



**Environmental  
Planning  
Commission**

**Agenda Number: 4  
Project Number: 1003916  
Case #'s: 07EPC 40048/40049  
October 18, 2007**

**Staff Report**

<b>Agent</b>	Dekker/Perich/Sabatini
<b>Applicant</b>	Del Rey Investments LLC
<b>Request(s)</b>	<b>Zone Map Amendment Site Development Plan for Subdivision</b>
<b>Legal Description</b>	Blocks 18 & 19, North Albuquerque Acres, Tract A, Unit A
<b>Location</b>	Derickson Ave. & Santa Monica Ave. between San Pedro Dr. & Louisiana Blvd.
<b>Size</b>	Approximately 58.52 acres
<b>Existing Zoning</b>	SU-1 for Mobile Home Park
<b>Proposed Zoning</b>	SU-1 for PDA (Planned Development Area)

**Staff Recommendation**

**APPROVAL of 07EPC 40048, based on the findings on page 18, and subject to the conditions of approval on page 24.**

**APPROVAL of 07EPC 40049, based on the findings on page 24, and subject to the conditions of approval on page 28.**

**Staff Planner**  
**Carol Toffaleti, Planner**

**Summary of Analysis**

This is a request for a zone change from SU-1/MHP to SU-1/PDA and a site development plan for subdivision for a site of 58.5 acres, located between San Pedro Dr, Louisiana Blvd., Derickson Ave. and Santa Monica Ave. The applicant proposes to redevelop the existing mobile home park, now mostly vacant, as a residential subdivision of mixed income housing, with shared open spaces and 2.4 acres of neighborhood commercial and/or office use.

The proposal furthers several goals and policies of the Comprehensive Plan. It provides affordable housing for the remaining residents on site, a priority objective of the Del Rey Metropolitan Development Area. The applicant justified the zone change per R-270-1980. The site development plan and design standards create the framework for a pedestrian-friendly, mixed-income subdivision with a range of housing types.

Recommended conditions will open the development to the adjoining neighborhood and correct inconsistencies in the site development plan.

There is no neighborhood opposition.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 09/10/2007 to 09/26/2007. Agency comments were used in the preparation of this report and begin on page 33.

**AREA CHARACTERISTICS AND ZONING HISTORY**

*Surrounding zoning, plan designations, and land uses:*

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-1 for Mobile Home Park	Established Urban Area (CP)	mobile home park (mostly vacant)
<i>North</i>	same	same	residential subdivision (mobile homes)
<i>South</i>	C-2, SU-1 for Post Office Sub-Station, R-2, C-1 (SC)	same	retail, post office, residential condominium complex, vacant land, retail, church
<i>East</i>	R-1, C-1	same	single family residential, apartment complex
<i>West</i>	SU-1 for Mobile Home Park	same	mobile home park

***Background and History***

This two-part request is for a zone map amendment from SU-1/MHP (Mobile Home Park) to SU-1/PDA (Planned Development Area) and a site development plan for building permit for a site of approximately 58.52 acres, that forms the block between San Pedro Drive, Louisiana Blvd., Derickson Ave. and Santa Monica Ave. The applicant proposes to relocate the remaining residents of the existing mobile home park on site and redevelop most of the remaining land for mixed income housing. The 56 acre residential area would be split into 412 private lots resulting in a gross density of 13.6 DUs/acre. The lots are grouped into 5 areas, by the following housing types: 47 mobile home lots, 62 paired townhouses (duplexes), 102 multiple townhouses (up to 5 attached units), 60 clustered "green court" detached homes, and 141 single family homes. The mobile home lots constitute the affordable housing element of the proposal. Non-residential lots include 2.4 acres in the southeast corner, designated for C-1 and O-1 uses with numerous exceptions, and landscaped open spaces distributed across the site. A network of new streets and walkways provides the circulation system. The entire site would be surrounded by a perimeter wall, with openings at 6 vehicular entrances on Derickson and Santa Monica Avenues.

The subject site is in the Established Urban Area of the Comprehensive Plan. No Rank II or III plans apply.

The current zoning was established in 1972 (Z-71-205) in conjunction with a lot assembly and vacation of Del Rey Avenue (S-71-88; V-71-33) to accommodate a 410-unit mobile home park. In early 2005, the site was the subject of a zone change request to R-1 to accommodate a single family residential subdivision of 209 lots. The applicant withdrew the request several months later amidst public concern over the displacement of the existing mobile home residents. Later that year, the site

was designated a Metropolitan Redevelopment Area by City Council (O-05-147, 10/17/2005). The priority objective for the future of the site was to retain the remaining community of residents in affordable housing. The City's Development Commission approved a Del Rey Metropolitan Redevelopment Project Plan (ADC-06-01) in 2006 (O-06-31). The corresponding project by developer Centex included a zone change to SU-1/PRD and SU-1/MH and R-LT, a site development for subdivision and site development plan for building permit. The project was approved by the EPC (EPC#1003916, 6/16/2006, see attached), but was not signed-off by the DRB and did not move forward. The current applicant purchased the site from the previous owner, Equity Lifestyle Properties, in early July 2007.

The applicant has been working closely with the remaining residents of the mobile home park (the Del Rey Neighborhood Association) and the non-profit Family Housing Development Corporation to agree on a program that would enable residents to purchase lots and relocate their mobile homes on the site. The applicant's overall proposal to redevelop the site has been supported by City Council (R-07-266, 6/18/2007).

The current project differs from the approved redevelopment plan for the MRA. The Head of the Metropolitan Redevelopment Agency has explained to staff that if the project is approved by the EPC, a new redevelopment plan would be needed to replace ADC-06-01 and would be submitted to the City's Development Commission and City Council for approval.

There is an on-going case in federal court between the previous property-owner, Equity Lifestyle Properties Inc and the City. Staff in the City's Legal Department has said that the only matters at issue are whatever interest the plaintiff had in the property before it was sold and should not affect the current proposal (see attached).

A recent letter from City Council staff (see attached) clarifies the intent and impact of the three Council bills that refer to the Del Rey MRA on the current proposal. Essentially, the Council is not placing mandatory limits on what can be included in any particular site development plan or metropolitan redevelopment plan that might eventually be reviewed by the Council. The redevelopment proposal attached to the most recent Council bill (R-07-266 - Exhibit A) is not binding on the applicant and the submittal to the EPC should be reviewed as any other request for site plan approval.

### ***Context***

The rectangular site now mostly vacant. It is bounded on the east and west by major streets and on the north and south by local streets. To the north is a mobile home subdivision (Jade Park). To the south lies a strip of land with mixed uses that face San Antonio Drive: a gated, multi-story condo complex in the middle is flanked by a post office, church, gas stations and convenience stores and other small retail uses. To the east is an apartment complex and single family residential subdivision (Loma del Norte). To the west are two mobile home parks (Albuquerque Meadows and Meadowbrook). The Sandia Mountains are prominent and there are good views of the volcanoes and desert horizon from the eastern portion of the site.

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***Long Range Transportation Systems***

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

The Long Range Roadway System designates Louisiana Blvd. as an existing Minor Arterial, with a right-of-way of 86'.

The Long Range Roadway System designates San Pedro Drive as an existing Collector street, with a right-of-way of 68'.

Despite these designations, the 2006 Traffic Flows map show that traffic flows are considerably higher on San Pedro than on Louisiana Blvd. along the boundaries of the site (approximately 11,000 and 8,000 respectively).

Derickson and Santa Monica Avenues are local streets.

The *Long Range Bikeway System* designates Louisiana Blvd. and San Pedro Dr. with existing bike lanes. San Antonio Drive, one block south of the site, has an existing bike trail/path.

