



Environmental Planning Commission

***Agenda Number: 04
Project Number: 1010409
Case #: 15EPC-40011
June 11, 2015***

Staff Report

<i>Agent</i>	William E Burk III, dba Bill Burk Third, Architect
<i>Applicant</i>	King Tran
<i>Request</i>	Zone Map Amendment (Zone Change)
<i>Legal Description</i>	Lot 8, Block D, Cacy Subdivision
<i>Location</i>	NE Corner of Corona Dr NW and Quail Rd NW
<i>Size</i>	.28 Acre
<i>Existing Zoning</i>	O-1
<i>Proposed Zoning</i>	R-2

Staff Recommendation

***APPROVAL of Case # 15EPC-40011 based on
the Findings beginning on Page #10.***

***Staff Planner
Vicente M. Quevedo, Planner***

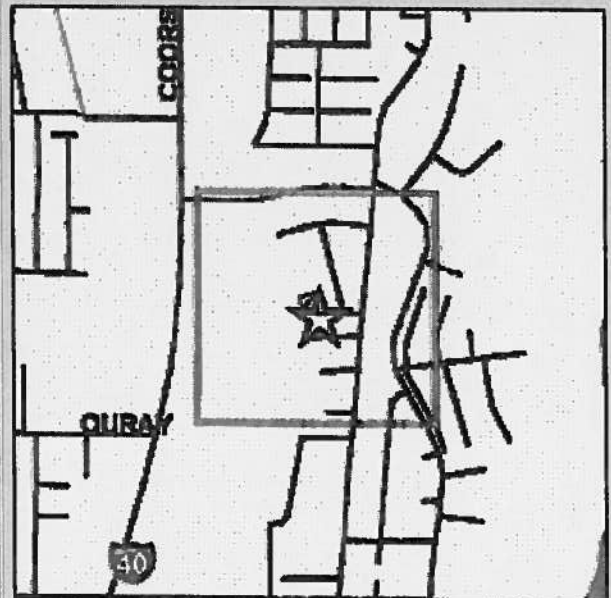
Summary of Analysis

This request is for a Zone Map Amendment (Zone Change) for Lot 8, Block D, Cacy Subdivision, a .28 acre parcel located on the NE Corner of Corona Dr NW and Quail Rd NW.

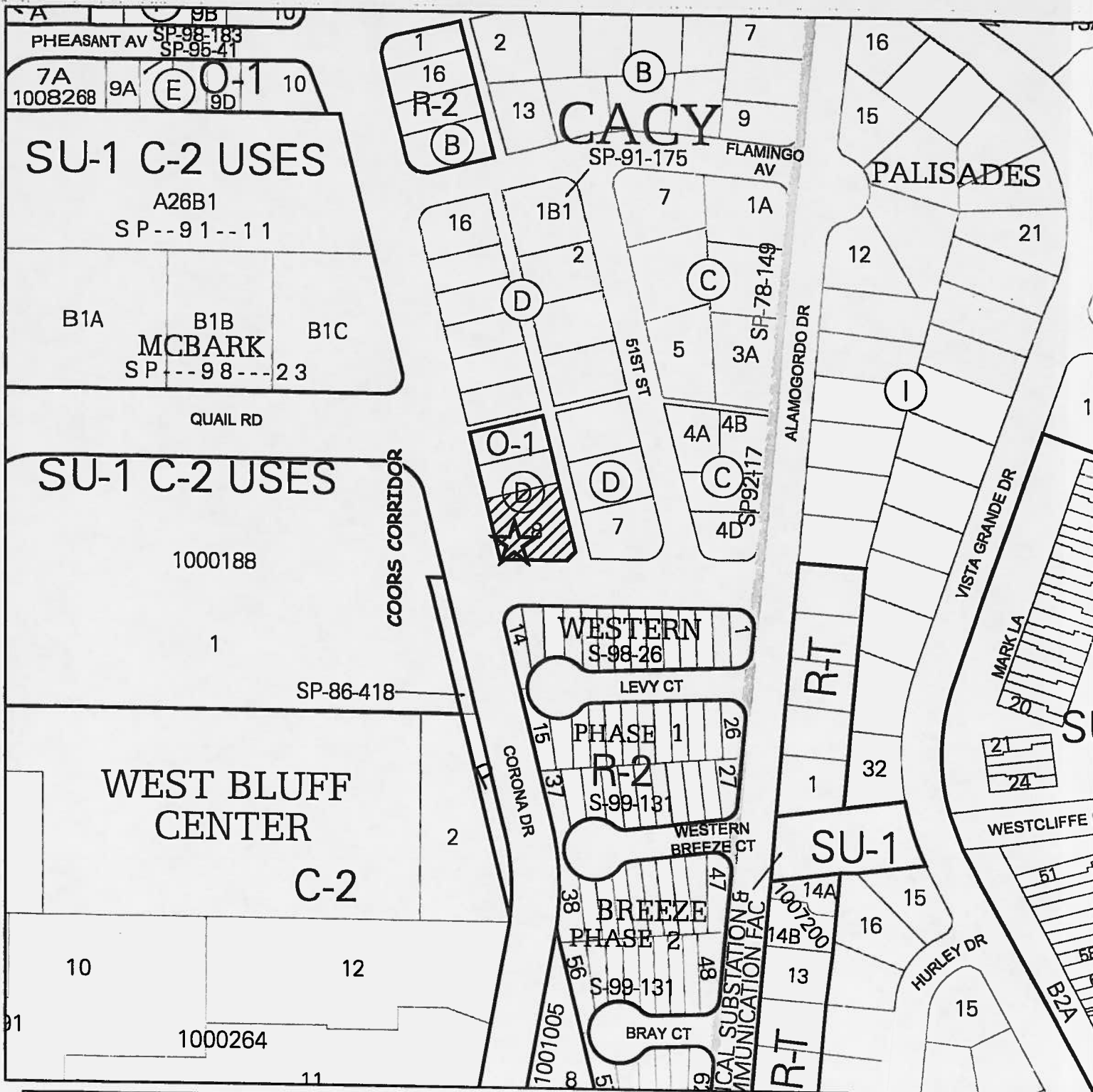
The requested zoning is R-2 (Residential) to allow the development of two residential townhouses. The zone change would allow R-2 permissive uses on the subject site. The subject site is located within the Established Urban Area of the Comprehensive Plan.

The request is generally consistent with applicable City plans, goals and policies. The justification is also based on the request being generally consistent with the requirements of R-270-1980 as outlined in this staff report.

A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.



City Departments and other interested agencies reviewed this application from 04/06/15 to 04/17/15
Agency comments used in the preparation of this report begin on Page # 15.



ZONING MAP

Note: Gray shading
Indicates County.

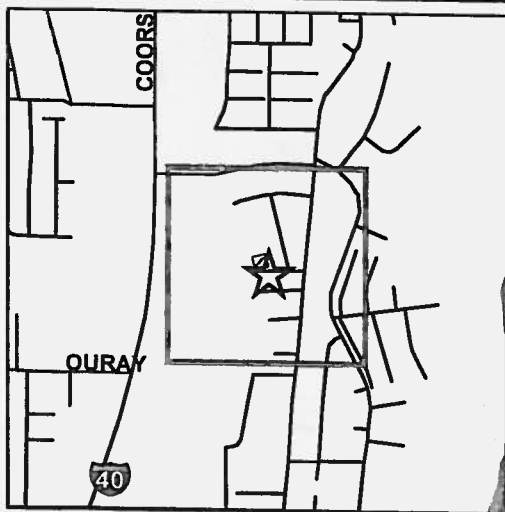


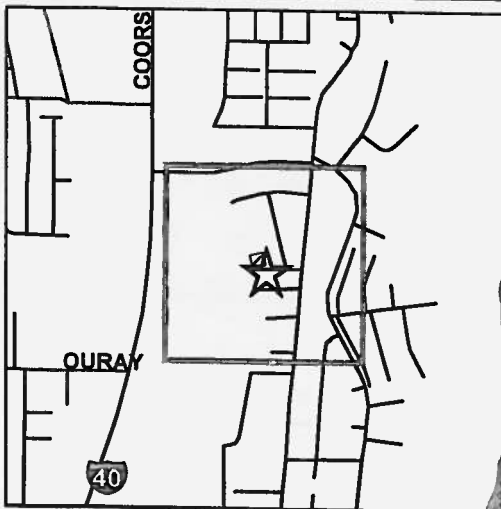
1 inch = 200 feet

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LAND USE MAP

Note: Gray shading
indicates County.

