



Environmental Planning Commission

Agenda Number: 02
Project Number: 1011129
Case #: 17EPC 40001
March 9, 2017

Staff Report

Agent	Consensus Planning
Applicant	Palo Duro Homes
Request	Text Amendment to the University Neighborhoods Sector Development Plan to clarify the lot standards for a townhouse in the Diverse Residential Zone
Current Zoning	SU-1 DR Diverse Residential
Proposed Zoning	No Change

Staff Recommendation

That a recommendation of APPROVAL of 17EPC 40001 be forwarded to the City Council, based on the Findings on page 13, and subject to the Conditions of Approval on page 16.

*Staff Planner
Cheryl Somerfeldt*

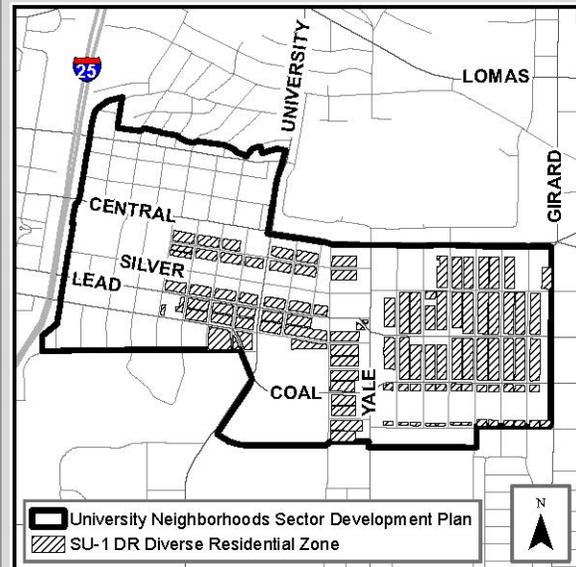
Summary of Analysis

The subject request is to amend the text under the Diverse Residential Zone within the University Neighborhoods Sector Development Plan. The Diverse Residential Zone is intended to "provide suitable sites for houses, townhouses, low density apartments and uses incidental thereto". This zone includes much of the University Heights and Silver Hill neighborhoods. As the name implies, the Diverse Residential zone permissively allows for a wide range of residential uses.

The Lot Size regulation (within Appendix 4: Zoning, DR Diverse Residential, 4 a and b) is difficult to understand, implement, and enforce. The subject request will amend the Lot Size requirement text to revise the regulations for a townhouse or duplex lot size in the Diverse Residential zone.

A neighborhood facilitated meeting was held on February 22, 2017. Eleven members of the neighborhoods attended who largely expressed opposition due to concern over increased density and parking.

The request generally furthers applicable goals and policies. Staff recommends approval subject to conditions.



City Departments and other interested agencies reviewed this application from 01/30/2017 to 02/13/2017.
Agency comments used in the preparation of this report begin on Page 18.

I. INTRODUCTION

Request

The subject request is a text amendment to the Lot Size of the Diverse Residential Zone (SU-2/ DR) within the University Neighborhoods Sector Development Plan (SDP) (Appendix 4: Zoning, DR Diverse Residential, 4. Lot Size a and b).

The University Neighborhoods SDP area includes the University Heights and Silver Hill neighborhoods. The proposed amendment is narrow in scope in that it would only revise the minimum townhouse lot size for properties in the SU-2/DR Diverse Residential Zone which is intended to "provide suitable sites for houses, townhouses, low density apartments and uses incidental thereto".

The existing University Neighborhoods SDP Diverse Residential Lot Size is difficult to understand, implement, and enforce. The subject request proposes to clarify the townhouse Lot Size requirement and amend the regulatory text in the Diverse Residential Zone.

The request includes the following points (refer to II. PROPOSED TEXT AMENDMENTS below for the original text):

1. Within subsection b, the word "lot" is missing after the second use of the word "townhouse". This could be interpreted to mean that the width of a townhouse building must be a minimum of 24 feet rather than the width of the lot. This is not the intent since the subsection is located under the heading "Lot Size". This is an unintentional typographical error in the original plan and is proposed to be remedied.
2. Aside from the above error, the intention of the request is to revise the density of townhouse lots as regulated by the lot size requirement. The existing University Neighborhoods SDP requires 6,000 square feet of lot area to allow more than one dwelling unit. The permitted density is one dwelling unit for every 1,500 square feet of lot area. This request would allow the same density for townhouse or duplex lots with a 3,000 square foot minimum lot that is permitted for apartments with a 6,000 square foot minimum lot. All other building regulations within the University Neighborhoods SDP must be met such as setbacks and parking.

History

The University Neighborhoods Sector Development Plan (SDP) Area History

The Terrace Addition, which would eventually become the Silver Hill Neighborhood was platted along Silver Avenue in 1886, and is currently guided by the Silver Hill Historic Overlay Zone. In 1906, the University Heights Addition was also platted. Between 1918

and 1930, both neighborhoods experienced a large volume of construction primarily of single family homes, and yet some duplexes were also constructed, mostly concentrated on Gold Avenue. After World War II and passage of the G.I. Bill, the University of New Mexico began to grow exponentially. Married students were able to move off campus into the neighborhoods which increased the demand for accessory dwelling units, duplexes, and garage conversions. In 1969, the City increased the zoning density to R-3, which allowed for apartments with up to twelve units per lot. Rampant residential property speculation, Presbyterian Hospital expansion, and parking scarcity produced increasing amounts of stress to the neighborhoods.

In 1978, the City Council passed a six month building moratorium so that a plan for the orderly growth of the area could be developed. The original University Neighborhoods SDP was adopted in 1978 (R209-1978). Zoning was adjusted to reflect existing uses and much of the residential area was reduced from R-3 to the specially tailored “Diverse Residential” DR zone which was to “encourage both single-family home ownership and moderately sized apartments.” (p13) The 1978 plan was superseded in 1986 by the current SDP (R102-1986) which included land use changes from the Sycamore Metropolitan Redevelopment Plan (R19-1982) adopted in 1982 to guide the Presbyterian Hospital expansions. In 1991, an amendment was approved for the University Neighborhoods SDP. The amendment allowed dwelling structures legally built and occupied prior to 1978 in the SU-2/SF Single Family Residential Zone to be retained even when multiple dwelling units existed.

In 2008, a City of Albuquerque Code Enforcement Officer conducted a survey of the properties within the University Neighborhoods Sector Development Plan (SDP) area to determine compliance with the Zoning Code and the SDP. 1064 residential properties were examined; 298 or 28% of the residential lots had 1 unit on the lot; and 334 or 31% of the residential lots had 2 units on the lot. Today, any lot with more than one unit and less than 6,000 square feet of lot area would be considered legally nonconforming. (see the attached University Neighborhoods Survey 2008).

Context

The University Neighborhoods SDP area is within the Central Urban Area of the Comprehensive Plan. The University Neighborhoods SDP encompasses a large area to the south and west of the University of New Mexico. The SDP boundaries are generally bordered by Interstate 25 to the west, the Spruce Park Neighborhood to the north, Girard Boulevard to the east, and St. Cyr Avenue to the south. The area does not include the University of New Mexico (UNM) main campus but does include a portion of the Central New Mexico Community College (CNM) main campus. Central Avenue runs east-west

through the middle of the area. East-west arterials include Central Avenue, Lead Avenue, and Coal Avenue. North-south arterials include University Boulevard, Yale Boulevard, and Girard Boulevard. The SDP area primarily includes student single and multi-family housing and historic houses in the Silver Hill and Sycamore neighborhoods to the west.

A pattern of institutional, commercial, and mixed density residential land uses characterize the area. Commercial uses are concentrated along Central Avenue. There are many institutional uses such as UNM, CNM, and Presbyterian Hospital properties. Residential uses range in density from single family houses to large apartments with as many as twelve units per lot. Given that it is in the Central Urban Area of the Comprehensive Plan, it can be foreseen that density would increase as the City increases in size, especially as it is along one of the major transit corridors of the City, Central Avenue, which will hold the Albuquerque Rapid Transit enhanced transit system.

Purpose/Intent

The overarching goal of the requested text amendment is to encourage the continued development of the SU-2/DR Diverse Residential Zone in the University Neighborhoods community and to support this Zone as a viable urban residential area as a way of improving and revitalizing the larger area. The Diverse Residential zone permissively allows for a wide range of residential uses including single-family homes, townhomes, accessory living quarters, and apartments.

The applicant proposes to amend the wording of the text under Lot Size within the Diverse Residential Zone. Currently, the University Neighborhoods SDP Diverse Residential Zone requires at least a 6,000 square foot lot to build more than one dwelling unit. For lots with less than a 142 foot width, the density is permitted to be one dwelling unit for every 1,500 square feet of lot area. The applicant is proposing to update the University Neighborhoods SDP so that a property owner with a minimum of 3,000 square feet of lot area could build a duplex. The density would be the same or less than the multi-family density as long as the other existing regulations are met such as setbacks and parking. Parking will continue to be required to remain on the dwelling property, so that street parking does not increase in the neighborhoods.

The applicant refers to a “townhouse” with a “secondary dwelling unit” in the application. However, these terms can be misleading since “secondary dwelling unit” is not a defined use. A townhouse is defined by the Zoning Code as “attached dwelling units divided from each other by common walls, each having a separate entrance leading directly to the outdoors at ground level, and each having at least one-fourth of its heated and unheated floor area approximately at grade. A townhouse building is one type of an apartment.”

According to Code Enforcement, the request is actually to permit a distinct style of apartments or a “duplex” which is a term used elsewhere in the SDP and is defined as two units per lot.

Zoning Code 14-16-4-3 Sector Development Plan Procedures outlines the City’s established process for application, adoption, and review of Sector Development Plans. Provision 14-16-4-3 (D) (1) indicates that “review shall take place at least every ten years until the plan is fully implemented in order to determine if the plan should be amended”. Since the University Neighborhoods SDP was written in 1986 (31 years ago) and last amended in 1991 (26 years ago), it is reasonable to expect conditions to change which would warrant a revision to the originally intended density.

Environmental Planning Commission (EPC) Role

The EPC is a recommending body with review authority. The EPC’s task is to make a recommendation to the City Council regarding the proposed text amendments. The City Council is the City’s Zoning Authority and will make the final decision.

The EPC is a recommending body with review authority. In this case, pursuant to §14-16-2-23 (SU-2 Special Neighborhood Zone), the EPC is charged with making a recommendation regarding a sector development plan, such as the University Neighborhoods Sector Development Plan, which specifies new development and redevelopment that is appropriate for a given neighborhood.

II. PROPOSED TEXT AMENDMENTS

This request is to amend the University Neighborhoods SDP SU-2/DR Diverse Residential Zone Lot Size. The ***existing text*** within Appendix 4: Zoning, DR Diverse Residential is:

4. Lot Size:
 - a. Minimum lot area shall be 6,000 square feet, except house lots shall be 5,000 square feet per house: a house lot shall not have a width of less than 50 feet, except the width is not to be less than 40 feet if the setback requirements of Section 10.E.3.a. of the Comprehensive City Zoning Code, October 1, 1978, edition are met.
 - b. A townhouse lot shall have 3,000 square feet per townhouse; a townhouse shall have a width of not less than 24 feet per dwelling unit.

The ***applicant’s proposed text*** for DR Diverse Residential, 4. Lot Size is:

- b. A townhouse lot shall have 3,000 square feet per townhouse; a townhouse lot shall have a width of not less than 24 feet.

The text amendment as proposed by the applicant (above) adds the word “lot” after the second use of the word townhouse and eliminates “per dwelling unit” from the end of the sentence.

However, eliminating the phrase “per dwelling unit” does not revise the minimum 6,000 square foot lot size requirement for more than one unit. Subdivision 4.a. requires 6,000 square feet of lot area for lots other than houses or townhouses, meaning development with more than one unit requires 6,000 square foot of lot area. In addition, the beginning of point b) uses the phrase “per townhouse”. The applicant’s intent for the text amendment was to allow for a townhouse with a second unit in the back or a duplex (defined as two units on one lot) with a minimum of a 3,000 square foot lot. In order to accomplish this intent, both points a and b under number 4. Lot Size should be rewritten. Staff suggested the following text amendment to meet the intent of the proposed request:

4. Lot Size

- c. Minimum lot area shall be 6,000 square feet, except house lots shall be a minimum of 5,000 square feet provided that a house lot shall not have a width of less than 50 feet, except the width is not to be less than 40 feet if the setback requirements of Section 14-16-2-6 (E) (B) of the Zoning Code are met.**
- d. Except townhouse lots shall be a minimum of 3,000 square feet provided that a townhouse lot shall not have a width of less than 24 feet. A townhouse lot may contain up to two dwelling units provided that all of the other provisions of the DR zone are met including F.A.R., density, and parking and that there is a minimum of 1,500 square feet of lot area per dwelling unit.**

This would allow for up to two units or a duplex on townhouse lots with a lot area of more than 3,000 square feet. The text amendment as proposed above would allow for slightly more density, allowing property owners with smaller lots to build two units as long as all other provisions of the Zoning Code are met. This is less dense than what was permitted between 1969 and 1978. It reflects current conditions and allows for a small amount of growth in an existing urban neighborhood near the urban core.

This text amendment is intended to affect all properties of the DR Diverse Residential Zone within the University Neighborhoods SDP. If this text amendment is approved, there is a current project consisting of four 3,400 square foot and greater lots near the corner of Silver Avenue and Cornell Avenue which would permit a townhouse duplex product rather than combining the lots to create an 8-unit apartment complex, which would be permitted by right.

The applicant applied for a variance for these lots and although the Zoning Hearing Examiner (ZHE) denied the variance because a variance was not the correct tool for

revising this regulation (see Notification Of Decision (NOD) for Project #1011030 at the end of the attached application), the ZHE made the following points regarding the project:

- Specifically, the ZHE finds that the Applicant makes a detailed, supported and compelling argument, based on relevant plan criteria, the market need for the proposed project, the likely purchasers for the project being owner-occupants leading to increased neighborhood stability and the compatibility and appropriateness of the proposed project in this location.
- Moreover, the likely alternative development, permitted by right, is likely to have more impact, lead to less neighborhood stability and be a less-attractive contribution to the built environment.
- The project is both in the public interest and not injurious.

III. ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Note: Policy citations are in regular text; ***Staff analysis is in bold italics.***

Charter of the City of Albuquerque

The Citizens of Albuquerque adopted the City Charter in 1971. Applicable articles include:

Article I, Incorporation and Powers

“The municipal corporation now existing and known as the City of Albuquerque shall remain and continue to be a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or charter. Unless otherwise provided in this Charter, the power of the city to legislate is permissive and not mandatory. If the city does not legislate, it may nevertheless act in the manner provided by law. *The purpose of this Charter is to provide for maximum local self government.* A liberal construction shall be given to the powers granted by this Charter.” (emphasis added)

Article IX, Environmental Protection

“The Council (City Commission) in the interest of the public in general shall protect and preserve environmental features such as water, air and other natural endowments, ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment. To affect these ends the Council shall take whatever action is necessary and shall enact ordinances and shall establish appropriate Commissions, Boards or Committees with jurisdiction, authority and staff sufficient to effectively administer city policy in this area.”

The proposed amendments are exercises in “maximum local self-government” (Article I) which the City Council has authority to implement through legislative action and the establishment of appropriate committees (Article IX). Amending the

University Neighborhoods SDP Diverse Residential Zone to allow for two dwelling units on a townhouse lot expresses the Council's desire to ensure the proper use and development of land and to generally promote and maintain an aesthetic and humane urban environment.

Albuquerque Comprehensive Zoning Code

Authority and Purpose (summarized): The Zoning Code is Article 16 within Chapter 14 of the Revised Code of Ordinances of Albuquerque, New Mexico, 1994 (often cited as ROA 1994). The administration and enforcement of the Zoning Code is within the City's general police power authority for the purposes of promoting the health, safety, and general welfare of the public. As such, the Zoning Code is a regulatory instrument for controlling land use activities for general public benefit.

Role of Land Use Boards (aka Amendment Procedure summarized): The City Council is the zoning authority for the City of Albuquerque and has sole authority to amend the Zoning Code. Through the City Charter, the City Council has delegated broad planning and zoning authorities to the Environmental Planning Commission (EPC). The EPC is advisory to the City Council regarding proposed text amendments to the Zoning Code.

The University Neighborhoods Area is zoned SU-2 Special Neighborhood Zone, Redeveloping Area, as provided in the Comprehensive City Zoning Code. The University Neighborhoods SDP established general regulations as well as land use regulations for specific zones within the plan area such as the DR Diverse Residential Zone to which this request applies. The application was filed in accordance with Zoning Code requirements.

This request is not proposing a Zone Map Amendment but to revise the lot size requirement within the Diverse Residential Zone. The proposed text amendment furthers the intent of the Zoning Code to promote the health, safety and general welfare of the public because it would permit an appropriate density for an urban neighborhood and allow flexibility for individual property owners.

The DR Diverse Residential Zone was established to "encourage both single-family home ownership and moderately sized apartments." (p13) In addition, the University Neighborhoods SDP suggests that moderate increases in density allowed in the DR Zone "can be realized through construction of an additional unit or duplex behind the existing house."(p48), which is the precise purpose of this request.

Albuquerque/Bernalillo County Comprehensive Plan

The Comprehensive Plan, the Rank I planning document for the City, contains goals and policies that provide a framework for development and service provision. The Plan's goals and policies serve as a means to evaluate development proposals and requests for text amendments such as this.

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

The Comprehensive Plan designates the subject area as part of the Central Urban area. The Central Urban Area is a portion of the Established Urban Area and as such is subject to the policies for both. Development intensities in the Central Urban Area should generally be higher than in other portions of Established Urban. The Central Urban Area represents the City's heart, character, and history. The goal of the Central Urban Area is to be promoted "as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City". The goal of the Established Urban Area is "to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment".

The proposed text amendment would recognize and enhance the character of its residential neighborhoods and offer variety and maximum choice in housing and life styles by: 1) legally allowing duplexes on smaller lots in an area where they already exist, therefore, allowing for greater and more flexible rights for existing property owners, and by 2) providing a townhouse duplex product that would be more likely to attract resident owners as well as provide a more flexible architectural style than apartment complexes alone.

Applicable policies include:

Land Use Policies

DEVELOPING AND ESTABLISHED URBAN AREAS:

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

The request furthers Policy II.B.5d-neighborhood/environmental conditions/resources.

The location, intensity, and design of the new development will be consistent with existing development and carrying capacities in that there are other legally non-conforming properties with two dwelling units in the area. In addition, there are many apartment complexes constructed with higher densities than what is being proposed. This request proposes a medium density to provide a transition from the Established Urban to the Central Urban of which this neighborhood is a part.

Recent approved projects show that there is a trend for increased density in this neighborhood which is appropriate given the neighborhood's location near the urban core. The proposed amendment is a positive step for the neighborhood and respects neighborhood values by providing a housing product that will be more likely to include owner-residents over renters. The design of new development would be required to comply with the other University Neighborhoods SDP regulations.

Policy II.B.5e: 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 request furthers Policy II.B.5e. Vacant residential property in the University Neighborhoods SDP area is rare compared to other areas, however when it does occur, development of this property will allow for growth continuous to existing and programmed urban facilities and services; and the integrity of the existing neighborhood can be ensured through development similar to existing densities.

Policy II.B.5h: Higher density housing is most appropriate in the following situations:

- In areas with excellent access to the major street network
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.

The request furthers Policy II.B.5h. The Diverse Residential Zone has excellent access to the City's major street network – I-25, Central Avenue, Lead and Coal Avenues. Additional transit infrastructure (Albuquerque Rapid Transit) is currently under construction on the primary arterial within the neighborhood, Central Avenue. The request proposes a density pattern (duplex or two dwelling units on one lot) that is already established by use, making it compatible with existing land-uses. Adequate infrastructure is available within the SDP area.

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

The request furthers Policy II.B.5o. The request continues and strengthens the redevelopment and rehabilitation of an older neighborhood, especially the area to the east of Yale Boulevard. It will allow property owners with smaller lot sizes to rehabilitate their property into two townhouses, providing incentive for new construction with more options for the small property owner to have both owner occupancy and income generation through a rental. In addition, since existing secondary dwelling units are likely to be legally nonconforming, this text amendment would allow property owners with two units to legally tear-down and rebuild with new construction if needed.

Community Resource Management Policies

HOUSING:

Policy II.D.5b: 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.

The request furthers Policy II.D.5b. The request proposes an innovative new housing design which could provide additional improved housing options in the University Neighborhoods SDP area.

The University Neighborhoods Sector Development Plan (SDP), Rank III

The University Neighborhoods Sector Development Plan (SDP) was first adopted in 1978, revised in 1986, and amended in 1991. For history of the plan area see section I.b. of this report.

The Sector Plan boundaries are generally bordered by Interstate 25 to the west, the Spruce Park Neighborhood to the north, Girard Boulevard to the east, and St. Cyr Avenue to the south. The SDP sets forth basic goals which have shaped the plan and underlie the specific recommendations such as:

- Improve the quality of life in the area.
- Conserve and renew the unique qualities of this neighborhood.
- Encourage infill residential construction in appropriate places.
- Encourage pedestrian orientation.
- Improve conditions in business areas.
- Foster positive social and physical interrelations between businesses, institutions and residents.

The unique qualities of this neighborhood will be conserved and renewed by providing development similar to that which is existing. The proposed text amendment would encourage and support infill of medium-density residential development located in an appropriate place where revitalization is desired. The townhouse style apartment as defined by the Zoning Code has a separate entrance leading directly to the outdoors at ground level which will encourage pedestrian orientation over an apartment complex.

IV. CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

Code Enforcement Staff did not comment as part of the Agency comments beginning on page 18. Staff met with a Zoning Enforcement Manager, and he indicated that the proposed text amendment is reasonable and enforceable.

V. NEIGHBORHOOD/PUBLIC CONCERNS

A facilitated meeting was held in the evening of February 22, 2017. The following Neighborhood Associations and Coalitions were contacted: Sycamore Neighborhood Association, Silver Hill Neighborhood Association, Spruce Park Neighborhood Association, University Heights Neighborhood Association, Victory Hills Neighborhood Association, District 6 Coalition of Neighborhood Associations.

The facilitated meeting report is attached. In general, the neighborhood representatives opposed the text amendment siting issues with increased density which may cause increased crime, carving up the neighborhood into small lots, increased street parking, increased property taxes, and decreased property values.

Staff received approximately 14 telephone calls and/or office visits regarding the project. After an explanation of the intent of the proposed text amendment as described above, 8 were neutral, 4 were positive, and 2 were opposed.

VI. CONCLUSION

This text amendment proposes to revise the intent of the University Neighborhoods SDP Lot Size requirement by allowing for a small increase in density and more flexibility for property owners in an increasingly urban neighborhood. Lots with a minimum of 3,000 square feet would be permitted to construct two dwelling units. All other provisions of the plan will remain intact, meaning that development would still be required to comply with the remaining University Neighborhoods SDP regulations as well as the City of Albuquerque Zoning Code.

