



Environmental Planning Commission

Agenda Number: 6
Project #: PR-2023-009108
Case #: RZ-2023-00031
Hearing Date: September 21, 2023

Staff Report

Agent	N/A
Applicant	City of Albuquerque Parks & Recreation Department
Request	Zoning Map Amendment - EPC
Legal Description	All or a portion of Lot 12 Palisades Park, Lot 13 Palisades Park Replat, and Lot 16 Palisades Park Addition Replat
Location	On Rincon Rd. NW, west of 53 rd St. NW and south of Pat Hurley Park
Size	Approximately 1.6 acres
Existing Zoning	R-1D
Proposed Zoning	NR-PO-A

Staff Recommendation

APPROVAL of RZ-2023-00031, based on the Findings beginning on p. 21.

STAFF PLANNER

Catherine Heyne, Planner

Summary of Analysis

The request is for a Zoning Map Amendment for an approximately 1.6-acre site consisting of three parcels, located on Rincon Rd NW, west of 53rd St. NW and south of Pat Hurley Park.

The subject site is vacant, and is zoned R-1D. The applicant is requesting a zone change to NR-PO-A to reflect ownership by the City.

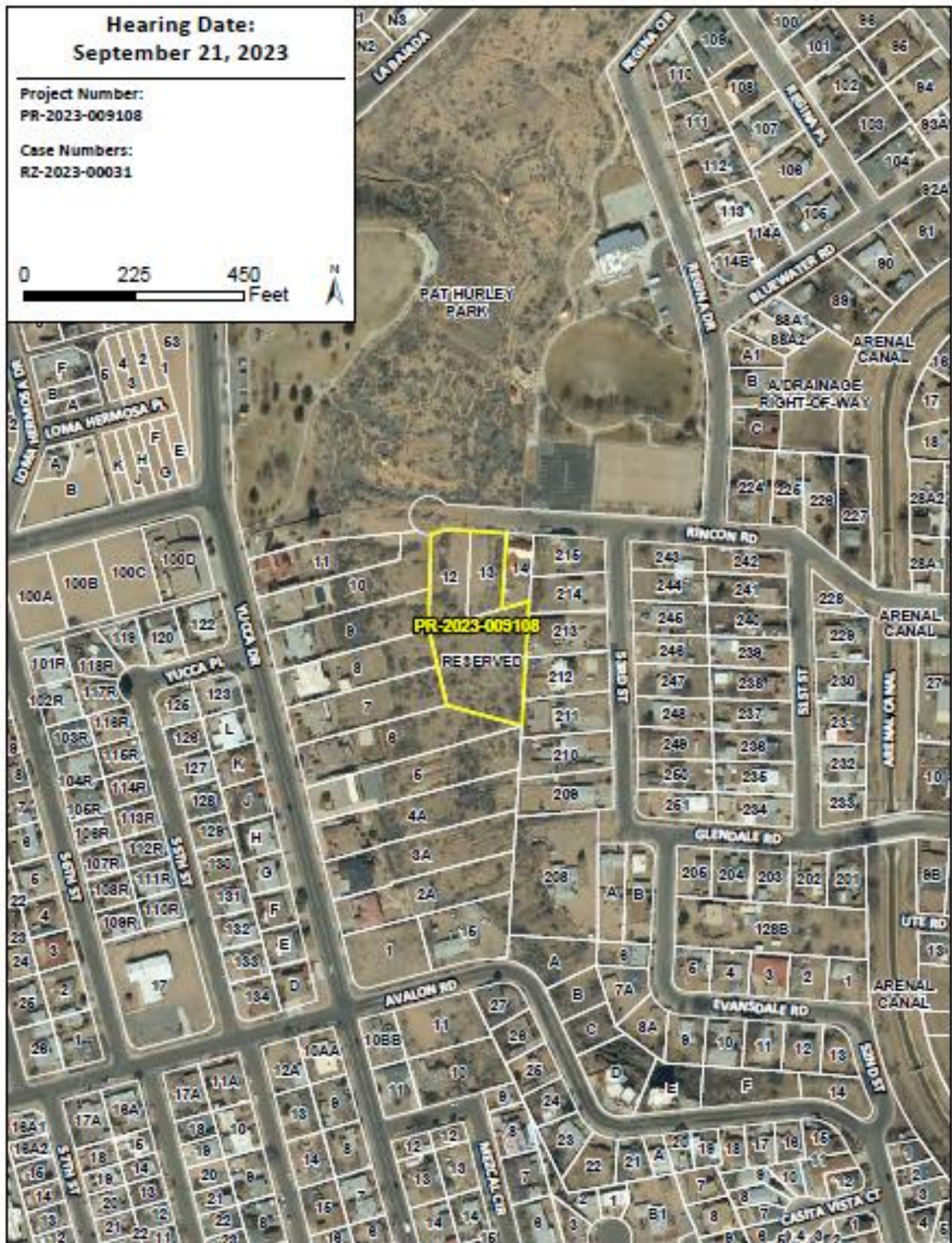
The applicant has reasonably justified the request pursuant to the IDO zone change criteria in 14-16-6-7(G)(3). The proposed zoning would be more advantageous to the community overall because the applicant's policy-based response generally demonstrates that the request would reinforce the established character of the surrounding Area of Consistency.

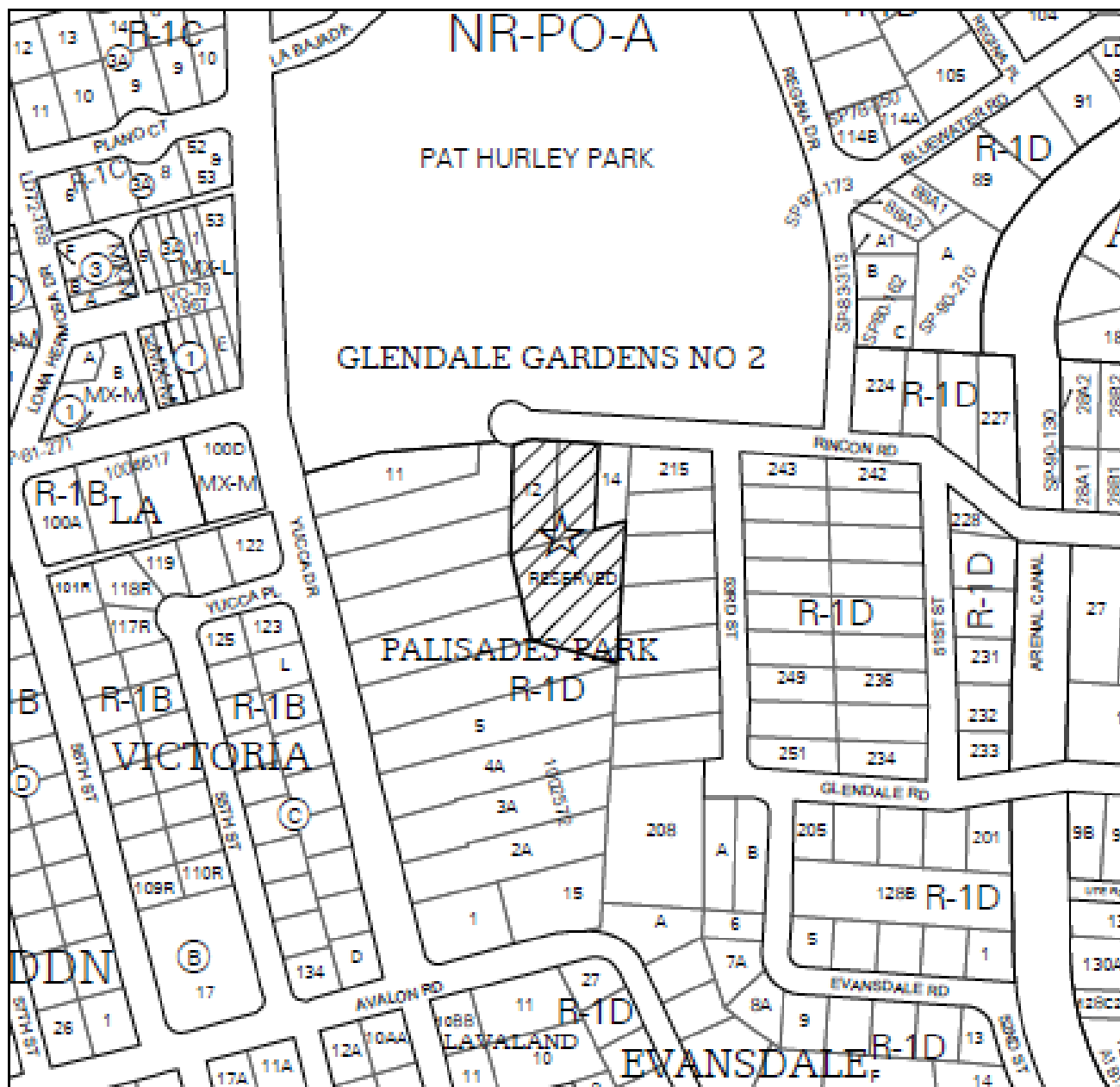
The subject site is in an Area of Consistency and is not located within any Centers or Corridors as designated by the Comprehensive Plan.

The affected neighborhood entities are the Pat Hurley and Westside Coalition neighborhood associations, and property owners within 100 feet of the subject site, all who were notified as required.

As of this writing, Staff has received written support from the Pat Hurley Neighborhood Association for the zone change; there is no known opposition. Staff recommends approval.







IDO ZONING MAP

Note: Gray shading
indicates County.



1 inch = 250 feet

Hearing Date:

9/21/2023

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Zone Atlas Page:

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LAND USE MAP

Note: Gray shading
 Indicates County

Key to Land Use Abbreviations	
LDRES Low-density Residential	APRT Airport
MULT Multi-family	TRAN Transportation
COMM Commercial Retail	AGR Agriculture
CMSV Commercial Services	PARK Parks and Open Space
OFF Office	DRNG Drainage
IND Industrial	VAC Vacant
INSMD Institutional / Medical	UTIL Utilities
ED Educational	CMTY Community
	KAFB Kirtland Air Force Base



1 inch = 250 feet

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HISTORY MAP

Note: Gray shading
Indicates County.



1 inch = 250 feet

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9/21/2023

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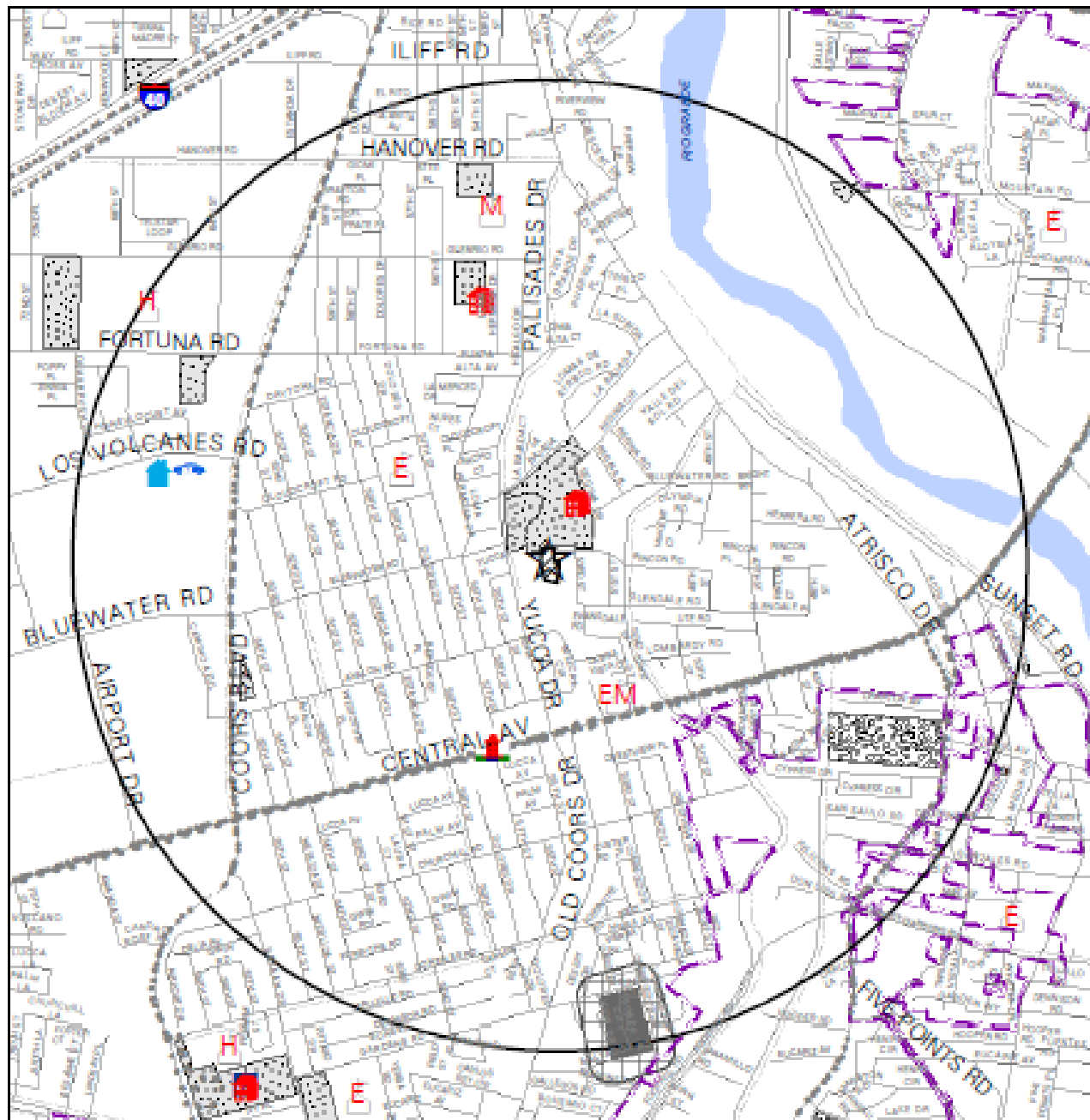
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Public Facilities Map with One-Mile Buffer

- | | | | |
|----------------------|-------------|--------------------------|-----------------------------|
| Community Center | Fire | Public School | Landfill designated by EHD |
| Multi-Service Center | Police | Proposed Bike Facilities | Landfill Buffer (1000-feet) |
| Senior Center | Sheriff | ABQ Ride Route | Developed City Park |
| Library | Solid Waste | Albuquerque City Limits | Undeveloped City Park |
| Museum | | | Developed County Park |
| | | | Undeveloped County Park |



0 0.5 1 Miles

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I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area	Land Use
Site	R-1D	Area of Consistency	Vacant Land
North	NR-PO-A	Area of Consistency	Pat Hurley Park
South	R-1D	Area of Consistency	Single-Family Residential
East	R-1D	Area of Consistency	Single-Family Residential
West	R-1D	Area of Consistency	Single-Family Residential

Request

The request is for a Zoning Map Amendment for an approximately 1.6-acre site, legally described as all or a portion of Lot 12 Palisades Park, Lot 13 Palisades Park Replat, and Lot 16 Palisades Park Addition Replat, located on Rincon Rd. NW, west of 53rd St. NW and south of Pat Hurley Park (the “subject site”).

