



**Environmental
Planning
Commission**

**Agenda Number: 8
Project Number: 1000570
Case Numbers: 06EPC 00139/00141
07EPC 40071/50069
November 15, 2007**

Staff Report

Agent	Hartman & Majewski Design Group
Applicant	SunCal Companies, New Mexico Division
Requests	Sector Development Plan Map Amendment Westside Strategic Plan Amendment Westland Sector Plan Amendment Westland Master Plan Amendment
Legal Description	Parcels C, D, E, F, G & H -Westland North and Tracts M, N & P- Watershed Subdivision
Location	Between 98th St. and the proposed 118 th St., and North of I-40 and South of the Petroglyph National Monument
Size	Approximately 1,050 acres
Existing Zoning	SU-2/R-LT, SU-2/R-2, SU-2/O-1, SU-2/OS & SU-2/Town Center (for Parcels C, D, E, F, G & H) SU-2 for RR (Parcels M, N & P)
Proposed Zoning	SU-2 for TC & SU-2 for TCV (for Parcels C, D, E, F, G & H) No change for Parcels M, N & P

Staff Recommendation

DEFERRAL of 06EPC 00139, based on the findings beginning on Page 28, for 30 days.

DEFERRAL of 07EPC 50069, based on the findings beginning on Page 31, for 30 days.

DEFERRAL of 06EPC 00141, based on the findings beginning on Page 34, for 30 days.

DEFERRAL of 07EPC 40071, based on the findings beginning on Page 36, for 30 days.

Staff Planners

**Catalina Lehner-AICP, Senior Planner
Jennifer Donofrio, Associate Planner**

Summary of Analysis

This proposal consists of: a Westside Strategic Plan amendment, a Westland Master Plan amendment (a zone change and text amendments), and a Westland Sector Plan amendment. This request is required to be forwarded to City Council because it meets the acreage threshold.

Overall, the proposal partially furthers applicable Goals and policies. Staff finds that the sector development plan map amendment has not been adequately justified pursuant to R270-1980. Sections B, D, E and G are insufficiently addressed. Staff sees potential for the request, but it is the applicant's burden to show why the change should be made.

A facilitated meeting was held. Generally, neighbors support the proposal but have some concerns. Staff recommends deferral for 30 days.

Project 1000570



AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-2/R-LT, SU-2/R-2, SU-2/O-1, SU-2/OS & SU-2/Town Center	Developing Urban Westside Strategic Plan Facility Plan for Arroyos Westland Sector Development Plan Westland Master Plan	Vacant and drainage control
North	SU-2/RR (Residential Resort) and SU-2/OS. A-1 further north.	Developing Urban Westside Strategic Plan Facility Plan for Arroyos Westland Sector Development Plan Westland Master Plan Northwest Mesa Escarpment Plan	Vacant, platted for subdivision, and Petroglyph National Monument
South	County A-1	Developing Urban Westside Strategic Plan	Commercial Retail (Truck Stop) and Vacant
East	SU-2/R-LT and County A-1	Developing Urban Westside Strategic Plan Facility Plan for Arroyos Westland Sector Development Plan Westland Master Plan	Single-family, recreation, drainage & vacant
West	County A-1	Developing Urban Westside Strategic Plan Facility Plan for Arroyos Northwest Mesa Escarpment Plan	Vacant

PROPOSAL & CONTEXT

The subject site is comprised of two project areas. For purposes of this Staff report, the project areas are referred to as *Section One* and *Section Two*. This proposal consists of four requests. The first three requests affect *Section One* and the fourth request affects *Section Two*. The reason these requests have been bundled together into one overall proposal is to allow the agent to take all of the requests, in both project areas, to City Council simultaneously.

SECTION ONE REQUESTS

The first request is a proposed amendment to the Westside Strategic Plan (WSSP), a Rank II plan. The existing location of the Westland Community Activity Center designated in the WSSP (p. 144) is proposed to be moved to reflect its new proposed location near Interstate-40.

The second request, which consists of four parts, is to amend the Westland Master Plan (a Rank III plan). This includes: A) changing the zoning from SU-2/RLT, SU-2/R-2, SU-2/O-1, SU-2/OS & SU-2/Town

Center to “SU-2 for Town Center (TC) and SU-2 for Town Center Village (TCV)”, B) amending the Land Use/Zoning Map (p. 39) for Parcels C, D, E, F, G and H, (3) establishing minimal parameters for the new TCV zone that are consistent with the zones already included in the Westland Master Plan, and (4) adding “Hotel” as a permissive use in the SU-2/TC zone.

The third request is to change the Westland Sector Plan (a Rank III plan consisting of a stand-alone map) to match the requested zoning.

SECTION ONE LOCATION

Section one is a 550 acre site located between 98th Street and the proposed 118th Street alignment, north of Interstate 40 and south of Arroyo Vista Blvd. To the north of the subject site is the Petroglyph National Monument. To the south is Interstate 40 and undeveloped land on the south side of the Interstate. The area west of the proposed development is a “Future Development Area”, designated as a Reserve area by the Comprehensive Plan.

Approximately one mile east of the proposed development area are existing single-family homes (see map-attachment). Two County parcels exist nearby and are both zoned County A-1. The parcel on the east side is approximately 21 acres and the parcel on the south side is approximately 12 acres. The County land is not included in the applicant’s development plans. The Double Eagle II Airport is approximately 10 miles northwest of the proposed development.

SECTION TWO REQUESTS

The fourth request consists of two proposed text amendments to the Westland Master Plan with respect to Residential Resort zoning (p. 43-44). The applicant requests that the text on page 43, under B.1-Conditional uses, be changed from “Uses conditional in the C-1 and O-1 zones” to “Uses permissive in the C-1 and O-1 zones”, which would allow C-1 and O-1 uses permissively. The applicant believes that this was an error in the drafting of the Plan. In addition, the applicant proposes to add “community neighborhood recreation center” as a permissive use in the SU-2/Residential Resort zone.

SECTION TWO LOCATION

Section two consists of the Inspiration and Watershed areas, which are slated for future residential subdivisions. This 500 acre site is located to the north of Arroyo Vista Drive and to the south of the Petroglyph National Monument. A site for proposed future development exists to the west. The closest north-south street to the east of the project site is Unser Boulevard. The southern boundary of the Petroglyph National Monument is adjacent to the northern boundary of the Watershed and Inspiration areas. The southern tip of the basalt escarpment lies approximately 2,000 feet from the Plan boundary in this area.

HISTORY & BACKGROUND

The proposed development area is located within the boundaries of the Westland Master Plan and was once part of the 82,000 acre reward King Charles II gave to Duran y Chavez in the 1690s for assisting the King in the Pueblo Revolt. The land, west of the Rio Grande, became known as the Atrisco Land Grant. In 1848, New Mexico became a U.S. Territory. In 1905, Theodore Roosevelt recognized the validity of the Atrisco Land Grant and allowed Spanish settlers to retain their land. New Mexico became a state in

1912. In 1967, heirs from the Spanish settlers voted to form the Westland Development Co. Inc., a publicly held company created to manage the unoccupied land.

Since the Westland Development Company incorporated in 1967, five plans in addition to the Comprehensive Plan have been adopted which affect the Westland property. These plans include:

1. The Comprehensive Plan (2003)
2. The Westside Strategic Plan (2002)
3. The Northwest Mesa Escarpment Plan (1989)
4. The Westland Sector Plan (2000)
5. The Westland Master Plan (adopted in 1998 by the County and in 2000 by the City)
6. The Facility Plan for Arroyos (1986)

In April 1999, the Environmental Planning Commission voted to recommend approval to the City Council for annexation (AX-99-2) of 1,732 acres (the Westland property). The City Council subsequently annexed the area in 1999. This request allowed for the implementation of the Westland Master Plan (SPR-96-2) and established the zoning for the site based on the Westland Sector Plan (Z-99-8) (see attachments).

Past Recent Proposals

In February 2006, Westland Company, Inc., submitted an application (Project #1000570) that included Parcels C, D, E, F, G and H. The 2006 proposal was for an amendment to the Westland Sector Plan and a zone map amendment. The applicant proposed to relocate the SU-2 for RLT, SU-2 for R-2, SU-2 for O-2 and SU-2 for TC zoning within the site. The goal was to place the Town Center zone (SU-2/TC) closer to Interstate-40 and place the residential zones closer to the Petroglyph National Monument.

Project #1000570 was deferred eight times from its inception to September 2007. The Westland Development Company, Inc. had deferred the project from March 2006 to February 2007. In approximately February 2007, the ownership of the land shifted to SunCal, which deferred the project twice in May 2007 and in September 2007. At the September 2007 hearing, the project was deferred to the November 2007 hearing. During the course of project deferrals, the project legal description remained the same until November 15, 2007 when it was updated to reflect the revised application.

SunCal states three reasons why Project #1000570 was unable to complete the planning process in 2006. First, the Transportation Development Division did not require a TIS initially; however a TIS was required for the subject site. Second, Westland had planned to purchase and annex the County land nestled near the subject site; however this never occurred. Finally, the ownership of the Westland property changed.

Current Events

Land Sale: In December 2006, SunCal Companies, the largest privately held community developer in the western United States, purchased 57,000 acres from the Westland Development Company, Inc. Eighty-eight percent of the Westland shareholders agreed to sell their shares. SunCal was required to give \$1 million a year for the next 100 years to the Atrisco Heritage Foundation. In January 2007, 2,500 shareholders who opposed the sale of their land sought to invalidate the Westland heirs' vote. The heirs

filed a class-action lawsuit, claiming that the voting was tainted. According to Leroy Chavez, the vice president of SunCal, "SunCal has a clean title and has never been mentioned in any of the lawsuits".

The TIDD Ordinance: The existing TIDD (tax incentive development district) Ordinance (O-06-036) allows developers to divert up to 75 percent of sales and property tax revenue within a development area to pay for building roads and other infrastructure (see attachment). The current ordinance also allows for the City and the developer to negotiate terms for the TIDD.

Since early 2007, there has been a proposal to amend the 2006 TIDD ordinance to add requirements for affordable housing, include land for schools, and local small businesses. The proposed TIDD ordinance (O-07-64) would place the following restrictions on new development:

- The development must lie entirely within the current city limits to be annexed into the city.
- Twenty percent of homes must be affordable.
- Land must be dedicated for public schools
- At least twenty percent of the businesses in the development must be local, small businesses with fewer than twenty employees.

At the October 15, 2007 City Council meeting, the proposed TIDD was postponed to the December 3, 2007 meeting.

DEFINITIONS

Comprehensive Plan

Community Center: Community Centers should be located to serve a primary service area of about 30,000 people within approximately a three mile radius of the center.

Neighborhood Center: should be located to serve approximately 15,000 people within a one mile radius.

Major (Regional) Activity Center: A major concentration of a full mixture of the most intensive activities needed to service metropolitan populations. Typically major activity centers are 300 acres or more and are 3 stories or higher.

Westland Master Plan

Residential Resort: Is designed to accommodate a wide range of residential development in conjunction with active recreational uses. The overall density is 2.5 du/ acre. It is anticipated that residential uses be clustered around large open space areas including golf courses, irrigation ponds, and natural open space areas. The residential resort will allow the development of a resort hotel, recreational amenities, and related conference/ meeting facilities.

Town Center: This designation provides suitable sites for a high intensity mixture of commercial, office, service, institutional, and residential uses.