***Public Facilities/Community Services***

APS: Edmund G. Ross Elementary School is approximately 0.75 mile north of the site; Arroyo del Oso Elementary School is approximately 0.75 south of the site.

A small city park is 3 blocks north of the site. Two tennis parks (Loma del Norte and Sister Cities) and the Cherry Hills public library are within 1 mile of the site.

ABQ Ride: Commuter bus #34-San Pedro runs north on San Pedro Dr. and south on Louisiana Blvd. The site is near the northern terminus at Pino and Louisiana. The southern terminus is at the VA Hospital. Commuter bus #91-Ventura Blvd. stops at San Antonio & San Pedro Dr.. It operates between Alameda/Wyoming and the Los Ranchos Rail Runner station. Other bus routes operate on Wyoming within 0.5 mile of the site. (see map attached)

***ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES***

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

**Albuquerque Comprehensive Zoning Code**

The existing zoning is SU-1 for Mobile Home Park. The proposed zoning is SU-1 for PDA (Planned Development Area). Section 14-16-2-22 (24) of the Zoning Code defines PDA as:

“Planned development area, including residential and mobile home development, in which special use, height, area, setback, or other regulations should be imposed, provided the site contains at least 3 acres. Signs as permitted and regulated by the Planning Commission”.

Section 14-16-2-22 (A) sets out procedures for SU-1 proposals, including:

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(1)...No building permit shall be approved within the SU-1 zone unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee....”.

Given that residential design standards and a landscape plan are included in the submittal, future site development plans for building permit for the residential areas can go directly to Building Permit. However, a site development plan for building permit for the lot designated for C-1 and O-1 uses with exceptions will return to the EPC for review and approval and require final sign-off by DRB.

The uses and development standards for the different housing types and the commercial tract are based on regulations in the R-1, RT, C-1 and O-1 zones, and general zoning regulations where relevant. However, the applicant is requesting the following use exceptions to preserve the intended residential character of the site in the long term and prohibit C-1 and O-1 uses that could adversely affect it:

In the residential areas:

a. Excluded Accessory Uses:

1. Agricultural animal keeping, for noncommercial purposes, as follows: rabbits and similar animals, poultry, pigeons.
2. Antenna (noncommercial) up to 65 feet in height
3. Recreational vehicle, boat, or boat-and-boat trailer parking.
4. Trailer parking.
5. Public school, including caretaker’s mobile home.
6. Wireless Telecommunications Facility

b. Excluded Conditional Uses:

1. Accessory living quarters
2. Health care, including physicians, massage, therapy, etc. (but not nursing homes).
3. Public library
4. Public utility structure
5. Recreational facility (non-profit), such as community center, swimming pool, tennis club.
6. Second kitchen within a house.

On the lot designated commercial/office:

a. Excluded permissive uses:

1. Antenna, up to 65 feet in height
2. Park and ride temporary facilities
3. Public utility structure
4. Retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair:
  - a. Auto parts and supply
  - b. Christmas trees, including outside sales
  - c. Gasoline, oil, liquified petroleum gas, including outside sales.

- d. Hardware, building materials
  5. Radio and television station
  6. Services:
    - a. Automobile, bicycle and motorized bicycle (moped) repairing, including body work.
    - b. Car washing
    - c. Parking lot
    - d. Taxidermy
  7. Wireless Telecommunications Facility
- b. Excluded Conditional Uses:
1. Antenna, over 65 feet in height
  2. Community Residential Program including Community Residential corrections program or Community residential program for substance abusers.
  3. Auto, trailer, and truck rental, service, storage.
  4. Drive-up service window
  5. Fireworks sales
  6. Mortuary
  7. Outdoor storage or activity
  8. Park-and-ride joint use facilities
  9. Public utility structure
  10. Use or activities in a tent.
  11. Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building.

### **Albuquerque / Bernalillo County Comprehensive Plan**

The subject site is located in the area designated *Established Urban* by the Comprehensive Plan with a Goal to “To create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.” Applicable policies include:

Policy II.B.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.

***A mix of housing types is proposed, which introduces a wider variety of privately owned residential land uses in the area. The proposed density should help boost the overall density to the desired level in the Established Urban Area of the City, which currently has a majority of lower-density single family homes.***

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 respects existing neighborhood values because the density and type of housing are compatible with surrounding residential neighborhoods and the commercial/office use is located near similar zoning. The affected neighborhood associations either support or have not objected to the proposal.*

Policy II.B.5f: Clustering of homes to provide larger shared open areas and houses oriented towards pedestrian or bikeways shall be encouraged.

*The proposal includes three parks and an area of clustered "Green Court" homes around shared walkways and open areas, which furthers this policy.*

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

- In designated Activity Centers.
- In areas with excellent access to the major street network.
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

*The overall density of the project is higher than the R-1 zone (houses) but less than half of the R-2 zone, which allows medium density apartments. It is appropriate on the subject site, due to its access to major streets and the mixed density of surrounding residential development.*

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 location of the commercial tract in the southeast corner of the site will minimize possible adverse effects on residential uses on the subject site and will serve the wider neighborhood as well as residents of the site.*

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

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.

...

*The proposal will introduce a commercial zone on a site that was previously residential only. In that sense it does not further the policy. However, the proposed commercial zoning is quite limited. It excludes several permissive and conditional uses in the C-1 and O-1 zones that could have adverse impacts on residential uses. The site development plan provides direct pedestrian*

*access between the commercial lot and the residential development, that connects to the network of sidewalks and paths on the rest of the site.*

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 operation.

*A perimeter wall is proposed around the residential portion of the site, including Louisiana Blvd. a minor arterial. This will protect the "Green Court" quarter from some harmful effects of traffic.*

Policy II.B.5l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

Policy II.B.5m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

*The proposal furthers policies l and m, because the site development plan and design standards will improve the visual quality of the site: two housing types, the multiple townhomes (Area 3) and 'Green Court' housing (Area 5), are designed with vehicular access and parking from rear alleys, which will reduce the dominance of garages on the streetscape in those areas; the built environment will be punctuated by three parks and crisscrossed by green pedestrian "breezeways. However, the entire site will be surrounded by a 6' perimeter block wall, which closes it off from the surrounding neighborhoods except at three vehicular entrances on Derickson Ave. and three on Santa Monica.*

Policy II.B.5o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

*The project will redevelop a large site that has deteriorated in recent years, in a prominent location at the gateways to the residential neighborhood between San Antonio Rd and Paseo del North. However, the inward-facing residential layout and perimeter wall do not help the new development integrate with the surrounding neighborhoods. All the manufactured homes in the Jade Park subdivision on the north side of Derickson face the street. The proposal therefore will not have as much of a "ripple" improving effect on the wider neighborhood as it would otherwise.*

*Developed Landscape (Section II.C.8)*

Goal: To maintain and improve the natural and the developed landscapes' quality.

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



*The proposed internal parks and landscaped streets and pedestrian pathways will create a pleasing environment on the interior of the site. However, there is no indication that the outside perimeter will be landscaped.*

*Air Quality (Section II.C.1)*

Goal: is to improve air quality to safeguard public health and enhance the quality of life.

Policy II.C.1b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

*The site is in close proximity to two commuter bus routes which can reduce future residents' use of the automobile to reach their workplace.*

*Housing (Section II.D.5)*

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

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

Policy II.D.5b: Quality and innovation in new housing design and construction shall be promoted and quality of existing housing improved through concentrated renovation programs in deteriorating neighborhoods.

