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OFFICIAL NOTIFICATION OF DECISION

July 21, 2022

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

Project # PR-2022-007163
RZ-2022-00037– Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, agent for the City of Albuquerque, requests a Zoning Map Amendment from R-1A to NR-PO-A, for all or a portion of Lots 1-12, Block 5, Albright & Moore Addition, the vacated N/S alley adjacent to Block 5 Albright & Moore Addition & Block 2 Romero Addition & E/W alley Block 2 Romero Addition, Lots 1-7 & 13-19, Block 2, Romero Addition, bounded by 5th & 6th St. NW & Rosemont & Summer Ave. NW, approximately 2.3 acres (J-14-Z). Staff Planner: Silvia Bolivar

On July 21, 2022, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2022-007163/RZ-2022-00037–a Zoning Map Amendment (Zone Change) based on the following Findings:

1. The request is for a Zoning Map Amendment (zone change) for an approximately 2.3-acre site legally described as Lots 1-12, Block 5, Albright & Moore Addition, the vacated N/S alley adjacent to Block 5, Albright & Moore Addition & Block 2 Romero Addition & E/W alley Block 2 Romero Addition, Lots 1-7 & 13-19 Block 2, Romero Addition, bounded by 5th & 6th Street NW & Rosemont & Summer Avenue NW (the “subject site”).
2. The subject site is zoned R-1A (Residential – Single-Family Zone District) which was converted from the former zoning category SU-2/ S-R (Sawmill-Residential).
3. The applicant is requesting a zone change to NR-PO-A (Non-residential – Park and Open Space - City-Owned or Managed Parks) in order to reflect the current ownership and management of the parcels by the City of Albuquerque Parks Department.
4. The subject site is in an Area of Consistency as designated by the Comprehensive Plan and is in the Central Albuquerque Community Planning Area (CPA).
5. The subject site is within 660 feet of 4th Street NW, classified as a Main Street Corridor as designated by the Comprehensive Plan.

6. The subject site is within the boundaries of the Sawmill/Wells Park Character Protection Overlay Zone, CPO-12.
7. The property is located within the boundaries of the Sawmill-Wells Park MRA Plan, which allows the City of Albuquerque to enter into public-private partnerships and contribute City resources to redevelopment projects if they benefit the public and implement the plan.
8. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
9. The request furthers the following Goals and Policies from Chapter 4: Community Identity:

A. Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

The request will contribute to enhancing, protecting, and preserving the community. The area is characterized by single-family development with a variety of parcel and building sizes along with commercial development that are in Areas of Consistency. The requested NR-PO-A zoning will allow development of a park, similar to development south of the subject site and will help create a harmonious relationship between the proposed park and the existing surroundings. Wells Park is a distinct community and the development under the NR-PO-A zone will allow the pattern of development that exists south of the site to continue while preserving the community.

B. Policy 4.1.2 – Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The proposed zone map amendment will protect the identity and cohesiveness of the neighborhood by adding a similar zone district that is located south of the subject site and will contribute to homogeneity. The zone change uses an existing zone in the area that will support the development of the site while reinforcing the established character of the existing neighborhood. If the Applicant should choose not to develop the site if the request is granted, future development under the NR-PO-A zone would be subject to applicable IDO standards that would serve to protect and preserve the identity and design of the neighborhood.

C. Policy 4.2.2 Community Engagement – Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.

The request furthers this policy as the applicant has met with neighborhood associations, specifically the Wells Park Neighborhood Association and explained the intent behind the zoning map amendment. The applicant discussed the proposed development if the zone map amendment were to be approved and answered questions from the community.

Furthermore, the Parks and Recreation Department undertook a six-month public engagement process in the second half of 2020 to develop a community-based vision for the redevelopment of the property. During that time, the City asked residents to share community stories, ideas and aspirations for the site and encouraged participation using multiple community meetings, online

engagement tools, art installations, and other participatory methods. The outcome has been a shared vision for the site and the City's Parks and Recreation Department will use this shared vision as the basis for the master planning and site development. Community engagement is crucial in the process of a zoning map amendment and the applicant has facilitated informational meetings with stakeholders who will ultimately support or oppose the request.

