



**Environmental  
Planning  
Commission**

*Agenda Number: 05  
Project Number: 1010693  
Case #: 15EPC-40070  
March 10, 2016*

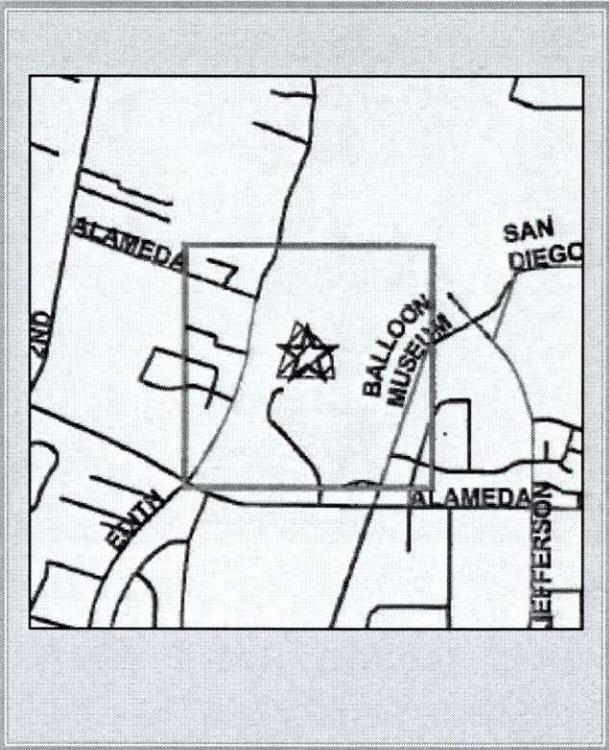
**Staff Report**

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	C & S Equities, LLC
<b>Request</b>	<b>Sector Development Plan Map Amendment (Zone Change)</b>
<b>Legal Description</b>	Tract 3B-3 plat of tracts 3B-1, 3B-2 & 3B-3 a subdivision of tracts 3B land of IHS acquisition# 120 Inc.
<b>Location</b>	On Horizon Blvd. between Alameda Blvd. & Balloon Museum Dr. NE
<b>Size</b>	Approximately 7.8 acres
<b>Existing Zoning</b>	SU-2 for Hospital & Medical or SU-2 C
<b>Proposed Zoning</b>	SU-2 for LMDR

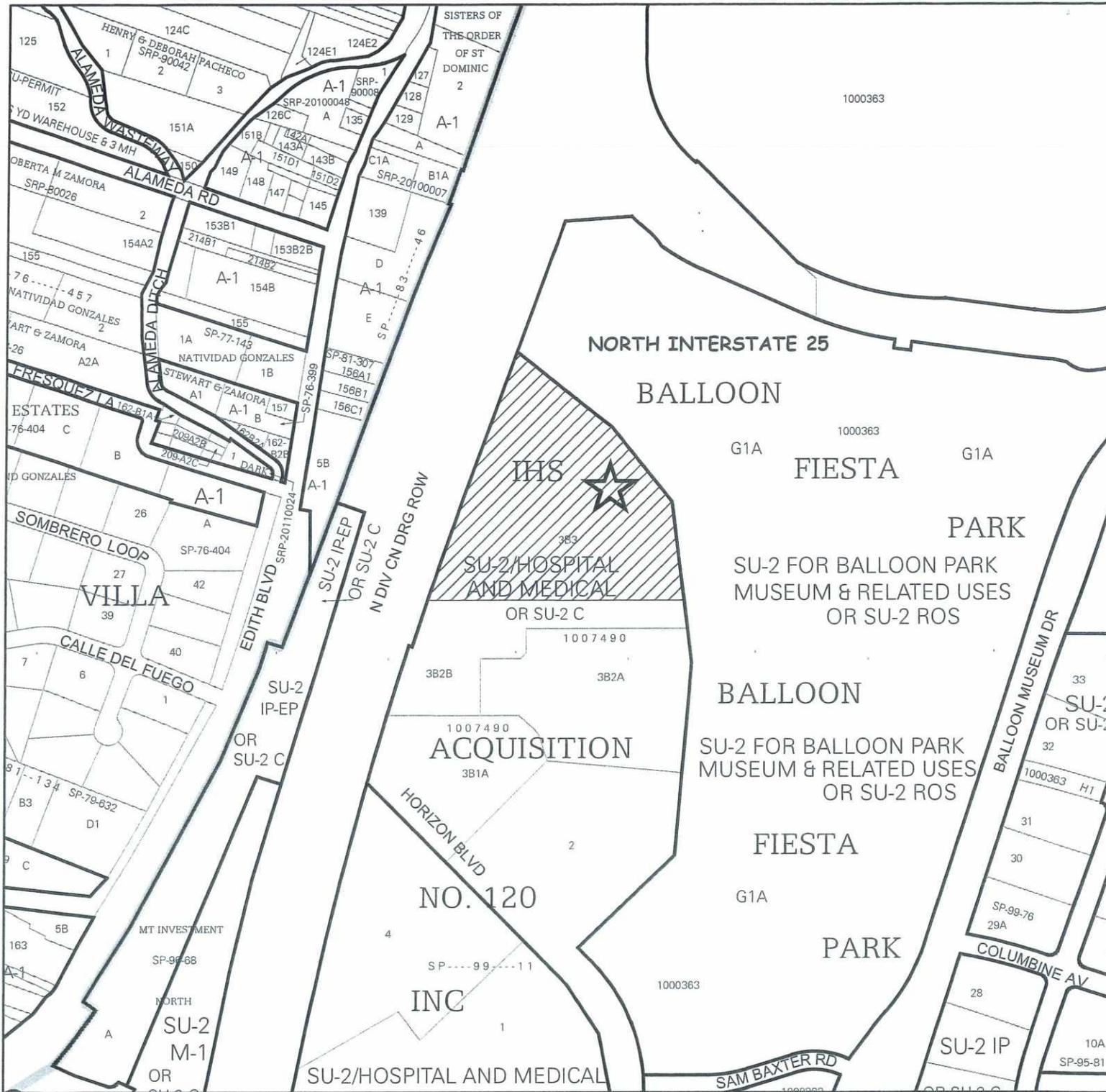
**Staff Recommendation**  
**DENIAL of Case #15EPC-40070 based on the Findings beginning on Page #22.**

**Staff Planner**  
*Vicente M. Quevedo, Planner*

**Summary of Analysis**  
 This request is for a Sector Development Plan Map Amendment for an approximately 7.8 acre site located on Horizon Blvd. between Alameda Blvd. and Balloon Museum Dr. NE. from SU-2 for Hospital & Medical or SU-2 Commerce to SU-2 for Low-Medium Density Residential (LMDR).  
 The site is located within the Developing Urban Area of the Comprehensive Plan as well as within the boundaries of the North Valley Area Plan and the North I-25 Sector Development Plan (SDP).  
 The applicant has not sufficiently justified the request per the requirements of R270-1980 as the request is in significant conflict with a preponderance of applicable goals and policies from the Comprehensive Plan, the North Valley Area Plan, and the North I-25 SDP.  
 This case has been deferred twice since the January 14, 2016 public hearing and there is known opposition to this request. Staff is recommending denial of the request based on the findings as outlined in the Staff Report.



City Departments and other interested agencies reviewed this application from 12/3/15 to 12/18/15  
 Agency comments used in the preparation of this report begin on Page #35.



## ZONING MAP

Note: Grey shading indicates County.



1 inch = 400 feet

Project Number:

1010693

Hearing Date:

01/14/2016

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Additional Case Numbers:

15-40070



# LAND USE MAP

Note: Grey shading indicates County.

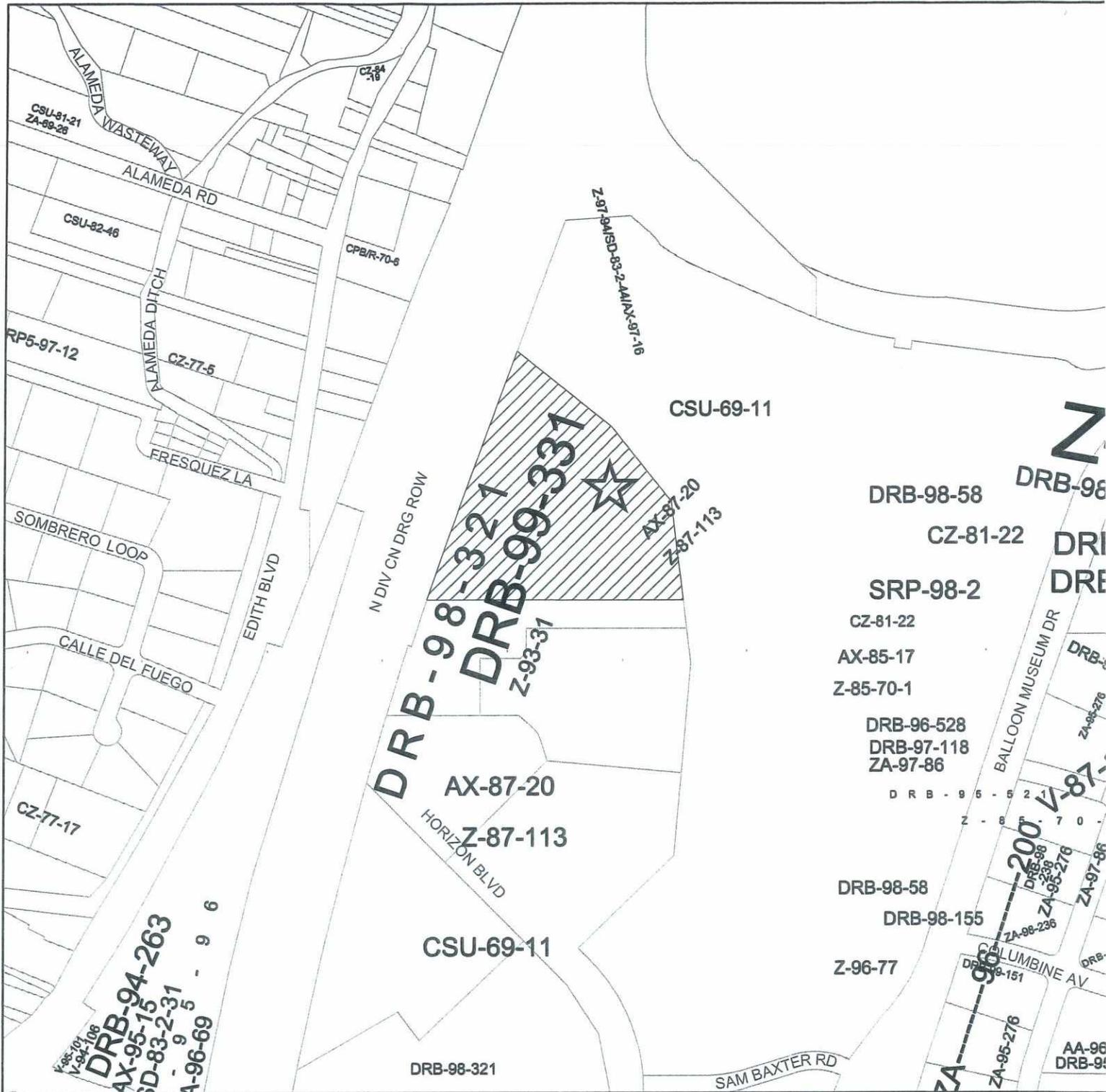
## KEY to Land Use Abbreviations

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



1 inch = 400 feet

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## HISTORY MAP

Note: Grey shading indicates County.



1 inch = 400 feet

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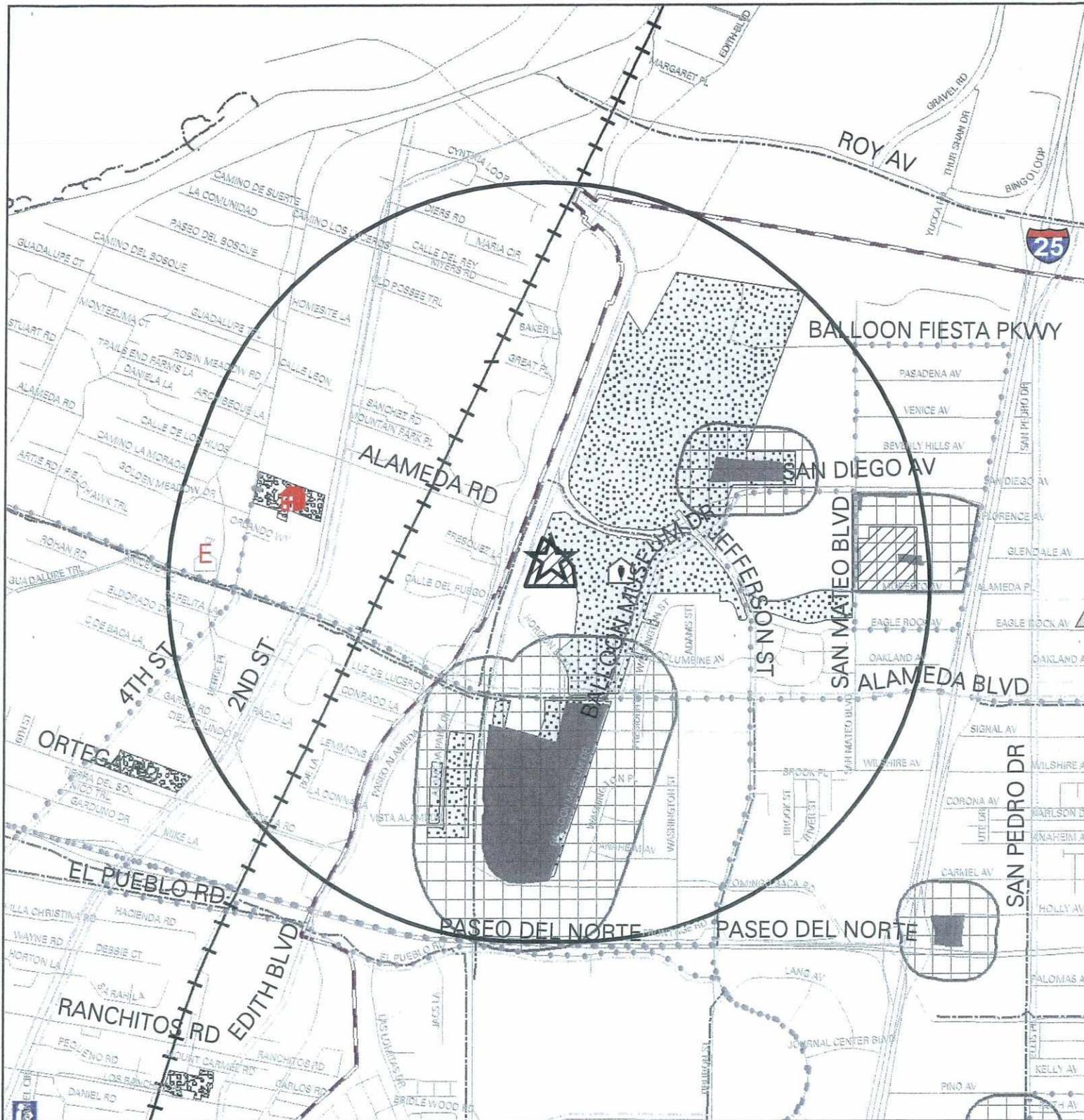
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Public Facilities Map with One-Mile Buffer

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

Project Number: 1010693



**I. AREA CHARACTERISTICS AND ZONING HISTORY**

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

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-2 for Hospital & Medical or SU-2 C	Developing Urban, North Valley Area Plan, North I-25 Sector Development Plan	Public / Institutional, Vacant
<b>North</b>	SU-2 for Balloon Park Museum & Related Uses or SU-2 ROS	Same	Parks / Recreation, Drainage Flood Control
<b>South</b>	SU-2 for Hospital & Medical or SU-2 CP	Same	Office & Assisted Living, Vacant
<b>East</b>	SU-2 for Balloon Park Museum & Related Uses or SU-2 ROS	Same	Museum, Regional Park / Recreation
<b>West</b>	Diversion Channel, (Unincorporated Area), R-1 & A-1	Same	Drainage Flood Control, Single Family & Rural Residential

**II. INTRODUCTION**

***Proposal***

This request is for a Sector Development Plan Map Amendment (Zone Change) for an approximately 7.8 acre site located on Horizon Blvd. between Alameda Blvd. and Balloon Museum Dr. NE. The subject site is currently zoned SU-2 for Hospital & Medical or SU-2 Commerce within the North I-25 Sector Development Plan boundary, and the applicant is requesting a change to SU-2 for Low-Medium Density Residential (LDMR). The applicant’s stated reason for the new zoning designation is to allow for the development of approximately 40 low density, single family detached residential lots / dwelling units.

***EPC Role***

The EPC is hearing this case because the EPC has the authority to hear all zone change cases, regardless of site size, in the City. The EPC is the final decision-making body for this request unless the EPC decision is appealed [Ref: §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***

On April 15, 1993 the EPC voted to recommend approval of annexation and establishment of SU-2 for Hospital and Related Uses for 24.44 acres of land located on the north side of Alameda Blvd. between the North Diversion Channel and Jefferson St. that included the subject site (AX-

93-2 / Z-93-31). The Albuquerque City Council voted to approve the annexation and establishment of zoning on November 15, 1993 (Bill No. O-144).

On February 17, 2010 the Albuquerque City Council voted to pass and adopt an update to the North I-25 Sector Development Plan (R-09-263, Enactment #R-2010-041). The update implemented a Land Use District Overlay for all 2,800 acres of the North I-25 SDP boundary and expanded upon the existing hospital and medical uses for the subject site through the inclusion of an optional SU-2 for C (Commerce) designation for the subject site.

Staff notes that a Pre-Application Review Team (PRT) meeting did not occur prior to the applicant submitting the application for the requested Sector Development Plan Map Amendment. Although PRT's are not always required, they are encouraged. The purpose of a PRT meeting is to help applicants acquire information about the process and requirements pertaining to their request. PRT discussions provide prospective applicants an opportunity to discuss development proposals and for a multi-division Staff team to advise applicants with regard to relevant City requirements, policies and procedures.

### ***Context***

The subject site is in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the North Valley Area Plan and North I-25 Sector Development Plan. The subject site is currently vacant and abuts the boundary of a designated Specialty Activity Center (that includes the Balloon Museum and Balloon Fiesta Park) to the northeast of the subject site. Specialty Activity Centers are intended to serve the needs of the entire population of the metro area as well as draw users statewide and nationally. The Eastdale baseball fields are also located east of the subject site.

In addition to abutting the boundary of a designated Specialty Activity Center, there are existing office and assisted living uses south of the subject site. To the west, the subject site abuts a diversion channel followed by single family and rural residential uses.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The LRRS designates Alameda Blvd. as a Regional Principal Arterial.

The LRRS designates Balloon Museum Dr. as a Major Collector.

The LRRS designates Horizon Blvd. as a Local Street.

### ***Comprehensive Plan Corridor Designation***

Alameda Blvd. is 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.

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

The Alameda Trail and a designated bicycle lane are located along Alameda Blvd. south of the subject site. The North Diversion Channel Trail is located along the diversion channel adjacent to the subject site to the west. The Balloon Museum Trail is also located east of the subject site.

### ***Transit***

Bus Route 98 (Wyoming Commuter) runs east to west along Alameda Blvd. south of the subject site, and Route 140 (San Mateo / Jefferson) runs north to south along Jefferson St. east of the subject site.

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

There is an elementary school and a community center located west of the subject site across from the North Diversion Channel. Northeast of the diversion channel is a developed City Park (Balloon Fiesta Park), a museum (Balloon Museum) and an Environmental Health Department (EHD) designated landfill. An additional designated EHD landfill is located south of the subject site and Alameda Blvd. Please refer to the Public Facilities Map in the packet for additional details.

## ***III. ANALYSIS***

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

#### ***North I-25 Sector Development Plan & Albuquerque Comprehensive Zoning Code***

The existing zoning for the subject site is SU-2 for Hospital & Medical or SU-2 Commerce. The permissive uses for the site include a hospital/medical facility or uses permitted within the existing North I-25 SDP Commerce District.

The Commerce District is intended to:

“Accommodate a variety of light industrial/business parks in campus-like settings, commercial support uses, corporate offices, high-tech uses and mixed use residential developments (second story and above only), warehousing, assembly and storage that occur in a closed building or screened yard.”

