

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
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Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

December 11, 2015

Garrett Lee Studio
514 Central Ave SW
ABQ, NM 87102

Project# 1003373
15EPC-40062 Amendment to Zone Map
(Zone Change)
15EPC-40063 Site Development for Building Permit
15EPC-40064 Site Development for Subdivision

LEGAL DESCRIPTION:

the above actions for all or a portion of lot S 100ft of lot 8, Alvarado Gardens Unit 1, zoned RA-2 to SU-1 for PRD, located on Rio Grande Blvd., between Candelaria and Campbell, containing approximately 1.24 acres. (G-13-Z)
Staff Planner: Maggie Gould

PO Box 1293

On December 10, 2015, the Environmental Planning Commission voted to APPROVE Project #1003373/15EPC-40062, an Amendment to Zone Map (Zone Change), 15EPC-40063, a Site Development Plan for Building Permit, 15EPC-40064, a Site Development for Subdivision, based on the following findings and conditions:

FINDINGS -15 EPC-40062 Zone Map Amendment

New Mexico 87103

www.cabq.gov

1. This is a request for a Zone Map Amendment for S 100 feet of Lot 8, Unit 1, Alvarado Gardens, located Rio Grande Blvd NW between Candelaria RD NW and Campbell Rd NW and containing approximately 1.24 acres from RA-2 to SU-1 PRD.
2. The applicant proposes to develop 11 new homes and community garden on the site and retain an existing house.
3. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, Rio Grande Corridor Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. Requests for a Site Development Plan for Subdivision and a request for Site Development Plan for Building Permit are heard concurrently with this request.

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5. The subject site is within the Established Urban area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

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

The subject site has access to a full range of urban services, including water, sewer, roads and electricity. The site takes access from Rio Grande Boulevard and will not disrupt the character of the adjacent single family and may add additional patrons for businesses in the area. The request furthers Policy II.B.5.e.

- B. Policy II.B.5f: Clustering of homes to provide larger shared open areas and houses oriented towards pedestrian or bikeways shall be encouraged.

The proposed development preserves the rear 20% of the site as a garden and clusters the housing units in two sections, one near the center of the site and one towards the front. Rio Grande Boulevard contains a bike lane and there is pedestrian access to the Campbell ditch.

- C. 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.

The proposed development contains a collection of smaller homes clustered to develop a sense of community and preserve on site open space and the connection with the Campbell ditch. The design allows extra density, but keeps the overall scale and mass of the buildings low. The request furthers Policy II.B.5l.

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

The subject site is part of an older neighborhood. The proposed development will add a unique housing option that will add new residents to the area in a site plan controlled development. The request furthers Policy II.B.5o.

6. The request partially furthers the following applicable goals and policies of the Comprehensive Plan:

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

The proposed project will respect the character of the area by preserving on site open space and maintain access to the Campbell Ditch, the proposed housing units will be single story, protecting views for adjacent neighbors and will be laid out so that the view from the street is of a duplex and the view from the ditch will be of the community garden. The density is greater than the density of the surrounding properties. The request partially furthers Policy II.B.5.d.

7. The subject is within the boundaries of the North Valley Area Plan, the following policies are applicable to the request:

- A. Goal 2. To preserve and enhance the environmental quality of the North Valley by:

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- a) Maintaining the rural flavor of the North Valley
- b) Providing a variety of housing opportunities and life styles including different socio economic types.

The proposed development will maintain a large garden space and access to the Campbell ditch, as well as using the ditch to water the garden. The housing units are smaller and may be affordable because the construction cost will lower. The style of the housing, single story, stucco finish with pitched is similar to the existing housing in much of the North Valley. The project will offer a housing option that may allow older people to remain in the valley and younger to move there because of the affordability and sense of community. The request is consistent with Goal 2.

- B. Housing Policy 4: The City and County shall remove disincentives, provide incentives and/or require housing development which meets the cluster housing principles of preserving open land, providing new housing at appropriate densities, lower infrastructure costs and design flexibility and creativity. The proposed project uses exiting utilities to keep the infrastructure cost lower, preserves on site open space and offers a cluster housing development that can be part of the existing neighborhood and also a small community. The density of the project is higher than that of the surrounding development, but the housing units are smaller and restricted to one story so that the overall mass and building foot print are minimized. The request is consistent with policy 4.

