



## ***Environmental Planning Commission***

***Agenda Number: 02  
Project Number: 1010902  
Case #: 16EPC-40028  
August 11, 2016***

### ***Staff Report***

<b><i>Agent</i></b>	Rio Grande Engineering
<b><i>Applicant</i></b>	David and Jennifer Soule
<b><i>Request</i></b>	<b>Site Development Plan for Building Permit</b>
<b><i>Legal Description</i></b>	Lot 12A, Paradise Hills Investment Properties, Unit 1
<b><i>Location</i></b>	Buglo NW between Lyons NW and Justin NW
<b><i>Size</i></b>	0.76 acres
<b><i>Existing Zoning</i></b>	SU-1 for C-1 Uses
<b><i>Proposed Zoning</i></b>	No Change

### ***Staff Recommendation***

***APPROVAL of Case #16EPC-40028 based on the Findings beginning on Page 12, and subject to the Conditions of Approval beginning on Page 15.***

***Staff Planner  
Michael Vos, AICP - Planner***

### ***Summary of Analysis***

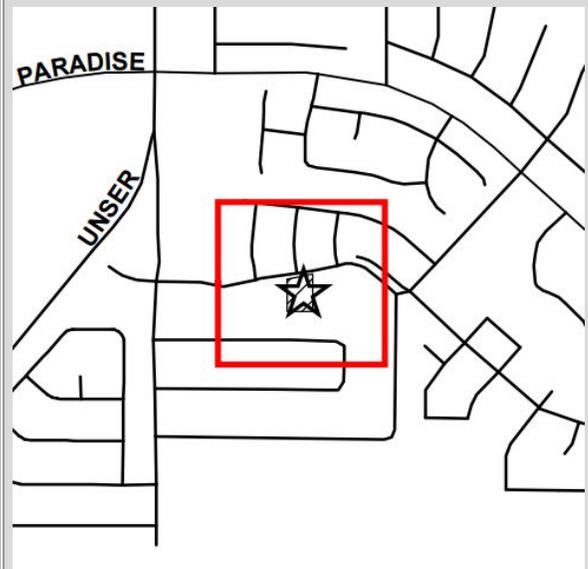
The request is a Site Development Plan for Building Permit for a commercially-zoned property near the southeast corner of Unser Blvd. NW and Paradise Blvd. NW. The property is physically and visually separated from the arterial roadways by single-family residential subdivisions.

The applicant proposes to construct 12 apartment units, which are allowed by the underlying zone to be located in four 2,250 square foot single-story buildings along with a fifth 600 square foot common building. The development is intended to serve an older population.

The subject site is in the Established Urban Area of the Comprehensive Plan. The West Side Strategic Plan and Northwest Mesa Escarpment Plan also apply to the site. The request generally furthers most applicable goals and policies of these plans.

The Paradise Hills Civic Association and Westside Coalition of Neighborhood Associations were notified of this request. Two inquiries were made by phone by nearby residents stating some opposition to the request.

Staff recommends approval subject to the findings and conditions outlined in the staff report.



**I. AREA CHARACTERISTICS AND ZONING HISTORY**

*Surrounding zoning, plan designations, and land uses:*

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-1 for C-1 Uses	Established Urban West Side Strategic Plan Northwest Mesa Escarpment Plan	Vacant
<b>North</b>	R-LT	Established Urban West Side Strategic Plan Northwest Mesa Escarpment Plan	Single-family homes
<b>South</b>	SU-1 for C-1 Uses	Established Urban West Side Strategic Plan Northwest Mesa Escarpment Plan	Vacant
<b>East</b>	SU-1 for C-1 Uses	Established Urban West Side Strategic Plan Northwest Mesa Escarpment Plan	Vacant
<b>West</b>	SU-1 for C-1 Uses	Established Urban West Side Strategic Plan Northwest Mesa Escarpment Plan	Vacant

**II. INTRODUCTION**

**Proposal**

The request is for a Site Development Plan for Building Permit for an approximately 0.76 acre site described as Lot 12A, Paradise Hills Investment Properties, Unit 1 (the “subject site”). The subject site is located on Buglo Ave. NW between Justin Dr. NW and Lyons Blvd. NW.

The applicant proposes to develop a single-story multi-family development intended as an affordable option for the older population on the subject site. The development is designed with 12 two-bedroom, one-bath, accessible apartment units in four buildings (three units in each building). A fifth common building will provide a place for activities and socialization between the future residents.

