



**Environmental  
Planning  
Commission**

**Agenda Number: 01  
Project Number: 1003373  
Case #: 15EPC-40062, 63, 65  
December 10, 2015**

**Staff Report**

<b>Agent</b>	Consensus Planning
<b>Applicant</b>	Garrett Lee Studio
<b>Request</b>	Zone Map Amendment, Site Development Plan for Subdivision , Site Development Plan for Building Permit
<b>Legal Description</b>	S 100 feet of Lot 8, Unit 1, Alvarado Gardens
<b>Location</b>	Rio Grande Blvd NW between Candelaria RD NW and Campbell Rd NW
<b>Size</b>	1.24
<b>Existing Zoning</b>	RA-2
<b>Proposed Zoning</b>	SU-1 PRD

**Staff Recommendation**

**APPROVAL of 15 EPC 40062, ZMA based on the Findings beginning on Page 14, and subject to the Conditions of Approval beginning on Page 20.**  
**APPROVAL of 15 EPC 40064, SPS based on the Findings beginning on Page 20, and subject to the Conditions of Approval beginning on Page 24.**  
**APPROVAL of 15 EPC 40063, SPBP based on the Findings beginning on Page 25, and subject to the Conditions of Approval beginning on Page 28.**

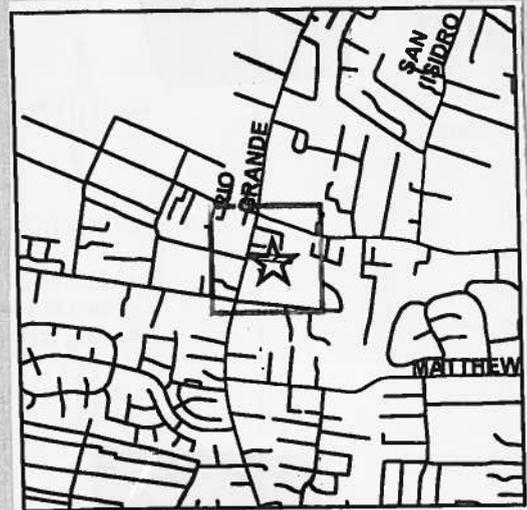
**Staff Planner  
Maggie Gould, Planner**

**Summary of Analysis**

This is a three part request for a zone map amendment from RA-2 to SU-PRD to allow the development of 11 new homes and a community garden space and the refurbishment of one existing home. The SU-1 PRD zone requires a Site Development Plan for Subdivision including design standards and can include a Site Development Plan for Building Permit. The applicant has included all there of these items.

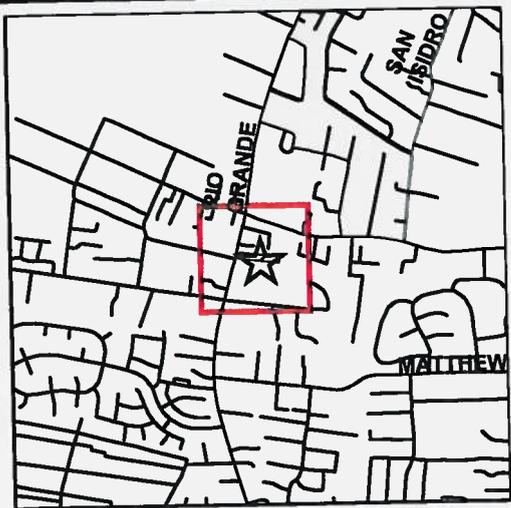
The Rio Grande Blvd. NA, Alvarado Gardens NA, the North Valley Coalition were notified of the request. A facilitated meeting occurred on November 24th. There is both support for and opposition to the request. Concerns include, increased traffic, density, traffic, precedent for future development, on street parking setbacks, and location of refuse containers. Support included the LEED buildings, garden space, scale, certainty from the SU-1 zone and sense of community that project could create.

Staff recommends approval of the request with conditions.



City Departments and other interested agencies reviewed this application from 11/02/15 to 11/13/15  
 Agency comments used in the preparation of this report begin on Page 31





# LAND USE MAP

Note: Grey shading indicates County.

## KEY to Land Use Abbreviations

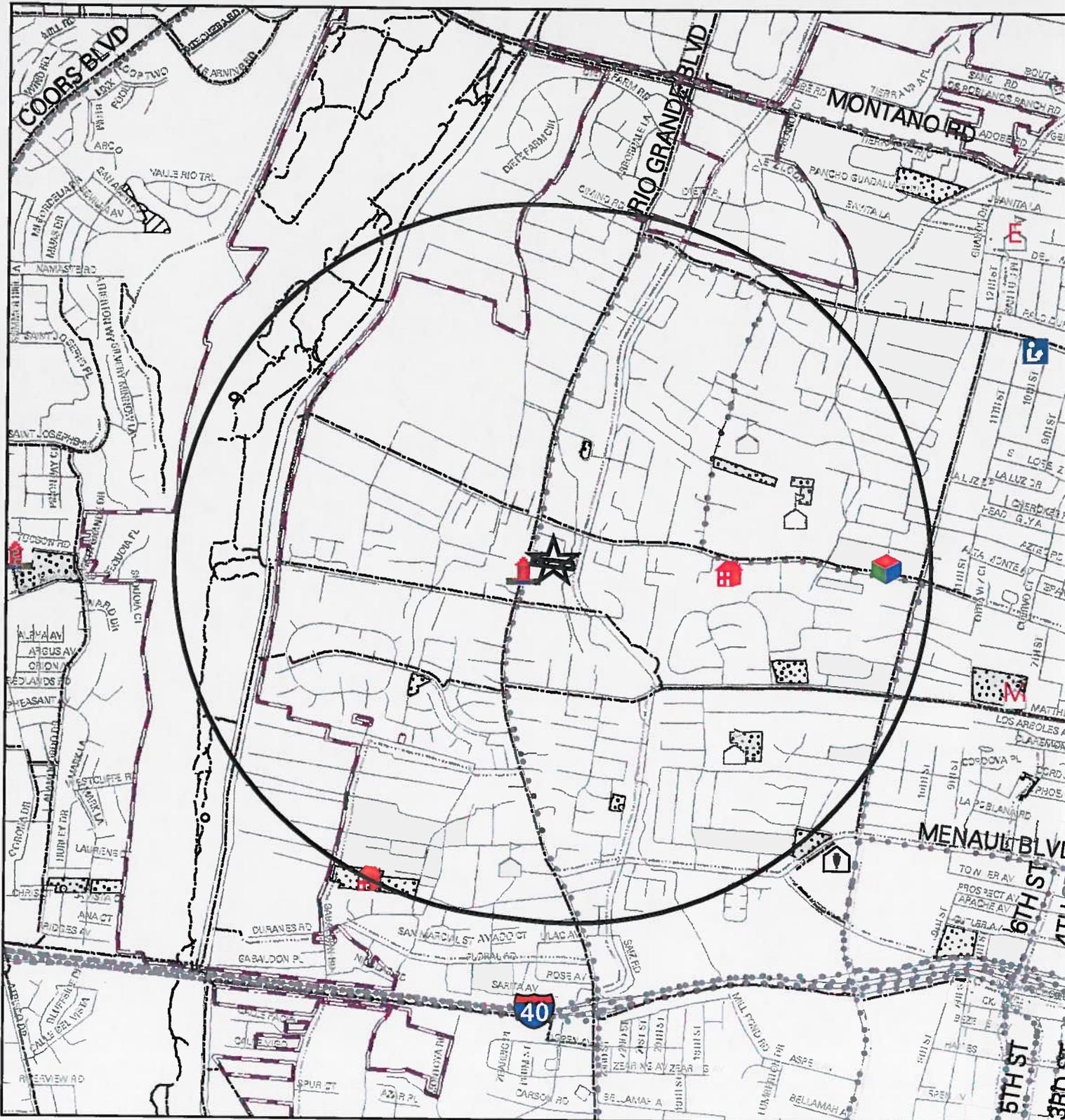
- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



1 inch = 200 feet

Project Number:  
1003373  
Hearing Date:  
12/10/2015  
Zone Map Page: G-1  
Additional Case Num  
15-40062 & 40063



