



**Environmental  
Planning  
Commission**

*Agenda Number: 6  
Project Number: 1000976  
Case #'s: 08EPC 40091/40092  
September 18, 2008*

**Staff Report**

<b>Agent</b>	Consensus Planning
<b>Applicant</b>	Riverside LLC
<b>Request(s)</b>	<b>Zone Map Amendment</b> <b>Amend Site Development Plan for Subdivision</b>
<b>Legal Description</b>	Tracts 1 and 2, Lands of Westland Development
<b>Location</b>	Ervien Lane SW between Coors Blvd and Amole Del Norte Diversion Channel
<b>Size</b>	Approximately 40.9 acres
<b>Existing Zoning</b>	SU-1 for PRD
<b>Proposed Zoning</b>	SU-1 for MH uses

**Staff Recommendation**

*APPROVAL of 08EPC 40091, based on the findings on page 13, and subject to the condition of approval on page 15.*

*APPROVAL of 08EPC 40092, based on the findings on page 15, and subject to the conditions of approval on page 17.*

**Staff Planner**  
**Randall Falkner, Planner**

**Summary of Analysis**

The two-part proposal is a request for a zone map amendment and an amendment to site development plan for subdivision for Tracts 1 and 2, Lands of Westland Development Company on Ervien Lane SW, between Coors Boulevard SW and Amole Del Norte Diversion Channel. The zone map amendment proposes to change the zoning from SU-1 Planned Residential Development (PRD) to SU-1 for Mobile Home (MH) Uses. The applicant is requesting 240 mobile home lots. The 240 lots will vary in size, accommodating both single and double wide mobile homes. The new lots shall not be less than 4,000 square feet each. The property currently contains 87 existing mobile home lots on the southern and western portion of the site (82 lots will remain); the remainder of the site is vacant. The applicant has adequately justified both the request for the zone map amendment as well as the amendment to the site development plan for subdivision, based on applicable policies found in the Comprehensive Plan. There is no known opposition to the request and staff recommends approval with conditions.

Location Map (3" x 3")

City Departments and other interested agencies reviewed this application from 8/11/2008 to 8/27/2008. Agency comments were used in the preparation of this report and begin on page 20.

**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-1 for PRD	Developing Urban	Single Family, Vacant (City)
<b>North</b>	R-LT A-1	Developing Urban	Single Family (City) Tom Tenorio Park (County)
<b>South</b>	M-1 A-1, SU-1 for Self Storage	Developing Urban	Manufacturing, Agricultural, Office (County) Self Storage Facility (County)
<b>East</b>	M-1	Developing Urban	Industrial Park (City), Construction offices/yards, vacant (County)
<b>West</b>	R-LT	Developing Urban	Single Family (City)

**Background**

The two-part proposal is a request for a zone map amendment and an amendment to a site development plan for subdivision for Tracts 1 and 2, Lands of Westland Development Company on Ervien Lane SW between Coors Boulevard SW and Amole Del Norte Diversion Channel. The zone map amendment proposes to change the zoning from SU-1 Planned Residential Development (PRD) to SU-1 for Mobile Home (MH) Uses. The applicant is requesting 240 mobile home lots. The 240 lots will vary in size, accommodating both single and double wide mobile homes. The new lots shall not be less than 4,000 square feet each. The property currently contains 87 existing mobile home lots on the southern and western portion of the site (82 lots will remain); the remainder of the site is vacant.

**History**

In December of 2004, the Environmental Planning Commission (EPC) approved a zone map amendment on the subject site from Mobile Homes to SU-1 for PRD and an accompanying site development plan for subdivision for a maximum of 250 units.

The site lies within the landfill buffer zones of two former landfills (Seay Brothers and Riverside Landfills). Engineering Solutions & Design Inc. performed a Certification and Analysis of Potential Impact of Landfill Gas from the two landfills on the previously approved subdivision in 2005. The study found the impacts to be minimal and made recommendations regarding subsurface structures, underground utilities, and ponding. These recommendations can be found

in a memo from Engineering Solutions & Design, Inc. that is included as an attachment following this report. The applicant reviewed the report and agreed to accept and follow the recommendations for the proposed Lovato subdivision in 2005. This letter is also included as an attachment following this report, as well as a portion of the Analysis of the Potential Impact of Landfill Gas from the two landfills on the previously approved subdivision. The full report is available for viewing in the case file in the Planning Department.

***Context***

The subject site is located along Ervien Lane SW between Coors Boulevard and Amole Del Norte Diversion Facility. To the north of the proposed development is single family housing that is zoned R-LT and is in the City. Also to the north is Tom Tenorio Park, which is zoned A-1 and is in Bernalillo County. To the east is the Coors-Arenal Industrial Park which is in the City and is zoned M-1 and construction offices/yards and vacant land which is in the County. To the south are manufacturing, agricultural, and office land uses, as well as a self storage facility, which are all in the County, and are zoned M-1, A-1, and SU-1 for Self Storage. To the west is the Amole Del Norte Diversion Channel and single family homes that are zoned R-LT, and are in the City.

