



**Environmental
Planning
Commission**

**Agenda Number: 12
Project Number: 1006822
Case Numbers: 07EPC 40052/40054
April 17, 2008**

Supplemental Staff Report

Agent	Consensus Planning, Inc.
Applicant	2001 Gold Ave., LLC
Requests	Sector Development Plan Map Amendment Site Development Plan for Building Permit
Legal Description	Lots 1 & 2, Terrace Addition and the south 10 ft. vacated Gold Ave. adjacent
Location	Gold Ave. SE, between Terrace St. and Buena Vista Dr. (2000 Gold Ave. SE)
Size	Approximately 0.4 acres
Existing Zoning	SU-2 PR
Proposed Zoning	SU-2/SU-1 for PRD and PR

Staff Recommendation

APPROVAL of 07EPC 40052, based on the Findings beginning on page 17 and subject to the Condition of Approval on page 21.

APPROVAL of 07EPC 40054, based on the Findings beginning on page 21 and subject to the Conditions of Approval beginning on page 24.

Staff Planner

Russell Brito, Division Manager

Summary of Analysis

This proposal is for a sector development plan map amendment and a site development plan for building permit for an approx. 0.4 acre site on Gold Ave. SE. The applicant proposes to change zoning from SU-2/PR to SU-2/SU-1 for PRD and PR to develop a 4 story, 46 unit residential project.

The Comprehensive Plan and the University Neighborhoods Sector Development Plan apply. Overall, Staff finds that the proposal furthers applicable Goals and policies in a general sense. The applicant has demonstrated that the proposed zone category is generally more beneficial to the community than the current zone category. Because SU-1 zoning is requested, the appropriateness of the proposed site development plan for this particular location and context must be considered.

Two facilitated meetings were held. Staff has received many letters of opposition and support. Staff recommends approval of both requests.

This report should be read in conjunction with the original October 18, 2007 Staff report (see attachment).

City Departments and other interested agencies reviewed this application from 09/10/07 to 09/21/07. Agency comments used in the preparation of the original Staff report begin on Page 28 of that report.

I. BACKGROUND

Just prior to the October 11, 2007 EPC study session, the applicant requested deferral of this proposal for 60 days to allow additional time to work more with the neighbors and address outstanding issues. The first facilitated meeting was held October 9, 2007 and concern was expressed regarding density, building height, impact to neighborhood character and traffic/parking (see p. 20 of the October Staff report- attached). Staff found that the proposed sector development map amendment had not been adequately justified.

The applicant requested another deferral in December in order to respond to issues raised in the October Staff report, to continue a dialogue with the neighbors and to consider revisions to the proposed site development plan for building permit. During the deferral periods, Planning Staff has been available and has worked with both the applicant and the neighbors to answer questions and provide clarification and guidance regarding the process and specifics of the proposal.

In this supplemental report, Staff: 1) revisits the proposed sector development plan map amendment (zone change) since additional justification has been provided during the deferral periods, and 2) analyzes the revisions contained in the most recent (March 28, 2008) version of the proposed site development plan.

II. SCOPE

This request is for a sector development plan map amendment (zone change) and an associated site development plan for building permit for an approximately 0.4 acre site located on Gold Ave. SE, between Buena Vista Dr. and Terrace St. The applicant proposes to change the subject site's zoning from SU-2/P-R (Reserve Parking Zone) to SU-2/SU-1 for PRD and PR (Special Use Zone, Planned Residential Development and Reserve Parking Zone) in order to develop a residential building consisting of 46 units on four stories. The subject site is currently used as a parking lot, mostly by students and others visiting the University of New Mexico (UNM) campus.

CONTEXT & HISTORY

The subject site lies within the boundaries of the Central Urban Area of the Comprehensive Plan and the University Neighborhoods Sector Development Plan (UNSDP), in an area known as Silver Hill. The subject site is not in a designated Activity Center; it is about a block south of the UNM Major Activity Center boundary. Central Ave., a designated Major Transit Corridor, lies about a block north of the subject site.

⇒ Please refer to pages 1 and 2 of the original October 18, 2007 Staff report for details (see attachment).

DEFINITIONS (ZONING CODE §14-16-1-5)

⇒ Please refer to pages 2 and 3 of the original October 18, 2007 Staff report (see attachment).

III. ANALYSIS -CONFORMANCE TO ADOPTED PLANS AND POLICIES

⇒ For policy analysis using the Comprehensive Plan and the University Neighborhoods Sector Development Plan (UNSDP), please refer to pages 5 – 9 of the original Staff report (see attachment).

During the first deferral period, Staff became aware of the following requirement stipulated in the University Neighborhoods Sector Development Plan (UNSDP, p. 77): Appendix IV, under Site Development Plan and Review Process, states that development proposals “will be reviewed for conformance with the UNSDP and the Sycamore Metropolitan Redevelopment Plan.” In the October 2007 analysis, Staff neglected to do the latter (which should have appeared beginning on p. 9). This analysis is now provided here.

D) Sycamore Metropolitan Redevelopment Plan-

The Sycamore Metropolitan Redevelopment Plan (R-401-1979) is included in the UNSDP as Appendix 5. The eastern boundary of the Plan area is University Blvd., which lies west of the subject site. Therefore, Staff finds that the Sycamore Metropolitan Redevelopment Plan does not apply to the current proposal.

Update: The following table provides a synopsis of policy analysis based on the applicant’s most recent submittal.

Policy Name	Policy Concept	Staff Analysis
Central Urban Area Goal and Established Urban Area Goal	Promote cultural/public activities and facilities, create a quality urban environment	Furthers
Activity Center Goal	Expand moderate and high density mixed-land use and enhance community identity	Generally furthers
Activity Center Policy II.B.7i	Multi-unit housing location relative to Activity Centers	Partially furthers
Activity Center Policy II.B.7b	Density and Major Activity Centers	Does not further
Activity Center Policy II.B.7c	Major Activity Centers/vistas and solar access	Does not further
Activity Center Policy II.B.7f	Intense uses/low density residential development	Does not further
Central Urban Area land use Policy II.B.4b	Neighborhood upgrading/creating linkages	Furthers
Air Quality Policy II.c.1b	Automobile affects/efficient placement of housing and jobs	Furthers
Energy Management Policy c	Planning/alternative energy	Furthers
Transportation and Transit Goal	Develop corridors/balanced circulation system, encourage alternatives to auto travel	Furthers
Transportation and Transit Policy II.d.4c	Dwelling units/transit streets and neighborhood stability	Partially furthers

