



**Environmental
Planning
Commission**

**Agenda Number: 06
Project Number: 1003478
Case #: 14EPC-40067 and 68
November, 13, 2014**

Staff Report

Agent	Consensus Planning
Applicant	Curb Inc
Request	Zone Map amendment Site Development Plan for Subdivision
Legal Description	Tract 8, Avalon Subdivision Unit 5
Location	90 th street between Bluewater Road NW and Los Volcanes Road NW
Size	9.9 acres
Existing Zoning	SU-1 for I-P Uses
Proposed Zoning	SU-1 for R-2 Uses

Staff Recommendation
APPROVAL of 14 EPC 40068 Zone Map amendment based on the Findings beginning on Page 12, and subject to the Conditions of Approval beginning on Page 17.
APPROVAL/ of 14 EPC 40067 Site Plan for Subdivision based on the Findings beginning on Page 18 , and subject to the Conditions of Approval beginning on Page 21.

**Staff Planner
Maggie Gould, Planner**

Summary of Analysis
 This is a request for a change from the SU-1 for I-P uses zone to the SU-1 for R-2 zones. The applicant has justified the change by pointing out changed conditions in the form of the realignment of Daytona Road, a market for quality rental housing based on changing demographics and that the zone will allow development that can act as buffer between more intense uses and less intense uses.

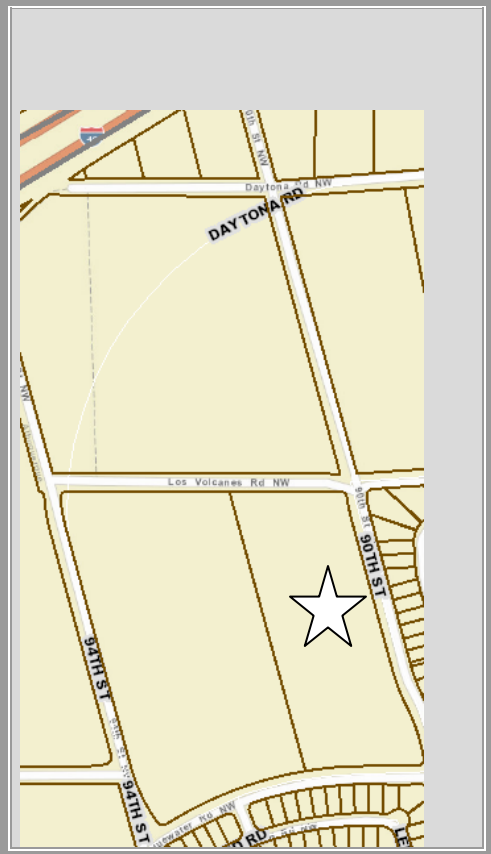
The applicant is requesting delegation to the DRB for approval of future Site Development Plans for Building Permit.

This request furthers several policies of the Comprehensive Plan and the Westside Strategic Plan, especially those regarding housing, new growth and transit access. This request may be in conflict with the WSSP plan policy regarding school capacity and employment centers.

APS does not support this request.

The area neighborhood associations were offered a facilitated meeting; they declined. The Avalon Neighborhood Association has met with the applicant outside of the facilitated meeting process.

Staff is recommending approval with conditions.



City Departments and other interested agencies reviewed this application from 09/29/14 to 10/10/14
 Agency comments used in the preparation of this report begin on Page 23.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	SU-1 for IP uses	Developing Urban, Westside Strategic Plan	Vacant
North	SU-1 for IP uses and C-2 permissive uses with exceptions	Developing Urban, Westside Strategic Plan	Vacant, industrial
South	R-LT	Developing Urban, Westside Strategic Plan	Single Family residential
East	R-LT	Developing Urban, Westside Strategic Plan	Single Family residential
West	SU-1 for IP uses	Developing Urban, Westside Strategic Plan	Vacant

II. INTRODUCTION

Proposal

The applicant is proposing to change the zoning from SU-1 for I-P uses to SU-1 for R-2 Uses to allow the development of apartments and to create a Site Development Plan for Subdivision with design standards to guide future development on the site.

EPC Role

The EPC is hearing this case because the EPC is required to hear all zone map amendment cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1), the SU-1 zone and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) then City Council 14-16-4-4-(A)(2). The case is a quasi-judicial matter.

History/Background

The subject site was annexed into the City in 2001 as part of a larger 54 acre parcel. The SU-1 for I-P uses zone was established at that time. In 2011 the parcels to the north and west of the site were annexed into the City and zoned SU -1 for I-P uses and C-2 permissive uses with exceptions. In 2014 a bulk land plat reconfigured the SU-1 for I-P uses and C-2 permissive uses parcels and realigned Daytona road. This realignment created access for trucks and was designed to pull heavy truck traffic away from the residential areas. This realignment gave the parcel to the west of the subject site access, but cut off the subject site from the truck access on Daytona road.

