



**Environmental  
Planning  
Commission**

**Agenda Number: 6  
Project Number: 1004221  
Case #'s: 08EPC 40015/40018  
March 20, 2008**

**Staff Report**

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	Kenny Hinkes
<b>Request(s)</b>	<b>Zone Map Amendment Site Development Plan for Building Permit</b>
<b>Legal Description</b>	D-3, Academy Place Subdivision
<b>Location</b>	Juan Tabo Blvd. NE between Spain Road NE and Osuna Road NE
<b>Size</b>	Approximately 1 acre
<b>Existing Zoning</b>	SU-1 for Institutional Uses
<b>Proposed Zoning</b>	SU-1 for O-1 Permissive Uses

**Staff Recommendation**

**APPROVAL of 08 EPC 40018, based on the findings on page 13, and subject to the conditions of approval on page 14.**

**APPROVAL of 08 EPC 40015, based on the findings on page 15, and subject to the conditions of approval on page 16.**

**Staff Planner**

**Randall Falkner, Planner**

**Summary of Analysis**

This proposal is a request for a zone map amendment from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses, as well as a site development plan for building permit. The request is for a vacant property of 1 acre on Juan Tabo Boulevard NE, between Spain Road NE and Osuna Road NE. The applicant intends to build a 20,451 square foot two-story office building on the property.

The applicant has adequately justified both the request for the zone map amendment, as well as the site development plan for building permit, based on applicable policies found in the Comprehensive Plan. Staff recommends approval with conditions.

Location Map (3" x 3")

**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 Institutional Uses	Established Urban	Vacant
<i>North</i>	SU-1 for PRD	Same as above	Single-Family Residential
<i>South</i>	SU-1 (Mixed Dev. Area Rest. w/full service liquor)	Same as above	St. Catherine Healthcare and Rehabilitation Center and Amberglen town homes
<i>East</i>	O-1	Same as above	Ancala Village town homes and office buildings
<i>West</i>	SU-1 for Institutional Uses	Same as above	Manor Care Assisted Living facility

**Background**

This proposal is a two-part request for a zone map amendment and a site development plan for building permit. The applicant proposes to change the zoning from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses. The request is for a vacant property of 1 acre on Juan Tabo Blvd. NE between Spain Road NE and Osuna Rd NE. The applicant intends to build a two-story 20,451 square foot office building, with 11,522 square feet on the first floor and 8,929 square feet on the second floor.

**History**

In 1979, an assisted living facility was proposed with a master plan for a 120-bed privately owned and operated Medicare approved, FHA financed nursing home. Approximately 4.5 acres of the property was developed for the nursing home and the master plan included a multiple family housing project, apartments, and condominiums, which were never built (Z-79-77). In 1979, the land to the south (Tract 2A) was zoned SU-1 for mixed use development, including restaurant with full service liquor. In 1988 The EPC voted to approve Z-79-77-2, an amendment of the site development plan for the nursing home to provide for a 28-bed expansion of the facility, located west of the subject site in D-1.

**Context**

The subject site is located on Juan Tabo Blvd. NE between Spain Road NE and Osuna Rd NE. To the north is a SU-1 for PRD zone with single-family residential, to the south is a SU-1 zone that contains St. Catherine Healthcare and Rehabilitation Center, to the east is an O-1 zone with town homes and office buildings, and to the west is an SU-1 zone with Manor Care Assisted

Living facility. The subject site is within the Established Urban Area of the Comprehensive Plan and along an Enhanced Transit Corridor.

### ***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.

The Long Range Roadway System designates Juan Tabo Boulevard NE as a Principal Arterial, with a right-of-way of 124'.

The Long Range Roadway System designates Spain Road NE as a Minor Arterial, with a right-of-way of 86'.

The Long Range Roadway System designates Osuna Road NE as a local street.

There is an existing bicycle lane just north of the subject site that runs west on Spain Road NE, and a bicycle route that runs east on Spain Road NE. The Bear Canyon recreation trail is found south of the subject site and Osuna Road NE along the drainage easement. These bicycle trails, lanes, and routes interconnect with the rest of the bicycle system in Albuquerque, and is relatively close to the long multi-use trail along Tramway Boulevard NE and the Sandia foothills that have multiple mountain bike trails.

The property is along an Enhanced Transit Corridor (Juan Tabo Boulevard NE) and there is a bus stop just to the south of the site along Juan Tabo Boulevard, and another stop across the street from the site. Bus route #1 provides service to the subject site and the surrounding area.

