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OFFICIAL NOTIFICATION OF DECISION

June 16, 2022

City of Albuquerque
1 Civic Plaza
Albuquerque, NM 87102

Project # PR-2022-006906
RZ-2022-00024– Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, Inc, agent for City of Albuquerque, Parks and Recreation Department, requests a zone map amendment from R-1D to NR-PO-B for all or a portion of the southeasterly portion and the southwesterly portion of Tract E-1, Plat of Tracts E-1 thru E-5; the southerly portion and the southwesterly portion and the northerly portion of Tract D, Correction Plat of the Bulk Land of La Cuentista Subdivision, south of Rosa Parks Rd. east of Kimmick Dr., west of the Escarpment and north of the Escarpment, containing approximately 35 acres (C-11 and D-11)
Staff Planner: Leroy Duarte

On June 16, 2022, the Environmental Planning Commission (EPC) voted to APPROVE PR-2022-006906/RZ-2022-00024, a Zoning Map Amendment (Zone Change), based on the following findings:

1. The request is for a Zoning Map Amendment for an approximately 35-acre site(s) legally described as the northerly Portion of Tract D Correction Plat of the bulk land Plat of La Cuentista Subdivision (tracts A thru E); The south-westerly Portion of Tract D Correction Plat of the bulk land Plat of La Cuentista Subdivision (tracts A thru E); The southernly Portion of Tract D Correction Plat of the bulk land Plat of La Cuentista Subdivision (tracts A thru E); The south-westerly Portion of Tract E-1 Plat of Tracts E-1 Thru E-5 La Cuentista Subdivision (A Replat of Tract E of the Corrected Plat of the bulk land Plat of La Cuentista Subdivision); The south-easterly Portion of Tract E-1 Plat of Tracts E-1 Thru E-5 La Cuentista Subdivision (A Replat of Tract E of the Corrected Plat of the bulk land Plat of La Cuentista Subdivision), located between Kimmick Dr. NW and Ridgeway Dr. NW (“the subject site”).
2. The subject site(s) are currently vacant and surrounded by low density residential uses and open space. It is zoned R-1D (Single-Family Residential extra-large lot). La Cuentista and Piedras Marcadas Canyon Open Space lie adjacent to subject site(s).
3. The applicant is requesting a zone change to NR-PO-B (Non-residential – Park and Open Space, Sub-zone B: Major Public Open Space Zone District) to reflect the current ownership and management of these properties by the City of Albuquerque and to preserve the subject site as a

Major Public Open Space (MPOS).

4. The subject site is in an area that the Comprehensive Plan designated an Area of Consistency. It is not located on or in a Corridor or Center as designated by the Comprehensive Plan.
5. The Albuquerque/Bernalillo County Comprehensive Plan, the Major Public Open Space Facilities Plan (MPOS 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, applicable goals and policies from Comprehensive Plan Chapter 4: Community Identity:

- A. Policy 4.1.1- Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

The subject site(s) are within La Cuentista Subdivision that could be considered distinct because it is adjacent to the La Cuentista Open Space. The request to NR-PO-B is to not only reflect the City's ownership, but to protect the natural characteristics of the landscape and to preserve the areas for public recreation and use. This request would be consistent with the surrounding Open Space zone districts and distinct character of the surrounding land.

- B. Policy 4.1.3- Placemaking: Protect and enhance special places in the built environment that contribute to a distinct identity and sense of place.

The request would protect the distinct identity of the La Cuentista Subdivision and surrounding Open Space by preserving the subject site as a MPOS. The subject site(s) are adjacent to La Cuentista and Piedras Marcadas Canyon Open space, and residential developments to the east and west. The subject site(s) would expand to the existing open space and provide the surrounding community with a sense of place by not only preserving, but adding 35 acres to the land as MPOS.

- C. Policy 4.1.4(c): Support improvements that protect stable, thriving residential neighborhoods and enhance their attractiveness.

The request would protect the long-term health and vitality of the community by preserving the subject site as MPOS, remaining consistent with the adjacent Open Space. Based on one of the conditions for the Bulk Land Variance: The Variance will not permit, encourage or make possible undesired development in the 100-year floodplain; therefore, the request would protect and stabilize the attractiveness of the neighborhood.

- D. Goal 4.3- City Community Planning Areas (CPA): Protect and enhance the natural and cultural characteristics and features that contribute to a distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas.