Context

The site is vacant. The areas to the east and south contain single family housing; developed under the R-LT zone at a slightly higher density than R-1 zoned single family development. To the north of the site a FED EX distribution facility (project 1009982, approved April 2014) is under construction.

Transportation 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 Central Avenue and Unser Boulevard as Principal Arterials.

The Long Range Roadway System designates Bluewater and Daytona as Collector streets.

The Long Range Roadway System designates 90th as a Local street.

Comprehensive Plan Corridor Designation

Identify designation of adjacent corridor and its intent

Trails/Bikeways

Bluewater Road contains a bike lane.

Transit

The 198, 98th street route and 54, Westgate route run along Central, west of Unser and have stops about .6 miles from the site. The 66, Central Avenue route, and the 766, Rapid Ride, run along Central Avenue east of Unser Blvd. The Unser commuter route runs from The Central and Unser Transit Center is located on the northwest corner of Central and Unser and includes a park and ride lot with access to the above route and the Rio Metro 366 route which serves the Route 66 Casino.

Public Facilities/Community Services

Refer to the Public Facilities Map in the packet.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The site is zoned SU-1 for I-P uses; this zone allows both the permissive and conditional uses of the I-P zone. The I-P, Industrial Park zone, allows a wide range of industrial and commercial uses. These include golf course, cold storage plant, office, adult amusement, manufacturing, warehouse, retail sales and automotive repair. Development on the site is subject to review by a public hearing.⁷⁸

The proposed zone, SU-1 for R-2 uses, would allow the development of apartments, townhomes or houses at a density of up to 30 dwelling units per acre. The SU-1 designation requires that

future development on the site be approved through a public process. The applicant is asking that the development approvals for the site go through the Development Review Board (DRB) rather than the Environmental Planning Commission (EPC).

The proposed zone would allow the permissive and conditional uses of the R-2 zone. In addition to the apartment use, the site could contain other uses including a daycare center, community residential program for up to 10 clients, accessory living quarters, public library and shade structure.

The existing zoning allows for some uses that will not be appropriate close to single family residential development. Housing is not allowed under the current zoning. All future development under either zone requires approval by a public hearing.

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 Developing 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:

Land Use

Policy II.B.5.d: 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 zone contains design standards that will create quality development and help integrate future development into the area. The proposed zone will allow the development of residential uses near existing residential uses. The proposed zone may allow development that adds to overcrowding in the area elementary school. Policy II.B.5.d is partially furthered.

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

The site has access to existing services and infrastructure. The proposed zone will allow development can act as buffer between the existing residential development and the allowed industrial development; thus preserving the integrity of the area. Policy II.B.5.e is furthered.

Policy II.B.5h: Higher density housing is most appropriate in the following situations:

- In designated Activity Centers
- In areas with excellent access to the major street network.

- 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 now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- 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 proposed zone will allow the development of higher density housing, up to 30 dwelling units per acre, in an area with excellent access to the major street network and will provide a buffer between the existing single family development to the south and east and the industrial and commercial development that is allowed the north and west. Policy II.B.5.h is furthered.

Transportation and Transit

Policy II.D.4c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

The subject site is .6 miles from Central Avenue, the City's most heavily used transit corridor. There is an existing park and ride lot at the northwest corner of Unser and Central that has access to 5 separate bus routes. Policy II.D.4c is furthered.

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

The Site Development Plan for Subdivision contains design standards that will require the development of sidewalks connecting to the public sidewalks adjacent to the site. These connections may encourage the use of alternative travel. Policy II.D.4g is furthered.

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 zoning will allow the development of multi-family housing, this housing product is often more affordable than a single family house. The product allowed under the proposed zoning will fill a need in the Albuquerque market for quality rental housing. Policy II.D.5.a is furthered.

Westside Strategic Plan- Rank II

The West Side Strategic Plan (WSSP) was first adopted in 1997 and recently amended in 2011 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 Atrisco Park Community is the triangular wedge of land located between I-40 and Central Avenue and west of Coors Boulevard. Relevant goals/policies include the following:

Plan Objective 4: Preserve a sense of community and quality of life for all residents based on wise, long-term decision-making.

The proposed zone will allow the development of housing that can act as a buffer from more intense uses and preserve the residential character of the existing neighborhoods. The additional household may also help to support commercial uses in the area, increasing the choices available for area residents. Plan Objective 4 is furthered.

Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

The proposed development is outside of the boundaries of the master planned Atrisco Business Park. The request would remove a portion of land from the existing stock of land zoned for uses that will create jobs; however the additional households may support commercial development along Central Avenue and in the Central/Unser area. Policy 1.6 is not furthered.

WSSP Policy 2.5: When considering approval of subdivisions for residential development, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes.

The Planning Department is considering school capacity. The request could result in about 300 new households. The apartments would be open to people with children and those without children. There is capacity at West Mesa High School, the Jimmy Carter middle school is slightly over capacity and Painted Sky Elementary is well over capacity. The proposed use could contribute the overcrowding. APS plans to build a new west side K-8(kindergarten through 8th grade) school in 2017 to reduce overcrowding.

