan. Plans of lower rank must comply with all provisions of all higher ranking plans, including issues such as land use and commercial site locations.*

Applicant's Response: Adopted plans for this area have been addressed in this justification letter. Relevant policies from applicable plans have been cited. This request complies with applicable policies of higher ranking plans, thereby furthering this policy.

Policy 3 – Recommended Land Use: *The Coors Corridor Plan recommends land uses which are identified on the following maps. They specify existing and recommended zoning and recommended land uses. These recommended land uses shall guide the development in the plan area.*

Applicant's Response: The subject property is located in Segment 2 of the Coors Corridor Plan Zoning and Land Use maps. Existing zoning at the time the Plan was written was SU-3 for Employment Center. No zone change was recommended, although the land use designation has since been changed. The Coors Corridor Plan's recommended land use for the site is industrial/employment. The Coors Corridor land use recommendation reflects the University, Technology Park, and high density development that was envisioned at the time of the Plan's adoption. Since the Plan's adoption, there have been several amendments to the

The proposed change is also more advantageous to the community as articulated in numerous City plans and policies. In addition to these plans and policies, the neighborhood to the north and the church expressed concern over a proposal for high density housing and stated their preference for single family homes in this area. While the Office Park was not opposed, it is more intense and was anticipated to be 3-stories. The single family homes will also generate significantly less traffic. Specific policies that support this change are provided in Section C of this response and include neighborhood stability, quality of life, enhance the sense of community in the area, and provide for additional variety of housing options.

The existing Church on Parcel A is in the process of building an affiliated elementary school on the remainder of its 10 acre property. The addition of a school in this location is a very compatible use with the proposed single-family residential. Furthermore, the addition of this elementary school will help alleviate the local elementary school.

- (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's Response: The proposed change to the existing land use designation from O-1 to R-T would not be harmful to the adjacent property, the neighborhood, or the community. As previously stated, the permissive uses established for the University of Albuquerque Sector Plan already allow single and multi-family residential development. Eliminating the requirement that a minimum of 17 acres must be developed as O-1, and allowing R-T residential uses is a better and more appropriate use than the current restriction requiring office uses. The stability of the future land use will be facilitated through a transition from the existing neighborhoods and the church to the envisioned commercial uses at the corner of Coors Boulevard and St. Joseph's Drive. In 2012, an application for high density residential development was proposed and withdrawn due to neighborhood concern over the height and density of the proposed development. As it currently stands, the land use designation for the subject property allows office uses that would typically be 3 stories, or higher. The current request takes into consideration the neighborhood's concern by proposing to amend the O-1 use to R-T to allow the future development of single-family residential homes on the site.

This request not only meets the adjacent neighborhoods' wishes, but it also maintains a consistency with City plans and policies. Specifically, the request does not eliminate the C-2 and O-1 uses that currently dictate the land use on the two parcels and reflect the goals of a Community Activity Center designation. Rather, our request keeps 5 acres of C-2 and O-1 uses on Parcel A as well as 25 acres of C-2 and O-1 uses on Parcel B. The combination of the proposed R-T use for up to 17 acres on Parcel A as well as the conservation of the C-2 and O-1 uses on 5 acres of Parcel A and 25 acres of Parcel B is a balanced request that upholds City plans and policies as well as respects the neighborhoods request for medium to low density development.

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

Applicant's Response: This request to replace the requirement of 17 acres of O-1 and allow up to 17 acres of RT uses is not based on the property location on a major roadway.

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:

- i. *The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan.*

Applicant's Response: The request to R-T is not considered a spot zone because it involves 17 acres in size and contiguous properties to the north are also residential. It is appropriate because it facilitates realization of the changed conditions, the Comprehensive Plan, and the West Side Strategic Plan as delineated in this justification.

- (I) *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."*

Applicant's Response: This proposed zone change does not classify as *strip zoning* because it is not a strip of land and it is keeping with the current zoning trends of the surrounding area.

CONCLUSION

On behalf of Oxbow Town Center, LLC, we respectfully request that the Environmental Planning Commission approve the request for this Sector Plan Amendment and Amendment to the Site Development Plan for Subdivision. Thank you for your consideration.

Sincerely,

James K. Strozier, AICP
Principal

Barkhurst, Kathryn Carrie

From: Jim Strozier <cp@consensusplanning.com>
Sent: Wednesday, July 24, 2013 10:29 AM
To: Kathleen Oweegon
Cc: <terrismith8@comcast.net>; <aludi415@gmail.com>; <prmx@aol.com>; <berentgroth@mac.com>; Richard Schaefer, <ixthus90@gmail.com>; <abqkodydog@aol.com>; <villadepaz185@gmail.com>; Colin Semper, <albqdog@aol.com>; <joevalles@aol.com>; <aboard10@juno.com>; <candypatt@aol.com>; <hlhen@comcast.net>; <jim@sunlandnm.com>; <judahjam@yahoo.com>; <rayshortridge@netscape.net>; <laslomasna@comcast.net>; <nick22204@gmail.com>; <bobnsh@aol.com>; <rshine60@hotmail.com>; <genaly40@aol.com>; <scholzey@hotmail.com>; <rjerler@gmail.com>; <madcowlaw@gmail.com>; Margaret McGuinn; <balloonprinzess@comcast.net>; <Bugszie@aol.com>; Beaucaire, Shannon D.; Parada, Naomi L.; Winklepleck, Stephani I.; Barkhurst, Kathryn Carrie; Diane Grover
Subject: Re: Project #1000032 Facilitated Meeting Report

As discussed at our meeting, I agreed to provide a trip generation comparison between the approved office park plan and our proposed plan amendment. The office trip generation numbers were taken directly from the traffic impact study done in 2007. I based the single family trips on 120 homes. As you can see the reduction in trips is significant.

Land Use	Daily Trips.	Enter.	Exit.	Enter.	Exit.
Office.	4,514.	410.	70.	120.	479.
Single Family.	1,242.	23.	70.	78.	46.
Difference.	-3,272.	-387.	0.	-42.	-433.

Jim Strozier, AICP
Sent from my iPad

On Jul 19, 2013, at 7:46 PM, Kathleen Oweegon <oweegon@bridgesofpeace.com> wrote:

Hi Everyone,

Attached, please find the meeting report from Wednesday's facilitated meeting regarding Project #1000032. Should you read something in the report that you feel is an inaccurate representation of what was said in the meeting, please refer to the amendment parameters below.

I am also attaching a copy of the application since some of you were not able to access it using the link that I sent in previous e-mails.

I'm including links to the applicant survey for Jim Strozier and Jim Rogers, and the participant survey for everyone else who attended the meeting:

Neighborhood Notification & Comments

"ATTACHMENT A"

Malak Hakim
Consensus Planning
302 8th Street NW/87102
Phone: (505) 764-9801/Fax: (505) 842-5495
E-mail: hakim@consensusplanning.com
Zone Map – G-11

LADERA HEIGHTS N.A. "R"

*Allan Ludi, 6216 Saint Josephs NW/87120 839-9153 (h)
Pat Moses, 6314 Dona Linda Pl. NW/87120 836-3265 (h)

VISTA GRANDE N.A. "R"

*Berent Groth, 3546 Sequoia Pl. NW/87120 266-6700 (h)
Richard Schaefer, 3579 Sequoia Pl. NW/87120

RANCHO ENCANTADO H.O.A.

*Colin Semper, 5809 Mesa Sombra Pl. NW/87120 453-5534 (h)
Kevin McCarty, 5800 Mesa Sombra NW/87120 217-2076 (h)

VILLA DE PAZ H.O.A., INC.

*John Scholz, 115 Calle Sol Se Mete NW/87120 489-3402 (h)
Judith Kanester, 54 Calle Monte Aplanado NW/87120 688-0901 (h)

THE ENCLAVE AT OXBOW H.O.A.

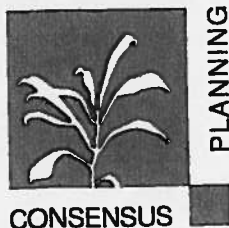
*Jill M. Greene, 3915 Fox Sparrow Trail NW/87120 410-3250 (c)
Forrest Uppendahl, 3900 Rock Dove Trail NW/87120 836-1758 (h)

WESTSIDE COALITION OF N.A.'S

*Candelaria Patterson, 7608 Elderwood NW/87120 321-1761 (c)
Harry Hendriksen, 10592 Rio Del Sole Ct. NW/87114-2701 890-3481 (h)

* President of Neighborhood and/or Homeowner Association or Coalition

Example



June 27, 2013

Mr. Allan Ludi
6216 Saint Josephs NW
Albuquerque, NM 87120

Mr. Patt Moses
6314 Dona Linda Pl. NW
Albuquerque, NM 87120

Re: Saint Josephs Drive and Coors Boulevard Sector Plan Amendment

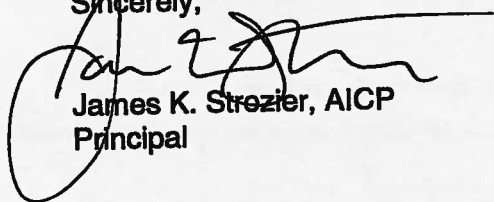
Dear Mr. Ludi and Mr. Moses:

The purpose of this letter is to inform you and the Ladera Heights Neighborhood Association that Consensus Planning has submitted a request for a Sector Plan Amendment on behalf of Oxbow Town Center, LLC. This request will be heard by the Environmental Planning Commission (EPC) on Thursday, August 8, 2013 at Plaza del Sol located at 600 Second Street NW. The hearing begins at 8:30 a.m.