The SU-2 Commercial district also allows IP Zone permissive and conditional uses as well as certain M-1 Zone permissive uses with exceptions.

The proposed zoning is SU-2 for Low-Medium Density Residential (LMDR):

“The intent of the LMDR Land Use District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area (Pg. 26, North I-25 SDP).”

Permissive uses within the North I-25 LMDR Land Use District include R-1 (Residential), R-LT (Residential Limited Townhouse), and R-T (Residential Townhouse) Zone Permissive and

Conditional Uses. Development proposals within the North I-25 SDP boundary must also meet all applicable design regulations contained within Section 4.2 of the plan.

***Albuquerque / Bernalillo County Comprehensive Plan (Rank I)***

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

The subject site is located in the area designated Developing Urban by the Comprehensive Plan. Applicable goals and policies include:

II.B.5. Developing Urban Area:

The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

*This project will provide a new gated community as a housing option at the dead end of Horizon Boulevard and in an area surrounded by a large park. The property is adjacent to an office and assisted living facility that generates little noise or traffic. The site is isolated and private, yet has access to services a short distance away.*

***Staff notes that the subject site abuts a Comprehensive Plan designated Specialty Activity Center (that includes the Balloon Museum / Balloon Fiesta Park) along the northeastern boundary. A low density residential use on the subject site could be incompatible with existing and future public activities that occur within the Specialty Activity Center. Additionally, it is unclear how the proposed Sector Development Plan Map Amendment would fulfill the Developing and Urban Area goal of creating and perpetuating an integrated community if it is being described as "isolated and private." Therefore, the request does not further the Developing and Urban Area goal.***

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

*The proposed residential neighborhood is isolated and as such will not have any significant negative impact on any of the surrounding uses. The property will have excellent views to the north and east, will be located adjacent to an existing park and museum facility, and have access to regional trail facilities.*

***Staff agrees that the proposed use may include excellent views to the north and east. The applicant claims that the proposed residential use will not have any significant impact on surrounding uses. The applicant has not specifically demonstrated how the proposed single-family residential use will respect the existing, abutting Specialty Activity Center uses that provide resources of social, cultural and recreational concerns for the metro area and beyond. This is especially important in light of the comments received from the Parks and Recreation Department. Therefore, the request partially furthers Policy II.B.5.d.***

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

*The property is served by an existing street and has access to all necessary utilities. It is a vacant property and represents a unique infill opportunity.*

***The subject site is vacant and contiguous to existing infrastructure. The Comprehensive Plan defines a neighborhood as “an area of a community with characteristics that distinguish it from other community areas and which may include distinct ethnic or economic characteristics...” The community area in which the subject site is located is primarily defined by the distinguishing characteristic of the Special Activity Center that includes the Balloon Museum and Balloon Fiesta Park. The applicant has not specifically demonstrated how the integrity of the existing Specialty Activity Center can be ensured. Therefore, the request partially furthers Policy II.B.5.e.***

Policy II.B.5.m.: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

*The property will have excellent views to the north and east. The proposed project will be significantly lower than the current height restrictions of 39 feet to respect the needs of the Balloon Fiesta.*

***The applicant has provided a conceptual design layout as part of the project narrative and claims that the property will have excellent views to the north and the east, but there is no way to determine whether all of the lots shown on the conceptual plan will share the stated views. Any site development plan for building permit will not be heard by the EPC, but rather by the DRB per the North I-25 SDP requirements. The applicant appropriately cites the 39’ height restriction per the North I-25 SDP (Section 4.3 – Building Height Overlay, Pg. 38). Therefore, the request partially furthers Policy II.B.5.m.***

#### II.D.4 Transportation and Transit

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

*The access is from a landscaped boulevard that dead ends into the subject property. The site is within ½ mile to the trail connections at Alameda Boulevard with excellent roadway access to the interstate, north valley, and the West Side. Future residents will have relatively easy and pleasant access to these trail and transit services, thus encouraging their use.*

***The applicant cites the Transportation and Transit Goal, but has not demonstrated how the requested change of zone will contribute to the development of a corridor. While the applicant has cited nearby trail connections as part of the project narrative, the applicant has not explained how the requested action will contribute to the creation of a balanced circulation system or encourage alternatives to automobile travel. A balanced circulation system that***

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*benefits the area may be difficult to realize with low-density development due to the site's degree of isolation and Horizon Blvd, the site's only access, having no sidewalks. Therefore, the request does not further the Transportation and Transit Goal.*

Policy II.D.4.c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

*This project is located near an existing transit route (Route 98). The bus stops are currently just less than ½ mile from the property. This project will not in any way destabilize adjacent neighborhoods since it has excellent separation (both physically and distance) to other neighborhood areas.*

*According to the City of Albuquerque's advanced mapping software (AGIS) the nearest bus stop is .34 of a mile from the subject site along an Express Corridor; not a Major Transit or Enhanced Transit Corridor. While this stop would be close to any residential development per the existing or requested zoning, the applicant also states that the site has an excellent degree of separation from other residential areas. The applicant has not specifically demonstrated how single family dwelling units will not destabilize the adjacent Special Activity Center. Therefore, the request partially furthers Policy II.D.4.c.*

Policy II.D.4.g.: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

*Potential pedestrian and bike access points are proposed to Alameda's trails and transit services via Short Hop Rd. The location of these access points will need to be coordinated with the City Parks Department.*

*The applicant states that pedestrian and bike access points are proposed via Short Hop Rd. Short Hop Rd. is an AMAFCA controlled maintenance road and according to AMAFCA agency comments, AMAFCA will not issue a private access license to connect to Short Hop Rd. Additionally, the concept plan submitted by the applicant shows two gated pedestrian access points along the eastern boundary of the subject site. Parks and Recreation Department submitted agency comments stating: "The Parks & Recreation Department is also concerned about the applicant implying that residents would have an expectation of "pedestrian access points to the adjacent City Park" from their neighborhood. The Park is fenced and gated and like other City parks is locked at night. The proposed residents would be able to access the same public access gates as the public during park hours. No private access gates would be allowed." Existing pedestrian opportunities appear to be limited to the existing access road, Horizon Blvd., which does not have sidewalks. Therefore, the request does not further Policy II.D.4.g.*

#### II.D.5. Housing

The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

*The proposal represents a quality infill project within a general area with a limited variety of housing choices which are surrounded by commercial, industrial, and institutional uses. The residential opportunities in the area west of I-25 and north of Alameda Boulevard are currently very limited.*

***The subject site abuts the boundaries of a designated Specialty Activity Center which is the most intense type of activity center designation because it is intended to serve the needs of the entire population of the metro area as well as draw users statewide, nationally and internationally (Comprehensive Plan Activity Center Policy II.B. 7.f. requires low density residential development to be buffered from the most intense uses in all Activity Centers). The intent of the North I-25 SDP LMDR District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area. The existing SU-2 for Hospital & Medical or SU-2 Commerce zoning already allows residential as part of a mixed use development, which is more likely to be affordable housing. The proposed type of low density residential development would not increase the supply of affordable housing. Therefore, the request partially furthers the Housing Goal.***

Housing Policy II.D.5.b.: Quality and innovation in new housing design and construction shall be promoted and quality of existing housing improved through concentrated renovation programs in deteriorating neighborhoods.

*This small niche housing design will offer a unique lifestyle opportunity that is currently not available in this area of the City. A new high quality neighborhood will add to the vitality of this area and develop a currently vacant underutilized parcel. Vacant land is a deteriorating factor in our community and the City's plans recognize the positive contribution made by infilling these vacant properties.*

***Quality and innovation in new housing design and construction may result from the proposed zone change. But, the North I-25 SDP LMDR Land Use District restricts the types of uses being sought by the applicant on the subject site (see response to II.D.5. Housing Goal on page 6 and Analysis section on page 3 of staff report). Additionally, the applicant generally states that vacant land in and of itself equates to a deteriorating factor but has not provided any detailed evidence supporting this claim. Therefore, the request does not further Policy II.D.5.b.***

#### II.D.6. Economic Development

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

*The proposed development will diversify the area by adding an additional housing option and increasing population in an effort to balance jobs and housing and reduce the overall need to travel. This will also increase opportunities for other modes of transportation including bicycles and pedestrian modes.*

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*The additional low density housing option cited by the applicant is not ideally located next to an existing Specialty Activity Center as demonstrated per Comprehensive Plan Activity Center Policy II.B.7.f. The development of low density residential may help balance jobs and housing in the area and may provide short-term construction jobs, but the applicant does not discuss how the economic development uses of the abutting Specialty Activity Center would be balanced with other goals. Comments from the Parks and Recreation Department clearly highlight concern for the steady and diversified economic development associated with the adjacent Specialty Activity Center. Therefore, the request does not further the Economic Development Goal.*

Policy II.D.6.g.: Concentration of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

*The proposed community is situated so that it will be supportive and not negatively impacted by any of the adjacent non-residential uses. These uses will provide over 1,700 job opportunities for the residents in the nearby Jefferson and I-25 corridors.*

*The requested action is a Sector Development Plan Map Amendment to allow for low density residential development on the subject site which may help to balance jobs with housing in the area. But this action does not contribute to a concentration of employment within an activity center. The existing zoning allows more dwelling units that would better balance jobs with housing as well as additional employment. Therefore, the request does not further Policy II.D.6.g.*

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

*The housing will not be negatively impact tourism to Balloon Fiesta Park or Museum, but will be complimentary to these activities.*

*Tourism is generally understood to mean the practice of traveling for recreation. The Balloon Museum and year round events that take place at Balloon Fiesta Park are intended to promote tourism, draw users from around the state, nationally and internationally. The applicant has not shown how the low density residential uses next to the Specialty Activity Center will not detract from tourism and economic development in the Specialty Activity Center. Therefore the request does not further Policy II.D.6.d.*

Policy II.D.6.e.: A sound fiscal position for local government shall be maintained.

*Utilizing a vacant parcel with existing infrastructure at this location is a sound fiscal position.*

*The Balloon Museum and year round events that take place at Balloon Fiesta Park are intended to promote international tourism which generates revenues that helps the local Albuquerque government maintain a sound fiscal position. The applicant has not provided details addressing the Parks and Recreation Department's agency comments and demonstrate how the proposed use will aid in maintaining a sound fiscal position for local government. Therefore, the request does not further Policy II.D.6.e.*

II.C.9. Community Identity and Urban Design

The Goal is to preserve and enhance the natural and built characteristics, social, cultural, and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

Policy II.C.9.c.: The identity and cohesiveness of each community shall be strengthened through identification and enhancement of community Activity Centers that have a scale, mix of uses, design character, and location appropriate to the unique character of the community. (See also policies under “Activity Centers”)

*The project will provide a unique infill opportunity creating an additional housing option that will serve as an enhancement to the nearby Activity Center. The project will allow for additional uses in the community and maintain the character of the neighborhood through connectivity to the adjacent open space and commercial areas.*

***While the proposed Sector Development Plan Map Amendment may contribute to the identity of the community. The Comprehensive Plan and North I-25 SDP LMDR Land Use District restrictions do not support the proposed uses to be located on the subject site (see response to II.D.5. Housing Goal on page 6 and Analysis section on page 3 of staff report). The location of the Specialty Activity Center is a major determinant of the unique character of the community that currently does not include low-density residential. Therefore, the request does not further Policy II.C.9.c.***

Policy II.D.9.e.: Roadway corridors (collectors, arterials, enhanced Transit and Major Transit) within each community and that connect the community’s Activity Centers shall be designed and developed to reinforce the community’s unique identity; streetscape improvements to these roadways shall be designed to:

- Minimize water use
- Screen parking areas
- Create useful and attractive signage and building facades
- Facilitate walking safety and convenience

*The property is served by an existing landscaped boulevard that dead ends at the property. By utilizing this connection the property has access to all necessary utilities. Short Hop Rd. provides convenience and safety for pedestrians and bicycles as an alternative route to Alameda Blvd. trail and transit services.*

***The applicant cites a policy that is not directly applicable to the existing landscaped boulevard that dead ends at the property, because the policy citation specifically refers to collectors and arterials. The Long Range Roadway System map produced by the Mid-Region Council of Governments designates Horizon Blvd. as a local street. Horizon Blvd. has no sidewalks, which does not facilitate walking safety and convenience. Short Hop Rd. is an AMAFCA controlled maintenance road and according to AMAFCA agency comments, AMAFCA will***

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*not issue a private access license to connect to Short Hop Rd. Therefore, the request does not further Policy II.D.9.e.*

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 requested zoning would eliminate any opportunity for moderate or high-density mixed land use. The intent of the Activity Center designation is to provide areas for higher density housing and a mixture of retail/commercial/service and employment uses in close proximity to transit and bicycle and pedestrian access. According to the City of Albuquerque's advanced mapping software (AGIS) the nearest bus stop is .34 of a mile from the subject site. Horizon Blvd. does not contain sidewalks or landscaping thereby discouraging pedestrian or bicycle access. Therefore, the request does not further the Activity Center Goal.*

Policy II.B.7.j.: The City will structure capital expenditures and land use regulations in support of creating multi-use Activity Centers, and will promote ongoing public/private cooperation necessary for private market conditions that support the development and functioning of Activity Centers.

*This project does not require any City capital expenditures.*

*No capital expenditures are required by the City. Long Range Planning submitted agency comments stating: "Provide full disclosure of the scale and frequency of events and related effects of the existing Balloon Park facilities to all potential buyers to avoid complaints and issues with the City's existing campus." On Thursday February 25, 2016 the applicant submitted draft language that is proposed to become part of a private agreement between the developer and potential property owners in response to Long Range Planning agency comments. Staff notes that the EPC does not have any discretion to approve or enforce the private agreement submitted by the applicant. The request partially furthers Policy II.B.7.j.*

Policy II.B.7.f.: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

*The proposed residential development is far away from and disconnected from the more intense uses.*

*The existing intense uses within the designated Specialty Activity Center in this case are the Sports Facilities, Balloon Museum and Balloon Fiesta Park uses. The existing, less intensive SU-2 for Hospital & Medical or SU-2 Commerce zoning designation already serves as a transition area that buffers the existing residential development in the area. The intense Specialty Activity Uses cannot be relocated away from a new low-density residential*

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*development and/or buffered with a new transition area. Therefore, the request does not further Policy II.B.7.f.*

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

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

The NVAP establishes twelve overarching Goals (p. 5-6) and sets forth policies regarding land use and zoning for the area. Other policies provide guidance on air quality, wastewater, drainage, transportation, housing, village centers, community design, agriculture and rural character and implementation. The following Goals and policies apply to the request:

Housing Policy (Pg. 130):

- 1) The City and County shall stabilize land use to protect affordable housing and land presently zoned for housing.
- 2) The County and City shall encourage mixed use development and redevelopment which incorporates housing.

*This request for a Sector Plan Amendment will accommodate the development of a small, gated single family neighborhood on the subject site is beneficial to the community because it will add an additional housing option.*

***The subject site is currently zoned SU-2 for Hospital & Medical or SU-2 Commerce. The permissive uses for the site include a hospital/medical facility or uses permitted within the North I-25 SDP Commerce District including mixed use residential developments which would likely be more affordable than single-family dwelling units. The requested action is not required in order to protect land presently zoned for housing. The request is not required to encourage mixed use development which incorporates housing because the existing zoning already allows for mixed-use development. Therefore, the request does not further NVAP Housing Policy 1 or 2.***

***North I-25 Sector Development Plan (Rank III)***

The North I-25 Sector Development Plan (SDP) was first adopted in 1986, and revised in 2010. The Plan generally encompasses properties between Sandia Pueblo, Paseo del Norte, Louisiana Blvd, & Edith Blvd; specific boundaries are shown on Figure 1 in the Plan. The main purpose of the Plan is to guide the future development of the Sector Plan area as a regional employment center and to buffer residential development along the plans eastern boundary.

All properties within the SDP boundary have the SU-2 prefix which provides flexibility by allowing for additional uses within the different land use districts called out in the SDP. In

addition, the SU-2 designation in front of their zoning signifies that they are under control of the sector plan and must abide by the intent of this plan (2.4 Zoning, Pg. 15). Property owners have the choice of either developing per the underlying zoning or in accordance with the uses allowed in the SU-2 designated Land Use District Overlay.

The proposed zoning is SU-2 for Low-Medium Density Residential (LMDR):

“The intent of the LMDR District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area (Pg. 26).”

Furthermore, the Land Use Plan within the North I-25 SDP beginning on page 24 of the plan also states:

“This plan strongly discourages any zone change requests that are not in conformance with the land use districts contained herein (Pg. 24).”

*While we recognize that this policy language in the plan, we feel that this request is appropriate due to 1.) It's unique location, 2.) It's lack of visibility and through traffic from Alameda Blvd., 3.) The change is supported by nearby property owners, 4.) It furthers a preponderance of policies as outlined in this justification.*

***The request does not further a preponderance of applicable goals and policies as outlined in the staff report. The applicant has not provided details addressing the intent statement of the North I-25 SDP LMDR District or the Land Use Plan which do not allow for additional single-family to occur within the Plan area and strongly discourages zone change requests that are not in conformance with the land use districts contained within the plan. Therefore, the request does not further the intent of the North I-25 SDP LMDR District or Land Use Plan.***

The following goals and policies apply to the request:

Land Use Goal (Pg. 24):

Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.

*The proposed project will create temporary jobs during the construction period. The residential neighborhood will support the adjacent office and commercial uses in the area.*

***The intent of the LMDR Land Use District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area. The existing SU-2 for Hospital & Medical or SU-2 Commerce zoning designation already allows for appropriate mixed use residential development on the subject site and the requested change of zone is therefore not required to fulfill the land use goal. However, staff acknowledges that any type of appropriate residential development on the subject site would***

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*create temporary jobs during the construction period and may support adjacent office and commercial uses in the area. Therefore, the request only partially furthers the North I-25 SDP Land Use Goal.*

Policy LUZ2: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.

*New residents will add to the vitality of the neighborhood and plan area. Residents in an area add vitality since they will be there in the evening and weekends when the office buildings are vacant.*

*Staff agrees that additional dwelling units in the area may contribute to the vitality of the plan area. However, the North I-25 SDP is explicitly clear that the SU-2 LMDR zone is not appropriate for the subject site as outlined in the intent statement of that zone (Pg. 26 of the plan), which is to restrict additional single family residential to occur within the Plan area. Also, comments from the Parks and Recreation Dept. detail concerns for the steady and diversified economic development associated with the adjacent Specialty Activity Center. Therefore, the request does not further Policy LUZ2 because the requested land uses are not intended and not encouraged on the subject site.*

Policy LUZ3: Encourage a mix of uses that will balance the time and direction of traffic movements and promote other means of vehicular trip reduction so as to minimize increases in vehicular traffic produced by new development.