Policy 3.33: It is appropriate for new development, both residential and non-residential, to occur in this community. Redevelopment efforts associated with the existing 5-acre tracts shall be encouraged.

The proposed zone would allow the construction of new higher density residential development. Policy 3.33 is furthered.

Additional Plan intent discussion

Page 50. More high density development is appropriate on the West Side and desirable, especially near transit facilities and along transit corridors, in order to decrease sprawl and promote transit use. The higher densities, which could be 20 dus/acre or more, will occur close to the Community Centers and in proximity to transit corridors.

The proposed zoning will allow the development of higher density housing near transit facilities (bus lines and a park and ride lot) and jobs. The proposed zone allows a density of up to 30 dwelling units per acre.

Resource use

The per capita water use rate for multi-family development is generally lower than the use rate for single family development. Much of this difference is due to the lack of outdoor watering. According to the Albuquerque Bernalillo County Water Authority, single family residents used about 108 gallons of water per person per day and multi-family residents used about 54 gallons per person per day in 2012. Additional multi-family residential development could help the city meet water conservation goals.

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.

Analysis of Applicant's Justification

Note: Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is in ***bold italics***

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

The applicant states that the request is consistent with the health, safety, morals and general welfare of the City because it will create a buffer between a less intense and more intense use, allow the development of a needed housing product on the west side and provide an additional housing opportunity. The allowed uses are compatible with the surrounding uses.

None of the allowed uses in the proposed zone will be harmful to adjacent properties. The development allowed by the proposed zone can act as a buffer between more intense and less intense uses.

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

The current zoning allows uses that are not compatible with the residential development to the south and east. The proposed zoning allows uses that are more compatible. The SU-1 zone and the design standards will give a more clear idea of what can occur on the property.

The proposed zone has an SU-1 designation; this will require a public hearing at the DRB or EPC for any major development. The Design standards give adjacent property owners some

security in knowing what will be developed on the site. The current zone offers a very broad set of uses, some of which are not compatible with single family residential use.

- 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 request furthers several goals and policies of the Comprehensive Plan, especially those relating to housing, transit and new growth. The applicant cites Comprehensive Policies II.B.5d, II.B.5e, II.B.5h, II.B.5l, II.B.5m and WSSP policy 3.33, and Plan objective 4.

Staff believes that policy II.B.5l, quality and innovation in design does not apply because without a Site Development Plan for Building Permit it is difficult to fully judge this.

WSSP policy 1.6 is not furthered by this request.

Staff believes that policies II.B.4c and II.B4g, regarding Transit and Transportation, and policy II.B.5a regarding Housing are furthered by this request.

Refer to policy analysis for more detail

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
 2. Changed neighborhood or community conditions justify the change; or
 3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The applicant states that the existing zoning is inappropriate because of changed conditions in the form of the rerouting of Daytona road and annexation of additional land with more restrictive zoning. Additionally, the new zoning will protect the nearby residential development from the more intense industrial uses and provide a new housing option that is in demand.

The realignment of Daytona road was meant to move heavy truck traffic away from the existing residential neighborhoods, while still allowing the development of uses that require truck access. The new alignment cuts off the subject site from this access. Staff agrees that this is a changed condition. A commercial zone on the site could have the same potential conflict with the residential area that the existing zone has. The zoning on the more recently annexed sites allows a more limited range of uses in order to protect the residential use. This zone change would be in line with the intent to protect the existing residential uses.

- 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 allowed uses in the proposed zone are not harmful to the adjacent properties and will provide a transition from the less intense residential use to the more intense industrial uses allowed to the west.

The SU-1 for R-2 uses zone would allow the permissive and conditional uses of the R-2 zone. These uses will not be harmful to the surrounding area.

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- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
 2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The site is privately owned, all future development and infrastructure will be funded by the developer.

Staff agrees.

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

The cost of land is not the determining factor in this request.

The request is justified because it furthers several goals and policies of the applicable plans; the cost of land is not part of the justification.

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

The applicant states that the request is not being justified by the location, but that the realignment of Daytona road and rerouting of truck traffic impacts the appropriate uses on the site.

Staff agrees that the location in itself is not justification; however the reroute of Daytona does constitute a changed condition. The request is justified because it furthers several goals and policies of the applicable plans.

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

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

The applicant states the proposed zone will create spot that is justified because it will function as transition between the single family development and the industrially zoned properties.

Staff agrees that the proposed zone could result in development that will act as a transition from the more intense industrially zoned properties to the less intense single family development.

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

The request will create a spot zone, not a strip zone, but it is a justified spot zone.

Staff feels that the zone could be considered a strip zone, but a justified strip zone because it could function as a transition between the higher intensity industrial zoning and lower intensity residential zoning.

SITE DEVELOPMENT PLAN FOR SUBDIVISION (SPS)

Request

The applicant proposes a Site Development Plan for Subdivision to delineate access to the site and to provide design standards to guide future development on the site. The applicant is requesting delegation to the DRB for approval of future development.

