



**Environmental
Planning
Commission**

*Agenda Number: 10
Project Number: 1001209
Case #: 08EPC 40087
September 18, 2008*

Staff Report

Agent	None
Applicant	Western Trail Self-Storage LLC
Request(s)	Sector Development Plan Map Amendment
Legal Description	Lot A-2, Lava Trails Subdivision
Location	Unser Blvd. NW between Western Trail and Atrisco Dr.
Size	Approximately 5 acres
Existing Zoning	SU-1 for Neighborhood Commercial
Proposed Zoning	SU-1 for Neighborhood Commercial and self-storage with direct access

Staff Recommendation

DEFERRAL of 08EPC 40087, for 60 days to the November 20, 2008 hearing, based on the findings on page 15.

Staff Planner
Carol Toffaleti, Planner

Summary of Analysis

The request is to rezone part of Lot A-2, Lava Trails Subdivision, a site of approximately 5 acres, located on Unser Blvd. between Western Trail and Atrisco Dr, from SU-1 for Neighborhood Commercial to SU-1 for Neighborhood Commercial and self-storage with direct access. The site is in the Developing Urban area of the Comprehensive Plan, the West Side Strategic Plan, the Lava Shadows sector development plan and the Unser Blvd. Design Overlay Zone. A site development plan for subdivision from 2002 with design standards governs development of the site.

The accompanying illustrative site development plan is incomplete and inconsistent with the request.

A facilitated meeting took place on August 27th. Residents of the adjoining Rinconada Trails subdivision and the National Park Service (Petroglyph National Monument) have concerns about the visual impact of the intended uses for self-storage and outdoor storage of cars, boats and RVs. The Taylor Ranch NA and individual residents are opposed to the zone change.

The justification for the zone change per R-270-1980 does not adequately demonstrate that the request is more advantageous to the community. Proper review of the request is also not possible without an improved site development plan.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 08/11/2008 to 08/27/2008. Agency comments were used in the preparation of this report and begin on page 17.

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for Neighborhood Commercial	Developing Urban; West Side Strategic Plan; Lava Shadows Sector Development Plan; Unser Blvd. Design Overlay Zone	vacant
North	R-D (residential and related uses zone, Developing Area)	Developing Urban; West Side Strategic Plan; Northwest Mesa Escarpment Plan; Unser Blvd. Design Overlay Zone	auto repair shop, Unser Blvd., Petroglyph National Monument
South	R-D School	Developing Urban; West Side Strategic Plan; Lava Shadows Sector Development Plan; Unser Blvd. Design Overlay Zone	Western Trail, school
East	SU-1 for Neighborhood Commercial, SU-1 for Residential	Developing Urban; West Side Strategic Plan; Lava Shadows Sector Development Plan; Unser Blvd. Design Overlay Zone	single-family homes (northeast), vacant (southeast)
West	R-D / R-D School	Developing Urban; West Side Strategic Plan; Northwest Mesa Escarpment Plan / Lava Shadows Sector Development Plan; Unser Blvd. Design Overlay Zone	Western Trail, Petroglyph National Monument (northwest), school (southwest)

Background

The request is for a sector development plan map amendment from SU-1 for Neighborhood Commercial to SU-1 for Neighborhood Commercial and self-storage with direct access, for part of Lot A-2, Lava Trails Subdivision, a site of approximately 5 acres located on Unser Blvd. NW between Western Trail and Atrisco Dr.. If the zone change is approved, the applicant intends to split the lot and have the proposed zoning apply to approximately 3.8 acres, leaving the remaining parcel at the corner of Western Trail and Unser Blvd. as currently zoned. The applicant intends to develop the 3.8 acre site in phases, with self-storage units on the entire area at full build-out and outdoor storage of cars, RVs and boats as a temporary use in the interim. The applicant has chosen to submit a site development plan for subdivision and building permit at a later date, but has supplied a site development plan for subdivision, for illustrative purposes only, with the current request.

The site is in the Developing Urban Area of the Comprehensive Plan, the West Side Strategic Plan, the Lava Shadows Sector Development Plan and the Unser Blvd. Design Overlay Zone.

Development of the site is also governed by a site development plan for subdivision with design guidelines.