### ***Public Facilities/Community Services***

There are a number of public facilities and community services in the area surrounding the subject site. Nearby parks include El Oso Grande and Hahn to the south, Academy Hills to the north at Juan Tabo and Eubank, and Arroyos del Oso Park and Golf Course to the west. Bear Canyon Open Space is just east of Juan Tabo and south of Spain. Three elementary schools are relatively close, including Georgia O'Keefe, Osuna, and S.Y. Jackson. Eisenhower Middle School and El Dorado High School are also within a mile of the subject site. Bear Canyon Senior Center is located nearby, west of Morris Street and Gutierrez Road.

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

### ***Albuquerque Comprehensive Zoning Code***

The applicant proposes to change the zoning from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses. The SU-1 designation refers to the Special Use zone. The SU-1 zone (see Zoning Code Sec. 14-16-2-22) provides suitable uses 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. Development on an SU-1 zone may "only occur in conformance with an approved site

development plan” that is subject to Environmental Planning Commission (EPC) review. The applicant has provided an accompanying site development plan that proposes office uses. The proposed zoning (O-1) does allow the current zoning (institutional use) as a permissive use. The proposed zoning is compatible with the existing zoning.

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

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

The subject site is located in the area designated Established Urban by the Comprehensive Plan. The applicant cited the following goals and policies in the Comprehensive Plan: II.B.5d, II.B.5e, II.B.5i, II.B.5k, II.B.5l, II.B.5m, II.B.5o, II.D.4b, II.D.6a, and II.D.6f. Other Policies in the Comprehensive Plan that were not cited by the applicant, but apply to the request include the following: II.B.5a and II.D.4g. The applicable goals and policies, followed by staff analysis include:

#### *Land Use Policies-*

The Goal 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.

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

***The zone change request will help to increase land use variety in this area, which includes single family residential, town homes, institutional facilities, and other office uses. Policy II.B.5a is furthered by the proposal.***

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 project will develop vacant land that is designed to enhance the existing streetscape. The proposed SU-1 for O-1 Permissive Uses will allow for a use that is compatible with the surrounding area and will respect existing neighborhood values and natural environmental conditions. Policy II.B.5d is furthered by the proposal.***

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 and can be ensured.

*The property is immediately adjacent to existing urban facilities and services. Full urban services are available to this site and the integrity of existing neighborhoods can be ensured under the proposed zoning. The subject site is one of the only vacant lots in the area. Policy II.B.5e is furthered by the proposal.*

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 permissive uses of the O-1 zone will be compatible with surrounding uses and employment at this location and will have no adverse effects on the surrounding neighborhoods. Both the John B. Robert Neighborhood Association and Oso Grande Neighborhood Association provided letters of support. Policy II.B.5i is furthered by the proposal.*

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 livability and safety of established residential neighborhoods will be protected by proper transportation planning and the site plan. The proposed zoning will have not adverse traffic impacts on the surrounding neighborhood. Policy II.B.5k is furthered by the proposal.*

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 improved the quality of the visual environment shall be encouraged.

*The building has been designed to reinforce the street edge along Juan Tabo Boulevard, separate the street from the majority of the parking, and provide excellent views from the new building. This is a quality design which is appropriate to the plan area and that maintains unique vistas. Policies II.B.5l and II.B.5m are furthered by the proposal.*

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

*The proposed office building will be in an established area with older neighborhoods. The infill development of the current vacant lot will help to strengthen the surrounding neighborhood. The zone change will help to facilitate redevelopment in the established neighborhoods by changing from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses.*

***The zone change will promote economic development and jobs throughout the local neighborhoods. Policy II.B.5o is furthered by the request.***

*Transportation and Transit-*

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

Policy II.D.4b: The City will structure capital expenditures and land use regulations in support of creating additional housing and jobs within Major Transit and Enhanced Transit Corridors, and will promote ongoing public/private cooperation necessary to create private market conditions that support intensified development of jobs and housing in these corridors.