Additional Plan Guidance

- C. Page 36

"Cluster housing principles would be applied where new housing is proposed. Existing features that distinguish the valley , such as narrow roads and ditches, would be retained in all new development. Features that typify rural character such as mixed lot sizes and setbacks would be replicated in new development. "Common interest communities would be encouraged to provide for open space and retention of agriculture.

The proposed development seeks to create a "pocket neighborhood", a neighborhood within a neighborhood that clusters housing to maintain open space and features that ditch and a large garden as part of the development.

- D. Page 118 Density

"Most of the North Valley Plan Area is low density. The low density pattern of housing is partially responsible for the rural character of much of the valley. Closer examination of areas identified as having rural character, however indicates that the arrangement of homes defines rural character more than just the number of homes in an area. It may be possible to accommodate the same amount of new housing in different ways, some of which can better reflect the valley's character and history than other"

The proposed development allows new housing at a higher density, but designs that housing tin the character of the area, smaller houses, similar style, retention of the garden space and ditch incorporated into the site.

- 8. The site is subject to the requirements of the Rio Grande Corridor Plan. The following apply:

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Concept Subarea 3- Indian School Road to Griegos Road: Improved pedestrian and equestrian access, landscaping on public owned lands, and design requirements to enhance and conserve existing character on properties adjacent to the public ROW will be this suburban and semi-rural residential area functionally and visually to adjacent North Valley neighborhoods.

The proposed development will maintain the visually quality of the area. The view from Rio Grande Boulevard will appear to be a house or duplex and additional landscaping will be added to the frontage. The inclusion of the garden space helps to preserve the character both visually and functionally. The style of the buildings and open space are consistent with the area character.

Policy 2 . Regulation 2.A: Rezoning for more intense uses should be granted only if the applicant can demonstrate that the higher intensity use will not change or adversely affect the nature of the subareas identified in the plan.

The proposed zone will allow development that is controlled by a Site Development Plan for Building Permit, only the development shown on the plan will be allowed. The design and layout of the buildings, building height and style, preservation of the ditch and on site open space preserve the character of the area. This request is consistent with Policy 2 . Regulation 2.A

Policy 10- New and redeveloped structures shall complement the existing predominant architectural styles of each subarea.

Guidelines Subarea 3 and 4 All Architectural Styles are allowed. Southwestern styles typical to the valley are encouraged. Break up large building facades.

The proposed buildings are of a similar style to what exists in the area and is typical of much of the valley. (pitched roof, earth tone stucco, single story). The request is consistent with Policy 10 and the guidelines.

9. The applicant has justified the zone change request pursuant to *R-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.

Staff agrees that proposed use is not harmful to the health, safety, morals or general welfare of the community. The proposed zoning will allow the development of housing in a residential area. The SU-1 zone requires a Site Development Plan. This Plan shows the community exactly what will be developed on the site. Although the density is greater than that of the adjacent properties, approximately 20% of the site is preserved as open space. The response is sufficient.

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.

Staff agrees that proposed zoning will allow residential development adjacent to residential development and that the design of the site and the fact that the SU-1 zone requires any large to changes to on the site to return to EPC provides certainty for future development of the site.

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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.
Refer to policy analysis

The applicant cites the following policies from the Comprehensive Plan: Policy II.B.5.e, Policy II.B.5.l, Policy II.B.5.o, Policy II.B.5.p. Staff believes that policies II.B.5.d and II.B.5.f are also relevant to the request.

Staff did not discuss policy II.B.5.p, but agrees that the project could be considered redevelopment and would not require City finding or intervention.

The applicant also cites policy II.D.4, staff believes that this policy has more to do with placement of employment and services.

The applicant cites the following policies from the NVAP: Goal 2, Goal 12, Housing Policy 4 and additional plan guidance on pages 36 and 118. Staff believes that these are relevant.

The following relevant citations from the Rio Grande Corridor Plan are cited by the applicant: The Subarea 3 Concept, Policy 2 and regulation 2A, Policy 10 and the subarea 3 guidelines.

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.

The applicant states that the request is more advantageous to the community since it furthers numerous goals and policies in the City's Comprehensive and North Valley Area Plan. The request will provide a needed housing option in an appropriate location. The response is sufficient.

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

The proposed use will be residential use adjacent to residential use. The density will be higher than what is allowed on the adjacent properties, but the general layout, reduced height and preservation of the open space on site make the project generally compatible with the area. The response is sufficient.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

Staff agrees. The project will be privately funded and the site has access to existing roads, public services and utilities. The response is sufficient.