History

In 1984 the City Council adopted the Lava Shadows sector development plan, which established zoning for Parcel 7, including the site, as SU-1 for Neighborhood Commercial (considered to be C-1 uses).

In 1998, a sector development plan map amendment and a site development plan for building permit were proposed for a tract that encompassed a portion of the subject site (SD-80-5-1, Z-98-139). The intention was to construct a church, but the request was withdrawn.

In 2001, the EPC approved a site plan for subdivision for an approximately 11.6 acre site that included the subject site (Project #1001209, 01128-00562, 6/21/2001, see att.). The request eliminated an existing lot line, subdivided the site into Tracts A through D, and included design guidelines.

In 2003, a site plan for subdivision and a site plan for building permit were proposed for Tract A. The site plan for subdivision created Tracts A-1 and A-2 and the site plan for building permit was to construct the auto repair shop on Tract A-1. The EPC approved the request at its July 18, 2003 hearing (#1001209, 03EPC-00699 and 03EPC 00701, see att.) and the garage is in operation.

In 2006, a two-part request for a sector development plan map amendment and an amendment to the site development plan for subdivision was submitted to the EPC to allow an auto body shop on part of Tract A-2. The proposal was withdrawn at the applicant's request on December 21, 2006 and the land has remained vacant.

Context

The site is in an area with a mix of uses. The 5 acres that include the subject site are bounded by an auto repair shop, Unser Blvd. and Petroglyph National Monument, to the north; Western Trail and the rear of the APS Chaparral elementary school, to the south; vacant parcels owned by the City of Albuquerque and two residential lots of the Rinconada Trails subdivision, to the east; and land owned by APS, that is partially developed as a "high school on wheels" to the west, across the bend in Western Trail. The main vehicular entrance into Petroglyph National Monument is off Unser Blvd. opposite Western Trail, which leads to the visitor center and park office northwest of the site. Residential neighborhoods extend south and east of the site.

Access to Tracts A-1 and 2 is limited to Western Trail because no vehicular access is allowed on this stretch of Unser Blvd. There is an existing pedestrian/bike trail alongside Unser Blvd adjoining the site.

The City's Transit Department had once envisaged creating a park and ride on Lot B (the adjoining rectangular lot), but the City is now looking to sell it off because Coors Blvd. is now the primary north-south transit corridor on the City's West Side.

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 Unser Blvd. as a Limited-Access Principal arterial, with a right-of-way of 156'. Its current classification is Principal arterial.

The Long Range Roadway System designates Western Trail as a Minor Arterial, with a right-of-way of 86'.

The Long Range Bicycle Plan designates an existing trail and lane on Unser Blvd. and a proposed lane on Western Trail.

The Metropolitan Transportation Plan designates Unser Blvd. a Potential High Capacity Transit Corridor and the Comprehensive Plan designates it as an Express Corridor.

Per the MRCOG 2007 Traffic Flow Maps (see MRCOG website), average weekday traffic flows near the site are 17,200 on Unser Blvd. and 5,700 on Western Trail.

Public Facilities/Community Services

Other than the APS schools across Western Trail and city parks, there are no community services in proximity to the site. A public library and fire station are approximately one mile away.

ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The existing zoning is SU-1 for Neighborhood Commercial, which is C-1 uses. This means that both the permissive and conditional C-1 uses are allowed permissively. The C-1 zone “provides suitable sites for office, service, institutional and limited commercial uses to satisfy the day-to-day needs of residential areas.” The SU-1 designation refers to the Special Use zone (see Zoning Code §14-16-2-22). The SU-1 zone provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. 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. Off-street parking provision is at the EPC’s discretion.

Outdoor storage of autos, trailers and trucks is already allowed, as it is a conditional use in the C-1 zone. Zoning Services has informed staff that this would cover recreational vehicles and boats as well. Section 14-16-2-16 (B)(3) permits the use “provided at least the following is complied with:

- (a) The lot is graded and surfaced...
- (b) 1. A fence or wall which prevents vehicles from extending beyond the property line...If the wall or fence plus retaining wall would have an effective height of over 8’ on the residential side, the Zoning Hearing Examiner shall decide the required height.
2. [not applicable]

- (c) Trucks and trailers parked outdoors for ...storage, provided:
1. Such vehicles shall not exceed 35 ft. in length, 12 ft. in height, or a registered gross vehicle weight capacity of 26,000 lbs. The body of trailers shall not be over 14' long unless it is a recreational vehicle.
 2. No such vehicles shall be truck tractors or road tractors.
 3. ...stored vehicles shall not cover more than 25% of the premises.
 4. Special restrictions on types and number of such vehicles as well as screening and location of parking shall be imposed if appropriate and necessary to protect the neighborhood.