***The property is along an Enhanced Transit Corridor and there is a bus stop to the south of the site on the same side of the street and across the street on the southeast corner of Juan Tabo. This request will promote the Enhanced Transit corridor goal of developing corridors that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit as alternatives to automobile travel. The request will also help to create jobs along an Enhanced Transit Corridor. Goal II.D.4 and Policy II.D.4b are furthered by the request.***

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

***Pedestrian opportunities are promoted and integrated into the development. Pedestrians can access all sides of the building through the sidewalks, and can access the City sidewalk and transit facilities. The request also fulfills the Corridor Policy Objectives for Enhanced Transit by providing an entrance from the street and by separating the parking location from the street by the building. Policy II.D.4g is furthered by the request.***

*Economic Development-*

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy II.D.6a: New employment opportunities which will accommodate a wide range of occupational skills and salary level shall be encouraged and new jobs located convenient to areas of most need.

Policy II.D.6f: The City and County should remove obstacles to sound growth management and economic development throughout the community.

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*The site will benefit the surrounding neighborhood and businesses by bringing new business to the area and by bringing a variety of jobs to the neighborhood. Economic development will be provided adjacent to existing infrastructure, transit services, and residences. Policies II.D.6a and II.D.6f are both furthered by the request.*

**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.

- A. The applicant makes the case that the proposed zoning does not allow uses that conflict with the health, safety, morals, and/or general welfare of the community, and that O-1 permissive uses are generally low impact and appropriate in this area. Staff generally agrees with the applicant that the proposed zoning will be consistent with the health, safety, morals, and general welfare of the City.*
- B. The proposed zoning is similar to the existing and surrounding zoning and maintains the stability of land uses in the area. The subject site is bordered by SU-1 institutional uses to the west, SU-1 Mixed Dev. Area to the south, O-1 uses to the east, and SU-1 for PRD to the north, which are all compatible with the SU-1 for O-1 Permissive Uses that is being requested. The applicant has also cited a number of goals and objectives in the Comprehensive Plan that are furthered by this request.*
- C. The applicant states that the proposed zone change is not in significant conflict with existing City plans and policies, and that the request to allow SU-1 for O-1 Permissive Uses would be more advantageous for the area, further policies for the established urban area, and promote infill development. Staff is agreement that the zone change is not in significant conflict with adopted elements of the Comprehensive Plan and the applicant has cited numerous policies that support the request.*
- D. The applicant has demonstrated that a different use category would be more advantageous to the community because the previous zoning was contingent on further development of the assisted living facility that did not occur. As a result of not expanding, the lot has remained vacant, and has become an eyesore with the use of small billboards. The special use category would allow the vacant land to be developed with offices that would serve the community and provide infill development. Surrounding development is compatible with the proposed zone.*

- E. The proposed use would not be harmful to the community, neighborhood or adjacent properties and would complement the existing uses. The SU-1 designation does require a site development plan, which would help ensure the quality and type of uses located on the property.*
- F. The proposed zone change requires no major or unprogrammed capital expenditures by the City in order to be developed.*
- G. Economic considerations are a factor, but not the determining factor in this analysis.*
- H. The subject's site on Juan Tabo Boulevard is not the only justification for this request.*
- I. This site is adjacent to other properties that have similar zoning. This request does not constitute a spot zone.*
- J. This request does not constitute a strip zone.*

#### **ANALYSIS OF SITE DEVELOPMENT PLAN FOR (SUBDIVISION) (BUILDING PERMIT)**

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

The subject site is approximately one acre in size and is identified as Tract D-3, Academy Place Subdivision. The proposed development is for a future 20,451 square foot two-story office building. The first floor will be 11,522 s.f. and the second floor will be 8,929 s.f.

The site development plan for building permit indicates that the primary entrance for the building will be oriented to face west. There will also be entrances on the north and east (Juan Tabo Blvd) sides of the building. The building will be built up to the street (along Juan Tabo Blvd) with parking behind (west side) and to the side of the building (north side). This design will promote the Comprehensive Plan Enhanced Transit corridor goal of developing corridors that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit as alternatives to automobile travel (Goal II.D.4). It also fulfills the Comprehensive Plan Corridor Policy Objectives for Enhanced Transit by providing an entrance from the street and by separating the parking location from the street by the building (p. II-83). The trash enclosure is located behind the building in the far southwest corner of the property.

