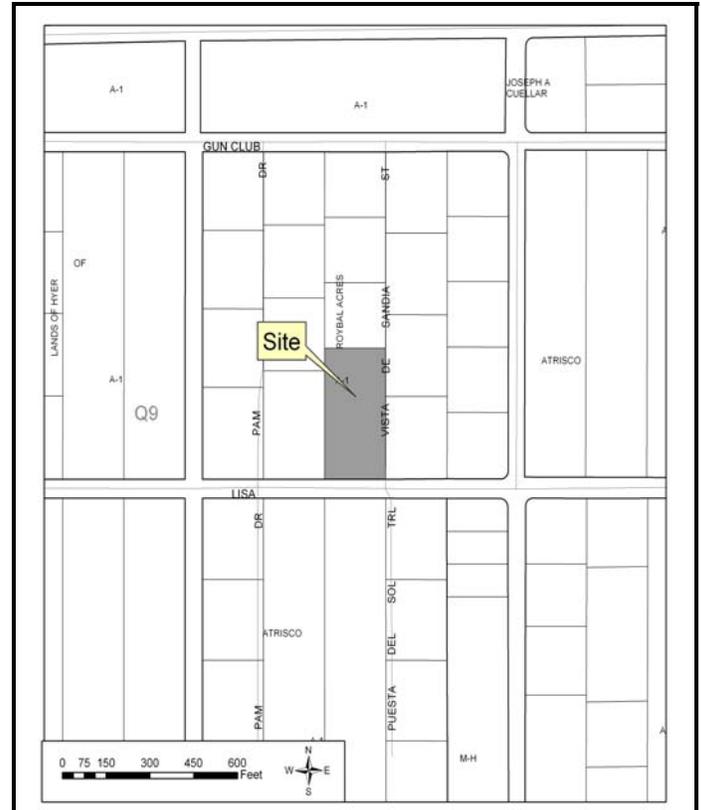


<b>Applicant:</b>	Blas & Maria Elena Munoz
<b>Agent:</b>	R2 Consulting Services
<b>Location:</b>	Northwest Corner of Lisa Road and Vista De Sandia SW
<b>Property Size:</b>	2 acres (approximately)
<b>Existing Zone:</b>	A-1
<b>Proposed Request:</b>	R-1
<b>Recommendation:</b>	Approval



<b>Summary:</b>	<p>The applicant is requesting a zone map amendment from A-1 to R-1 for approximately two acres located just south of Gun Club Road SW at the northwest corner of Lisa Road and Vista De Sandia Street SW. The subject site is currently vacant. The applicant anticipates subdividing the property into two lots for the construction of two single family dwellings.</p> <p>The subject site is located in the Developing Urban Area as designated in the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area Five (4) of the Southwest Area Plan.</p>
<b>Staff Planner:</b>	Adella Gallegos, Associate Program Planner

- Attachments:**
1. Application
  2. Land Use Map

Bernalillo County Departments and other interested agencies reviewed this application from 3/35/08 to 4/14/08. Agency comments are verbatim and were used in preparation of this report, which begin on page 9.

**AGENDA ITEM NO.: 8**  
**County Planning Commission**  
**May 7, 2008**

CZ-80002 R2 Consulting Services, agent for Blas & Maria Elena Munoz, requests approval of a zone map amendment from A-1 to R-1 on Tract 4, Roybal Acres, SP-80-419, located on the northwest corner of Lisa Road and Vista de Sandia Street SW, and containing approximately 2 acres. (Q-9)

**AREA CHARACTERISTICS AND ZONING HISTORY**

**Surrounding Zoning & Land Uses**

<b>Site</b>	<b>Zoning</b>	<b>Land Use</b>
	A-1	Vacant
<b>North</b>	A-1	Residential Dwellings, mobile homes and manufactured homes
<b>South</b>	A-1 & M-H	Residential Dwellings, mobile homes and manufactured homes and
<b>East</b>	A-1	Residential Dwellings, mobile homes and manufactured homes
<b>West</b>	A-1	Residential Dwellings, mobile homes and manufactured homes

**BACKGROUND:**

**The Request**

The applicant is requesting a zone map amendment from A-1 to R-1 for approximately a two acre tract of land located at 3720 Gun Club Road SW. The site is currently vacant. The applicant anticipates subdividing the property into to lots of equal size for the purpose of constructing two single family dwellings.

Request Justification

The applicant contends the request is consist with density elements of the Albuquerque/- Bernalillo County Comprehensive Plan and the Southwest Area Plan. In addition, the applicant contends that change neighborhood conditions exists with the approval of two separate "Planned Development Areas" in close proximity and the existence of M-H and R-1 zoning to the south and east of the site.