*The proposal furthers the goal and policies above. It preserves affordable housing for the current residents and improves the infrastructure for their mobile homes. It also creates a development framework for a significant number of new units and a range of housing types on a site that has deteriorated and is now mostly vacant.*

*Transportation and Transit (Section II.D.4)*

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.

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

*The site is near two commuter bus routes, which encourages use of transit for travel to work as an alternative to the car. The site development plan promotes walking by providing a network of sidewalks supplemented by landscaped "breezeways" for circulation within the site.*

**Water Conservation/Green Principles**

*Water Management (Section II.D.2)*

Goal: Efficient water management and use.

Policy II.D.2a: Measures shall be adopted to discourage wasteful water use, such as extensive landscape water runoff to uncultivated areas.

Policy II.D.2b: Maximum absorption of precipitation shall be encouraged through retention of natural arroyos and other means of runoff conservation within the context of overall water resource management.

*The landscaping section of the Design Standards refers to Build Green NM guidelines, City of Albuquerque (COA) requirements, the use of "native materials" and water conservation. However, the intent is not carried through to the plant palette in the landscape plan, which includes a majority of medium, rather than low, water use plants and many species that are not native to New Mexico or the Southwest. The exception is the plantings proposed for the median of the main boulevard. Also no measures to harvest rainwater as a supplement to irrigation or measures to promote infiltration of stormwater runoff are specified.*

*Energy Management (Section II.D.3)*

Goal: To maintain an adequate, economical supply of energy through energy management techniques and use of alternate and renewable energy sources.

Policy II.D.3a: Use of energy management techniques shall be encouraged.

Policy II.D.3b: Efficient and economic use of alternative and renewable energy sources such as solar, wind, solid and liquid waste and geothermal supplies shall be encouraged.

*The site development plan states that the goal is to create a certified sustainable development per Build Green NM criteria for site planning and land development, and at the later construction stage. However, specific energy management measures are not identified.*

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

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

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

The applicant provided a justification for the zone change in their original submittal:

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

*Staff agrees that the proposed zone change will enable redevelopment that is generally consistent with this criterion, because it will improve the housing situation of remaining residents on the site and replace a rundown mobile home park with a mix of housing types that will add variety and choice of housing to the area. All 412 lots will be privately owned, which will increase the City's tax base. APS has commented that the development will impact on Del Norte High School, which is over capacity, and that it would request fees based on the net gain in the number of high school students.*

- 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.

*Staff considers that the applicant has provided an acceptable justification for the change.*

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

*The applicant explained how the proposed zone change furthers several Comprehensive Plan policies for the Established Urban Area, Developed Landscape, Air Quality, Housing and Transportation and Transit (see above). Staff agrees that it furthers a preponderance of these policies. The applicant also demonstrated that the proposal meets the objectives of the Council Council for the designated Metropolitan Redevelopment Area, by creating an element of affordable housing on site for the remaining residents of the Mobile Home Park without City subsidies.*

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

*The applicant demonstrated that the existing SU-1 for MHP zoning is inappropriate under 2. and 3. The condition of the mobile home park has deteriorated in recent years and the City Council designated the site as a Metropolitan Redevelopment Area in need of revitalization. The proposed SU-1 for PDA is also more advantageous to the community because it retains affordable housing for the existing residents, will enable them to purchase their own lots and introduces a range of new housing types in the area along with parks and pedestrian greenways. The proposal will not increase the potential density of the site as the existing MHP was built to accommodate 410 mobile homes.*

- 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 applicant proposes a number of exclusions to permissive uses in the R-1, R-T, C-1 and O-1 zones on which the requested SU-1 for PDA zoning is based, in order to prevent possible harmful effects on residents and the neighborhood.*

- 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.

*The applicant states that they will not use any COA funding to subsidize the development of this project.*

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

*Not applicable.*

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

*Not applicable.*

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

*The proposed SU-1 for PDA zoning that includes residential and neighborhood commercial uses is complementary to the zoning of land surrounding the site, which is SU-1 for MHP, R-1, R-2, C-1 and C-2. In any case, staff notes that the 58 acre site is not a "small" 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.

*Not applicable.*

### **ANALYSIS OF SITE DEVELOPMENT PLAN FOR SUBDIVISION**

The applicant submitted a revised site development plan and a supplementary letter dated October 2, 2007, which addressed many of staff's comments. The packet has all the elements required for an SU-1 proposal and also includes Design Standards and a Traffic Distribution Map. *Proposed conditions to improve compliance, consistency and accuracy are in italics.*

#### **Site Plan Layout / Configuration**

The 58.52 acre site forms a rectangular block of approximately 2,500' x 1000', with its longer side along the east-west axis. The site is subdivided by a network of streets of varying widths into rectilinear blocks, with one loop road in the northeast corner. A total of 431 lots would be created: 412 fee-simple residential lots, 1 commercial lot and 18 lots of landscaped common areas to be maintained by a Homeowners' Association. New ROWs within the site and a perimeter sidewalk will be dedicated to the City.

The residential lots are grouped into five areas by housing type (see A002, Exhibit C): 47 mobile home lots, 62 paired townhouses (duplexes), 102 multiple townhouses (up to 5 attached units), 60 "green court" detached homes, and 141 single family homes. The mobile home lots constitute the affordable housing element of the project. The mix and location of the different housing types and commercial use on the site are compatible with the wider neighborhood. The "green court" homes represent an innovative form of clustered housing for the Albuquerque urban area. 4 to 8 detached units will share vehicular access from a side or rear court and pedestrian access from a shared landscaped area off the public street. Each unit would also have a small private open space at ground level.

All residential units on the subject site face internal streets or shared spaces. The main entry boulevard is designed as a parkway and separates the rear of the mobile home area (Area 1) from the rear of the paired townhomes (Area 2). A 6' high perimeter wall also surrounds the site, with a total of 6 openings. *An additional pedestrian access between the commercial lot and adjoining park is indicated in Exhibit A but not on the architectural site plan, which should be remedied. Staff considers that the layout is too inward-oriented and does not capitalize on the opportunity to integrate with Jade Park, the neighborhood north of Derickson. Jade Park consists of a variety of manufactured homes that are not in an enclosed mobile home park. Conditions are recommended: to redesign the north portion of Area 4 so that some of the single-family lots along the north boundary face Derickson; and to allow pedestrian access at breezeway locations on Derickson, Santa Monica and Louisiana Blvd.*

Development is in three phases, beginning with the relocation of the existing residents in Area 1, followed by development of residential Areas 2 – 5, and ending with commercial development in Area 6.

Zoning data for the 6 site areas is displayed in Exhibit C, sheet A002. Each area refers to a standard zone, R-1, R-T, C-1 and O-1, with the exception of green court housing. *Lot widths are shown on*

*the detail sheet (A003) but should also be included in Exhibit C for completeness and ease of reference. Exhibit C indicates which uses, height, setback and open space requirements depart from the standard and the applicant explains how and why in an addendum to the original cover letter.*

These include:

- adjustments to the setbacks on the mobile home lots to accommodate existing double-wide units and accessory structures, including garages at the rear rather than at the front of the lots.
- a minimum side setback at street corners of 8' instead of 10' for the multiple townhomes in Area 3, to increase density and accommodate green "breezeways". Staff notes this also allows for additional off-street parking.
- a smaller minimum lot size of 4,000 sf for the single family detached homes in Area 4 to make them more affordable. Staff notes that it corresponds to the size allowed in Family Housing Development subdivisions in the R-1 zone, although the proposed homes would not meet other affordability criteria for such subdivisions (Section 14-17-1 through - 5)).
- a description of the Green Court housing in Area 5. *Actual setbacks for the Green Court housing are shown as 5', 8' and 10' on the landscaped sides of each structure and 14' on the court side (see Exhibit D on A002 and E3 on A003). These should also be indicated in the table (Exhibit D) for clarity and to ensure that residents will have an adequate area of usable open space on their lots.*
- the applicant is requesting an extensive list of exclusions to the permissive and conditional uses of the R-1 and R-T zones on the residential lots. Likewise, there is a list of excluded uses for the commercial/office tract. The reason is to ensure the residential character of the site in the long term and preclude adverse effects from future uses on the commercial tract.