The subject site’s SU-1 for C-1 Uses zoning allows both permissive and conditional uses of the C-1 zone. Dwelling units, including apartments, proposed for properties not located within 660 feet of an enhanced transit corridor or within a designated community center, are an allowed conditional use in the C-1 zone provided there are no more than 30 units per acre. The location of the subject site and proposed density of approximately 16 dwelling units per acre meet the restrictions of the conditional use allowing dwelling units in the C-1 zone.

### ***EPC Role***

The Environmental Planning Commission (EPC) is hearing this case because the EPC has decision-making authority for site development plan approval in SU-1 zones, pursuant to 14-16-2-22(A)(1) of the Zoning Code. The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would make the final administrative decision. The request is a quasi-judicial matter.

### ***Context***

The subject site is in the Established Urban Area of the Comprehensive Plan and within the boundaries of the West Side Strategic Plan (WSSP). The subject site is also located within the Northwest Mesa Escarpment Plan – View Area with views of the Sandia Mountains to the east.

The subject site is located south of Paradise Blvd. and the Paradise Ridge and Paradise Vista residential subdivisions, and lies east of Unser Blvd. and the Sundance Estates residential subdivision.

Immediately north of the subject site across Buglo Ave. are single-family residential homes. Surrounding the subject site to the east, south, and west are commercially-zoned properties. Farther to the east and west are additional single-family homes, as well as an apartment complex situated on approximately five acres. Farther south of the commercial properties is the northwest mesa escarpment and City of Albuquerque-owned open space zoned RO-20.

The subject site and other surrounding commercially zoned properties are currently undeveloped and lack visibility from the nearby arterial roadways because of the adjacent constructed residential.

### ***History***

The subject site was annexed in 1985 (Enactment No. 37-185) as part of an approximately 10,200-acre annexation of land in northwest Albuquerque (AX-85-20, Z-85-84). The subject site and surrounding properties were zoned SU-1 for C-1 Uses at that time due to problems with topography, soils, and uncertainty regarding the major street system in the area.

A number of adjacent residential subdivisions were subjects of rezoning and platting actions over the intervening years and today have mostly reached full build-out.

The subject site is part of a ± 40 acre group of platted properties located south of Paradise Blvd. and east of Lyons and Unser Blvd. that remain with the original SU-1 for C-1 Uses zoning.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. The LRRS designates Unser Blvd. as a Regional Principal Arterial and Paradise Blvd. as a Minor Arterial. Buglo Ave., where the subject site is located, Lyons Blvd., and Justin Dr. are all local streets that provide access to the subject site.

The Comprehensive Plan designates both Unser and Paradise as Express Corridors, which are intended for higher speed, limited interruption travel to provide efficient movement between activity centers. These corridors will be sites of some infill to have enough people living in close proximity for access to public transportation at select locations.

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

The subject site is located on a local street. Bicycle lanes exist in close proximity to the subject site along Paradise Blvd. and on Unser north of Paradise. South of Paradise, Unser is not yet fully developed, but the Bikeways and Trails Facilities Plan identifies it for future bicycle lanes. East of Unser, a multi-use trail follows along the south side of Paradise to Golf Course Road.

#### ***Transit***

No ABQ Ride routes pass by the subject site.

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

Fire Station 22 is located approximately 0.35 miles north of the subject site on Unser Blvd. and the Paradise Hills Community Center is located approximately 0.75 miles west on Paradise Blvd. Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

### ***III. ANALYSIS***

#### ***APPLICABLE ORDINANCES, PLANS AND POLICIES***

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

The subject site is zoned SU-1 for C-1 Uses. The SU-1 zone “provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.”

The existing SU-1 zoning was put into place to allow for more thorough analysis of development proposals because of the subject site and surrounding properties’ topography, soils, and uncertainty of the future road network at the time. Development of SU-1 properties is governed by approved site development plans per section 14-16-2-22 SU-1 Special Use Zone.

The SU-1 zoning of the subject site allows for C-1 Uses from the zoning code including both permissive and conditional uses. Some examples of permissive uses include convenience stores, offices, and restaurants. Illustrative conditional uses include apartments and vehicle rentals.

The requested use, apartments, is a conditional use of the C-1 zone; however, a conditional use permit is not needed because the SU-1 zoning refers to “C-1 Uses,” thus allowing both permissive and conditional uses on the subject site.