Height of structures in the zone cannot exceed 26'.

The applicant requests a zone change to allow self-storage units with direct access, because this specific type of storage is not allowed as conditional use in the C-1 zone, as stated in Section 14-16-2-16 (B)(17)(b) which permits:

Storage of household goods, office records, equipment or material reasonable to neighborhood function, provided:

- (a) All activities are conducted within a completely enclosed building, the scale and style of which fits its location.
- (b) Individual storage ..units..are not each directly accessible from outside the enclosed building; and
- (c) Direct access to the premises from an arterial...street is available.

The Lava Shadows Sector Development (LSSDP) is also relevant. The use of SU-2 zoning is available to sector plans, but it is not used in the LSSDP. The amendment to the zone map of the LSSDP is for an approximately 5-acre area, which is smaller than one block (approximately 10 acres). Pursuant to Zoning Code §14-16-2-23(B)(2)(b), the Planning Commission has the authority to amend the plan and zoning map in on action, and is not required to make a recommendation to City Council.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Developing Urban. The goal of Developing (and Established Urban) Areas is “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.” Applicable policies include:

Land Use Policies-

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

The zone change furtheres the policy by adding a new use to the range of uses available in this part of the Developing Urban area.

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 request for a zone change unaccompanied by a site development plan does not further this policy. It introduces a use that could adversely affect adjoining residential properties, and scenic and cultural resources (Petroglyph National Monument) without providing the assurance that the location and design of the future development will be sensitive to these values and resources.

Policy II.B.5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The zone change furtheres this policy because it would foster development of a vacant site that is contiguous to public infrastructure and the additional use would not burden the road network, including residential streets.

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 zoning would introduce a use (self-storage units) that is designed to serve households and therefore complement residential areas. Part of the site adjoins a residential subdivision and the lighting of a future storage facility may affect adjacent property-owners. It is unlikely to have the other listed impacts. The request mostly furtheres this policy.

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.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In freestanding retailing and contiguous storefronts along streets in older neighborhoods.

The request does not affect the commercial nature of the existing zoning, but it would add a use that is not considered to be neighborhood-oriented. The request partially furtheres this policy.

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 site is between two arterials, Unser Blvd. and Western Trail, with access on Western Trail only. The addition of the self-storage use would generate minimal traffic, and not typically at peak hours. The request furtheres this policy.

The **Developed Landscape** Goal “is to maintain and improve the natural and the developed landscapes’ quality.” Applicable policies include:

Policy II.C.8a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

Presented independently of a site development plan, the zone change and proposed storage uses do not provide assurance that future development will respect views to and from Petroglyph National Monument, a unique feature of the City. The request does not further this policy.

Policy II.C.8e: In highly scenic areas, development design and materials shall be in harmony with the landscape. Building siting shall minimize alteration of existing vegetation and topography and minimize visibility of structures in scenic vista areas.

The request would allow the 3.8 acre area to be used entirely for self-storage units, at least some of which would be visible from the visitor center at Petroglyph National Monument and probably all from the top of the escarpment. Without an accompanying site development plan with specific design information, it is impossible to gauge the significance of the impact they would have on this scenic area.

Economic Development

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

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

The request could facilitate earlier development of the site, but insufficient information has been submitted to evaluate whether it meets the balance intended in the City's economic development goal.

West Side Strategic Plan (Rank II)

The West Side Strategic Plan (WSSP) was adopted in 1997 and amended several times through 2005. The WSSP area is bounded by the Sandoval County line on the north, the Rio Puerco Escarpment on the west, a line south of Gun Club Road (the Atrisco Grant line) on the south, and the Rio Grande on the east for areas north of Central, and Coors Boulevard on the east for areas south of Central. It encompasses over 96,000 acres of land, or approximately 150 square miles.

