



# Environmental Planning Commission

*Agenda Number: 4  
Project Number: 1006925  
Case #'s: 07EPC 40080/40082  
December 20, 2007*

## Staff Report

<b>Agent</b>	Consensus Planning, Inc.
<b>Applicant</b>	Werner Gilchrist LLC
<b>Request(s)</b>	<b>Zone Map amendment to the University Neighborhoods Sector Development Plan</b> <b>Site Development Plan for Building Permit</b>
<b>Legal Description</b>	Lots 3 and 4, Block 10, University Heights Addition
<b>Location</b>	204 & 206 Cornell Drive, SE between Silver Ave and Lead Ave.
<b>Size</b>	Approximately 0.3 acres
<b>Existing Zoning</b>	SU-2 for Diverse Residential
<b>Proposed Zoning</b>	SU-2/ SU-1 for Multi-Family Residential

**Staff Recommendation**

*APPROVAL of 07EPC 40080, SDPMA, based on the findings on page #17, and subject to the conditions of approval on page 18.*

*APPROVAL of 07EPC 40082, SPBP, based on the findings on page #20, and subject to the conditions of approval on page 21.*

**Staff Planners**

*Jennifer Donofrio, Associate Planner  
Maryellen Hennessy, Senior Planner*

**Summary of Analysis**

This proposal is for a sector development plan map amendment and a site development plan for building permit for an approximately 0.3 acre site on Cornell Ave. SE. The applicant proposes to change zoning from SU-2 DR to SU-2 for SU-1 Multi-family in order to create zoning which is consistent with the existing residential development.

The subject site is in the Central Urban Area and the University Neighborhoods Sector Development Plan area. Staff finds that the proposal furthers applicable Goals and Policies. The sector development plan map amendment is justified because the applicant has demonstrated that it is warranted based on benefit to the community. There is no known opposition for this project.



City Departments and other interested agencies reviewed this application from 11/05/2007 to 11/28/2007. Agency comments were used in the preparation of this report and begin on page 21.

**AREA CHARACTERISTICS AND ZONING HISTORY**

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

	<b>Zoning</b>	<b>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</b>	<b>Land Use</b>
<b>Site</b>	SU-2 for Diverse Residential	Central Urban and University Neighborhoods Sector Development Plan	Three SF Residential buildings and one Multi-family Residential building
<b>North</b>	SU-2 for Diverse Residential	Central Urban and University Neighborhoods Sector Development Plan	The Werner Gilchrist House
<b>South</b>	SU-2 for Diverse Residential	Central Urban and University Neighborhoods Sector Development Plan	Multi-Family Residential
<b>East</b>	SU-2 for Diverse Residential	Central Urban and University Neighborhoods Sector Development Plan	Multi-Family Residential
<b>West</b>	SU-2 for Diverse Residential	Central Urban and University Neighborhoods Sector Development Plan	Multi-Family Residential

**BACKGROUND, HISTORY AND CONTEXT**

This two-part proposal is for a map amendment to the University Neighborhoods Sector Development Plan and a site development plan for building permit for Lots 3 and 4, Block, 10, University Heights Addition. The four of the houses shown on the site plan exist and one building is proposed. The applicant proposes to change the subject site’s zoning from SU-2 for Diverse Residential to SU-2/ SU-1 for Multi-Family Residential.

The subject site is located at 204 and 206 Cornell Ave, SE. To east and west of the site there are older single-family homes and an apartment building to south.

To the north of the subject site is the historic Werner-Gilchrist house, which was designated as a City Landmark by the City Council in early 2006. The Werner-Gilchrist house, built in 1908, was likely the first house built on Albuquerque’s east mesa. Historically, the City Landmark property (Lots 1 and 2) and the subject site (Lots 3 and 4) were held in single ownership constituting the site of the Werner Gilchrist house. In the landmark designation process, it was decided to apply the historic overlay only to Lots 1 and 2 in order to facilitate re-development of the property. It was

anticipated by the City that new development on Lots 3 and 4 would most likely be needed to support the preservation project economically. City staff reviewed several conceptual designs for new townhouse projects on Lots 3 and 4 with the owners.

Three vacant houses and two vacant townhouses (one duplex) now exist on the site. The project is presented as built. The buildings that are located on the subject site were moved from 123 Harvard Ave. SE in the "Brick Light District." The houses date from the 1920's - 1950s and were among nine slated for demolition to make way for a new high-density apartment and retail project on Harvard Ave.

In early 2007, *Build New Mexico*, a nonprofit economic development group and owners of the Werner-Gilchrist property, entered into an agreement with the *Harvard Mall Partners*, developers of the Brick Light District project, to move four of the nine houses to the then vacant Cornell Ave. location.

