

**CASE NO: CSU-2019-0001--EXISTING CONDITIONS & PROPOSED USES.
ADDENDUM TO THE APPLICATION FOR A SPECIAL USE PERMIT(SUP)
FOR A PLANNED DEVELOPMENT AREA (PDA)
FOR RESIDENTIAL & AGRICULTURAL USES**

SITE LOCATION: MRGCD Map #40 Tract 88 A1A1 (at east end of Gonzales Rd. SW)

+ Tract 87B1 + Tract 88A1A2 Total 3.7 acres Zone maps: K-13-Z/K-12-Z

CPC HEARING DATE: February 6, 2019

EXISTING CONDITIONS

The applicants for this special use permit are members of an extended family who are selling these parcels to Rio Grande Huerta LLC (aka CohousingABQ), their agents in this request. [Agent authorization is attached.] The Special Use Permit is requested specifically and solely for this proposed project and use.

The site is midway between Central Avenue and Bridge Boulevard in the Established Urban Area and Residential Area 5--where a dwelling unit density of up to 9 units per acre is permitted--as adopted in the **Southwest Area Plan**. The site is located where Gonzales Road SW dead-ends, east of the intersection with Sunset Road SW. (Albuquerque's City limit extends to this intersection, but future annexation is not planned or intended.)

The site is comprised of three vacant parcels, one large and two smaller parcels, that are all currently zoned A1. The original farm tracts have been subdivided into single-family R1 lots adjacent on the northwest, west and south sides. A residentially-occupied A-1 parcel sits on the north boundary. The owners of that A1 parcel report they are contemplating using the property for housing extended family members; it is not used for farming. Directly north and west of these Gonzales Road properties are City-annexed R1 subdivisions.

There is no existing irrigation ditch access or well on these parcels. The larger tract used to have a domestic well permit, which expired in the mid-1990s according to the State Engineer's records. The original ditch access to the property was vacated some years ago. The sellers of the larger tract are descendants of the original farm family, but have been unable to farm the land, so it has been listed for sale on and off since 2015.

The east sides of the parcels abutt the MRGCD Atrisco Drain and MRGCD access road. The only street access to the larger parcel is via Gonzales Road at the NW corner; the two small triangles are landlocked and accessed through the owner's private home lot at the SE side. On approval of the special use permit, the buyers will request a re-plat to combine the three parcels into the single 3.7-acre PDA site. Gonzales Road is, and will be, the only access to the site.

The subject tracts are **not** contiguous with the nearby Valley del Bosque Park and Open Space; stable single-family lots on both sides of Neetsie Drive lie between them. The subject tracts are also not contiguous with the Rio Grande Valley State

Park as MRGCD owned land lies between the two. There are no significant farming operations existing along the riverside drain between Central and Bridge Boulevard. **SWAP Policy 66**, which updates the South Valley Agricultural District boundaries, prioritizes agricultural land preservation south of Lakeview Road, several miles south of this site. Any agricultural use will require weed eradication, litter and glass clean-up, considerable soil amendments and a new water source and management system [see Existing Conditions photos].

Any public open space use would put public visitor traffic on an unimproved residential street and require that parking, safety and accessibility needs be met.

PROPOSED USES

This proposed cluster housing/co-housing project of 27 units is being created and driven by its future residents (Rio Grande Huerta LLC) using an eco-village-like model of Net-Zero energy use, zero-waste strategies and maximum water conservation. The building footprints shown on the site plan allow for all porches, terraces, breezeways, etc. that may extend from the buildings. The residential buildings will be energy-efficient Passivhaus design and construction (PHIUS+ Source Zero)---super insulated, and requiring minimal heating or cooling inputs. No natural gas line extension or use is planned and rooftop solar panels provide anticipated net-zero electric power. All building heights will be within the R-2 height limit.

The site plan shows the 27 housing units in compact clusters, which leaves 62.5% of the site for agricultural uses and shared open space. Site agricultural uses will include, but are not limited to, orchards, community gardens, a vineyard and berry patch, greenhouse, chicken coop, and garden composting.

The site landscape plan calls for primarily native and drought-tolerant species suited to the sandy alluvial soils of the property, preservation of existing large cottonwood trees and maintenance of healthy existing trees and native shrubs along the perimeter. The cohousing residents may apply for a new domestic well permit for one acre foot per year for supplemental agricultural irrigation and landscape use.

The Common House, children's play areas, a natural pool and landscape commons will be shared by the site residents.