**Surrounding Land Use and Zoning**

The subject site is currently vacant and predominately surrounded with A-1 zoning. M-H zoning also exists south of Gun Club Road. The majority of the platting surrounding the site appears to be approximately one acre in size with the exception of the M-H zoned tracts situated just southeast of the site. The M-H zoning just south of the site on Gun Club Road was approved by the Board of County Commissioners in 1973 (CZ-73-8). Residential development surrounding the site includes a large number of mobile homes and manufactured homes.

The most current zoning activity in the site was the approval of a Planned Development Area for seventy-nine single family dwellings on a sixteen acre tract of land located just east of the site (CSU-40037 – Remington Estates) was approved by the Board of County Commissioners on May 24, 2005.

**APPLICABLE PLANS AND POLICIES:**

**Albuquerque/Bernalillo County Comprehensive Plan**

The site is located in the Established Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan. The Goal for this land use area is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities with the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.

**Policy a** states that the Established and Developing Urban Areas shall allow a full range of urban land uses, resulting in an overall gross density of up to five dwelling units per acre.

**Policy d** states that 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, or recreational concern.

**Policy e** states that new growth shall be accommodated through development of areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.

**Policy g** states that development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

**Southwest Area Plan (SWAP)**

The site is located in Residential Area Four (4) of the Southwest Area Plan.

**Policy 23** states that all development and subdivisions shall be required to limit the level of water runoff generated from new construction or paving in order to reduce velocity and volume of runoff, and to ensure the viability and capacity of down stream facilities.

**Policy 29** states the County and City shall stabilize residential zoning and land use in the Plan area.

**Policy 30(g)** allows up to six (6) dwelling units per net acre in Residential Area Four (4), when City sewer is available. Between Gun Club Lateral and the '5050' elevation line, there shall be a maximum density of one dwelling unit per net acre when using individual liquid waste disposal systems.

**Bernalillo County Zoning Ordinance**

Section 9. R-1 Single-Family Residential Zone.

A. The regulations set forth in this section or set forth elsewhere in this ordinance, when referred to in this section, are the regulations in the R-1 Residential Zone. The purpose of this zone is to provide for the development of single-family homes on lots not less than  $\frac{3}{4}$  [of an] acre in area, except that where community water and sewer facilities are made available, the lot size may be reduced consistent with development densities in the Albuquerque/Bernalillo County Comprehensive Plan. The regulation provide for the health, safety and welfare of the residents.

D. Area Regulations:

1. Minimum Lot Area and Lot Width for the R-1 zone requires that: "every lot to have a minimum area of not less than three-quarters (of an) acre and a minimum lot width of 60 feet, except that where community water and sewer facilities are available, the lot area may be decreased to 8,000 square feet if located in the Developing, Established or central Urban Areas, or 14,520 square feet if located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan.

**Resolution 116-86** defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted Bernalillo County Zoning Ordinance.

- 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.

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- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans which have been adopted by the Board of County Commissioners.
- D. Stability of the 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.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
  - 1. An error in the original zone map.
  - 2. Changed neighborhood conditions, which justifies a change in land use or
  - 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the Board of County Commissioners.
- F. A land use change 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.
- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request which would give a zone different from the 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 revitalization 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.
- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a "strip zoning." 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.

**ANALYSIS:**

**Surrounding Land Use and Zoning**

The subject site is currently vacant and surrounded with A-1 zoning with the exception of the M-H zoning to the southeast of the site south of Gun Club Road, SW. Excluding the M-H zoned lots to the south of the site, the platting pattern surrounding the site appear to be approximately one acre in size. Development surrounding the is primarily residential with the majority of the residential development occurring east of the site. The residential development surrounding the site includes a large number of mobile homes and manufactured homes.

**Plans**

This site is located in the Developing Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The principal Goal for the Developing Urban Area of the Comprehensive Plan addresses the creation of 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 lifestyles, while creating a visually pleasing built environment.

This subject site is located in the Developing Urban Area of the Comprehensive Plan calls for an overall density of five dwelling units per acre in this area.

The Southwest Area Plan allows up to six (6) dwelling units per net acre in Residential Area Four (4), when City sewer is available. Between Gun Club Lateral and the '5050' elevation line, there shall be a maximum density of one dwelling unit per net acre when using individual liquid waste disposal systems. The subject site is not located between the Gun Club Lateral and the 5050' elevation line.

Given the location of this parcel in relation to the Comprehensive Plan and the Southwest Area Plan, this request is not in significant conflict with the elements of these plans and appears to be consistent with the criteria as it relates to density requires for this area of the South Valley.

