



Environmental Planning Commission

***Agenda Number: 03
Project Number: 1010170
Case #: 14 EPC-40085
February, 12, 2015***

Staff Report

<i>Agent</i>	Consensus Planning
<i>Applicant</i>	Black Development One, LLC
<i>Request</i>	Zone Map Amendment
<i>Legal Description</i>	Tracts A and B Black Development One
<i>Location</i>	Coors Boulevard and Coors By-pass northwest
<i>Size</i>	2.35 acres
<i>Existing Zoning</i>	R-1
<i>Proposed Zoning</i>	C-2

Staff Recommendation

APPROVAL of 14 EPC 40082 based on the Findings beginning on Page 11.

***Staff Planner
Maggie Gould, Planner***

Summary of Analysis

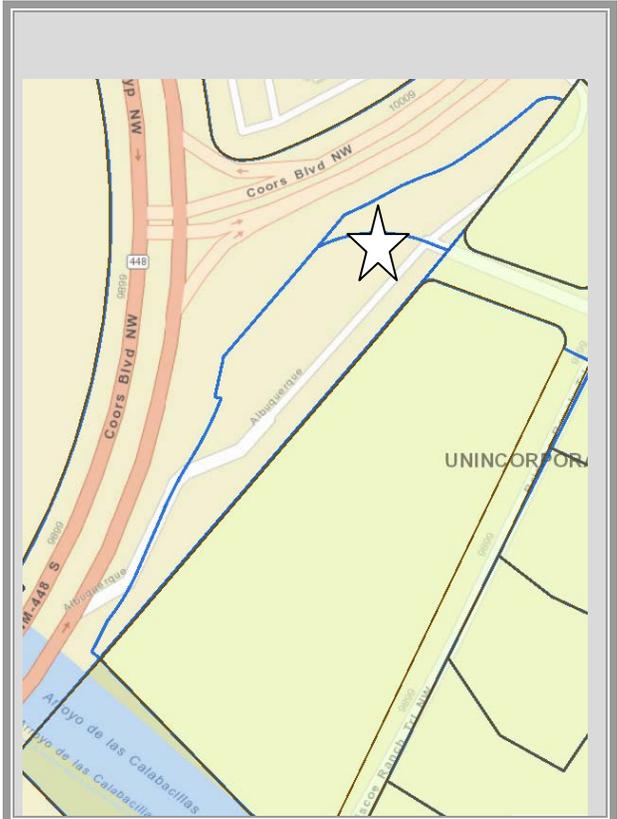
This is a request for a zone map amendment from R-1 to C-2 for tracts A and B of Black Development One located between Coors Boulevard and Coors Bypass NW containing approximately 2.35 acres.

The subject site was originally dedicated to the NM DOT as right of way for improvements to Coors Boulevard and Coors Bypass. The subject site is no longer needed for this purpose and has been platted, zoned R-1 and returned to the original owner. The site is with the boundaries of the Established Urban Area of the Comprehensive Plan, West Side Strategic Plan, Coors Corridor Plan and 7 Bar Sector Development Plan.

The applicant has justified this request pursuant to R-270-1980 as being due to changed conditions and as being beneficial to the community.

There is no known opposition to this request.

Staff recommends approval of the zone map amendment.



City Departments and other interested agencies reviewed this application from 01/05/15 to 01/16/15
Agency comments used in the preparation of this report begin on Page 17.

I. AREA CHARACTERISTICS

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	R-1	Established Urban, WSSP, 7 Bar Ranch, Coors Corridor Plan	vacant
North	SU-1 for regional shopping center	same	Commercial Retail
South	County A-1, with SU-1 permit for shopping center and auto sales and service	same	Commercial Retail
East	County A-1 with SU-1 permit for shopping center	same	Commercial Retail
West	SU-1	same	Commercial Retail

II. INTRODUCTION

Proposal

This is a request to change the zoning from R-1, single family residential use to C-2, community commercial use on a 2.35 acre site, tract A and B of Black Development One located northeast of the intersection of Coors Boulevard and Coors By-pass.

EPC Role

The EPC is hearing this case because the EPC is required to hear all zone map amendment 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), the SU-1 zone and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) then City Council 14-16-4-4-(A)(2). The case is a quasi-judicial matter.

History/Background

The subject site was donated to the New Mexico Department of Transportation (NMDOT) as right-of-way for a potential interchange of Coors Boulevard and Coors Boulevard by-pass. The NMDOT and the City did not construct an interchange and the property is no longer needed by the NMDOT or the City. The original donation of the property included a clause that allowed the property to revert back to the owner in the event that it was not needed. The land was platted by the owner and returned by the state in 2014.

