



**Environmental
Planning
Commission**

*Agenda Number: 07
Project Number: 1006767
Case #: 14EPC-40072/40073
December 11, 2014*

Staff Report

Agent	Consensus Planning, Inc.
Applicant	Bow & Arrow Brewing Company
Requests	Sector Development Plan Map Amendment (Zone change) Site Development Plan for Building Permit
Legal Description	Lot 1-A, Block 2, Plat of Lot 1-A Block 2, Hill Acres Subdivision
Location	Located on 6th St. NW between Mcknight Ave. and Bezemek Ave. NW (608 McKnight Ave. NW)
Size	Approximately 0.63 acres
Existing Zoning	SU-2 for S-MI (Sawmill Mixed Industrial)
Proposed Zoning	SU-2/SU-1 for S-MI and Brewery including on and off premise sale of beer and wine.

Staff Recommendation

APPROVAL of 14EPC-40073, based on the Findings beginning on Page 23, and subject to the Conditions of Approval beginning on Page 26.

APPROVAL of 14EPC-40072, based on the Findings beginning on Page 18, and subject to the Condition of Approval on Page 21.

Staff Planner
Vicente M. Quevedo - Planner

Summary of Analysis

This request is for a sector development plan map amendment (zone change) to the Sawmill/Wells Park Sector Development Plan for Lot 1-A, Block 2, Plat of Lot 1-A Block 2, Hill Acres Subdivision, an approximately 0.63 acre site within the Wells Park Neighborhood.

Staff finds that the request is adequately justified pursuant to R270-1980 and generally fulfills the intent of applicable policies.

A facilitated meeting was recommended by The Office of Neighborhood Coordination, but a No Meeting Report was submitted by the facilitator.

Staff recommends conditional approval of the zone change and the associated site development plan.



I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-2 for S-MI (Sawmill Mixed Industrial)	Central Urban, Sawmill/Wells Park SDP	Commercial Retail
<i>North</i>	SU-2 for S-MI (Sawmill Mixed Industrial)	Central Urban, Sawmill/Wells Park SDP	Industrial/Manufacturing
<i>South</i>	SU-2 for S-MI (Sawmill Mixed Industrial)	Central Urban, Sawmill/Wells Park SDP	Industrial/Manufacturing
<i>East</i>	SU-2 for S-MI (Sawmill Mixed Industrial)	Central Urban, Sawmill/Wells Park SDP	Wholesale/Warehousing & Industrial/Manufacturing
<i>West</i>	SU-2 for S-MI (Sawmill Mixed Industrial)	Central Urban, Sawmill/Wells Park SDP	Single Family Residential

II. INTRODUCTION

Request

This request is for a sector development plan map amendment (zone change) to the Sawmill/Wells Park Sector Development Plan (SWPSDP) for Lot 1-A, Block 2, Plat of Lot 1-A Block 2, Hill Acres Subdivision, an approximately 0.63 acre site. The applicant proposes to change the subject site’s zoning from SU-2 for S-MI (Sawmill Mixed Industrial) to SU-2/SU-1 for S-MI and Brewery including on and off premise sale of beer and wine and amend the SWPSDP to reflect this change.

A site development plan for building permit, for the existing building on the subject site, is associated with the zone change request. The applicant proposes to renovate the existing building into a microbrewery with a tap room and production facility. A zone change is needed to allow the proposed use.

Environmental Planning Commission (EPC) Role

The EPC is hearing this case because the EPC has the authority to hear all zone map and sector development plan amendments (zone change), 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 subject site is located within the historic Wells Park Neighborhood which is bounded by Interstate 40 to the north, Mountain Road to the south, approximately 1st Street to the east, and 12th Street to the west. This area expanded after WWI and was filled with 1920s subdivisions. The Sawmill/Wells Park Sector Development Plan (SWPSDP) contains a history of the Plan area (see p. 8).

The SWPSDP, adopted in January 1996 (Enactment No. 20-1996, see attachment), superseded the previous neighborhood plan (the 1978 Plan) and established zoning for the area. Prior to adoption of the 1996 Plan, the subject site was zoned C-3 Heavy Commercial (ref: SWPSDP, p. 80). Upon SWPSDP adoption in 1996, the C-3 zoning was replaced with SM-I (Sawmill Mixed Industrial) zoning. The warehouse building located on the subject site was constructed in 2008.

Context

The subject site comprises the eastern edge of the block bounded by McKnight Ave. (North), Bezemek Ave. (South), 6th Street (East) and 7th Street (West). The surrounding area is largely made up of industrial, warehouse and commercial uses with some single family homes to the north, the east and directly to the west of the subject site. Though staff does not have any information as to when the surrounding single-family homes were constructed, it is important to note that the S-MI zone language within the sector development plan states that this zone was established was to allow for residence/work spaces as well as to allow for any housing that predates the adoption of the zone to remain.

The subject site is not located in a designated Activity Center. The Sawmill/Wells Park Sector Development Plan (SWPSDP) and the Sawmill/Wells Park Community Metropolitan Redevelopment Area (MRA) Plan apply.

Transportation System

The 2013 Interim Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. Sixth Street is identified as an Urban Minor Arterial. McKnight Ave. and Bezemek Ave. are identified as local streets.

Comprehensive Plan Corridor Designation

There are two corridors near the subject site:

4th Street is identified as a Major Transit Corridor: The intent of this corridor type is to create roadways designed to optimize public transit and move large numbers of people in a very timely and efficient manner. These corridors focus on the movement of many people in a pedestrian friendly environment and would be prime candidates for significant mixed use infill and redevelopment. This corridor is located approximately .17 of a mile east of the subject site.

Interstate 40 is identified as an Express Transit Corridor: The intent of this corridor type is to create a network of roadways that would be dedicated to developing higher speeds with fewer interruptions to travel for the car and public transit vehicles. This corridor is located approximately .11 of a mile north of the subject site.

Trails/Bikeways

The Interstate 40 Multi-Use Trail is located approximately .15 of a mile northwest from the subject site.

Transit

Transit service is provided along 6th Street and a bus stop is located along the eastern edge of the subject site. Transit routes along 6th Street include the Taylor Ranch Express (Route 92), the Unser Express (Route 94), and Menaul (Route 8).

Public Facilities/Community Services

A community center, a fire station, three museums, a school, three developed city parks, and a sheriff's station are located within a one-mile radius of the subject site. See the Public Facilities Map preceding this report for more details.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS, AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is zoned SU-2 for S-MI (Sawmill Mixed Industrial). The SU-2 Special Neighborhood Zone "allows a mixture of uses controlled by a sector development plan" (see Zoning Code §14-16-2-23). The Sawmill Wells Park Sector Development Plan (SWPSDP) established zoning upon its adoption in 1996. The SM-I zone was established to:

- Continue to allow small manufacturing businesses, showrooms, wholesale, businesses and existing warehouses, but ensure that they are compatible with nearby housing, hotels, retail shops, and museums;
- Allow residence/work spaces (artist studios, office and apartment combinations) to develop;
- Allow some commercial services and retail businesses to develop;
- Allow housing that predates the adoption of this zone to remain.

Proposed Zoning: The applicant proposes the following zoning: SU-2/SU-1 for S-MI and Brewery including on and off premise sale of beer and wine. 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. The SU-1 designation requires an associated site development plan which the applicant has submitted and is analyzed in detail beginning on page 11 of this report.

Sector Plan: The Sawmill Wells Park Sector Development (SWPSDP) applies. The use of SU-2 zoning is available to sector plans and is used in the SWPSDP. Therefore, this request is referred to as a "sector development plan map amendment".