A similar density could be constructed if small lots are combined into larger lots, however, the resulting product would be an apartment complex ensuring more renters. Allowing smaller lot sizes to construct at the same density will permit a product that is more likely to encourage home ownership. In addition, many existing lots in the SDP area have two units, which are considered legally nonconforming if the lot size is less than 6,000 square feet, and this text amendment would permit this density legally.

FINDINGS - 17EPC 40001, MARCH 9, 2017 TEXT AMENDMENT TO THE UNIVERSITY NEIGHBORHOODS SECTOR DEVELOPMENT PLAN

1. The subject request is a text amendment to the Lot Size of the SU-2/ DR Diverse Residential Zone within the University Neighborhoods Sector Development Plan (SDP) (Appendix 4: Zoning, DR Diverse Residential, 4. Lot Size, a and b). The Diverse Residential Zone is intended to "provide suitable sites for houses, townhouses, low density apartments and uses incidental thereto".
2. The existing regulation is difficult to understand, implement, and enforce, and the subject request proposes to clarify the townhouse lot size regulation. The proposed amendment is narrow in scope in that it would only revise the minimum townhouse lot size for properties in the SU-2/DR Diverse Residential Zone.
3. The request intends to remedy an unintentional typographical error in the University Neighborhoods SDP. Within subsection b, the word "lot" is missing after the second use of the word "townhouse".
4. The request intends to revise the density of townhouse lots as regulated by the lot size requirement. This request would allow the same density for townhouse or duplex lots with a 3,000 square foot minimum lot area as that which is currently permitted for apartments with a 6,000 square foot minimum lot area. The density would be one dwelling unit per 1,500 square feet of lot area.
5. The request is to permit a distinct style of apartments or a "duplex", a term used elsewhere in the SDP, and defined as two units per lot. All other building regulations within the University Neighborhoods SDP must be met such as setbacks, and parking.
6. The overarching goal of the requested text amendment is to encourage the continued development of the SU-2/DR Diverse Residential Zone in the University Neighborhoods community and to support this Zone as a viable residential area as a way of improving and revitalizing the larger area.
7. The Charter of the City of Albuquerque, the Albuquerque/Bernalillo County Comprehensive Plan, the University Neighborhoods Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
8. Recommendations to amend a sector plan fall within the duties, responsibilities and powers delegated to the EPC pursuant to Ordinances §14-13-30-2: "The EPC shall advise the ... City Council ... concerning the development and revision of community goals, plans for urban development and protection of the environment, ... and other appropriate matters." Pursuant to §14-16-4-1(D)(1), "... an application for a text

- change shall generally be evaluated by the Planning Director and the Planning Commission.” Pursuant to §14-16-4-1(D)(3), “The City Council may consider any application for text amendment and shall consider any such application which receives a positive recommendation from the Planning Commission.”
9. The request generally furthers the intent of the Zoning Code to promote the health, safety and general welfare of the public because it would permit an appropriate density for an urban neighborhood and allow flexibility for individual property owners. The existing University Neighborhoods SDP states that density increases in the Diverse Residential Zone “can be realized through construction of an additional unit or duplex behind the existing house.”
 10. The request furthers the following policies of the Comprehensive Plan:
 - A. The proposed text amendment would recognize and enhance the character of its residential neighborhoods and offer variety and maximum choice in housing and life styles by: 1) legally allowing duplexes on smaller lots in an area where they already exist, therefore, allowing for greater and more flexible rights for existing property owners, and by 2) providing a townhouse duplex product that would be more likely to attract owner-residents as well as provide a more flexible architectural style than apartment complexes alone.
 - B. Policy II.B.5d-neighborhood/environmental conditions/resources. This request proposes a medium density to provide a transition from the Established Urban to the Central Urban of which this neighborhood is a part. Recent approved projects show that there is a trend for increased density in this neighborhood which is appropriate given the neighborhood’s location near the urban core. The proposed amendment is a positive step for the neighborhood and respects neighborhood values by providing a housing product that will be more likely to include owner-residents over renters.
 - C. Policy II.B.5e: new growth. This request will allow for growth contiguous to existing and programmed urban facilities and services. The integrity of the existing neighborhood can be ensured through development which matches existing densities.
 - D. Policy II.B.5h: higher density housing. This request is limited to the Diverse Residential Zone which has excellent access to the City’s major street network. Additional transit infrastructure (Albuquerque Rapid Transit) is currently under construction on the primary arterial within the neighborhood, Central Avenue. The request proposes a density pattern (duplex or two dwelling units on one lot) that is already established.
 - E. Policy II.B.5o: Redevelopment and rehabilitation of older neighborhoods. This request continues and strengthens the redevelopment and rehabilitation of an older neighborhood, especially the area to the east of Yale Boulevard. It will allow property owners with smaller lot sizes to rehabilitate their property, providing incentive for

new construction with more options for both owner occupancy and income generation through property rental on small properties.

- F. Policy II.D.5b: Quality and innovation in new housing design and construction.
This request proposes a distinct housing product which could provide additional housing options in the University Neighborhoods SDP area.
11. The request furthers the Basic Goals of the University Neighborhoods SDP.
- Conserve and renew the unique qualities of this neighborhood.
 - Encourage infill residential construction in appropriate places.
 - Encourage pedestrian orientation.
- The proposed text amendment would encourage and support infill of medium-density residential development located in an appropriate place where revitalization is desired. The townhouse style apartment as defined by the Zoning Code has a separate entrance leading directly to the outdoors at ground level which will encourage pedestrian orientation over an apartment complex.
12. The University Neighborhoods list of neighborhood organizations was notified: Sycamore Neighborhood Association (NA), Silver Hill NA, Spruce Park NA, University Heights NA, Victory Hills NA, and the District 6 Coalition of Neighborhood Associations. Property owners within 100 feet of a property zoned SU-1/DR were also notified as required.
13. A facilitated meeting was held in the evening of February 22, 2017. Eleven neighborhood representatives attended who were generally opposed to the text amendment, citing issues with increased density which may increase crime, carving up the neighborhood into small lots, increased street parking, increased property taxes, and decreased property values.
14. Staff received approximately 14 telephone calls and/or office visits regarding the project. After an explanation of the intent of the proposed text amendment as described above, 8 were neutral, 4 were positive, and 2 were opposed.

RECOMMENDATION - 17EPC 40001, MARCH 9, 2017

That a Recommendation of APPROVAL of case #17EPC 40001, to amend the map/text of the Sector Development Plan/Zoning Code, be forwarded to the City Council, based on the preceding Findings and subject to the following Conditions of Approval.

**CONDITIONS OF APPROVAL - 17EPC 40001, MARCH 9, 2017 TEXT AMENDMENT TO THE
UNIVERSITY NEIGHBORHOODS SECTOR DEVELOPMENT PLAN**

Revise the text on page 70 of the University Neighborhoods Sector Development Plan (SDP) (R102-1986) (Appendix 4: Zoning, DR Diverse Residential, 4. Lot Size a and b) to:

4. Lot Size

- a. Minimum lot area shall be 6,000 square feet, except house lots shall be a minimum of 5,000 square feet provided that a house lot shall not have a width of less than 50 feet, except the width is not to be less than 40 feet if the setback requirements of Section 14-16-2-6 (E) (B) of the Zoning Code are met.**
 - b. Except townhouse lots shall be a minimum of 3,000 square feet provided that a townhouse lot shall not have a width of less than 24 feet. A townhouse lot may contain up to two dwelling units provided that all of the other provisions of the DR zone are met including F.A.R., density, and parking and that there is a minimum of 1,500 square feet of lot area per dwelling unit.**
-



**Cheryl Somerfeldt
Planner**

Notice of Decision cc list:

Rick Squires	Palo Duro Homes, 4420 Tower Road SW, Albuquerque NM 87121
Jim Strozier	Consensus Planning, 302 8 th Street NW, Albuquerque NM 87102
Sal Perdomo	Consensus Planning, 302 8 th Street NW, Albuquerque NM 87102
Fred Smith	2107 Coal Pl SE, Albuquerque NM 87106
Linda Smith	2107 Coal Pl SE, Albuquerque NM 87106
Maureen Kohn	Silver Hill NA, 1701 Silver Ave SE, Albuquerque NM 87106
David Kohn	Silver Hill NA, 1701 Silver Ave SE, Albuquerque NM 87106
Julie Kidder	University Heights NA, 120 Vassar SE, Albuquerque NM 87106
Tom Ocken	Silver Hill NA, 1612 Silver Ave SE, Albuquerque NM 87106
Don Hancock	University Heights NA, 105 Stanford SE, Albuquerque NM 87106
Mardon Gardella	Sycamore NA, 411 Maple St NE, Albuquerque NM 87106
Julie Ahern Wild	205 Cornell Dr SE, Albuquerque NM 87106
Peter Feibelman	Spruce Park NA, 1401 Sigma Chi NE, Albuquerque NM 87106
James Montalbano	Silver Hill NA, 1404 Silver Ave SE, Albuquerque NM 87106

AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Reviewed. No adverse comments.

Office of Neighborhood Coordination

The following Neighborhood Associations and Coalitions were contacted:

Sycamore Neighborhood Association, Silver Hill Neighborhood Association, Spruce Park Neighborhood Association, University Heights Neighborhood Association, Victory Hills Neighborhood Asspcoation, District 6 Coalition of Neighborhood Associations.

A facilitated meeting was scheduled for Wednesday, February 22, 2017. The facilitated meeting report is attached.

Long Range Planning

The proposed clarification does not appear to create any inconsistencies with other SU-2 zones in the Sector Development Plan. Please confirm with Code Enforcement.

CITY ENGINEER

Transportation Development Services

Traffic Engineering Operations

Hydrology

DEPARTMENT OF MUNICIPAL DEVELOPMENT

Transportation Planning

Reviewed. No adverse comments.

WATER UTILITY AUTHORITY

Utility Services

Reviewed. No adverse comments.

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION

POLICE DEPARTMENT/PLANNING

SOLID WASTE MANAGEMENT DEPARTMENT

FIRE DEPARTMENT/PLANNING

TRANSIT DEPARTMENT

Transit Corridor

Central Avenue Major Transit Corridor; University and Yale Enhanced Transit Corridors

Transit Routes

Multiple stops throughout district on the following routes: Rapid Ride 766, 777, and 790 on Central; Fixed Route 66 on Central; Fixed Route 97 on Lead and Coal; Fixed Route 16 on University, Yale, and Girard; Fixed Route 50 on Yale; Commuter Route 217 on University.

Comments

This is a very narrow request directed at language regarding a residential zone, and has no implications for routes or service provision. ABQ RIDE has no objection.

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed. No adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

MID-REGION COUNCIL OF GOVERNMENTS

Reviewed No adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Reviewed No adverse comments.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Reviewed No adverse comments.

APPLICATION & STAFF 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

S Z ZONING & PLANNING

- Annexation
- 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)
- L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd 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 - James Strozic PHONE: 505-764-9801
 ADDRESS: 302 8th St NW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: cp@consensusplanning.com
 APPLICANT: PALO DURO HOMES PHONE: 505-243-0005
 ADDRESS: 4420 TOWER RD SW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87121 E-MAIL: tom@paldurohomes.com
 Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: TEXT AMENDMENT TO THE UNIVERSITY NEIGHBORHOODS SECTOR PLAN

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. UNIVERSITY NEIGHBORHOODS SECTOR DEVELOPMENT PLAN Block: _____ Unit: _____
 Subdiv/Addn/TBKA: _____
 Existing Zoning: _____ Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): K-15, K-16 UPC Code: _____

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1011030, 1011031, 1011032, 1011033,

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? _____
 No. of existing lots: - No. of proposed lots: - Total site area (acres): -
 LOCATION OF PROPERTY BY STREETS: On or Near: SOUTH + WEST OF UNM MAIN CAMPU
 Between: _____ and _____
 Check if project was previously reviewed by: Sketch Plan/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE

[Signature] DATE 1-26-2017
 (Print Name) James K. Strozic, AICP Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	_____	_____	_____	\$ _____
<input type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date	_____		\$ _____

Project # _____

Staff signature & Date _____

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. Strozier AICP

 Applicant name (print)
[Signature] 1-26-2017
 Applicant signature & Date



Revised: June 2011

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

Staff signature & Date

Project # _____

July, 1986

University Neighborhoods Sector Development Plan



City of Albuquerque
Planning Department/Redevelopment Division

3. Height:
As provided in the R-2 Zone and also to preserve solar access, as provided for in the General Regulations concerning heights (40.c.1.G), except:
 - a. The Solar Access provision applies to all lots including those platted before February 1, 1981.
 - b. The Zoning Enforcement Office shall not have the power to waive this Section. However, a variance from these requirements may be requested from the Zoning Hearing Examiner.
4. Front, rear, and side yard setbacks in the RTD (residential/Townhouse/Duplex Zone):
 - a. There shall be a front yard setback of not less than 15 feet, except setback for a garage or carport shall be not less than 20 feet.
 - b. There shall be a side yard setback of not less than 5 feet except there shall be 10 feet on the street side of corner lots and there is no required side yard setback from internal lot lines for townhouses.
 - c. There shall be a rear setback of not less than 15 feet.
 - d. There shall be a distance of not less than 10 feet between residential buildings.

The DR DIVERSE RESIDENTIAL land use provides suitable sites for houses, townhouses, low density apartments and uses incidental thereto (somewhat like the R-2 zone).

1. Permissive Uses:
 - a. Uses permissive in the RTD land use area.
 - b. Accessory living quarters.
 - c. Apartment.
 - d. Family day care home, with any sign limited as for home occupations.
 - e. Sign, as provided in Section 40.E of the Zoning Code.
2. Conditional Uses:
 - a. Uses conditional in the RTD land use area.
 - b. Day care center.
 - c. School.
3. Height:
As provided in the RTD land use area.
4. Lot Size:
 - a. Minimum lot area shall be 6,000 square feet, except house lots shall be 5,000 square feet per house: a house lot shall not have a width of less than 50 feet, except the width is not to be less than 40 feet if the setback requirements of Section 10.E.3.a. of the Comprehensive City Zoning Code, October 1, 1978, edition are met.
 - b. A townhouse lot shall have 3,000 square feet per townhouse; a townhouse shall have a width of not less than 24 feet per dwelling unit.

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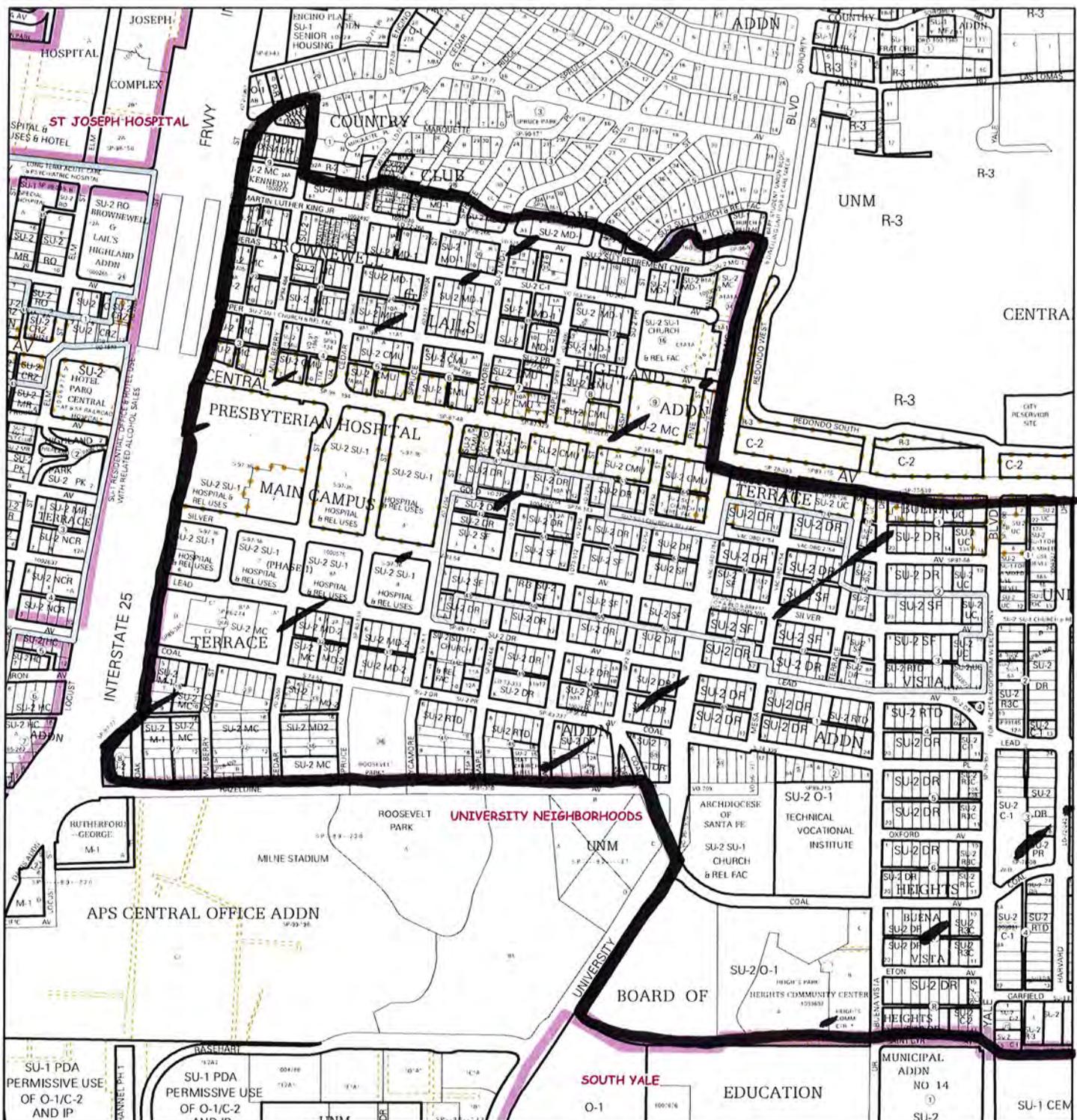
As provided in the RTD land use area.
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b. A townhouse lot shall have 3,000 square feet per townhouse; a townhouse shall have a width of not less than 24 feet ~~per dwelling unit.~~

lot

-70-

1



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

Map amended through: 1/28/2016

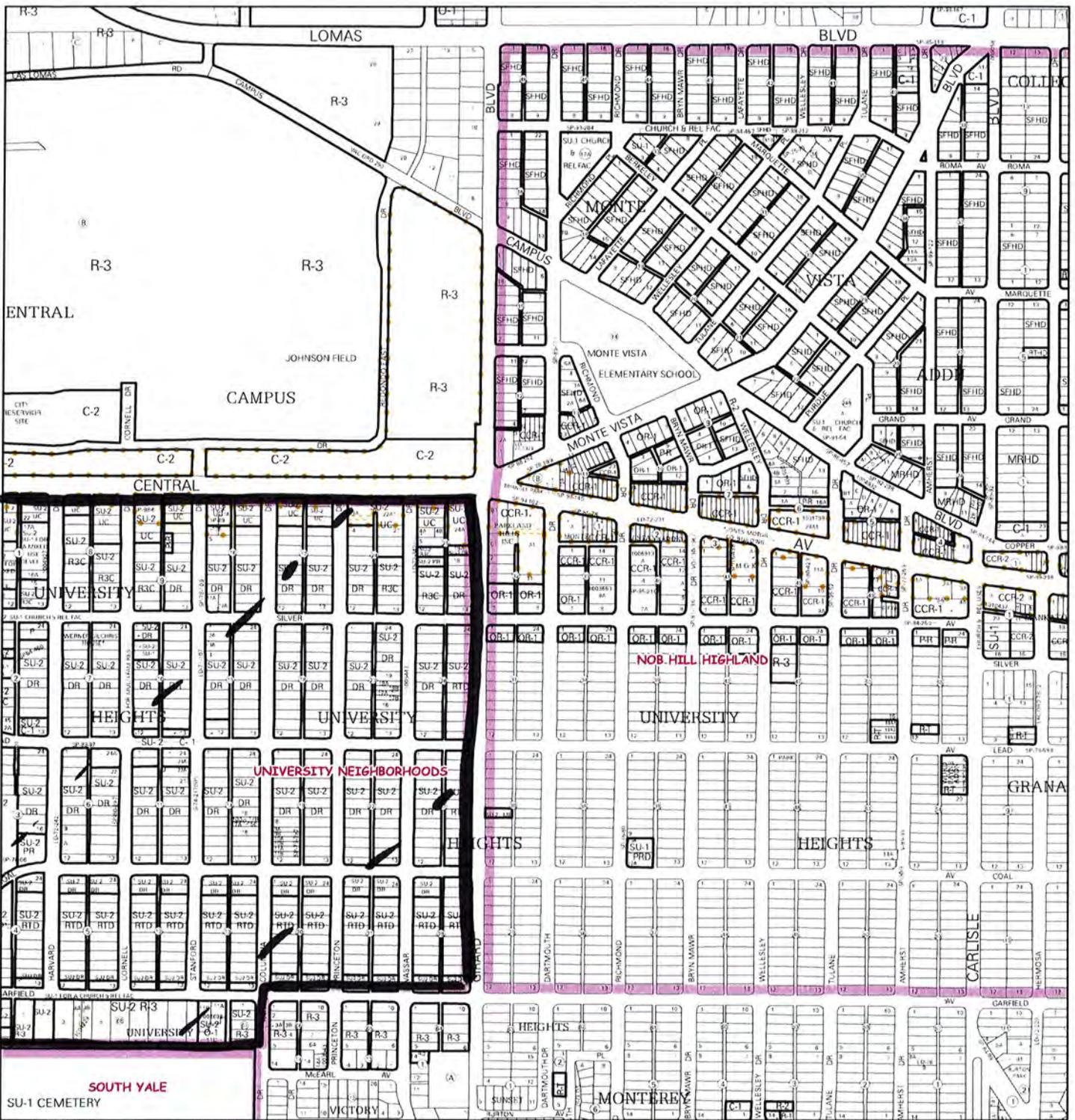
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
K-15-Z

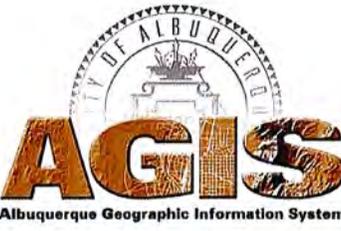
Selected Symbols

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

0 750 1,500 Feet



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



Map amended through: 1/28/2016

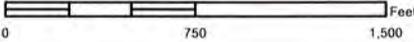


Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
K-16-Z

Selected Symbols

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





PLANNING

CONSENSUS

January 26, 2017

Ms. Karen Hudson, Chair
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Landscape Architecture
Urban Design
Planning Services

Re: Text Amendment to University Neighborhoods Sector Development Plan

302 Eighth St. NW
Albuquerque, NM 87102

Dear Ms. Hudson,

(505) 764-9801
Fax 842-5495
cp@consensusplanning.com
www.consensusplanning.com

This purpose of this letter is to describe, explain, and justify a request to the Environmental Planning Commission for a text amendment to the Lot Size requirements in the Diverse Residential Zone within the University Neighborhoods Sector Development Plan. This text amendment will clarify and update a regulation that was poorly written and counter-productive to the City's goals and needs.