Transportation and Transit Policy II.d.4g	Integrate pedestrian opportunities.	Furthers
Housing Policy II.d.5b	Innovation in new housing design/deteriorating neighborhoods	Furthers
Land Use Policy II.B.5d	New development /neighborhood values/ natural environmental conditions	Partially furthers
Land Use Policy II.B.5e	New growth/existing infrastructure/ neighborhood integrity	Partially furthers
Land Use Policy II.B.5f	Clustering of homes	Furthers
Land Use Policy II.B.5h	Location of higher density housing	Partially furthers
Land Use Policy II.B.5l	Design quality/innovation	Furthers
Land Use Policy II.B.5m	Site design/visual environmental quality	Does not further
Land Use Policy II.B.5o	Redevelopment of older neighborhoods	Furthers
Land Use Policy II.B.5p	Cost/redevelopment techniques	Furthers
UNSDP Basic Goal 1	Improve quality of life in the area	Partially furthers
UNSDP Basic Goal 2	Conserve/renew unique qualities of the neighborhood	Partially furthers
UNSDP Basic Goal 3	Encourage infill residential development in appropriate places	Partially furthers
UNSDP Basic Goal 4	Encourage pedestrian orientation	Furthers
UNSDP Basic Goal 5	Improve conditions in business areas	Furthers
UNSDP Basic Goal 6	Foster positive social and physical interrelations between businesses, institutions and residents.	Partially furthers

IV. GREEN BUILDING PRINCIPLES

A) LEED-

LEED, which stands for Leadership through Energy and Environmental Design, is a holistic approach to green building promoted by the U.S. Green Building Council (USGBC). The primary idea is to encourage the adoption of sustainable (“green”) building and development practices with the overarching goal of lessening the buildings’ impact on the environment and human health by reducing carbon emissions (see <http://www.usgbc.org>). The LEED approach to sustainability recognizes building performance in five key environmental health areas: sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality.

The LEED Green Building Rating System is a nationally accepted benchmark for the design, construction and operation of green buildings used to put the LEED sustainability approach into practice. The various types of LEED rating systems are available for new construction, existing buildings, commercial interiors, core and shell, schools, retail, healthcare, homes and neighborhood development. A developer would choose the applicable (and/or desired) rating system and apply it to a proposed project using an extensive checklist. Based on the number of credits the project obtains using the checklist, certification as LEED Silver, Gold or Platinum becomes possible.

B) City Initiatives-

Note: An overview of the City's Green Initiatives can be found at <http://www.cabq.gov/sustainability>, the Sustainable Albuquerque website.

Albuquerque Green: Albuquerque Green, a vital initiative that focuses on sustainable culture in the City, is the term used to encompass the City's overarching sustainability goals to: locally impact global warming, provide leadership, encourage use of alternative energy and transportation, foster green building and carbon neutrality by 2030 and dramatically reduce greenhouse gasses (Source: Albuquerque Green Q brochure).

2030 Challenge: In 2005, the Mayor set a new standard to require that all City buildings adhere to standards established by the USGBC. In June 2006, the Mayor issued Executive Instruction No. 20 to locally adopt the "2030 Challenge", which calls for implementing green building performance targets for new municipal projects (Source: <http://www.cabq.gov/sustainability/sustainability/green-goals/green-building/green-building-page>). The overarching goal of the 2030 Challenge is to globally reduce greenhouse gas emissions by reducing fossil fuel consumption in order to avoid catastrophic climate change.

Energy Conservation Code: In 2007, the City adopted the revised Albuquerque Energy Conservation Code (ECC) (Bill No.O-07-105) which aims to reduce greenhouse gas emissions by requiring that new buildings (and alterations to existing buildings) be more energy efficient. The ECC, which applies to commercial buildings, multi-family residential buildings and single-family dwellings, requires that: 1) commercial and multi-family residential buildings be 30% more energy efficient, 2) single-family dwellings use substantially more insulation and more efficient heating, cooling, and lighting systems, and 3) commercial, multi-family, and single-family buildings must pass inspections to ensure less air leakage (Source: <http://www.cabq.gov/sustainability/green-goals/green-building/green-building-page>).

The Green Path Program: The Green Path Program, administered by the Planning Department, recognizes certain energy efficient buildings as "Green Path" projects. Such projects are eligible for an expedited building permit process and possibly additional incentives in the future.

The High Performance Building Ordinance: In 2008, the City adopted the High Performance Building Ordinance (F/S 2 O-07-73) which applies to all new buildings and to repairs of existing buildings that exceed 50% of the building's area. This Ordinance establishes standards to help use energy, water and materials more efficiently and expedites permitting for high-performance buildings. Some standards include verifying the accuracy and size of heating and cooling equipment and inspecting residential buildings for leakage and insulation.

V. SECTOR DEVELOPMENT PLAN MAP AMENDMENT (zone change)

Note: A supplemental Staff report typically focuses on only changes that have occurred during the deferral period. Here, however, Staff re-analyzes the proposed zone change so the supplemental information will not be out of context.

A) ZONING

Existing Zoning: The subject site is zoned SU-2 PR (Parking Reserve). The SU-2 zone (Zoning Code §14-16-2-23) “allows a mixture of uses controlled by a sector development plan.” The PR zone (Zoning Code §14-16-2-27) “designates lots reserved for off-street parking required by §14-16-3-1 of this Zoning Code with regard to a use on another lot.” The PR zone, which references requirements of the P zone, is intended to satisfy the required off-street parking requirements of one or more lots.

Proposed Zoning: The applicant is requesting the following zoning: “SU-2/SU-1 for PRD and PR” (Planned Residential Development and Parking Reserve). The requested zoning now includes PR. Code Enforcement Staff pointed out that the parking required on the subject site, as a result of the Board of Appeals (BOA) decision, is not a permissive use in the PRD zone. Therefore, the applicant amended the requested zoning.

SU-1 Zone: The intent of the SU-1 zone is to provide 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. Additionally, “development within the SU-1 zone may only occur in conformance with an approved site development plan”. An application for a change to SU-1 zoning, therefore, *must be accompanied by a site development plan* (see attachment-SU-1 zone). In this case, a site development plan for building permit is associated with the zone change request, which is allowable because it contains more details than a site development plan for subdivision (which is the minimally required site plan).

SU-1 zoning requires review by the Environmental Planning Commission (EPC). In the SU-1 zone, the EPC has discretion regarding building height and off-street parking provision. Regarding building height, in the proposed SU-1 zone the same regulations apply as in the R-2 zone (which allows up to 26 ft.) “unless modified by the Planning Commission.” Similarly, off-street parking shall be provided “as required by the Planning Commission.”

PRD requirements: Requirements for a Planned Residential Development (PRD) are found in the SU-1 zone (Zoning Code §14-16-2-22), in subsection 25, a-e. A PRD is a permissive use in the SU-1 zone. Permissive uses include single-family houses, townhouses, apartments, associated accessory structures and home occupations. SU-1/PRD zoning does not specify density as do other zones. For example, the R-3 zone permissively allows up to 30 DU/acre and conditionally allows up to 36 DU/acre.

Subsection 25c states that the PRD uses and development are required to be “compatible with adjacent properties, including public open spaces, public trails and existing neighborhoods and communities. The standards for compatibility “shall include the design requirements in subsection b”, which include density, building height, minimum setbacks and architectural design standards (i.e.-materials and colors).