In April 2007, a building permit was issued by the City of Albuquerque for foundations on lots 3 and 4 located at 204 and 206 Cornell Ave, SE. Upon receipt of the building permit, the four houses were relocated. The houses were raised 42 inches off the ground by jacks and beams before being moved onto a semi-tractor rig that transported the buildings to the new site. The houses sit on permanent foundations.

The landscape plan and grading and drainage plan included in this proposal were approved with the building permit in early 2007. Building elevations are photos of the houses on the site.

At the time the permits were issued, it was not identified that the existing zoning was not consistent with the permitted work. The SU2/DR zoning category the University Neighborhoods Sector Plan (UNSDP), while providing for multi-family townhouse dwelling units, does not allow for detached multi-family development.

The existing houses are not part of the City Landmark property. However, collectively, they contribute to the unique historic character of the neighborhood. Please see comments from Advanced Planning on page 16.

### ***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. Both Silver Ave and Cornell Ave are designated as Local streets, with a right-of-way of 56-60'.

### ***PUBLIC FACILITIES/COMMUNITY SERVICES***

Transit: Though no Albuquerque Ride routes pass it directly, the subject site is well served by Transit. Central Avenue, which is less than 800 feet from the subject site, is a Major Transit Corridor in this location. Two transit routes, Route #66 (a standard bus route and Route #766 (the Rapid Ride route Red line) run along Central Ave. Route #66 runs every 20 minutes, from early morning to

night (about 9:45 pm). Route #766 runs every 10 minutes and stops less frequently, and also has service from early morning to night (about 8 pm).

The Comprehensive Plan designates Central Ave. as a Major Transit Corridor (from Louisiana Blvd. to Atrisco Rd.). The nearest activity center is the UNM Major Activity Center.

Other Transit routes run close to the subject site, including Route #50 (Airport/Yale) and Route #16/18 (the "BUG"-Broadway/University/Gibson).

Police: The Southeast Area Command, at 800 Louisiana Blvd. SE, provides police coverage. A community substation is located on Monte Vista Blvd.

Fire: A fire station is located on Girard Blvd.

APS: Monte Vista Elementary School, Jefferson Middle School, and Albuquerque High School serve the area.

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

### **Albuquerque Comprehensive Zoning Code**

#### **Existing Zoning**

The University Neighborhoods Sector Development Plan (UNSDP) established zoning for the area. SU-2 zoning is used in the UNSDP. The SU-2 Special Neighborhood Zone “allows a mixture of uses controlled by a sector development plan” (Zoning Code § 14-16-2-3). The SU-2 zone for this site is Diverse Residential (DR). The SU2/DR zone provides suitable sites for houses, townhouses, low-density apartments and uses incidental thereto. It also establishes lot sizes and setbacks for the zone.

Lot size restrictions include:

- A minimum lot size of 5,000 square feet *per house*
- Townhouses shall have a minimum lot size of 3,000 square feet *per house*

Setback restrictions include:

- A minimum front yard setback of 20 feet
- A side yard setback of no less than five feet
- A rear setback of not less than 15 feet

The buildings on the site do not comply with the lot size and setbacks in the SU-2 /DR zone. SU-2 for DR states that houses shall have a minimum lot size of 5,000 square feet *per house* and townhouses shall have a minimum lot size of 3,000 square feet *per townhouse*. Three houses are located on Lot 3, a duplex and a second house is proposed for Lot 4. The DR zone does not provide for more than one house per lot. Additionally, the buildings do not comply with the setbacks for SU-2/DR.

#### **Proposed Zoning**

The applicant proposes to change the subject site’s zoning from SU-2/DR to SU-2/SU-1 for Multi-Family Residential. Because this is a unique project, SU-1 zoning is proposed to protect these historic houses, facilitate redevelopment of the site and to compliment the neighboring historic property.

The SU-1 zoning (Zoning Code §14-16-2-22, Special Use Zone) “provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.”

## Albuquerque / Bernalillo County Comprehensive Plan

*Policy citations are in regular text; Staff Analysis is in **Bold Italics**.* This analysis addresses both the zone map amendment and the site plan approval.

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Central Urban, which is within the Established Urban Area. Therefore, the Central Urban Area is subject to policies of the Established Urban Area. The goal of the Central Urban Area is “to promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.”

The goal of the Established Urban Area 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:

### *Historic Resources Goal*

The **Goal** is to protect, reuse, or enhance significant historic districts and buildings.

***The proposal furthers the Historic Resources Goal. Relocating and restoring the homes on the subject site protects and reuses the homes. In addition, placing the homes near the Werner Gilchrist House would enhance the historic significance of the City Landmark and enhance the University Neighborhood.***

### *Land Use Policies*

#### **Established 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 proposal furthers policy II.B.5d. The location, intensity, and design of the “as built” houses respect the neighborhood values. The density is consistent with the surrounding neighborhood. The character of the development is compatible with the City Landmark directly north of the site.***

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.