New parcels without an existing zone are automatically assigned the R-1 zone pursuant to § 14-16-4-9(C), Official Zoning Map. This ensures that the new parcels will not have a use that is inappropriately intense when compared to surrounding properties.

Context

The site is directly adjacent to a car dealership and across Coors Boulevard from Cottonwood Mall. Coors Boulevard is developed with a wide range of commercial and services uses.

The residential use in the area is east of the existing car dealership and shopping center. There is no residential development adjacent to the site.

The proposed zoning will allow uses that are similar to and compatible with the existing uses in the area.

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 Coors By-pass as a Limited-Access Principal arterial.

The Long Range Roadway System designates Coors Boulevard as a Principal Arterial.

Cita road is a local street.

Comprehensive Plan Corridor Designation

Coors Boulevard is a Major Transit Corridor. The Major Transit Corridor prioritizes transit and pedestrian activity and allows for efficient movement of cars.

Trails/Bikeways

A bike path begins just north of the subject site along Coors Boulevard.

Transit

The 96 Crosstown Commuter and 155 Coors Boulevard buses stop approximately 400 feet north of the subject site along Coors Boulevard.

Public Facilities/Community Services

Refer to Public Facilities Map in the packet.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The R-1 zoning on the site would allow the development of single family housing on a lot with a minimum of 5,000 square feet and 50 feet in width. Lots that are 4,000 square feet and 40 feet

wide are allowed a part of a Family Housing Development or when vehicle access to the lot is only from an alley or rear yard. The R-1 zone allows accessory uses, such as recreational vehicle parking, as long as they are incidental to the residence and allows community residential program, public park and public school (see §14-16-2-6, R-1 Residential Zone for full list)

The C-2 zone allows a variety of commercial and services uses including office, restaurant with drive through service window, alcohol sales for on and off-premise consumption, off-premise sign and vehicle sales. Multi-family housing would be allowed on the site pursuant to §14-16-2-17-8, because the site is adjacent to a Major Transit Corridor.

The proposed zone will allow the development of commercial, service, office and similar uses. The existing R-1 zone allows commercial development only as a home occupation and is limited to 25% of the square footage of the dwelling area and only a small number of uses. The site is located at the confluence of two major roadways; this makes it an inappropriate site for single family development.

Albuquerque / Bernalillo County Comprehensive Plan

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

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

Applicable policies include:

Land Use

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

The proposed zone will allow development that is consistent with the surrounding development because it will be of a similar intensity. The site is subject to design regulations pursuant to the zoning code and the Coors Corridor plan that will address height, landscaping and similar issues so that the development respects scenic resources and natural conditions. The request 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 and where the integrity of existing neighborhoods can be ensured.

The subject site has access to a full range of urban services, (utilities, roads and other infrastructure) and is not adjacent to the residential area to the east. Future development on the site may offer additional services for residents without negatively impacting the neighborhoods. The request furthers Policy II.B.5.e.

Policy II.B.5. i:

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 zone will allow the development of a variety of commercial and service uses that may provide employment. The subject site is not adjacent to residential development. Future development on the site will comply with the regulations of the zoning code and the Coors Corridor plan, ensuring that the development will be compatible with the existing residential areas to the east. The request furthers Policy II.B.5. i.

Policy II.B.5. j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In free-standing retailing and contiguous storefronts along streets in older neighborhoods.

The proposed zone will allow new commercial development in an area already developed as a regional shopping area. The subject site is adjacent to property developed with a Special Use Permit for a Shopping Center and directly across Coors Boulevard from the Cottonwood Mall. The area surrounding Coors and By-pass has developed as a regional shopping area. The request furthers Policy II.B.5. j.

Activity Centers

Policy II.B.7. Activity Centers: The Goal is to expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

The proposed zoning will add additional commercial use and the possibility of high density housing in an activity center. The subject site sits within the boundaries of the Cottonwood Center as designated by the Comprehensive Plan. The request furthers the activity center goal.

Policy II.B.7.h: Changing zoning to commercial, industrial or office uses for areas outside the designated Activity Centers is discouraged.

The proposed zone would be a change from residential to commercial in the Activity Center. The request furthers Policy II.B.7.h.

Economic Development

Policy II.D.6a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The proposed zone will allow new commercial development which may lead to new jobs on the west side; an area where jobs and housing are not balanced. The request furthers Policy II.D.6.a.