Definitions (Zoning Code §14-16-1-5)

Special Use Zone (Zoning Code §14-16-2-22): This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

Albuquerque / Bernalillo County Comprehensive Plan (Rank I)

Policy Citations are in Regular Text; *Applicant's analysis - Italics*; ***Staff Analysis - Bold Italics***

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Central Urban. The goal of the Central Urban Area is “*to promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City*”.

However, the Central Urban Area is identified by the Comprehensive Plan as a “*portion of the Established Urban Area and as such is subject to policies of section II.B.5. as well as those listed [in the Central Urban Area]*”.

The goal of the Established 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:

Land Use Policies-Central Urban

Policy II.B.6.b.: Upgrading efforts in neighborhoods within the Central Urban Area should be continued and expanded and linkages created between residential areas and cultural/arts/recreation facilities.

The request will allow the upgrade of the neighborhood through the adaptive reuse of an existing building. The proposed microbrewery will foster linkages between residents and services by creating a place of employment as well as a gathering space for residents to convene for recreational purposes.

The existing building on the subject site that is proposed to be redeveloped as a microbrewery and tap room is an upgrade for the Wells Park neighborhood because it will convert a currently non-utilized warehouse building to a space where local neighborhood residents as well as the general public can convene for recreational purposes. The creation of this type of public space will also serve to enhance the character of the Wells Park neighborhood. Therefore, the request furthers Policy II.D.6.b.

Land Use Policies-Developing & Established Urban

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 is surrounded by manufacturing and warehouse uses and is therefore appropriately located. The proposed tap room will operate out of an existing building that was previously approved and therefore respects the existing neighborhood.

The uses surrounding the existing building are compatible with the use proposed with this application. Staff agrees that the proposed tap room and brewery use respects existing neighborhood values by creating a space for residents to convene for recreational purposes. The policy component

of carrying capacities has been addressed via a shared parking agreement. The request further Policy II.B.5.d.

Policy II.B.5i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The proposed microbrewery will provide new employment opportunities in the area. In addition, the proposed use is less intensive of a use than the existing industrial and M-1 permissive uses that are currently allowed in the area.

The potential employment opportunities that the proposed microbrewery will create compliments residential uses in the neighborhood. While staff agrees that the proposed use will be less intense than the heavier industrial uses currently existing in the area, the applicant has not sufficiently addressed the effects that brewing activities can produce with respect to odor that may have a direct impact on the nearby multifamily property to the west. Therefore, request partially further Policy II.B.5i.

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

The proposed project will utilize an existing building whose design has already undergone a review and approval process to ensure its compatibility with City plans and policies.

Staff agrees that the existing building has already been approved to ensure conformance with City plans and policies, and that the building design is appropriate to the Plan area which is Central Urban. The request further Policy II.B.5.l

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

The physical character of the Sawmill/Wells Park area is defined primarily by historic buildings and roadway design. The location of the proposed microbrewery is appropriate as it serves to rehabilitate a predominantly industrial area.

The proposal to rehabilitate an existing building into a space that provides employment opportunities and a community gathering space on a site that was previously utilized as a warehouse demonstrates redevelopment efforts that strengthen the historic neighborhood of Wells Park. The request further Policy II.B.5.o.

Economic Development Policies

The Goal is to “achieve steady and diversified economic development balanced with other important social, cultural and environmental goals.” Applicable policies include:

Policy II.D.6.b.: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The request will allow for a new local microbrewery business to locate on the subject property.

The request furthers Policy II.D.6.b.-local business and recruitment, because it would contribute to the development of a local business.

Policy II.D.6.d.: Tourism shall be promoted.

The request will add to the growing craft brewery business trend in Albuquerque. Bicycle brewery tours and annual brewery festivals are also a tourist attraction.

The referenced trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

Sawmill / Wells Park Sector Development Plan (Rank III)

The Sawmill/Wells Park Sector Development Plan (SWPSDP) was first adopted in 1978 (the 1978 Plan) and then was revised and adopted in 1996 (Enactment No.128-2002). The SWPSDP generally encompasses properties between Interstate 40 to the north and Mountain Rd. to the south, Rio Grande Blvd. to the west, and properties east of 5th St. on the east. Specific boundaries are shown on p. 2. The subject site is located two blocks west of the Plan's eastern boundary (4th St.).

ACTION PLANS:

The intent of the SWPSDP is to address the area's most critical issues, foster positive change and reinforce community stability, vitality and character (p. 1). The Plan, which sets forth public project design policies, land use goals and zoning, contains the following five Action Plan sections:

- Area Character and History Conservation Action Plan
- Housing Development and Improvement Action Plan
- Environmental Protection Action Plan
- Economic Development Action Plan (re: industrial/commercial strategies) contained in the "Sawmill Revitalization Strategy (SRS)" (Appendix C of the Plan)
- Public Project Action Plan (re: infrastructure)

Each Action Plan contains specific projects and implementation strategies to address the issues identified therein and fulfill the intent of the SWPSDP. Staff finds that two Action Plans are generally relevant: the Area Character and History Conservation Action Plan (1) and the Economic Development Action Plan (2).

Area Character and History Conservation Issues and Analysis 4 (Pg. 17): Several old buildings have been allowed to deteriorate. Old buildings left to deteriorate can become too expensive to fix and people often do not know how to get loans to fix them. If buildings are condemned, their removal contributes to the decline of neighborhood identity.

The proposed zoning and use will apply to an existing building built in 2008. This application seeks to reuse an otherwise vacant and underutilized building thereby preventing deterioration of the existing building.

Staff agrees that the reutilization of an existing vacant building will prevent the decline of neighborhood identity within the Plan area. The proposal furthers action plan item 4 as outlined in the sector development plan.

Area Character and History Conservation Action Plan 6 (Pg. 19): Preserve significant buildings that define the character of area streets, particularly Mountain Road.

While not on Mountain Road, the requested zoning would preserve an existing building through adaptive reuse. The design of this building reflects the intent of the sector development plan and is attractive and unique to the urban area.

Staff agrees that because the building design is unique that this contributes to defining the urban character of the Wells Park Neighborhood which still maintains a mixed industrial character. The proposal furthers action plan item 6 as outlined in the sector development plan.

Overall Economic Development Strategy (Pg. 33): Healthy growth of industrial and commercial businesses will provide employment opportunities for residents, while enlarged, strengthened and protected residential neighborhoods will benefit commercial activities by providing a stable environment.

The approval of the proposed brewery will allow for an estimated payroll of \$475,000 to \$500,000 at full growth and provide employment opportunities for residents. This proposed use also furthers the symbiotic relationship between residential and commercial activities. The referenced sector development plan policies also promotes live-work communities.

Staff agrees that by providing an opportunity for the healthy growth of commercial businesses in the area that this will provide employment opportunities for residents. The proposal furthers the overall economic development strategy as outlined in the sector development plan.

ZONING & REGULATIONS:

The SU-2 Special Neighborhood Zone designation establishes land use regulations tailored to the Sawmill/Wells Park area. The general SU-2 regulations (see p. 83) are intended to conserve and build on the area's distinctive historic and physical characteristics, increase compatibility among housing, institutions, commercial and industrial land and improve the environment adjacent to the public right-of-way. Staff analysis includes the following relevant, overarching policies.

General SU-2 Regulations

1. Regulation compliance, compliance periods and process requirements

Regulation 1.c. Building permit applications for building additions, building renovation, and/or site rehabilitation shall comply with the Sawmill/Wells Park General SU-2 Regulations for those parts of the site undergoing construction.