Currently all three parcels comprising the subject site are vacant. The subject site is zoned R-1D (Residential - Single Family Zone District). 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 incorporate the vacant parcels into the adjacent Pat Hurley Park to the north.

EPC Role

The EPC is hearing this case because the EPC is required to hear all zone change cases in the City, regardless of site size. The EPC is the final decision-making body unless the EPC decision is appealed. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would then make the final decision. The request is a quasi-judicial matter.

Context

The approximately 1.6-acre site is comprised of three tracts and is located adjacent to and south of Rincon Rd NW between Yucca Dr NW and 53rd St NW. The tracts bounding the northern portion of the site are zoned NR-PO-A as part of Pat Hurley Park. The tracts directly east, west, and south of the subject site are zoned R-1D.

The subject site is bound by residential development that includes single-family residential homes. The northern boundary of the subject site abuts Pat Hurley Park.

The subject site is within a quarter of a mile of the Central Avenue Main Street Corridor Area and the Premium Transit Station, Yucca Station. The Yucca Station is located along Central Ave/ Route 66 between Yucca Dr NW and Old Coors Dr SW.

The subject site is located within FEMA Flood Zone X: an area with flooding “that has a 0.2% Chance of being equaled or exceeded in any given year. Also known as the 500-year flood. This area has a low to moderate chance of flooding.”

History

The subject site was originally part of the 1692 Atrisco Land Grant. In 1950, a total of 225 acres north of Central west of the Rio Grande River in southwest Albuquerque called the Palisades addition was acquired by General Patrick J. Hurley, a former diplomat. At that time, 5 acres were donated to the City for the purpose of a park, and improvements started in 1960.

Between 1973 and 1978, playground and courts were added to the park. In 1996, a Pat Hurley Park Master Plan was developed for the City of Albuquerque by PDS Southwest Ltd. A large stair project incorporating the steep slope linking the upper and lower park levels occurred in approximately 2003-2005. In 2010, a project redeveloping the community center began, and slope stabilization improvements were implemented in 2016.

The City has owned a landlocked parcel (Lot 16 Palisades Park Addition Replat) for some time, and the City has only recently acquired the two adjacent tracts (Lot 12 Palisades Park and Lot 13 Palisades Park Replat), that will now provide access from Rincon Rd NW.

Roadway System

The Long-Range Roadway System (LRRS) map, produced by the Mid-Region Metropolitan Region Planning Organization (MRMPO), identifies the functional classification of roadways.

The LRRS map classifies nearby Yucca Rd. NW to the west of the subject site as a Major Collector roadway.

Comprehensive Plan Designations

The subject site is not located within any Centers or along any Corridors but is located within a quarter of a mile of the Central Avenue Main Street Corridor Area and from the Yucca Premium Transit Station as designated by the Comprehensive Plan. The subject site is part of the Southwest Mesa Community Planning Area (CPA).

The subject site is located within an Area of Consistency.

Overlay Zones

The subject site is not located within any Overlay Zone (IDO Section 14-16-3-3).

Trails/Bikeways

The Long-Range Bikeway System (LRBS) map produced by the Mid-Region Metropolitan Planning Organization (MRMPO), identifies existing and proposed routes and trails.

There is a bike route along Yucca Dr NW, from Central Ave to Bluewater Rd NW/ Pat Hurley Park, in which bike riders have their own lane, after which there is a proposed bike lane that would continue northward to Atrisco Dr NW. Bike lanes are designated exclusively for bicycle travel and separated from vehicle travel lanes with striping and pavement stencils. The current bike route connects Central Ave/ Route 66 to Pat Hurley Park and Pat Hurley neighborhood residences.

Transit

The subject site is served by ABQ Ride Route 66 and ABQ Rapid Transit (ART) routes 766 and 777 (Central Ave), all which operate seven days a week. Route 66 has a peak frequency of 15-minutes. Saturdays and Sundays have a peak frequency of 20 minutes. ART runs Monday-Friday, 5:30 am - 10 pm, Saturdays, 5:45 am - 10 pm, and Sundays, 6:15 am - 7 pm with a frequency run of every 8-15 minutes and with a sheltered stop on Central Ave at Yucca Dr NW.

Public Facilities/Community Services

Please refer to the Public Facilities Map (Page 6), which shows public facilities and community services located within one mile of the subject site.

II. ANALYSIS OF APPLICABLE ORDINANCES, PLANS, AND POLICIES

Integrated Development Ordinance (IDO)

Definitions

Adjacent: Those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private.

Non-Residential Zone District: Any zone district categorized as Non-residential in Part 14-16-2 of this IDO.

Park: Publicly- or privately-owned land that is maintained for active or passive recreational use and for the use and enjoyment of the general public or the residents or occupants of a development. This use includes areas consisting of vegetative landscaping and/or areas improved for outdoor sports and recreation. Structural improvements are generally limited to those that facilitate the use of the land as a park. Incidental activities and structures include, but are not limited to, playgrounds, maintenance facilities, swimming pools, restrooms and dressing rooms, concessions, caretaker's quarters, and parking.

Zoning

The subject site is currently zoned R-1D (Residential – Single-Family Zone District). The purpose of the R-1 zone district is to provide for neighborhoods of single-family homes with a variety of lot sizes and dimensions. When applied in developed areas, an additional purpose is to require that redevelopment reinforce the established character of the existing neighborhood. Primary land uses include single-family detached homes on individual lots, with limited civic and institutional uses to serve the surrounding residential area.

The request is to change the subject site's zoning to NR-PO-A (Non-Residential – City-owned or Managed Parks, Zone District). The purpose of the NR-PO-A zone district is to protect the natural character of designated private and public parks and open space for public recreation, use, and enjoyment. Primary uses are open space and related recreation facilities, picnic and other shelters, and service/maintenance facilities.

The key difference between the R-1D and the NR-PO-A zone districts is that the R-1D zone district allows for a variety of residential uses while NR-PO-A does not; it is specifically for City-owned parks.

For a discussion of specific uses that would become permissive if the request is approved, please refer to the discussion of zone change criterion 14-16-6-7(G)(3)(d) in this report.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. Areas of Consistency are used to apply policies limiting new development to an intensity and scale consistent with places that are highly valued for their existing character.

In this case, the Goals and Policies listed below were included by the applicant in the justification letter. Staff analysis follows in bold italic text.

Chapter 5: Land Use

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, and play together because the subject site would add additional space for recreation and other activities adjacent to existing low-density residential development. The addition of a City-owned park would contribute to the development of a complete community. The request generally furthers Goal 5.2- Complete Communities.

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 zone map amendment contributes to creating a healthy and sustainable community within an established residential neighborhood. The request would result in a combination of uses within the Pat Hurley area because it would facilitate the development of a City-owned park that would be conveniently accessible by the surrounding neighborhoods while contributing to a healthy, sustainable community. The request generally furthers Policy 5.2.1- Land Uses.

Sub-policy 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 encourages development that supports a public amenity within walking distance of neighborhoods as well as allows residents access to a previously landlocked parcel. The subject site's location near a Major Collector roadway, Yucca Rd NW, and within a quarter of a mile of the Central Avenue Main Street Corridor also promotes good access for all residents. The request furthers Sub-policy 5.2.1(a) – Land Uses.

Sub-policy 5.2.1(h)- Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request will encourage complementary infill uses by the expansion of a City-managed park to the north and adjacent to the subject site that is consistent in form and scale to adjacent, allowable uses under NR-PO-A of Pat Hurley Park. The request furthers Sub-policy 5.2.1(h).

Sub-policy 5.2.1(n)- Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The rezoning request will encourage productive use of the steep terrain of the vacant and under-utilized subject site by addressing erosion and green space preservation within the neighborhood. Furthermore, the request will make efficient use of existing Pat Hurley Park amenities to the north while facilitating expansion of a park. The request furthers Sub-policy 5.2.1(n).

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 expanding a City-owned, public park for the adjacent, low-density residential development and beyond. The request furthers Goal 5.6- City Development Areas.

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 subject site is located adjacent to single-family dwellings and the existing Pat Hurley Park. Additional park space would expand opportunities for recreation and education for nearby residents and area visitors. The subject site would support existing uses while providing visual relief from urbanization. The request furthers Policy 5.6.1- Community Green Space.

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 and the existing Pat Hurley Park that are outside of a Center or Corridor and designated Major Public Open Space. The request would protect and enhance the character of the neighborhood by facilitating the development 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 to those already permissive in the surrounding area. The request generally furthers Policy 5.6.3- Areas of Consistency.

Chapter 10: Parks & Open Space

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 facilitate the development of public recreational facilities as part of a City-owned Park that would meet the needs of all residents. It would also support the responsible stewardship of natural resources within an established neighborhood consistent to the NR-PO-A zone district. The request furthers Goal 10.1- Facilities & Access.

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 expand the community's access to recreational opportunities and green space by facilitating the designation and development of the subject site as a City Owned Park within the established Pat Hurley neighborhood. The subject site is located directly adjacent to residential development; therefore, the request would contribute to balancing the City Park system within the built environment. The request furthers Policy 10.1.1- Distribution.

Sub-Policy 10.1.1(a)- 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 to the existing recreation facilities of the Pat Hurley Park which serve the surrounding community and City as a whole. The subject site is within a quarter of a mile of the Central Avenue Main Street Corridor and is accessible from the Premium Transit Station, Yucca Station. The request furthers Sub-Policy (a) 10.1.1- Distribution.

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 rezone the subject site to a City-owned or Managed Park, NR-PO-A, would enhance the quality of life for all residents by maintaining the natural landscape through the preservation of green space and providing a location for additional outdoor educational, recreational, and cultural activities. The request furthers Goal 10.2- Parks.

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 expansion of Pat Hurley Park as part of the City's park system to meet the active space needs of the community at the community park scale. The request furthers Policy 10.2.1- Park Types.

Chapter 13: Resilience & Sustainability

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

Parks provide intrinsic recreational, social, aesthetic, and environmental benefits. Therefore, adding additional acreage to the City's public park system through a zone change for the subject site, further protects and maintains safe and healthy environments where people can thrive. The request furthers Policy 13.5- Community Health.

Integrated Development Ordinance (IDO) 14-16-6-7(G)(3)-Review and Decision Criteria for Zone Map Amendments

Requirements

The review and decision criteria outline policies and requirements for deciding zone change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings:

1. There was an error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site.
3. A different zone district is more advantageous to the community as articulated by the Comprehensive Plan or other, applicable City plans.

Justification & Analysis

The zone changes justification letter analyzed here, received on September 5, 2023, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned R-1D (Residential - Single Family Zone District). The requested zoning is NR-PO-A (Non-Residential - Park and Open Space Zone District) with Sub-zone A: City owned or Managed Parks. The reason for the request is to reflect the current ownership and management of these properties by the City of Albuquerque. The subject site is in an Area of Consistency.

The applicant believes that the proposed zoning map amendment (zone change) meets the zone change decision criteria in IDO 14-16-6-7(G)(3) as elaborated in the justification letter. The citation is from the IDO. The applicant's arguments are in *italics*. Staff analysis follows in plain text.

- A. Criterion 6-7(G)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

Applicant Response: *The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the goals and policies listed below: The following section provides an analysis of the relevant ABC Comprehensive Plan goals and policies that confirm the advantages of the proposed zone change for the surrounding communities.*

Staff: Consistency with the City's health, safety, and general welfare is upheld by demonstrating that the request furthers applicable Comprehensive Plan Goals and policies and does not significantly conflict with them.

Applicable citations: Goal 4.1- Character; Goal 4.1.5- Natural Resources; Goal 5.2- Complete Communities; Policy 5.2.1- Land Uses; Sub-policy 5.2.1(j)- Land Uses; Goal 5.3- Efficient Development Patterns; Goal 5.6- City Development; Policy 5.6.1- Community Green Space; Sub-policy 5.6.3(d)- Areas of Consistency; Policy 5.7.1- Coordinated Public Investment; Goal 10.1- Facilities & Access; Policy 10.1.1- Distribution; Goal 10.2- Parks; Policy 10.2.1- Park Types; Goal 12.2- Community Facilities; Policy 12.2.3- New Facilities; and Policy 13.5- Community Health.

Non-applicable Citations: Policy 7.3.2- Community Character; Policy 10.4.1- Public Priorities; Policy 12.2.2- Existing Facilities.

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. The response to Criterion A is sufficient.