The proposed building height and setbacks comply with the City zoning regulations. For SU-1 zoning, the same height regulations apply as in the R-2 zone unless modified by the Planning Commission. R-2 zoning allows structure height up to 26 feet. The height and width of the structure over 26 feet shall fall within 45 degree angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline, or drainage right-of-way centerline. To protect solar access, a structure may be sited in any other directions within planes drawn at a 60 degree angle from the same boundaries or centerline. The building portion shown on the north elevation that is approximately 35 feet high at the middle of the pitch complies with the R-2 height regulations because it is approximately 120 feet away from the neighborhood to the north, which would place it well within the 45



degree angle plane. The portion of the building that faces east falls well within the 60 degree angle plane because the building (which is approximately 35 feet high at the middle of the pitch) is approximately 36 feet away from the public right-of-way centerline along Juan Tabo Boulevard (if a building were to be built at the maximum height in the 60 degree angle plane at this location, 36 feet away from the right-of-way centerline it could actually be up to 62 feet). Ultimately, the height of the building would be up to the EPC, since they have discretion in an SU-1 zone.

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

There is an existing CMU retaining wall along the majority of the north side of the property (approximately 130' long) that separates the subject site from the residential neighborhood to the north. The CMU retaining wall averages 5'4" above existing grade on the proposed property, and averages 11'4" above finish grade on the adjacent property to the north. There is a proposed CMU retaining wall (6' maximum) along the majority of the west side of the property (approximately 204' long) and along about half of the south side of the property (approximately 73' long). There is another wall, an existing railroad tie retaining wall, 3' above existing grade that is shown on the site plan, but it is actually on the adjacent property to the west.

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

Vehicular access is provided through a 30' driveway on the east side of the property off of Juan Tabo Boulevard. The driveway provides a right-in, right-out only access. The mini-roundabout on the back side of the building, close to the main entrance, allows the driver to circle around the parking lot without having to pull in or out of a parking stall, which would be necessary for drop-offs.

Parking requirements (with the 10 percent transit reduction) require 68 spaces for this subject site, and 65 spaces are provided (including four handicapped spaces). Four motorcycle spaces are provided, two on the northeast side of the building (which provides access to the north entrance and to the primary west entrance), one on the far northeast side of the building (close to Juan Tabo Boulevard) and one on the southwest side of the parking lot (close to the primary entrance). Staff recommends adding three more compact spaces so the applicant can fulfill the 68 required parking spaces; however, EPC has discretion concerning parking in an SU-1 zone.

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

Sidewalks will be built along the north, west, and south sides of the building. The east side of the building does have a 10 foot wide sidewalk/entrance way (that is approximately 24 feet long) located at the entry. On both sides of the sidewalk on the east side there is a 10 foot public utility easement that is covered by Santa Fe Brown Crusher Fines and is used as a swale to provide drainage and water harvesting opportunities. An existing City sidewalk is in front of this swale area and the east entrance along the entire east side of the building. The site development plan

for building permit shows the proposed sidewalks ranging from 4 feet wide to 10 feet wide. The sidewalk directly in front of the primary entrance on the west side is 10 feet wide, while the sidewalk directly in front of the north entrance is 8 feet wide. The sidewalk on the south side of the building is only 4 feet wide. Staff recommends increasing the width of the sidewalk on the south side of the building to 6 feet wide. The part of the sidewalk on the west side that is not the primary entrance area (the northern section) is only 6 feet wide. According to Section 14-16-3-18 of the Zoning Code, sidewalks for buildings 10,000 – 30,000 s.f. need to be 10 feet in width. The Zoning Code also states that “the width of the required sidewalk may vary along the entire length of the facade provided the average required width is maintained and provided the width of the sidewalk along the facade does not fall below 8 feet.” Since a portion of the sidewalk on the west side of the building is already between 8 to 10 feet wide, the rest of the sidewalk along this facade should also be between 8 and 10 feet wide as well. Staff recommends increasing the width of the sidewalk on the west side of the building in locations where it is only 6 feet wide to between 8 and 10 feet wide (Section 14-16-3-18).

Although there is no existing bicycle lane directly in front of the building on Juan Tabo Boulevard, there is an existing bicycle lane just north of the subject site that runs west on Spain Road NE, and a bicycle route that runs east on Spain Road NE. An existing multi-use trail is found south of the subject site close to Osuna Road NE. These bicycle trails, lanes, and routes interconnect with the bicycle system in Albuquerque, and is close to the long multi-use trail along Tramway Boulevard NE and the Sandia foothills that have multiple mountain bike trails. The building can be accessed by bicycle, and there is a bicycle rack at the east side entrance off of Juan Tabo. There is another bicycle rack at the west side of the building close to the primary entrance.