---

---

*Albuquerque / Bernalillo County Comprehensive Plan*

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

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

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 is for a small apartment complex on commercially-zoned property that allows for a variety of land uses. Based on the size of the subject site and the number of units proposed, the density for this individual project is approximately 16 dwelling units per acre in an area generally characterized by lower density single-family residential. Another apartment complex is located in the area of the request, but the intent is for these new units to cater to the older population. The request increases housing choice in the area by utilizing a poorly located commercially-zoned property. Policy II.B.5.a is furthered by this request.*

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

*The request furtheres Policy II.B.5.d because it generally respects neighborhood values, is designed appropriately for the plan area, and is consistent with adjacent land uses. The maximum proposed height is 15 feet, which is less than allowed by the zoning code for the C-1 zone. The proposal has minimal impacts on natural environmental conditions and follows the regulations for protection of the Northwest Mesa Escarpment plan area. The subject site is surrounded by similarly intense uses and property that could develop with other similarly intense uses. As of the writing of this report, there is little known neighborhood opposition to the project.*

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 request is to develop a vacant property in the established urban area adjacent to previously developed land. The proposed buildings have been designed to have minimal effect on the surrounding parcels of land and ensure the integrity of the existing neighborhoods. The subject site is located outside of the adopted service area for water service and will need to request and be approved for serviceability by the Water Authority, and depending on the Authority’s requirements extend the appropriate infrastructure to the property. Policy II.B.5.e is partially furthered by this request.*

---

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

- In designated Activity Centers.
- 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.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

*Policy II.B.5.h is partially furthered by the request because the proposed apartments are located in an area where a mixed density pattern is established by the existing uses nearby. The subject site is also on the edge of a group of properties that are zoned to allow for much more intense uses and can serve as a transition from the existing single-family homes to any future non-residential development that may occur in the area. However, some concerns have been raised as to the adequacy of infrastructure with the major road networks only available via local streets shared by neighboring single-family residential subdivisions.*

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

*The request generally furthers Policy II.B.5.l because the proposed buildings are of basic design, but will meet the color and reflectance regulations of the Northwest Mesa Escarpment Plan. The materials and color will be similar in color to the surrounding structures.*

#### **WEST SIDE STRATEGIC PLAN (RANK II)**

The West Side Strategic Plan (WSSP) was first adopted in 1997 and amended several times since then (2002, 2005, 2008, 2009 and 2011). The WSSP area encompasses over 96,000 acres of land, or approximately 150 square miles. Specific boundaries are shown on page 2 of the Plan.

The WSSP identifies 13 communities in established areas of the West Side, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located in the Paradise Community, which lies between the Calabacillas Arroyo and the Town of Alameda Grant line, which is consistent with the alignment of Paseo del Norte at its river crossing, and between the Rio Grande and Ventana Ranch (see page 57).

The WSSP states that: “The Planning Commissions will bear the primary responsibility of enforcing the Community and Neighborhood Center intent of the Plan through rigorous review of pending applications relative to strategic plan policies (page 41).” The relevant policy for this request is the following:

---

WSSP 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 request **furthers** WSSP Policy 1.1 by proposing medium density apartments on a property in proximity to the Paradise/Lyon Neighborhood Center similar to other nearby higher density development in the area. Low density development is not proposed and will not be approved within the neighborhood center with this request.*

#### ***Northwest Mesa Escarpment Plan (Rank III)***

The Northwest Mesa Escarpment Plan was first adopted in 1988, and amended in 1989. The Plan generally encompasses properties south of Paradise Blvd. and Paseo del Norte from the northwest mesa escarpment on the east and nearly reaching to Atrisco Vista on the west; specific boundaries are shown on the Context Map (Map 2) in the Plan. The main purpose of the Plan is identify and establish governing concepts for the protection of the escarpment, conservation of open space, and setting regulations for sensitive development. This request is located within the View Area of the Plan. Relevant goals/policies include the following:

Policy 8-2: Site development plan review is required for development as follows:

- a. Development on parcels zoned SU-1 shall be reviewed through procedures described in the Comprehensive City Zoning Code.
- b. Site development plans on all other parcels including site development plans for single family detached housing will be reviewed by the City Planner for compliance with this plan.

***Policy 8-2 is furthered by the submittal and review of this site development plan for building permit by city staff and the Environmental Planning Commission.***

Policy 20-1: Predominant exterior surfaces of commercial and multi-family buildings shall be Approved Colors (Appendix E). Metal items such as vents, cooling units and other mechanical devices on roofs are subject to this regulation, as are fences. Dish antennae shall not be placed on roofs. Up to 20% of the opaque materials on any façade may be colors other than approved colors.

***Policy 20-1 is furthered by this development intending to use colors in accordance with the plan and blending with the natural colors found along the escarpment. To ensure the correct color palette is used through completion of the project, a condition of approval to reflect the need to use colors identified in the plan has been recommended by staff.***

Policy 21-1: The height of structures within the View Area shall comply with the requirements of the Comprehensive City Zoning Code, except that no structure shall exceed 40'0" in height.