Usable open space for the paired and multiple townhomes complies with regulations for the R-T zone.

Staff recommends conditions to correct inconsistencies and omissions, e.g. the commercial tract is zoned for *neighborhood*, not community commercial uses; the height of *all* buildings on the site, both residential and commercial, should be a maximum of 26', per the R-1, RT, C-1 and O-1 zones, and comply with solar access regulations in the Zoning Code (Section 14-16-3-3).

Other elements of the site development plan are contained on various sheets of the packet, primarily in the Design Standards on sheet A002. *The title and introduction of the standards should make clear that they only apply to residential development on the site.* The applicant is seeking certification from Build Green NM for the site planning and land development of the residential subdivision (see attached), a program similar to the pilot LEED certification for neighborhood development. Two levels of BGNM certification are currently available, "certified..." and "exceptional sustainable development". *The paragraph on amendments in the introduction should include a statement that EPC approval of a site development plan for building permit is required for the commercial lot. The last section should clarify that the Homeowners' Association authority is limited to enforcement of design standards in the residential areas.*

### ***Walls/Fences***

The description of the various types of walls on the site is somewhat confusing. *Staff recommends that all information on walls be in one section of the Design Standards, including patio walls and the retaining walls on Louisiana Blvd. and San Pedro Ave. mentioned in the Grading & Drainage plan.* The perimeter wall around the residential portion of the site would be made of two types of CMU, punctuated by plain CMU piers and iron picket fencing at shared landscaped areas and openings at vehicular entry points. There would be no openings on San Pedro other than a drainage outlet. *Given the length of unbroken walls (up to 725' on Santa Monica), there are not enough openings and/or variation in the design. Landscaping is mentioned as a means of breaking the mass, but does not appear on the landscape plan for the site.*

A wide range of materials is allowed for internal walls and fences, including chain link. Staff considers them acceptable since a mix of housing is proposed in a variety of vernacular styles (see architecture below). *For Areas 2 - 5, it should be stipulated that the material and color of walls and fences shall be compatible with the architecture within each area to ensure a harmonious design.*

### ***Vehicular Access, Circulation and Parking***

Vehicular access for the residential portion of the development is from three points on Derickson and Santa Monica. The applicant has explained to staff that access points do not line up with streets off the north side of Derickson to discourage and slow any through-traffic on the site.

Internal streets vary in width. The network of internal streets provides good circulation between the different residential areas. Vehicular access to the commercial lot will be directly and exclusively from Louisiana Blvd.

Off-street parking is provided on each residential lot and in seven small parking areas, located in Area 1 (mobile homes), Area 3 (multiple townhomes) and Area 6 (green court housing). Two off-street spaces are proposed per green court unit, while reference is made to the general zoning regulations for other uses. On-street parallel parking is also provided on some internal streets. *The width of on-street parking spaces should be 8.5' minimum and consistent in the keyed notes (A001) and the illustration on sheet A002.*

### ***Pedestrian and Bicycle Access and Circulation, Transit Access***

Internal sidewalks, parks and landscaped "breezeways" provide a convenient and attractive pedestrian network within the site. A new sidewalk will surround the site on the north, west and south sides of the perimeter wall. There is an existing sidewalk on Louisiana Blvd. Pedestrian access to the surrounding area will be limited to the 6 entry points shared with vehicles and one pedestrian-only link with the commercial site. *Staff recommends that landscaped breezeways abutting the site wall have a physical as well as visual opening to improve permeability.* All pathways are a minimum of 5' wide and, with the exception of the perimeter sidewalk, are tree-lined or landscaped. *A condition to also provide street trees on the site perimeter remedies this omission.*

Bicycle access and circulation within the site are not identified separately from other vehicular traffic.

Bus #34 runs northbound on San Pedro and southbound on Louisiana. A bus stop is located on Louisiana next to the commercial lot. *Pedestrian access to the stop for residents would be improved by an opening in the site wall at the shared open space on Tract S.* When the applicant returns to the EPC with a site development plan for building permit for this lot, a shelter should be included to promote use of transit and obtain a 5% reduction in the required parking.

### ***Lighting and Security***

The Design Standards refer to street, area and building-mounted lighting. The City has a standard height for streetlights. *The maximum height of other lights on the site, in off-street parking areas, along landscaped walkways, in parks, and on the commercial lot within 100' of the residential areas, should not exceed 16' per general zoning regulations (Section 14-16-3-9). The standards should also call for pedestrian-scale lighting in parks and landscaped "breezeways".*

### ***Landscaping***

Landscaping is summarized in the Design Standards and shown on the landscape plan (sheets L001 and L002). The plan proposes the landscape treatment of typical townhome lots, per the R-T zoning regulations. Shared landscaped areas (parks and "breezeways") and streetscapes are also shown. Parks include play equipment, ramadas, benches, picnic tables and barbeque pits. *With the exception of medians, the plant palette contains a small proportion of low water use plant and therefore does not accord with Build Green NM Guidelines. The proposed street tree species do not comply with the City Street Tree Ordinance. There also omissions and inconsistencies, which recommended conditions will remedy.*

### ***Architecture***

The "Massing, Exterior Wall Materials and Colors" section establishes vernacular Northern New Mexico styles as the architectural theme, which is an appropriate choice for the mix of smaller homes in this development. These styles will also be compatible with housing that is visible from the site, the Jade Park mobile home subdivision to the north and the two-story stucco and tile condos to the south. The standards strike a reasonable balance between ensuring a certain level of consistency and promoting variety of architectural elements. The former call for stucco as the predominant wall material; earth-based tones; and exterior trim consistently detailed across the site. The latter call for articulation of townhome facades and street-facing garages; the use of accent colors for walls; and a range of roof types (flat, metal and tile pitched roofs).

Mechanical units in the new construction will be pad-mounted and will be screened from view, as will refuse containers. The applicant has stated that the proposed street and sidewalk layout will accommodate the use of individual refuse carts and does not wish to use the lift-bins requested by the Solid Waste Department.

### ***Signage***

Proposed signage consists of a 4' x 12' monument sign in the median at each end of the main boulevard, made of stucco and CMU block to match the site wall, and a wall-mounted sign at each of the four other vehicular entrances. Although the use of illumination and details of the wall-



mounted signs are not included, the proposed standard calls for all signage to conform with zoning regulations, which staff considers acceptable.

***Grading, Drainage, Utility Plans***

*The conceptual grading and drainage plan does not show existing contour lines and spot elevations, but the site generally slopes from east to west. It will be graded to slope to the northwest corner. The majority of runoff generated by the residential development will be discharged to the San Pedro Drain. The remainder will discharge to the North Pino Arroyo. Runoff from the commercial lot will discharge to the street in the Green Court housing area. Streets connecting to Santa Monica shall have water bars to prevent rainwater from entering the site. The site development plan does not include any additional measures to manage stormwater more sustainably, such as those listed in the Build Green NM guidelines or in Comprehensive Plan policies. Conditions are recommended to address these omissions.*

**CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION**

Agency comments begin on page 33. Advance Planning supports the zone change and redevelopment proposal. The Environmental Services Division imposes a condition due to the site's location in two landfill buffer zones. APS reports that Del Norte High School is over capacity.