The property is along an Enhanced Transit Corridor (Juan Tabo Boulevard) and there is a bus stop just to the south of the site along Juan Tabo Boulevard, and another one across the street from the site. Bus route #1 provides service to the subject site and the surrounding area.

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

The proposed lighting is in compliance with the area lighting regulations found in the Zoning Code. Light fixtures are 16 feet high from the finished grade to the top of the pole and the Details Sheet (SDP-7) has an insert stating that “all lighting will comply with Section 14-16-3-9 of the Zoning Code.”

The Albuquerque Police Department made the following suggestions concerning security:

The Lighting issues-ensure parking lot and entry ways are well lit for customers and business employees.

Maintenance of landscaping-ensure trees and shrubs are not planted in areas that they can create dark areas over lighting

Alarm security-ensure entries to buildings are alarmed and have access during non-business hours either card or keypad entry.

Suggest businesses in office park become involved with crime free business program.

### ***Landscaping***

The landscape plan generally complies with the City's Water Conservation Ordinance and Pollen Ordinance by emphasizing plants that do not use excessive amounts of water or that emit too much pollen. The required landscape percentage for the site is 15 percent of the net area; however, the applicant is providing 25 percent landscaping for the site. The applicant is going to leave the existing Sycamore trees on the south side of the building, which are mature trees. The Kentucky Blue Grass that is shown in the small roundabout in front of the primary entrance is allowed, however, this grass is a very high water use and will be subject to the hot afternoon sun from the west side. Staff recommends replacing this grass with either a less water intensive water grass such as Blue Gramma or Buffalograss, or installing artificial grass. The Modesto Ash is labeled as a high water use tree on the landscape plan. The City Forester's plant list shows the Modesto Ash as a Medium+ water use tree and also as having a high allergenic potential. Staff recommends replacing this tree with another tree on the City Forester's list that has lower allergenic potential and water use.

### ***Public Outdoor Space***

A proposed 645 s.f. of public space, in which 113 s.f. will be a colored and textured concrete patio covered by a gazebo is proposed in the mini roundabout in front of the building. This area also is proposed to include Kentucky Blue Grass, a high water user. Staff recommends adding some additional public outdoor space by providing two benches that have seating for eight people, and that are located right up against the building on both sides of the primary entrance. Since the major facade (west side of building) is greater than 100 feet (222 feet) "it shall incorporate outdoor seating adjacent to at least one of the facades, a minimum of one seat per 25 linear feet of building facade. Each seat shall be a minimum of 24 inches in width and 15 inches in height. Benches, raised planters, ledges or similar seating features may be counted as seating space. If the outdoor seating is located on the south or west side of the building, at least 25% of the seating area shall be shaded" (Section 14-16-3-18). An additional public outdoor space will provide more options to employees and visitors that would like to sit outside and that do not want to walk to the gazebo in the middle of the mini roundabout. There is also proposed bench seating and a bicycle rack on the east side (Juan Tabo) entrance.

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

On the north side parking lot, drainage will flow west, and on the west side parking lot, drainage will flow to the northwest. The proposed storm drain will be placed along the east side of the building, along the north side parking lot and then run southwest along the west parking lot, with grates and catch basins at the northwest and southwest end, and a sidewalk culvert on the east

side of the building. The cobble swales located within the site will provide drainage and water harvesting opportunities. Public utility easements are shown on the grading and drainage plan along both the east and north sides of the property. The water and sewer lines are to the east side of the building (along Juan Tabo Boulevard), while gas and power lines run along the far north side of the property.

### ***Architecture***

The proposed development is a highly articulated rectangular shaped building of 20,451 s.f. The building will have varied roof styles and two different roof colors, including red clay tile base with red through yellow variation accents, and gravel or white membrane type for the flat roofing that is not visible from public view. The stucco colors will be butternut (skip trowel finish) and white (smooth finish). Block colors will be light tan, and trim will be white. The storefront/window frame color will be white, while glazing will be either light clear or rose tint. Awning color will be blue and mini tower caps will be blue (cracked tile). The architectural style, colors, materials, and scale of the proposed building are compatible with adjacent development.