The subject site(s) are within the Northwest Mesa CPA, which is described by the Comp Plan as being characterized by its proximity to the Petroglyph National Monument, and Rio

Grande. The request would protect the natural and cultural characteristics of the subject site(s) that contribute to the surrounding residential community and adjacent to La Cuentista and Piedras Marcadas Canyon open Space.

7. 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(s) are currently surrounded by existing open space- La Cuentista and Piedras Marcadas Canyon. Adding 35 acres to the existing open space network would foster the La Cuentista Subdivision community with more access to public open space where residents can live, learn and play together.

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

The subject site(s) are already served by existing infrastructure and public facilities, due to the surrounding residential community. The request would generally promote efficient development patterns and use of land by preserving land as that is adjacent to La Cuentista and Piedras Marcadas Canyon Open Space. The use of land would be efficient and support the existing open space network to support the public good.

- C. Policy 5.5.1- 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 request would allow the subject site(s) to become part of the City's network of Open Spaces, therefore creating and expanding more opportunities for the conservation of natural resources. The request would provide access to an additional Open Space area alongside the existing La Cuentista and Piedras Marcadas Canyon Open Space and provide the opportunity for education, recreation, cultural activities in a publicly owned MPOS in the Northwest Mesa. The request would allow the neighboring parcels of land to remain consistent with the existing open space that currently surrounds them.

- D. 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 located in an Area of Consistency, where development reinforces the character and intensity of the surrounding area. The request would allow the subject site(s) to remain consistent in respect to the characteristics and zoning to the existing adjacent open space properties.

- 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 the character of La Cuentista Subdivision a single-family neighborhood, by adding the subject properties to the City's publicly owned network of Open Space. The surrounding neighborhood La Cuentista Subdivision consists of low-density residential lots and is not located within a corridor or centers. There is existing Major Public Open space adjacent to the subject site(s).

8. The request furthers the following policy from Comprehensive Plan Chapter 7: Urban Design: Policy 7.3.1- Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

The subject site(s) are located in the Volcano Mesa Character Protection Overlay Zone and the Northwest Mesa Escarpment View Protection Overlay Zone. The request would preserve the natural features and cultural landscape as well as enhance and leverage the subject site(s) as an accessible Open Space amenity.

9. The request furthers the following goals and policies from Comprehensive Plan Chapter 10: Parks & 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(s) are adjacent to La Cuentista and Piedras Marcadas Canyon Open Space and are recognized as a natural amenity to the surrounding community. The request would preserve natural resources and would expand and provide an accessible 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 subject site(s) are adjacent to existing open space. The request would expand to La Cuentista and Piedras Marcadas Canyon Open space network allowing the opportunity to provide access to the existing open space network.

- 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-B is categorized as a Major Public Open Space. The request will enhance the quality of life for residents within the surrounding neighborhood, by preserving the natural landscape. The request would be accessible to the community, provide opportunities for outdoor education from the neighboring Chamiza Elementary School, recreation, and cultural activities.

- D. Goal 10.3- Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.
- E. Policy 10.3.1- Open Space Acquisition: Acquire significant lands throughout the community to shape the urban form, conserve natural and cultural resources, and protect agricultural land.

The request would reflect the subject site(s) as Major Public Open Space which would be maintained by the City of Albuquerque. Acquiring these parcels would conserve natural resources and protect the existing open space.

10. The request furthers the following policy from Comprehensive Plan Chapter 11: Heritage Conservation:

- A. Policy 11.3- Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

The subject site(s) are located in the Volcano Mesa Character Protection Overlay Zone, and located in the Northwest Mesa which is characterized by its proximity to the volcanoes and volcanic Northwest Mesa Escarpment that overlooks the river and mountains. The site(s) would enhance the area by protecting the cultural landscapes and retaining the identity of the overlay zone.

- B. Policy 11.3.1- Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

The Petroglyphs have cultural significance to the surrounding neighborhood due to its historical characteristics and natural features. The subject site(s) would preserve and enhance the cultural landscapes by matching the existing zoning NR-PO-B (La Cuentista and Piedra Marcadas Canyon Open Space), which would contribute to the identity of the neighborhood. Previous conditions on the site deter any undesired development to occur, therefore making the request for Open Space use complementary

- C. Policy 11.3.4- Petroglyph National Monument: Regulate adjacent development to protect and preserve the Petroglyph National Monument – its volcanoes, petroglyphs, and Northwest Mesa Escarpment – as a priceless cultural landscape and community resource that provides physical, cultural, and economic benefits.