Westside Strategic Plan (WSSP)(Rank 2)

The West Side Strategic Plan (WSSP) was first adopted in 1997 and recently amended in 2011 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The site is located within the Seven Bar Community which lies between the Calabacillas Arroyo and the County line and between the Rio Grande and an area slightly west of the Rainbow Boulevard corridor. The site is also located within the Regional Center designated as one of the area's major Employment Centers.

Relevant goals/policies include the following:

Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The proposed zone will allow the development of a variety of businesses that could provide job opportunities in an area with existing commercial development. The request furthers Plan Objective 8.

Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

The subject site is within the regional center as designated by the West Side Strategic Plan and the Cottonwood Center as designated by the Comprehensive Plan. The proposed zone will expand the possible employment uses in the area. The request furthers Policy 1.6

Policy 3.2: Multifamily development and non-residential development are appropriate in or near the Regional Center. These uses shall develop consistent with the clustered concepts described in this Plan, rather than as strip commercial. Single-family residential development shall be prohibited in the Regional Center. These residential uses are appropriate within the Seven Bar Community but must be located outside the Regional Center.

The subject site is within the regional center boundary. The proposed zone meets the intent of the plan to have multi-family or non-residential use in the regional center. The request furthers Policy 3.2

Coors Corridor Plan (Rank 3)

The Coors Corridor Plan (CCP) was adopted in 1984 and revised in 1989. It provides detailed design guidelines for the development of Coors Boulevard and adjacent properties from Central Avenue north to State Road 528 (Alameda Boulevard). The plan emphasizes Coors Boulevard

as a transit and pedestrian corridor. The subject property is in Segment 4, the Calabacillas Arroyo to Corrales Road/ NM 528. Relevant goals/policies include the following:

Issue 3 Land Use and Intensity of Development- Policy 1: Land Use decisions shall be made in accordance with adopted plans for the northwest mesa area.

The proposed zone is consistent with the applicable adopted plans for the area. The site is designated as a regional center in the WSSP. The uses would be consistent with the intent of the 7-Bar Sector Development Plan to have the area develop commercially.

Issue 3 Land Use and Intensity of Development- Policy 5 Development Intensity: The intensity of development shall be compatible with roadway function, existing zoning or recommended land use, environmental concerns and design guidelines.

The proposed zone will allow development that is similar to the existing development and is appropriate adjacent to the two major roadways. The design guidelines of the Coors Corridor Plan will apply to future development on the site. . The request furthers issue 3, policy 5.

Figure 36, recommended land use, does not specify a use for the area, but does recommend annexation into the city and inclusion in the plan so that the design guidelines will apply. This has already occurred.

The city is updating the Coors Corridor Plan. The plan contains design regulations, view preservation requirements and landscaping setbacks that will apply to the property. Future development on the site will subject to the version of the plan that is in place when the development occurs.

Seven Bar Ranch Sector Plan (Rank 3)

The 7 Bar Sector Plan was first adopted in 1985, and revised in 2005 and 2007. The Plan generally encompasses properties bounded by Golf Course Road, the Calabacillas Arroyo, the Rio Grande River, the Corrales Village limits and Westside Boulevard specific boundaries are shown on Exhibit 6 in the Plan. The main purpose of the Plan was to establish zoning and guide future development in the area. The plan does not contain specific design regulations, but encourages view preservation, natural landscaping and development reflective of southwestern style.

The proposed zoning would be consistent with the existing zoning established by the plan.

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 it will be consistent with the adjacent development and allow development on a currently vacant lot.

The proposed zone is consistent with the adjacent zoning and will allow uses that will be compatible with existing development. The request is not in conflict with the goals and policies of the applicable plans.

- 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 request will provide stability of land use because it will be consistent with the adjacent development. The existing zoning is not appropriate because it is not compatible with the adjacent zoning.

Staff agrees that existing R-1 zone is not appropriate on the site because the site is surrounded by commercial development on a major transit corridor and should be developed with a more intense use.

- 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.

The applicant has cited the following policies to justify the request:

Established Urban goal, Policy II.B.5.d, Policy II.B.5.e, Policy II.B.7.f, Policy II.B.7.h, II.D.4 goal, II.D.6.g,

West Side Strategic Plan policies 3.1 and 3.2, Coors Corridor Plan Issue 3, Policy 1, the applicant states that request is consistent with intent of the 7-Bar Sector Development plan to have commercial development in the area.