- B. Criterion 6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), 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. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria:

1. There was typographical or clerical error when the existing zone district was applied to the property.
2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant response: *The requested NR-PO-A zone would clearly reinforce or strengthen the established character of the surrounding area. While Areas of Consistency such as the subject area are permitted to see some infill development and new uses, new development or redevelopment should be compatible in scale and character with the surroundings. The proposed NR-PO-A, Park and Open Space Zone District will reinforce the sense of community within the existing residential development as shown in the response to 6-7(G)(3)(a) above.*

This request meets sub-criteria 3, because the requested NR-PO-A is more advantageous to the community as articulated by the ABC Comp Plan as amended and other applicable adopted City plans as shown in the response to 6-7(G)(3)(a) above. As described in the ABC Com Plan, neighborhoods designated as Areas of Consistency are protected by policies to limit densities, new uses, and negative impacts from nearby development.

Staff: The subject site is located wholly in an Area of Consistency. The applicant's policy-based response (see response to Criterion A) shows that the request would generally reinforce the established character of the surrounding Area of Consistency, which contains a long-established park.

The request also generally meets Sub-criterion 3 because a zone district different from the current zoning would generally be more advantageous to the community as articulated by the applicant's policy-based response addressed in Criterion A. The response to Criterion B is sufficient.

- C. Criterion 6-7(G)(3)(c) If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:
1. There was typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
 3. A different zone district is more advantageous to the community as articulated by the Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Applicant Response: *The subject tracts are located in an Area of Consistency not an Area of Change, therefore this criterion does not apply.*

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

- D. Criterion 6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant Response: *Permissive uses that could be viewed as harmful to adjacent residents such as an event facility, stadium, high school, race track, or sports field (shown in the table below) could not be established because the subject site is restricted in size, includes extremely steep slopes, is mostly land-locked and surrounded by homes. The subject site is considered inappropriate by the Parks and Recreation Department to accommodate architectural structures and parking for larger groups of congregating people. Development standards set forth by the IDO and other property constraints would also make construction of higher intensity uses impossible. Therefore, the harmful impacts listed will be adequately mitigated by these constraints. In addition, the City has policies and procedures in place requiring consultation with the surrounding neighborhood regarding improvements at their park, and many permissive uses in NR-PO-A zones are advantageous to supporting complete communities.*

This request will eliminate the potential for single-family homes constructed on the subject lots, and allow improvements that are more responsive to the natural environment. Certain uses such as Parks and Open Space are permitted in both the existing R-ID zone and the proposed NR-PO-A zone; however, the request will permit transparency to the public and a smoother process for City improvements.

Table 4-2-1. Allowable Uses

***P = Permissive Primary, C = Conditional Primary, A = Permissive Accessory;
CA = Conditional Accessory*, T = Temporary****

Allowable Use	Existing R-1D	Proposed NR-PO-A
Elementary or Middle School	C	P
High school	C	P
Museum		P
Parks and Open Space	P	P
Sports field		P
Nursery		A
Other indoor entertainment		P
Paid parking lot		A
Club or event facility		P
Amphitheater		P
Balloon Fiesta Park events/activities		P
Stadium or racetrack		P
Other outdoor entertainment	CA*	P
Farmers market		P
Park-and-Ride Lot		A
Wind energy generation		A
Automated Teller Machine (ATM)*		T
Mobile vending cart		A

Staff: The applicant compared allowable uses in the existing R-1D zone district and the proposed NR-PO-A zone district (note: Staff added use and use designation at * in table). 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 at a neighborhood scale. Permissive uses in the NR-PO-A zone that would be allowed, such as stadium or racetrack; elementary, middle or high school; and sports fields, would be unachievable due to the challenging topography, small size of the subject site, and development standards required by the IDO. Furthermore, the uses allowed in the NR-PO-A are consistent with the established character of the area and would not be harmful to the surrounding neighborhood. All future development under the NR-PO-A zone would be subject to applicable IDO standards that would serve to protect and preserve the identity of the neighborhood. The response to Criterion D is sufficient.

- E. Criterion 6-7(G)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems meet any of the following requirements:
1. Have adequate capacity to serve the development made possible by the change of zone.
 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).

4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.

Applicant Response: This request meets sub-criteria 1 above because the subject site is an infill parcel that is connected to existing city infrastructure with an entrance on Rincon Rd NW.

Staff: The subject site has adequate capacity to serve the development that will be possible by the zone change (Criterion 1) and makes efficient use of existing community amenities and infrastructure while facilitating the development of a park. The response to Criterion E is generally sufficient.

- F. Criterion 6-7(G)(3)(f) The applicant's justification for the Zoning Map Amendment is not based completely based on the property's location on a major street.

Applicant Response: The subject tracts are not located on a major street. The requested zone map amendment is being justified based on the advantages it provides for the community rather than its location on a major street.

Staff: The subject site is neither located on a major street nor adjacent to a major roadway. The justification is not based on location, but on the use for public recreation, open space, and the enjoyment it will provide the community. The response to Criterion F is sufficient.

- G. Criterion 6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Applicant Response: The proposed zone map amendment is being justified based on the advantages it provides for the community rather than the cost of land.

Staff: The request is not based on the cost of land or economic considerations, but to facilitate the development of an improved City-owned park and park network. The applicant has explained that the request furthers applicable Comprehensive Plan Goals and Policies as well as reinforces the established character of the area. The zone change is more advantageous to the community than the existing zoning. The response to Criterion G is generally sufficient.

- H. Criterion 6-7(G)(3)(h) The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least 1 of the following applies.

1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.

Applicant Response: This request does not create a spot zone because it is adjacent to existing properties zoned NR-PO-A to the north. The IDO defines adjacent as those properties that are

abutting or separated only by a street, alley, trail, or utility easement, whether public or private. Therefore, although Rincon Rd NW ROW exists between the existing Pat Hurley Park tracts and the subject tracts, they are adjacent.

Staff: The applicant has generally justified this criterion. The request will not result in a spot or strip zone because it will not apply a different zone to one small area or one premise. The property located north of and adjacent to the subject site is zoned NR-PO-A. The subject site would provide visual relief from the urban environment and increase green space access for visitors and the established neighborhood. The response to Criterion H is generally sufficient.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other agencies reviewed this application. Few Agency Comments were received and there were no objections to the proposed ZMA.

Comments offered by ABCWUA and PNM may become more important as future site plans are reviewed. Agency comments begin on Page 26.

Neighborhood/Public

Notification requirements are found in Table 6-1-1 (Summary of Development Review Procedures) of Part 14-16-6 Administration and Enforcement, and are further explained in Part 14-16-6-4(K) Public Notice section. Registered neighborhood associations (NA) were required to be notified and include the Pat Hurley NA (PHNA) and Westside Coalition (WSCONA), both were emailed as required. Property owners within 100 feet of the subject site were also notified as required (see attachments).

A pre-application neighborhood meeting was held as a facilitated meeting on Monday, August 7, 2023 from 5:00 pm to 7:00 pm via Zoom. Questions and comments were made by neighbors regarding the request, which were answered during the meeting. There were no unresolved issues or concerns, and at the conclusion of the facilitated meeting, there was no opposition to the request (see attached Land Use Facilitation Program Zoom Meeting Report).

A letter of endorsement for the subject site zone change from RD-1 to NR-PO-A was submitted September 9, 2023 by the Pat Hurley Neighborhood Association (see attachment).

As of this writing, Staff is unaware of any opposition.

IV. CONCLUSION

The request is for a Zoning Map Amendment for an approximately 1.6-acre site, legally described as all or a portion of Lot 12 Palisades Park, Lot 13 Palisades Park Replat, and Lot 16 Palisades Park Addition Replat on Rincon Rd. NW, west of 53rd St. NW and south of Pat Hurley Park ("the subject site").

The subject site is vacant and is zoned R-1D (Residential - Single Family Zone District). 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 incorporate the vacant parcels into the adjacent Pat Hurley Park to the north and align future actions at the subject site to park management and oversight by the City of Albuquerque.

The applicant's policy-based analysis generally demonstrates that the request would reinforce and strengthen the established character of the surrounding Area of Consistency.

The affected neighborhood organizations were notified as required and property owners within 100 feet of the subject site were also notified as required. A neighborhood meeting was held August 7, 2023. Staff is not aware of any support or opposition as of this writing.

Staff recommends approval.

FINDINGS – RZ-2023-00031, September 21, 2023 – Zoning Map Amendment

1. The request is for a Zoning Map Amendment for an approximately 1.6-acre site, legally described as all or a portion of Lot 12 Palisades Park, Lot 13 Palisades Park Replat, and Lot 16 Palisades Park Addition Replat on Rincon Rd. NW, west of 53rd St. NW and south of Pat Hurley Park (“the subject site”).
2. The subject site is currently zoned R-1D (Residential - Single Family Zone District). All parcels are vacant and not being used.
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 incorporate the vacant parcels into the adjacent Pat Hurley Park to the north and align future actions on the subject site to park management and oversight by the City of Albuquerque.
4. The subject site is in an Area of Consistency by the Comprehensive Plan. 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 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 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, and play together because the subject site would add additional space for recreation and other activities adjacent to existing low-density residential development. 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 zone map amendment contributes to creating a healthy and sustainable community within an established residential neighborhood. The request would result in a combination of uses within the Pat Hurley area because it would facilitate the development of a City-owned park that would be conveniently accessible by the surrounding neighborhoods while contributing to a healthy, sustainable community.

- C. Sub-policy 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 encourages development that supports a public amenity within walking distance of neighborhoods as well as allows residents access to a previously landlocked parcel. The subject site’s location near a Major Collector roadway, Yucca Rd NW, and within a quarter of a mile of the Central Avenue Main Street Corridor also promotes good access for all residents.

- D. Sub-policy 5.2.1(h)- Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request will encourage complementary infill uses by the expansion of a City managed park to the north and adjacent to the subject site that is consistent in form and scale to adjacent, allowable uses under NR-PO-A of Pat Hurley Park.

- E. Sub-policy 5.2.1(n)- Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The rezoning request will encourage productive use of the steep terrain of the vacant and under-utilized subject site by addressing erosion and green space preservation within the neighborhood. Furthermore, the request will make efficient use of existing Pat Hurley Park amenities to the north while facilitating expansion of a City park.

- F. 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 expanding a City-owned, public park for the adjacent, low-density residential development and beyond.

- G. 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 subject site is located adjacent to single-family dwellings and the existing Pat Hurley Park. Additional park space would expand opportunities for recreation and education for nearby residents and area visitors. The subject site would support existing uses while providing visual relief from urbanization.

- H. 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 and the existing Pat Hurley Park that are outside of a Center or Corridor and designated Major Public Open Space. The request would protect and enhance the character of the neighborhood by facilitating the development 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 to those already permissive in the surrounding 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 facilitate the development of public recreational facilities as part of a City-owned Park that would meet the needs of all residents. It would also support the responsible stewardship of natural resources within an established neighborhood consistent to the NR-PO-A zone district.

- 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 expand the community's access to recreational opportunities and green space by facilitating the designation and development of the subject site as a City-owned Park within the established Pat Hurley neighborhood. The subject site is located directly adjacent to residential development; therefore, the request would contribute to balancing the City Park system within the built environment.

- C. Sub-Policy 10.1.1(a)- 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 to the existing recreation facilities of the Pat Hurley Park which serve the surrounding community and City as a whole. The subject site is within a quarter of a mile of the Central Avenue Main Street Corridor and is accessible from the Premium Transit Station, Yucca Station.

- 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 rezone the subject site to a City-owned or Managed Park, NR-PO-A, would enhance the quality of life for all residents by maintaining the natural landscape through the preservation of green space and providing a location for additional outdoor educational, recreational, and cultural activities.

- 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 expansion of Pat Hurley Park as part of the City's park system to meet the active space needs of the community at the community park scale.

8. The request furthers the following Goal from Comprehensive Plan Chapter 13: Resilience & Sustainability:

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

Parks provide intrinsic recreational, social, aesthetic, and environmental benefits. Therefore, adding additional acreage to the City's public park system through a zone change for the

subject site, further protects and maintains safe and healthy environments where people can thrive.

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 upheld by demonstrating that the request furthers applicable Comprehensive Plan Goals and policies 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 wholly in an Area of Consistency. The applicant's policy-based response (see response to Criterion A) shows that the request would generally reinforce the established character of the surrounding Area of Consistency, which contains a long-established park.

The request also generally meets Sub-criterion 3 because a zone district different from the current zoning would generally be more advantageous to the community as articulated by the applicant's policy-based response addressed 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. 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 at neighborhood scale. Permissive uses in the NR-PO-A zone that would be allowed such as stadium or racetrack; elementary, middle or high school; and sports field would be unachievable due to the challenging topography, small size of the subject site, and development standards required by the IDO. Furthermore, the uses allowed in the NR-PO-A are consistent with the established character of the area and would not be harmful to the surrounding neighborhood. All future development under the NR-PO-A zone would be subject to applicable IDO standards that would serve to protect and preserve the identity of the neighborhood.
- E. Criterion E: The subject site has adequate capacity to serve the development that will be possible by the zone change (Criterion 1) and makes efficient use of existing community amenities and infrastructure while facilitating the development of a park.
- F. Criterion F: The subject site is neither located on a major street nor adjacent to a major roadway. The justification is not based on location, but on the use for public recreation, open space, 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 improved City-owned park and network. The applicant has

explained that the request furthers applicable Comprehensive Plan Goals and Policies as well as reinforces the established character of the area. The zone change is more advantageous to the community than the existing zoning.

