

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

September 15, 2017

Consensus Planning
302 8th Street NW
ABQ, NM 87102

Project# 1003991
17EPC-40030 Zone Map Amendment
(Zone Change)

LEGAL DESCRIPTION:

The above action for all or a portion of Lots 1-26 P1 and Tract A, Plat of Sage Ranch, zoned R-LT to R-T, located along Snow Vista Blvd. (98TH), South of Sage Rd, SW, containing approximately 3.08 acre(s). (M-9)

STAFF PLANNER: Cheryl Sommerfeldt

On September 14, 2017 the Environmental Planning Commission (EPC) voted to APPROVE Project 1003991/17EPC-40030, a Zone Map Amendment (Zone Change), based on the following findings:

FINDINGS:

1. This is a request for a Zone Map Amendment (Zone Change) from the R-LT (Limited Townhouse Residential) zone to the R-T (Townhouse Residential) zone for Lot 1-P1 to Lot 26-P1 and Lot A, Sage Ranch subdivision, located on the east side of Snow Vista Boulevard (98th Street SW) between Sage Road SW and Benavides Road SW, containing approximately 3.5 acres.
2. The existing R-LT zone was established in May of 2005 via case 05EPC-00364 in order to allow for townhouses instead of an apartment complex.
3. The requested R-T zone is intended for townhouse development but will permit a smaller minimum townhouse lot size than the existing R-LT zone. This will permit more lots resulting in higher density than what is currently permitted on the subject site.
4. The subject site is vacant and has a recorded plat with 26 lots. The applicant proposes to re-plate the subject site into 33 lots.
5. The 2017 Albuquerque & Bernalillo County Comprehensive Plan, the West Side Strategic Plan, the Southwest Area 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 designated an Area of Consistency within the Comprehensive Plan. The request supports the following applicable goals and policies of the Comprehensive Plan:

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Plan Element 4: Community Identity

Goal 4.1 Character:

Enhance, protect, and preserve distinct communities.

Policy 4.1.4 Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

- a) Respect existing neighborhood values and social, cultural, recreational resources.

The request furthers Goal 4.1 and Policy 4.1.4a because it would continue development of the neighborhood with higher density new residential construction on a currently vacant site that will provide a transition from single family to commercial uses. This will respect existing neighborhood values by making the subject site useful for residential development and open up existing sidewalks and bike lanes to more users.

Plan Element 5: Land Use

Goal 5.1: Centers & Corridors:

Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.1 Desired Growth: Capturing regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

- d) Encourage the development of multi-unit, multi-story apartments and mixed-use residential buildings in Downtown, Urban Centers, and Activity Centers to increase housing density and expand housing options and affordability.

The request furthers Goal 5.1 and Policy 5.1.1d because the subject site is located within the Westgate Heights Neighborhood Center as designated by the West Side Strategic Plan and is located next to commercial development near existing infrastructure. The request is proposing infill medium density residential development near the Westgate Heights Neighborhood Center, therefore, helping to shape a built environment into a sustainable development pattern as well as expanding housing options and affordability. A Comprehensive Plan Activity Center is located at the intersection of 98th Street SW and Gibson Boulevard SW, which lies approximately 0.5 miles to the south of the subject site.

- e) Encourage platting with a range of residential lot sizes to support choice in housing and to meet the needs of all income levels.

The request furthers Policy 5.1.1e because the request will support choice in housing to meet other income levels. The request provides an alternative lot size from what is currently available in the area.

- g) Encourage residential infill in neighborhoods adjacent to Centers and Corridors to support transit ridership.

The request furthers Policy 5.1.1g because it is an infill project in a neighborhood adjacent to Centers and Corridors. The site is approximately 400 feet from an Albuquerque Ride transit stop on Snow Vista Boulevard just south of Sage Road, which is a reasonable walking distance.

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Goal 5.2: Complete Communities:

Foster communities where residents can live, work, learn, shop, and play together.

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) Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long established residential development patterns.

The request furthers Policy 5.2.1a because it will allow the development of a vacant site into townhouse lots adjacent to the Westgate Heights Neighborhood Center / shopping center. This will support the character of the existing community and be consistent with established development patterns. The request would encourage higher density development of existing permissive uses as well as allow additional uses. The zone change allows single family homes and townhomes.

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

The request furthers Policy 5.2.1b because it will broaden housing options for lower income levels and more compact lifestyles. These uses provide rental and/or ownership opportunities.

c) Encourage higher density housing as an appropriate use in the following situations:

- i. In areas with good street connectivity and convenient access to transit;
- ii. 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;
- iii. In areas where a transition is needed between single-family homes and much more intensive development.