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

The applicant has cited several goals and policies that will be furthered by this request and has not mentioned economics in the justification. The response is sufficient.

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- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning. The project is located on a collector street, however, as discussed in the policy analysis, the request furthers goals and policies of the relevant plans and so location is not the only consideration. However it is logical to provide opportunities for additional housing adjacent to a major street with transit service, bike facilities and walkable commercial services.
- 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.
- Staff agrees that SU-1 zone is considered a justified spot zone by the Planning Department. The purpose of the SU-1 is to provide 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. For this site the design is crucial to having the use work with the surrounding area. Although density is greater than that of the surrounding area, the design which requires smaller housing units, lower heights and preservation of open space, is compatible with area because these features mitigate the additional density. The response is sufficient.
- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby. The proposed zone would not be considered a strip zone; it does not apply to a strip of land. Additionally, the intent of the prohibition against strip zones is to make sure that adjacent zones are compatible with one another. In this case the added design standards make the proposed use compatible with the existing development. The response is sufficient.
10. The Rio Grande Blvd. neighborhood association, Alvarado Gardens neighborhood association and the North Valley Coalition were notified of the request. A facilitated meeting occurred on November 24th. There is both support for and opposition to the request. Concerns include, increased traffic, density, the impact of additional traffic, setting a precedent for future development, on street parking, the proximity of the front houses to the street and location of refuse containers. Some attendees liked the LEED

buildings, garden space, certainty from the SU-1 zone and sense of community that project could create.

11. The City notified property owners with 100 feet of the site.

CONDITIONS OF APPROVAL – 15 EPC-40062- -Zone Map Amendment

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

FINDINGS – 15 EPC -40064-Site Development Plan for Subdivision

1. This is a request for a Site Development Plan for Subdivision for S 100 feet of Lot 8, Unit 1, Alvarado Gardens, located Rio Grande Blvd NW between Candelaria RD NW and Campbell Rd NW and containing approximately 1.24 acres
2. The Site Development Plan for Subdivision is a requirement of the SU-1 PRD zone
3. A Zone Map Amendment and Site Development Plan for Building Permit are concurrently with this request.
4. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, Rio Grande Corridor 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. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:
 - A. Policy II.B.5.e.: “New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services where the integrity of existing neighborhoods can be ensured.”

The subject site has access to a full range of urban services, including water, sewer, roads and electricity. The site takes access from Rio Grande Boulevard and will not disrupt the character of the adjacent single family and may add additional patrons for businesses in the area. The request further Policy II.B.5.e.

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- B. Policy II.B.5f: Clustering of homes to provide larger shared open areas and houses oriented towards pedestrian or bikeways shall be encouraged.**

The proposed development preserves the rear 20% of the site as a garden and clusters the housing units in two sections, one near the center of the site and one towards the front. Rio Grande Boulevard contains a bike lane and there is pedestrian access to the Campbell ditch.

- C. 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.**

The proposed development contains a collection of smaller homes clustered to develop a sense of community and preserve on site open space and the connection with the Campbell ditch. The design allows extra density, but keeps the overall scale and mass of the buildings low. The request furthers Policy II.B.5l.

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

The subject site is part of an older neighborhood. The proposed development will add a unique housing option that will add new residents to the area in a site plan controlled development. The request furthers Policy II.B.5o.

- 6. The request partially furthers the following applicable goals and policies of the Comprehensive Plan:**

Policy II.B.5.d: "The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural and recreational concern."
The proposed project will respect the character of the area by preserving on site open space and maintain access to the Campbell Ditch, the proposed housing units will be single story, protecting views for adjacent neighbors and will be laid out so that the view from the street is of a duplex and the view from the ditch will be of the community garden. The density is greater than the density of the surrounding properties. The request partially furthers Policy II.B.5.d.

- 7. The subject is within the boundaries of the North Valley Area Plan, the following policies are applicable to the request.:**

- E. Goal 2. To preserve and enhance the environmental quality of the North Valley by:**
a) Maintaining the rural flavor of the North Valley
b) Providing a variety of housing opportunities and life styles including different socio economic types.