The County motor vehicle parking requirement of 54 spaces--2 spaces per unit---will be met. The bicycle parking requirement of 1 space per 2 units will be far exceeded. Traffic impacts will be mitigated with ridesharing, shared car ownership, biking, and public transit use, part of the low-impact environmental philosophy of this cohousing community. (The Central Avenue bus stop is a seven-minute bike ride from the site on the MRGCD trail.) There will be controlled access points to the MRGCD access road at the NE and SE corners of the site.

Gonzales Road dead-ends at the site. Internal circulation is Rio Grande Huerta LLC's responsibility and will meet fire department access requirements. The Porous Flexible Paving System over compacted base course is engineered to accommodate 75,000 lb GVW to meet Fire Marshal Access Requirements and allows aquifer recharge to occur.

NEIGHBORHOOD COMMUNICATION & NOTIFICATION:

Before filing this application, the applicants' agents mailed the official notifications to all the applicable Neighborhood Associations per **County Ordinance 94-4**. (See attached notification confirmation.)

Outreach to neighbors and South Valley neighborhood associations has been extensive and varied:

- South Valley Coalition of Neighborhood Associations presentation on August 9, 2018
- Public Neighborhood Lunch in *Valle del Bosque* Park on September 9
- Door to door petition to the neighbors within 200 feet of the project site
- Public Open House in *Vecinos del Bosque* Park on November 18
- Vecinos del Bosque NA presentations on October 25 and November 29, 2018
- Ongoing conversations with neighbors and interested parties.

Neighbors' input has been heard and, when feasible, adjustments made, such as the most recent reduction from 30 to 27 living units to restore a larger percentage of agricultural land and open space on the site.

There also have been four Open House events in the past year to discuss what cohousing is and generate interest in joining this cohousing project (only the second one in the Albuquerque area.) Publicity has been through the news media, the www.cohousingABQ.org web site, social media, flyers, personal contacts and referrals.

The project's professional architectural design team consists of Peter Rehn, AIA of RMKM Architecture, P.C., Jonah Stanford, AIA, of Needbased Inc., and Faith Okuma, AICP, RLA, of Surroundings. Cohousing development consultant is Marianne Dickinson of Acequia Jardin.

Respectfully submitted,

Marlies Metodi, Project Manager
Rio Grande Huerta LLC
(Applicants' designated agent)

BERNALILLO COUNTY POLICIES SUPPORTING THE APPLICATION FOR A SPECIAL USE PERMIT (SUP) FOR A PLANNED DEVELOPMENT AREA (PDA) FOR RESIDENTIAL & AGRICULTURAL USES

Resolution 116-86 Section 1

[Adoption of policies for Zone Map changes and Special Use Permit applications]

Summary: The Albuquerque/Bernalillo County Comprehensive Plan concerns and policies related to growth in the established urban areas of the South Valley are well met with this PDA zoning by addressing preservation of agricultural land use and scenic vistas, water protection & conservation, renewable energy, housing, bicycling & pedestrianism, public safety, quality of life and revitalization in older areas in one project.

The SUP for PDA will allow this to be a diverse community in all ways and to fit into the agricultural, ecological and cultural heritage of the South Valley as called for in the **Southwest Area Plan**. In addition, the proposed use will set a precedent for low-impact infill development with its very compact, 27 housing-units, natural landscape, and restoration of agriculture on the 3.7 acre site. The proposed use will add the greater resiliency and sustainability needed for humans and the natural environment now and for future generations. The Special Use Permit for Planned Development Area is the County's most flexible and appropriate zoning to create this mix of compatible uses and a model for enabling humans to live in harmony with nature and each other.

A. A proposed land use change must be found to be consistent with the health, safety, and general welfare of the residents of the County.

This proposed Special Use for a PDA is consistent with the health, safety and general welfare of the residents of the County:

- This Planned Development Area is specifically for a grassroots, intentional, multigenerational, multi-cultural community being created by the future residents using their own funds--currently known as Rio Grande Huerta LLC/Cohousing ABQ (RGH). There are no outside investors or commercial developers involved and is only classified commercial because it involves multifamily housing regulations. This is a nonprofit effort by working families and concerned members of the greater Albuquerque area who want to live in harmony with nature and their neighbors, grow food for their community, and consume less and share more. This South Valley site offers the opportunity to combine those in one community site rather than in a dispersed patchwork of single family homes, and without demolishing existing homes or displacing any residents. The single plat and condominium ownership form allows for each homeowner to have a private home and shared use and stewardship of the common areas.

