



**Environmental
Planning
Commission**

**Agenda Number: 3
Project Number: 1003570
Case #s: 08EPC 40037/40036
May 15, 2008**

Staff Report

Agent	Mark Goodwin & Associates
Applicant	The Haskell Company
Requests	Sector Development Plan Map Amendment Site Development Plan for Subdivision
Legal Description	Tract B-9-E-1 & Tract B-9-F, Seven Bar Ranch
Location	On Ellison Dr. NW (between West Cibola Loop & East Cibola Loop)
Size	Approximately 27 acres
Existing Zoning	SU-1 for R-2 uses
Proposed Zoning	SU-1 for Senior Housing and Limited Medical Facilities (Tract A, 11 acres) SU-1 for C-1 permissive uses including drive-up service window (Tract B, 2.9 ac) No change (Tract C, 12.4 acres)

Staff Recommendation

DEFERRAL of 08EPC 40037, based on the findings beginning on page 24.

(Forwarding a recommendation to the City Council is not suggested at this time.)

DEFERRAL of 08EPC 40036, based on the findings beginning on page 27.

Staff Planner

Catalina Lehner, AICP-Senior Planner

Summary of Analysis

This proposal is for a sector development plan map amendment (zone change) and a site development plan for subdivision for an approx. 27 acre site located on Ellison Dr.

The applicant proposes to change the zoning from SU-1 for R-2 uses to "SU-1 for Senior Housing and Limited Medical Facilities" and "SU-1 for C-1 permissive uses including drive-up service window". Design standards are proposed.

Staff finds that the proposed zone change has not been adequately justified at this time. Sections B, C, E and J need additional explanation, prior to making a recommendation to City Council. The proposed design standards need to be strengthened to better further applicable Goals and policies.

A facilitated meeting was held. There are neighborhood concerns, mostly about building height and drive-thrus. Staff recommends a 30 day deferral.

City Departments and other interested agencies reviewed this application from 4/7/08 to 4/18/08.
Agency comments used in the preparation of this report begin on Page 31.

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-1 for R-2 uses	Established Urban West Side Strategic Plan Seven Bar Ranch Sector Dev. Plan	Vacant
North	SU-1 for PRD (9DU/ac) R-T SU-1 for R-2 Uses	Established Urban West Side Strategic Plan Seven Bar Ranch Sector Dev. Plan	Single-family residential
South	R-1	Established Urban West Side Strategic Plan Seven Bar Ranch Sector Dev. Plan	Cibola High School
East	SU-1 for R-2 uses SU-1 for Town Center SU-1 for Police Substation	Established Urban West Side Strategic Plan Seven Bar Ranch Sector Dev. Plan	Multi-family residential Police Sub-station Fire Station
West	SU-1 for PRD (9 DU/ac)	Established Urban West Side Strategic Plan Seven Bar Ranch Sector Dev. Plan	Single-family residential

Request & Context

This two-part proposal is for an amendment to the zone map of the Seven Bar Ranch Sector Development Plan (SBRSDP) and a site development plan for subdivision with design standards for Tract B-9-E-1 & Tract B-9-F of Seven Bar Ranch, approximately 27 acres (the “subject site”). The applicant proposes to subdivide the subject site into three tracts and change the its zoning from SU-1 for R-2 Uses to “SU-1 for Senior Housing and Limited Medical Facilities” (for the proposed Tract A) and SU-1 for C-1 permissive uses including drive-up service window (for the proposed Tract B). No zone change is requested for the proposed Tract C.

The proposed site development for subdivision contains design standards to guide future development. The applicant wants to change the zoning and subdivide the subject site in order to develop a continuous care retirement center (CCRC) on the proposed Tract A and commercial/retail uses on the proposed Tract B. The use for the proposed Tract C will be, at a future time, dwelling units restricted to residents age 55 and older. The applicant is not requesting delegation of review authority to the Development Review Board (DRB). Rather, future development proposals will return to the Environmental Planning Commission (EPC).

The subject site is located on the north side of Ellison Dr., between west Cibola Loop & east Cibola Loop. Cibola Loop encircles the subject site on the western, northern and eastern sides. Golf Course Rd. is further to the west and Coors Blvd. Bypass is further to the east. North and west of the subject site are

single-family homes of the Vista del Parque and Tres Placitas Subdivisions. East of the subject site are a fire station (Project #100593), two apartment complexes, and a police station (Project #1006721) on the corner (Tract B-9-E-2). To the south is Cibola High School.

History & Background

The subject site was annexed in 1983 (Ordinance 72-1983) as part of an approx. 46-acre annexation of land in northwest Albuquerque, north and south of Ellison Rd. and east of the Black Arroyo (AX-82-12, Z-82-77). Zoning was established as R-1. The approx. 46 acres comprised the Cibola High School portion of the lands of the Albuquerque Board of Education Annexation and Dedication Plat (SP-83-121).

In 1985, the Seven Bar Ranch Sector Development Plan (SBRSDP) labeled the subject site as Tract I (roughly northern) and Tract J (roughly southern) and envisioned their use as medium-density residential. These tracts were part of a large portion of land controlled by the Seven Bar Land and Cattle Company. In October 1990, the SBRSDP was revised and Tracts I and J were zoned SU-1 for R-2 uses. This zoning remained with the 1994 revision to the SBRSDP. The Town Center for Seven Bar Ranch, as envisioned in the 1990s, was located on a 6 acre site just east of the subject site.

In November 1997, there was a proposed site plan for building permit to develop 124 multi-family affordable housing units on half of Tract I (DRB-97-459, Z-97-127). The project was not developed. Then in August 2005, a proposed zone map amendment and site plan for subdivision for the subject site entered the EPC process. The intention was to develop senior housing on a portion of the site and rezone the rest so that the City (the property owner) could sell it. The proposal was deferred several times, until it was finally withdrawn in June 2006. The subject site continues to be vacant.

In the Fall of 2006, there was a proposal for a sector development plan map amendment (zone change) and a site development plan for subdivision for the subject site (Project #1003570, 06EPC 01321/01322). The applicant intended to develop commercial and office uses. At that time, the City owned the subject site. It became apparent that the subject site was governed by a restrictive covenant which specified that the subject shall be used pursuant to the Housing for Older Persons Act of 1995. Prior to the October EPC hearing, the applicant withdrew the proposal.

In September 2007, the EPC approved a proposal for a sector development plan map amendment (zone change), a site development plan for subdivision and a site development plan for building permit for a site located on the southwest portion of the circle shaped area (not a part of the subject site) (Project #1006721). The zoning was changed to SU-1 for Police Substation to allow development of a community police substation.

Restrictive Covenant

The subject site continues to be governed by the restrictive covenant mentioned above (see attachment). The restrictive covenant, which runs with the land in perpetuity, specifies that the subject site shall be intended and operated for occupancy pursuant to the Housing for Older Persons Act of 1995. Therefore, occupancy is limited to persons 55 years of age or older as follows: at least 80 percent of the units, must be occupied by at least one person 55+ years of age; and (ii) the housing community adheres to policies that demonstrate this covenant's intent; and (iii) the housing community complies with rules issued by the

Secretary of United States Housing and Urban Development (HUD) Department for verification of occupancy (see attachment for details). However, residents are not limited to older persons. Younger family members, including children, can reside there provided that the person meeting the covenant requirements resides there as well.

This restrictive covenant may be enforced by the City of Albuquerque, HUD or any of the property owners (successors, heirs and representatives) subject to it. This restriction does not prevent using the subject site for single unit, multi-unit, or a combination of dwelling types. A recreational facility, common areas, independent and assisted living, and a nursing home are allowed. Also allowed are office or retail uses, on a single or multiple pads and not exceeding 14,000 square feet (sf) in the aggregate, to provide services to the residents of the community.

City legal has interpreted the “intended to provide services to the residents of the community” to mean small businesses that would engender repeat business from a relatively small group of residents, in contrast to one user taking up the entire 14,000 sf and serving a larger customer base. The non-residential uses should not be commercial destinations in and of themselves, but should be businesses intended for the day-to-day convenience of the residents.

City legal also points out that the restrictive covenant is a private agreement, and that a zoning authority should take reasonable restrictive covenants into consideration. Though a zone change request cannot be decided based upon private contractual issues, it would not be advisable to change to a zone that conflicts with existing legally enforceable covenants, since doing so could prevent use of the property.

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. Ellison Dr. is a principal arterial with a 156 foot right-of-way (ROW). Cibola Loop is a local street.