The subject site(s) would regulate development and protect the Petroglyphs by regulating the land as NR-PO-B adding more land to the open space network that currently surrounds La Cuentista Subdivision. Other measures such as the character protection overlay zone and view protection overlays also help regulate development.

- D. Policy 11.3.6- Volcano Mesa sub policy (h): Encourage shared usable open space and park development to be accessible to the public and to connect to adjacent MPOS or the Monument, preserving wildlife corridors and encouraging active living.

The subject site(s) would connect to surrounding existing major public open space network which would add approximately 35 more acres of land, thus preserving and expanding the wildlife corridors and encourage active living.

11. The request furthers the following goals and policies from comprehensive Plan Chapter 13: Resilience & Sustainability:

- A. Goal 13.4- Natural Resources: Protect, conserve, and enhance natural resources, habitats, and ecosystems.

The request would protect and conserve the subject site as a dedicated Major Public Open Space, therefore ensuring that the subject site(s) remain dedicated to enhancing natural resources, habitats for wildlife and the ecosystem for the existing La Cuentista and Piedras Marcadas Canyon Open Space.

- B. Policy 13.4.4- Unique Landforms and Habitats: Protect areas with unique landforms, and crucial habitats for wildlife, through sensitive urban development or acquisition as Open Space.

The request would protect the site(s) by correctly identifying the parcels as Major Public Open Space and expanding the existing open space that currently surrounds the subject site(s).

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

The request would provide additional access to Open Space within an existing residential community and adjacent to La Cuentista and Piedras Marcadas Canyon Open Space, therefore, continuing to enhance the health of the surrounding community.

12. The request furthers the following policies from the MPOS Facility Plan section 5: Rio Grande Bosque:

- A. Policy B.1 (d)- Conserve archaeological and cultural resources including petroglyphs, pueblo sites, historic resources and sites sacred to Native Americans.

The request would conserve the subject site as Major Public Open Space, which is adjacent to the Petroglyph Nation Monument; an archeological and cultural resource. The NR-PO-B zone designation protects the Petroglyph National Monument from further development of residential subdivisions, which can have an impact on the petroglyph landscape.

- B. Policy C.5: Coordinate plans for other facilities to ensure access to Rio Grande Valley State Park. Plans for development adjacent to the Park shall be reviewed to coordinate access consistent with the Major Public Open Space Facility Plan and the Bosque Action Plan.

The request to NR-PO-B would allow the subject site to become a MPOS and ensure access

to the site(s). The location of the request is adjacent to an existing MPOS, the La Cuentista and Piedras Marcadas Canyon Open space. The request would allow access coordination with the MPOS Facility Plan and the Bosque Action Plan

13. 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 Community Identity, Land Use, Urban Design (Natural and Cultural Features), Parks & Open Space, Heritage Conservation, 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.
 - B. Criterion B: The subject site is located wholly in an Area of Consistency. 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 R-1D zone district and the proposed NR-PO-B zone district. Uses allowed as permissive in the IDO are only permissive if the policies and processes outlined in the Major Public Open Space Facility Plan are met. Uses that would be allowed would have adequate protections to mitigate any harmful impacts from those uses.
 - 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 Open Space in the future.
 - F. Criterion F: The subject site is not located on a major street. Kimmick Dr. NW is considered a minor collector street.
 - G. Criterion G: The request is not based on the cost of land or economic consideration, but for access to a MPOS for the community. The applicant has adequately demonstrated that the request furthers a preponderance of applicable Comprehensive Plan Goals and policies and does not conflict with them.
 - H. Criterion H: The request would not result in a “spot zone” as it is adjacent to existing NRPO-B properties.

14. The applicant's policy-based response adequately demonstrates that the request furthers a preponderance of applicable Goals and policies regarding Community Identity, Land Use, Urban Design (Natural and Cultural Features), Parks & Open Space, Heritage Conservation, 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.
15. The affected neighborhood organizations are the Westside Coalition of Neighborhood Associations, Piedras Marcadas Neighborhood Association, Rancho Sereno Neighborhood Association, Taylor Ranch Neighborhood Association, Paradise Hills Civic Association, and Alban Hills Neighborhood Association, which were notified as required. Property owners within 100 feet of the subject site were also notified as required.
16. A pre-application neighborhood meeting was held on Monday April 25, 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 were no unresolved issues or concerns.
17. 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 **July 1, 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

OFFICIAL NOTICE OF DECISION

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June 16, 2022

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cc: Consensus Planning, cp@consensusplanning.com
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