Regulation 1.d. Site development plans, building elevations and other items required to obtain building permits shall be checked for compliance with Sawmill/Wells Park General SU-2 regulations during the normal submittal processes for the City.

Regulation 1.g. The Environmental Planning Commission (EPC) shall consider all General SU-2 Regulations when reviewing SU-1 zoning applications.

The SWPSDP clearly intends that all additions, renovations and/or rehabilitation efforts comply with the General SU-2 Regulations (1.c). Staff analysis of the proposed site development plan's compliance with specific General SU-2 regulations begins on page 13 of this report.

Sawmill / Wells Park Community Metropolitan Redevelopment Area Plan

The Sawmill/Wells Park Community Metropolitan Redevelopment Area (MRA) Plan was adopted by the City Council in June 2006 (R-06-100). The goal of this MRA Plan is “to create a community that preserves the historic nature of the neighborhood while retaining a livable, walkable, mixed-use, mixed-income and vibrant economic and residential part of Albuquerque.”

The New Mexico Metropolitan Redevelopment Code (3-60A-1 to 3-60A-48 NMSA 1978) provides cities with the authority to correct conditions in areas or neighborhoods in order to reverse the decline and stagnation. However, such authority can only be applied in designed Metropolitan Redevelopment Areas (MRAs). In 1993, the Sawmill/Wells Park Community MRA boundary was created. As a designated blighted area, Sawmill/Wells Park qualified as appropriate for redevelopment projects under the City's Metropolitan Redevelopment Code.

Redevelopment Plan Goal E (Pg. 23): Develop commercial and industrial space that benefits the community with job creation and needed services.

The proposed microbrewery hopes to employ up to 40 people. The taproom will also add vitality to the neighborhood by providing a service that will draw additional people to the area and provide an expanded customer base for other existing businesses. The proposed use will also provide a neighborhood gathering place that will be located away from residential homes north of the subject site.

The proposal partially furthers redevelopment plan goal E as outlined in the MRA Plan. Staff agrees that allowing for the development of a commercial space that benefits the community with job creation is specifically in line with the redevelopment goal and that it is important to create more neighborhood gathering spaces, however, the applicant has not sufficiently outlined how the services provided by the proposed microbrewery are a “needed” service.

Redevelopment Plan Goal F (Pg. 23): Blend the “old” and “new” into one unified neighborhood.

The use will maintain the “old” elements of the neighborhood by utilizing an existing building. The proposed microbrewery will be the “new” element. This meets the intent of the MRA Plan.

The proposal generally furthers the intent of redevelopment plan goal F by utilizing an existing building and contributing the current microbrewery trend within the City of Albuquerque.

Redevelopment Plan Goal O (Pg.23): Develop local recreational services for people living and working in and near the Sawmill Area.

The proposed microbrewery will create a recreational spot for adult residents and employees of the area. The MRA Plan identifies a Neighborhood Residential Sub-Area just south of the Warehouse Sub-Area.

Staff agrees that the proposal furthers redevelopment plan goal O by developing a local recreational service for people living and working near the Sawmill Area. The Proposed Redevelopment Projects Map on Pg. 22 of the MRA Plan identifies a Neighborhood Residential Sub-Area located south of the subject site.

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 request is consistent with the health, safety, morals and general welfare of the City because the proposed zone change and future use support Comprehensive Plan policies that are referenced in section C. of this letter. The Comprehensive Plan policy sections that support this request are: Section II.D.6, policies b and d; Section II.B.6, policy b; and Section II.B.5, policies d and i.

Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has done in the response to Section C. It's also important to note that the proposed zone change is limited to specified uses and, as a change to an SU-1 zone, is dependent upon an associated site development plan. The response to Section A 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 proposed use is compatible with existing uses in the surrounding area. This compatibility with the surrounding uses fosters zoning and land use stability.

The requested sector development plan map amendment does not remove or change the existing permissive uses under the S-MI zone thereby stability of land use is maintained with this request. The response to Section 1.B is sufficient.

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 Applicable Ordinances, Plans and Policies section beginning on page 3 of this report for applicant’s response. The test under Section C is whether or not there is “significant conflict” with an adopted element of the Comprehensive Plan or other City master plan such as a sector development plan. Staff finds no significant conflict with either.

D. “The applicant must demonstrate that the existing zoning is inappropriate because:

- 1) there was an error when the existing zone map pattern was created, or
- 2) changed neighborhood or community conditions justify the change, or
- 3) a different use category is more advantageous to the community, as articulated in the comprehensive Plan or other City master plan, even though (1) and (2) above do not apply.”

The requested zoning is more advantageous neighborhood and overall community as it furthers multiple City plans and policies (see section C for more detail). Furthermore, the proposed use is within a designated MRA and the proposed use would restore healthy [commercial] activity to the existing site and surrounding area. There are no vacant [available] properties zoned S-MI in the sector development plan area that are appropriate for this type of use.

Staff agrees that the applicant has demonstrated that the site is more advantageous to the community as articulated in the Comprehensive Plan (see section C). Since one of the key goals of the MRA designation is to correct conditions in neighborhoods within a municipality which “substantially inflict or arrest the sound and orderly development” within the City, this in turn demonstrates a public need for redevelopment of the subject site thus making it more advantageous to the community. The response to Section D 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 is appropriate for this location and will not be harmful to adjacent properties. On-site brewing that is proposed to occur on the subject property will not create adverse effects on any

adjacent property. The industrial, manufacturing, and warehouse uses that are permissive per the current S-MI zone would allow uses to operate on the site that are much more intense than the proposed brewpub and taproom use.

Staff agrees that the proposed uses are less intense than the industrial and warehouse uses that are permissive under the current S-MI zone. The SU-1 designation also requires the future uses to be governed by an approved site development plan for building permit which the applicant has submitted with this application. The site development plan will also serve to ensure that none of the uses on the site are harmful to adjacent property. The response to Section E 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 proposed request will not necessitate the need for any capital improvements on the part of the City.

The request would not require major or unprogrammed capital expenditures by the City. The response to Section F 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 cost of land or other economic considerations pertaining to the applicant is not a determining factor for the request.

Staff agrees that the cost of land and other economic considerations are not a determining factor. The response to Section G is sufficient.

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

The zone map amendment is not being justified based on the property location on a major roadway.

Staff agrees that the subject site’s location on a major street is not being used, in itself, as justification for the zone change. The response to Section H is sufficient.

I: “A zone change request which would give a zone different from surrounding zoning to one small area, especially when only premise is involved, is generally called a ‘spot zone’. Such a change of zone may be approved only when:

- 1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or
- 2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent

zone due to topography, traffic or special adverse land uses nearby, or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.”

The request does constitute a spot zone as all SU-1 zones are spot zones by their nature as a “custom zone”. However, the proposed zone is appropriate as it furthers Comprehensive Plan, Sector Plan, and MRA Plan policies. See section C of this letter for specific plan policy citations.

The SU-1 zone creates a spot zone by definition; however, it is required to be a justifiable spot zone according to reason 1) or reason 2). The applicant has demonstrated in the response to Section C that the proposed change would facilitate realization of the Comprehensive Plan, Sector Plan, and MRA Plan. The response to Section I 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 applicable adopted sector development plan or area development plan, and

2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.”

This section is not applicable because this request is for a single lot and not a strip of land.

Staff agrees that the request would not result in a strip zone. The subject site does not constitute a “strip of land along a street”. The response to Section J is sufficient.

