

PLANNING DEPARTMENT
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OFFICIAL NOTIFICATION OF DECISION

July 21, 2022

City of Albuquerque
Parks & Recreation Dept.
1 Civic Plaza
Albuquerque, NM 87102

Project # PR-2022-007158
RZ-2022-00032– Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, agent for City of Albuquerque, requests a Zoning Map Amendment from R-1D to NR-PO-A, for all or a portion of the easterly portion- strip of land, and the westerly portion- strip of land, in the SE quadrant of Section 28, Township 10 North R3E, Albuquerque Land Grant, located north of Gibson Blvd. SE, between University Blvd. SE and Buena Vista Dr. SE, approximately 5 acres (L-15-Z).
Staff Planner: Sergio Lozoya

On July 21, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007158/RZ-2022-00032, a Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a Zoning Map Amendment for an approximately 5-acre site, legally described as the easterly portion- strip of land, and the westerly portion- strip of land, in the SE quadrant of Section 28, Township 10 North R3E located north of Gibson Blvd SE, between University Blvd SE, and Buena Vista Dr SE (“the subject site”).
2. The easterly portion subject site is vacant. The westerly portion of the subject site is being used as temporary storage by the Albuquerque Housing Authority. The subject site is zoned R-1D (Residential – Single Family Zone District).
3. The applicant is requesting a zone change to NR-PO-A (Non-residential – Park and Open Space, Sub-zone A: City-owned or Managed Parks Zone District) to reflect the current ownership and management of the subject site by the City of Albuquerque.
4. The subject site is in an area that the Comprehensive Plan designated an Area of Consistency. It is not located along a Major Transit Corridor and is not located in a Center as designated by the Comprehensive Plan.
5. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.

6. The request furthers the following, additional goals and policies from Comprehensive Plan Chapter 5: Land Use:

- A. Goal 5.2- Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

The request would foster communities where residents can live, work, learn, shop, and play together because the subject site is immediately adjacent to multi-family and low-density residential development, and is nearby a variety of land uses and zone districts. The addition of a City owned park would contribute to the development of a complete community.

- B. Policy 5.2.1- Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods

The request would contribute to creating a healthy and sustainable community with a mix of uses because it would facilitate development of a City owned park, and would be conveniently accessible by the surrounding established neighborhoods

- C. Goal 5.6- City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is within an Area of Consistency as designated by the Comprehensive Plan. The request would reinforce the character and intensity of the surrounding area by providing a City owned, public park for the surrounding multi-family and single-family developments.

- D. Policy 5.6.1- Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan.

The subject site is located near multi-family, single family, and commercial development and is near The Pit, and Isotopes Stadium. The request would facilitate the development of a City Owned Park in an area that is highly used for recreation, and cultural activities and would support existing uses while providing visual relief from urbanization.

- E. Policy 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The subject site is adjacent to an established single-family neighborhood, outside of a Center or Corridor as designated by the Comprehensive Plan. The request would protect and enhance the character of the neighborhood by facilitating the development and classification of the subject site as a City Owned, public park. The NR-PO-A would limit the types of development allowed on the subject site and would relieve development pressure in the area.

7. The request furthers the following Goals and policies from Comprehensive Plan Chapter 10: Parks and Open space:

- A. Goal 10.1- Facilities & Access: Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

The request would ensure adequate facilities and access to them by facilitating the development of a City owned park within an established neighborhood. The subject site's connection with the Genevas Arroyo would ensure that natural resources are used responsibly by preserving the subject site as a public park.

- B. Policy 10.1.1- Distribution: Improve the community's access to recreational opportunities by balancing the City and County's parks and Open Space systems with the built environment.

The request would improve the community's access to recreational opportunities by facilitating the designation and development of the subject site as a City Owned Park, within the established South Yale neighborhood. The subject site is located directly adjacent to varying densities of residential development, the request would improve the community's access to recreational opportunities, and would balance the City Park system with the built environment.

- C. Sub-Policy 10.1.1(a)- Distribution: Distribution: Protect and maintain a high-quality, accessible system of recreation facilities and sites sufficient to serve all areas.