- The proximity of homes and pedestrian orientation of this development promotes the “eyes on the street” type of neighborhood safety and cohesion--crime prevention through environmental design (CPTED) precepts--with residents able to watch out for each other, for children and for elders. The plan creates a more traditional community of homes surrounding the commons or plaza, promoting social interaction and cooperation.
- (sound like we are keeping large animals?) Fencing and controlled access points on the east side bordering the dirt access along the Atrisco Drain will prevent easy access across the site to the neighbors to the west, thus preventing the opportunity crime and nuisance activity the neighbors have said they contend with presently. (Bernalillo Sheriff’s Department crime reports indicate most reports are for property crime and “quality of life” incidents in this area.)
- The property currently is covered with weeds and broken glass and has perimeter trees and a large cottonwood tree in need of care. [See Existing Conditions photos.] The site plan’s restored cultivated and natural landscapes will control dust (topsoil) currently blowing from the bare areas and maintain a green buffer between the residences and the river drain side. This site management will also serve to lower fire risk to the area. A group of the Rio Grande Huerta LLC members are master gardeners and permaculture advocates who have the knowledge to do this restoration themselves and who hope to share some of the growing space with young, future South Valley farmers as well. Current and retired farmers in the area can offer valuable advice on species and varieties best suited to the Valley.
- The low-energy use building design, which significantly lowers the carbon footprint of this housing and common areas without adding pollution to the air, furthers the **Comp Plan Energy Management Policies a, b, c 3)** (*encouraging use of alternative, renewable energy, building energy efficiency, and cluster housing for community energy systems*) and **Comp Plan Housing Policy b 7)** (*innovation in new housing design*). The innovative certified Passive House construction of the living units will require no natural gas line extension or use, and the rooftop solar photovoltaic system is expected to provide 100% (net) of the needed electric power. The vanguard of energy-efficient design, buildings meeting Passive House Certification prioritize extreme energy conservation over complex systems or machination, thus the term “Passive”. The International Passive House Association, reports that its design-integrated, ultra-low energy-use building standard achieves energy savings of more than 90 percent relative to conventional buildings’ consumption. The building design allows for efficiencies of utility use and lower living expenses for residents while the site design allows for consolidated strategies for solid waste reduction, recycling and composting.

- This project plan addresses Housing policies in the Comp Plan with a range of home sizes, prices and accessibility for a diverse population ranging from families with children, to seniors, to single adults. An important aspect of this community's social sustainability is the integration of aging-in-place concepts, which prioritizes a home's durability and usability through the broadest range of ages, abilities and life stages. Aging-in-place design anticipates ambulatory challenges and the possible need for live-in assistance. As a way to include aging residents in the gardening activities, there will be raised garden beds next to homes. The range of home sizes, from the equivalent of an independent "granny flat" to a modest-sized family home, will offer housing options usually not available in proximity to each other, allowing residents of differing ages and means to live in the same neighborhood and share the same amenities. Rio Grande Huerta LLC has been in discussion with Homewise on the possibility of providing subsidized down payments for qualified buyers not able to make the full down payment. Homewise, through its subsidiary Homestart, serves customers in the Albuquerque area with financial education, home buying with affordable financing, and home improvement and refinance lending. The project will comply with the Fair Housing Act and will not discriminate based on race, religion, national origin, gender, sexual orientation, disability or family status.

- The project will meet the **Bernalillo County Water Conservation Ordinance (Section 30-241-30-251)** and the new commercial water conservation requirements for multifamily housing over 8 units. The residential use will be on the ABCWUA-supplied system, and buildings will comply with low water-use regulations, i.e., all indoor appliances and fixtures to have EPA WaterSense labeling.

The project's water conservation and management plan will prevent pollution of the soil and water of the surrounding environment, groundwater and river. The site is considered to be outside the regulatory floodplain and must retain on-site runoff for a 100-year storm event. The preliminary grading plan indicates the locations where that amount would be stored on site. The exposed soils on the site are sandy and alluvial in nature. The gradient of the site is very flat (less than 2 feet of elevation change over the entire site) with no sign of previous storm flows leaving the site that result in erosion either on-site or to adjacent properties. The project will revegetate, landscape, or agriculturally manage any undeveloped portions of the site to reduce any soil erosion or migration to off-site from surface runoff.