Sector Plan: The University Neighborhoods Sector Development Plan (UNSDP) specifies zoning for the area (see map p. 69) and uses SU-2 zoning, which is available to sector plans. Therefore, the proposed zone change request is referred to specifically as a sector development plan map amendment rather than a zone map amendment; the latter term is used when a sector plan is not involved. In this case, changing the zoning would result from a change to the zoning map in the UNSDP.

⇒ Zoning Code §14-16-2-23, SU-2 zone, requires the Planning Commission to make a recommendation to City Council if a decision would impose or eliminate SU-2 zoning for an area over one block (approximately 10 acres). *Because the subject site is not greater than a block, this request is not required to be forwarded to City Council.*

B) RESOLUTION 270-1980 (Policies for Zone Map Amendments)

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

The applicant must demonstrate that the existing zoning is inappropriate because of at least one of three findings: 1) there was an error when the existing zone map pattern was created; or 2) changed neighborhood or community conditions justify the change; or 3) a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Request

The applicant is requesting that the current zoning of SU-2 PR (Parking Reserve) be changed to SU-2/SU-1 for PRD and PR (Planned Residential Development and Parking Reserve) in order to develop a multi-family residential building consisting of 46 units on 4 stories. See the Zoning section of this report (p. 4) for a discussion of these zones.

Justification

The applicant's reasoning for Sections A – J is stated below. *Staff's Analysis follows in bold italics.*

- A. The proposed zoning supports the creation of a healthy neighborhood by providing a walkable community and develops new residential in an area close to transit and employment. The proposal also places “eyes on the street”. The proposal will be beneficial to the community's welfare because it furthers a number of Comprehensive Plan Goals and policies.

The applicant cited a preponderance of applicable Goals and policies to demonstrate that the proposal would be more advantageous to the community (see Section D). Some explanations of how the Goals and policies relate to the proposal are acceptable, though others could have been more thoroughly elaborated upon (ex. Activity Center policy c). Overall, the applicant

has established a policy-based justification for the zoning. Though walkability and general welfare would be promoted, the specific welfare of adjacent residents is also a consideration.

- B. The request is in an area that has a wide variety of land uses and residential products. A new residential product is more desirable and will replace an undesirable surface parking lot. The change from parking to a permanent residential building will provide a stabilizing factor for the neighborhood.

Stability of land use and zoning is addressed. The applicant states that land use stability will occur because of the site plan control required by the SU-1 zone, and that the change from parking to a permanent residential building will provide a stabilizing factor for the neighborhood. Staff is not sure how the current parking lot contributes to instability, though perhaps it does in some way. Staff agrees that there are a variety of land uses in the area and that the proposed zoning, with a site development plan requirement, will stabilize land use on the subject site.

- C. The proposed change helps to implement Goals and policies as demonstrated in Section D on this report. The proposal fulfills the Goals and policies as expressed in the City's Comprehensive Plan, University Neighborhoods Sector Development Plan (UNSDP), the Planned Growth Strategy (PGS) and section 14-3-2-3(B) of the City Code.

The applicant states that the proposed zone change does not conflict with existing City Goals and policies, but helps to implement them. In the majority of instances, the explanation of how the proposal furthers each cited Goal and policy is acceptable. In other instances, the arguments would be stronger if the explanation better incorporated concerns of adjacent residents (ex. Policy II.B.5d- new development/neighborhood values/natural environmental conditions).

- D. The applicant believes that the existing zoning is inappropriate due to: 1) the proposed project being more advantageous to the community, and 2) changed neighborhood and community conditions. The following are changed neighborhood and community conditions: 1) approval of a conditional use for the residential building at 2001 Gold Ave., which strengthens the residential character of the site; 2) the approval of the Brick Light mixed-use project, 3) Comprehensive Plan amendments designating Central Ave. as a Major Transit Corridor, which supports more intense transit oriented land uses close to Central Ave.; and 4) Rapid Ride service on Central Ave. and the designation of Silver Ave. as a bike boulevard.

The proposal is more advantageous to the community as articulated in the City's Comprehensive Plan, University Neighborhoods Sector Development Plan (UNSDP), the Planned Growth Strategy (PGS) and section 14-3-2-3(B) of the City Code. The proposed project complies with, implements and fulfills the cited policies listed below (see applicant's letter, p. 5).

Comprehensive Plan Citations-

The applicant refers to the following Goals and policies in the analysis:

- Central Urban Area Goal and Established Urban Area Goal.
- Activity Center Goal and Activity Center Policy i-multi-unit housing.
- Central Urban Area land use policy: neighborhood upgrading/creating linkages (Policy II.B.4b)
- Air Quality Policy b-automobile affects/efficient placement.
- Energy Management Policy c- planning/alternative energy.
- Transportation and Transit Goal, Policy c-dwelling units/transit streets and Policy g-pedestrian opportunities.
- Housing Policy b-innovation/deteriorating neighborhoods.
- Developing and Established Urban Area land use policies: full range of urban land uses (Policy II.B.5a), new development/neighborhood values/natural environmental conditions (Policy II.B.5d), new growth/existing infrastructure/neighborhood integrity (Policy II.B.5e), clustering of homes (Policy II.B.5f), location of higher density housing (Policy II.B.5h), design quality/innovation (Policy II.B.5l), site design/visual environmental quality (Policy II.B.5m), redevelopment of older neighborhoods (Policy II.B.5o), cost/redevelopment techniques (Policy II.B.5p).

University Neighborhoods Sector Development Plan Citations: The applicant cites the Plan's six Basic Goals and also refers to "current issues." The UNSDP does not include policies.

Planned Growth Strategy (PGS) Text Citations and City Code Citations: The applicant cites certain pages of the PGS in Part 2: Preferred Scenario and in the Infrastructure and Growth Plan.

The applicant cites more advantageous to the community and changed community conditions as reasons that render the existing zoning inappropriate. The applicant has included the policy analysis in Section D (instead of Section C), which is acceptable.

Pursuant to R270-1980, the applicant is required to demonstrate that one of three possible scenarios is met: 1) an error in the zone map, 2) changed community conditions, OR 3) different zoning being more advantageous to the community. Despite a few instances in which the explanation could have been stronger, the applicant has established a policy-based justification to demonstrate that the proposed zoning would be more advantageous to the community. Therefore, the applicant has complied with R270-1980.

Though changed community conditions have occurred in the area, the applicant's arguments with respect to more advantageous to the community are stronger and sufficient to comply with R270-1980. Regarding changed community conditions, Staff finds that the nexus

between the cited changes (ex. conditional use for Silver Hill lofts, development of the Brick Light project) is not as well developed as it could be.

Note that benefit to the community is both objective when applying Goals and policies and subjective when addressing views and concerns expressed by neighbors. Both approaches should be considered and weighed in any zone change decision.

- E. The surrounding area contains commercial, multi-family residential and single-family uses. The proposed zone change from a parking lot land use will not be harmful to adjacent properties, the neighborhood or the community. No office or commercial uses will be allowed.