KEY to Land Use Abbreviations

AGRI Agriculture
 COMM Commercial - Retail
 CMSV Commercial - Service
 DRNG Drainage
 MFG Manufacturing
 MULT Multi-Family or Group Home
 PARK Park, Recreation, or Open Space
 PRKG Parking
 PUBF Public Facility
 SF Single Family
 TRAN Transportation Facility
 VAC Vacant Land or Abandoned Buildings
 WH Warehousing & Storage

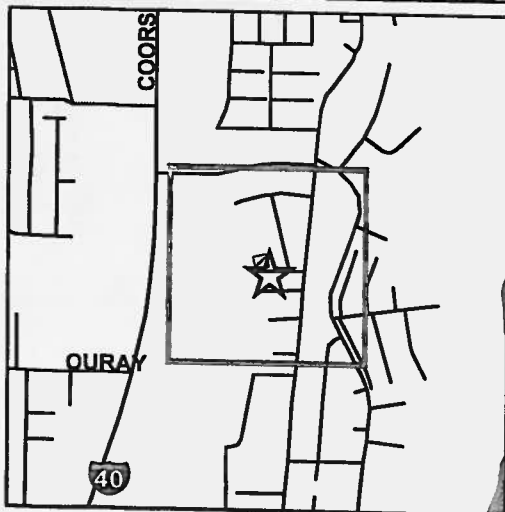
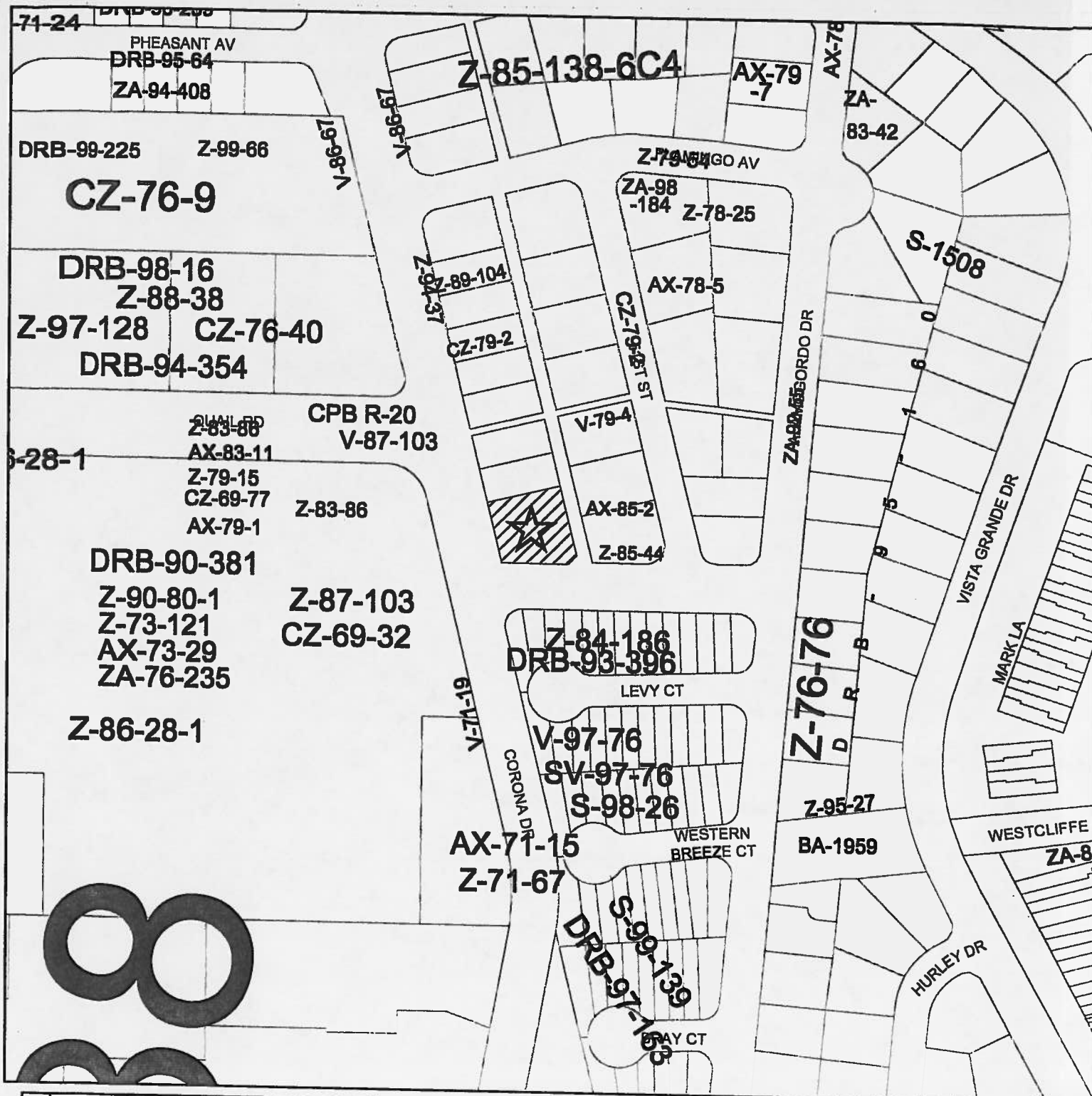