Public Facilities/Community Services

Transit: Albuquerque Ride route #157 Golf Course-Montano-Louisiana (all day) and #92-Taylor Ranch Express (commuter) pass the subject site on Ellison Dr. Both routes have stop pairs just west of both intersections of Cibola Loop and Ellison Dr. McMahon-Ellison is designated as an Enhanced Transit Corridor in the Comprehensive Plan.

Transit is constructing a Transit Center/Park & Ride just east of the subject site. When completed, at least 7 routes will provide service to that facility, which is within ¼ mile of the applicant’s Tract C and between ¼ and ½ mile from Tracts A and B. Routes serving the new “Northwest Transit Center” will be all-day routes #155 Coors and #157 Golf Course-Montano-Louisiana and commuter routes #151 Rio Rancho-Albuquerque Rail Runner Connection, #92 Taylor Ranch, #94 Unser, #96 Crosstown, and #98 Wyoming. Transit is also developing plans to extend the #790 Blue Line Rapid Ride north to this facility.

Police: The Shawn McWethy Substation, at 6404 Los Volcanes NW, provides police coverage in the area. A new community police substation, located adjacent east of the subject site, also provides police coverage.

Fire: A new fire station is located just east of the subject site.

Senior Center: Presently there is one senior center on the Westside, the Los Volcanes Senior Center, located at 6500 Los Volcanes NW which is just west of Coors Blvd., south of I-40 and north of Central Ave.

ZONING

Existing Zoning: The subject site is currently zoned SU-1 for R-2. The R-2 zone “provides suitable sites for houses, townhouses and medium density apartments and uses incidental thereto in the Established and Central Urban Areas.” The Seven Bar Ranch Sector Development Plan (SBRSDP), written in the mid-1980s, intended that the subject site (and other R-2 tracts) be developed as condominiums and low-rise apartments.

Proposed Zoning: The applicant proposes the following zoning: “SU-1 for Senior Housing and Limited Medical Facilities” for the proposed 11 acre Tract A and “SU-1 for C-1 permissive uses including drive-up service window” for the proposed 2.9 acre Tract B.

The SU-1 zone (see Zoning Code §14-16-2-22) provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. Pursuant to subsection (A)(1), a site development plan is required when applying for a zone change to SU-1. The minimum requirement is for a site development plan for subdivision. A site development plan for building permit, which provides more detail than the former, would also fulfill this requirement.

The applicant consulted with Planning Staff in crafting the requested “SU-1 for Senior Housing and Limited Medical Facilities”. Development on the subject site is limited to age-restricted housing (see the Restrictive Covenant discussion above). The intention is to develop a continuous care retirement center (CCRC) which provides, in the same complex, apartments for those not requiring assistance and a care facility for those who do. The limited medical refers to basic assistance, such as medication management and personal care, and does not include hospital services.

The C-1 Neighborhood Commercial zone (see Zoning Code §14-16-2-22) “provides suitable sites for office, service, institutional and limited commercial uses to satisfy the day-to-day needs of residential areas.” Common permissive C-1 uses are church, office, retail sales (including restaurants), gas stations, banks, car wash, dry cleaners and gyms. Drive up service windows (drive-thrus) are a conditional use in the C-1 zone.

The zoning of “SU-1 for C-1 permissive uses including drive-up service window” is proposed for Tract B. Under the proposed zoning, drive-up service windows would be permissive. That is, no conditional use permit would be needed to have a drive-thru on Tract B.

Sector Plan: The Seven Bar Ranch Sector Development (SBRSDP) applies. Upon its adoption in 1985, the SBRSDP established zoning for the area and established SU-1 for R-2 uses as the subject site’s zoning

(see also the History and Background section). SU-2 zoning, an option available to Sector Development Plans, was not used in the SBRSDP.

The zone change request would necessitate an amendment to the Zone Map in the SBRSDP. A text amendment to the Plan is not necessary; an amendment to the Plan's Zoning map will suffice. Sector Development Plan Procedures found in Zoning Code §14-16-4-3 require that, when the zone map has been established by a sector development plan, amendment of the official zone map is through amendment of the Plan.

- ⇒ Because the approximately 27 acre subject site is larger than one City block, pursuant to Zoning Code §14-16-2-23, this request is required to be considered by the City Council. The Planning Commission (EPC) shall make a recommendation to the City Council regarding the proposed sector development plan map amendment.

Design Standards

The purpose of design standards, which are associated with a site development plan for subdivision, is to provide guidance for a development in order to ensure that the development will further the intent of applicable City Plans and policies and contributes to making planning goals a reality. To achieve these purposes, the proposed site development plan for subdivision needs to serve as an overarching guide for creating a high-quality development.

Definitions (Zoning Code §14-16-1-5)

Drive-Up Service Window: A building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service.

Site Development Plan for Subdivision: An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio.

I. APPLICABLE PLANS AND POLICIES and 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 Established 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 Developing Urban and Established 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.

The proposed zone change would allow development located in an area characterized by land use variety. Apartments, single-family homes, a school and municipal uses are nearby. Adding an age-restricted residential use and neighborhood commercial uses will increase land use variety in the area. The request furthers Policy II.B.5a-full range of urban land uses.

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.

The proposal partially furthers Policy II.B.5d-neighborhood values/natural environmental conditions, which the location, design and intensity of new development must respect. It is generally appropriate to locate the commercial uses closer to Ellison Rd., though there are no details at this stage regarding site layout. Neighbors value scenic resources and the balance that currently exists in the neighborhood. They are concerned about building height affecting and the future uses' intensity.

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.

The proposal furthers Policy II.B.5e-programmed facilities/neighborhood integrity. The vacant subject site is contiguous to existing urban facilities and services, the use of which is unlikely to disrupt neighborhood integrity.

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

- i. In designated Activity Centers.
- ii. In areas with excellent access to the major street network.
- iii. 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.
- iv. 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.
- v. In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

The request furthers Policy II.B.5h-higher density housing location. The proposed zone change would allow a multi-family development of approximately 35 DU/ac, which is considered higher density housing. In this area, a mixed density pattern is already established by the two apartment complexes and the single-family homes nearby. A multi-family development would be compatible

with existing land uses and infrastructure is available (5.h.ii). The subject site is located in a designated activity center, the Seven Bar Regional Center, which is an appropriate location for higher density housing (5.h.i).

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

The zone change would facilitate development of commercial uses on the proposed Tract B, which would front Ellison Rd. In a broad sense, the proposed location of the commercial uses would complement the existing and future residential uses. At this stage, however, there is no specific information regarding where the future commercial uses would be sited on Tract B, which could be subdivided again. Therefore, it is not possible to evaluate Policy II.B.5i-employment/service use location, at this time.

Policy II.B.5j: Where new commercial development occurs, it should *generally* [emphasis mine] 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 furthers Policy II.B.5j-location of new commercial development. The proposed commercial development would be located in the boundaries of the Seven Bar Regional Activity Center (WSSP map, p. 32).

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

The proposal partially furthers Policy II.B.5k- land adjacent to arterial streets. Cibola Loop Rd. would be widened to accommodate additional traffic and drive-thru uses would be allowed on the commercial tract. However, Ellison Dr. is already crowded and increased traffic could affect the livability and safety of the established residential neighborhoods.

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.

Policy II.B.7.h: Changing zoning to commercial, industrial or office uses for areas outside the designated Activity Centers is discouraged.

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

The subject site is located in the Seven Bar Regional Center, which is the only designated Major Activity Center on the Westside (WSSP map, p. 32). The uses facilitated by the proposed zone change would be generally compatible with the area's mixed-density residential land use pattern. However the commercial uses, intended to serve residents of the age-restricted housing, would not necessarily promote social/economic activities and reduce auto travel needs. This is because the proposed zoning would allow an unlimited number of drive-thru service windows which promote auto travel and staying inside vehicles. The Activity Center Goal is partially furthered.

Policy II.B.7.h-zone changes/Activity Centers, is furthered. The proposed zone change for a higher-density residential use and commercial uses is desired inside the designated Activity Centers. Policy II.B.7.i- multi-unit housing/Activity Centers, is furthered. Multi-unit housing is an appropriate use in Activity Centers.

Housing-

The Goal is 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.

The request partially furthers the Housing Goal. The proposed zoning would allow for development of age-restricted, multi-family housing which is lacking on the Westside relative to other parts of the City. However, the applicant has indicated that the goal is to make a good investment and that such housing will not be for low income persons (see attachment- facilitated meeting report). Therefore, the supply of affordable housing will not increase. The problems of homelessness and displacement of low income residents are not addressed by this proposal.

