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OFFICIAL NOTIFICATION OF DECISION

July 21, 2022

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

Project # PR-2022-007159
RZ-2022-00033– Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, agent for City of Albuquerque, requests a Zoning Map Amendment from NR-LM to NR-PO-A, for a Fraction of Lot 2, located in NE ¼ NE ¼ Section 11 T11N R3E, aka Tract F & Tract G, heirs of Filiberto Gurule Addition, located north of Balloon Fiesta Park, east of the North Diversion Channel, and west of San Mateo Blvd., approximately 9.5 acres (B-17-Z).
Staff Planner: Leroy Duarte

On July 21, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007159/RZ-2022-00033, a Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a Zoning Map Amendment for an approximately 9.5-acre site legally described as A Fraction of Lot 2 located in NE 1/4 NE ¼ Section 11 Town 11 North Range 3 East aka Tract F & Tract G Heirs of Filiberto Gurule Tract, located between the North Camino Diversion Channel and San Mateo Blvd. NE. (“the subject site”).
2. The subject site is currently vacant and bounded by vacant land, the North Camino Diversion Channel, and the Balloon Fiesta Park. It is zoned NR-LM (Non-Residential Light Manufacturing).
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 these properties 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 subject site is currently surrounded by vacant land, and lies south of the Balloon Fiesta Park and Museum (NR-PO-A). Designating it as a City- Owned Park or Managed Parks zone (NR-PO-A) would complement the existing NR-PO-A zone and provide the community a place where residents can live, learn and play together.

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

The request would create a healthy, sustainable amenity to the nearby Wildflower Area that would add acreage to the existing Balloon Fiesta Park (NR-PO-A) and would become conveniently accessible to the surrounding neighborhoods west of the site.

- 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 request would allow the subject site to become part of the City's network of Parks- Balloon Fiesta Park. The request would expand to the Balloon Fiesta Park reinforcing the character and intensity in an Area of Consistency.

- 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 area.

The request would provide visual relief from potential Light Manufacturing development that would be allowed within the NR-LM zone. The request would become part of the parks network connecting to the Balloon Fiesta Park, North Camino Diversion Channel trail and the Bosque Trail and would provide opportunities for biking and walkability.

- 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 request would protect and enhance the character of the surrounding area by removing uses that are permissive-Light Manufacturing and also enhancing the acreage of the Balloon Fiesta Park, keeping this area outside of a center consistent to its surroundings.

7. The request furthers the following policy 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 subject site is adjacent to the Balloon Fiesta Park. The request would add to the existing park and open space and potentially add connectivity access to the both North Camino Diversion Channel and Bosque Trails. The request would meet the needs of all residents and natural resources.

- 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 adding additional acreage to the Balloon Fiesta Park and create connectivity to the North Camino Diversion Channel Trail, creating a balance between parks an open space and the Non-Residential Light manufacturing zone it abuts.

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

The request would protect and add an additional acreage to the existing recreation facilities and site-Balloon Fiesta Park which serves the public.

- 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, recreation, and cultural activities within the Balloon Fiesta Park.

- 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 implement a system of parks and connectivity to the internationally recognized Balloon Fiesta Park and a natural node such as the North Camino Diversion Channel. The park would meet a range of needs at different park scales. The Balloon Fiesta Park serves the needs on a regional and international scale whereas the North Camino Diversion Channel would meet the needs of the small neighborhood.

8. The request furthers the following goals and policies 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 Balloon Fiesta Park, preserve the natural

landscape, remove light manufacturing uses from the site and promoting connectivity between existing parks and trails.

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, and general welfare is shown by demonstrating that the request furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

Applicable citations: Goal 5.2 Complete Communities; Policy 5.2.1 Land Uses; Goal 5.6 City Development; Policy 5.6.1 Community Green Space; Policy 5.6.3 Areas of Consistency; Goal 10.1 Facilities & Access; Policy 10.1.1 Distribution; Sub-policy (a) 10.1.1 Distribution; Goal 10.2 Parks; Policy 10.2.1 Park Types and Policy 13.5 Community Health.

The applicant's policy-based response satisfactorily 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 has demonstrated that the new zone would clearly reinforce and strengthen the established character of the surrounding area by maintaining its use and strengthening the established character by adding more acreage to the already existing Balloon Fiesta Park.

The applicant's policy-based analysis (see response to Criterion A) demonstrates that the request would further a preponderance of applicable Comprehensive Plan Goals and policies and therefore would be more advantageous to the community than the current zoning.

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 NR-LM 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 sites do not have access to Water Authority Infrastructure. Applicant would have to fulfill its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA). Applicant has stated there are no plans for development, therefore exiting infrastructure such as streets and trails do have adequate capacity to serve.

- F. Criterion F: The subject site is not located on a major street. The justification is based on the public recreation, use, and enjoyment it will provide the community. The response to Criterion F is sufficient.
- G. Criterion G: The request is not based on the cost of land or economic consideration, but for providing access and connectivity to an already existing Park and Open Space (Balloon Fiesta Park) for the community. The applicant has demonstrated that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character.
- H. Criterion H: The request would not create a spot because there is NO-PO-A zoning adjacent to the subject site, which the request would add to.
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 North Valley Coalition, North Valley Coalition, District 4 Coalition of Neighborhood Associations, Alameda North Valley Association, North Edith Commercial Corridor Association, Vista Del Norte Alliance, and Wildflower Area Neighborhood Association, 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/LD

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