The University Neighborhoods Sector Development Plan was written in 1986 (31 years ago) and amended in 1991, and encompasses a large area to the south and west of the University of New Mexico. The area primarily includes student single and multi-family housing to the south and historic housing in the Silver Hill and Sycamore neighborhoods to the west and southwest. The Sector Plan area also includes one of the state's largest hospitals, Presbyterian Downtown. The Sector Plan boundaries are generally bordered by Interstate 25 to the west, the Spruce Park neighborhood to the north, Girard Boulevard to the east, and St. Cyr Avenue to the south. The area does not include the University of New Mexico Main Campus, but does include a portion of the Central New Mexico Community College Main Campus. Central Avenue runs through the Sector Plan area and is home to many neighborhood commercial businesses, the proposed Albuquerque Rapid Transit, and future mixed-use development across from Presbyterian Hospital.

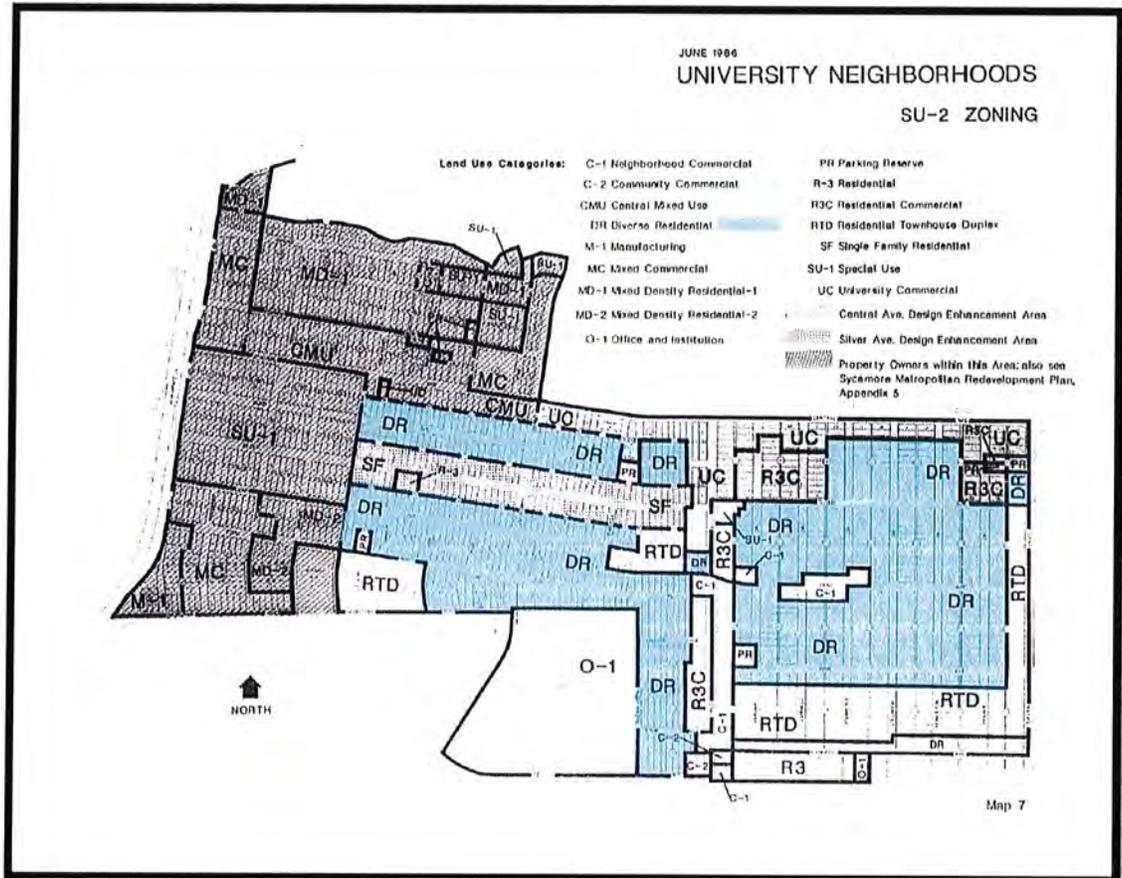
The subject request is a text amendment to the Diverse Residential Zone within the University Neighborhoods Sector Development Plan. The Diverse Residential Zone is intended to "provide suitable sites for houses, townhouses, low density apartments and uses incidental thereto". This zone is one of the larger zones in the University Neighborhoods Sector Development Plan and includes much of the University Heights and Silver Hill neighborhoods to the south and southwest. As the name implies, the Diverse Residential zone permissively allows for a wide range of residential uses, including single-family homes, duplexes or townhomes, accessory living quarters, and apartments. The Zone allows for a floor area ratio of .5 with one dwelling unit permitted per 1,500 square feet of lot size, or 30 DU's per acre.

PRINCIPALS

James K. Stroezer, AICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP
Laurie Fiori, PLA, ASLA



MAP OF DIVERSE RESIDENTIAL ZONED LOTS



Certain requirements under the Lot Size section of this zone are poorly written, missing crucial terminology, and are contradictory to the diverse residential goals for the area. The subject request will clarify this Lot Size requirement and amend the text to better regulate townhouse lot size in the Diverse Residential zone. In its current form, the Lot Size section of the zone reads as such:

4. Lot Size

- a. Minimum lot area shall be 6,000 square feet, except house lots shall be 5,000 square feet per house: a house lot shall not have a width of less than 50 feet, except the width is not to be less than 40 feet if the setback requirements of Section 10.E.3.a. of the Comprehensive City Zoning Code, October 1, 1978, edition are met.
- b. A townhouse lot shall have 3,000 square feet per townhouse; a townhouse shall have a width of not less than 24 feet per dwelling unit.

We are requesting an amendment to the second part of sub-section b. Our text amendment request reads as follows:

*“A townhouse lot shall have 3,000 square feet per townhouse; a townhouse **lot** shall have a width of not less than 24 feet **per dwelling unit.**”*



This text amendment will clarify a confusing and poorly written requirement within the Diverse Residential Zone of the University Neighborhoods Sector Development Plan. The text amendment includes two edits: (1) The addition of the word "lot", and (2) the removal of the words "per dwelling unit". The amendment will apply to all lots within the Diverse Residential zone. Currently, there are 6 vacant lots in the Diverse Residential zone where future development could be enhanced by this text amendment. This does not include the plethora of single-family homes that are potential candidates for redevelopment in the future.

JUSTIFICATION

The proposed text amendment will clarify a confusing and poorly written regulation within the Lot Size section of the Diverse Residential Zone. The Diverse Residential zone is one of the largest zones in the Sector Development Plan and consists of a diverse housing stock that includes single-family homes, duplexes, townhouse, and apartments. In its current form, the regulation is missing key language and includes other language that is not only contradictory to the Sector Plan, but contradictory to the diverse residential-style of the University area.

Addition of the word "lot"

The addition of the word "lot" will clarify how the Sector Plan is supposed to read. City officials, neighborhood members, and the Zoning Hearing Examiner have agreed that the word "lot" was mistakenly not included in the original writing of the regulation. The subject requirement is supposed to refer to a "townhouse lot" and not a "townhouse". The original writing of this regulation creates confusion and inconsistencies in the "Lot Size" section of the Diverse Residential Zone.

In its current reading, one could interpret the regulation to refer to a *townhouse building*, and not a *townhouse lot*. The omission of the word "lot" assumes that the subject regulation is misplaced and inconsistent with the "Lot Size" section of the zone. Adding the word "lot" will reinforce and clarify what the regulation is actually intended to mean. City Staff agrees with this interpretation of the regulation, but has never initiated this amendment.

There are several examples supporting this change. There are 12 existing townhomes within the University Heights area which meet the regulation as amended. These 12 existing townhomes were developed and approved as if the regulation included the word "lot".

Removal of the words "per dwelling unit"

The second edit to this regulation proposes to remove the words "per dwelling unit" from the end of the sentence. Under the current reading, any lot which includes a townhouse in the University Neighborhoods Sector Development Plan cannot include an apartment (secondary dwelling unit), an allowed use in this zone, without creating a lot that is 48 feet wide. A 48-foot wide lot is unreasonable and burdensome for the neighborhood and developer, and creates a product that is inconsistent and conflicts with the character and goals of the neighborhood. Apartments are an allowed use in the Sector Plan and Diverse Residential Zone and the inclusion of the words "per dwelling unit" essentially denies any builder the opportunity to build one as a secondary dwelling unit.

The University Neighborhoods is a prime area for secondary dwelling units and one of the two areas in Albuquerque where the use is currently allowed. Due to the



neighborhoods location within blocks of the University of New Mexico, student housing is in high demand. The removal of the "per dwelling unit" language within this regulation will allow developers to include secondary dwelling units as part of a townhouse development, thus enhancing the neighborhood as a whole.

The current reading of this regulation is contradictory to the intention of the Sector Development Plan and Diverse Residential zone, which is intended to provide for houses, townhouses, low density apartments, and uses incidental thereto. Removing the "per dwelling unit" will promote the realization of this zone's intent. With this said, all development will still be required to follow other lot size and floor area ratio regulations within the zone, which set strict requirements that will properly guide development.

The proposed text amendment will have no negative impacts on the morals, safety, and general welfare of the University Neighborhoods area, residents of the Diverse Residential zone, and existing housing in the area. The amendment will clarify a poorly written and confusing regulation that is contradictory to the goals of the Sector Development Plan. The amendment will allow for the construction of a townhouse with an apartment on a lot that is a minimum of 24 feet wide. In fact, the amendment will allow for a greater diversity of housing in this unique, urban neighborhood. The zone is called "*Diverse Residential*" because of the unique and diverse housing promoted by way of regulations in the zone. The subject "lot size" requirement, in its current writing, is contradictory to this goal.

Additionally, the Floor Area Ratio section of the Diverse Residential zone clearly allows for two dwelling units on one site. The regulation says "For lots with a minimum lot dimension of less than 142 feet: for every 1,500 square feet of lot size, one dwelling unit is permitted." This means that a 3,000 square foot lot would allow for two dwelling units, as long as it does not violate the Lot Size requirement which states "A townhouse lot shall have 3,000 square feet per townhouse". Both of these regulations would allow for a townhouse with an apartment/secondary dwelling unit. The subject text amendment would allow for language that is consistent with these regulations.

Silver Townhomes Example

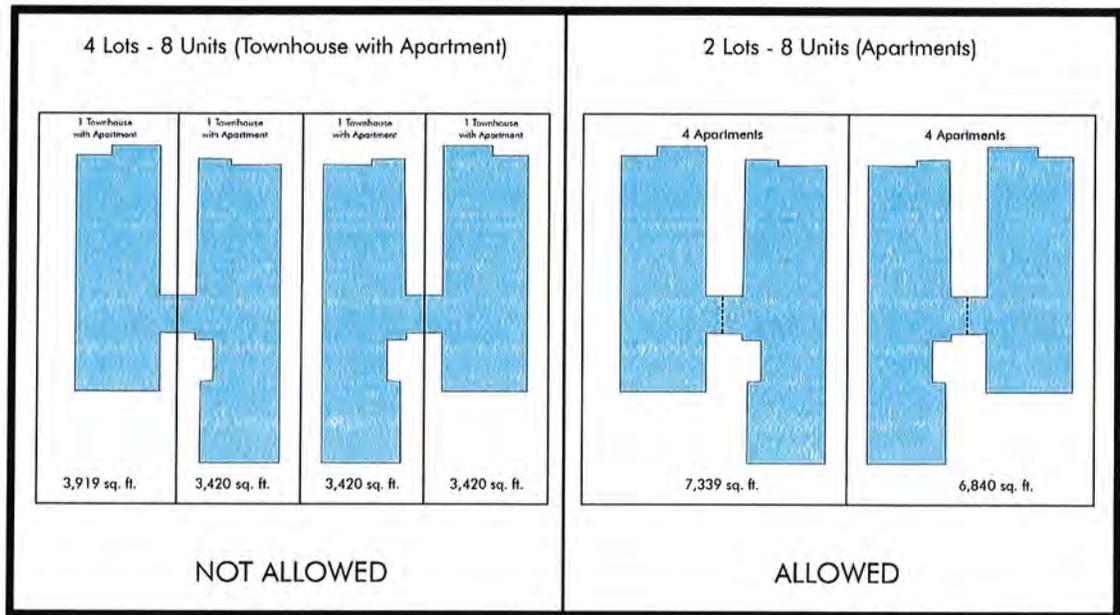
This regulation was the subject of recent variance requests for a townhouse project on the southeast corner of Silver Avenue and Cornell (#1011030, 1011031, 1011032, 1011033). After a year worth of land entitlement work, the property owner submitted construction documents to the City, and it was determined that the project was in violation of this Lot Size regulation because of the apartment/secondary dwelling unit. The applicant was directed by staff to apply for the variance. A variance request was submitted to the City regarding the *townhouse building width* because the regulation referred to the *townhouse*, not the *townhouse lot*. It was later determined by City Staff that this request was incorrect and the regulation actually referred to the *townhouse lot width*, not the *townhouse building width*. The request was re-heard a month later and subsequently denied.



CONSENSUS

PLANNING

The same project can be built on two lots without approval of a variance by right. The only reason this variance was required was because the four main units are "townhouses" and were planned to be sold individually with an apartment/secondary dwelling unit. If the project was split onto two lots instead of four, they would be called apartments and would be sold separately as two fourplexes. If the project was divided into four lots, they could be sold individually as townhouses with a secondary dwelling unit. Townhouses would offer the option of greater owner-occupancy and stability within this highly diverse neighborhood. This example proves that the subject regulation is unjustified, contrary to the public interest, and could lead to decreased neighborhood stability.



Although this case was denied, the Zoning Hearing Examiner provided clear findings related to the ill-advised regulations, and did not disagree with the characterization of the findings as "confusing and unjustified". The Zoning Hearing Examiner found that the subject project (townhomes with a secondary dwelling unit) was not contrary to the public interest, injurious to the community, or injurious to the property improvements located in the vicinity. His findings relevant to this request are below:

5. *The ZHE finds that Application is not: (i) contrary to the public interest, (ii) injurious to the community; or (iii) injurious to the property or improvements located in the vicinity as required by Section 14-16-4-2 (C)(2)(a).*

6. *Specifically, the ZHE finds that the Applicant makes a detailed, supported and compelling argument, based on relevant plan criteria, the market need for the proposed project, the likely purchasers for the project being owner-occupants leading to increased neighborhood stability and the compatibility and appropriateness of the proposed project in this location.*

7. *Moreover, the likely alternative development, permitted by right, is likely to have more impact, lead to less neighborhood stability and be a less-attractive contribution to the built environment.*

8. *The project is both in the public interest and not injurious.*



9. On this basis as well, the ZHE finds that substantial justice would be done if this Application is approved, as required pursuant to Section 14-16-4-2 (C)(2)(d).

These findings clearly describe how the subject regulation is confusing, unjustified, irrational, and ill-advised. This regulation prevented a quality, infill multi-family development located along Silver Avenue's Bicycle Boulevard, and one block south of the Albuquerque Rapid Transit and University of New Mexico. The Zoning Hearing Examiner agreed that his project would benefit the neighborhood, is in the public interest and not injurious, and would increase neighborhood stability. The Zoning Hearing examiner acknowledged that it was an unfortunate situation in which the variance could not be used as a tool to overrule a confusing and unjustified regulation. The following findings further support the argument:

10. Unfortunately, the ZHE is constrained by the criteria of Section 14-16-4-2(C)(2)(b), requiring a finding that there are special circumstances applicable to the Subject Property which do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid.

11. Here, the special circumstances asserted by the Applicant relate to the "confusing and unjustified regulations in the Diverse Residential zone." The ZHE does not disagree with the Applicant's characterization of the regulations, and notes that strict application leads to the irrational outcome that a nine-unit apartment building would be allowed while four townhomes with small accessory units would be disallowed.

12. That said, ill-advised regulations cannot fairly be said to be "special circumstances applicable to the Subject Property which do not apply generally to other property in the same zone and vicinity" because in fact they do apply generally to other property in the same zone and vicinity.

13. This is an unfortunate situation in which the law simply does not support the use of the variance process as a planning tool.

ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN

Developing and Established Urban Areas

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.

Policy h: Higher density housing is most appropriate in the following situations:

- In areas with excellent access to the major street network.
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.

Applicant's Response: The proposed text amendment will affect all lots zoned Diverse Residential in the Sector Plan area. These lots have excellent access to Central Avenue, Lead and Coal Avenues, and Interstate 25. Approval of this text



amendment will allow for a higher density of housing stock by removing a restrictive and contradictory language under the Lot Size requirements in the Diverse Residential zone.

Additionally, the area has a strong mixed-density housing pattern, which is compatible with the housing demand coming from the University of New Mexico. The Diverse Residential zone and other zones in the Sector Plan clearly establish a mixed-density housing pattern through their permissive uses of single-family homes, townhomes, apartments, and accessory dwelling units. The proposed text amendment will enforce this mixed-density housing pattern by not preventing a townhouse development with an apartment/secondary dwelling unit. Higher density housing is appropriate because adequate infrastructure is already available throughout the Sector Plan area.

UNIVERSITY NEIGHBORHOODS SECTOR DEVELOPMENT PLAN

Basic Goals:

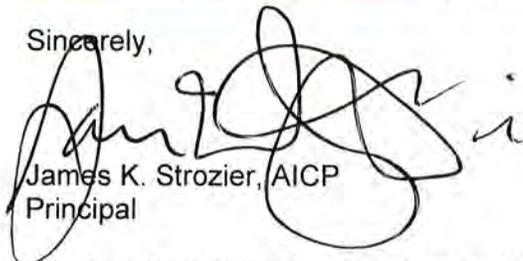
- *Conserve and renew the unique qualities of this area.*
- *Encourage infill residential construction in appropriate places.*
- *Foster positive social and physical interrelations between businesses, institutions, and residents.*

Applicant's Response: The proposed text amendment will directly further the goals of the University Neighborhoods Sector Development Plan. The amendment will promote the unique housing style and use of the area, which is one of only two neighborhoods that allow for secondary dwelling units. The removal of the "per dwelling unit" language will encourage greater infill residential construction, which is appropriate given the neighborhood's location near the University of New Mexico, Presbyterian Hospital, and the new Albuquerque Rapid Transit. Higher density housing is desired in the University neighborhoods and will foster greater social relationships between businesses, the University of New Mexico, and residents in the area. Approval of this text amendment will clarify a contradictory and confusing regulation that does not fall in line with the goals of the neighborhood.

CONCLUSION

We believe this text amendment will promote quality and diverse residential development in an appropriate location by fixing confusing and unjustified wording within the regulation. The text amendment will allow for a regulation which is consistent with the goals the Diverse Residential zone. Please contact me at cp@consensusplanning.com or (505) 764-9801, if you have any questions.

Sincerely,



James K. Strozier, AICP
Principal

Attached: Zoning Hearing Examiner Decision - Project# 1011030 – 1/18/17



Developer Inquiry Sheet

Use this form to submit a request to the Office of Neighborhood Coordination to obtain neighborhood or homeowner association contact information for application submittal to the Planning Department.

Instructions: Please fill out this form completely and include a zone map that is marked to indicate where the property proposed for development is located. Then, submit this form and your zone map in one of the following ways: 1) In person at the Office of Neighborhood Coordination, 5th Floor, 600 2nd Street NW; or 2) Email it to ONC@cabq.gov.

Developer Inquiry For:

- | | |
|---|--|
| <input type="checkbox"/> Cell Tower Submittal – Type: Select Tower Type | <input type="checkbox"/> ZHE Submittal <i>(need address & zone map only)</i> |
| <input type="checkbox"/> DRB Submittal | <input type="checkbox"/> AA Submittal |
| <input checked="" type="checkbox"/> EPC Submittal | <input type="checkbox"/> City Project Submittal |
| <input type="checkbox"/> LUCC Submittal | <input type="checkbox"/> Liquor License Submittal |

Anticipated Advertised Public Hearing Date: March 9th

Contact Name: Sal Perdomo		
Company Name: Consensus Planning		
Address: 302 8th St NW		
City: Albuquerque	State: NM	Zip Code: 87102
Phone: 505 764 9801	Email: perdomo@consensusplanning.com	

Legal Description Information:

Describe the legal description of the subject site for this project:

University Neighborhoods Sector Development Plan Area

Located on/between *(street name or other identifying mark):*

South and West of the UNM Main Campus

This site is located on the following zone atlas page: K-15, K-16



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

***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.

January 24, 2017

Sal Perdomo
Consensus Planning, Inc.
302 8th St NW
Albuquerque, NM 87102
(505) 764-9801
perdomo@consensusplanning.com

Dear Sal:

Thank you for your inquiry requesting the names of ALL Neighborhood and/or Homeowner Associations who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed **[EPC Submittal]** project recorded as **[University Sector Development Plan Boundary]** zone map **[K-15 & K-16]**.

This correspondence serves as your "Developer Notification Letter" from the Office of Neighborhood Coordination, and must be included as part of your application. Please see "ATTACHMENT A" for a list of NA's / HOA's that must be contacted regarding this submittal.

Please note that according to Section §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify **both** of these contact persons by **certified mail, return receipt requested**, before the Planning Department will accept your application. Please see Page 2 of this letter for additional requirements. If you have any questions about the information provided please contact our office at (505) 924-3914 or ONC@cabq.gov

Sincerely,
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), or approval of a Wireless Telecommunication Facility (WTF) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision;
3. A physical description of the location, referenced to streets and existing land uses;
4. A complete and detailed description of the action(s) being requested;
5. ***** NEW*** Facilitated Meeting Information** – All notification letters must include the following text:
Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914.
A facilitated meeting request must be received by ONC by: **Monday, February 6, 2017.**

Neighborhood Notification Checklist

The following information must be included for **each** application packet submitted to the City of Albuquerque Planning Department.

1. ONC's "Developer Notification Letter" outlining any affected Neighborhood and/or Homeowner Associations.

*Note: If your ONC letter is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact our office at (505) 924-3914 or ONC@cabq.gov.

Thank you for your cooperation on this matter.

(ONC use only)

Date Processed: **1/24/17** ONC Staff Initials: **VMQ**

ATTACHMENT A

SYCAMORE N.A. (SYM) "R"

Peter Schillke *e-mail: pschillke@gmail.com*
1217 Coal Ave. SE/87106 243-8368 (h)
Mardon Gardella *e-mail: mg411@q.com*
411 Maple St. NE/87106

SILVER HILL N.A. (SHL) "R"

***James Montalbano** *e-mail: ja.montalbano@comcast.net*
1404 Silver Ave. SE/87106 243-0827 (h)
Elizabeth Doak
1606 Silver SE/87106 242-8192 (h)

SPRUCE PARK N.A. INC. (SPK) "R"

***Peter Feibelman**
1401 Sigma Chi NE/87106 242-1946 (h)
Alan Paxton *e-mail: paxtona@swcp.com*
1603 Roma Ave. NE/87106 244-0980 (h)

UNIVERSITY HEIGHTS N.A. (UHT) "R"

***Julie Kidder** *e-mail: juliemkidder@gmail.com*
120 Vassar SE/87106 269-3967 (c)
Don Hancock *e-mail: sricdon@earthlink.net*
105 Stanford SE/87106 262-2053 (h) 262-1862 (w)

VICTORY HILLS N.A. (VHL) "R"

***Erin Engelbrecht** *e-mail: eebrecht@yahoo.com*
P.O. Box 40298/87196 350-8984 (c)
Patricia Willson *e-mail: info@willsonstudio.com*
505 Dartmouth SE/87106 266-8944 (h)

DISTRICT 6 COALITION OF N.A.'S

***Nancy Bearce**, 600 San Pablo St. NE/87108 254-7841 (h) *e-mail: nancymbearce@gmail.com*
Gina Dennis, 1816 Buena Vista Dr. NE, Apt. 2/87106 503-4848 (h) *e-mail: ginadennis@relerience.com*



Developer Inquiry Sheet

Use this form to submit a request to the Office of Neighborhood Coordination to obtain neighborhood or homeowner association contact information for application submittal to the Planning Department.