***Long Range Roadway System***

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

The Long Range Roadway System designates Coors Boulevard as a Limited-Access Principal arterial, with a right-of-way of 156'.

Ervien Lane is a local road.

There is an existing multi-use trail that runs along the west side of the Amole Del Norte Diversion Channel. There are currently no bicycle routes or trails on this portion of Coors; however, there is a proposed bicycle trail on this portion of Coors.

Bus route #155 (Coors) provides all day service weekdays, Saturday, and Sunday.

Coors Boulevard is an Express Corridor.

***Public Facilities/Community Services***

The following public facilities/community services are available: multi-use trail, Tom Tenorio Park, Rio Grande High School, Mary Ann Binford Elementary, Navajo Elementary School, San Jose de Armijo Cemetery, Riverside and Seay Brothers Landfills, and Westgate Little League Park.

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

**Albuquerque Comprehensive Zoning Code**

The existing zoning for the site is SU-1 for PRD. In December of 2004, the Environmental Planning Commission (EPC) approved a zone map amendment on the subject site from Mobile Homes to SU-1 for PRD. The proposed zoning is SU-1 for MH uses. The SU-1 zone provides suitable sites for uses that are special, and for which the appropriateness of the use to a specific location depends upon the character of the site design. Development on an SU-1 zone may “only occur in conformance with an approved site development plan” that is subject to Environmental Planning Commission (EPC) review. The applicant has provided an accompanying site development plan for subdivision that proposes mobile home uses. The MH zone provides suitable sites for mobile home developments. This zone may be located only where other types of residential development of comparable densities would be considered appropriate.

**Albuquerque / Bernalillo County Comprehensive Plan**

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

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

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

***The Riverside Mobile Home Park is proposing 6 dwelling units per acre; however, Policy II.B.5h allows for densities higher than 5 du/acre in some situations. The location of the zoning request would allow a full range of urban land uses, as the development would complement mobile home, single family, office, park, manufacturing, agricultural, and vacant land uses. The request partially furthers Policy II.B.5a.***

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 proposed zoning (SU-1 for MH uses) will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions. The site currently has existing mobile homes and would fit in well with the neighborhood. The applicant is proposing to keep many of the site design elements that were approved with the previous site development plan for subdivision. The request furthers Policy II.B.5d.***

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

***The property is immediately adjacent to existing urban facilities and services. The site already has water, sewer, and fire hydrants. The subject site will provide infill development for vacant lots. The request furthers Policy II.B.5e.***

Policy II.B.5g: Development shall be carefully designated to conform to topographic features and include trail corridors in the development where appropriate.

***The site is relatively flat with few grade changes and storm water runoff will be diverted to the east. The site will provide pedestrian access to Tom Tenorio Park to the north and to the existing multi-use trail along the Amole Del Norte Diversion Channel to the west. The request furthers Policy II.B.5g.***

Policy II.B.4h: Higher density housing is most appropriate in the following situations

- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

***The surrounding area has a wide variety of land uses including single family housing, light manufacturing, a diversion facility, and a community park. The mobile home park is compatible with existing area land uses and adequate infrastructure is already in place. The site also provides a transition between residential and industrial/manufacturing uses. The request furthers Policy II.B.4h.***

#### *Housing*

The Goal “is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.”

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

***The proposed expansion of the Riverside Mobile Home Park would increase the supply of affordable housing. The request furthers Policy II.D.5a.***

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Policy II.D.5c: The displacement of low income households, shall be ameliorated and the objectives of historic preservation and conservation of affordable housing balanced.

***The request for the proposed Riverside Mobile Home Park would prevent displacement of existing low income residents. The request furthers Policy II.D.5c.***

### **West Side Strategic Plan (WSSP) (Rank II)**

The West Side Strategic Plan (WSSP) was first adopted in 1997 and recently amended in 2002 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is currently located in the Bridge/Westgate Community. The applicable goals and policies, followed by staff analysis include:

#### ***Bridge/Westgate Community Area Description:***

The subject site is located with the Bridge/Westgate Community. This area includes the developed properties within Westgate Heights, the existing subdivisions and businesses south of Central Avenue and along Bridge Street, and the vacant land between and around these areas. The boundaries of the Community follow Central Avenue on the north, Coors Boulevard on the east, the 118<sup>th</sup> Street corridor on the west, and Blake Road on the south.