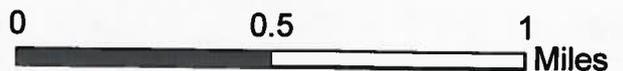


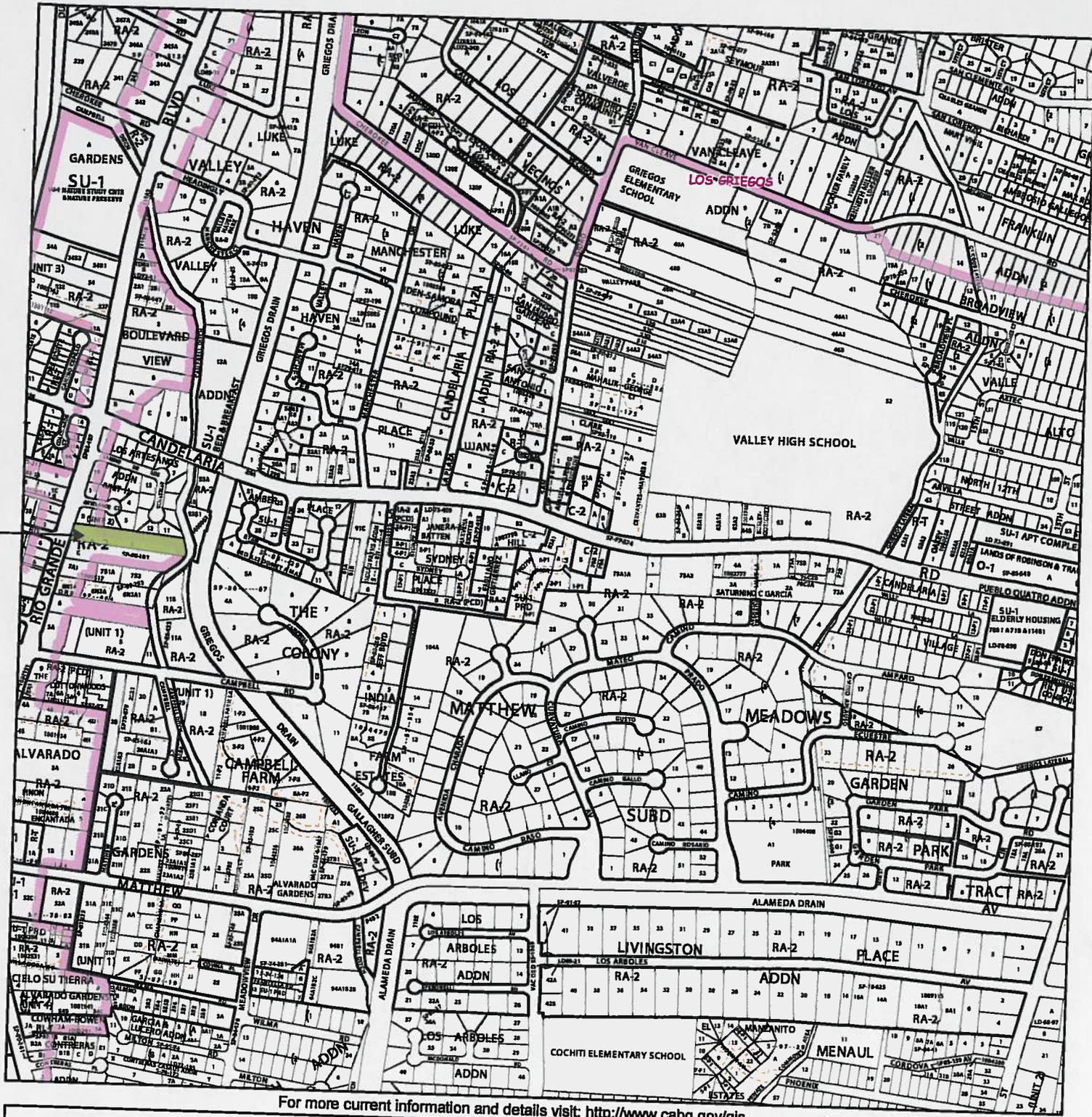
**Public Facilities Map with One-Mile Buffer**

- |                                                                                                         |                                                                                                             |                                                                                                              |                                                                                                                   |
|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|  COMMUNITY CENTER     |  FIRE                    |  APS Schools              |  Landfill Buffer (1000 feet) |
|  MULTI-SERVICE CENTER |  POLICE                  |  ABQ Ride Routes          |  Landfills designated by EHD |
|  SENIOR CENTER        |  SHERIFF                 |  ABQ Bike Facilities      |  Undeveloped County Park     |
|  LIBRARY              |  SOLID WASTE             |  Proposed Bike Facilities |  Developed City Park         |
|  MUSEUM               |  Albuquerque City Limits |                                                                                                              |  Undeveloped City Park       |



**Project Number: 1003373**





For more current information and details visit: <http://www.cabq.gov/gis>

Map amended through: 9/2/2014

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**G-13-Z**

Selected Symbols

SECTOR PLANS	Escarpment
Design Overlay Zones	2 Mile Airport Zone
City Historic Zones	Airport Noise Contours
1/4-1 Buffer Zone	Wall Overlay Zone
Petroglyph Mon.	

**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>	RA-2	Established Urban, North Valley Area plan, Rio Grande Corridor Plan	Single family residential, vacant
<b>North</b>	R-1		Single family residential
<b>South</b>	RA-2		Single family residential
<b>East</b>	RA-2, SU-1 PRD		Single family residential
<b>West</b>	RA-2		Single family residential

**II. INTRODUCTION**

**Proposal**

The applicant proposes to amend the existing zoning from RA-2 to SU-1 PRD to allow 12 housing units and a community garden area on a 1.24 acre tract in the north valley. There are three existing structures on the site; a 1900 square foot residence, a 1,200 square foot residence and a shed near the rear of the site. The shed will be demolished. The 1900 square foot residence will remain and the 1,200 square foot residence will be demolished and replaced with a 1,000 square foot residence. The request includes the Zone Map Amendment, Site Development Plan for Subdivision and Site Development Plan for Building Permit.

**EPC Role**

The EPC is hearing this case because the EPC has the authority to hear all zone map amendment (zone change) cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1) SU-1 Special Use Zone, and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

**History/Background**

The RA-2 zone appears to be the original zoning on the site. In 2004 the DRB heard a sketch plat review for a multi-unit development; no action was taken after the sketch plat review.

***Context***

The subject contains two existing residences and shed. The property to the north is zoned R-1 and developed with single family housing. The tracts to the east and south are zone RA-2 and developed with single family housing. The area has a pattern of mixed density ranging from some RT and R-LT development along Candelaria Boulevard to the RA-2 lots found in the area.

There is pedestrian access to the Campbell ditch and vehicle and pedestrian access to Rio Grande Boulevard.

***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 Long Range Roadway System designates Rio Grande Blvd. and Candelaria Blvd. as a Minor Arterials.

The Long Range Roadway System designates Campbell road as a Major Local street.

***Comprehensive Plan Corridor Designation***

Rio Grande Boulevard is designated as an Enhanced Transit Corridor south of Indian School road, approximately .85 miles south of the subject site. Although there is transit service along Rio Grande adjacent to the site, this portion of Rio Grande Boulevard does not have a corridor designation.

***Trails/Bikeways***

Bike Lanes exist along Rio Grande Boulevard, Candelaria Boulevard and Mathew Avenue. Campbell Road is a designated bike route with a connection to the paved multi-use trail along Griegos and Alameda Drains.

***Transit***

The Route 36 Rio Grande/ 12<sup>th</sup> Street southbound passes across from the site at Oro Vista Road.

***Public Facilities/Community Services***

Refer to the Public Facilities Map in the packet

**III. ANALYSIS**

**APPLICABLE ORDINANCES, PLANS AND POLICIES**

***Albuquerque Comprehensive Zoning Code***

The RA-2 zone provides sites for low density houses and uses incidental thereto, including agriculture. Under the RA-2 zone the minimum lot size is 10,890 square feet and 75 feet in width and the allowed height is 26 feet. A Private Commons Development would allowed on lots of two acres or greater.

The applicant proposes the SU-1 for PRD zone, this zone allows for residential development of houses, townhouses, apartments and associated accessory structures and home occupations as regulated by the R-1 zone. This zone also can allow O-1 and C-1 permissive uses for up to 25% of the gross floor area of a development if approved by the EPC §14-16-2-22(B)(5). In order to be approved by the EPC the SU-1 PRD zone must be determined to be compatible with the adjacent property. The applicant is only asking for residential uses on the site.

The SU-1 PRD zone requires a Site Development Plan for Subdivision that includes design guidelines that include but are not limited to, height, setbacks and general development information.

The SU-1 zone (see Zoning Code §14-16-2-22) provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. An associated site development plan is required pursuant to §14-16-2-22(A)(1). PRD is a special use listed under §14-16-2-22(B)(5). The intent of a PRD, which is site plan controlled, is to make the uses development more compatible with adjacent properties, than if it were developed using standard zoning.

The main difference between the two zones is that the RA-2 zone allows single family residential uses on a large lot and commercial and non-commercial agricultural use provided that minimum square footage requirements are met for animal keeping.

The SU-PRD allows the applicant tailor the uses on the site to allow a specific mix of residential and commercial use or solely residential use, also this development must occur in accordance with and approved SPS, whereas the RA-2 zone does not required the SPS.