1 inch = 200 feet

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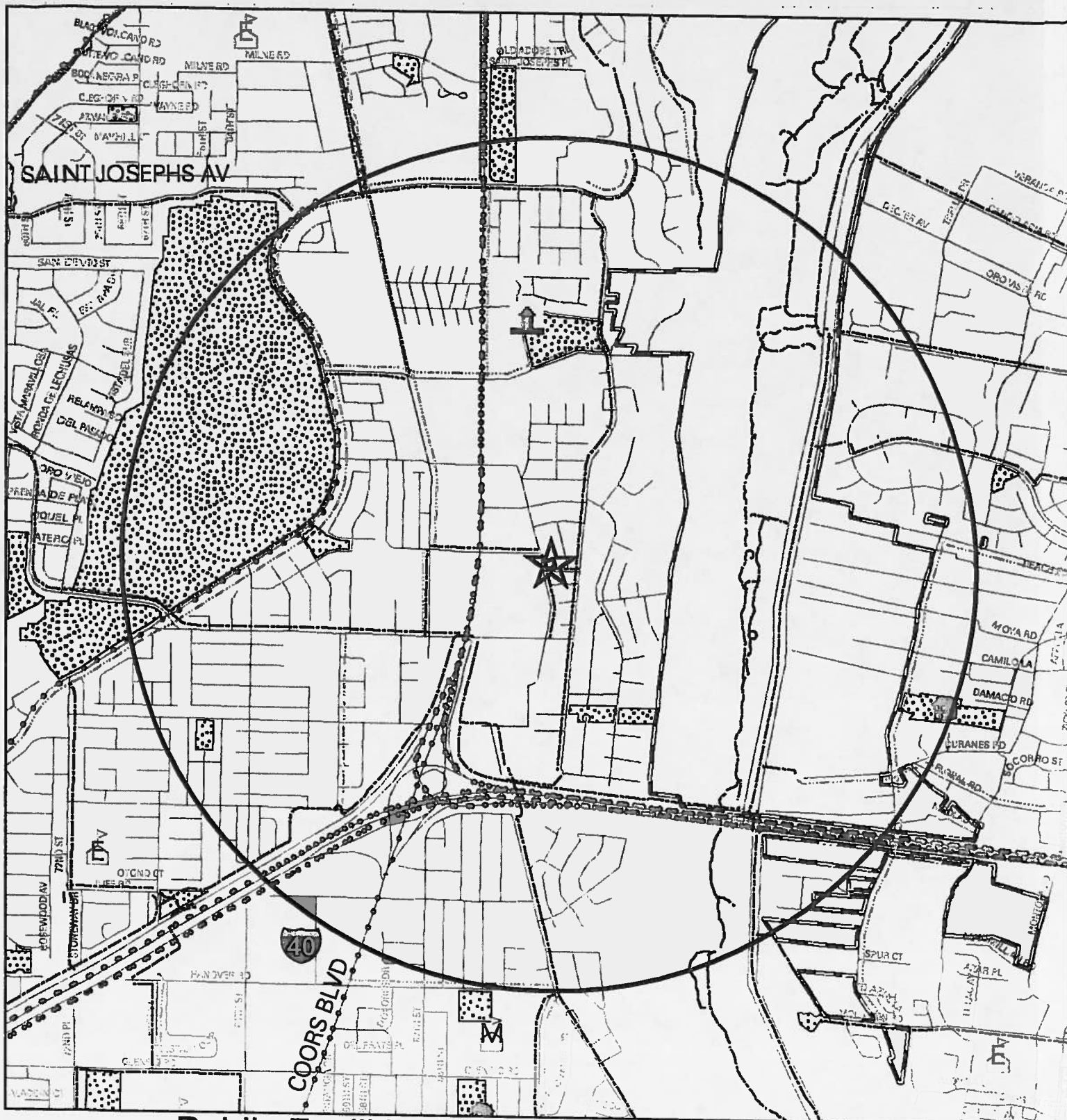
HISTORY MAP

Note: Gray shading
indicates County.

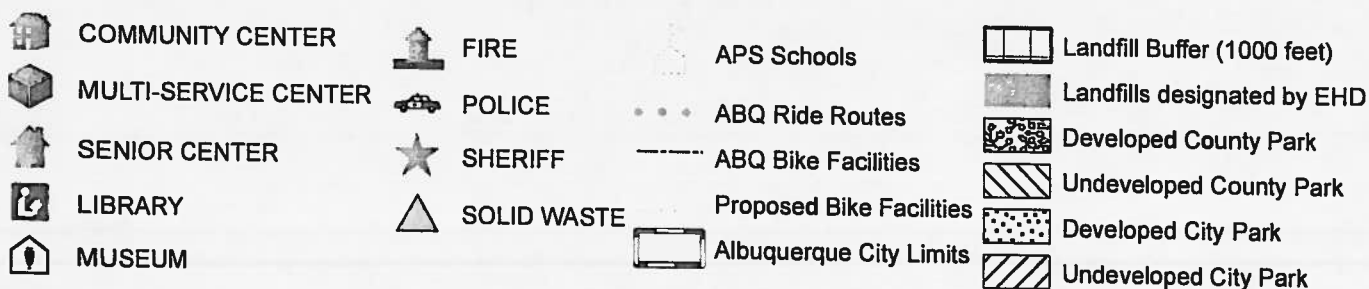


1 inch = 200 feet

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Public Facilities Map with One-Mile Buffer



Project Number: 1010409

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0.5

1

Miles

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	O-1	Established Urban; West Side Strategic Plan; Coors Corridor Plan	Office / Vacant
<i>North</i>	R-1	Same	Single Family Residential
<i>South</i>	R-2	Same	Single Family Residential / Townhouse
<i>East</i>	R-1	Same	Single Family Residential
<i>West</i>	SU-1 for C-2 Uses	Same	Commercial / Retail

II. INTRODUCTION

Proposal

This request is for a Zone Map Amendment (Zone Change) for Lot 8, Block D, Cacy Subdivision, an approximately .28 acre parcel located on the northeast corner of Corona Dr. NW and Quail Rd. NW. The subject site is currently zoned O-1 (Office and Institution) and the applicant is requesting a change to R-2 (Residential). While the zone change would allow all R-2 permissive uses, the applicant's stated reason for the new zoning designation is to allow for the development of residential townhouses on the subject site.

EPC Role

The EPC is hearing this case because the EPC has the authority to hear all zone map amendment (zone change) cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1) SU-1 Special Use Zone, and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

History/Background

A plat for the subject site was originally recorded in December of 1952. The site was not annexed into the City of Albuquerque until 1985 (AX-85-2/Z-85-44). The files for AX-85-2/Z-85-44 are missing from the City's record. The first time the existing O-1 zoning for the site can

be confirmed per city historical records is in 1986 via a staff review of the City of Albuquerque Zoning Atlas dated March 1986 (H-11-Z, see attached). The subject site remains vacant.

Context

The subject site is currently vacant. The subject site is surrounded by R-1 zoning to the north and east, and R-2 zoning directly south across the Quail Rd. right-of-way. A Home Depot anchored shopping center is located directly to the west of the subject site. An existing Activity Center is located within the Ladera Community on the west side of Coors Blvd. and west of the subject site.

Transportation System

The Interim Long Range Roadway System (ILRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The ILRRS designates I-40 as an Existing Urban Interstate.

The ILRRS designates Coors Blvd. as a Principal Arterial.

The ILRRS designates Corona Dr., Quail Rd. and 51st St. as Local Streets.

Comprehensive Plan Corridor Designation

Interstate 40 is designated an Express Transit Corridor with the intent to create a network of roadways that would be dedicated to developing higher speeds with fewer interruptions to travel for the car and public transportation.

Coors Blvd is designated a Major Transit Corridor with the intent to optimize public transit and move large numbers of people in a very timely and efficient manner.

Trails/Bikeways

The Quail bicycle route runs along the southern (Quail Rd.) and western (Corona Dr.) edge of the subject site. The route then travels westbound along Quail Rd. and connects to a bicycle lane west along Ouray Rd. Additionally, there is an existing bicycle lane running north and south along Coors Blvd. approximately .15 of a mile west of the subject site.

Transit

The Crosstown Commuter (96), Coors (155) and Blue Line Rapid Ride routes all run north and south along Coors Blvd.

Public Facilities/Community Services

See Public Facilities Map in the packet for detail regarding these items.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is currently zoned O-1 (Office and Institution). The O-1 zone provides suitable sites for office, service, institutional and dwelling uses. The proposed zoning for the subject site is R-2. The R-2 zone provides suitable sites for houses, townhouses, medium density apartments, and uses incidental thereto in the Established and Central Urban areas.

More specifically, the R-2 zone allows permissive uses such as apartment structures (restricted to 26 feet in height within 85 feet of a lot zoned specifically for houses), family daycare home, townhouses (provided no more than two dwelling units are within a building) and one single-family house per lot. Generally, the R-2 zone allows for a maximum structure height of 26 feet, however, there is the option for the height and width of a structure to exceed 26 feet in height provided the structure can meet the 45 degree angle plane requirements. While the R-2 zone allows these uses, the subject sites minimal acreage (.28 acre) restricts what can be built which is why the applicant is proposing to construct two townhouses on the subject site.