The Community includes approximately 4,900 acres and could someday include a population of 38,300. It is well located near the I-40, Central, Bridge and Rio Bravo crossings, and is fairly easily serviced by City utilities.

Policy 3.43: Additional very low density, rural character development is not appropriate in this Community, and should be located in adjacent rural areas.

***The request is proposing approximately 6 dwelling units per acre. The request is not a very low density, rural character development, but is a medium density residential project that is appropriate in this community. The site was originally approved for a mobile home park at the time of annexation in 2001. The South West Area Plan allows up to 9 dwelling units per acre in this area, Residential Area 5. The request furthers Policy 3.43.***

Policy 4.18: Housing within the price range of citizens with low-to-moderate incomes is desirable on the West Side, and in other parts of the metropolitan area...

***The request allows home buyers in this area an affordable alternative to buying a single family home. A typical mobile home costs between \$5,000 and \$40,000, while the lot will be leased for \$350 per month. The average home price in Albuquerque is \$208,000 (City of Albuquerque Economic Development Department). The proposed mobile home park is within the price range of citizens with low-to-moderate incomes on the West Side. The request furthers Policy 4.18.***

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

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

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

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

*The applicant states that many mobile home parks are closing in Albuquerque and that the City has recognized that mobile home developments help meet the needs of stable and affordable housing. One of the City's goals is to increase the supply of affordable housing, ameliorate the problems of homelessness and displacement, and ensure that residents have safe, decent and affordable priced housing in stable neighborhoods (City Ordinance 07-106). The site lies within the landfill buffer zones of two former landfills (Seay Brothers and Riverside Landfills). Engineering Solutions & Design Inc. found the impacts to be minimal and made recommendations regarding subsurface structures, underground utilities, and ponding. The applicant has complied with the recommendations. Staff finds the proposed zone change to be consistent with the health, safety, morals, and general welfare of the City.*

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

*The applicant states that the proposed zoning provides a stable land use for the existing residents on site. The request would allow those in existing mobile homes to remain in their homes and would also change the existing zoning (SU-1 for PRD) to a zone (SU-1 for MH Uses) that has mobile homes as the current use. The applicant has provided an acceptable justification for the zone change.*

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

*The applicant has cited a preponderance of applicable policies in the Comprehensive Plan. The request to allow mobile homes will increase the supply of affordable housing, promote infill development, respect existing neighborhood values, and allow for a full range of urban*

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*land uses. Sufficient justification has been provided. All of the policies cited by the applicant are furthered by the zone change request.*

D. The applicant must demonstrate that the existing zoning is inappropriate because:

- (1) there was an error when the existing zoning map pattern was created, or
- (2) changed neighborhood or community conditions justify the change, or
- (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply.

***3. The applicant states that the proposed zoning (SU-1 for MH uses) is more advantageous to the community than the existing zoning (SU-1 for PRD) as articulated by the Comprehensive Plan. The current zoning does not allow mobile homes and existing mobile home residents would have to vacate the property if the approved single family subdivision was developed. The applicant has shown that the proposed zoning furthers applicable policies in the Comprehensive Plan.***

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community.

***The permissive uses in the requested zone change are in line with the existing use of the property and are beneficial for the reasons stated in the review of Policies C and D. The subject site is surrounded by a variety of uses, including manufacturing, agricultural, office, residential, and warehousing and storage. None of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.***

F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the City may be:

- (1) denied due to lack of capital funds, or
- (2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

***The proposed zone change does not require additional capital expenditure by the City.***

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

***Economic considerations are not the determining factor for this request.***

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

***The applicant is not requesting apartment, office or commercial zoning.***

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:



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- (1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or
  - (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone.

***The request does create a spot zone; however, the applicant cites policies in the Comprehensive Plan that support the request for a zone change. The applicant also states that the proposed zone change can act as a transition between existing single family and existing light manufacturing/industrial and self-storage.***

- J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning.” Strip commercial zoning will be approved only where;
  - (1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan,
  - (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

***The request does not constitute a strip zone.***

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

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

The subject site is 40.9 acres in size and is identified as Tracts 1 and 2, Lands of Westland Development Co. The applicant intends to change the zoning from SU-1 for PRD to SU-1 for MH uses and to amend the site plan for subdivision for 240 mobile home lots. The site seems to be compatible with surrounding development as a portion of the site already has mobile homes and other surrounding uses include single family residential, industrial park, vacant land, self-storage facility, the Amole Del Norte Diversion Channel, and Tom Tenorio Park.