10. The request furthers the following Goals and Policies from Chapter 5: Land Use pertaining to walkability and land use:

A. Subpolicy 5.1.1(a): Create walkable places that provide opportunities to live, work, learn, shop and play.

The request for a zone map amendment will facilitate development of a neighborhood park and will allow the existing community center located south of the subject site to expand if the City should decide to do so. The request will create a walkable place that will provide opportunities to live, work, learn, and play as there is a mix of land uses nearby and a well-connected network of short blocks. The request will allow for the proposed park to tie into existing assets found in Wells Park/Johnny Tapia Community Center that include basketball courts, picnic tables, splash pad, a playground, and the community Center. Area assets also include Tiguex Park, Old Town Plaza, and the Hartwood Art Center. As stated above, the requested NR-PO-A zone would provide opportunities to live, work, learn and play while tying into the area assets that would further provide these opportunities.

B. Subpolicy 5.1.9(b): Minimize negative impacts on nearby neighborhoods by providing transitions between development along Main Street Corridors and abutting single-family residential areas.

The subject site is within 660 feet of 4th Street NW, a Main Street Corridor and the request for a zone map amendment will help minimize the negative effects of this corridor. There are moderate intensity zones (MX-M) that directly abut commercial uses along 4th Street NW and these MX-M zones abut the R-1A zones. The development of a park facilitated by the rezone will allow for a careful transition in building scale and site layout between the Main Street Corridor, commercial development, and residential lots.

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

The request will facilitate development of the subject site, which will provide additional opportunities for residents to play together. The request will foster complete communities where residents can live, work, learn, and play together because the proposed park will be within walking distance of residential neighborhoods and is within 660 feet of 4th Street NW, a Main Street Corridor that has a diverse business mix.

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 site is located north of Wells Park and the Johnny Tapia Community Center. The Wells Park property is co-managed between the City of Albuquerque's Family and Community Services who

manages the Community Center and related programming while the City's Parks and Recreation Department manages the park area. The zone map amendment will facilitate development of the subject site and will create a mix of uses in conjunction with Community Services & the Parks and Recreation Department that will be conveniently accessible from surrounding neighborhoods while creating a healthy, sustainable and distinct community.

- E. Subpolicy 5.2.1(a): Encourage development and redevelopment that brings goods, services and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request will encourage development and redevelopment of a vacant block that will bring services and amenities to the neighborhoods. The close proximity to Wells Park and the Johnny Tapia Community Center will provide an opportunity to build off the existing facilities located in these areas that will be within walking and biking distance of neighborhoods while promoting good access for all residents.

- F. Subpolicy 5.2.1(e): Create healthy, sustainable communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

If the zone map amendment is approved, the area will be rezoned and the allowable uses under NR-PO-A will include a City managed park that will be conveniently accessible from surrounding neighborhoods that consist of a well-connected network of short blocks.

- G. Subpolicy 5.2.1(n): Encourage productive use of vacant lots and under-utilized lots, including surface parking.

The request will encourage productive use of the vacant and under-utilized block by preserving open space, providing the opportunity to revitalize the block, and making efficient use of the vacant land. Furthermore, the request will enhance sustainability efforts by making efficient use of existing community amenities and infrastructure while also facilitating development of a park, and, once the site is programmed, will create a mixture of uses.

11. The request furthers the following Goals and Policies from Chapter 5: Land Use, pertaining to Development Patterns, Areas and Community Spaces:

- A. Goal 5.3 – Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient land use of land to support the public good.

The surrounding neighborhoods are already developed and the area is served by existing infrastructure and public facilities, so the development made possible by the request will promote efficient development patterns and use of land.

- B. 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.

Future development of the subject site will be subject under the NR-PO-A zone and subject to the IDO requirements including neighborhood edges, landscaping, buffering and screening, and dimensional standards. The standards will help ensure appropriate scale and location of development, character of design while reinforcing the intensity and character of the surrounding area that is predominantly single-family neighborhoods with a mix of moderate intensity development. The request will also allow the vacant land to be developed increasing the aesthetics of the community while protecting its' character.