Albuquerque / Bernalillo County Comprehensive Plan

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

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal 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”. Applicable policies include:

Policy II.B.5.d: 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.

If the requested zoning is approved and townhouses are subsequently constructed on the subject site, residential development would respect existing neighborhood values given that the majority of the development currently surrounding the subject site is residential. In addition, townhouses would generate less traffic impacts than a commercial development and a smaller paved area containing residential development would ensure less water run-off from the subject site. The request generally furthers Policy II.B.5.d.

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 subject site is currently vacant. The applicant's proposed use of two townhouses would be developed on land that already contains existing urban facilities and services. The integrity of the existing neighborhood will be ensured because R-2 residential zoning and land use has

already been constructed directly south of the subject site. The request furthers Policy II.B.5.e.

Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments.

The current zoning for the subject site would allow for office and service uses, however, the applicant states that the site is not viable for commercial development given its existing dimensions. Though the requested zoning and proposed use do not include employment or service uses, the permissive uses within the R-2 zone would have less environmental impacts than a commercial use. The request partially further's Policy II.B.5.i.

Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

The subject site is not adjacent to an arterial street, however, the harmful effects of traffic would be minimized and the safety of established residential neighborhoods protected given the permissive uses of the zone requested and the applicant's proposed use. The request generally further's Policy II.B.5.i.

Housing: The goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problem of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

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

- In designated Activity Centers
- 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.

Higher density housing options tend to be more affordable than single family detached housing types. The future development of townhouses on the subject site may offer a more affordable housing product. Therefore, the request generally further's the Housing goal as outlined in the Comprehensive Plan.

West Side Strategic Plan (WSSP, Rank 2)

The WSSP was first adopted in 1997 and recently amended in 2002 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 subject site is located within the Ladera Community designated in the WSSP which is bounded by Western Trails on the north, with Unser Blvd. and the National Monument on the west, and with the I-40 corridor on the south. The Ladera Community is 2,200 acres in size. Applicable goals and policies include:

Plan Goal 4: Land use considerations and overall growth and development concerns should be tied to infrastructure and funding considerations for realistic implementation.

The change in uses from O-1 to R-2 will be located on a site that already has sufficient infrastructure to serve any potential future residential activity. The request furthers WSSP Goal 4.

WSSP Policy 3.25: Proposals for new development and re-zonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The proposal has been carefully analyzed and will not negatively impact the National Monument or other surrounding properties. The request furthers WSSP Policy 3.25.

Coors Corridor Sector Development Plan (CCSDP, Rank 3)

The CCSDP, a Rank 3 Plan, was adopted in 1984, and generally encompasses Coors Boulevard from Central Avenue south to Corrales Road/NM 528 on the north. The purpose of the CCSDP is to provide, “policy and guidelines for the design of Coors Blvd. as a limited access roadway to function efficiently as a major north-south arterial for the Northwest Mesa. The plan provides “*policy and design guidelines for development within the corridor area which will integrate natural resources with development activities in order to achieve a balance between the built and natural environment.*” The corridor has been divided into four segments. The subject site is in Segment 2, between Coors Blvd. and Alamogordo Dr.

There are no applicable policies in the CCSDP that relate to this request because the subject site is not located within a segment of the plan that requires consideration of any view preservation regulations, and the request is based on consideration of a zone map amendment, not the design or re-design of Coors Blvd.

Resolution 270-1980 (Policies for Zone Map Change Applications)

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Analysis of Applicant's Justification

Note: Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is in ***bold italics***

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The request is consistent with the health, safety, morals and general welfare of the City. A residential use on the subject site is more compatible with the existing surrounding zoning. The proposed zone change is justified by the City's Comprehensive Plan policies that are referenced in Section C of this letter.

Staff agrees that a change to R-2 zoning for the subject site is more compatible with existing residential zones that surround the subject site.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the 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.

No additional O-1 zoning exists in close proximity to the subject site and the lot's dimensions make it difficult to develop the property for O-1 uses. Residential zoning will ensure stability of land use and zoning better than the existing O-1 zone.

Staff agrees that residential zoning will ensure stability of land use and zoning better than the existing O-1 zoning.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

Refer to policy analysis section of staff report above.

- D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

There is a public need for housing near the Coors commercial area (Ladera Activity Center) and the development of this property is more advantageous to the City if developed as residential rather than remaining vacant.

The stated goal for activity centers as outlined in the Comprehensive Plan is to “expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and services and which enhance the identity of Albuquerque and its communities (II.B.7)”. An existing Activity Center is located within the Ladera Community on the west side of Coors Blvd. and west of the subject site. This stated goal underscores a public need to locate residential development near commercial development. Therefore, staff agrees that there is a public need for housing near the existing Ladera Activity Center.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The change of zoning will not be harmful to the adjacent property as it will be consistent with surrounding residential development. The impact on traffic will be considerably less than if the lot is developed for O-1 uses.

According to the 9th Edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE) a single tenant office building will generate an average of 1.80 trips per 1,000 sq. ft. of gross floor area during a.m. peak hours and an average of 1.74 trips during p.m. peak hours. A building containing two residential condominiums / townhouses will generate an average of .88 trips during peak a.m. hours and an average of 1.04 trips during peak p.m. hours. Therefore, staff agrees that the permissive uses within the R-2 zone will not be harmful to adjacent property and that the impact on traffic will be less than if the lot were to be developed for O-1 uses.

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
 2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

No City capital expenditures are required in relation to this request.

Staff agrees that approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure to serve the existing residential and commercial development in the area.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Economic factors pertaining to the applicant are not the determining factors for the zone change.

Staff agrees that the cost of land or other economic considerations are not the sole determining factor for the change of zone.

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The subject property is not on a collector or major street, therefore the location is not being used to justify the zone change request.

Staff agrees that the subject site is not on a collector or major street and that the location of the site is not being used to justify the request.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The request does not constitute a spot zone because the requested R-2 zoning will bring the property into conformance with other residential uses in the immediate area.

Staff agrees that the request does not constitute a spot zone.

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The requested zone change is for a single lot and therefore does not constitute strip zoning.

Staff agrees that the request does not constitute a strip zone.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

Agencies reviewed this request from April 6, 2015 to April 17, 2015. The most significant comments were received by Albuquerque Public Schools (APS) who stated that the S.R. Marmon Elementary School is currently exceeding capacity by 125 students and that any residential development in the area will impact the school.

Following discussions with Planning Staff, APS has clarified their comments related to the zone change request for Project 1010409 and further stated that *"The development of two townhomes*

within the SR Marmon, John Adams Middle School, and West Mesa High School district shouldn't have a major impact to the school district".

Neighborhood/Public

The S. R. Marmon Neighborhood Association, West Bluff Neighborhood Association and the West Side Coalition of Neighborhood Associations along with property owners within 100 feet of the subject site were notified of this request. A facilitated meeting was not recommended or held. There is no known neighborhood opposition to this request.

V. CONCLUSION

This request is for a Zone Map Amendment (Zone Change) for Lot 8, Block D, Cacy Subdivision, located on the northeast corner of Corona Dr. NW and Quail Rd. NW and containing approximately .28 acre. The existing zoning for the subject site is O-1 (Office / Institution) and the proposed zoning is R-2 (Residential).

The subject site is located in the Established Urban Area of the Comprehensive Plan as well as the Ladera Community as designated by the West Side Strategic Plan (WSSP). An existing Activity Center is located within the Ladera Community on the west side of Coors Blvd. and just west of the subject site. The WSSP states that the goal for activity centers is to reduce urban sprawl by encouraging concentrations of moderate and high-density mixed land use and social/economic activities. Even though the subject site is not located within the boundaries of the nearby Ladera Activity Center, the proposed use of two residential townhouses furthers this stated goal by locating new residential growth near existing commercial uses.