---

*The request furthers Policy 21-1 because it is proposing a maximum building height of 15 feet, which is less than the 26 feet generally allowed by the zoning of the property and significantly less than the 40-foot maximum imposed by the plan.*

#### **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT**

The request is for a 12-unit apartment complex consisting of five buildings. Four of the buildings are 2,250 square feet in size and each hold three 2-bed, 1-bath units. The fifth building is a 600 square foot common dayroom for socialization and activities by the future residents.

Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." As such, staff has reviewed the attached site development plan for conformance with applicable goals and policies in the Comprehensive Plan, West Side Strategic Plan, Northwest Mesa Escarpment Plan, and the Zoning Code.

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

The subject site, Lot 12A, is located on Buglo Ave. NW south of the intersection with Sierra Morena Street. The site is generally rectangular with a slightly longer eastern property line than western property line, which accounts for the angle that Buglo Ave. runs. The four apartment buildings are proposed to be located on the east side of the lot with two sets of two building entrances fronting on a common walkway and courtyard space. Opposite those building entrances, each unit will have a walled-in yard/patio space. The common dayroom building is proposed for the northwest corner of the property. The parking lot is located to the west of the apartment buildings with the entrance aligned with the intersection of Sierra Morena Street. The dumpster is located on the entry drive near the front of the property.

The apartment buildings are setback 5 feet from the east property line and between 10 and 22 feet from the front property line because they are oriented directly east-west. The building at the rear of the property has a 10-foot setback from the rear property line. The common building is setback 2 feet from the west property line and 11 feet from the front property line. These setbacks comply with the minimums as stated in the O-1 zone as required by the underlying C-1 zoning.

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

Dwelling units listed under conditional uses in the C-1 zone require 500 square feet of usable open space per 2-bedroom unit. This request is for 12 2-bedroom units, thus requiring 6,000 square feet of usable open space on the subject site.

The definition of usable open space indicates that it "...may include, but is not limited to, lawns, decorative plantings, native plants, open balconies, covered patios open on at least two sides, walkways, active and passive recreational areas, fountains, swimming pools, wooded areas, and water courses. Usable open space does not include public right-of-way, parking lots, off-street parking, driveways, other private vehicular surfaces, or buildings other than swimming pool rooms."

The site plan shows two common walkway areas between the apartment buildings, each totaling approximately 1,224 square feet. In addition, the patios behind each unit are approximately 2,788 square feet combined and there is approximately 1,480 square feet of walkway and landscaping area running north-south between the parking lot and the apartment buildings. Finally, in addition to other small landscape areas around the dayroom, there is an open water harvesting area approximately 4,800 square feet in size. The numbers used in this section are an estimate measured from the site plan provided by the applicant; however, the combined estimated total of open space on the site is greater than 10,000 square feet, and thus complies with the requirement for conditional use dwelling units in the C-1 zone. Staff has suggested a condition of approval to place the exact calculations of usable open space on the site plan to ensure that the minimums of the code are met and for future reference.

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

The site is accessed via a single driveway at the north end generally aligned with the intersection of Sierra Morena Street. Vehicles enter the site and drive south to access the parking spaces that are on either side of the drive aisle.

Because the requested zoning is SU-1, off-street parking is as decided by the EPC pursuant to Zoning Code §14-16-2-22, Special Use Zone. If the property was 'straight-zoned' the requirement applicable to the proposed project would be one space per bath but not less than one and one-half spaces per unit as each unit is proposed less than 1,000 square feet of leasable space. With twelve one-bath units, the required parking total would be 18 spaces. Including designated disabled parking spaces, the request is providing 22 spaces on-site. Only one designated disabled space is required. Five such spaces are provided.

One motorcycle space is required and provided, and a bicycle rack is provided for the six required bicycle spaces.

The site meets the minimums required by code, though if the EPC desires, different requirements could be imposed.

A traffic impact study (TIS) was not required.

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

The subject site is proposed to have two pedestrian connections to a public sidewalk. One connection will be from the common building, and the other connection will be from the walkway along the east side of the parking lot and connecting to the apartment entryways. These proposed walkways are 6-foot-wide ADA-compliant paths.

### ***Walls/Fences***

Walls are proposed at the rear of each apartment building around the individual patio spaces. Notes on the site plan indicate that the wall will be no taller than 5 feet constructed of CMU block and colored to match the new buildings.

### ***Lighting and Security***

No parking lot lighting poles are shown on the plans. Pathway lighting is proposed with fully shielded fixtures not exceeding 36 inches.