***Policy II.B.5e is furthered because the “as built” development is contiguous with the existing neighborhood. Staff believes that the addition of these homes would enhance the character of the University Neighborhood.***

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

*The proposal furthers policy II.B.5m. This site was designed to maintain and enhance the character of the historic City Landmark directly north of the site and to render the visual quality of the environment consistent with existing development.*

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

*The proposal furthers policy II.B.5o. Rehabilitating these houses would economically and socially benefit the University Neighborhood. Staff believes that preserving these historic homes will strengthen the University Heights Neighborhood.*

Policy II.B.5p: Cost-effective redevelopment techniques shall be developed and utilized.

*Reusing existing structures furthers policy II.B.5p. This cost-effective redevelopment technique recycles existing materials and is more sustainable for the environment.*

### **Central Urban Area**

Policy II.B.6b: Upgrading efforts in neighborhoods within the Central Urban Area should be continued and expanded and linkages created between residential areas and cultural/arts/recreation facilities.

*The proposal furthers policy II.B.6b. The proposal would upgrade the neighborhood by showcasing revitalized historic homes adjacent to the Werner Gilchrist house. The residential development would be located proximate to the University of New Mexico. Central Ave. provides major transit line to citywide facilities.*

## **University Neighborhoods Sector Development Plan- Rank III**

The University Neighborhoods Sector Development Plan (UNSDP) was adopted by the City Council in July 1986 (Enactment No. 102-1986). This version of the Plan (referred to as the 1985 Plan) superseded the previous version, adopted in 1978, which was a start at addressing the area's issues. The boundaries of the UNSDP are Oak St. (which runs parallel to I-25) on the west, Marquette St. (and a small portion of Roma Ave.) and Central Ave. on the north, Girard Blvd. on the east, and St. Cyr and Hazeldine Aves. on the south (see Map 2 on p. 5). The Sycamore Metropolitan Redevelopment Area, contained within these boundaries, constitutes an eastern portion of the Plan area. Because there was a Sycamore Metropolitan Redevelopment

Plan of 1982, a decision was made that the 1985 UNSDP sector plan update needed to focus on the remainder of the Plan area (p. 4).

The 1985 UNSDP further defines the area's issues (see p. 1) and addresses basic goals and major recommendations for the area. The Plan established zoning for some parcels in the area, hence the use of the SU-2 designation that indicates that a sector development plan is involved. Two design enhancement areas were identified and established: the Central Avenue Commercial Design Enhancement Area (p. 20) and the Silver Hill Residential Design Enhancement Area (p. 21). However, the subject site does not fall within either of these (see Map 4 between pages 20 and 21).

In the absence of specific policies, Staff evaluated the proposal based on the Plan's basic goals (see p. 1), which are:

Goal 1: Improve the quality of life in the area.

***The proposal furthers Goal 1. The quality of life in the area would be improved for residents. The once vacant unkempt property, now home to four vacant historic buildings would beautify the neighborhood and improve the quality of life for nearby residents.***

Goal 2: Conserve and renew the unique qualities of this neighborhood.

***The proposal furthers Goal 2. The unique qualities of the neighborhood would be enhanced with the addition of this proposal. Placing the four unique houses on the subject site saved the buildings from demolition and added diversity to the University neighborhood.***

Goal 3: Encourage infill residential construction in appropriate places.

***The infill development is appropriate and furthers Goal 3. The proposal is consistent with the neighborhood image and density. The "as built" houses mix well with the diverse neighborhood.***

Goal 4: Encourage pedestrian orientation.

***The proximity to Central Ave, a major transit corridor, and the University of New Mexico would encourage future residents to walk and use the bus, thereby increasing the area's pedestrian orientation. The applicant proposes tandem parking in order to minimize curb cuts in the interest of the pedestrian. The proposal furthers Goal 4.***

Goal 5: Improve conditions in business areas.

***Central Ave., about one block north of the subject site, can be considered a business area. The proposed addition of housing would generally improve conditions and generate more customers. The proposal furthers Goal 5.***



Goal 6: Foster positive social and physical interrelations between businesses, institutions and residents.

*This project would bring new residents to the area that are likely to utilize the nearby area businesses and institutions. The project provides a diversity of housing choices for University users and to the University Neighborhood. The proposal furthers Goal 6.*

**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: (1) there was an error when the existing zone map pattern was created (2) or changed neighborhood or community conditions justify the change; (3) or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

This request to change the subject site's zoning is referred to as a sector development plan map amendment because changing the zoning would result in a change to the zoning map in the University Neighborhoods Sector Development Plan.