### ***Signage***

There is one free-standing sign on the property, located at the far northeast corner. It is an internally illuminated monument sign with 50 s.f. of sign face on each side. The sign is in compliance with the O-1 Zone requirements, which allows the sign area of free-standing signs to be up to 75 s.f. The colors and materials of the monument sign match that of the building. There are numerous building-mounted signs on the building and they are also in compliance with the O-1 Zone requirements, which states that the sign area of a building-mounted sign shall not exceed 7.5% of the area of the facade if there is a free-standing sign on the premises (Section 14-16-2-15). In the O-1 Zone there is no limit on the number of wall signs. The Signage Notes on the Elevations Sheet state that the total building mounted sign area shall not exceed 6% of the total building façade (which would be less than the 7.5% required).

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

City Departments and other interested agencies reviewed this application from 2/11/2008 to 2/27/2008. Agency comments begin on page 18.

### ***NEIGHBORHOOD/PUBLIC CONCERNS***

The Neighborhood Associations in the area include Oso Grande N.A. and John B. Robert N.A. The Homeowner Association in the area is Amberglen H.A. Both the John B. Robert N.A. and Oso Grande N.A. have included letters of support for the project.

**CONCLUSIONS**

This proposal is a request for a zone map amendment from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses, as well as a site development plan for building permit. The request is for a vacant property of 1.08 acres on Juab Tabo Boulevard NE, between Spain Road NE and Osuna Road NE. The applicant intends to build a 20,451 square foot two-story office building on the property.

The applicant has adequately justified both the request for the zone map amendment, as well as the site development plan for building permit, based on applicable policies found in the Comprehensive Plan. Staff recommends approval with conditions.

***FINDINGS – 08EPC 40018, 3/20/2008, Zone Map Amendment***

1. This request is for review and approval of a zone map amendment for all or a portion of Tract D-3, Academy Place Subdivision, from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses.
2. The subject site is within the area designated Established Urban by the Comprehensive Plan
3. The following Comprehensive Plan policies for Developing and Established Urban Areas are supported by the proposal:
  - a. Policy II.B.5a – The proposed zoning will help to increase land use variety in the area and will be compatible with surrounding zoning and uses.
  - b. Policy II.B.5d – The proposed SU-1 for O-1 Permissive Uses will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions.
  - c. Policy II.B.5e – The property is immediately adjacent to existing urban facilities and services. Full urban services are available to this site and the integrity of existing neighborhoods can be ensured under the proposed zoning.
  - d. Policy II.B.5i – The proposed zoning will provide employment uses that will complement residential areas and will not have adverse effects on the surrounding neighborhood.
  - e. Policy II.B.5o – The proposed zoning will help to redevelop the site and strengthen the existing neighborhoods in the Established Urban Area.
4. The request furthers Comprehensive Plan Policies II.D.4b and II.D.4g, because pedestrian opportunities are integrated into the development and it will help to create jobs along an Enhanced Transit Corridor.
5. The request furthers Comprehensive Plan Policies II.D.6a and II.D.6f by providing the surrounding neighborhoods with new businesses, a variety of jobs, and by providing sound economic growth to the community.
6. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:
  - a. The request furthers most applicable Comprehensive Plan policies and is generally consistent with the City’s health, safety, morals, and general welfare.

- b. The proposed zoning is similar to the existing and surrounding zoning and maintains the stability of land uses in the area. The applicant has cited a number of goals and objectives in the Comprehensive Plan that are furthered by this request.
  - c. The zone change is not in significant conflict with adopted elements of the Comprehensive Plan and the applicant has cited multiple policies that support the proposal.
  - d. The applicant has demonstrated that a different use category would be more advantageous to the community because the previous zoning was contingent on further development of the assisted living facility that did not expand. The lot has remained vacant and become an eyesore. The special use category would allow the vacant land to develop offices that would serve the community and provide infill development.
  - e. The requested zoning would change from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses. The proposed office use would not be harmful to the community or surrounding neighborhoods. The SU-1 designation, which requires a site development plan, would help ensure the quality and type of uses located on the property.
  - f. The proposed zone change requires no major or unprogrammed capital expenditures by the City in order to be developed.
  - g. Economic considerations are a factor, but not the determining factor in this analysis.
  - h. The subject's site on Juan Tabo Boulevard NE is not the determining factor for this request.
  - i. This site is adjacent to other properties that have similar zoning. This request does not constitute a spot zone.
  - j. This request does not constitute a strip zone.
7. There is no known opposition from Oso Grande Neighborhood Association, John B. Robert Neighborhood Association, or from the Amberglen Homeowner Association. Both John B. Robert N.A. and Oso Grande N.A. have included letters of support for the project.