- C. 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 Comprehensive Plan area.

The request will provide visual relief from urbanization while offering opportunities for education, recreation, and cultural activities by facilitating development of a City Managed park in a community that will benefit from additional services. The zone map amendment will facilitate development of a vacant block that has the potential to expand services provided by the Johnny Tapia Community Center at Wells Park.

- D. 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 will further this policy as the subject site is located in an Area of Consistency, where the Comprehensive Plan intends and encourages support of zone changes in predominantly single-family residential neighborhoods that help align the appropriate zone with existing land uses. It seeks to ensure that development will reinforce the scale, intensity, and setbacks of the immediately surrounding context. South of the subject site is the Johnny Tapia Community Center at Wells Park that is also zoned NR-PO-A and the rezoning of the vacant parcels will help align this site with existing land uses found nearby.

- E. Subpolicy 5.6.3(d): In areas with predominantly single-family residential uses - support zone changes that help align the appropriate zone with existing land uses.

The requested NR-PO-A zone furthers subpolicy 5.6.3(d) because it will bring the zoning of the subject site into alignment with existing land uses found south of the subject site. The request will help create a harmonious relationship between the existing surroundings and the proposed while enhancing the unique qualities of the neighborhood through functional and visual relationships.

12. The request furthers the following Goals and Policies from Chapter 10: Parks & Open Space pertaining to facilities, access and distribution:

- 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 to rezone the property will facilitate development of the subject site and will allow the opportunity to help preserve open space by providing a park, an allowable use under the NR-PO-A

zone along with recreation facilities that will meet the needs of all residents while using natural resources responsibly.

- 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.

If the zone map amendment is approved, the request will help improve the community’s access to recreational opportunities in the area. Currently, the area is only served by Wells Park with the nearest park closest to the area being Tiguex Park, closer to Old Town than wells Park. The request will allow for more recreational opportunities if Wells Park is enlarged and will help balance the built environment. There are wide expanses of asphalt surfaces unrelieved by landscapes and the redevelopment of the site as a park will help alleviate some of the unfriendly pedestrian experience that can be found in the area.

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

The request will help protect and maintain an accessible system of recreation facilities that would be sufficient to serve all areas, specifically Wells Park. Again, there is no way to evaluate high-quality at this point in time as the request is for a zone map amendment, not a site plan. The subject site is closest to Wells Park which would be easily accessible by the residents in the area.

13. The request furthers the following Goals and Policies from Chapter 10: Parks & Open Space pertaining to parks and park types:

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

The site is located north of Wells Park and the Johnny Tapia Community Center. The Wells Park property is co-managed between the City of Albuquerque’s Family and Community Services who manages the Community Center and related programming while the City’s Parks and Recreation Department manages the park area. The zone map amendment will provide opportunities for outdoor education, recreation and cultural activities that will meet the community needs while enhancing the quality of life if the City should decide to expand the existing community center and park.

- B. 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 zone map amendment will help implement a system of parks that will meet a range of needs at different scales. The proposed park, allowable under the NR-PO-A zone will most likely be a neighborhood park (2.3 acres) that will serve a recreational and social purpose. The subject site is centrally located as it is connected to neighborhoods via sidewalks and within a reasonable walking distance which will be critical for residents to use the park.

Tiguex Park, closer to Old Town than Wells Park is approximately 8.2 acres while the Walker Property, if combined with Wells Park would equal 5.5 acres. Coronado Park, north of the subject site and closer to I-40 cannot be included in this policy analysis as the site is currently experiencing a high volume of people experiencing homelessness that reside on the property and area residents tend to avoid Coronado Park. The request furthers the request as a system of parks will be implemented that will meet a range of needs at different scales.