**Applicant's Justification**

*Applicant:* The applicant believes that the existing zoning is inappropriate due to the proposed use being more advantageous to the community. The proposed, "as built" residential development would consist of five dwelling units (three houses and one duplex). The proposal would save the four historic buildings from being demolished and provide additional housing choices within the University Neighborhood development. The proposal includes a proposed sixth dwelling unit in a fifth building- a single-family house. The location is ideal for residential development due to its proximity to the University and many commercial services, which would benefit from having more customers nearby.

The applicant believes that the proposed zone map amendment conforms to R270-1980 as follows:

- A. The applicant asserts that the proposed zone change is consistent with the health, safety, morals, and general welfare of the City because it will not create a condition that would be harmful in any of those ways. The proposed dwellings is infill development that will have access to public facilities, existing infrastructure and public services. Such development is consistent with the City's Smart Growth policies. It is also consistent with the Comprehensive Plan by providing housing opportunities near the University and public transit.

**Staff agrees. There is no apparent detrimental impact to the proposal to place detached dwelling units instead of attached dwelling units on the site at a density that is consistent with existing zoning. The relocation of functional existing buildings as an alternative to**

**demolition and sending functional building materials to the landfill is beneficial to the general welfare of the City in that it is consistent with the City's green building initiatives.**

- B. The applicant asserts that stability of land use and zoning is protected in this request. The density is comparable to that allowed in the SU2/DR. The surrounding area is a mix of single-family and multi-family residential. Proposed zoning and building layout will give the appearance of single-family residences from the street, similar to near-by properties.

**Staff agrees. The configuration of these buildings of varying sizes and styles as presented in the proposal is similar to the configuration in their last location on Harvard Ave. a few streets away. On Harvard Ave, several houses fronted the street and several house were located to the rear, forming a "compound" of unique houses. That "compound" quality is recreated in this proposal. Stability of land use and zoning is preserved in the neighborhood; probably more so than if one large multi-unit apartment building was to be constructed as would be permissive under existing zoning.**

- C. The applicant asserts that the proposal does not conflict with, but rather furthers, elements of the Comprehensive Plan and the University Neighborhoods Sector Development plan as outlined in the submittal.

**The applicant has outlined relevant City's Plans and Policies in the submittal and these are discussed in Section D.3 below. Staff generally agrees with the Goals and Polices cited by the applicant.**

- D. The applicant believes that the proposal is eligible under section D 3. They assert that the proposed zoning is more advantageous to the community for the following reasons: (1) the proposal furthers the goals and policies in the Comprehensive Plan; (2) the proposal furthers the goals and policies in the University Neighborhood Sector Development Plan; and (3) the a change to the SU1 zoning is the most appropriate zoning for the proposed development. The applicant cites the following goals and policies:

Albuquerque Bernalillo County Comprehensive Plan

*Central Urban Area policy b.* The applicant states that the proposal would reuse and rehabilitate existing dwellings that were located on a nearby site. The new residential units are within walking distance of the University of New Mexico, transit facilities, restaurants and services.

**Staff agrees. The previously vacant and deteriorating property is improved with the proposal. The proposal is successful in that it recreates a unique assembly of vintage houses that would have been lost to the community. It does this in a manner that compliments and enhances the neighboring City Landmark property rather than detracting from it.**

*Developing and Established Urban Areas policy d.* The applicant asserts that the location, intensity and design of the proposed development carefully considered all aspects of the neighborhood. The location is appropriate for detached moderate density multiple family

dwellings. The development is consistent with the surrounding area, providing more privacy and usable open space. It is less massive than an equivalent multi-family dwelling might be. The units appear more like the existing single-family houses in the neighborhood. The project has easy access to jobs and services, the University and commercial services, making it an ideal location for multi-family development.

The applicant also points out that the “recycling” of the buildings supports green building principles. The developer met continually with the University Heights Association during design of the project and incorporated their suggestions and preferences.

**Staff agrees the intensity, location and design of the new development respects existing neighborhood values as well as the resources of other social, cultural and recreational concern.**

*Developing and Established Urban Areas policy e.* Applicant point out that Possible Techniques to fulfill on this policy include “investigate means to encourage public/private cooperation to promote infill development.” Applicant believes that this privately funded infill solution that brings much needed housing to the area fulfills this goal and policy.

**Staff believes that while the applicant’s response only minimally reflects the intention of policy e, staff believes that the policy is supported by the proposal. The project is a component of a larger public initiative to preserve the Werner Gilchrist City Landmark property. The private developer purchased the property along with the Landmark with the intention of supporting City’s historic preservation goals. The developer has worked closely with the City as well as with the neighborhood association to develop a concept that was appealing to all parties involved.**

*Developing and Established Urban Areas policy h.* The applicant asserts that higher density housing is appropriate for the location near the University of New Mexico, in walking distance of Central Ave. and other commercial activities and the mixed-density environment.