A future domestic well would be limited to supplemental use on the growing areas at the south half of the site. The supplemental water would be by distributed drip irrigation systems, which uses far less water than a flood-irrigated field systems. The local water table is estimated to be between 5 and 8 feet below the site and easily accessed, although deeper drilling may be advisable to avoid previous contamination. Water harvesting and water reuse will be the primary source of water for required landscape areas.

Concrete paving is limited to handicap parking and walkways, curbs, apron and sidewalks where required. No asphalt will be used, eliminating that possible source for contaminating runoff. All other driving surfaces are permeable surfaces allowing for aquifer recharge.

- The project will meet parking rates required by ordinance to provide 54 parking spaces--2 per unit--and will provide in excess of the requirements for bicycles. The community members' low-impact, low-consumption philosophy will be incorporated in the covenants to strongly encourage members to use alternative transportation, biking, car sharing, etc. Smaller unit residents (singles, seniors) will have no use for more than one vehicle and some families are already arranging carpooling, car sharing and bike-to-the-bus travel. Some residents work from home and some are retired, so impacts will be minimal to commuter traffic on Sunset Road, which has the lowest traffic counts of the area, according to MRCOG weekday traffic counts [see 2017 traffic flow map exhibit]. The vision is to transition to electric car use with charging station(s) powered by solar collectors on carports.
- **Comp Plan Transportation & Transit: Policy g & h** (*pedestrian and bicycling trail networks connectedness.*) Bike commuters have access to Central Avenue and Bridge Blvd. bus routes by way of the adjacent Atrisco Drain road to the bridges connecting to the Bosque Open Space trail. Walking paths along the Arenal Lateral and Sunset Road connects Gonzales Road with a Central Avenue bus stop and commercial centers on Central Ave. and Bridge Blvd.
- The intersection of Sunset and Gonzales Road is a City roadway and intersection. The new residents would support the local community and County's request to the City for safety improvements to that intersection. The project acknowledges that the County does not have jurisdiction of the intersection and that improvements are further complicated as infrastructure controlled by the MRGCD is likely to be involved. The applicants neither advocate for nor oppose improvements to Gonzales Road. Existing residents along Gonzales Road would be most affected by those improvement. Any improvement could measurably restrict their current street parking usage, affect their property taxes, or change the local character, and may need extended discussion with those neighbors about their needs and wishes.

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

The cost of land or other economic considerations pertaining to the applicants **are not** factors in the request for this land use change.

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

- The proposed land use will **not** be in “significant conflict with adopted elements of the **Bernalillo County Comprehensive Plan (2013)**, or the **Southwest Area Plan**, or their amendments, or privately developed area plans that have been adopted by the County.” The site is in the Established Urban Area and Residential Area 5, where a dwelling density of up to 9 dwelling units per acre is permitted, as adopted in the **Southwest Area Plan**. The site is served by all utilities.
- Calculations for DU density are based on extracting the acreage needed for roads, easements, and setbacks. Using that calculation, this PDA as shown on the requested site plan for approval, uses far less of the site for roads and setbacks. It does not subdivide the townhomes into separate lots, it limits vehicle access to parking areas near the site entry and the Common House, and fire truck access is integrated into the walking paths connecting the homes with parking areas. This single-plat, compact pattern frees up more of the site--about 62%--for usable open space and agriculture, using the land more efficiently and with less impact on it. The relatively small size of units---from 400 to a maximum of 1600 square feet--- in five two-story buildings on 3.7 acres has a much higher ratio of usable open space and agriculture than the newly-built subdivisions nearby.
- As explained in Existing Conditions, this land cannot be considered “*prime agricultural land*” (1) due to its degraded condition, (2) the size of the tract that was offered for sale is just over 3 acres, well under the 5-acre minimum threshold given for priority for agricultural preservation (SWAP), and (3) and there are no irrigation water sources or water infrastructure existing on the property. The site is not adjacent to the State Park; MRGCD-owned land and the Atrisco Drain lies between them.
- **SWAP Policy 66**, page 116, which updated the **South Valley Agricultural District** boundaries, prioritizes agricultural land preservation in: “*The area between Gun Club Lateral on the west, Second Street on the east, Lakeview and Bowers Road on the north and the Isleta Pueblo on the south that is otherwise designated “rural” in the Comprehensive Plan is an area where agricultural preservation is most appropriate and should be prioritized.*” That **eliminates this site as a high priority location and size for agricultural preservation** (less than the five acres deemed necessary for viable agricultural operations.) However, the past agricultural use and vacant condition make it suitable for this plan of restoring much of it for growing organic food in large community gardens, as well as reserving some open space that is hospitable to

birds and most wildlife. Soil health restoration could take at least 3 to 4 years because of its condition.