The applicant could construct about 5 homes on the site under the existing zoning. The existing zoning requires a minimum lot size and has setbacks, but does not have a requirement beyond those setbacks to maintain open space on the lots.

It is important to note that the zoning, SPS and SPBP are interrelated set and should be considered as such. The SPS and the SPBP would not act as standalone documents when reviewing development on the 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. The goal of the Established and Developing Urban Area is “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.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.”

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***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.***

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.***

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.***

#### ***North Valley Area Plan (NVAP) (Rank II)***

The North Valley Area Plan was adopted in 1993 (Enactment 60-1993). The Plan generally encompasses the 28.5 square mile area south of the Bernalillo/Sandoval County line, north of Interstate 40, west of Interstate 25 and east of the Rio Grande. Of the total area, 4.01 square miles are within the corporate limits of the Village of Los Ranchos de Albuquerque and are not subject to the NVAP. Of the remaining area, 14.38 square miles are in the City of Albuquerque and 10.15 square miles are in unincorporated Bernalillo County. Specific boundaries (as of 1993) are shown on page 24 of the Plan. The subject site is within Subarea II ( Indian School Road to Greigos Road)of the NVAP.

The NVAP establishes twelve overarching Goals (p. 5-6) and sets forth policies regarding land use and zoning for the area. Other policies provide guidance on air quality, wastewater, drainage,

transportation, housing, village centers, community design, agriculture and rural character and implementation

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 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.*

Goal 12. To develop incentives to preserve farmland and open space and maintain ditches and acequias for agricultural and low impact recreational purposes.

*The proposed project preserves the rear portion of the site as a large garden ( approximately .25 acre) and preserves the pedestrian to the Campbell ditch as well as using the ditch for irrigation. Although much of the site will be developed the scale and mass of the development preserves significant on site open space. The site is not currently farmed.*

*The request is partially consistent with goal 12.*

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

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.*

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 in the character of the area, smaller houses, similar style, retention of the garden space and ditch incorporated into the site.*

**Rio Grande Corridor Plan (Rank 3)**

The Rio Grande Corridor Plan was first adopted in 1989 The Plan generally encompasses properties along Rio Grande Boulevard between Montafio Road and Alhambra Avenue ( near Central Avenue) ; specific boundaries are shown on Figure 3 in the Plan. The main purpose of the Plan is "introduce policies, regulations and projects to improve non-motorized travel in the public right-of-way and to enhance existing corridor qualities: visible evidence of area history, river valley landscapes, southwestern architectural styles and regional building materials.

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.*

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

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

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

***Analysis of Applicant's Justification***

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

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

*The zone change will not create conditions that are harmful to the health, safety, morals or general welfare of the community because request furthers goals and policies of the Comprehensive Plan by providing a unique housing opportunity that will maintain the character of the area.*

***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.

*The project maintains the character of the area by preserving the existing homes on the site, preserving the acequia and by developing a residential use on the site. The site plan provides certainty about the development of the site by showing the arrangement of buildings, landscaping open space and general layout of the site.*

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*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.*

- 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 for additional information.*

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

*Staff did not discuss policy II.B5.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 project will not be harmful to the adjacent properties. It will only develop residential use on the lot and none of other uses allowed in the SU-1 PRD zone. The adjacent properties are developed with larger building square footage and more building mass; the proposed project will be higher density but will be less mass and square footage than the surrounding development.*

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*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.

*The zone change does not require any major and unprogrammed expenditures to support the new zoning or planned uses.*

*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 request is consistent with the goals and policies of the Comprehensive Plan and the North Valley Area Plan and good planning practices. The project will increase the property value and generate property tax revenue and gross receipts tax during the construction phase.*

*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.*

- 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.*

*Staff agrees that the location has not been used as the primary justification for this request.*

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

*The SU-1 zone is by its nature a spot zone. However the proposed zone change and project are appropriate as illustrated throughout the justification.*

*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 zone change is not a strip zone. The property is surrounded by residential uses. We are requesting residential zoning that will complement the surrounding area. Also, the property has only 100 feet of frontage along Rio Grande Boulevard and a depth of 600 feet.*

*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.*

#### **Other Analysis**

The project does not warrant a Traffic Impact Analysis under the City's regulations.

#### **SITE DEVELOPMENT PLAN FOR SUBDIVISION (SPS)**

The SU-1 PRD zone requires a Site Development Plan for Subdivision §14-16-2-22-(B)(25)(b):

A Site Development Plan for Subdivision (§ 14-16-1-5(B)) is required for approval by the Planning Commission in conjunction with a zone map amendment and prior to building permit approval, with specific design requirements that include, but are not limited to: maximum and minimum number of dwelling units and/or density; maximum and minimum lot size(s);

maximum building height; minimum building setbacks; architectural design standards, including but not limited to exterior wall materials and colors, roof materials and colors; placement of mechanical units; preliminary grading and drainage plan; landscape design standards; parking; site lighting; design of walls and fences visible from public rights-of-way; and pedestrian amenities.

The applicant provided a SPS that shows these standards. The Site Development Plan for Building Permit (SPBP) contains all of the requirements of a SPS, however the SU-1 PRD zone specifically requires the SPS. The applicant will be subdividing the site into 14 tracts as shown on the SPS. In conjunction with the SPBP the SPS provides the information to meet the zoning code requirement.

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.

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

#### ***Request***

The applicant proposes to construct 11 new housing units and refurbish an existing house on the site. 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, North Valley Area Plan and Rio Grande Corridor Plan.

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

The applicant proposes two "clusters" of homes, one group of four units near the front of the site consisting of two attached units, 900 and 1,000 square feet, the existing 1,900 square foot residence and a new 1,000 square residence that replaces an existing substandard structure and one group of 8 units all 1,000, near the center of the site. These middle units face a central walkway which leads to the community garden space at the rear of the site. Parking for these units is provided in carports in the center of the site, the design does not provide parking adjacent to the units.

All units will be single story, height limited to 16 feet, with the varying setbacks to allow for a flexible design. The individual lots will be subdivided and a Homeowners Association (HOA) created to address maintained of the common areas and garden.

The refuse storage area will be near the carports on the north side of the site. This is a appropriate central location and will allow access for both sides of the development.

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

The site will contain an 11,000 square foot community garden area and open walkways.

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

Access from Rio Grande is via a 24 foot wide drive way which connects to 20 foot wide drive and additional 20 wide "hammerhead" to allow for Fire Department access.

The plan shows parking provided in 4 carports in the center of the site for the units near the center of the site for a total of 12 spaces and an additional 3 space carport near the front of the site for the front units. The existing residence has two existing spaces.

The zoning requirement would be one space per bathroom (§14-16-3-1), each of the new units has one bathroom. The site is adjacent to a transit line and could take a 10% reduction in parking, so the parking required for the 11 new units would be 10 spaces; the applicant is providing a total of 17 spaces on the site.

The EPC has full discretion over parking in the SU-1 zone (§14-16-2-22).

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

The proposed four foot wide walkways connect the units to the driveway which connects to the existing sidewalk along Rio Grande Boulevard. Rio Grande Boulevard contains a bike lane. Pedestrian access to the Campbell ditch will be provided.

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

The existing stuccoed masonry wall at the front of the property will remain with an addition to the south. Regulation 10.C of the NVAP prohibits untreated block walls; this wall will be treated with stucco and will comply with the regulations.

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

Each residential unit will have a building mounted light located at the entrance, path light will be provided along walkways. There are existing street light Along Rio Grande Boulevard.

#### ***Landscaping***

The Landscaping plan shows a row of evergreen trees (Mountain Mahogany) along the front of the site. The plan will be amended to show Arbor vitae. The existing power lines along Rio Grande Boulevard are very low, so the tree choice is appropriate. Individual yards will be landscaped by their owners. The community garden will be landscaped and managed by the residents through an HOA.

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

The site is relatively flat, but slopes slightly from west to east. Runoff from the site will be ponded in the garden area at the east end of the site.

#### ***Architecture***

The proposed units will have pitched roofs and two colors of earth toned stucco finishes. All units have a porch. The units have regularly spaced doors and windows to break the building mass. All residential buildings will meet LEED Platinum standards.

#### ***Signage***

No signage is proposed.

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

##### ***Reviewing Agencies***

The applicant has addressed the comments from the ABCWUA, Fire and Solid Waste. The applicant will address the transportation comments regarding parking spaces prior to DRB submittal.

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

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 was both support for and opposition to the request expressed at the meeting. Concerns included the 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.

The applicant has agreed add two additional parking spaces and add a storage unit between the refuse container and the existing wall to buffer the neighbor's property from the refuse containers. The applicant has also agreed increase the setback from Rio Grande to 20 feet.

#### **V. CONCLUSION**

This is a three part request for a zone map amendment from RA-2 to SU-PRD to allow the development of 11 new homes and a community garden space and the refurbishment of one existing home. The SU-1 PRD zone requires a Site Development Plan for Subdivision including design standards and can include a Site Development Plan for Building Permit. The applicant has included all there of these items.