Staff Conclusion

Staff finds that the applicant has adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980. The policy-based response to Section C demonstrates how the request furthers applicable Goals and policies in the Comprehensive Plan, Sector Plan, and MRA Plan, and that there is no “significant conflict” with the adopted elements of applicable Plans (Section C). For these reasons, Staff recommends approval of the sector development plan map amendment (zone change) request.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

A site development plan is required for a zone change to an SU-1 Zone pursuant to §14-16-2-22-(A)(1). Zoning Code §14-16-3-11 states, “...Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” The applicant has provided an “as built” site development plan for building permit which Staff has reviewed.

The General SU-2 Regulations in the Sawmill Wells Park Sector Development Plan (SWPSDP) apply. Building permit applications for building additions, building renovation and/or site rehabilitation shall comply with the General SU-2 Regulations. Site development plans, and other items for which a building permit was required, also trigger compliance (p. 83, 1.c., & 84, 1.g.).

Site Plan Layout / Configuration

The subject site comprises the eastern edge of the block bounded by McKnight Ave. (North), Bezemek Ave. (South), 6th St. (East) and 7th St. (West). The existing building fronts 6th St. The parking area is on the site's eastern side with additional parking proposed across the street from the subject site (via a shared parking agreement referenced in the parking calculations).

The SWPSDP General SU-2 Regulation 5e requires that trash collection areas be screened in accordance with the Solid Waste Ordinance. The site development plan indicates the trash collection area is screened by a CMU block enclosure. According to agency comments submitted by the Solid Waste Management Department's Refuse Division, the existing CMU block enclosure fulfills the requirements of the Solid Waste Ordinance.

Vehicular Access, Circulation & Parking

The main entrance to the subject site fronts 6th St. There are 3 existing concrete driveways attached to the subject site, all three lead southbound across the parking area on the subject site. From north to south, the first is a 15 ft. driveway off of McKnight Ave., the second is a 24 ft. driveway off of 6th St., and a third is a 26 ft. driveway off of Bezemek Ave. Existing one way directional pavement signage is proposed to remain.

Because the requested zoning is SU-1, off-street parking is as decided by the EPC pursuant to Zoning Code §14-16-2-22, Special Use Zone. The only SWPSDP General SU-2 Regulation with regard to parking is section 5-Enclosure and Screening sub-section 5.i. which states that required off-street parking for more than 3 vehicles shall be screened from the public street with landscaping. The existing eastern landscaping strip fulfills this requirement. Zoning Code §14-16-3-1, Off Street Parking Regulations were used to calculate the minimum required number of parking spaces.

Separate parking regulations apply for the existing and proposed on-site uses. These include:

- 1) An existing office building which requires separate calculations for the ground floor and any additional floors, and storage space;
- 2) An existing warehouse building which is proposed to include a tap room (bar), production facility, and office/mezzanine;
- 3) Additional general regulations exist for accessible, motorcycle, and bicycle parking spaces.

For item (1) the Zoning Code requires one space per 200 sq. ft of net leasable area on the ground floor and one space per 300 sq. ft. of net leasable area on all other floors. The site development plan indicates a total of 2,762 sq. ft. Of this total, 1,400 sq. ft. is listed for the ground floor which equals 7 required spaces (1,400 / 200). Next, 762 sq. ft. is on the second floor which equals 3 required spaces (762 / 300). Lastly, the remaining 600 sq. ft. is listed as existing storage space which references back to the manufacturing parking requirements of one space per 1,000 sq. ft. This equals 1 required space (600/1000). This brings the total number of required parking spaces for the existing office building to 11 spaces which is indicated on the parking calculations of the site development plan for building permit.

For item (2) the Zoning code requires one space per four seats within the bar establishment. The site development plan indicates that there will be total of 100 seats so the required number of spaces is 25 (100/4). Next, the code requires one space per 1,000 sq ft. of net leasable area for manufacturing uses which equals 4 required spaces (4,000 / 1,000). Lastly, the office/mezzanine is listed as 1,832 sq. ft. which equals 7 required spaces (1,832 / 300). However, the incorrect amount of 5 spaces is listed on the calculations and should be listed at 7. This brings the correct total number of required spaces to 36 for the existing warehouse building. The correct total number of required spaces, before reductions, to 47 and the site development plan shows 45. The parking calculations need to be updated to reflect the total of 47.

Section §14-16-3-1(E)(6)(a) (Transit Reductions) & (b) (Mixed Use Shared Parking Reductions) allow for reductions or credits if certain criteria is met. The transit reductions allow parking requirements to be reduced by 10% if the site is within 300 ft. of a regular Albuquerque Transit System route. Transit service is provided along 6th Street and a bus stop is located along the eastern edge of the subject site. Transit routes along 6th Street include the Taylor Ranch Express (Route 92), the Unser Express (Route 94), and Menaul (Route 8). Therefore, a 10% reduction can be applied bringing the total number of required spaces from 47 to 42 required spaces. The transit reductions do allow for an additional 5% reduction if a transit rider shelter is provided at the owner's expense. There is no indication from the site development plan for building permit that this will be provided other than listing a 15% reduction for "Bus Stop Credit" in the calculations. If a note is added stating that a bus shelter will be provided at the owner's expense and the additional 5% is applied then the total number of required spaces is reduced to 39 as indicated on the calculations.

The Mixed Use Shared Parking Reductions allow for up to a 20% reduction if the parking is located no more than 500 ft. from the building or use it serves measured following a reasonable and safe walking route from the main entrance of the building or use to the parking area in question (See City Engineer and Municipal Development Department comments regarding this item). A legally binding shared parking agreement duly executed and acknowledged between the two owners with specifics as to how the parking will be shared must be provided to the Planning Department. At the time that this staff report is being written, no agreement has been received by staff. The applicant is requesting a 10% reduction which can be granted once an agreement has been received which would reduce the number of required spaces to 35 (39 - 4) as indicated on the calculations. Without having submitted a copy of a shared parking agreement, the total number of required parking spaces would remain at 42 spaces (*Note: The site development plan currently shows that a total of 37 spaces will be provided, 18 on-site and 19 shared. Without a copy of the shared parking agreement the total number of spaces provided drops to 18*).

Two ADA accessible spaces and two motorcycle spaces are required based on the 37 spaces that the applicant is stating will be provided and according to the Off-Street Parking Regulations. However, there is no indication on the parking calculations that the adequate number of spaces will be provided other than a note stating that 1 motorcycle space is included in the calculations. Two bicycle spaces are required. A bike rack is shown as keyed note 27, but it's uncertain how many bikes it can accommodate. Notes should be included on the parking calculations indicating the total number of

accessible, motorcycle, and bicycle spaces that will be provided. In addition, the ADA accessible spaces are required to be shown on the site development plan for building permit parking area.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian and cyclists access is possible from 6th St., Mcknight Ave., or Bezemek Ave. An existing 5 ft. wide painted pedestrian walkway is indicated on the site development plan as keyed note 2 just south of the existing 24 ft. driveway off of 6th St. and is proposed to remain. The walkway leads to a proposed concrete sidewalk to the buildings from 6th St. The existing pedestrian walkway listed as keyed note 2 also complies with SWPSDP General SU-2 Regulation 7 which states that private walkways for non-residential sites used by customers shall be provided. Pedestrians will primarily circulate the subject site via the new proposed concrete sidewalks and the existing asphalt paved sidewalk to remain. In addition, a bus stop is located along the eastern edge of the subject site.

