CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

November 10, 2017

Legacy Hospitality, LLC
6501 Eagle Rock Av. NE. #B-5
ABQ, NM 87113

Project# 1011396
17EPC-40051 Sector Development Plan Map Amendment

LEGAL DESCRIPTION:
The above action for all or a portion of Lots 1, 2, 3, & 30, 31 & 32, Tract A, Unit B, North Albuquerque Acres, zoned SU-2 for HC or NC, to SU-2 HDR, located on San Pedro Dr. NE, between Oakland Ave. NE and Alameda Blvd. NE, containing approximately 4.8 acres. (C-38)
Staff Planner: Maggie Gould

PO Box 1293

On November 9, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project 1011396/17EPC-40051, a Sector Development Plan Map Amendment, based on the following findings:

Albuquerque

FINDINGS:

1. This is a request for a Sector Development Plan Amendment (zone change) for Lots 1, 2, 3, & 30, 31 & 32, Tract A, Unit B, North Albuquerque Acres located on San Pedro Dr. NE, between Oakland Ave. NE and Alameda Blvd. NE, containing 4.8 acres .

NM 87103

2. This request will change the SU-2 NC or SU-2 HC zone to the SU-2 HDR zone to allow the development of multi-family housing at a maximum of 26 dwelling units per acre.

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3. The request constitutes an amendment to the North I-25 Sector Development Plan because the zoning was established by this plan.
4. Future development on this site will be reviewed by the Development Board, provided it meets the requirements of the North I-25 Sector Development Plan.
5. The Albuquerque/Bernalillo County Comprehensive Plan, North I-25 Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within an Area of Change of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

   Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

b) Encourage development that offers choice in transportation, work areas, and lifestyles.

d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request furthers Policy 5.2.1 a),b), d),h) and n)because it will allow the redevelopment of vacant lot/ parking area, will be an infill project that will offer new housing options close to employment and services and be a use that is compatible with the surrounding uses.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request furthers Policy 5.3.1 because the subject property served by existing water and sewer infrastructure, access to the major street network, transit routes (Bus Route 98), the Alameda Bike Lane, and existing police, fire and other community services.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial, and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

c) Foster a range of housing options at various densities according to each Center or Corridor type.

d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

f) Encourage development where adequate infrastructure and community services exist.

The request furthers Policy 5.6.2 c), d) and f) because it will allow the development of multi-family housing near transit and existing services on a site with a full range of existing urban infrastructure.

Policy 5.6.4 Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

a) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.

b) Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

The request furthers Policy 5.6.4 a) and b) because it will allow the development of multi-family housing that will act as transition between the existing residential development to the east and more intense commercial development to the west. The site is subject to the requirements of the Zoning Code and the N I-25 SDP, these requirements will ensure that the character of the existing neighborhoods is protected and that the impacts of noise, lighting and traffic will mitigated.

Policy 7.3.4/Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

b) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well- designed, appropriately located, and consistent with the existing development context and neighborhood character.

The request furthers Policy 7.3.4 b) because future development will comply with the Zoning Code and the design standards of the N I-25 SDP, these requirements will ensure that the character of the existing neighborhoods is protected and that the impacts of noise, lighting and traffic will mitigated.

Policy 8.1.2 Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

c) Prioritize local job creation, employer recruitment, and support for development projects that hire local residents

The request furthers Policy 8.1.2 c) because the proposed zone will allow the development of multi-family housing that will add housing options for new and existing residents, improving their quality of life. The development will provide short term economic benefits during the construction phase and will create a jobs for people maintaining the apartments. The existing zoning would allow a variety of commercial development. Although the request removes that opportunity, it adds additional people to the area and increases the customer bases for existing and future business.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

The request furthers Goal 9.1 because the proposed zone will allow the development of multi-family housing that will add to the available housing types in the area.

Policy 9.1.1 Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

c) Assure the availability of a wide distribution of quality housing for all persons regardless of race, color, religion, sex, national origin, ancestry, age, or disabled status.

e) Provide for the development of quality housing for elderly residents. i) Provide for the development of multi- family housing close to public services, transit, and shopping.

The request furthers Policy 9.1.1 c) and e) because it will add an additional housing option that may accommodate people looking for a smaller housing option or a temporary housing option. The subject is close to a variety of services, transit and shopping.

Policy 9.2.1 Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context-i.e. urban, suburban, or rural- with appropriate densities, site design, and relationship to the street.