In addition, the applicant's proposed use will not negatively impact any of the existing residential areas. More specifically, the R-2 zone allows permissive uses such as apartment structures (restricted to 26 feet in height within 85 feet of a lot zoned specifically for houses), family daycare home, townhouses (provided no more than two dwelling units are within a building) and one single-family house per lot.

Approval of the request will also support several Rank I and II plan policies regarding supporting appropriate residential growth and improving air quality by reducing vehicle miles traveled. Following an analysis of the request and applicable plan goals and policies, staff finds that the applicant's written justification supports this statement.

The justification is also based on the request being generally consistent with the requirements of R-270-1980 as outlined in this staff report. No facilitated meeting was recommended or held. The S. R. Marmon Neighborhood Association, West Bluff Neighborhood Association and the West Side Coalition of Neighborhood Associations along with property owners within 100 feet of the subject site were notified of this request. There is no known neighborhood opposition for this request.

FINDINGS - 15EPC-40011 – June 11, 2015 - Zone Map Amendment (Zone Change)

1. This is a request for a Zone Map Amendment for Lot 8, Block D, Cacy Subdivision located on the NE Corner of Corona Dr NW and Quail Rd NW and containing approximately .28 of an acre.
2. The subject site is currently zoned O-1 (Office/Institution). The proposed zoning is R-2 (Residential) which would allow the proposed use of two townhomes on the subject site.
3. A plat for the subject site was originally recorded in December of 1952. The site was not annexed into the City of Albuquerque until 1985 (AX-85-2/Z-85-44). The files for AX-85-2/Z-85-44 are missing from the City's record. The first time the existing O-1 zoning for the site can be confirmed per city historical records is in 1986 via a staff review of the City of Albuquerque Zoning Atlas dated March 1986 (H-11-Z). The subject site remains vacant.
4. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan, Coors Corridor Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site is within the Established Urban Area of the Comprehensive Plan. The request furthers the following applicable policy of the Comprehensive Plan:
 - 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 subject site is currently vacant. The applicant's proposed use of two townhouses would be developed on land that already contains existing urban facilities and services. The integrity of the existing neighborhood will be ensured because R-2 residential zoning and land use has already been constructed directly south of the subject site. The request furthers Policy II.B.5.e.
6. The request generally furthers the following applicable goals and policies of the Comprehensive Plan:
 - A. Policy II.B.5.d: 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.

If the requested zoning is approved and townhouses are subsequently constructed on the subject site, residential development would respect existing neighborhood values given that the majority of the development currently surrounding the subject site is residential. In addition, townhouses would generate less traffic impacts than a commercial development and a smaller paved area containing residential development would ensure less water run-off from the subject site. The request generally furthers Policy II.B.5.d.

- B. **Policy II.B.5.k:** Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

The subject site is not adjacent to an arterial street, however, the harmful effects of traffic would be minimized and the safety of established residential neighborhoods protected given the permissive uses of the zone requested and the applicant's proposed use. The request generally furthers Policy II.B.5.i.

- C. **Housing:** The goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problem of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

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

- In designated Activity Centers
- 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.

Higher density housing options tend to be more affordable than single family detached housing types. The future development of townhouses on the subject site may offer a more affordable housing product. Therefore, the request generally furthers the Housing goal as outlined in the Comprehensive Plan.

7. The request partially furthers the following applicable policy of the Comprehensive Plan:

- A. Policy II.B.5.i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments.

The current zoning for the subject site would allow for office and service uses, however, the applicant states that the site is not viable for commercial development given its existing dimensions. Though the requested zoning and proposed use do not include employment or service uses, the permissive uses within the R-2 zone would have less environmental impacts than a commercial use. The request partially furthers Policy II.B.5.i.

8. The request furthers the following applicable goals and policies of the West Side Strategic Plan (WSSP):

- A. Plan Goal 4: Land use considerations and overall growth and development concerns should be tied to infrastructure and funding considerations for realistic implementation.

The change in uses from O-1 to R-2 will be located on a site that already has sufficient infrastructure to serve any potential future residential activity. The request furthers WSSP Goal 4.

- B. WSSP Policy 3.25: Proposals for new development and re-zonings in this area should be carefully analyzed to avoid negative impacts on the National Monument and other surrounding properties. Review of proposed projects should consider the design and site layout implications of any new development on surrounding properties.

The proposal has been carefully analyzed and will not negatively impact the National Monument or other surrounding properties. The request furthers WSSP Policy 3.25.

9. The request furthers the following applicable goals and policies of the Coors Corridor Sector Development Plan (CCSDP):

- A. *There are no applicable policies in the CCSDP that relate to this request because the subject site is not located within a segment that requires consideration of any view preservation regulations, and the request is based on consideration of a zone map amendment, not the design or re-design of Coors Blvd.*

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

- A. Staff agrees that a change to R-2 zoning for the subject site is more compatible with existing residential zones that surround the subject site.
- B. Staff agrees that residential zoning will ensure stability of land use and zoning better than the existing O-1 zoning.
- C. Refer to policy analysis section of staff report above.
- D. The stated goal for activity centers as outlined in the Comprehensive Plan is to “expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and services and which enhance the identity of Albuquerque and its communities (II.B.7)”. An existing Activity Center is located within the Ladera Community on the west side of Coors Blvd. and west of the subject site. This stated goal underscores a public need to locate residential development near commercial development. Therefore, staff agrees that there is a public need for housing near the existing Ladera Activity Center.
- E. According to the 9th Edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE) a single tenant office building will generate an average of 1.80 trips per 1,000 sq. ft. of gross floor area during a.m. peak hours and an average of 1.74 trips during p.m. peak hours. A building containing two residential condominiums / townhouses will generate an average of .88 trips during peak a.m. hours and an average of 1.04 trips during peak p.m. hours. Therefore, staff agrees that the permissive uses within the R-2 zone will not be harmful to adjacent property and that the impact on traffic will be less than if the lot were to be developed for O-1 uses.
- F. Staff agrees that approval of the requested amendment will not require any capital improvements because the site is located in an area that already has sufficient infrastructure to serve the existing residential and commercial development in the area.
- G. Staff agrees that the cost of land or other economic considerations are not the sole determining factor for the change of zone.
- H. Staff agrees that the subject site is not on a collector or major street and that the location of the site is not being used to justify the request.
- I. Staff agrees that the request does not constitute a spot zone.
- J. Staff agrees that the request does not constitute a strip zone.

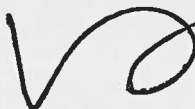
11. While the S.R. Marmon Elementary School is currently exceeding capacity by 125 students, Albuquerque Public Schools submitted the following comments to Planning Staff: “*The*

development of two townhomes within the SR Marmon, John Adams Middle School, and West Mesa High School district shouldn't have a major impact to the school district'.

12. No facilitated meeting was recommended or held. The S. R. Marmon Neighborhood Association, West Bluff Neighborhood Association and the West Side Coalition of Neighborhood Associations along with property owners within 100 feet of the subject site were notified of this request. There is no known neighborhood opposition for this request.

RECOMMENDATION - 15EPC-40011 – June 11, 2015

APPROVAL of 15EPC-40011, a request for a Zone Map Amendment from O-1 to R-2 for Lot 8, Block D, Cacy Subdivision, based on the preceding Findings.



***Vicente M. Quevedo
Planner***

Notice of Decision cc list:

William E. Burke III, 9617 La Playa NE, Albuquerque, NM 87110
King Tran, 3200 Campfore St., Los Lunas, NM 87031
Em Ward, P.O. Box 7434, Albuquerque, NM 87194
Michelle L. Luna, 7008 Porlamar Rd. NW, Albuquerque, NM 87120
John Landman, 2236 Ana Ct. NW, Albuquerque, NM 87120
Dr. Joe Valles, 5020 Grande Vista Ct. NW, Albuquerque, NM 87120
Gerald Worrall, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120
Harry Hendriksen, 10592 Rio Del Sole Ct. NW, Albuquerque, NM 87114

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

No comments received.