- H. Criterion H: The applicant has generally justified this criterion. The request will not result in a spot or strip zone because it will not apply a different zone to one small area or one premise. The property located north of and adjacent to the subject site is zoned NR-PO-A. The subject site would provide visual relief from the urban environment and increase green space access for visitors and the established neighborhood.
10. The applicant's policy-based response generally 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, and general welfare.
11. The affected neighborhood organizations are Pat Hurley Neighborhood Association and Westside Coalition of Neighborhood Associations that were notified as required. Property owners within 100 feet of the subject site were also notified as required.
12. A pre-application facilitated meeting was held on Monday, August 7, 2023 from 5:00 pm to 7:00 pm via Zoom. Several questions and comments were made by neighbors regarding the request, which were answered during the meeting. There were no unesolved issues or concerns.
13. As of this writing, Staff has received written support from the Pat Hurley Neighborhood Association for the zone change; there is no known opposition.

RECOMMENDATION - RZ-2022-000032, July 21, 2022

APPROVAL of Project #: 2023-009108, Case #: RZ-2023-00031, a zone change from R-1D to NR-PO-A, for an approximately 1.6-acre site, legally described as all or a portion of Lot 12 Palisades Park, Lot 13 Palisades Park Replat, and Lot 16 Palisades Park Addition Replat on Rincon Rd. NW, west of 53rd St. NW and south of Pat Hurley Park ("the subject site") based on the preceding Findings.

Catherine Heyne
Catherine Heyne, Planner

Notice of Decision CC list:

Pat Hurley NA- Julie Radoslovich, *president.phna@gmail.com*

Pat Hurley NA- Barbara Baca, *vicepresident.phna@gmail.com*

Westside Coalition of Neighborhood Associations- Rene Horvath, *aboard111@gmail.com*

Westside Coalition of Neighborhood Associations- Elizabeth Haley, *elizabethkayhaley@gmail.com*

Legal, dking@cabq.gov

EPC file

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning / Code Enforcement

Long Range Planning

Metropolitan Redevelopment

Transportation Development Review Services

CITY ENGINEER

Hydrology

Transportation Development Services

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

POLICE DEPARTMENT/PLANNING

SOLID WASTE MANAGEMENT DEPARTMENT

No comment at this time.

TRANSIT DEPARTMENT

ABQ RIDE does not have comments on any of the cases this month.

PARKS AND RECREATION

ABC WATER UTILITY AUTHORITY (ABCWUA)

1. No objections to proposed zone map amendment.
2. For information purposes only:
 - 2a. Future developments seeking water and sanitary sewer service from ABCWUA shall require an Availability Statement.
 - 2b. Statements can be requested at the following link: <https://www.abcwua.org/info-for-builders-availability-statements/>

ALBUQUERQUE PUBLIC SCHOOLS

No comment.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

No adverse comments to the zone change.

COUNTY OF BERNALILLO

MID-REGION COUNCIL OF GOVERNMENTS (MRCOG)

MID-REGION METROPOLITAN PLANNING ORGANIZATION (MRMPO)

MRMPO has no adverse comment.

PUBLIC SERVICE COMPANY OF NEW MEXICO

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PNM COMPANY

There are PNM facilities and/or easements along the Rincon Rd frontage and the north side of the site.

It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.

Any existing easements may have to be revisited and/or new easements may need to be created for any electric facilities as determined by PNM.

Any existing and/or new PNM easements and facilities need to be reflected on any Site Plan and any resulting Plat.

Typical electric utility easement widths vary depending on the type of facility. On-site transformers should have a five-foot clear area on the sides and rear and ten-foot in front to allow for access and maintenance.

Structures, especially those made of metal like storage buildings and canopies, should not be within or near PNM easements without close coordination with and agreement from PNM.

Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities.

The applicant should contact PNM's New Service Delivery Department as soon as possible to coordinate electric service regarding any proposed project. Submit a service application at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

If existing electric lines or facilities need to be moved, then that is at the applicant's expense. Please contact PNM as soon as possible at <https://pnmnsd.powerclerk.com/MvcAccount/Login> for PNM to review.

PETROGLYPH NATIONAL MONUMENT

AVIATION DEPARTMENT

KIRTLAND AIR FORCE BASE



Figure 1: Subject site overview looking south from Upper Pat Hurley Park.



Figure 2: Panoramic overview of the subject site from east-facing hillslope, looking east toward existing residential development.



Figure 3: Overview of subject site looking southeast from approximate northwest corner of site.



Figure 4: Looking south at subject site from Rincon Rd.

Figure 5: Looking west-southwest at the subject site's northern edge and Rincon Rd NW turnaround.





Figure 6: Looking north toward Pat Hurley Park and at subject site lots 12 Palisades Park and 13 Palisades Park Replat from mid-subject site.

ZONING

Please refer to IDO Section 14-16-2-3(B) for the R1-D Zone District
& Section 14-16-2-5(F) for the NR-PO-A Zone District

APPLICANT INFORMATION



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Alternative Landscaping Plan (Form P3)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		Appeals
		<input type="checkbox"/> Decision by EPC, DHO, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant:		Phone:
Address:		Email:
City:	State:	Zip:
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site:		List <u>all</u> owners:

BRIEF DESCRIPTION OF REQUEST


SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.:		Block:	Unit:
Subdivision/Addition:		MRGCD Map No.:	UPC Code:
Zone Atlas Page(s):	Existing Zoning:		Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):	

LOCATION OF PROPERTY BY STREETS

Site Address/Street:	Between:	and:
----------------------	----------	------

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

Signature: 		Date:
Printed Name:		<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:		Fee Total:
Staff Signature:	Date:	Project #

Form Z: Policy Decisions

Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

☒ **INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

- ☐ Interpreter Needed for Hearing? NO ☐ if yes, indicate language: N/A
- ☐ Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B) *(not required per IDO Table 6-1-1)
- ☐ Letter of authorization from the property owner if application is submitted by an agent
- ☐ Traffic Impact Study (TIS) form (not required for Amendment to IDO Text)
- X Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

☐ **ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN**

☐ **ADOPTION OR AMENDMENT OF FACILITY PLAN**

- ☐ Plan, or part of plan, to be amended with changes noted and marked
- ☐ Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
- ☐ Required notices with content per IDO Section 14-16-6-4(K)(6)
 - ☐ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - ☐ Proof of emailed notice to affected Neighborhood Association representatives
 - ☐ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☐ **AMENDMENT TO IDO TEXT**

- ☐ Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked
- ☐ Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
- ☐ Required notices with content per IDO Section 14-16-6-4(K)(6)
 - ☐ Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - ☐ Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☒ **ZONING MAP AMENDMENT – EPC**

☐ **ZONING MAP AMENDMENT – COUNCIL**

- X Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- X Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
- X Required notices with content per IDO Section 14-16-6-4(K)(6)
 - X Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - X Proof of emailed notice to affected Neighborhood Association representatives
 - X Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- X Sign Posting Agreement

☐ **ANNEXATION OF LAND**

- ☐ Application for Zoning Map Amendment *Establishment of zoning must be applied for simultaneously with Annexation of Land.*
- ☐ Petition for Annexation Form and necessary attachments
- ☐ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
- ☐ Board of County Commissioners (BCC) Notice of Decision

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: 

Date: 08-10-2023

Printed Name: Cheryl Somerfeldt

☒ Applicant or ☐ Agent

FOR OFFICIAL USE ONLY

Project Number:

Case Numbers

-

-

-

Staff Signature:

Date:



Stewart File No.: 1957090-MH

SPECIAL WARRANTY DEED

Katherine Vigil, a single woman

for consideration paid, grant(s) to

The City of Albuquerque, a Municipal Corporation

whose address is P.O. Box 1293, Albuquerque, NM 87103

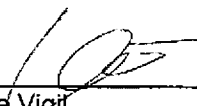
the following described real estate in Bernalillo County, New Mexico:

Lots numbered Twelve (12) and Thirteen (13) of the Palisades Park Addition, to the City of Albuquerque, New Mexico, as the same is shown on the replat of Lots A to P inclusive, of the Palisades Park Addition, as such Replat was filed in the records of Bernalillo County, New Mexico, on June 30, 1965, in Plat Book B4, Page 48.

Subject to patent reservations, restrictions and easements of record and to taxes for the current year and years thereafter.

with special warranty covenants.

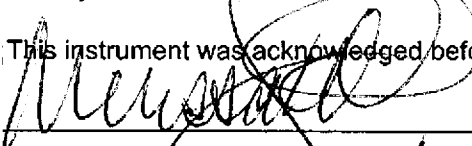
Executed this 15th day of June, 2023.



Katherine Vigil

State of New Mexico
County of Bernalillo

This instrument was acknowledged before me on this 15th day of June, 2023 by Katherine Vigil.



My Commission Expires: 3/23/2027

SEAL

STATE OF NEW MEXICO
NOTARY PUBLIC
Melissa K. Henry
Commission No. 1106742
March 23, 2027



City of Albuquerque

Planning Department
Development Review Services Division

Traffic Scoping Form (REV 12/2020)

Project Title: Pat Hurley **Building Permit #:** _____ **Hydrology File #:** _____

Zone Atlas Page: J-11-Z **DRB#:** _____ **EPC#:** pending **Work Order#:** _____

Legal Description: * 016 PALISADES PK ADDN REPLAT, * 012 PALISADES PK, * 013 PALISADES PARK REPLAT

City Address: 1801 N 4th St

Applicant: City of Albuquerque Parks & Recreation Department **Contact:** Cheryl Somerfeldt

Address: 1801 N 4th St

Phone#: 505-768-5363 **Fax#:** _____ **E-mail:** csomerfeldt@cabq.gov

Development Information

Build out/Implementation Year: _____ **Current/Proposed Zoning:** _____

Project Type: New: () Change of Use: () Same Use/Unchanged: () Same Use/Increased Activity: (x)

Proposed Use (mark all that apply): Residential: () Office: () Retail: () Mixed-Use: ()

Describe development and Uses: Zoning Map Amendment (Zone Change)

Days and Hours of Operation (if known): _____

Facility

Building Size (sq. ft.): _____

Number of Residential Units: n/a **Number of Commercial Units:** n/a

n/a

Traffic Considerations

Expected Number of Daily Visitors/Patrons (if known):* _____ unknown

Expected Number of Employees (if known):* _____ none

Expected Number of Delivery Trucks/Buses per Day (if known):* _____ none

Trip Generations during PM/AM Peak Hour (if known):* none

Driveway(s) Located on: Rincon Rd NW

Adjacent Roadway(s) Posted Speed: 53rd St NW Posted Speed

Street Name Posted Speed

** If these values are not known, assumptions will be made by City staff. Depending on the assumptions, a full TIS may be required*

Roadway Information (adjacent to site)

Comprehensive Plan Corridor Designation/Functional Classification: none
(arterial, collector, local, main street)

Comprehensive Plan Center Designation: none
(urban center, employment center, activity center)

Jurisdiction of roadway (NMDOT, City, County): City

Adjacent Roadway(s) Traffic Volume: none Volume-to-Capacity Ratio: n/a
(if applicable)

Adjacent Transit Service(s): none Nearest Transit Stop(s): Central Ave SW

Is site within 660 feet of Premium Transit?: no

Current/Proposed Bicycle Infrastructure: none
(bike lanes, trails)

Current/Proposed Sidewalk Infrastructure: none

Relevant Web-sites for Filling out Roadway Information:

City GIS Information: <http://www.cabq.gov/gis/advanced-map-viewer>

Comprehensive Plan Corridor/Designation: <https://abc-zone.com/document/abc-comp-plan-chapter-5-land-use> (map after Page 5-5)

Road Corridor Classification: <https://www.mrcog-nm.gov/DocumentCenter/View/1920/Long-Range-Roadway-System-LRRS-PDF?bidId=>

Traffic Volume and V/C Ratio: <https://www.mrcog-nm.gov/285/Traffic-Counts> and <https://public.mrcog-nm.gov/taqa/>

Bikeways: http://documents.cabq.gov/planning/adopted-longrange-plans/BTFP/Final/BTFP%20FINAL_Jun25.pdf (Map Pages 75 to 81)

TIS Determination

Note: Changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

Traffic Impact Study (TIS) Required: Yes [☐] No [☐] Borderline [☐]

Thresholds Met? Yes [☐] No [☐]

Mitigating Reasons for Not Requiring TIS: _____ Previously Studied: [☐]

Notes:

TRAFFIC ENGINEER

DATE

.....

Submittal

The Scoping Form must be submitted as part of any building permit application, DRB application, or EPC application. See the Development Process Manual Chapter 7.4 for additional information.

Submit by email to the City Traffic Engineer mgrush@cabq.gov . Call 924-3362 for information.

Site Plan/Traffic Scoping Checklist

Site plan, building size in sq. ft. (show new, existing, remodel), to include the following items as applicable:

1. Access -- location and width of driveways
2. Sidewalks (Check DPM and IDO for sidewalk requirements. Also, Centers have wider sidewalk requirements.)
3. Bike Lanes (check for designated bike routes, long range bikeway system) ([*check MRCOG Bikeways and Trails in the 2040 MTP map*](#))
4. Location of nearby multi-use trails, if applicable ([*check MRCOG Bikeways and Trails in the 2040 MTP map*](#))
5. Location of nearby transit stops, transit stop amenities (eg. bench, shelter). Note if site is within 660 feet of premium transit.
6. Adjacent roadway(s) configuration (number of lanes, lane widths, turn bays, medians, etc.)
7. Distance from access point(s) to nearest adjacent driveways/intersections.
8. Note if site is within a Center and more specifically if it is within an Urban Center.
9. Note if site is adjacent to a Main Street.
10. Identify traffic volumes on adjacent roadway per MRCOG information. If site generates more than 100 vehicles per hour, identify v/c ratio on this form.

City of Albuquerque, Parks & Recreation Department

PAT HURLEY PARK

EPC – Zoning Map Amendment

Justification Letter



August 10, 2023

City of Albuquerque
Parks and Recreation Department, Open Space Division

Environmental Planning Commission (EPC)
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Introduction:

This is a request to the Environmental Planning Commission (EPC) for a Zoning Map Amendment – EPC for three tracts (*016 PALISADES PK ADDN REPLAT, *012 PALISADES PK, *013 PALISADES PARK REPLAT) approximately 1.6 acres currently owned by the City of Albuquerque Parks and Recreation Department near the existing Pat Hurley Park, located to the southwest of the western end of Rincon Rd NW to the west of 53rd St NW. One previously owned tract (*016 PALISADES PK ADDN REPLAT) is land-locked, and two recently acquired tracts provide access to this tract from Rincon Rd NW.