The proposed development will maintain a large garden space and access to the Campbell ditch, as well as using the ditch to water the garden. The housing units are smaller and may be affordable because the construction cost will lower. The style of the housing, single story, stucco finish with pitched is similar to the existing housing in much of the North Valley. The project will offer a housing option that may allow older people to remain in the valley and younger to move there because of the affordability and sense of community.

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The request is consistent with Goal 2.

- F. Housing Policy 4: The City and County shall remove disincentives, provide incentives and/or require housing development which meets the cluster housing principles of preserving open land, providing new housing at appropriate densities, lower infrastructure costs and design flexibility and creativity. The proposed project uses exiting utilities to keep the infrastructure cost lower, preserves on site open space and offers a cluster housing development that can be part of the existing neighborhood and also a small community. The density of the project is higher than that of the surrounding development, but the housing units are smaller and restricted to one story so that the overall mass and building foot print are minimized. The request is consistent with policy 4.

Additional Plan Guidance

G. Page 36

“Cluster housing principles would be applied where new housing is proposed. Existing features that distinguish the valley , such as narrow roads and ditches, would be retained in all new development. Features that typify rural character such as mixed lot sizes and setbacks would be replicated in new development. “Common interest communities would be encouraged to provide for open space and retention of agriculture.

The proposed development seeks to create a “pocket neighborhood”, a neighborhood within a neighborhood that clusters housing to maintain open space and features that ditch and a large garden as part of the development.

H. Page 118 Density

“Most of the North Valley Plan Area is low density. The low density pattern of housing is partially responsible for the rural character of much of the valley. Closer examination of areas identified as having rural character, however indicates that the arrangement of homes defines rural character more than just the number of homes in an area. It may be possible to accommodate the same amount of new housing in different ways, some of which can better reflect the valley’s character and history than other”

The proposed development allows new housing at a higher density, but designs that housing tin the character of the area, smaller houses, similar style, retention of the garden space and ditch incorporated into the site.

8. The site is subject to the requirements of the Rio Grande Corridor Plan. The following apply:

Concept Subarea 3- Indian School Road to Griegos Road: Improved pedestrian and equestrian access, landscaping on public owned lands, and design requirements to enhance and conserve existing character on properties adjacent to the public ROW will the this suburban and semi-rural residential area functionally and visually to adjacent North Valley neighborhoods.

The proposed development will maintain the visually quality of the area. The view from Rio Grande Boulevard will appear to be a house or duplex and additional landscaping will

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be added to the frontage. The inclusion of the garden space helps to preserve the character both visually and functionally. The style of the buildings and open space are consistent with the area character.

Policy 2 , Regulation 2.A: Rezoning for more intense uses should be granted only if the applicant can demonstrate that the higher intensity use will not change or adversely affect the nature of the subareas identified in the plan.

The proposed zone will allow development that is controlled by a Site Development Plan for Building Permit, only the development shown on the plan will be allowed. The design and layout of the buildings, building height and style, preservation of the ditch and on site open space preserve the character of the area. This request is consistent with Policy 2 , Regulation 2.A

Policy 10- New and redeveloped structures shall complement the existing predominant architectural styles of each subarea.

Guidelines Subarea 3 and 4 All Architectural Styles are allowed. Southwestern styles typical to the valley are encouraged. Break up large building facades.

The proposed buildings are of a similar style to what exists in the area and is typical of much of the valley. (pitched roof, earth tone stucco, single story). The request is consistent with Policy 10 and the guidelines.

9. The Rio Grande Blvd. neighborhood association, Alvarado Gardens neighborhood association and the North Valley Coalition were notified of the request. A facilitated meeting occurred on November 24th. There is both support for and opposition to the request. Concerns include, increased traffic, density, the impact of additional traffic, setting a precedent for future development, on street parking, the proximity of the front houses to the street and location of refuse containers. Some attendees liked the LEED buildings, garden space, certainty from the SU-1 zone and sense of community that project could create.
10. The City notified property owners with 100 feet of the site.

CONDITIONS OF APPROVAL – 15 EPC 40064 - Site Development Plan for Subdivision

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

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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. If the request is approved, a replat will be required through the Development Review Board to create the platting shown on the SPS and SPBP.
4. Increase the minimum setback on Rio Grande Boulevard from 15 feet to 20 feet.
5. 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.
6. The applicant shall update the acreage to reflect the recent property survey prior to DRB submittal
7. The driveway shall be relocated to the south to make the clear site requirements in accordance with the sketches presented at the hearing.