Staff agrees that the request is not in significant conflict with the applicable plans and that it further goals and policies of these plans. Staff believes that Policy II.B.5.i, Policy II.B.5. j, Activity Center goal and Policy II.D.6, also apply to the request.

See Policy Analysis Section which begins on page 2 for additional information.

- 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 subject site was previously NM DOT right of way and is now no longer NMDOT right of way. This is a changed condition. Also, the proposed zone is more advantageous to the community because it will enable a use that is consistent with the adjacent development and facilitate new development on a currently vacant lot.

Staff agrees that the reversion of the subject site back to the original owner after it was no longer needed as right of way constitutes a changed condition. As discussed in section B, the existing zone is not appropriate on the site and proposed zone will allow the site to develop with uses that are compatible with existing development. The proposed zone may allow development that will add to the jobs on the West Side and help address the jobs to housing balance.

- 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 uses in the C-2 zone would not be harmful to the adjacent properties because those properties are already developed with commercial uses.

Staff agrees that the uses in the C-2 zone are similar to and compatible with the existing development.

- 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.

Item F is not applicable because the request does not have an associated capital improvements or expenses.

The applicant is not asking for any funding from the City for this project. The costs of development will be the responsibility of the property owner or future developer.

- 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 is not using economic considerations as part of the justification.

The applicant has not cited cost as part of the justification. The request furthers goals and policies of the applicable plans.

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

The site's location at the intersection of two major roadways makes it inappropriate for single family development

The location on Coors Boulevard is part of the reason that the existing zone is not appropriate; however it is not the sole justification. The request furthers policies and goals of the applicable plans.

- 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.

This zone will clearly be a spot zone. The adjacent properties are zoned SU-1 or developed with a County Special Use Permit. The intention of the spot zone requirement is to prevent isolated, incompatible zoning. The request meets the intent of the requirement because the surrounding properties are developed with commercial uses that are comparable to the C-2 zone. The request clearly facilitates the goals and policies of the Comprehensive Plan.

The existing zone is not appropriate on the site. Staff agrees that the request facilitates goals and policies of the Comprehensive Plan, especially those regarding economic development and land use. The uses allowed in the adjacent special use zones are compatible with the existing development; however the SU-1 zone is not necessary on the site.

- 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.

As discussed in the section I above, the intent of this section is to prevent incompatible or inappropriate zoning and land use. Although the request will technically create a strip zone, it will be justified strip zone because it will clearly facilitate goals and policies of the Comprehensive Plan and will have uses that are similar to and compatible with the adjacent uses.

The existing use is not appropriate on the site. Staff agrees that the request facilitates goals and policies of the Comprehensive Plan, especially those regarding economic development and land use. The uses allowed in the adjacent special use zones are similar to and compatible with the existing development; however the SU-1 zone is not necessary on the site.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

There are no significant agency comments. City staff did contact Bernalillo County staff to make sure that they were aware of the request. The County had no objection to the zoning. Staff acknowledges the transportation comments but no right of way information or bike lane information is required with the zone map amendment. These issues will be addressed when the site is developed.

Neighborhood/Public

The Riverfronte Estates Neighborhood Association and Westside Coalition of Neighborhoods were notified. A facilitated meeting was not offered or requested. Staff has not received any comments from the affected neighborhood associations as of this writing.

City staff sent notification to property owners within 100 feet of the property. Staff has not received comments from any of the adjacent property owners.

V. CONCLUSION

The applicant proposes to change the zoning on the subject site from R-1, single family residential to C-2, Community Commercial. The applicant has justified the request per R-270-1980 as due to changed conditions and as being more advantageous to the community because it will allow compatible development with the surrounding development and may provide new commercial opportunities.

There is no known opposition to the request.

Because the applicant is requesting a "straight" zone (not a Special Use Zone), there are no conditions of approval. If the applicant chooses to replat the site this would occur through the Development Review Board.

FINDINGS – 14 EPC-40085- February 12, 2015- Zone Map Amendment

1. This is a request for a zone map amendment from R-1 to C-2 for tracts A and B of Black Development One located between Coors Boulevard and Coors Bypass NW containing approximately 2.35 acres.
2. The subject site was originally dedicated to the NM DOT as right of way for improvements to Coors Boulevard and Coors Bypass. The subject site is no longer needed for this purpose and has been platted, zoned R-1 and returned to the original owner.
3. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Coors Corridor Plan, 7 Bar Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
4. Future development on the site is subject to the Coors Corridor Plan. This plan is being updated and the site will comply with the version of the plan that is in place when a building permit is issued.
5. The subject site is within the Established Urban Area of the Comprehensive Plan and is also within a Major Activity Center, the Cottonwood Center. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

Land Use

- 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, recreational concern.