D. *Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.*

- The requested special use is not an abrupt or destabilizing zoning in this area. There are few parcels being actively used for agriculture, and the area is transitioning to denser residential use. A1 zoning is the default zoning for vacant land in this part of the South Valley. The new Sunset Farms subdivisions directly north of Gonzales Road, on land annexed to the City, are intruding into this edge of the County's old Atrisco Village area between Sunset Road and the bosque. Those gated subdivisions are not in character or scale of the traditional neighborhoods or small farms and they have altered the landscape significantly. The proposed PDA would create a gentler, greener transition between the new and the old, to a much more compact housing form and small home sizes, closer to the way the oldest Valley farms and family compounds functioned, with close neighbors working together to farm and support each other socially. The SWAP on page 25 discusses how *"the majority of South Valley farmers work small parcels of of land, less than five acres. Most of these individuals work full-time in non-agricultural jobs and maintain their ties to the land and tradition by farming small parcels on a part-time basis."* This is an opportunity to continue that tradition within a stone's throw of the City limits.
- This site no longer has access to its historic irrigation water source. Rather than change this land use entirely to suburban residential use, the project is following the multiple policy citations in the governing Plans to use cluster housing to combine clustered, 2-story multifamily housing with more than half the site in open space and agricultural use. The Special Use Permit for Planned Development Area is the County's most appropriate zoning to create this mix of compatible uses.

E. *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 land use change; or
(3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other County Master Plan, even though (1) or (2) above do not apply.***

- 1) Is not applicable since no error was made in the zone map.

- 2) Neighborhood conditions have changed substantially since this was part of the larger Sais & Gallegos farm tracts originally used and zoned Agricultural, as seen on the plat map of 1974 [attached]. The largest remaining A1-zoned parcel, Tract 88 A1A1, has not been farmed for decades, has been on the market for several years and the Sais family must sell it. They are making this application because they want to see the RGH plan be developed over any other option. The combination of residential and agricultural uses is most appropriate according to the Sais family, who will continue to live on the block and who believe the RGH residents will be good neighbors.

Small agricultural operations still exist where there is a connection to the irrigation ditches, but the irrigation ditch spur from the Atrisco Lateral that ran parallel to Gonzales Road to this property has been vacated (as confirmed by the MRGCD.)

The subject three parcels are surrounded by single-family residential lots where the original farm has been subdivided and the old Sais & Gallegos Tract A and Tract 10 on the plat have also been subdivided and annexed to the City of Albuquerque, as seen on the current Zone Atlas Map K-12-Z. Tract C to the north is also cut off from the irrigation ditch, isn't farmed, and is occupied by a mobile home.

At less than 4 acres total, and in their unproductive condition, the 3 parcels do not meet "prime agricultural" status, nor could they economically support a farming operation as explained in the **Agriculture overview** (page 24) of the **SWAP**. The agricultural zoning is now actually the exception, in effect "spot zoning."

- 3) Because of its proximity to the bosque trail and river, the **Southwest Area Plan** policies to **preserve open space, scenic views and some agricultural uses** make the requested SUP for PDA the ideal zoning for this property, serving as both a transition from the bosque and a buffer from roads, since there are no circulating streets within the site. While cluster development was initially thought of as a non-grid form of laying out a single-family home subdivision, the County goal of conserving open space and minimizing sprawl are better achieved in this single, intact-parcel plan. This plan more than doubles the useable open space by clustering uses and prioritizing walkability over vehicular convenience.

Comp Plan--Developed Landscape: Policy a, *(the natural and visual environment respected, a determinant in development decisions)*

The abundant open space and agricultural areas of the site will invite migrating cranes and waterfowl to land and browse. The height of the housing will be lower than mature treetops as they will be within the County's R-2 height limits and setbacks from the site perimeters, thereby preserving views to the mountains and the *bosque* for nearby neighbors. Building mechanicals and rooftop installations will be out of view. The site's buildings will be no more visible from the State Park than are the existing homes along the MRGCD drain to the south of the site. The Vecinos del Bosque County Park and Open Space a block away is the notable

interruption of the line of residences seen from the drain and trail.(And, as currently zoned, it is permissive for an owner of the larger tract --MRGCD map #40 tract 88 A1A1-- to have a two-story single-family residence built on it.)