**Zoning Ordinance**

This request is consistent with Resolution 116-86 of the Zoning Ordinance in that it appears that changed neighborhood conditions exists away from agricultural uses towards a trend of low to medium density residential development occurring surrounding the site.

In addition, this proposed zone change is a "spot zone" and it can be approved since it will facilitate the realization of the Comprehensive Plan and the Southwest Area Plan.

**Agency Comments**

The Public Works Division has noted that road improvements may be required in the future.

**Analysis Summary**

Zoning	
Resolution 116-86	R-1 zoning is appropriate for the area given the changed neighborhood conditions away from agricultural towards the development of low to medium density residential development
Plans	
Comprehensive Plan	Consistent with Developing and Established Urban designation for mixed uses and density criteria.
Southwest Area Plan	The proposed request would stabilize residential zoning and is consistent with the density criteria for Residential Area Four.
Other Requirements	
Public Works	Road improvements may be required in the future.

**Conclusion**

The subject site is located in an area where development appears to be moving away from agricultural uses towards a continuance of residential development. The subject site is surrounded with residential development that includes a large number of manufactured homes and mobile homes.

Resolution 116-86 states criteria for evaluating a zone change requires that the proposal clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area plan. Based on the applicable plans for this area of the South Valley, it appears that the proposed request for a zone map amendment can assure the integrity of the existing neighborhoods and is consistent with the recommended residential densities of the Comprehensive Plan and the Southwest Area Plan.

**RECOMMENDATION:**

Approval of CZ-80002 based on the following Findings.

Adella Gallegos,  
Associate Program Planner

COUNTY PLANNING COMMISSION

May 7, 2008

CZ-80002

**FINDINGS:**

1. This is a request for a zone map amendment from A-1 to R-1 on Tract 4, Roybal Acres, SP-80-419, located on the northwest corner of Lisa Road and Vista de Sandia Street SW, and containing approximately 2 acres.
2. The property is located in the Developing Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area Four (4) of the Southwest Area Plan.
3. The request is consistent with Resolution 116-86 in that changed neighborhood conditions have occurred in the immediate area with residential development that justifies the request.
4. The request is consistent with the recommended density requirements for the Developing Urban Area of Albuquerque/Bernalillo County Comprehensive Plan, which allows five dwelling units per acre; and, Residential Area Four (4) of the Southwest Area Plan, which allows six dwelling units per acre.
5. This request is not a spot zone because the change will clearly facilitate realization of the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan in that the subject site is located in the Developing Urban Area and Residential Area Four (4).
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

**BERNALILLO COUNTY DEPARTMENT COMMENTS**

Environmental Health:

1. Provide a water and sewer avail. Statement.
2. Upon development provide a drinking water and wastewater system that meets the current Bernalillo County Ordinance.
3. Fugitive dust permits may be required at time of development.
4. Provide a mosquito control plan for any on-site ponding.

Fire: No comments received.

Zoning Administrator: No comments received.

Zoning Enforcement Manager:

Based on the above comments there is no adverse comments at this time.  
There are no zoning violations.

Building Department Manager: No comments received.

Public Works:

DRAN:

No adverse comment to zone change request. This property is subject to Bernalillo County Code Chapter 38, "Floods". Prior to any development or additional development of this property a drainage submittal meeting the requirements of the Code will be required.

DRE

Road improvements may be required at the time of subdivision.

Parks & Recreation: No comments received

Sheriff's: No comment received

**COMMENTS FROM OTHER AGENCIES**

MRGCOG:

MPO Project ID # 838.0 "Gun Club Rd Bike Lanes / Trail Stage I" is a Bernalillo County project to build bike lanes / trail along Gun Club Rd. No money has been programmed for this project in the 2008-2013 timeframe. Coordination with County Public Works is recommended to insure development consistent with this project.

For information purposes, Gun Club Rd has a functional classification of urban collector.

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AMAFCA: No comment.

City Planning Department/Development Services: No comments received.

City Open Space: Open Space has no adverse comments.

Municipal Development Dept.:

Transp. Planning: No comments received.

Transp. Development: No adverse comments.

City Transit: No comments received.

ABCWUA/Utility Development Section: Public water/sewer is not available to this property.

City Environmental Health: No comments received

NM Department of Transportation: No comments received.

Albuquerque Public School: No comments received.

PNM:

No comment based on the information provided to date. It is the applicant's obligation to determine and accommodate existing utility easements that cross the property, to dedicate utility easements, and to abide by any conditions or terms of such easements.

**NEIGHBORHOOD ASSOCIATIONS:**

South Valley Coalition of Neighborhood Associations

South Valley Alliance

South West Alliance of Neighbors