*While the current Commerce zone in the Sector Plan does allow mixed use with residential, it restricts residential to "second story and above" only. This parcel is located in an area with the height restricted to 39 feet, which would make vertical mixed use project infeasible in this location. Pedestrian and bicycle access to the site and the proximity to nearby trails and transit will promote walking, bicycling, and use of public transportation for the future residents.*

*The applicant states that the 39' height restriction outlined in the North I-25 SDP Building Height Overlay (Pg. 38) makes a vertical mixed use project infeasible but does not provide any details as to why this is the case. The site's location near trails and transit may promote trips by means other than the automobile, but this would be challenging as the only access road, Horizon Blvd., does not have any sidewalks. Therefore, the request does not further Policy LUZ3.*

***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 adopted plans.

***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 proposed zone change from SU-2 for C to SU-2 for LMDR will not jeopardize the health, safety, morals, and general welfare of the City. The proposed zoning will allow residential uses, and this request expands residential options in the area. The request is consistent with health, safety, and general welfare of the City as articulated in the above referenced plan policies.*

***Consistency with the City's health, safety, morals and general welfare is generally 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 not been able to demonstrate in the response to Section C. The response to Section A requires additional details and / or data to support the claim of consistency with plan policies.***

- 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 site is currently vacant and at the dead end of a landscaped boulevard. It is buffered from adjacent uses to the west, north, and east by the North Diversion Channel and a Regional Park. The request for residential use is appropriate since it furthers numerous City policies as provided above, specifically Comprehensive Plan policies addressing housing and infill; North Valley Area Plan housing policies, and North I-25 Sector Plan policies promoting vitality and mixed land uses.*

***The intent of the North I-25 SDP LMDR Land Use District is to "restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area (Pg. 26)." Comprehensive Plan Activity Center Policy II.B.7.f. states: "The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development." The subject site abuts a Specialty Activity Center. The applicant's claim that the activity center serves as a buffer to adjacent uses is not supported because Policy II.B.7.f. requires any potential low density residential development on the subject site to be buffered from the activity center itself. The existing less intensive (non-residential) SU-2 for Hospital & Medical or SU-2 Commerce zoning designation already serves as the transition area that buffers the existing residential development west of the subject site across the Diversion Channel and east of the little league fields. The type of proposed low density residential development is not appropriate for the subject site. The***

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*response to Section B requires additional details and / or data to support stability of land use and zoning, especially the existing land uses of the Balloon Fiesta Park.*

- 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 adopted elements of the Comprehensive Plan or other City master plan such as a sector development plan. Staff finds that the request is in significant conflict with adopted elements of the Comprehensive Plan, North Valley Area Plan and North I-25 SDP.*

- 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 property is an infill parcel that has excellent access to utilities, the roadway network, goods and services, transit, and recreational opportunities. The proposal furthers a number of goals and policies in the Comprehensive Plan, the North Valley Area Plan, and the North I-25 Sector Development Plan.*

*The Staff analysis beginning on page 4 of this report outlines how the proposal does not further a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans. In addition to the request being in conflict with numerous goals and policies, the applicant has not demonstrated why the requested use category for this property is more advantageous to the community when compared to other available properties. The applicant's response to Section D does not demonstrate how or why the existing zoning is inappropriate.*

- 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 zone change will not include any permissive uses that would be harmful to adjacent property, the neighborhood, or the community. Furthermore, the location of the property is in an area that is physically separated from most of the surrounding neighborhood and at the dead end of a beautiful landscaped boulevard. There are no issues created by the development of a residential neighborhood at this location that will cause adverse impacts related to noise, traffic, pollution, etc.*

*Staff notes that additional automobile traffic created by the proposed low density residential development or any development already allowed, has some potential to contribute to additional traffic congestion along Alameda Blvd., especially when the events outlined in the*

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*Parks and Recreation agency comments are occurring. While low density residential may create less traffic than mixed-use development, Comprehensive Plan Policy II.D.7.f. and the Land Use Plan contained within the North I-25 SDP do not support this type of residential development on the subject site next to a designated Specialty Activity Center. The North I-25 SDP LMDR Land Use District's intent restricts single-family residential development to existing neighborhoods and "strongly discourages any zone change requests" that are not in conformance with the designated land use districts outlined in the North I-25 SDP. And there are concerns about potential effects on the ongoing operations and activities of the Balloon Fiesta Park.*

- 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 zone change will not require major and un-programmed capital expenditures by the City.*

***Staff agrees that any development on the subject site will not require major and un-programmed capital expenditures by the City.***

- 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 are not the determining factor for this zone change request. The property is currently vacant and has been for a long time, which indicates that the current zoning is inappropriate and a change that results in development of the property is needed. The request is in effect a "downzone" of the property, which demonstrates that profit on the part of the property owner is not the primary consideration behind this request. The productive use of this property will benefit the community through the provision of gross receipts taxes generated through the development and construction phase of the project and increased property taxes once developed.*

***The Staff analysis beginning on page 4 of this report demonstrates that the request is in significant conflict with applicable goals and policies of the Comprehensive Plan and other applicable plans. The applicant's stated intent to "downzone" the property is not supportable because City adopted plans and policies discourage and restrict downzoning next to a Specialty Activity Center or outside the existing LMDR District boundaries within the North I-25 SDP. The applicant's response to Section F requires additional details and / or data to support the claim that the current zoning is inappropriate based on the length of time that the property has been vacant. Staff also notes that economic considerations appear to be a factor related to the requested change of zone (See attached email correspondence dated Wednesday February 24, 2016 from applicant to the Planning Department under the Additional Staff Information divider of the staff report).***

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

*The property is not located on a major street.*

***Staff agrees that the subject site is located on Horizon Blvd. which the Long Range Roadway System map produced by the Mid-Region Council of Governments designates as a local street.***

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

*The zone change request to SU-2 for LMDR is a spot zone; however, it helps realize goals contained in the Comprehensive Plan, the North Valley Area Plan, and the North I-25 Sector Plan. The unique location of this property (no visibility from Alameda and at the dead end of a street with no through or pass by traffic) makes it unsuitable for non-residential (office) uses. The requested residential zoning allows for a transition between the non-residential uses to the south to the park facilities to the north and east.*

***Staff agrees that the request constitutes a spot zone, but not a justifiable spot zone. Staff analysis beginning on page 4 of this report demonstrates that the proposal does not further a preponderance of applicable Goals and policies from the Comprehensive Plan, the North Valley Plan, or the North I-25 SDP, and therefore does not clearly facilitate realization of these adopted City Plans. Additionally, Comprehensive Plan Activity Center Policy II.B.7.f. requires any potential low density residential development on the subject site to be buffered from the activity center itself. The existing less intensive (non-residential) SU-2 for Hospital & Medical or SU-2 C zoning designation already serves as the transition area that buffers the existing residential development in the area.***

- 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.

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*The present zone change request is not considered “strip commercial zoning” because the request is for residential zoning, the property is not located adjacent to or along a street.*

*Staff agrees that the request does not constitute a strip zone because the request zoning is an unjustified spot zone for low density residential uses and the subject site is not a strip of land.*

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

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

Agency comments were submitted by the Long Range Planning Division (Pg. 33), Parks and Recreation Department - Planning and Design Division (Pg. 35), the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) (Pg. 39) and The COA Cultural Services Department (Pg. 41). Each agency commented on the impact that the year round events, noise, traffic and emissions generated from the abutting Specialty Activity Center (that includes the Balloon Museum and Balloon Fiesta Park) would have on future residents now and into the future if low density residential uses are allowed on the subject site.

Long Range Planning Division submitted agency comments stating that the applicant must demonstrate along with this request that there will be full disclosure of the scale and frequency of events and related effects of the existing Specialty Activity Center park facilities to all buyers in an attempt to avoid complaints and issues with the City’s existing campus. Long Range Planning also stressed the importance of continuous communication with the City Parks and Recreation & Cultural Services Departments. On Thursday February 25, 2016 the applicant submitted draft language that is proposed to become part of a private agreement between the developer and potential property owners in response to Long Range Planning agency comments. Staff notes that the EPC does not have any discretion to approve or enforce the private agreement submitted by the applicant.

The Parks and Recreation Department submitted agency comments outlining the full extent of year round events that currently take place at the Specialty Activity Center (including set up and tear down) and the potential impacts that traffic and noise generated from these events may have on any potential low density residential development on the subject site. According to the City’s Recreation Division 2015 data year to date shows that the total number of participants to the Balloon Fiesta Park and Event Center totaled 1,119, 671 participants with an estimated 373,000 cars to and from the Specialty Activity Center. The Balloon Museum held a total of 125 events that included 15-20 large scale events with 115,000 participants and 35,000 vehicles. Parks and Recreation submitted additional agency comments regarding the appropriateness of the zone change request with regard compliance with the requirements of R270-1980.

In addition, the City of Albuquerque Balloon Fiesta Park Master Development Plan (Adopted December 1998, Amended November 8, 2012) allows for additional recreation activities to occur at the expanded Balloon Fiesta Park, and provides guidance as to park priorities for additional development such as a proposed amphitheater. For these reasons, the Parks and Recreation Department agency comments urge the EPC to deny the requested Sector Development Plan Map Amendment for low density residential uses on the subject site. After applying the required

Current Planning Staff analysis beginning on page 4 of this report, staff is in agreement with the comments submitted by the Long Range Planning Division and Parks and Recreation Department – Planning and Design Division.

In response to a proposed pedestrian and bicycle connection to Short Hop Rd. AMAFCA stated “The request for a private trail connection to the east side of the North Diversion Channel (NDC) is denied. AMAFCA will not issue a private access license, nor would it be covered under the master trails license with the City since the maintenance road is not a designated trail.”

The COA Cultural Services Department submitted agency comments about full disclosure to potential residents selecting to live in an area that is heavily used by the public, as well as highlighting the large number of people, cars and school busses using Balloon Museum Dr. via Alameda Blvd. to the southeast of the subject site.

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

The Alameda North Valley Neighborhood Association, Wildflower Area Neighborhood Association, District 4 Coalition of Neighborhood Associations, and North Valley Coalition were all notified of this request, as well as property owners within 100 feet of the subject site. A facilitated meeting was not recommended or held. Staff has not received any correspondence from the notified neighborhood associations or coalitions and there is no known neighborhood opposition to this request.

Planning Staff received letters of support from Enterprise Builders Corporation, Westlake Horizon Blvd., LLC and OnPointe Healthcare (See attached).

## **V. CONCLUSION**

This request is for a Sector Development Plan Map Amendment (Zone Change) for an approximately 7.8 acre site located on Horizon Blvd. between Alameda Blvd. and Balloon Museum Dr. NE. The subject site is currently zoned SU-2 for Hospital & Medical or SU-2 Commerce and the applicant is requesting a change to SU-2 for Low-Medium Density Residential (LDMR). The applicant’s stated reason for the new zoning designation is to allow for the development of approximately 40 low density, single family detached dwelling units. The subject site is located within the Developing Urban Area of the Comprehensive Plan as well as within the boundaries of the North Valley Area Plan and the North I-25 SDP.

Staff notes that a Pre-Application Review Team (PRT) meeting did not occur prior to the applicant submitting the application for the requested Sector Development Plan Map Amendment. The purpose of a PRT meeting is to help applicants acquire information about the process and requirements pertaining to their request. PRT discussions provide prospective applicants an opportunity to discuss development proposals and for a multi-division Staff team to advise applicants with regard to relevant City requirements, policies and procedures.

The existing zoning for the subject site is SU-2 for Hospital & Medical or SU-2 Commerce. The permissive uses for the site include a hospital/medical facility or uses permitted within the North I-25 SDP Commerce District. The Commerce District is intended to accommodate a variety of light industrial/business parks in campus-like settings, commercial support uses, corporate

offices, high-tech uses and mixed use residential developments (second story and above only), warehousing, assembly and storage that occur in a closed building or screened yard. The SU-2 Commerce District also allows IP Zone permissive and conditional uses as well as certain M-1 Zone permissive uses with exceptions.

The proposed zoning is SU-2 for Low-Medium Density Residential (LMDR):

“The intent of the LMDR District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area (Pg. 26, North I-25 SDP).”

The subject site also abuts a Comprehensive Plan designated Specialty Activity Center that includes a Sports Facility, the Balloon Museum and Balloon Fiesta Park. The purpose of a Specialty Activity Center is to provide locations for unique attractions serving local, regional and statewide needs.

The applicant has submitted an R270-1980 justification narrative as required. However, Staff analysis beginning on page 3 of this report indicates that the request is in significant conflict with a preponderance of applicable goals and policies from the Comprehensive Plan, the North Valley Plan, and the North I-25 SDP, and therefore does not clearly facilitate realization of these adopted City plan policies.

The applicant has not demonstrated a specific public need that this request will fulfill, nor shown why this property is more advantageous to fulfilling a public need when compared to other available properties as required by R270-1980 in order to demonstrate that the existing zoning is inappropriate.

The applicant’s stated intent to “downzone” the property cannot be approved because City adopted plans and policies discourage the type of requested downzoning to be implemented next to a Specialty Activity Center (Comprehensive Plan Activity Center II.B.7.f.). The North I-25 SDP LMDR Land Use District’s intent is to restrict single family uses outside of the existing boundaries of the land use district (North I-25 SDP, Pg. 26).

The request does not constitute a justifiable spot zone because the applicant has not demonstrated that the request will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. According to all applicable plans and policies, the requested change of zone does not constitute a transition between adjacent zones because the Comprehensive Plan requires that any potential low density residential development on the subject site must be buffered from the activity center itself. The existing less intensive (non-residential) SU-2 for Hospital & Medical or SU-2 C zoning designation already serves as the transition area and therefore already fulfills the requirements of the Comprehensive Plan.

Agency comments were submitted by the Long Range Planning Division (Pg. 33), Parks and Recreation Department - Planning and Design Division (Pg. 35), the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) (Pg. 39) and The COA Cultural Services Department (Pg. 41). Each agency commented on the impact that the year round events, noise, traffic and emissions generated from the abutting Specialty Activity Center (that includes the

Balloon Museum and Balloon Fiesta Park) would have on future residents now and into the future if low density residential uses are allowed on the subject site.

Therefore, staff is recommending denial of the Sector Development Plan Map Amendment request from SU-2 for Hospital & Medical or SU-2 Commerce to SU-2 for Low-Medium Density Residential (LDMR) based on the findings contained within the staff report.

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***FINDINGS - 15EPC-40070 – March 10, 2016 – Sector Development Plan Map Amendment***

1. This is a request for a Sector Development Plan Map Amendment from SU-2 for Hospital & Medical or SU-2 for Commerce to SU-2 for Low-Medium Density Residential (LMDR) for Tract 3B-3 plat of tracts 3B-1, 3B-2 & 3B-3 a subdivision of tracts 3B land of IHS acquisition# 120 Inc., located on Horizon Blvd. between Alameda Blvd. & Balloon Museum Dr. NE and containing approximately 7.8 acres. This is considered a quasi-judicial matter.
2. The applicant's stated reason for the new zoning designation is to allow for the development of approximately 40 low density, single family detached residential lots / dwelling units.
3. On April 15, 1993 the EPC voted to recommend approval of annexation and establishment of SU-2 for Hospital and Related Uses zoning for the subject site (AX-93-2 / Z-93-31). The Albuquerque City Council voted to approve the annexation and establishment of SU-2 for Hospital and Related Uses zoning for the subject site on November 15, 1993 (Bill No. O-144).

On February 17, 2010 the Albuquerque City Council voted to pass and adopt an update to the North I-25 Sector Development Plan (R-09-263, Enactment #R-2010-041) which expanded upon the existing hospital and medical uses for the subject site through the inclusion of an optional SU-2 for C (Commerce) designation for the subject site.

4. A Pre-Application Review Team (PRT) meeting did not occur prior to the applicant submitting the application for the requested Sector Development Plan Map Amendment.
5. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, North I-25 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site abuts the boundary of a designated Specialty Activity Center (that includes the Balloon Museum and Balloon Fiesta Park).
7. Specialty Activity Centers are intended to serve the needs of the entire population of the metro area as well as draw users statewide and nationally.
8. All properties within the North I-25 Sector Development Plan (SDP) boundary have the SU-2 prefix. The SU-2 designation in front of each zoning designation signifies that they are under control of the sector plan and must abide by the intent of the plan.

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9. The intent of the North I-25 SDP LMDR Land Use District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area.
10. The North I-25 SDP strongly discourages any zone change requests that are not in conformance with the land use districts contained within the plan.
11. The subject site is within the Developing Urban Area of the Comprehensive Plan and is located next to a designated Specialty Activity Center. The request partially furthers the following applicable goals and policies of the Comprehensive Plan:
- A. Policy II.B.5.d.: The location, intensity, and design of new development shall respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.
- The proposed use may include excellent views to the north and east. The applicant claims that the proposed residential use will not have any significant impact on surrounding uses. The applicant has not specifically demonstrated how the proposed single-family residential use will respect the existing, abutting Specialty Activity Center uses that provide resources of social, cultural and recreational concerns for the metro area and beyond. This is especially important in light of the comments received from the Parks and Recreation Department. Therefore, the request partially furthers Policy II.B.5.d.*
- 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 is vacant and contiguous to existing infrastructure. The Comprehensive Plan defines a neighborhood as “an area of a community with characteristics that distinguish it from other community areas and which may include distinct ethnic or economic characteristics...” The community area in which the subject site is located is primarily defined by the distinguishing characteristic of the Special Activity Center that includes the Balloon Museum and Balloon Fiesta Park. The applicant has not specifically demonstrated how the integrity of the existing Specialty Activity Center can be ensured. Therefore, the request partially furthers Policy II.B.5.e.*
- C. Policy II.B.5.m.: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.
- The applicant has provided a conceptual design layout as part of the project narrative and claims that the property will have excellent views to the north and the east, but there is no way to determine whether all of the lots shown on the conceptual plan will*

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*share the stated views. Any site development plan for building permit will not be heard by the EPC, but rather by the DRB per the North I-25 SDP requirements. The applicant appropriately cites the 39' height restriction per the North I-25 SDP (Section 4.3 – Building Height Overlay, Pg. 38). Therefore, the request partially furthers Policy II.B.5.m.*

- D. Policy II.B.7.j.: The City will structure capital expenditures and land use regulations in support of creating multi-use Activity Centers, and will promote ongoing public/private cooperation necessary for private market conditions that support the development and functioning of Activity Centers.

*No capital expenditures are required by the City. Long Range Planning submitted agency comments stating: “Provide full disclosure of the scale and frequency of events and related effects of the existing Balloon Park facilities to all potential buyers to avoid complaints and issues with the City’s existing campus.” On Thursday February 25, 2016 the applicant submitted draft language that is proposed to become part of a private agreement between the developer and potential property owners in response to Long Range Planning agency comments. Staff notes that the EPC does not have any discretion to approve or enforce the private agreement submitted by the applicant. The request partially furthers Policy II.B.7.j.*

- E. Policy II.D.4.c.: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

*According to the City of Albuquerque’s advanced mapping software (AGIS) the nearest bus stop is .34 of a mile from the subject site along an Express Corridor; not a Major Transit or Enhanced Transit Corridor. While this stop would be close to any residential development per the existing or requested zoning, the applicant also states that the site has an excellent degree of separation from other residential areas. The applicant has not specifically demonstrated how single family dwelling units will not destabilize the adjacent Special Activity Center. Therefore, the request partially furthers Policy II.D.4.c.*

- F. II.D.5. Housing

The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

*The proposed low density residential housing option may be of good quality. But, the subject site abuts the boundaries of a designated Specialty Activity Center which is the most intense type of activity center designation because it is intended to serve the needs of the entire population of the metro area as well as draw users statewide, nationally and internationally (Comprehensive Plan Activity Center Policy II.B.7.f. requires low density residential development to be buffered from the most intense uses in all Activity*

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*Centers). The intent of the North I-25 SDP LMDR District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area. The existing SU-2 for Hospital & Medical or SU-2 Commerce zoning already allows residential as part of a mixed use development, which is more likely to be affordable housing. The proposed type of low density residential development would not increase the supply of affordable housing. Therefore, the request partially furthers the Housing Goal.*

12. The request does not further the following applicable goals and policies of the Comprehensive Plan:

A. II.B.5. Developing Urban Area:

The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

*The subject site abuts a Comprehensive Plan designated Specialty Activity Center (that includes the Balloon Museum / Balloon Fiesta Park) along the northeastern boundary. A low density residential use on the subject site could be incompatible with existing and future public activities that occur within the Specialty Activity Center. Additionally, it is unclear how the proposed Sector Development Plan Map Amendment would fulfill the Developing and Urban Area goal of creating and perpetuating an integrated community if it is being described as “isolated and private.” Therefore, the request does not further the Developing and Urban Area goal.*

B. II.D.4 Transportation and Transit

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

*The applicant cites the Transportation and Transit Goal, but has not demonstrated how the requested change of zone will contribute to the development of a corridor. While the applicant has cited nearby trail connections as part of the project narrative, the applicant has not explained how the requested action will contribute to the creation of a balanced circulation system or encourage alternatives to automobile travel. A balanced circulation system that benefits the area may be difficult to realize with low-density development due to the site’s degree of isolation and Horizon Blvd, the site’s only access, having no sidewalks. Therefore, the request does not further the Transportation and Transit Goal.*

- C. Policy II.D.4.g.: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

*The applicant states that pedestrian and bike access points are proposed via Short Hop Rd. Short Hop Rd. is an AMAFCA controlled maintenance road and according to AMAFCA agency comments, AMAFCA will not issue a private access license to connect to Short Hop Rd. Additionally, the concept plan submitted by the applicant shows two gated pedestrian access points along the eastern boundary of the subject site. Parks and Recreation Department submitted agency comments stating: "The Parks & Recreation Department is also concerned about the applicant implying that residents would have an expectation of "pedestrian access points to the adjacent City Park" from their neighborhood. The Park is fenced and gated and like other City parks is locked at night. The proposed residents would be able to access the same public access gates as the public during park hours. No private access gates would be allowed." Existing pedestrian opportunities appear to be limited to the existing access road, Horizon Blvd., which does not have sidewalks. Therefore, the request does not further Policy II.D.4.g.*

- D. Housing Policy II.D.5.b.: Quality and innovation in new housing design and construction shall be promoted and quality of existing housing improved through concentrated renovation programs in deteriorating neighborhoods.