There will be 240 mobile home lots and 6 separate open space areas. New lots within this development shall have a minimum lot size of 4,000 square feet. The amended site plan details show the single wide lots as 40 feet wide and 100 feet long, with a drive pad that is 12 foot wide and 40 foot long. The double wide lots are shown as 45 feet wide and 100 feet long with a drive pad that is 20 foot wide and 18 feet long. Existing lots vary from 3,340 sf to 4,490 sf. The existing lots were built in Bernalillo County prior to annexation. There are currently 87 mobile home lots at the Riverside Mobile Home Park. Of the 87 existing mobile homes, 84 lots will

remain. Two of the mobile home lots will be removed for open space in proposed Tract B (Open Space). There is also an existing mobile home lot that will be removed for the new road connection and open space in proposed Tract E.

Building maximum height and setbacks and open space shall be in conformance with zoning in the MH zone. These standards are shown on the site plan for subdivision. Mobile homes shall be permitted through the state of New Mexico Regulation and Licensing Department, Mobile Home Division and shall comply with the mobile home regulations in NMAC Title 14, Chapter 12. Mobile homes shall be skirted with materials compatible with the siding of the mobile home unless the unit is situated at ground level (per City Zoning Code, Section 14-16-3-6 (A)).

The subject site is located on and next to two former landfills; Seay Brothers and Riverside Construction. A landfill gas assessment was completed on June 9, 2005. The applicant has reviewed the recommendations of the report and agrees to follow the recommendations.

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

A new coral block wall will be built on the far west side of the development that parallels the Amole Del Norte Diversion Channel. The wall elevation detail on the amended site plan details shows the wall being 5'8" in height, including the 4" cap block on top. The wall will consist of split face block (coral) and smooth coral block. There are existing walls on the south side and west sides of the existing mobile home development, and existing walls on the north and south sides of the proposed mobile home development. There is also an existing chain link fence on the east and north sides of the proposed mobile home development (that separates the development from the Coors-Arenal Industrial Park), and another existing chain link fence on the east side of the existing mobile home development.

Perimeter walls shall comply with the City Wall regulations on height, layout, façade, and materials per Zone Code Section 14-16-3-19.

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

Vehicles shall have access to this neighborhood from Coors Blvd. via Ervien Lane and Jemez River Road, a dedicated and improved roadway. Vehicular access is provided by a proposed network of new streets throughout the site. There are existing streets in the area where there are already mobile homes; however, the names of these streets will change to those streets shown on the amended site plan for subdivision. The existing streets are somewhat narrower than the proposed streets. Existing streets are approximately 32 feet to 40 feet wide, while the new streets will be approximately 42 feet to 57 feet wide. Jemez River Road shall be labeled on the amended site plan for subdivision.

Off-street parking shall be provided on each lot. Each lot will have two off-street parking spaces (single wide lots will have the long narrow drive pad, while the double wide lots will have the short and wide drive pads). Guest parking will be accommodated with on-street parking.

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

All of the new internal roadways will have a 4 foot wide sidewalk and a 5 foot wide landscape buffer. Pedestrian access (via the 4 foot sidewalk along the northern site boundary) will be provided from the site to Tom Tenorio Park. Pedestrians will be able to access the site from Coors Blvd. via Jemez River Road and Ervien Lane. Pedestrian access to the multi-use trail west of the site is provided via Tract F Open Space (south of the new coral block wall). Pedestrian access to the multi-use trail shall be provided on the north end of the site between the existing and new walls somewhere close to lot number 218. The extent of the existing and new walls shall be clearly shown on the amended site plan for subdivision.

With the exception of the multi-use trail west of the site, there are no bicycle routes, lanes, or trails. There is a proposed bicycle lane on Coors Blvd. Transit service is available via bus route #155 (Coors), which has weekday, Saturday, and Sunday service. Currently, there are two bus stops at the intersection of Coors Blvd. and Ervien Lane (one on the west side of the street and one on the east side of the street). The Riverside Mobile Home Park entrance is less than ¼ mile from the existing Coors Blvd. stops. However, some of the proposed mobile homes in the far northwest areas of the development are up to nearly ½ mile away.

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

The amended site plan details state that the street lights shall comply with the New Mexico Night Sky Act, will be shielded to preserve the dark skies, and street lighting plan shall comply with City of Albuquerque Street Lighting regulations approved by the Public Service of New Mexico (PNM). PNM will determine the street lighting fixture and the developer will pay a fixed fee per street light to PNM for installation of the street lights.

### ***Landscaping***

Street trees will be provided in the landscape buffer shown on the amended site plan details. There will be approximately one street tree per lot, and the irrigation system shall consist of a fully automated sprinkler/drip system. The amended site plan details also state that Irrigation system standards outlined in the Water Conservation Landscaping and Water Waste Ordinance shall be strictly adhered to and all planting areas will be maintained in a living, attractive, and weed free condition.