Walls/Fences

An existing 6 ft. high chain link fence with plastic slats runs along the entire western lot line and is proposed to remain. An existing chain link fence runs along a portion of the southern lot line and is proposed to remain. A fire department access man gate is shown at the existing drive way that exits onto Bezemek Ave. This is identified as keyed note 39 on the site development plan and staff has confirmed through a site visit that razor wire is currently attached to the top of the gate which is not specifically prohibited by the SU-2 General Regulations (*Note: General Regulation 5.k.- does prohibit razor wire being attached to fences for sites adjacent to residential zones*). Due to the fact that razor wire is discussed in the SU-2 General Regulations, note should be added identifying the existence of the razor wire and whether it is proposed to remain.

The existing chain link fence then continues along the remainder of the southern lot line and then continues northbound along the eastern lot line of the subject site and terminates at the drive way with an ingress point from 6th St. An existing tube steel rolling gate is located at the drive way and an existing tube steel and CMU pilaster fence then runs along the remainder of the eastern lot line and continues west bound along the northern lot line of the subject site. All of the existing fencing is proposed to remain.

In addition, a new 3 ft. high tube steel and welded wire mesh patio fence is proposed around a new concrete patio near the south end of the proposed tap room and production facility. No additional walls or fences are proposed.

Lighting and Security

There are three existing site lighting poles along the eastern edge of the subject site within an existing 6 ft. wide concrete sidewalk that is proposed to remain. However, no additional site lighting or security features are indicated on the site development plan for building permit or elevations sheet. Staff recommends that additional lighting features be added to the site development plan that specifically conforms to the requirements contained in Section §14-16-3-9 (Area Lighting Regulations) of the City Zoning Code.

Landscaping

A palette of low to medium water use plants is proposed. Common plant names are identified as required by the zoning code and will be watered utilizing a complete underground irrigation system

operated by an automatic timer. The property owner will be responsible for maintenance of the landscaping. The applicant is proposing an additional 3,045 sq. ft. of new landscaping as noted on the Landscape Plan which is well above the 2,385 sq. ft. minimum required. Appropriate landscape buffers are also being proposed for the site as required by the Zoning Code. Overall, the landscaping plan submitted by the applicant meets the requirements of the zoning code §14-16-3-10 Landscaping Regulations.

Grading, Drainage, Utility Plan

The subject site is already developed and is flat. The elevation is 4962 feet across the site. A grading & drainage plan was included and was based on the original grading, drainage, and utility plan submitted for the original warehouse building. Generally, the existing commercial building utilizes a drainage gutter at the roof line that outlets north of the structure. No drainage from the existing building enters the concrete walk to the north. No adverse comments were submitted from the Utility Services or Hydrology Department.

Architecture

The existing buildings retain their character as commercial buildings. Renovations, though mostly interior will be made. The main entrance to the microbrewery is accessed via a new store front door system is identified on the eastern elevation, facing 6th St. The existing warehouse building is the tallest structure on the subject site and measures 25 feet 10 inches. The exterior renovations will include finished metal panel colors such as Terra Brown and Birch White are proposed for the building.

Signage

No new signage is proposed on the site development plan for building permit. However, an existing on-premise sign is identified at the southeastern corner of the subject site (See site visit photos for more details) a note should be added to the keyed note section indicating whether the sign is to remain and, if so, provide dimensions of the sign area and height.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City Departments and other agencies reviewed this application from 11/3/14 to 11/14/14. Zoning Enforcement has requested an approved shared parking agreement per the Zoning Code. The Metropolitan Redevelopment Agency submitted comments supporting the proposed project.

The most significant comment was submitted by The City Engineer & Department of Municipal Development stating that the proposed shared parking does not meet the required 500 ft. from the building or use it serves measured following a reasonable and safe walking route from the main entrance of the building or use to the parking area in question. Staff suggests that a pedestrian refuge be installed between 6th street and the shared parking area and possibly a painted cross walk at the owner's expense as an attempt to meet the reasonable and safe walking route requirements.

In addition, the Engineering & Department of Municipal Development stated that the Shared Parking Matrix is not legible on the plans, and that a full analysis of the parking is needed showing how the shared parking provides sufficient parking for all applicable facilities.

Neighborhood/Public

The Wells Park Neighborhood Association, Sawmill Community Land Trust and The North Valley Coalition were all notified of this request. Staff received an email correspondence of support from the Wells Park Neighborhood Association. The request was recommended for facilitation by the Office of Neighborhood Coordination, however a No Meeting Report was submitted by the facilitator due to the Wells Park Neighborhood Association Board voting to support the proposed project. The No Meeting Report is attached to this report for reference. There is no known neighborhood opposition to this request.

V. CONCLUSION

This request is for a sector development plan map amendment (zone change) and an associated, “as built” site development plan for building permit for an approximately 0.63 acre site located at 608 McKnight Ave. NW. The applicant proposes to change the subject site’s zoning from S-MI to SU-2 for SU-1 for S-MI and Brewery including on and off premise sale of beer and wine.

Staff concludes that the applicant has adequately justified the sector development plan map amendment (zone change) pursuant to R270-1980. Overall, the request generally furthers relevant Comprehensive Plan, Sector Development Plan, and MRA Plan policies. Conditions of approval are needed to create compliance with some SU-2 General Regulations and to clarify items on the associated site development plan for building permit.

A facilitated meeting was recommended but a No Meeting Report was submitted. Staff received an email correspondence support from the Wells Park Neighborhood Association.

Staff recommends conditional approval of the sector development plan map amendment (zone change) and the associated site development plan for building permit.

FINDINGS - 14EPC-40073, December 11, 2014- Sector Development Plan Map Amendment (zone change)

1. This request is for a sector development plan map amendment (zone change) to the Sawmill/Wells Park Sector Development Plan (SWPSDP) for Lot 1-A, Block 2, Plat of Lot 1-A Block 2, Hill Acres Subdivision, an approximately 0.63 acre site located on 6th St. NW between McKnight Ave. and Bezemek Ave. NW (608 McKnight Ave. NW)
2. The sector development plan map amendment (zone change) request is for a change from S-MI (Sawmill Mixed Industrial) to SU-2/SU-1 for S-MI and Brewery including on and off premise sale of beer and wine and amend the SWPSDP to reflect this change.
4. The sector development plan map amendment (zone change) request is accompanied by a site development plan for building permit (14EPC-40072) as required pursuant to the SU-1 Zone, §14-16-2-22.
5. Because the subject site is not greater than 10 acres, the Environmental Planning Commission (EPC) is the approval authority per section 14-16-4-1 of the City Zoning Code. The subject request is not required to be transmitted to the City Council. This is a quasi-judicial matter.
6. The Albuquerque/Bernalillo County Comprehensive Plan, the Sawmill/Wells Park Sector Development Plan (SWPSDP), the Sawmill/Wells Park Community MRA Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The sector development plan map amendment (zone change) request furthers the following relevant Comprehensive Plan policies:
 - A. Policy II.B.6.b.: Upgrading efforts in neighborhoods within the Central Urban Area should be continued and expanded and linkages created between residential areas and cultural/arts/recreation facilities.

The request will allow the upgrade of the neighborhood through the adaptive reuse of an existing building. The proposed microbrewery will foster linkages between residents and services by creating a place of employment as well as a gathering space for residents to convene for recreational purposes.

The existing building on the subject site that is proposed to be redeveloped as a microbrewery and tap room is an upgrade for the Wells Park neighborhood because it will convert a currently non-utilized warehouse building to a space where local neighborhood residents as well as the general public can convene for recreational purposes. The creation of this type of public space will also

serve to enhance the character of the Wells Park neighborhood. Therefore, the request furthers Policy II.D.6.b.