Instructions: Please fill out this form completely and include a zone map that is marked to indicate where the property proposed for development is located. Then, submit this form and your zone map in one of the following ways: 1) In person at the Office of Neighborhood Coordination, 5th Floor, 600 2nd Street NW; or 2) Email it to ONC@cabq.gov.

Developer Inquiry For:

- | | |
|---|---|
| <input type="checkbox"/> Cell Tower Submittal – Type: Select Tower Type | <input type="checkbox"/> ZHE Submittal (need address & zone map only) |
| <input type="checkbox"/> DRB Submittal | <input type="checkbox"/> AA Submittal |
| <input checked="" type="checkbox"/> EPC Submittal | <input type="checkbox"/> City Project Submittal |
| <input type="checkbox"/> LUCC Submittal | <input type="checkbox"/> Liquor License Submittal |

Anticipated Advertised Public Hearing Date: March 9th

Contact Name: Sal Perdomo		
Company Name: Cosensus Planning		
Address: 302 8th St NW		
City: Albuquerque	State: NM	Zip Code: 87102
Phone: 505 761 9401	Email: perdomo@cosensusplanning.com	

Legal Description Information:

Describe the legal description of the subject site for this project:
University Neighborhoods Sector Development Plan Area

Located on/between (street name or other identifying mark):
South and West of the UNM Main Campus

This site is located on the following zone atlas page: K-15, K-16



10001 St SE

1-23 N

Local St NE

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typical



PLANNING

CONSENSUS

January 26, 2017

James Montalbano
Silver Hill Neighborhood Association
1404 Silver Ave. SE
Albuquerque, NM 87106

Elizabeth Doak
Silver Hill Neighborhood Association
1606 Silver Ave. SE
Albuquerque, NM 87106

Dear Mr. Montalbano,

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

The purpose of this letter is to inform you and the Silver Hill Neighborhood Association that we have submitted a request to the Environmental Planning Association (EPC) for a Sector Plan Text Amendment. The request will include all properties zoned Diverse Residential (DR) within the University Neighborhoods Sector Development Plan. This request is a result of the Zoning Hearing Examiner's denial of four separate variances regarding this issue. While the ZHE agreed with the rationale for the variances and the concern that the regulation was confusing and injurious to the community's interest, his decision was for denial because a variance was not the correct method to address the problem. Therefore, we are submitting this text amendment to address the problem comprehensively.

Certain requirements under the Lot Size section of the Diverse Residential zone are poorly written, missing crucial terminology, and are contradictory to the residential goals of the area. The subject request will clarify this Lot Size requirement and amend the text to better regulate townhouse development in the Diverse Residential zone. We are requesting an amendment to the second part of sub-section b. Our text amendment request reads as follows:

b. "A townhouse lot shall have 3,000 square feet per townhouse; a townhouse lot shall have a width of not less than 24 feet per dwelling unit."

The text amendment includes two edits: (1) The addition of the word "lot", and (2) the removal of the words "per dwelling unit". This text amendment will clarify a confusing and poorly written requirement within the Diverse Residential Zone of the University Neighborhoods Sector Development Plan.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914. A facilitated meeting request must be received by ONC by: **Monday, February 6, 2017.**

The EPC hearing is located in the basement of the Plaza del Sol Building at 600 North 2nd Street starting at 8:30am on March 9th, 2017. We have included the Sector Plan Text Amendment and Map of Diverse Residential zoned properties for your review. If you have any questions, please contact me at (505) 764-9801.

Sincerely,

James K. Strozier, AICP
Principal

PRINCIPALS

- James K. Strozier, AICP
- Christopher J. Greer, PLA, ASLA, LEED AP
- Jacqueline Fishman, AICP
- Laurie Fitor, PLA, ASLA

Attached:

- University Neighborhoods Sector Plan - Page 70 - Text Amendment
- Map of Diverse Residential Zoned Properties
- ZHE Decision from Jan. 18, 2017 (typical, 1 of 4)

7016 2140 0000 6958 0056

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.19
Total Postage and Fees	\$7.29



Sent To Elizabeth Doak
Street and Apt. No., or PO Box No. 1606 Silver Ave SE
City, State, ZIP+4® Albuquerque NM 87106
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.19
Total Postage and Fees	\$7.29



Sent To Alex Parton
Street and Apt. No., or PO Box No. 1603 Roma Ave NE
City, State, ZIP+4® Albuquerque NM 87106
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.19
Total Postage and Fees	\$7.29



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Street and Apt. No., or PO Box No. 105 Stanford SE
City, State, ZIP+4® Albuquerque NM 87106
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.19
Total Postage and Fees	\$7.29



Sent To James Montalbano
Street and Apt. No., or PO Box No. 1404 Silver Ave SE
City, State, ZIP+4® Albuquerque NM 87106
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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ALBUQUERQUE, NM 87106

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.19
Total Postage and Fees	\$7.29



Sent To Peter Feibelman
Street and Apt. No., or PO Box No. 1401 Sigma Chi NE
City, State, ZIP+4® Albuquerque NM 87106
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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ALBUQUERQUE, NM 87106

Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.19
Total Postage and Fees	\$7.29



Sent To Julie Kidder
Street and Apt. No., or PO Box No. 100 Vassar SE
City, State, ZIP+4® Albuquerque NM 87106
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 2140 0000 6958 0117

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

ALBUQUERQUE, NM 87106

Certified Mail Fee	\$3.35
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.19
Total Postage and Fees	\$7.29

Sent To: Patricia Wilson
 Street and Apt. No., or PO Box No.: 505 Dartmouth SE
 City, State, ZIP+4®: Albuquerque, NM 87106

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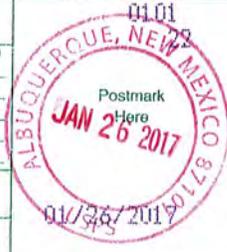
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CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Consensus Planning DATE OF REQUEST: 01/25/17 ZONE ATLAS PAGE(S): K-15, K-16

CURRENT: ZONING SU-2 LEGAL DESCRIPTION: UNIVERSITY NEIGHBORHOODS SECURE DEVELOPMENT PLAN
PARCEL SIZE (AC/SQ. FT.) --- LOT OR TRACT # --- BLOCK # ---
SUBDIVISION NAME ---

REQUESTED CITY ACTION(S):

ANNEXATION [] SITE DEVELOPMENT PLAN:
ZONE CHANGE []: From _____ To _____ SUBDIVISION* [] AMENDMENT []
SECTOR, AREA, FAC, COMP PLAN [X] TEXT BUILDING PERMIT [] ACCESS PERMIT []
AMENDMENT (Map/Text) [] AMENDMENT BUILDING PURPOSES [] OTHER []

*includes platting actions

PROPOSED DEVELOPMENT:

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

GENERAL DESCRIPTION OF ACTION:

OF UNITS: ---
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 Sal Perder DATE 1/25/17

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

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

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

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

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.**

Lagan Paty
TRAFFIC ENGINEER

01-25-17
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 / / TRAFFIC ENGINEER _____ DATE _____
-FINALIZED / /

typical



CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

TOM WADE (JAMES STROZIER, AGENT) requests a special exception to Section 14-16-2-23(A) and pg 70 (4)(b) UNIVERSITY NEIGHBORHOODS SDP : a VARIANCE of 8.81 ft to the required 48 ft lot width to allow two dwelling units on one lot for all or a portion of Lot 1D, Block 10, University Heights zoned SU-2 DR, located on 2320 SILVER AV SE (K-16)

Special Exception No:..... **16ZHE-80282**
Project No: **Project# 1011030**
Hearing Date: 01-03-17
Closing of Public Record: 01-03-17
Date of Decision: 01-18-17

On the 3rd day of January, 2017, JAMES STROZIER (“Agent”) acting as agent on behalf of the property owner TOM WADE (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 8.81 ft to the required 48 ft lot width to allow two dwelling units on one lot (“Application”) upon the real property located at 2320 SILVER AV SE (“Subject Property”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 8.81 ft to the required 48 ft lot width to allow two dwelling units on one lot.
2. The City of Albuquerque Zoning Code of Ordinances Section 14-16-4-2 (C)(2) (Special Exceptions – Variance) reads: *“A variance application shall be approved by the Zoning Hearing Examiner, if and only if, the Zoning Hearing Examiner finds all of the following:*
 - (a) The application is not contrary to the public interest or injurious to the community, or to property or improvements in the vicinity;*
 - (b) There are special circumstances applicable to the subject property which do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid;*
 - (c) Such special circumstances were not self-imposed and create an unnecessary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property that need not be endured to achieve the intent and purpose of the Zoning Code (§14-16-1-3) and the applicable zoning district; and*
 - (d) Substantial justice is done.”*
3. The Applicant bears the burden of ensuring there is evidence in the record supporting a finding that the above criteria are met under Section 14-16-4-2(C).

4. This matter was deferred and re-noticed due to City staff's subsequent interpretation of an ambiguous code provision, with the revised variance request being a request to lot width, rather than the prior request for a variance to building width.
5. The ZHE finds that Application is not: (i) contrary to the public interest, (ii) injurious to the community; or (iii) injurious to the property or improvements located in the vicinity as required by Section 14-16-4-2 (C)(2)(a).
6. Specifically, the ZHE finds that the Applicant makes a detailed, supported and compelling argument, based on relevant plan criteria, the market need for the proposed project, the likely purchasers for the project being owner-occupants leading to increased neighborhood stability and the compatibility and appropriateness of the proposed project in this location.
7. Moreover, the likely alternative development, permitted by right, is likely to have more impact, lead to less neighborhood stability and be a less-attractive contribution to the built environment.
8. The project is both in the public interest and not injurious.
9. On this basis as well, the ZHE finds that substantial justice would be done if this Application is approved, as required pursuant to Section 14-16-4-2 (C)(2)(d).
10. Unfortunately, the ZHE is constrained by the criteria of Section 14-16-4-2(C)(2)(b), requiring a finding that there are special circumstances applicable to the Subject Property which do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid.
11. Here, the special circumstances asserted by the Applicant relate to the "confusing and unjustified regulations in the Diverse Residential zone." The ZHE does not disagree with the Applicant's characterization of the regulations, and notes that strict application leads to the irrational outcome that a nine-unit apartment building would be allowed while four townhomes with small accessory units would be disallowed.
12. That said, ill-advised regulations cannot fairly be said to be "special circumstances applicable to the Subject Property which do not apply generally to other property in the same zone and vicinity" because in fact they do apply generally to other property in the same zone and vicinity.
13. This is an unfortunate situation in which the law simply does not support the use of the variance process as a planning tool.
14. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-4-2(B)(4).
15. The ZHE finds that the Applicant has authority to pursue this Application.

CONCLUSIONS OF LAW:

The criteria within Section 14-16-4-2(C)(2) of the Albuquerque Zoning Code are satisfied.

DECISION:

DENIAL of a variance of 8.81 ft to the required 48 ft lot width to allow two dwelling units on one lot.

If you wish to appeal this decision, you must do so by February 2, 2017, in the manner described below. A non-refundable filing fee will be calculated at the Planning Department's Land Development Coordination counter and is required at the time the Appeal is filed.

Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

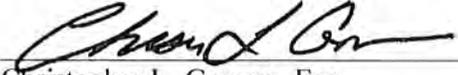
An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B), of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number.

Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Christopher L. Graeser, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement
ZHE File
tom@palodurohomes.com
cp@consensusplanning.com
sricdon@earthlink.net
juliemkidder@gmail.com

NEIGHBORHOOD NOTIFICATION & COMMENTS



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, March 9, 2017 at 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items.

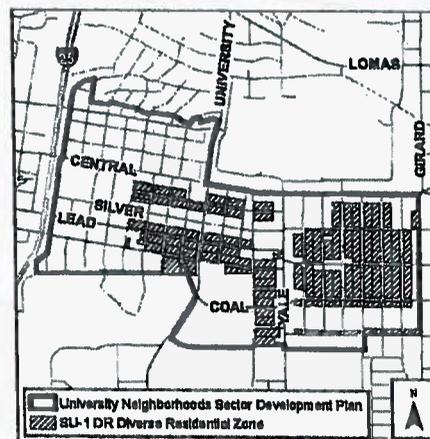
Distribution of the Planning Department's staff reports regarding the following items will occur at a **Case Distribution Session on Thursday, March 2, 2017 at 3:00 p.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM.

Project# 1011130
17EPC-40002 Zone Map Amendment
(Zone Change)

Modulus Architects, Inc., agent for JB Holdings, LLC and Zia Management, requests the above action for Tract 3F-1-A (Tracts 2-A-1, 2-A-2, 2-A-3, 3E-1-A, 3F-1-A and 3G-1-A Black Ranch, being a replat of Tracts 2-A, 3E-1, 3F-1 and 3G-1 Black Ranch); Tract 3G-1-A (Tracts 2-A-1, 2-A-2, 2-A-3, 3E-1-A, 3F-1-A and 3G-1-A, being a replat of Tracts 2-A, 3E-1, 3F-1 and 3G-1 Black Ranch); and Tract 3H (being a replat of Tract 3 Black Ranch), Black Ranch, zoned O-1, to C-1, located north of Paseo Del Norte Blvd. NW and east of Coors Blvd. NW, between Valley View Dr. NW and the Corrales Main Canal, containing approximately 2.66 acres.
(C-13) Staff Planner: Catalina Lehner

Project# 1011129
17EPC-40001 Text Amendment to Sector
Development Plan

Consensus Planning, agent for Palo Duro Homes, requests the above action for all of the University Neighborhood Sector Development Plan to clarify the lot standards for a townhouse in the Diverse Residential Zone.
Staff Planner: Cheryl Somerfeldt



Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), or approval of a Wireless Telecommunication Facility (WTF) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision;
3. A physical description of the location, referenced to streets and existing land uses;
4. A complete and detailed description of the action(s) being requested;
5. ***** NEW*** Facilitated Meeting Information** – All notification letters must include the following text:
Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914.
A facilitated meeting request must be received by ONC by: **Monday, February 6, 2017.**

Neighborhood Notification Checklist

The following information must be included for **each** application packet submitted to the City of Albuquerque Planning Department.

1. ONC's "Developer Notification Letter" outlining any affected Neighborhood and/or Homeowner Associations.

*Note: If your ONC letter is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact our office at (505) 924-3914 or ONC@cabq.gov.

Thank you for your cooperation on this matter.

(ONC use only)

Date Processed: **1/24/17** ONC Staff Initials: **VMQ**

ATTACHMENT A

SYCAMORE N.A. (SYM) "R"

Peter Schillke *e-mail:* pschillke@gmail.com
1217 Coal Ave. SE/87106 243-8368 (h)
Mardon Gardella *e-mail:* mg411@q.com
411 Maple St. NE/87106

SILVER HILL N.A. (SHL) "R"

***James Montalbano** *e-mail:* ja.montalbano@comcast.net
1404 Silver Ave. SE/87106 243-0827 (h)
Elizabeth Doak
1606 Silver SE/87106 242-8192 (h)

SPRUCE PARK N.A. INC. (SPK) "R"

***Peter Feibelman**
1401 Sigma Chi NE/87106 242-1946 (h)
Alan Paxton *e-mail:* paxtona@swcp.com
1603 Roma Ave. NE/87106 244-0980 (h)

UNIVERSITY HEIGHTS N.A. (UHT) "R"

***Julie Kidder** *e-mail:* juliemkidder@gmail.com
120 Vassar SE/87106 269-3967 (c)
Don Hancock *e-mail:* sricdon@earthlink.net
105 Stanford SE/87106 262-2053 (h) 262-1862 (w)

VICTORY HILLS N.A. (VHL) "R"

***Erin Engelbrecht** *e-mail:* eebrecht@yahoo.com
P.O. Box 40298/87196 350-8984 (c)
Patricia Willson *e-mail:* info@willsonstudio.com
505 Dartmouth SE/87106 266-8944 (h)

DISTRICT 6 COALITION OF N.A.'S

***Nancy Bearce**, 600 San Pablo St. NE/87108 254-7841 (h) *e-mail:* nancymbearce@gmail.com
Gina Dennis, 1816 Buena Vista Dr. NE, Apt. 2/87106 503-4848 (h) *e-mail:* ginadennis@relerience.com

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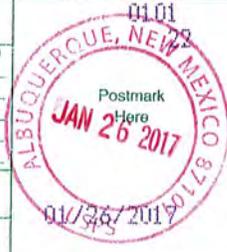
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UNIVERSITY HEIGHTS ASSOCIATION

105 Stanford, SE
Albuquerque, NM 87106

February 27, 2017

Karen Hudson, Chair, EPC
Derek Bohannon, Vice Chair, EPC
c/o Planning Department
600 2nd St, NW, Third Floor
Albuquerque, NM 87102 VIA e-mail to csomerfeldt@cabq.gov



RE: Project # 1011129, 17EPC-40001 Text Amendment to Sector Development Plan

Dear Chair Hudson, Vice Chair Bohannon, and EPC Commissioners:

At its February 7, 2017 board meeting, the University Heights Association (UHA) board of directors voted 9 to 0 to oppose the text amendment. The requested text amendment to the Diverse Residential (DR) zone is unnecessary because the intent of the townhouse lot size provision (Section 4.b) and the way that it has been interpreted and used for more than 35 years show that a change is not needed. Thus, UHA does not believe that the additional word “lot” after “townhouse” is necessary, but we do not object to such a "technical" fix. But the UHA board of directors strongly opposes the proposed text amendment, which would also delete the last three words - "per dwelling unit." Such a deletion is contrary to the intent and basic goals of the Sector Plan and contrary to past townhouse lot size requirements in other zones. The text amendment could also seriously disrupt and injure the neighborhood because it would allow a doubling of the density at the 12 existing townhouse lots on the 300 block of Columbia, SE and the 200 block of Vassar, SE that comply with the DR lot size requirements. The text amendment would also encourage dividing existing lots into smaller ones, which is inconsistent with the language and intent of the University Neighborhoods Sector Development Plan and historic practice. As the Facilitation report of the February 24, 2017 meeting notes, “no neighbor spoke in favor.” Thus, UHA urges the EPC to deny the text amendment, or to only adopt the request to add the word “lot.”

University Neighborhoods Sector Development Plan goals regarding lot size

When the plat that today contains UHA (Central to Garfield, Yale to Girard) was filed on February 7, 1916, each of the 672 lots had uniform dimensions of 50 feet by 142 feet. By the time that the Sector Plan was adopted in 1978 (and Diverse Residential (DR) zoning was adopted), a few lots had been re-platted into smaller lots and Lead and Coal reduced the size of some lots near Yale. In that Sector Plan, lot size for the DR zone was that provided in the R-2 zone. The zoning code of May 1, 1977 for R-2 (Section 12.D) referred to the townhouse lot size in the RT zone (Section 11.D), which provided for a minimum lot area of 3,000 square feet per townhouse; a townhouse shall have a minimum width of not less than 24 feet per dwelling unit. (The January 1, 1976 Zoning Code Section 11.D. included the word “lot” after the last “townhouse,” but it appears that from 1977 onward that word was omitted).

On May 4, 1981, the City Council amended the DR zoning in the Sector Plan to establish specific lot size requirements. (The applicant's justification does not mention this fact.) Those requirements were maintained without change in the 1986 Sector Plan update. The intent in the 1981 amendment and the Sector Plan update was clearly to allow smaller than 6,000 square-foot lots only in two instances - house and townhouse. (Some DR lots in the Silver Hill part of the Sector Plan area are smaller than the 7,100 square feet of UHA lots.) Otherwise, less than 6,000 square-foot lots to accommodate more apartments or duplexes are not allowed. Further, the smaller lot sizes are contrary to maintaining the originally platted lots, a positive historical and unique quality of the neighborhood, which is one of the six basic goals of the Sector Plan: "Conserve and renew the unique qualities of this neighborhood."

The proposed text amendment to delete the requirement for the townhouse lot to have a width of not less than 24 feet per dwelling unit is totally inconsistent with language for townhouse lots, the City Council ordinance in 1981, and the 1986 Sector Plan. Thus, the text amendment should not be approved.

The text amendment also is inconsistent with the Zoning Code definition of townhouse:

"One of a group of two to eight attached dwelling units divided from each other by common walls, each having a separate entrance leading directly to the outdoors at ground level, and each having at least one-fourth of its heated and unheated floor area approximately at grade. A townhouse building is one type of an apartment." Zoning Code § 14-16-1-5.

A townhouse is one dwelling unit. To try to redefine a townhouse as a duplex, as the applicants propose, is contrary to the Sector Plan and to the Zoning Code. A townhouse lot is only for one townhouse, not two apartments as the applicants propose. The townhouse zone lot size since at least January 1, 1976 has provided for only one dwelling unit per lot. Zoning Code § 14-16-2-9(D).

Recent relevant history of the applicant's property

On May 10, 2012, the EPC approved of a Zone Change request to return the property to the SU-2/DR (Diverse Residential) zoning that it had from 1978 until 2008. 12EPC-40014, Project # 1005210. UHA supported the request, while pointing out that the illustrative plan submitted might not comply with all DR requirements, including providing necessary parking spaces. UHA letter of April 26, 2012-Attachment 1 to Attachment A.

On May 20, 2014, a Zoning Hearing Examiner (ZHE) hearing was held on eight requested variances regarding minimum lot size for four proposed lots and for front yard setbacks on each proposed lot. 14ZHE-80085 to 14ZHE-80092. The variances were approved with conditions. UHA supported the variances with conditions that were generally agreed to by the applicants and incorporated into the decision. UHA letter of May 14, 2014-Attachment 2 to Attachment A. The purpose of the variances, which would result in re-platting the two long-existing lots into four lots, was to build four townhouses that could be individually sold. Because the variances were not used within a year, they were void.

The property owners then requested ten variances, including four front yard setbacks, two rear setbacks, and four floor area ratio requests for the four proposed lots. The front and rear setback variances were approved; the floor area ratio variances were denied. 15 ZHE-80212 through 15ZHE-80215, 80217-80218, 30226 through 80229, Project #1010564. UHA strongly opposed the floor area ratio variances, because they would be very injurious to the neighborhood. UHA also pointed out that the project had significantly changed and expanded to being eight dwelling units. UHA also stated: "Those units do not meet the Zoning Code definition for townhouse. Since the units are not all townhouses, lot size variances would be required, which are not included in the current application." UHA further stated that parking variances likely were also required, which were not included in the application. UHA letter of September 9, 2015- Attachment 3 to Attachment A.