The current land use on the approximately 47 acre property, which encompasses Parcels A and B of the University of Albuquerque Sector Plan, is designated for Church and related uses for approximately 10 acres; a minimum of approximately 17 acres shall be developed for office (O-1), the balance of the property is to be developed as (C-2) commercial or (O-1) office (approximately 30 acres). The applicant's request is to modify the existing land use from O-1 to RT to allow single family residential development. This request is consistent with the Albuquerque/Bernalillo Comprehensive Plan, the West Side Strategic Plan, and existing residential land uses adjacent to the property.

Please do not hesitate to contact me at 764-9801 with any questions you may have regarding this request.

Sincerely,



James K. Strozier, AICP
Principal

PRINCIPALS

Karen R. Marcotte, AICP
James K. Strozier, AICP
Christopher J. Green, ASLA

ASSOCIATES

Jacqueline Fishman, AICP

Att: Copy of the Zone Atlas Page G-11-Z
Proposed Sector Plan Amendment (11" x 17")

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87114

Postage	\$ 00.46	0101
Certified Fee	\$3.10	07
Return Receipt Fee (Endorsement Required)	\$2.55	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.11	06/26/2013

Sent to
Harry Hendrikson
Street, Apt. No.,
or PO Box No. **10592 Rio del Sol Ct. NW**
City, State, ZIP+4
Albuquerque, NM 87114
PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	\$2.55	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.11	06/26/2013

Sent to
Candelaria Patterson
Street, Apt. No.,
or PO Box No. **7608 Elderwood NW**
City, State, ZIP+4
Albuquerque, NM 87120
PS Form 3800, August 2006 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.11	06/26/2013

Sent to
Forest Uppendahl
Street, Apt. No.,
or PO Box No. **3900 Rock Dove Trail NW**
City, State, ZIP+4
Albuquerque, NM 87120
PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	\$2.55	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.11	06/26/2013

Sent to
Jill M. Greene
Street, Apt. No.,
or PO Box No. **3915 Fox Sparrow**
City, State, ZIP+4
Albuquerque, NM 87120
PS Form 3800, August 2006 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.11	06/26/2013

Sent to
Judith Hanover
Street, Apt. No.,
or PO Box No. **54 Calle Monte Apian**
City, State, ZIP+4
Albuquerque, NM 87120
PS Form 3800, August 2006 See Reverse for Instructions

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For delivery information visit our website at www.usps.com

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Postage	\$ 00.46	0101
Certified Fee	\$3.10	07
Return Receipt Fee (Endorsement Required)	\$2.55	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 06.11	06/26/2013

Sent to
John Scholz
Street, Apt. No.,
or PO Box No. **115 Calle Sol Mele NW**
City, State, ZIP+4
Albuquerque, NM 87120
PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 8697 5119

7012 1640 0001 8697 5102

7012 1640 0001 8697 5096

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For delivery information visit our website at www.usps.com

ALBUQUERQUE NM 87120

Postage	\$	\$0.46	0101
Certified Fee		\$3.10	07
Return Receipt Fee (Endorsement Required)		\$2.55	
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$6.11	06/26/2013

Sent To
Kevin McCarty
 Street, Apt. No.,
 or PO Box No. **5800 Mesa Sombra NW**
 City, State, ZIP+4
Albuquerque NM 87120
 PS Form 3800, August 2006 See Reverse for Instructions

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7012 1640 0001 8697 5058

7012 1640 0001 8697 5041

7004 1350 0000 0963 2060

Barkhurst, Kathryn Carrie

From: Barkhurst, Kathryn Carrie
Sent: Wednesday, July 24, 2013 5:42 PM
To: 'Kathleen Oweegon'
Subject: RE: Project #1000032 Facilitated Meeting Report

Kathleen,

I reviewed the Meeting Report, and thank you both for the detailed notes and careful report. I did notice a few items that I believe deserve clarification for the community's benefit. Here is my response:

1. Page 1. The request is for SU-3 for Mixed Uses zoning. The amendment is to the uses allowed within that zone, from a minimum of 17 acres O-1 (office and institutional uses) on Tracts A and B to "up to 17 acres of R-T uses." The request is to replace 17 acres of office uses with single family residential development.
2. Page 3, E.1.a. The Community Activity Center policies discourage single-family residential development, but encourage higher density residential uses, including multi-family (apartments and condos). Page 33 of the West Side Strategic Plan: "The Community Center provides the primary focus for the entire community with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, multiple-family dwellings and the most intense land uses within the community"
3. Page 7, 11.b.i. According to the Sector Development Plan, single family residential development shall be reviewed by the Development Review Board. Future Site Development Plans at the EPC level are not required. According to the SU-3 zone, non-residential development is to be reviewed/approved by the Planning Director.
4. Page 7, 14.c.ii. The applicant plans to submit a revised copy of the Sector Development Plan that specifies that the 17 acres of R-T development will occur on Tract A.
5. Page 12, 2.a. "The applicant states that they will maintain design standards – we will have input on that." There is no requirement for design standards or future EPC hearings. Single-family residential development will be required to meet the technical requirements of the Subdivision Ordinance. There will be no architectural design review.
6. Page 12, J.1. The City does not require 2 toilets per single-family household. That is something driven by the housing market.
7. Page 13. III.B.1. The EPC will not accept written comments within 24 hours of the hearing. However, comments received after the deadline can be read into the record by a neighborhood representative or summarized by Staff in an opening statement.

Please let me know if you have any questions.

Carrie

From: Kathleen Oweegon [mailto:oweegon@bridgesofpeace.com]

Sent: Friday, July 19, 2013 7:47 PM

To: Jim Strozier; terrismith8@comcast.net; aludi415@gmail.com; prmx@aol.com; berentgroth@mac.com; Richard Schaefer; ixthus90@gmail.com; abqkodydog@aol.com; villadepaz185@gmail.com; Colin Semper; albdog@aol.com;

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

Project #: 100032

Property Description/Address: X-1-A2, X-2A University of Albuquerque Urban Center

Date Submitted: July 19, 2013

Submitted By: Kathleen Oweegon

Meeting Date/Time: July 17, 2013 6:30 p.m.

Meeting Location: Taylor Ranch Community Center

Facilitator: Kathleen Oweegon

Co-facilitator: Diane Grover

- **Applicant/Agent**
 - o Jim Rogers, Oxbow Center, LLC;
 - o Jim Strozier, Consensus Planning
 - o Malak Hakim, Consensus Planning
- **Neighborhood Associations/Interested Parties**
 - o Ladera Heights N.A.
 - o Vista Grande N.A.
 - o Rancho Encantado H.O.A.
 - o Villa de Paz H.O.A., Inc.
 - o The Enclave at Oxbow H.O.A.
 - o Westside Coalition of N.A.s

Background/Meeting Summary:

Applicant is requesting a Sector Plan Amendment to change the zoning of Parcel A from SU-3 to RT. Although Parcels A & B of this property are treated the same in the sector plan, this proposed amendment is designed to facilitate the building of 1 & 2-story single-family residences on most of Parcel A, with no current plans in the works for any similar building on Parcel B. This project proposes a change from current SU-3 zoning to RT for the purpose of developing single-family housing – both townhomes and detached houses on Parcel A, with some commercial use in the SE corner of Parcel A.

Some neighbors spoke in favor of this proposal, while others expressed concern over the loss of office development. They feel the advantage of offices would be to alleviate traffic city-wide by providing more jobs on the west side of town for the west-side residents, thereby eliminating commutes. These same neighbors expressed the need for more health services, such as dentists, doctors, and lab facilities on the west side, which they hope would be the occupants of offices that would be built in the area.

Other concerns that seemed to be primary to the neighbors included traffic, school over-crowding, and the impact of new homes (especially their toilets) on already over-burdened water utilities. These and additional concerns are detailed in Meeting Details below.

The applicant and agent have been meeting with neighborhood representatives outside of these facilitated meetings to hear their ideas and concerns, and explore possibilities. They stated that they will continue to do so.

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Outcome:

- *Areas of Agreement*
 - o None noted; some residents attending the meeting stated that they needed to take information back to their neighborhood association.
- *Unresolved Issues & Concerns (see Meeting Details below for Applicant & Agent replies to these concerns)*
 - o Neighbors feel there is a need for office space on the west side to increase employment opportunities for west side residents, reduce commuter traffic, and provide local health-care services.
 - o Zoning lost if this amendment is approved may be needed in the future and be irretrievable.
 - o Additional single-family residences in this area may overburden the schools and water infrastructure.
 - o Traffic congestion may be increased by the addition of single-family residences.

