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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-2022-007160**  
RZ-2022-00034– Zoning Map Amendment (Zone Change)

### LEGAL DESCRIPTION:

Consensus Planning, agent for City of Albuquerque, requests a Zoning Map Amendment from NR-PO-C to NR-PO-A, for the westerly portion of Springer Transfer continuing Tract C, except a portion to the Right of Way, located at 1226 Walter St. NE, between Mountain Rd. and Kinley Ave., approximately 0.8 acre (J-15).  
Staff Planner: Leroy Duarte

On July 21, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007160/RZ-2022-00034, a Zoning Map Amendment (Zone Change), based on the following Findings:

1. The request is for a Zoning Map Amendment for an approximately 0.8-acre site legally described the westerly portion of Springer Transfer continuing Tract C, except a portion to the Right of Way, located between Mountain Rd. and Kinley Ave. (“the subject site”).
2. The subject site is currently a privately-owned park and is bounded by single family residential homes to the north south and west, and a religious institution to the east. It is zoned NR-PO-C (Non-residential Park and Open Space sub-zone C: Non-City Parks and Open Space).
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 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 or 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 5.1- Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

The subject site is within 660 ft of a major transit corridor. The request would provide the surrounding community a park/ open space that would promote walkability and would be connected by multi-modal network of corridors.

- B. Sub-Policy (a) 5.1.1 Desired Growth: Create walkable places that provide opportunities to live, work, learn, shop, and play.

The subject site currently serves as a private park. The request would provide the surrounding community a public park/ open space that would create walkable places that provide opportunities to learn and play

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

The subject site is currently surrounded by residential single-family homes and a religious institution. The request would designate the site as a public open space zone and would provide the surrounding community a place where residents can live, learn and play together.

- D. 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 allow the subject site to become part of the City's network of Open Spaces, therefore creating and expanding more opportunities that would be conveniently accessible to the residents of the Martineztown neighborhood. The request would convert a privately-owned park into a public park.

- E. Sub-Policy (e)- 5.2.1 Land Use: Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would create healthy sustainable communities with a mix of uses such as a public park that would provide a designated area for outdoor activities that would be located in a centralized urban area and would be conveniently accessible to the surrounding neighborhood.

- F. 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 allow the subject site to become part of the City's network of Park/ Open Spaces, therefore providing visual relief from urbanization and offer

opportunities for education and recreation to the residents of the Martineztown neighborhood by converting a privately-owned park into a public one.

- G. 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 existing Martineztown single-family neighborhood by transitioning the park use from private to public. The park has been part of the neighborhood for many years, the request would enhance the community by providing public access to the community and keeping the character of the area consistent.

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 subject site is located within the Martineztown neighborhood the request would provide parks that would meet the need of the residents in the Martineztown neighborhood. The request would preserve the existing privately-owned park and would expand and provide an accessible Park/ Open Space amenity to all residents.

- 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 balancing the City and County's parks and Open Space systems with the built environment, by converting a privately-owned park into a public one that would be added to the City's network of parks and open spaces.

- C. 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/ Open Space. The request would enhance the quality of life for residents within the surrounding Martineztown neighborhood, by providing outdoor recreation that would meet the needs of the community, enhance quality of life and promote community involvement by providing a location for recreation and outdoor activities.

- D. 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 that would meet the needs of the Martineztown neighborhood which is a small neighborhood, the request addresses the

need and scale by providing the neighborhood with a park that is comparable in size to the surrounding area.

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

Policy 13.5.2- Healthful Development: Encourage public investments and private development that enhance community health.

The request would provide access to Open Space within an existing residential community and adjacent to an employment center, therefore continuing to enhance the health of the surrounding community.

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 5.1 Centers and Corridors; Goal 5.2 Complete Communities; Policy 5.2.1 Land Use; Policy 5.6.1 Community Green Space; Policy 5.6.3 Areas of Consistency; Goal 10.1 Facilities & Access; Goal 10.2 Parks; 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 land uses, parks and open spaces and resilience and sustainability 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 of the park by converting its use from private to city-owned or managed.

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-PO-C zone district and the proposed NR-PO-A zone district. Uses that would be allowed such as stadium, high school, and race track would be unachievable due to the small size of the

parcel and development standards required by the IDO, therefore the request will not result in harm.

- 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. The justification is based on the public recreation use and public access it will provide the community.
  - 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 (Santa Barbara) 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 create a transition from the surrounding zones MX-M, MX-T and MX-L into a public park NR-PO-A that would be accessible to the Santa Barbara/ Martineztown 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 ABQ Core Neighborhood Association (NA), Barelas NA, Citizens Information Committee of Martineztown, District 6 Coalition of NAs, District 7 Coalition of Ns, Downtown Neighborhoods Association, EDo NA Incorporated, Huning Highland Historic District Association, Martineztown Work Group, Near North Valley NA, Netherwood Park NA, North Campus NA, North Valley Coalition, Reynolds Addition NA, Santa Barbara Martineztown NA, Silver Hill NA, South Broadway NA, Spruce Park NA, Sycamore NA, The Lofts @ 610 Central SW Owners Association Incorporated, Wells Park NA, University Heights NA, and Victory Hills 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 unresolved 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 15<sup>th</sup> 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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OFFICIAL NOTICE OF DECISION

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