Community Resource Management-Transportation and Transit

Goal: 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 Transportation and Transit Goal is partially furthered. The development that the proposed zoning would allow for would place multi-unit housing and commercial uses in an Enhanced Transit Corridor that has both commuter and all-day Transit service. The proposed design standards do not address transit and do not demonstrate that the circulation system on the subject site would be balanced and efficient. Vehicular and pedestrian circulation patterns are unspecified, and the proposed commercial zoning would not limit drive-thru uses on the proposed Tract B.

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

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

Transit Policy 4c is furthered. The multi-unit housing allowed by the proposed zoning would hopefully add to Transit ridership in this Enhanced Transit corridor. Though the additional dwelling units could impact the adjacent neighborhood, the neighborhoods would probably not be destabilized. Transit Policy 4g is partially furthered. The proposed design standards begin to address pedestrian issues, but need to go farther to promote and integrate pedestrian opportunities into the subject site. The pedestrian-friendliness of the subject site would be adversely impacted without a limitation on drive-thru service uses.

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 Seven Bar Ranch community, which consists of the area within the following boundaries: the County Line to the north, the Calabacillas Arroyo to the south, the river to the east and an area slightly west of the Rainbow Corridor to the west.

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 subject site is located in the Seven Bar Ranch Community and furtheres WSSP Policy 1.1-Community and Neighborhood Centers. The proposed zone change would allow multi-family residential and commercial development, as desired, within the boundaries of the Seven Bar Regional Activity Center in the Cottonwood Mall area (see map p. 32).

Policy 1.2: A transit feasibility and access plan shall be provided with each development plan located within the Regional Center, Employment Centers, Community Centers, and developments elsewhere adjacent to designated transit corridors. (p. 38)

Due to its location in the Regional Center, a transit feasibility and access plan is required for the subject site but has not been provided. The proposal does not comply with WSSP Policy 1.2. One way to meet this requirement is to coordinate with the Transit Department and to integrate transit into the proposed design standards.

Policy 2.5: When considering approval of subdivisions or site development plans for residential development or zone changes to residential or higher density residential, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes.

The proposed zone change and site development plan, for an age-restricted residential development and some commercial uses, would not contribute to additional school overcrowding on the Westside. As required, the Planning Department has considered school capacity in its evaluation of this proposal. WSSP Policy 2.5 is furthered.

Policy 3.1 (Seven Bar Ranch): The Cottonwood Mall area shall be designated as the West Side's Regional Center. The boundaries of the Regional center are shown on page 32. Development appropriate to a regional Center, including the largest commercial and highest density development of anywhere on the West Side will occur in this location.

Similarly, the proposal furtheres WSSP Policy 3.1 because multi-family housing and commercial services are appropriate to locate in the Regional Center.

Policy 3.2 (Seven Bar Ranch): Multi-family development and non-residential development are appropriate in or near the Regional Center. These uses shall develop consistent with the clustered concepts described in this Plan, rather than as strip commercial. Single-family residential development shall be prohibited in the Regional Center. These residential uses are appropriate within the Seven Bar Community but must be located outside the regional center.

The proposal partially furtheres WSSP Policy 3.2. It is appropriate to locate multi-family housing and commercial services in the Regional Center. However, the Plan discourages strip commercial development and Tract B could be considered a small commercial strip, especially since no intentions to subdivide it have been made apparent.

Policy 3.3 (Seven Bar Ranch): Development of the Regional Center shall be inclusive of mixed-uses, and multi-modal transportation systems. Connections to transit systems and bicycle/pedestrian linkages must be provided with all new development. The City will continue discussion regarding location of a transit center within the Regional Center.

The proposal partially furtheres WSSP Policy 3.3. Though a bicycle trail and sidewalks are shown, information on connectivity is generally lacking and transit is not incorporated into the design standards.

Policy 3.4 (Seven Bar Ranch): Several clusters of neighborhoods will develop within the Seven Bar Ranch Community. Each of these shall be served by a Neighborhood Center, so neighborhood commercial, public and quasi-public uses, and other uses appropriate for such Centers shall be encouraged. The lowest density single-family residential development shall not occur within these Centers, but must have safe pedestrian and bicycle access to them.

The proposal furthers WSSP Policy 3.4. Though not a designated Neighborhood Activity Center for Seven Bar Ranch, the commercial uses may function as a de facto neighborhood center within the Regional Center.

Policy 4.10: It is important to promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation, encourage ridership, enhance public mobility and promote alternatives to single occupant vehicle use.

Though information on site design is not provided at this stage, land use patterns with drive-up service windows generally affect bicycle and pedestrian travel adversely and do not promote alternatives to single occupant vehicle use. The proposed road widening and lack of attention to Transit will also support vehicle usage. The proposal generally does not further WSSP Policy 4.10.

C) Westside-McMahon Land Use & Transportation Guide (Enactment No. 117-1999)*

**included in the West Side Strategic Plan (WSSP)*

In November 1999, the City Council adopted Enactment No. 117-1999 as an amendment to the WSSP. This Enactment incorporated the Westside-McMahon Land Use and Transportation Guide, which was synthesized into policies and a map (Attachment A) and is contained in the Enactment. The concepts identified therein identify an arrangement of mixed land uses and “*establish a desirable direction for promoting the opportunity for reduced automobile travel and encourage the use of transit, bicycle and pedestrian modes*”.

The subject site falls within the boundaries of Enactment No. 117-1999. Note the following found in Section 4: “The map included as Attachment A, Transportation and Land Use Concept for the Westside-McMahon Corridor, and the performance measures listed below establish the policies that will be used by the EPC and the City Council in their review of development and rezoning proposals for properties located within the Westside-McMahon corridor”. The following policies apply:

Section 3: The land use concepts set forth herein are not intended to imply zoning or supersede existing zoning and/or development plans.

Section 4(A): Such proposals should be generally consistent with density, type and hierarchy of uses as illustrated in Attachment A (which designates the subject site as Low Commercial).

Section 4(A)(1): Low density residential is less than 7 dwelling units per acre (DUs/ac). Medium density is 7 to 15 DUs/ac and high density is greater than 15 DUs/ac.

Section 4(C): Connections that provide safe and efficient pedestrian movements to enhance mobility within the corridor and encourage the use of transit, bicycle and pedestrian modes as an alternative to automobile travel should be provided between adjoining uses and between developments and the transportation system.”

Section 4(D)(1): The approximate access points for McMahon Blvd. are shown in Attachment A. Full intersections should be limited to approximately one thousand foot intervals. Additional partial accesses

will be considered, consistent with the criteria in the City's Development Process Manual (DPM), provided they are a distance of approximately 400 ft. from adjacent intersections.

The Westside-McMahon Land Use and Transportation Guide (the Guide) designates the subject site as "High Density Residential", which is greater than 15 DUs/ac pursuant to Subsection (A)(1). The WSSP envisions higher density residential uses in the Regional Center (WSSP, p.55).

Attachment A shows bicycle/pedestrian facilities along Ellison Dr. The proposed design standards need to be strengthened to ensure that sufficient functional connections will be provided and that pedestrian movements will be "safe and efficient". Therefore, the proposal does not comply with Subsection (4)(C) of Enactment 117-1999.

Attachment A does not depict a vehicular access point from Ellison Dr. between west and east Cibola Loop. However, Transportation Staff from the Department of Municipal Development (DMD) has not objected (see Agency Comments) to this proposed location. Additional partial access is allowed, provided that it is approx. 400 ft. from adjacent intersections, pursuant to Subsection (A)(4)(D)(1).

D) Seven Bar Ranch Sector Development Plan (SBRSDP) (Rank III)

The Seven Bar Ranch Sector Development Plan (SBRSDP) was first adopted by City Council in 1985 (Enactment 74-1985). The Plan area encompasses 1,070 acres of land which are accessed by Coors Blvd. to the south, McMahon Blvd. to the west, State Road 528 and Corrales Rd. to the north, and Alameda Rd. and the Rio Grande to the east. The SBRSDP establishes zoning for the subject site, and the area to the northeast now containing the two large apartment complexes, as medium-density residential (SU-1 for R-2 uses). Goals and policies relevant to the proposal include:

Goal 1: The location of major commercial, institutional and employment centers in immediate proximity to a wide diversity of housing densities and types. This should help minimize automobile travel, encourage a heterogeneous community appealing to a broad spectrum of desires, and hence should lead to a relatively self-sufficient "community within a community."