The proposed development will be of a similar architectural style and will retail open space that is consistent with the area character. Although the number of dwelling units per acre is greater than what is allowed on the adjacent parcels, the mass and height of the proposed structures is much smaller than what is developed on the adjacent parcels.

The applicant has justified this pursuant to R-270-1980 as being more advantageous to the community as articulated in the applicable plans.

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***FINDINGS – 15 EPC-40062, December 11, 2015- Zone Map Amendment***

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.
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:
- Maintaining the rural flavor of the North Valley
  - 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 in 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 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.

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.5l, Policy II.B.5o, Policy II.B.5.p. Staff believes that polices II.B.5.d and II.B.5.f are also relevant to the request.

Staff did not discuss policy II.B5.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.

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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.

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

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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.

***RECOMMENDATION - 15EPC-40062- December 10, 2015***

**APPROVAL of case 15 EPC 40062, a request for Zone Map Amendment from RA-2 to SU-PRD for the south 100 feet of lot 8, based on the preceding Findings and subject to the following Conditions of Approval for SU-1 zoning only.**

***CONDITIONS OF APPROVAL – 15 EPC-40062- December 10-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.

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***FINDINGS – 15 EPC -40064-December 10 -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.

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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 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:

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.

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 in 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 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 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.

***RECOMMENDATION – 15 EPC 40064***

**APPROVAL of 15EPC-40064, a request for Site Development Plan for Subdivision Permit), 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 based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL – 15 EPC 40064 -December 10- Site Development Plan for Subdivision***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. 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.

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***FINDINGS - 15EPC-40063 -December 10 -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:  
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.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.

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 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.

- 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 in 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 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.

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.

***RECOMMENDATION – 15 EPC 40063***

**APPROVAL/ of 15EPC-40063, a request for Site Development Plan for Building Permit, 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 based on the preceding Findings and subject to the following Conditions of Approval.**

***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.
  
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.
- 

***Maggie Gould  
Planner***

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

Consensus Planning 302 8<sup>th</sup> NW

ABQ, NM 87102

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Garrett Lee Studio	514 Central Ave. SW	ABQ, NM	87102
Monica Gilboa	2300 Camino de Los Artesanos	ABQ, NM	87107
Doyle Kimbrough	2327 Campbell RD NW	ABQ, NM	87107
Carolyn Siegel	2726 Candelaria RD NW	ABQ, NM	87107
Kristin Hogge	3031 Calle San Angel NW	ABQ, NM	87107
Kyle Silfer	PO box 70232	ABQ, NM	87197
Ken Balizer	1912 Tierra Vida Pl. NW	ABQ, NM	87107

## CITY OF ALBUQUERQUE AGENCY COMMENTS

### PLANNING DEPARTMENT

#### Zoning Enforcement

#### Office of Neighborhood Coordination

Rio Grande Blvd. NA (R)

Alvarado Gardens NA (R)

North Valley Coalition

11/2/15 – Recommended for Facilitation – siw

11/5/15 – Assigned to David Gold – th

11/13/15 – Still undecided if a facilitated meeting will be held per an e-mail on 11/12/15 @ 5:46 pm from Rio Grande Blvd. NA – siw

11/24/15 facilitated meeting held

#### Long Range Planning

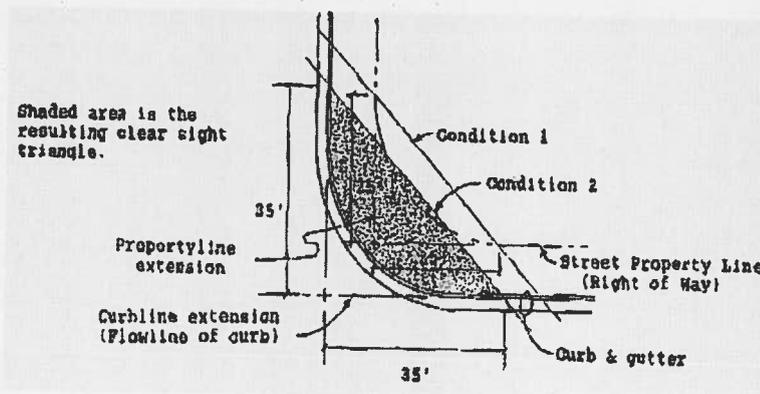
#### Metropolitan Redevelopment Agency

### CITY ENGINEER

#### Transportation Development

The following comments need to be addressed prior to DRB:

- Please list the width and length for all parking spaces.
- Please provide a sight distance exhibit (see the *Development Process Manual, Chapter 23, Section 3, Part D.5 Intersection Sight Distance*). Please provide this detail at the entrance/exit on Rio Grande Blvd.



- 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."

**Hydrology Development**

Hydrology has no comments

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

**Traffic Engineering Operations**

NM DOT has no comments

**WATER UTILITY AUTHORITY**

**Utility Services**

The following are my comments:

1. 15EPC-40062 Amendment to Zone Map
2. 15EPC-40063 Site Development Plan for Building Permit
  - a. The property owes pro rata in the amount of \$214 for water infrastructure. This must be paid prior to approval.
  - b. Request an availability statement online at the following link:  
[http://www.abcwua.org/Availability\\_Statements.aspx](http://www.abcwua.org/Availability_Statements.aspx). Fire marshal requirements shall be included in the request.
  - c. Availability statement may require upsizing of existing 2.25" cast iron waterline along property frontage.
  - d. Sanitary sewer can be deemed public only up to the hammerhead. A private sanitary sewer service shall serve Lots 5-12 along with a shared maintenance agreement. This agreement is required prior to approval.
3. 15EPC-40064 Site Development Plan for Subdivision

**ENVIRONMENTAL HEALTH DEPARTMENT**

**PARKS AND RECREATION**

**Planning and Design**

Parks and Recreation Department has reviewed and has no adverse comments for this request.

**Open Space Division**

No adverse comments

**City Forester**

**POLICE DEPARTMENT/Planning**

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

Need clarification on what type/service location/access is proposed, need site plan to scale to verify truck access.

**FIRE DEPARTMENT/Planning**

This project was reviewed and more information is needed. All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for an official review and approval prior to submitting for building permit. This shall be a deferred submittal.

**TRANSIT DEPARTMENT**

Adjacent and nearby routes	Route #36, 12 <sup>th</sup> Street/ Rio Grande route passes the site in south bound direction.
Adjacent bus stops	There is a bus stop on Rio Grande across the street from the property.
Site plan requirements	None
Large site TDM suggestions	None.
Other information	None

**COMMENTS FROM OTHER AGENCIES**

**BERNALILLO COUNTY**

**ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

Reviewed. No comment.

**ALBUQUERQUE PUBLIC SCHOOLS**

Any new residential development in this area will have impacts to Cochiti Elementary School, Garfield Middle School, and Valley High School. Currently, all three schools have excess capacity.

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<b>Loc No</b>	<b>School</b>	<b>2015-16 40th Day</b>	<b>Capacity</b>	<b>Space Available</b>
237	Cochiti ES	319	360	41
410	Garfield MS	341	729	388
560	Valley	1155	1690	535