The request is seeking approval for a Zoning Map Amendment to change the current R-1D Zone District to the NR-PO-A Zone District. The purpose of this Zone Change request is to align the ownership with the zone to be consistent with the City's planning and development processes, and to be transparent regarding the proposed use/s with the general public as well as adjacent neighbors and neighborhood. The requested zone will not create a spot zone as it will continue the existing zoning of the abutting parcels to the north currently owned and operated by the City of Albuquerque Parks and Recreation Department, and zoned NR-PO-A: City-owned or Managed Parks.

The request meets the applicability criteria in IDO section 14-16-6-7(G), and therefore subject to approval by the Environmental Planning Commission as a Zoning Map Amendment – EPC, and does not require City Council approval. This request is aligned with the scale, character, and current land uses of the surrounding area as both residential and parks uses are appropriate in an Area of Consistency. Approval of the requested zone change from R-1D to NR-PO-A is advantageous to the surrounding communities as conveyed by the ABC Comprehensive Plan further described below.

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History:

In 1950, 225 acres north of Central west of the Rio Grande River in southwest Albuquerque called the Palisades addition was acquired by General Patrick J Hurley. At that time, 5 acres were donated to the City for the purpose of a park, and development of improvements started in 1960. In 1996, a Pat Hurley Park Master Plan was developed for the City of Albuquerque by PDS Southwest Ltd. A large stair project incorporating the steep slope and linking the upper and lower park levels occurred in approximately 2003-2005. In 2010, a project redeveloping the community center began, and slope stabilization improvements occurred in 2016. The land-locked tract has been owned by the City for some time, and the City has only recently acquired the two adjacent tracts, which will now provide access from Rincon Rd NW.

Context:

The subject tracts are located in a City Area of Consistency, which the Comprehensive Plan describes as primarily made up of single-family neighborhoods where little change is anticipated, and any future development should be mindful of surrounding context to be compatible with the established character of existing development.

The subject tracts are located in the Southwest Mesa Community Planning Area (CPA). The ABC Comprehensive Plan describes the Southwest Mesa as characterized by its suburban subdivisions, impressive vistas, and connections to the Western Mesa vista. This area is still developing and its identity and sense of community is still emerging. The requested NR-PO-A zone complements the Southwest Mesa Planning Area designation since the proposed NR-PO-A zone land uses are intended to better serve the surrounding community.

The subject tracts are within a quarter mile from the Central Ave Major Transit Corridor / a Main Street Corridor and a Premium Transit Station, and are not within an IDO Overlay zone. The subject tracts are within the influence of the Pat Hurley Neighborhood Association and Westside Coalition of Neighborhood Associations, which were represented at a City sponsored facilitated meeting for this request.

The vacant subject tracts are at the western end of Rincon Rd NW adjacent to the Pat Hurley Park to the north (zoned NR-PO-A), currently owned and managed by the City of Albuquerque Parks and Recreation Department, and containing the Joan Jones community center and sports facilities for softball and tennis.

The subject tracts are currently zoned R-1D and adjacent to existing single-family homes to the east, west, and south, also zoned R-1D. The IDO describes the purpose of the R-1 zone district as providing for neighborhoods of single-family homes with a variety of lot sizes and dimensions, and to require redevelopment to reinforce the established character of the existing neighborhood. Primary land uses include single-family detached homes on individual lots, with limited civic and institutional uses to serve the surrounding residential area.

City of Albuquerque, Parks & Recreation Department

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The purpose of the proposed NR-PO zone district is to protect the natural character of designated private and public parks and open space for public recreation, use, and enjoyment. Primary uses are open space and related recreation facilities, picnic and other shelters, and service/maintenance facilities. The proposed NR-PO-A zone will complement the adjacent uses by providing additional parks and recreation uses for the neighborhood.

Although the existing Pat Hurley site is large, existing steep topography in the center limit the area for development. The Parks and Recreation Department constructed a staircase on this slope for active recreation purposes. However since development of level land is limited in this area, these existing adjacent properties present the opportunity to extend the park and provide additional amenities to the neighborhood. The existing steep topography of these tracts also pose a difficult development question for any developer, and the Parks and Recreation Department will be sensitive to the challenges of topography, drainage, erosion, views, etc. If approved by the EPC, the subject tracts will become part of the existing Pat Hurley Park.

6-7(G)(3) Review and Decision Criteria

Review and Decision Criteria An application for a Zoning Map Amendment shall be approved if it meets all of the following criteria:

6-7(G)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

Applicant response: The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering the goals and policies listed below:

The following section provides an analysis of the relevant ABC Comprehensive Plan goals and policies that confirm the advantages of the proposed zone change for the surrounding communities.

GOAL 4.1 Character: Enhance, protect, and preserve distinct communities.

Applicant response: This request enhances, protects, and preserves distinct communities, *because* it will add NR-PO-A zoned space to the existing Pat Hurley Neighborhood Association's community park. The proposed NR-PO-A zone district will permit the Parks and Recreation Department to protect the subject tracts from private development and enhance the subject tracts for recreational uses.

POLICY 4.1.5 Natural Resources: Encourage high-quality development and redevelopment that responds appropriately to the natural setting and ecosystem functions.



Applicant response: This request encourages high-quality redevelopment that responds appropriately to the natural setting and ecosystem functions, *because* it will allow the City's Parks and Recreation Department to develop and maintain the property in a natural setting while providing additional recreational amenities.

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

Applicant response: This request fosters communities where residents can play together, *because* it will provide additional tracts as part of the NR-PO-A zone district, which will permit development for recreation and play.

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

Applicant response: This request creates healthy, sustainable, and distinct communities with a mix of uses conveniently accessible from surrounding neighborhoods, *because* it will permit additional public recreational uses supporting public health and provide additional sustainable green space in the area. The Pat Hurley Park is a distinct conveniently accessible amenity to the surrounding neighborhoods, attracting visitors to activate the space.

j) Discourage zone changes to commercial, industrial, or office uses outside of Centers and Corridors.

Applicant response: This area is **not** a Comprehensive Plan designated Center or Corridor; therefore it is more appropriate to encourage uses, such as the proposed recreation use that is not commercial, industrial, or office.

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.

Applicant response: This request promotes development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good, *because* the subject tracts are adjacent to existing tracts zoned NR-PO-A, and the request will continue the existing park public facility and therefore an efficient use of land to support beneficial public recreation.

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



Applicant Response: The request encourages and directs growth to Areas of Change where it is expected and desired and ensures that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area, because the subject tracts are in an Area of Consistency and the request will provide a public amenity that is consistent with the scale of the neighborhood. The surrounding neighborhood is characterized by mostly single-family housing with the Pat Hurley park and Joan Jones Community Center to the north of the subject tracts. The Zone Map Amendment limits the density and development of new uses in an Area of Consistency by seeking to zone approximately 1.5 acres of land for additional public park.

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 as mapped in Figure 5-3.

Applicant response: This request provides visual relief from urbanization and offers opportunities for recreation, cultural activities, and conservation of natural resources by setting aside publicly-owned parks throughout the Area of Consistency as designated by the Comp Plan, *because* the proposed NR-PO-A zone permits public recreation opportunities and natural resource conservation, and this request will set aside approximately 1.5 acres as park space for public access in the Pat Hurley neighborhood. The proposed NR-PO-A zone prevents development of housing on the subject lots providing visual relief from urbanization.

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.

d) In areas with predominantly single-family residential uses, support zone changes that help align the appropriate zone with existing land uses.

Applicant Response: This Zone Map Amendment helps to protect and enhance the character of existing single-family neighborhoods by zoning the subject property NR-PO-A for public park space, which is consistent with the appeal and scale of the neighborhood and facilitates, and the overall health and well-being of the area.

This request meets sub-criteria policy (d) because the public park zone designation helps to align the vacant lots with the surrounding Pat Hurley residential neighborhoods and associated land uses.

POLICY 5.7.1 Coordinated Public Investment: Prioritize public investments and program funding by the City and County to be consistent with and to implement Comp Plan land use goals and policies.

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Applicant response: This request prioritizes public investments and program funding to be consistent with and to implement Comp Plan land use goals and policies, *because* the proposed NR-PO-A zone will reflect ownership of the tracts by the Parks and Recreation Department. By aligning the zone district with City ownership, the tracts will be mapped as Parks and Recreation Department tracts available for development, public investment, and Capital Implementation Program funding. The Comprehensive Plan land use goals and policies will be implemented as shown by this criteria 6-7(G)(3)(a).

POLICY 7.3.2 Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

Applicant response: This request encourages design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places, *because* the proposed NR-PO-A zone will permit the development of the subject tracts as a park, which encourages design strategies that embrace the distinct character of the steep-slope on the subject tracts, and permit a safe and attractive development of lots that are currently vacant.

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

Applicant response: This request provides parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly, *because* the proposed NR-PO-A zone will permit the expansion of the existing Pat Hurley Park, which will increase equitable access to public amenities. The Parks and Recreation Department will be able to responsibly develop the subject existing tracts and incorporate the steep slopes into additional recreation area for residents.

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.

Applicant response: This request improves the community's access to recreational opportunities by balancing the City and County's parks and Open Space systems with the built environment, *because* it increases public space in the Pat Hurley residential neighborhood. Access from Rincon Rd NW is within the built environment will provide additional passive recreational opportunities and increase the park network on currently under-utilized lots within the existing Pat Hurley neighborhood.

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.



Applicant response: This request provides opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote involvement for all residents, *because* the request will add approximately 1.5 community acres of land increasing the network of City public parks and reserve the land for uses that are geared toward the public good. The proposed NR-PO-A zone will permit the Parks and Recreation Department to develop the tracts to meet community needs and increase quality of life using public funding.

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.

Applicant response: This request supports the planning and implementation of a system of parks to meet a range of needs at different scales, *because* the proposed NR-PO-A zone will permit the Parks and Recreation Department to add the three currently vacant subject tracts to the existing Pat Hurley community park for public use to meet additional recreational needs.

POLICY 10.4.1 Public Priorities: Engage the public to determine priorities and ensure equitable public investment.

Applicant response: This request engages the public to determine priorities and ensure equitable public investment, *because* it consulted the affected Pat Hurley Neighborhood Association both prior to this application and in a facilitated meeting for this application. The Parks and Recreation Department is committed to continue to contact the Pat Hurley Neighborhood Association to discuss improvements at the Pat Hurley Park.

GOAL 12.2 Community Facilities: Provide community facilities that have convenient access and a wide range of programs for residents from all cultural, age, geographical, and educational groups to enhance quality of life and promote community involvement.

Applicant response: This request provides community facilities that have convenient access and a wide range of programs for residents from all cultural, age, geographical, and educational groups to enhance quality of life and promote community involvement, *because* the proposed NR-PO-A zone will permit development of a public park, which is a community facility in a conveniently accessible location adjacent to an existing park. Because the park will be public, it will be available to enhance the quality of life for a wide range of programs for residents from all groups and promote community involvement with opportunities for community interaction.

POLICY 12.2.2 Existing Facilities: Maintain and improve existing community facilities to better and more equitably serve the community.



Applicant response: This request maintains and improves existing community facilities to better and more equitably serve the community, *because* the proposed NR-PO-A zone will permit the City of Albuquerque Parks and Recreation Department to maintain and improve the existing vacant tracts as part of the existing Pat Hurley Park in order to better and more equitably serve the Pat Hurley community.

POLICY 12.2.3 New Facilities: Site new facilities in areas with excellent access to provide services to underserved and developing areas.

Applicant response: This request sites new facilities in areas with excellent access to provide services to underserved and developing areas, *because* the proposed NR-PO-A zone will permit expansion of the services such as walking, exercise, play, and passive recreation, offered by the existing Pat Hurley Park, which is in a currently underserved and developing area. The Parks and Recreation Department will be able to more sensitively incorporate the unique character of the existing steep slope than a residential development.

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

Applicant Response: This request protects and maintains safe and healthy environments where people can thrive *because* it adds outdoor public recreation area that will increase the health and well-being of residents by preserving public land, promoting walkability, providing relief from urbanization, and increasing property values.

6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), 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. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria.

- 1. There was typographical or clerical error when the existing zone district was applied to the property.*
- 2. There has been a significant change in neighborhood or community conditions affecting the site.*
- 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).*



Applicant Response: The requested NR-PO-A zone would clearly reinforce or strengthen the established character of the surrounding area. While Areas of Consistency such as the subject area are permitted to see some infill development and new uses, new development or redevelopment should be compatible in scale and character with the surroundings. The proposed NR-PO-A, Park and Open Space Zone District will reinforce the sense of community within the existing residential development as shown in the response to 6-7(G)(3)(a) above.

This request meets sub-criteria 3, because the requested NR-PO-A is more advantageous to the community as articulated by the ABC Comp Plan as amended and other applicable adopted City plans as shown in the response to 6-7(G)(3)(a) above. As described in the ABC Com Plan, neighborhoods designated as Areas of Consistency are protected by policies to limit densities, new uses, and negative impacts from nearby development.

6-7(G)(3)(c) If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria.

1. *There was typographical or clerical error when the existing zone district was applied to the property.*
2. *There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.*
3. *A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).*

Applicant Response: The subject tracts are located in an Area of Consistency not an Area of Change, therefore this criterion does not apply.