The request furthers Policy 5.2.1c because it permits higher density residential development in an area with good street connectivity and convenient access to transit, where it is compatible with existing area land uses, and where a transition is needed between single family homes and more intensive development. The subject site has direct vehicular access to Snow Vista Boulevard SW with left-in and left-out access through an existing median. The site has an existing sidewalk with access from the residential development to the south and the commercial development to the north. This sidewalk includes access to a transit stop approximately 400 feet to the north.

Goal 5.3 Efficient Development Patterns:

Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

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

The request furthers Goal 5.3 and 5.3.1 because it is infill development of a long vacant site along the existing Snow Vista Boulevard using existing infrastructure and public facilities including an existing drainage easement connecting to the adjacent neighborhoods.

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Goal 5.6: City Development Areas:

Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

f) Limit the location of higher-density housing and mixed-use development to areas within ¼ mile of transit stations and within 660 feet of arterials and Corridors as an appropriate transition to single family neighborhoods.

The request furthers Goal 5.6 because it is encouraging residential development in an established Area of Consistency and higher density housing in an area within a ¼ mile from a transit station at Snow Vista Boulevard SW and Sage Road SW.

Plan Element 7: Urban Design

Goal 7.2 Pedestrian-Accessible Design:

Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

Goal 7.6 Context Sensitive Infrastructure:

Match infrastructure design to intended densities and development patterns to minimize lifecycle costs and conserve natural resources.

Policy 7.6.2 Transportation Infrastructure: Match infrastructure capacity, design, and maintenance to the development context, expected land use intensities of abutting development, and all travel modes.

The request furthers Goal 7.2, Policy 7.2.1, and Policy 7.6.2 because the requested zone will allow for infill residential development in an area with existing pedestrian connections to shopping. The proposed zone will match infrastructure capacity to the context and expected land use intensity near an area where all modes of travel are available.

Plan Element 9: Housing

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.

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.

Goal 9.3 Density:

Support increased housing density in appropriate places with adequate services and amenities.

Policy 9.3.1 Centers & Corridors: Encourage higher density, multi-unit housing and mixed-use development in Downtown, Urban, Activity, and Village Centers, and along Premium and Major Transit Corridors to capture growth, relieve development pressure at the edge of the urban footprint, and maintain low densities in rural areas.

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The request furthers Goal 9.1, Policy 9.1.1, Goal 9.3, and Policy 9.3.1 because the request will permit a slightly higher density of townhouses, which will supply housing for a more diverse range of income levels than the surrounding single family housing in an appropriate place with adequate services and amenities. Infill development such as what this zone change would permit helps to relieve pressure from the more rural areas of the South Valley. These uses provide additional rental and/or ownership opportunities for the community.

7. The subject site is designated the Westgate Heights Neighborhood Activity Center by the West Side Strategic Plan. The request is in general compliance with the following applicable goals and policies:

Policy 1.1:

Thirteen distinct Communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low density residential development shall not be approved within the Centers.

The request furthers Policy 1.1 because the subject site is located in the distinct Community, Bridge/Westgate adjacent to the Westgate Heights Neighborhood Center. The proposed zone change would permit the Bridge/Westgate Community to develop with areas of higher density development near the Westgate Heights Neighborhood Center. The requested zone amendment allows a change from a residential zone to a higher density residential zone with an increase in density. This zone change allows for a better transition between the commercial and the lower density neighborhood to the south.

Bridge/Westgate Community Policy 3.42 (p71):

Support the location of mixed-use higher density development within this Community in the Activity Centers internal to the Community.

Bridge/Westgate Community Policy 3.46 (p71):

Promote densities consistent with those found in the Sector Development Plans for the Bridge/Westgate Community, with densities as high as 30 dwelling units per acre within the designated Community Activity Centers and adjacent areas.

The site is located north of the 98th and Gibson Activity Center as designated on the Albuquerque Bernalillo County Comprehensive Plan. The current density based on the approved plat is approximately 8 du/ac. The proposed density would allow approximately 15 du/ac for townhouses and approximately 8 du/ac for houses.

The request furthers Policy 3.42 and Policy 3.46 because it will allow a higher density residential development adjacent to the Westgate Neighborhood Center shopping center internal to the Community. Policy 3.46 shows that high densities were expected in this community in areas adjacent to designated Centers. The subject site lies just south of the Neighborhood Center at Snow Vista Boulevard (98th Street SW) and Sage Road SW and just north of the Activity Center at 98th Street SW and Gibson Boulevard SW.