Office of Neighborhood Coordination

West Bluff NA (R)

Westside Coalition of NA's

S.R. Marmon NA (R) – notified by mistake – too far away from site - siw

Long Range Planning

No comments received.

Metropolitan Redevelopment Agency

No comments received.

CITY ENGINEER

Transportation Development

Per the City's new Bikeways and Trails Facility Plan, Corona Drive and Quail Road are proposed to contain on-street bicycle lanes along the frontage of this property. Per MRCOG's Long Range Bikeway System Map, this frontage is also designated as bike route.

Hydrology Development

No comment at this time for the zone change, however any new project at this location will require a grading and drainage plan for building permit, along with addressing the first flush requirements for new impervious areas.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

No comments received.

Traffic Engineering Operations

No comments received.

WATER UTILITY AUTHORITY

Utility Services

Applicant should request an availability statement online at:
http://www.abcwua.org/Availability_Statements.aspx to determine infrastructure requirements.

ENVIRONMENTAL HEALTH DEPARTMENT

No comments received.

PARKS AND RECREATION

Planning and Design

No comments received.

Open Space Division

Reviewed, no adverse comments.

City Forester

No comments received.

POLICE DEPARTMENT/Planning

No Crime Prevention or CPTED comments concerning the proposed Amendment to Zone Map request at this time.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Reviewed, no adverse comments.

FIRE DEPARTMENT/Planning

Reviewed, no adverse comments.

TRANSIT DEPARTMENT

Reviewed, no adverse comments.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comments received.

ALBUQUERQUE PUBLIC SCHOOLS

Cacy, Lot 8, is located on the NE corner of Corona Dr NW and Quail Rd NW. The owner of the above property requests a Zone Change from O-1 to R-2 to allow for the development of two townhomes. Any residential development in this area will impact SR Marmon Elementary School, John Adams Middle School, and West Mesa High School. Currently, SR Marmon is

exceeding capacity, John Adams Middle School, and West Mesa High School have excess capacity.

Loc No	School	2014-15 40th Day	Capacity	Space Available
280	SR Marmon ES	785	660	-125
405	John Adams MS	664	1000	336
570	West Mesa HS	1559	2082	523

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
 - Construct new schools or additions
 - Add portables
 - Use of non-classroom spaces for temporary classrooms
 - Lease facilities
 - Use other public facilities
- Improve facility efficiency (short term solution)
 - Schedule Changes
 - Double sessions
 - Multi-track year-round
 - Other
 - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
 - Boundary Adjustments / Busing
 - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

MID-REGION COUNCIL OF GOVERNMENTS

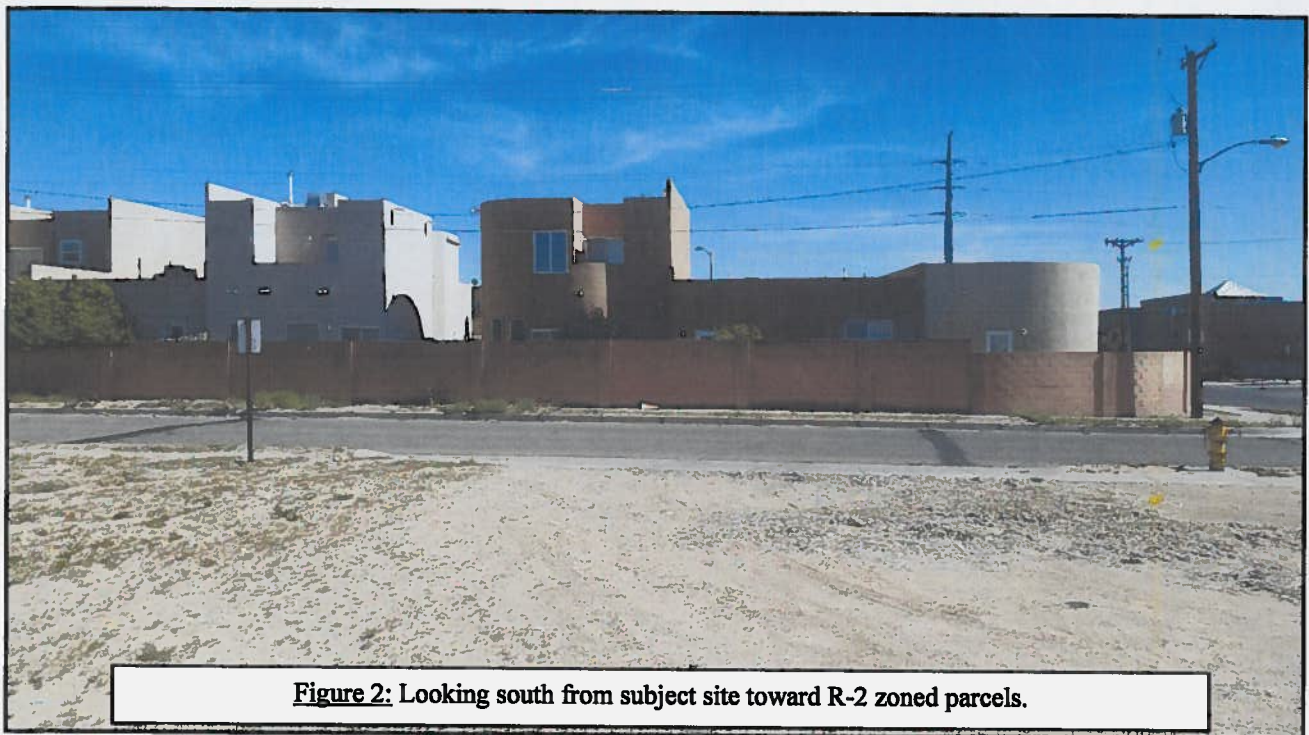
MRMPO has no adverse comments. Increasing residential density in proximity to transit corridors and commercial services is supported by the goals and objectives of the 2040 Metropolitan Transportation Plan.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Reviewed, no adverse comments.





R-270-1980

Policies for Zone Map Change Applications

The following policies for deciding zone map change applications pursuant to the Comprehensive City Zoning Code are hereby adopted:

(A) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

(B) Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the 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.

(C) A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city.

(D) The applicant must demonstrate that the existing zoning is inappropriate because:

(1) There was an error when the existing zone map pattern was created; or

(2) Changed neighborhood or community conditions justify the change; or

(3) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

(E) A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

(F) A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

(1) Denied due to lack of capital funds; or

(2) Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

(G) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

(H) Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

(I) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

(J) A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

(Res. 270-1980, approved 12-30-80)

HISTORY

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

May 14, 2015

King Tran
3200 Campfire Street
Los Lunas, NM 87031

Project# 1010409
15EPC-40011 Amendment to Zone Map (Zone Change)

LEGAL DESCRIPTION:

The above action for all or a portion of Lot 8, Block D, Cacy Subdivision, zoned O-1 to R-2, located on the NE corner of Corona Dr. NW and Quail Rd. NW, containing approximately .28 acre. (H-11)
Staff Planner: Vicente Quevedo

On May 14, 2015, the Environmental Planning Commission (EPC) voted to DEFER Project# 1010409/15EPC-40011, an Amendment to Zone Map (Zone Change), to the June 11, 2015 hearing, based on the following findings:

PO Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

1. This request is for a Zone Map Amendment (Zone Change) from O-1 to R-2 for Lot 8, Block D, Cacy Subdivision, an approximately .28 acre parcel located on the northeast corner of Corona Dr. NW and Quail Rd. NW.
2. The applicant requests a 30-day deferral to the June 11, 2015 EPC Hearing because the applicant's agent will not be able to attend the hearing. The applicant is in agreement with this request.
3. A written request for the deferral from the applicant has been included as part of the record for the case.
4. The 30 day deferral will ensure that the applicant's agent will attend the public hearing and adequately present the case before the EPC.