Meeting Specifics:

I. Agent's Presentation

- A. Jim Strozier, of consensus Planning is taking this application through the City Process for Applicant – Oxbow Center, LLC.
- B. Property boundaries and aspects:
 - 1. Northern boundary: Western Trail/Namaste
 - 2. Western boundary: Atrisco Drive
 - 3. Eastern boundary: Rio Grande River
 - 4. Southern boundary: Oxbow Community on east side of Coors with a vacant tract on west of Coors
 - a. Area to the south of St Joseph and east of Coors is Oxbow Communities
 - 5. Wraps around area to east and around St Pious
 - 6. North of St. Pious is Oxbow North and open space
 - 7. Parcel 5 has vacant parcel at NE corner; condo parcel at SE corner
 - 8. Parcels A & B are treated as same in sector plan; west end of Parcel A is church; Parcel b currently vacant
- C. Background of this property: 1982 sector plan for University of Albuquerque
 - 1. Original plan, when sector plan was done, was a University of Albuquerque campus extension with labs, offices, and high-density student housing
 - 2. Zoned SU-3 for mixed use
 - 3. Many changes to sector plan came about to facilitate progress. – changed so many times it became hard to track.
 - 4. When density reduced on E side of Coors – City planning wanted more density on Parcels A & B
 - a. City wanted downzoning of eastern half, and zoning all multi-family
 - 5. Church took portion of 10 acres on western edge of Parcel A

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PROJECT MEETING REPORT

6. The most recent previous plan was to develop A& B with commercial, retail and office.
 - a. City required minimum of 17 acres as office as part of approval.
 - (i) Were making lots of decisions based on school capacity.
 - (ii) Wanted no more residential, and office was seen as good alternative.
 - (iii) APS has since made a lot of progress in building new schools, which has helped some with over-crowding.
7. Previous proposal was to allow multi-family, instead of offices.
 - a. Great deal of opposition to multi family adjacent to school and Rancho Encantado – application was withdrawn as result of opposition.
 - b. Agent had many conversations with Rancho Encantado since then, and identified a preference for single-family dwellings next to the church (which will be adding an elementary school)
- D. Present: The use of the land hasn't developed as originally planned
 1. Part of what was intended for University of Albuquerque uses named above became St. Pious High School
 2. On the west side of Coors there has not been much development to date – Rancho Encantado neighborhood and City park on parcel 5
- E. Purpose of current proposal is to request a change to the text as it relates to land use provision for parcels A & B: change requirement for office to allow single family zones – RT zone which is single-family zone – higher on density scale – allows attached TH and single family houses.
 1. This allows some flexibility similar to Rancho Encantado, which has condos along Coors – would allow higher density homes adjacent to the existing condos and Coors with flexibility to do single-family detached houses
 - a. Community Activity Center designation allows single-family detached and attached.
 - (i) Not multi-family (no apartments or condos).
 2. RT zoning allows up to 2 stories – all residential zones allow up to 2 stories.
 - a. Original plan for offices was for 4 three-story office buildings.
 - (i) Applicant and Agent think single-family residential will be better for community, surrounding neighborhood and church.
 3. Anticipate 5 acres of commercial at NW corner of St. Joseph and Coors
 - a. South of St. Joseph will be C2 – not changing at this time.
 4. Don't know about south – Applicant and Agent think “big box” is unlikely – more likely mixed-use retail commercial, service commercial, residential – all within C2 zoning.
 - a. Not proposing changes to that.
 5. Another important aspect is that traffic will be less than what was originally proposed.
 - a. Applicant and Agent know traffic is an issue and feel this is a good approach.
 6. Residential will be tied to Oxbow theme from design standpoint – wall design, landscape, street-scape – same quality.
 - a. Not finalized but “Oxbow West” is the working name for neighborhood
 - (i) Probably around 80 houses.
 7. No 3 or 4-story – combination of one and two story houses
 - a. Impact to views would be minimal and similar to surrounding neighborhood.

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PROJECT MEETING REPORT

II. Neighbor Feedback and Questions

A. Coors Corridor Plan (CCP)

1. A neighbor asked if this proposal complies with the CCP.
 - a. The agent replied that the CCP doesn't address land uses, so making no changes.
 - (i) CCP deals more with design regulations.
 - (ii) Development will follow CCP design regulations

B. Zoning

1. Regarding Resolution 27-1980 – that the proposal appeared to address one policy, but not all.
 - a. How will you comply with other policies in resolution?
 - (i) How is this more advantageous to community?
 - (ii) We joined in request for specific zoning that exists right now – at some point in time we may need that zoning.
 - b. The agent replied that the resolution says that whenever you change zoning, there is a series of tests you have to address.
 - (i) We provided a response in conjunction with the application – item D in resolution references what you need to demonstrate to change zoning:
 - ◆ A mistake that was made
 - ◆ That there are changed neighborhood conditions that would justify;
 - ◆ More advantageous to community.
 - (ii) This sector plan is sparse on policies – most sector plans are a book of regulations, but this sector plan is 1 drawing with a little text.
 - (iii) We've identified 2 issues that apply:
 - ◆ Changed conditions – the area has changed drastically from what was anticipated; over time changes have taken place.
 - ◆ The community response to the previous proposal for multi-family indicated strong preference for single-family housing, which is seen by many to be better for community.
 - (iv) We do look for policies that we are furthering but we look at as package.
2. A neighbor commented that the NAs look to the future.
 - a. Last time we had a preference for zoning as it was – not for single-family homes.
 - (i) We thought as it was would be more advantageous.
 - b. The agent replied that he wasn't sure that he agreed with that assessment.
3. A neighbor asked if the applicant and agent are talking about RT zone for the entire area.
 - a. Response was that they were talking about just A & B – 47 acres of vacant land.
 - (i) Just changing 17 acres of the 47.
4. A neighbor wanted to know about the possibility for mixed use.
 - a. The agent said it was probable – mostly for parcel B as part of the Community Activity Center designation.
 - (i) Thinking of buffering the church area and the school with neighborhood-oriented commercial: bank, drug store etc.
 - ◆ This would transition from Coors, with neighborhood commercial to north and west.

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5. A neighbor noted that in previous application and approval processes, they did not hear "big box" – and thought a Trader Joes or Whole Foods would be built.
 - a. The agent replied that the big box threshold is 75,000 sq. ft; Wal-Mart was 100,000 sq. ft.
 - b. A neighbor reiterated that a big box was never suggested.
 - (i) Also concerned with the analysis of residential regarding Item D.
 - ◆ Zone change set up in 2007 to now.
 - ❖ What's changed since then to support zone change from offices to townhomes as more advantageous to community? Don't see how.
 - ❖ With the last proposal, it was not an objection to multi-family, but an objection to dropping office buildings.
 - ◆ There is major concern about traffic throughout the city.
 - ◆ More offices, resulting in more jobs on the west side, would improve traffic by reducing commutes to other areas to work.
 - (ii) The agent responded that one of the changes and driving factors of offices being included before was City Council's concern about school overcrowding, which is significantly different now than at the time those concerns were expressed by them.
6. A neighbor asked if the agent or applicant had talked to the schools.
 - a. The agent replied that the middle and high schools are in good shape.
 - (i) Elementary school is still overcrowded, and this could add to it.
 - ◆ Generally situation is better now.
 - ◆ There are policies in the plan that provide appropriate land uses near school – goals and policies related to neighborhood, diversity of housing in CCP that we think we further with this plan over offices.
 - ◆ We think this is better than current office plan.
7. Names of 3 schools: Chaparral, John Adams, West Mesa.
 - a. Agent: Those were the schools we were provided information for.
8. A neighbor observed that Chaparral has portables – this has to do with overcrowding.
9. Another neighbor recalled that at the previous meeting, rationale was that offices were no longer being used – business rationale was driving.
 - a. Objection was more around traffic.
 - b. The agent said that is still true – the office world as we once knew it is changing.
 - (i) Trends have changed – office use not as prevalent a model as it once was.
 - ◆ There have been changes in demographics and the new economy.
 - ◆ That may be a factor, but not primary factor for changing zoning.
 - c. The applicant said that when they met with any Boards throughout these processes, they represented potential land users who they were talking to, and they talked to a lot of people.
 - (i) On south side they had 80,000 Big Box Kohl's.
 - ◆ Applicant is not big box developer.
 - ❖ All that they have done was quality and community driven.
 - ◆ Know for certain Kohl's is not coming.