The 2002 amendments to the WSSP include several changes to policies, activity center boundaries and locations, and clarifications of conflicting and unclear policies. The adopting resolution for the amendments (R-01-278, Enactment No. 35-2002) has a section that reads:

“Section 3. The West Side Strategic Plan is a Rank 2 Plan and its provisions shall be mandatory except where they conflict with existing zoning.”

Community Concept

Policy 1.1: Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. ...

The subject site is located at the southern edge of Taylor Ranch next to the Ladera Community. Taylor Ranch is within the following boundaries: the Volcanic Escarpment on the west, Paseo del Norte on the north, the river on the east and the vicinity of Western Trail Road on the south. The plan states that “Future development must consider the view impacts of their design in this vicinity [the Volcanic Escarpment], since views to and from the Escarpment are community resources the public wishes to protect” (p. 60).

This section emphasizes the importance of considering the Escarpment in development decisions.

The Ladera Community is south of Western Trail, between the Escarpment and the river, and north of I-40. The plan states: “Services on the western edge or central to the Community will better serve all residents of the Community and will eliminate some trips on Coors Blvd. Because development at Ladera has been separated from the Escarpment edge by a wide road corridor (Unser Blvd.), the negative visual impacts of adjacent development have not occurred here as in Taylor Ranch. Unser Blvd. will be the gateway to the Petroglyph National Monument.” (p. 62)

The proposed storage facility is not located within a Community Center or Neighborhood Activity Center designated in the WSSP. A Neighborhood Center is designated one block east of the site at Coors/Western Trail in the Ladera Community, although a significant portion of it has been developed as residential. A proposal for a new office/retail center south of this center and also west of Coors was approved by the EPC in 2007. The designated centers in the Taylor Ranch Community are well away from the subject site, to the northwest (WSSP, p. 110 and following maps). However, the request would not change the underlying commercial zoning of the site, which would retain its potential to provide services to households at the west edge of the Ladera community. The request partially furthers the intent of Policy 1.1.

Policy 1.3: Strip commercial developments shall not be approved on the West Side. Commercial development shall occur in concentrated clustered areas rather than new strip developments. Zone changes to commercial, industrial, or office uses for areas outside the centers are strongly discouraged, in order to reinforce the neighborhood and Community Centers... This policy is meant to impact the design and layout of commercial areas and their connections to adjacent development and to encourage clustering of commercial and office uses in activity centers. It is not intended to rezone allowed commercial uses.

The request to add a commercial use to an existing special use/commercial zone does not conflict with this policy.

Policy 1.9: In the Established and Developing Urban areas mapped by the Albuquerque/Bernalillo County *Comprehensive Plan*, future neighborhood and community centers may be designated and developed at appropriate locations, determined as follows:

- Market Area – ...; neighborhood centers should be located to serve approximately 15,000 population within about one mile radius of the center. Uses typical of community centers would likely be accessed on a weekly basis, whereas those in a neighborhood center might be used almost daily.

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- Access/Connections – ...Neighborhood Centers should be less automobile oriented, located on minor arterial and/or collector streets, and connected to public transit service as well as informal pedestrian and bicycle ways. Both community and neighborhood centers shall be very accommodating to the pedestrian even within predominantly off-street parking areas.
 - Scale – Neighborhood centers should also have small blocks, but with small clusters of shared parking as well as on-street parking. Both community and neighborhood centers shall have outdoor areas that encourage gathering; both shall include bicycle parking and both shall provide safe pedestrian connection among buildings and between buildings and parking areas.

Policy 1.15: Neighborhood Centers of 15 to 35 acres shall contain generally small parcels and buildings; ...Services such as childcare, dry cleaners, drug stores and small restaurants along with a park and/or school should be located central to surrounding neighborhoods.

Policy 1.16: Neighborhood Centers shall be located on local collector and sometimes arterial streets. While their primary access may be by auto, pedestrian and bicycle connections shall be provided to all adjacent neighborhoods, parks and to the larger open space system. Convenient transit services shall be connected with community-wide and regional transit development.