LONG RANGE ROADWAY SYSTEM

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. Interstate 40 (I-40) is designated as an Express Corridor. Ladera and 98th Street are both designated as Minor Arterials, with 86 foot right-of-ways. Arroyo Vista Dr. is designated as a Principal Arterial, with a right-of-way of 156 feet.

PUBLIC FACILITIES/COMMUNITY SERVICES

Transit: Current no transit serves the subject site. Albuquerque Ride Routes #92-Taylor Ranch Express, #94- Unser Commuter, and #162-Ventana Ranch Commuter extend to Unser Boulevard.

Police: The Westside Area Command provides police coverage.

Fire: Fire station 14, at 517 98th St. SW, is located about 2 miles from the subject site.

APS: Painted Sky Elementary School, Jimmy Carter Middle School and West Mesa High School serve the area.

ZONING

The applicant proposes to change the subject site's zoning from SU-2/RLT, SU-2/R-2, SU-2/O-1, SU-2/OS & SU-2/Town Center for Parcels, C, D, E, F, G and H to "SU-2 for Town Center (TC) and SU-2 for Town Center Village (TCV)".

Note: In the Westland Sector Plan and the Westland Master Plan, the following zoning is incorrectly shown: SU-2/PDA for Town Center and SU-2/PDA for Residential Resort. The PDA (Planned Development Area) designation was included in error. The Certificate of Zoning (issued January 2000) lists SU-2/Town Center and SU-2/Residential Resort as the zoning established with annexation (Z-99-8/AX-99-2/Council Bill No.O-112).

Existing Zoning:

SU-2 zoning (Zoning Code §14-16-2-23, Special Neighborhood Zone) "allows for a mixture of uses controlled by a Sector Development Plan which specifies new development and redevelopment which is appropriate to a given neighborhood." The mixture of SU-2 zones in the Westland plans includes:

Town Center (TC) zone

- C-2 zoning, with the exception of parking lots (as a business or primary activity), adult bookstores, adult photo studios, or adult theaters.
- Dwelling units developed as residential or mixed use at equal to or greater than 9 du/ acre average.
- Churches, including incidental facilities.

Public parks and/or urban plazas

Resort/Residential zone

Permissive uses for this zone include:

- Uses permissive in the R-2 zone
- Club, clubhouse as an ancillary use with the golf course or tennis facilities.
- Golf course or golf driving range
- Irrigation pond, as an ancillary use with the golf course
- Hotel, including incidental uses
- Meeting facilities
- Office
- Restaurants, with full service liquor

Conditional uses include C-1 and O-1 zones.

Residential Zones

The Master Plan states that 20% of the housing units developed within the Westland Master Plan shall be affordable based on federally- established affordability criteria.

SU-2 for R-LT (§14-16-2-8)

This zone provides suitable sites for houses, and townhouses. Permissive uses include:

- Uses permissive in the R-1 zone, except, (1) agricultural animal keeping, (2) front yard parking for recreational vehicles.
- Townhouses- only one dwelling unit per lot and no more than two dwelling units per building.

SU- 2 for R-2 (§14-16-2-11)

This zone provides suitable sites for housing, townhouses, and medium density apartments. Permissive uses include:

- Uses permissive in the R-T zone
- Accessory living quarters
- Apartments
- Community residential program except not either community residential corrections program or community residential program for substance abusers with 10 client residents.
- Family day care home, with any sign limited as for home occupation.
- Sign, as provided in §14-16-3-5

Corporate Office Zone SU-2 for O-1 (§14-16-2-15)

This zone provides sites suitable for office, service, institutional, and dwelling uses. Permissive uses include:

- Antenna, up to 65 feet in height
- Beauty Shop, barber shop
- Church or other place of worship
- Club, provided there is no liquor license
- Community residential program except not either community residential corrections program or community residential program for substance abusers with 18 client residents.
- Dwelling units (house, townhouse, apartments) constituting up to 25% of the gross floor area on the premises (for more information see Page 2-41 of zoning code).

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- Institutions, including library, museum, nursing rest home, school, day care center, except not hospital for humans, sanatorium, or disciplinary or mental institutions.
 - Office
 - See Page 2-41 of the zoning code for more permissive uses in the O-1 zone.

Proposed Zoning:

The applicant is requesting the following zoning: SU-2 for TC (Town Center) & SU-2 for TCV (Town Center Village) for Parcels C, D, E, F, G, & H which encompass the southern portion of the subject site. No change is proposed for Parcels M, N, & P, the northern portion of the subject site zoned SU-2/Residential Resort. The zoning designations discussed above would no longer exist for Parcels C, D, E, F, G, & H. The proposed SU-2 for TC zoning would add a hotel as a permissive use, but would otherwise remain the same except for the proposed location change.

Permissive uses for the new proposed Town Center Village (TCV) zone are: uses permissive in the R-2 zone, uses permissive in the C-1 zone and community recreational center. Conditional uses include uses conditional in the R-2 zone and the C-1 zone.

Area Plan:

The West Side Strategic Plan (WSSP) does not establish zoning. The WSSP establishes locations for designated activity centers in which commercial and higher-density residential uses are intended to cluster. The WSSP strongly discourages zone changes to commercial, industrial and office uses outside of designated Activity Centers (Policy 1.3, p. 38).

As part of this proposal, the applicant proposes to relocate the WSSP designated activity center, the Westland Community Activity Center, to correspond to the proposed location of the TC zone.

- ⇒ The WSSP states that future activity centers may be designated and developed according to certain criteria (Policy 1.9, p. 39-40), but that such a request would constitute an amendment to the Plan. A proposed amendment to the WSSP is included in the current proposal and is required to be forwarded to the City Council.

Sector Plan: The Westland Sector Plan, a stand-alone map, establishes zoning. All zones have the overarching SU-2 zoning designation. A sector development plan map amendment is part of the current proposal.

- ⇒ Zoning Code §14-16-2-23, SU-2 zone, requires that the Planning Commission make a recommendation to City Council if a decision would amend an SU-2 Sector Development Plan for an area over one block (approximately 10 acres). Because the subject site is zoned SU-2 and is greater than 10 acres, this request is required to be forwarded to City Council.

I. ANALYSIS -CONFORMANCE TO ADOPTED PLANS AND POLICIES

A. ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN (RANK I)

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Developing Urban. The Comprehensive Plan goal of Developing and Established Urban Areas

is “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:

Land Use Policies

Policy II.B.5a: The Established and Developing Urban areas as shown by the plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy II.B.5d: 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.

Policy II.B.5e: 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.

Policy II.B.5h: Higher density housing is 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.

Policy 5j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

The proposal partially furthers Policy II.B.5a because it would promote a full range of urban land uses, especially in the Town Center-though a range of land uses could have occurred without relocating it. Policy II.B.5e is furthered. The subject site is contiguous to existing or programmed

urban facilities and is not likely to adversely affect existing neighborhoods. Policy II.B.5d is partially furthered. Moving the Town Center nearer to I-40 is not likely to conflict with existing neighborhood values. However, due to the proposal's general nature, impacts on the natural environment, carrying capacities, scenic resources, and other resources can not be specifically addressed at this time.

Policy II.B.5h is not furthered. Higher density housing is appropriate in a designated activity center such as the Town Center. However, the proposal does not support higher density housing development in the Town Center area because it allows an average of 9 DU/ac for the net residential development area, which is less than the density needed for the Town Center to function as a pedestrian-oriented, mixed-use area.

The proposal partially furthers Policy II.B.5j. The proposed TCV zone would provide for small neighborhood centers, but the degree of pedestrian and bicycle access is unknown at this stage. The Town Center would function as a large, area-wide shopping center and some commercial zoning is already in place, though the degree of transit integration is unknown.

Activity Centers Goal

The goal 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 service costs, and which enhance the identity of Albuquerque and its communities.

Activity Centers Policies

Policy II.B.7a: Activity centers are designated by the Centers and Corridors map where appropriate to help shape the built environment in a sustainable development pattern, create mixed-use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services.

Policy II.B.7b: Net densities above 30 dwelling units per acre should generally be within Major Activity Centers; lower net densities in areas surrounding all types of Activity Centers will serve as a transition to residential neighborhoods.

Policy II.B.7f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

Policy II.B.7i: Multi-unit housing is an appropriate use in Neighborhood, Community and Major Activity Centers.

The proposal generally furthers the Activity Center Goal and the related Activity Centers policies. The Activity Center Goal is generally furthered because the proposal would facilitate development of a concentration of moderate and high-density mixed land uses that would reduce auto travel needs for Westside residents, as well as enhance the identity of the Westland area.

The proposal partially furthers Policy II.B.7a. The proposal would facilitate development of a mixed-use concentration of interrelated activities, but it is not certain how much mixing of uses would occur or to what degree transit and pedestrian access would be promoted. However, the proposal furthers Policy II.B.7f because it would provide for more intense development within the activity center with less intense development on the periphery to buffer the subdivisions to the north. The proposal partially furthers Policies II.B.7i and 7b by recognizing that multi-unit housing would be appropriate in the activity center and generally locating higher-density residential uses therein as a transition to lower density housing. However, at this stage there is

Open Space Goal

The Goal is to provide visual relief from urbanization and to offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside Major Public Open Space, parks, trail corridors, and open areas throughout the Comprehensive Plan area.

The proposal partially furthers the Open Space Goal in a general sense. The proposal would establish Open Space as a land use category, but there would be no accompanying zoning designation specifically for open space. Therefore, though there are likely to be opportunities for education, recreation, cultural activities and conservation of natural resources, it is not certain how such opportunities would become reality. SU-1 zoning for Major Public Space warrants consideration.

Transportation and Transit Goal

The Goal is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

The proposal partially furthers the Transportation and Transit Goal. Locating the Activity Center near I-40 would generally provide for a balanced circulation system through efficient placement of employment and services. Transit-oriented development would be encouraged since Interstate 40 is a designated Express Corridor, which could provide residents with opportunities to use alternative transit modes. However, the area is far from major employers and relies heavily upon the freeway for access. Also, express busses serve commuters (mostly to Downtown) and have very limited hours and stops.

Housing Goal

To increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

It is unknown if this proposal furthers the Housing Goal or not. Information about the potential for affordable housing is not included in the submittal. Though the proposal would result in more housing being built on the Westside, without a specific provision for affordability there is no guarantee that a certain amount of housing units would be affordable.

Noise Goal

To protect the public health and welfare and enhance the quality of life by reducing noise and by preventing new land use/noise conflicts.

The proposal partially furthers the Noise Goal. The subject site is located adjacent to the noise generating Interstate-40. In general, relocating the Town Center closer to I-40 would create a noise buffer between the interstate and future residential subdivisions. In addition, placing the Town Center near I-40 may reduce the amount of traffic noise in the residential neighborhoods; the existing design requires vehicles to drive through the neighborhoods to reach the Town Center. The location of housing within the Town Center area, however, would need to be evaluated at the site development plan for subdivision stage, so it is unknown if new land use/noise conflicts would arise.

Economic Development Goal and Policy

To achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy II.D.6g: Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

The proposal furthers the Economic Development Goal because it would contribute to diversified economic development by providing a variety of retail and service uses. Increasing visibility and access to the Town Center would potentially bring a greater variety of retail options to the area and benefit existing and future residents. Policy II.D 6g is furthered because the intent is to concentrate employment opportunities in the Activity Center, creating additional employment on the Westside which will help improve the jobs/housing balance.

