

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

September 11, 2015

CURB INC.
5160 San Francisco NE
ABQ, NM 87109

Project# 1003478
15EPC-40040 Site Development Plan for Building Permit

LEGAL DESCRIPTION:

For all or a portion of Tract 8, (Previously Tract A), Unit 5, (previously Unit 4) Avalon Subdivision, zoned SU-1 for R-2 Uses, located on 90TH Street NW, between Bluewater Road NW and Los Volcanes Road NW, containing approximately 10 acres. (K-9)

Staff Planner: Maggie Gould

PO Box 1293 On September 10, 2015, the Environmental Planning Commission (EPC) voted to APPROVE Project #1003478/15EPC-40040, a Site Development Plan for Building Permit, based on the following findings:

Albuquerque FINDINGS:

New Mexico 87103

www.cabq.gov

1. This is a request for a Site Development Plan for Building Permit for Tract 8 (previously Tract A) Unit 5 (previously unit 4), located 90th Street NW, between Bluewater Road NW and Los Volcanes Road NW and containing approximately 9.8 acres.
2. The Site Development Plan for Building Permit will allow the development of 240 unit apartment complex.
3. The subject was annexed into the City in 2001, SU-1 for I-P Uses zoning was established as part of the annexation process. The site was rezoned in 2014 from SU-1 for I-P Uses to SU-1 for R-2 Uses (1003478, 14 EPC 40068). This case was appealed by the Avalon Neighborhood Association and the appeal was ultimately denied.
4. The site is governed by a Site Development Plan for Subdivision with design standards, approved by the EPC in 2014 (1003478, 14 EPC 40067). The request is consistent with the Site Development Plan for Subdivision.
5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

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identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.” Applicable policies include:

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

The site has access to existing services and infrastructure. The proposed project creates development that can act as buffer between the existing residential development and the allowed industrial development; thus preserving the integrity of the area. The applicant has consulted with the neighborhood regarding the design of the project so the style is complimentary to the existing residential development and the buildings are sited in a less intrusive manner. Policy II.B.5.e is furthered.

- B. 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.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

The proposed project will allow development of higher density housing, up to 30 dwelling units per acre, in an area with excellent access to the major street network and will provide a buffer between the existing single family development to the south and east and the industrial and commercial development that is allowed to the north and west. Policy II.B.5.h is furthered.

Transportation and Transit

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

The subject site is .6 miles from Central Avenue, the City’s most heavily used transit corridor. There is an existing park and ride lot at the northwest corner of Unser Boulevard and Central Avenue that has access to 5 separate bus routes. Policy II.D.4c is furthered.

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

The Site Development Plan for Building shows sidewalks along 90th street and Bluewater road, the area adjacent to the road is landscaped and will make the pedestrian experience more pleasant. This infrastructure may encourage non-motorized travel. Policy II.D.4g is furthered.

Housing

- A. Policy II.D.5a The supply of affordable housing, shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

The proposed development will be multi-family housing, this housing product is often more affordable than a single family house. The proposed development will fill a need in the Albuquerque market for quality rental housing. Policy II.D.5.a is furthered.

Developed Landscape

- A. Policy II.B.8.d: Landscaping shall be encouraged within public and private rights-of-away to control water erosion and dust, and create a pleasing visual environment; native vegetation should be used where appropriate.

The landscaping plan shows a mixture of native and low to medium water use plants. The landscaped areas on the site and in the public right of way will help to control dust and erosion and will provide a pleasant visual environment along the public streets. The request further Policy II.B.8.d.

7. The West Side Strategic Plan (WSSP) was first adopted in 1997 and recently amended in 2011 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The Atrisco Park Community is the triangular wedge of land located between I-40 and Central Avenue and west of Coors Boulevard. Relevant goals/policies include the following:
- A. WSSP Policy 2.5: When considering approval of subdivisions for residential development, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes.

The Planning Department is considering school capacity. The request will result in 240 new households. The apartments would be open to people with children and those without children. There is capacity at West Mesa High School, the Jimmy Carter middle school is slightly over capacity and Painted Sky Elementary is well over capacity. The proposed use could contribute the overcrowding. APS plans to build a new west side K-8(kindergarten through 8th grade) school in 2017 to reduce overcrowding, pending bond approval. Staff

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researched the approval of bond funding and found that over the past ten years, since the adoption of the Capital Master System, voters have approved the school bonds.