### ***Landscaping***

Landscaping is required by the zoning code in the amount of 15% of the net lot area (lot area less building footprints). The net lot area is 23,362 square feet, thus 3,505 square feet of landscaping is required. 6,217 square feet of landscaped area is proposed with this project.

Parking lot trees are required at the rate of one tree for each ten spaces; 3 parking lot trees are required. Five are provided. The Zoning Code requires that no parking space be over 100 feet from a tree [14-16-3-10 (F)(1)(b)]. This requirement is also met.

14-16-3-10 (F)(4) of the Zoning Code requires trees be provided around multi-family developments in the amount of one tree per ground floor unit and one tree per every two second-story units. This request includes 12 ground floor units and no second floor units, so 12 trees are required to be placed in areas around the residential structures. 12 such trees are provided.

Staff has suggested a condition that clearer, more detailed notes regarding these requirements, including type of plantings, what requirements they fulfill, placement, and sizes shall be noted on the landscaping plan.

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

Water generally flows northeast to southwest across the subject site. A ponding area to address first flush requirements and water harvesting for trees located within it is located at the southwest corner of the subject site.

Water and sanitary sewer are proposed to connect to existing lines placed with development of the subdivision located to the north of the site. Coordination of this installation or potential changes will need to be worked out with the Albuquerque Bernalillo County Water Utility Authority (ABCWUA).

A new fire hydrant is proposed across the street at the northwest corner of Buglo Ave. and Sierra Morena St. Water and sewer lines brought into the property will be stubbed to allow for future expansion phases of the development to neighboring lots that are owned by the same entity.

### ***Architecture***

The architecture of the request is basic in nature with simple details including almond window frames and cantilevered awnings. The color palette is generally tan and cottonwood stucco with green accents on the awnings. These colors generally match the surrounding natural features and other homes, and must meet the requirements of the Northwest Mesa Escarpment Plan.

The buildings are single-story with a maximum height of 15 feet and will have a minimum visual impact on surrounding properties.

### ***Signage***

Signage for the development is regulated in accordance with Section 14-16-2-16 (A)(7)(e)8.g. with building-mounted signs limited to 25 square feet and only one per building façade. No freestanding sign is allowed because the site is less than 5 acres in size. Signage proposed with this development will consist of building-mounted letters without internal illuminations on the common dayroom building. No other signage is proposed for this request. Notes on the site plan explain the restrictions, and staff has suggested a condition to ensure that these notes are clear.

## **IV. AGENCY & NEIGHBORHOOD CONCERNS**

### ***Reviewing Agencies***

Commenting agencies reviewed this request from July 5, 2016 to July 20, 2016. The most significant comments were received from ABCWUA and Transportation Development. ABCWUA indicated that a new serviceability statement would be needed and that the request is outside of the adopted service area of the Authority and will need Board approval. Approval of this site plan for building permit is not approval of water serviceability and the applicant will need to acquire such serviceability before being able to construct any improvements. Transportation Development asked for clarifications and notes for the plat that have been added by the applicant and will be ensured through the conditions of approval.

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

The Paradise Hills Civic Association and Westside Coalition of Neighborhoods were notified of this request, as well as property owners within 100 feet of the subject site. A facilitated meeting was not recommended or held. Two inquiries were made by nearby residents expressing general opposition to the proposed project because of infrastructure and traffic concerns, as well as the potential for future expansions of development on the lots surrounding the subject site. As of the writing of this report, no written comments have been received regarding the request.

## **V. CONCLUSION**

This request is for a site development plan for building permit for Lot 12A, Paradise Hills Investment Properties, Unit 1, an approximate 0.76 acre site located on Buglo Avenue NW between Justin Drive NW and Lyons Boulevard NW. The site is zoned SU-1 for C-1 uses and the proposed multi-family use is permitted by the underlying C-1 zoning.

The proposed project consists of four 2,250 square foot single-story apartment buildings and a 600 square foot common building. The request has a total of 12 proposed dwelling units. 22 parking spaces are proposed on-site for future resident and visitor use. The applicant is proposing a single access point on the north end of the property to Buglo Ave. and aligning with the intersection of Sierra Morena St. A refuse container within an enclosure is proposed adjacent to this entryway. The site has adequate landscaping and generally meets the requirements of the underlying zoning. The site is located within the Established Urban Area of the Comprehensive Plan and the Northwest Mesa Escarpment Plan – View Area.

Staff finds that the request for a site development plan for building permit furthers a preponderance of applicable goals and policies found in the Comprehensive Plan, West Side Strategic Plan, and Northwest Mesa Escarpment Plan.

Representatives from the Paradise Hills Civic Association and Westside Coalition of Neighborhoods, as well as property owners within 100 feet of the subject site were notified of this request. A facilitated meeting was not recommended nor held. Two nearby homeowners inquired about and stated opposition to the project.