The applicant has addressed other permissive uses in the PRD zone, as required, by not allowing office or commercial uses with the proposed SU-1 PRD zoning, which allows limited office (O-1) and commercial (C-1) uses up to 25% of the development. The applicant states that the proposed zone change from a parking lot will not be harmful to adjacent properties, the neighborhood or the community, but more detail about the transition from single-family homes on the southern half of the block across the alley to a multi-unit residential building is desirable.

- F. The proposal does not require any major additional and unprogrammed capital expenditures by the City.

Staff acknowledges the applicant's statement that the proposed development will not require any major or unprogrammed capital expenditures by the City.

- G. Economic considerations are not the determining factor in support of this request, though they are a factor in determining the scale of the proposed project recognizing the costs borne and the developer's goals.

Staff acknowledges the applicant's statement that economic considerations are a factor, but are not the determining factor in support of the proposed zone change. However, the applicant's economic considerations are important when determining the density and scale of the project.

- H. The subject site is not located on a collector or major street, though the area is bounded by Central Ave., Lead Ave., and Yale and University Blvds., and is located within easy walking distance of Central Ave.

Staff agrees that the subject site is not located on a designated collector or major street, yet several important arterials are within short walking distance. However, the applicant could have expressly stated that location on a major street is not being used as sufficient justification for the proposed zone change.

- I. The proposal is for a residential development, consistent with other land uses in the area, so it should not be considered a spot zone. The proposed zoning is necessary to implement the project as designed. The other zones in the UNSDP are less dense and less urban and would not permit the project as designed.

In general, SU-1 zoning creates justified “spot zones” because a site development plan is required as part of the EPC process. The applicant’s statement that the proposed zoning is needed to implement the project as designed is correct, since the SU-1 for PRD zone gives discretion over height and density to the EPC.

- J. The proposal is for a residential development, consistent with other land uses in the area, so it should not be considered a strip zone. The proposed zoning is necessary to implement the project consistent with the Goals and policies in applicable Plans.

Staff agrees that the proposed zone change request would not result in strip commercial zoning. The proposed project is for a residential use.

Overall, Staff concludes that the zone change has been adequately justified at this time. The explanation of how Goals and policies are generally furthered is satisfactory in most instances. The general idea of residential development on the subject site is consistent with relevant Goals and policies. Overall, it is laudable that the proposed building would be LEED certified; this is an exemplary type of urban project. Since an SU-1 zone is being requested, the EPC must decide if the associated proposed site development plan is appropriate in terms of context and compatibility with the existing neighborhood.

VI. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT- proposed boundary modifications

Background (repeated from the original October 18, 2007 Staff report, p. 15): The proposal includes proposed modifications to the subject site’s boundaries. First, the lot line separating the subject site (which consists of Lot 1 and Lot 2) is proposed to be eliminated with the current proposal.

Second, right-of-way (ROW) on the subject site’s western, northern and eastern sides is proposed to be vacated as follows: 5 ft. on the western side (Terrace St.), 4 ft. on the northern side (Gold Ave.), and 5 ft. on the eastern side (Buena Vista Dr.). On the western and eastern sides, the existing sidewalk and drive pads, as well as the landscape strips between the street and the sidewalk, are proposed for removal. Vacating the public ROW will allow more area on the subject site to be available for the proposed building. The subject site’s area is approx. 0.38 acres. With the proposed vacation, its area would be approx. 0.42 acres.

Update: During the deferral periods, there have been no changes to the proposed boundaries. It is worth noting that a related proposal will be heard at the Development Review Board (DRB) on April 16, 2008, which is one day prior to the EPC hearing. The proposal is for vacation of right-of-way (ROW) on the west, north and eastern sides of the subject site and for preliminary and final plat.

VII. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT- March 2008 version

The proposed site development plan for building permit is for a multi-family residential building, consisting of four floors, a basement and a smaller rooftop floor with landscaping. Four floors contain the 46 residences, which range from 646 sf to 1386 sf.

- ⇒ Please refer to pages 15- 20 of the original October 18, 2007 Staff report (see attachment) for an explanation of the following items to which revisions have not been made during the deferral periods:
- Site Plan Layout/Configuration (p. 15)
 - Walls/Fences (p. 15)
 - Vehicular Access & Circulation (p. 16)
 - Pedestrian/Bicycle Access & Transit Access (p. 17)
 - Lighting & Security (p. 17)
 - Grading & Drainage Plan (p. 18)
 - Utility Plan (p. 18)
 - Signage (p. 19).

Parking

Official Decisions: Parking provision on the subject site is linked to the site across the street to the north, 2001 Gold Ave. (the Silver Hill Lofts). Upon granting a special exception (02ZHE 00217) to allow a residential use in a C-2 zone (see attachment in the October report), the Zoning Hearing Examiner (ZHE) specified the following as one of the conditions of approval: the parking requirement for 2001 Gold Ave. must be met on Lots 1 and 2 of the Terrace Addition (the subject site), which is zoned P-R for parking reserve and is intended to provide parking for other lots (see Zoning section of this report). The applicant is prohibited from removing the parking requirement from the subject site and must provide up to 26 off-site parking spaces on the subject site.

The Board of Appeals (BOA) decision to uphold the ZHE decision also contains conditions, and a significant language modification. The parking condition states that “the applicant is to provide opportunities for a minimum of 26 spaces if the property is developed fully at 17 residential units” (see attachment). Therefore, because the Silver Hill Lofts were developed at 17 residential units (and two offices), a minimum of 26 spaces for the Silver Hill Lofts (at 2001 Gold Ave.) are required to be provided *on the subject site* (2000 Gold Ave.) in its “parking reserve” capacity.

On-Street Parking Credits: In December 2007, the applicant requested seven on-street parking credits for the Silver Hill Lofts (see attachment). The idea was to reduce the 26 space requirement for the Silver Hill Lofts, which the BOA decision tied to the subject site. The Traffic Engineer, after

evaluating the situation, granted one on-street parking credit (see attachment) which is near the southern side of 2001 Gold Ave.

Staff checked with City legal regarding whether or not this parking space, which would *not* be located on Lots 1 and 2 of the Terrace Addition as stipulated in the BOA decision, could be counted towards the parking required by the BOA for 2001 Gold Ave. City legal's opinion was the one on-street parking space could be used for the subject site but *not* for 2001 Gold Ave. Therefore, as stated in the BOA decision, a minimum of 26 spaces for the Silver Hill Lofts are required to be provided on the subject site.

Parking Calculations: The underlying zoning at 2001 Gold Ave. is C-2. Parking requirements, found in Zoning Code §14-16-3-1, state that 1.5 spaces/bath are required for dwellings < 1000 sf and 2 spaces/bath are required for dwellings > 1000 sf. 14 units are less than 1000 sf and 3 are more. Therefore, 21 spaces are required for the 14 units and 6 spaces for the 3 units, for a total of 27 required parking spaces for the Silver Hill Lofts. According to the BOA decision, at least 26 spaces for 2001 Gold Ave. must be provided on the subject site. The applicant's updated parking calculations list 26 spaces for 2001 Gold Ave., which is correct.