6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

Applicant Response: Permissive uses that could be viewed as harmful to adjacent residents such as an event facility, stadium, high school, race track, or sports field (shown in the table below) could not be established because the subject site is restricted in size, includes extremely steep slopes, is mostly land-locked and surrounded by homes. The subject site is considered inappropriate by the Parks and Recreation Department to accommodate architectural structures and parking for larger groups of congregating people. Development standards set forth by the IDO and other property constraints would also make construction of higher intensity uses impossible. Therefore, the harmful impacts listed will be adequately mitigated by

City of Albuquerque, Parks & Recreation Department

PAT HURLEY PARK

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these constraints. In addition, the City has policies and procedures in place requiring consultation with the surrounding neighborhood regarding improvements at their park, and many permissive uses in NR-PO-A zones are advantageous to supporting complete communities.

This request will eliminate the potential for single-family homes constructed on the subject lots, and allow improvements that are more responsive to the natural environment. Certain uses such as Parks and Open Space are permitted in both the existing R-1D zone and the proposed NR-PO-A zone; however, the request will permit transparency to the public and a smoother process for City improvements.

Table 4-2-1: Allowable Uses

P = Permissive Primary, C = Conditional Primary, A = Permissive Accessory

Allowable Use	Existing R-1D	Proposed NR-PO-A
Elementary or middle school	C	P
High school	C	P
Museum		P
Parks and open space	P	P
Sports field		P
Nursery		A
Other indoor entertainment		P
Paid parking lot		A
Club or event facility		P
Amphitheater		P
Balloon Fiesta Park events and activities		P
Stadium or racetrack		P
Other outdoor entertainment		P
Farmers' market		P
Park-and-ride lot		A
Wind energy generation		A
Mobile vending cart		A

6-7(G)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, meet any of the following criteria:

- 1. Have adequate capacity to serve the development made possible by the change of zone.**
- 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.**



3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).
4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City approved Development Agreement between the City and the applicant.

Applicant Response: This request meets sub-criteria 1 above because the subject site is an infill parcel that is connected to existing city infrastructure with an entrance on Rincon Rd NW.

6-7(G)(3)(f) The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

Applicant Response: The subject tracts are not located on a major street. The requested zone map amendment is being justified based on the advantages it provides for the community rather than its location on a major street.

6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

Applicant Response: The proposed zone map amendment is being justified based on the advantages it provides for the community rather than the cost of land.

6-7(G)(3)(h) The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e. create a "spot zone") or to a strip of land along a street (i.e. create a "strip zone") unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least 1 of the following applies.

1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.
3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.

Applicant Response: This request does not create a spot zone because it is adjacent to existing properties zoned NR-PO-A to the north. The IDO defines adjacent as those properties that are abutting or separated only by a street, alley, trail, or utility easement, whether public or private. Therefore, although Rincon Rd NW ROW exists between the existing Pat Hurley Park tracts and the subject tracts, they are adjacent.

City of Albuquerque, Parks & Recreation Department

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Conclusion

The request is seeking approval for a Zoning Map Amendment to change the current zoning for three tracts from R-1D (Residential – Single Family Zone District) 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 tracts by the City of Albuquerque. The subject tracts are vacant and located entirely in an Area of Consistency, and the request helps to reinforce the existing character of the surrounding area, which is predominantly residential. This request is consistent with Comprehensive Policies as illustrated in this letter, and the City Parks and Recreation Department respectfully requests approval.

Sincerely,
City of Albuquerque
Parks and Recreation Department

STAFF INFORMATION

August 24, 2023

TO: Cheryl Somerfeldt, Sr Planner
City of Albuquerque Parks & Recreation Department

FROM: Catherine Heyne, Planner
Catalina Lehner, Principal Planner
City of Albuquerque Planning Department

TEL: (505) 924-3310; cheyne@cabq.gov

RE: PR-2023-009108, Pat Hurley Park ZMA

We've completed a first review of the proposed zoning map amendment, and would like to discuss a few questions and recommend suggestions. We are available to answer questions about the process and requirements. Please provide the following:

⇒ A revised zone change justification letter pursuant to R270-1980 (one electronic copy),
by **12 pm on August 31, 2023.**

Note: If you have difficulty with this deadline, please let me know.

1) Introduction:

- A. Though we've done our best for this review, additional items may arise as the case progresses. If so, we will inform you immediately.
- B. This is what we found for the legal description:
 - i. All or a portion of 016 Palisades PK Addn. Replat, 012 Palisades PK, 013 Palisades Park Replat, located on Rincon Rd. between 53rd St. NW and Yucca Dr. NW (J-11-Z).
 - ii. We noticed a discrepancy in acreage calculations between the Deeded Assessed Acres and Calculated GIS Acres in the [Zoning Advanced Map Viewer](#) between Assessed and AGIS acreage (1.07 acres vs 1.6 acres), continue using the 1.6 acre area determination.
- C. It is our understanding that you submitted a zoning map amendment request updating existing IDO zoning of R-1D to NR-PO-A for three parcels within the Palisades Park Addn which will reflect Parks & Recreation ownership.
- D. The request would facilitate expansion of the existing park. Is there anything else you'd like to tell us about the request?

2) Process:

- A. Information regarding the EPC process, including the calendar and current Staff reports, can be found at: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission>
- B. Timelines and EPC calendar: the EPC public hearing for September is on the 21st. Final staff reports will be available about one week prior, on September 14th.
- C. You will receive an email with a copy of the agency comments once they are received; any late ones will also be forwarded to you.

3) Public Involvement – Notification & Neighborhood Issues:

Notification requirements for a zone change are explained in Section 14-16-6-4(K), Public Notice (IDO, p. 378). The required notification consists of: i) an offer of neighborhood meeting, ii) an emailed letter to neighborhood representatives indicated by the ONC, iii) a mailed letter (first-class) to property owners within 100 feet of the subject site, and iv) yellow sign postings.

- A. It appears that the applicant has provided email notice of the application to all eligible Neighborhood Association representatives, however, the up-to-date ONC Response Letter is missing:
 - Why does the included ONC response letter have contacts for the Stardust Skies NA, which is in the Northeast Heights?
 - Please use proper form (https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf) and resend the email to Neighborhood Association representatives.
- B. It appears that the applicant has provided notice of the application to all adjacent property owners via first class mail as required by the IDO.
- C. A pre-submittal neighborhood meeting was held. How did that go, in your opinion?
- D. Please let us know if you receive any additional comments. If you do, these will be included in our staff report.
- E. The Sign Posting Agreement was not completed. Please fill out and sign. Sign posting is required on the subject site at least 15 days prior to and after the 9/21/23 EPC hearing date, not counting that date (e.g., Wednesday, September 6, 2023 to Friday, October 6, 2023). We encourage applicants to get the sign up earlier and take a photo to demonstrate this has been done.

4) Project Letter

- A. The project letter included with the Justification Letter section seems complete.

- B. ADD ANY QUESTIONS YOU MIGHT HAVE BASED ON WHAT YOU READ IN THE PROJECT LETTER.

5) Zone Change Justification - General:

Revisions are needed to responses to Criterion A, B, D, and H. Specifically, Criterion A, B, and H will need to be reworked, while Criterion D needs strengthening in a revised justification letter. (Adding page numbers is helpful.) The specifics of these revisions are discussed below:

- A. The task in a zone change justification is to choose applicable Goals as well as Policies from the Comprehensive Plan and demonstrate how the request is relevant to or furthers each applicable Goal and Policy. Furthering is shown by providing explanations using “because” statements and tailoring the response to match the wording of the Goal or Policy.
- B. Please note: Responding to the zone change criteria is more of a legal exercise than anything else. It is critical to “hit the nail on the head” both conceptually and in terms of form. This can be done by:
 - 1. Re-phrasing the requirement itself in the response.
 - 2. Using conclusory statements in the applicant response such as “because ____”.
 - 3. Choosing only the pertinent option when needed to respond to a requirement.

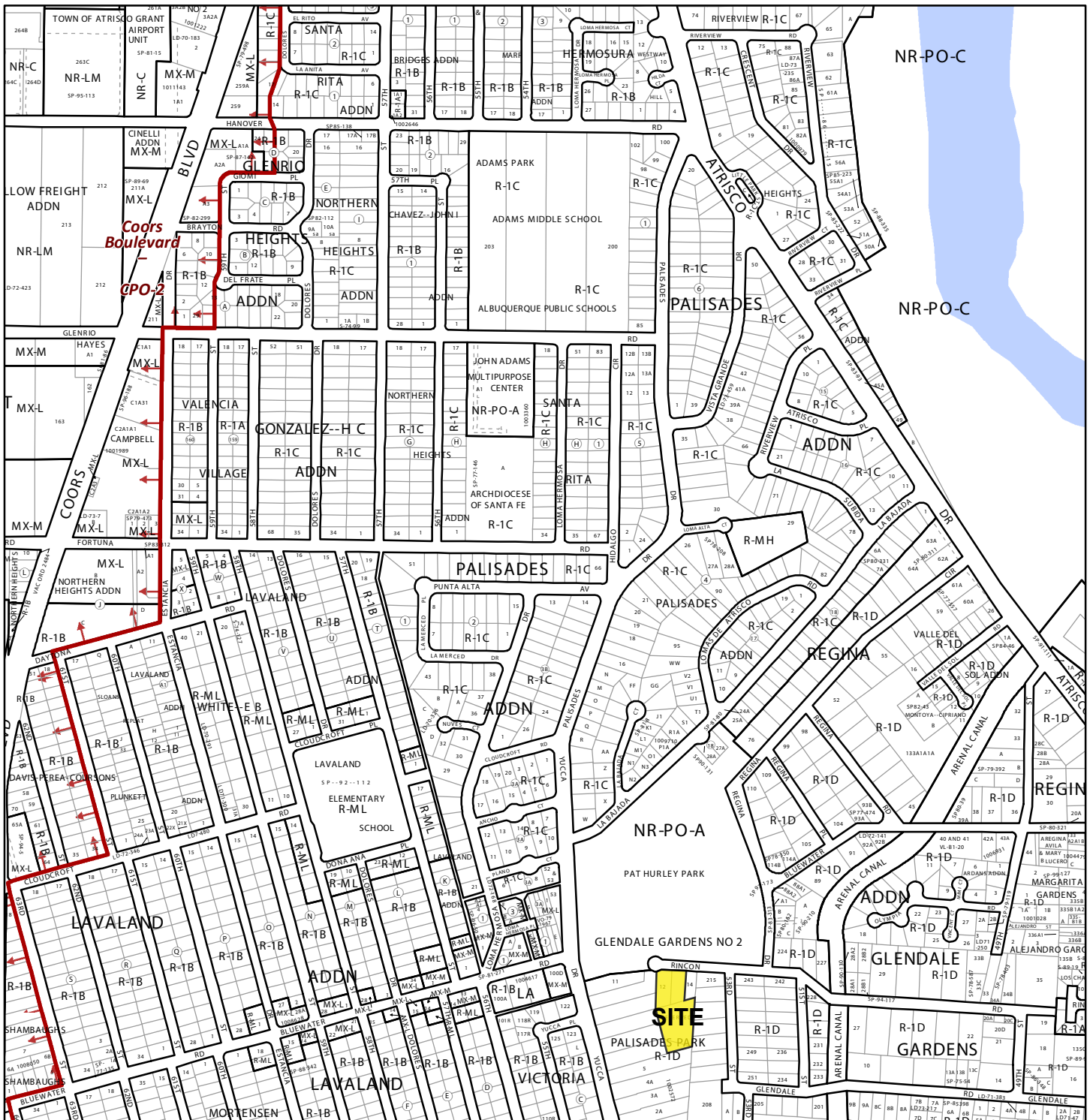
6. Zone Change Justification - Specific:

Revisions are needed to responses to Criterion A, B, D, and H. Specifically, Criterion A, B, and H will need to be reworked, while Criterion D needs strengthening in a revised justification letter. (Adding page numbers is helpful.) The specifics of these revisions are discussed below:

- A. **Criterion A:** Please revise your response to Criterion A in your justification letter. Goal justification statements are missing and Applicant response does not clearly reinforce, strengthen, or tie back to the selected Policy.
 - a. Goal and Policy justification should show that the request “clearly facilitates” implementation of the Comp Plan. For many of the represented Policies, more specifically, how and why would they be applicable (e.g. 5.7.1, 7.3.1, 13.4.4).
 - b. Several Policies included seem to support a Site Plan versus Zoning Map justification (e.g. Policy 7.5.1, 7.6.3).
- B. **Criterion B:** Please revise your response to Criterion B in the justification letter based on the following information:
 - a. Select only the pertinent option when responding to a requirement.
 - b. The response needs to meet the two tests mentioned: demonstrate that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and that the new zone is more advantageous to the community as articulated by the Comp Plan.

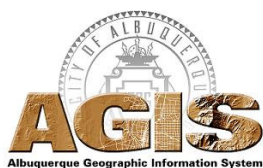
- c. The narrative should be updated in your revised justification letter.
- C. **Criterion D:** Please re-work the responses to Criterion D, with the following information addressed:
 - a. The response to Criterion D is currently insufficient because it does not adequately discuss potential harm or the mitigation of potential harm through the Use-specific Standards identified within the IDO. The revised response should discuss how the newly permissive uses would be mitigated or how potentially harmful uses that would be made permissive in the NR-PO-A zone district be eliminated.
- D. **Criterion H:** Please revise the response to Criterion H in your resubmitted justification letter based on the following information:
 - 1. This response needs to be strengthened using a “because_____” statement in relation to not being a spot or strip zone.

NOTIFICATION

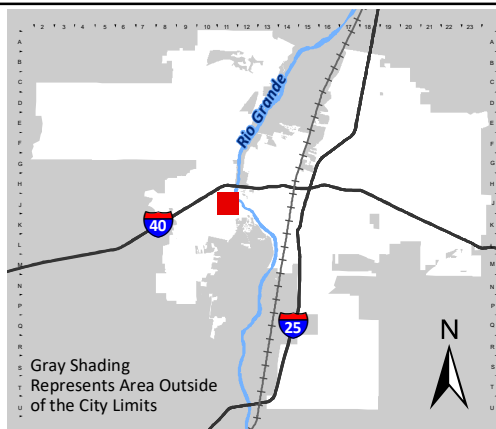


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).