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

SU-1 in the Developing Urban area requires 2,400 square feet of open space per dwelling unit. The amended site plan for subdivision shows significantly more open space provided (792,254 sf) than is required (576,000 sf). Six separate open space areas (Tracts A through F) are proposed in the amended site plan for subdivision. Three of the tracts (Tracts C, D, and a portion

of Tract A) are existing open spaces, while an additional three tracts (B, E, F, and a portion of Tract A) are proposed open spaces. The amended site plan for subdivision shall show Tracts B, E, and F and the western portion of Tract A as Proposed Open Space, and Tract C as Existing Open Space (Tracts D and eastern portion of Tract A are already labeled as Existing). A portion of Tract A will have a temporary pond as well as a minimum of three community amenities including but not limited to a shade structure, basketball court, sand volleyball court, and a play structure. These amenities shall be constructed once the Coors Blvd. storm drain is completed.

It is recommended by City Open Space Division (OSD) that the developer build the mobile home park so that it will provide access points for the proposed Open Space. It is recommended that the development is built so that the proposed Open Space is inviting and not walled off or sealed from the development.

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

The storm water run-off on this site will be diverted into a retention pond located on the eastern side (Tract A) of the property. The stormwater will be released into a public storm drain system in the Coors Boulevard right-of-way.

There are presently water and sewer lines in the area with the existing mobile homes, as well as fire hydrants. New water and sewer lines, and fire hydrants will be constructed in the area proposed for new mobile home lots.

### ***Architecture***

Mobile homes shall be permitted through the state of New Mexico Regulation and Licensing Department, Mobile Home Division and shall comply with the mobile home regulations in NMAC Title 14, Chapter 12. Mobile homes shall be skirted with materials compatible with the siding of the mobile home unless the unit is situated at ground level (per City Zoning Code, Section 14-16-3-6 (A)).

### ***Signage***

There will be one on-site identification sign located on the perimeter wall located near the entry at Ervien Lane and Llano River Drive. The proposed sign will be mounted on the perimeter wall and will be 6 feet high and 16 feet wide, and is in compliance with the City Mobile Home Park Sign Section 14-16-3-5(C)(9)(b).

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

City Departments and other interested agencies reviewed this application from 8/11/2008 to 8/27/2008. Agency comments begin on page 20.

***NEIGHBORHOOD/PUBLIC CONCERNS***

City records indicate that as of July 17, 2008, there were no Neighborhood and/or Homeowner Associations in this area. Staff has received no letters of opposition concerning the proposed development.

***CONCLUSIONS***

The two-part proposal is a request for a zone map amendment and an amendment to site development plan for subdivision for Tracts 1 and 2, Lands of Westland Development Company on Ervien Lane SW, between Coors Boulevard SW and Amole Del Norte Diversion Channel. The zone map amendment proposes to change the zoning from SU-1 Planned Residential Development (PRD) to SU-1 for Mobile Home (MH) Uses. The applicant is requesting 240 mobile home lots. The 240 lots will vary in size, accommodating both single and double wide mobile homes. At a minimum the new lots shall not be less than 4,000 square feet. The property currently contains 87 existing mobile home lots on the southern and western portion of the site (82 lots will remain); the remainder of the site is vacant.

The applicant has adequately justified the both the request for the zone map amendment as well as the amendment to site development plan for subdivision, based on applicable policies found in the Comprehensive Plan. There is no known opposition to the request and staff recommends approval with conditions.

***FINDINGS – 08EPC 40091, 9/18/08, Zone Map Amendment***

1. The request is for a zone map amendment for Tracts 1 and 2, Lands of Westland Development Company on Ervien Lane SW, between Coors Boulevard SW and Amole Del Norte Diversion Channel. The zone map amendment proposes to change the zoning from SU-1 Planned Residential Development (PRD) to SU-1 for Mobile Home (MH) Uses.
2. The subject site is within the area designated Developing Urban by the Comprehensive Plan.
3. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the proposal:
  - a. Policy II.B.5a – The location of the zoning request would allow a full range of urban land uses, as the development would complement mobile home, single family, office, park, manufacturing, agricultural, and vacant land uses.
  - b. Policy II.B.5d – The proposed zoning (SU-1 for MH uses) will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions. The site currently has existing mobile homes and would fit in well with the neighborhood. The applicant is proposing to keep many of the site design elements that were approved with the previous site development plan for subdivision.
  - c. Policy II.B.5e – The property is immediately adjacent to existing urban facilities and services. The site already has water, sewer, and fire hydrants. The subject site will provide infill development for vacant lots.
4. The following Comprehensive Plan policies for Housing are furthered by the proposal:
  - a. Policy II.D.5a – The proposed expansion of the Riverside Mobile Home Park would increase the supply of affordable housing.
  - b. Policy II.D.5c – The request for the proposed Riverside Mobile Home Park would prevent displacement of existing low income residents.
5. The following West Side Strategic Plan (WSS) policies are furthered by the proposal:
  - a. Policy 3.43 – The request is not a very low density, rural character development, but is a medium density residential project that is appropriate in this community. The site was originally approved for a mobile home park at the time of annexation in 2001. The South West Area Plan allows up to 9 dwelling units per acre in this area, Residential Area 5.
  - b. Policy 4.18 – The request allows home buyers in this area an affordable alternative to buying a single family home. A typical mobile home costs between \$5,000 and \$40,000, while the lot will be leased for \$350 per month. The average home price in Albuquerque is \$208,000 (City of Albuquerque Economic Development Department). The proposed