Because SU-1 zoning is proposed, "off-street parking shall be provided as required by the Planning Commission" (Zoning Code §14-16-2-22). In other words, it is up to the EPC to determine how much parking is needed.

Staff has checked the revised parking calculations (March 28, 2008 version of the site development plan). Zoning Code parking requirements (§14-16-3-1) are as follows: 1 space per bathroom if less than 1000 sf and 1.5 spaces per bathroom if greater than 1000 sf. However, the Planning Department has agreed that 1 space per unit (bedroom on the calculations) seems reasonable in an urban setting. Therefore, the 46 proposed units would require 53 parking spaces. [39 units have 1 bedroom and 7 units have 2 bedrooms]. 4 of the 53 spaces would need to be handicap spaces. Motorcycle spaces, provided *in addition to* regular parking spaces, are not required for residential uses (but should be provided anyway, especially in this setting).

Staff finds that the parking calculations are incorrect and should be as follows, according to the applicant's methodology: 26 regular spaces for the BOA decision + 53 regular spaces (4 of which-not 3-must be handicap) for the units, less 1 on-street parking space (since it must be used for 2000 Gold Ave.) = 78 spaces. Handicap spaces are taken from the 53 total; therefore, 4 are required. When 51-100 spaces are required, 4 handicap spaces are required. The applicant has removed the handicap spaces from the total and then applied the requirement, which is incorrect.

The applicant has taken a 10% reduction for proximity to Transit. However, the subject site is not within 300 ft. of a regular transit route as required pursuant to §14-16-3-1, so the Transit reduction of 5 spaces is not allowable. Staff calculates approx. 372 ft. from the subject site to the southern boundary of Central Ave., which is closer than University or Yale Blvds. Therefore, 78 parking spaces are required according to this methodology and not 74 as the applicant incorrectly states.

Note: The 78 space total does not include motorcycle spaces, which are provided in addition to required parking. There are 5 motorcycle spaces. No visitor spaces are provided.

Staff has counted the spaces proposed in the basement and on the ground floors and gets 73 spaces total, 3 of which are handicap (should be 4). However, since 5 motorcycle spaces are proposed, 2 spaces are taken up. (Motorcycle parking is *in addition to* regular spaces). Therefore, Staff counts 71 regular spaces provided. In sum, the proposal does not provide sufficient parking based on its own custom methodology, but falls short by 8 spaces. This is significant given the subject site's context, an area where there is already a parking deficiency for current residents and their guests and limited meter parking which is usually taken up by students.

Landscaping Plan

Changes to the proposed landscaping plan since the October version are minor. The landscaping plan still focuses on LEED strategies to achieve sustainability and water reduction and has a green roof. No turf is proposed. Landscaping is proposed on the ground floor, the fourth floor and the roof; the change is the addition of some shrubs on a portion of the southern side of the second floor. Another change is that plant totals have been removed and the landscape calculations show less work.

The plant palette consists of all low water use plants and many of the same species, used repeatedly in different ways.

⇒ For details regarding the plant palette, please refer to p. 18 of the original October 2007 Staff report.

Architecture & Design

The revised building design is similar to the previously proposed building design. It is basically a rectangular shape, with parking in the basement and the ground floor, residences on the ground floor and floors two, three and four and then a roof garden. The design can be considered contemporary and not characteristic of any location. The mass is broken up by balconies, the use of different colors, windows and openings on the ground floor.

⇒ For details regarding architectural elements, please refer to p. 19 of the original October 2007 Staff report.

Some changes to the proposed design occurred during the deferral periods. With respect to massing, the building has been "stepped back" on its southern side (floors 2-4 and roof) and shifted northward (floor 4 and the roof) to break up its mass. The idea is to create more space between future residents and the adjacent single-family homes to the south across the alley. For example, on floor 4, the proposed building is now stepped back 8 ft. in the middle and 16 ft. on the sides.

The proposed stucco colors are still tan, light mustard and medium grey. The only change Staff can discern is to the southern elevation of floor 4, which is now proposed to be painted tan instead of medium grey.

Height & Intensity

Some changes with respect to height and intensity occurred during the deferral periods. The proposed building, still consisting of 4 stories, a basement level and a rooftop level, is now 53 ft. tall instead of 58 ft. tall. The building height at the top of parapet has been lowered by approximately 3 ft. to now measure 47 ft. and 10 in. The four floors have all been correspondingly lowered.

At 47' 10", the proposed building is taller than other nearby buildings. The 2001 Gold residential building is 26 ft., as allowed by its underlying C-2 zoning. The majority of single-family homes in the area are one story, with a typical height of 18 ft. or so. In the SU-1 zone, however, the EPC has discretion regarding building height (see Zoning section of this report).

Instead of 51 dwelling units, the number of proposed dwelling units has been reduced to 46. Three units have been removed from the third floor, one unit from the second floor and one unit from the fourth floor for a total of 5 units less than before. The units still range from approx. 650 to 1250 sf., with approximately half of the units less than 800 sf. The proposed square footage, which was once 47,500 sf, is now 44,360 sf (a decrease of approximately 3,140 sf).

The subject site, approx. 0.4 acre, is proposed to be approx. 0.42 acre provided that portions of the adjacent ROW are vacated as requested. Staff calculates density as follows: if 0.4205 acres has 46 units, then 1 acre has 109.39 units (46/.4205). Therefore, the proposed density on the subject site is now approx. 109 DU/acre (down from approx. 122 DU/acre previously).

Open Space

Though open space is not specifically required in this case, the EPC has discretion regarding whether to require it and how much is sufficient. Open space is proposed. The calculations have been revised based on the stepping back of the building on its southern side and the corresponding shift northward (floor 4 and the roof).

⇒ For details regarding open space and requirements, please refer to p. 19-20 of the original October 2007 Staff report.

The Fall 2007 calculations indicated 13,808 sf of open space (271 sf per unit, 51 units). It was not apparent how the numbers were derived since the work was not shown. The revised proposal indicates 23,043 sf of open space (500 sf per unit, 46 units). This is an increase of 9,235 sf of open space, which is difficult for Staff to confirm since the work is not shown. The building square footage decreased by 3,140. The setting back of the building provided some additional open space area (third floor and the roof), but the proposed locations (ground floor, balconies, roof garden, etc.) are essentially the same.

Staff figures that common areas and private balconies are both included as allowed by the definition of Usable Open Space (Zoning Code §14-16-1-5, Definitions). The areas around the stairwells and elevator shafts were previously labeled as open space.

CONCERNS OF REVIEWING AGENCIES/PRE-HEARING DISCUSSION

⇒ Please refer to page 20 of the original October 18, 2007 Staff report (see attachment).