B. WEST SIDE STRATEGIC PLAN (WSSP) (RANK II)

The West Side Strategic Plan (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 in the Westland North community, which consists of the area within the following boundaries: the Petroglyph National Monument to the north, Unser Boulevard to the east, I-40 to the south, and the eastern limit of Paseo del Volcan corridor to the west.

Community Concept 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 (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers.

The proposal partially furthers WSSP Policy 1.1. The proposal states that 20% of the dwelling units in the Town Center would be developed at 24 DU/ac average, so the intent is for the higher density housing to locate in the Town Center. However, there is no information about the density for the other 80% of the dwelling units and no guarantee that lower density development, which may average 9 du/acre, would not occur in the Town Center.

Policy 1.3: Strip commercial developments shall not be approved on the West Side. Commercial development shall occur in concentrated clustered areas rather than new strip developments. Zone changes to commercial, industrial, or office uses for areas outside the centers are strongly discouraged, in order to reinforce the Neighborhood and Community Centers. Changes of commercial and office zoning outside the centers to residential use is encouraged except where area schools are at or over design capacity. In cases where area schools are at or over their designed capacity, zone changes from non-residential to residential uses should be denied unless the applicant demonstrates that the proposed development will create no net increase in enrollment for area schools (e.g. senior housing). This policy is meant to impact the design and layout of commercial areas and their connections to adjacent development and to encourage clustering of commercial and office uses in activity centers. It is not intended to rezone allowed commercial uses.

If the designated Activity Center is relocated near I-40 as proposed, then the Town Center would be within the boundaries of the Activity Center. Therefore, the proposed zone change would further Policy 1.3. However, without the adjustment of the designated Activity Center's location, the proposed zone change would not have furthered Policy 1.3 because the zone change would have occurred outside of the existing Activity Center.

Policy 1.13: The Community Activity Center shall provide the primary focus for the entire community with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community. Its service area may be approximately three miles (radius) and a population of up to 30,000.

The proposal partially furthers WSSP Policy 1.13. Placing the Activity Center closer to the interstate may allow a greater concentration of commercial uses compared to its existing location, nestled approximately 0.66 miles from the interstate. Businesses may perceive less risk in developing near an express corridor rather than tucked away on a collector (98th Street) and principal arterial (Arroyo Vista). However, both the existing and the proposed Activity Center locations would function as the primary focus for the surrounding community, and both would have the most intense land uses in the community.

C. FACILITY PLAN FOR ARROYOS (RANK II)

The Facility Plan for Arroyos (1986) establishes guidelines and procedures for implementing Comprehensive Plan goals in order to create a multi-purpose network of recreational trails and open space

along arroyos (p.11). The Facility Plan for Arroyos (FPA) is a Rank II facility plan that designates some arroyos for further study and development as recreational corridors. The term arroyo is defined as a “small, steep-sided watercourse or gulch with a nearly flat floor” (p.75).

The Ladera Arroyo and the Mirehaven Arroyo run west-east across a northern portion of the subject site. Specifically, the Mirehaven Arroyo appears to lie between what is proposed to be the Town Center Village (TCV) area and the Residential Resort (RR) area. The Ladera Arroyo, located further north, traverses the subject site on its way down from the Petroglyph National Monument.

The Facility Plan for Arroyos (FPA) classifies both arroyos as Urban Recreational Arroyos. Such arroyos are located in urbanized or developing areas. The FPA contains general policies for all arroyos and specific policies for Urban Recreational Arroyos. These policies, which address park and trail development, right-of-way, channel treatments and location of crossing structures, will come into play when analyzing future site development plan submittals for portions of the subject site.

D. NORTHWEST MESA ESCARPMENT PLAN (RANK III)

The Northwest Mesa Escarpment Plan (NWMEP) was adopted by City Council on November 30, 1987. The Northwest Mesa Escarpment is a seventeen-mile long face of exposed volcanic basalt and associated soils approximately 50 to 200 feet high, which runs north-south along the northwest mesa. The NWMEP was created to maintain the volcanic escarpment as open space for public health, welfare and safety reasons, as well as to define urban form and satisfy other open space needs. The NWMEP contains a design overlay zone and is utilized as a tool to help preserve the escarpment area. There are four distinct areas within the design overlay zone:

- The Escarpment Face
- The Impact Area
- The Conservation Area
- The View Area

The subject site, consisting of approximately 1,050 acres and adjacent to Petroglyph National Monument, contains lands in the Conservation Area, the Impact Area and the View Area. Policies in the NWMEP include general regulations that apply in all three areas, View Area regulations and Conservation Area and Impact Area regulations, the most stringent being the latter. Because these policies are design standards that pertain to site development plan specifics, such as building height, color, etc., they cannot be applied at this time because there a site development plan for subdivision is not included with this proposal. Staff finds that the following, general policy is important to acknowledge at this stage:

Chapter 3, Policy 2: Four areas, including the escarpment and surrounding lands, are established for different degrees of conservation as shown on maps 10 and 2: the escarpment face, the conservation area, the impact area and the view area.

As mentioned, the subject site contains lands in the Conservation Area, the Impact Area and the View Area. All areas are subject to design regulations, with varying degrees of stringency, which are intended to protect the fragile nature of the landform and enhance the visual character of development within each area. This Policy is informational and does not support or conflict with the zone change request.

E. WESTLAND SECTOR PLAN (RANK III)

The Westland Sector Plan, adopted in 1999 (Enactment No. 63-1999), consists of two maps: a land use map and a zoning map. The Westland Sector Plan establishes City zoning categories for approximately 1,700 acres and refers to the Westland Master Plan for design guidelines and allowed uses. The Westland Sector Plan does not contain any goals or policies.

The Westland Sector Plan requires that all developments within the Town Center have EPC review and approval. Development projects in the SU-2 for R-LT and SU-2 for R-2 zones are delegated to the DRB. Development projects in the SU-2 Residential/ Resort and SU-2 for O-1 require an overall site development plan for subdivision, and future site development plans for building permit are delegated to the DRB. If no site development plan for subdivision exists, individual building plans shall be reviewed and approved by the EPC. In addition, the sector plan states that phasing shall adhere to the Phasing Plan as illustrated by Exhibit 12 of the Westland Master Plan.

F. WESTLAND MASTER PLAN (RANK III)

The City adopted the Westland Master Plan in 1998 to provide clear guidance for more detailed planning, zoning and platting actions within the designated plan boundaries. The Plan area includes approximately 6,424 acres and generally encompasses properties between the Petroglyph National Monument and Interstate 40, and between Unser Boulevard and a boundary line to the west of Paseo del Volcan. The Westland Master Plan proposes a variety of land uses to take advantage of the area's regional importance and strategic location on Albuquerque's growing West Side. A variety of housing densities, commercial and employment centers, and open spaces are proposed in order to create a cohesive community. The Westland Master Plan also aims to propose design innovations to promote high-quality development.

In order to determine if the proposal will further, partially further, or not further the Westland Master Plan, here Staff identifies sub-categories used in the Master Plan (Land Use, Residential, Open Space, etc.) and describes if the proposal is consistent with the intent and the purpose of the respective sub-categories.

Westland Master Plan Sub-Categories

Master Plan (p. 37)

The intent of the Master Plan is to propose a variety of land uses to take advantage of the area's regional importance and strategic location on Albuquerque's growing West Side.

The purpose of this plan is to seek evaluation based on special area-wide requirements rather than on restrictive zoning classifications.

Land Uses (p. 37)

The intent is to provide a mixed –use community where opportunities for living, working, shopping, and playing are maximized.

Residential (page 37)

The intent is to provide for a diversity of housing types to accommodate a broad socioeconomic range of future residents.

The purpose is to provide opportunities for entry level housing by developing future neighborhoods at a variety of densities.

Residential Resort (page 37)

The intent is to accommodate a wide range of residential development in conjunction with active recreational uses. While the overall density is low (2.5 du/acre) it is anticipated that these residential uses may be clustered around large open space areas including golf courses, irrigation ponds, and natural open space areas.

The purpose is to allow the development of a resort hotel, recreational amenities, and related conference/meeting facilities.

This proposal furthers the intents and purposes in the Westland Master Plan by providing a variety of land uses including mixed-use, commercial, office, and residential at varying densities. The Westland Master Plan explicitly states that if Residential/ Resort with associated recreational uses is not developed high density apartment units are prohibited. The developer has not proposed to incorporate high-density apartments in the Residential/ Resort zone.

Town Center (p. 40)

The purpose is to provide the primary focus, identity, and sense of character for the entire Plan area in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the Plan area.

Jobs/Housing Balance (p. 40)

The intent of the Plan is to have approximately 1,100 acres devoted to non-residential land uses that will have employment opportunities via commercial, corporate office, and industrial park uses. The Plan projects to create 23,620 jobs. The ratio of persons to jobs is expected to be approximately 2.07 which is nearly identical to the city-wide ratio 2.08 persons per job.

The proposal partially furthers the Town Center purpose and the Job/Housing Balance intent. The existing Westland Land Use map defines corporate office land use separate from Town Center. This land use division promises corporate office facilities in the Westland area. However, the applicant has proposed to incorporate the land designated Corporate Office into the Town Center. As a result, the Town Center may or may not include office uses. The types of jobs created may not be “white collar” jobs, which are the type of job intended to help narrow the job/housing gap. In addition, the applicant is proposing a hotel in the Town Center which will create jobs. The proposed Town Center Village zone is estimated to include 5 to 15% non-residential land uses. Similar to the Town Center area, the type of non-residential use is not indicated.

Parks (p. 47)

The intent of the parks is to provide an integral component to the open space network and provide essential passive and active recreational opportunities.

This proposal furthers the park intent. The applicant is proposing keep 111 acres of open space and to add “Community Recreational Center” defined as a publicly or privately owned facility designed to provide active and passive recreational areas for residents to the Residential/ Resort zone.

Development Phasing (p. 47)

The intent of plan phasing is to protect the integrity of the Town Center.

The purpose is to avoid downzoning in the Town Center with single family residential housing.

This proposal does not follow the existing development phasing. The existing phasing map conflicts with the proposed Activity Center location and Town Center Village zone, and should be amended to ensure consistency.

Open Space (p. 48)

The intent of open space is that it is a defining feature of the Westland Plan area.

The purpose of the open space is to provide several areas where future residents can enjoy recreational opportunities as well as visual relief from development.

This proposal partially furthers the open space intent and purpose. The applicant is requesting that the final configuration of the open space areas be determined in the Site Plan for Subdivision. The majority of the existing open space(71 acres) is located in arroyos and in the Ladera Detention Drainage System. This open space area should not be reconfigured. In addition, there exists a 16 acre open space buffer between I-40 and the Town Center. This buffer helps mitigate noise impacts for the mixed-use Town Center development.

II. SECTOR DEVELOPMENT PLAN MAP AMENDMENT

Resolution 270-1980 (Policies for Zone Map Amendments)

Requirements

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications pursuant to the City Zoning Code. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made, not on the City to show why a change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of at least one of three findings: 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 land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

This request to change the subject site's zoning is referred to specifically as a sector development plan map amendment, instead of a zone map amendment, because a sector development plan is involved. Changing the zoning would result in a change to the land use/zoning plan map in the Westland Master Plan (WMP) (p. 39) and to the Westland Sector Development Plan, a separate land use/zoning map that is also sector development plan.