*Quality and innovation in new housing design and construction would probably result from the proposed zone change. But, the North I-25 SDP LMDR Land Use District restricts the types of uses being sought by the applicant on the subject site (see response to II.D.5. Housing Goal on page 6 and Analysis section on page 3 of staff report). Additionally, the applicant generally states that vacant land in and of itself equates to a deteriorating factor but has not provided any detailed evidence supporting this claim. Therefore, the request does not further Policy II.D.5.b.*

- E. II.D.6. Economic Development

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

*The additional low density housing option cited by the applicant is not ideally located next to an existing Specialty Activity Center as demonstrated per Comprehensive Plan Activity Center Policy II.B.7.f. The development of low density residential may help balance jobs and housing in the area and may provide short-term construction jobs, but the applicant does not discuss how the economic development uses of the abutting Specialty Activity Center would be balanced with other goals. Comments from the Parks and Recreation Department clearly highlight concern for the steady and diversified economic development associated with the adjacent Specialty Activity Center. Therefore, the request does not further the Economic Development Goal.*

- F. Policy II.D.6.g.: Concentration of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

*The requested action is a Sector Development Plan Map Amendment to allow for low density residential development on the subject site which may help to balance jobs with housing in the area. But this action does not contribute to a concentration of employment within an activity center. The existing zoning allows more dwelling units that would better balance jobs with housing as well as additional employment. Therefore, the request does not further Policy II.D.6.g.*

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

*Tourism is generally understood to mean the practice of traveling for recreation. The Balloon Museum and year round events that take place at Balloon Fiesta Park are intended to promote tourism, draw users from around the state, nationally and internationally. The applicant has not shown how the low density residential uses next to the Specialty Activity Center will not detract from tourism and economic development in the Specialty Activity Center. Therefore the request does not further Policy II.D.6.d.*

- H. Policy II.D.6.e.: A sound fiscal position for local government shall be maintained.

*The Balloon Museum and year round events that take place at Balloon Fiesta Park are intended to promote international tourism which generates revenues that helps the local Albuquerque government maintain a sound fiscal position. The applicant has not provided details addressing the Parks and Recreation Department's agency comments and demonstrate how the proposed use will aid in maintaining a sound fiscal position for local government. Therefore, the request does not further Policy II.D.6.e.*

- I. II.C.9. Community Identity and Urban Design

The Goal is to preserve and enhance the natural and built characteristics, social, cultural, and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

- J. Policy II.C.9.c.: The identity and cohesiveness of each community shall be strengthened through identification and enhancement of community Activity Centers that have a scale, mix of uses, design character, and location appropriate to the unique character of the community. (See also policies under "Activity Centers")

*While the proposed Sector Development Plan Map Amendment may contribute to the identity of the community, even if described by the applicant as isolated and private, the Comprehensive Plan and North I-25 SDP LMDR Land Use District restrictions do not support the proposed uses to be located on the subject site (see response to II.D.5. Housing Goal on page 6 and Analysis section on page 3 of staff report). The location of the Specialty Activity Center is a major determinant of the unique character of the community that currently does not include low-density residential. Therefore, the request does not further Policy II.C.9.c.*

K. Policy II.D.9.e.: Roadway corridors (collectors, arterials, enhanced Transit and Major Transit) within each community and that connect the community's Activity Centers shall be designed and developed to reinforce the community's unique identity; streetscape improvements to these roadways shall be designed to:

- Minimize water use
- Screen parking areas
- Create useful and attractive signage and building facades
- Facilitate walking safety and convenience

*The applicant cites a policy that is not directly applicable to the existing landscaped boulevard that dead ends at the property, because the policy citation specifically refers to collectors and arterials. The Long Range Roadway System map produced by the Mid-Region Council of Governments designates Horizon Blvd. as a local street. Horizon Blvd. has no sidewalks, which does not facilitate walking safety and convenience. Short Hop Rd. is an AMAFCA controlled maintenance road and according to AMAFCA agency comments, AMAFCA will not issue a private access license to connect to Short Hop Rd. Therefore, the request does not further Policy II.D.9.e.*

L. 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 requested zoning would eliminate any opportunity for moderate or high-density mixed land use. The intent of the Activity Center designation is to provide areas for higher density housing and a mixture of retail/commercial/service and employment uses in close proximity to transit and bicycle and pedestrian access. According to the City of Albuquerque's advanced mapping software (AGIS) the nearest bus stop is .34 of a mile from the subject site. Only a concept plan was included as part of the project narrative showing bicycle and pedestrian access to transit facilities is proposed through Horizon Blvd. Horizon Blvd. does not contain sidewalks or landscaping thereby discouraging pedestrian or bicycle access. Therefore, the request does not further the Activity Center Goal.*

M. Policy II.B.7.f.: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

*The existing intense uses within the designated Specialty Activity Center in this case are the Sports Facilities, Balloon Museum and Balloon Fiesta Park uses. The existing, less intensive SU-2 for Hospital & Medical or SU-2 Commerce zoning designation already serves as a transition area that buffers the existing residential development in the area. The intense Specialty Activity Uses cannot be relocated away from a new*

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*low-density residential development and/or buffered with a new transition area. Therefore, the request does not further Policy II.B.7.f.*

13. The request does not further the following applicable goals and policies of the North Valley Area Plan:

A. Housing Policy (Pg. 130):

- 1) The City and County shall stabilize land use to protect affordable housing and land presently zoned for housing.
- 2) The County and City shall encourage mixed use development and redevelopment which incorporates housing.

*The subject site is currently zoned SU-2 for Hospital & Medical or SU-2 Commerce. The permissive uses for the site include a hospital/medical facility or uses permitted within the North I-25 SDP Commerce District including mixed use residential developments which would likely be more affordable than single-family dwelling units. The requested action is not required in order to protect land presently zoned for housing. The request is not required to encourage mixed use development which incorporates housing because the existing zoning already allows for mixed-use development. Therefore, the request does not further NVAP Housing Policy 1 or 2.*

14. The request partially furthers the following applicable goals and policies of the North I-25 Sector Development Plan:

A. Land Use Goal (Pg. 24):

Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.

*The intent of the LMDR Land Use District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area. The existing SU-2 for Hospital & Medical or SU-2 Commerce zoning designation already allows for appropriate mixed use residential development on the subject site and the requested change of zone is therefore not required to fulfill the land use goal. However, staff acknowledges that any type of appropriate residential development on the subject site would create temporary jobs during the construction period and may support adjacent office and commercial uses in the area. Therefore, the request only partially furthers the North I-25 SDP Land Use Goal.*

15. The request does not further the following applicable intent, goals and policies of the North I-25 Sector Development Plan:

- A. The proposed zoning is SU-2 for Low-Medium Density Residential (LMDR):

“The intent of the LMDR District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area (Pg. 26).”

Furthermore, the Land Use Plan within the North I-25 SDP beginning on page 24 of the plan also states:

“This plan strongly discourages any zone change requests that are not in conformance with the land use districts contained herein (Pg. 24).”

*The request does not further a preponderance of applicable goals and policies as outlined in the staff report. The applicant has not provided details addressing the intent statement of the North I-25 SDP LMDR District or the Land Use Plan which do not allow for additional single-family to occur within the Plan area and strongly discourages zone change requests that are not in conformance with the land use districts contained within the plan. Therefore, the request does not further the intent of the North I-25 SDP LMDR District or Land Use Plan.*

- B. Policy LUZ2: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.

*Staff agrees that additional dwelling units in the area may contribute to the vitality of the plan area. However, the North I-25 SDP is explicitly clear that the SU-2 LMDR zone is not appropriate for the subject site as outlined in the intent statement of that zone (Pg. 26 of the plan), which is to restrict additional single family residential to occur within the Plan area. Also, comments from the Parks and Recreation Dept. detail concerns for the steady and diversified economic development associated with the adjacent Specialty Activity Center. Therefore, the request does not further Policy LUZ2 because the requested land uses are not intended and not encouraged on the subject site.*

- C. Policy LUZ3: Encourage a mix of uses that will balance the time and direction of traffic movements and promote other means of vehicular trip reduction so as to minimize increases in vehicular traffic produced by new development.

*The applicant states that the 39' height restriction outlined in the North I-25 SDP Building Height Overlay (Pg. 38) makes a vertical mixed use project infeasible but does not provide any details as to why this is the case. The site's location near trails and transit may promote trips by means other than the automobile, but this would be challenging as the only access road, Horizon Blvd., does not have any sidewalks. Therefore, the request does not further Policy LUZ3.*

16. The applicant has not justified the zone change request pursuant to R-270-1980 as follows:

- A. Consistency with the City’s health, safety, morals and general welfare is generally 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 not been able to demonstrate in the response to Section C. The response to Section A requires additional details and / or data to support the claim of consistency with plan policies.
- B. The intent of the North I-25 SDP LMDR Land Use District is to “restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area (Pg. 26).” Comprehensive Plan Activity Center Policy II.B.7.f. states: “The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.” The subject site abuts a Specialty Activity Center. The applicant’s claim that the activity center serves as a buffer to adjacent uses is not supported because Policy II.B.7.f. requires any potential low density residential development on the subject site to be buffered from the activity center itself. The existing less intensive (non-residential) SU-2 for Hospital & Medical or SU-2 Commerce zoning designation already serves as the transition area that buffers the existing residential development west of the subject site across the Diversion Channel and east of the little league fields. The type of proposed low density residential development is not appropriate for the subject site. The response to Section B requires additional details and / or data to support stability of land use and zoning, especially the existing land uses of the Balloon Fiesta Park.
- 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 adopted elements of the Comprehensive Plan or other City master plan such as a sector development plan. Staff finds that the request is in significant conflict with adopted elements of the Comprehensive Plan, North Valley Area Plan and North I-25 SDP.
- D. The Staff analysis beginning on page 4 of this report outlines how the proposal does not further a preponderance of applicable Goals and policies from the Comprehensive Plan and other applicable plans. In addition to the request being in conflict with numerous goals and policies, the applicant has not demonstrated why the requested use category for this property is more advantageous to the community when compared to other available properties. The applicant’s response to Section D does not demonstrate how or why the existing zoning is inappropriate.
- E. Staff notes that additional automobile traffic created by the proposed low density residential development or any development already allowed, has some potential to contribute to additional traffic congestion along Alameda Blvd., especially when the events outlined in the Parks and Recreation agency comments are occurring. While low density residential may create less traffic than mixed-use development, Comprehensive Plan Policy II.D.7.f. and the Land Use Plan contained within the North I-25 SDP do not

- support this type of residential development on the subject site next to a designated Specialty Activity Center. The North I-25 SDP LMDR Land Use District's intent restricts single-family residential development to existing neighborhoods and "strongly discourages any zone change requests" that are not in conformance with the designated land use districts outlined in the North I-25 SDP. And there are concerns about potential effects on the ongoing operations and activities of the Balloon Fiesta Park.
- F. Any development on the subject site will not require major and un-programmed capital expenditures by the City.
- G. The Staff analysis beginning on page 4 of this report demonstrates that the request is in significant conflict with applicable goals and policies of the Comprehensive Plan and other applicable plans. The applicant's stated intent to "downzone" the property is not supportable because City adopted plans and policies discourage and restrict downzoning next to a Specialty Activity Center or outside the existing LMDR District boundaries within the North I-25 SDP. The applicant's response to Section F requires additional details and / or data to support the claim that the current zoning is inappropriate based on the length of time that the property has been vacant. Staff also notes that economic considerations appear to be a factor related to the requested change of zone (See attached email correspondence dated Wednesday February 24, 2016 from applicant to the Planning Department under the *Additional Staff Information* divider of the staff report).
- H. The subject site is located on Horizon Blvd. which the Long Range Roadway System map produced by the Mid-Region Council of Governments designates as a local street.
- I. The request does not constitute a justifiable spot zone. Staff analysis beginning on page 4 of this report demonstrates that the proposal does not further a preponderance of applicable Goals and policies from the Comprehensive Plan, the North Valley Plan, or the North I-25 SDP, and therefore does not clearly facilitate realization of these adopted City Plans. Additionally, Comprehensive Plan Activity Center Policy II.B.7.f. requires any potential low density residential development on the subject site to be buffered from the activity center itself. The existing less intensive (non-residential) SU-2 for Hospital & Medical or SU-2 C zoning designation already serves as the transition area that buffers the existing residential development in the area.
- J. The request does not constitute a strip zone because the request zoning is an unjustified spot zone for low density residential uses and the subject site is not a strip of land.
17. Agency comments were submitted by the Long Range Planning Division, Parks and Recreation Department - Planning and Design Division, The Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) and the COA Cultural Services Department.
18. Each agency commented on the impact that the year round events, noise, traffic and emissions generated from the abutting Specialty Activity Center (that includes the Balloon

Museum and Balloon Fiesta Park) would have on future residents now and into the future if low density residential uses are allowed on the subject site.

19. The City Council adopted Albuquerque Balloon Fiesta Park Master Development Plan (Adopted December 1998, Amended November 8, 2012) allows for additional recreation activities to occur at the expanded Balloon Fiesta Park and provides guidance as to park priorities for additional development.
20. The Alameda North Valley Neighborhood Association, Wildflower Area Neighborhood Association, District 4 Coalition of Neighborhood Associations, and North Valley Coalition were all notified of this request, as well as property owners within 100 feet of the subject site. A facilitated meeting was not recommended or held. Staff has not received any correspondence from the notified neighborhood associations or coalitions and there is no known neighborhood opposition to this request.
21. Planning Staff received letters of support from Enterprise Builders Corporation, Westlake Horizon Blvd., LLC and OnPointe Healthcare.
22. On Thursday February 25, 2016 the applicant submitted draft language that is proposed to become part of a private agreement between the developer and potential property owners in response to Long Range Planning agency comments.
23. The EPC does not have any discretion to approve or enforce the private agreement submitted by the applicant.

***RECOMMENDATION - 15EPC-40070 – March 10, 2016***

**DENIAL of 15EPC-40070, a request for a Sector Development Plan Map Amendment from SU-2 for Hospital & Medical or SU-2 Commerce to SU-2 for Low-Medium Density Residential (LMDR) for Tract 3B-3 plat of tracts 3B-1, 3B-2 & 3B-3 a subdivision of tracts 3B land of IHS acquisition# 120 Inc., based on the preceding Findings.**

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***Vicente M. Quevedo  
Planner***

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

Consensus Planning Inc., LLC, 302 8th St NW, Albuquerque, NM 87102  
Steve Wentworth, 8919 Boe Ln. NE, Albuquerque, NM 87113  
Larry T. Caudill, 4915 Watercress NE, Albuquerque, NM 87113  
Tony Perry, 4909 Watercress NE, Albuquerque, NM 87113  
Michael Pridham, 6413 Northland Ave. NE, Albuquerque, NM 87109  
Robert Stetson, 7112-154 Pan American Frwy NE, Albuquerque, NM 87109  
Kyle Silfer, P.O. Box 70232, Albuquerque, NM 87197  
Doyle Kimbrough, 2327 Campbell Rd. NW, Albuquerque, NM 87104

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### **Zoning Enforcement**

Reviewed, no adverse comments.

#### **Office of Neighborhood Coordination**

Alameda North Valley NA (R), Wildflower Area NA (R), District 4 Coalition of NA's, North Valley Coalition

#### **Long Range Planning**

Project # 1010693

- a. Applicant and potential future residents need to be advised of existing and planned Balloon Fiesta Park and Balloon Museum events and noise, traffic and associated vehicle emissions now and into the future.
- b. Recommend continuous communications with City Parks and Recreation and Cultural Services Departments to get a comprehensive schedule of events to share with developer, builder, and buyers.
- c. Provide full disclosure of the scale and frequency of events and related effects of the existing Balloon Park facilities to all potential buyers to avoid complaints and issues with the City's existing campus.

#### **Metropolitan Redevelopment Agency**

No comments received.

### ***CITY ENGINEER***

The City Engineer/Development Services Division (Transportation Section), the Department of Municipal Development (DMD) Transportation Planning Section, and the New Mexico Department of Transportation (NMDOT), have reviewed the proposed zone map amendments, site development plans, sector development plan amendments and annexation requests, and submit the attached comments.

#### **Project # 1010693 Horizon Blvd.**

15EPC-40070 Sector Plan Map Amendment (Zone Change)

City Engineer/Transportation Development:

- No Objection to the request.

New Mexico Department of Transportation (NMDOT):

- NMDOT has not comments.

#### **Hydrology Development**

Project number 1010693, Will require a full G&D plan review, meeting the following criteria and other criteria stated in the Development Process Manual Chapter 22 and the design guidelines given in Standard Specifications.. Staff Planner: Vicente Quevedo.

GENERAL HYDROLOGY CRITERIA:

- Beyond 10' of a structure, all landscape beds to be depressed below grade, within 10', runoff shall be directed away from the structure.
- All new development projects shall manage the runoff from precipitation which occurs during the 90<sup>th</sup> Percentile Storm Events, referred to as the "first flush." The Site Plan/Drainage Plan must indicate all areas and mechanisms intended to capture the first flush. For volume calculations, the 90<sup>th</sup> Percentile storm event is 0.44 inches. For Land Treatment D the initial abstraction is 0.1", therefore the first flush volume should be based on  $0.44'' - 0.1'' = 0.34''$  and only consider the impervious areas.
  - State how the first flush will be managed and supporting calculations
  - State the area of Land Treatment D on the plan
- The applicant may request a pre-design meeting with the Hydrology Section. First submit a Conceptual Grading and Drainage plan, and indicate on the DTIS sheet (**in large bold letters at the top**) that a pre-design conference is requested (DTIS sheet is the information sheet required for all Hydrology and Transportation submittals). The reviewer will contact the applicant to set up a meeting.
  - The engineer should research the Master Drainage Plan and/or adjacent sites – essentially practice due diligence prior to meeting. Conceptual Grading and Drainage plans should reference the master drainage plan or other sources that indicate the intended drainage for that area. **The applicant should provide excerpts from the supporting documents and/or grading plans.**
  - Final Drainage Reports should have an appendix with all supporting documentation
- When determining allowable discharge from a site
  - If a Master Drainage Report planned an allowable discharge for a site, determine if the basis for that discharge is still valid or if conditions have since changed.
  - If discharging to the street, determine if the street has capacity. Also determine if the storm drain has capacity.
  - If discharging to the back of inlets, determine if doing so will still provide capacity for the discharge from the street
  - When determining inlet capacity using the orifice equation, the area for a single grate should be 3.84 sq. ft.

**DEPARTMENT of MUNICIPAL DEVELOPMENT**  
**Transportation Planning**

Reviewed, no adverse comments.

**Traffic Engineering Operations**

Reviewed. No adverse comments.

**WATER UTILITY AUTHORITY**

**Utility Services**

Prior to preliminary plat approval, an executed availability statement must be executed. Requests shall be made at the following link: [http://www.abcwua.org/Availability\\_Statements.aspx](http://www.abcwua.org/Availability_Statements.aspx).

Requests shall include fire marshal requirements.

**ENVIRONMENTAL HEALTH DEPARTMENT**

No comments received.

**PARKS AND RECREATION**

**Planning and Design**

**Project#1010693 – All or a portion of Tract 3B-3, Lands of HIS Acquisition**

15EPC-40070 – Sector Plan Map Amendment (Zone Change)

The Parks and Recreation Department has reviewed this application and does not support the requested zone change from SU-2 C to SU-Z LMDR. The existing zoning appears to be compatible with the adjacent similarly zoned commercial uses. The applicant states that “the area that won’t be negatively impacted by the normal concerns of traffic and noise from adjacent non-residential uses (except during Balloon Fiesta).” The Parks and Recreation Department strongly disagrees.