Zone Atlas Page:
J-11-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet

PLEASE NOTE:

The City Council recently voted to update the Neighborhood Association Recognition Ordinance (NARO) and the Office of Neighborhood Coordination (ONC) is working to ensure all neighborhood associations and neighborhood coalitions are in compliance with the updated ordinance. There will likely be many updates and changes to association and coalition contact information over the next several months. With that in mind, please check with the ONC every two (2) weeks to ensure that the contact information you have for associations and coalitions is up to date.

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	Association Email	Association Website	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Pat Hurley NA		pathurleyneighbors.com	Barbara	Baca	vicepresident.phna@gmail.com	636 Atrisco Drive NW	Albuquerque	NM	87105	5052696855	
Pat Hurley NA		pathurleyneighbors.com	Julie	Radoslovich	president.phna@gmail.com	235 Mezcal Circle NW	Albuquerque	NM	87105	5053524440	
Westside Coalition of Neighborhood Associations	wscona0@gmail.com	https://www.wsconanm.org/	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120	5059852391	5058982114
Westside Coalition of Neighborhood Associations	wscona0@gmail.com	https://www.wsconanm.org/	Elizabeth	Haley	elizabethkayhaley@gmail.com	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.
- Please use this online link to find the required forms you will need to submit your permit application.
<https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here:
https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf.
- The Administrative Decision form you need for notifying neighborhood associations can be found here:
<https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>
- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you.



Vanessa Baca

Manager

Office of Neighborhood Coordination (ONC) | City Council Department | City of Albuquerque
(505) 768-3331 Office

E-mail: vanessabaca@cabq.gov

Website: www.cabq.gov/neighborhoods



From: webmaster@cabq.gov <webmaster@cabq.gov>

Sent: Wednesday, July 5, 2023 5:52 PM

To: Somerfeldt, Cheryl <csomerfeldt@cabq.gov>

Cc: Office of Neighborhood Coordination <onc@cabq.gov>

Subject: Neighborhood Meeting Inquiry Sheet Submission

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Neighborhood Meeting Inquiry For:

Environmental Planning Commission

If you selected "Other" in the question above, please describe what you are seeking a Neighborhood Meeting Inquiry for below:

Contact Name

Cheryl Somerfeldt

Telephone Number

505-768-5363

Email Address

csomerfeldt@cabq.gov

Company Name

COA Parks and Recreation

Company Address

1801 N 4th St NW

City

Albuquerque

State

NM

ZIP

87111

Legal description of the subject site for this project:

016 PALISADES PK ADDN REPLAT, 012 PALISADES PK, 013 PALISADES PARK REPLAT

Physical address of subject site:

RINCON RD NW ALBUQUERQUE NM 87105

Subject site cross streets:

Rincon Rd NW & 53rd St NW

Other subject site identifiers:

This site is located on the following zone atlas page:

J-11-Z

Captcha

x

[Note: Items with an asterisk (*) are required.]

Neighborhood Meeting Request for a Proposed Project in the City of Albuquerque

Date of Request*: 07-05-2023

This request for a Neighborhood Meeting for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: Pat Hurley, Westside Coalition

Name of NA Representative*: Julie Radoslovich, Barbara Baca, Rene Horvath, Elizabeth Haley

Email Address* or Mailing Address* of NA Representative¹: president.phna@gmail.com,
vicepresident.phna@gmail.com, aboard111@gmail.com, elizabethkayhaley@gmail.com

The application is not yet submitted. If you would like to have a Neighborhood Meeting about this proposed project, please respond to this request within 15 days.²

Email address to respond yes or no: csomerfeldt@cabq.gov

Meeting Date / Time / Location:

The applicant may specify a Neighborhood Meeting date that must be at least 15 days from the Date of Request above, unless you agree to an earlier date.

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* Rincon Rd NW
Location Description 53rd St NW and Yucca Dr NW
2. Property Owner* City of Albuquerque Parks and Recreation Department
3. Agent/Applicant* *[if applicable]* City of Albuquerque Parks and Recreation Department
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - ☐ Conditional Use Approval
 - ☐ Permit _____ (Carport or Wall/Fence – Major)
 - ☐ Site Plan
 - ☐ Subdivision _____ (Minor or Major)

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² If no one replies to this request, the applicant may be submitted to the City to begin the review/decision process.

[Note: Items with an asterisk (*) are required.]

- ☐ Vacation _____ (Easement/Private Way or Public Right-of-way)
- ☐ Variance
- ☐ Waiver
- X Zoning Map Amendment
- ☐ Other: _____

Summary of project/request^{3*}: A zone change to reflect Parks & Recreation ownership over newly acquired parcels adjacent to Pat Hurley Park.

This type of application will be decided by^{*}: ☐ City Staff

5. OR at a public meeting or hearing by:

- ☐ Zoning Hearing Examiner (ZHE) ☐ Development Review Board (DRB)
- ☐ Landmarks Commission (LC) X Environmental Planning Commission (EPC) ☐
- City Council

6. Where more information about the project can be found^{4*}:

contact Cheryl Somerfeldt, Parks & Recreation Department, csomerfeldt@cabq.gov, 505-768-5363

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)^{5*} J-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant^{*}: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards will be requested for this project^{*}:
Deviation(s) ☐ Variance(s) ☐ Waiver(s) ☐
Explanation: No deviations, variances,, or waivers requested
4. An offer of a Pre-submittal Neighborhood Meeting is required by [Table 6-1-1](#)^{*}: Yes ☐ No ☒

³ Attach additional information, as needed to explain the project/request. Note that information provided in this meeting request is conceptual and constitutes a draft intended to provide sufficient information for discussion of concerns and opportunities.

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:

- ☐ a. Location of proposed buildings and landscape areas.*
- ☐ b. Access and circulation for vehicles and pedestrians.*
- ☐ c. Maximum height of any proposed structures, with building elevations.*
- ☐ d. **For residential development***: Maximum number of proposed dwelling units.
- ☐ e. **For non-residential development***:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

Additional Information:

1. From the IDO Zoning Map⁶:
 - a. Area of Property [typically in acres] 1.6 acres
 - b. IDO Zone District R-1D
 - c. Overlay Zone(s) [if applicable] N/A
 - d. Center or Corridor Area [if applicable] N/A
2. Current Land Use(s) [vacant, if none] Vacant

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>

Somerfeldt, Cheryl

From: Somerfeldt, Cheryl
Sent: Tuesday, July 11, 2023 5:11 PM
To: vicepresidente.phna@gmail.com; president.phna@gmail.com; aboard111@gmail.com; elizabethkayhaley@gmail.com
Cc: Flores, David M.; Firor, Laurie; Casados, Jonathon P.
Subject: Pat Hurley Park Zone Change, Notice of EPC Public Hearing
Attachments: IDOZoneAtlasPage_J-11-Z.pdf

Public Notice Electronic Mail

In accordance with the City of Albuquerque's (COA) Integrated Development Ordinance (IDO) subsection 14-16-6-4, we are notifying you as a Neighborhood Association Representative of an application for a Zoning Map Amendment (Zone Change) for newly acquired properties near the existing Pat Hurley Park. The City of Albuquerque Parks and Recreation Department is the property owner of the three subject tracts, and the applicant to change the existing R-1D Single Family Residential Zone District to the NR-PO-A Park and Open Space Zone District. The three tracts are located to the southwest of the intersection of Rincon Rd NW and 53rd St NW (see attached Zone Atlas page).

The Environmental Planning Commission (EPC) is anticipated to hear this request on **Thursday September 21, 2023** at 8:40am. Instructions to join the meeting and the Planning Department's report/analysis will be posted one week prior to the hearing date here: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.

In accordance with IDO subsection 14-16-6-4(B)(4), a Neighborhood Association must respond within 15 days of this notice if a meeting is requested, and must schedule the meeting within 30 days unless an earlier date is agreed upon by all parties. If the Neighborhood Association fails to respond within 15 days of this notice or declines the meeting, the applicant may proceed.

At any time, you may contact the Parks and Recreation Department for more information or to provide comments at csomerfeldt@cabq.gov, 505-768-5363.

The application for this Zoning Map Amendment is expected to be submitted August 10, 2023, and will then become public record. After this date, anyone may ask to review the application by contacting the Planning Department at devhelp@cabq.gov or calling 505-924-3857 (choose Option 1).

Thank you for your time,



CHERYL SOMERFELDT

senior planner

o 505.768.5363

c 619.573.5324

e csomerfeldt@cabq.gov

cabq.gov/parksand recreation

CITY OF ALBUQUERQUE



July 24, 2023

Dear Property Owner,

In accordance with the City of Albuquerque's (COA) Integrated Development Ordinance (IDO) subsection 14-16-6-4, the Parks and Recreation Department is notifying you as a nearby property owner of an application for a Zoning Map Amendment (Zone Change) from the existing R-1D (Single Family Residential) Zone to the NR-PO-A (Park and Open Space) Zone for newly acquired properties near the existing Pat Hurley Park. The three tracts are located to the southwest of the intersection of Rincon Rd NW and 53rd St NW (see attached Zone Atlas page).

The City is offering a virtual facilitated meeting for this request on Monday August 7, 2023. If you would like to join this meeting or if you have any questions or comments, please contact the Parks and Recreation Department at csomerfeldt@cabq.gov, 505-768-5363.

The application for this Zoning Map Amendment is expected to be submitted August 10, 2023, and will then become public record. After this date, anyone may ask to review the application by contacting the Planning Department at devhelp@cabq.gov or calling 505-924-3857 (choose Option 1).

The public hearing for this request is expected to be heard by the Environmental Planning Commission (EPC) on **Thursday September 21, 2023** at 8:40am. Instructions to join the meeting and the Planning Department's report/analysis will be posted one week prior to the hearing date here: <https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.

Sincerely,
City of Albuquerque
Parks and Recreation Department

Analysis

Export Drawings

Line

Disable Buffering

Enable Add Results

Enable Subtract Results

Enable Snapping

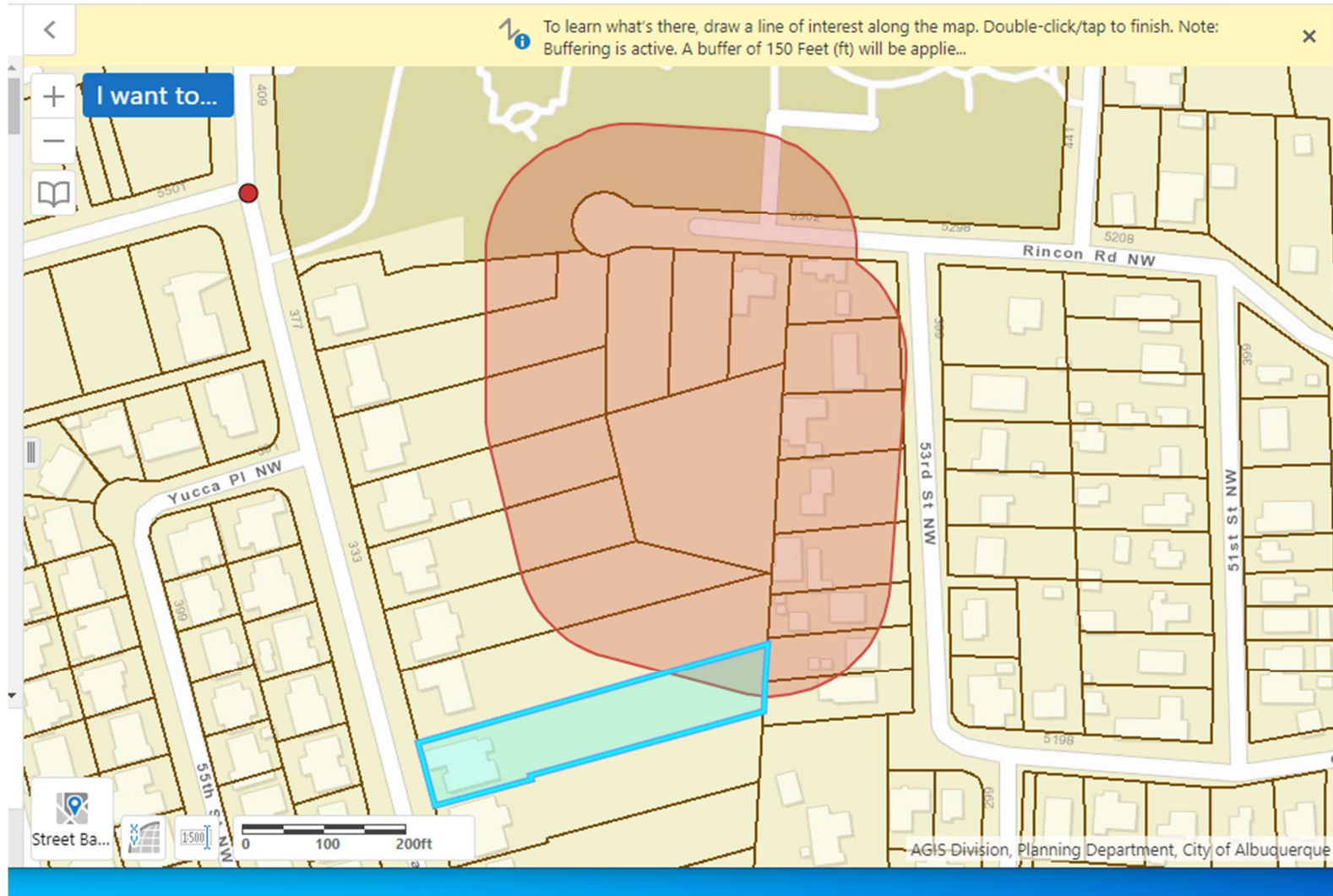
Select Snapping Layers

Identifiable Layers

Query

Filter

Find Data



GABALDON DOROTHY L TRUSTEE GALBADON RVT
PEREZ JULIAN M
GUTIERREZ JESSE T JR & ROSE
QUINTANA HUGO CORCHADO & ALDERETE DE CORCHADO YANET
VIGIL KATHERINE
MONTANO DOROTHY
RIVERA JAVIER & MARICELA G
HERNANDEZ ESTEBAN B
PALMA MIGUEL
LOPEZ EMILY
CRANDALL RANDOLPH GEORGE & SUSAN E
COONEY TERRANCE M
VIGIL KATHERINE
HARGE GERALDINE M
HERBERT R JON & JEAN
GUTIERREZ ROSE
VAZQUEZ FRANCISCO & GRACIELA
CANDELARIA ALFRED J & ADRIENNE E TRUSTEES CANDELARIA RVT
ZAMORA JUAQUIN R & JACLYN & SANCHEZ KEN