Request

The main idea behind the proposed sector development plan map amendment is to relocate Westland's Community Activity Center (referred to as its Town Center) from the current location to a location adjacent north of I-40. The applicant is requesting that the current zoning of SU-2 for RLT, R-2, O-1, OS & PDA for Town Center (Parcels, C, D, E, F, G & H) be consolidated and changed to "SU-2 for PDA for Town Center (TC) and SU-2 for PDA for Town Center Village (TCV)."

The SU-2 for PDA for TC zoning, a category that already exists in the Westland Master Plan, would pertain to the land adjacent north of I-40. The SU-2 for PDA for TCV zoning, a new proposed zoning category, would pertain to the land north of the proposed new location for the TC zoning. Basically, the more intense uses of a mixed-use activity center (proposed SU-2 for PDA for TC zoning) would be located adjacent to the Interstate and the less intense residential uses (proposed SU-2 for PDA for TCV zoning) would be located north of that.

Justification

Applicant: The applicant believes that the existing zoning is inappropriate because: 1) there was an error when the existing zone map was created, 2) changed neighborhood or community conditions justify the change, and 3) a different land use category is more advantageous to the community.

In the original Westland Master Plan (2000), there was an error when single-family residential development was located next to I-40 (Reason 1). The following four things have happened that contribute to changed neighborhood and community conditions: Federal requirements for noise walls along Interstate highways, the adoption of the Interstate Corridor Enhancement (ICE) Plan in 1999, the adoption of the Centers and Corridors amendments to the Comprehensive Plan which contain Activity Centers policies, and the adoption of the Planned Growth Strategy (PGS) which emphasizes a jobs/housing balance on the Westside (Reason 2).

Regarding more advantageous to the community (Reason 3), the applicant provides a bulleted list of the following nine reasons:

1. Future low-density residential development moved away from I-40.
2. The proposed Town Center location would enhance its visibility and the identity of the Westland North community.
3. Enhanced auto and transit access to the Town Center would be created.
4. The potential for job creation is enhanced due to better interstate exposure and access, which will improve the jobs/housing balance on the Westside.

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5. The Town Center would be better able to support the surrounding community with retail and service uses, including employment.
 6. The proposed change will enable the creation of a mixed-use Town Center and adjacent communities that offer a diversity of housing choices.
 7. The proposed SU-2 PDA for TCV zoning would allow a variety of housing types and residential densities.
 8. Small commercial centers to serve residents would develop in the SU-2 PDA for TCV zone.
 9. The proposed SU-2 PDA for TCV zone is consistent with City policy regarding mixed-use neighborhoods and a range of housing types.

Comprehensive Plan Citations: The applicant cites the following Goals and policies: the Developing Urban Area Goal, new growth/existing or programmed facilities (Policy II.B.5e), location of employment/service uses (Policy II.B.5i), land adjacent to arterial streets (Policy II.B.5k), the Activity Centers Goal, activity centers/transition area (Policy II.B.7f), activity centers/sub-area planning efforts (Policy II.B.7g), activity centers/multi-unit housing (Policy II.B.7i), the Air Quality Goal, air quality effects/balanced land use (Policy II.C.1b), the Noise Goal, the Transportation and Transit Goal, the Economic Development Goal, and wide range of new jobs/areas in need (Policy II.D.6a).

West Side Strategic Plan (WSSP) Citations: The applicant cites Westland North Community policy 3.59, expansion of future urban development.

Westland Sector Plan Citations: Note 2 on Sheet 1 of 2.

Westland Master Plan Citations: Introductory language (p. 37).

Northwest Mesa Escarpment Plan Citations: Conservation and Impact area regulations, Policy #9.

- The applicant believes that the proposed zone map amendment conforms to R270-1980 as follows:
- A. The proposed changes are consistent with the goals and strategies of adopted plans (Comprehensive Plan, West Side Strategic Plan, Westland Master Plan and, therefore, are consistent with the health, safety, morals and general welfare of the City.
 - B. The applicant concurs. The intent of this letter is to provide a sound justification.
 - C. The applicant's goals and policies citations, and a discussion of how these are furthered, is included here. In sum, the applicant believes that relocating the Town Center (TC zone) would create a transition between the interstate and the lower density residential uses in the proposed Town Center Village (TCV zone). The relocation would also improve the Town Center's economic viability and transportation accessibility, reduce the jobs/housing imbalance, and create urban services and housing densities.

- D. The existing zoning is inappropriate due to an error, changed neighborhood or community conditions and a different land use category being more advantageous to the community (see Justification-applicant above for details).
 - E. The goal of this integrated land use and zoning proposal is to improve the future community's quality of life beyond what would result from the current configuration, and allow a variety of housing types to accommodate a diverse population.
 - F. The proposal does not attempt to bind the City to the scheduled provision of any specific capital improvement.
 - G. The applicant does not claim that the "cost of land or other economic considerations" should be the primary justification for the changes proposed.
 - H. The applicant does not claim that location "on a collector or major street" is sufficient justification for the changes proposed.
 - I. The proposal, for a large area and to improve the original intent of the Westland Master Plan, does not meet the definition of a "spot zone". The entire Master Plan area will remain zoned SU-2.
 - J. The proposal, for a large area and to improve the original intent of the Westland Master Plan, does not meet the definition of "strip zoning". The entire Master Plan area will remain zoned SU-2.
- The applicant believes that the following five reasons justify the proposed zone change:
- 1. The proposed zone changes are consistent with the goals, policies and strategies of adopted plans (the Comprehensive Plan, West Side Strategic Plan and Westland Master Plan.)
 - 2. The Westland Master Plan (2000) placed single-family residential development adjacent to I-40, an error which the proposed zone changes will remedy.
 - 3. The proposed zone change is justified by changed community conditions, which include the adoption of the ICE Plan, the Centers and Corridors amendments, Activity Centers policies and Federal regulations regarding noise walls on interstate highways.
 - 4. The resulting development would be more advantageous to the community. Relocating the Town Center (TC zone) would create a transition between the interstate and the lower density residential uses in the proposed Town Center Village (TCV zone) and would improve the future community's quality of life.

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5. The proposed Town Center relocation would improve economic viability, transportation accessibility, the jobs/housing imbalance, and also would create urban services and allow a variety of housing types.

Staff Analysis:

With respect to the applicant's justification and R270-1980 (Sections A-J above), Staff finds the following:

- A. The applicant cited various policies and goals as a demonstration that the proposal would be consistent with the health, safety and general welfare of the City, though health, safety and general welfare is not explicitly discussed. Some of the explanations of how each relates to the proposal are acceptable, but others need to be more thoroughly developed. For example, the explanation of WSSP Policy 3.59 for the Westland North Community refers to providing a framework for development but does not expound upon the urban levels of development, desired by the policy, which the proposal would provide.**
- B. Stability of land use and zoning is insufficiently addressed. The applicant states concurrence with Section B and that the letter is intended to provide a sound justification. However, the task is to explain how the proposal would contribute to stability of land use and zoning. Staff believes that an explanation of how relocating the Town Center and establishing the new TCV zone would create stability of land use and zoning. The burden is on the applicant to show why the requested zone change should be made.**
- C. The applicant states that the proposed zone changes would not conflict with adopted City plans and policies, but supports them. In some instances, the explanation of how the request furthers each cited policy and goal is acceptable. In other instances, the explanation is brief and not well-developed. Staff finds that some relevant policies in the West Side Strategic Plan (WSSP), particularly those dealing with Activity Centers, were not addressed but should be. The applicant has established a policy-based justification, but additional discussion and elaboration is required.**
- D. The applicant cites an error, changed neighborhood or community conditions and being more advantageous to the community as reasons that render the existing zoning inappropriate. Staff points out that the "error" mentioned in R270-1980 generally refers to a City error in listing or mapping the zoning designation, but a supposed error when a Plan was written may also apply.**

With respect to changed conditions, the applicant must demonstrate that there is a logical nexus between changed community conditions, which have occurred in the general area of the subject site, and the proposal. In this case, the applicant generally refers to the ICE Plan, the Centers and Corridors amendments the Planned Growth Strategy (PGS) and Federal noise wall regulations. This bulleted list does not provide sufficient explanation of how each represents a changed condition that can be linked logically to the proposal. In other words, the nexus needs to be strengthened.

The proposal being more advantageous to the community is, in Staff's opinion, the applicant's most satisfactory argument. Staff understands the overall, general benefit of relocating the Town Center but questions some of the specific claims regarding transit access, the jobs/housing balance, variety of housing types and development of neighborhood centers in the TCV zone. A more advantageous argument must be as articulated by the City's Master Plan (Comprehensive Plan, Westside Strategic Plan).

- E. The applicant did not address how permissive uses in the TC zone or in the proposed new TCV zone might be harmful to future neighborhoods, but rather reiterated that the goal of the proposal is to improve the future community's quality of life. Staff understands this goal, but Section E requires that permissive uses within the zoning categories be addressed with a discussion of how all the uses in the area will be compatible with each other.
- F. Staff acknowledges the applicant's statement that the proposal does not attempt to bind the City to the scheduled provision of any specific capital improvement.
- G. Staff acknowledges the applicant's statement that the "cost of land or other economic considerations" is not claimed to be the primary justification for the changes proposed. Staff finds that further explanation, however, is warranted. A primary reason for relocating the Town Center is economic-to attract future commercial uses and increase their visibility.
- H. Staff acknowledges that the applicant does not claim that location "on a collector or major street" is sufficient justification for the changes proposed.
- I. Staff agrees that the proposal is for a very large area and would create two large areas of zoning: the TC zone and the TCV zone. A "spot zone", as defined in R270-1980, refers to one small area and often one parcel or premises. The applicant points out that the entire area will remain zoned SU-2, which, though true, is not a valid argument in Staff's opinion. It is possible to have a "spot zone" under a sector development plan if the specific zoning category differed from those surrounding it.
- J. Staff agrees that this zone change request would not result in strip commercial zoning. The TC and TCV zoning areas are quite large at this stage. Strip commercial development could be considered at the site development plan for subdivision stage.

With R270-1980 in mind, and the applicant's five reasons justifying the proposed zone change, Staff finds the following:

- 1. The applicant has established a policy-based justification, but certain aspects of it need strengthening. Some of the explanations of how each relates to the proposal are acceptable, but others need to be more thoroughly developed. Sufficient policy citations and corresponding explanations from the West Side Strategic Plan (WSSP) are needed (Section A, Section C).

2. **Stability of land use and zoning is insufficiently addressed (Section B). The burden is on the applicant to provide a sound justification, which includes explaining how the proposal would contribute to stability of land use and zoning.**
3. **Regarding changed conditions, the applicant must demonstrate a logical nexus between changed community conditions and the proposal. The bulleted list of Plans, which the applicant believes constitute changed conditions, does not provide sufficient explanation of what the changed conditions are and how they can be logically linked to the proposal. A stronger nexus is necessary (Section D).**
4. **The possibility that some of the permissive uses in the TC and the proposed TCV zones could be harmful to the neighborhood or community has not been addressed (Section E). While Staff understands that the goal of the proposal is to improve the future community's quality of life, Section E requires that all permissive uses be considered.**
5. **The applicant states that the cost of land or other economic considerations are not the primary justification for the proposed zone changes, but does not explore this idea further (Section G). Staff believes that additional explanation is warranted because a major reason for relocating the Town Center is economic—to attract commercial uses and to increase their visibility.**

Staff Conclusion:

Overall, Staff concludes that the zone change request could be supportable but that it has not been adequately justified. Though the applicant has established a policy-based justification, the explanation of how some policies are furthered is satisfactory in some instances but needs elaboration in other instances. Additional policies from the West Side Strategic Plan (WSSP) should be included in this discussion. Also, Staff finds that additional explanation is needed to adequately address Sections B, D, E and G of R270-1980. Staff points out that, pursuant to Section B of R270-1980, "the burden is on the applicant to show why the change should be made." It is incumbent upon the applicant to provide solid reasoning to justify the proposed zone change, which will eventually be reviewed and acted upon by the City Council.