The request facilitates the protection and maintenance of a high-quality, accessible system of recreation facilities by designating the subject site as a City Owned public park. The City owned park would be easily accessible because the subject site is located within an established single and multi-family neighborhood.

- D. Goal 10.2- Parks: Provide opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote community involvement for all residents.

The request to NR-PO-A is categorized as a City-owned Park or Managed Park. The request would enhance the quality of life for residents within the surrounding neighborhood, by preserving the natural landscape and provide opportunities for outdoor education, and recreation

- E. Policy 10.2.1- Park Types: Plan and implement a system of parks to meet a range of needs at different scales, including small neighborhood parks, community parks, active parks, regional parks, and linear parks

The request would facilitate the planning and implementation of a system of parks to meet a range of needs at different scales because the subject site is located near varying types and densities of residential development. The subject sites shape and size lend itself to create a linear community park.

8. The request furthers the following policy from comprehensive Plan Chapter 13: Resilience & Sustainability:

Policy 13.5- Community Health: Protect and maintain safe and healthy environments where people can thrive.

The request would protect and maintain safe healthy environments where people can thrive by adding additional acreage to the City's public park system. The subject site's location near varying densities of residential development contribute to community health, and accessibility.

9. The applicant has adequately justified the request pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-7(G)(3)-Review and Decision Criteria for Zoning Map Amendments, as follows:

A. Criterion A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Comprehensive Plan Goals and policies (and other plans if applicable) and does not significantly conflict with them. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding character, identity, complete communities, land uses, efficient development patterns, infill development, city development areas and compatibility and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, and general welfare.

B. Criterion B: The subject site is located in an Area of Consistency. The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request would clearly reinforce and strengthen the established character of the surrounding Area of Consistency.

The request also meets criteria 3 because a different zone district would be more advantageous to the community as articulated by the applicant's policy-based analysis discussed in Criterion A.

C. Criterion C: The subject site is located wholly in an Area of Consistency, so this criterion does not apply.

D. Criterion D: The applicant compared allowable uses in the existing R-1D zone district and the proposed NR-PO-A zone district. Uses that would be allowed such as event facility, stadium, high school, race track, and sports field would be unachievable due to the small size of the parcels and development standards required by the IDO.

E. Criterion E: The subject site is adequately served by existing infrastructure (requirement 1) and will have adequate capacity for the purposes of this request to serve as a Park or Open Space in the future.

F. Criterion F: The subject site is not located on a major street as University Blvd SE is designated as a Minor Arterial. However, the justification is not based on the location but based on the public recreation, use, and enjoyment it will provide the community.

- G. Criterion G: The request is not based on the cost of land or economic consideration, but to facilitate the development of an extensive City owned park network. The applicant has adequately demonstrated that the request clearly reinforces the established character of the area, and is more advantageous to the community as articulated by Comprehensive Plan Goals and policies.
- H. Criterion H: The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request would clearly reinforce and strengthen the established character of the surrounding Area of Consistency. Further, the applicant justified the spot zone using requirement 1: The area of the zone change is different from surrounding land because it can function as a transition between adjacent zone districts.

Properties to the north of the subject site are zoned R-1D, and properties to the south of the subject site are zoned R-T, R-MC, and MX-T. The subject site would serve as a transition between the varied zones by providing visual relief from the urban environment, and providing a green space for the established neighborhood.

10. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding Land Use, Parks & Open Space, and Resilience & Sustainability and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is consistent with the City's health, safety, morals, and general welfare.
11. The affected neighborhood organizations are the Clayton Heights Lomas del Cielo NA, District 6 Coalition of Neighborhood Associations, Kirtland Community Association, Nob Hill NA, San Jose NA, Silver Hill NA, South Broadway NA, Southeast Heights NA, Spruce Park NA, Sycamore NA, University Heights NA, Victory Hills NA, and Yale Village NA, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
12. A pre-application neighborhood meeting was held as A facilitated on Monday April 27, 2022 from 6:00 pm to 8:00 pm via Zoom. Several questions and comments were made by neighbors regarding the request, which were answered during the meeting. There was no unesolved issues or concerns.
13. As of this writing, Staff has not been contacted and is unaware of any opposition.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **August 5, 2022**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

for Alan M. Varela,
Planning Director

AV/CL/SL

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