FINDINGS -15 EPC 40064 - Site Development Plan for Building Permit

1. This is a request for a (request) for for S 100 feet of Lot 8, Unit 1, Alvarado Gardens, located Rio Grande Blvd NW between Candelaria RD NW and Campbell Rd NW and containing approximately 1.24 acres
2. The applicant proposes to construct 11 new homes at approximately 1,000 square feet and retain an existing 1,900 square foot home. The proposed development also contains a 12,000 square community garden space and 17 parking spaces.
3. A Zone Map Amendment and Site Development Plan for Subdivision are heard concurrently with this request.
4. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, Rio Grande Corridor 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. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

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

The subject site has access to a full range of urban services, including water, sewer, roads and electricity. The site takes access from Rio Grande Boulevard and will not disrupt the character of the adjacent single family and may add additional patrons for businesses in the area. The request furthers Policy II.B.5.e.

Policy II.B.5f: Clustering of homes to provide larger shared open areas and houses oriented towards pedestrian or bikeways shall be encouraged.

The proposed development preserves the rear 20% of the site as a garden and clusters the housing units in two sections, one near the center of the site and one towards the front. Rio Grande Boulevard contains a bike lane and there is pedestrian access to the Campbell ditch.

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 proposed development contains a collection of smaller homes clustered to develop a sense of community and preserve on site open space and the connection with the Campbell ditch. The design allows extra density, but keeps the overall scale and mass of the buildings low. The request furthers Policy II.B.5i.

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

The subject site is part of an older neighborhood. The proposed development will add a unique housing option that will add new residents to the area in a site plan controlled development. The request furthers Policy II.B.5o.

The request partially furthers the following applicable goals and policies of the Comprehensive Plan:

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

The proposed project will respect the character of the area by preserving on site open space and maintain access to the Campbell Ditch, the proposed housing units will be single story, protecting views for adjacent neighbors and will be laid out so that the view from the street is of a duplex and the view from the ditch will be of the community garden. The density is greater than the density of the surrounding properties. The request partially furthers Policy II.B.5.d.

12. The subject is within the boundaries of the North Valley Area Plan, the following policies are applicable to the request.:

- I. Goal 2. To preserve and enhance the environmental quality of the North Valley by:
 - a) Maintaining the rural flavor of the North Valley
 - b) Providing a variety of housing opportunities and life styles including different socio economic types.

The proposed development will maintain a large garden space and access to the Campbell ditch, as well as using the ditch to water the garden. The housing units are smaller and may be affordable because the construction cost will lower. The style of the housing, single

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story, stucco finish with pitched is similar to the existing housing in much of the North Valley. The project will offer a hosing option that may allow older people to remain in the valley and younger to move there because of the affordability and sense of community. The request is consistent with Goal 2.

- J. Housing Policy 4: The City and County shall remove disincentives, provide incentives and/or require housing development which meets the cluster housing principles of preserving open land, providing new housing at appropriate densities, lower infrastructure costs and design flexibility and creativity. The proposed project uses exiting utilities to keep the infrastructure cost lower, preserves on site open space and offers a cluster housing development that can be part of the existing neighborhood and also a small community. The density of the project is higher than that of the surrounding development, but the housing units are smaller and restricted to one story so that the overall mass and building foot print are minimized. The request is consistent with policy 4.

Additional Plan Guidance

- K. Page 36

“Cluster housing principles would be applied where new housing is proposed. Existing features that distinguish the valley , such as narrow roads and ditches, would be retained in all new development. Features that typify rural character such as mixed lot sizes and setbacks would be replicated in new development. “Common interest communities would be encouraged to provide for open space and retention of agriculture.

The proposed development seeks to create a “pocket neighborhood”, a neighborhood within a neighborhood that clusters housing to maintain open space and features that ditch and a large garden as part of the development.

- L. Page 118 Density

“Most of the North Valley Plan Area is low density. The low density pattern of housing is partially responsible for the rural character of much of the valley. Closer examination of areas identified as having rural character, however indicates that the arrangement of homes defines rural character more than just the number of homes in an area. It may be possible to accommodate the same amount of new housing in different ways, some of which can better reflect the valley’s character and history than other”

The proposed development allows new housing at a higher density, but designs that housing tin the character of the area, smaller houses, similar style, retention of the garden space and ditch incorporated into the site.