III. ANALYSIS OF AMENDMENTS TO RELEVANT PLANS

A. WESTSIDE STRATEGIC PLAN

The objective of this proposal is to relocate and increase the size of the Westland Community Activity Center, serving the Westland North Community. According to the Westside Strategic Plan, the Westland North Community is estimated to encompass 6,500 acres, a population of 56,200, 18,700 new jobs, and 22,500 housing units. Relocating the Activity Center near I-40 may create more jobs because the development would have greater visibility and easier access.

This proposal will increase the Town Center acreage by 18 acres. The existing Neighborhood Activity Center is 202 acres and the proposed neighborhood Activity Center is 220 acres. The size of the Town Center seems to be more in line with a regional center than a community activity center.

Community Activity Centers ideally are 35 to 60 acres and are small enough for consumers to park once and walk to more than one destination. As a whole, the Town Center would probably serve the role of a Regional Center based on its size (220 acres) and population it will serve, an estimated 56,200 residents and 18,700 employees.

B. WESTLAND SECTOR PLAN

The proposal will necessitate (1) a change in location of the zoning and land uses; (2) the elimination of zoning and land uses; and (3) a change in the acreage of some zones and land uses.

Changes to Zoning Location

The existing SU-2 for Town Center (TC) zone is proposed to be relocated near Interstate 40. As a result, all of the zoning and land uses adjacent to Interstate 40 would need to be relocated. The applicant intends to keep the 16 acre open space area located along Interstate 40.

Elimination of Zoning and Land Uses

The proposal also calls for the elimination of the SU-2 for R-2, SU-2 for R-LT, and SU-2 for O-1 zoning. Instead the project area will include SU-2 for TC and SU-2 for TCV zoning. The applicant has not provided any information about the percentage of corporate office intended within the Town Center zone. In addition, there are limited specifications for the residential mix (only 20% at 24 DU/acre). Staff recommends that the applicant better define the breakdown of intended uses within the Town Center to justify the elimination of the Corporate Office zone and Residential zones.

Changing the Size of the Zones and Land Uses

The SU-2 for Town Center area is proposed to increase in size. The spreadsheet provided by the applicant, which defines the number of acres in each zone for the existing and proposed land uses, is incorrect. According to the spreadsheet, the Town Center will only increase in size by 2 acres. However, the Town Center would actually increase in size by 18 acres (160 acres + 42 acres).

One of Staff's major concerns is the provision of open space. The applicant proposes that the final configuration of Open Space areas is to be determined by the Site Development Plan for Subdivision. Staff's concern is that, if the whole development is not brought to EPC together, then some of the Open Space may be lost if it is anticipated to be included in later sections. Therefore Staff recommends that the general open space configuration be determined at this stage in the planning process to ensure future preservation of open space areas.

C. WESTLAND MASTER PLAN

The proposal will affect the Westland Master Plan in the following ways: 1) text amendments; 2) the addition of a new zone; and 3) changes in the plan phasing.

Text Amendment

The proposal includes three text amendments: A) adding "hotel" as a permissive use to the SU-2 for Town Center; B) adding "community recreational center", and C) revising the text on page 43 in the Resort/ Residential section B.1. from "conditional uses" to "permissive uses".

Hotel

Staff believes that the addition of a hotel use in the Town Center zone is acceptable. The hotel would be required to conform to all of the design guidelines within the Westland Master Plan. The hotel could serve the Petroglyph National Monument, the Double Eagle II airport, residents in the North Westland area, and visitors to the Albuquerque area. The addition of a hotel use in the Town Center area would allow for visitors to shop and eat within walking distance of their hotel.

Hotel is also a permissive use in the Resort /Residential zone. The reason for this use was to create a unique interrelationship between the hotel, golf course, and Petroglyph National Monument. The applicant no longer plans to incorporate a golf course into the Resort/ Residential zone or to create a "resort". Instead, the Watershed and Inspiration areas will include approximately 1,500 dwelling Units. Therefore, staff believes that "hotel as a permissive use in the Resort/ Residential zone should be removed if that use is no longer desired or feasible.

Community Recreational Center

The applicant is proposing to add "community recreational center" as a permissive use in the Resort/ Residential zone. The applicant is defining community recreational center as "a publicly or privately owned facility designed to provide active and passive recreational areas for residents". Existing recreational permissive uses in the Resort/ Residential zone include:

- Club, clubhouse as an ancillary use with the golf course or tennis courts
- Golf course or golf range

The community recreational center use would benefit the Resort/ Residential zone. The center would provide residents with a place to engage in passive and active recreational activities, ideally within walking distance of their homes. In addition, the center would help maintain the character of the Resort/ Residential as described in the Westland Master Plan.

Revising the text in the Resort/ Residential section B.1

The applicant is proposes to change Section B.1 of the Resort/ Residential zone. Section B.1. currently identifies conditional uses within the Resort/ Residential zone. The applicant believes that this was a mistake in the Plan, and that C-1 and O-1 uses should be permissive instead of conditional.

Staff generally agrees that conditional uses in C-1 and O-1 should not be allowed within the Resort/ Residential zone. Overall, the conditional uses in the C-1 and O-1 zones would not comply with the character of the Resort/ Residential zone. The Westland Master Plan describes the Resort/ Residential as containing residential uses clustered around large open space areas including golf courses, irrigation ponds, and natural open areas. The Resort/ Residential zone will also allow for the development of a resort hotel, recreational amenities, and related conference/ meeting facilities.

Staff recommends that the applicant A) better define what they anticipate to include in the Resort/ Residential zone and B) further consider permissive uses in the C-1 and O-1 zones within the Resort/ Residential zone. Staff suggests that the applicant go through the C-1 and O-1 zones and exclude permissive uses which may not be consistent with the intended character of the Resort/ Residential

zone. For example, permissive uses in the O-1 zone include temporary storage structures and parking lots.

The Town Center Village Zone

The applicant is proposing to eliminate SU-2 for R-2, SU-2 for R-LT, and SU-2 for O-1 zoning and create a new zone SU-2 for Town Center Village (TCV). The Town Center Village zone would consist of 70 to 80% lower density residential uses, 5-15% non-residential uses, and 10% open space.

First, the proposed zone change justification states that the intent of the TCV zone is to allow for a mixture of residential types and sizes which are not permitted by current zoning regulations. The applicant is proposing R-2 uses as permissive within the Town Center Village zone. However, R-2 is one of the existing zones in the project area. Therefore, the applicant's justification that the existing zoning does not currently permit a mixture of residential types seems erroneous. The existing and proposed zoning will include the same residential zoning category R-2.

Second, the proposed Town Center Village zone would include conditional uses of the C-1 zone. Similar to Resort/ Residential, Staff recommends that the applicant further analyze the intent of the Town Center Village and determine if any uses should be excluded. For example the auto, trailer, and truck rental, service and storage use is included in C-1.

Third, the proposed site development plan approval section does not state that the Site Development Plan for Subdivision should go through the EPC process. This proposed condition was discussed during Staffs third meeting with the applicant because they had decided not to include design standards at this point.

In addition, the proposal states in section "J" of the Town Center Village zone, that the Town Center Village shall meet the intent of the design guidelines section of the Westland Master Plan. No design guidelines explicitly for the Town Center Village exist. Therefore, Staff recommends that in addition to the overall design guidelines identified in the Plan that the applicant acknowledges the need to provide additional Town Center Village design standards which will be introduced during the Site Development Plan for Subdivision stage.

Phasing Changes

The overall phasing of the Westland Master Plan needs to be amended to reflect the removal of the SU-2 for R-2, SU-2 for R-LT, and SU-2 for O-1 zones and the addition of the proposed SU-2 for Town Center Village zone. In addition, the applicant needs to address actual order of development to determine inconsistencies in the Plan.

CONCERNS OF REVIEWING AGENCIES/PRE-HEARING DISCUSSION

City departments and other interested agencies reviewed this application from 10/8/07 to 10/19/07. The applicant attended the pre-hearing discussion meeting on October 24, 2007. Several significant agency comments were received and are summarized below.

Transportation Planning Staff determined that the proposed relocation of the Town Center is a significant change and that a Supplemental Roadway Network Analysis is needed, as well as a “threshold study” regarding the interchange at 118th St. Transportation Staff was recommending deferral until these studies were received, which occurred on November 1, 2007.

The Mid-Region Council of Governments (MRCOG) notes that several projects near the subject site are included in the 2030 Metropolitan Transportation Plan (MTP). MRCOG recommends coordination to ensure that transportation infrastructure is provided as planned.

The Water Utility Authority and the Abq. Metropolitan Arroyo Flood Control Authority (AMAFCA) note that they have Development Agreements with SunCal. PNM comments that, though gas system capacity for this area appears adequate, further evaluation is needed to see if electricity capacity is sufficient.

The Open Space Division notes that the proposed drawings neglect to show the Atrisco Terrace Major Public Open Space, and questions why the developer proposes to decrease “common open space” from 111 acres (existing plan) to 79 acres (proposed plan amendment) when trying to buffer residential areas from I-40.

Staff received a separate letter from the Petroglyph National Monument (see attachment), in which concern was expressed about ensuring that the policies of the Northwest Mesa Escarpment Plan (NWMEP), particularly those of the View Area, are enforced.

Albuquerque Public Schools (APS) comments that the proposed development will significantly impact Petroglyph Elementary School, Jimmy Carter Middle School and West Mesa High School, which are all nearing or exceeding capacity, and will drive the need for another elementary school and middle school.

NEIGHBORHOOD CONCERNS

A facilitated meeting was held on October 30, 2007 at 6:30pm at the Ladera Golf Course. Three neighborhood associations (NAs) were invited: (1) the Tres Volcanes NA, (2) the Parkway NA and (3) the Avalon NA. Nine neighborhood association representatives attended the meeting. No representatives from the Avalon NA attended. Overall, the meeting participants agreed that moving the Town Center closer to I-40, and further away from the Petroglyph National Monument, made sense. Key neighborhood concerns included building heights (four or five stories), the growing Westside population, and school overcrowding.

Schools were the major issue discussed at the meeting. The residents would like to have new schools built before new housing is added to the area. Other issues discussed include a proposed park, the Atrisco Terrace open space, affordable housing, a possible community center and the hotel.

CONCLUSION

This proposal consists of four requests: an amendment to the Westside Strategic Plan (WSSP), amendments to the Westland Master Plan (including a zone change request), an amendment to the

Westland Sector Plan and text amendments to the Westland Master Plan. his request is required to be forwarded to City Council.