**MID-REGION COUNCIL OF GOVERNMENTS**

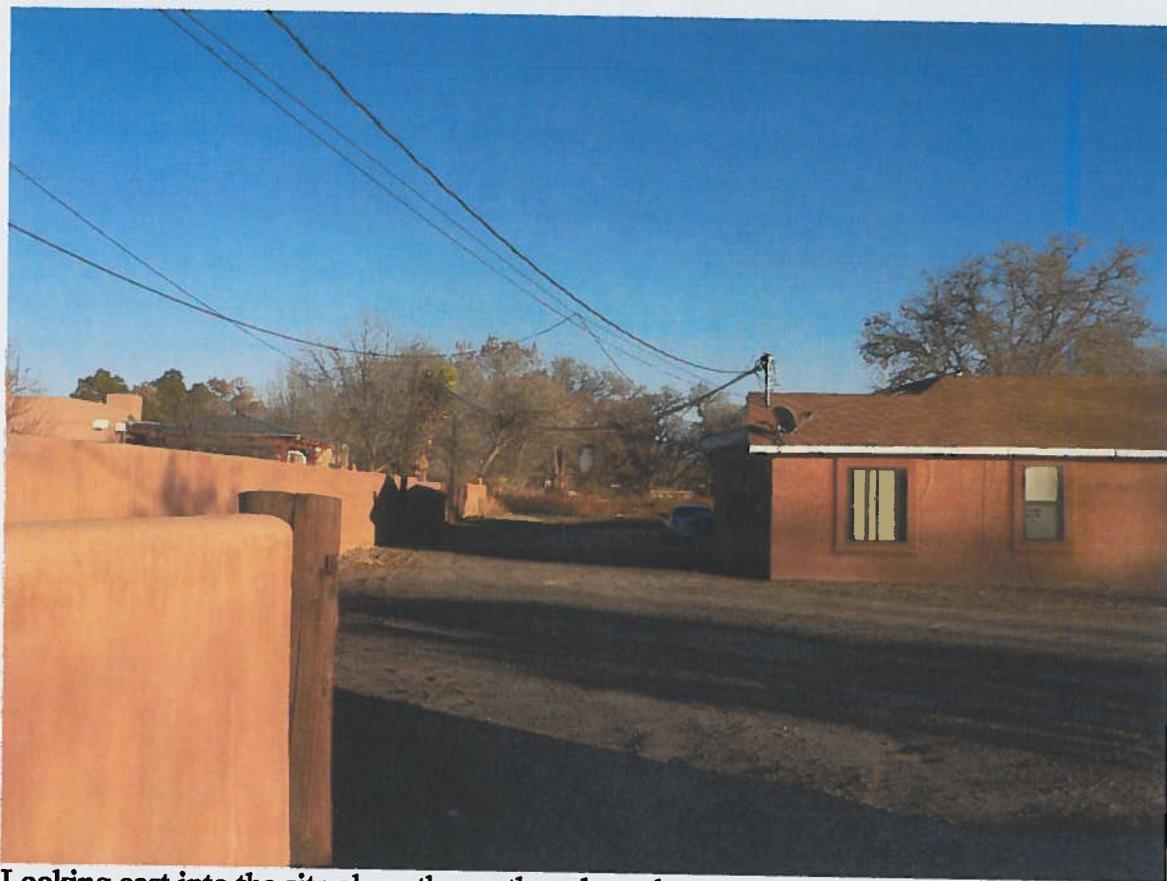
MRMPO has no adverse comments.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

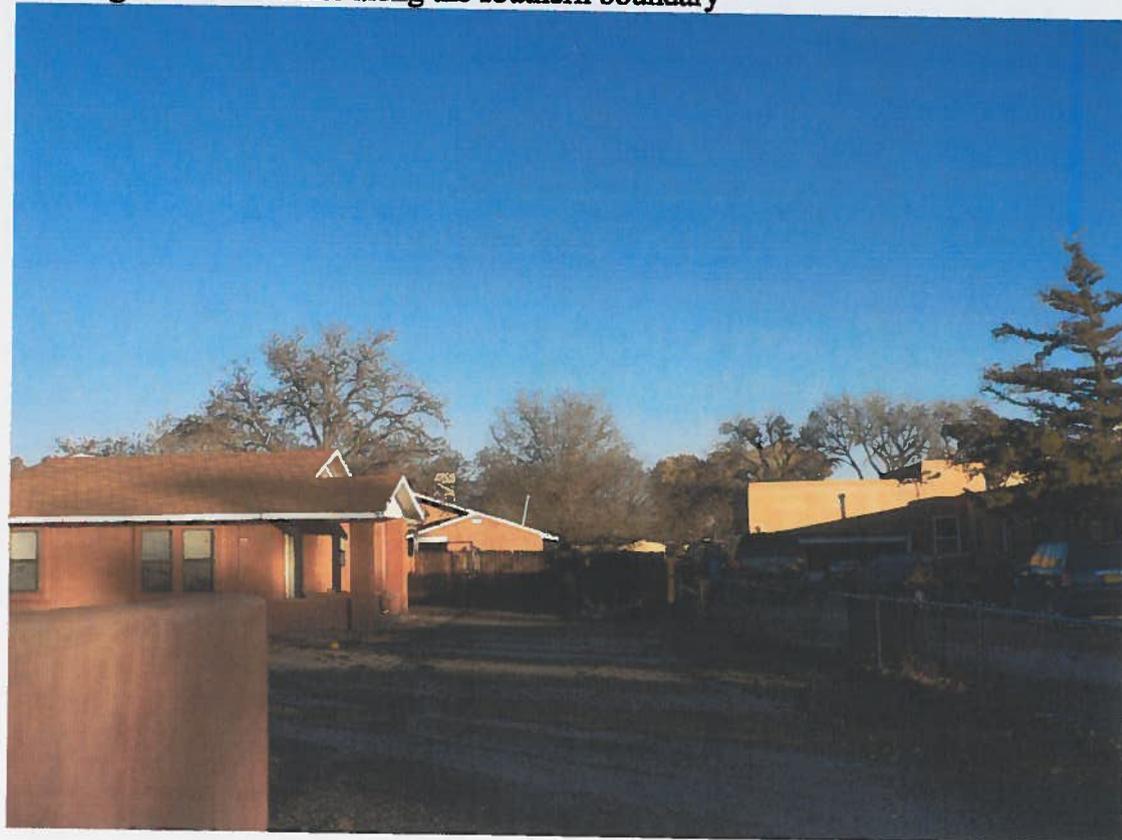
**PUBLIC SERVICE COMPANY OF NEW MEXICO**

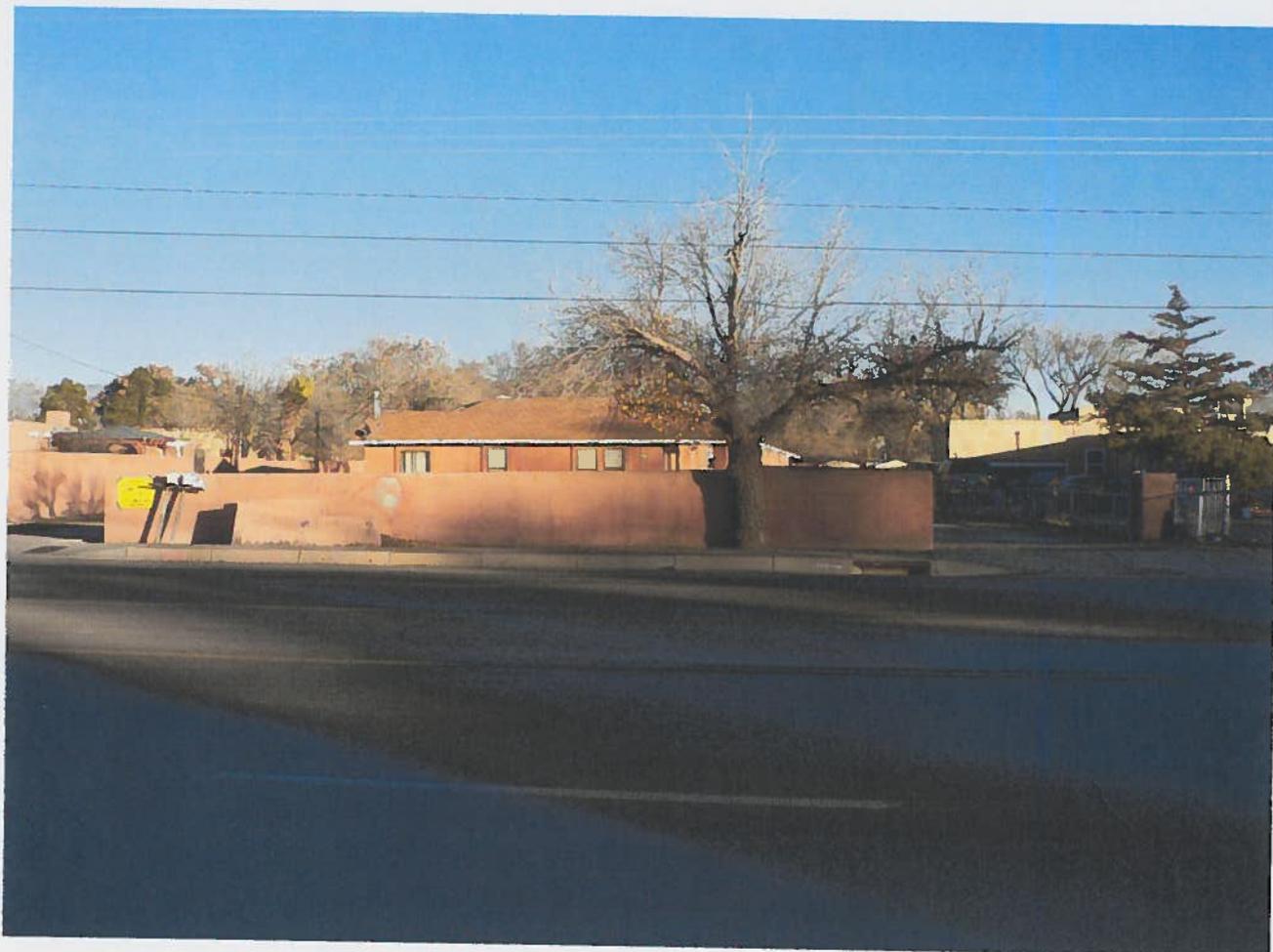
Conditions for Approval for Project #1003373 Zone Change, Site Development Plan for Building Permit and Site Development Plan for Subdivision (east side of Rio Grande Blvd. cluster housing south of Candelaria NW) 15EPC-40062, 15EPC-40063 and 15EPC-40064

1. Existing overhead electric distribution lines are located along Rio Grande Boulevard NW on the western boundary of the subject property and it is the applicant's obligation to abide by any conditions or terms of those easements.