**NEIGHBORHOOD/PUBLIC CONCERNS**

The Albuquerque Meadows Resident's Association, Del Rey NA , Jade Park NA , and North Wyoming NA were notified of the proposal, as well as property-owners within 100'. The applicant has met on numerous occasions with existing residents of the Del Rey Mobile Home Park (aka Del Rey NA). The focus of their efforts has been to work out a mutually acceptable site design and financial agreement to effect their relocation on site. The proposal before the EPC is related to this agreement, but is a request for a zone change and site development plan for subdivision for the larger 58 acre site. No facilitated meeting was held on this project. A report of a meeting of the Del Rey NA with the applicant is included with the applicant's submittal letter. A letter of general support for the zone change and site development plan was also received from the Del Rey NA dated 10/8/07. They support the preservation of affordable housing and the range of housing types, and the use of xeriscaping. They had some concerns about the sufficiency of vehicular access points, the setbacks on mobile home lots and the perimeter wall. They also suggest the applicant consider the use of gray water for irrigation purposes.

**CONCLUSIONS**

This is a two-part request for a zone map amendment from SU-1/MHP (Mobile Home Park) to SU-1/PDA (Planned Development Area) and a site development plan for subdivision for a site of approximately 58.52 acres, located between San Pedro Drive, Louisiana Blvd., Derickson Ave. and Santa Monica Ave. The applicant proposes to redevelop the existing mobile home park, now mostly vacant, as a residential subdivision of mixed income housing, with shared open spaces and a 2.4 acre lot of neighborhood commercial and/or office use.

The proposal furthers several goals and policies of the Comprehensive Plan. It also meets the priority objective of the Metropolitan Development Area to provide affordable housing for the remaining residents of the Del Rey mobile home park.

The applicant has justified the zone change per R-270-1980.

The site development plan for subdivision and design standards lay the foundation for a pedestrian-friendly, mixed-income residential subdivision of vernacular New Mexico homes. The only significant criticism is to the solid perimeter wall which shuts it off from the surrounding neighborhoods, in particular the Jade Park neighborhood to the north. Conditions are recommended to change the site layout on Derickson Ave. and the design of the wall in order to make the development integrate better with the community. Other conditions are recommended to the site development plan to improve clarity and to correct omissions and inconsistencies.

No adverse comments from neighborhood associations and property-owners were received.

***FINDINGS - 07EPC 40048, October 18, 2007, Zone Map Amendment***

1. The request is for a zone map amendment from SU-1/MHP (Mobile Home Park) to SU-1/PDA (Planned Development Area) for Blocks 18 & 19, North Albuquerque Acres, Tract A, Unit A, a site of approximately 58.52 acres, that forms the block between San Pedro Drive, Louisiana Blvd., Derickson Ave. and Santa Monica Ave. The subject site will be divided into approximately 56 acres of residential and 2.4 acres of neighborhood commercial/office development.
2. The request is accompanied by a site development plan for subdivision for 431 lots with Residential Design Standards.
3. The 56 acre residential area will be split into 412 private lots and 18 tracts of landscaped common areas, resulting in a gross density of 13.6 DUs/acre. The residential lots are grouped into 5 areas according to housing type:
  - c. 47 mobile home lots in Area 1, based on the R-1 zone, which will provide affordable housing for the existing residents;
  - d. 62 paired townhouses (duplexes) in Area 2 and
  - e. 102 multiple townhouses (up to 5 attached units) in Area 3, both based on the R-T zone;
  - f. 141 single family homes in Area 4, based on the R-1 zone;
  - g. and 60 clustered "Green Court" detached homes in Area 5, a kind of hybrid of the R-1 and R-T zones.
4. The applicant requests the following use exceptions from R-1 and R-T zoning for the residential portion of the PDA site:
  - a. Excluded Accessory Uses:
    1. Agricultural animal keeping, for noncommercial purposes, as follows: rabbits and similar animals, poultry, pigeons.
    2. Antenna (noncommercial) up to 65 feet in height
    3. Recreational vehicle, boat, or boat-and-boat trailer parking.
    4. Trailer parking.
    5. Public school, including caretaker's mobile home.

6. Wireless Telecommunications Facility

b. Excluded Conditional Uses:

1. Accessory living quarters
2. Health care, including physicians, massage, therapy, etc. (but not nursing homes).
3. Public library
4. Public utility structure
5. Recreational facility (non-profit), such as community center, swimming pool, tennis club.
6. Second kitchen within a house.

5. The applicant requests the following use exceptions from C-1 and O-1 zoning for the 2.4 acre lot designated neighborhood commercial/office:

a. Excluded permissive uses:

1. Antenna, up to 65 feet in height
2. Park and ride temporary facilities
3. Parking lot
4. Public utility structure
5. Retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair:
  - Auto parts and supply
  - Christmas trees, including outside sales
  - Gasoline, oil, liquified petroleum gas, including outside sales.
  - Hardware, building materials
6. Radio and television station
7. Services:
  - Automobile, bicycle and motorized bicycle (moped) repairing, including body work.
  - Car washing
  - Parking lot
  - Taxidermy
8. Wireless Telecommunications Facility

b. Excluded Conditional Uses:

1. Antenna, over 65 feet in height
2. Community Residential Program including Community Residential corrections program or Community residential program for substance abusers.
3. Auto, trailer, and truck rental, service, storage.
4. Drive-up service window

5. Fireworks sales
  6. Mortuary
  7. Outdoor storage or activity
  8. Park-and-ride joint use facilities
  9. Public utility structure
  10. Use or activities in a tent.
  11. Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building.
6. The site is in the Established Urban Area of the Comprehensive Plan. No Rank II or III plans apply.
  7. The site is in the landfill buffer zones of two former landfills (San Francisco and San Antonio Landfills).
  8. The site was designated a Metropolitan Redevelopment Area by City Council in 2005 (O-05-147, 10/17/2005). The Council set as the main objectives of an MRA plan: to preserve affordable housing for existing residents of the mobile home park; small or no subsidies of redevelopment using City funds; to retain the existing community of park residents. In 2006, the City's Development Commission approved the Del Rey Metropolitan Redevelopment Project Plan (ADC-06-01) and City Council conditionally approved it (O-06-31). The plan corresponded to the project by developer Centex, which included a zone change from SU-1/MHP to SU-1/PRD and SU-1/MH and R-LT, and site development plans for subdivision and for building permit. The project was approved by the EPC (EPC#1003916, 6/16/2006), but did receive DRB sign-off. On 6/18/2007, City Council adopted R-07-266, which supports the applicant's current efforts to redevelop the Del Rey MHP.
  9. In a letter dated September 26, 2007, City Council staff states the following: Council Bill No. O-06-31 clarified that O-05-147 did not place any mandatory limits on what could be included in a metropolitan redevelopment plan for the site; R-07-266 was not intended to bind the applicant to Exhibit A attached to the bill, a description of the current project; and that none of the three Council bills cited above were intended to limit the EPC in reviewing and deciding upon any application for the Del Rey site.
  10. The applicant has provided an acceptable justification for the requested zone change per R-270-1980:
    - A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

The proposed zone change will enable redevelopment that is generally consistent with this criterion, because it will improve the housing situation of remaining residents on the site and replace a rundown mobile home park with affordable and mixed income private housing.

- 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.

The applicant has provided an acceptable justification for the change.

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

The proposal is not in significant conflict with adopted elements of the Comprehensive Plan and furthers a preponderance of applicable goals and policies:

The Goal for the Established Urban Area, Policy II.B.5a, Policy II.B.5h, because the proposed mix and density of residential uses in the PDA offers variety and choice in housing, broadens the range of urban land uses in the Established Urban Area and is appropriately located relative to the existing street network and surrounding land uses.