Staff recommends approval based on the finding and conditions of the staff report.

**FINDINGS - (16EPC-40028) August 11, 2016 Site Development Plan for Building Permit**

1. This is a request for a site development plan for building permit for Lot 12A of Paradise Hills Investment Properties, Unit 1 located on Buglo Avenue NE and containing approximately 0.76 acres.
2. The subject site was annexed by the City of Albuquerque in 1985, was zoned SU-1 for C-1 Uses at that time, and has remained undeveloped since.
3. The applicant proposes to develop 12 dwelling units within four 2,250 square foot buildings with a fifth 600 square foot common building also located on the site.
4. The requested use, apartments, is a conditional use of the C-1 zone; however, a conditional use permit is not needed because the SU-1 zoning refers to "C-1 Uses," thus allowing both permissive and conditional uses on the subject site.
5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Northwest Mesa Escarpment Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within the Established Urban Area of the Comprehensive Plan and is within the View Area of the Northwest Mesa Escarpment Plan.
7. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:
  - i. 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 is for a small apartment complex on commercially-zoned property that allows for a variety of land uses. Based on the size of the subject site and the number of units proposed, the density for this individual project is approximately 16 dwelling units per acre in an area generally characterized by lower density single-family residential. Another apartment complex is located in the area of the request, but the intent is for these new units to cater to the older population. The request increases housing choice in the area by utilizing a poorly located commercially-zoned property. Policy II.B.5.a is furthered by this request.*
  - ii. Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying

capacities, scenic resources, and resources of other social, cultural, recreational concern.

*The request furthers Policy II.B.5.d because it generally respects neighborhood values, is designed appropriately for the plan area, and is consistent with adjacent land uses. The maximum proposed height is 15 feet, which is less than allowed by the zoning code for the C-1 zone. The proposal has minimal impacts on natural environmental conditions and follows the regulations for protection of the Northwest Mesa Escarpment plan area. The subject site is surrounded by similarly intense uses and property that could develop with other similarly intense uses. As of the writing of this report, there is little known neighborhood opposition to the project.*

- iii. 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.

*The request is to develop a vacant property in the established urban area adjacent to previously developed land. The proposed buildings have been designed to have minimal effect on the surrounding parcels of land and ensure the integrity of the existing neighborhoods. The subject site is located outside of the adopted service area for water service and will need to request and be approved for serviceability by the Water Authority, and depending on the Authority's requirements extend the appropriate infrastructure to the property. Policy II.B.5.e is partially furthered by this request.*

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

- In designated Activity Centers.
- 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.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

*Policy II.B.5.h is partially furthered by the request because the proposed apartments are located in an area where a mixed density pattern is established by the existing uses nearby. The subject site is also on the edge of a group of properties that are zoned to allow for much more intense uses and can serve as a*

*transition from the existing single-family homes to any future non-residential development that may occur in the area. However, some concerns have been raised as to the adequacy of infrastructure with the major road networks only available via local streets shared by neighboring single-family residential subdivisions.*

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

*The request generally furthers Policy II.B.5.I because the proposed buildings are of basic design, but will meet the color and reflectance regulations of the Northwest Mesa Escarpment Plan. The materials and color will be similar in color to the surrounding structures.*

8. The request is in general compliance with the following applicable goals and policies of the West Side Strategic Plan:

- i. WSSP 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 request furthers WSSP Policy 1.1 by proposing medium density apartments on a property in proximity to the Paradise/Lyon Neighborhood Center similar to other nearby higher density development in the area. Low density development is not proposed and will not be approved within the neighborhood center with this request.*

9. The request is in general compliance with the following applicable goals and policies of the Northwest Mesa Escarpment Plan:

- i. Policy 8-2: Site development plan review is required for development as follows:
1. Development on parcels zoned SU-1 shall be reviewed through procedures described in the Comprehensive City Zoning Code.
  2. Site development plans on all other parcels including site development plans for single family detached housing will be reviewed by the City Planner for compliance with this plan.

*Policy 8-2 is furthered by the submittal and review of this site development plan for building permit by city staff and the Environmental Planning Commission.*

- ii. Policy 20-1: Predominant exterior surfaces of commercial and multi-family buildings shall be Approved Colors (Appendix E). Metal items such as vents, cooling units and other mechanical devices on roofs are subject to this regulation, as are fences. Dish antennae shall not be placed on roofs. Up to 20% of the opaque materials on any façade may be colors other than approved colors.