mobile home park is within the price range of citizens with low-to-moderate incomes on the West Side.

6. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:
  - a. One of the City's goals is to increase the supply of affordable housing, ameliorate the problems of homelessness and displacement, and ensure that residents have safe, decent and affordable priced housing in stable neighborhoods (City Ordinance 07-106). The site lies within the landfill buffer zones of two former landfills (Seay Brothers and Riverside Landfills). Engineering Solutions & Design Inc. found the impacts to be minimal and made recommendations regarding subsurface structures, underground utilities, and ponding. The applicant has complied with the recommendations. The proposed zone change would be consistent with the health, safety, morals, and general welfare of the City. (Section 1A)
  - b. The proposed zoning provides a stable land use for the existing residents on site. The request would allow those in existing mobile homes to remain in their homes and would also change the existing zoning (SU-1 for PRD) to a zone (SU-1 for MH Uses) that has mobile homes as the current use. (Section 1B)
  - c. The applicant has cited a preponderance of applicable policies in the Comprehensive Plan. The request to allow mobile homes will increase the supply of affordable housing, promote infill development, respect existing neighborhood values, and allow for a full range of urban land uses. (Section 1C)
  - d. The proposed zoning (SU-1 for MH uses) is more advantageous to the community than the existing zoning (SU-1 for PRD) because the site was originally approved for a mobile home park because of existing economic conditions, and because of increased demand for affordable housing in the City. The current zoning does not allow mobile homes and existing mobile home residents would have to vacate the property if the approved single family subdivision was developed. The applicant has cited numerous policies in the Comprehensive Plan. (Section 1D)
  - e. The permissive uses in the requested zone change are in line with the existing use of the property. The subject site is surrounded by a variety of uses, including manufacturing, agricultural, office, residential, and warehousing and storage. None of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community. (Section 1E)
  - f. The proposed zone change does not require additional capital expenditure by the City. (Section 1F)
  - g. Economic considerations are not the determining factor for this request. (Section 1G)
  - h. The applicant is not requesting apartment, office or commercial zoning. (Section 1H)
  - i. The request does create a spot zone; however, the applicant cites policies in the Comprehensive Plan that support the request for a zone change. The applicant also states

that the proposed zone change can act as a transition between existing single family and existing light manufacturing/industrial and self-storage. (Section 1I)

- j. The request does not constitute a strip zone. (Section 1J)
  
7. A landfill gas assessment was completed on June 9, 2005. The applicant reviewed the recommendations of the report and agreed to follow the recommendations of the previously approved subdivision.
  
8. This zone change request is accompanied by a site development plan for subdivision.
  
9. City records indicate that as of July 17, 2008, there were no Neighborhood and/or Homeowner Associations in this area. Staff has received no letters of opposition concerning the proposed development.

***RECOMMENDATION - 08EPC 40091, 9/18/08, Zone Map Amendment***

**APPROVAL of 08EPC 40091, a zone map amendment from SU-1 for PRD to SU-1 for MH Uses, for Tracts 1 and 2, Lands of Westland Development Company, based on the preceding Findings and subject to the following Condition of Approval.**

***CONDITION OF APPROVAL - 08EPC 40091, 9/18/08, Zone Map Amendment***

1. Final sign-off of accompanying site development plan for subdivision (08EPC 40092).
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***FINDINGS – 08EPC 40092, 9/18/08, Amend Site Development Plan for Subdivision***

1. The request is to amend site development plan for subdivision for Tracts 1 and 2, Lands of Westland Development Company on Ervien Lane SW, between Coors Boulevard SW and Amole Del Norte Diversion Channel.
  