The subject site and the adjoining lots A1 and B have a total area of 7.89 acres, which is significantly less than the area envisaged in the WSSP for Neighborhood Centers. The Lava Shadows SDP originally envisaged that the strip of land between the escarpment and Unser Blvd would be developed as R-D residential and SU-1 for mixed use residential/neighborhood commercial. All of this area is now zoned R-D residential and related uses, but is part of Petroglyph National Monument and will remain undeveloped. The sector plan also established SU-1 residential on a 40-acre parcel extending west of the existing elementary school. Although a significant piece of it was developed as residential, 15-acres adjoining the school was re-zoned R-D school. As a result, the intersection of Western Trail and Unser Blvd. has lost some of its potential for residential uses to support a typical neighborhood commercial center on this SU-1 zone.

Nevertheless, the existing commercial zoning pre-dates the 2002 amendments and prevails over any conflicting provisions of the WSSP per Section 3 of the adopting resolution. The principle of commercial use on the site is not in question. The main issue is whether the additional use--storage units with direct access--is acceptable in part of the SU-1 for Neighborhood Commercial zone established by the Lava Shadows SDP. The use would have to be screened and would therefore close off, rather than open up the site to neighborhood access and activity. However, note that the applicant has stated their intention of splitting off the more prominent and accessible corner piece of the subject site and retain it under its current zoning. The request partly conflicts with this policy.

Taylor Ranch Community

Policy 3.12: The Taylor Ranch Community is an appropriate location for continued growth due to its contiguous location to the rest of the City and efficient location for receiving City services. *The subject site is located at the edge of the Taylor Ranch Community and is an appropriate location for continued growth. The request furthers this policy.*

Policy 3.15: Allow appropriately designed development throughout the Taylor Ranch Community which will not degrade views to and from the Escarpment through design guidelines and consistent enforcement.

The policy does not apply to the zone change request per se because it refers to design. If the request is approved, the 2001 site development plan for subdivision would apply, but Staff believes that the design standards should be strengthened to comply with WSSP policies and should be tailored to the proposed storage uses.

Petroglyph National Monument

The plan states that “Petroglyph National Monument was established through federal legislation after years of work by local agencies and individuals dedicated to the preservation of its unique cultural, historical, spiritual, and physical features. It is an area 7,244 acres in size and includes the volcanoes and basalt escarpment areas that functions as part of the Major Public Open Space system. The National Monument is of great national and local significance, and is both a unique asset and unusual constraint to the urban development planned around its boundaries.” (p. 87)

Policy 3.81: The City of Albuquerque and Bernalillo County shall, through their land use and design decisions, minimize negative impacts upon the National Monument...

The request on part of Lot A could have negative impacts on the viewshed from Petroglyph National Monument, which includes views from below and on top of the escarpment, as noted in a letter from the National Park Service (NPS). The NPS would seek attractive and effective screening of any future storage uses on the site. The zone change request, unaccompanied by a site development plan, does not further this policy.

Visual Quality

Policy 4.6: The following design guideline sections shall become policies with the approval of this Plan: Visual Assets; Views East of Coors Boulevard; Views to and from the Monument; Other Views; Height; Lighting; Vegetation; Overhead Utilities; Radio, TV, and Cellular Towers; Signs; Fences and Walls; and Additional Design Guidelines Issues. It is recognized that additional Design Guidelines based on these and other applicable policies of the Plan shall be developed as follow-up work, and will be more complete than those included here. These policies were considered too critical to wait for additional planning efforts in the future. (pp. 160-171)

Views to and from the Monument:preserving views both to and from the Monument is important to maintaining the West Side’s identity and meeting the goals and objectives of this Plan. It is the intent of the WSSP to protect views through sensitive design near the escarpment.

The policy applies to the subject site, but the zone change request, unaccompanied by a site development plan, cannot be evaluated against it.

Lava Shadows Sector Development Plan (Rank III)

The Lava Shadows Sector Development Plan (LSSDP) was adopted by City Council on October 15, 1984 (Enactment 191-1984). The LSSDP encompasses approximately 204 acres of land on both sides of Unser Blvd., within roughly the following boundaries: Atrisco Rd. to the east, Milne Rd. to the south, and the Northwest Mesa Escarpment Plan impact area boundary to the north and west. The

LSSDP contains a discussion of alternative alignments for Unser Blvd., drainage in the Plan area and EPC minutes and findings from 1982. Specific policies and regulations are not included in the LSSDP, though it does establish zoning (see Map 1 att.).