The proposal partially furthers Goal 1. The proposed commercial uses will be located close to the existing homes and apartments and the new retirement center. Though the commercial uses are stipulated by deed to serve the retirement center, the drive-thru uses are likely to attract others. Some automobile trips may be minimized, though drive-thru uses by nature foster more automobile trips and would not help create a "self-sufficient community."

Goal 2: The provision of strategically placed parks, open spaces and landscaped roadway "buffers" to create a unified visual image as well as a highly landscaped "streetscape" image. Major usable park facilities are placed with regard to their proximate residential areas.

The proposal does not further Goal 2. The proposed design standards minimally address open space provision within the subject site, but do not discuss its placement, buffering or a unified visual

image. Nor do the design standards provide for creation of the desired “highly landscaped ‘streetscape’ image”, especially along Ellison Rd.

Goal 3: The placement, alignment and separation of vehicular circulation systems, biking/pedestrian trail systems, and open space/park systems to allow for encouragement of non-vehicular travel, while at the same time providing for adequate vehicular arteries which will efficiently carry anticipated traffic loads generated within the Plan area in accordance with guidelines set forth by the Long Range Major Street Plan of the Comprehensive Plan.

In general, the proposed design standards do not encourage non-vehicular travel to the extent that they could and should and do not discuss open space. At this stage, it is unknown where the vehicular arteries and internal pedestrian connections would be and how they would be separated. Goal 3 is relevant, but cannot be fully evaluated at this time.

Policy 4g: Pedestrian ways and bicycle paths, on separate rights-of-way where appropriate, shall be integrated into subdivision and planned unit developments to create safe and pleasant non-motorized travel conditions.

Pedestrian and bicycle paths are proposed, but they have not been integrated into the development to the extent they should be inside of a designated activity center. Non-motorized travel conditions are not likely to be “safe and pleasant” given the proposed road widening and unlimited drive-thru uses on Tract B. Therefore, the proposal does not further Policy 4g.

ADDITIONAL ISSUES

Traffic

Traffic Impact Study (TIS): The Cibola Loop Development TIS, based on the most recent previous proposal, was completed in June 2007. The TIS “showed a moderate increase in traffic congestion for the adjacent transportation network” and suggested mitigation measures to such as converting turn lanes, coordinating signals and constructing new turn lanes. The front-end TIS text is provided as an attachment.

For the current proposal, Transportation Staff has requested an updated Trip Generation Table (see attachment) because the proposed uses have changed. The former proposal consisted of all office and retail uses, whereas the current proposal contains mostly higher-density residential uses and some commercial uses. The updated Trip Generation Table indicates that the new proposal will generate approximately 75% fewer trips than the previous proposal. However, the category Shopping Center was used to model the commercial uses, rather than a category such as fast-food that would have generated more trips. Though the worst case scenario was not modeled, there would still be fewer trips generated with the current proposal than the previous proposal.

Air Quality

Background: The last violation of the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO) in Albuquerque/Bernalillo County occurred in December 1991. Since then, monitored CO levels have steadily declined to their present levels, which are approximately 39% of the 8-hour standard (28% of the 1-hour standard). The federally-approved Limited Maintenance Plan for Carbon

Monoxide (2006-2016), following guidance from the Environmental Protection Agency (EPA), demonstrates that CO levels are well below the 85% EPA requires to qualify an area for a “limited” maintenance plan. Therefore, there are no emission budgets and no need for development projects to conform to air quality plans. Local CO control strategies, such as the oxygenated fuels program and the woodburning program, combined with national advances in vehicle technology and mobile source modeling, have succeeded in dramatically decreasing CO pollution.

Requirement: However, Zoning Code §14-16-3-14 remains on the books. An Air Quality Impact Analysis (AQIA), a study of CO levels at a given intersection, continues to be required even though it is not possible that Albuquerque/Bernalillo County will approach CO levels that would cause an exceedance of the Federal standards (see above). In the previous Cibola Loop case, the AQIA was required because the proposed uses generated 9,103 vehicle trip ends per day, which exceeded the threshold of 4,700. Note that the previously proposed uses differ from the currently proposed uses, which contains fewer commercial and therefore generate less vehicle trips. The AQIA has been completed and reviewed by the Environmental Health Department’s Air Quality Division, which concludes that the AQIA is complete and that no further information is needed (see attachment).

II. SECTOR DEVELOPMENT PLAN MAP AMENDMENT (ZONE CHANGE)

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 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.

Justification pursuant to R270-1980

Recall that the applicant is requesting “SU-1 for Senior Housing and Limited Medical Facilities” (for the proposed Tract A) and SU-1 for C-1 permissive uses including drive-up service window (Tract B).

The following is a discussion of Sections A – J of R270-1980 (in quotes). The applicant’s reasoning is in plain text. ***Staff’s Analysis follows in bold text.***

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

The requests do not adversely affect health, safety, morals and general welfare of the residents of the City. The senior housing and neighborhood commercial will relieve pressure on Westside public schools and restore a better balance between jobs and housing.

Relieving pressure on public schools and balancing jobs/housing are good reasons in support of the proposal. However, it is the applicant's task to explain how these reasons relate to the City's health, safety, morals and general welfare and that has not been accomplished. Another way to demonstrate consistency between health, safety, morals and general welfare is to show that the proposal furthers applicable Goals and policies. Though the applicant did not respond to Section A this way, Staff would have found it preferable.

- B. "Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made."

Establishing design guidelines and assigning uses, as well as removing a vacant parcel, will promote stability of land use.

Staff points out that any development proposal will remove a vacant parcel and assign uses. This does not automatically translate into stability of land use and zoning. The applicant should have made a more direct connection between the proposal and the uses already established in the area.

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

The request must be shown to not be in conflict with the policies of the Plan, as follows:

Comprehensive Plan Citations: programmed facilities/neighborhood integrity (Policy II.B.5e), location of higher density housing (Policy II.B.5h), location of employment and service uses (II.B.5i), location of new commercial development (Policy II.B.5j) and design quality/innovation (Policy II.B.5l).

The applicant states that the development will occur on a site with exiting infrastructure and that the design standards will soften the impact to the adjacent neighborhood (Policy II.B.5e). The request fronts Ellison Dr. and around the site is a diverse pattern of mixed density (Policy II.B.5h). There will be site plan review and residents will have input to address potentially adverse impacts (Policy II.B.5i). The proposed commercial uses are in a regional shopping center and are close to the neighborhoods (II.B.5j). General design standards will be established and the design-build team is nationally recognized (Policy II.B.5l).

West Side Strategic Plan (WSSP) citations: community and neighborhood centers (Policy 1.1), development of employment centers (Policy 1.6), designation and development of neighborhood

centers (Policy 1.9), location of neighborhood centers (Policy 1.16), school capacity (Policy 2.5), development in the Regional Center (Policy 3.1), uses in the Regional Center (Policy 3.2), Regional Center Development and connections (Policy 3.3), Seven Bar Ranch neighborhood centers (Policy 3.4).

The applicant states that the proposed development will occur in an activity center and that it's not strip commercial (Policies 1.9 and 3.2). It will be the right size for a neighborhood center (Policy 1.15) and appropriately located on an arterial street, and will provide bicycle and pedestrian connections (Policy 1.16).

Seven Bar Ranch Sector Development Plan (SBRSDP) citations: The applicant cites Goals 1, 2 and 3 regarding location of centers near a variety of housing types, buffers and creating a "streetscape" image and vehicular/non-vehicular circulation systems, respectively.

The applicant states that the proposal will lead to a more self-sufficient community and that the proposed design guidelines will create landscape buffers and the desired streetscape image. Roadway modification will ensure efficient handling of traffic loads, and a trail will be provided.

The applicant refers to Goals and policies in applicable Plans including the Comprehensive Plan, the West Side Strategic Plan (WSSP) and the Seven Bar Ranch Sector Development Plan (SBRSDP).

Staff finds that the applicant's policy discussion is a good start overall, but that it needs to be strengthened in certain key areas. For example, the applicant should have addressed activity centers in the context of the Comprehensive Plan and not the WSSP alone. Other Comprehensive Plan Goals and Policies, such as Housing and Transportation/Transit, were not included but should have been- especially given the subject site's location in the designated Regional Center. In other instances, the applicant did not finish the argument. For example, in the discussion of Policy II.B.5h-higher density housing, the applicant mentions driveways and a pattern of mixed density, but does not explain what this means and does not relate it back to the policy. Therefore, the discussion is somewhat disjointed and not as complete as it could be.

- D. "The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
 2. Changed neighborhood or community conditions justify the change; or
 3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D1) or (D2) above do not apply."

The applicant believes that changed community conditions have occurred (D2) and that the proposed zoning would be more advantageous to the community than the current zoning (D1).