**Staff agrees that the location of the site corresponds to the conditions cited in the Comprehensive Plan as appropriate for higher density housing.**

*Developing and Established Urban Areas policy i.* The applicant believes that the development demonstrates quality and innovation in design. He states that the proposal provides adequate parking and open space, unlike other conversions in the vicinity. The design preserves the feel of the neighborhood, and the developer has made modifications in response to neighborhood comments.

**Staff does not disagree that the design is innovative the quality of the finished project will be high when the resources are rehabilitated.**

*Developing and Established Urban Areas policy o.* The applicants state that the rehabilitation and redevelopment of older neighborhoods is supported by the rehabilitation of the existing buildings and the overall site improvements.

**Staff agrees that this policy is applicable and that the rehabilitation of older neighborhoods is supported by the proposal.**

*Developing and Established Urban Areas policy p.* Applicant states that cost effective redevelopment is realized in the project in that there is no cost to the City.

**Staff does not disagree.**

Transportation and Transit

*Policy c.* The applicant asserts that the proposal supports the policy of locating new dwelling units close to major transit. The proximity of Central Ave. to the site ensures easy access to a Major Transit street.

**Staff agree that the proposal fulfills this policy of locating residential uses proximate to a Major Transit street.**

University Neighborhoods Sector Development Plan

*Goal 1: Improve the Quality of Life in the area.* The applicant asserts that the rehabilitation of older residential buildings, interrelating to the existing transportation network and existing urban form fosters neighborhood vitality, economic efficiency, environmental sustainability and walkability.

**Staff agrees that these are elements that contribute to quality of life.**

*Goal 2: Conserve and renew the unique qualities of this neighborhood.* The applicant asserts that the project conserves housing in the neighborhood and improves the quality of those units.

**Staff agrees.**

*Goal 3: Encourage infill residential construction in appropriate places.* The applicant states that the dwelling units are similar to others in the area and helps to meet the needs of the community.

**Staff agree that the goal is fulfilled in the proposal.**

*Goal 4: Encourage pedestrian orientation.* The applicant asserts that the project will have the appearance of single family homes from the street and that the improved condition of the sidewalk and landscaping will make this section of Cornell more pedestrian friendly.

**Staff does not disagree.**

*Goal 5: Improve conditions in business areas.* Applicant believes that the additional residences will generate an increase in business for nearby establishment.

**Staff agrees that the many successful businesses in the vicinity will benefit from improved conditions.**

*Goal 6: Foster positive social and physical interrelations between businesses, institutions, and residents.* The applicant states that the development provides housing that will benefit people associated with the University of New Mexico and nearby businesses.

**Staff agrees that the project contributes to a variety of housing choices in the neighborhood with the units offering varying sizes and forms of ownership.**

**Albuquerque Zoning Ordinance**

The applicant cites the definition of the SU1 Special Use Zone and asserts that it is the appropriate zoning category for this unique site and the neighborhood characteristics.

(Resolution R270-1980 continued)

- E. The applicant asserts that the proposed zone from SU-2 D/R to SU-2/SU-1 for multi-family would not be harmful to the adjacent properties, the neighborhood, or the community. The surrounding neighborhood is primarily a mix of residential uses. The project is being designed to be similar to the adjacent homes to avoid negative impacts to nearby properties.

**Staff agrees that no negative impacts can be identified**

- F. The applicant states the proposal does not require any major additional or un-programmed capital expenditures by the City. Any proposed sidewalk, curb, and gutter modifications will be completed by the developer and not require City funds.

**Staff agrees.**

- G. The applicant states that economic considerations are not the determining factor in support of this request. The proposed change is furthered by the goals and policies in the Comprehensive Plan, the University Neighborhood Sector Development Plan, and good planning practices.

**Staff agrees that the proposal is consistent with City Plans and policies.**

- H. The applicant states that the subject site is not located on a collector or Major Street although located within easy walking distance of Central Ave. Street location is not a determining factor.

**This is not a request for apartment, commercial or office zoning.**

- I. The applicant notes that the current zoning designation does not allow the project without a zone change or several variances. The proposed zone district is necessary to implement the project.

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

- J. The applicant notes that the zone change request is for residential project, similar to others existing residential uses. The proposed zoning is necessary to implement the project consistent with the Goals and policies in applicable Plans.  
**This is not a request for “strip” zoning.**

## **ANALYSIS OF SITE DEVELOPMENT PLAN FOR SUBDIVISION/BUILDING PERMIT**

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

The project is presented “as built”. In 2007, a building permit was issued to move the four older houses onto the site. At that time, it was not identified that the zoning was not consistent with the permitted work. The landscape plan and grading and drainage plan included in this proposal were approved with the building permit in early 2007. Building elevations are photos of the houses on the site.