The 2012 updated Balloon Fiesta Park Master Development Plan made no assumptions of a zone change from commercial uses to single family residential uses for any adjacent properties. Rather, it allowed for additional recreation activities to occur at the expanded Balloon Fiesta Park and provides guidance as to park priorities for additional development. The Parks & Recreation Department has already experienced an increase in activities at the Park as additional facilities are developed. The Department is presently developing a Traffic Control Plan for special events due to an anticipation of continuing increases in traffic during special events at all of the facilities at the Park.

As the property in this request is located adjacent to the Eastdale Little League facility, the Albuquerque Balloon Fiesta Park and Albuquerque Balloon Museum, it is important for the applicant and the Environmental Planning Commission to understand the number of events and number of attendees at events currently occurring at the Balloon Museum and the Balloon Fiesta Park throughout the year, not just during the 10 days of the Balloon Fiesta. The Balloon Fiesta Park is closed from September through October for setup and tear down before and after the event. The increase in activities for these two months include semi-trucks coming and going accessing the park through the AMAFCA channel road to the west of the proposed development along with many workers on-site erecting large tents, bringing in construction equipment and infrastructure for the set up for the vendors and pilots prior to the event. It is truly “an exercise in

building a village.” The RV campers begin to arrive well in advance of the events and many are set up across Alameda Blvd. at the “south parking lot” as well as on the south side of the Balloon Museum, the and east and north sides of the Park and south of the Event Center. Traffic increases accordingly during the months of September and October.

The following information is provided from the City’s Recreation Division as 2015 data year to date. The Event Center at Balloon Fiesta Park and the Balloon Museum hold large-scale events throughout the year as well as events outdoors in the Park itself. One hundred ninety (190) large events have been held at the Event Center and Balloon Fiesta Park in 2015. These events include large weddings and other private parties in the Event Center as well as the Friends and Lovers Balloon Rally in February, Fourth of July “Freedom Fourth” Festival, two Food Truck events in July and August, the Bacon Fest, Celtic Festival, New Mexico Wine Festival and Jingle Bell Balloon Rally in the Park, just to name a few. Now that the Sid Cutter Pilots Pavilion is open for use, 41 special events have already been scheduled to date for 2016 with an estimated 10,250 participants and 3,400 cars. To further explain the traffic and noise considerations of this location, the number of participants at the Balloon Fiesta Park and Event Center totaled 1,119,671 participants with an estimate of 373,000 cars to and from the site.

The Balloon Museum (not managed by the Parks & Recreation Department) held 125 events during 2015 including 15-20 large events with 115,000 participants and 35,000 cars.

The Parks & Recreation Department is also concerned about the applicant implying that residents would have an expectation of “pedestrian access points to the adjacent City Park” from their neighborhood. The Park is fenced and gated and like other City parks is locked at night. The proposed residents would be able to access the same public access gates as the public during park hours. No private access gates would be allowed.

This request would appear to create a “spot zone” isolated from other residential neighborhoods. It would not appear to “serve as a transition” as it is surrounded by commercial and park uses. A residential use is incompatible with existing and proposed future Regional and Community Park purposes. It is unreasonable for future residents of this proposed development to assume they would not be negatively impacted by additional events at both the Balloon Fiesta Park and the Balloon Museum outside of the 10 days of the Balloon Fiesta each year. The granting of this zone change would result in incompatible uses with predictable results. The Parks and Recreation Department urges you to deny this request.

**Additional agency comments received Wednesday March 2, 2016:**

The Parks and Recreation Department does not believe that the zone change request is in compliance with City Council Resolution 270-1980 as follows:

B. The Applicant's response regarding this criteria is that the existing zoning has not resulted in the development of the property. This can be said about many properties zoned in a variety of ways in the City since 2008 and should not be justification for this request. Although the City policies generally support mixed-use and additional housing choices, zoning changes should not be creating conflicts due to incompatible uses.

C. The existing zoning was considered when the City updated the Albuquerque Balloon Fiesta Park Master Development Plan in 2012. This Plan was approved by the Environmental Planning Commission and was sensitive to the needs of the existing residential neighborhoods to the east and west of the Park. The requested zoning would be in conflict with the adopted Balloon Fiesta Park Master Development Plan as the City would not be able to provide the same protections provided the existing neighborhoods to the west and to the east of the Park. during major events due to the location immediately south and adjacent the Park boundary. The Park has sited the stage sound to go to the north and to the south (south being the location of the proposed development), the City conducts noise monitoring and traffic routing through alternate streets (which this site does not have). Future improvements to the Park would include but not be limited to events with sound directed to the south. The applicant does not explain how it would not be in conflict with other city master plans including direct conflict with the goals and purposes of the Balloon Fiesta Park Master Development Plan.

E. The proposed rezoning would be harmful to the adjacent property owner, the City of Albuquerque, as the City could not provide the same protections to the neighborhood as far as traffic control, congestion, noise, or alternate access. During the Balloon Fiesta the pilots and crews utilize a dirt roadway immediately adjacent the proposed residential development and the area immediately north of the proposed residential development is intensely utilized for parking as allowed in the Master Plan for the Park. The Balloon Museum also offers numerous events with outdoor music and large numbers of attendees and vehicles. The impacts to the functioning of the Balloon Fiesta Park, the Albuquerque International Balloon Fiesta, the Balloon Museum special events or any other large event due to the new neighborhood would diminish the ability of the Park to function to its highest ability in the future.

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 statement that "the land is vacant for a long time indicates that the current zoning is inappropriate and a change that results in development of the property is needed" implies economic considerations or "current trends" are a determining factor.

I. The request fits the definition of a "spot zone" as "giving a zone different from surrounding zoning to one small area, especially when only one premise is involved." which in this case is one small parcel of land surrounded on three sides from a City Regional Park and on one side by commercial uses with the same existing zoning. The City Parks & Recreation Department believes that this request creates a "spot zone" and subsequent incompatible uses with predictable results that the City would not be able to address to residents satisfaction. Such a zone change and resulting residential development at the feet of the City's premier Regional Park could compromise the future expansion of the Park and the activities there along with the capital projects planned.

The Parks and Recreation Department has previously submitted comments that include the number of activities occurring at the Park, and at the Balloon Museum in addition to the Balloon Fiesta and the Parks and Recreation Development Plans' goals for expanding uses at the Park as well as developing another signature event in the future.

There is discussion about “transition” or “buffering” throughout the request. We believe that the existing zoning is the appropriate “transition” or “buffer” between the existing conditions and the Balloon Fiesta Park. The proposed “neighborhood” would not be needed as a “buffer between the Park and the existing commercial uses as the commercial zoning provides a “buffer” or “transition” between the existing commercial uses and the more intense commercial uses along Alameda.

This discussion does not address the impacts on the special events at the Balloon Museum whose parking lot is located immediately north and adjacent the proposed development. It also does not discuss the Eastdale Little League facility immediately east of the proposed development. Last but certainly not least is the capital expenditures that have been invested in the Park and the capital projects that are planned for the future.

**Open Space Division**

Reviewed, no adverse comments.

**City Forester**

No comments received.

***POLICE DEPARTMENT/Planning***

EPC 1010693 – This project is in the Valley Command.  
Reviewed, no adverse comments.

***SOLID WASTE MANAGEMENT DEPARTMENT***

**Refuse Division**

Reviewed, no adverse comments.

***FIRE DEPARTMENT/Planning***

No comments received.

***TRANSIT DEPARTMENT***

Reviewed, no adverse comments.

## ***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

No comments received.

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

P#1010693 - Amendment to North I-25 Sector Development Plan, (B-17)

15EPC-40070 No objection to zone change request. AMAFCA will review the grading and drainage plan for the future development. Stormwater discharge to the North Diversion Channel right-of-way

will require a permit with AMAFCA. If there is a pipe penetration into the channel, review by the U.S. Army Corps of Engineers will also be required. Owner should allow several months for Corps of Engineers review.

**Additional agency comments received Tuesday March 1, 2016:**

Re: EPC Project No. 1010693

The request for a private trail connection to the east side of the North Diversion Channel (NDC) is denied. AMAFCA will not issue a private access license, nor would it be covered under the master trails license with the City since the maintenance road is not a designated trail.

***ALBUQUERQUE PUBLIC SCHOOLS***

This will have impacts to North Star Elementary School, Desert Ridge Middle School, and La Cueva High School. Currently, all three schools have excess capacity.

Loc No	School	2015-16 40th Day	Capacity	Space Available
268	North Star ES	600	630	30
430	Desert Ridge MS	970	1085	115
525	La Cueva HS	1776	1950	174

**Residential Units: 31**

**Est. Elementary School Students: 8**

**Est. Middle School Students: 4**

**Est. High School Students: 4**

**Est. Total # of Students from Project: 16**

\*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

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

**Project #1010693**

In response to the Comprehensive Plan II.D.4 Policy C, the applicant states that the development is near transit (ABQ Ride Route 98 on Alameda Blvd). Route 98 is commuter route, meaning that it operates four times a day (twice in the morning and twice in the evening) and only on weekdays. Moreover Alameda Blvd is not an identified Enhanced or Major Transit Corridor, as is asked for in the policy. II.D.4 Policy C is in line with the goals of the 2040 MTP.

Should the development proceed as proposed, MRMPO appreciates the attention to external pedestrian connectivity to the north and the east.

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

No comments received.

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

**Project #1010693 Sector Plan Map Amendment (Multi-family development on Horizon Blvd. NE between Alameda Blvd and Balloon Fiesta Park) 15EPC-40070**

1. An existing overhead distribution line is located along the western boundary of the subject property and it is the applicant's obligation to abide by any conditions or terms of those easements. At the time of development, coordination with PNM will be necessary to address adequate clearances.
2. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at [www.pnm.com](http://www.pnm.com) for specifications.
3. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:

PNM Service Center  
4201 Edith Boulevard NE  
Albuquerque, NM 87107  
Phone: (505) 241-3425

***CITY OF ALBUQUERQUE - CULTURAL SERVICES DEPARTMENT***

See full memorandum beginning on the next page (Pg. 41).

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CULTURAL SERVICES DEPARTMENT

**To:** Peter Nichols, Chairman, Environmental Planning Commission  
Staff Planners, Current Planning Division, Planning Department

**From:** Dana Feldman, Director, Cultural Services Department

**Subject:** Additional Agency Comments for 03/10/16 EPC Public Hearing

**Date:** March 2, 2016

**Project:** #1010693- All or a portion of Tract 3B-3, Lands of HIS Acquisition  
15EPC-400070 – Sector Plan Map Amendment (Zone Change)

I respectfully submit this letter to outline the concerns of the Cultural Services Department regarding a zone change to allow a residential development to be built adjacent to the Anderson – Abruzzo Albuquerque International Balloon Museum and Balloon Fiesta Park. The Department's main concern is that the residents who choose to live in this subdivision will not be aware that they are selecting to live in an area that is heavily used by the public.

The Balloon Museum has seen a dramatic increase in its annual attendance. During Fiscal Year 2015, a total of 114,639 residents and visitors to our city visited the museum. Annually, about only one-fourth of this attendance is received during the annual Balloon Fiesta. And, while this was a record attendance, we expect to exceed this amount for 2016.

This represents a large number of people, cars and school busses using Balloon Museum Drive. Our estimation is that 35,000 personal vehicles access the facility each year. Many of our 114,639 guests attended museum events. During 2015, we hosted 125 separate events. Fifteen to twenty of these were large, outdoor events that included live music and other outdoor activities.

We are respectful of the impact that these events have on the neighborhoods near the museum. This proposed development, however, would bring homes very close to the facility. Potential residents may not be aware of the amount of events that take place at the museum or that many of these take place outdoors.

As I mentioned, the museum is on track to see another record year of attendance. Frankly, our goal is to break a record each year. And, as is stated in the 2012 Update to the Master Plan for the entire area, the museum intends to increase the number and intensity of events at the museum and its outdoor areas.

Thank you for your consideration,



Dana Feldman

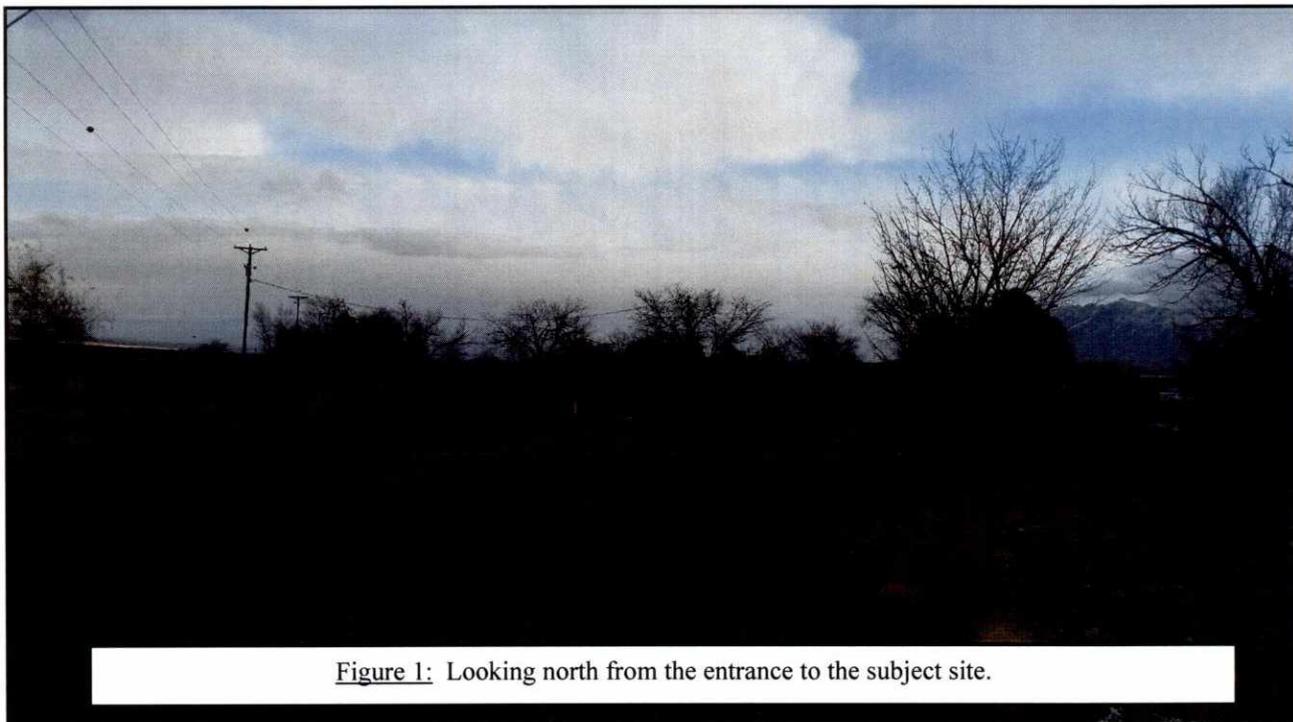


Figure 1: Looking north from the entrance to the subject site.

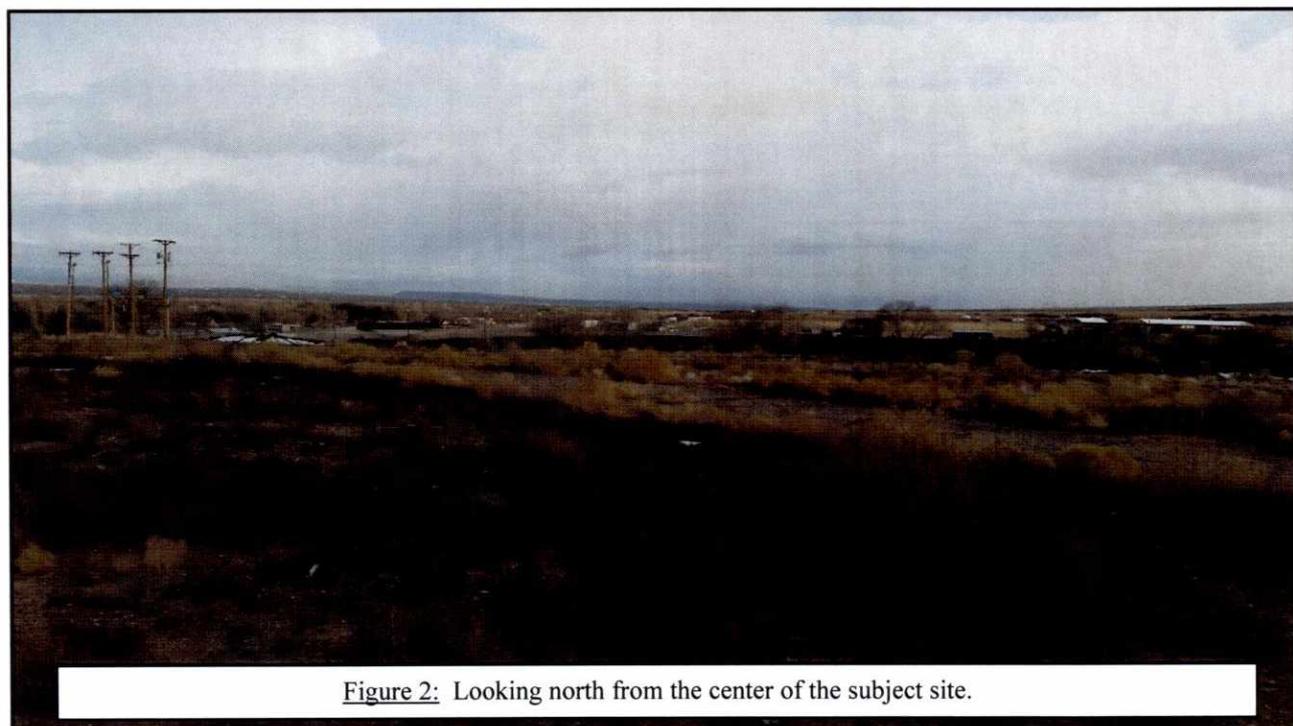


Figure 2: Looking north from the center of the subject site.

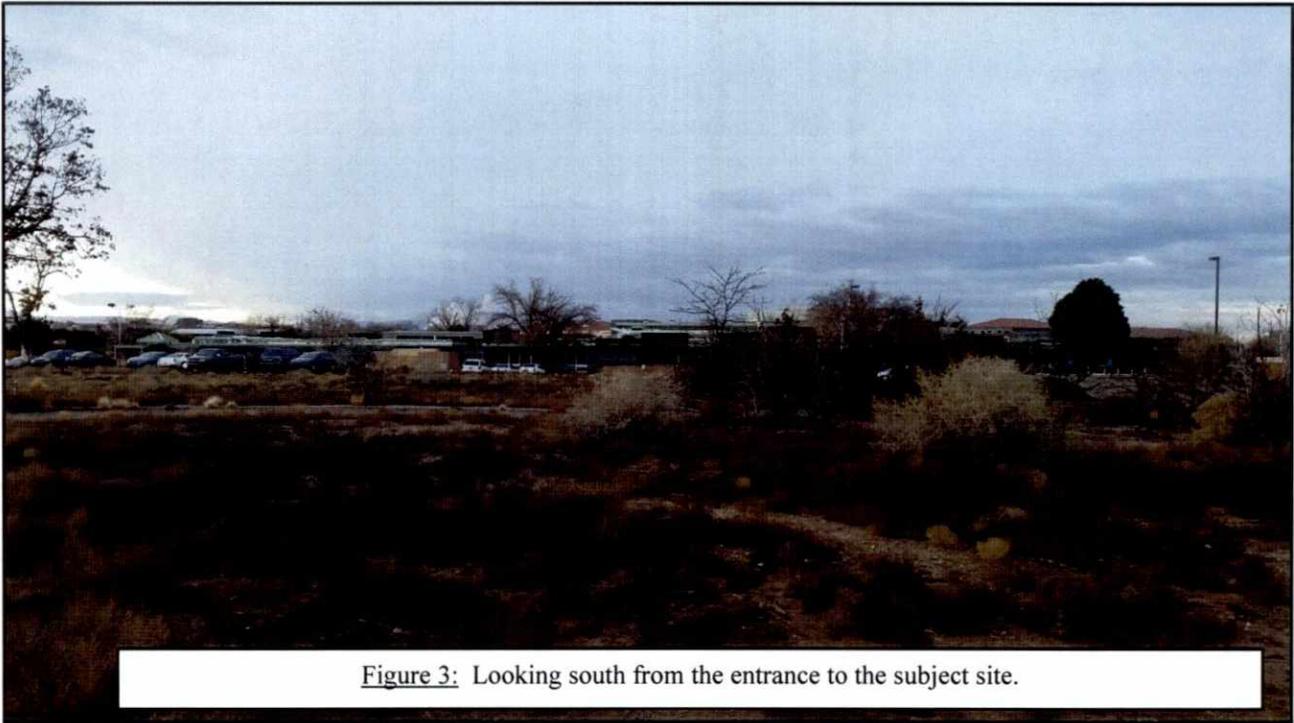


Figure 3: Looking south from the entrance to the subject site.