2. The subject site is within the area designated Developing Urban by the Comprehensive Plan.



3. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the proposal:
  - a. Policy II.B.5a – The location of the zoning request would allow a full range of urban land uses, as the development would complement mobile home, single family, office, park, manufacturing, agricultural, and vacant land uses.
  - b. Policy II.B.5d – The proposed zoning (SU-1 for MH uses) will allow for a use that is compatible with the surrounding area and respect existing neighborhood values and natural environmental conditions. The site currently has existing mobile homes and would fit in well with the neighborhood. The applicant is proposing to keep many of the site design elements that were approved with the previous site development plan for subdivision.
  - c. Policy II.B.5e – The property is immediately adjacent to existing urban facilities and services. The site already has water, sewer, and fire hydrants. The subject site will provide infill development for vacant lots.
  - d. Policy II.B.5g – The site is relatively flat with few grade changes and storm water runoff will be diverted to the east. The site will provide pedestrian access to Tom Tenorio Park to the north and to the existing multi-use trail along the Amole Del Norte Diversion Channel to the west.
  - e. Policy II.B.5h – The surrounding area has a wide variety of land uses including single family housing, light manufacturing, a diversion facility, and a community park. The mobile home park is compatible with existing area land uses and adequate infrastructure is already in place. The site also provides a transition between residential and industrial/manufacturing uses.
4. The following Comprehensive Plan policies for Housing are furthered by the proposal:
  - a. Policy II.D.5a – The proposed expansion of the Riverside Mobile Home Park would increase the supply of affordable housing.
  - b. Policy II.D.5c – The request for the proposed Riverside Mobile Home Park would prevent displacement of existing low income residents.
5. The following West Side Strategic Plan (WSS) policies are furthered by the proposal:
  - a. Policy 3.43 – The request is not a very low density, rural character development, but is a medium density residential project that is appropriate in this community. The site was originally approved for a mobile home park at the time of annexation in 2001. The South West Area Plan allows up to 9 dwelling units per acre in this area, Residential Area 5.
  - b. Policy 4.18 – The request allows home buyers in this area an affordable alternative to buying a single family home. A typical mobile home costs between \$5,000 and \$40,000, while the lot will be leased for \$350 per month. The average home price in Albuquerque is \$208,000 (City of Albuquerque Economic Development Department). The proposed

mobile home park is within the price range of citizens with low-to-moderate incomes on the West Side.

6. A landfill gas assessment was completed on June 9, 2005. The applicant reviewed the recommendations of the report and agreed to follow the recommendations of the previously approved subdivision.
7. This site development plan for subdivision accompanies a zone map amendment request (08EPC 40091).
8. City records indicate that as of July 17, 2008, there were no Neighborhood and/or Homeowner Associations in this area. Staff has received no letters of opposition concerning the proposed development.

***RECOMMENDATION - 08EPC 40092, 9/18/08, Amend Site Development Plan for Subdivision***

**APPROVAL of 08EPC 40092, to amend a site development plan for subdivision for Tracts 1 and 2, Lands of Westland Development Company, based on the preceding Findings and subject to the following Conditions of Approval.**

***CONDITIONS OF APPROVAL - 08EPC 40092, 9/18/08, Amend Site Development Plan for Subdivision***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Jemez River Road shall be labeled on the amended site development plan for subdivision.

4. Pedestrian/bicycle access to the multi-use trail shall be provided on the north end of the site between the existing and new walls somewhere close to lot number 218.
  5. The extent of the existing and new walls shall be clearly shown on the amended site plan for subdivision.
  6. The amended site plan for subdivision shall show Tracts B, E, and F and the western portion of Tract A as Proposed Open Space, and Tract C as Existing Open Space.
  7. There is the potential for above-named project to be impacted by the presence of landfill gas generated by two former landfills (Seay Brothers Landfill, and Riverside Landfill). The developers of this site are required to follow the most current version of the *City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones*. A landfill gas assessment must be completed for this development. A review and approval of the Site Plan(s), the proposed construction, design drawings, and a certification of construction will be required by the Environmental Health Department (EHD), Environmental Services Division.
  8. Recommended Conditions from City Engineer, Municipal Development, and NMDOT:
    - 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. Label emergency access as existing Jemez River Road. Label Ervien Lane as existing.
    - d. All information being provided within the amended site development plan for subdivision area should be labeled as “for illustrative purposes only”.
    - e. Site plan shall comply and be designed per DPM Standards.
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***Randall Falkner  
Planner***

cc: Riverside LLC, 3738 Arno NE, Albuquerque, NM 87107  
Consensus Planning, Inc., 302 Eighth Street NW, Albuquerque, NM 87102

***Attachments***

***Memo from Intera Inc.***

***Letter from Gilbert Lovato***

***Memo from Engineering Solutions & Design, Inc.***

***Portion of Analysis of the Potential Impact of Landfill Gas on the Proposed Lovato Subdivision***

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

### ***PLANNING DEPARTMENT***

#### ***Zoning Code Services***

- Location of existing sign needs to be clearly identified on the plan along with elevation views.