The proposed zone will allow development that is consistent with the surrounding development because it will be of a similar intensity. The site is subject to design regulations pursuant to the zoning code and the Coors Corridor plan that will address height, landscaping and similar issues so that the development respects scenic resources and natural conditions.

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

The subject site has access to a full range of urban services, (utilities, roads and other infrastructure) and is not adjacent to the residential area to the east. Future development on the site may offer additional services for residents without negatively impacting the neighborhoods. The request furthers Policy II.B.5.e.

- C. Policy II.B.5. i: 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 zone will allow the development of a variety of commercial and service uses that may provide employment. The subject site is not adjacent to residential development. Future development on the site will comply with the regulations of the zoning code and the Coors Corridor plan, ensuring that the development will be compatible with the existing residential areas to the east. The request furthers Policy II.B.5. i.

- D. Policy II.B.5. j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In free-standing retailing and contiguous storefronts along streets in older neighborhoods.

The proposed zone will allow new commercial development in an area already developed as a regional shopping area. The subject site is adjacent to property developed with a Special Use Permit for a Shopping Center and directly across Coors Boulevard from the Cottonwood Mall. The area surrounding Coors and By-pass has developed as a regional shopping area. The request furthers Policy II.B.5. j.

Activity Centers

- A. Policy II.B.7. Activity Centers: The Goal is to expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

The proposed zoning will add additional commercial use and the possibility of high density housing in an activity center. The subject sits within the Cottonwood Center as designated by the Comprehensive Plan. The request furthers the activity center goal.

- B. Policy II.B.7.h: Changing zoning to commercial, industrial or office uses for areas outside the designated Activity Centers is discouraged.

The proposed zone would be a change from residential to commercial in the Activity Center. The request furthers Policy II.B.7.h.

Economic Development

- A. Policy II.D.6: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The proposed zone will allow new commercial development which may lead to new jobs on the west side; an area where jobs and housing are not balanced. The request furthers Policy II.D.6.

6. The request furthers goals and policies of the West Side Strategic Plan:

- A. Plan Objective 8: Promote job opportunities and business growth in appropriate areas of the West Side.

The proposed zone will allow the development of a variety of businesses that could provide job opportunities in an area with existing commercial development. The request furthers Objective 8.

- B. Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

The subject site is within the regional center as designated by the West Side Strategic Plan and the Cottonwood Center as designated by the Comprehensive Plan. The proposed zone will expand the possible employment uses in the area. The request furthers Policy 1.6.

- C. Policy 3.2: Multifamily development and non-residential development are appropriate in or near the Regional Center. These uses shall develop consistent with the clustered concepts described in this Plan, rather than as strip commercial. Single-family residential development shall be prohibited in the Regional Center. These residential uses are appropriate within the Seven Bar Community but must be located outside the Regional Center.

The subject site is within the regional center boundary. The proposed zone meets the intent of the plan to have multi-family or non-residential use in the regional center. The request furthers Policy 3.2

7. The request furthers goals and policies of the Coors Corridor Plan:

- A. Issue 3 Land Use and Intensity of Development- Policy 1: Land Use decisions shall be made in accordance with adopted plans for the northwest mesa area.

The proposed zone is consistent with the applicable adopted plans for the area. The site is designated as a regional center in the WSSP. The uses would be consistent with the intent of the 7-Bar Sector Development Plan to have the area develop commercially.

- B. Issue 3 Land Use and Intensity of Development- Policy 5 Development Intensity: The intensity of development shall be compatible with roadway function, existing zoning or recommended land use, environmental concerns and design guidelines.

The proposed zone will allow development that is similar to the existing development and is appropriate adjacent to the two major roadways. The design guidelines of the Coors Corridor Plan will apply to future development on the site. The request furthers issue 3, policy 5.

8. The proposed zone is consistent with the intent of the 7 Bar Sector Development Plan.

9. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:

A. The proposed zone is consistent with the adjacent zoning and will allow uses that will be compatible with existing development. The request is not in conflict with the goals and policies of the applicable plans.

B. The request will provide stability of land use because it will be consistent with the adjacent development. The existing zoning is not appropriate because it is not compatible with the adjacent commercial development on a major transit corridor and should be developed with a more intense use.