The request furthers Policy 9.2.1 because it will add a use that is compatible with the surrounding use because it will the development of multi-family housing at slightly higher density that the current zone. Future development will comply with the Zoning Code and the design standards of the N I-25 SDP This will ensure compatibility with the surrounding uses and the context of the area.

7. The subject site is within the boundaries of the North I-25 Sector Development Plan.

Land Use Goal: Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area.
The proposed use adds a housing option near the employment opportunities in the area. Residents could live, work, shop and enjoy recreation opportunities in close proximity. The requests further the Land Use Goal.
Policy LUZ2: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.
The proposed use and allowed development will add residents to the area who may work and shop in the area contributing to the vitality and adding an additional land use that will increase the interaction with surrounding area. The applicant submitted survey results showing that the demand for multi-family housing in the area is high. The request furthers with Policy LUZ3.
Policy LUZ3: Encourage a mix of uses that will balance the time and direction of traffic movements and promote other means of vehicular trip reduction so as to minimize increases in vehicular traffic produced by new development.
The proposed use will add a housing option close to several employments options and near services. The site has access to transit and is near bike paths, residents may choose to use these modes of travel and reduce the number cars used. This may help to balance the flow of traffic. The request is consistent with Policy LUZ3.

8. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:
   A. The proposed zone will act as transition between the properties to the east that are developed with lower density multifamily use and single family and the more intense commercial uses that are allowed and developed to the west. The request is consistent with the goals and polices of the Comprehensive Plan and the North I-25 SDP.
   B. The proposed zone is compatible with the surrounding uses because it will provide slighter higher density multi-family housing that can act as transition between the more intense use to the west and the les intense uses to the east. This will add to the stability in the area.
   C. See findings 6 and 7
   D. The existing zoning is inappropriate because the proposed zoning is more appropriate because it will allow the development of a needed housing option in close proximity to transit, employment and services. The request allows development that will be compatible with existing development in the area which has developed with residential uses, rather than commercial uses. The request responds to changing demographics that are trending towards renting rather than home ownership. Additionally, the newly adopted Comprehensive Plan encourages additional density in areas of change, along and near transit corridors.
   E. The proposed zone will allow multi-family use at a slightly higher density than currently allowed. The use will be compatible with the surrounding uses and will provide a buffer from the more intense uses to the west. The permissive uses in the proposed zone will not be harmful to adjacent properties.
   F. The site has access to a full range of existing infrastructure and will be developed privately. The request will not result in any unprogrammed capital expenditure for the city.
   G. While economics may be a factor in the request, it is not the determining factor. The applicant has justified the request as furthering the applicable goals and policies of the applicable plans.
   H. The applicant demonstrated that the request furthers policies in the Comprehensive Plan and the N1-25 SPD. The location is appropriate for the proposed zone, but is not the only factor in the justification.
   I. The request will create a justifiable spot zone because it will provide a transition between existing less intense uses to the east and existing more intense uses to the west. The intent of the prohibition on spots is ensure that adjacent lands uses are compatible. The proposed zone will allow multi-family uses that are slightly more dense that what is currently allowed and will therefore be compatible with the existing development
   J. The request will not create a strip of land with zoning that is different from the surrounding zones.

9. The Nor Este and West La Cueva Neighborhood Associations and the District 4 Coalition were notified of the request along with property owners within 100 feet of the subject site. A facilitated meeting was not requested or recommended.

10. Staff has not received any public comments as of this writing.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **NOVEMBER 27, 2017.** 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 recommendation.

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).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

Sincerely,

For Suzanne Lubar
Planning Director

SL/MG

cc: Legacy Hospitality, LLC, 6501 Eagle Rock Av. NE, Suite B-5, ABQ, NM 87113
Consensus Planning, Inc., 302 Eight St. NW, ABQ, NM 87102
Dist. 7 Coalition, Lynne Martin, 1531 Espejo NE, ABQ, NM 87112
Dist 7 Coalition, David Haughawout, 2824 Chama St. NE, ABQ, NM 87110
Nor Este NA, Jim Griffee, P.O. Box 94115, ABQ, NM 87199
Nor Este NA, Bob Smith, P.O. Box 94115, ABQ, NM 87199
West La Cueva NA, Terry Daughton, 8309 Calle Soquelle NE, ABQ, NM 87113
West La Cueva NA, Michael Gonzales, 8201 La Milpita St. NE, ABQ, NM 87113