

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

November 14, 2016

Brian Chaffee & Roger Kay
6722 S Wolff Ct.
Littleton, CO 80128

Project# 1005213
16EPC-40053 Zone Map Amendment
(Zone Change)

LEGAL DESCRIPTION:

The above action for Tract B, Block 6 and Tract A-2-A, Block 13, Brentwood Hills, zoned O-1 and C-1 respectively, to R-2, located on Menaul Blvd. NE, between Marie Park Dr. NE and Tramway Blvd. NE, containing approximately 1.6 acres. (H-22)

Staff Planner: Catalina Lehner

PO Box 1293

On November 10, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project #1005213/16EPC-40053, a Zone Map Amendment (Zone Change), based on the following findings:

Albuquerque

FINDINGS:

NM 87103

www.cabq.gov

1. The request is for a zone map amendment (zone change) for Tract B, Block 6 and Tract A-2-A, Block 13, Brentwood Hills, an approximately 1.6 acre site located on Menaul Blvd. NE, between Marie Park Dr. NE and Tramway Blvd. NE (the "subject site"). The subject site is vacant except for an off-premise sign.
2. The request is to change the subject site's zoning from O-1 (Tract B) and C-1 (Tract A-2-A) to the R-2 Residential Zone. Since an SU-1 zone is not requested, a site development plan is not required.
3. The subject site is within the boundaries of the Established Urban Area of the Comprehensive Plan. No sector development plans apply.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request furthers the following, applicable Goals and policies of the Comprehensive Plan:
 - A. Established and Developing Urban Area Goal: The request would generally contribute to offering variety and maximum choice in the area, particularly with respect to housing and transportation. The future development would provide another housing option in the area which would be located along an Enhanced Transit Corridor with frequent transit service. The development would be required to meet Zoning Code regulations in the R-2 zone and an

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applicable, general regulations, which are designed to provide minimum quality (of course, the applicant can exceed minimum requirements if desired).

- B. Transportation and Transit Goal. Menaul Blvd. is an Enhanced Transit Corridor with transit service from mornings to evenings, and on the weekends. Sufficient roadway capacity is available to meet mobility and access needs. Bicycle lanes are planned along Menaul Blvd. The request would facilitate development of residences, some of whom may use non-auto travel modes.
 - C. Policy II.B.5e-new growth/urban facilities. The subject site is vacant and contiguous to developed land that is served by existing urban facilities, the use of which is not anticipated to affect the integrity of existing neighborhoods.
 - D. Policy II.B.5h- higher density housing location. The subject site is generally an appropriate location for higher density housing. The subject site is not in a designated Activity Center, though it has excellent access to the major street network since it abuts Menaul Blvd., a Community Principal Arterial, which also has good transit service. The density pattern in the area is a mixture of single-family homes, townhomes, quadraplexes, and apartments. Adequate infrastructure is available.
 - E. Policy II.D.4c- transit ridership/additional dwellings. The request would facilitate development of additional dwelling units adjacent to Menaul Blvd., which is an Enhanced Transit Corridor, and could result in additional ridership.
6. The subject request partially furthers the following Comprehensive Plan policies:
- A. Policy II.B.5a-full range of urban land uses. The request would result in another housing option in the area, however, a variety of multi-family options (such as quadraplexes and apartment buildings) already exist along with single-family homes and townhomes.
 - B. Policy II.B.5d-neighborhood values/natural environmental conditions. The future development made possible by the request would be located along an Enhanced Transit Corridor and adjacent to Menaul Blvd., a Community Principal Arterial, which is considered an appropriate location for residential densities greater than those of the R-1 zone. Neighbors have not indicated any opposition as of this writing. Without a site development plan, it's not possible to evaluate design.
 - C. Policy II.B.5k- land adjacent to arterial streets. The subject site is adjacent to Menaul Blvd., a Community Principal Arterial. The request would result in an R-2 residential use that would most likely be too small to trigger a Traffic Impact Study (TIS). A site development plan is not required at this time, so it's not possible to evaluate how site layout would interface with the established neighborhoods with respect to traffic and potential effects of traffic.
 - D. Policy II.D.4g- pedestrian opportunities/non-motorized travel. As the applicant points out, the sidewalk along Menaul Blvd. leads to two bus stops that are within easy walking distance to the subject site and to the bicycle lane along Tramway Blvd. However, without a site development plan, it is not possible to determine the extent to which pedestrian opportunities (such as internal pathways and access to the street through walls) would be integrated into the future development.