Section 14-16-3-11 of the Zoning Code states, “...Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” As such, staff has reviewed the attached site development plan for conformance with applicable goals and policies in the Comprehensive Plan, Westside Strategic Plan

Site Plan Layout / Configuration

The SPS proposes two access points from 90th street, 24 to 30 feet in width, half way between Bluewater road and Los Volcanes road. An additional access point for emergency access and egress only is proposed on Bluewater road. The Bluewater access will be gated.

Public Outdoor Space

The design standards refer to private open space for the benefit of the development. The site will have a pool area and will have to provide on-site open space pursuant to the R-2 zone in the zoning code, 400 square feet for each one bedroom unit, 500 square feet for each two bedroom unit and 600 square feet for each three bedroom unit.

Vehicular Access, Circulation and Parking

The site takes access from 90th street via two standard drive ways. Parking will be provided as required under the R-2 zoned with the option of reducing parking by 10% in order to provide additional landscaping. Additional parking reductions for transit would be allowed as permitted by the zoning code, § 14-16-3-1, Off-Street Parking Regulations.

Pedestrian and Bicycle Access and Circulation, Transit Access

The design standards require pedestrian connections from the site to the street and require bicycle racks at the building entrances.

Walls/Fences

The proposed design standards require walls to be designed to match the buildings. Green walls, open metal fencing (excluding chain link) with live plant material, will be used wherever possible to add plants to the site in addition to the requirements of the zoning code, 14-16-3-19.

Lighting and Security

All light fixtures will be shielded to avoid light pollution. Light fixtures will not shine directly on any residential property. Building mounted light fixtures and bollard mounted fixtures will be provided on the buildings and in the adjacent pedestrian areas. Standard light poles will be installed in the parking areas; the height of the poles will comply with the requirements of

Landscaping

Future development on the site shall comply with the regulations of §14-16-3-10, Landscaping Regulations. The design standards require an emphasis on landscaping along 90th and Bluewater. The design standards call out the use of xeric plants as a way to add texture and seasonal color to the outdoor spaces. Building designs shall consider landscaping plans that maximize privacy of the residential development on 90th and Bluewater road.

Grading, Drainage, Utility Plans

The design standards contain the standard language for PNM regarding utility placement. Future wireless telecommunication facilities shall be architecturally integrated into the site. Any additional utility issues will be fully addressed at Development Review Board and building permit.

Architecture

No specific architectural style is required by or discussed in the design standards. The design standards require articulation at a minimum of 32 foot intervals. Building entryways will have contrasting material or changes in color to identify these areas as the entryway. All buildings shall be flat roofed. Building shall be cited to maximize the privacy of exiting residences.

Signage

The design standards prohibit illuminated plastic panel signs and illuminated signs facing the residential areas to the east and south.

IV. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

APS is not in support of the request. Painted Sky Elementary School is well over capacity, Jimmy Carter Middle School is somewhat over capacity.

Additional right of way dedication may be required at DRB.

Neighborhood/Public

A facilitated was offered to the neighbors and was declined. The Avalon Neighborhood met with the applicant to discuss this request. They preferred this option to a facilitated meeting. Based on the input from the neighborhood meeting the applicant added a section to the design standards to address neighborhood context. These standards require a larger setback for multi-story buildings, buildings to be sited so that privacy for existing residents is maximized and the addition of solid half walls on third story balconies facing residential areas.

V. CONCLUSION

This is a request for a change from the SU-1 for I-P uses zone to the SU-1 for R-2 zones. The applicant has justified the change by pointing out changed conditions in the form of the realignment of Daytona Road, a market for quality rental housing based on changing demographics and that the zone will allow development that can act as buffer between more intense uses and less intense uses. Multifamily development generally uses less water than single family development

This request will allow development that may contribute to overcrowding at the elementary school level. Also, this request will remove land zoned for job producing uses from the pool of this land on the west side. This may be offset by the annexation of property in 2011 with commercial and industrial zoning.

This request furthers several policies of the Comprehensive Plan and the Westside Strategic Plan, especially those regarding housing, new growth and transit access. This request may be in conflict with the WSSP plan policy regarding school capacity and employment centers.

The applicant is asking for delegation of the Site Development Plan for Building Permit to the DRB.

Staff is recommending approval with conditions.

Recommended Conditions:

1. The DRB hearing shall be a public, advertised hearing so that the affected neighbors are aware of the design and final layout of the proposed development.