The property owners then submitted plans for building permits on July 28, 2016. The plans were not approved, because, consistent with the Sector Plan and what UHA had stated in 2015, the lot size variances were required because of the proposed two units per townhouse lot. The plans were also rejected because not enough on-site parking was provided.

The property owners then applied for four lot width variances. 16ZHE-80282 through 16ZHE-80285, Project # 1011030 through 1011033. UHA strongly opposed the variances, which were denied on January 18, 2017. UHA will note that findings 6 and 7 of those decisions, cited by the application on page 7, are not supported by substantial evidence in the record and did not address UHA's objections. UHA's letter of objection of November 10, 2016 is Attachment A.

The point of discussing the history of the property is to demonstrate the omissions from the applicants justification (pages 4-7), and to demonstrate that the applicants have always requested variances to various DR zoning requirements, in addition to the lot size provision that is the subject of the proposed text amendment.

As UHA has stated in previous proceedings, the applicants have at least two obvious remedies. One is to build the four townhouses that were the basis for the 2014 variance request and are permissive on the four existing lots. A second option is to return the properties to the two lots that had existed since 1916 (Lots 1 and 2, Block 10), which could allow for eight dwelling units without the need for lot size or other variances (though the plans submitted for the eight units in July 2016 could still not be approved). UHA is prepared to discuss those or other options with the applicants to support a project that would be beneficial to the community and in the public interest. Such a discussion regarding how to comply with the DR zoning requirements between the applicants the neighborhood would be much more productive for all parties than continuing attempts to obtain variances or text amendments, which take significant resources of the applicants, the neighborhood associations and neighbors, city officials and the Land Use Facilitation Program.

Again, UHA reiterates that the text amendment to eliminate the words "per dwelling unit" should not be adopted.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hancock". The signature is fluid and cursive, with the first name "Don" being more prominent than the last name "Hancock".

Don Hancock
Secretary/Treasurer
Phone: 262-1862

cc: Consensus Planning, cp@consensusplanning.com

Attachments as stated

UNIVERSITY HEIGHTS ASSOCIATION

105 Stanford, SE
Albuquerque, NM 87106

November 10, 2016

Christopher L. Graeser, Esq.
Zoning Hearing Examiner
PO Box 1293

Albuquerque, NM 87103 VIA e-mail to AVallejos@cabq.gov



RE: 16ZHE-80282 through 16ZHE-80285, Project # 1011030 through 1011033
2320, 2324, 2328, 2832 Silver, SE

Dear Mr. Graeser:

At its November 1, 2016 meeting, the University Heights Association (UHA) board of directors voted 6 to 0 to oppose the requested variances. The requested variances are contrary to the public interest, would be very injurious to the neighborhood and community, and are contrary to the substantial justice criterion. Additionally, the application is incomplete and misleading and does not include all of the variances that would be required for the proposed project. Moreover, the “special circumstances” that the application describes are self-imposed by the applicants based on previous variance requests and re-platting to create the four existing lots.

Case History

The relevant history of this property dates from the Environmental Planning Commission (EPC) approval of a Zone Change request on May 10, 2012. 12EPC-40014, Project # 1005210. The request returned the property to the SU-2/DR (Diverse Residential) zoning to “make the property consistent with surrounding zoning.” Finding #2. UHA supported the request, while pointing out that the illustrative plan submitted might not comply with all DR requirements, including providing necessary parking spaces. UHA letter of April 26, 2012-Attachment 1.

On May 20, 2014, a ZHE hearing was held on eight requested variances regarding minimum lot size for four proposed lots and for frontyard setbacks on each proposed lot. 14ZHE-80085 to 14ZHE-80092. The variances were approved with conditions. UHA supported the variances with conditions that were generally agreed to by the applicants and incorporated into the decision. UHA letter of May 14, 2014-Attachment 2. The purpose of the variances, which would result in re-platting the two long-existing lots into four lots, was to build four townhouses that could be individually sold. Because the variances were not used within a year, they were void.

At your hearing on September 15, 2015, you considered requests for ten variances, including four front setback, two rear setback, and four floor area ratio variances for the four proposed lots. The front and rear setback variances were approved; the floor area ratio variances were denied. (15 ZHE-80212 through 15ZHE-80215, 80217-80218, 30226 through 80229, Project #1010564). UHA strongly opposed the floor area ratio variances, because they would be very injurious to the neighborhood. UHA also pointed out that the project had significantly changed and expanded to

being eight dwelling units. UHA also stated: “Those units do not meet the Zoning Code definition for townhouse. Since the units are not all townhouses, lot size variances would be required, which are not included in the current application.” UHA further stated that parking variances likely were also required, which were not included in the application. UHA letter of September 9, 2015-Attachment 3.

Current request

The applicant submitted plans for building permits on July 28, 2016. The plans were not approved, because, consistent with what UHA had stated in 2015, the lot size variances were required because of the proposed two units per lot. The plans were also rejected because not enough on-site parking was provided.

The application discusses and includes the ZHE front and rear setback decisions. But the application is incomplete and misleading because there is no mention of the floor area ratio requests being denied, even though the project continues to be “same proposed development in design and use.” Page 6.

The application states that the project is “four townhouses” with “small apartment/secondary dwelling unit.” Page 2. The application does not include the definition for a townhouse, which is:

“One of a group of two to eight attached dwelling units divided from each other by common walls, each having a separate entrance leading directly to the outdoors at ground level, and each having at least one-fourth of its heated and unheated floor area approximately at grade. A townhouse building is one type of an apartment.” Zoning Code § 14-16-1-5.

The proposed dwelling units do not meet the definition of a townhouse and are not townhouses. That is the reason that they do not meet the lot size requirement for a townhouse, which is:

“A townhouse lot shall have 3,000 square feet per townhouse; a townhouse shall have a width of not less than 24 feet per dwelling unit.” DR 4.b, Page 70.

There are twelve existing townhouses within the UHA boundaries - four on the 200 block of Vassar and eight on the 300 block of Columbia. Each of those units complies with the lot size requirements. Thus, the application incorrectly states that the townhouse requirement is “confusing” and “not appropriate.” Page 7. That twelve townhouses have been approved under the Sector Plan shows that the requirement is both understandable and workable. The Sector Plan does allow for townhouses or apartments, but does not allow the proposed complex. Thus, the variances are contrary to the substantial justice requirement, because they would either create a unique project that is not available for other properties, or they would allow the precedent for doubling the density by adding an apartment to a dozen existing townhouses, which were approved based on complying with DR requirements.

The application states that the DR requirements “conflict with the intent of the subject zone.” Page 7. On the contrary, what is in conflict with the University Neighborhoods Sector Development Plan and injurious to the neighborhood is to approve the requested variances, which could allow the existing townhouses to add an apartment. It is injurious to the

neighborhood to have substandard sized lots, with twice as many dwelling units as are allowed. The four existing lots do not meet the minimum lot size requirements under the Sector Development Plan, which is 6,000 square feet lot area, except for house lots which have a minimum of 5,000 square feet lot area. The application does not even mention those lot size requirements, which are applicable to the proposed project. The four existing lots meet the lot size requirement only for a single townhouse, but not for two dwelling units, as are being proposed.

Contrary to the assertion in the application (page 7), the existing substandard lot sizes are a self-imposed requirement, based on the 2014 and 2015 variances and the re-plat. The application also incorrectly states: “This issue was overlooked previously by the Project Team and City Staff.” Page 6. As already noted, the issue was specifically identified by UHA in its September 9, 2015 letter. It was also specifically raised by UHA representatives at the Design Review Board’s consideration of the re-plat on December 9, 2015.

The application twice states “[Silver Avenue] curb cuts have been eliminated.” Page 5. However, there have never been curb cuts on Silver at this location. Rather than eliminating curb cuts, the project includes a new curb cut on Cornell, which is not consistent with pedestrian orientation, which is a significant goal of the Sector Plan. Nor does the application mention that new curb cut.

The current application also appears to not include all of the required variances. The project requires front and rear setback variances, which may not still be valid, since more than a year has passed since they were approved on September 23, 2015. The project also requires more on-site parking spaces than are provided, also requiring parking variance(s) that are not currently being requested. It is also injurious to the neighborhood to have continuing requests for multiple variances, rather than complying with DR zoning requirements, as do hundreds of other DR-zoned properties. There is no other project in the neighborhood with so many variances.

The applicants have at least two obvious remedies. One is to build the four townhouses that were the basis for the 2014 variance request, which could be done with no additional variances, and are permissive on the four existing lots. A second option is to return the properties to the two lots that existed for decades (Lots 1 and 2, block 10), which would allow for eight dwelling units without the need for lot size variances. UHA is prepared to discuss those or other options with the applicants to support a project that would be beneficial to the community and in the public interest.

However, the proposed variances are not in the public interest, would be injurious to the neighborhood, and do not result in substantial justice. UHA requests that the variances be denied.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hancock". The signature is fluid and cursive, with the first name "Don" being more prominent than the last name "Hancock".

Don Hancock
Secretary/Treasurer
Phone: 262-1862

cc: Consensus Planning, cp@consensusplanning.com

Three attachments as stated

UNIVERSITY HEIGHTS ASSOCIATION

105 Stanford, SE
Albuquerque, NM 87106

April 26, 2012

Hugh Floyd, Chair
Environmental Planning Commission
600 Second Street, NW
Albuquerque, NM 87102



RE: Case: 12EPC-40014, Project # 1005210, Block 10, Lots 1 and 2, University Heights Addition – 200 and 202 Cornell, SE

Dear Chairman Floyd:

The University Heights Association (UHA) is the recognized neighborhood association where the subject property is located. UHA supports the zone change to SU-2/DR (Diverse Residential). However, UHA believes that further justification is required for the zone change, pursuant to Resolution 270-1980. UHA also believes that the site development plan for building permit should be subject to public review and that the illustrative plans may not fully meet DR requirements.

Resolution 270-1980 requires that “the applicant must provide a sound justification for the zone 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.” Section 1.B. The applicant also “must demonstrate that the existing zoning is inappropriate” for one or more of three reasons. Section 1.D.

The first reason – that there was an error when the existing zone map was created – is not applicable to this property. The second reason – changed neighborhood or community conditions – also is not applicable. The change that has occurred is in the property, not the neighborhood or community. The change is that the existing property owner demolished the City Landmark Werner-Gilchrist House that was listed on the State Register of Cultural Properties and the National Register of Historic Properties that stood on the property from 1908 until December 2011. That a property owner, through neglect of the building, can create a changed condition to justify a zone change is inconsistent with the spirit and letter of the Comprehensive Zoning Code and city ordinances.

However, the third reason – a different use category is more advantageous to the community – is applicable in this case. The existing zoning – SU-2/SU-1 for DR, Office, Library and/or Museum – was supported by UHA and approved by the EPC on March 20, 2008, because the “purpose of the request is to facilitate the re-use and rehabilitation of the historic property.” Zone Change Finding 2. Since the historic property no longer exists, UHA believes that the existing zoning does not allow for any development. The property can remain vacant, but no building permit can be issued until a zone change is approved. Non-residential uses, such as office, library, and/or museum, are not appropriate, and DR zoning should be restored to the two lots, as existed from 1978 to 2008, because that zoning is more advantageous to the community.

The UHA board of directors and some other interested neighbors met with the agent at the board meetings on February 9 and March 8 to review and discuss the Site Plan. Various suggestions were made at those meetings, and some changes have been incorporated into the illustrative plan. UHA supports the concept of one-story units that, among other features, comply with DR zoning, are oriented toward Cornell and Silver, maintain existing trees, and provide parking off the alley and no curbcuts on Cornell and Silver (where there never have been curbcuts).

However, the proposed number and size of the apartments may not be accommodated by the 11 parking spaces that could be created in the 100-foot width along the alley. Further, one of the 11 parking spaces also appears to be located on both lots. The twelfth parking space (nearest Silver) on the illustrative plan is in the city right-of-way, which is contrary to the Off-Street Parking requirements of Section 14-16-3-1 of the Comprehensive Zoning Code. As noted above, UHA does not support approval of curbcuts to allow on-site parking on Cornell or Silver. UHA does not believe that the two lots are exceptional, as each one is the same 50-foot-by-142-foot dimensions as the other properties on the block and hundreds of other parcels in the neighborhood; thus a parking variance is not appropriate. On-street parking is heavily used and there is a general parking deficit at this location because of its proximity to UNM, nearby businesses, and other residences. Thus, the current plan appears to have a parking deficiency that may require a reduction in the number of units or their size.

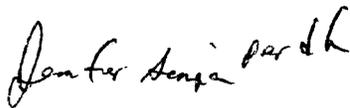
UHA recognizes that the illustrative plan may not be the site plan that would be submitted for building permit. Further changes might also not fully conform to DR requirements.

Given these considerations, UHA would prefer that the request be for both a zone change to SU-2/DR and a site development plan for building permit. If the applicant does not amend the application to include a site development plan for building permit, and if EPC does not require such a plan, UHA believes that some other public review process is justified before a building permit is issued. This property has a long history, is in a highly visible and important area of the neighborhood, and its zoning and landmark status have been the subject of numerous public meetings and public hearings that justify continued neighborhood involvement before a building permit is issued.

UHA encourages the EPC to approve the zone change to SU-2/DR with appropriate findings that address the matters that we have discussed.

Thank you very much for your consideration.

Sincerely,



Jennifer Simpson
President



Don Hancock
Secretary/Treasurer
Phone: 262-1862

cc: Tymn Waters

UNIVERSITY HEIGHTS ASSOCIATION

105 Stanford, SE
Albuquerque, NM 87106

May 14, 2014

Mr. Joshua J. Skarsgard, Esq.
Office of Administrative Hearings
PO Box 1293
Albuquerque, NM 87103

VIA e-mail to cwagner@cabq.gov



RE: 14ZHE-80085 through 14ZHE-80092, Project # 1010040 202 Cornell, SE

Dear Mr. Skarsgard:

At its May 6, 2014, meeting, the University Heights Association (UHA) board of directors voted 5-0 to support the eight variances requested so long as conditions are imposed to address and mitigate the injury to the community and adjacent properties that would otherwise occur from turning the project front away from the Cornell streetscape and pedestrian orientation. Those conditions are: the building on proposed lot 1-D will not be have a blank wall facing Cornell and will be architecturally harmonious with other nearby residences; the new curbcut for the proposed easement on Cornell would be narrowed as much as possible at the sidewalk, preferably to no more than 10 feet, consistent with many other curbcuts on the 200 block of Cornell; the new easement should have a gate or similar feature to discourage it being used as an alley by other vehicles; and some barrier and physical screening should be required at the property line between the subject property and the adjacent property to the south to block the view of the large number of vehicles on the lots and prevent access between the two properties.

These issues have been discussed with Lisa Allen Urrea, who is submitting a letter from Consensus Planning that addresses each of the four proposed conditions, though with somewhat different language and somewhat lesser requirements than what UHA supports.

Background

UHA appreciates that Lisa Allen Urrea and two people from Consensus Planning met with seven nearby residents and the UHA Secretary/Treasurer on April 28 for an extended discussion of the variance requests and other matters related to the property. The goal of building four townhouses that could be individually sold was supported as being beneficial to the neighborhood. Townhouses are allowed under the existing SU-2/DR zoning and are preferable to additional apartments.

However, the residents reiterated that the properties on the 200 block of Cornell face that street, with at least a 20-foot front setback and that there had never been a curbcut on the subject property on either Cornell or Silver. Building a townhouse with a blank wall on Cornell, infringing into the normal front setback area on Cornell, and adding a new curbcut would be injurious to the adjacent properties. It was pointed out that four townhouses could be built facing Cornell without requiring any variances. Further, the high pedestrian traffic along Cornell

accesses the post office on the 100 block of Cornell, the Frontier Restaurant, and the UNM pedestrian mall. A curbcut and vehicle traffic through the proposed easement is injurious to the pedestrian orientation of Cornell. Residents on the adjacent property to the south also expressed concerns about traffic and visual effects of the many vehicles using the easement.

After the April 28 meeting, Lisa Allen Urrea provided additional written information and attended the UHA board meeting on May 6. She expressed interest in working with the neighborhood to addressing the concerns, which UHA very much appreciates.

UHA also has some concerns about the statement justification for the variances and whether other property owners or the city could use similar justification for other variances in the future. Regarding the public interest, the application mentions only the pedestrian orientation on Silver, not that of Cornell, which also is a major pedestrian thoroughfare, and which would be injured by the development facing Silver, if conditions to mitigate the impacts are not required. UHA agrees that new, quality townhouses would be a positive impact, but notes that prospective owners could be people not affiliated with the University of New Mexico.

UHA believes that the special circumstances are that the property is uniquely two vacant lots adjoining Silver upon which the Werner-Gilchrist house was located. That house was on the National and New Mexico Registries of Historic Properties.

UHA disagrees with the justification regarding unnecessary hardship. The justification states that the "University Neighborhood [sic] Sector Plan contains conflicting goals and development regulations." UHA does not believe that such conflict exists in the Sector Plan, nor that the applicants have actually described such a conflict. The premise of the justification is that it will enhance the pedestrian orientation of Silver by having townhouses front on Silver and not having curbcuts on Silver, under the mis-interpretation that the Sector Plan Silver Avenue Design Regulations and Guidelines refer to this area, which they do not. As Map 4 in the Sector Plan clearly shows, the Silver Ave. Design Enhancement Area extends west of Yale to Sycamore. In that area, there is the tree-planted median and virtually all properties face Silver, neither of which is the situation along Silver east of Yale. The only unnecessary hardship is the previous historic Werner-Gilchrist house property included no curbcuts, which would limit use of the property to vehicle access only from the public alley, which makes townhouses facing Silver not possible without creating the private easement, which, in turn, requires that lot size variances. The front setback variances are justified because the easement without such variances would not allow for adequate sized townhouses.

UHA agrees that, subject to the proposed conditions to mitigate negative impacts on Silver, the variances would meet the substantial justice criteria.

Therefore, UHA supports the eight variances so long as the proposed conditions are imposed.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Don Hancock".

Don Hancock
Secretary/Treasurer
Phone: 262-1862

cc: Lisa Allen Urrea, Lisak@SedberryNM.com
Consensus Planning, cp@consensusplanning.com

UNIVERSITY HEIGHTS ASSOCIATION

105 Stanford, SE
Albuquerque, NM 87106

September 9, 2015

Christopher L. Graeser
Zoning Hearing Examiner
PO Box 1293
Albuquerque, NM 87103

VIA e-mail to AVallejos@cabq.gov



RE: 15ZHE-80212 through 15ZHE-80215, 80217-80218, 80226 through 80229,
Project # 1010564 202 Cornell, SE

Dear Mr. Graeser:

At its September 1, 2015, meeting, the University Heights Association (UHA) board of directors determined that it could not support the proposed ten variances requested because they would be injurious to the community and are contrary to the public interest. Additionally, the UHA board of directors believes that the application does not include all of the variances that would be required for the proposed project.

Importantly, there are significant changes in the project, as compared to the 2014 request for eight variances (14ZHE-80085 through 14ZHE-80092), which UHA did support so long as conditions were imposed. Those variances were approved. ZHE Decisions of June 5, 2014.

UHA continues to support the owners' stated purpose of building townhouses that could be individually sold. Thus, UHA would support a deferral so that the application could be revised. But our understanding is that the owners do not want a deferral. UHA appreciates that the owners and consultants met with some UHA board and neighborhood residents on September 6 and have responded to some questions since that time. We are very interested in continuing the discussions to try to find agreement and will be meeting again with the owners on September 11 to look at design drawings. However, based on the existing application, UHA strongly believes that the currently requested variances must be denied.

Importantly, the 2014 request was for variances for the goal of building four townhouses that could be individually sold, which would be beneficial to the neighborhood, are permissive uses under the existing SU-2/DR zoning, and are preferable to additional apartments. Now the project is very significantly expanded to being eight dwelling units. Those units do not meet the Zoning Code definition for townhouse. Since the units are not all townhouses, lot size variances would be required, which are not included in the current application.

The requested floor area ratio variances are very injurious to the community and are not in the public interest because they would provide for substantially increased density. Such higher densities are not consistent with the University Neighborhoods Sector Development Plan which substantially lowered allowed density, because such high densities have proven to be injurious to

the community. Contrary to the statement in the application that the floor area ratio is a “typical suburban standard” (page 3), that floor area ratio is the same as R-2 residential zoning, which is suitable “in the Established and Central Urban areas,” according to the Zoning Code § 14-16-2-11. The floor area ratio variances would also result in the need for additional parking spaces, but the application and the sketch plat do not show how the required parking spaces would be provided. Thus, parking variances likely are also required, which are not included in the current application.

The two requested rear setback variances are justified “to accommodate two 2-car garages to help meet the parking requirement.” However, that is not adequate justification because the application does not explain how the parking requirements will be met and how those garages would actually allow two cars to use them, if the adjoining building extends to the allowed rear setback. If the lots are separately owned, some kind of access agreement would be required for Lots 1-B and 1-C.

Four dwelling units per lot are allowed under the existing SU-2/DR zoning without the need for any variances. Almost immediately across the street at 209 Cornell, four dwelling units were recently constructed with no variances. Thus, eight dwelling units on the existing two lots could be constructed with no variances, and there are no special circumstances applicable to the subject property that do not apply generally to other property in the vicinity. It is contrary to the public interest to provide for so many variances to the core requirements of the SU-2/DR zoning – lot size, setback, floor area ratio, and off-street parking.

The 2014 ZHE decision included conditions to mitigate adverse impacts to the community. A major issue is the Cornell pedestrian orientation and the face of the building on proposed Lot 1-D. The existing lots and development face buildings toward Cornell, while the proposed new lots would face the units toward Silver. The justification letter (page 6) states that façade enhancement will be done, consistent with the condition in the 2014 decision. However, because of the off-street parking shortfall, there apparently will be some kind of “parking lot” required on Cornell, which would be directly contrary to the pedestrian orientation and view of that residential street. Such a situation would be injurious to the community and contrary to the public interest.

In summary, UHA continues to be very interested in working with the owners to support a townhouse project that would be beneficial to the community. We support a deferral to allow more time to revise the application. However, there are many difficulties with the significant changes to the project compared with the 2014 variance application. The currently requested variances, especially the floor area ratio variances, are very injurious to the community and contrary to the public interest and should be denied. Additionally, the need for lot size and off-street parking variances also would be injurious to the community and contrary to the public interest. Such a large number of variances to the core requirements of the SU-2/DR zoning that are the same for hundreds of properties in the neighborhood would clearly be injurious to the community and contrary to the public interest.

If a deferral is not granted, the requested variances should be denied.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hancock". The signature is fluid and cursive, with the first name "Don" being more prominent than the last name "Hancock".

Don Hancock
Secretary/Treasurer
Phone: 262-1862

cc: Lisa Allen Urrea, Lisak@SedberryNM.com
Consensus Planning, cp@consensusplanning.com
Salvator Perdomo, perdomo@consensusplanning.com

SYCAMORE NEIGHBORHOOD ASSOCIATION

411 Maple Street NE
Albuquerque, New Mexico 87106
505-843-6154

March 1, 2017

Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Reference: University Neighborhoods Sector Development Plan Text Amendment

Project #1011129

Dear Commissioners,

Sycamore Neighborhood Association Board of Directors opposes the proposed text amendment to the Diverse Residential (DR) zone of the University Neighborhoods Sector Development Plan (UNSDP). Sycamore Neighborhood is part of this sector plan.