*Policy 20-1 is furthered by this development intending to use colors in accordance with the plan and blending with the natural colors found along the escarpment. To ensure the correct color palette is used through completion of the project, a condition of approval to reflect the need to use colors identified in the plan has been recommended by staff.*

- iii. Policy 21-1: The height of structures within the View Area shall comply with the requirements of the Comprehensive City Zoning Code, except that no structure shall exceed 40'0" in height.

*The request furthers Policy 21-1 because it is proposing a maximum building height of 15 feet, which is less than the 26 feet generally allowed by zoning of the property and significantly less than the 40-foot maximum imposed by the plan.*

- 10. Representatives of the Paradise Hills Civic Association and Westside Coalition of Neighborhoods, as well as property owners within 100 feet of the subject site were notified of this request. A facilitated meeting was not recommended nor held. There is little known opposition to this request.

***RECOMMENDATION - 16EPC-40028 – August 11, 2016 – Site Development Plan for Building Permit***

**APPROVAL of 16EPC-40028, a request for Site Development Plan for Building Permit for Lot 12A, Paradise Hills Investment Properties, Unit 1, based on the preceding Findings and subject to the following Conditions of Approval.**

-----

***CONDITIONS OF APPROVAL – 16-EPC-40028 – August 11, 2016 - Site Development Plan for Building Permit***

- 1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The proposed colors of the building, including awnings and other accents shall conform to the color palette identified by the Northwest Mesa Escarpment Plan.
4. The applicant shall place the exact calculations of usable open space provided by the proposed development on the site plan.
5. Clearer, more detailed notes shall be added to the landscaping plan indicating that the landscaping meets the requirements of the zoning code, including but not limited to parking lot trees, required trees for multi-family development, placement of such trees, and the size and dimensions of the trees and shrubs provided.
6. Notes shall be added to the site plan referencing the restrictions on signage to a maximum of 25 square feet per building façade and that no freestanding signs are permitted on the subject property.
7. Conditions of Approval from Transportation Development:
  - a. Identify the right of way width, medians, curb cuts, and street widths on Buglo Ave. and cross streets north of project area.
  - b. The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "**Violators Are Subject to a Fine and/or Towing.**" Please call out detail and location of HC signs.
  - c. Show all drive aisle widths and radii.
  - d. Per DPM, a 6 ft. wide ADA accessible pedestrian pathway is required from the public sidewalk to the building entrances. Please clearly show this pathway and provide details.
  - e. Per DPM, a 6 ft. wide ADA accessible pedestrian pathway is required from the HC parking stall access aisles to the building entrances. Please clearly show this pathway and provide details. Provide striped access isle across drive pad from Dayroom HC parking to access isle leading to residential units.
  - f. All sidewalks along streets should be placed at the property line.
  - g. Provide a min 6" or max 8" high concrete barrier curb or other acceptable barrier between landscaping and parking areas and/or drive aisles. Please call out detail and location of barrier curb.
  - h. Service vehicle and/or refuse vehicle maneuvering must be contained on-site; provide a copy of refuse approval.
  - i. It is not apparent what type of pavement surface is being proposed. A hard driving surface will be required as part of this proposed project for parking area and drive aisles.

- j. Please provide a sight distance exhibit (see the *Development Process Manual, Chapter 23, Section 3*). Please provide this detail or the entrance/exit on Buglo Ave.
  - k. Please add the following note to the clear sight triangle: “Landscaping and signage will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.”
  - l. Please add a note on the plan stating “All improvements located in the Right of Way must be included on the work order.”
  - m. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
8. Conditions of Approval from the Albuquerque Bernalillo County Water Utility Authority:
- a. Serviceability statement #151107 is still current but a new request is needed as the fire marshal requirements were never submitted. This is required prior to future condition as indicated in the aforementioned serviceability statement.
  - b. The development is located outside of the adopted service, therefore Board approval is required. If extensions of public waterline or sanitary sewer are required, a Board approved development agreement is required.
  - c. Extension of waterline is required to cover the property frontage. This is required to allow for future extensions for the properties to the west.
  - d. The utility plan indicated a private grinder pump for discharge into the exiting manhole along Sierra Morena St. This may not be acceptable as a public sanitary sewer extension (force main) may be required to cover the property frontage. The requirements will be determined by the serviceability statement.
9. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
- 

***Michael Vos, AICP  
Planner***

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

David Soule, PE, Rio Grande Engineering, PO Box 93924, Albuquerque, NM 87199  
Tom Anderson, 10013 Plunkett Dr. NW, Albuquerque, NM 87114  
Maria Warren, 5020 Russell NW, Albuquerque, NM 87114  
Harry Hendriksen, 10592 Rio Del Sole Ct. NW, Albuquerque, NM 87114  
Rene Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120

---

---

## CITY OF ALBUQUERQUE AGENCY COMMENTS

### PLANNING DEPARTMENT

#### Zoning Enforcement

#### Office of Neighborhood Coordination

Paradise Hills Civic Association and Westside Coalition of NAs

#### Long Range Planning

Confirm that the SU-1 for C-1 zoning includes the conditional use for Multi-Family Residential outside of an activity center and not along a transit corridor.