The applicant proposes to move the Westland Community Activity Center (the Town Center) to a location adjacent to Interstate 40 and change the zoning for Parcels C, D, E, F, G and H from SU-2/RLT, SU-2/R-2, SU-2/O-1, SU-2/OS & SU-2/Town Center to “SU-2 for Town Center (TC) and SU-2 for Town Center Village (TCV)”, the latter being a new zoning category. The Land Use/Zoning Map in the Westland Sector Plan would need to be revised to reflect the zone change and the Westland Master Plan would need to be updated. “Hotel” is proposed as a permissive use in the SU-2/TC zone.

The subject site lies within the boundaries of the Developing Urban area of the Comprehensive Plan. Additional applicable plans include the Westside Strategic Plan (WSSP), the Westland Master Plan, the Westland Sector Plan, the Northwest Mesa Escarpment Plan (NWMEP) and the Facility Plan for Arroyos. The Westland Community Activity Center, a WSSP designated activity center proposed for relocation, is located within the subject site. Overall, the proposal partially furthers applicable Goals and policies. Revisions are needed to improve the extent to which the proposal furthers such Goals and policies.

Staff finds that the sector development plan map amendment (zone change) request has not been adequately justified. The applicant’s policy-based justification is generally weak and some policies warrant further elaboration. Sections B, D, E and G of R270-1980 are not sufficiently addressed. Because R270-1980 states that “the burden is on the applicant to show why the change should be made”, it is incumbent upon the applicant to provide solid reasoning to justify the proposed zone change.

A facilitated meeting was held on October 30, 2007. Key neighborhood concerns include building height, the growing Westside population and school overcrowding. Generally, neighbors support the idea of relocating the Town Center.

Staff recommends deferral of the proposal for 30 days. Due to the insufficient justification of the zone change request pursuant to R270-1980 and the need for revisions to improve policy compliance, at this time the proposal is not ready to be forwarded to the City Council.

FINDINGS -06EPC 00139, November 15, 2007- Sector Development Plan Map Amendment

1. This request is for a sector development plan map amendment for an approximately 550 acre site located between 98th Street and proposed 118th Street, north of Interstate 40 and south of Arroyo Vista Drive. A request for an amendment to the Westside Strategic Plan (07EPC 50079), an amendment to the Westland Sector Plan (06EPC 00141) and an amendment to the Westland Master Plan (07EPC 40071) accompany this request.

2. The applicant proposes to change the subject site's zoning from SU-2/RLT, SU-2/R-2, SU-2/O-1, SU-2/OS & SU-2/Town Center (TC) for Parcels, C, D, E, F, G and H to "SU-2 for Town Center (TC) and SU-2 for Town Center Village (TCV)" in order to accommodate the associated proposed relocation of the Town Center.

3. The subject site is located within the boundaries of the Westland Master Plan, a Rank II plan with text, and the Westland Sector Plan, a Rank II plan consisting of two stand-alone maps. Since SU-2 zoning is used to indicate sector plan control of sites within these boundaries, a change of zoning would affect the sector plan's zoning map. Therefore, this request is for a sector development plan map amendment as opposed to a zone map amendment.

4. The proposal *partially furthers* the following relevant Comprehensive Plan Goals:
 - A. The Open Space Goal. The proposal would establish Open Space as a land use category, but there would be no zoning designation for open space. It is uncertain how open space opportunities would become reality.

 - B. The Transportation and Transit Goal. Locating the Activity Center adjacent to Interstate-40 would generally provide for a balanced circulation system. There could be opportunities to use alternative transit modes in the Interstate 40 Express Corridor. However, due to the area's distance and heavy freeway reliance, local bus service is not likely for some time and express commuter busses have very service.

 - C. The Noise Goal. Moving the Town Center closer to Interstate-40 would buffer the freeway from future subdivisions, which could reduce traffic noise. It is unknown if new land use/noise conflicts would arise because the location of housing within the Town Center is not defined at this time.

5. The proposal *partially furthers* the following relevant Comprehensive Plan policies:
 - A. Policy II.B.5a-full range of urban land uses. A full range of urban land uses would be promoted, especially in the Town Center, though a range of land uses could have occurred without the relocation.

- B. Policy II.B.5d-neighborhood values/environment/resources. Relocating the Town Center not likely to conflict with existing neighborhood values. Due to the proposal's general nature, impacts on the natural environment, and scenic and other resources, cannot be specifically addressed at this time.
- C. Policy II.B.5j-location of commercial development. The TCV zone would provide for small neighborhood centers, but the degree of pedestrian and bicycle access is unknown at this stage. The degree of transit integration in the Town Center, a large, area-wide shopping center is also unknown.
6. The proposal generally *further*s the following relevant Comprehensive Plan Goals:
- A. The Activity Center Goal. The proposal would facilitate development of a concentration of higher-density mixed land uses that would generally reduce auto travel needs for Westside residents.
- B. The Economic Development Goal. The proposal would provide a variety of retail and service uses and would contribute to economic development, as well as create additional employment on the Westside to help improve the jobs/housing balance.
7. With respect to the Comprehensive Plan Housing Goal and Policy II.B.5h regarding higher density housing, it is unknown at this stage if the proposal furthers or does not further them. Though the proposal would result in more Westside housing, information about the potential for affordable housing has not been included. The proposal allows an average of 9 DU/acre for the net residential development area, which is less than the density needed to create a mixed-use area.
8. With respect to the Westside Strategic Plan (WSSP), the proposal *partially furthers* the following policies:
- A. Policy 1.1- The intent is for the higher density housing to locate in the Town Center, but there is no guarantee that lower density development would not occur there.
- B. Policy 1.13- Placing the Activity Center closer to the interstate may allow a greater concentration of commercial uses compared to its existing location. However, both the existing and the proposed locations would function as the community's primary focus and both would have the community's most intense land uses.
9. If the designated Activity Center is relocated near I-40 as proposed, then the Town Center would be within the boundaries of the Activity Center. Therefore, the proposed zone change would *further* Policy 1.3. However, without the adjustment of the Activity Center's location, the proposed zone change would

not further Policy 1.3 because the zone change would have occurred outside of the existing Activity Center.

10. Overall, the proposal is *partially consistent* with the intents and purposes of the Westland Master Plan. The proposal partially furthers the intents and purposes in the land uses, residential resort, open space, Town Center and jobs/housing balance categories. Though in an overarching sense the Plan's intents and purposes are promoted, the proposal does not offer enough specificity to demonstrate that these intents and purposes will come to fruition.

11. The applicant has not adequately justified the zone change request pursuant to Resolution 270-1980:

- A. Section A: The applicant cited various policies and goals, though health, safety and general welfare are not explicitly discussed. Some explanations of how each relates to the proposal are acceptable, but others need to be more thoroughly developed.
- B. Section B: Stability of land use and zoning is insufficiently addressed. The task is to explain how the proposal would contribute to stability of land use and zoning and the burden is on the applicant to show why the requested zone change should be made.
- C. Section C: In some instances, the explanation of how the request furthers each cited policy and goal is acceptable. In others, the explanation is not well-developed. Some relevant policies in the West Side Strategic Plan (WSSP) were not addressed but should have been. The applicant has established a policy-based justification, but additional discussion and elaboration is required.
- D. Section D: The applicant must demonstrate that there is a logical nexus between changed community conditions and the proposal. The applicant's general references and bulleted lists do not provide sufficient explanation. The argument that the proposal would be more advantageous to the community needs to be linked back to the proposal's specific details.
- E. Section E: The applicant did not address how permissive uses in the TC zone or in the proposed new TCV zone might be harmful to future neighborhoods. Section E requires that all permissive uses within the zoning categories are addressed.
- F. Section F: The proposal does not attempt to bind the City to the scheduled provision of any specific capital improvement.
- G. Section G: The "cost of land or other economic considerations" is not claimed to be the primary justification for the changes proposed. However, explanation is warranted because a primary reason for relocating the Town Center is economic-to attract commercial uses and increase their visibility.

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- H. Section H: The applicant does not claim that location “on a collector or major street” is sufficient justification for the changes proposed.
 - I. Section I: A “spot zone”, as defined in R270-1980, refers to one small area and often one parcel. The proposal would create two large areas of zoning. The applicant states that the area will remain zoned SU-2. Though true, this is not a valid argument because it is possible to have a “spot zone” under a sector development plan if the specific zoning category differs from those surrounding it.
 - J. Section J: The zone change request would not result in strip commercial zoning. The zoning areas are quite large at this stage. Strip commercial development could be considered at the site development plan for subdivision stage.

12. A facilitated meeting was held on October 30, 2007. The affected neighborhoods are the Tres Volcanes Neighborhood Association (NA), the Parkway NA and the Avalon NA. The neighborhoods generally support the idea of moving the Town Center closer to Interstate 40, but are concerned about building height, school overcrowding, open space and affordable housing.

RECOMMENDATION - 06EPC 00139, November 15, 2007

DEFERRAL of 06EPC 00139, a request for a sector development plan map amendment from SU-2/RLT, SU-2/R-2, SU-2/O-1, SU-2/OS & SU-2/Town Center (TC) to SU-2 for Town Center (TC) and SU-2 for Town Center Village (TCV) for Parcels C, D, E, F, G and H, Westland North, located between 98th St. and the proposed 118th St., north of Interstate 40 and south of Arroyo Vista Dr., for 30 days based on the preceding Findings.

FINDINGS - 07EPC 50069, November 15, 2007- West Side Strategic Plan Amendment

1. This request is for an amendment to the West Side Strategic Plan. The existing location of the WSSP designated Westland Community Activity Center is proposed to be moved to a new location adjacent to Interstate-40. The approximately 550 acre subject site is located between 98th Street and proposed 118th Street, north of Interstate 40 and south of Arroyo Vista Drive.

2. A request for a sector development plan map amendment (06EPC 00139), an amendment to the Westland Sector Plan (06EPC 00141) and an amendment to the Westland Master Plan (07EPC 40071) accompany this request.

3. The proposed relocation of the WSSP designated Westland Community Activity Center constitutes an amendment to the WSSP, which is required to be forwarded to the City Council. As the City's zoning authority, the City Council will make the final decision.

4. The subject site lies within the boundaries of the Developing Urban area of the Comprehensive Plan. Additional applicable plans include the Westside Strategic Plan (WSSP) the Westland Master Plan and the Westland Sector Plan. The Westland Community Activity Center, the activity center proposed for relocation, is located within the subject site's boundaries.

5. The proposal *partially furthers* the following relevant Comprehensive Plan Goals:

- A. The Open Space Goal. The proposal would establish Open Space as a land use category, but there would be no zoning designation for open space. It is uncertain how open space opportunities would become reality.
- B. The Transportation and Transit Goal. Locating the Activity Center adjacent to Interstate-40 would generally provide for a balanced circulation system. There could be opportunities to use alternative transit modes in the Interstate 40 Express Corridor. However, due to the area's distance and heavy freeway reliance, local bus service is not likely for some time and express commuter busses have very service.
- C. The Noise Goal. Moving the Town Center closer to Interstate-40 would buffer the freeway from future subdivisions, which could reduce traffic noise. It is unknown if new land use/noise conflicts would arise because the location of housing within the Town Center is not defined at this time.