The new police station contributes to this area as a node of community services. The housing/employment imbalance is a gradually changing condition, and the proposal will contribute to offsetting this imbalance by providing jobs. The proposed zoning would be more advantageous to the community because it would further several key elements and policies of the WSSP, such as siting higher density housing in the Regional Center (Policies 3.1 and 3.2) and attracting non-school age residents (Policy 2.5).

Staff finds that a logical nexus between the cited change and the proposal has not been adequately established. Adding the police substation is one change, though there are others such as additional commercial development in the vicinity in the Regional Center. However, Staff does not consider the jobs/housing imbalance to be a changed condition since it has existed for some time, which is all the more reason to work toward remedying the situation.

Staff agrees that the proposed zoning for Tract A (SU-1 for Senior Housing and Limited Medical Facilities) would be more advantageous to the community than the current zoning, especially since the residential use will not attract school age children and further burden the public school system. The location of higher-density housing furthers a number of relevant Policies (see Section I of this report).

However, Staff does not fully agree that the proposed zoning for Tract B (SU-1 for C-1 Permissive Uses including Drive-up Service Window) would be more advantageous to the community. The applicant has not demonstrated that this zoning would specifically further policies and how it would do so. In addition, Staff believes that unlimited drive-up service windows (there could be as much as three on the 2.9 acre tract) would not be conducive to creating the pedestrian-oriented, neighborhood serving uses that are desired according to applicable Activity Centers Goals and policies.

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

The proposed senior housing and C-1 permissive uses are not harmful to the adjacent property, the neighborhood, or the community. The site is located in a Regional Center. Site plan controls are designed to address and mitigate any perceived adverse affect.

Staff finds that the discussion of Section E is insufficient. The applicant did not say why the proposed uses would not be harmful and did not discuss specific permissive uses in the C-1 zone, such as auto repair and uses/activities in a tent, which neighbors often find objectionable. Also, the applicant avoided the fact that the request would make a C-1 conditional use (drive-up service window) into a permissive use. The implications of the latter are that drive-up service windows would no longer require a conditional use permit and would be allowed with the zoning designation, meaning that they would be unlimited. A limitation in the proposed design standards would not take precedence over the zoning.

The argument about general “site plan controls” is unconvincing in this case. The proposed design standards are not as strong as they could be, at this stage, to ensure that the existing and future residential uses would not have conflicts with the future commercial uses and that the site would function in a cohesive and connected manner as Activity Center policies envision.

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

Development of the property will not require unprogrammed capital expenditures by the City; nor will the development rely upon them.

Staff agrees that the proposal would not require any unprogrammed City expenditures.

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

The cost of land or other economic considerations are not a determining factor in this request. Central is the desire to not impact the schools and implement a Town Center.

Staff notes that the applicant is not requesting consideration of economic factors.

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

The proposed uses are located off the corner of Ellison Dr. and Cibola Loop, so they will resemble a clustering of non-residential uses.

The applicant is not using the subject site’s location on a collector or major street as a justification for the proposed zone change, though this should have been stated rather than referring to clustering of non-residential uses.

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

nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.”

This request should not be considered spot zoning because it complies with City plans and policies adopted subsequent to R270-1980 that encourage clusters of non-residential zoning. The existing residential zoning on the corner of West Cibola Loop and Ellison Dr. may be considered unsuitable due to excess traffic, noise and pollution at the intersection.

Staff agrees that the proposed zoning would not create a “spot zone” if approved. The applicant should have mentioned that SU-1 zoning is typically not considered a “spot zone” and that there is other SU-1 zoning in the immediate area.

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

This request should not be considered “strip zoning” because there is not a strip of land along a street being proposed for a change.

Staff finds that the applicant has not adequately addressed Section J. The proposed zone change for Tract B (the commercial portion) would give different zoning to a strip of land along a street. Therefore, the proposed zone change would result in a “strip zone” by definition. It is the applicant’s task to explain why, according to 1 and 2 above, the proposed strip zone is justified.

Staff Discussion and Conclusion:

Staff finds that it is more logical and clear to conceptualize the proposed sector development plan map amendment (zone change) as two sub parts: the proposed zone change for Tract A to SU-1 for Senior Housing with Limited Medical Facilities, and the proposed zone change for Tract B to SU-1 for C-1 Permissive Uses including Drive-up Service Window. Staff agrees that the proposed zoning for Tract A would be more advantageous to the community than the current zoning, but does not agree that the proposed zoning for Tract B (the commercial portion) would be more advantageous to the community. There is no policy explanation regarding why it would be beneficial to include drive-up service windows as part of the zoning designation for Tract B. Also, the proposed zone change for Tract B would result in a “strip zone” by definition. It is the applicant’s task to explain why the proposed strip zone is justified.

In addition, the applicant should establish a more direct connection between the proposal and the uses established in the area to demonstrate stability of land use and zoning (Section B). Staff finds

that the applicant's policy discussion is a good start overall, but that it needs to be strengthened in certain key areas, particularly Activity Centers, Housing and Transportation/ Transit (Section C). The applicant did not state why the proposed uses would not be harmful and did not discuss specific permissive uses in the requested commercial zoning (Section E). For the reasons elaborated herein, Staff concludes that the proposed zone changes have not been adequately justified at this time.

III. SITE DEVELOPMENT PLAN FOR SUBDIVISION

The purpose of the proposed site development plan for subdivision is to reconfigure the existing Tract B-9-E-1 & Tract B-9-F and create three smaller tracts. The intention is to develop the Cibola Loop Subdivision, consisting of Tract A (approx. 11 acres) for the retirement center, Tract B (approx. 2.9 acres) for the commercial uses and Tract C (approx. 12.4 acres) for possible future senior apartments. Design standards are also proposed (see discussion under IV).

Zoning Code §14-16-1-5 defines a site development plan for subdivision as follows:

An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio.

The proposed site development plan for subdivision does not comply. Setbacks and height need to be specified for clarity and not reference another sheet.

IV. ANALYSIS- SITE DEVELOPMENT PLAN FOR SUBDIVISION, DESIGN STANDARDS

Purpose: The purpose of design standards is to provide guidance to ensure that a development will further the intent of applicable goals and policies and go beyond minimum Zoning Code requirements to create an identity for the development. Design standards establish a framework for a development that will guide future site development plans for building permit. The vision for a development is contained in the design standards; it is important to ensure that the vision is well articulated so it can become reality.

Proposal: Design standards commonly consist of several sections, after a discussion of the proposed development's overall theme and/or goal. These sections typically are the following, or a combination thereof: Theme, Site Elements, Pedestrianism, Parking, Setbacks, Landscape, Lighting, Walls/Fences, Utilities, Signage, Architecture and Process. The proposed design standards, organized somewhat differently, are discussed below in the order presented on the site development plan for subdivision.

1. Site Objectives:

The main site objectives are to create an active pedestrian environment and link the individual sites together. Direct pedestrian connections are desired and parking adjacent to streets shall be screened. Staff suggests that enhanced paving be defined as textured, colored concrete (or thermoplastic) and that parking areas can provide more than one pedestrian link to the sidewalk network. Requiring public space be

provided according to the Zoning Code does not go far enough to create the “active pedestrian environment”. Outdoor seating with shading needs to be provided to promote pedestrianism.

2. Setbacks:

The minimum setbacks are 0 ft. from Ellison Rd., 20 ft. from the Cibola Loop right-of-way line and 10 ft. from internal lot lines. The zero setback from Ellison Dr. will allow buildings to be located close to the street, which will help create a streetscape feeling.

3. Parking/Circulation:

The maximum allowed parking is the “required plus 20%”. Staff recommends 10%, which is common in design standards. 20% places too much emphasis on vehicles while trying to create a pedestrian oriented development. It would be clear to speak of “parking required” rather than a minimum and a maximum.

Tree planters need to be a minimum of 36 sf, not 25 sf and truck parking should not be permitted on internal streets.

Staff recommends that drive-up service windows be limited to one; this limitation needs to be listed in the zoning descriptor as well. Without such a limitation, there could be as many as 3 drive-thru uses, all potentially fast-food, which could cause traffic problems and undermine the intent of a neighborhood center to be pedestrian-oriented.

4. Sidewalks/Bikeways:

These standards reiterate existing requirements and do not go beyond them to create the pedestrian oriented development mentioned under Site Objectives. Sidewalks proposed must be at least 6 ft. wide and trails at least 10 ft. wide. Pedestrian connections are to be “convenient”, though convenient is not defined. Access to Transit stops and the relationship between pedestrian connections and transit should be discussed here but is not.