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- ◆ This presents a problem that hasn't been worked through.
 - (ii) Had a 90-minute meeting here and at one point someone said office market was dead, and that this might be good solution.
 - ◆ Don't believe that was main argument for changing to housing.
 - ◆ Do we think single-family development better than offices?
 - ❖ I think many neighbors do think so.
 - ◆ Trader Joes, Whole foods, Bed Bath and Beyond all pulled out.
 - ◆ The applicant noted that he felt it might be a little stretch to say they came in and argued vociferously that they wanted to change from apartments and neighbors wanted to stick with apartments.
 - ❖ Felt pressured by your City Councilperson at the time.
 - ❖ We want quality-driven development for community.
 - ◆ Kohl's went into Coronado and got favorable deal.
 - (iii) The world changed in Recession.
 - (iv) The Applicant thinks single-family housing, such as is being proposed, is not intrusive.
 - ◆ Would do similar to the other Oxbow housing
 - ❖ Still working to make it better.
 - (v) Responding to Recession.
10. A neighbor expressed concern about the proposed zone change.
- a. On the west side they're gaining houses and losing zoning that they will need at some point in time.
 - (i) Resolution says:
 - ◆ (G) "Cost of land and other economic considerations pertaining to the applicant shall not be the determining factor for change of zone."
 - ◆ (B) "Stability of land use and zoning is desirable; therefore the applicant must provide sound justification for the change. The burden is on the applicant to show why the change should be made, not the city to show why the change should not be made."
 - ◆ (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."
 - b. The agent said that economics can't be determining factor but can be a factor – economy still impacts City and City functioning.

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11. A neighbor, remembering the conversation at the last meeting, recalled that it was not a push for single-family, but a concern about Section 8 housing; children etc
 - a. The agent said they were talking about DU/A (dwelling units per acre) rather than Single family – Oxbow neighborhoods are 4, 5 and 6 DU/A.
 - (i) Oxbow Bluff is low density.
 - (ii) The reason that RT is requested is because it allows for flexibility in doing Townhouses (TH) – might be good to do TH along Coors.
 - (iii) What you cannot do in RT is multi-family: apartments, condos, but it allows individual single family on its own lot (even for TH).
 - (iv) Will wind up 5 to 6 DU/acre – comparable to Oxbow Enclave, Oxbow Park – mostly 2 or 3 bedroom homes but it's not possible to commit to specific details at this time.
 - b. The applicant stated that they haven't gotten that far – have laid out selling the land, not developing – haven't done floor plans.
 - (i) Refining will have to come back through this process with neighbors' input (at the site plan for subdivision stage).
 - (ii) This process is the first step: a proposed sector plan amendment
12. A neighbor with a copy of plan asked if Parcel B, south of St Joseph, is now C2 - commercial or office.
 - a. The agent said yes.
 - b. A neighbor observed: now changing to RT, so parcel B will be C2 and O1 to C2 and RT.
 - (i) The agent clarified that the sector plan treats A and B as one unit.
 - ◆ Uses are allocated – if approved, will amend Parcel A to single-family.
 - ◆ No intent to change Parcel B to townhomes.
 - c. A neighbor noted that once zoning changes, townhomes could potentially be on A and B.
13. Another neighbor asked what the maximum housing per acre with RT is, if someone other than Mr. Rogers did this – how many houses could be built?
 - a. The agent replied that, theoretically, up to 12 (8-10 more likely) for 17 acres.
14. A neighbor who lived in Oxbow village commended the applicant for all the Oxbows, but particularly Oxbow Village, then noted that they had understood this is supposed to be Oxbow Center, consisting of commercial and office – now proposing more dwellings.
 - a. Theory behind zoning is long-term planning – not just because of one or another change that can be short-term.
 - b. Think it should remain commercial and office – We need to look at that eventuality, not just at the present situation.
 - c. The applicant stated that they have not finalized plat; zoning is per City Council.
 - (i) Temporary plat they've been using is Tract H - on north piece is where they contemplated office space.
 - (ii) In theory, could do a bait and switch to move the residences to southern piece, but the Site Plan for Subdivision might resolve the problem to the neighbors' satisfaction.

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- d. A neighbor stated that he appreciated the applicant's candor, but when zoning is changed and the applicant sells, his good faith promises are gone.
 - (i) The applicant clarified that he can't sell the land until a bulk land plat and a site plan for subdivision (for housing), which goes through the process.
- 15. A neighbor observed that he heard a lot of "in theory", but once zone change is done it is no longer a theory – you can't go back.
- C. Density
 - 1. A neighbor noted that density can be 30 DU/A in Community Activity Center.
 - a. The agent said that had been pointed out – that's why they chose RT rather than R1 or RL T, because RT is more in keeping with Community Activity Center ideal.
 - (i) Community Activity Center can allow more than 30 DU/A.
 - 2. A neighbor stated that the community is trying to keep/grow jobs on west side – office space was important aspect of that.
 - a. The agent observed that one of the things that is often forgotten when we think of office – zoning of office allows institutional, schools, restaurants; there are a number of uses in O1 umbrella .
 - (i) Going back to economics and office, the idea of 17 acres and original plan of 4 3-story office buildings – the likelihood is slim.
- D. Traffic
 - 1. A neighbor observed that what seems to be happening since Unser got connected is that a huge amount of people are trying to hit the freeway off Coors rather than Unser.
 - a. In 10 years neighbors have seen a 10-fold increase in traffic on Atrisco – all times of day.
 - (i) Sometimes have to make right turn and head to St Joseph because it's almost impossible to make left onto Atrisco.
 - (ii) Tremendous amount of traffic coming through – can't get off of Sequoia onto Coors.
 - b. Seems like residential would be lesser of traffic-inducing uses.
 - c. Don't think offices will come back regardless of economy.
 - d. Noted that the applicant said the intent was mixed use on Parcel B.
 - (i) Traffic is now insane in that area.
 - 2. A neighbor calculated that they were talking about 136 homes conservatively – high end is 204.
 - a. If look at average household having 2 cars – that's what the traffic contribution would be conservatively.
 - b. The agent stated that if you think of offices as one per 200 sq. ft. of building, that has certain trip generation factor.
 - (i) Comparing to single-family home generation, which is 10 vehicle trips a day.
 - c. The neighbor acknowledged that the numbers he was putting forward are worst-case scenario of 8 DU/A; numbers would be less if residential is 5 per acre.
 - 3. A neighbor asked if something been worked out with St. Joseph.
 - a. They were going to block access to single access for property – have you worked out more entry and exits than St. Joseph will allow?

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- b. The agent replied that the plat showed access into Parcel A off St. Joseph, and parcel B off Coors
 - (i) Not cast in stone – would look at it, if this changes – makes sense to have one access point with office rather than with single-family.
 - ◆ Agent expects they'd be looking at 2 off St. Joseph and one off Coors with the change to residential.
 - 4. A neighbor observed that maximum housing could be 204 houses – in all fairness, there are national standards for trip generation – it's a book of national standards so you'll have to see what Traffic Engineers come up with.
 - a. The agent noted that there is a fairly significant change between office and houses – happens at 8am or 5pm.
 - (i) Summary: When looking at comparison between trip generation – first step in traffic study – need to ask: will new land use generate more trips in a day?
 - ◆ Then look at AM peak and PM peak – comparing office to residential – reverse of same thing – get a lot of those trips at AM peak and PM peak.
 - (ii) Need to look at ultimate numbers on trips when comparing office to residential, as apples to apples, compared to school, which has high impacts for window of time, not at peak.

ACTION ITEM: No later than Monday, July 22, 2013, Agent will provide the neighbors with comparative statistics on the number of trips generated by offices, residences and schools, via "reply-all" to the facilitator's report e-mail.
 - b. A neighbor stated that the previous neighbor's comment is well taken – the numbers quoted (item II-D-2. above) was the potential of how many vehicles are present if you calculate 2 cars per home.
 - 5. A neighbor asked about ingress and egress for neighborhoods versus what there would be for offices – won't there need to be traffic lights put in?
 - a. The agent said they are talking about driveways – not addressing lights.
 - (i) Signals are another traffic issue for a different stage in the process than where it is now.
 - 6. The applicant said that they have never discussed more than 85 homes in any conversation.
 - a. If get RT zoning, are going to do less than 17 acres of the entirety of the Oxbow Town Center piece.
 - b. Applicant looks at like a puzzle: if they do tract A and slam it with tons of homes, what will that do to the rest of their investment?
 - c. Have never even thought of more than 80 homes – not our style.
 - 7. A neighbor said that the applicant needs to explore what St Joseph church is proposing at NW corner - an elementary school in corner north of the church.
 - a. The agent said that he thinks that adds to concept that a single-family neighborhood would be a better neighbor to the school in that area.
 - (i) Will find out what is being proposed and where ingress and egress will be.
- E. Escarpment
- 1. A neighbor asked if they will be able to see escarpment from Coors.
 - a. CCP encourages view of escarpment - 2 stories might block.
 - b. Could heights be clustered in one area and less in other?