- B. 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 is surrounded by manufacturing and warehouse uses and is therefore appropriately located. The proposed tap room will operate out of an existing building that was previously approved and therefore respects the existing neighborhood.

The uses surrounding the existing building are compatible with the use proposed with this application. Staff agrees that the proposed tap room and brewery use respects existing neighborhood values by creating a space for residents to convene for recreational purposes. The policy component of carrying capacities has been addressed via a shared parking agreement. The request furthers Policy II.B.5.d.

- C. Policy II.B.5.1: 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 project will utilize an existing building whose design has already undergone a review and approval process to ensure its compatibility with City plans and policies.

Staff agrees that the existing building has already been approved to ensure conformance with City plans and policies, and that the building design is appropriate to the Plan area which is Central Urban. The request furthers Policy II.B.5.1

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

The physical character of the Sawmill/Wells Park area is defined primarily by historic buildings and roadway design. The location of the proposed microbrewery is appropriate as it serves to rehabilitate a predominantly industrial area.

The proposal to rehabilitate an existing building into a space that provides employment opportunities and a community gathering space on a site that was previously utilized as a warehouse demonstrates redevelopment efforts that strengthen the historic neighborhood of Wells Park. The request furthers Policy II.B.5.o.

- E. Policy II.D.6.b.: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The request will allow for a new local microbrewery business to locate on the subject property.

The request furthers Policy II.D.6.b.-local business and recruitment, because it would contribute to the development of a local business.

- F. Policy II.D.6.d.: Tourism shall be promoted.

The request will add to the growing craft brewery business trend in Albuquerque. Bicycle brewery tours and annual brewery festivals are also a tourist attraction.

The referenced trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

8. The sector development plan map amendment (zone change) request partially furthers the following relevant Comprehensive Plan Goal and policy:

- A. Policy II.B.5i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The proposed microbrewery will provide new employment opportunities in the area. In addition, the proposed use is less intensive of a use than the existing industrial and M-1 permissive uses that are currently allowed in the area.

The potential employment opportunities that the proposed microbrewery will create compliments residential uses in the neighborhood. While staff agrees that the proposed use will be less intense than the heavier industrial uses currently existing in the area, the applicant has not sufficiently addressed the effects that brewing activities can produce with respect to odor that may have a direct impact on the nearby multifamily property to the west. Therefore, request partially furthers Policy II.B.5i.

9. The sector development plan map amendment (zone change) request generally fulfills the intent of the Area Character and History Conservation Action Plan and the Overall Economic Development Strategy of the Sawmill/Wells Park Sector Development Plan (SWPSDP).
10. The sector development plan map amendment (zone change) request generally fulfills the intent of the Redevelopment Plan Goals of the Sawmill/Wells Park Community MRA Plan.
11. The applicant has adequately justified the sector development plan map amendment (zone change) request pursuant to Resolution 270-1980:
- A. Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans, which the applicant has done in the response to Section C. It's also important to note that the proposed zone change is limited to specified uses and, as a change to an

- SU-1 zone, is dependent upon an associated site development plan. The response to Section A is sufficient.
- B. The requested sector development plan map amendment does not remove or change the existing permissive uses under the S-MI zone thereby stability of land use is maintained with this request. The response to Section 1.B is sufficient.
- C. Refer to Applicable Ordinances, Plans and Policies section beginning on page 3 of this report for applicant's response. The test under Section C is whether or not there is "significant conflict" with an adopted element of the Comprehensive Plan or other City master plan such as a sector development plan. Staff finds no significant conflict with either.
- D. Staff agrees that the applicant has demonstrated that the site is more advantageous to the community as articulated in the Comprehensive Plan (see section C). Since one of the key goals of the MRA designation is to correct conditions in neighborhoods within a municipality which "substantially inflict or arrest the sound and orderly development" within the City, this in turn demonstrates a public need for redevelopment of the subject site thus making it more advantageous to the community. The response to Section D is sufficient.
- E. Staff agrees that the proposed uses are less intense than the industrial and warehouse uses that are permissive under the current S-MI zone. The SU-1 designation also requires the future uses to be governed by an approved site development plan for building permit which the applicant has submitted with this application. The site development plan will also serve to ensure that none of the uses on the site are harmful to adjacent property. The response to Section E is sufficient.
- F. The request would not require major or un-programmed capital expenditures by the City. The response to Section F is sufficient.
- G. Staff agrees that the cost of land and other economic considerations are not a determining factor. The response to Section G is sufficient.
- H. Staff agrees that the subject site's location on a major street is not being used, in itself, as justification for the zone change. The response to Section H is sufficient.
- I. Staff: The SU-1 zone creates a spot zone by definition; however, it is required to be a justifiable spot zone according to reason 1) or reason 2). The applicant has demonstrated in the response to Section C that the proposed change would facilitate realization of the Comprehensive Plan, Sector Plan, and MRA Plan. The response to Section I is sufficient.
- J. Staff agrees that the request would not result in a strip zone. The subject site does not constitute a "strip of land along a street". The response to Section J is sufficient.
12. The Wells Park Neighborhood Association, Sawmill Community Land Trust and The North Valley Coalition were all notified of this request. Staff received an email correspondence of support from the Wells Park Neighborhood Association. The request was recommended for facilitation by the Office of Neighborhood Coordination, however a No Meeting Report was submitted by the

facilitator due to the Wells Park Neighborhood Association Board voting to support the proposed project. The No Meeting Report is attached to this report for reference. There is no known neighborhood opposition to this request.

RECOMMENDATION - 14EPC-40073, December 11, 2014

APPROVAL of 14EPC-40073, a request for a sector development plan map amendment (zone change) from S-MI (Sawmill Mixed Industrial) to SU-2/SU-1 SU-2/SU-1 for S-MI and Brewery including on and off premise sale of beer and wine for Lot 1-A, Block 2, Plat of Lot 1-A Block 2, Hill Acres Subdivision, an approximately 0.63 acre site Located on 6th St. NW between Mcknight Ave. and Bezemek Ave. NW (608 McKnight Ave. NW)

CONDITION OF APPROVAL - 14EPC 40073, December 11, 2014–Sector Development Plan Map Amendment

1. Final approval of the accompanying site development plan for building permit (14EPC-40073) is required by DRB.
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FINDINGS -14EPC-40072, December 11, 2014-Site Development Plan for Building Permit

1. The request is for a site development plan for building permit for Lot 1-A, Block 2, Plat of Lot 1-A Block 2, Hill Acres Subdivision, an approximately 0.63 acre site located on 6th St. NW between McKnight Ave. and Bezemek Ave. NW (608 McKnight Ave. NW). The subject site is within the boundaries of the Central Urban Area of the Comprehensive Plan, the Sawmill/Wells Park Community MRA Plan and the Sawmill/Wells Park Sector Development Plan (SWPSDP).
2. The request is accompanied by a sector development plan map amendment (zone change) request (14EPC-40073). The sector development plan map amendment request is justified pursuant to R270-1980.
3. The Albuquerque/Bernalillo County Comprehensive Plan, the Sawmill/Wells Park Sector Development Plan (SWPSDP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. The request furthers the following relevant Comprehensive Plan policies:
 - A. Policy II.B.6.b.: Upgrading efforts in neighborhoods within the Central Urban Area should be continued and expanded and linkages created between residential areas and cultural/arts/recreation facilities.