5. Landscape Plan:

The list of plant varieties allows any plant in the City’s xeriscape book. However, some plants in the xeriscape book are inappropriate because they are high water users. Staff finds that the plant palette contains few varieties and would benefit from expansion, especially given the size of the subject site. Shade trees need to be canopy forming and deciduous, especially since they will be used in the parking lot and along the streets.

Landscape shall be provided as per Zoning Code §14-16-3-10. Section 5-G states that all landscape areas 36 square feet or greater shall be covered with live vegetative material over at least 75% of the required landscape area. This is a minimum; Staff suggests 80% coverage. Street trees along Ellison Rd. need to be mentioned in the narrative-what type, planting distance and planter size. Goal 2 of the SBRSDP calls for a highly-landscaped streetscape, but the design standards do not explain how the proposed development will meet this goal.

6. Architectural Objectives:

The architectural objective is to create a visually integrated site. Permitted architectural styles include Pueblo, Territorial, New Mexico traditional or contemporary, which means virtually anything. This will not create a visually integrated site. Staff suggests eliminating “contemporary” or adding “southwest” to contemporary, especially since contemporary can be interpreted as franchise architecture. Colors need to be discussed and be compatible with nearby buildings.

7. Screening, Walls & Fences:

The proposed design standards address screening of parking lots, loading areas, trash enclosures, storage areas and walls. Staff recommends that all refuse enclosures have gates, that unfinished CMU block be prohibited and that walls be compatible with building architecture in terms of color, style and finish. A wall detail should be provided.

8. Lighting Standards:

The lighting standards aim to enhance safety, security and aesthetics. Light pole height is limited to 16 ft. for walkways and plazas and within 150 ft. of residential uses. Otherwise, light poles will be 20 ft. high. Uplighting is not permitted. A lighting detail should be provided.

9. Signage Standards:

The signage design standards regulate the size, location type and quality of signs in the proposed development. Signs are limited to wall signs and monument signs. Monument signs cannot exceed 6 ft. high or 32 sf sign face.

Two project entry signs are proposed. Each can be up to 12 ft. tall and 75 sf face area. Staff believes that one project entry sign would suffice, especially since there is only one main entrance to the development and each business will have its own monument sign.

10. Utilities:

These standards state that the negative visual image shall be mitigated. Staff suggests deletion of the phrase “when viewed from the public right-of-way”, since utilities need to be screened from residents’ views.

Conclusion: In sum, Staff finds that the proposed design standards need to be strengthened to be more specific and to better further the intent of Goals and policies in applicable Plans, especially with respect to Activity Centers. The word “should”, which occurs in various places, needs to be changed to “shall” to avoid future ambiguity. A section “11. Process” needs to be added to explain that delegation of the EPC’s review authority to the DRB is not being requested.

Concerns of Reviewing Agencies/Pre-Hearing Discussion

City Departments and other interested agencies reviewed this application from 4/7/08 to 4/18/08. Agency comments used in the preparation of this report begin on Page 31. The applicant attended a pre-application review team (PRT) meeting and was present at the pre-hearing discussion on April 23, 2008.

Zoning Code Services comments that apartment structures shall not exceed 26 ft. in height within 85 ft of a lot zoned specifically for houses, unless modified by the EPC. Advance Planning finds that the proposed design standards should be expanded. The City Forrester offers a few comments on trees. The Transit Department submitted detailed comments, and recommends that the design standards incorporate Comprehensive Plan policies regarding for buildings adjacent to Enhanced Transit Corridors and that pedestrian circulation should be improved in order to support expanded Transit in the area.

Neighborhood Concerns

The neighborhood association (NA) listed on the Office of Neighborhood Coordination (ONC) letter as requiring notification, is the Cibola Loop NA (CLNA). The applicant notified the CLNA (see attachments).

A facilitated meeting was held on April 29, 2008 (see attachment). Besides the two NAs mentioned, other NAs such as the Paradise Heights NA, Saragosa NA and the 7 Bar North HOA were also invited. The main issues discussed were building height, views, siting of the senior housing, possible restrictions on fast-food restaurants and liquor sales, and the process. The neighbors want to have another facilitated meeting when the future site development plans for building permit are considered.

Staff received comments from the Cibola Loop NA (see attachment). The CLNA wishes to work with the developer and EPC to create a plan that benefits both the owner and the neighborhoods. Concerns expressed include the desire to limit fast-food uses, drive-up service windows, liquor sales and building height to the R-2 requirements. The neighbors would also like a path, lighting and commercial development that serves the residents.

Conclusion

This two-part proposal is for an amendment to the zone map of the Seven Bar Ranch Sector Development Plan (SBRSDP) and a site development plan for subdivision for an approximately 27 acre site located on Ellison Dr. The applicant proposes to change the subject site's zoning from SU-1 for R-2 Uses to "SU-1 for Senior Housing with Limited Medical Facilities" (Tract A) and "SU-1 for C-1 Permissive Uses including Drive-up Service Window" (Tract B). The proposed site development plan for subdivision would subdivide the subject site into Tract A, Tract B and Tract C. Also proposed are design standards to guide future development. Delegation of the EPC's review authority to the DRB is not requested.

Staff finds that the proposed sector development plan map amendment (zone change) has not been adequately justified at this time. The applicant did not adequately address Sections B, C, E and J. Additional justification is warranted prior to making a recommendation to the City Council.

Staff concludes that the proposal generally furthers the intent of relevant goals and policies in the Comprehensive Plan, the West Side Strategic Plan and the SBRSDP. Overall, Staff finds that the design standards need to be strengthened to better fulfill the intent of applicable Goals and policies, especially with respect to Activity Centers, and provide clarity when future development proposals come through the EPC process. Staff recommends a 30 day deferral.

FINDINGS -08EPC 40037, May 15, 2008-Sector Development Plan Map Amendment (Zone Change)

1. This request is for an amendment to the zone map in the Seven Bar Ranch Sector Development Plan (SBRSDP). Upon its adoption in 1985, the SBRSDP established zoning for the area in which the subject site lies. Because the subject site is greater than one City block in size, approval of the zone map amendment request requires approval by the City Council pursuant to Zoning Code §14-16-2-23.

2. The zone map amendment request is for a change from SU-1 for R-2 Uses to the following zoning: “SU-1 for Senior Housing and Limited Medical Facilities” for the proposed Tract A and “SU-1 for C-1 permissive uses including Drive-up Service Window” for the proposed Tract B. No zone change is requested for the proposed Tract C. This request is accompanied by a site development plan for subdivision (08EPC-40036) that proposes the creation of Tracts A, B and C.

3. The proposal *further*s the following Comprehensive Plan policies:
 - A. Policy II.B.5a: Adding an age-restricted residential use and neighborhood commercial uses will increase land use variety in the area.

 - B. Policy II.B.5e: The subject site is contiguous to existing urban facilities and services, the use of which is unlikely to disrupt neighborhood integrity.

 - C. Policy II.B.5h: In this area, a mixed density pattern is already established. A multi-family development would be compatible with existing land uses, infrastructure is available and the subject site is located in a designated activity center.

 - D. Policy II.B.5j: The proposed commercial development would be located in the boundaries of the Seven Bar Regional Activity Center.

4. The proposal *partially further*s the following Comprehensive Plan policies:
 - A. Policy II.B.5d: There are no details at this stage regarding site layout of the future uses. However, neighbors are generally concerned about building height, the uses’ intensity and scenic resources.

 - B. Policy II.B.5k: Cibola Loop Rd. would be widened to accommodate additional traffic. However, increased traffic could affect the livability and safety of the established residential neighborhoods.

5. The Activity Center Goal is *partially furthered*. The subject site is located in a designated Major Activity Center. The proposed uses would be generally compatible with the area’s land use pattern.

However the commercial uses would not necessarily reduce auto travel needs. Though the proposed uses are desired, Activity Centers are intended to be accessible by all modes of travel, not just vehicles.

6. The Transportation and Transit Goal and Policy II.D.4g are *partially furthered*. The proposal would place multi-unit housing and commercial uses in a Transit Corridor, but the circulation may not be balanced and efficient (Goal). The proposed design standards need to further integrate pedestrian opportunities. Pedestrian-friendliness would be adversely impacted without a limitation on drive-thru service uses.

7. The proposal generally *does not further* West Side Strategic Plan (WSSP) Policy 4.10. Land use patterns with drive-up service windows do not promote alternatives to single occupant vehicle use and generally affect bicycle and pedestrian travel and circulation adversely. The proposed road widening and lack of attention to Transit will also support vehicle usage over other modes.