VIII. NEIGHBORHOOD CONCERNS

Recap: The Silver Hills Neighborhood Association (NA) was required to be notified. The University Heights NA received a courtesy notification.

A non-facilitated meeting was held in August 2007. The applicant reports that concerns included scale and parking (see attachment in October report). Staff received several letters from residents and nearby property owners (see attachments in October report). All letters, except for one, indicated opposition. Residents were concerned about density, size (height and mass), parking, traffic and impact on the neighborhood's historic character. The letter of support mentions the general desirability of green standards.

A facilitated meeting was held in October 2007 (see attachment in the October report). Concerns included density, building height, neighborhood character and parking. While there was agreement about the benefits of LEED certified buildings, the general sentiment was that the proposed density and building height are quite intense for the surrounding neighborhood and don't match its historic character.

Last Fall, Staff became aware of a UNSDP requirement regarding neighborhood notification (p. 77). The UNSDP requires that the City Planner send a copy of the application form to the president and one other representative of any registered NA within the Sycamore area. Staff fulfilled this requirement by sending out the application, with a cover letter of explanation, to representatives of the University Heights, Silver Hills, Sycamore and Spruce Park NAs (see attachments).

Recent Developments: During the deferral period, the purpose of which was for the applicant to continue working with the neighborhoods and concerned parties, additional meetings were held. A non-facilitated meeting occurred on October 25, 2007. Notes were taken by the applicant and by a neighborhood representative (see attachments). Apparently, the purpose of the meeting was to find out what neighbors would support. Topics included density, height, parking, size of units, costs and neighborhood character.

A second facilitated meeting was held on January 9, 2008 (see attachment). The applicant discussed revisions to the proposed site plan, including a 3 ft. height reduction, a 3,140 square footage reduction, and a unit reduction of 5. Neighbors were appreciative of the changes, but many felt they were not substantial enough to fit in with the context of the neighborhood. Other issues discussed included right-of-way, landscaping and parking.

Since then, Staff has received several letters of both opposition and support (see attachments). Each is important and discusses particular points. In an overarching sense, Staff finds that the letters of opposition mostly state that the proposed building is not a good fit for this particular location in terms of scale and density. Most of the letters do not express opposition to a residential use on the subject site (though some do); they are just opposed to this particular residential use. Other letters of

opposition generally express concern regarding the proposal's effect on the existing neighborhood, especially in terms of exacerbating the parking problem.

Not one letter of opposition questions the importance of green principles; the overall sentiment is that the proposed building is commendable but not appropriate given the context of the proposed location. The letters of support, in an overarching sense, favor the proposal because it would be infill development that would increase neighborhood diversity and bring positive change, as well as be an example of implementing green principles.

IX. CONCLUSION

This proposal is for a sector development plan map amendment and a site development plan for building permit for an approx. 0.4 acre site on Gold Ave. SE. The applicant proposes to change the subject site's zoning from SU-2 PR (Parking Reserve) to SU-2/SU-1 for PRD and PR (Planned Residential Development) in order to develop a residential project consisting of 46 units on 4 stories. This proposal entered the EPC process for the October 2007 hearing and was deferred at the last minute by the applicant. Since then, the proposal was deferred at the applicant's request to December 2007, February 2008 and March 2008.

The subject site lies within the boundaries of the Central Urban area and the University Neighborhoods Sector Development Plan (UNSDP) area, and is not located in a designated Activity Center. Overall, Staff finds that the proposal furthers many applicable Goals and policies in a general sense, but not necessarily in terms of site development plan specifics. When requesting SU-1 zoning, a site development plan is a required component of the request.

Overall, Staff concludes that the sector development plan map amendment has been adequately justified. The explanation of how some policies are generally furthered is satisfactory in some instances, but would have benefited from elaboration in others. The City's Zone Change Policies and Criteria, R270-1980, requires that the applicant demonstrate that the zone change is justified based on: 1) a zone map error, 2) changed community conditions or 3) more advantageous to the community. The applicant has demonstrated that the proposed zone category is generally more beneficial to the community than the current zone category.

Two facilitated meetings were held, one in October 2007 and the other in January 2008. Staff has received many letters of both opposition and support. Staff recommends approval of the sector development plan map amendment and the associated site development plan for building permit.

FINDINGS -07EPC 40052, April 17, 2008- Sector Development Plan Map Amendment

1. This request is for a sector development plan map amendment for an approximately 0.4 acre site located on Gold Avenue SE, about one block south of Central Avenue, between Terrace Street and Buena Vista Drive. A request for a site development plan for building permit (07EPC-40054) accompanies this request.
2. The applicant proposes to change the subject site's zoning from P-R (Parking Reserve) to SU-2 /SU-1 for PRD and PR (Special Use Zone, Planned Residential Development and Parking Reserve) in order to develop a four-story residential building consisting of 46 units.
3. The subject site is located within the boundaries of the University Neighborhoods Sector Development Plan, which uses SU-2 zoning to indicate sector plan control of sites within its boundaries. A change of zoning would affect the sector plan's zoning map. Therefore, this request is referred to as a sector development plan map amendment.
4. The following relevant Comprehensive Plan Goals are *partially furthered*:
 - A. Activity Centers Goal— Though located outside of the University of New Mexico (UNM) Major Activity Center, the subject site can be considered a transition between the mostly single-family neighborhood to the south and the more intense commercial uses along the Central Avenue corridor to the north.
 - B. Transportation and Transit Goal— Density housing generally encourages the usage of non-vehicle transportation modes such as walking, bicycling and Transit. The Goal also calls for providing sufficient roadway capacity. It is unknown if capacity on the adjacent streets would be sufficient given the proposed density and the area's history of parking problems.
5. The proposal *further*s the following relevant Comprehensive Plan policies:
 - A. Land Use Policy II.D.5f— The proposed development will cluster homes and will be oriented toward pedestrian and bikeways.
 - B. Land Use Policy II.D.5l— The proposed building would be a new development with an innovative design of modern character that both contrasts with and compliments the surrounding single-family and multi-family residences.
 - C. Land Use Policy II.D.5o— The proposed multi-unit housing can be considered redevelopment of a parking lot in an older neighborhood.

6. The proposal *partially furthers* the following relevant Comprehensive Plan policies:
 - A. Land Use Policy II.B.5d— The proposed residential building would be about twice as tall as the residential/office building across the street to the north, but steps back its mass closer to single-family homes to the south across the alley.
 - B. Land Use Policy II.B.5e— The proposal constitutes new growth and would be contiguous to existing urban facilities and services, though the integrity of the existing neighborhood can be maintained.
 - C. Land Use Policy II.D.5h— The subject site is not in a designated Activity Center and the proposed residential building would face similar density development. The transition with existing adjacent land uses is adequate.
 - D. Housing Policy II.B.7.i—The proposed multi-unit housing would be appropriate inside the boundaries of a designated Activity Center, but the subject site is not located inside such boundaries. However, the applicant has demonstrated that the subject site meets the criteria for an activity center.