Policy II.B.5d, because the location and intensity of the PDA uses respect the values of the existing residents of the mobile home park and are compatible with the zoning and uses of surrounding areas. The applicant proposes a number of exclusions to the permissive and conditional uses allowed in the R-1, R-T, C-1 and O-1 zones in order to maintain the residential character of the site and ensure compatibility of future commercial/office uses with the surrounding residential environment.

Policy II.B.5f, Policy II.B.5l, because the proposed PDA includes innovative, clustered “Green Court” housing and a network of shared open spaces.

Policy II.B.5i, Policy II.B.5k because the lot designated for commercial/office use is appropriately located at one corner of the site with vehicular access on Louisiana Blvd, a minor arterial, and segregated pedestrian access from the adjoining residential area: possible adverse effects residents are minimized; and the uses can serve the wider community.

Policy II.B.5m, Policy II.C.8d, because the request for the zone change to SU-1 for PDA is accompanied by a site development plan with design standards and landscaping that will improve the visual environment of the site.

Policy II.B.5o, Policy II.D.5b, because the proposed zoning will facilitate the redevelopment and rehabilitation of an older neighborhood with quality design and construction.

The Housing Goal, Policy II.D.5a, because the proposed PDA conserves affordable housing on the site for existing residents of the mobile home park and increases the supply of quality, reasonably priced private homes on a site that has deteriorated in recent years.

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Policy II.C.1b, Policy II.D.4g, because the PDA is well placed to promote future residents' use of transit and integrates a good network of sidewalks and landscaped pathways that promotes walking.

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

Not applicable.

2. Changed neighborhood or community conditions justify the change; or

Under the current zoning, the mobile home park has deteriorated and become mostly vacant. The site has been in need of revitalization and was designated a Metropolitan Redevelopment Area by City Council in 2005.

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

The proposed SU-1 for PDA zoning is more advantageous to the community because it retains affordable housing for the existing residents on the site, will enable them to purchase their own lots and introduces a variety and choice of new housing in the area together with parks and pedestrian greenways. The proposed 412 residential units will not increase the potential density of the site as the existing mobile home park was built to accommodate 410 mobile homes. The PDA excludes uses that would be detrimental to adjoining residential environments on the lot designated for neighborhood scale commercial and/or office uses.

- 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 residential uses, mobile homes, townhomes, single family homes and clustered homes with shared access and open space, and neighborhood scale commercial and office uses, are either similar or compatible with the surrounding neighborhood uses. In addition, the applicant proposes a number of exclusions to permissive (and conditional) uses in the R-1, R-T, C-1 and O-1 zones on which the SU-1 for PDA zoning is based, which will ensure the area is protected in the long term from adverse impacts.

- 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.

The applicant states that they will not use any direct City funding to subsidize the development of the site after rezoning.

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

The SU-1 for PDA zoning is unique to this area of the City, but it complements the zoning of land surrounding the site, which is SU-1 for MHP, R-1, R-2, C-1 and C-2. In addition, the site covers 58.52 acres which is not a "small" 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:

Not applicable.

11. The Albuquerque Meadows Residents Assn., Del Rey Neighborhood Assn., Jade Park Neighborhood Assn. and North Wyoming Neighborhood Assn. and property-owners within 100' of the site were notified of the request. No facilitated meeting was held. The Del Rey NA submitted a letter of support for the proposal dated 10/8/2007. No adverse comments have been received.

**RECOMMENDATION - 07EPC 40048, October 18, 2007**

**APPROVAL of 07EPC 40048, a Zone Map Amendment, for Blocks 18 & 19, North Albuquerque Acres, Tract A, Unit A, from SU-1/MHP to SU-1/PDA with exceptions to R-1, R-T, C-1 and O-1 permissive and conditional uses, based on the preceding Findings and subject to the following Conditions of Approval.**



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***CONDITIONS OF APPROVAL - 07EPC 40048, October 18, 2007, Zone Map Amendment***

1. Platting must be a concurrent DRB action.

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***FINDINGS - 07EPC 40049, October 18, 2007, Site Development Plan for Subdivision***

1. The request is for a site development for subdivision for Blocks 18 & 19, North Albuquerque Acres, Tract A, Unit A, a site of approximately 58.52 acres, that forms the block between San Pedro Drive, Louisiana Blvd., Derickson Ave. and Santa Monica Ave. and is zoned SU-1/PDA (Planned Development Area) with exceptions to R-1, R-T, C-1 and O-1 permissive and conditional uses. The subject site will be divided into approximately 56 acres of residential and 2.4 acres of neighborhood commercial/office development.
2. The request is accompanied by a request to amend the zoning from SU-1/MHP (Mobile Home Park) to SU-1/PDA (Planned Development Area).
3. The 56 acre residential area will be split into 412 private lots and 18 tracts of landscaped common areas, resulting in a gross density of 13.6 DUs/acre. The residential lots are grouped into 5 areas according to housing type:
  - a. 47 mobile home lots in Area 1, based on the R-1 zone, which will provide affordable housing for the existing residents;
  - b. 62 paired townhouses (duplexes) in Area 2, and
  - c. 102 multiple townhouses (up to 5 attached units) in Area 3, both based on the R-T zone;
  - d. 141 single family homes in Area 4, based on the R-1 zone;
  - e. and 60 clustered "Green Court" detached homes in Area 5, a kind of hybrid of the R-1 and R-T zones.
4. The applicant requests the following use exceptions from R-1 and R-T zoning for the residential portion of the PDA site:
  - a. Excluded Accessory Uses:

1. Agricultural animal keeping, for noncommercial purposes, as follows: rabbits and similar animals, poultry, pigeons.
  2. Antenna (noncommercial) up to 65 feet in height
  3. Recreational vehicle, boat, or boat-and-boat trailer parking.
  4. Trailer parking.
  5. Public school, including caretaker's mobile home.
  6. Wireless Telecommunications Facility
- b. Excluded Conditional Uses:
1. Accessory living quarters
  2. Health care, including physicians, massage, therapy, etc. (but not nursing homes).
  3. Public library
  4. Public utility structure
  5. Recreational facility (non-profit), such as community center, swimming pool, tennis club.
  6. Second kitchen within a house.
5. The applicant requests the following use exceptions from C-1 and O-1 zoning for the 2.4 acre lot designated neighborhood commercial/office:
- a. Excluded permissive uses:
1. Antenna, up to 65 feet in height
  2. Park and ride temporary facilities
  3. Parking lot
  4. Public utility structure
  5. Retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair:
  6. Auto parts and supply
  7. Christmas trees, including outside sales
  8. Gasoline, oil, liquified petroleum gas, including outside sales.
  9. Hardware, building materials
  10. Radio and television station
  11. Services:
  12. Automobile, bicycle and motorized bicycle (moped) repairing, including body work.
  13. Car washing
  14. Parking lot
  15. Taxidermy
  16. Wireless Telecommunications Facility
- b. Excluded Conditional Uses:

1. Antenna, over 65 feet in height
  2. Community Residential Program including Community Residential corrections program or Community residential program for substance abusers.
  3. Auto, trailer, and truck rental, service, storage.
  4. Drive-up service window
  5. Fireworks sales
  6. Mortuary
  7. Outdoor storage or activity
  8. Park-and-ride joint use facilities
  9. Public utility structure
  10. Use or activities in a tent.
  11. Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parpet of the building.
6. The site is in the Established Urban Area of the Comprehensive Plan. No Rank II or III plans apply.
7. The site is in the landfill buffer zones of two former landfills (San Francisco and San Antonio Landfills).
8. The site was designated a Metropolitan Redevelopment Area by City Council in 2005 (O-05-147, 10/17/2005). The Council set as the main objectives of an MRA plan: to preserve affordable housing for existing residents of the mobile home park; small or no subsidies of redevelopment using City funds; to retain the existing community of park residents. In 2006, the City's Development Commission approved the Del Rey Metropolitan Redevelopment Project Plan (ADC-06-01) and City Council conditionally approved it (O-06-31). The plan corresponded to the project by developer Centex, which included a zone change from SU-1/MHP to SU-1/PRD and SU-1/MH and R-LT, and site development plans for subdivision and for building permit. The project was approved by the EPC (EPC#1003916, 6/16/2006), but did not move forward. On 6/18/2007, City Council adopted R-07-266, which supports the applicant's current efforts to redevelop the Del Rey MHP.
9. Approval of this request will require the submittal of a new redevelopment plan to the City's Development Commission and City Council for approval.
10. In a letter dated September 26, 2007, City Council staff explained that: Council Bill No. O-06-31 clarified that O-05-147 did not place any mandatory limits on what could be included in a metropolitan redevelopment plan for the site; R-07-266 was not intended to bind the applicant to Exhibit A attached to the bill which summarizes the proposal; and that none of the three Council

bills cited above were intended to limit the EPC in reviewing and deciding upon any application for the Del Rey site.

11. The proposal furthers a preponderance of applicable Comprehensive Plan goals and policies:

The Goal for the Established Urban Area, Policy II.B.5a, Policy II.B.5h, because the proposed mix and density of residential uses in the PDA offers variety and choice in housing, broadens the range of urban land uses in the Established Urban Area and is appropriately located relative to the existing street network and surrounding land uses.

Policy II.B.5d, because the location and intensity of the PDA uses respect the values of the existing residents of the mobile home park and are compatible with the zoning and uses of surrounding areas. The applicant proposes a number of exclusions to the permissive and conditional uses allowed in the R-1, R-T, C-1 and O-1 zones in order to maintain the residential character of the site and ensure compatibility of future commercial/office uses with the surrounding residential environment.

Policy II.B.5f, Policy II.B.5l, because the proposed PDA includes innovative, clustered “Green Court” housing and a network of shared open spaces.

Policy II.B.5i, Policy II.B.5k because the lot designated for commercial/office use is appropriately located at one corner of the site with vehicular access on Louisiana Blvd, a minor arterial, and has direct access from the adjoining residential area for pedestrians: possible adverse effects residents are minimized; and the uses can serve the wider community.

Policy II.B.5m, Policy II.C.8d, because the proposed design standards and landscape plan will improve the visual environment of the site.

Policy II.B.5o, Policy II.D.5b, because the site development plan and design standards will facilitate the redevelopment and rehabilitation of an older neighborhood and the applicant seeks Build Green NM certification for sustainable site planning and land development.

The Housing Goal, Policy II.D.5a, because the proposed PDA: conserves affordable housing on the site and upgrades the infrastructure and residential environment for existing residents of the mobile home park; increases the supply of quality, reasonably priced, private equity homes in the area.

Policy II.C.1b, Policy II.D.4g, because the PDA is well placed to promote future residents’ use of transit and integrates a good network of sidewalks and landscaped pathways that promotes walking.

12. The perimeter block wall shuts the site off from surrounding neighborhoods. Conditions are recommended to change the site layout on Derickson Ave. and to the design of the wall in order to make the development integrate better with the community. Other conditions are

recommended to the site development plan to improve clarity and to correct omissions and inconsistencies.

13. The Albuquerque Meadows Residents Assn., Del Rey Neighborhood Assn., Jade Park Neighborhood Assn. and North Wyoming Neighborhood Assn. and property-owners within 100' of the site were notified of the request. No facilitated meeting was held. The Del Rey NA submitted a letter of support for the proposal dated 10/8/2007. No adverse comments have been received.

***RECOMMENDATION - 07EPC 40049, October 18, 2007***

**APPROVAL of 07EPC 40049, a Site Development Plan for Subdivision, for Blocks 18 & 19, North Albuquerque Acres, Tract A, Unit A, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 07EPC 40049, October 18, 2007, Site Development Plan for Subdivision***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The applicant shall demonstrate how the Water Management Goal, Section II.D.2 of the Comprehensive Plan, is furthered.
4. The applicant shall demonstrate how the Energy Management Goal, Section II.D.3 of the Comprehensive Plan, is furthered.

5. The applicant shall obtain a Certificate of No Effect or a Certificate of Approval pursuant to F/S O-07-72, the Albuquerque Archaeological Ordinance, prior to approval of the preliminary plat and site development plan.
6. There is the potential for above-named project to be impacted by the presence of landfill gas generated by two former landfills (San Francisco and San Antonio Landfills). The developers of this site are required to follow the most current version of the *City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones*. A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department (EHD), Environmental Services Division.
7. CONDITIONS OF APPROVAL FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY AND NMDOT FOR THE PROPOSED ZONE MAP AMENDMENT AND SITE DEVELOPMENT PLAN FOR SUBDIVISION SHALL INCLUDE:
  - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
  - b. 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).
  - c. Where applicable and based on internal street width and limited on-street parking, designate narrow lots as P1 or P2 per DPM requirements. These lots must meet the P1 or P2 criteria to be designated as such.
  - d. Parallel parking spaces to meet DPM requirements.
  - e. Access to commercial property shall meet DPM requirements.
  - f. Intersection and site drive spacing to meet DPM requirements.
  - g. Platting must be a concurrent DRB action.
  - h. Site plan shall comply and be designed per DPM Standards or as approved by the Traffic Engineer.
8. The layout of Area 4 shall be redesigned so that a majority of lots in Block K face Derickson street.
9. The design of the perimeter wall shall comply with Section 14-16-3-19 (B) of the Zoning Code.

10. Landscaped breezeways abutting the site wall shall provide pedestrian access as well as a visual opening. Gates are acceptable, provided they can be opened from either side.
11. Pedestrian access between the commercial lot and adjoining park shall be shown or keyed on the architectural site plan.
12. All references to “community commercial” shall be changed to “neighborhood commercial”.
13. Blocks (A – Q) shall be shown consistently in the site development plan.
14. The following changes shall be made to sheet A001:
  - a. The legal description shall include Block 19.
  - b. Widths of existing ROWs shall be indicated on the plan.
  - c. Sidewalks shall be replaced with crosswalks where alleys and drive courts access internal streets (Area 3 and 5).
15. The following changes shall be made to Exhibit C, sheet A002:
  - a. The maximum building height for all areas shall be 26’ except as provided in Zoning Code Section 14-16-3-3 (A)(7) to preserve solar access.
  - b. Include the minimum lot widths, as shown on sheet A003.
16. The following changes shall be made to the Design Standards:
  - a. The title and introduction shall clarify that the standards apply to the residential areas of the PDA only. The applicant shall describe the approach to design of the commercial/office tract, in order to ensure that future development is compatible and/or integrates with the adjoining residential and open space uses and with the pedestrian network.
  - b. Add: “The site development plan for building permit for the commercial lot shall require EPC approval.”

c. Walls/Fences

- i. Standards for all types of walls, including patio and retaining walls, shall be in the walls/fences section.
- ii. Standard gray CMU shall be prohibited.
- iii. Add: “The height and design of walls, fences and retaining walls shall comply with Section 14-16-3-19 of the Zoning Code. The design, material and color of interior walls and fences shall be compatible with the architecture of the housing in their respective area of the site (Areas 1 – 5) to ensure a harmonious design.”

d. Lighting

- i. Add: “The maximum height of street and parking area light poles shall be 16’ in, and within 100’, of a residential zone.
- ii. Add: “Parks and landscaped walkways shall have pedestrian-scale lighting”.