8. The proposal *partially furthers* the following West Side Strategic Plan (WSSP) policies:

- A. Policy 3.2. It is appropriate to locate multi-family housing and commercial services in the Regional Center. However, Tract B could be considered a small commercial strip, especially since no intentions to subdivide it have been made apparent.
- B. Policy 3.3. Though a bicycle trail and sidewalks are shown, information on connectivity is generally lacking and transit is not incorporated into the design standards.

9. The proposal generally *further*s the following West Side Strategic Plan (WSSP) policies:

- A. Policy 1.1: The proposed zone change would allow multi-family residential and commercial development, as desired, within the boundaries of the Regional Activity Center .
- B. Policy 2.5: The proposed zone change and site development plan, for an age-restricted residential development and some commercial uses, would not contribute to additional school overcrowding on the Westside. As required, the Planning Department has considered school capacity in its evaluation of this proposal.
- C. Policy 1.2: Due to its location in the Regional Center, a transit feasibility and access plan is required but has not been provided.
- D. Policy 3.1: Multi-family housing and commercial services are appropriate to locate in the Regional Center.

E. Policy 3.4. Though not a designated Neighborhood Activity Center, the commercial uses may function as a de facto neighborhood center within the Regional Center.

10. With respect to the Seven Bar Ranch Sector Development Plan (SBRSDP), the proposal *does not further* the following Goals and policy.

A. Goal 2: The proposed design standards do not provide for creation of the desired “highly landscaped ‘streetscape’ image” and minimally discuss open space provision, but do not discuss its placement or creation of a unified visual image.

B. Policy 4g: Pedestrian and bicycle paths have not been integrated into the development to the extent they should inside of a designated Activity Center. Non-motorized travel conditions may not be “safe and pleasant” given the proposed road widening and unlimited drive-thru uses on Tract B.

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

A. Section A: It is the applicant’s task to explain how the main reasons in support of the proposal (relieving pressure on public schools and balancing jobs/housing) relate to the City’s health, safety, morals and general welfare. This has not been accomplished.

B. Section B: The applicant should have made a more direct connection between the proposal and the uses already established in the area to demonstrate stability of land use and zoning

C. Section C: The applicant’s policy discussion is a good start overall, but it needs to be strengthened in certain key areas, particularly with respect to Activity Centers, Housing and Transportation/ Transit Goals and policies.

D. Section D: The proposed zoning for Tract A would be more advantageous to the community than the current zoning, but the proposed zoning for Tract B (the commercial portion) would not be more advantageous to the community. There is no policy explanation regarding why it would be beneficial to include drive-up service windows as part of the zoning designation for Tract B.

E. Section E: The applicant did not state why the proposed uses would not be harmful to the adjacent property or neighborhood and did not discuss specific permissive uses in the C-1 zone

F. Section F: The proposal would not require any unprogrammed City expenditures.

G. Section G: The applicant is not requesting consideration of economic factors.

H. Section H: The applicant should have stated that location on a collector street is not being used as a justification for the request.

- I. Section I: Though the proposed zoning would not create a “spot zone”, the applicant should have mentioned that SU-1 zoning is typically not considered a “spot zone” and that there is other SU-1 zoning in the immediate area.
- J. Section J: The proposed zone change for Tract B (the commercial portion) would give different zoning to a strip of land along a street and would result in a “strip zone” by definition. It is the applicant’s task to explain why the proposed strip zone is justified.

10. A facilitated meeting was held. The main issues discussed were building height, views, siting of the senior housing, fast-food restaurants, liquor sales, and the process. Staff received comments from the Cibola Loop NA which reiterated these concerns.

RECOMMENDATION - 08EPC 40037, May 15, 2008

DEFERRAL of 08EPC 40037, a request for a sector development plan map amendment from SU-1 for R-2 Uses to the following zoning: “SU-1 for Senior Housing and Limited Medical Facilities” (Tract A) and “SU-1 for C-1 permissive uses including Drive-up Service Window” (Tract B), for Tract B-9-E-1 & Tract B-9-F of Seven Bar Ranch, located on Ellison Dr. NW, between West Cibola Loop and East Cibola Loop, based on the preceding Findings, for 30 days.

FINDINGS -08EPC 40036, May 15, 2008-Site Development Plan for Subdivision

1. This is a request for approval of a site development plan for subdivision for Tract B-9-E-1 & Tract B-9-F of Seven Bar Ranch, an approximately 27 acre site located on Cibola Loop NW, zoned SU-1 for R-2 Uses. This request accompanies a zone map amendment request (06EPC-01322) to establish zoning.
2. The applicant proposes to eliminate the lot line between Tract B-9-E-1 & Tract B-9-F and create three tracts in order to develop a continuous care retirement center (senior housing) on Tract A and small commercial uses on Tract B. Design standards are proposed. Delegation to DRB is not requested.
3. The proposal *further*s the following Comprehensive Plan policies:
 - A. Policy II.B.5a: Adding an age-restricted residential use and neighborhood commercial uses will increase land use variety in the area.

- B. Policy II.B.5e: The subject site is contiguous to existing urban facilities and services, the use of which is unlikely to disrupt neighborhood integrity.
- C. Policy II.B.5h: In this area, a mixed density pattern is already established. A multi-family development would be compatible with existing land uses, infrastructure is available and the subject site is located in a designated activity center.
- D. Policy II.B.5j: The proposed commercial development would be located in the boundaries of the Seven Bar Regional Activity Center.
4. The proposal *partially furthers* the following Comprehensive Plan policies:
- A. Policy II.B.5d: There are no details at this stage regarding site layout of the future uses. However, neighbors are generally concerned about building height, the uses' intensity and scenic resources.
- B. Policy II.B.5k: Cibola Loop Rd. would be widened to accommodate additional traffic. However, increased traffic could affect the livability and safety of the established residential neighborhoods.
5. The Activity Center Goal is *partially furthered*. The subject site is located in a designated Major Activity Center. The proposed uses would be generally compatible with the area's land use pattern. However the commercial uses would not necessarily reduce auto travel needs. Though the proposed uses are desired, Activity Centers are intended to be accessible by all modes of travel, not just vehicles.
6. The Transportation and Transit Goal and Policy II.D.4g are *partially furthered*. The proposal would place multi-unit housing and commercial uses in a Transit Corridor, but the circulation may not be balanced and efficient (Goal). The proposed design standards need to further integrate pedestrian opportunities. Pedestrian-friendliness would be adversely impacted without a limitation on drive-thru service uses.
7. The proposal generally *does not further* West Side Strategic Plan (WSSP) Policy 4.10. Land use patterns with drive-up service windows do not promote alternatives to single occupant vehicle use and generally affect bicycle and pedestrian travel and circulation adversely. The proposed road widening and lack of attention to Transit will also support vehicle usage over other modes.
8. The proposal *partially furthers* the following West Side Strategic Plan (WSSP) policies:
- A. Policy 3.2. It is appropriate to locate multi-family housing and commercial services in the Regional Center. However, Tract B could be considered a small commercial strip, especially since no intentions to subdivide it have been made apparent.

- B. Policy 3.3. Though a bicycle trail and sidewalks are shown, information on connectivity is generally lacking and transit is not incorporated into the design standards.
9. The proposal generally *further*s the following West Side Strategic Plan (WSSP) policies:
- A. Policy 1.1: The proposed zone change would allow multi-family residential and commercial development, as desired, within the boundaries of the Regional Activity Center .
 - B. Policy 2.5: The proposed zone change and site development plan, for an age-restricted residential development and some commercial uses, would not contribute to additional school overcrowding on the Westside. As required, the Planning Department has considered school capacity in its evaluation of this proposal.
 - C. Policy 1.2: Due to its location in the Regional Center, a transit feasibility and access plan is required but has not been provided.
 - D. Policy 3.1: Multi-family housing and commercial services are appropriate to locate in the Regional Center.
 - E. Policy 3.4. Though not a designated Neighborhood Activity Center, the commercial uses may function as a de facto neighborhood center within the Regional Center.
10. With respect to the Seven Bar Ranch Sector Development Plan (SBRSDP), the proposal *does not further* the following Goals and policy.
- A. Goal 2: The proposed design standards do not provide for creation of the desired “highly landscaped ‘streetscape’ image” and minimally discuss open space provision, but do not discuss its placement or creation of a unified visual image.
 - B. Policy 4g: Pedestrian and bicycle paths have not been integrated into the development to the extent they should inside of a designated Activity Center. Non-motorized travel conditions may not be “safe and pleasant” given the proposed road widening and unlimited drive-thru uses on Tract B.
11. The subject site will function as a neighborhood center within the larger Regional Center (WSSP map, p. 32). Pedestrianism and transit are important components of the Regional Center. The proposed design standards need to be strengthened regarding pedestrian connectivity and transit in order to promoting alternatives to vehicle travel.