FINDINGS -14 EPC-40068 November 13th, 2014 -Zone Map Amendment

1. This is a request for a Zone Map Amendment from SU-1 for I-P uses to SU-1 for R-2 for Tract 8, Avalon Subdivision Unit 5 located on 90th street between Bluewater Road NW and Los Volcanes Road NW and containing approximately 9.9 acres
2. The applicant would like to change the current zoning to allow the development of apartments on the site.
3. The subject was annexed into the City in 2001 and the SU-1 for I-P Uses zoning was established as part of the annexation process.
4. The 2014 realignment of Daytona road was designed to route heavy truck traffic away from the residential areas; this realignment of Daytona road removed the truck access from the site.
5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

Policy II.B.5.d: 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 zone contains design standards that will create quality development and help integrate future development into the area. The proposed zone will allow the development of residential uses near existing residential uses. The proposed zone may allow development that adds to overcrowding in the area elementary school. Policy II.B.5.d is partially furthered.

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

The site has access to existing services and infrastructure. The proposed zone will allow development can act as buffer between the existing residential development and the allowed industrial development; thus preserving the integrity of the area. Policy II.B.5.e is furthered.

Policy II.B.5h: Higher density housing is most appropriate in the following situations:

- In designated Activity Centers

- In areas with excellent access to the major street network.
- 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 now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- 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 proposed zone will allow the development of higher density housing, up to 30 dwelling units per acre, in an area with excellent access to the major street network and will provide a buffer between the existing single family development to the south and east and the industrial and commercial development that is allowed the north and west. Policy II.B.5.h is furthered.

Transportation and Transit

Policy II.D.4c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

The subject site is .6 miles from Central Avenue, the City's most heavily used transit corridor. There is an existing park and ride lot at the northwest corner of Unser and Central that has access to 5 separate bus routes. Policy II.D.4c is furthered.

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

The Site Development Plan for Subdivision contains design standards that will require the development of sidewalks connecting to the public sidewalks adjacent to the site.

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 zoning will allow the development of multi-family housing, this housing product is often more affordable than a single family house. The product allowed under the proposed zoning will fill a need in the Albuquerque market for quality rental housing. Policy II.D.5.a is furthered.

7. The subject site is within the boundaries of the Westside Strategic Plan. The following policies are applicable to the request:

Plan Objective 4: Preserve a sense of community and quality of life for all residents based on wise, long-term decision-making.

The proposed zone will allow the development of housing that can act as a buffer from more intense uses and preserve the residential character of the existing neighborhoods. The

additional household may also help to support commercial uses in the area, increasing the choices available for area residents. Plan Objective 4 is furthered.

Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

The proposed development is outside of the boundaries of the master planned Atrisco Business Park. The request would remove a portion of land from the existing stock of land zoned for uses that will create jobs; however the additional households may support commercial development along Central Avenue and in the Central/Unser area. Policy 1.6 is not furthered.

WSSP Policy 2.5: When considering approval of subdivisions for residential development, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes.

The Planning Department is considering school capacity. The request could result in about 300 new households. The apartments would be open to people with children and those without children. There is capacity at West Mesa High School, the Jimmy Carter middle school is slightly over capacity and Painted Sky Elementary is well over capacity. The proposed use could contribute the overcrowding. APS plans to build a new west side K-8(kindergarten through 8th grade) school in 2017 to reduce overcrowding.

Policy 3.33: It is appropriate for new development, both residential and non-residential, to occur in this community. Redevelopment efforts associated with the existing 5-acre tracts shall be encouraged.

The proposed zone would allow the construction of new higher density residential development. Policy 3.33 is furthered.

Additional Plan intent discussion-Page 50.

More high density development is appropriate on the West Side and desirable, especially near transit facilities and along transit corridors, in order to decrease sprawl and promote transit use. The higher densities, which could be 20 dus/acre or more, will occur close to the Community Centers and in proximity to transit corridors.

The proposed zoning will allow the development of higher density housing near transit facilities (bus lines and a park and ride lot) and jobs. The proposed zone allows a density of up to 30 dwelling units per acre.

8. The applicant has justified the zone change request pursuant to R-270-1980 as follows:

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

The request is consistent with the health, safety, morals and general welfare of the City because it will create a buffer between a less intense and more intense use, allow the development of a

needed housing product on the west side and provide an additional housing opportunity. The allowed uses are compatible with the surrounding uses.

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

The proposed zone has an SU-1 designation; this will require a public hearing at the DRB or EPC for any major development. The design standards give adjacent property owners some security in knowing what will be developed on the site. The current zone offers a very broad set of uses, some of which are not compatible with single family residential use.

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. Policy Analysis summarized:

The request furthers several goals and policies of the Comprehensive Plan, especially those relating to housing, transit and new growth. The applicant cites Comprehensive Policies II.B.5d, II.B.5e, II.B.5h, II.B.5l, II.B.5m and WSSP policy 3.33, and Plan objective 4.

Staff believes that policy II.B.5l, quality and innovation in design does not apply because without a Site Development Plan for Building Permit it is difficult to fully judge this.

WSSP policy 1.6 is not furthered by this request.

Staff believes that policies II.B.4c and II.B.4g, regarding Transit and Transportation, and policy II.B.5a regarding housing are furthered by this request.