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

OFFICIAL NOTICE OF DECISION

Project #1010409

May 14, 2015

Page 2 of 2

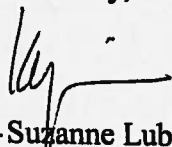
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of 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 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: King Tran, 3200 Campfire St. Los Lunas, NM 87031
Bill Burk, Third, Architect, Attn: William E. Burk III, 9617 La Playa NE, ABQ, NM 78110

ZONING

Refer to Section 14-16-2-15 of the Zoning Code for specifics regarding the O-1 Office and Institution Zone and Section 14-16-2-11 for specifics regarding the R-2 Residential Zone.

APPLICATION INFORMATION

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- ☐ Major subdivision action
☐ Minor subdivision action
☐ Vacation
☐ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- ☐ for Subdivision
☐ for Building Permit
☐ Administrative Amendment/Approval (AA)
☐ IP Master Development Plan
☐ Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- ☐ Storm Drainage Cost Allocation Plan

Supplemental Form (SF)

S Z

ZONING & PLANNING

Annexation

V

X

Zone Map Amendment (Establish or Change Zoning, Includes Zoning within Sector Development Plans)

P

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

D

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, 800 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): WILLIAM E. BURK III, dba BILL BURK, THIRD, ARCHITECT PHONE: 505-292-6566

ADDRESS: 9617 La Playa NE FAX: 294-7232

CITY: ALB. STATE NM ZIP 87110 E-MAIL: billburk@questoffice.net

APPLICANT: KING TRAN PHONE: 505-974-0335

ADDRESS: 3200 Campfire St. FAX: _____

CITY: Los Lunas STATE NM ZIP 87031 E-MAIL: _____

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Change of Zone from O-1 to R-2

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. 8 Block: D Unit: _____

Subdiv/Addn/TBKA: CACY

Existing Zoning: O-1 Proposed zoning: R-2 MRGCD Map No. _____

Zone Atlas page(s): H-11 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.): N/A

CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO

No. of existing lots: ONE No. of proposed lots: ONE Total site area (acres): 0.252 A.

LOCATION OF PROPERTY BY STREETS: On or Near: NE Corner of Corona DR + QUAIL RD, NW

Between: _____ and _____

Check if project was previously reviewed by: Sketch Plat/Plan ☐ or Pre-application Review Team(PRT) ☐ Review Date: _____

SIGNATURE William E. Burk III DATE 3/18/15

(Print Name) WILLIAM E. BURK, III Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY

INTERNAL ROUTING

- ☒ All checklists are complete
☒ All fees have been collected
☒ All case #s are assigned
☒ AGIS copy has been sent
☐ Case history #s are listed
☐ Site is within 1000ft of a landfill
☐ F.H.D.P. density bonus
☐ F.H.D.P. fee rebate

Application case numbers

15EPC - 40011

Action

AZM

ADV

OME

S.F.

Revised: 4/2012

Fees

\$ 240.00

\$ 75.00

\$ 50.00

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ 365.00

\$ _____

\$ _____

\$ _____

Hearing date May 14, 2015

3-18-15
Staff signature & Date

Project # 1010409

29 at

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)

NA ☐ 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.

WILLIAM F. BURK, III

Applicant name (print)

William F. Burk III 3/18/15

Applicant signature & Date

Revised: June 2011

☒ Checklists complete

Application case numbers

☒ Fees collected

15EPC - 40011

☒ Case #s assigned

☒ Related #s listed

Project # 1010409

3-18-15
Staff signature & Date



CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: BILL BURK THIRD DATE OF REQUEST: 3/17/15 ZONE ATLAS PAGE(S): H-11

CURRENT:

ARCHITECT

LEGAL DESCRIPTION:

ZONING O-1LOT OR TRACT # 8 BLOCK # DPARCEL SIZE (AC/SQ. FT.) 0.252 A.SUBDIVISION NAME CACY

REQUESTED CITY ACTION(S):

ANNEXATION ☐

SITE DEVELOPMENT PLAN:

ZONE CHANGE ☒ From O-1 To R-2SUBDIVISION* ☐ AMENDMENT ☐SECTOR, AREA, FAC, COMP PLAN ☐BUILDING PERMIT ☐ ACCESS PERMIT ☐AMENDMENT (Map/Text) ☐BUILDING PURPOSES ☐ OTHER ☐

*includes platting actions

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT ☐

GENERAL DESCRIPTION OF ACTION:

NEW CONSTRUCTION ☒# OF UNITS: 2EXPANSION OF EXISTING DEVELOPMENT ☐BUILDING SIZE: 3,606 (sq. ft.) TOTAL

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE William E. Burk IIIDATE 3/17/15

(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 ☒ BORDERLINE ☐THRESHOLDS MET? YES ☐ NO ☒ MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: ☐

Notes:

2 townhomes on property

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.

[Signature]
TRAFFIC ENGINEER

03-17-15
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 ///
-FINALIZED ///

TRAFFIC ENGINEER

DATE

Revised January 20, 2011

Mar/16/2015

To whom It May concern


I, King Tran, authorize Bill Burk to take All Paper work at:

2900 CORONA Dr NW
ALBUQUERQUE, NM 87120

I am the owner of that property.

If you have any questions, please call me at 505 720-4424
Thank you

Sincerely,

A handwritten signature in blue ink, appearing to read 'King Tran', with a stylized, cursive script.

King Tran



Bill Burk, third, Architect

**construction inspection
architecture • interiors • graphics**

April 22, 2015

**Mr. Peter Nichols, Chairman
Environmental Planning Commission
City of Albuquerque
600 Second St., NW
Albuquerque, NM 87102**

RE: Zone Map Amendment Request – 2900 Corona Dr., NW (Project #1010409)

Dear Mr. Chairman:

The purpose of this letter is to provide justification for a request for a Zone Map Amendment for the property located at 2900 Corona Dr, NW, on behalf of the Owner, Mr. King Tran, 3200 Camp Fire St., Los Lunas, NM 87031.

The 0.25Acre vacant property, located at the northeast corner of Corona Dr and Quail Rd, NW, is currently zoned O-1. This request is to change the zoning to R-2.

Because of the approximately 30' right-of-way behind the curb along Corona Drive, and the corner lot's small size, It is difficult to locate a commercial building and the required parking and landscaping on the site.

Two townhouses will fit nicely, however. O-1 zoning does not permit townhouses, so the change to R-2 zoning is requested. Townhouses are a permissive use in R-2.

Adjacent Zoning and Land Use

The subject parcel is zoned O-1, and is vacant. The two parcels to the north are zoned O-1, and have a closed-down Day Care Center on them. The remainder of the block is zoned R-1.

The lots across Quail Rd to the south are zoned R-2, and have townhouses on them. The parcel across Corona Dr. to west is zoned SU-1 (C-2 uses), and is occupied by a Home Depot.

April 22, 2015

**9617 La Playa NE
Albuquerque, NM 87111
(505) 292-6566 • Fax (505) 294-7232
Email – billburk@qwestoffice.net**

Zone Map Amendment - Response to Resolution 270-1980

This Zone Change request is in compliance with Resolution 270-1980 as follows:

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.*

Applicant's Response: This request is consistent with the health, safety, morals, and general welfare of the City. The proposed two townhouses will fit in well with existing development, as the property has residential uses on three sides, and the commercial use, Home Depot, is buffered by Corona Dr, a four-lane road. The property has existing sidewalks, which are aligned with the adjacent residential properties.