14. The request furthers the following Goals and Policies from Chapter 13: Resiliency & Sustainability:

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

The request will help protect and maintain a healthy environment where people can thrive if the City creates a park that is safe. The subject site is within walking distance of the nearby neighborhoods and walking will help promote a healthy environment thereby allowing people to thrive. Currently, Wells Park, located south of the subject site hosts members of the homeless population and the community has concerns regarding safety and security issues therefore it will be of utmost importance to provide a safe environment for area residents.

15. 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: The applicant’s policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding community identity, land use, efficient development patterns, parks and open space and does not present any significant conflicts with the Comprehensive Plan. Therefore, the request is generally consistent with the City’s health, safety, and morals and general welfare.

- B. Criterion B: The subject site is located wholly in an Area of Consistency. A zone change from R-1A to NR-PO-A would permit development that will clearly reinforce and strengthen the established character of the land located south of the site. A different zone district (NR-PO-A) would be more advantageous to the community than the existing zone district (R-1A), which the applicant’s policy analysis has shown to be less desirable than the current zone district. The request would further Comprehensive Plan Goals and policies relating to community identity, land use, efficient development patterns and parks and open space.

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

- D. Criterion D: The requested NR-PO-A (Non-residential – Park and Open Space Zone District (City-owned or Managed Parks)) and use of the subject site are intended to be a more neighborhood scale. Permissive uses in the NR-PO-A zone such as club or event facility, stadium, or sports fields could be harmful to nearby residences, but the IDO’s Development Standards serve to limit the overall density on the site, specifically for this 2.3 acre site. All future development under the NR-PO-A zone would be subject to applicable IDO standards

that will serve to protect and preserve the identity of the neighborhood while minimizing effects.

- E. Criterion E: The City's existing infrastructure and public improvements will have adequate capacity to serve the development made possible by the zone change (Criterion 1) . The request will enhance sustainability efforts by making efficient use of existing community amenities and infrastructure while also facilitating development of a park.
- F. Criterion F: The Applicant's justification is not completely based on the property's location on a major street. The property is located between Rosemont and Summer Avenues NW (local streets) and 5th and 6th Streets NW (minor arterials).
- G. Criterion G: Economic considerations are always a factor, but the Applicant's justification is not based completely or predominantly on the cost of land or economic considerations. Rather, the applicant has demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and therefore will be more advantageous to the community than the existing zoning.
- H. Criterion H: The applicant has sufficiently justified this criterion. The request will not result in a spot zone because it will not apply a different zone to one small area or one premises. The properties located south are zoned NR-PO-A.

- 16. The applicant's policy-based analysis adequately demonstrates that the request furthers a preponderance of applicable Goals and policies in the Comprehensive Plan and does not significantly conflict with them. Based on this demonstration, the proposed zone category will be more advantageous to the community than the current zoning.
- 17. The affected neighborhood organization is the Wells Park Neighborhood Association but since the City is the Applicant, several neighborhood associations were required to be notified (see attachments). Property owners within 100 feet of the subject site were notified as required.
- 18. The City of Albuquerque is requesting zoning map amendments to NR-PO-A for six properties that it has recently purchased. A combined pre-application facilitated meeting was held on April 27, 2022 with members of various neighborhood associations. It was discussed that the proposed zone map amendment would have several advantages to the communities including, but not limited to, placemaking initiatives, community green space, preservation of Areas of Consistency, etc. There was no opposition to the request.
- 19. As of this writing, Staff has not received any comments in support or opposition to the request.

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/SB

cc:

Consensus Planning, cp@consensusplanning.com
ABQCore Neighborhood Association
Barelas Neighborhood Association
Citizens Information Committee of Martineztown
Downtown Neighborhoods Association
EDO Neighborhood Association Incorporated
Historic Old Town Property Owners Association
Huning Castle Neighborhood Association
Huning Highland Historic District Association
Martineztown Work Group
Near North Valley Neighborhood Association
North Valley Coalition
Raynolds Addition Neighborhood Association
Santa Barbara Martineztown Neighborhood Association
Sawmill Area Neighborhood Association
South Broadway Neighborhood Association
The Lofts @ 610 Central SW Owners Association Incorporated
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