C. The applicant has cited the following policies to justify the request:

Established Urban goal, Policy II.B.5.d, Policy II.B.5.e, Policy II,B.7.f, Policy II,B.7.h, II.D.4 goal, II.D.6.g,

West Side Strategic Plan policies 3.1 and 3.2, Coors Corridor Plan Issue 3, Policy 1, the applicant states that request is consistent with intent of the 7-Bar Sector Development plan to have commercial development in the area.

Staff agrees that the request is not in significant conflict with the applicable plans and that it further goals and polices of these plans. Staff believes that Policy II.B.5.i, Policy II.B.5. j, Activity Center goal and Policy II.D.6.a, also apply to the request.

D. The reversion of the subject site back to the original owner after it was no longer needed as right of way constitutes a changed condition. As discussed in section B, the existing zone is not appropriate on the site and proposed zone will allow the site to develop with uses that are

compatible with existing development. The proposed zone may allow development that will add to the jobs on the West Side and help address the jobs to housing balance.

E. The uses in the C-2 zone would not be harmful to the adjacent properties because those properties are already developed with commercial uses.

F. The applicant is not asking for any funding from the City for this project. The costs of development will be the responsibility of the property owner or future developer.

G. The applicant has not cited cost as part of the justification. The request furthers goals and policies of the applicable plans.

H. The site's location at the intersection of two major roadways makes it inappropriate for single family development. The location on Coors Boulevard is part of the reason that the existing zone is not appropriate; however it is not the sole justification. The request furthers policies and goals of the applicable plans.

I. This zone will clearly be a spot zone. The adjacent properties are zoned SU-1 or developed with a County Special Use Permit. The intention of the spot zone requirement is to prevent isolated, incompatible zoning. The request meets the intent of the requirement because the surrounding properties are developed with commercial uses that are comparable to the C-2 zone. The request clearly facilitates the goals and policies of the Comprehensive Plan.

J. As discussed in the section I above, the intent of this section is to prevent incompatible or inappropriate zoning and land use. Although the request will technically create a strip zone, it will be justified strip zone because it will clearly facilitate goals and policies of the comprehensive plan and will have uses that are similar to and compatible with the adjacent uses.

10. Coors Boulevard is under the Jurisdiction of the New Mexico Department of Transportation.

11. Site access and site layout will be determined when the site is developed.

12. Property owners within 100 feet of the site and the Riverfronte Estates NA and the Westside Coalition of NA's were notified. Staff has not received any comments from the public as of this writing.

RECOMMENDATION - 14EPC-40085 – February 12, 2015

APPROVAL of 14 EPC 40085, a request for Zone Map Amendment from R-1 to C-2 for tracts A and B of Black Development One, based on the preceding Findings.

***Maggie Gould
Planner***

Notice of Decision cc list:

Consensus Planning	302 8 th street NW	ABQ, NM	87102
Black Development One	3613 NM 528	ABQ, NM	87114

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No adverse comments.

Office of Neighborhood Coordination

Riverfronte Estates NA (R)

Westside Coalition of NA's

Long Range Planning

The request is for a zone map amendment from R-1 to C-2. The subject site is a remnant property from Coors Corridor right-of-way. It is surrounded by commercial land uses and SU-1 zones or SU-1 permits for adjacent County land. The current zone is inappropriate in this location.

Metropolitan Redevelopment Agency

CITY ENGINEER

Transportation Development

No objection to the request.

Hydrology Development

Transportation Planning

Per the Interim Long Range Roadway System map, both Coors By-Pass and Coors Blvd. are Principal Arterials (Coors By-Pass is limited access). Principal Arterials typically require a minimum R/W width of 156 feet. Without a site development plan or other drawings it is not possible to determine if additional R/W is needed, given that the existing R/W width on Coors Blvd. has not been identified. According to the Long Range Bikeway System map, Coors Blvd. north and south of the Coors By-Pass intersection is proposed to contain on-street bicycle lanes, which appear to be missing in front of the subject property

Traffic Engineering Operations

NMDOT:

No objection to the request.

WATER UTILITY AUTHORITY

Utility Services

Reviewed, No comment.

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION

Planning and Design

Reviewed, No comments

Open Space Division

OSD has reviewed and has no comments.

City Forester

POLICE DEPARTMENT/Planning

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

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Adjacent and nearby routes	Route #96, Crosstown Commuter route, and Route #155, Coors Route pass the site on Coors.
Adjacent bus stops	There is an existing bus stop on Coors, serving the above-mentioned routes, approx.400' north from north west corner of the property.
Site plan requirements	None
Large site TDM suggestions	None.
Other information	None

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

Reviewed, no comment.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.