The subject site is within Parcel 7 zoned SU-1 for Neighborhood Commercial and all the land within the parcel has retained its original zoning. However, the zoning of lots to the north-and southwest has changed from SU-1 for mixed use to R-D and from SU-1 residential to R-D school. Tracts A-1, A-2 and B are the only sites in the sector plan area with the SU-1 for Neighborhood Commercial zoning.

The Plan includes “all comments, criteria and guidelines as submitted to and approved by the EPC on July 22, 1982”, with references to the EPC findings (p.7). The following are applicable to the proposed zone change:

Finding 3 – The location and geography of the subject Sector Development Plan make it desirable to utilize the SU-1 Special Use zone classification due to proximity to the escarpment, Unser Blvd., and existing developed properties.

This identifies the important features that need to be considered in land use and development decisions concerning the site.

Finding 4 – This Sector Plan is strictly schematic and the details will be worked out at a future date. The EPC will receive the specific site development plans for each parcel and will address themselves to specific concerns at that time.

This emphasizes the importance of a site development plan for addressing specific concerns.

Other findings may be applicable to future site development plans.

Unser Blvd. Design Overlay Zone

The Unser Boulevard Design Overlay Zone, which controls signage, extends approximately 500 feet from the centerline of Unser Boulevard and runs from Interstate 40 to the Sandoval County line.

Signage proposed in a future site development plan for the subject site would need to comply with provisions of this overlay zone.

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

The applicant states that the self-storage use would have minimal traffic impact and have adequate lighting and security.

Staff agrees that it would be consistent with the health, safety, morals and general welfare of the city.

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

The applicant claims that the request is a minor change to the existing zone category, which allows storage as an indoors use, and would not destabilize the current zone category.

Staff finds that the justification does not adequately address the intent of the SU-1 designation that overarches the commercial use descriptor. The SU-1 zoning in the Lava Shadows SDP was utilized due to proximity to the escarpment, Unser Blvd. and existing developed properties, all of which apply to the subject site. Staff finds this is a strong argument for the EPC to consider a site development plan, and therefore design issues particular to the site, in conjunction with the zone change request.

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

The applicant has cited a number of applicable policies in City plans governing the site.

Staff concurs that the request does not conflict with Comprehensive Plan (CP) policies II.B.5a, e, and k, West Side Strategic Plan (WSSP) policies 1.3, 3.12. However, staff finds that the applicant has not demonstrated that the zone change is not in conflict with other applicable policies including: CP policies II.B.5.d, II.C.8.a and WSSP policy 3.81. This is primarily due to the lack of specific design information provided in a site development plan, which could then be evaluated in conjunction with the zone change request. In an SU-1 zone and on this sensitive site, the two are interdependent.

- 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 argues that the zone change request is more advantageous because the range of uses allowed in the current zone is incomplete without the addition of self-storage with direct access, which he claims serves the day-to-day needs of households.

The proposed use may be an appropriate addition to a neighborhood commercial zone. However, Staff considers that the justification is unconvincing in this regard and has not

sufficiently addressed other implications of the zone change, such as whether it respects neighborhood, scenic and cultural values (CP policy II.B.5.d).

- 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 refers to screening of the proposed use, and claims that self-storage is a common use in the city generally approved as a conditional use.

While self-storage may be a benign use in some respects, staff finds that the justification side-steps the fact that the site is zoned special use and that no site development plan is provided that could define specific measures to mitigate visual and other potential 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.

Staff concurs that no capital expenditures are required.

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

The applicant makes no argument regarding economic factors.

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

Street location is not a factor for the request.

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

Staff agrees that the zone change does not constitute a spot zone, as the SU-1 zoning is already established.

- 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 ILLUSTRATIVE SITE DEVELOPMENT PLAN

The applicant submitted a site development plan (SDP) with the zone change request, which they clarified was for illustrative purposes only. It is a hybrid of an SDP for subdivision and an SDP for building permit.