7. With respect to the University Neighborhoods Sector Development Plan (UNSDP), the proposal *furthers* the following Goals:
 - A. Goal 4—The proposal encourages pedestrian orientation by its proximity to a Major Transit Corridor and the University of New Mexico.
 - B. Goal 5—The proposal will improve conditions in the business area by attracting additional residents who will patronize the businesses.

8. The proposal *partially furthers* the following UNSDP Goals:
 - A. Goal 1— The proposal would add new residents to the area which may improve quality of life for some, though for others the additional residents could contribute to the existing traffic and parking problems in the neighborhood.
 - B. Goal 3—The proposal is for an infill development on an underutilized site, though the location is adjacent to established single-family homes.
 - C. Goal 6—The proposal would add new residents which will foster social and physical interrelations, which realistically are likely to have both positive and negative aspects.

9. The Planned Growth Strategy (PGS) provides a framework for managing urban growth in the Albuquerque area. The PGS aims to promote infill development, utilize existing infrastructure and

services and create neighborhoods that are more pedestrian and transit friendly. The proposed multi-unit residential development will help fulfill these intentions.

10. The proposal *further*s relevant policies and Goals in a general sense when considering the sector development plan map amendment. SU-1 zoning is being requested and a site development plan is required. The associated site development plan for building permit (07EPC-40054) addresses specifics such as height, density and parking which affect applicable policies and Goals that are furthered in a broader sense (ex. Land Use Policies II.B.5a and e, Transportation and Transit Policy II.D.4c and UNSDP Goal 3).

11. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:

- A. Section A: Most of the explanations of how applicable Goals and policies relate to the request are acceptable, though others could have been more thoroughly elaborated upon.
- B. Section B: Stability of land use and zoning is sufficiently addressed. An explanation of how the proposal would contribute to land use stability in the area, and on the subject site, is provided.
- C. Section C: In most instances, the explanation of *how* the request furthers each cited policy and goal is acceptable. The preponderance of applicable Goals and policies is furthered.
- D. Section D: The applicant's explanation of how the proposed zoning is more advantageous to the neighborhood or community, as articulated by the Comprehensive Plan and the University Neighborhoods Sector Development Plan, is adequate.
- E. Section E: The accompanying site development plan restricts permissive office and commercial uses in the PRD zone, and states that the proposed zone change from a parking lot land use would not be harmful to adjacent properties, the neighborhood or the community.
- F. Section F: The development will not require any major or unprogrammed capital expenditures by the City.
- G. Section G: Economic considerations pertaining to the applicant, which come into play when determining project scale through the associated site development plan, are not the determining factor in this request.
- H. Section H: The subject site is not located on a designated collector or major street, yet several important arterials are within short walking distance.

- I. Section I: SU-1 zoning creates justified “spot zones” because a site development plan is a required part of the EPC process.
- J. Section J: This zone change request would not result in strip commercial zoning. The proposed project is for a residential use.

12. Pursuant to Zoning Code §14-16-2-22, a site development plan is required when SU-1 zoning is requested. Residential development on the subject site is not inconsistent with relevant goals and policies. In this case, site development plan specifics regarding height and density demonstrate that the proposed planned residential development (PRD) is compatible with adjacent properties.

13. The proposed building associated with this zone change request is intended to be LEED certified. LEED, which stands for Leadership through Energy and Environmental Design, is a holistic approach to green building promoted by the U.S. Green Building Council (USGBC) and the City of Albuquerque.

14. The affected neighborhoods are the Silver Hills Neighborhood Association (NA), the University Heights NA and the Sycamore NA. Two facilitated meetings were held, one in October 2007 and the other in January 2008. The neighborhoods generally oppose the proposal on the grounds that the building would not be a good fit for this particular location in terms of scale, density and adjacency to single-family homes.

15. Staff has received several letters of both opposition and support. The letters of opposition generally express concern regarding height, density, effect on the existing neighborhood, and parking. Not one letter of opposition, however, questions the importance of green principles. The letters of support generally favor the proposal because it would be an infill development that would implement green principles.

RECOMMENDATION - 07EPC 40052, April 17, 2008

APPROVAL of 07EPC 40052, a request for a sector development plan map amendment from P-R to SU-2/SU-1 for PRD and PR for Lots 1 & 2, Terrace Addition and the south 10 ft. vacated Gold Avenue adjacent, located on Gold Avenue SE, based on the preceding Findings and subject to the following Condition of Approval.

CONDITION OF APPROVAL - 07EPC 40054, April 17, 2008- Site Development Plan for Building Permit

1. Final DRB sign-off of the accompanying site development plan for building permit (07EPC-40054) is required.
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FINDINGS -07EPC 40054, April 17, 2008-Site Development Plan for Building Permit

1. This is a request for a site development plan for building permit for an approximately 0.4 acre site located on Gold Avenue SE, about one block south of Central Avenue, between Terrace Street and Buena Vista Drive.
2. A request for a sector development plan map amendment (07EPC-40052) accompanies this request. The sector development plan map amendment request has been adequately justified pursuant to the policies and criteria of R270-1980.
3. The following relevant Comprehensive Plan Goals are *partially furthered*:
 - A. Activity Centers Goal— Though located outside of the University of New Mexico (UNM) Major Activity Center, the subject site can be considered a transition between the mostly single-family neighborhood to the south and the more intense commercial uses along the Central Avenue corridor to the north.
 - B. Transportation and Transit Goal— Density housing generally encourages the usage of non-vehicle transportation modes such as walking, bicycling and Transit. The Goal also calls for providing sufficient roadway capacity. It is unknown if capacity on the adjacent streets would be sufficient given the proposed density and the area's history of parking problems.
4. The proposal *further*s the following relevant Comprehensive Plan policies:
 - A. Land Use Policy II.D.5f— The proposed development will cluster homes and will be oriented toward pedestrian and bikeways.
 - B. Land Use Policy II.D.5l— The proposed building would be a new development with an innovative design of modern character that both contrasts with and compliments the surrounding single-family and multi-family residences.

- C. Land Use Policy II.D.5o— The proposed multi-unit housing can be considered redevelopment of a parking lot in an older neighborhood.
5. The proposal *partially furthers* the following relevant Comprehensive Plan policies:
- A. Land Use Policy II.B.5d— The proposed residential building would be about twice as tall as the residential/office building across the street to the north, but steps back its mass closer to single-family homes to the south across the alley.
- B. Land Use Policy II.B.5e— The proposal constitutes new growth and would be contiguous to existing urban facilities and services, though the integrity of the existing neighborhood can be maintained.
- C. Land Use Policy II.D.5h— The subject site is not in a designated Activity Center and the proposed residential building would face similar density development. The transition with existing adjacent land uses is adequate.
- D. Housing Policy II.B.7.i—The proposed multi-unit housing would be appropriate inside the boundaries of a designated Activity Center, but the subject site is not located inside such boundaries. However, the applicant has demonstrated that the subject site meets the criteria for an activity center.
6. With respect to the University Neighborhoods Sector Development Plan (UNSDP), the proposal *furthers* the following Goals:
- A. Goal 4—The proposal encourages pedestrian orientation by its proximity to a Major Transit Corridor and the University of New Mexico.
- B. Goal 5—The proposal will improve conditions in the business area by attracting additional residents who will patronize the businesses.
7. The proposal *partially furthers* the following UNSDP Goals:
- A. Goal 1— The proposal would add new residents to the area which may improve quality of life for some, though for others the additional residents could contribute to the existing traffic and parking problems in the neighborhood.
- B. Goal 3—The proposal is for an infill development on an underutilized site, though the location is adjacent to established single-family homes.
- C. Goal 6—The proposal would add new residents which will foster social and physical interrelations, which realistically are likely to have both positive and negative aspects.