On Lot 3, two houses referred to as the “Twin Houses” are each 504 square feet and the “Chalet House” is 1357 square feet. Lot 4 contains a 1010 square foot duplex. The site plan also includes a proposed structure not to exceed 1800 square feet and 26 feet in height.

Ten parking spaces are proposed on the site. Eight of the ten proposed spaces will be tandem parking spaces.

The proposed development is compatible with surrounding development. The detached single-family houses in the older University Heights Neighborhood are similar in terms of scale, diverse design, and character.

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

A temporary chain link fence currently surrounds the property. The temporary fence will be removed. There is no fence proposed for the perimeter of the site. The site plan does not show any individual fences or yard walls. If individual fences or yard walls are proposed they should be indicated on the site plan and must comply with any applicable zoning regulations. Staff recommends that a note be added to the site plan allowing individual yard fences or walls to allow for privacy and pet management.

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

Four vehicular access points are proposed, two on Cornell and two from the alley. The alley has an existing width of 16 feet. City staff recommends that an additional 4 feet of right of way be dedicated.

The applicant calculated the parking requirement using the University Neighborhoods guidelines (one space per 600 square feet of net leasable area). The total number of spaces required for the site based on the parking calculations is 9 spaces. The submittal shows 10 tandem parking spaces, two parking spaces for each dwelling unit. No off-street parking was included.



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

Pedestrian access to the site is via the existing sidewalk system. No bike lanes are directly adjacent to the property. Bicycle parking is not proposed and not required. The nearest transit route is on Central Ave. and is accessible using the existing sidewalk network.

***Lighting and Security***

No site lighting is proposed.

***Landscaping***

The landscaping plan submitted with this request has already been approved through the building permit process. The landscaping regulations in Section 14-16-3-10 apply only to apartment and non-residential development, and therefore are not applicable to this site. 469 square feet of sod is proposed, no other high water use plants are proposed. No street trees are required for local streets.

***Public Outdoor Space***

Ample public outdoor space is provided. The University Neighborhood Sector Development Plan provides that usable Open Space requirements area as provided in the R-2 zone. R-2 zone usable open space requirements are based on the number of bedrooms per dwelling unit with the maximum requirement being 600 square feet for each dwelling unit containing three or more bedrooms. The usable open space provided exceeds the maximum requirement of the R-2 zone.

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

The grading, drainage, and utility plans submitted with this request have already been approved through the building permit process. The site is relatively flat and no major grading issues exist.

***Architecture***

Four of the five buildings shown on the site plan are existing. The "Halloween" house and the "Chalet" house are both two-story. The "Twin" houses are both one-story. The applicant is proposing to add two porches to the buildings fronting Cornell Ave.

In addition, the applicant has provided a note stating that the future building will be architecturally compatible with the existing buildings. The future house to be limited to 26 feet in accordance with the R-2 zone.

The applicant has requested delegation of future building sign off to the DRB. The applicant has provided design guidelines to ensure appropriate design of the proposed new building and is

amendable to a condition of approval requiring administrative approval of new porches and building by City Historic Preservation staff.

***Signage***

No signage is proposed for this site.

***Water Conservation/Green Principles***

No specific water conservation methods are proposed. The reuse of existing buildings contributes to green principles. Building materials do not go to the landfill where, when covered with soil, they emit carbon gases. The energy associated with the production and transportation of new building materials is eliminated.

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

No adverse comments have been received.

***NEIGHBORHOOD/PUBLIC CONCERNS***

The University Heights NA was affected by this request. The applicant notified the neighborhood association and held non-facilitated meetings with the NA. The neighborhood made some specific requests, which the applicant has complied with, including the tandem parking. The University Heights Neighborhood Association has provided a letter (Attached). There is no known opposition to this request.

***CONCLUSIONS***

This two-part proposal is for a map amendment to the University Neighborhoods Sector Development Plan and a site development plan for building permit for Lots 3 and 4, Block, 10, University Heights Addition. The applicant proposes to change the subject site's zoning from SU-2 for Diverse Residential to SU-2/ SU-1 for Multi-Family residential.

The subject site is located at 204 and 206 Cornell Ave, SE. To the north of the subject site, is the historic Werner-Gilchrist house, a designated City Landmark. Historically, the City Landmark property (Lots 1 and 2) and the subject site (Lots 3 and 4) have been held in single ownership. To east and west there are older single-family homes and an apartment building to south.