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- c. The agent said current plan (prior to this proposal) is 4 3-story buildings with parking lots – might be mixed bag related to that.
 - (i) View preservation would be by parking lots.
 - (ii) More significant view blockage with 3-story office buildings than 2-story homes.
 - (iii) Providing corridors may accommodate better views.
 - (iv) From the agent's viewpoint, overall, 1 and 2 stories should be better, depending on layout.
- F. Walled Community
 - 1. A neighbor asked if this will be a walled community.
 - a. The agent said that they anticipate something similar to complement what exists at Oxbow across Coors (Enclave and other Oxbows)
 - 2. The neighbor observed that walled subdivisions don't allow for lots of access.
 - a. Coors is transit area – encourage riding bus – City wants to encourage bus use as well.
 - b. The agent said they don't know answer yet, but that can be addressed in Site Plan for Subdivision process.
 - (i) Would want to look at vehicular and pedestrian connections in regards to that.
 - (ii) Agree that it's important, but doesn't agree that a wall necessarily prohibits pedestrian connections.
 - 3. A neighbor asked if they were talking about a gated community.
 - a. The agent noted that having a wall does not necessarily mean gated, but it could be – that's up to the builder to propose in connection to site plan.
- G. Percentage and Types of Businesses
 - 1. A neighbor asked if there is any possibility that they could do commercial in parcel B, or if it is contingent on it all happening at once.
 - a. The applicant replied that it would not be all at once, but have no idea what's in store in the near future – changing the scale may drive something on corner that might be right.
 - (i) Had discussion in the last 6-8 months with CVS and banks and Starbucks.
 - (ii) Had it on the market for 2 years and had no interest.
 - b. Some investors live close-by and want it to turn out nice.
 - 2. A neighbor recognized that the assumption is that offices are not coming back, but medical offices are still needed in the area.
 - a. Have any studies been done on the West side looking at that market?
 - b. The agent agreed – one area they have seen strength is in medical services – some around new Presbyterian hospital on north Unser.
 - (i) See clusters around St Joseph Hospital – that has remained fairly strong.
 - 3. Another neighbor observed that many new dentists are coming out of dental school – many come out with huge debt burdens – are looking for office space, but can't buy lot and build.
 - a. Give them a location, you should have takers

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

4. Regarding mixed use on Parcel B, the agent said there may be some office uses in there.
 - a. There is a difference in that scenario and an office park with big professional office buildings.
 - b. Would hope that some of professional office service uses will be mixed.
 - c. A neighbor noted that those offices could go in under parcel A under current zoning.
 - d. The agent replied that with current zoning, you have 17 acres that are O1 uses only, rather than mix of office/residential mixed use.
 - e. The neighbor stated that space could be filled with 1-story offices.
 - f. The agent said he didn't think it could be filled with 1-story offices.
 5. A neighbor asked if current zoning allows retail space and living space above it.
 - a. The agent said yes, on C-2 portion
 - b. The neighbor stated she felt that is viable concept
 6. Another neighbor said they liked 2007 plan because was an open plan, with interaction between office and commercial – need jobs on west side.
 - a. More housing will add to traffic leaving – this was supposed to let us work on this side of river.
 - b. Offices do not create lots of traffic and are often closed on weekend.
 - c. Even in Community Activity Center, there are some mixed uses.
 - d. The agent agreed that interaction is important, but said he doesn't think adding single-family opportunity will negate that interaction.
- H. Schools
1. A neighbor stated that she is a member of APS capital outlay planning committee – rate based on need and funding.
 - a. Would be unfair that schools on the west side won't be built for 5-7 yrs – we have Painted Sky, which is the largest school.
 - b. Chaparral should not be the norm with portables.
 - c. School need is determined by APS and parents committee.
 - d. Truman middle-school was also one of the largest mid schools in NM and is at capacity.
 - e. Need to be concerned about schools.
 - f. The agent said he didn't disagree.
 2. A neighbor observed that West Mesa HS , south of I-40 built many years ago – Atrisco Heritage was built to alleviate – West has tons of portables.
 - a. A neighbor noted that, according to City, West Mesa HS is below capacity
- I. Builder
1. A neighbor noted to the applicant that the applicant was involved with Pulte homes on West side – Pulte gave us a good feeling because of reputation.
 - a. Who is the builder for this project?
 - b. The applicant stated that no builder is designated at this time, but they have talked to D.R. Horton.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

2. A neighbor stated that once land is sold, they'll be dealing with someone else, and that although the applicant and agent say, "We won't do this.", etc., once the property is sold, no one has to keep their promises.
 - a. The applicant states that they will maintain design standards -- we will have input on that.
 - b. A neighbor asked if the applicant will still have control through the site plan approval process.
 - c. The applicant state that they wouldn't sell until site plan for subdivision is approved, and that they will have significant input.
 - (i) We will have complete control until we sell, but will put design standards into purchase agreement.
 - (ii) Not an annuity, but develop the whole piece.
- J. Sewers and Storm Drains
 1. A neighbor expressed the concern that building single-family homes will be increasing number of toilets (e.g. water usage), since 2 toilets per single-family home is required.
 - a. Offices might add around 130 toilets, rather than 300 with homes.
 - b. The community hasn't gotten help with sewers.
 - c. If we continue to build homes with 2 or 3 toilets -- don't see how we can continue with sewer situation.
 - d. The agent clarified that, relevant to Westside -- the Water Utility Authority (WUA) has purchased land north of Bosque school for a satellite facility and they have plans -- don't know when, but they have vision.
 - e. As part of development process, applicants have to coordinate and get approval from WUA on water and sewer plans.
 2. Another neighbor asked what the "huge gaping hole" on SW corner of Atrisco and St Joseph across from Presbyterian emergency room -- NW corner of parcel B is.
 - a. The applicant said he didn't think it is a drainage hole -- it's just a big gaping hole
 - b. The agent said they'd take a look at it -- whatever is here now would go away, it is hoped, when the land is developed.
- K. Concept of No-Anchor Shopping Center
 1. A neighbor had a concern that if there is no anchor store in the shopping center, there will be vacancies.
 2. The applicant clarified that it would no be without an anchor store, but without "big box".
 - a. Won't do strip center, but a neighborhood center.
 - b. It has to make sense economically.
 - c. Haven't focused on that yet.
 3. A neighbor expressed the opinion that the shopping center needs to have store that people would use every day, so other businesses get spin-off customers.
 4. Another neighbor observed that she sees the "same old stuff" being built, and doesn't see that as advantageous to the community.
 - a. More interactive would be exciting.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

III. Closing Remarks

- A. Agent: We're proud of the Oxbow area, and that they are nice places to live
- B. Neighbor: Are we ready for meeting before the EPC – do people think they are ready for development?
 - 1. Neighbor: Our meeting is 7th and EPC is 8th – we wouldn't be able to come to decision until the day before, so we won't be on the record.

Action Items:

No later than Monday, July 22, 2013, Agent will provide the neighbors with comparative statistics on the number of trips generated by offices, residences and schools, via "reply-all" to the facilitator's report e-mail.

Application Hearing Details:

- 1. Hearing scheduled for August 8, 2013
- 2. Hearing Time:
 - a. The Commission will begin hearing applications at 8:30 a.m.
 - b. The actual time this application will be heard by the Commission will depend on the applicant's position on the Commission's schedule
- 3. Hearing Process:
 - a. Comments from facilitated meetings will go into a report, which goes to the City Planner.
 - b. City Planner includes facilitator report in recommendations.
 - c. The Commission will make a decision and parties have 15 days to appeal the decision.
- 4. Resident Participation at Hearing:
 - a. Written comments must be received by July 29, 2013, and may be sent to: Carrie Barkhurst – kcbarkhurstcabq.gov, (505) 924-3879, 600 2nd St., 3rd floor, Albuquerque, NM, 87102 OR
 - b. Hugh Floyd, Chair, EPC, c/o Planning Department, 600 2nd St., 3rd floor, Albuquerque, NM, 87102

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Names of Attendees:

- Applicant/Agent

- Jim Rogers, Oxbow Center, LLC;
- Jim Strozier, Consensus Planning
- Malak Hakim, Consensus Planning

- Neighborhood Associations/Interested Parties

- | | |
|--|--|
| <ul style="list-style-type: none">○ Ladera Heights N.A.<ul style="list-style-type: none">▪ Allan Ludi▪ Marie Ludi○ Rancho Encantado H.O.A.<ul style="list-style-type: none">▪ Colin Semper▪ Kevin McLarty○ Villa de Paz H.O.A., Inc.<ul style="list-style-type: none">▪ Kim Cassidy▪ JoDee Scholz▪ John Scholz▪ Judith Kanester○ The Enclave at Oxbow H.O.A.<ul style="list-style-type: none">▪ Jill Greene▪ Forrest Uppendahl○ Las Lomas N.A.<ul style="list-style-type: none">▪ David Skworan○ Taylor Ranch N.A.<ul style="list-style-type: none">▪ René Horvath○ Oxbow Park H.O.A.<ul style="list-style-type: none">▪ Bob Nashwinter▪ John Erler | <ul style="list-style-type: none">○ Westside Coalition of N.A.s<ul style="list-style-type: none">▪ Candy Patterson▪ George Holly (also with Pat Hurley N.A.)▪ Ray Shortridge▪ Joe Valles (also with Granite Hills N.A.)○ Vista Grande N.A.<ul style="list-style-type: none">▪ Richard Schaefer▪ Marlene Seaton▪ Karol Walkington○ Oxbow Village H.O.A.<ul style="list-style-type: none">▪ Nick Harrison▪ Richard Shine▪ Nancy Hight▪ Denis McCarthy○ Andolucia<ul style="list-style-type: none">▪ Jim Sandefer▪ Rita Sandefer○ No Affiliation<ul style="list-style-type: none">▪ Margaret McGuinn▪ Ann Prinz |
|--|--|