The UNSDP has provided continuity to the area since the late 1970's. It has worked well for many years. The DR zone covers a large part of this planning area. It is a very flexible residential zone that allows houses, townhouses and medium density apartments. Development that meets the existing regulations has succeeded in all of the neighborhoods that are part of the planning area.

Zoning regulations are in place to provide for the health and safety of the citizens of Albuquerque. A property owner can do certain things on their property with regards to its allowed zoning. There are setback, parking, height and density constraints among others. Zoning regulations provide stability to the City. The UNSDP was created to reinforce stability in these older Albuquerque neighborhoods.

The proposed change to the DR zone that would allow townhouses with apartments or secondary dwelling units is problematic. The language being deleted changes the intent of the DR zone and changes what constitutes a townhouse. A request for townhouses with apartments for a single parcel would require a zone change. However that would be defined as spot zoning. Spot zoning is inappropriate and is not allowed by the Zoning Code. To avoid the rules against spot zoning, this text amendment has been proposed. This revision to what is allowed in the UNSDP will affect the largest single zone in the sector plan area, but it is primarily for the benefit of a single property owner. We do not believe allowing townhouses with apartments is at all beneficial to

University Neighborhoods Sector Development Plan
Text Amendment
Page 2.

the neighborhoods. There has been no definitive argument presented as to how it would benefit the area.

Section 14-16-2-9 R-T Residential Zone in the Comprehensive City Zoning Code does not allow a secondary dwelling unit on a townhouse lot. The UNSDP regulations do not allow a secondary dwelling unit in the Diverse Residential Zone. Our sector plan is consistent with the Zoning Code.

For over 35 years other developers have successfully built in this zone. Houses, townhouses or apartments can be and have been developed in the DR zone without revising the UNSDP.

Therefore this text amendment is not needed. An unnecessary change from the current requirements of the DR zone is not in the public interest. A text amendment to allow townhouses with apartments does not fix an error in the sector plan. The lot size requirement for townhouses in the sector plan is not, as the applicant states, "poorly written". The only error is a clerical one of leaving out the word "lot".

We ask that the Environmental Planning Commission not support a text amendment allowing townhouses with secondary dwelling units in the University Neighborhoods Sector Development Plan.

Sincerely,

Sycamore Neighborhood Association Board of Directors



By Mardon Gardella

SILVER HILL NEIGHBORHOOD ASSOCIATION

1404 Silver Avenue SE
Albuquerque, New Mexico 87106
(505) 243-0827

March 3, 2017

Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, New Mexico 87102

Reference: University Neighborhoods Sector Development Plan Text Amendment
Project #1011129

Dear Commissioners,

The Silver Hill Neighborhood Association opposes the proposed text amendment to the Diverse Residential (DR) zone of the University Neighborhoods Sector Development Plan (UNSDP). Silver Hill is part of this sector plan.

Detailed arguments have been made by our neighbors in the University Heights Neighborhood Association and the Sycamore Neighborhood Association. We second the arguments made by those associations and fully support those arguments.

The Text Amendment is intended to benefit one property owner with a change that could have broad ramifications, some of them negative, for the University Area neighborhoods as a whole, threatening to alter the character of a small region that has found stability through its Sector Development Plan for more than 30 years.

We ask that the Environmental Planning Commission reject a text amendment allowing townhouses with secondary dwelling units in the University Neighborhoods Sector Development Plan.

Sincerely,

/s/

James A. Montalbano
President
Silver Hill Neighborhood Association

BACKGROUND

CITY of ALBUQUERQUE
NINTH COUNCIL

COUNCIL BILL NO. C/S R-303 ENACTMENT NO. 95-1991

SPONSORED BY: Tim Kline

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1 RESOLUTION
2 AMENDING THE 1986 "UNIVERSITY NEIGHBORHOODS SECTOR DEVELOPMENT PLAN"
3 SU-2/SF LAND USE CATEGORY TO PROVIDE THAT DWELLING STRUCTURES LEGALLY
4 BUILT AND OCCUPIED PRIOR TO 1978 MAY BE RETAINED EVEN WHERE THERE ARE
5 MULTIPLE DWELLINGS ON A LOT.
6 WHEREAS, the Council, the Governing body of the City of
7 Albuquerque, has the authority to adopt plans and planning boundaries
8 for physical development within the planning and platting jurisdiction
9 of the City as authorized by New Mexico Statutes and by the City
10 Charter as allowed under home rule provisions of the Constitution of
11 the State of New Mexico; and
12 WHEREAS, the existing SU-2/SF Zone regulates legally built
13 multi-family structures, according to the City Zoning Code,
14 Non-Conforming Regulation; and
15 WHEREAS, the proposed SU-2/SF Zone will amend the existing zone
16 allowing multi-family structures legally built prior to 1978, to become
17 legal but will not allow them to be expanded either in area or in
18 number of dwelling units; and
19 WHEREAS, the amendment will be noted as exception number 3 to the
20 Single Family (SF) Zone in the 1986 "University Neighborhood Sector
21 Development Plan" (page 69); and
22 WHEREAS, on October 25, 1990, the Environmental Planning
23 Commission recommended that the 1986 "University Neighborhoods Sector
24 Development Plan" be amended essentially as contained herein; and
25 WHEREAS, the City's reasons for this amendment include not only
26 the findings of the Environmental Planning Commission but also the

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1 explanation added to page 18 of the sector plan under the title "Single
2 Family Zoning."

3 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
4 ALBUQUERQUE:

5 Section 1. That on page 69 of the 1986 University Neighborhoods
6 Sector Development Plan the SU-2/SF land use category description is
7 amended by adding an exception 3 as follows:

8 "3. Where there is more than one dwelling per lot, dwelling
9 structures legally built and legally occupied as dwellings prior to
10 October 11, 1978 are legal and may continue in the same use for the
11 useful life of the structure, but may not be expanded either in area or
12 in number of dwelling units; if such a structure is damaged or
13 destroyed by fire, flood, wind, or other calamity or act of God, it may
14 be restored to its original condition provided such work is started
15 within six months of the damage and is prosecuted diligently to
16 completion. It is the burden of the owner to show that a structure is
17 allowed under this exception."

18 Section 2. That on page 18 of the 1986 "University Neighborhoods
19 Sector Development Plan," the title "Recommendations:" is amended to
20 "1986 Recommendations:" and the following subsection is inserted before
21 that title:

22 "Single Family Zoning

23 An authoritative 1957 map (Sanborn), showed a mix of residential
24 building types along Silver Avenue between Sycamore Street and just
25 west of Yale, the area now zoned SU-2/Single Family (SF): there appear
26 to have been 58 single family houses on separate lots, 12 other houses
27 not on their own separate lots, 11 duplexes, 3 apartment buildings, and
28 a fraternity house. Thus two-thirds of the lots were developed with
29 one house. When the City established zoning in 1959, it mapped this
30 segment of Silver Avenue like the surrounding area as Medium Density
31 Residential (R-3), which allowed all the above uses.

32 The 1978 Sector Development Plan approved a zone change from R-3
33 to SU-2/Single Family for this segment of Silver, thus making

1 duplexes, apartments and fraternities non-conforming uses. This was
2 intended to further policies listed in the City Comprehensive Plan
3 encouraging "preservation of older neighborhoods" and "a mixture of low
4 and high density housing." Planners and residents had found that
5 Silver Avenue was the first landscaped-median parkway in Albuquerque,
6 built in the 1920s. Its physical character - narrow landscaped street
7 median, 1920s Southwestern Revival style and numerous small bungalow
8 style homes - was found to deserve preservation. This segment of
9 Silver Avenue had not had the heavy influx of new apartment buildings
10 found elsewhere in the neighborhood, so it was felt feasible to retain
11 the old character of development on this street segment. Zoning to
12 assure continuation of the lower density character satisfied the
13 neighborhood residents' desire to (1) stop further intrusion of
14 apartments into the unusual land use mixture then existing, (2)
15 preserve the historic appearance, and (3) increase social stability.

16 The 1986 Sector Plan retained the Single Family category for the
17 same portion of Silver Avenue. The plan identified the parkway as
18 qualifying for a historic district (subsequently approved by the
19 federal government) and also recommended that a Historic Overlay Zone
20 be considered (not enacted). This segment of Silver is the only
21 sizable area in the sector plan area which has a concentration of
22 architectural styles recognized as significant by the state and
23 national historic registers. Thus this area should continue to be
24 treated differently than other areas in the University Plan: zoned as
25 Single Family.

26 The Single Family zoning category limits principal uses to one
27 house per lot; a 1990 survey found that just over 50 percent of the
28 lots were developed with one house. Multi-family dwellings in the
29 area, and in fact all principal uses except houses, must terminate that
30 use by 2018. Some 76 percent of the 29 multi-family buildings have
31 been determined to be historic contributing buildings in the Historic
32 District. The 1991 amendment allows most pre-1978 dwellings to
33 continue for the useful life of the structure in the Single Family

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1 category, even when there are multiple dwellings on a lot. This
2 eliminates a City zoning requirement which would eliminate valuable
3 historic buildings. This special treatment will help to preserve and
4 stabilize existing uses and streetscape, described in both the 1978 and
5 1986 plans as being of significant and unique value to the community."

6 PASSED AND ADOPTED THIS 3rd DAY OF June, 1991.

7 BY A VOTE OF 7 FOR AND 0 AGAINST.

8 Yes: 7
9 Excused: Chapman, Gallegos

10 Michael Brasher
11 Michael Brasher, President
City Council

12
13 APPROVED THIS 11th DAY OF JUNE, 1991

14
15 Louis E. Saavedra
16 Louis E. Saavedra, Mayor
City of Albuquerque

17
18 ATTEST:

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20 Karen Acena
21 City Clerk

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CITY of ALBUQUERQUE
SEVENTH COUNCIL

COUNCIL BILL NO. R-66 ENACTMENT NO. 102-1986

SPONSORED BY: STEVE D. GALLEGOS

RESOLUTION

1
2 ADOPTING THE UNIVERSITY NEIGHBORHOODS AREA SECTOR DEVELOPMENT PLAN;
3 SUPERCEDING THE SIMILARLY NAMED PLAN ADOPTED BY RESOLUTION 209-1978

4 WHEREAS, the Council, the Governing Body of the City of
5 Albuquerque, has the authority to adopt plans for the physical
6 development of areas within the platting jurisdiction of the City
7 authorized by statute, Section 3-19-5 NMSA 1978, and by its home rule
8 powers; and

9 WHEREAS, the Council recognizes the need for sector development
10 plans to guide the City of Albuquerque and other agencies and
11 individuals to ensure orderly redevelopment and effective utilization
12 of funds; and

13 WHEREAS, the University Neighborhoods Area, as shown on the
14 attached maps and described in the attached text, is a designated
15 Community Development Area; and

16 WHEREAS, the University Neighborhoods Area Sector Development Plan,
17 Resolution 209-1978, was originally adopted in 1978 and substantial
18 changes in the plan are necessary; and

19 WHEREAS, the Sycamore Metropolitan Redevelopment Plan, Resolution
20 159-1982, amended the land use plan of the University Neighborhoods
21 Area Sector Development Plan of 1978 for a portion of the University
22 Neighborhoods Area; and

23 WHEREAS, minor changes to the Land Use Plan contained in the
24 Sycamore Metropolitan Redevelopment Plan are necessary; and

25 WHEREAS, the University Neighborhoods Area Sector Development Plan
26 has been developed with the assistance of area residents, property

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1 owners, business people, and institutions; and

2 WHEREAS, recent community meetings in the University Neighborhoods
3 Area indicated significant concern for neighborhood issues, including
4 zoning, urban design, traffic, parking, pedestrian travel, crime,
5 population turnover, street people, park facilities, building and
6 landscaping maintenance, institutional impacts, water and sewer lines,
7 and historic preservation; and

8 WHEREAS, the Environmental Planning Commission, in its advisory
9 role on all matters related to planning, zoning and environmental
10 protection, has approved and recommended the adoption of the University
11 Neighborhoods Area Sector Development Plan.

12 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
13 ALBUQUERQUE, THAT:

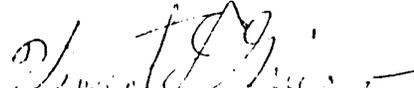
14 Section 1. The University Neighborhoods Area Sector Development
15 Plan is hereby adopted as a rank three plan, attached hereto and made
16 a part hereof, and as a guide to partial implementation of
17 Albuquerque/Bernalillo County Comprehensive Plan, the administration of
18 the U.S. Housing and Community Development Act of 1974 funds, and the
19 investment of other public and private funds. The University
20 Neighborhoods Area Sector Development Plan adopted by Resolution
21 209-1978 and the Land Use Plan amendment thereof adopted by the
22 Sycamore Metropolitan Redevelopment Plan by Resolution 159-1982 are
23 hereby superceded by the 1986 University Neighborhoods Area Sector
24 Development Plan.

25 Section 2. All redevelopment activities within the area, including
26 housing rehabilitation, land acquisition, and public improvements,
27 shall be guided by the attached University Neighborhoods Area Sector
28 Development Plan.

29 Section 3. The University Neighborhoods Area Sector Development
30 Plan shall guide City actions and regulations with respect to City
31 actions regarding future land use, landscaping and building
32 requirements, and design guidelines.

33 Section 4. Amendments of the SU-2 zone for this area are adopted

1 as contained in Appendix 4 of the attached Plan.
2 PASSED AND ADOPTED THIS 30th DAY OF June, 1986.
3 BY A VOTE OF 9 FOR AND 0 AGAINST.

4
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7 
8 VINCENT E. GRIEGO, PRESIDENT
CITY COUNCIL

9
10 APPROVED THIS 25TH DAY OF JULY, 1986.

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13 
14 KEN SCHULTZ, MAYOR
CITY OF ALBUQUERQUE

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17 ATTEST:

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CITY CLERK/DEPUTY

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Note:

Below is a survey of the properties within the University Neighborhoods Sector Development Plan (SDP) area to determine compliance with the Zoning Code and the University Neighborhoods SDP conducted a City of Albuquerque Code Enforcement Officer in 2008.

Vacant, institutional, and commercial lots have been removed from the original list in order to focus on residential properties. Each residential property was examined for the number of units on the lot.

1064 residential properties were examined; 298 or 28% of the residential lots had 1 unit on the lot; and 334 or 31% of the residential lots had 2 units on the lot. Today, any lot with more than one unit and less than 6,000 square feet of lot area would be considered legally nonconforming.

University Neighborhoods Survey 2008

505 MULBERRY ST NE: 1 Unit	408 SPRUCE ST NE: 3 Units
501 MULBERRY ST NE: 1 Unit	1303 MARTIN LUTHER KING AV NE: 3 Units
1021 MARQUETTE AV NE: 1 Unit	401 SYCAMORE ST NE: 3 Units
1017 MARQUETTE AV NE: 1 Unit	405 SYCAMORE ST NE: 4 Units
1013 MARQUETTE AV NE: 1 Unit	1401 MARTIN LUTHER KING AV NE: 8 Units
1009 MARQUETTE AV NE: 1 Unit	1413 MARTIN LUTHER KING AV NE: 24 Units
412 OAK ST NE; 418 OAK ST NE; 1001 MARQUETTE AV NE; 1002 MARQUETTE AV NE; 1004 MARQUETTE AV NE; 1006 MARQUETTE AV NE; 1010 MARQUETTE AV NE; 1020 MARQUETTE AV NE; 415 MULBERRY ST NE: total of 28 Units .	1421 MARTIN LUTHER KING AV NE: 8 Units
1101 MARTIN LUTHER KING AV NE: 14 Units	1501 MARTIN LUTHER KING AV NE; 408 MAPLE ST NE: 12 Units
1115 MARTIN LUTHER KING AV NE: 6 Units	401 ASH ST NE: 3 Units
1117 MARTIN LUTHER KING AV NE: 3 Units	1629 MARTIN LUTHER KING AV NE: 1 Unit
1119 MARTIN LUTHER KING AV NE: 3 Units	1616 MARTIN LUTHER KING AV NE: 20 Units
400 CEDAR ST NE: 1 Unit	1623 TIJERAS AV NE: 15 Units
404 CEDAR ST NE: 1 Unit	1605 TIJERAS AV NE: 3 Units
406 CEDAR ST NE: 1 Unit	1601 TIJERAS AV NE: 30 Units
408 CEDAR ST NE: 1 Unit	1421 TIJERAS AV NE: 9 Units
410 CEDAR ST NE: 1 Unit	1408 MARTIN LUTHER KING AV NE: 4 Units
412 CEDAR ST NE: 1 Unit	1411 TIJERAS AV NE: 2 Units
401 RIDGE CIR NE: 1 Unit	304 SYCAMORE ST NE: 4 Units
403 RIDGE CIR NE: 1 Unit	302 SYCAMORE ST NE: 2 Units
405 RIDGE CIR NE: 1 Unit	1401 TIJERAS AV NE: 1 Unit
405 RIDGE CIR NE: 1 Unit	300 SYCAMORE ST NE: 2 Units
407 RIDGE CIR NE: 1 Unit	1320 MARTIN LUTHER KING AV NE: 6 Units
407 RIDGE CIR NE: 1 Unit	1321 TIJERAS AV NE: 3 Units
1209 MARTIN LUTHER KING AV NE: 12 Units	1319 TIJERAS AV NE: 1 Unit
408 RIDGE CIR NE: 2 Units	1317 TIJERAS AV NE: 3 Units
1223 MARTIN LUTHER KING AV NE: 4 Units	1310 MARTIN LUTHER KING AV NE: 9 Units
407 SPRUCE ST NE: 2 Units	1315 TIJERAS AV NE: 8 Units
411 SPRUCE ST NE: 2 Units	1303 TIJERAS AV NE: 8 Units
	1224 MARTIN LUTHER KING AV NE: 3 Units
	1210 MARTIN LUTHER KING AV NE: 6 Units
	1208 MARTIN LUTHER KING AV NE: 2 Units

1209 TIJERAS AV NE: **12 Units**
1204 MARTIN LUTHER KING AV NE: **3 Units**
1202 MARTIN LUTHER KING AV NE: **3 Units**
301 CEDAR ST NE: **4 Units**
1110 MARTIN LUTHER KING AV NE: **8 Units**
1108 MARTIN LUTHER KING AV NE: **1 Unit**
1108 MARTIN LUTHER KING AV NE: **1 Unit**
1106 MARTIN LUTHER KING AV NE: **1 Unit**
1106 MARTIN LUTHER KING AV NE: **1 Unit**
1123 TIJERAS AV NE: **1 Unit**
1119 TIJERAS AV NE: **1 Unit**
1115 TIJERAS AV NE: **1 Unit**
1109 TIJERAS AV NE: **1 Unit**
1104 MARTIN LUTHER KING AV NE; 310 MULBERRY ST NE: **12 Units**
201 MULBERRY ST NE; 205 MULBERRY ST NE: **10 Units**
216 MULBERRY ST NE: **1 Unit**
218 MULBERRY ST NE: **1 Unit**
220 MULBERRY ST NE: **1 Unit**
222 MULBERRY ST NE: **1 Unit**
1112 TIJERAS AV NE: **3 Units**
200 MULBERRY ST NE: **1 Unit**
1109 COPPER AV NE: **1 Unit**
1113 COPPER AV NE: **1 Unit**
1115 COPPER AV NE: **1 Unit**
1117 COPPER AV NE: **1 Unit**
1119 COPPER AV NE: **1 Unit**
1121 COPPER AV NE: **1 Unit**
213 CEDAR ST NE: **1 Unit**
223 CEDAR ST NE: **1 Unit**
219 CEDAR ST NE: **1 Unit**
215 CEDAR ST NE: **2 Units**
1202 TIJERAS AV NE: **2 Units**
1204 TIJERAS AV NE: **1 Unit**
1210 TIJERAS AV NE: **1 Unit**
1216 TIJERAS AV NE: **1 Unit**
1218 TIJERAS AV NE: **1 Unit**
1224 TIJERAS AV NE: **5 Units**
1201 COPPER AV NE: **2 Units**
1205 COPPER AV NE: **1 Unit**
1207 COPPER AV NE: **1 Unit**
1209 COPPER AV NE: **1 Unit**
1211 COPPER AV NE: **12 Units**
1215 COPPER AV NE: **1 Unit**
205 SPRUCE ST NE: **4 Units**
1311 COPPER AV NE: **64 Units**
216 SYCAMORE ST NE; 224 SYCAMORE ST NE: **4 Units**
1408 TIJERAS AV NE: **1 Unit**
1418 TIJERAS AV NE: **1 Unit**
217 MAPLE ST NE: **1 Unit**
221 MAPLE ST NE: **3 Units**
215 MAPLE ST NE: **2 Units**
207 MAPLE ST NE: **3 Units**
201 MAPLE ST NE: **1 Unit**
1415 COPPER AV NE: **2 Units**
1409 COPPER AV NE: **3 Units**
212 SYCAMORE ST NE; 202 SYCAMORE ST NE: **4 Units**
222 MAPLE ST NE; 200 MAPLE ST NE: **78 Units**
1515 COPPER AV NE: **48 Units**
1516 TIJERAS AV NE; 1522 TIJERAS AV NE: **24 Units**
1522 TIJERAS AV NE: **24 Units**
1515 COPPER AV NE: **48 Units**
222 MAPLE ST NE, 200 MAPLE ST NE: **78 Units**
1505 CENTRAL AV NE: **4 Units**
1503 CENTRAL AV NE: **1 Unit**
1501 CENTRAL AV NE: **3 Units**
122 MAPLE ST NE: **1 Unit**
119 MAPLE ST NE: **4 Units**
118 SYCAMORE ST NE: **4 Units**
116 SYCAMORE ST NE: **4 Units**
114 SYCAMORE ST NE: **4 Units**
105 MAPLE ST NE: **1 Unit**
103 MAPLE ST NE: **1 Unit**
1016 COPPER AV NE, 119 MULBERRY ST NE: **4 Units**
1617 GOLD AV SE; 1613 GOLD AV SE; 1611 GOLD AV SE: **36 Units**
1605 GOLD AV SE: **1 Unit**
1601 GOLD AV SE: **16 Units**
1521 GOLD AV SE: **1 Unit**
1517 GOLD AV SE: **4 Units**
1505 GOLD AV SE: **4 Units**
124 MAPLE ST SE: **8 Units**
123 MAPLE ST SE: **4 Units**
119 MAPLE ST SE: **1 Unit**
1417 GOLD AV SE: **1 Unit**
1415 GOLD AV SE: **1 Unit**
1405 GOLD AV SE: **24 Units**
1712 GOLD AV SE: **3 Units**
1708 GOLD AV SE: **3 Units**
1704 GOLD AV SE: **2 Units**
1700 GOLD AV SE: **2 Units**
1721 SILVER AV SE: **1 Unit**
1715 SILVER AV SE: **2 Units**
1707 SILVER AV SE: **2 Units**
1705 SILVER AV SE: **2 Units**
1701 SILVER AV SE: **1 Unit**
1620 GOLD AV SE: **2 Units**
1616 GOLD AV SE: **2 Units**
1612 GOLD AV SE: **2 Units**