#### Metropolitan Redevelopment Agency

### CITY ENGINEER

#### Transportation Development

**Project # 1010902**

**Paradise Hills**

16EPC-40028

Site Development Plan for Building Permit

- Identify the right of way width, medians, curb cuts, and street widths on Buglo Ave. and cross streets north of project area.
- The ADA accessible parking sign must have the required language per 66-7-352.4C NMSA 1978 "**Violators Are Subject to a Fine and/or Towing.**" Please call out detail and location of HC signs.
- Show all drive aisle widths and radii.
- Per DPM, a 6 ft. wide ADA accessible pedestrian pathway is required from the public sidewalk to the building entrances. Please clearly show this pathway and provide details.
- Per DPM, a 6 ft. wide ADA accessible pedestrian pathway is required from the HC parking stall access aisles to the building entrances. Please clearly show this pathway and provide details. Provide striped access isle across drive pad from Dayroom HC parking to access isle leading to residential units.
- All sidewalks along streets should be placed at the property line.
- Provide a min 6" or max 8" high concrete barrier curb or other acceptable barrier between landscaping and parking areas and/or drive aisles. Please call out detail and location of barrier curb.
- Service vehicle and/or refuse vehicle maneuvering must be contained on-site; provide a copy of refuse approval.

- It is not apparent what type of pavement surface is being proposed. A hard driving surface will be required as part of this proposed project for parking area and drive aisles.
- Please provide a sight distance exhibit (see the *Development Process Manual, Chapter 23, Section 3*). Please provide this detail at the entrance/exit on Buglo Ave.
- Please add the following note to the clear sight triangle: “Landscaping and signage will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in this area.”
- Please add a note on the plan stating “All improvements located in the Right of Way must be included on the work order.”
- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).

**Hydrology Development**

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

**Traffic Engineering Operations**

**WATER UTILITY AUTHORITY**

**Utility Services**

1. 16EPC-40028 Site Development Plan for Building Permit
  - a. Serviceability statement #151107 is still current but a new request is needed as the fire marshal requirements were never submitted. This is required prior to future condition as indicated in the aforementioned serviceability statement.
  - b. The development is located outside of the adopted service, therefore Board approval is required. If extensions of public waterline or sanitary sewer are required, a Board approved development agreement is required.
  - c. Extension of waterline is required to cover the property frontage. This is required to allow for future extensions for the properties to the west.
  - d. The utility plan indicated a private grinder pump for discharge into the existing manhole along Sierra Morena St. This may not be acceptable as a public sanitary sewer extension (force main) may be required to cover the property frontage. The requirements will be determined by the serviceability statement.

**ENVIRONMENTAL HEALTH DEPARTMENT**

**PARKS AND RECREATION**

**Planning and Design**

**Open Space Division**

**City Forester**

***POLICE DEPARTMENT/Planning***

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

Project#1010902 Need site plan to scale, to verify refuse truck access. Refuse enclosure must be set back a minimum of 5’ from property line. The 5’ screen/retaining wall (E) appears to hinder refuse truck’s safe access to proposed enclosure. Do not plant anything near refuse enclosure that will cause an overhang. Need complete/detailed spec sheet for proposed refuse enclosure built to COA minimum requirements. This proposed enclosure will require a 2-person crew to safely service customer.

***FIRE DEPARTMENT/Planning***

***TRANSIT DEPARTMENT***

<b>Project # 1010902                  16EPC-40028 SITE DEVELOPMENT PLAN FOR                  BUILDING PERMIT</b>  FOR ALL OR PORTION OF LOT 12A, PARADISE HILLS INVESTMENT CO, UNIT 1, ZONED SU-1 FOR C-1, LOCATED ON BUGLO, NW, BETWEEN LYONS NW AND JUSTIN NW, CONTAINING APPROX 0.76 ACRES. (B-11)	Adjacent and nearby routes	None
	Adjacent bus stops	None
	Site plan requirements	None
	Large site TDM suggestions	None.
	Other information	None

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

***ALBUQUERQUE PUBLIC SCHOOLS***

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

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

***NMDOT***

NMDOT has no comments.

***PUBLIC SERVICE COMPANY OF NEW MEXICO***