13. The site is subject to the requirements of the Rio Grande Corridor Plan. The following apply:

Concept Subarea 3- Indian School Road to Griegos Road: Improved pedestrian and equestrian access, landscaping on public owned lands, and design requirements to enhance and conserve existing character on properties adjacent to the public ROW will the this suburban and semi-rural residential area functionally and visually to adjacent North Valley neighborhoods.

The proposed development will maintain the visually quality of the area. The view from Rio Grande Boulevard will appear to be a house or duplex and additional landscaping will be added to the frontage. The inclusion of the garden space helps to preserve the character both visually and functionally. The style of the buildings and open space are consistent with the area character.

Policy 2, Regulation 2.A: Rezoning for more intense uses should be granted only if the applicant can demonstrate that the higher intensity use will not change or adversely affect the nature of the subareas identified in the plan.

The proposed zone will allow development that is controlled by a Site Development Plan for Building Permit, only the development shown on the plan will be allowed. The design and layout of the buildings, building height and style, preservation of the ditch and on site open space preserve the character of the area. This request is consistent with Policy 2, Regulation 2.A.

Policy 10- New and redeveloped structures shall complement the existing predominant architectural styles of each subarea.

Guidelines Subarea 3 and 4 All Architectural Styles are allowed. Southwestern styles typical to the valley are encouraged. Break up large building facades.

The proposed buildings are of a similar style to what exists in the area and is typical of much of the valley. (pitched roof, earth tone stucco, single story). The request is consistent with Policy 10 and the guidelines.

6. Rio Grande Blvd. neighborhood association, Alvarado Gardens neighborhood association and the North Valley Coalition were notified of the request. A facilitated meeting occurred on November 24th. There is both support for and opposition to the request. Concerns include, increased traffic, density, the impact of additional traffic, setting a precedent for future development, on street parking, the proximity of the front houses to the street and location of refuse containers. Some attendees liked the LEED buildings, garden space, certainty from the SU-1 zone and sense of community that project could create.
7. The City notified property owners with 100 feet of the site.

CONDITIONS OF APPROVAL – 15 EPC 40063-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.

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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. Storage and enclosures for the Automated Solid Waste and Recycling Carts shall be shown on the Site Plan for Building Permit and shall be located to mitigate potential negative impacts to the residents and neighbors. The storage shall be between the existing wall and refuse enclosure to buffer the neighboring property.
4. The minimum setback on Rio Grande Boulevard shall be increased from 15 feet to 20 feet.
5. The layout of the new residential duplex adjacent to Rio Grande Boulevard shall be modified to increase the minimum setback of 20 feet along Rio Grande Boulevard and create a landscaped setback.
6. The Site Plan Elevation Sheet shall be modified to reflect that all buildings shall be limited to single story and have a maximum height of 16 feet as defined in the Comprehensive Zoning Code
7. A total of two additional parking spaces shall be added to the site.
8. The applicant shall address the Transportation comment regarding parking spaces prior to DRB submittal.
9. The landscaping plan shall be amended to show the Arbor Vitae trees along Rio Grande.
10. 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.
11. The applicant shall update the acreage to reflect the recent property survey prior to DRB submittal
12. The driveway shall be relocated to the south to make the clear site requirements in accordance with the sketches presented at the hearing.

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APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **DECEMBER 28, 2015**. 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 decision.

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).

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.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,



Suzanne Lubar
Planning Director

SL/MG

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cc: Garrett Lee Studio, 514 Central Ave SW, ABQ, NM 87102
Consensus Planning, Inc., 302 Eight St. NW, ABQ, NM 87102
Monica Gilboa, Rio Grande Blvd NA, 2300 Camino De Los Artesanos NW, ABQ, NM 87107
Doyle Kimbrough, Rio Grande Blvd NA, 2327 Campbell Rd, NW, ABQ, NM 87104
Carolyn R. Sigel, Alvarado Gardens NA, 2726 Candelaria Rd, NW, ABQ, NM 87107
Kristin Hogge, Alvarado Gardens NA, 3031 Calle San Angel NW, ABQ, NM 87107
Kyle Silver, North Valley Coalition, P.O. Box 70232, ABQ, NM 87197
Denise Wheeler, 3565 Rio Grande Blvd NW, ABQ, NM 87107
Serena Hajovsky, 2308 Artesanos Ct NW, ABQ, NM 87107
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