**Looking east into the site along the northern boundary  
Looking east into the site along the southern boundary**





Looking east across Rio Grande Boulevard at the subject site.

## ZONING

Please refer to the Zoning Code for specifics of  
The SU-1, and RA-2 zones

APPLICATION INFORMATION

# City of Albuquerque



DEVELOPMENT/ PLANNING  
REVIEW APPLICATION  
Updated 4/16/15

**SUBDIVISION**

\_\_\_ Major subdivision action  
\_\_\_ Minor subdivision action  
\_\_\_ Vacation  
\_\_\_ Variance (Non-Zoning)

**SITE DEVELOPMENT PLAN**

for Subdivision for Building Permit  
\_\_\_ Administrative Amendment (AA)  
\_\_\_ Administrative Approval (DRT, URT, etc.)  
\_\_\_ IP Master Development Plan  
\_\_\_ Cert. of Appropriateness (LUCC)

**STORM DRAINAGE (Form D)**

\_\_\_ Storm Drainage Cost Allocation Plan

**Supplemental Form (SF)**

**S Z ZONING & PLANNING**

\_\_\_ Annexation

**V** \_\_\_ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)

**P** \_\_\_ Adoption of Rank 2 or 3 Plan or similar

\_\_\_ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

**D** \_\_\_ Street Name Change (Local & Collector)

**L A APPEAL / PROTEST of...**

\_\_\_ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Consensus Planning, Inc. PHONE: (505) 764-9801  
ADDRESS: 302 Eight St. NW FAX: \_\_\_\_\_  
CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com  
APPLICANT: Garrett Lee Studio PHONE: (505) 980-7801  
ADDRESS: 514 Central Ave SW FAX: \_\_\_\_\_  
CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: glstudiohd@gmail.com  
Proprietary interest in site: Contract Purchaser List all owners: Harold Morrow, Robert Palmer, Palmer

DESCRIPTION OF REQUEST: Zone map amendment, site plan for building permit, & site plan for subdivision

Is the applicant seeking incentives pursuant to the Family Housing Development Program? \_\_\_ Yes.  No.

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

Lot or Tract No. S 100ft of Lot 8 Block: \_\_\_\_\_ Unit: 1  
Subdlv/Addn/TBKA: Alvarado Gardens  
Existing Zoning: RA-2 Proposed zoning: SU-1 for PRD MRGCD Map No \_\_\_\_\_  
Zone Atlas page(s): G-13-Z UPC Code: 101306004024831513

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.):  
1003373

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? no  
No. of existing lots: 1 No. of proposed lots: 12 Total site area (acres): 1.24

LOCATION OF PROPERTY BY STREETS: On or Near: On Rio Grande

Between: Candelaria Road NW and Campbell Road NW

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

SIGNATURE [Signature] DATE 10.28.2015  
(Print Name) James K Strozier Applicant  Agent

**FOR OFFICIAL USE ONLY**

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

Application case numbers	Action	S.F.	Fees
<u>ISEPC - 40062</u>	<u>AZM</u>	___	<u>\$295.00</u>
<u>40063</u>	<u>SBP</u>	___	<u>\$385.00</u>
<u>40064</u>	<u>CWF</u>	___	<u>\$50.00</u>
___	<u>ADV</u>	___	<u>\$75.00</u>
___	___	___	___
___	___	___	___
Total			<u>\$805.00</u>

Hearing date Dec. 10, 2015

[Signature]  
Staff signature & Date 10-29-15

Project # 1003373

Revised: 11/2014

**FORM P(1): SITE DEVELOPMENT PLAN REVIEW – E.P.C. PUBLIC HEARING**

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC16)** Maximum Size: 24" x 36"
- IP MASTER DEVELOPMENT PLAN (EPC11)**

- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval Scaled Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies.**
  - For IP master development plans, include general building and parking locations, and design requirement buildings, landscaping, lighting, and signage.
  - Site plans and related drawings reduced to 8.5" x 11" format (1 copy)
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
  - Completed Site Plan for Subdivision and/or Building Permit Checklist
  - Sign Posting Agreement
  - Traffic Impact Study (TIS) form with required signature
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC15)** Maximum Size: 24" x 36"
- SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY (WTF) (EPC17)**

- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies.**
  - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) **20 copies**
  - Site Plans and related drawings reduced to 8.5" x 11" format (1 copy)
  - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
  - Sign Posting Agreement
  - Completed Site Plan for Subdivision and/or Building Permit Checklist
  - Traffic Impact Study (TIS) form with required signature
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- NOTE: For wireless telecom facilities, requests for waivers of requirements, the following materials are required in addition to those listed above for application submittal:**
- Collocation evidence as described in Zoning Code §14-16-3-17(A)(6)
  - Notarized statement declaring number of antennas accommodated. Refer to §14-16-3-17(A)(13)(d)(2)
  - Letter of intent regarding shared use. Refer to §14-16-3-17(A)(13)(e)
  - Affidavit explaining factual basis of engineering requirements. Refer to §14-16-3-17(A)(13)(d)(3)
  - Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower §14-16-3-17(A)(17)
  - Registered engineer or architect's stamp on the Site Development Plans
  - Office of Community & Neighborhood Coordination inquiry response as above based on ¼ mile radius
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC01)** Maximum Size: 24" x 36"
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC02)**

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **20 copies**
  - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **20 copies**
  - DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **20 copies**
  - Site plans and related drawings reduced to 8.5" x 11" format (1 copy)
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
  - Sign Posting Agreement
  - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
  - Traffic Impact Study (TIS) form with required signature
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Jay K. Stracian ADP  
 Applicant name (print)  
[Signature]  
 Applicant signature / date



- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers  
15-EPC-40003

Form revised November 2010

[Signature] 10-29-15  
 Planner signature / date  
 Project #: 1003373

**FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS**

**ANNEXATION (EPC08)**

- Application for zone map amendment including those submittal requirements (see below).  
*Annexation and establishment of zoning must be applied for simultaneously.*
  - Petition for Annexation Form and necessary attachments
  - Zone Atlas map with the entire property(ies) clearly outlined and indicated  
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
  - Letter describing, explaining, and justifying the request  
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
  - Letter of authorization from the property owner if application is submitted by an agent
  - Board of County Commissioners (BCC) Notice of Decision
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

**SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)**

(Unadvertised)

**SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)**

(Public Hearing)

**SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)**

(Unadvertised)

- Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
  - Proposed Sector Plan (30 copies for EPC, 8 copies for DRB)
  - Zone Atlas map with the entire plan area clearly outlined and indicated
  - Letter describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
  - Traffic Impact Study (TIS) form (for EPC public hearing only)
  - Fee for EPC final approval only (see schedule)
  - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.*

Your attendance is required.

**AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)**

- Zone Atlas map with the entire property clearly outlined and indicated
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

**AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)**

**AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)**

- Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
  - Plan to be amended with materials to be changed noted and marked
  - Zone Atlas map with the entire plan/amendment area clearly outlined
  - Letter of authorization from the property owner if application is submitted by an agent (map change only)
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
  - Traffic Impact Study (TIS) form
  - Sign Posting Agreement
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

**AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)**

- Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
  - Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
  - Letter describing, explaining, and justifying the request
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

James K. Strozian, AICP  
Applicant name (print)

[Signature] 10/28/2015  
Applicant signature & Date

Revised: June 2011

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers

15 EPC 400602

[Signature] 10-29-  
Staff signature & D

Project # 1003373

# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Garrett Lee Studio DATE OF REQUEST: 10/22/2015 ZONE ATLAS PAGE(S): \_\_\_\_\_

**CURRENT:**  
 ZONING RA-2  
 PARCEL SIZE (AC/SQ. FT.) 1.24 ac

**LEGAL DESCRIPTION:**  
 LOT OR TRACT # s 100ft lot s BLOCK # \_\_\_\_\_  
 SUBDIVISION NAME Alvarado Gardens

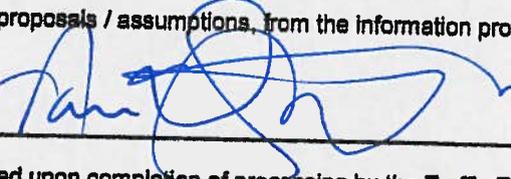
**REQUESTED CITY ACTION(S):**  
 ANNEXATION [ ]  
 ZONE CHANGE [x]: From RA-2 To SU-1 for PRDSUBDIVISION\* [x] AMENDMENT [ ]  
 SECTOR, AREA, FAC, COMP PLAN [ ] BUILDING PERMIT [x] ACCESS PERMIT [ ]  
 AMENDMENT (Map/Text) [ ] BUILDING PURPOSES [ ] OTHER [ ]

