

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

April 14, 2017

Spectrum Capital LLC
Attn: Donna & Thomas Hunter
3525 Del Mar Heights Rd #790
San Diego, CA 92130

Project# 1011160
17EPC-40003 Zone Map Amendment (Zone Change)

LEGAL DESCRIPTION:

The above action for all or a portion of Lot 11A, Coleman Addition, zoned R-1 to R-2, located on Menaul Blvd. NW between 12th St. NW and Sierra Vista St. NW, containing approximately 0.72 acres. (H-13-Z)

Staff Planner: Michael Vos

PO Box 1293

Albuquerque On April 13, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project 1011160, 17EPC-40003, a Zone Map Amendment (Zone Change), based on the following findings:

NM 87103 FINDINGS:

1. This is a request for a Zone Map Amendment (Zone Change) for Lot 11A, Coleman Addition, located on the north side of Menaul Boulevard NW between 12th Street NW and Sierra Vista Street NW, containing approximately 0.72 acre.
2. The subject site is currently zoned R-1 (Residential Zone). The request is for a change to R-2 (Residential Zone), which would allow townhomes and apartments in addition to what is currently allowed under the R-1 designation.
3. The existing zoning is the original zoning of the subject site. No case history exists for the subject site, but the property was discussed during the rezoning of the R-2 zoned properties located to the north and east of the subject site (Z-72-123). At the time, staff believed R-2 was appropriate for the requested property, as well as the subject site of this request, but an application was never filed for Lot 11A.

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4. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is within the Established Urban Area of the Comprehensive Plan and immediately adjacent to the Indian School Community Activity Center. The request is in general compliance and furthers the following applicable goals and policies of the Comprehensive Plan:

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

The request furthers Policy II.B.5.a because the zone map amendment will allow for increased density on the subject site in an appropriate location adjacent to an activity center that currently provides for a variety of commercial, office, and institutional land uses. This increase in density on a small site will contribute to a fuller range of urban land uses including multi-family apartment dwellings and help the city achieve a density of five dwelling units per acre in the Established Urban Area of the Comprehensive Plan.

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

The zone map amendment for the subject site will allow additional density and growth to occur on the subject site while limiting the impacts of further development on the existing single-family neighborhoods located to the west of the subject site. The subject site is located in a developed area of the City, adjacent to a designated activity center, with existing infrastructure including major roadways, transit access, and utility services. The Indian School Activity Center has seen recent growth and development, and the proposed multi-family zone designation will allow for a transition between future commercial uses and the adjacent neighborhood while also fitting in with the existing multi-family development in the area. The request furthers Policy II.B.5.e.

Policy II.B.5.h: Higher density housing is most appropriate in the following situations:

- In areas with excellent access to the major street network.
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.

This request will allow for higher density housing to develop on the subject site, which is appropriate because the site is located less than one block away from the intersection of two major streets that provides excellent access for automobiles as well as two transit routes. The proposal is also appropriate because a mixed density pattern already exists in the area with

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medium density apartments existing immediately adjacent to the subject site as well as further north along 12th Street. The addition of more multi-family residential on the subject site will continue this pattern without any significant encroachment into the adjacent single-family neighborhood, so the request furthers Policy II.B.5.h.

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

The request furthers Policy II.B.5.o because approval of the zone map amendment will allow for redevelopment of the subject site as apartments, which strengthens the mixed use and mixed density of an older neighborhood of the Established Urban Area. In addition, the applicant has engaged with the Near North Valley Neighborhood Association to inform them of this request and to hear opinions on the proposal.

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

Approval of the amendment to the R-2 zone will allow redevelopment of the subject site for additional dwelling units, which will incentivize private investment and ongoing management that will improve the value of the property while not requiring additional public investment, thus making it cost effective for the city. The request furthers Policy II.B.5.p.

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. Applicable policies identified by the applicant include:

Policy II.B.7.b: Net densities above 30 dwelling units per acre should generally be within Major Activity Centers; lower net densities in areas surrounding all types of Activity Centers will serve as a transition to residential neighborhoods.

The request furthers Policy II.B.7.b because the proposal will allow development of medium density residential just outside of the Indian School Community Activity Center that is less than 30 dwelling units per acre and will serve as a transition from the Activity Center to the adjacent residential neighborhood.

Transportation and Transit: The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs. Applicable policies identified by the applicant include:

Policy II.D.4.b: The City will structure capital expenditures and land use regulations in support of creating additional housing and jobs within Major Transit and Enhanced Transit Corridors, and

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will promote ongoing public/private cooperation necessary to create private market conditions that support intensified development of jobs and housing in these corridors.

The request furthers Policy II.D.4.b because changing the zoning of the subject site from R-1 to R-2 will align land use regulations in order to create additional housing in close proximity to Menaul Boulevard, which is a designated Enhanced Transit Corridor.

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

The request furthers Policy II.D.4.c because the request will allow for additional dwelling units close to an Enhanced Transit street while not destabilize the adjacent neighborhoods because redevelopment will not create any significant encroachment into those neighborhoods, but rather create a transition to the neighborhood to the west and match the existing density of the multi-family development to the north and east of the subject site.