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

**No Neighborhood and/or Homeowner Association(s)**

#### ***Advanced Planning***

### ***CITY ENGINEER***

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

- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan. Those improvements will include any additional right-of-way requirements, paving, curb and gutter, sidewalk and ADA accessible ramps that have not already been provided for. All public infrastructure constructed within public right-of-way or public easements shall be to City Standards. Those Standards will include but are not limited to sidewalks (std. dwg. 2430), driveways (std. dwg. 2425), private entrances (std. dwg. 2426) and wheel chair ramps (std. dwg. 2441).
- Label emergency access as existing Jemez River Road. Label Ervien Lane as existing.
- The applicant is providing information within the site development plan for subdivision amendment area that is more appropriate for a site development plan for building permit submittal. Comments for a site development plan for building permit will be provided when that submittal is made. Therefore, the applicant should label all information being provided within the amended site development plan for subdivision area as "for illustrative purposes only".
- Site plan shall comply and be designed per DPM Standards.

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

- The Hydrology Section has no objection to the zone change request. A conceptual grading and drainage plan is required prior to DRB. Concurrent platting action required.

#### **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.

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

- No comments received.

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

**and NMDOT:**

Conditions of approval for the proposed Zone Map Amendment and Site Development Plan for Subdivision Amendment shall include:

- a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.

**Conditions of approval continued on next page:**

- 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. Label emergency access as existing Jemez River Road. Label Ervien Lane as existing.
- d. All information being provided within the amended site development plan for subdivision area should be labeled as "for illustrative purposes only".
- e. Site plan shall comply and be designed per DPM Standards.

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

**WATER UTILITY AUTHORITY**

**Utility Services**

**ENVIRONMENTAL HEALTH DEPARTMENT**

**Air Quality Division**

**Environmental Services Division**

**PARKS AND RECREATION**

**Planning and Design**

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

**Open Space Division**

The main concerns the Open Space Division has about the development will be access. It is recommended by OSD that the developer builds the mobile home park so that it will provide access points for the proposed Open Space. It is recommended that the development is built so that the proposed Open Space is inviting and not walled off or sealed from the development. If the development is not abutting the proposed Open Space, OSD still recommends that the developer plans for trails to connect the development to the proposed Open Space property and provides some kind of connectivity to/from both properties, if possible.

**City Forester**

- Street trees appear to be lined up on property lines. This will make for lots of problems on maintenance responsibility unless MHP is responsible
- Will Phase 2 follow same planting and species plan?
- Continuous planting strips along street provide place for stormwater from each site to be directed into tree area. Overflows can be directed to driveway or street and rocked or planted to prevent erosion

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***POLICE DEPARTMENT/Planning***

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

Approved on condition, will comply with all SWMD ordinances and requirements, and have required recycle area.

***FIRE DEPARTMENT/Planning***

***TRANSIT DEPARTMENT***

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

***BERNALILLO COUNTY***

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

Reviewed, no comment.

***ALBUQUERQUE PUBLIC SCHOOLS***

**Lands of Westland Development Co**, Tracts 1 and 2 is located on Ervien Ln SW between Coors Blvd SW and Amole Del Norte Diversion Facility. The owner of the above property requests a Zone Map Amendment from SU-1 for PRD to SU-1 for MH uses and an Amended Site Plan for Subdivision for 240 mobile home lots and 5 private common open spaces. This will impact Mary Ann Binford and Navajo Elementary Schools, Truman and Harrison Middle Schools, and West Mesa and Rio Grande High Schools. Mary Ann Binford Elementary School has excess capacity, Navajo Elementary School is exceeding capacity, Truman Middle School has excess capacity, Harrison Middle School is exceeding capacity, West Mesa High School is exceeding capacity, and Rio Grande High School has excess capacity.

<b>Loc No</b>	<b>School</b>	<b>2007-08 40th Day</b>	<b>2007-08 Capacity</b>	<b>Space Available</b>
250	M.A.Binford	884	910	26
327	Navajo	706	496	-210
475	Truman	1,087	1,152	65
415	Harrison	820	812	-8
570	West Mesa	2,749	2,632	-117
540	Rio Grande	1,956	2,200	244

**Residential Units: 240**



**Est. Elementary School Students: 61**

**Est. Middle School Students: 26**

**Est. High School Students: 26**

**Est. Total # of Students from Project: 113**

\*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

Atrisco Heritage Academy High School will open with a 9<sup>th</sup> grade academy in 2008, while the remainder of the school will open in 2009. Atrisco Heritage Academy High School will relieve overcrowding at West Mesa High School.

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.**

On May 15, 2007 Gilbert Lovato, entered into a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools to pay a facility fee for each residential unit that will be constructed in the subdivision. These fees will help with the construction and maintenance of new and existing schools within the APS district.

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

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

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

No comment based on the information provided to date.