**SITE DEVELOPMENT PLAN:**  
 \*includes platting actions

**PROPOSED DEVELOPMENT:**  
 NO CONSTRUCTION/DEVELOPMENT [ ]  
 NEW CONSTRUCTION [x]  
 EXPANSION OF EXISTING DEVELOPMENT [ ]

**GENERAL DESCRIPTION OF ACTION:**  
 # OF UNITS: 12 single lots, residential  
 BUILDING SIZE: \_\_\_\_\_ (sq. ft.)

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

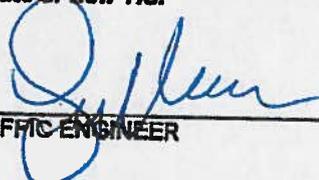
APPLICANT OR REPRESENTATIVE  DATE 10.26.2015  
 (To be signed upon completion of processing by the Traffic Engineer)

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

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [x] BORDERLINE [ ]  
 THRESHOLDS MET? YES [ ] NO [x] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]

Notes:  
12 residential lots (single family)

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

TRAFFIC ENGINEER  DATE 10-22-15

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

TIS -SUBMITTED   /  /    
 -FINALIZED   /  /   TRAFFIC ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

Villagemakers LLC  
1912 Tierra Vida Pl. NW  
Albuquerque, NM 87107  
October 25, 2015

Planning Department  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87102

Re: Authorization for Zone Map Amendment for Property at  
3010 Rio Grande Blvd. NW

To Whom It May Concern;

This letter is to assure you that Garrett L. Smith has been authorized by the owner to make application for Zone Map Amendment for the property at 3010 Rio Grande Blvd. NW in Albuquerque, NM 87107. The owner of the property is Villagemakers LLC and Kenneth Balizer, as President of the LLC has full authority to make such authorization.

If there are any questions please contact me at 505-573-2648.

Sincerely,



Kenneth Balizer, President  
Villagemakers LLC

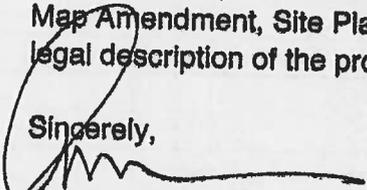
October 26, 2015

Peter D. Nicholls, Chairman  
Environmental Planning Commission  
600 Second Street NW  
Albuquerque, NM 87102

Dear Mr. Chairman:

The purpose of this letter is to authorize Consensus Planning Inc to act as agent for our property located at 3010 Rio Grande Boulevard NW for a proposed Zone Map Amendment, Site Plan for Subdivision, and Site Plan for Building Permit. The legal description of the property is S 100 ft of Lot 8, Alvarado Gardens.

Sincerely,



Garrett Smith, AIA, LEED AP  
President  
Garrett Lee Studio



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November 23, 2015

Mr. Peter Nicholls, Chair  
Environmental Planning Commission  
600 Second Street NW  
Albuquerque, NM 87102

RE: Zone Change from RA-2 to SU-1 for Planned Residential Development for property located at 3010 Rio Grande Boulevard NW

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

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Dear Chairman Nicholls:

This request includes a zone map amendment from RA-2 to SU-1 for Planned Residential Development (PRD) for property located at 3010 Rio Grande Boulevard NW to support the development of a new "pocket neighborhood".

The purpose of this request is to provide for a site plan controlled zone for this property based upon the use being more advantageous to the community. The SU-1 zone is appropriate for uses that are special, due to their potential effect on surrounding properties which is dependent on the character of the site design. Relevant plans and policies are presented including the Albuquerque/Bernalillo County Comprehensive Plan, the North Valley Area Plan, the Rio Grande Corridor Plan, and Resolution 270-1980.

**Project Description**

This request for a zone map amendment to rehab two existing single family homes and construction of 10 new small dwellings in the rear of the property surrounding a common open space and community garden. The requested SU-1 zoning will permit the property to redevelop with the proposed use and will be site plan controlled, which will address issues of access, scale and character, and the common open spaces.

The proposal is to create what is known as a pocket neighborhood. Pocket neighborhoods are clustered groups of small houses (attached or detached) that are clustered around a shared open space. The concept is to create a setting in which neighbors can easily know and look out for one another. In this case, the cluster is around a common open space and a community garden. The property has an existing acequia that will be used for irrigation of the common areas.

These will be private homes some with connected walls that are designed to have less impact on the land and be very economical to construct, buy, and maintain. The existing North Valley character is maintained by keeping the original buildings, trees, setback, and the acequia. The project will be developed using "green building" principles including water and energy efficiency, rainwater harvesting, and a common covered parking area. The market is primarily baby boomer couples and singles downsizing their homes and giving up commuting to spend more time volunteering, gardening, traveling, and pursuing new creative interests. This market is very interested in living in a walkable community that is green and sustainable. This product will also appeal to the younger generation (Millennials) who are interested in smaller, lower maintenance, and community oriented homes.

A similar project of 10 units was recommended for approval by City Planning staff and was approved by the EPC in May of 2012. The previous project had letters of support from the Rio Grande Boulevard Neighborhood Association, the Alvarado

**PRINCIPALS**

James K. Strozier, AICP  
Christopher J. Green, PL.A.,  
ASLA, LEED AP  
Jacqueline Fishman, AICP  
Laurie Piror, PL.A., ASLA



Gardens Neighborhood Association, and the North Valley Coalition. The proposed site is located within these same three neighborhood associations. The approved project is built within half a mile of the proposed site and has similar characteristics.

**Site Characteristics and Area Context**

The project site consists of one parcel of approximately 1.24 acres. The site is rectangular, with part of the lot developed with an existing single family home. The rear of the property is undeveloped. The property is on the east side of Rio Grande Boulevard. To the north, east, and south are single family homes. The northern side is bordered by two subdivisions. The subdivisions to the north have 19 large single family homes.



Satellite Photo of project site and surrounding area (Source: Google Earth)

**Adjacent Land Use and Zoning**

DIRECTION	ZONING	EXISTING LAND USE
North	R-1	Single-Family Residential
East	RA-2	Single-Family Residential
South	RA-2	Single-Family Residential
West	RA-2	Single-Family Residential

**Resolution 270-1980**

This zone change request complies with Resolution 270-1980 as follows:

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



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The proposed zone change from RA-2 to SU-1 for PRD will not create a condition that would be harmful to health, safety, or morals of the community. The zone change would not be detrimental to the general welfare of the City and would actually be beneficial to the City as it furthers the goals and policies of the Albuquerque/Bernalillo County Comprehensive Plan by providing a unique housing alternative while maintaining the neighborhood and Rio Grande Boulevard character. Through the SU-1 site plan, the property is restricted to have a much smaller amount of built square footage than many adjacent single family projects built under the existing zoning. While the density is higher, the impact from this type of project is in many ways far less than a traditional type of subdivision due to the difference in built square footage, on-site open space, permeability, etc.

- 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.*

The project maintains the residential character of the property and by maintaining the existing homes and developing in the rear of the property, the existing streetscape and character is maintained and enhanced with a new building located in close proximity to the street. The SU-1 PRD zone helps to maintain the stability through the following:

- Site Plan control provides certainty about what will be built on the property, size and arrangement of dwellings, open space, community garden, parking, etc,
- The zoning maintains a residential use on the property,
- Is for residential uses only and does not allow office or commercial uses that could potentially be permitted in the PRD zone,
- Maintains and uses the existing acequia, and
- And maintains the existing home, single access, and street frontage along Rio Grande Boulevard.

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

The proposed change does not conflict with the adopted Comprehensive Plan, but rather furthers implementation of the Comprehensive Plan by being consistent with the goals and policies of the plan as detailed below:

#### **Analysis of Related Goals from the Albuquerque/Bernalillo County Comprehensive Plan**

##### ***Developing and Established Urban Areas Section II.B.5***

*The Goal is 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.*



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The proposed project will provide for a new, very intimate and identifiable pocket neighborhood that will be done in a way that respects the scale, heritage, and existing North Valley character of the property. The project is site plan controlled ensuring the quality and character of the built environment will be visually pleasing.

The following goals and policies from the Developing and Established Urban Areas section outline additional goals that are furthered by the proposed 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.*

***Possible Techniques:***

- 1) *Identify and remove unnecessary obstacles to appropriate infill development.*
- 2) *Identify incentives for inducing infill in appropriate areas through sub-area analysis and more efficient administration.*
- 5) *Investigate means to encourage public/private cooperation to promote infill development.*

The proposed project represents a very different type of infill and one that is cognizant of its surroundings and the need to create a safe and interactive pocket neighborhood. The existing zoning prohibits this type of appropriate infill development. The property is served by existing services and is an appropriate place for well designed density. Approval of the proposed Zone Map Amendment will allow private sector investment implementing this infill policy.