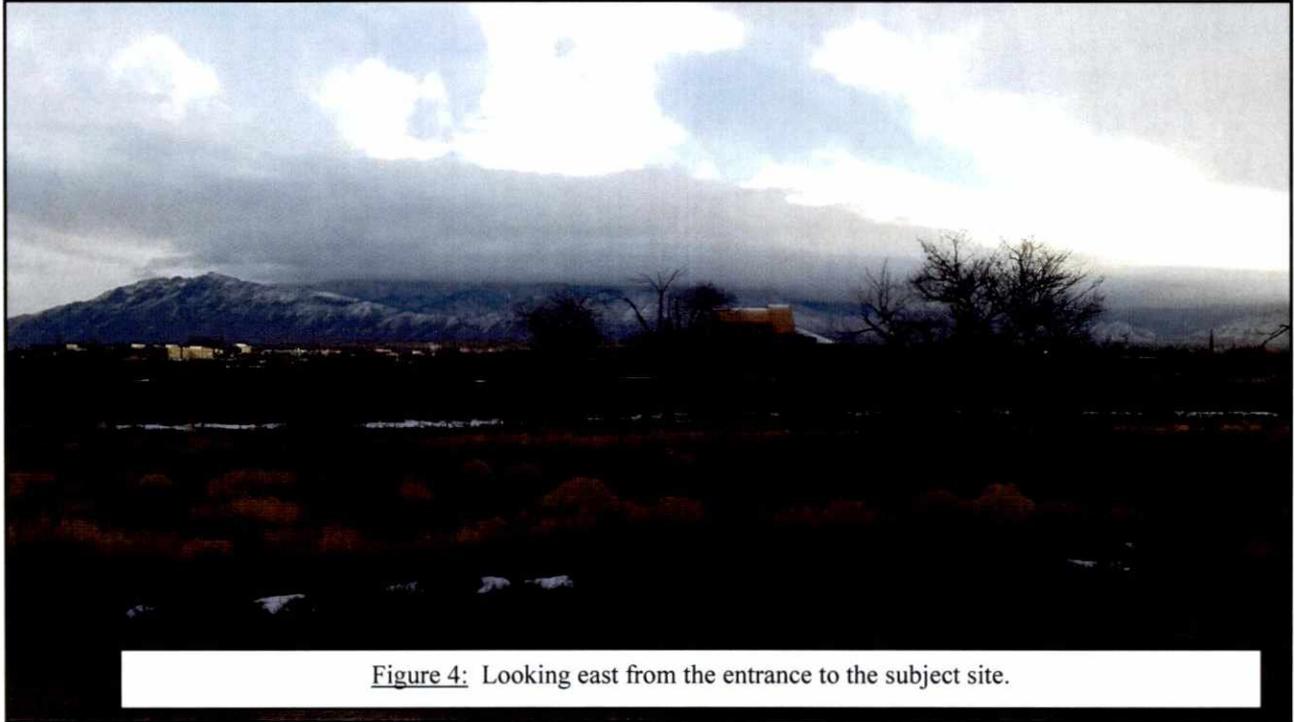


Figure 4: Looking east from the entrance to the subject site.

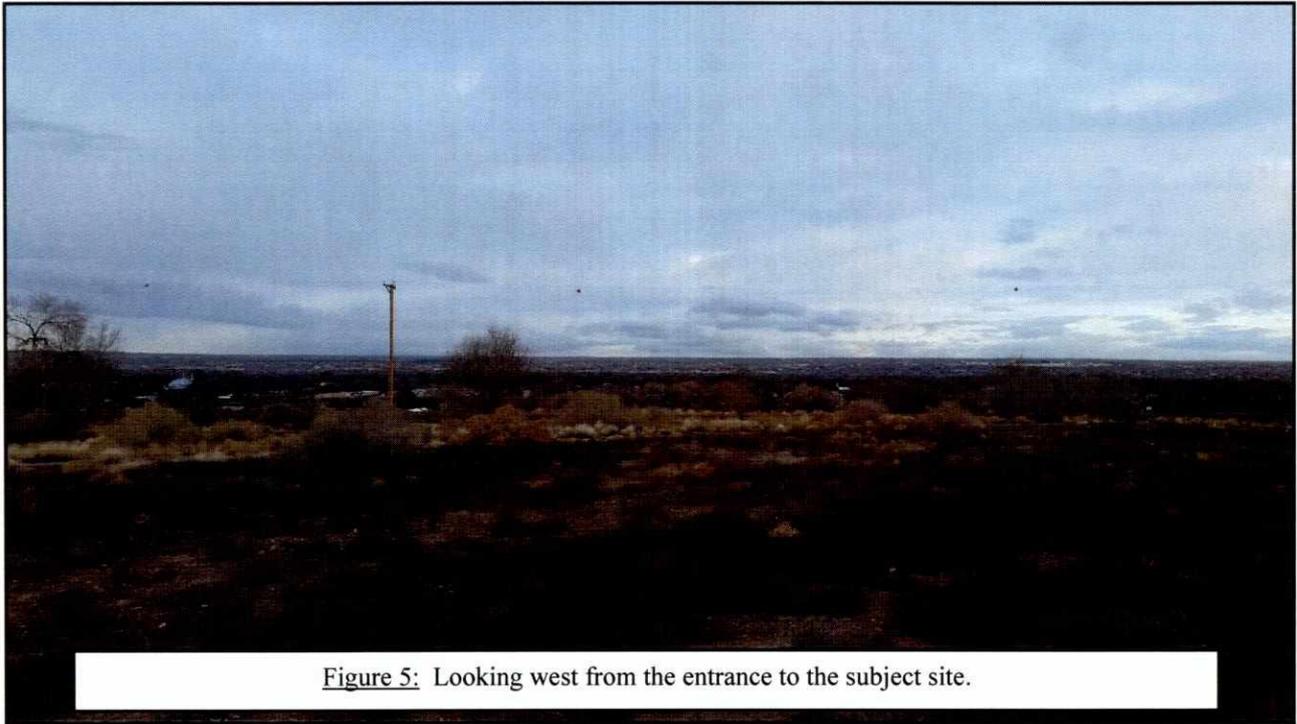


Figure 5: Looking west from the entrance to the subject site.

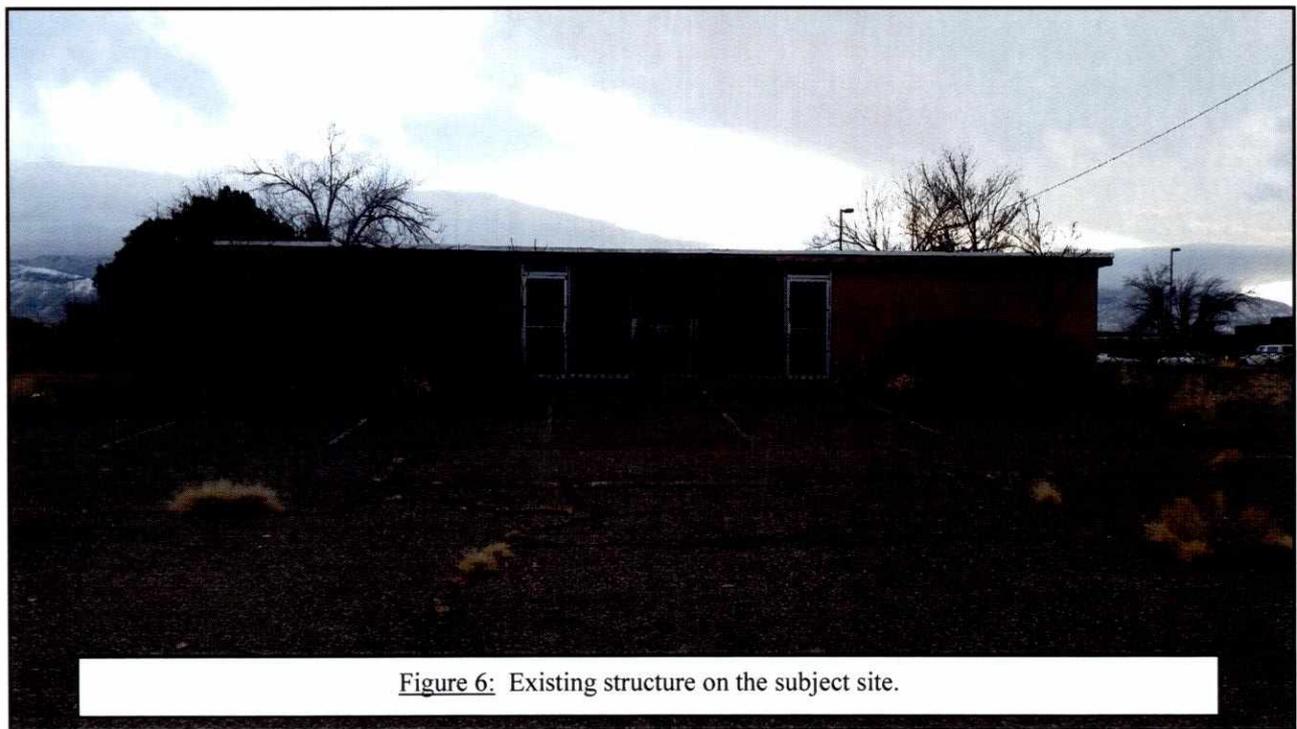


Figure 6: Existing structure on the subject site.

R-270-1980

Policies for Zone Map Change Applications

The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

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

(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.

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

(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.

(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.

(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.

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

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

(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.

(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.

(Res. 270-1980, approved 12-30-80)

HISTORY



## Environmental Planning Commission

Agenda Number: 05  
Project Number: 1010693  
Case #: 15EPC-40070  
February 11, 2016

### Staff Report

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	C & S Equities, LLC
<b>Request</b>	<b>Sector Development Plan Map Amendment (Zone Change)</b>
<b>Legal Description</b>	Tract 3B-3 plat of tracts 3B-1, 3B-2 & 3B-3 a subdivision of tracts 3B land of IHS acquisition# 120 Inc.
<b>Location</b>	On Horizon Blvd. between Alameda Blvd. & Balloon Museum Dr. NE
<b>Size</b>	Approximately 7.8 acres
<b>Existing Zoning</b>	SU-2 for Hospital & Medical or SU-2 C
<b>Proposed Zoning</b>	SU-2 for LMDR

### Staff Recommendation

*DEFERRAL of Case # 15EPC-40070 based on the findings below, at the request of the applicant for 30 days.*

**Staff Planner**  
*Vicente M. Quevedo, Planner*

### Summary of Request

This request is for a Sector Development Plan Map Amendment (Zone Change) for an approximately 7.8 acre site located on Horizon Blvd. between Alameda Blvd. and Balloon Museum Dr. NE. from SU-2 for Hospital & Medical or SU-2 Commerce to SU-2 for Low-Medium Density Residential (LMDR).

The subject site is located within the Developing Urban Area of the Comprehensive Plan as well as within the boundaries of the North Valley Area Plan and the North I-25 Sector Development Plan (SDP).

Following feedback and analysis from Planning Staff and the Parks & Recreation Department, the applicant has requested a 30 day deferral to the March 10, 2016 EPC Public Hearing.

### Findings

1. This request is for a Sector Development Plan Map Amendment for an approximately 7.8 acre site located on Horizon Blvd. between Alameda Blvd. and Balloon Museum Dr. NE. from SU-2 for Hospital & Medical or SU-2 Commerce to SU-2 for Low-Medium Density Residential (LMDR).
2. A written request for the deferral from the applicant has been included as part of the record for the case.
3. The applicant requests a 30-day deferral to the March 10, 2016 EPC Hearing to allow time to address concerns raised by the Parks & Recreation Department and concerns over the intent language in the North I-25 SDP LMDR Land Use District.

City Departments and other interested agencies reviewed this application from 12/03/15 to 12/18/15.

## Dicome, Kym

---

**From:** Jim Strozier <cp@consensusplanning.com>  
**Sent:** Thursday, February 04, 2016 11:37 AM  
**To:** Dicome, Kym  
**Cc:** Paul Cauwels; Jeff Stuve  
**Subject:** Back 8

We would like to request a 30-day deferral. Thank you.

Jim Strozier, AICP  
Consensus Planning, Inc.



## Environmental Planning Commission

Agenda Number: 01  
Project Number: 1010693  
Case #: 15EPC-40070  
January 14, 2016

### Staff Report

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	C & S Equities, LLC
<b>Request</b>	<b>Sector Development Plan Map Amendment (Zone Change)</b>
<b>Legal Description</b>	Tract 3B-3 plat of tracts 3B-1, 3B-2 & 3B-3 a subdivision of tracts 3B land of IHS acquisition# 120 Inc.
<b>Location</b>	On Horizon Blvd. between Alameda Blvd. & Balloon Museum Dr. NE
<b>Size</b>	Approximately 7.8 acres
<b>Existing Zoning</b>	SU-2 for Hospital & Medical or SU-2 C
<b>Proposed Zoning</b>	SU-2 for LMDR

### Staff Recommendation

*DEFERRAL of Case # 15EPC-40070 based on the findings below, at the request of the applicant for 30 days.*

**Staff Planner**  
*Vicente M. Quevedo, Planner*

### Summary of Request

This request is for a Sector Development Plan Map Amendment (Zone Change) for an approximately 7.8 acre site located on Horizon Blvd. between Alameda Blvd. and Balloon Museum Dr. NE. from SU-2 for Hospital & Medical or SU-2 Commerce to SU-2 for Low-Medium Density Residential (LMDR).

The subject site is located within the Developing Urban Area of the Comprehensive Plan as well as within the boundaries of the North Valley Area Plan and the North I-25 Sector Development Plan (SDP).

Following feedback and analysis from Planning Staff and the Parks & Recreation Department, the applicant has requested a 30 day deferral to the February 11, 2016 EPC Public Hearing.

### Findings

1. This request is for a Sector Development Plan Map Amendment for an approximately 7.8 acre site located on Horizon Blvd. between Alameda Blvd. and Balloon Museum Dr. NE. from SU-2 for Hospital & Medical or SU-2 Commerce to SU-2 for Low-Medium Density Residential (LMDR).
2. A written request for the deferral from the applicant has been included as part of the record for the case.
3. The applicant requests a 30-day deferral to the February 11, 2016 EPC Hearing to allow time to address concerns raised by the Parks & Recreation Department and concerns over the intent language in the North I-25 SDP LMDR Land Use District.

City Departments and other interested agencies reviewed this application from 12/03/15 to 12/18/15.

## Quevedo, Vicente M.

---

**From:** Jim Strozier <cp@consensusplanning.com>  
**Sent:** Thursday, January 07, 2016 1:54 PM  
**To:** Quevedo, Vicente M.  
**Cc:** Dicome, Kym; 'Jeff Stuve'; Matt Myers  
**Subject:** EPC 1010693

Vicente,

The purpose of this email is to request a 30-day deferral regarding EPC Project #1010693.

The purpose of the deferral is to provide additional time to address concerns raised by the Parks Department and concerns over the intent language in the LMDR zoning district.

Please do not hesitate to contact me if you have any questions concerning this request.

**Jim Strozier, AICP**  
**Consensus Planning, Inc.**  
☎ 505.764.9801  
[www.consensusplanning.com](http://www.consensusplanning.com)

Follow us on 

 SAVE PAPER - Only print this e-mail if necessary  
<http://www.dyslexiefont.com/en/dyslexia-font/>

## ZONING

Refer to Page 24 of the North I-25 Sector Development Plan (SDP) for specifics regarding the Land Use Plan, Page 26 for specifics regarding the SU-2 Low-Medium Density Residential (LMDR) District, and Page 28 for specifics regarding the SU-2 Commerce District.

APPLICATION INFORMATION



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**ZONING & PLANNING**

- Annexation
- ~~SECTOR PLAN MAP AMENDMENT~~
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Consensus Planning, Inc. PHONE: (505) 764-9201  
 ADDRESS: 302 8th Street NW FAX: (505) 842-5495  
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com  
 APPLICANT: CIS Equities, LLC PHONE: (505) 266-5711  
 ADDRESS: 8814 Horizon Boulevard NE Suite 400 FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: jstove@cauwels-stove.com  
 Proprietary interest in site: owner List all owners: same

DESCRIPTION OF REQUEST: Zone Map and Sector Plan Amendment from SU-2 C to SU-2 LMDR

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

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

Lot or Tract No. 3B-3 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Lands of IHS Acquisition  
 Existing Zoning: SU-2 - C Proposed zoning: SU-2 LMDR MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): B-17 UPC Code: 101706506403930707

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX\_Z, V, S, etc.):  
AX-87-20, Z-87-113, DRB-98-321, DRB-99-331

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? No  
 No. of existing lots: 1 No. of proposed lots: ±40 Total site area (acres): 7.8  
 LOCATION OF PROPERTY BY STREETS: On or Near: Horizon Boulevard NE  
 Between: Alameda Boulevard and Belen Fiesta Park  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

**SIGNATURE**

(Print Name) James K. Strazier, AICP DATE 12-3-15  
 Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

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

Application case numbers

~~15-0000~~  
15EPC - 40070

Action

ASOM  
CME  
ADV

S.F.

Fees

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Total

\$ 750.00

Hearing date Jan. 14, 2015

12-3-15

Project # 1016693

Staff signature & Date

*(Signature)*

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

**ANNEXATION (EPC08)**

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

- SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
- SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
- SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)

- Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
  - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
  - Zone Atlas map with the entire plan area clearly outlined and indicated
  - Letter describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
  - Traffic Impact Study (TIS) form (for EPC public hearing only)
  - Fee for EPC final approval only (see schedule)
  - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.* Your attendance is required.

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

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

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

- AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)**
  - Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
  - Plan to be amended with materials to be changed noted and marked
  - Zone Atlas map with the entire plan/amendment area clearly outlined
  - Letter of authorization from the property owner if application is submitted by an agent (map change only)
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
  - Traffic Impact Study (TIS) form
  - Sign Posting Agreement
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

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

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

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

James K. Stozian, AICP  
Applicant name (print)  
[Signature] 12.3.15  
Applicant signature & Date  
Revised: June 2011



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

Application case numbers  
15EPC - 40070

[Signature] 12-3-15  
Staff signature & Date  
Project # 1010693

# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Consensus Planning, Inc. DATE OF REQUEST: 12/1/15 ZONE ATLAS PAGE(S): B-17

**CURRENT:**

ZONING SU-2-C  
PARCEL SIZE (AC/SQ. FT.) 7.8 ac.

**LEGAL DESCRIPTION:**

LOT OR TRACT # 3B-3 BLOCK # \_\_\_\_\_  
SUBDIVISION NAME Lands of LHS

**REQUESTED CITY ACTION(S):**

ANNEXATION [ ]  
ZONE CHANGE  From SU-2 C To SU-2  
SECTOR, AREA, FAC, COMP PLAN [ ] LMOR  
AMENDMENT (Map/Text)   
Map - C to LMOR

**SITE DEVELOPMENT PLAN:**

SUBDIVISION\* [ ] AMENDMENT [ ]  
BUILDING PERMIT [ ] ACCESS PERMIT [ ]  
BUILDING PURPOSES [ ] OTHER [ ]

\*includes platting actions

**PROPOSED DEVELOPMENT:**

NO CONSTRUCTION/DEVELOPMENT [ ]  
NEW CONSTRUCTION   
EXPANSION OF EXISTING DEVELOPMENT [ ]

**GENERAL DESCRIPTION OF ACTION:**

# OF UNITS: ± 90 single family lots  
BUILDING SIZE: \_\_\_\_\_ (sq. ft.)

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

APPLICANT OR REPRESENTATIVE \_\_\_\_\_

DATE 12-1-15

(To be signed upon completion of processing by the Traffic Engineer)

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

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO  BORDERLINE [ ]

THRESHOLDS MET? YES [ ] NO  MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]  
Notes:

Single Family Lots

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

\_\_\_\_\_  
TRAFFIC ENGINEER

12-01-2015  
DATE

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

TIS -SUBMITTED    /   /     
-FINALIZED    /   /   

\_\_\_\_\_  
TRAFFIC ENGINEER

\_\_\_\_\_  
DATE



December 3, 2015

Mr. Peter Nicholls, Chairman  
Environmental Planning Commission  
City of Albuquerque  
600 2<sup>nd</sup> Street NW  
Albuquerque, New Mexico 87012

**Re: Tract 3B-3, Lands of IHS**

Dear Mr. Chairman:

As owner of the referenced property, please be advised that we hereby designate Consensus Planning, Inc. to act as our agent in connection with our request for a Zone Map Amendment and a Sector Plan Map Amendment for the above referenced 7.8 acre property. This authorization shall include any subsequent action through DRB.