RANCHO ENCANTADO HOMEOWNERS ASSOCIATION

c/o Associa Canyon Gate

P.O. Box 93488, Albuquerque, NM 87199

Phone (505) 342-2797 Fax (505) 342-2508

cgres@cgres.com

July 23, 2013

City of Albuquerque
Environmental Planning Commission
600 2nd Street NW
Albuquerque, NM 87102

Re: Project 1000032, Oxbow Town Center, LLC

Dear Board,

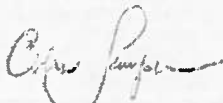
Around this time last year, a plan was initiated to build an affordable housing development in Parcel A of the subject project. The Rancho Encantado Home Owners Association who is the neighbor to the north, contiguous to the subject property, was vehemently opposed and campaigned vigorously as such. As a result, the developers and land owners withdrew their application for re-zoning.

Since that time Jim Rogers of Sunland Development and Jim Strozler of Consensus Planning have met several times with our Board of Directors in order to devise a project that would be amicable to all parties. Our understanding at this time is that the development will be for Parcel A and will encompass a majority of single family homes of comparable value to our subdivision and/or the Oxbow Subdivision, with a 5 acre allotment at the NE corner of St. Joseph's and Coors for commercial, and a potential gated Town Home development to the north of the commercial lot, along Coors and to the South of the current Rancho Encantado Condominiums. It is also our understanding that the plan for the single family development would include from approximately 75 to 87 homes, possibly gated, and with a plan to keep Quaker Heights Rd. closed for vehicle thoroughfare however open for pedestrian access.

While we understand that the project development is not a commitment and still needs to be negotiated and approved; and based on the understanding and the expectation that our community will be actively involved in the development to remain amicable to both parties through its completion, we the Board of Directors of the Rancho Encantado Homeowners Association offer our support and approval of the request to modify the existing land use from O-1 to RT as requested.

We appreciate the cooperative spirit of Mr. Jim Rogers and Mr. Jim Strozler and look forward to a successful development and improvement of the Parcel A lot.

Sincerely,



Colin Semper
President

Rancho Encantado Board of Directors

Barkhurst, Kathryn Carrie

From: Linda <lasocha@aol.com>
Sent: Wednesday, July 31, 2013 11:03 PM
To: Barkhurst, Kathryn Carrie; berentgroth@mac.com; JOEVALLES@aol.com
Subject: Project #1000032

From : Linda Socha
3516 Vista Grande NW
Albuquerque, NM 87120

Subject: Oxbow Town Center Plan modification
Date: July 31, 2013 5:06:43 PM MDT
To: kcbarkhurst@cabq.gov

Chairman Hugh Floyd, EPC, c/o Kathryn Carrie Barkhurst
Staff Planner; Project #1000032

July 31, 2013

Dear Chairman Floyd,

My husband and I have a residence and a business located near the intersections of Coors and Sequoia NW. I am an active member of the Vista Grande Neighborhood Association. As a native of Albuquerque and concerned resident, I wish to express my strong opposition to the proposal to amend the Oxbow Town Center sector development plan.

There are no changes in neighborhood conditions that justify alteration of the current restrictions. In addition, the applicant's proposal has in no way met the burden of proof that it will be more advantageous to the community. The Applicant has not demonstrated compliance with R-270-1980 and therefore the current O-1 zoning uses should stand, particularly when these 17 acres appear to be the only property-zoning reserved where residential uses are prohibited—and given that other zoning within the respective 47-acres could allow residential uses.

There are already an ample number of homes and residential zoning on the Westside; but we are still very much lacking in office space and jobs. This lack of appropriate commercial development forces residents to travel long distances to find employment, shopping and service opportunities and contributes greatly to problems with traffic, air quality, noise, congestion and urban sprawl.

In the interest of promoting a more balanced and beneficial path of development for the community, the best option would be to maintain the O-1 zoning so that the Oxbow Town Center might be allowed to develop into a true community activity center, providing jobs and appropriate commercial development for the surrounding area and the West Side community as a whole.

Thank you for your thoughtful consideration on this matter.

Barkhurst, Kathryn Carrie

From: Berent Groth <berentgroth@me.com>
Sent: Wednesday, July 31, 2013 5:07 PM
To: Barkhurst, Kathryn Carrie
Subject: Oxbow Town Center Plan modification

Follow Up Flag: Follow up
Flag Status: Flagged

Chairman Hugh Floyd, EPC
c/o Kathryn Carrie Barkhurst

Staff Planner; Project #1000032

Dear Sir:

The Vista Grande Neighborhood Association has not been able to survey all Board members on the proposal to amend the Oxbow Town Center sector development plan. However, it is clear that a majority is in opposition to the proposed amendment to the Plan. There are no changed neighborhood conditions that would justify the change and; the proposed project is not more advantageous to the community.

Thank you,

Berent Groth
President,
Vista Grande Neighborhood Association
266-6700

Barkhurst, Kathryn Carrie

From: slcnalbq@aol.com
Sent: Wednesday, July 31, 2013 6:18 PM
To: Barkhurst, Kathryn Carrie
Subject: Project 100032 (in opposition)

Chairman Hugh Floyd, EPC

c/o Kathryn Carrie Barkhurst kcbarkhurst@cabq.gov

Staff Planner; Project #1000032

After an exchange of e-mails with board members Ladera West N.A. is in agreement with the Executive Committee of the Coalition in regards to the Oxbow Town Center. We agree that the zone change would not be advantageous to the community. We feel it would only add to the already congested river bridges to the East side as well as not providing the jobs and business opportunities for the Westside. We are also concerned that more housing would put a further strain on the already over-crowded schools. Chaparral Elementary had record enrollment of 1000 students for the 2012-2013 school year and has outgrown their facilities. We would like the current Zoning of O-1 to continue to stand.

Thank You,
Steve Collins
Ladera West Neighborhood Association President

July 30, 2013

Chairman Hugh Floyd

Environmental Planning Commission

c/o Kathryn Carrie Barkhurst

Re: Project #1000032

From: Grande Heights and West Bluff Neighborhood Associations

In OPPOSITION

Greetings

This is to inform the Environmental Planning Commission that both the Grande Heights and West Bluff Neighborhood Associations—associations duly registered with ONC—join in OPPOSITION to the above referenced proposed project.

Any zone map amendment must be justified according to policies stated in Resolution 270-1980, which sets a high standard in the Land-use process. *“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.”*

Amongst other policies, R-270-1980, sets out three compelling conditions to justify a zone change:

“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 (1) or (2) above do not apply.

The Applicant in this case has not demonstrated compliance with R-270-1980; therefore the current O-1 zoning uses should stand. Particularly when these 17 acres appear to be the only property-zoning reserved where residential uses are prohibited—and given that other zoning within the respective 47-acres could allow residential uses.

- *the proposed office and commercial uses are desired in this area of the community and may help to reduce the number of cross-river trips for west side residents seeking goods, services, and employment;*
- *the allowed uses will help to balance the jobs/housing ratio, which contributes to a sustainable community and may reduce the number of cross-town trips for area residents...*

If we are ever to improve the *jobs-housing balance*—reduce the daily migration of Westside residents across the river to where the quality jobs exist—as a matter of principle and sensibleness—it is absolutely the right position to take. We cannot continue to sacrifice long-term valuable zoning for the near-term changes for more houses.

The Applicant may raise the point that because the area is within a Community Activity Center, that they could actually develop higher densities than allowed in the R-T zoning change requested. However, we would hold that as a policy matter, the allowances or limitations of a CAC are superseded by the underlying zoning. The Applicant's argument only works if there's buy-in for the *"it could be worse than what we're proposing"* scenario too often used to justify land-use applications. That would indeed be unfortunate for the West Side.

We suspect that the applicant will also argue strongly that this proposal was a result of the community rejecting the previously proposed residential application last year. That attempt would be aimed to paint neighborhoods as *'anti-anything'* before the EPC. *We would argue that rejection of the Applicant's previous proposal was based on a preference for zoning stability—and as stated above—that; the current zoning was—and still is—more advantageous to the community and; that there are no changed neighborhood conditions to justify the change. In this we are consistent.*

The Applicant may also argue that some select neighborhood associations contacted prior to the Facilitated Meeting should be held in higher consideration. However, this is not just a parochial issue. The designation of Community Activity Center (vs. a Neighborhood scale Activity Center) denotes the activity center serving a wide community. Several associations and other property interests in the surrounding area were not contacted or asked to meet with the Applicant prior to the Facilitated Meeting. There is wide interest in this proposed project however.