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7. The applicant has adequately justified the zone map amendment (zone change) request pursuant to Resolution 270-1980 as follows:
 - A. Section 1A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers a preponderance of applicable Goals and policies from the Comprehensive Plan (and other plans if applicable), which the applicant has done as demonstrated in the response to Section 1.C.
 - B. Section 1B: The applicant has adequately demonstrated that the zone change is justified based on responses to Sections 1.C and 1.D, and that generally the proposed use would not adversely affect stability of land use or zoning in the area.
 - C. Section 1C: The applicant's policy-based discussion demonstrates that a preponderance of applicable Comprehensive Plan policies support the request and do not significantly conflict with it.
 - D. Section 1D: A different use category is more advantageous to the community (3) as articulated in the Comprehensive Plan. The policy-based discussion in the response to Section 1C demonstrates that the proposed zoning would not result in a significant conflict with applicable Goals and policies in the Comprehensive Plan.
 - E. Section 1E: The applicant's policy-based arguments support the request. The other permissive uses in the R-2 zone would generally not be harmful to adjacent property, the neighborhood or the community.
 - F. Section 1F: The zone change requires no major or unprogrammed capital expenditures by the City in order to be developed.
 - G. Section 1G: Economic considerations pertaining to the applicant are a factor, but the applicant is not raising any economic considerations as arguments so therefore they are not the determining factor for the request.
 - H. Section 1H: The subject site's location on a major street is not being used, in itself, as justification for the request. The request is adequately justified based on the responses to Sections 1C and 1D.
 - I. Section 1I: The request is for a zone already found in the area; the requested zone is not different from other zones. The closest R-2 zone is SW of the subject site and other R-2 zones are nearby. Also, the applicant has demonstrated that the request does not present any significant conflicts with applicable Goals and policies of the Comprehensive Plan.
 - J. Section 1J: Though the subject site constitutes a "strip of land along a street", the request is not for commercial zoning. Also, the applicant has demonstrated that the request does not present any significant conflicts with applicable Goals and policies in the Comprehensive Plan.

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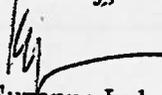
8. The applicant has adequately justified the zone map amendment (zone change) pursuant to R270-1980. The policy-based response to Section 1C demonstrates that the request would not result in a significant conflict with an applicable Goal or policy in the Comprehensive Plan. The response to Section 1D demonstrates that another zoning category would be more advantageous to the community because it would allow a preponderance of applicable Goals and policies. The remaining sections (1A, 1B, 1E-1J) are sufficiently addressed.
9. The affected neighborhood organizations are the Oñate Neighborhood Association (NA) and the East Gateway Coalition, which were notified as required. Property owners were also notified as required. Staff has received two phone calls, but no written comments, as of this writing. Staff received phone calls from two nearby residents who inquired about the zone change and future development. Staff discussed the R-2 zone and requirements. One neighbor mentioned that prairie dogs live on the subject site; Prairie Dog Pals will assist in removing and relocating the animals. Staff is not aware of any opposition.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by November 28, 2016. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

Sincerely,


Suzanne Lubar
Planning Director

SL/CLL

cc: Brian Chaffee & Roger Kay, 6722 S. Wolff Ct., Littleton, CO 80128
DAC Enterprises, Inc, 1521 Edith Blvd NE, ABQ, NM 87102-1611
Phyllis Chavez, Onate NA, 1808 Shirlane NE, ABQ, NM 87112
Roger Hartman, East Gateway Coalition, 1308 Wagon Train Dr SE, ABQ, NM 87123
Roger Mickelson, East Gateway Coalition, 1432 Catron Ave SE, ABQ, NM 87123

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Steven Townsend, 12400 Woodland Ave, ABQ, NM 87112
Jason Buchanan, 34 Sandia Heights Dr. ABQ, NM 87122