1610 GOLD AV SE: **2 Units**
1604 GOLD AV SE: **2 Units**
1600 GOLD AV SE: **1 Unit**
1623 SILVER AV SE: **3 Units**
1609 SILVER AV SE: **2 Units**
1607 SILVER AV SE: **3 Units**
1605 SILVER AV SE: **3 Units**
1603 SILVER AV SE: **2 Units**
1601 SILVER AV SE: **1 Unit**
1516 GOLD AV SE: **1 Unit**
1512 GOLD AV SE: **8 Units**
1510 GOLD AV SE: **2 Units**
1508 GOLD AV SE: **2 Units**
1504 GOLD AV SE: **2 Units**
1500 GOLD AV SE: **4 Units**
1523 SILVER AVE SE: **1 Unit**
1515 SILVER AV SE: **2 Units**
1505 SILVER AV SE: **1 Unit**
1503 SILVER AV SE: **2 Units**
1424 GOLD AV SE; 1410 GOLD AV SE: **7 Units**
205 MAPLE ST SE: **20 Units**
1409 SILVER AV SE: **3 Units**
214 SYCAMORE ST SE: **6 Units**
1400 SILVER AV SE: **2 Units**
1404 SILVER AV SE: **2 Units**
1406 SILVER AV SE: **2 Units**
1408 SILVER AV SE: **4 Units**
1414 SILVER AV SE: **1 Unit**
1424 SILVER AV SE: **1 Unit**
1417 LEAD AV SE: **4 Units**
1413 LEAD AV SE: **1 Unit**
1407 LEAD AV SE: **2 Units**
1405 LEAD AV SE: **1 Unit**
318 SYCAMORE ST SE: **1 Unit**
314 SYCAMORE ST SE: **2 Units**
312 MAPLE ST SE: **3 Units**
1516 SILVER AV SE: **1 Unit**
1520 SILVER AV SE: **1 Unit**
1524 SILVER AV SE: **1 Unit**
1513 LEAD AV SE; 1511 LEAD AV SE: **32 Units**
1509 LEAD AV SE: **2 Units**
1507 LEAD AV SE: **3 Units**
314 MAPLE ST SE: **3 Units**
1600 SILVER AV SE: **1 Unit**
1604 SILVER AV SE: **1 Unit**
1606 SILVER AV SE: **2 Units**
1610 SILVER AV SE: **2 Units**
1616 SILVER AV SE: **2 Units**
1620 SILVER AV SE: **2 Units**
1613 LEAD AV SE: **2 Units**
1611 LEAD AV SE: **4 Units**
1609 LEAD AV SE: **2 Units**
1601 LEAD AV SE: **2 Units**
1718 SILVER AV SE: **3 Units**
1710 SILVER AV SE: **2 Units**
1706 SILVER AV SE: **16 Units**
1704 SILVER AV SE: **3 Units**
1717 LEAD AV SE: **2 Units**
1715 LEAD AV SE: **2 Units**
1709 LEAD AV SE: **16 Units**
1701 LEAD AV SE: **8 Units**
1722 LEAD AV SE: **2 Units**
1712 LEAD AV SE: **3 Units**
1706 LEAD AV SE: **1 Unit**
1704 LEAD AV SE: **4 Units**
408 PINE ST SE: **2 Units**
1717 COAL PL SE: **2 Units**
1715 COAL PL SE: **2 Units**
1711 COAL PL SE: **2 Units**
1705 COAL PL SE: **3 Units**
414 PINE ST SE: **12 Units**
1624 LEAD AV SE: **1 Unit**
403 PINE ST SE: **1 Unit**
1620 LEAD AV SE: **2 Units**
1616 LEAD AV SE: **1 Unit**
1608 LEAD AV SE: **2 Units**
1604 LEAD AV SE: **2 Units**
406 ASH ST SE: **2 Units**
417 PINE ST SE: **2 Units**
1619 COAL AV SE: **1 Unit**
1605 COAL AV SE: **4 Units**
1601 COAL AV SE: **1 Unit**
1524 LEAD AV SE: **6 Units**
1517 COAL AV SE; 408 MAPLE ST SE: **72 Units**
1320 LEAD AV SE; 1318 LEAD AV SE: **8 Units**
1316 LEAD AV SE: **2 Units**
1314 LEAD AV SE: **2 Units**
1300 LEAD AV SE; 1305 COAL AV SE; 1305 COAL AV SE: **22 Units**
1309 COAL AV SE: **2 Units**
1311 COAL AV SE: **2 Units**
1317 COAL AV SE; 1323 COAL AV SE: **8 Units**
1212 LEAD AV SE: **3 Units**
1208 LEAD AV SE: **2 Units**
1204 LEAD AV SE: **2 Units**
1200 LEAD AV SE: **4 Units**
1225 COAL AV SE: **9 Units**
1217 COAL AV SE: **2 Units**
1207 COAL AV SE: **2 Units**
531 MULBERRY ST SE: **3 Units**
535 MULBERRY ST SE: **5 Units**
541 MULBERRY ST SE: **4 Units**

549 MULBERRY ST SE: **4 Units**
1015 HAZELDINE AV SE; 1011 HAZELDINE AV SE: **8 Units**
536 MULBERRY ST SE: **2 Units**
536 MULBERRY ST SE: **2 Units**
540 MULBERRY ST SE: **2 Units**
544 MULBERRY ST SE: **3 Units**
543 CEDAR ST SE; 541 CEDAR ST SE: **16 Units**
531 CEDAR ST SE: **1 Unit**
529 CEDAR ST SE: **1 Unit**
525 CEDAR ST SE: **6 Units**
1200 COAL AV SE: **1 Unit**
1204 COAL AV SE: **1 Unit**
1208 COAL AV SE: **1 Unit**
506 CEDAR ST SE: **2 Units**
510 CEDAR ST SE: **1 Unit**
1206 COAL AV SE: **1 Unit**
1212 COAL AV SE: **2 Units**
1214 COAL AV SE; 1218 COAL AV SE: **4 Units**
514 CEDAR ST SE; 521 SPRUCE ST SE: **48 Units**
513 SPRUCE ST SE: **4 Units**
530 CEDAR ST SE: **2 Units**
504 SYCAMORE ST SE: **9 Units**
1404 COAL AV SE: **2 Units**
1410 COAL AV SE: **1 Unit**
1412 COAL AV SE: **1 Unit**
1416 COAL AV SE: **1 Unit**
1426 COAL AV SE: **2 Units**
507 MAPLE ST SE: **1 Unit**
515 MAPLE ST SE: **3 Units**
512 SYCAMORE ST SE: **2 Units**
518 SYCAMORE ST SE: **2 Units**
520 SYCAMORE ST SE: **2 Units**
1415 HAZELDINE AV SE: **4 Units**
1413 HAZELDINE AV SE: **2 Units**
1411 HAZELDINE AV SE: **2 Units**
1407 HAZELDINE AV SE: **1 Unit**
528 SYCAMORE ST SE: **1 Unit**
1500 COAL AV SE: **2 Units**
1504 COAL AV SE: **2 Units**
1510 COAL AV SE: **2 Units**
1512 COAL AV SE: **2 Units**
501 ASH ST SE: **4 Units**
508 MAPLE ST SE: **2 Units**
514 MAPLE ST SE: **1 Unit**
515 ASH ST SE: **2 Units**
1511 HAZELDINE AV SE: **1 Unit**
1505 HAZELDINE AV SE: **1 Unit**
522 MAPLE ST SE: **1 Unit**
1624 COAL AV SE: **5 Units**
1618 COAL AV SE: **6 Units**

1616 COAL AV SE: **6 Units**
1608 COAL AV SE: **3 Units**
1604 COAL AV SE: **3 Units**
1600 COAL AV SE: **3 Units**
512 ASH ST SE: **10 Units**
519 PINE ST SE: **5 Units**
1617 HAZELDINE AV SE: **11 Units**
1603 HAZELDINE AV SE; 1613 HAZELDINE AV SE: **5 Units**
1700 COAL AV SE: **4 Units**
1710 COAL PL SE: **15 Units**
1716 COAL PL SE: **3 Units**
1718 COAL PL SE: **2 Units**
1719 HAZELDINE AV SE: **2 Units**
1713 HAZELDINE AV SE: **2 Units**
1801 GOLD AV SE: **1 Unit**
1803 GOLD AV SE: **1 Unit**
1805 GOLD AV SE: **1 Unit**
1807 GOLD AV SE: **1 Unit**
1817 GOLD AV SE: **1 Unit**
121 MESA ST SE: **1 Unit**
1901 GOLD AV SE; 112 MESA ST SE; 108 MESA ST SE: **12 Units**
1917 GOLD AV SE: **4 Units**
1919 GOLD AV SE: **1 Unit**
123 TERRACE ST SE: **3 Units**
2001 GOLD AV SE: **17 Units**
1800 GOLD AV SE: **1 Unit**
1806 GOLD AV SE: **2 Units**
1810 GOLD AV SE: **2 Units**
1814 GOLD AV SE: **2 Units**
1816 GOLD AV SE: **3 Units**
215 MESA ST SE: **3 Units**
2127 GOLD AV SE: **10 Units**
2121 GOLD AV SE: **16 Units**
2119 GOLD AV SE: **1 Unit**
2115 GOLD AV SE: **4 Units**
2109 GOLD AV SE: **1 Unit**
2105 GOLD AV SE: **1 Unit**
2103 GOLD AV SE: **8 Units**
2132 GOLD AV SE: **2 Units**
2128 GOLD AV SE: **1 Unit**
2122 GOLD AV SE: **1 Unit**
2120 GOLD AV SE: **1 Unit**
2118 GOLD AV SE: **1 Unit**
2112 GOLD AV SE: **1 Unit**
2108 GOLD AV SE: **2 Units**
2104 GOLD AV SE: **2 Units**
2100 GOLD AV SE: **2 Units**
1924 GOLD AV SE: **2 Units**
1920 GOLD AV SE: **1 Unit**

1912 GOLD AV SE: **2 Units**
1910 GOLD AV SE: **2 Units**
1906 GOLD AV SE: **2 Units**
1902 GOLD AV SE: **2 Units**
1801 SILVER AV SE: **3 Units**
1805 SILVER AV SE: **5 Units**
1809 SILVER AV SE: **2 Units**
1815 SILVER AV SE: **1 Unit**
1817 SILVER AV SE: **2 Units**
1821 SILVER AV SE: **1 Unit**
1901 SILVER AV SE: **3 Units**
1905 SILVER AV SE: **2 Units**
1907 SILVER AV SE: **2 Units**
1917 SILVER AV SE: **2 Units**
1923 SILVER AV SE: **1 Unit**
2001 SILVER AV SE: **1 Unit**
2005 SILVER AV SE: **1 Unit**
2007 SILVER AV SE: **1 Unit**
2101 SILVER AV SE: **1 Unit**
2103 SILVER AV SE: **2 Units**
2109 SILVER AV SE: **1 Unit**
2111 SILVER AV SE: **2 Units**
2119 SILVER AV SE: **1 Unit**
2123 SILVER AV SE: **1 Unit**
2125 SILVER AV SE: **1 Unit**
2127 SILVER AV SE: **2 Units**
2129 SILVER AV SE: **2 Units**
2135 SILVER AV SE: **3 Units**
2126 SILVER AV SE: **1 Unit**
2118 SILVER AV SE: **1 Unit**
2116 SILVER AV SE: **1 Unit**
2112 SILVER AV SE: **1 Unit**
2108 SILVER AV SE: **1 Unit**
2106 SILVER AV SE: **1 Unit**
2100 SILVER AV SE: **1 Unit**
2004 SILVER AV SE: **3 Units**
2002 SILVER AV SE: **1 Unit**
2000 SILVER AV SE: **2 Units**
1924 SILVER AV SE: **1 Unit**
1908 SILVER AV SE: **5 Units**
1906 SILVER AV SE: **2 Units**
1904 SILVER AV SE: **2 Units**
1902 SILVER AV SE: **2 Units**
1900 SILVER AV SE: **3 Units**
1824 SILVER AV SE: **2 Units**
1812 SILVER AV SE: **1 Unit**
1810 SILVER AV SE: **4 Units**
1804 SILVER AV SE: **2 Units**
1800 SILVER AV SE: **5 Units**
116 HARVARD DR SE: **Apartment Complex**
124 HARVARD DR SE: **Apartment Complex**

134 HARVARD DR SE: **1 Unit**
214 YALE BLVD SE: **1 Unit**
216 YALE BLVD SE: **2 Units**
220 YALE BLVD SE: **2 Units**
201 HARVARD DR SE: **1 Unit**
203 HARVARD DR SE: **1 Unit**
205 HARVARD DR SE: **1 Unit**
207 HARVARD DR SE: **2 Units**
209 HARVARD DR SE: **2 Units**
211 HARVARD DR SE: **1 Unit**
213 HARVARD DR SE: **1 Unit**
215 CORNELL DR SE: **2 Units**
217 HARVARD DR SE: **2 Units**
219 HARVARD DR SE: **1 Unit**
204 HARVARD DR SE: **6 Units**
206 HARVARD DR SE: **2 Units**
208 HARVARD DR SE: **1 Unit**
210 HARVARD DR SE: **1 Unit**
212 HARVARD DR SE: **3 Units**
214 HARVARD DR SE: **2 Units**
216 HARVARD DR SE: **1 Unit**
218 HARVARD DR SE: **3 Units**
220 HARVARD DR SE: **1 Unit**
222 HARVARD DR SE: **1 Unit**
2315 LEAD AV SE: **2 Units**
401 GIRARD BLVD SE: **3 Units**
403 GIRARD BLVD SE: **1 Unit**
405 GIRARD BLVD SE: **2 Units**
407 GIRARD BLVD SE: **3 Units**
409 GIRARD BLVD SE: **1 Unit**
411 GIRARD BLVD SE: **2 Units**
413 GIRARD BLVD SE: **9 Units**
417 GIRARD BLVD SE: **1 Unit**
419 GIRARD BLVD SE: **1 Unit**
421 GIRARD BLVD SE: **1 Unit**
423 GIRARD BLVD SE: **4 Units**
402 VASSAR DR SE: **3 Units**
404 VASSAR DR SE: **1 Unit**
406 VASSAR DR SE: **1 Unit**
408 VASSAR DR SE: **1 Unit**
410 VASSAR DR SE: **2 Units**
412 VASSAR DR SE: **2 Units**
414 VASSAR DR SE: **2 Units**
416 VASSAR DR SE: **1 Unit**
418 VASSAR DR SE: **1 Unit**
420 VASSAR DR SE: **1 Unit**
422 VASSAR DR SE: **2 Units**
401 VASSAR DR SE: **5 Units**
403 VASSAR DR SE: **1 Unit**
405 VASSAR DR SE: **1 Unit**
407 VASSAR DR SE: **1 Unit**

409 VASSAR DR SE: **4 Units**
411 VASSAR DR SE: **1 Unit**
413 VASSAR DR SE: **4 Units**
415 VASSAR DR SE: **4 Units**
419 VASSAR DR SE: **22 Units**
425 VASSAR DR SE: **8 Units**
402 PRINCETON DR SE: **2 Units**
404 PRINCETON DR SE: **2 Units**
406 PRINCETON DR SE: **2 Units**
408 PRINCETON DR SE: **16 Units**
410 PRINCETON DR SE: **2 Units**
412 PRINCETON DR SE: **2 Units**
414 PRINCETON DR SE: **2 Units**
416 PRINCETON DR SE: **1 Unit**
418 PRINCETON DR SE: **1 Unit**
420 PRINCETON DR SE: **3 Units**
440 PRINCETON DR SE: **9 Units**
2709 GARFIELD AV SE: **4 Units**
401 PRINCETON DR SE: **1 Unit**
403 PRINCETON DR SE: **2 Units**
405 PRINCETON DR SE: **1 Unit**
407 PRINCETON DR SE: **2 Units**
409 PRINCETON DR SE: **2 Units**
411 PRINCETON DR SE: **2 Units**
413 PRINCETON DR SE: **2 Units**
415 PRINCETON DR SE: **3 Units**
417 PRINCETON DR SE: **3 Units**
419 PRINCETON DR SE: **2 Units**
421 PRINCETON DR SE: **2 Units**
423 PRINCETON DR SE: **3 Units**
402 COLUMBIA DR SE: **4 Units**
404 COLUMBIA DR SE: **2 Units**
406 COLUMBIA DR SE: **1 Unit**
408 COLUMBIA DR SE: **14 Units**
410 COLUMBIA DR SE: **3 Units**
412 COLUMBIA DR SE: **2 Units**
414 COLUMBIA DR SE: **4 Units**
416 COLUMBIA DR SE: **1 Unit**
418 COLUMBIA DR SE: **2 Units**
420 COLUMBIA DR SE: **6 Units**
424 COLUMBIA DR SE: **32 Units**
401 COLUMBIA DR SE: **5 Units**
403 COLUMBIA DR SE: **3 Units**
405 COLUMBIA DR SE: **3 Units**
407 COLUMBIA DR SE: **3 Units**
409 COLUMBIA DR SE: **2 Units**
411 COLUMBIA DR SE: **2 Units**
413 COLUMBIA DR SE: **2 Unit**
415 COLUMBIA DR SE: **2 Units**
417 COLUMBIA DR SE: **2 Units**
419 COLUMBIA DR SE: **2 Units**

421 COLUMBIA DR SE: **3 Units**
425 COLUMBIA DR SE: **3 Units**
401 STANFORD DR SE: **4 Units**
403 STANFORD DR SE: **2 Units**
405 STANFORD DR SE: **2 Units**
407STANFORD DR SE: **3 Units**
409 STANFORD DR SE: **2 Units**
411 STANFORD DR SE: **2 Units**
413 STANFORD DR SE: **1 Unit**
415 STANFORD DR SE: **2 Units**
417 STANFORD DR SE: **2 Units**
419 STANFORD DR SE: **3 Units**
501 COLUMBIA DR SE: **10 Units**
509 COLUMBIA DR SE: **7 Units**
515 COLUMBIA DR SE: **7 Units**
2500 GARFIELD AV SE: **26 Units**
2424 GARFIELD AV SE: **9 Units**
2406 GARFIELD AV SE: **Church**
2404 GARFIELD AV SE: **2 Units**
2320 GARFIELD AV SE: **8 Units**
2306 GARFIELD AV SE: **9 Units**
2304 GARFIELD AV SE: **3 Units**
2302 GARFIELD AV SE: **3 Units**
2216 GARFIELD AV SE: **6 Units**
401 STANFORD DR SE: **4 Units**
403 STANFORD DR SE: **1 Unit**
405 STANFORD DR SE: **2 Units**
407 STANFORD DR SE: **2 Units**
409 STANFORD DR SE: **2 Units**
411 STANFORD DR SE: **1 Unit**
413 STANFORD DR SE: **1 Unit**
415 STANFORD DR SE: **1 Unit**
417 STANFORD DR SE: **2 Units**
419 STANFORD DR SE: **2 Units**
421 STANFORD DR SE: **4 Units**
2423 GARFIELD AV SE: **2 Units**
402 CORNELL DR SE: **8 Units**
404 CORNELL DR SE: **4 Units**
406 CORNELL DR SE: **2 Units**
408 CORNELL DR SE: **2 Units**
410 CORNELL DR SE: **1 Unit**
412 CORNELL DR SE: **1 Unit**
414 CORNELL DR SE: **1 Unit**
416 CORNELL DR SE: **1 Unit**
418 CORNELL DR SE: **1 Unit**
420 CORNELL DR SE: **2 Units**
422 CORNELL DR SE: **2 Units**
424 CORNELL DR SE: **2 Units**
401 CORNELL DR SE: **1 Unit**
403 CORNELL DR SE: **4 Units**
405 CORNELL DR SE: **4 Units**

407 CORNELL DR SE: **2 Units**
409 CORNELL DR SE: **1 Unit**
411 CORNELL DR SE: **1 Unit**
413 CORNELL DR SE: **2 Units**
417 CORNELL DR SE: **2 Units**
419 CORNELL DR SE: **2 Units**
421 CORNELL DR SE: **2 Units**
423 CORNELL DR SE: **2 Units**
402 HARVARD DR SE: **4 Units**
404 HARVARD DR SE: **2 Units**
406 HARVARD DR SE: **1 Unit**
408 HARVARD DR SE: **2 Units**
410 HARVARD DR SE: **2 Units**
412 HARVARD DR SE: **2 Units**
414 HARVARD DR SE: **2 Units**
416 HARVARD DR SE: **2 Units**
418 HARVARD DR SE: **2 Units**
420 HARVARD DR SE: **2 Units**
422 HARVARD DR SE: **1 Unit**
424 HARVARD DR SE: **4 Units**
401 HARVARD DR SE; 403 HARVARD DR SE: **8 Units**
405 HARVARD DR SE: **1 Unit**
407 HARVARD DR SE: **1 Unit**
409 HARVARD DR SE: **2 Units**
411 HARVARD DR SE: **2 Units**
413 HARVARD DR SE: **1 Unit**
415 HARVARD DR SE: **4 Units**
417 HARVARD DR SE: **10 Units**
419 HARVARD DR SE: **2 Units**
421 HARVARD DR SE: **2 Units**
423 HARVARD DR SE: **3 Units**
424 YALE BLVD SE: **4 Units**
422 YALE BLVD SE: **4 Units**
2123 ST CYR AV SE: **1 Unit**
2117 ST CYR AV SE: **1 Unit**
2113 ST CYR AV SE: **4 Units**
2111 ST CYR AV SE: **2 Units**
2105 ST CYR AV SE: **8 Units**
2100 ETON AV SE: **3 Units**
2104 ETON AV SE: **1 Unit**
2108 ETON AV SE: **1 Unit**
2110 ETON AV SE: **2 Units**
2116 ETON AV SE: **1 Unit**
2120 ETON AV SE: **1 Unit**
2124 ETON AV SE: **2 Units**
2128 ETON AV SE: **1 Unit**
2130 ETON AV SE: **2 Units**
2101 ETON AV SE: **2 Units**
2103 ETON AV SE: **3 Units**
2107 ETON AV SE: **2 Units**
2109 ETON AV SE: **2 Units**
2117 ETON AV SE: **2 Units**
2119 ETON AV SE: **1 Unit**
2123 ETON AV SE: **2 Units**
2133 ETON AV SE: **1 Unit**
2135 ETON AV SE: **1 Unit**
2137 ETON AV SE: **2 Units**
2102 COAL AV SE: **3 Units**
2104 COAL AV SE: **1 Unit**
2106 COAL AV SE: **2 Units**
2112 COAL AV SE: **1 Unit**
2116 COAL AV SE: **2 Units**
2120 COAL AV SE: **3 Units**
2124 COAL AV SE: **2 Units**
2128 COAL AV SE: **1 Unit**
2130 COAL AV SE: **8 Units**
2132 COAL AV SE: **1 Unit**
616 BUENA VISTA DR SE: **5 Units**
2103 COAL AV SE: **1 Unit**
2111 COAL AV SE: **1 Unit**
2113 COAL AV SE: **2 Units**
2117 COAL AV SE: **3 Units**
2121 COAL AV SE: **1 Unit**
2125 COAL AV SE: **4 Units**
2129 COAL AV SE: **1 Unit**
2131 COAL AV SE: **4 Units**
405 YALE BLVD SE: **6 Units**
604 BUENA VISTA DR SE: **3 Units**
2110 OXFORD AV SE: **2 Units**
2112 OXFORD AV SE: **2 Units**
2114 OXFORD AV SE: **3 Units**
2118 OXFORD AV SE: **2 Units**
2122 OXFORD AV SE: **2 Units**
2124 OXFORD AV SE: **3 Units**
2128 OXFORD AV SE: **3 Units**
2134 OXFORD AV SE: **2 Units**
2136 OXFORD AV SE: **9 Units**
2312 SILVER AV SE: **1 Unit**
203 CORNELL DR SE: **1 Unit**
205 CORNELL DR SE: **1 Unit**
207 CORNELL DR SE: **4 Units**
211 CORNELL DR SE: **2 Units**
213 CORNELL DR SE: **2 Units**
215 CORNELL DR SE: **1 Unit**
217 CORNELL DR SE: **1 Unit**
219 CORNELL DR SE: **3 Units**
221 CORNELL DR SE: **3 Units**
223 CORNELL DR SE: **3 Units**
202 CORNELL DR SE: **3 Units**
204 CORNELL DR SE: **3 Units**
206 CORNELL DR SE: **4 Units**
208 CORNELL DR SE: **3 Units**