For these and other reasons, we strongly urge the Environmental Planning Commission to deny the Sector Plan Amendment request for the Oxbow Town Center.

Respectfully submitted,

Dr. Joe L. Valles, President, Grande Heights Neighborhood Association

John Landman, President, West Bluff Neighborhood Association

Barkhurst, Kathryn Carrie

From: Matthew Baca <matthewrbaca@yahoo.com>
Sent: Wednesday, July 31, 2013 12:16 PM
To: Barkhurst, Kathryn Carrie
Subject: Project #1000032

Chairman Hugh Floyd, EPC

c/o Kathryn Carrie Barkhurst kcbarkhurst@cabq.gov

Staff Planner; Project #1000032

Dear Chairman Floyd:

I writing on behalf of the Quaker Heights Neighborhood Association, which is a recognized association under city ordinance. The association is roughly bounded by Coors to the east, Western Trails to the south, Dellyne to the north, and Unser Blvd. to the west.

The purpose of this correspondence is to inform the EPC that the Quaker Heights Neighborhood Association stands in opposition to the proposal to amend the Oxbow Town Center sector development plan. There are no changed neighborhood conditions that would justify the change and the proposed project is not more advantageous to the community. Thank you for your service, and please do not hesitate to contact me if you should have any questions or require additional information.

Sincerely,

Matthew Baca,

President, Quaker Heights Neighborhood Association

July 31, 2013

Commissioner Hugh Floyd, Chair
Environmental Planning Commission
600 2nd Street, Third Floor
Albuquerque, New Mexico 87102

Re: Project#: 100032 – Oxbow Town Center – request for Sector Plan Amendment to change zoning on parcel A from SU-3 to RT

Dear Commissioner Hugh Floyd,

The Taylor Ranch Neighborhood Association does not support the proposed Sector Plan amendment to change the zoning from office use to single family/town homes. We feel that it is more advantageous to the Community to keep the current office use zoning in place and to not change it to single family/ town homes. The City needs to maintain its office space areas in order to develop a jobs/ housing balance for the Westside. This will help to alleviate traffic congestion by reducing the number of Westside commutes across the river to get to eastside employment areas.

Also note that TRNA supported the site plan for the Oxbow Town Center in 2007, which was a mix of office and commercial with a main street concept and felt it was very beneficial to the Community. The plan was more pedestrian oriented and would work well for transit use along Coors Blvd. TRNA feels that maintaining the office use zone along Coors Blvd. is overall more advantageous to the Westside.

Thank you,

Ray Shortridge
President
Taylor Ranch Neighborhood Association

**Richard S. Shine, President
Oxbow Village
Homeowners Association**

July 29, 2013

Mr. Hugh Floyd, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second Street, NW
Albuquerque, NM 87102

**Re.: Saint Josephs Drive and Coors Boulevard
Sector Plan Amendment
13 EPC 40123**

Dear Chairman Floyd and Commissioners:

I am writing to you, on behalf of the Oxbow Village Homeowners Association, in opposition to the zone change proposed by Oxbow Town Center, LLC in its above captioned application to amend University of Albuquerque Sector Plan by changing the zoning on Parcels A and B from O-1 (office uses) to RT (residential townhouse uses).

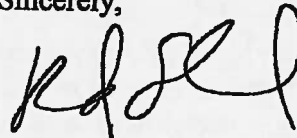
As you know, Resolution 270-1980 provides that Oxbow Town Center, LLC, as the applicant for a zone change, has the burden of establishing that the proposed zone change meets the requirements of the Resolution. Among other things, Oxbow Town Center, LLC "must demonstrate that the existing zoning is inappropriate because . . . changed neighborhood or community conditions justify the change or a different use category is more advantageous to the community . . ." (R-270-1980, Section 1(D)(2)-(3))

In 2007, Oxbow Town Center, LLC was able to successfully convince the EPC to change the zoning on these Parcels to O-1. At the time, the Oxbow Village Homeowners Association, like many other communities on the Westside, enthusiastically supported that zone change. The City Council, as part of that same application, amended the West Side Strategic Plan to designate the approximately 57-acre site as a Community Activity Center, and found that, among other things, "[t]he proposed office and commercial uses are desired in this area of the community and may help to reduce the number of cross-river trips for west side residents seeking goods, services, and employment." (R-07-255, Section 2(8)) At the time, these were the primary reasons that the Oxbow Village Homeowners Association supported the designation of this site as a Community Activity Center, and the zone change to O-1. Since 2007 there have been no changes in neighborhood or community conditions that would now justify a zone change. We still need office buildings with their local jobs at this site. If anything, more homes have been built on the Westside with the resulting increase in traffic congestion on the Westside and across the bridges, increasing the need to maintain this O-1 zoning.

Changing the zoning from O-1 to RT will not be more advantageous to the community. There are already an ample number of residences, and vacant land zoned for residences, on the Westside; but the Westside is still very much lacking in office space and jobs. What would be advantageous to the community would be to maintain the O-1 zoning so that eventually this Oxbow Town Center could become a real "Community Activity Center" that would be pedestrian friendly and provide jobs and commercial development for the Westside, not more bedrooms, which would help to reduce traffic congestion across the bridges to the Eastside.

For these reasons the Oxbow Village Homeowners Association is opposed to the zone change proposed by Oxbow Town Center, LLC in its application.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Shine', written in a cursive style.

Richard S. Shine
President

Barkhurst, Kathryn Carrie

From: Dan Carter <basenjidan@gmail.com>
Sent: Monday, July 29, 2013 6:10 PM
To: Barkhurst, Kathryn Carrie
Subject: Fwd: Project#1000.32

>

> Begin forwarded message: Kathryn Carrie Barkhurst (Staff Planner: Project #1000.32), I wanted you to have a copy of the information that I sent to Chairman Hugh Floyd (Environmental Planning Commission). Dan Carter, President, San Blas Townhomes Home Owner Association

>

> Chairman Hugh Floyd
> Environmental Planning Commission

>

> Please know that The San Blas Townhomes Association is opposed to the zoning change that has been purposed by Oxbow Town Center, LLC. The O-1 zoning needs to remain on the parcels of land so that businesses can be built to provide a town center. Our subdivision's residents quality of life would be increased by having stores, restaurants and offices located within a half mile of our homes. Neighborhoods with higher walkability score bring higher prices in the homes. Please help us work toward this important goal that we have.

>

> Dan W. Carter Jr.
> President, San Blas Townhomes

>

> 6608 San Blas Pl NW
> Albuquerque, NM 87120

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>

WESTSIDE COALITION OF NEIGHBORHOOD ASSOCIATIONS

Oxbow Town Center Resolution

Oxbow Town Center, LLC has filed an application with the City of Albuquerque to amend the University of Albuquerque Sector Plan by changing the zoning on Parcels A and B from O-1 (office uses) to RT (residential townhouse uses).

The City Council's Resolution 270-1980 provides that Oxbow Town Center, LLC, as the applicant for a zone change, has the burden of establishing that the proposed zone change meets the requirements of the Resolution.

Therefore, among other things, Oxbow Town Center, LLC "must demonstrate that the existing zoning is inappropriate because changed neighborhood or community conditions justify the change or a different use category is more advantageous to the community"

Since 2007, when Oxbow Town Center, LLC was able to successfully convince the City to change the zoning on these Parcels to O-1 there have been no changes in neighborhood or community conditions that would now justify a zone change. If anything, more homes have been built on the Westside with the resulting increase in traffic congestion on the Westside and across the bridges. The Applicant has not proven that changed neighborhood conditions justify the zone change; the Applicant also has not proven that the zone change would be more advantageous to the Community.

Stability of zoning is desirable and important. A zone map isn't based on market trends; it is a carefully crafted planning document. Changing the zoning from O-1 to RT will not be more advantageous to the community. Historically the West Side Coalition and numerous neighborhood associations have opposed re-zoning of 'jobs-producing zoning' (commercial, office, and warehouse) into more housing zoning. There are already an ample number of residences and residential zoning on the Westside; but the Westside is still very much lacking in office space and jobs.

What would be advantageous to the community would be to maintain the O-1 zoning so that eventually this Oxbow Town Center could become a real "community activity center," with jobs and commercial development for the Westside; not more bedrooms, which would also help to reduce traffic congestion across the bridges to the Eastside.

For these reasons the Westside Coalition of Neighborhood Associations is OPPOSED to the zone change proposed by Oxbow Town Center, LLC in its application.