The request will allow the upgrade of the neighborhood through the adaptive reuse of an existing building. The proposed microbrewery will foster linkages between residents and services by creating a place of employment as well as a gathering space for residents to convene for recreational purposes.

The existing building on the subject site that is proposed to be redeveloped as a microbrewery and tap room is an upgrade for the Wells Park neighborhood because it will convert a currently non-utilized warehouse building to a space where local neighborhood residents as well as the general public can convene for recreational purposes. The creation of this type of public space will also serve to enhance the character of the Wells Park neighborhood. Therefore, the request furthers Policy II.D.6.b.

- B. 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 is surrounded by manufacturing and warehouse uses and is therefore appropriately located. The proposed tap room will operate out of an existing building that was previously approved and therefore respects the existing neighborhood.

The uses surrounding the existing building are compatible with the use proposed with this application. Staff agrees that the proposed tap room and brewery use respects existing neighborhood values by creating a space for residents to convene for recreational purposes. The policy component of carrying capacities has been addressed via a shared parking agreement. The request furthers Policy II.B.5.d.

- C. Policy II.B.5.1: 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 project will utilize an existing building whose design has already undergone a review and approval process to ensure its compatibility with City plans and policies.

Staff agrees that the existing building has already been approved to ensure conformance with City plans and policies, and that the building design is appropriate to the Plan area which is Central Urban. The request furthers Policy II.B.5.1

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

The physical character of the Sawmill/Wells Park area is defined primarily by historic buildings and roadway design. The location of the proposed microbrewery is appropriate as it serves to rehabilitate a predominantly industrial area.

The proposal to rehabilitate an existing building into a space that provides employment opportunities and a community gathering space on a site that was previously utilized as a warehouse demonstrates redevelopment efforts that strengthen the historic neighborhood of Wells Park. The request furthers Policy II.B.5.o.

- E. Policy II.D.6.b.: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The request will allow for a new local microbrewery business to locate on the subject property.

The request furthers Policy II.D.6.b.-local business and recruitment, because it would contribute to the development of a local business.

- F. Policy II.D.6.d.: Tourism shall be promoted.

The request will add to the growing craft brewery business trend in Albuquerque. Bicycle brewery tours and annual brewery festivals are also a tourist attraction.

The referenced trend within the City of Albuquerque is part of a larger initiative that was officially supported by the State of New Mexico Legislature during the 2014 legislative session. More specifically, Senator Tim Keller sponsored a Senate memorial whose intent is to bring a broader awareness to craft brewery businesses becoming a strong factor in promoting economic development and tourism in New Mexico. The request furthers Policy II.D.6.d.

8. The sector development plan map amendment (zone change) request partially furthers the following relevant Comprehensive Plan Goal and policy:

A. Policy II.B.5i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The proposed microbrewery will provide new employment opportunities in the area. In addition, the proposed use is less intensive of a use than the existing industrial and M-1 permissive uses that are currently allowed in the area.

The potential employment opportunities that the proposed microbrewery will create compliments residential uses in the neighborhood. While staff agrees that the proposed use will be less intense than the heavier industrial uses currently existing in the area, the applicant has not sufficiently addressed the effects that brewing activities can produce with respect to odor that may have a direct impact on the nearby multifamily property to the west. Therefore, request partially furthers Policy II.B.5i.

9. The sector development plan map amendment (zone change) request generally fulfills the intent of the Area Character and History Conservation Action Plan and the Overall Economic Development Strategy of the Sawmill/Wells Park Sector Development Plan (SWPSDP).

10. The sector development plan map amendment (zone change) request generally fulfills the intent of the Redevelopment Plan Goals of the Sawmill/Wells Park Community MRA Plan.

11. The Wells Park Neighborhood Association, Sawmill Community Land Trust and The North Valley Coalition were all notified of this request. Staff received an email correspondence of support from the Wells Park Neighborhood Association. The request was recommended for facilitation by the Office of Neighborhood Coordination, however a No Meeting Report was submitted by the facilitator due to the Wells Park Neighborhood Association Board voting to support the proposed project. The No Meeting Report is attached to this report for reference. There is no known neighborhood opposition to this request.

RECOMMENDATION - 14EPC-40072, December 11, 2014

APPROVAL of 14EPC-40072, a Site Development Plan for Building Permit for Lot 1-A, Block 2, Plat of Lot 1-A Block 2, Hill Acres Subdivision, an approximately 0.63 acre site located on 6th St. NW between Mcknight Ave. and Bezemek Ave. NW (608 McKnight Ave. NW), based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 14EPC 40072, December 11, 2014- 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 final approval, the applicant shall meet with the Staff planner to ensure that conditions of approval are met. Evidence of this meeting shall be provided at the time of application.
3. The Parking Calculations total number of required parking spaces (prior to reductions) shall be corrected to reflect the total of 47 spaces.
4. Notes shall be added to the Keyed Notes section identifying the location of the existing bus stop along 6th Street as well as a note stating that “A transit rider shelter shall be provided at the owner’s expense” (*These notations will enable to the applicant to qualify for the 15% “Bus Stop Credit” as indicated on the parking calculations section*).
5. Notes shall be added to the parking calculations indicating the number of bicycles that the existing bike rack for Keyed Note 27 can accommodate and that 2 motorcycle spaces will be provided as required by Section §14-16-3-1(B)(3) & (C)(1) of the City Zoning Code based on the 37 spaces provided. The site development plan for building permit shall also be updated to show the location of these required spaces.
6. A note shall be added to the Keyed Notes section identifying whether the existing razor wire above the gate over the existing 26 ft. driveway on to Bezemek Ave. southbound will remain or be removed.
7. A note shall be added to the Keyed Notes section indicating whether the existing on-premise sign is to remain, if so, dimensions and sign area and height shall also be provided.
8. A legally binding, duly executed and acknowledged, parking agreement between the owner of the parking area on the subject site and the owner of the building or use which is located on a different lot and served by the parking area shall be submitted prior to DRB final sign-off in accordance with Section §14-16-3-1(E)(6)(b)(4) - Mixed Use Shared Parking Reductions of the City Zoning Code.

9. CONDITIONS FROM THE CITY ENGINEER / TRANSPORTATION DEVELOPMENT:

- Show required parking spaces for handicapped parking. 3 handicapped parking spaces are required for over 35 parking spaces (NMBC Table 1106.1).
 - Provide curb ramps and curb ramp details at all access points from site to public rights of way.
 - Provide a 6-foot pedestrian pathway from the building to both the handicapped parking spaces and the public sidewalk.
 - Provide curb to separate the patio from the parking lot in addition to the fence surrounding the patio.
 - The Shared Parking Matrix is not legible on the copied set of plans. A full analysis of parking is needed, including how the shared parking provides sufficient parking for all applicable facilities.
 - Show the existing parking space dimensioning along the east side of the site.
 - Shared Parking Reduction: Shared parking facilities may be located no more than 500 feet from the building served, as measured, following a reasonable and safe walking route from the main entrance of the building to the parking area. This route must comply with ADA accessibility requirements. A recorded shared parking agreement, signed by the Planning Director, is required for all shared parking. The maximum reduction in number of parking spaces sharing the parking area is 20 percent. The proposed shared parking does not meet this criteria.
-
-

Vicente M. Quevedo
Planner

Notice of Decision cc list

cc:

Jerry Miller, Wells Park NA, 1715 5th St. NW, Albuquerque, NM 87102

David Cudney, Wells Park NA 1715 5th St. NW, Albuquerque, NM 87102

Wade Patterson, SCLT, P.O. Box 25181, Albuquerque, NM 87125

Annette Montoya, SCLT, P.O. Box 25181, Albuquerque, NM 87125

Kyle Silfer, North Valley Coalition, 1124 Western Meadows Rd. NW, Albuquerque, NM 87114

David Wood, 158 Pleasant NW, Albuquerque, NM 87107

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Project# 1006767- Please address parking on-site and shared parking agreement pg. 118 ref 14-16-3-1, Provide approved shared parking agreement ref 14-16-3-1(E)(6)(b)(6).