Air Quality: The Goal is to improve air quality to safeguard public health and enhance the quality of life:

Policy II.C.1.b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

The request furthers Policy II.C.1.b because the requested change in zoning will create a more balanced land use and transportation system by placing higher density multi-family residential in an efficient location close to existing transit as well as employment and services that will be within the adjacent Indian School Community Activity Center.

6. The subject site is located in an area identified by the North Valley Area Plan's Preferred Land Use Plan as a Village Center, and the request is in general compliance with and furthers the following applicable goals of the North Valley Area Plan:

Goal 2.c: To preserve and enhance the environmental quality of the North Valley Area by providing a variety of housing opportunities and lifestyles including differing socioeconomic types.

The request furthers Goal 2.c by allowing for more multi-family residential development that increases the variety and choice of housing opportunities and lifestyles within the North Valley area.

Village Center Policy 1: The City and County shall encourage new development and redevelopment that incorporates Village Center Principles including: pedestrian attraction and accessibility, mixed use development, and valley scale and character.

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The request furthers Village Center Policy 1 by locating medium density residential development within the area surrounding the 12th Street and Menaul Blvd intersection, which is identified by the North Valley Area Plan's Preferred Land Use Plan as a Village Center Area. Slightly higher density at the subject site's location will encourage increased walkability and access to nearby commercial services, employment, and transportation, thus incorporating Village Center Principles.

7. Approval of the request supports numerous Comprehensive Plan policies regarding land use and transit, as well as goals and policies of the North Valley Area Plan.
8. The proposed zone designation will be identical to that of the property located immediately north and east of the subject site.
9. The request has been justified pursuant to *R-270-1980* as follows:
 - A. The cited policies in the applicant's updated justification letter dated March 31, 2017 and analyzed in Findings 7 and 8 above support the statement that the request is consistent with the health, safety, morals, and general welfare of the city.
 - B. The proposed R-2 zone is the same zone designation as the adjacent apartments to the north and east of the subject site as well as similar to other developments nearby along 12th Street; therefore, stability of land use will be maintained with approval of this request. In addition, the proposed zone will strengthen the existing transition from higher intensity commercial development to the single-family neighborhoods to the west.
 - C. The request is generally consistent with and furthers numerous goals and policies of the applicable plans as summarized in Findings 7 and 8.
 - D. The applicant has clearly demonstrated that the existing zoning is inappropriate because a different use category would be more advantageous to the community. The request to change the zoning will allow for redevelopment of the subject site in a way that will be advantageous to the community as articulated by numerous policies of the Comprehensive Plan as well as fulfilling relevant goals and policies of the North Valley Area Plan as outlined in Findings 7 and 8; therefore, the proposed R-2 zone designation is more appropriate for the subject site.
 - E. The requested R-2 zone is identical to the zoning of the properties to the north and east of the subject site where the R-2 zone is mapped adjacent to R-1 zoned properties and the uses of the R-2 zone are not harmful to those adjacent properties, the neighborhood, or community. Any future development of the subject site will comply with the requirements of the Zoning Code and other applicable regulations, which will limit the external impacts of the development on adjacent properties.

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- F. Approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure.
 - G. The cost of land or other economic considerations are not a determining factor in the request for a zone map amendment.
 - H. The location of the subject site is not the sole justification for the requested zoning; rather, the request is based on the request being more advantageous to the community as articulated by numerous goals and policies of the Comprehensive Plan and the North Valley Area Plan.
 - I. The request clearly facilitates realization of the Comprehensive Plan, and does not constitute a spot zone as there are numerous other properties in the immediate area and adjacent to the subject site with the same zone designation as what is requested.
 - J. The request will not create a zone different than the surrounding zoning in a strip along the street, so this request does not constitute "strip zoning."
10. The Near North Valley Neighborhood Association and North Valley Coalition were notified of this request, as well as property owners within 100 feet of the subject site. A facilitated meeting was not held for this request. As of the writing of this report, no comments have been received and there is no known opposition to this request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **APRIL 28, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

You will receive notification if any 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 Zoning Code must be complied with, even after approval of the referenced application(s).

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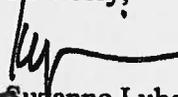
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ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

Sincerely,


Suzanne Lubar
Planning Director

SL/MJV

cc: Spectrum Capital LLC, Attn: Donna & Thomas Hunter, 3525 Del Mar Heights Rd #790, SD, CA 92130
Consensus Planning, Jim Strozier, 302 8th St. NW, ABQ, NM 87102
North Valley Coalition, Doyle Kimbrough, 2327 Campbell Rd NW, ABQ, NM 87104
North Valley Coalition, Peggy Norton, P.O. Box 70232, ABQ, NM 87197
Near North Valley NA, Joe Sabatini, 3514 6th St. NW, ABQ, NM 87107
Near North Valley NA, Randy Cole, 1501 Los Arboles NW, ABQ, NM 87107
Marit Tully, 1107 La Poblana NW, ABQ, NM 87107