At the time the project was implemented, with the participation and agreement of the City the neighborhood association, it was not identified that the use was not consistent with the University Neighborhoods Sector Development Plan.

The proposal is consistent with applicable City Plans and policies. The project is compatible with the existing neighborhood character, provides a unique approach to re-development in that it conserves existing housing resources, buffers and compliments the City Landmark property to the north, and provides diversity in housing choices in the University Neighborhood.

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***FINDINGS - Project #1006925/Case Number: 07EPC 40080, December 20, 2007, Sector Development Plan Map Amendment.***

1. This is a request for approval of a *University Neighborhoods Sector Development Plan* map amendment from SU2/Diverse Residential to SU2/SU1 for Multi-Family Residential for an approximately .3 acres site identified as Lots 3 and 4, Block 10, University Heights Addition.
2. The subject site contains 5 existing residential dwelling units in 4 buildings. One additional dwelling unit not to exceed 1800 square feet is proposed for the site. The existing buildings were relocated from a site on Harvard Ave. and placed on permanent foundations with a building permit issued by the City.
3. The *University Neighborhoods Sector Development Plan* does not provide for detached multi-family dwellings on a single lot. *The University Neighborhoods Sector Development Plan* does provide for townhouse (attached multi-family) development.
4. The new zoning category is not in conflict with adopted Goals and policies of the *City/County Comprehensive Plan* and the *University Neighborhoods Sector Development Plan*.
5. The request satisfies the following policies of the *City/County Comprehensive Plan* as follows:
  - a. The proposal furthers the Historic Resources Goal. Relocating and rehabilitating the houses on the subject site protects and reuses the houses. Placing the homes next to the Werner Gilchrist House compliments the City Landmark.
  - b. Established Urban Area Policy II.B.5d: is satisfied because the location, intensity, and design of the “as built” houses respect the neighborhood values. The density is consistent with the surrounding neighborhood. The character of the development is compatible with the City Landmark directly north of the site.
  - c. Established Urban Area Policy II.B.5e: is satisfied because the “as built” development is contiguous with the existing neighborhood. A sufficient level of public infrastructure and facilities are available, therefore no public improvements or utility extensions will be necessary.
  - d. Established Urban Area Policy II.B.5m: is satisfied because the site was designed to maintain and enhance the character of the historic City Landmark directly north of the site and to render the visual quality of the environment consistent with surrounding existing development.

- e. Established Urban Area Policy II.B.5o: is satisfied because the proposal both redevelops an older neighborhood and rehabilitates unique older buildings.
- f. Established Urban Area Policy II.B.5p: is satisfied because the proposal reflects cost-effective redevelopment technique by reusing existing buildings and is sustainable for the environment.
- g. Central Urban Area Policy II.B.6b: is satisfied because the residential development is located proximate to the University of New Mexico and Central Ave. provides major transit line to city-wide facilities.
6. The Transportation and Transit Goal, policy c is furthered by this request because the development offers housing opportunities along an establish transit corridor.
7. This development request does not conflict with the goals of the University Neighborhoods Sector Development Plan.
8. *Subsections 1.A through 1.G of Resolution 270-1980* are satisfied in the proposal. The new zoning category will not adversely affect adjacent properties. The SU1 category provides for special sites in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.
9. This development request satisfies *Subsection D.3 of Resolution 270-1980*. The development is advantageous to the community because it furthers applicable goals and policies as demonstrated in findings 5 through 7 above.
10. *Subsections 1.H, I and J of Resolution 270-1980* are not applicable to this request.
11. The University Heights Neighborhood Association was notified of this request. Several un-facilitated meetings were held. There is no known public opposition to this request.

**RECOMMENDATION - Project #1006925/Case Number: 07EPC 40080, December 20, 2007.**

**APPROVAL of Project #1006925/Case Number: 07EPC 40080 December 20, 2007, Sector Development Plan Map Amendment from SU2/Diverse Residential to SU2/SU1 for Multi-Family**

**Residential for approximately a 0.3 acre site identified as Lots 3 and 4, Block 10, University Heights Addition based in the proceeding findings.**

***FINDINGS - Project #1006925/Case Number: 07EPC40082, December 20, 2007, a request for approval of Site Development Plan for Building Permit.***

1. This is a request for consideration and approval of a site development plan for building permit for an approximately .3 acre site identified as Lots 4 and 5, Block 10, University Heights Addition.
2. The site is already developed, therefore the site plan reflects existing conditions. The subject site contains five residential dwelling units in four buildings. These buildings were relocated from a site on Harvard Ave. and located on permanent foundation with a building permit from the City.
3. An additional single-family house not to exceed 1800 sq. ft. is also proposed for the site.
4. This development request accompanies case number 07EPC40080, a request for a Sector Development Plan Map Amendment from SU2/DR to SU2/SU1 for multi-family housing.
5. Directly to the north of the subject site is the historic Werner-Gilchrist House, a designated City Landmark constructed in 1908. The new development compliments the historic landmark in the scale and intensity of the proposed development.
6. This request furthers applicable goals and policies in the *Albuquerque/Bernalillo County Comprehensive Plan* or with the goals of the *University Neighborhoods Sector Development Plan*.
7. The University Heights Neighborhood Association was notified of this request. There is no known neighborhood or other public opposition to this request.