210 CORNELL DR SE: **3 Units**
212 CORNELL DR SE: **3 Units**
214 CORNELL DR SE: **2 Units**
216 CORNELL DR SE: **2 Units**
220 CORNELL DR SE: **1 Unit**
222 CORNELL DR SE: **2 Units**
2405 LEAD AV SE: **1 Unit**
306 CORNELL DR SE: **1 Unit**
308 CORNELL DR SE: **1 Unit**
310 CORNELL DR SE: **3 Units**
312 CORNELL DR SE: **4 Units**
314 CORNELL DR SE: **2 Units**
316 CORNELL DR SE: **3 Units**
318 CORNELL DR SE: **1 Unit**
320 CORNELL DR SE: **2 Units**
322 CORNELL DR SE: **3 Units**
324 CORNELL DR SE: **2 Units**
305 STANFORD DR SE: **1 Unit**
307 STANFORD DR SE: **3 Units**
309 STANFORD DR SE: **2 Units**
311 STANFORD DR SE: **4 Units**
313 STANFORD DR SE: **3 Units**
315 STANFORD DR SE: **3 Units**
317 STANFORD DR SE: **2 Units**
319 STANFORD DR SE: **1 Unit**
321 STANFORD DR SE: **2 Units**
323 STANFORD DR SE: **2 Units**
2406 SILVER AV SE; 203 STANFORD DR SE: **9 Units**
205 STANFORD DR SE: **2 Units**
207 STANFORD DR SE: **2 Units**
209 STANFORD DR SE: **4 Units**
211 STANFORD DR SE: **4 Units**
213 STANFORD DR SE: **3 Units**
215 STANFORD DR SE: **2 Units**
217 STANFORD DR SE: **2 Units**
219 STANFORD DR SE: **2 Units**
221 STANFORD DR SE: **2 Units**
202 STANFORD DR SE: **10 Units**
204 STANFORD DR SE: **8 Units**
206 STANFORD DR SE: **3 Units**
208 STANFORD DR SE: **1 Unit**
210 STANFORD DR SE: **3 Units**
212 STANFORD DR SE: **3 Units**
214 STANFORD DR SE: **3 Units**
216 STANFORD DR SE: **2 Units**
218 STANFORD DR SE: **1 Unit**
302 STANFORD DR SE: **8 Units**
306 STANFORD DR SE: **3 Units**
308 STANFORD DR SE: **3 Units**
310 STANFORD DR SE: **2 Units**
312 STANFORD DR SE: **3 Units**
314 STANFORD DR SE: **2 Units**
316 STANFORD DR SE: **2 Units**
318 STANFORD DR SE: **4 Units**
320 STANFORD DR SE: **4 Units**
322 COLUMBIA DR SE: **4 Units**
301 PRINCETON DR SE: **3 Units**
303 PRINCETON DR SE: **3 Units**
305 PRINCETON DR SE: **8 Units**
307 PRINCETON DR SE: **2 Units**
309 PRINCETON DR SE: **2 Units**
314 STANFORD DR SE: **2 Units**
316 STANFORD DR SE: **2 Units**
318 STANFORD DR SE: **3 Units**
320 STANFORD DR SE: **2 Units**
322 STANFORD DR SE: **3 Units**
324 STANFORD DR SE: **2 Units**
301 COLUMBIA DR SE: **2 Units**
303 COLUMBIA DR SE: **1 Unit**
305 COLUMBIA DR SE: **2 Units**
307 COLUMBIA DR SE: **3 Units**
309 COLUMBIA DR SE: **1 Unit**
311 COLUMBIA DR SE: **2 Units**
313 COLUMBIA DR SE: **6 Units**
315 COLUMBIA DR SE: **2 Units**
317 COLUMBIA DR SE: **2 Units**
319 COLUMBIA DR SE: **2 Units**
321 COLUMBIA DR SE: **2 Units**
323 COLUMBIA DR SE: **8 Units**
201 COLUMBIA DR SE: **4 Units**
205 COLUMBIA DR SE: **28 Units**
209 COLUMBIA DR SE: **40 Units**
217 COLUMBIA DR SE: **3 Units**
219 COLUMBIA DR SE: **1 Unit**
221 COLUMBIA DR SE: **1 Unit**
223 COLUMBIA DR SE: **1 Unit**
202 COLUMBIA DR SE: **3 Units**
204 COLUMBIA DR SE: **4 Units**
206 COLUMBIA DR SE: **3 Units**
208 COLUMBIA DR SE: **Apartment Complex**
216 COLUMBIA DR SE: **Apartment Complex**
218 COLUMBIA DR SE: **3 Units**
220 COLUMBIA DR SE: **3 Units**
222 COLUMBIA DR SE: **2 Units**
224 COLUMBIA DR SE: **2 Units**
324 COLUMBIA DR SE: **1 Unit**
302 COLUMBIA DR SE: **3 Units**
304 COLUMBIA DR SE: **2 Units**
306 COLUMBIA DR SE: **2 Units**
308 COLUMBIA DR SE: **3 Units**
310 COLUMBIA DR SE: **2 Units**
312 COLUMBIA DR SE: **3 Units**
314 COLUMBIA DR SE: **1 Unit**
316 COLUMBIA DR SE: **2 Units**
318 COLUMBIA DR SE: **4 Units**
320 COLUMBIA DR SE: **4 Units**
322 COLUMBIA DR SE: **4 Units**
301 PRINCETON DR SE: **3 Units**
303 PRINCETON DR SE: **3 Units**
305 PRINCETON DR SE: **8 Units**
307 PRINCETON DR SE: **2 Units**
309 PRINCETON DR SE: **2 Units**

311 PRINCETON DR SE: **3 Units**
313 PRINCETON DR SE: **2 Units**
315 PRINCETON DR SE: **4 Units**
319 PRINCETON DR SE: **1 Unit**
321 PRINCETON DR SE: **2 Units**
323 PRINCETON DR SE: **1 Unit**
201 PRINCETON DR SE: **2 Units**
203 PRINCETON DR SE: **2 Units**
205 PRINCETON DR SE: **1 Unit**
207 PRINCETON DR SE: **1 Unit**
209 PRINCETON DR SE: **4 Units**
211 PRINCETON DR SE: **3 Units**
213 PRINCETON DR SE: **5 Units**
215 PRINCETON DR SE: **4 Units**
217 PRINCETON DR SE: **3 Units**
219 PRINCETON DR SE: **4 Units**
221 PRINCETON DR SE: **2 Units**
223 PRINCETON DR SE: **4 Units**
302 PRINCETON DR SE: **4 Units**
304 PRINCETON DR SE: **2 Units**
306 PRINCETON DR SE: **2 Units**
308 PRINCETON DR SE: **1 Unit**
310 PRINCETON DR SE: **2 Units**
312 PRINCETON DR SE: **3 Units**
314 PRINCETON DR SE: **1 Unit**
316 PRINCETON DR SE: **12 Units**
318 PRINCETON DR SE: **12 Units**
320 PRINCETON DR SE: **12 Units**
322 PRINCETON DR SE: **1 Unit**
324 PRINCETON DR SE: **2 Units**
301 VASSAR DR SE: **2 Units**
303 VASSAR DR SE: **4 Units**
305 VASSAR DR SE: **2 Units**
307 VASSAR DR SE: **2 Units**
309 VASSAR DR SE: **1 Unit**
311 VASSAR DR SE: **3 Units**
313 VASSAR DR SE: **2 Units**
315 VASSAR DR SE: **3 Units**
317 VASSAR DR SE: **2 Units**
319 VASSAR DR SE: **2 Units**
321 VASSAR DR SE: **2 Units**
323 VASSAR DR SE: **4 Units**
300 VASSAR DR SE: **2 Units**
302 VASSAR DR SE: **4 Units**
304 VASSAR DR SE: **1 Unit**
306 VASSAR DR SE: **6 Units**
324 VASSAR DR SE: **Substandard**
310 VASSAR DR SE: **6 Units**
312 VASSAR DR SE: **8 Units**
314 VASSAR DR SE: **4 Units**
316 VASSAR DR SE: **1 Unit**

318 VASSAR DR SE: **1 Unit**
320 VASSAR DR SE: **1 Unit**
322 VASSAR DR SE: **2 Units**
301 GIRARD BLVD SE: **5 Units**
303 GIRARD BLVD SE: **1 Unit**
305 GIRARD BLVD SE: **2 Units**
307 GIRARD BLVD SE: **2 Units**
309 GIRARD BLVD SE: **2 Units**
311 GIRARD BLVD SE: **2 Units**
313 GIRARD BLVD SE: **8 Units**
315 GIRARD BLVD SE: **1 Unit**
317 GIRARD BLVD SE: **8 Units**
319 GIRARD BLVD SE: **1 Unit**
321 GIRARD BLVD SE: **3 Units**
323 GIRARD BLVD SE: **4 Units**
110 STANFORD DR SE: **2 Units**
112 STANFORD DR SE: **3 Units**
114 STANFORD DR SE: **3 Units**
116 STANFORD DR SE: **1 Unit**
118 STANFORD DR SE: **4 Units**
120 STANFORD DR SE: **3 Units**
122 STANFORD DR SE: **2 Units**
124 STANFORD DR SE: **2 Units**
107 COLUMBIA DR SE: **4 Units**
109 COLUMBIA DR SE: **12 Units**
111 COLUMBIA DR SE: **2 Units**
113 COLUMBIA DR SE: **1 Unit**
115 COLUMBIA DR SE: **12 Units**
117 COLUMBIA DR SE: **3 Units**
141 COLUMBIA DR SE: **36 Units**
106 COLUMBIA DR SE: **6 Units**
108 COLUMBIA DR SE: **2 Units**
110 COLUMBIA DR SE: **3 Units**
112 COLUMBIA DR SE: **3 Units**
114 COLUMBIA DR SE: **8 Units**
116 COLUMBIA DR SE: **16 Units**
118 COLUMBIA DR SE: **2 Units**
2601 SILVER AV SE: **24 Units**
103 PRINCETON DR SE: **2 Units**
105 PRINCETON DR SE: **1 Unit**
107 PRINCETON DR SE: **1 Unit**
109 PRINCETON DR SE: **2 Units**
111 PRINCETON DR SE: **3 Units**
113 PRINCETON DR SE: **2 Units**
115 PRINCETON DR SE: **3 Units**
117 PRINCETON DR SE: **2 Units**
119 PRINCETON DR SE: **4 Units**
121 PRINCETON DR SE: **2 Units**
123 PRINCETON DR SE: **3 Units**
108 PRINCETON DR SE: **1 Unit**
110 PRINCETON DR SE: **1 Unit**

112 PRINCETON DR SE: **1 Unit**
114 PRINCETON DR SE: **1 Unit**
116 PRINCETON DR SE: **2 Units**
118 PRINCETON DR SE: **3 Units**
120 PRINCETON DR SE: **1 Unit**
122 PRINCETON DR SE: **3 Units**
124 PRINCETON DR SE: **5 Units**
119 VASSAR DR SE: **1 Unit**
121 VASSAR DR SE: **1 Unit**
123 VASSAR DR SE: **4 Units**
110 VASSAR DR SE: **2 Units**
114 VASSAR DR SE: **2 Units**
113 GIRARD BLVD SE: **4 Units**
115 GIRARD BLVD SE: **1 Unit**
117 GIRARD BLVD SE: **1 Unit**
119 GIRARD BLVD SE: **2 Units**
121 GIRARD BLVD SE: **2 Units**
123 GIRARD BLVD SE: **7 Units**
201 GIRARD BLVD SE: **6 Units**
203 GIRARD BLVD SE: **3 Units**
205 GIRARD BLVD SE: **1 Unit**
207 GIRARD BLVD SE: **2 Units**
209 GIRARD BLVD SE: **8 Units**
211 GIRARD BLVD SE: **3 Units**
213 GIRARD BLVD SE: **1 Unit**
215 GIRARD BLVD SE: **2 Units**
217 GIRARD BLVD SE: **3 Units**
219 GIRARD BLVD SE: **4 Units**
221 GIRARD BLVD SE: **3 Units**
223 GIRARD BLVD SE: **1 Unit**
202 VASSAR DR SE: **6 Units**
204 VASSAR DR SE: **2 Units**
206 VASSAR DR SE: **1 Unit**
208 VASSAR DR SE: **2 Units**
210 VASSAR DR SE: **2 Units**
212 VASSAR DR SE: **8 Units**
214 VASSAR DR SE: **4 Units**
216 VASSAR DR SE: **2 Units**
218 VASSAR DR SE: **2 Units**
220 VASSAR DR SE: **4 Units**
222 VASSAR DR SE: **1 Unit**
201 VASSAR DR SE: **4 Units**
203 VASSAR DR SE: **4 Units**
205 VASSAR DR SE: **6 Units**
207 VASSAR DR SE: **4 Units**
209 VASSAR DR SE: **2 Units**
211 VASSAR DR SE: **2 Units**
217 VASSAR DR SE: **3 Units**
219 VASSAR DR SE: **1 Unit**
221 VASSAR DR SE: **2 Units**
223 VASSAR DR SE: **1 Unit**

202 PRINCETON DR SE: **4 Units**
204 PRINCETON DR SE: **2 Units**
206 PRINCETON DR SE: **8 Units**
208 PRINCETON DR SE: **1 Unit**
210 PRINCETON DR SE: **3 Units**
212 PRINCETON DR SE: **5 Units**
214 PRINCETON DR SE: **3 Units**
216 PRINCETON DR SE: **2 Units**
218 PRINCETON DR SE: **3 Units**
220 PRINCETON DR SE: **2 Units**
222 PRINCETON DR SE: **2 Units**
224 PRINCETON DR SE: **4 Units**
301 HARVARD DR SE: **28 Units**
307 HARVARD DR SE: **1 Unit**
309 HARVARD DR SE: **1 Unit**
311 HARVARD DR SE: **1 Unit**
313 HARVARD DR SE: **1 Unit**
315 HARVARD DR SE: **1 Unit**
317 HARVARD DR SE: **2 Units**
2101 OXFORD AV SE: **6 Units**
2103 OXFORD AV SE: **2 Units**
2111 OXFORD AV SE: **1 Unit**
2113 OXFORD AV SE: **2 Units**
2115 OXFORD AV SE: **2 Units**
2121 OXFORD AV SE: **3 Units**
2123 OXFORD AV SE: **3 Units**
2125 OXFORD AV SE: **3 Units**
2133 OXFORD AV SE: **2 Units**
311 YALE BLVD SE: **2 Units**
2100 COAL PL SE: **6 Units**
2104 COAL PL SE: **3 Units**
2110 COAL PL SE: **3 Units**
2114 COAL PL SE: **2 Units**
2118 COAL PL SE: **2 Units**
2122 COAL PL SE: **3 Units**
2126 COAL PL SE: **2 Units**
2128 COAL PL SE: **3 Units**
2130 COAL PL SE: **1 Unit**
2134 COAL PL SE: **1 Unit**
303 YALE BLVD SE: **1 Unit**
2101 COAL PL SE: **5 Units**
2107 COAL PL SE: **2 Units**
2109 COAL PL SE: **4 Units**
2113 COAL PL SE: **1 Unit**
2115 COAL PL SE: **2 Units**
2121 COAL PL SE: **2 Units**
2125 COAL PL SE: **1 Unit**
2127 COAL PL SE: **2 Units**
215 YALE BLVD SE: **12 Units**
2100 LEAD AV SE: **2 Units**
2104 LEAD AV SE: **8 Units**

2110 LEAD AV SE: **3 Units**
2112 LEAD AV SE: **3 Units**
2116 LEAD AV SE: **1 Unit**
2122 LEAD AV SE: **1 Unit**
2124 LEAD AV SE: **1 Unit**
1801 LEAD AV SE; 1805 LEAD AV SE; 1811 LEAD AV SE; 1815 LEAD AV SE: **Apartment Complex**
307 MESA ST SE: **3 Units**
312 MESA ST SE: **6 Units**
323 TERRACE ST SE: **4 Units**
315 TERRACE ST SE: **12 Units**
318 TERRACE ST SE: **5 Units**
314 TERRACE ST SE: **2 Units**
309 BUENA VISTA DR SE: **1 Unit**
2011 LEAD AV SE: **1 Unit**
2101 LEAD AV SE: **4 Units**
2105 LEAD AV SE: **2 Units**
2111 LEAD AV SE: **2 Units**
2115 LEAD AV SE: **1 Unit**
2117 LEAD AV SE: **3 Units**
2121 LEAD AV SE: **2 Units**
2125 LEAD AV SE: **1 Unit**
2129 LEAD AV SE: **3 Units**
2131 LEAD AV SE: **3 Units**
2133 LEAD AV SE: **4 Units**
1801 COAL PL SE: **Apartment Complex**
1809 COAL PL SE: **4 Units**
1811 COAL PL SE: **8 Units**
1901 COAL PL SE: **1 Unit**
1911 COAL PL SE: **1 Unit**
1915 COAL PL SE: **2 Units**
1919 COAL PL SE: **4 Units**
1923 COAL PL SE: **1 Unit**
1925 COAL PL SE: **2 Units**
2001 COAL PL SE: **1 Unit**
2011 COAL PL SE: **2 Units**
2013 COAL PL SE: **2 Units**
2017 COAL PL SE: **7 Units**
411 BUENA VISTA DR SE: **1 Unit**
1900 LEAD AV SE: **4 Units**
1904 LEAD AV SE: **4 Units**
1908 LEAD AV SE: **2 Units**
1912 LEAD AV SE: **2 Units**
1916 LEAD AV SE: **1 Unit**
1920 LEAD AV SE: **1 Unit**
1924 LEAD AV SE: **3 Units**
2002 LEAD AV SE: **2 Units**
2004 LEAD AV SE: **2 Units**
2008 LEAD AV SE: **2 Units**
2012 LEAD AV SE: **1 Unit**
1800 LEAD AV SE: **2 Units**

1802 LEAD AV SE: **6 Units**
1806 LEAD AV SE: **4 Units**
1812 LEAD AV SE: **8 Units**
1816 LEAD AV SE: **4 Units**
1820 LEAD AV SE: **4 Units**
300 HARVARD DR SE: **4 Units**
304 HARVARD DR SE: **1 Unit**
306 HARVARD DR SE: **2 Units**
308 HARVARD DR SE: **2 Units**
310 HARVARD DR SE: **3 Units**
312 HARVARD DR SE: **3 Units**
314 HARVARD DR SE: **2 Units**
316 HARVARD DR SE: **1 Unit**
318 HARVARD DR SE: **1 Unit**
320 HARVARD DR SE: **16 Units**
324 HARVARD DR SE: **2 Units**
305 CORNELL DR SE: **2 Units**
307 CORNELL DR SE: **3 Units**
309 CORNELL DR SE: **2 Units**
311 CORNELL DR SE: **2 Units**
313 CORNELL DR SE: **4 Units**
317 CORNELL DR SE: **2 Units**
319 CORNELL DR SE: **3 Units**
321 CORNELL DR SE: **3 Units**
323 CORNELL DR SE: **2 Units**
114 CORNELL DR SE: **4 Units**
116 CORNELL DR SE: **Apartment Complex**
118 CORNELL DR SE: **Apartment Complex**
120 CORNELL DR SE: **Apartment Complex**
122 CORNELL DR SE: **1 Unit**
124 CORNELL DR SE: **2 Units**
107 STANFORD DR SE: **2 Units**
111 STANFORD DR SE: **6 Units**
113 STANFORD DR SE: **2 Units**
115 STANFORD DR SE: **2 Units**
117 STANFORD DR SE: **2 Units**
119 STANFORD DR SE: **2 Units**
121 STANFORD DR SE: **2 Units**
123 STANFORD DR SE: **5 Units**

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Fee-Simple Small Lots Yield Urbane Density

By [Will Macht](#)
August 13, 2014

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Though the site plan uses the same basic footprint for each of the three buildings, the orientation of the six houses and their floor plans provide variation to take advantage of exposure to the sun, privacy, and views. Each has an outdoor space at grade that differs in design from the others. (RCH Studios)

In the drive to increase density in cities to accommodate the increased demand for housing among younger urban professionals, planners and developers have concentrated on taller multifamily buildings full of apartments and condominiums.

The Great Recession halted the building boom, leaving many developers and architects averse to large-scale projects with greater financial risk and exposure to long-term construction liability. In response to these factors, as well as changing market preferences, some developers are now experimenting with small- and intermediate-scale projects to increase density in a shorter time frame and at lower risk.

At the same time, most architecture firms no longer design single-family houses except for very wealthy clients. Some firms are experimenting with designing single-family homes at intermediate densities that enable them to spread their fees over more projects than when they work on one-off, high-design, custom-built houses.

Some cities recognize that increasing density in urban areas outside commercial cores requires experimenting with ordinances that increase flexibility for developers to infill smaller sites in a way that permits more innovative solutions to site planning problems.

Los Angeles enacted a small-lot ordinance to allow construction of fee-simple, infill housing on small lots in multifamily and commercial zones as a way to enable compact building footprints and minimal streetfront and setback requirements. Whereas homeownership options traditionally had been limited to condos or single-family homes on typical 5,000-square-foot (465 sq m) lots, the passage of the small-lot ordinance extends ownership options to include townhouses, rowhouses, and other types of infill housing typically only available for rent.

Elan Mordoch, a Los Angeles developer of high-design apartments and condominiums through his company EMC Partners, perceived the opportunity the ordinance presents to create profitable single-family housing designed by well-known architects at an intermediate scale. Such units would now be feasible because the design fees and land costs could be spread over more units while both higher-quality design and outright land ownership would allow creation of units that would be in higher demand and of greater value.