6. The proposal *partially furthers* the following relevant Comprehensive Plan policies:

- A. Policy II.B.5a-full range of urban land uses. A full range of urban land uses would be promoted, especially in the Town Center, though a range of land uses could have occurred without the relocation.
- B. Policy II.B.5d-neighborhood values/environment/resources. Relocating the Town Center not likely to conflict with existing neighborhood values. Due to the proposal's general nature, impacts on the natural environment, and scenic and other resources, cannot be specifically addressed at this time.
- C. Policy II.B.5j-location of commercial development. The TCV zone would provide for small neighborhood centers, but the degree of pedestrian and bicycle access is unknown at this stage. The degree of transit integration in the Town Center, a large, area-wide shopping center is also unknown.

7. The proposal generally *further*s the following relevant Comprehensive Plan Goals:
- A. The Activity Center Goal. The proposal would facilitate development of a concentration of higher-density mixed land uses that would generally reduce auto travel needs for Westside residents.
 - B. The Economic Development Goal. The proposal would provide a variety of retail and service uses and would contribute to economic development, as well as create additional employment on the Westside to help improve the jobs/housing balance.
8. With respect to the Comprehensive Plan Housing Goal and Policy II.B.5h regarding higher density housing, it is unknown at this stage if the proposal furthers or does not further them. Though the proposal would result in more Westside housing, information about the potential for affordable housing has not been included. The proposal allows an average of 9 DU/acre for the net residential development area, which is less than the density needed to create a mixed-use area.
9. With respect to the Westside Strategic Plan (WSSP), the proposal *partially furthers* the following policies:
- A. Policy 1.1- The intent is for the higher density housing to locate in the Town Center, but there is no guarantee that lower density development would not occur there.
 - B. Policy 1.13- Placing the Activity Center closer to the interstate may allow a greater concentration of commercial uses compared to its existing location. However, both the existing and the proposed locations would function as the community's primary focus and both would have the community's most intense land uses.
10. If the designated Activity Center is relocated near I-40 as proposed, then the Town Center would be within the boundaries of the Activity Center. Therefore, the proposed zone change would *further* Policy 1.3. However, without the adjustment of the Activity Center's location, the proposed zone change would not further Policy 1.3 because the zone change would have occurred outside of the existing Activity Center.
11. Overall, the proposal is *partially consistent* with the intents and purposes of the Westland Master Plan. The proposal partially furthers the intents and purposes in the land uses, residential resort, open space, Town Center and jobs/housing balance categories. Though in an overarching sense the Plan's intents and purposes are promoted, the proposal does not offer enough specificity to demonstrate that these intents and purposes will come to fruition.
12. A facilitated meeting was held on October 30, 2007. The affected neighborhoods are the Tres Volcanes Neighborhood Association (NA), the Parkway NA and the Avalon NA. The neighborhoods

generally support the idea of moving the Town Center closer to Interstate 40, but are concerned about building height, school overcrowding, open space and affordable housing.

RECOMMENDATION - 07EPC 50069, November 15, 2007- West Side Strategic Plan Amendment

DEFERRAL of 07EPC 50069, an amendment to the West Side Strategic Plan to relocate the Westland Community Activity Center for Parcels C, D, E, F, G and H, Westland North, located between 98th St. and the proposed 118th St., north of Interstate 40 and south of Arroyo Vista Dr., for 30 days based on the preceding Findings.

FINDINGS - 06EPC 00141, November 15, 2007- Westland Sector Plan Amendment

1. This request is for an amendment to the Westland Sector Plan. The approximately 1,050 acre subject site is located between 98th Street and proposed 118th Street, north of Interstate 40 and south of the Petroglyph National Monument.
2. A request for a sector development plan map amendment (06EPC 00139), an amendment to the Westside Strategic Plan (07EPC 50079) and an amendment to the Westland Master Plan (07EPC 40071) accompany this request.
3. The subject site lies within the boundaries of the Developing Urban area of the Comprehensive Plan. Additional applicable plans include the Westside Strategic Plan (WSSP), the Westland Master Plan, the Westland Sector Plan, the Northwest Mesa Escarpment Plan (NWMEP) and the Facility Plan for Arroyos.
4. The proposal *partially furthers* the following relevant Comprehensive Plan Goals:
 - A. The Open Space Goal. The proposal would establish Open Space as a land use category, but there would be no zoning designation for open space. It is uncertain how open space opportunities would become reality.
 - B. The Transportation and Transit Goal. Locating the Activity Center adjacent to Interstate-40 would generally provide for a balanced circulation system. There could be opportunities to use alternative transit modes in the Interstate 40 Express Corridor. However, due to the area's distance and heavy freeway reliance, local bus service is not likely for some time and express commuter busses have very service.

C. The Noise Goal. Moving the Town Center closer to Interstate-40 would buffer the freeway from future subdivisions, which could reduce traffic noise. It is unknown if new land use/noise conflicts would arise because the location of housing within the Town Center is not defined at this time.

5. The proposal *partially furthers* the following relevant Comprehensive Plan policies:

A. Policy II.B.5a-full range of urban land uses. A full range of urban land uses would be promoted, especially in the Town Center, though a range of land uses could have occurred without the relocation.

B. Policy II.B.5d-neighborhood values/environment/resources. Relocating the Town Center not likely to conflict with existing neighborhood values. Due to the proposal's general nature, impacts on the natural environment, and scenic and other resources, cannot be specifically addressed at this time.

C. Policy II.B.5j-location of commercial development. The TCV zone would provide for small neighborhood centers, but the degree of pedestrian and bicycle access is unknown at this stage. The degree of transit integration in the Town Center, a large, area-wide shopping center is also unknown.

6. The proposal generally *furthers* the following relevant Comprehensive Plan Goals:

A. The Activity Center Goal. The proposal would facilitate development of a concentration of higher-density mixed land uses that would generally reduce auto travel needs for Westside residents.

B. The Economic Development Goal. The proposal would provide a variety of retail and service uses and would contribute to economic development, as well as create additional employment on the Westside to help improve the jobs/housing balance.

7. With respect to the Comprehensive Plan Housing Goal and Policy II.B.5h regarding higher density housing, it is unknown at this stage if the proposal furthers or does not further them. Though the proposal would result in more Westside housing, information about the potential for affordable housing has not been included. The proposal allows an average of 9 DU/acre for the net residential development area, which is less than the density needed to create a mixed-use area.

8. With respect to the Westside Strategic Plan (WSSP), the proposal *partially furthers* the following policies:

A. Policy 1.1- The intent is for the higher density housing to locate in the Town Center, but there is no guarantee that lower density development would not occur there.

B. Policy 1.13- Placing the Activity Center closer to the interstate may allow a greater concentration of commercial uses compared to its existing location. However, both the existing and the proposed locations would function as the community's primary focus and both would have the community's most intense land uses.

9. If the designated Activity Center is relocated near I-40 as proposed, then the Town Center would be within the boundaries of the Activity Center. Therefore, the proposed zone change would *further* Policy 1.3. However, without the adjustment of the Activity Center's location, the proposed zone change would not further Policy 1.3 because the zone change would have occurred outside of the existing Activity Center.

10. Overall, the proposal is *partially consistent* with the intents and purposes of the Westland Master Plan. The proposal partially furthers the intents and purposes in the land uses, residential resort, open space, Town Center and jobs/housing balance categories. Though in an overarching sense the Plan's intents and purposes are promoted, the proposal does not offer enough specificity to demonstrate that these intents and purposes will come to fruition.

11. A facilitated meeting was held on October 30, 2007. The affected neighborhoods are the Tres Volcanes Neighborhood Association (NA), the Parkway NA and the Avalon NA. The neighborhoods generally support the idea of moving the Town Center closer to Interstate 40, but are concerned about building height, school overcrowding, open space and affordable housing.

RECOMMENDATION - 06EPC 00141, November 15, 2007- Westland Sector Plan Amendment

DEFERRAL of 06EPC 00141, an amendment to the Westland Sector Plan for Parcels C, D, E, F, G and H, Westland North, and Tracts M, N and P, Watershed Subdivision, located between 98th St. and the proposed 118th St., north of Interstate 40 and south of the Petroglyph National Monument, for 30 days based on the preceding Findings.

FINDINGS - 07EPC 40071, November 15, 2007- Westland Master Plan Amendment

1. This request is for an amendment to the Westland Master Plan. The approximately 1,050 acre subject site is located between 98th Street and proposed 118th Street, north of Interstate 40 and south of the Petroglyph National Monument.

2. A request for a sector development plan map amendment (06EPC 00139), an amendment to the Westside Strategic Plan (07EPC 50079) and an amendment to the Westland Sector Plan (06EPC 00141) accompany this request.

3. The subject site lies within the boundaries of the Developing Urban area of the Comprehensive Plan. Additional applicable plans include the Westside Strategic Plan (WSSP), the Westland Master Plan, the Westland Sector Plan, the Northwest Mesa Escarpment Plan (NWMEP) and the Facility Plan for Arroyos.

4. The proposal *partially furthers* the following relevant Comprehensive Plan Goals:

- A. The Open Space Goal. The proposal would establish Open Space as a land use category, but there would be no zoning designation for open space. It is uncertain how open space opportunities would become reality.
- B. The Transportation and Transit Goal. Locating the Activity Center adjacent to Interstate-40 would generally provide for a balanced circulation system. There could be opportunities to use alternative transit modes in the Interstate 40 Express Corridor. However, due to the area's distance and heavy freeway reliance, local bus service is not likely for some time and express commuter busses have very service.
- C. The Noise Goal. Moving the Town Center closer to Interstate-40 would buffer the freeway from future subdivisions, which could reduce traffic noise. It is unknown if new land use/noise conflicts would arise because the location of housing within the Town Center is not defined at this time.

5. The proposal *partially furthers* the following relevant Comprehensive Plan policies:

- A. Policy II.B.5a-full range of urban land uses. A full range of urban land uses would be promoted, especially in the Town Center, though a range of land uses could have occurred without the relocation.
- B. Policy II.B.5d-neighborhood values/environment/resources. Relocating the Town Center not likely to conflict with existing neighborhood values. Due to the proposal's general nature, impacts on the natural environment, and scenic and other resources, cannot be specifically addressed at this time.
- C. Policy II.B.5j-location of commercial development. The TCV zone would provide for small neighborhood centers, but the degree of pedestrian and bicycle access is unknown at this stage. The degree of transit integration in the Town Center, a large, area-wide shopping center is also unknown.

6. The proposal generally *further*s the following relevant Comprehensive Plan Goals:
 - A. The Activity Center Goal. The proposal would facilitate development of a concentration of higher-density mixed land uses that would generally reduce auto travel needs for Westside residents.
 - B. The Economic Development Goal. The proposal would provide a variety of retail and service uses and would contribute to economic development, as well as create additional employment on the Westside to help improve the jobs/housing balance.

7. With respect to the Comprehensive Plan Housing Goal and Policy II.B.5h regarding higher density housing, it is unknown at this stage if the proposal furthers or does not further them. Though the proposal would result in more Westside housing, information about the potential for affordable housing has not been included. The proposal allows an average of 9 DU/acre for the net residential development area, which is less than the density needed to create a mixed-use area.

8. With respect to the Westside Strategic Plan (WSSP), the proposal *partially furthers* the following policies:
 - A. Policy 1.1- The intent is for the higher density housing to locate in the Town Center, but there is no guarantee that lower density development would not occur there.
 - B. Policy 1.13- Placing the Activity Center closer to the interstate may allow a greater concentration of commercial uses compared to its existing location. However, both the existing and the proposed locations would function as the community's primary focus and both would have the community's most intense land uses.