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8. The applicant has justified the zone change request pursuant to *R-270-1980* as follows:

- A. The request is consistent with the health, safety, morals, and general welfare of the City because it complies with the Albuquerque Comprehensive Zoning Code and with the policies outlined in the City's Comprehensive Plan and the West Side Strategic Plan which were intended to support the health, safety, morals, and general welfare of the City. The request allows a slight increase in density for similar uses currently permissive. The request reduces the lot minimums and allows multiple dwellings on one lot.
- B. The requested zone change will support stability of land use because the request will allow for a higher density residential townhouse lots on a site where townhouses have already been planned but not yet developed. Therefore, the community is currently expecting townhouse development on the subject site. This will add a few more students to the schools; however it is a small increase over the existing zone. Although the area high school is over capacity, the elementary and middle schools are not. The high school may have to make adjustments regardless of this development. The request is a change from a residential zone to a slightly higher density residential zone, which does not change the stability of land use.
- C. The proposed zone change does not conflict with the Comprehensive Plan or the West Side Strategic Plan as shown in Findings 7 and 8. This request supports the Comprehensive Plan's goals and policies by respecting the surrounding neighborhood development, creating a transition between the existing residential and the commercial, and by providing more housing options for the area.
- D. The existing zoning is inappropriate because the requested zone will allow for development of the subject site with a density that would be appropriate for the location. The requested R-T density is in-between the originally assigned R-3 multi-family high density and the lower R-LT density assigned in 2005. The subject site was down-zoned in 2005 via case 05EPC 00364 due to developer request. In that case, the City's staff planner wrote that Comprehensive Plan policies to provide density near Activity Centers and affordable housing options would not be furthered by the down-zone. The requested R-T zone will provide for a slight increase in density from the existing R-LT zone by permitting the re-plat of the subject site for smaller townhouse lots. This furthers Comprehensive Policies to provide density near Activity Centers, existing infrastructure, and transit while providing more affordable housing. The use category is more advantageous to the community because it provides additional housing options and a better transition between the activity center (shopping center) and the lower density residential to the south. Based on the policies furthered as enumerated in item C above, this request is more advantageous to the community. The request would encourage higher density development of existing permissive uses as well as allow additional uses. The zone change allows single family homes, multiple dwellings on one lot, and townhomes. These uses provide additional rental and/or ownership opportunities.
- E. The permissive uses in the R-T zone would not be harmful to the adjacent property because it is intended for townhouse development similar to the existing R-LT zone, except it allows the addition of multiple dwellings on one lot and the reduction of minimum lot sizes. In the requested R-T zone, houses are not limited to one per lot. This would not be harmful in this location because the subject site is adjacent to the Westgate Neighborhood Activity Center which was planned to have an apartment complex in order to meet the policies of the West

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Side Strategic Plan. Conditional uses are the same as those in the R-1 for both the existing and requested zones.

- F. The request does not require major and unprogrammed capital expenditures by the City to support the zoning designation. Full urban services exist in this area of the City, and all capital expenditures will be paid by the developer.
 - G. While economic considerations pertaining to the applicant are a factor, they are not the determining factor for the request since it has been shown that the community will benefit due to an increase in the quantity of affordable housing in an area adjacent to infrastructure and commercial development; and due to providing a buffer toward the surrounding single family development. The zone change request meets the objectives goals and policies from applicable plans.
 - H. The site is located along a major street; however, the request is not for an apartment, office, or commercial zoning.
The request is a "spot zone" due to the surrounding zoning consisting of R-LT, R-1, and SU-1 . However, the spot zone is justified since it furthers numerous Comprehensive Plan goals and policies as enumerated under item "C". The request would provide a transition zone between the R-1 zone to the south and the commercial shopping center to the north. To the north of Sage Road SW is an area of similar zoning. The property on the north side of sage is zoned C-1, the zone to the north and east are zoned R-T as a transition to the R-1 further to the east along Sage Road SW.
 - I. The request would not create strip commercial zoning because it is not a commercial development in a strip of land along a street. The request is for residential zoning.
9. The applicant notified the Westside Coalition of Neighborhood Associations, Southwest Alliance of Neighborhoods, South Valley Coalition of Neighborhood Associations, and Westgate Heights Neighborhood Association.
10. There is no known neighborhood or other opposition to this request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **SEPTEMBER 29, 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).

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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,


Suzanne Lubar
Planning Director

SL/CS

cc: Consensus Planning Inc, 302 Eight St. NW, ABQ, NM 87102
Bokay Const., for Vuelo, LLC, 5160 San Francisco Av. NE, ABQ, NM 87109
Westside Coalition of Neigh. Assoc., Gerald Worrall, 1039 Pinatubo Pl., NW, ABQ, NM 87120
S.W. Alliance of Neigh. SWAN Coalition, Johnny Pena, 6525 Sunset Gardens SW, ABQ, NM 87121
S. Valley Coalition of Neigh. Assoc., Marcia Fernandez, 2401 Violet SW, ABQ, NM 87105
Westgate Heights NA Assoc., Matthew Archuleta, 1628 Summerfield Pl. SW, ABQ, NM 87121
Westgate Heights NA Assoc., Paul Fredrickson, 8508 Mesa Real AV., SW, ABQ, NM 87121
South Valley Coalition of Neigh. Assoc., Rod Mahoney, 1838 Sadora Rd SW, ABQ, NM 87105
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