8. The Planned Growth Strategy (PGS) provides a framework for managing urban growth in the Albuquerque area. The PGS aims to promote infill development, utilize existing infrastructure and services and create neighborhoods that are more pedestrian and transit friendly. The proposed multi-unit residential development will help fulfill these intentions.

9. The proposal *further*s relevant policies and Goals in a general sense when considering the sector development plan map amendment. SU-1 zoning is being requested and a site development plan is a required component of the request. The associated site development plan for building permit (07EPC-40054) addresses specifics such as height, density and parking which affect applicable policies and Goals that are furthered in a broader sense (ex. Land Use Policies II.B.5a and e, Transportation and Transit Policy II.D.4c and UNSDP Goal 3).

10. The parking requirement for the residential building at 2001 Gold Avenue must be met on the subject site. This was a condition of the Zoning Hearing Examiner's (ZHE) decision to grant a conditional use to allow a residential use in a C-2 zone (02ZHE 00217). The Board of Appeals (BOA) decision to uphold the ZHE decision states that "The applicant is to provide a minimum of 26 spaces if the property is developed fully at 17 residential units", which is the case. The applicant is prohibited from removing the parking requirement from the subject site. A Traffic Impact Study (TIS) was not required.

11. Because SU-1 zoning is requested, the EPC determines how much parking is sufficient.

12. The proposed building, at 47 feet 10 inches, would be taller than the 2001 Gold Avenue residential building (26 feet) to the north and the existing one story single-family homes and apartments in the immediate area.

13. Pursuant to Zoning Code §14-16-2-22, a site development plan is required when SU-1 zoning is requested. Residential development on the subject site is not inconsistent with relevant goals and policies. In this case, site development plan specifics regarding height and density demonstrate that the proposed planned residential development (PRD) is compatible with adjacent properties.

14. The proposed building is intended to be LEED certified. LEED, which stands for Leadership through Energy and Environmental Design, is a holistic approach to green building promoted by the U.S. Green Building Council (USGBC) and the City of Albuquerque.

15. The affected neighborhoods are the Silver Hills Neighborhood Association (NA), the University Heights NA and the Sycamore NA. Two facilitated meetings were held, one in October 2007 and the other in January 2008. The neighborhoods generally oppose the proposal on the grounds that the building would not be a good fit for this particular location in terms of scale, density and adjacency to single-family homes.

16. Staff has received several letters of both opposition and support. The letters of opposition generally express concern regarding height, density, effect on the existing neighborhood, and parking. Not one letter of opposition, however, questions the importance of green principles. The letters of support generally favor the proposal because it would be an infill development that would implement green principles.

RECOMMENDATION - 07EPC 40054, April 17, 2008

APPROVAL of 07EPC 40054, a site development plan for building permit for Lots 1 & 2, Terrace Addition and the south 10 ft. vacated Gold Avenue adjacent, located on Gold Avenue SE, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 07EPC 40054, April 17, 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 final DRB sign off, the applicant shall meet with the Development Review staff planner(s) to ensure that conditions of approval are met. Evidence of this meeting shall be provided to the DRB at the time of application.

3. The transition from the existing single-family homes on the southern half of the block across the alley to the proposed building on the subject site shall be improved to ensure compatibility with adjacent properties.

4. Parking- Spaces:

- A. Motorcycle spaces shall be provided in addition to regular parking spaces pursuant to Zoning Code 14-16-3-1.
- B. Four handicap spaces shall be provided pursuant to Zoning Code 14-16-3-1.

5. Parking-Calculations:

- A. Parking calculations shall be updated to accurately reflect required parking for the adjacent 2001 Gold site, parking for on-site residents, provisions for disabled parking spaces and motorcycles.
- B. A parking space reduction for proximity to transit shall not be taken since the subject is not within 300 feet of a regular transit route, as required pursuant to Zoning Code 14-16-3-1.

6. Walls/Fences/Screening:

The patio area on the roof shall be fenced to prevent damage to the landscape, which makes the green roof function.

7. Landscaping-Plants:

- A. A canopy forming shade tree, such as Chitalpa, shall be used along Terrace St. and Buena Vista Dr.
- B. Additional plant material shall be added to the blank spot on the western side of the roof.

8. Landscaping-Street Trees:

- A. The street trees along Gold Ave. shall be added to the plant legend on the landscaping plan.
- B. Two additional street trees shall be added along Terrace St.
- C. Two additional street trees shall be added along Buena Vista Dr.

9. Landscaping-Other:

- A. Plant totals shall be re-instated on the landscaping plan.

- B. All work for the landscaping calculations shall be in accordance with 14-16-3-10 and be accurately shown on the site development plan.

10. Open Space:

Open space calculations shall be clearly delineated and all work shall be shown on the site development plan.

11. Architecture:

The finish and color of the “exposed concrete wall” (Keynote 10) shall be specified.

12. Lighting-General:

- A. Pedestrian scale lighting shall not exceed 2 ft. in height.
- B. Uplighting of any kind shall be prohibited.
- C. A note shall be added to the photometric plan to ensure compliance with 14-16-3-9.

13. Lighting-Pedestrian:

- A. The lighting keyed notes on the elevations shall accurately reference the site lighting details on SL-102.
- B. Pedestrian scale lighting shall be placed in the landscape strip along Terrace St. and Buena Vista Dr.

14. Refuse Enclosure:

- A. The refuse enclosure shall be stucco-finished to match the building.
- B. The stucco color shall be specified on the site development plan.
- C. The recycle bin shall not be labeled as “future” on the site development plan.

15. RECOMMENDED CONDITION FROM THE SOLID WASTE MANAGEMENT DIVISION (SWMD):

Approved on condition, will have 2-4 yard lift bins on casters for refuse trash and 1 recycle bin.

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

Conditions of approval for the proposed Sector Development Plan Amendment and Site Development Plan for Building Permit shall include:

- A. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - B. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
 - C. Additional comments may follow.
 - D. Site plan shall comply and be designed per DPM Standards or as approved by the Traffic Engineer.
 - E. Platting must be a concurrent DRB action.
-
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***Russell Brito
Division Manager***

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