- B. Policy 3.33: It is appropriate for new development, both residential and non-residential, to occur in this community. Redevelopment efforts associated with the existing 5-acre tracts shall be encouraged.

The proposed development will add new residential use to the area. Policy 3.33 is furthered.

- C. Policy 4.6.c: Gated and/or walled communities and cul-de-sacs are strongly discouraged on the West Side. In rare instances when these design features are permitted, openings through perimeter walls and cul de-sacs shall be provided every 600 feet so that pedestrians and bicyclists are provided direct access to transit service and other destinations.

The proposed development will be gated, contrary to the intent of this policy. Three access points that will allow pedestrian and bicycle access into and out of the site will be provided to allow the pedestrian and bicycle access called for in this policy. The access along Bluewater road is approximately 320 feet from the corner of the site; the two access points along 90th street are approximately 450 feet from the corners of the site. The request partially furthers policy 4.6.c.

- D. Policy 4.18: Housing within the price range of citizens with low-to-moderate incomes is desirable on the West Side, and in other parts of the metropolitan area. Additional means to achieve value housing (in addition to those above) shall be studied by the City and County. Such a study shall also consider steps that can be taken to increase the availability of privately built value housing by reducing overly restrictive or costly housing standards where appropriate.

The proposed development will be multi-family housing, this housing product is often more affordable than a single family house. The proposed development will fill a need in the Albuquerque market for quality rental housing and may provide an affordable option for some residents. The request further Policy 4.18.

- E. Policy 6.25: All new developments shall include internal bicycle/pedestrian trails and bikeways which link to the adopted Trails and Bikeways Facility Plan primary trails network when feasible and subject to development impact fee requirements. All subdivisions, sector plans, planned communities, and other development plans must demonstrate connectivity of trails and bikeways to adjacent developments and destinations.

Bluewater Road contains a bike lane that connects to the transit routes and paved multi use trail along Unser Boulevard. The proposed development contains a pedestrian gate onto Bluewater Road. The request is consistent with Policy 6.25.

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F. Additional Plan intent discussion

Page 50. More high density development is appropriate on the West Side and desirable, especially near transit facilities and along transit corridors, in order to decrease sprawl and promote transit use. The higher densities, which could be 20 dus/acre or more, will occur close to the Community Centers and in proximity to transit corridors.

The proposed project will allow the development of higher density housing near transit facilities (bus lines and a park and ride lot) and jobs. The underlying zone allows a density of up to 30 dwelling units per acre; the proposed project shows 24 DU/acre.

G. Resource use

The per capita water use rate for multi-family development is generally lower than the use rate for single family development. Much of this difference is due to the lack of outdoor watering. According to the Albuquerque Bernalillo County Water Authority, single family residents used about 108 gallons of water per person per day and multi-family residents used about 54 gallons per person per day in 2012. Additional multi-family residential development could help the city meet water conservation goals.

8. The Avalon Neighborhood Association, South Valley Coalition of Neighborhood Associations and South West Alliance of Neighbors (SWAN) and the Westside Coalition of Neighborhood Associations were notified and offered a facilitated meeting. As of this writing a meeting has not been scheduled nor has the facilitator had any indication from any the affected neighborhood associations that a meeting is desirable.
9. Property owners with 100 feet of the site were also notified. Staff has not received any public comment as of this writing.

CONDITIONS:

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
4. Bicycle racks shall be labeled and the total number of spaces provided shall be noted.

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5. The applicant shall address the comments from transportation prior to the DRB hearing.
6. Clarify height on SDP-5.3 , A3.
7. Colors shall be as shown on the sheet marked "Colors Approved by Neighborhood Association 9/1/2015".
8. Boulders will be added to the northeastern area of the site at 90th Street and Bluewater Road to address traffic concerns.
9. An additional pedestrian access gate at the north end of the site will be added.
10. A note shall be added to the site plan that states "The plan reflects the potential for a pedestrian gate on the west side of the property that may be added with future development of the property to the west."

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **SEPTEMBER 25, 2015**. 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).

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.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years

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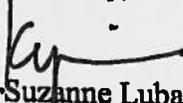
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after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


for Suzanne Lubar
Planning Director

SL/MG

cc: CURB INC., 5160 San Francisco NE, ABQ, NM 87109
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