***RECOMMENDATION - 08EPC 40018, 3/20/2008, Zone Map Amendment***

**APPROVAL of 08EPC 40018, a zone map amendment, from SU-1 for Institutional Uses to SU-1 for O-1 Permissive Uses, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 08EPC 40018, 3/20/2008, Zone Map Amendment***

1. The accompanying site development plan for building permit must receive final DRB sign off within 6 months of this EPC action (Section 14-16-4-1) (C)(10).

***FINDINGS – 08EPC 40015, 3/20/2008, Site Development Plan for Building Permit***

1. This request is for review and approval of a site development plan for building permit for all or a portion of Tract D-3, Academy Place Subdivision, located on Juan Tabo Boulevard NE, between Spain Road NE and Osuna Road NE containing approximately 1 acre.
2. The site development plan for building permit (08EPC 40015) is dependent upon the accompanying zone map amendment request (08 EPC 40018), which is necessary to allow the proposed use. The zone map amendment request is justified per Resolution 270-1980 and applicable Comprehensive Plan and Sector Plan policies.
3. The following Comprehensive Plan policies for Developing and Established Urban Areas are supported by the proposal:
  - a. Policy II.B.5a – The subject site will help to increase land use variety in the area and will be compatible with surrounding uses.
  - b. Policy II.B.5d – The project will develop vacant land that is designed to enhance the existing streetscape. The proposed SU-1 for O-1 Permissive Uses will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions.
  - c. Policy II.B.5e – The property is immediately adjacent to existing urban facilities and services. Full urban services are available to this site and the integrity of existing neighborhoods can be ensured.
  - d. Policy II.B.5i – The proposed office building will provide employment uses that will complement residential areas and will not have adverse effects on the surrounding neighborhood.
  - e. Policy II.B.5k – The site has been planned to minimize the harmful effects of traffic on the surrounding neighborhoods.
  - f. Policies II.B.5l & II.B.5m – The proposed property is a quality design which maintains unique vistas, reinforces the street edge along Juan Tabo Boulevard NE, separates the street from the majority of the parking, and is appropriate to the plan area.
  - g. Policy II.B.5o – The infill development of the current vacant lot will help to redevelop and strengthen older neighborhoods in the Established Urban Area.



4. The request furthers Comprehensive Plan Policies II.D.4b and II.D.4g, because pedestrian opportunities are integrated into the development and it will help to create jobs along an Enhanced Transit Corridor.
5. The request furthers Comprehensive Plan Policies II.D.6a and II.D.6f by providing the surrounding neighborhoods with new businesses, a variety of jobs, and by providing sound economic growth to the community.
6. There is no known opposition from Oso Grande Neighborhood Association, John B. Robert Neighborhood Association, or from the Amberglen Homeowner Association. Both John B. Robert N.A. and Oso Grande N.A. have included letters of support for the project.

***RECOMMENDATION - 08EPC 40015, 3/20/2008, Site Development Plan for Building Permit***

**APPROVAL of 08EPC 40015, a site development plan for building permit, for all or a portion of Tract D-3, Academy Place Subdivision, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 08EPC 40015, 3/20/2008, Site Development Plan for Building Permit***

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. Provide three more compact spaces in order to fulfill the 68 required parking spaces.
4. Pedestrian/Bicycle Access and Circulation:
  - a. Increase the width of the sidewalk on the south side of the building to 6 feet wide.

- b. Increase the width of the sidewalk on the west side of the building in locations where it is only 6 feet wide to between 8 and 10 feet wide (Section 14-16-3-18).

5. Landscaping:

- a. Replace the grass with either a less water intensive water grass such as Blue Gramma or Buffalograss, or install artificial grass.
  - b. Replace the Modesto Ash (high allergenic potential and medium plus water use) with another tree on the City Forester's list that has lower allergenic potential and water use.
6. Increase public outdoor space by providing two benches that have seating for at least eight people, and that are located right up against the building on both sides of the primary entrance. Since the major facade (west side of building) is greater than 100 feet (222 feet) "it shall incorporate outdoor seating adjacent to at least one of the facades, a minimum of one seat per 25 linear feet of building facade. Each seat shall be a minimum of 24 inches in width and 15 inches in height. Benches, raised planters, ledges or similar seating features may be counted as seating space. If the outdoor seating is located on the south or west side of the building, at least 25% of the seating area shall be shaded" (Section 14-16-3-18).