The integrity of the existing neighborhood will be preserved through site plan controls that provide certainty about what will be built on the property, size and arrangement of dwellings, open space, community garden, access, parking, etc. The zoning maintains a residential use on the property, which is for residential uses only and does not allow office or commercial uses that could potentially be permitted in the PRD zone. The project proposes to maintain and use the existing acequia, the existing home, has a single access, and creates a landscaped residential street frontage along Rio Grande Boulevard.

***Policy II.B.5.i***

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

***Possible Techniques:***

- 1) *Achieve through sector plan and Zoning Ordinance.*

The proposed project seeks to use the SU-1 for PRD zoning designation to employ innovative design to create an attractive and appropriately scaled neighborhood. The project is unique and employs innovative design because it is designed at a smaller scale (built square footage/footprint), it maintains the existing street character, and includes community features (open space courtyard, community garden, and common parking) to ensure that the project will blend into the context of the North Valley. The property is within the North Valley Area Plan and the Rio Grande Corridor Plan.

**Policy II.B.5.o**

*Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.*

**Possible Techniques:**

- 7) *Introduce mixed-use concepts as a means of strengthening residential markets.*

While not mixed-use, the project is a mixed density project within an older, established neighborhood. Rather than clear the site, demolish the existing house, this project will refurbish the existing homes and develop a new pocket neighborhood within the existing framework provided by the existing conditions. By working within this context, the new neighborhood will not adversely impact the character of the surrounding area.

**Policy II.B.5.p**

*Cost-effective redevelopment techniques shall be developed and utilized.*

**Possible Techniques:**

- 1) *Provide practicable redevelopment assistance not requiring direct City financial participation.*
- 2) *Emphasize private investment as a primary means to achieve redevelopment objectives.*
- 3) *Organize and prioritize redevelopment efforts on the basis of need and redevelopment opportunities.*
- 4) *Support redevelopment projects which will stimulate additional private investment.*

This proposed project would be cost effective redevelopment that would not require direct City financial participation and utilizes private investment. Approval of this zone change and project would help to emphasize smart community infill development. The positive economic benefit to the City includes increased property values and providing additional housing in an area well served by walkable commercial services, transit, and easy access to old town and downtown, the Rio Grande, etc.

**Policy II.D.4. Transportation and Transit**

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

The proposed zone change and project will provide new housing that is a short drive, walk or bike ride away from services, recreation, entertainment, jobs, etc. The introduction to the Transportation and Transit section of the Comprehensive Plan (paragraph above) outlines this goal. The proposed project is located on ABQ Ride Bus Line #36, with a bus stop directly across the street from the proposed project. There is a bike lane along Rio Grande Boulevard. There are also bike routes and bike lanes leading westbound towards the Paseo del Bosque Recreation Trail. In addition, there are multi-use trails and bike lanes to the east and west.



**Analysis of Related Goals from the North Valley Area Plan Goals:**

**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 socioeconomic types**

The proposal maintains the existing home, landscaping, and acequia (and will utilize the acequia to irrigate the community garden, fruit trees, and courtyard) maintaining the rural flavor of the North Valley. The proposed "pocket" neighborhood will add a different type of housing and living that is currently limited in the area.

**12. To develop incentives to preserve farmland and open space and to maintain ditches and acequias for agricultural and low-impact recreational purposes.**

The project, while on a small scale, does incorporate the existing acequia into the design, provides a common internal open space courtyard, and a community garden for the residents. The project clusters the housing in order to allow homes to be concentrated in the central portion of the site and allows the rear of the property to be a community garden preserving the use of the acequia and the agricultural integrity of the property.

**Policies:**

***Housing, 4. The County and City 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 seeks to employ innovative design to create an attractive and appropriately scaled neighborhood. The project is unique and employs innovative design because it is designed in a small cluster in the rear of the property; is designed at a smaller scale (built square footage/footprint); it maintains the existing street character and large setback with landscaping; and includes community features (open space courtyard, community garden, and common parking) to ensure that the project will blend into the context of the North Valley. The proposed project lowers new infrastructure costs by taking advantage of existing utilities.

As a transition, on page 36 of the NVAP, there is a discussion about housing from the Comprehensive Plan and it states:

*"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*



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and retention of agriculture.

These statements speak directly to the proposal and embody exactly what is being proposed for this property.

**Density, Page 118:**

*"Most of the housing in the North Valley plan area is low density. The low density pattern of housing is partially responsible of 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 others.*

The proposed project reflects a different way to accommodate new housing, and higher density while maintaining and enhancing the existing and historic character in a way that is more sensitive to the goals of the plan than traditional subdivisions have.

The plan encourages cluster and common interest subdivisions in many locations throughout the document and specifically on pages 121 – 129.

**Analysis of Related Goals from the Rio Grande Corridor Plan**

**Plan Subarea Concepts: Subarea 3- Indian School Road to Griegos Road**  
*"... design requirements to enhance and conserve existing character on properties adjacent to the public right-of-way will tie this suburban and semi-rural residential area functionally and visually to adjacent North Valley neighborhoods."*

The project maintains the Rio Grande Boulevard streetscape, existing building, setback, etc. respecting the existing subarea character.

**Policy 2, Regulation 2.A**

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

The proposed project will provide additional housing in a way that will not adversely impact the nature of the subarea or Rio Grande Boulevard. Cluster housing allows for a concentration of small housing into a single area.

**Section 2- Regulations and Guidelines Governing Adjacent Development**

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

**Subareas 3 and 4: All architectural styles are allowed. Southwestern styles typical to the valley are encouraged.**

The proposed project maintains the existing home, trees, and acequia that define the character of this property. The new proposed homes are consistent with the architectural style of the surrounding area including pitched roofs and plaster finishes in similar colors.



*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;*

*There was not an error when the existing zone map was created.*

*2. Changed neighborhood or community conditions justify the change;*

*While there certainly have been changes in the area, there are no significant changed neighborhood or community conditions.*

*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 proposed SU-1 for PRD zoning category is more advantageous to the community since it furthers numerous goals and policies in the City's Comprehensive and North Valley plans. These policies are provided in response to item "C" above and clearly indicate that the proposed zoning designation and accompanying site development plan are more advantageous to the community.

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

The proposed project would not be harmful to the adjacent properties. The surrounding neighborhoods are much more intense in terms of building square footage and massing and therefore they will not be adversely impacted by the proposal. The request is for residential use only and does not request any O-1 or C-1 uses that may be requested within the SU-1 for PRD zoning. While the request does increase the allowable density, it has been demonstrated that the project furthers numerous city policies, will not adversely impact the surrounding mixed density neighborhood.

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

*1. Denied due to lack of capital funds; or*

*2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.*

The zone change does not require any major and unprogrammed capital expenditures to support the new zoning designation or planned uses for the property.

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

This justification shows that the proposed zone change is warranted by consistency with the City's Comprehensive Plan, the North Valley Area Plan, and good planning practices, without sole regard to economic considerations. The plan



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will increase the property value and generate additional property tax revenue as well as gross receipts taxes during construction.

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

The proposed project is located on a collector or major street; however as was shown by this justification, there are numerous other policies of the Comprehensive Plan and North Valley Area Plan that this project is consistent with, and therefore; the street location of the project is not the only consideration for this zone change request. It is however 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.*

SU-1 zones are by their nature spot zones. However, the proposed zone change and project are very appropriate as illustrated throughout this justification.

- 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 zone change is not a strip zone. The property is surrounded by residential uses. We are requesting residential zoning that will complement the surrounding area. Also, the property only has 100 feet of frontage along Rio Grande Boulevard and has a depth of approximately 600 feet.



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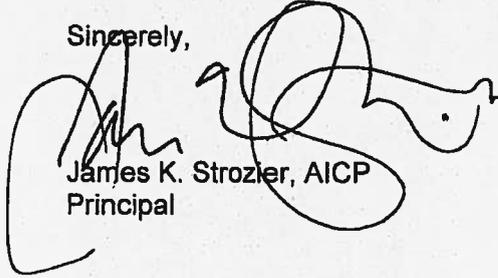
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**Conclusion**

The proposed project is appropriately located in a mixed-density area adjacent to transit, and bike and recreation facilities. There is a need for diversity of housing in these types of well served neighborhoods and it is consistent with City plans and policies. It is a unique, green, "pocket neighborhood" that is open space oriented, and consistent with the surrounding character of the Rio Grande Corridor and the North Valley.

We respectfully urge the Environmental Planning Commission to approve this request.

Sincerely,



James K. Strozler, AICP  
Principal



**Existing Trash  
Enclosure at Acequia  
Jardin**



**Trash day at Acequia  
Jardin**