There are several basic deficiencies in the submittal, which would have to be corrected to serve even as an illustrative site plan:

- The previously approved site development plan for subdivision is missing(#1001209, 02500-00126, sheet SDP-1, signed off at DRB on 4/16/02).
- The new site plan does not indicate that the proposed zoning would only affect 3.8 acres of the subject site and leave the 1.2 acre corner piece with the current zoning.
- Design standards of the previously approved SDP for subdivision are included on the plan, but several standards conflict with the proposed zoning and uses, such as site coverage/maximum floor-area ratio.
- It does not indicate that the vehicular access and internal circulation differ from the approved SDP for subdivision.
- The phases of development are not explained or shown, with outdoor storage as a temporary use until the site is built-out as self-storage units.
- It does not address the design implications of the temporary outdoor storage use, including its location on the site, the maximum area covered and screening, per requirements of the Zoning Code.
- Some of the standard elements of a site development plan for subdivision are lacking, including pedestrian access and circulation.

The applicant should provide a cover letter explaining the proposed amendments to the existing SDP for subdivision.

It would also be appropriate to consider other development decisions affecting the site (#1001209, 03EPC-00699, site development plan for subdivision; and the auto repair shop on Tract A-1 #1001209, 03EPC-00701, SDP for building permit).

Staff also noted that the site is listed as 5.02 acres in the Bernalillo County Assessor's Records (see att.) and, unless the applicant provides evidence to the contrary, any future site development plan would require a Certificate of No Effect per the Albuquerque Archeological Ordinance (O-07-72).

CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

Comments begin on p. 17. There are significant comments from Zoning Services, the City Forester and PNM.

NEIGHBORHOOD/PUBLIC CONCERNS

A facilitated meeting took place on August 27th with attendees from the affected neighborhoods, Petroglyph National Monument and other interested parties. Residents of the adjoining Rinconada Trails subdivision and the National Park Service have sent comments expressing concerns about the visual impact of the intended uses for self-storage and outdoor storage of cars, boats and RVs. The Taylor Ranch NA opposes the zone change, due to adverse visual impact and because the proposed uses would not serve neighborhood needs. Adverse comments were also received from three residents of the area.

CONCLUSIONS

The justification for the zone change addresses R-270-1980 but has not adequately demonstrated that the proposed zoning is more advantageous to the community as articulated in City plans.

A proper review of the zone change request for this site, currently zoned SU-1/Neighborhood Commercial, is not possible without an accompanying site development plan that is accurate, complete and would provide assurance that future development will comply with City policies and regulations.

Staff recommends deferral for 60 days to allow the applicant to submit a revised site development plan and justification for the zone change.

FINDINGS - 08EPC 40087, September 18, 2008, Sector Development Plan Map Amendment

1. The request is for a sector development plan map amendment from SU-1 for Neighborhood Commercial to SU-1 for Neighborhood Commercial and self-storage with direct access, for part of Lot A-2, Lava Trails Subdivision, a site of approximately 5 acres located on Unser Blvd. NW between Western Trail and Atrisco Dr.. If the zone change is approved, the applicant intends to split the lot and have the proposed zoning apply to approximately 3.8 acres, leaving the remaining parcel at the corner of Western Trail and Unser Blvd. as currently zoned. The applicant intends to develop the 3.8 acre site in phases, with self-storage units on the entire area at full build-out and outdoor storage of cars, RVs and boats as a temporary use in the interim.
2. The request is accompanied by a site development plan for illustrative purposes that is inconsistent with the proposed zoning and land uses.
3. The site is in the Developing Urban Area of the Comprehensive Plan, the West Side Strategic Plan, the Lava Shadows Sector Development Plan and the Unser Blvd. Design Overlay Zone.
4. The current SU-1 for Neighborhood Commercial zoning was established by the Lava Shadows Sector Development Plan. 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 zoning allows permissive and conditional C-1 uses permissively. Outdoor storage of autos, trucks and trailers is permitted under the current zoning. Storage of recreational vehicles is also permitted, per Zoning Services.
5. Development of the site is governed by a site development plan for subdivision with design guidelines (#1001209, DRB 02500-00126, 4/17/02).
6. The request conflicts with several policies of the Comprehensive Plan (Policies II.B.5.d, II.C.8.a, II.C.8.e) and West Side Strategic Plan (WSSP Policies 3.15, 3.81, 4.6), and the zoning established by the Lava Shadows sector development plan on the site (Finding 3), because it is not accompanied by a site development plan that provides sufficient information to evaluate the potential impacts of the proposed zoning on Petroglyph National Monument, a unique scenic and cultural feature, and residential neighborhoods near the site.
7. A facilitated meeting took place on August 27th with attendees from the affected neighborhoods, Petroglyph National Monument and other interested parties. Residents of the adjoining Rinconada Trails subdivision and the National Park Service submitted written comments expressing concerns about the visual impact of the intended uses for self-storage and outdoor storage of cars, boats and RVs. The Taylor Ranch NA wrote in opposition to the zone change,