Sincerely  
CSRDA, Inc.  
As Manager for C&S Equities, LLC

Jeff D. Stuve  
Co-Manager

A handwritten signature in black ink, appearing to read 'Jeff D. Stuve', is written over the typed name and title.

8814 Horizon Blvd NE  
Ste 400  
Albuquerque, NM 87113  
505.266.5711 phone  
505.255.9922 facsimile  
[www.cauwels-stuve.com](http://www.cauwels-stuve.com)



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February 24, 2016

Peter Nicholls, Chairman  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Landscape Architecture  
Urban Design  
Planning Services

Dear Chairman Nicholls and Commissioners:

302 Eighth St. NW  
Albuquerque, NM 87102  
(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

This request is for a Sector Plan Map Amendment to the North I-25 Sector Development Plan. The subject property is a 7.8 acre tract at the north end of Horizon Boulevard NE. The applicant is C & S Equities, LLC as the owners of the property. The property is legally described as tract 3B-3, Lands of HIS Acquisition. The site is located within the Developing Urban Area of the City of Albuquerque/ Bernalillo County Comprehensive Plan. The subject property is located within the boundaries of the North Valley Area Plan and the North I-25 Sector Development Plan.

#### SITE

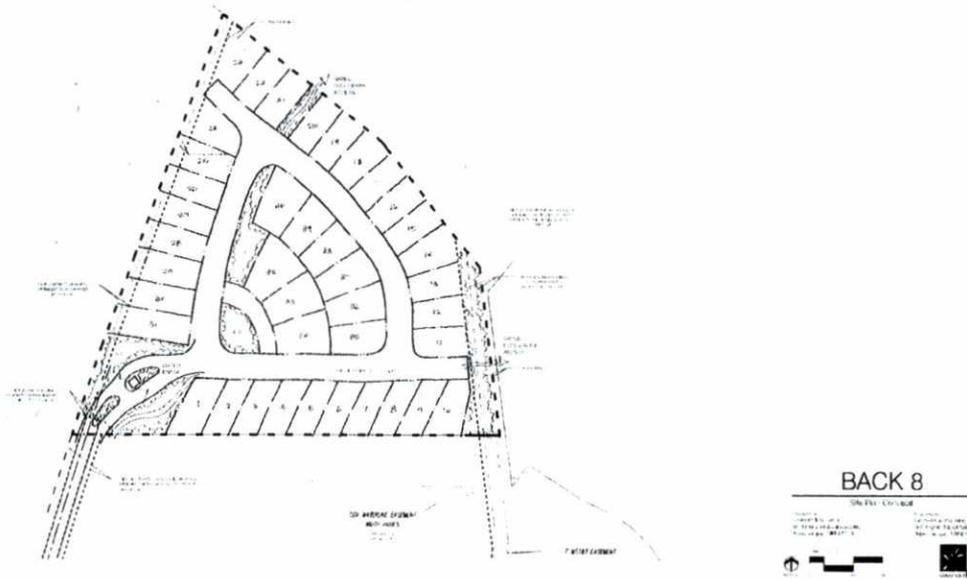


#### PRINCIPALS

James K. Strozier, AICP  
Christopher J. Green, P.L.A.,  
ASLA, LEED AP  
Jacqueline Fishman, AICP  
Laurie Eror, P.L.A., ASLA

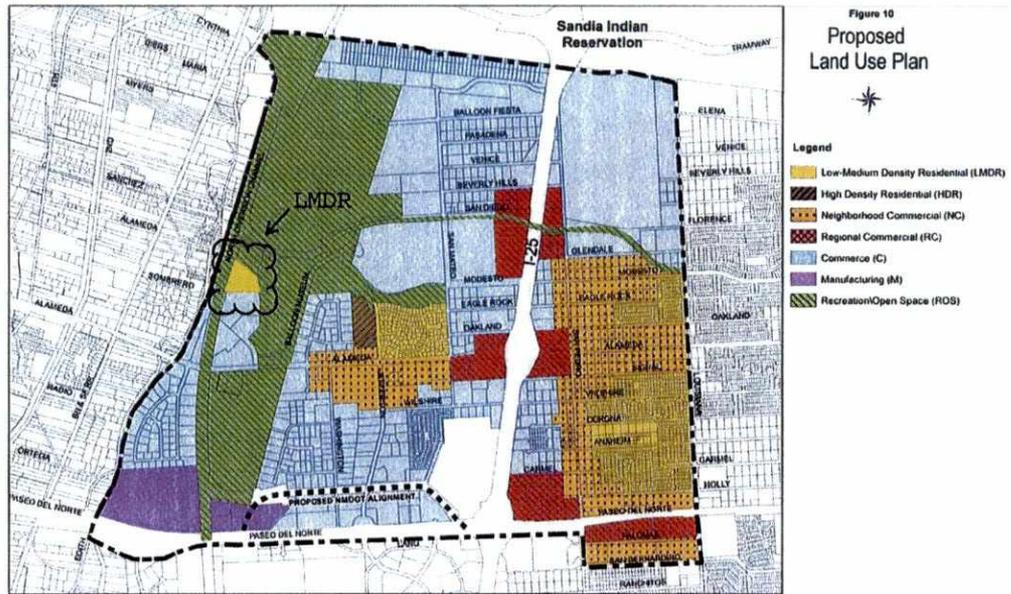
The subject property is adjacent to the Balloon Fiesta Park and Balloon Museum, which provides a unique opportunity to create a small residential community. The community is proposed to be gated and have pedestrian access points to the adjacent City Park. The site is also adjacent to the North Diversion Channel and the recreational trail. The trail is on the other side of the channel, so access is limited to Alameda Boulevard. This trail provides a major north/south recreational trail south to the UNM Main Campus, with connections to the east/west trails at Alameda and Paseo del Norte.

The concept plan below illustrates a conceptual lot layout for the property. In accordance with the North I-25 Sector Plan a Site Development Plan for Building Permit is required. The North I-25 Sector Plan delegates the Site Plan for Building Permit to the Development Review Board (a public hearing) and that the individual home Building Permits are then reviewed by Building and Safety (staff). We anticipate working with the planning and DRB staff to ensure an appropriate level of detail for the Site Plan recognizing that this is a single family subdivision. The Site Plan should include enough detail, but allow flexibility in individual house plans as appropriate and consistent with the intent of the Sector Plan.



The following is a description of the request:

**Sector Plan Map Amendment** – In order to accommodate the proposed multi-family use, a Sector Plan Amendment is required to the North I-25 Sector Plan “proposed Land Use Plan” Map located on page 25. The change will be for Commerce (C) to Low Medium Density Residential (LMDR). The proposed amendment to the North I-25 Sector Development Plan – Land Use Plan is shown as a change from the blue – Commerce to yellow – Low Medium Density Residential. The proposed change to Figure 10 is provided below:



### ADJACENT ZONING AND LAND USE

DIRECTION	ZONING	LAND USE
North	SU-2 for Recreation Open Space	Balloon Museum Park and related uses
South	SU-2 for Commerce	Office and Assisted Living
East	SU-2 for Recreation Open Space	Balloon Museum Park and related uses
West	County R-1 and A-1	Low Density and Rural Residential

### POLICY ANALYSIS

The following section justifies the Zone Map Amendment request. *Policy language is italicized*; applicant's responses are in normal text.

#### **Albuquerque/Bernalillo County Comprehensive Plan**

This property is within the Developing Urban Area as designated by the Albuquerque/ Bernalillo County Comprehensive Plan. It is also within the boundaries of the North Valley Area Plan and the North I-25 Sector Development Plan. Applicable policies from the Comprehensive Plan, the Area Plan and the Sector Plan are provided below:

#### **II.B.5. Developing Urban Area**

*The Goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.*

**Applicant's Response:** The current proposal is located in an area that has limited housing choices. This project will provide a new gated community as a housing option at the dead end of Horizon Boulevard and in an area surrounded by Balloon Fiesta Park. The property is adjacent to an office and assisted living facility that



generate little noise or traffic. The site is isolated and private, yet has access to services a short distance away in the north valley to the west and a major job center along Jefferson and I-25 to the southeast.

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

**Applicant's Response:** The proposed residential neighborhood is isolated and as such will not have any negative impact on any of the surrounding uses. The project has support from the neighbors located off of Horizon Boulevard and is located at the dead end of a landscaped boulevard (Horizon Boulevard). The property will have excellent views to the north and east, will be located adjacent to an existing park and museum facility, and have access to regional trail facilities. The site is currently vacant with existing infrastructure and carrying capacity to serve this low intensity land use.

**Policy 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.*

**Applicant's Response:** The property is served by an existing street and has access to all necessary utilities. It is a vacant property and represents a unique infill opportunity. The project has support from the neighbors off of Horizon Boulevard and is adjacent to an existing park, museum facility and, trails.

**Policy m:** *Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.*

**Applicant's Response:** Once again, the proposed residential neighborhood is isolated and as such will not have any negative impact on any of the surrounding uses. The property will have excellent views to the north and east, will be located adjacent to an existing park and museum facility, and have reasonable access to regional trail facilities. The height of the proposed project will be significantly lower than the current height restrictions per the North I-25 Plan of 39 feet to respect the needs of the Balloon Fiesta.

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

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

**Applicant's Response:** Once again, the access is from a landscaped boulevard that dead ends into the subject property. The site is within ½ mile to the trail connections and transit along Alameda Boulevard with excellent roadway access to the interstate, north valley, and the West Side. Short Hop road is available as a vehicle free pedestrian and bicycle route except during Balloon Fiesta. Future



residents will have relatively easy and pleasant access to these trail and transit services, thus encouraging their use. There is no need for anyone to travel through this proposed neighborhood to access any of these facilities.

***Policy c:*** *In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encourage close to Major Transit and Enhanced Transit streets.*

**Applicant's Response:** This project is located near an existing transit route (Route 98). The bus stops are currently just less than ½ mile from the property. This project will not in any way destabilize adjacent neighborhoods since it has excellent separation (both physically and distance) to other neighborhood areas.

**Policy g:**

*Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.*

**Applicant's Response:** Potential pedestrian and bike access points are proposed to Alameda's trails and transit services via Short Hop road. The location of these access points will need to be coordinated with the City Parks Department.

**II.D.5 Housing**

*The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.*

**Applicant's Response:** The proposed project will provide a new option to residents desirous of living in this area. The proposal represents a quality infill project within a general area with a limited variety of housing choices which are surrounded by commercial, industrial, and institutional uses. The residential opportunities in the area west of I-25 and north of Alameda Boulevard are currently very limited and include the Wildflower single family neighborhood and some multi-family uses (i.e. Desert Willow Apartment, west of Jefferson Street NE). A new multifamily project was recently approved on the east side of San Mateo north of Modesto. The Wildflower Neighborhood Park is also located to the north of the Wildflower neighborhood to the east of the subject property.

***Policy b:*** *Quality and innovation in new housing design and construction shall be promoted and quality of existing housing improved through concentrated renovation programs in deteriorating neighborhoods.*

**Applicant's Response:** This small niche housing design will offer a unique lifestyle opportunity that is currently not available in this area of the City. A new high quality neighborhood will add to the vitality of this area and develop a currently vacant underutilized parcel. Vacant land is a deteriorating factor in our community and the City's plans recognize the positive contribution made by infilling these vacant properties with quality development.



### **II.D.6 Economic Development**

*The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.*

**Applicant's Response:** The proposed development will diversify the area by adding an additional housing option and increasing population in an effort to balance jobs and housing and reduce the overall need to travel. This will also increase opportunities for other modes of transportation including bicycles and pedestrian modes.

**Policy g:** *Concentration of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.*

**Applicant's Response:** The proposed community is situated so that it will be supportive and will not be negatively impacted by any of the adjacent non-residential uses. These uses will provide over 1,700 job opportunities for the residents in the nearby Jefferson and I-25 corridors.

**Policy d:** *Tourism shall be promoted.*

**Applicant's Response:** Once Again, the housing will not negatively impact tourism to Balloon fiesta Park or the Balloon Museum, but will be complimentary to these activities.

**Policy d:** *A sound fiscal position for local government shall be maintained.*

**Applicant's Response:** Utilizing a vacant parcel with existing infrastructure at this location is a sound fiscal position. The site is a quality infill project within an area with limited housing choices surrounded by commercial, industrial, and institutional uses.

### **II.D.9 Community Identity and Urban Design**

*The Goal is to preserve and enhance the natural and built characteristics, social, cultural, and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.*

**Policy c:** *The identity and cohesiveness of each community shall be strengthened through identification and enhancement of community Activity Centers that have a scale, mix of uses, design character, and location appropriate to the unique character of the community. (See also policies under "Activity Centers")*

**Applicant's Response:** The project will provide a unique infill opportunity located at the dead end of an existing landscaped boulevard creating an additional housing option that will serve as an enhancement to the adjacent Activity Center. The project will allow for additional uses in the community and maintain the character of the neighborhood through connectivity to the adjacent open space and commercial areas. As well as, following (and significantly less than) the current height restrictions of the North I-25 Plan of 39 feet to respect the needs of the Balloon Fiesta.

**Policy e:** *Roadway corridors (collectors, arterials, enhanced Transit and Major Transit) within each community and that connect the community's*

*Activity Centers shall be designed and developed to reinforce the community's unique identity; streetscape improvements to these roadways shall be designed to:*

- *Minimize water use*
- *Screen parking areas*
- *Create useful and attractive signage and building facades*
- *Facilitate walking safety and convenience*

**Applicant's Response:** The property is served by an existing landscaped boulevard that dead ends at the property. By utilizing this connection the property has access to all necessary utilities. Short Hop road behind the existing office and senior care/living buildings provides convenience and safety for pedestrians and bicycles as an alternative route to Alameda Boulevard's trail and transit services.

#### **II.D.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.*

**Applicant's Response:** The proposed project provides a medium density housing opportunity for a quality infill development, utilizing existing infrastructure and vacant land.

**Policy j:** *The City will structure capital expenditures and land use regulations in support of creating multi-use activity Centers, and will promote ongoing public/private cooperation necessary for private market conditions that support the development and functioning of Activity Centers.*

**Applicant's Response:** This project does not require any City capital expenditures.

**Policy f:** *The most intense uses in activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.*

**Applicant's Response:** The opposite also holds true in the fact that this proposed residential development is far away from and disconnected from the more intense uses.

### **North Valley Area Plan**

#### **Housing Policy**

- 1) *The City and County shall stabilize land use to protect affordable housing and land presently zoned for housing.*
- 2) *The County and City shall encourage mixed use development and redevelopment which incorporates housing.*



**Applicant's Response:** This request for a Zone Map and Sector Plan Amendment will accommodate the development of a small, gated single family neighborhood on the subject site is beneficial to the community because it will add an additional housing option.

### **North I-25 Sector Development Plan**

*The proposed zoning is SU-2 for Low-Medium Density Residential (LMDR):*

*"The intent of the LMDR District is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area (Pg.26)."*

*Furthermore, the Land Use Plan within the North I-25 SDP beginning on page 24 of the plan also states:*

*"This plan strongly discourages any zone change requests that are not in conformance with the land use districts contained herein (Pg. 24)."*

**Applicant's Response:** While we recognize this policy language in the plan, we feel that this request is appropriate due to:

1. It's unique location;
2. It's lack of visibility and through traffic from Alameda Boulevard, which makes it inappropriate for non-residential uses;
3. The change is supported by the existing property owners along Horizon Boulevard; and
4. It furthers a preponderance of policies as outlined in this justification.

### **Land Use Goal**

*Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.*

**Applicant's Response:** The proposed project will create temporary jobs during the construction period. The proposed community is situated so that it will be supportive and will not be negatively impacted by any of the adjacent non-residential uses. This residential project will support the surrounding employment.

**Policy LUZ2:** *Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.*

**Applicant's Response:** The proposed project will provide a new housing option for the immediate area and is supported by the neighbors. New residents will add to the vitality of the neighborhood and plan area. Residents in an area add vitality since they will be there in the evening and weekends when the office buildings are vacant.

**Policy LUZ3:** *Encourage a mix of uses that will balance the time and direction of traffic movements and promote other means of vehicular trip reduction so as to minimize increases in vehicular traffic produced by new development.*

**Applicant's Response:** While the current Commerce zone in the Sector Plan does allow mixed use with residential, it restricts residential to "second story and above" only. This parcel is located in an area with the height restricted to 39 feet, which



would make vertical mixed use project infeasible in this location. The proposed project will create a mix of uses in an area that is adjacent to primarily office uses. The residents in this location will contribute to the mix of uses and will have the opposite traffic flow from the employment uses. Pedestrian and bicycle access to the site and the proximity to nearby trails and transit will promote walking, bicycling, and use of public transportation for the future residents. While not mandatory, residents in this project will certainly have extensive job opportunities in the immediate area.

## **RESPONSE TO THE CITY OF ALBUQUERQUE RESOLUTION 270-1980**

This zone change request is in compliance with Resolution 270-1980 as follows:

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

**Applicant's Response:** The proposed zone change from SU-2 for C to SU-2 for LMDR will not jeopardize the health, safety, morals, and general welfare of the City. The proposed zoning will allow residential uses, and this request expands residential options in the area. The request is consistent with health, safety, and general welfare of the City as articulated in the above referenced plan policies. This project will provide a small, gated, single family residential option in this area that currently does not exist. The site has also been vacant for a long period of time.

- 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.*

**Applicant's Response:** The site is currently vacant and at the dead end of a landscaped boulevard. It is buffered from adjacent uses to the west, north, and east by the North Diversion Channel and a Regional Park. The request for residential use is appropriate since it furthers numerous City policies as provided above, specifically Comprehensive Plan policies addressing housing and infill; North Valley Area Plan housing policies, and North I-25 Sector Plan policies promoting vitality and mixed land uses.

The existing zoning has not resulted in the development of the property and residential use will be appropriate at this location and not in any way destabilize the area. City policies support mixed-use and additional housing choices in this area.

- 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.*

**Applicant's Response:** The proposed change is not in conflict with adopted elements of the Comprehensive Plan rather it furthers several goals and policies related to the Developing Urban area, Transportation and Transit, and Housing as discussed above. This project also furthers policies within the North I-25 Sector Development Plan and North Valley Area Plan.

- 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 (D1) or (D2) do not apply.*

**Applicant's Response:** For this vacant property, it is clear that a different use will be more advantageous to the community based on the policies cited above. The property is an infill parcel that has excellent access to utilities, the roadway network, goods and services, transit, and recreational opportunities. The proposal furthers a number of goals and policies in the Comprehensive Plan, the North Valley Area Plan, and the North I-25 Sector Development Plan. There are limited opportunities for additional residential within the Sector Plan area. This location provides a small opportunity to reposition this property for residential use on an infill site in an area with numerous existing jobs.

- 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.*

**Applicant's Response:** The proposed zone change will not include any permissive uses that would be harmful to adjacent property, the neighborhood, or the community. The LMDR zone allows single family detached homes and attached single family homes as regulated by the R-1, R-LT, and RT zoning districts. Furthermore, the location of the property is in an area that is physically separated from most of the surrounding neighborhood and at the dead end of a beautiful landscaped boulevard. There are no issues created by the development of a residential neighborhood at this location that will cause adverse impacts related to noise, traffic, pollution, etc. Residential homes do not generate excessive noise or pollution and the project will be significantly less than the City's threshold for a Traffic Impact Study.