17. The width of parallel parking spaces shall be 8.5’ minimum.

18. The conceptual grading and drainage plan shall indicate the elevations of existing contour lines and proposed spot elevations.

19. Landscape Plan

- a. Change plant palette to accord with the Design Standards, which refer to Build Green NM Guidelines and City requirements. The majority of proposed trees and plants are not native and are medium rather than low water use plants.
- b. A mixture of at least four species of street trees shall be used on internal streets and along existing streets on the perimeter of the site. Only one of every three street trees may be an accent tree, such as flowering pear, per the Street Tree Ordinance. The street trees on perimeter streets may be part of a landscaping strip to vary the design of the public side of the site wall.
- c. Some plants on sheet L002 are not identified and shall be added to the plant legend.
- d. Re. Maintenance responsibility, insert “and/or Homeowners Association”.



- e. Clarify location of areas planted with wildflowers and covered with Santa Ana gravel.
  - f. Non-living groundcovers and hardscape materials shall be identified. The material used on walkways in parks and breezeways shall be pervious.
  - g. Include calculations to demonstrate that 75% live groundcover is achieved in the landscaped areas on residential lots and in parks and breezeways.
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***Carol Toffaleti  
Planner***

cc: Dekker Perich Sabatini, 7601 Jefferson NE, Suite 100, Albuquerque, NM 87109  
Del Rey Investments LLC, 6300 Riverside Plaza Lane NW, Suite 200, Albuquerque, NM 87120  
Betty Skelly, Albuquerque Meadows Residents, 7112 Pan American NW, #240 Albuquerque, NM 87109  
AmyWhitling, Del Rey, 18 Via de Miguels NE, Albuquerque, NM 87109  
Alexandra Garley, Del Rey, 8 Via de Margarita NE, Albuquerque, NM 87109  
Priscilla Martinez, Jade Park, 6704 San Bernardino NE, Albuquerque, NM 87109  
John Stutzman, Jade Park, 6800 Jade Park NE, Albuquerque, NM 87109  
Amy Wasko, North Wyoming, 7808 Callow NE, Albuquerque, NM 87109  
Nanci Carriveau, North Wyoming, 8309 Krim Dr. NE, Albuquerque, NM 87109

***Attachments***

Council resolutions  
Notice of Decision, dated 6/16/2006  
Email from City Legal Service staff  
Letter from City Council staff, dated September 26, 2007  
Exhibit A (Ref. R-07-266)  
Map of public facilities and bus stops  
Applicant's supplementary letter, dated 10/2/2007  
Build Green NM Site Planning & Land Development checklist  
Letter from Del Rey NA, dated 10/8/2007  
R-270-1980

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## CITY OF ALBUQUERQUE AGENCY COMMENTS

### PLANNING DEPARTMENT

#### Zoning Code Services

Reviewed: no comments

#### Office of Neighborhood Coordination

**Albuquerque Meadows Resident's Assoc. (R), Del Rey NA (R), Jade Park NA (R), North Wyoming NA (R)**

#### Advanced Planning

The new zone is compatible with the existing development. The redevelopment of this property will be an asset to the surrounding area.

### PUBLIC WORKS DEPARTMENT

#### **Transportation Development (City Engineer/Planning Department):**

- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- 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).
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- Site plan shall comply and be designed per DPM Standards or as approved by the Traffic Engineer.

#### **Hydrology Development (City Engineer/Planning Department):**

- The Hydrology Section has no objection to the zone map amendment request.
- An approved grading and drainage plan is required for site plan sign-off by the City Engineer.
- **Condition:** Platting must be a concurrent DRB action.

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

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

**Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

**Utility Development (Water Authority):**

- No comments received.

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

- 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 **FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT** for the proposed Zone Map Amendment and Site Development Plan for Subdivision shall include:

- i. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- j. 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).
- k. Where applicable and based on internal street width and limited on-street parking, designate narrow lots as P1 or P2 per DPM requirements. These lots must meet the P1 or P2 criteria to be designated as such.

- l. Parallel parking spaces to meet DPM requirements.
- m. Access to commercial property shall meet DPM requirements.
- n. Intersection and site drive spacing to meet DPM requirements.
- o. Platting must be a concurrent DRB action.
- p. Site plan shall comply and be designed per DPM Standards or as approved by the Traffic Engineer.

***ENVIRONMENTAL HEALTH DEPARTMENT***

***Air Quality Division***

- No comments received.

***Environmental Services Division***

There is the potential for above-named project to be impacted by the presence of landfill gas generated by two former landfills (San Francisco and San Antonio Landfills). The developers of this site are required to follow the most current version of the *City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones*. A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department (EHD), Environmental Services Division.

EHD requests that the Planning Department make the above paragraph a condition of approval for the project's Site Development Plan-Building Permit.

***City Forester***

- No comments received.

***PARKS AND RECREATION***

***Planning and Design***

- No comments received.

***Open Space Division***

Open Space has no adverse comments

***POLICE DEPARTMENT/Planning***

- No comments received.

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

Approved on condition, will comply with all SWMD ordinances and requirements. Requires lift bins for townhouses and storage area of carts for single family dwelling units not visible from street or located inside garage. Call for details 761-8142.

***FIRE DEPARTMENT/Planning***

- No comments received.

***TRANSIT DEPARTMENT***

- No comments received.

## ***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

- No comments received.

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

Reviewed, no comment.

***ALBUQUERQUE PUBLIC SCHOOLS***

Del Rey Investments, LLC (DRI) is requesting a zone change from SU-1 for Mobile Home Park to SU-1 for Planned Development Area (PDA) and approval of site plans for subdivision. The property has been known as the Del Rey Mobile Home Park, but will be renamed **Monterra Del Rey**. Del Rey Investments, LLC (DRI) intends to develop a residential townhouse subdivision, including affordable homes and mobile home lots. The redevelopment project will consist of 47 existing mobile homes, 62 paired town homes, 102 town homes with up to 5 dwelling units connected, 141 single family detached homes, and 60 green court single-family homes, bringing the total to 412 residential units. In addition, Del Rey Investments is proposing to accommodate the existing tenants of the Del Rey Mobile Home Park by offering them equity ownership of their own fee simple lots along Derickson Ave.

The proposed redevelopment project will affect EG Ross Elementary, McKinley Middle School, and Del Norte High School. Currently, EG Ross Elementary and McKinley Middle School have excess capacity, however, Del Norte High School is over capacity.

<b>Loc No</b>	<b>School</b>	<b>2007-08 Projections</b>	<b>2006-07 Capacity</b>	<b>Space Available</b>
219	E.G. Ross	560	750	190
440	McKinley	643	819	176
514	Del Norte	1,620	1,550	-70

Before discussions began about the proposed redevelopment project, Del Rey Mobile Home Park had approximately 175 students. As people have moved out or accepted the relocation package, the number of students currently living in Del Rey has declined to approximately 38 students. Based on the assumption that Monterra Del Rey Subdivision will continue to provide affordable housing/mobile home lots, the new development could generate approximately 200 students at full build out.

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

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

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

**MID-REGION COUNCIL OF GOVERNMENTS**

- No comments received.

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

- No comments received.

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

There is an overhead three-phase line along Louisiana, which presently serves the primary meter for the property. There is also an overhead line on the west side of San Pedro. Gas lines are located on all four sides of the property.