due to adverse visual impact and because the proposed uses would not serve neighborhood needs. Adverse comments were also received from three residents of the area.

RECOMMENDATION - 08EPC 40087, September 18, 2008

DEFERRAL of 08EPC 40087, a Sector Development Plan Map Amendment, for Lot A-2, Lava Trails Subdivision, for 60 days to the November 20, 2008 EPC hearing, based on the preceding Findings.

***Carol Toffaleti
Planner***

cc: Western Trail Self Storage, LLC, P.O. Box 6786, Santa Fe, NM 87502
Mathew Baca, Quaker Heights NA, 5125 Northern Trail NW, Albuquerque, NM 87120
W. Leon Cooley, Quaker Heights NA, 5008 Northern Trail NW, Albuquerque, NM 87120
Brett Lopez, Taylor Ranch NA, 4815 Northern Trail NW, Albuquerque, NM 87120
Rene Horvath, Taylor Ranch NA, 5515 Palomino Dr. NW, Albuquerque, NM 87120

Attachments

Notice of Decision (June 21, 2001, #1001209, 01128-00562)

Notice of Decision (July 18, 2003, #1001209, 03EPC-00699 & 03EPC 00701)

Map 1, Lava Shadows sector development plan

R-270-1980

Legal description, Tract A-2, Bernalillo County Assessor's Office

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

- The approved site development plan for building permit has not been provided for comparison.
- The applicant has not submitted an application for a site development plan for building permit along with the zone map amendment request.
- The proposed Site Development Plan subdivision needs to be clarified as a site development plan for building permit and contain the area designated for storage of Recreational Vehicles and boats.
- Landscape Calculations are required
- Full review is pending after all the information has been submitted by the applicant.

Office of Neighborhood Coordination

Quaker Heights NA (R)

Taylor Ranch NA (R)

8/11/08 – Recommended for Facilitation – siw

8/11/08 – Assigned to Diane Grover – siw

8/18/08 – Facilitated Meeting to be held on Wednesday, 8/27/08 at 4:30 p.m. at the Don Newton Taylor Ranch Community Center - siw

Advanced Planning

No comments received

CITY ENGINEER

Transportation Development Services

- Reviewed, no comments.

Traffic Engineering Operations

- No comments received.

Hydrology

- The Hydrology Section has no objection to the zone change request.

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT):

- No comments received.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

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

Street Maintenance (Department of Municipal Development):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Zone Map Amendment shall include:

None.

WATER UTILITY AUTHORITY

Utility Services

No comments received.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

No comments received.

Environmental Services Division

No comments received.

PARKS AND RECREATION

Planning and Design

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

Open Space Division

Open Space has no adverse comments

City Forester

- Notes on sheet one indicate use of berms for parking areas. This is not a desirable method
- Trees on the outside of the wall along Western Trail?
- Need more trees along Unser

- Ideal place for water harvesting. Direct water from roof tops and drive lanes to trees and plants. Lower grade in large plantable areas can be used to hold stormwater while it is used or infiltrates into soil

POLICE DEPARTMENT/Planning

No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved on condition, will comply with all SWMD ordinances and requirements.

FIRE DEPARTMENT/Planning

No comments received.

TRANSIT DEPARTMENT

(see att. email dated 8/15/08)

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

Lava Trails, Tract A-2, is located on Under Blvd NW between Western Trl NW and Atrisco NW. The owner of the above property requests a Zone Map Amendment and Site Plan for a development that will consist of self storage with direct access and outside storage of cars, recreational vehicles and boats. This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

No comments received.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Adequate clearance for all utilities must be provided for operation, maintenance and repair purposes. Be mindful of tree location and height as well as sign location and height in maintaining sufficient clearances.