- F. *A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditure 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.*

**Applicant's Response:** The proposed zone change will not require major and un-programmed capital expenditures by the City. This is an infill property and adequate infrastructure, including roadways, water, sewer, and storm water facilities already exist to serve the project. Extension of these services will be the responsibility of the 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.*

**Applicant's Response:** The cost of land or other economic considerations are not the determining factor for this zone change request. The property is currently vacant and has been for a long time, which indicates that the current zoning is inappropriate and a change that results in development of the property is needed. The request is in effect a "downzone" of the property, which demonstrates that profit on the part of the property owner is not the primary consideration behind this request. The productive use of this property will benefit the community through the provision of gross receipts taxes generated through the development and construction phase of the project and increased property taxes once developed.

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

**Applicant's Response:** The property is not located on a major street.

- 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.*
  - 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 the structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.*

**Applicant's Response:** The zone change request to SU-2 for LMDR is a spot zone; however, it helps realize goals contained in the Comprehensive Plan, the North Valley Area Plan, and the North I-25 Sector Plan. The unique location of this property (no visibility from Alameda and at the dead end of a street with no through or pass by traffic) **makes it unsuitable for non-residential (office) uses.** The requested residential zoning **provides a transition between the non-residential uses to the south to the park facilities to the north and east.** There are residential uses to the west, but these are separated by the north diversion channel and a significant grade change. Further, a residential project will provide a variety of living options in an area in need of additional high quality housing options.

- 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.*

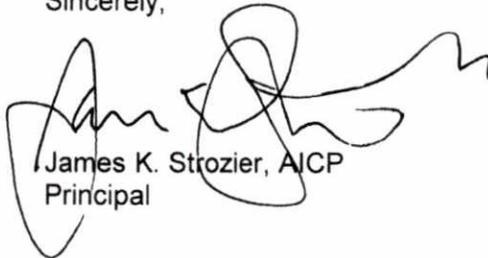
**Applicant's Response:** The present zone change request is not considered "strip commercial zoning" because the request is for residential zoning, the property is not located adjacent to or along a street, and is in fact at the dead end of a street with no through or pass by traffic that is associated with a strip zone.

### CONCLUSION

This project represents a unique opportunity to develop a high quality residential community on a currently vacant, infill property. The use will be beneficial to the community as evidenced by the goals and policies furthered by this project.

We respectfully request that the Environmental Planning Commission approve the request for this Zone Map and Sector Plan Amendment. Thank you for your consideration of this request.

Sincerely,



James K. Strozier, AICP  
Principal

NOTIFICATION &  
NEIGHBORHOOD INFORMATION



**PLEASE NOTE:** The NA/HOA information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office.

## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

December 1, 2015

Jim Strozier  
Consensus Planning  
302 8<sup>th</sup> Street NW/87102  
Phone: (505) 764-9801/Fax: 842-5495  
E-mail: [cp@consensusplanning.com](mailto:cp@consensusplanning.com)

Dear Jim:

Thank you for your inquiry of **December 1, 2015** requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(EPC SUBMITTAL) - TRACT 3B-3, LANDS OF HIS ACQUISITION, LOCATED ON HORIZON BOULEVARD NE - NORTH OF ALAMEDA BOULEVARD NE AND BALLOON FIESTA PARK** zone map **B-17**.

Our records indicate that the **Neighborhood and/or Homeowner Associations and Coalitions** affected by this submittal and the contact names are as follows:

**SEE "ATTACHMENT A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL - please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's - siw.**

Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing (**please attach: 1) Copy of this letter; 2) Copy of letters sent to NA/HOA's and 3) Copy of White Receipts showing proof that you sent certified mail.**) If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov) or by fax at (505) 924-3913.

Sincerely,

*Stephani Winklepleck*  
Stephani Winklepleck  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NA/HOA AND/OR COALITIONS FOR THIS PLANNING SUBMITTAL.**

# **ATTACHMENT A**

**(EPC SUBMITTAL) – TRACT 3B-3, LANDS OF HIS ACQUISITION, LOCATED ON HORIZON BOULEVARD NE – NORTH OF ALAMEDA BOULEVARD NE AND BALLOON FIESTA PARK zone map B-17 for Jim Strozier, Consensus Planning, Inc.**

**ALAMEDA NORTH VALLEY ASSN. "R"**

**\*Steve Wentworth**

8919 Boe Ln. NE/87113-2328 897-3052 (h)

**WILDFLOWER AREA N.A. "R"**

**\*Larry T. Caudill**

4915 Watercress NE/87113 857-0596 (h)

Tony Perry

4909 Watercress NE/87113 797-7098 (h)

**DISTRICT 4 COALITION OF N.A.'S**

**\*Michael Pridham**

6413 Northland Ave. NE/87109 321-2719 (h) 872-1900 (c)

Robert Stetson

7112-154 Pan American Freeway NE/87109 440-7701 (c),

**NORTH VALLEY COALITION**

Kyle Silber

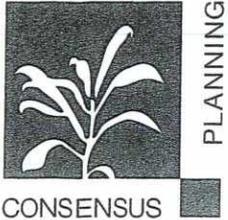
P.O. Box 70232/87197 918-0978 (c)

Doyle Kimbrough

2327 Campbell Rd. NW/87104 249-0938 (h)

**\*President of NA/HOA/Coalition**

Typical



CONSENSUS

December 3, 2015

Larry T. Caudill  
4915 Watercress NE  
Albuquerque, NM 87113

Tony Perry  
4909 Watercress NE  
Albuquerque, NM 87113

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102  
(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

Dear Mr. Caudill and Mr. Perry:

The purpose of this letter is to notify you and the Wildflower Area Neighborhood Association that Consensus Planning has submitted a Zone Map Amendment and Sector Plan Map Amendment to the North I-25 Sector Development Plan for a 7.8 acre tract at the north end of Horizon Boulevard NE. The applicant is C & S Equities, LLC as the owners of the property. The EPC hearing will be on January 14, 2016 starting at 8:30 am in the hearing room located in the basement of the Plaza del Sol building, 600 N. 2<sup>nd</sup> Street NW.

The purpose of this request is to allow the development of an approximately 40 lot single-family subdivision at the northerly dead end of Horizon Boulevard. The developer of the homes will be Mr. Scott Ashcraft of Las Ventanas Homes of New Mexico. The subdivision is proposed to be gated.

The following is a description of this request:

**Zone Map Amendment** – The proposal is to change the zoning from SU-2 Commerce (C) to SU-2 Low Medium Density Residential (LMDR). The applicant is proposing to change the zoning from SU-2 for C to SU-2 for LMDR, per the North I-25 Sector Plan zoning description.

**Sector Plan Map Amendment** – In order to accommodate the proposed single-family use, a Sector Plan Amendment is required to the North I-25 Sector Plan “proposed Land Use Plan” Map located on page 25. The change will be for Commerce (C) to Low Medium Density Residential (LMDR).

If you have any questions, would like to schedule a meeting, or need any additional information, please do not hesitate to contact me at 764-9801 or via email at cp@consensusplanning.com.

Sincerely,

James K. Strozier, AICP  
Principal

PRINCIPALS

James K. Strozier, AICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP  
Laurie Firor, PLA, ASLA

Attachment: Zone Atlas Map  
Conceptual Lot Layout

7012 1640 0001 8697 5812

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Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
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 Doyle Kimbrough  
 2327 Campbell Rd NW  
 Albu. NM 87104

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Return Receipt Fee (Endorsement Required)	\$0.00	
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Total Postage & Fees	\$6.74	

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Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

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 Tony Perry  
 4909 Watercross NE  
 Albu. NM 87113

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Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

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 Larry T. Caudill  
 4915 Watercross NE  
 Albu. NM 87113

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Certified Fee	\$2.80	03
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.74	

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 Michael Pridham  
 6413 Northland Ave NE  
 Albu. NM 87109

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ALBUQUERQUE, NM 87113

7013 1090 0000 8258 1599

Postage	\$3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
	\$0.49
Total Postage & Fees	\$6.74



Sent To  
Steven Wentworth  
Street, Apt. No.,  
or PO Box No. 8919 Boe Ln. NE  
City, State, ZIP+4  
Alb NM 87113

## Quevedo, Vicente M.

---

**From:** Jim Strozier <cp@consensusplanning.com>  
**Sent:** Tuesday, January 05, 2016 7:10 PM  
**To:** Quevedo, Vicente M.  
**Cc:** Dicome, Kym; Jeff Stuve  
**Subject:** EPC 1010693 - Response to Agency Comments

Vicente,

I have reviewed the agency comments and offer the following information in response to those comments:

1. Neighborhood Coordination – We have not heard from any of the notified neighborhood associations. We have spoken with several of the adjacent property owners and businesses on Horizon Boulevard and letters of support have been provided for the staff report.
2. Long Range Planning – We see the activities at the Balloon Fiesta Park as an amenity for the future residents. In response to the specific points:
  - a. We agree that the future residents will be advised of existing and planned activities at the Balloon Fiesta Park and Balloon Museum and that those activities will generate noise, traffic, and associated vehicle emissions.
  - b. We agree and will maintain open communication with the City agencies to ensure that the builder and buyers have a current schedule of events.
  - c. We are working with the builder's attorney to determine the best approach to providing buyers with disclosure concerning these events and potential impacts.
3. Hydrology – We agree with these comments and they will be addressed with the future Site Plan and Plat.
4. Utility Service – We agree with this comment and the executed availability statement shall be obtained prior to the DRB's review of the Site Plan and Plat.
5. Parks and Recreation – A meeting was held with you, Parks and Recreation staff and members of the Albuquerque International Balloon Fiesta on December 30<sup>th</sup> to discuss their concerns regarding the project. It was a productive discussion focused on disclosure to buyers (as discussed in Long Range Planning's comments above) and an awareness of the number and level of activities (including the little league facility) that occur and will likely increase over time in association with these facilities.

We made it clear that the property owner and the builder are very aware of the activities and see them as an asset to the project, and not a negative. It was also discussed that, contrary to the other adjacent neighborhoods, this project would be built after the Balloon Fiesta Park and Museum were there. The other neighborhoods were there prior to the Park and Museum's construction. The property owner has been a long time neighbor of the Fiesta, the Park, and the Museum and has been actively involved in solving issues regarding access, height limitations on the property, etc.

6. AMAFCA – We agree with this comment and it will be addressed in conjunction with the Site Plan and Plat.
7. APS – While there is space available at all of the affected schools, the market for these homes are anticipated to be empty nesters so the actual impact to the schools should be negligible.
8. MRCOG – We acknowledge and appreciate the comments related to transit service along Alameda and our intent is to foster pedestrian connectivity to the east for transit and trail access.

9. PNM – We agree with these comments and they will be addressed in conjunction with the Site Plan and Plat.

Based on further conversations with the builder, I would like to propose language regarding a finding and condition related to the issue of disclosure. Please do not hesitate to contact me if you have any questions regarding these responses.

**Jim Strozier, AICP**  
**Consensus Planning, Inc.**  
☎ 505.764.9801

[www.consensusplanning.com](http://www.consensusplanning.com)

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January 5, 2016

Peter Nicholls, Chairman  
Environmental Planning Commission  
City of Albuquerque  
500 Second Street NW  
Albuquerque, NM 87102

**RE: Project # 1010693- All or a portion of Tract 3B-3 Lands of HIS Acquisition**

Dear Chairman Nicholls and Commissioners:

On behalf of OnPointe Healthcare, representing the ownership of The Medical Resort at Balloon Fiesta Park, I would like to express our support of the requested zone change for the project mentioned above. We view the down zone and less intensive use as a positive for the area.

Regards,

Horace Winchester

OnPointe Healthcare



January 5, 2016

Peter Nicholls, Chairman  
Environmental Planning Commission  
City of Albuquerque  
500 Second Street NW  
Albuquerque, NM 87102

**RE: Project # 1010693- All or a portion of Tract 3B-3 Lands of HIS Acquisition**

Dear Chairman Nicholls and Commissioners:

On behalf of Enterprise Builders, whose offices are at 8814 Horizon Blvd. NE, we would like to express our support of the requested zone change for the project mentioned above. We view the down zone and less intensive use as a positive for the area.

Regards,

A handwritten signature in black ink, appearing to read 'R. Baldwin', is written over a horizontal line.

Ralph P. Baldwin  
Enterprise Builders Corporation



## Quevedo, Vicente M.

---

**From:** Jim Strozier <cp@consensusplanning.com>  
**Sent:** Tuesday, January 05, 2016 6:20 PM  
**To:** Quevedo, Vicente M.  
**Cc:** Dicome, Kym; Jeff Stuve  
**Subject:** EPC 1010693 - Support Letters  
**Attachments:** EB Letter.pdf; Westlake Letter.pdf

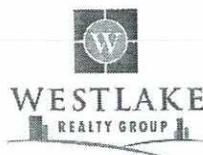
Vicente,

Please see the attached support letters.

**Jim Strozier, AICP**  
**Consensus Planning, Inc.**  
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January 5, 2016

Mr. Peter Nicholls  
Chairman  
Environmental Planning Commission  
City of Albuquerque  
500 Second Street NW  
Albuquerque, NM 87102

**RE: Project # 1010693 - All or a portion of Tract 3B-3 Lands of HIS Acquisition**

Dear Chairman Nicholls and Commissioners:

On behalf of Westlake Horizon Blvd, LLC, the owner of 8801 Horizon Blvd, NE, we would like to express our support of the requested zone change for the project mentioned above. We view the down zone and less intensive use as a positive for the area.

Regards,

Westlake Horizon Blvd, LLC  
By: Westlake Realty Group, Inc., Its Agent

A handwritten signature in black ink, appearing to read 'David Y. Chua', with a horizontal line underneath.

David Y. Chua  
Vice President & General Manager  
- Commercial Division

## Quevedo, Vicente M.

---

**From:** Jim Strozier <cp@consensusplanning.com>  
**Sent:** Thursday, February 25, 2016 3:27 PM  
**To:** Quevedo, Vicente M.  
**Cc:** Jeff Stuve; Jeff Stuve; Brito, Russell D.; Erin Ganaway  
**Subject:** Horizon Boulevard - Back 8 ZMA  
**Attachments:** HOA disclosure.pdf; Updated Justification Letter 2-24-16.pdf

Vicente,

Per our meeting, I am attaching an updated justification and draft disclosure to be included in the homeowner documents.

**Jim Strozier, AICP**  
**Consensus Planning, Inc.**  
☎ 505.764.9801  
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All owners of lots within the Horizon Subdivision (the "Subdivision") will be members of the Horizon Homeowners' Association, a New Mexico non-profit association (the "HOA"). The developer will put in place Covenants, Conditions and Restrictions ("CCRs"), which CCRs will be enforced by the HOA. Included in the CCRs will be the following statement regarding the Subdivision's proximity to Balloon Fiesta Park and the Albuquerque International Balloon Museum:

The Subdivision is located adjacent to the Albuquerque Balloon Fiesta Park (the "Park") and the Albuquerque International Balloon Museum ("Museum"), which have multiple events throughout the year. A benefit of living in the Subdivision will be that all lot ("Lot" or "Lots") owners will have the ability to walk/bike to the many events held at the Park and Museum. Of course, because of the proximity to the Park and the Museum, there will be times during the year, especially during the 10 days when the Albuquerque International Balloon Fiesta ("Fiesta") is being held, when there will be significant noise, as well as vehicular and pedestrian traffic, emanating from the Park and Museum.

The HOA considers the Subdivision's proximity to the Park and Museum to be a benefit to the Lot owners; however, the developer has a duty to remind prospective Lot owners that the Park and Museum activities generate noise, as well as pedestrian and vehicular traffic.

A current list of the activities and events that take place at the Park and Museum are shown below. There is the possibility that the number of events may increase in coming years.

The current list of events: ATTACH CURRENT LIST

ADDITIONAL STAFF INFORMATION

## Quevedo, Vicente M.

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**From:** Hyer, Christopher K.  
**Sent:** Monday, February 29, 2016 12:41 PM  
**To:** Quevedo, Vicente M.  
**Subject:** FW: North I-25 Sector Plan

Here is the Jim Strozier email string.

---

**From:** Jim Strozier [<mailto:cp@consensusplanning.com>]  
**Sent:** Wednesday, February 24, 2016 11:44 AM  
**To:** Hyer, Christopher K.  
**Subject:** RE: North I-25 Sector Plan

Thanks, I agree that Paul and Jeff did want non-residential in this area, but it has become clear to them that the only people interested in buying and developing it has come from homebuilders. Vacant land doesn't do anyone any good is the conclusion they are coming to. Since non-residential is typically worth more – they were in favor of that with the plan. Unfortunately, it isn't worth more if no one wants to buy it.

**Jim Strozier, AICP**  
**Consensus Planning, Inc.**  
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**From:** Hyer, Christopher K. [<mailto:CHyer@cabq.gov>]  
**Sent:** Wednesday, February 24, 2016 11:33 AM  
**To:** Jim Strozier <[cp@consensusplanning.com](mailto:cp@consensusplanning.com)>  
**Subject:** RE: North I-25 Sector Plan

Jim –

I do recall that statement in the plan and its intention. You are correct that the plan was to halt the spread of single family residential uses from encroaching any farther west in the plan area. It was also a large intention of the plan to maintain the employment area on the west side of I-25. The Wildflower neighborhood is an anomaly that was created before this intention was realized. The Coronado Village MH Park and the pre-manufactured homes of Sunset Estates are other residential uses on the west side that were not given a residential land use option. Since then, the Coronado Village tract has been determined to be regional commercial and the sunset estates area is still being discussed by the City Council.

The allowance of single family residential in this area, and adjacent to the Balloon Park, is not the intention of this plan. The intention was to foster more employment uses in the area. I also remember that you were in support of such an intention, especially seeing non-residential growth around the Balloon Park. I have great difficulty in agreeing that the City would be interested in allowing additional single family uses in this area – multi-family units on the second floor and above is the intention.

If you would like to discuss further, please do not hesitate to ask.

-Chris

---

**From:** Jim Strozier [mailto:cp@consensusplanning.com]  
**Sent:** Wednesday, February 24, 2016 11:13 AM  
**To:** Hyer, Christopher K.  
**Subject:** North I-25 Sector Plan  
**Importance:** High

Chris,

I am working on a request for the very north end of Horizon Boulevard to change an 8 acre parcel to Low/Medium Density Residential. The Sector Plan includes the following statement:

“The intent of this land use district is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area.”

At our meeting earlier this week with Russell Brito, Vicente Quevedo, Paul Cauwels, and Jeff Stuve – Russell, Paul and Jeff all remembered that during the discussions on the plan that this statement was put in the plan to primarily address the encroachment of single-family west of Louisiana into the employment area. I also remember this discussion. None of us recalled any issues related directly to this property when discussing future single-family.

If you agree with this recollection and would be willing to state that in an email to Vicente, that would be extremely helpful to our case. This statement has been a big hurdle for us to address in trying to justify this change. All of the property owners along Horizon support this request and Scott Ashcraft is willing to provide disclosure to the buyers about the Balloon Fiesta and other activities that occur at the park.

Thank you.

**Jim Strozier, AICP**  
**Consensus Planning, Inc.**  
☎ 505.764.9801  
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## Quevedo, Vicente M.

---

**From:** Quevedo, Vicente M.  
**Sent:** Friday, December 18, 2015 12:13 PM  
**To:** 'Jim Strozier'  
**Cc:** Dicome, Kym  
**Subject:** Deficiency Notice - EPC Project 1010693  
**Attachments:** 1010693 Deficiency Notice.pdf

Jim,

Good afternoon. I have reviewed the initial submittal for Project 1010693 and have determined that substantial revisions are required in order to meet the requirements of Resolution 270-1980 for the requested Sector Development Plan Map Amendment (15EPC-40070). I have attached a memorandum with additional specific detail. Review and feel free to email me if you have any additional questions. Please note that based on the level of items that need to be addressed, staff is recommending a 30 day deferral to the February 11, 2016 EPC Public Hearing to allow adequate time to address these items. Thank you.

Respectfully,

**Vicente M. Quevedo, MCRP**

Urban Design and Development Planner  
City of Albuquerque, Planning Department  
t (505) 924-3357  
f (505) 924-3339  
[vquevedo@cabq.gov](mailto:vquevedo@cabq.gov)

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