Policy e, (design and materials shall be in harmony with the landscape, scenic vistas). A generic sketch initially used on the cohousingABQ.org website home page gave viewers a mistaken impression of the look and scale of the homes being designed for this location. These townhomes will be built in Southwestern architectural style and materials. Site walls, monument sign and accessory buildings will be constructed of natural materials.

The **Southwest Area Plan (SWAP)** policies repeatedly recommend cluster housing development as a good option to preserve open space, scenic views and some agricultural uses. (See pages 26 & 47 of the SWAP.) Cluster development combined with open space and agricultural uses is cited in **SWAP Policy 51 c)** on page 106 as a way to continue some agricultural uses within urban and developing areas (although guidelines for cluster housing aren't completely defined and usually assumed to apply to single family lots.)

Development Approaches That Preserve Agriculture

"A residential development prototype that could help promote agricultural preservation in the South Valley is a "cluster development" model. A cluster development pattern would allow developers to develop at a higher density while preserving the use of agriculture and the open space network within the valley floor area.

The "cluster" residential development model would be more conducive with surrounding environmental conditions than the "traditional grid" model of residential development. The "grid model" usually allows the developer to subdivide property into one-acre lots in the rural area. However, this model disrupts agricultural patterns and irrigation networks because the land is dissected into neatly uniform lots providing building envelopes for homes and accessory structures such as garages that may not fit the existing land areas.

A thoughtful and balanced approach to rural type development serves to preserve the remaining farmland in the South Valley. Design guidelines for both large and small-scale developments achieve agricultural preservation.

Cluster Housing (definition)

"Clustering" allows homes to be grouped together while the remaining land is reserved for open space. Such siting of homes allow for preservation of views, open space, and agricultural activities. This development pattern is similar to a pueblo or plaza type development. The pattern may allow for growth but also preserves irrigated land as well as irrigation infrastructure. Developers can be allowed to develop at a higher density as an incentive to develop cluster communities. Cluster development is identified in the

Albuquerque/Bernalillo County Comprehensive Plan and the Albuquerque/Bernalillo County Extraterritorial Subdivision Ordinance as a technique for retaining agricultural and scenic qualities in the Rural, Semi-Urban, Established and Developing Urban areas. Clustering also allows the developer to save on the cost of streets, water and sewer lines and other infrastructure because of the reduced distances between structures and lots.

Cluster housing may require formation of a homeowners association or other strategies to manage the open space or other areas owned in common. A cluster project that preserves and maintains open space or other features through a homeowners association is a type of "Common Interest Community" as defined by banks and lending institutions.

This condominium community will have Covenants & Restrictions attached to titles as required by NM state law and will be governed by a Homeowners Association and bylaws developed by the Rio Grande LLC homebuyers. This assures consistent and high maintenance standards and will facilitate sharing of labor, resources and community activities.

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

- A majority of immediate neighbors within 200' of the project site have expressed support of the SUP for PDA zoning as *a compatible land use, and as a transition* between the residential and agricultural uses and open space nearby. [See supporting letters and petitions included with application.]
- No harm to the neighborhood or nearby uses has been demonstrated. The quality of life and safety will be improved with the new stewardship of this property, and the additional home ownership will contribute revitalization, housing diversity and stability to this Established Urban Area.

G. *A proposed land use change which, to be utilized through land development, requires major and un-programmed capital expenditures by the County may be:*

(1) denied due to lack of capital funds; or

(2) granted with the implicit understanding that the County is not bound to provide the capital improvements on any special schedule.

The proposed uses require no major or un-programmed capital expenditures by the County. There are no public funds programmed for acquisition of this land.

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

Is not applicable—no street location justification.

I. *A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises 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.

This would not be a “spot zone,” but instead creates an aesthetically pleasing transition between adjacent residential uses and the Drain trail and the sliver of riverside bosque open space.

J. *A zone change request which would give a zone difference 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 applicable adopted sector development plan or area of 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 due to traffic or special adverse land uses nearby.

This is not a “strip zoning,” it is not a commercial development and it is not on a commercial street.

In sum, the applicants submit that this SUP zone and use is the best fit for this transition location and for meeting County goals.

2017 Traffic Flows for the Greater Albuquerque Area

Map prepared by the Mid-Region Council of Governments (MRCOG) in cooperation with the New Mexico Department of Transportation, the local governments in the Albuquerque Metropolitan Planning Area, and the U.S. Department of Transportation, Federal Highway Administration. Map prepared September 2018.

An online version of this map with complete and historic traffic count information and additional maps can be found at: www.mrcog-nm.gov



Average Weekday Traffic