The proposed zone change is justified by the City's Comprehensive Plan policies that are referenced in Section C of this letter.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change.*

Applicant's Response: This property was zoned O-1 when the property was annexed from Bernalillo County to the City of Albuquerque, circa 1985. It appears to have been subdivided when the Day Care Center was created, leaving a parcel of only 0.25 acre on the corner, the subject property. This O-1 zoning is surrounded by residential use on the east side of Corona Dr. Corona Dr has a 30' R.O.W. behind the curb on the east side, but only for this block. This right-of-way, and the small area of the parcel make it extremely difficult to develop the property for O-1 uses.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto including privately developed area plans, which have been adopted by the city.*

Albuquerque/Bernalillo County Comprehensive Plan

Applicable policies from the Comprehensive Plan are provided below.

Policy d: 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, and recreational concern.

Applicant's Response: Residential development of this lot will fit with the surrounding neighborhood better than commercial development would, because there will be less traffic generated, and because there will less contribution to water runoff by a smaller paved area.

April 22, 2015

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Policy I: Employment and service uses shall be located to compliment residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Because of its small size, this is not a viable commercial lot. The requested zone change will have less environmental than a commercial use would, because it will be part of the residential use around it.

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

Applicant's Response: This property is contiguous to developed land on all sides, and residential zoning exists on three sides, with the exception of the O-1 zoned lot immediately to the north.

Policy K: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established neighborhoods shall be protected in transportation planning and operations.

Applicant's Response: The residential zone requested will contribute less traffic load, and will have no harmful effects on the existing residential development.

D. The applicant must demonstrate that the existing zoning is inappropriate because:

- i. There was an error when the existing zone map pattern was created; or*
- ii. Changed neighborhood conditions justify the change; or*
- iii. A different use category is more advantageous to the community as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.*

Applicant's Response: The existing zoning is inappropriate because the small lot size and large R.O.W. along Corona Rd. make commercial development very difficult. Sub-dividing the parcel caused the subject parcel to be only 0.25 acre.

The R-2 zoning will be more advantageous to the City because it will become developed, and no longer remain a vacant lot. The public need for housing near the Coors commercial area will be partially addressed by adding to the residential inventory.

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9617 La Playa NE
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E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the Community.

Applicant's Response: The change of zoning will not be harmful to the adjacent property, as it will be consistent with the property across Corona to the south, and similar to the R-1 zoning behind and to the north, with the exception of the vacant day care center to the north. The impact on traffic will be considerably less than it would be if the lot were developed as an O-1 use. The permissive uses in the requested R-2 zone are not harmful to the existing residential development.

F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the City may be:

i. Denied due to lack of capital funds; or

ii. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

Applicant's Response: There will be no City capital expenditures required.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Applicant's Response: Economic factors are not the determining factor for the request. The small size of the parcel is the determining factor.

H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

Applicant's Response: The subject property is not on a collector or major street, therefore the location is not being used to justify the zone change request.

I. A zone change request, which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone". Such a change of zone may be approved only when:

i. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

ii. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not

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suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Applicant's Response: The subject property is "spot zone", at present, as it and its immediate neighbor to the north, are zoned O-1, in a residential neighborhood. The zone change to R-2 will bring the property into conformance with the other residential uses in the immediate area.

J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning".

i. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan; and

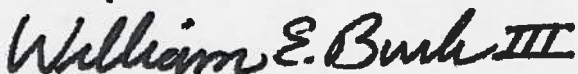
ii. The area of the proposed zone is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

Applicant's Response: This zone change involves a single lot, and therefore this policy does not apply.

Conclusion

On behalf of Mr. King Tran, I respectfully request that the Environmental Planning Commission approve the request for this Zone Map Amendment. Thank you for your consideration.

Very truly yours,



William E. Burk, III
Architect

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NOTIFICATION &
NEIGHBORHOOD INFORMATION



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.

March 12, 2015

William E. Burk, III
Bill Burk, Thrd, Architect
9617 La Playa NE/87111
Phone: 505-292-6566/Fax: 505-294-7232

Dear William:

Thank you for your inquiry of March 12, 2015 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(EPC SUBMITTAL) LOT 8, BLOCK D, CACY SUBDIVISION, LOCATED AT 2900 CORONA DRIVE NW BETWEEN THE NORTHEAST CORNER OF CORONA DRIVE NW AND QUAIL ROAD NW** zone map H-11.

Our records indicate that the **Neighborhood and/or Homeowner Associations and Coalitions** affected by this submittal and the contact names are as follows:

SEE "ATTACHMENT A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and "Attachment A" to your Application Packet **ALONG** with copies of the letters and certified mail receipts to the NA/HOA's – siw.

Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT
TO BOTH CONTACTS OF
EACH NA/HOA FOR THIS
PLANNING SUBMITTAL.**

ATTACHMENT A

(EPC SUBMITTAL) LOT 8, BLOCK D, CACY SUBDIVISION, LOCATED AT 2900 CORONA DRIVE NW BETWEEN THE NORTHEAST CORNER OF CORONA DRIVE NW AND QUAIL ROAD NW zone map H-11 FOR WILLIAM E. BURK, III

S.R. MARMON N.A. "R"

***Em Ward, P.O. Box 7434/87194 225-0126 (h)**
Michelle L. Luna, 7008 Porlamar Rd. NW/87120 270-4740 (h)

WEST BLUFF N.A. "R"

***John Landman, 2236 Ana Ct. NW/87120 831-2063 (h)**
Dr. Joe Valles, 5020 Grande Vista Ct. NW/87120 836-1847 (h)

WESTSIDE COALITION OF N.A.'S

***Gerald C. (Jerry) Worrall, 1039 Pinatubo Pl. NW/87120 839-0893 (h) 933-1919 (c)**
Harry Hendriksen, 10592 Rio Del Sole Ct. NW/87114-2701 890-3481 (h) 221-4003 (c)

***President of NA/Coalition**



Bill Burk, third, Architect

construction inspection
architecture • interiors • graphics

March 17, 2015

Re: Zone Change Request for 2900 Corona Dr, NE
(Lot 8, Block D, Cacy Subdivision, Zone Map H-11)

Good morning:

On behalf of my Client, Mr. King Tran, I am notifying you of our pending application for a Zone Change from O-1 to R-2, for the lot at the northeast corner of Corona Rd and Quail Rd, NE.

Because of the lot's small size and large Right of Way along Corona Rd, it is difficult to plan a satisfactory commercial development. For that reason, we hope to build two townhouses on the site. This requires a Zone Change to R-2.

We feel that this would be preferable to a commercial development, because there would be less impact on traffic, and residential use is a better fit for the immediate area.

If you have any questions, please let me know.

Very truly yours,

BILL BURK, THIRD, ARCHITECT

William E Burk, III
Architect

Sent to:

Em Ward, PO Box 7434, Albuquerque, NM 87194 (S.R. Marmon N/A)

Michelle L. Luna, 7008 Porlamar Rd, NW, Albuquerque, NM 87120 (S.R. Marmon N/A)

John Landman, 2236 Ana Ct, NW, Albuquerque, NM 87120 (West Bluff N/A)

Dr. Joe Valles, 5020 Grande Vista Ct., NW, Albuquerque, NM 87120 (West Bluff N/A)

Gerald C. Worrall, 1039 Pinatubo Pl NW, Albuquerque, NM 87120 (Westside Coalition)
Harry Hendricksen, Rio del Sole Ct. NW, Albuquerque, NM 87114 (Westside Coalition)

CC: King Tran, 3200 Campfire St., Los Lunas, NM 87031

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