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

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

The realignment of Daytona was meant to move heavy truck traffic away from the existing residential neighborhoods, while still allowing the development of uses that require truck access. The new alignment cuts off the subject site from this access. Staff agrees that this is a changed condition. A commercial zone on the site could have the same potential conflict with the residential area that the existing zone has. The zoning on the more recently annexed sites allows a more limited range of uses in order to protect the residential use. This zone change would be in line with the intent to protect the existing residential uses.

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 allowed uses in the proposed zone are not harmful to the adjacent properties and will provide a transition from the less intense residential use to the more intense industrial uses allowed to the west.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The site is privately owned, all future development and infrastructure will be funded by the developer.

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

The request is justified because it furthers several goals and policies of the applicable plans; the cost of land is not part of the justification.

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

The location in itself is not justification; however the reroute of Daytona does constitute a changed condition. The request is justified because it furthers several goals and policies of the applicable plans.

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

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

The proposed zone could result in development that will act as a transition from the more intense industrially zoned properties to the less intense single family development.

J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The zone could be considered a strip zone, but a justified strip zone because it could function as a transition between the higher intensity industrial zoning and lower intensity residential zoning.

9. Albuquerque Public Schools is opposed to the request because of concerns regarding overcrowding. There is excess capacity at West Mesa High School by 241 students, Jimmy Carter Middle School is over capacity by 42 students and Painted Sky Elementary is over capacity by 507 students. APS plans to build a new Kindergarten through 8th grade school in 2017, provided that funding is available.
10. A Site Development Plan for Subdivision with design standards (14 EPC-40067) is heard concurrently with the request.
11. The affected neighborhood associations were offered a facilitated meeting. They declined. The Avalon Neighborhood has met with the applicant outside of the facilitated meeting process. The applicant added additional design standards to address neighborhood concerns.
12. The Avalon Neighborhood Association, South Valley Coalition of Neighborhood Associations, Southwest Alliance of Neighborhoods (SWAN) and the Westside Coalition of Neighborhoods were all notified of this request by certified mail. Property owners within 100 feet of the site were notified by regular first class mail. Staff has not received any comments from the public regarding this case.

RECOMMENDATION - 14 EPC-40068 November 13th, 2014

APPROVAL of 14 EPC-40068 a request for Zone Map Amendment from SU-1 for I-P uses to SU-1 for R-2 uses for Tract 8, Avalon Subdivision Unit 5 located on 90th street between Bluewater Road NW and Los Volcanes Road NW and containing approximately 9.9 acres, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 14 EPC-40068 November 13th, 2014 -ZONE MAP AMENDMENT

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning

Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant

FINDINGS - 14EPC-40067, November 13th, 2014 - Site Development Plan for Subdivision

1. This is a request for a Site Development Plan for Subdivision for Tract 8, Avalon Subdivision Unit 5 located on 90th street between Bluewater Road NW and Los Volcanes Road NW and containing approximately 9.9 acres
2. The subject was annexed into the City in 2001 and the SU-1 for I-P Uses zoning was established as part of the annexation process.
3. A request for a zone map amendment to change the zoning from SU-1 for I-P uses to SU-1 for R-2 Uses (14EPC- 40068) is heard concurrently with this request.
4. The 2014 realignment of Daytona road was designed to route heavy truck traffic away from the residential areas; this realignment of Daytona road removed the truck access from the site.
5. The Albuquerque/Bernalillo County Comprehensive Plan, West Side Strategic Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:

Policy II.B.5.d: 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 zone contains design standards that will create quality development and help integrate future development into the area. The proposed zone will allow the development of residential uses near existing residential uses. The proposed zone may allow development that adds to overcrowding in the area elementary school. Policy II.B.5.d is partially furthered.

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

The site has access to existing services and infrastructure. The proposed zone will allow development can act as buffer between the existing residential development and the allowed industrial development; thus preserving the integrity of the area. Policy II.B.5.e is furthered.

Policy II.B.5h: Higher density housing is most appropriate in the following situations:

- In designated Activity Centers
- In areas with excellent access to the major street network.
- 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 now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- 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 proposed zone will allow the development of higher density housing, up to 30 dwelling units per acre, in an area with excellent access to the major street network and will provide a buffer between the existing single family development to the south and east and the industrial and commercial development that is allowed the north and west. Policy II.B.5.h is furthered.

Transportation and Transit

Policy II.D.4c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

The subject site is .6 miles from Central Avenue, the City's most heavily used transit corridor. There is an existing park and ride lot at the northwest corner of Unser and Central that has access to 5 separate bus routes. Policy II.D.5c is furthered.

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

The Site Development Plan for Subdivision contains design standards that will require the development of sidewalks connecting to the public sidewalks adjacent to the site.

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 zoning will allow the development of multi-family housing, this housing product is often more affordable than a single family house. The product allowed under the

proposed zoning will fill a need in the Albuquerque market for quality rental housing. Policy II.D.5.a is furthered.