312 YUCCA DR NW
301 53RD ST NW
303 53RD ST NW
324 YUCCA DR NW
14 VIA LUNA DR
315 53RD ST NW
340 YUCCA NW
329 53RD ST NW
331 53RD ST NW
332 YUCCA DR NW
5304 RINCON RD NW
316 YUCCA DR NW
14 VIA LUNA DR
328 YUCCA DR NW
5300 RINCON RD NW
305 53RD ST NW
321 53RD ST NW
320 YUCCA DR NW
336 YUCCA DR NW

[illegible]



**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART I - PROCESS

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: Zoning Map Amendment (Zone Change)

Decision-making Body: Environmental Planning Commission (EPC)

Pre-Application meeting required: ☐ Yes ☒ No

Neighborhood meeting required: ☐ Yes ☒ No

Mailed Notice required: ☒ Yes ☐ No

Electronic Mail required: ☒ Yes ☐ No

Is this a Site Plan Application: ☐ Yes ☒ No **Note: if yes, see second page**

PART II – DETAILS OF REQUEST

Address of property listed in application: Rincon Rd NW

Name of property owner: City of Albuquerque Parks & Recreation Department

Name of applicant: City of Albuquerque Parks & Recreation Department

Date, time, and place of public meeting or hearing, if applicable: 08-07-2023

Address, phone number, or website for additional information: see attached

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☒ Zone Atlas page indicating subject property.

☐ Drawings, elevations, or other illustrations of this request.

☒ Summary of pre-submittal neighborhood meeting, if applicable.

☒ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [SUBSECTION 14-16-6-4\(K\)](#) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Cheryl Somerville (Applicant signature) 09-07-2023 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION
- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.

B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.

C. No barrier shall prevent a person from coming within five feet of the sign to read it.
2. NUMBER
- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.

B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.
3. PHYSICAL POSTING
- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.

B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.
4. TIME
- Signs must be posted from Wednesday, September 6, 2023 To Friday, October 6, 2023
5. REMOVAL
- A. The sign is not to be removed before the initial hearing on the request.

B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Cheryl Somerfeldt, Parks and Recreation Department

(Applicant or Agent)

08-28-2023

(Date)

I issued _____ signs for this application, _____,

(Date)

(Staff Member)

PROJECT NUMBER: PR-2023-009108, Pat Hurley Park ZMA

City of Albuquerque, Parks & Recreation Department

PAT HURLEY PARK

EPC – Zoning Map Amendment



FACILITATED MEETING REPORT

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM ZOOM MEETING REPORT

Pat Hurley Park Extension

Project: CABQ Requested EPC Zone Change for Pat Hurley Park Extension

Property Description/Address: Pat Hurley Park NW

Date Submitted: August 9, 2023

Submitted By: Jocelyn M. Torres, Land Use Facilitator

Meeting Date/Time: August 7, 2023, 5:00 pm – 7:00 pm

Meeting Location: Conducted via Zoom

Applicant: City of Albuquerque Parks and Recreation

Agents: David Flores, Deputy Director; Cheryl Somerfeldt, Senior Planner; and Jonathon Casados, Project Coordinator

Neighborhood Associations/Interested Parties – PHNA, WSCONA and Neighbors

This report highlights the major issues that were discussed regarding the City’s planned EPC zone change application. It was completed within the short time frame preceding the August 10, 2023 filing date. It is not a transcript. As noted herein, participants unanimously support the zone change.

Background Summary:

Pat Hurley Park was originally named Palisades Park. The name was changed in 1950 as a result of Mr. Hurley’s donation of additional land to that park.¹ Erosion has long been a problem at this westside location.² For several years, the City has owned a landlocked parcel in the park’s immediate vicinity. It has now purchased two contiguous parcels accessing the road. The City now plans to expand the existing park to benefit the public. Total land mass is one and a half acres. The City is filing an EPC application for an IDO zone change from RD-1 to NR-PO-A on August 10, 2023. The requested zone change better reflects the intended park expansion and usage. The site will be landscaped and irrigated. Although the IDO allows for several uses, the City plans to develop the land as a park. The City may develop the neighborhood cul-de-sac in the future.

Discussion.

- a. The City primarily addressed the following topics:
 - i. Previously owned landlocked parcel;
 - ii. City’s acquisition of two contiguous parcels bordering the road;
 - iii. City’s requested zone change; and
 - iv. City’s intended park expansion.³

¹ <https://www.abqjournal.com/2603627/one-abq-park-shares-its-tenacity-and-name-with-a-us-diplomat.html>

² <https://www.abqjournal.com/2572827/what-can-be-done-about-erosion-at-albuquerques-pat-hurley-park.html>

³ This list is not intended to be exhaustive and is further detailed in the report.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

b. Neighborhood feedback:

- i. Neighbors commented and asked questions primarily regarding the location, intended zone change, site specific erosion and native plants;
- ii. Participants unanimously supported the City's intended park expansion.⁴

Conclusions.

- a. Participants voiced unanimous support for the proposed park expansion.
- b. The City will file its zone change application on August 10, 2023.
- c. Neighbors will be included in future notifications regarding this park expansion and design.

Meeting Specifics. *Participant Questions and Comments are Italicized.* Others are displayed in regular font. *Q- Question; C-Comment; A-Answer; C- Comment.*

1. Park expansion site.

- a. *Q: What is the total land mass of the proposed park expansion?*

A: Approximately one and a half acres.

Q: Are you required to submit a site plan for intended uses rather than just applying for a zone change? Do you have something in mind for this expansion?

A: We will go through the public process but are thinking of a low-level design for a dog park. We would also include some trees and grading. We are not required to submit a site plan for this zone change. It will only involve a public park and possibly a dog park.

Facilitator: Is that private property adjacent to the two lots the City has acquired?

A: Yes there is a house on that property. We often acquire remnant land, such as the landlocked parcel. It is not flat for the purpose of building a house. We have acquired the additional two parcels for the purpose of expanding the park.

Facilitator: Will there be a sprinkler or other irrigation system?

A: Yes that is planned.

- b. *Q: What are the allowed uses for the park /open space zone?*

⁴ This list is not intended to be exhaustive and is further detailed in the report.

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

A: The zone change eliminates residential housing. Although the IDO allows several options, this space is not sized for that.⁵ We will go to the public with any intense improvements. We are not intending those types of uses due to the small size of the space. The only use we are considering is the park open space, which is fifth on the applicable list. We'll include landscaping and trees. We may add amenities such as trash cans, lighting and screening. There may be a dog park which has not been determined yet. There will not be parking on this site. It will only allow pedestrian access.

- c. *Q: What exactly are you seeking from the EPC. Do you want to have this parcel declared as open space?*

A: We are seeking a zone change from R-1D to NR-PO-A for the purpose of building an open space park.

- d. *Q/C: Will you have a buffer between the existing house and the park expansion? There is some erosion going on there. There is also trash and dumping.*

A: The sight will require some grading. We will work with a design consultant and the neighborhood association when we get to that point. The park will provide that buffer.

- e. *Q: Is there a pedestrian trail from the street that accesses that site? It would be a nice interconnect.*

A: We call them social trails. The designated trail system is up north. We will try to mitigate erosion and have not yet designed a trail.

Facilitator: How steep is the grade on the park expansion site?

A: There is a slope but the grade is not too steep. It may even be ADA accessible.

Facilitator: Will the cul-de-sac be developed at some point?

A: We may develop that roadway in the future. The right of way is already there. Since we are not building residential homes, cul-de-sac development is not required. If developed, that would involve an application to the Design Review Team (DRT). Here, we are just applying for an EPC zone change.

- f. *Q: Who owns the parcel south of the two purchased lots?*

A: The City.

- g. *Q: What about erosion?⁶ How do you plan to control that? Will you add vegetation or just control what you have?*

⁵ See Attached Allowable Use Table.

⁶ See February, 2023 Journal article.

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A: It is very difficult and costly to try to curb the erosion. Vegetation often dies because it is so dry. We've had microbursts that have caused more erosion. The stairs are built with swale to help mitigate erosion.⁷ We later added gabion baskets⁸ and heavy rock. We will look at the properties on these parcels to determine if they need the baskets. If so, we would require general obligation bond funding.

h. *Q: Are your people trained in the native plant?*

A: Yes we have tried various plants like Russian Sage. It's just very difficult. We send our employees for this training every year.

i. *Q: Does the City have a proposed site plan for the property?*

A: That is not necessary for this type of development.

j. *Q: How large is the tract of land that was purchased by the City for this zone change?*

A: The two combined parcels are approximately one-half acre. The existing parcel is approximately one acre; totaling approximately one and a half acres.

k. *Q: What is the intended use for this space?*

A: Public park and possible dog park.

2. Notice, Design, Neighborhood Impact and Fencing.

a. *Q: How have immediate neighbors been informed of this meeting and the planned development?*

A: Email notice was sent to neighbors and the neighborhood association. We also mailed letters to those residing within 100 feet of the property lines.

Q: Will notice be posted?

A: Yes. I believe it will be posted two weeks prior and at least one week subsequent to the EPC hearing. We are filing the application on Thursday August 10, 2023. The EPC hearing is therefore scheduled for September 21, 2023.

⁷ Swale is a shallow channel with gently sloping sides that slows and captures runoff by spreading it horizontally across the landscape. See <https://www.masterclass.com/articles/swale-definition>.

⁸ A gabion basket or cage is filled with earth or rocks and used especially in building a support or abutment. See <https://www.merriam-webster.com/dictionary/gabion>.

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b. *Q: How will the community be involved in designing this space?*

A: We will hire a design consultant and hold community meetings.

Facilitator: Will the hiring be done through an RFP?

A: An RFP is not required. We plan to call upon contract vendors. Those contracts are capped in terms of time and dollar value. Once we have preliminary ideas, we will schedule a meeting to obtain community input on the design.

c. *Q: When will the design phase occur? Will that be in this fiscal year?*

A: Yes, the design phase will occur in FY24. We have bond money for this purpose. We are not sure when the building process will begin. We may have to build in phases depending on the cost.

d. *Q: How will this development impact existing neighborhood conditions?*

A: We will address existing erosion issues. APD will be better able to address vandalism and crime occurring at this location. We will maintain our ongoing commitment to safety and cleanliness. We will consider adding requested amenities and maintain a presence in the area. Our goal is to serve the public, which makes us a good neighbor.

C: The intended park also provides a buffer between the neighborhood and the slope. I live in the petroglyphs and we've had issues with people backed up to the slope. This buffer will have a significant benefit for neighbors.

e. Facilitator: Will the site be fenced? If so, will the fencing be chain link?

A: Yes we will have to fence the site. Chain link is not likely because people can cut through chain link. We may use cinder block (CMU).

Facilitator: What about an opaque metal fence? I've recently seen that used for gated parking lots.

A: Yes that is a good option.

Next Steps.

The EPC zone change application is being filed on August 10, 2023. The EPC hearing is scheduled for September 21, 2023. Design work will be initiated upon obtaining the zone change. The neighborhood will be involved in this process. The building timeline has not been determined. Construction will require another bond issue and may be conducted in phases depending upon cost.

Meeting Adjourned.

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LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Participants and other interested parties

Rene Horvath	WSCONA
Julie Radoslovich	PHNA
Adrienne Candelaria	PHNA
Tonianne Baca-Green	PHNA
Mayra Ruiz	PHNA
Aidan Rendon-Ruiz	PHNA

CABQ Parks and Recreation

David Flores	Deputy Director
Cheryl Somerfeldt	Senior Planner
Jonathon Casados	Project Coordinator

CABQ Land Use Facilitation

Jocelyn M. Torres	Land Use Facilitator
Tyson R. Hummel	Land Use Coordinator

LETTERS

Date: September 7, 2023
To: Environmental Planning Commission
Chair MacEachen and Case Planners Heyne and Quevado
From: Julie Radoslovich, President, Pat Hurley Neighborhood Association
Re: EPC application for an IDO zone change from RD-1 to NR-PO-A at Pat Hurley Park

The Pat Hurley Neighborhood Association is in favor of the expansion of Pat Hurley Park. Therefore, we endorse the EPC (Environmental Planning Commission) application for a zoning change within the area. Specifically, we support changing the zoning designation from RD-1 to NR-PO-A.

Five members of the Pat Hurley Neighborhood Association attended a facilitated meeting regarding this matter. Neighbors commented and asked questions primarily regarding the location, intended zone change, site specific erosion and native plants.

Pat Hurley Neighborhood Association voiced unanimous support for the City's plan to expand Pat Hurley Park. The Association appreciates that neighbors will receive notifications about the park expansion and look forward to participating in the design of this area.

Again, Pat Hurley Neighborhood Association supports the expansion of Pat Hurley Park and thus supports this proposed zoning change.