***RECOMMENDATION - Project #1006925/Case Number: 07EPC 40082, December 20, 2007.***

**APPROVAL of 07EPC40082, a request for Site Development Plan for Building Permit, for approximately a 0.3-acre site identified as Lots 3 and 4, Block 10, University Heights Addition, is subject to the following conditions of approval.**

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***CONDITIONS OF APPROVAL – Project #1006925, Case No. 07EPC40082, December 20, 2007 a request for approval of a site development plan for building permit.***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. 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 (including alley adjacent to site), 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).
4. Site plan shall comply and be designed per DPM Standards including access to the site.
5. Increase the width of the alley to 20 feet.
6. Provide a storage area for Automated Residential Carts, not visible from street, or located inside garage for single-family dwelling units.
7. Design of proposed porches and new residential construction will follow guidelines submitted with this proposal and are subject to the review and approval of City Historic Preservation staff.

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***Maryellen Hennessy  
Senior Planner***

cc: Werner Gilchrist LLC, 122 Tulane, Albuquerque, NM 87106  
Consensus Planning Inc., 302 8<sup>th</sup> St. NW, Albuquerque, NM 87102  
Danny Hernandez, University Heights NA, P.O. Box 4297, Albuquerque, NM 87196  
Ben Roberts, University Heights NA, 315 Harvard Dr. SE, Albuquerque, NM 87106

***Attachments***

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

### ***PLANNING DEPARTMENT***

#### **Advanced Planning**

The applicant's agent asserts that the proposed SU-2/ SU-1 for DR zoning is more advantageous to the community than the current SU-2/DR, justifying the change. We agree.

The relocated buildings and others demolished at the Harvard Drive (bricklight) site, previously zoned SU-2/R3C, functioned compatibly for decades as a mixed commercial and residential complex of detached buildings. The new complex -- a strictly residential group of detached buildings -- can be expected to function compatibly with the surrounding SU-2 DR Zone.

Relocation, as a means of conserving neighborhood historic character, is obviously preferable to demolition. The new complex includes at least one building identified in the University Neighborhoods Sector Development Plan (Map 6) for its "neighborhood historic interest." Again, more advantageous.

### ***PUBLIC WORKS DEPARTMENT***

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

- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements (including alley adjacent to site), 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).
- Site plan shall comply and be designed per DPM Standards including access to the site.

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

- No comments received.

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

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

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

- No comments received.

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

- No comments received.

#### **Utility Development (Water Authority):**

- No comments received.



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

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT,**

**WATER AUTHORITY and NMDOT:**

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

8. 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 (including alley adjacent to site), 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).
9. Site plan shall comply and be designed per DPM Standards including access to the site.

***PARKS AND RECREATION***

**Open Space Division**

Open Space has no adverse comments

***SOLID WASTE MANAGEMENT DEPARTMENT***

**Refuse Division**

Approved on condition, will have storage area for Automated Residential Carts, not visible from street, or located inside garage for single-family dwelling units.

***COMMENTS FROM OTHER AGENCIES***

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

Reviewed, no comment.

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**ALBUQUERQUE PUBLIC SCHOOLS**

**University Heights**, Lots 3 and 4 and 6 ft of lot 5, Block 10, is located on Cornell Dr SE between Silver Ave SE and Lead Ave SE. The property owner requests a zone and sector plan change from SU-2/DR to SU-2/SU-1 for detached multi-family. Currently, there are 4 existing multi-family detached dwellings on the property. The developer plans to construct an additional multi-family detached dwelling in addition to the existing 4 multi-family detached units making a total of 5 residential units on the property. This will impact Monte Vista Elementary School, Jefferson Middle School, and Albuquerque High School. Monte Vista Elementary School is exceeding capacity, Jefferson Middle School will be nearing capacity as development continues in the area, and Albuquerque High School has excess capacity to absorb student growth.

<b>Loc No</b>	<b>School</b>	<b>2007-08 Projections</b>	<b>2006-07 Capacity</b>	<b>Space Available</b>
312	Monte Vista	471	468	-3
425	Jefferson	829	888	59
590	Albuquerque	1,888	2,100	212

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

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

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

**PUBLIC SERVICE COMPANY OF NEW MEXICO**

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