12. The proposed landscape standards do not provide for creation of the “highly landscaped streetscape image” desired in the Seven Bar Ranch Sector Development Plan (SBRSDP). The landscape palette needs to include more variety and the standards need to go beyond the minimum to achieve this Goal.

13. A facilitated meeting was held. The main issues discussed were building height, views, siting of the senior housing, fast-food restaurants, liquor sales, and the process. Staff received comments from the Cibola Loop NA which reiterated these concerns.

RECOMMENDATION - 08EPC 10036, May 15, 2008

DEFERRAL of 08EPC 10036, a Site Development Plan for Subdivision for Tract B-9-E-1 & Tract B-9-F of Seven Bar Ranch, zoned SU-1 for R-2 uses, located on Cibola Loop NW, based on the preceding Findings, for 30 days.

***Catalina Lehner, AICP
Senior Planner***

cc: Mark Goodwin & Assoc., P.O. Box 90606, Albuquerque, NM 87199
The Haskell Company, P.O. Box 44100, Jacksonville, FL 32231
Scott and Beth Salvas, Cibola Loop NA, 10756 Galaxia Park Dr. NW, Albuquerque, NM 87114
Jacque Abeyta, Cibola Loop NA, 10519 Blanco Dr. NW, Albuquerque, NM 87114

AGENCY COMMENTS

➤ **The following agencies have not reviewed or commented on Project #1003570:**

City of Albuquerque

Environmental Health, Air Quality Division
Environmental Health, Env. Services Division
Fire Department, Planning
Police Department/Planning

Other

Bernalillo County
Middle Rio Grande Conservancy Dist. (MRGCD)
Mid-Region Council of Governments (MRCOG)

➤ **The following City of Albuquerque Departments and Divisions have reviewed and commented on Project #1003570:**

Planning, Zoning Code Services

Reviewed. Under the applicant's Site Plan for Subdivision Development Design Guidelines (sheet 2 of 4) it states "The maximum building height shall be 48 ft" ref. 7-B-2.

Per sections 14-16-2-22(D) and 14-16-2-11 (C) of the Zoning Code, it states that "apartment structures shall not exceed 26 ft in height within 85 ft of a lot zoned specifically for houses" unless modified by the EPC.

Planning, Office of Neighborhood Coordination

4/7/08 – Recommended for facilitation - siw

Planning, Advance Planning & Urban Design

Please have the scientific names noted on the plant palette to avoid confusion.

The design standards provided are not comprehensive. They will not offer enough direction to ensure that the future buildings are architecturally compatible. The standards should be expanded and/or the first project should return to EPC for review.

City Forrester

- Sheet 2 of 4
 - 1-I – Trees and utility placement should be coordinated ahead of time to prevent conflict. If location of utility cannot be changed than tree location should be adjusted to accommodate.
 - 1-Q – Silver Maple is not a desirable tree.

Parks & Recreation, Planning & Design

Reviewed, no objection, since the required trail is shown on the site plan.

Parks & Recreation, Open Space Division

Open Space has no adverse comments

Solid Waste Management Dept., Refuse Division

Approved on condition, will comply with all SWMD ordinances and requirements, and have required recycle areas also.

Transit Department

Project #1003570 08EPC-40036 08EPC-40037 08EPC-40037	Adjacent and nearby routes	Transit is constructing the long-planned transit center and park & ride in the 7 Bar Town Center just east of this site. When completed, at least 7 routes will provide service to that facility, which is within ¼ mile of the applicant’s Tract C and between ¼ and ½ mile from Tracts A and B. Routes serving the new “Northwest Transit Center” will be all-day routes #155 Coors and #157 Golf Course-Montano-Louisiana and commuter routes #151 Rio Rancho-Albuquerque Rail Runner Connection, #92 Taylor Ranch, #94 Unser, #96 Crosstown, and #98 Wyoming. Transit is also developing plans to extend the #790 Blue Line Rapid Ride north to this facility.
	Adjacent bus stops	None. The #157 and #92 have stop pairs just west of both intersections of Cibola Loop and Ellison.
	Site plan requirements	Transit suggests that the access shown from Cibola Loop to Tract C would be a good location for pedestrian access, especially to minimize walking distances to the transit center, but vehicular access might be better located across from the next apartment driveway to the north. With the opening of the new transit center, bus and auto traffic volumes turning onto Cibola Loop from the current fire station return driveway will increase substantially. Moving Tract C’s vehicular access point farther from this area may reduce the potential for collisions in this area. Since Ellison is an Enhanced Transit Corridor adjacent to the site, the Site Plan for Subdivision should include language incorporating the policies in the Comprehensive Plan for buildings adjacent to Enhanced Transit Corridors, including siting buildings close to the street with parking to the side or rear and providing entrances facing the street.
	Large site TDM suggestions	The transit center will include a multi-use trail connecting to Cibola Loop adjacent to the current driveway. Pedestrian access from Tract A across Tract C to the vicinity of this trail would improve the accessibility of transit to the senior housing and future potential R2 uses – for visitors, residents, and employees.
	Other information	None.

City of Albuquerque Public Works Department

Transportation Development (City Engineer/Planning Department):

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- A Traffic Impact Study (TIS) has been submitted and reviewed by Transportation Staff. However, a revised TIS will be required based on the change in land use.

-
- Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
 - The Traffic Impact Study is available for review by any interested party, in the office of the Traffic Engineer.
 - Provide applicable cross access agreements.
 - A concurrent platting action will be required at DRB.
 - Site plan shall comply and be designed per DPM Standards.

Hydrology Development (City Engineer/Planning Department):

- A conceptual drainage plan is required prior to DRB action. Concurrent platting action required.

*Transportation Planning (Department of Municipal Development):
Recommendation*

- The multi-use trail refuge area within the triangular island at the new right-in, right-out driveway on Ellison Drive should be a *minimum* of six feet in length at the point where the trail crosses the refuge. We ask that the applicant coordinate with the Department of Municipal Development, Transportation Section in the preparation of the final design plans.

Traffic Engineering Operations (Department of Municipal Development):

- Reviewed, and no comments regarding on-street bikeways, off-street trails or roadway system facilities.

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):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

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

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

- A. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or

public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).

- B. A Traffic Impact Study (TIS) has been submitted and reviewed by Transportation Staff. However, a revised TIS will be required based on the change in land use.
- C. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required.
- D. Provide applicable cross access agreements.
- E. A concurrent platting action will be required at DRB.
- F. Site plan shall comply and be designed per DPM Standards.
- G. The multi-use trail refuge area within the triangular island at the new right-in, right-out driveway on Ellison Drive should be a *minimum* of six feet in length at the point where the trail crosses the refuge. We ask that the applicant coordinate with the Department of Municipal Development, Transportation Section in the preparation of the final design plans.

➤ **The following agencies have reviewed and commented on Project #1003570:**

Albuquerque Public Schools (APS)

Seven Bar Ranch (tbka Cibola Loop), Lots B-9E-1-A and B-9F-1, is located on Ellison Dr NW between east Cibola Loop NW and west Cibola Loop NW. The owner of the above property requests approval of a Site Development for Subdivision that will consist of a Senior Housing with Limited Medical Facilities (assisted living and similar elderly care) along with a smaller adjoining area of SU-1 for C-1 that will consist of neighborhood commercial uses. Although, this development is intended for a senior living and related medical facility this development will be assessed the School Facility Fee. The fees collected from this development will benefit the following schools; Seven Bar Elementary School, Taylor Middle School, and Cibola High School. Seven Bar Elementary and Cibola High School are exceeding capacity, Taylor Middle School has excess capacity.

Loc No	School	2007-08 40th Day	2007-08 Capacity	Space Available
265	Seven Bar	856	800	-56
457	Taylor	608	765	157
580	Cibola	2,614	2,575	-39

Volcano Vista High School has opened with a 9th grade academy in 2007. The remainder of the high school will open in 2008. Volcano Vista High School will relieve overcrowding at Cibola High School.

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.

Abq. Metro Arroyo Flood Control Authority (AMAFCA)

Reviewed, no comment.

Public Service Company of New Mexico

No comment based on the information provided to date. It is the applicant's obligation to determine if utility easements cross the property and to abide by any conditions or terms of those easements.