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***Randall Falkner  
Planner***

cc: Kenny Hinkes, 107 Bryn Mawr Dr. SE, Albuquerque, NM 87106  
Consensus Planning Inc., 302 8<sup>th</sup> St. NW, Albuquerque, NM 87102  
James Green, Oso Grande NA, 10421 Camino del Oso NE, Albuquerque, NM 87111  
Becky Tays, Oso Grande NA, 4908 Noreen Ct. NE, Albuquerque, NM 87111  
Sue Hilts, John Robert NA, 11314 Overlook NE, Albuquerque, NM 87111  
Lars Wells, John Roberts NA, 11208 Overlook NE, Albuquerque, NM 87111  
Greg Everett, Amberglen HOA Inc., 4900 Sereno Dr. NE, Albuquerque, NM 87111  
Judy Reabuck, Amberglen HOA Inc., 4909 ½ Sereno NE, Albuquerque, NM 87111

*Attachments*

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### **Zoning Code Services**

Reviewed: Off-street motorcycle parking spaces do not count for minimum required off-street parking- required motorcycle parking is in *addition to* the minimum off-street parking requirements. Applicant should provide an additional 3 off-street parking spaces, unless approved by the Environmental Planning Commission.

#### **Office of Neighborhood Coordination**

**John B. Robert NA (R), Oso Grande NA, Amberglen HOA**

#### **Advanced Planning**

No comments

### ***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).
- Provide concurrence from the Fire Department and Solid Waste for the circular turn around.
- Site drive to be 30' wide with 25' curb returns as a minimum.
- Site plan shall comply and be designed per DPM Standards.

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

- The Hydrology Section has no objection to the zone change request. A conceptual drainage plan is required for DRB approval.

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

- 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):**

- Comments sent directly to staff planner.

**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 Zone Map Amendment and Site Development Plan for Building Permit 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. Provide concurrence from the Fire Department and Solid Waste for the circular turn around.
- c. Site drive to be 30' wide with 25' curb returns as a minimum.
- d. Site plan shall comply and be designed per DPM Standards.

**Utility Development**

Engineer will need to revise the Utility Plan prior to sign off by the DRB.

**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

**Environmental Services Division**

**City Forester**

**PARKS AND RECREATION**

**Planning and Design**

Reviewed, no objection. Request does not affect our facilities.

**Open Space Division**

**POLICE DEPARTMENT/Planning**

Foothills Area Command

Jeffrey Cole Russell Memorial Substation

Lighting issues-ensure parking lot and entry ways are well lit for customers and business employees.

Maintenance of landscaping-ensure trees and shrubs are not planted in areas that they can create dark areas over lighting

Alarm security-ensure entries to buildings are alarmed and have access during non-business hours either card or keypad entry.

Suggest businesses in office park become involved with crime free business program coordinator is Bill Jackson-Westside Area Command 831-4705

**SOLID WASTE MANAGEMENT DEPARTMENT**

**Refuse Division**

Disapproved, service access to proposed enclosure location, will be hindered by bench seating, trash containers, and gazebo. Call for details, 761-8142.

**FIRE DEPARTMENT/Planning**

**TRANSIT DEPARTMENT**

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

### ***BERNALILLO COUNTY***

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

Reviewed, no comment.

#### ***ALBUQUERQUE PUBLIC SCHOOLS***

**Academy Place Subdivision**, Lot D-2, is located on Juan Tabo Blvd NE between Spain Rd NE and Osuna Rd NE. The owner of the above property requests approval for a building permit and a zone change from SU-1 for institution to SU-1 for O-1 Permissive Uses for a two story office building. This will have no adverse impacts to the APS district.

#### ***MID-REGION COUNCIL OF GOVERNMENTS***

Juan Tabo Bd is designated on the ITS Systems Map as a corridor for ITS deployment. Coordination with City representative on the ITS Subcommittee is recommended.

The Bear Canyon Arroyo Trail Overcrossing project (MPO Project ID # 847.0) is included in the 2030 MTP as a City of Albuquerque project. No funding has been programmed in the TIP for this project. Coordination with DMD is recommended to insure development consistent with the planned scope of this project.

For information purposes, Juan Tabo Bd has a functional classification of urban principal arterial.

#### ***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

#### ***PUBLIC SERVICE COMPANY OF NEW MEXICO***

There are underground distribution lines on the North and East sides of the property. Any changes or realignment of the existing underground distribution lines will be at the customer's expense.