West Side Coalition of Neighborhood Associations

Executive Committee:

Candelaria Patterson, President;

Harry Hendriksen, Vice President;

Art Retberg, Secretary;

Terri Spiak, Treasurer

Jerry Worrall, Immediate Past President;

Dr Joe Valles, Land Use Chair

Barkhurst, Kathryn Carrie

From: Patsy Nelson <patsyncnelson@msn.com>
Sent: Monday, July 29, 2013 7:04 PM
To: Barkhurst, Kathryn Carrie
Cc: Jack and Lynne SCOTT ; Jim Wolcott ; Ken Brudos ; Pam Bell ; Ali and Shane Ella ; Barry and Liz Eccher ; Cindy Harrison ; Doug Mapel ; Fred and Terri Salls ; Greg and Cheryl Jorgensen ; Gwen Easterday ; James and Hee Yoo ; Jim and Johnell Shepherd ; Lawrence and Charlotte Castillo ; Tim Hermann
Subject: Opposition to Oxbow Town Center Resolution

Dear Ms. Barkhurst,

The Alban Hills Neighborhood Association wishes to express its opposition to the Oxbow Town Center Resolution as follows:

Oxbow Town Center Resolution

Oxbow Town Center, LLC has filed an application with the City of Albuquerque to amend the University of Albuquerque Sector Plan by changing the zoning on Parcels A and B from O-1 (office uses) to RT (residential townhouse uses).

The City Council's Resolution 270-1980 provides that Oxbow Town Center, LLC, as the applicant for a zone change, has the burden of establishing that the proposed zone change meets the requirements of the Resolution.

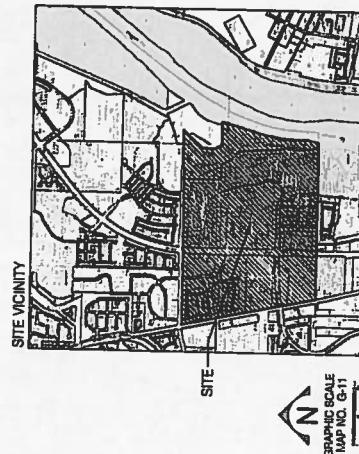
Therefore, among other things, Oxbow Town Center, LLC "must demonstrate that the existing zoning is inappropriate because changed neighborhood or community conditions justify the change or a different use category is more advantageous to the community"

Since 2007, when Oxbow Town Center, LLC was able to successfully convince the City to change the zoning on these Parcels to O-1 there have been no changes in neighborhood or community conditions that would now justify a zone change. If anything, more homes have been built on the Westside with the resulting increase in traffic congestion on the Westside and across the bridges. The Applicant has not proven that changed neighborhood conditions justify the zone change; the Applicant also has not proven that the zone change would be more advantageous to the Community.

Stability of zoning is desirable and important. A zone map isn't based on market trends; it is a carefully crafted planning document. Changing the zoning from O-1 to RT will not be more advantageous to the community. Historically the West Side Coalition and numerous neighborhood associations have opposed re-zoning of 'jobs-producing zoning' (commercial, office, and warehouse) into more housing zoning. There are

Sector Development Plan Reductions

It is the intent of the Council to amend the Albuquerque/Bernalillo County Comprehensive Plan to remove Urban Center land use designation from the University of Albuquerque Sector Plan Area. This sector plan area shall not be considered an urban center for the purposes of the application of other City Ordinances.



PRIORITY/REVISION NUMBER	YEAR APPROVED	DESCRIPTION
SP-20-3-1	1982	The University of Albuquerque Sector Development Plan was adopted. The Sector Plan area was increased and S-3 zoning was established.
SP-80-4-1/1985-25-358	1986	Changed land use designation for Parcel A and B from Employment Center to Mixed Residential. Parcel C, D, E, and F were designated as commercial along Center Street requirement for higher density or neighborhood commercial along Center Street.
SP-80-3-3	1988	Changed land use districts for Parcel A and B to Mixed Use (near railroad church) and related uses of a park and ride facility.
Project R1000002	2000	Changed land use designation for Parcel V from Village Center Mixed Use to Mixed Use which included single and multi-family residential, neighborhood park, office, and commercial including grocery store with parking lot/sales.
Project R1000003 (2006/2007 City Council Ordinance R-40-43)	2003	Amended the Employment Center land use district which pertained to Parcel I and removed Parcel I from Mixed Use Office, Commercial, Residential (10-2004) zone. Parcel I and it were redesignated as Mixed Residential, Residential (10-2004) zone. The amendment also changed the Employment Center land use district to require 8 (eight) and neighborhood commercial/office development. Removed the requirement for apartments and neighborhood commercial on Parcel C.
Project R 1000003 (2008-0008)	2003	The Comprehensive Plan was amended to remove the Urban Center land use designation from the University of Albuquerque Sector Plan.
R-47-253	2007	Changed Parcel V to reduce residential density to 4-6 @/acre and increase the area allowed for residential development.
R-47-253	2007	Amended the West Side Strategic Plan to designate Parcel A and B within the University of Albuquerque urban center as a Community Activity Center.
R-47-256	2007	Changed land use designation for Parcel A and B to S-3 for Church and related uses for approximately 10 acres, a portion of approximately 17 acres and be developed for office (D-1), the balance of the property is to be designated as (C-1) commercial or (C-2) office (approximately 30 acres).
C-26-43	2008	Changed a 2.72 acre portion of Parcel V from Commercial to Medium Density for senior housing (125 elderly).

June 11, 2013



Per City Council Ordinance R-02-41
It is the intent of the Council to amend the Albuquerque/Bernalillo County Comprehensive Plan to remove Urban Center land use designation from the University of Albuquerque Sector Plan Area. This sector plan area shall not be considered an urban center for the purpose of the application of other City Ordinances.



UNIVERSITY OF ALABAMA SECTION PLAN CASE HISTORY

PROJECT/RESOLUTION NUMBER	YEAR APPROVED	DESCRIPTION
SP-00-1-1	1982	The University of Mississippi Senior Development Plan was adopted. The Senior Center was established and S&H parking was established.
SP-00-0-5/1000-05-135	1986	Charged land use designation for Parcel A and B from Employment Center to Mixed Residential. Parcel C, D, E and F were designated as Mixed Residential with a requirement for higher density or neighborhood commercial along County Subdivided.
SP-00-0-3	1988	Charged land use demands for Parcel A and B to Mixed Urban that added Church and mixed uses and a park and play facility.
Project #1000002	2000	Charged land use designation for Parcel V from Village Center Mixed Use to Mixed Use which included single and multi-family residential, neighborhood park, office, and commercial including grocery stores with package drug store.
Project #1000002/10000-00057	2002	Removed the Employment Center land use demand that pertained to Parcel I and received Parcel I from Mixed Urban Office, Commercial, Residential (10-25du/acre). Parcel I and J was redesignated as Mixed Residential which included residential first to second (4 up/acre) and neighborhood commercial office (10 up/acre) to meet the requirements for appearance and neighborhood commercial on Parcel C.
City Council Ordinance 10-00-41		The Comprehensive Plan was amended to remove the Urban Center land use designation from the University of Mississippi Senior Center.
Project #1000002/10000-00004	2003	Charged Parcel V to reduce residential density to 4-8 du/acre and increase the area allowed for residential.
R-07-353	2007	Amended the West Side Strategic Plan to designate Parcel A and B within the University of Mississippi urban center as a Community Activity Center.
R-07-355	2007	Charged land use designation for Parcel A and B to S-103 for Church and mixed uses for approximately 30 acres a minimum of approximately 27 acres shall be developed for office (0-1), the balance of the property is to be developed as (C-1) commercial or (C-1) office (approximately 90 acres).
C-00-48	2008	Charged 177.8 acre portion of Parcel V from Commercial to Multi-Family for senior housing (177 du/acre).

**AMENDMENT
UNIVERSITY OF ALBUQUERQUE AREA
SECTOR DEVELOPMENT PLAN**

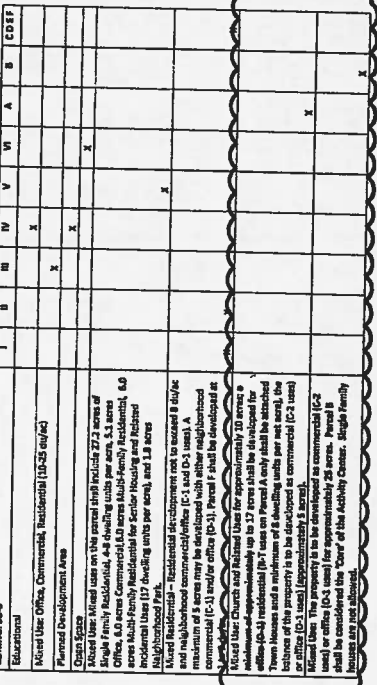
Prepared for:
Oxbow Town Center, LLC
1401 Central Avenue NW
Albuquerque, NM 87102

Prepared By:
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↑ July 29, 2013



Per City Council Ordinance R-02-41
"It is the intent of the Council to amend the Albuquerque/Bernalillo County Comprehensive Plan to remove Urban Center land use designation from the University of Albuquerque Sector Plan Area. This sector plan area shall not be considered an urban center for the purpose of the application of other City Ordinances."



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August 29, 2013