Office of Neighborhood Coordination

Wells Park NA (R)

Sawmill Community Land Trust

North Valley Coalition

11/3/14 – Recommended for Facilitation

11/14/14 – Assigned to Philip Crump

Long Range Planning

Project 1006767– Zone Change and SPBP - V. Quevedo

The request is for a sector development plan map amendment and a Site Development Plan for Building Permit. The site is within the Sawmill/Wells Park Sector Development Plan and Metropolitan Development Plan area. The site is currently zoned for light manufacturing, but does not allow sale of alcoholic drinks. The request would allow a brewery to have a tap room to sell alcoholic drinks for on-site and off-site consumption in the existing building.

Where is parking for patrons/customers? On-site and/or on adjacent properties?

Metropolitan Redevelopment Agency

The purpose of staff comments is to address the request for a Zone Map Amendment and an “as built” Site Plan for Building Permit for the property located at 602 McKnight Ave NW, in regards to Bow & Arrow Brewing Company Project #1006767.

1. The Metropolitan Redevelopment Agency acknowledges that the Project #1006767 is located in the Sawmill/Wells Park Metropolitan Redevelopment plan area.
2. The project site is identified as being in the Warehouse sub-area of the MR Plan. The impediments identified to redevelopment in the area are the number of junkyards and abandoned properties. The Plan supports providing activities/events to bring life to the area. Metropolitan Redevelopment supports this as part of Project #1006767 request.
3. Sawmill/Wells Park Metropolitan Redevelopment plan, redevelopment goals include:

- Maintain a scale of new retail/office or other commercial that preserves the character of area, supports living wage jobs for local residents, promotes New Mexican-owned businesses and protects workers and residents from negative environmental impacts.
- Develop commercial and industrial space that benefits the community with job creation and needed services.
- Support commercial and industrial revitalization, jobs and job training for local residents that do not conflict with other plan goals.
- Blend “old” and “new” into one unified neighborhood.

Metropolitan Redevelopment supports this as part of Project #1006767 request as it is supported in the redevelopment goals.

CITY ENGINEER & DEPARTMENT of MUNICIPAL DEVELOPMENT

Project # 1006767

SMI and Brewery

14EPC-40072 Site Development for Building Permit

14EPC- 40073 Amendment to Zone Map

City Engineer/Transportation Development:

- Show required parking spaces for handicapped parking. 3 handicapped parking spaces are required for over 35 parking spaces (NMBC Table 1106.1).
- Provide curb ramps and curb ramp details at all access points from site to public rights of way.
- Provide a 6-foot pedestrian pathway from the building to both the handicapped parking spaces and the public sidewalk.
- Provide curb to separate the patio from the parking lot in addition to the fence surrounding the patio.
- The Shared Parking Matrix is not legible on the copied set of plans. A full analysis of parking is needed, including how the shared parking provides sufficient parking for all applicable facilities.
- Show the existing parking space dimensioning along the east side of the site.
- Shared Parking Reduction: Shared parking facilities may be located no more than 500 feet from the building served, as measured, following a reasonable and safe walking route from the main entrance of the building to the parking area. This route must comply with ADA accessibility requirements. A recorded shared parking agreement, signed by the Planning Director, is required for all shared parking. The maximum reduction in number of parking spaces sharing the parking area is 20 percent. The proposed shared parking does not meet this criteria.

DMD Transportation Planning:

- Per the Long Range Roadway System Map, 6th St. is a Minor Arterial and per the Long Range Bikeway Systems Map, 6th St. is to contain a bicycle lane.

NMDOT:

- No objection to the request.

WATER UTILITY AUTHORITY

Utility Services

No comment or objection.

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION

Planning and Design

Project #1006767 – Lot 1-A, Block 2, Hill Acres Subdivision

14EPC-40072 – Site Development Plan for Building Permit

No comments. City Forester and Parks and Recreation Department agree that site is too constrained to require Street Trees along 6th Street.

14EPC-40073 – Amendment to Zone Map (Establish Zoning/Zone Change)

No comments.

Page 16, Bicycle routes do not require installation of bicycle lanes.

Open Space Division

Reviewed. No adverse comments.

City Forester

See Parks and Recreation planning and design comments above.

POLICE DEPARTMENT/Planning

EPC 1006767 – This project is in the Valley Area Command.

No Crime Prevention or CPTED comments concerning the proposed Amendment to Zone Map request at this time.

Site Development Plan For Building Permit:

- Proposed landscaping and exterior lighting should not be in conflict. Recommend large variety tree plantings be placed away from any future exterior pole lights. Once trees grow to maturity, they will reduce available illumination. All low-level bush variety plantings should be maintained no more than three feet off the ground
- Exterior property lighting should adequately illuminate all parking areas, walkways, building entrances, maintenance access points and common areas.
- A video surveillance system should be considered for the exterior of the property. Cameras should be positioned to view all vehicle access points, parking lots, walkways, building

entrances, maintenance access points and common areas. Each camera should be monitored and recorded for real-time and historical use.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved. Complies with SWMD Ordinance.

FIRE DEPARTMENT/Planning

No comments received.

TRANSIT DEPARTMENT

Project # 1006767 14EPC-40072 SITE DEVELOPMENT FOR BUILDING PERMIT. 14EPC-40073 AMENDMENT TO ZONE MAP (ESTABLISH ZONING/ZONE CHANGE) ALL OR PORTION OF LOT 1-A, BLOCL 2, HILL ACRES SUBDIVISION ZONED S-MI TO SU-2/SU-1 FOR SMI AND BREWERY INCLUDING ON/OFF SALE OF BEER AND WINE LOCATED ON 6 TH STREET NW ETWEEN MCKNIGHT AVE NW AND BEZEMEK AVE NW. APPROX 0.6 ACRES. (H-14)	Adjacent and nearby routes	Route #8, Menaul route, #92, Taylor Ranch commuter route, #93 Academy Route commuter route and #94, Unser commuter route pass the site on 6 th street.
	Adjacent bus stops	There is an existing bus stop adjacent to the property 86' south from the northwest corner of the property, serving the above-mentioned routes.
	Site plan requirements	None
	Large site TDM suggestions	None.
	Other information	None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

Hill Acres, Lot 1-A, Block 2, is located on 6th Street NW between McKnight Av NW and Bezemek Av NW. The owner of the above property requests approval of a Site Development Plan for Building Permit and a Zone Change from S-MI to SU-2/SU-1 for S-MI to allow for the development of Bow and Arrow Brewing Co. **This will have no adverse impacts to the APS district.**

MID-REGION COUNCIL OF GOVERNMENTS

Project# 1006767

MRMPO has no adverse comments.

For informational purposes, Fifth Street and Sixth Street are functionally classified as Existing Urban Minor Arterials.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Project #1006767 Zone Map Amendment and Site Development Plan for Bldg Permit (Bow & Arrow Brewery – 6th NW and McKnight NW)

PNM has no comments based on information provided to date.