9. If the designated Activity Center is relocated near I-40 as proposed, then the Town Center would be within the boundaries of the Activity Center. Therefore, the proposed zone change would *further* Policy 1.3. However, without the adjustment of the Activity Center's location, the proposed zone change would not further Policy 1.3 because the zone change would have occurred outside of the existing Activity Center.

10. Overall, the proposal is *partially consistent* with the intents and purposes of the Westland Master Plan. The proposal partially furthers the intents and purposes in the land uses, residential resort, open space, Town Center and jobs/housing balance categories. Though in an overarching sense the Plan's intents and purposes are promoted, the proposal does not offer enough specificity to demonstrate that these intents and purposes will come to fruition.

11. A facilitated meeting was held on October 30, 2007. The affected neighborhoods are the Tres Volcanes Neighborhood Association (NA), the Parkway NA and the Avalon NA. The neighborhoods generally support the idea of moving the Town Center closer to Interstate 40, but are concerned about building height, school overcrowding, open space and affordable housing.

RECOMMENDATION - 07EPC 40071, November 15, 2007- Westland Master Plan Amendment

DEFERRAL of 07EPC 40071, an amendment to the Westland Master Plan for Parcels C, D, E, F, G and H, Westland North, and Tracts M, N and P, Watershed Subdivision, located between 98th St. and the proposed 118th St., north of Interstate 40 and south of the Petroglyph National Monument, for 30 days based on the preceding Findings.

Catalina Lehner-AICP, Senior Planner
&
Jennifer Donofrio, Associate Planner

cc: Leroy Chavez, Suncal Companies NM Division, 401 Coors Blvd. NW, Albuquerque, NM 87121
Mark Wade, Hartman + Majewski Design Group, 202 Central Ave. SE, Albuquerque, NM 87102
Jerry Worrall, Tres Volcanes NA, 1039 Pinatubo Pl. NW, Albuquerque, NM 87120
Tom Borst, Tres Volcanes NA, 1908 Selway Pl. NW, Albuquerque, NM 87120

AGENCY COMMENTS

- The following agencies did not review or comment on Project #1000570:

City of Albuquerque

Environmental Health, Air Quality Division
Environmental Health, Env. Services Division
Environmental Health, City Forrester
Fire Department, Planning
Parks & Recreation, Planning and Design
Police Department/Planning
Transit Department

Other

Bernalillo County
Middle Rio Grande Conservancy Dist (MRGCD)
Petroglyph National Monument (see separate letter)

- The following City of Albuquerque Departments reviewed and commented on Project #1000570:

Planning, Zoning Code Services

Reviewed, no comments.

Planning, Office of Neighborhood Coordination

Tres Volcanes NA (R), Parkway NA (R), Avalon NA (R)

10/10/07 – Recommended for Facilitation – siw

10/10/07 – An updated ONC Letter needs to be done – the one in the packet is over one (1) year and these association(s) were not notified – siw

10/12/07 – Mark Wade of Hartman & Majewski Design Group obtained current ONC Letter with names of neighborhoods to contact – siw

10/12/07 – Assigned to Diane Grover

Planning, Advance and Urban Design

No comment on relocation of Urban Center closer to I-40.

Connectivity is key throughout an entire activity center and bikeways and trails need to be kept as a component of design standards.

Parks & Recreation, Open Space Division

- The Westland Sector Plan proposed land-use/zoning plat drawings neglect to show the Atrisco Terrace Major Public Open Space. The Atrisco Terrace Major Public Open Space resides west of the sector plan boundaries and east of the master plan boundaries along the southernmost section of the escarpment/ceja area. The site plan and future plat drawings need to account for this public land. The current drawings have this area labeled as “future development area”.

- Why decrease “common open space” (developer created) from 111 acres (existing plan) to 79 acres (proposed plan amendment) when trying to buffer residential areas from I-40? Adding “common open space” land uses to the commercial and office zones (proposed as residential buffer zone) makes more sense and will allow for alternative transportation methods like biking and walking in this proposed buffer zone.
- Creating pedestrian only trails from the proposed residential area to proposed commercial zone will contribute greater justification to Section II, D. Community Resource Management, 4 Transportation and Transit of the Albuquerque/Bernalillo Comprehensive Plan. The Plan states “The Goal is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services. And encouragement of bicycling, walking, and use of transit/para-transit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.” Furthermore, providing more “common open space” in the commercial buffer zone can set the area up for future mass transit options and other regional trail connections.

Solid Waste Management Dept., Refuse Division

No adverse comments. Approved on condition, will comply with all SWMD ordinances and requirements.

City of Albuquerque Public Works Department

Transportation Development (City Engineer/Planning Department):

- See Transportation Planning comments.

Hydrology Development (City Engineer/Planning Department):

- The Hydrology Section has no objection to the zone map amendment request, and no adverse comments regarding the Sector Development Plan.

Transportation Planning (Department of Municipal Development):

Findings

- A roadway network analysis using the Mid-Region Council of Governments regional traffic forecasting model was required as a condition for adoption of the original March 2000 Westland Master Plan.
- The purpose of this analysis was to demonstrate that the proposed network of roadways was adequate to serve the full-build condition of the development, taking into consideration the type, location and intensity of the development.
- In initial discussions with the applicant, the City transportation staff has determined that the proposed relocation of the Town Center is a significant change to the original master plan and will require the preparation of a supplemental roadway network analysis to determine its impact on the roadway network.

- The applicant has met several times with the City’s transportation staff and the staff of the New Mexico Department of Transportation District 3 Office to discuss the early results of the supplemental analysis.
- The early results of this analysis generally show that: a) the network of city roadways is adequate to serve the projected full-build traffic demand resulting from the relocation of the Town Center, and b) that construction of a new 118th & I-40 Interchange and frontage road between the 98th and proposed 118th Interchanges are essential to serving the full-build out condition.
- Although the supplemental roadway network analysis is not complete, the City transportation staff has agreed to allow the developer to precede on a conditional basis with their application to the EPC based on the results of the early analysis.

Conditions

- The final results of the Supplemental Roadway Network Analysis must be received and acceptable to the City’s transportation staff and the staff of the New Mexico Department of Transportation District 3 Office prior to final EPC action.
- The completed Supplemental Roadway Network Analysis will include a “threshold study” to estimate the level of additional development that may reasonably be served with the existing and proposed roadway network before completion of the 118th & I-40 interchange is required.

Recommendation

- Deferral a) pending approval of the Supplemental Roadway Network Analysis by City’s transportation staff and the staff of the New Mexico Department of Transportation District 3 Office, and b) acceptance of the additional required amended sector plan sheets showing the proposed revised roadway network (including the 118th & I-40 Interchange and I-40 frontage road) and proposed change in zoning with the relocation of the Town Center.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

Utility Development (Water Authority):

- No comments received.

Water Resources, Water Utilities and Wastewater Utilities (Water Authority):

The Water Authority has a Development Agreement with SunCal (Westland DEVCO LP). This Agreement references certain development conditions tied to RR and RLT zoning as identified on the Land Use Exhibit of the Sector Plan. If changes to this Land Use Plan are approved and the number of residential units are changed, then an Amendment to our existing Development Agreement should be required or at least referred to the Water Authority to determine if an Amendment is required.

New Mexico Department of Transportation (NMDOT):

- Comments pending.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:

Conditions of approval for the proposed Sector Development Plan and Zone Map Amendment shall include:

- a. Deferral a) pending approval of the Supplemental Roadway Network Analysis by City's transportation staff and the staff of the New Mexico Department of Transportation District 3 Office, and b) acceptance of the additional required amended sector plan sheets showing the proposed revised roadway network (including the 118th & I-40 Interchange and I-40 frontage road) and proposed change in zoning with the relocation of the Town Center.

➤ The following agencies reviewed and commented on Project #1000570:

Abq. Metropolitan Arroyo Flood Control Authority (AMAFCA)

No objection to requested actions. Westland/Suncal has entered into agreements with AMAFCA and other parties for participation in construction of the West I-40 Channel and related drainage facilities. AMAFCA will review design plans for development within the Sector Plan area.

Albuquerque Public Schools (APS)

Westland North Bulk Land Plat, Parcels C, D, E, F, G, and H, is located on Arroyo Vista Blvd NW between High Mesa Dr NW and 98th St NW. The owner of the above property requests board approval for a sector development plan and a zone map amendment. At full build out this development will consist of 2,666 dwelling units. The proposed development will significantly impact Petroglyph Elementary School, Jimmy Carter Middle School, and West Mesa High School. All schools are nearing or exceeding capacity.

Loc No	School	2007-08 Projections	2006-07 Capacity	Space Available
317	Petroglyph	827	849	22
445	Jimmy Carter	1,218	1,200	-18
570	West Mesa	2,877	2,632	-245

The proposed development will drive the need for another elementary school and middle school.

A new southwest high school is planned to open with a 9th grade academy in 2008 with the rest of the school to open in 2009.

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 (MRCOG)

The following staff comments relate to transportation systems planning within the Albuquerque Urban Area. Principal guidance comes from the 2030 Metropolitan Transportation Plan (effective 6/30/07) and the maps therein; the Transportation Improvement Programs (TIP) for 2008-2013 (approved with an effective date of October 1, 2007); and the Roadway Access Policies of the Transportation Coordinating Committee (TCC) of the Metropolitan Transportation Board (MTB).

Several privately funded projects included in the 2030 MTP about the proposed development:

- MPO project ID # 505 is the construction of 118th St (2-lane roadway including bike trail and bike lanes) from Ladera Ave to Lower St.
- MPO project ID # 526.6 is the construction of 118th St from I-40 to Ladera Ave.
- MPO project ID # 521.0 is the construction of 98th St from I-40 to Lower St.
- MPO project ID # 522.0 is the construction of 98th St from Lower St to Paseo del Volcan.

Since these projects are privately funded, no schedule has been assigned to them. We recommend that DMD consult closely with developer to ensure that transportation infrastructure is provided as planned.

- MPO project ID #373.0 is a City of Albuquerque project for the construction of a visitor center, bike/ped bridge, public art and xeriscaping. Funding is provided for fiscal year 2010.
- MPO project ID #449 is a NMDOT project for the rehabilitation and reconstruction of I-40 from the West Central interchange to the Rio Puerco. Funding has been programmed for FY's 2012 and 2013.
- MPO project #414.2 is a NMDOT project to reconstruct and add auxiliary lanes and a WBD climbing lane. Funding for this project has been programmed for FY's 2008-2013.

Coordination with City staff and NMDOT is recommended to ensure development consistent with these projects.

Ladera Dr. is classified an urban local road west of 98th St. City of Albuquerque may consider upgrading its functional classification.

Arroyo Vista Blvd. is classified an urban local road. City of Albuquerque may consider upgrading its functional classification.

118th St. is classified an urban local road. City of Albuquerque may consider upgrading its functional classification.

Public Service Company of New Mexico (PNM)

PNM has gas and electric distribution facilities ready to be extended into this development from the intersection of 98th and Tierra Pintada. This is a very large development and Distribution Planning will have to evaluate whether PNM has enough electric capacity in the area to serve this projected electric load. PNM is planning to build an 115kV to 12.47kV substation in the vicinity of 98th & I-40 under the PM and PW 115kV lines. A substation site has not been purchased yet. PNM appears to have adequate gas system capacity for this area. PNM has major electric transmission lines which cross this property.

Petroglyph National Monument

See separate letter (attached).