The subject site is within the boundaries of the Westside Strategic Plan. The following policies are applicable to the request:

7. Plan Objective 4: Preserve a sense of community and quality of life for all residents based on wise, long-term decision-making.

The proposed zone will allow the development of housing that can act as a buffer from more intense uses and preserve the residential character of the existing neighborhoods. The additional household may also help to support commercial uses in the area, increasing the choices available for area residents. Plan Objective 4 is furthered.

Policy 1.6: Large areas dedicated to employment uses shall be preserved on the West Side at Seven Bar Ranch, Atrisco Business Park, and Double Eagle II Airport. Additional employment center development is also encouraged. The City of Albuquerque and Bernalillo County economic development programs shall actively encourage employers to locate in these employment centers.

The proposed development is outside of the boundaries of the master planned Atrisco Business Park. The request would remove a portion of land from the existing stock of land zoned for uses that will create jobs; however the additional households may support commercial development along Central Avenue and in the Central/Unser area. Policy 1.6 is not furthered.

WSSP Policy 2.5: When considering approval of subdivisions for residential development, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes.

The Planning Department is considering school capacity. The request could result in about 300 new households. The apartments would be open to people with children and those without children. There is capacity at West Mesa High School, the Jimmy Carter middle school is slightly over capacity and Painted Sky Elementary is well over capacity. The proposed use could contribute the overcrowding. APS plans to build a new west side K-8(kindergarten through 8th grade) school in 2017 to reduce overcrowding.

Policy 3.33: It is appropriate for new development, both residential and non-residential, to occur in this community. Redevelopment efforts associated with the existing 5-acre tracts shall be encouraged.

The proposed zone would allow the construction of new higher density residential development. Policy 3.33 is furthered.

Additional Plan Intent Discussion-Page 50.

More high density development is appropriate on the West Side and desirable, especially near transit facilities and along transit corridors, in order to decrease sprawl and promote transit use.

The higher densities, which could be 20 dus/acre or more, will occur close to the Community Centers and in proximity to transit corridors.

The proposed zoning will allow the development of higher density housing near transit facilities (bus lines and a park and ride lot) and jobs. The proposed zone allows a density of up to 30 dwelling units per acre.

8. The applicant would like approval of future development delegated the Development Review Board (DRB). The DRB hearings are open to the public.
9. The affected neighborhood associations were offered a facilitated meeting. They declined. The Avalon Neighborhood has met with the applicant outside of the facilitated meeting process. The applicant added additional design standards to address neighborhood concerns.
10. The Avalon Neighborhood Association, South Valley Coalition of Neighborhood Associations, Southwest Alliance of Neighborhoods (SWAN) and the Westside Coalition of Neighborhoods were all notified of this request by certified mail. Property owners within 100 feet of the site were notified by regular first class mail. Staff has not received any comments from the public regarding this case.

RECOMMENDATION – 14 EPC-40067- November 13th, 2014

APPROVAL of 14EPC-40067, a request for Site Development Plan for Subdivision, for Tract 8, Avalon Subdivision Unit 5 located on 90th street between Bluewater Road NW and Los Volcanes Road NW and containing approximately 9.9 acres , based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 14 EPC-40067- November 13th, 2014-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.

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3. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
 4. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3)."
 5. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
 6. The applicant shall coordinate with the Hydrology Department at the building permit stage in order to determine the placement of the proposed pond, per the 2013 Amole-Hubbell Drainage Master Plan Update.
-

***Maggie Gould
Planner***

Notice of Decision cc list:

Consensus Planning	302 8th street NW	ABQ NM	87102
Curb INC	5160 San Francisco NE	ABQ NM	87109

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Office of Neighborhood Coordination

Avalon NA (R)

South Valley Coalition of NA's

South West Alliance of Neighbors (SWAN)

Westside Coalition of NA's

9/29/14 – Recommended for Facilitation – siw

9/30/14 – Assigned to Diane Grover - th

Long Range Planning

The request is for a zone map amendment from SU-1 for IP to SU-1 for R-2. The proposed zone could potentially provide a transition between future Industrial Park development and the existing single-family residential development east of 90th Street. Higher-density residential use in appropriate locations (near transit corridors, as transitions between different land use intensities) is consistent with city planning practices and land use policies. The subject site is ½-mile from a designated transit corridor. High density residential uses are appropriate on the West Side (WSSP, page 50).

The subject site is located in the Atrisco Business Park Community. This request would change vacant, non-residentially zoned land to residential uses, reducing the development potential for job-producing and non-residential uses on the west side of the City. More housing, combined with a decreased potential for job creation will exacerbate the jobs to housing imbalance on the west side. Currently, MRCOG forecasts that by 2035 the Westside will contain 58 percent of the AMPA's population yet the Eastside will still contain more than three quarters of the region's jobs. No new river crossings are foreseen before 2035.

Metropolitan Redevelopment Agency

CITY ENGINEER

Transportation Development

RECOMMENDED CONDITIONS FROM CITY ENGINEER/Transportation Department:

Conditions of approval for the proposed Site Development for Subdivision shall include:

-
1. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).

Hydrology Development

Hydrology does not have an objection to the Zone Map Amendment, however, per the 2013 Amole-Hubbell Drainage Master Plan Update, a drainage pond is programmed for the southeast portion of the site, and the flows in this basin are to be restricted to 2.5 cfs/ac.

The programmed ponding area may fit into the illustrative Site Design shown on the plan.

In the second “Design Standards” paragraph, the words “to manage the first flush” should be included.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Per the Long Range Bikeway Systems map, Bluewater Road is proposed to contain bike lanes, which appear to currently exist where it fronts the subject property. Per the Long Range Roadway System Map, Bluewater Road is designated as a Collector. The DPM calls for 73 feet of right-of-way to be preserved for Collectors, and when it contains a bikeway, an additional 12 feet of right-of-way is required. Bluewater Road where it fronts this property is shown to contain 68 feet of right-of-way.

Traffic Engineering Operations

WATER UTILITY AUTHORITY

Utility Services

An Availability Statement will be required in order to verify potential infrastructure needs for water and wastewater service.

ENVIRONMENTAL HEALTH DEPARTMENT

PARKS AND RECREATION

Planning and Design

14EPC-40067 Site Development – Subdivision

- **Information comment:** The nearest City neighborhood park is Avalon Park situated south of Bluewater at 90th and Starboard.
- **Design Standard #6** Screen walls and fences encourages “green walls” but does not make clear if chain link fencing is included in the “6’ high open metal fencing” standard. Please clarify.
- **Design Standards #7** Trails and Sidewalks are proposed to be a minimum of 4’ width. Sidewalks meant for pedestrian use may be a minimum of 4’ width but trails to be used by bicycles as well as pedestrians will need to be wider, either a minimum 10’ surface or minimum 8’ surface with minimum 2’ clear zones on each side of the trail surface depending on whether they are built in public right of way or private right of way or private open space. It is not clear from the submittal where the sidewalks and/or trails will be situated on the site.
- **Design Standards #8,** Public Open Space should be called Private Open Space (for the use of the residents and their guests) so it is not to be confused with Major Public Open Space.

Open Space Division

Clarify that Public Open Space refers to private open space for residents of the housing development, not Major Public Open Space or park space open to the general public.

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division Approved. Must comply with SWMD Ordinance

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

Avalon Subdivision Unit 5, Tract 8, is located on 90th St between Bluewater and Los Volcanes. The owner of the above property requests approval of a Site Development Plan for Subdivision and a Zone Change from SU-1 for IP to SU-1 for R-2 to allow for future development of multi-family housing. Any residential development in this area will impact Painted Sky Elementary School, Jimmy Carter Middle School, and West Mesa High School.

Loc No	School	2013-14 40th Day	Capacity	Space Available
275	Painted Sky ES	1099	660	-439
445	Jimmy Carter MS	1225	1200	-25
570	West Mesa HS	1487	1800	313

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.

Loc No	School	2013-14 40th Day	2014-15 40th Day	Capacity	Space Available
275	Painted Sky ES	1,099	1,167	660	-507
445	Jimmy Carter MS	1,225	1,242	1,200	-42
570	West Mesa HS	1,487	1,559	1,800	241

Albuquerque Public Schools (APS) does not support a zone change for the subject request due to the following reasons:

1. Painted Sky ES is severely overcrowded due to growth occurring in the community under existing land uses and zoning.
 - a. At the start of 2014, APS added 4 portable classrooms to the existing 31 classrooms at Painted Sky in order to address overcrowding at Painted Sky under the existing land uses;
 - b. Now, 35 out of the total 67 classrooms at Painted Sky are in portables. There are more educational programs in portables than in the permanent structure at Painted Sky ES;
 - c. In spite of the recent provision of additional portable structures, current enrollment, which continues to grow, as shown in the table above, is severely above the facility and site capacity of the school;
 - d. Increases in enrollment without additional mitigating factors may have adverse impacts to the health and safety of students and their educational experience.
2. Jimmy Carter MS current enrollment is also significantly above capacity.

-
- a. APS is currently providing 2 additional classrooms at Jimmy Carter to mitigate existing growth under current land uses and zoning;
 - b. Currently, Jimmy Carter MS has educational programs in 32 portable classrooms;
 - c. Jimmy Carter MS has a significant Special Education population with Ancillary Support Program facility needs;
 - d. Current enrollment and demand for facilities from Special Education programs are above the current capacity of the school.
3. Even though a new K-8 school is planned to open in the fall 2017 (contingent on tax payer approval) to serve this community, **this new school is planned to relieve growth under existing land uses and zoning.** If approved by the voters, this new school would relieve Painted Sky ES, Jimmy Carter MS and serve the residential area under development west of 98th and north of I-40.

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

For informational purposes, the functional classification of Bluewater Road NW is that of a Proposed Urban Collector between 90th and 98th.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO