CITY of ALBUQUERQUE
SIXTEENTH COUNCIL

COUNCIL BILL NO. ________________________ ENACTMENT NO. ________________________

SPONSORED BY:

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RESOLUTION

TO AMEND THE HUNING HIGHLAND SECTOR DEVELOPMENT PLAN BOUNDARY MAP, CREATING A NEW PORTION CALLED THE HUNING HIGHLAND RAILROAD AREA, AND TO AMEND THE ZONING MAP FOR THE SUBJECT LOTS IN THE BOUNDARY EXPANSION AREA, FROM M-1 ZONING TO SU-2 / RR ZONING, MIXED USE DISTRICT WITH THE EXCLUSION OF THE O-3 BUILDING TYPE, AS ARTICULATED IN THE DOWNTOWN 2010 PLAN; ALL ABOVE REQUESTS FOR THE LOTS OF LAND DESCRIBED AS BLOCKS B AND C, UNION DEPOT FRONTAGE ADDITION, AND LOTS 7 – 12 BLOCK 5, HUNING’S HIGHLANDS ADDITION, GENERALLY BOUNDING BETWEEN COAL AVENUE TO THE SOUTH AND GOLD AVENUE TO THE NORTH, AND THE NORTH-SOUTH ALLEY WEST OF BROADWAY BOULEVARD TO THE EASTERN DOWNTOWN 2010 PLAN BOUNDARY EAST OF THE RR TRACKS, EXCLUDING ALL LOTS OWNED BY THE BNSF RAILWAY AND THE SALVATION ARMY.

WHEREAS, the Council, the governing body of the City of Albuquerque, has the authority to adopt and amend plans for the physical development of areas within the planning and platting jurisdiction of the City authorized by statutes Section 3-19-3 NMSA 1978, and by its home rule powers; and

WHEREAS, the Council recognizes the Comprehensive Plan guides the City of Albuquerque and other agencies and individuals to ensure orderly redevelopment and effective utilization of funds; and
WHEREAS, the Downtown Core, as shown and described in the Downtown 2010 Plan, is designated as an Activity Center in the Albuquerque/Bernalillo County Comprehensive Plan; and

WHEREAS, The Environmental Planning Commission, in its advisory role on all matters relating to Planning, Zoning, and Environmental Protection, has approved and recommended amending the Downtown Core boundary; and

WHEREAS, the Environmental Planning Commission, in its advisory role on all matters relating to Planning, Zoning, and Environmental Protection, has approved and recommended amending the zoning map for lots within the boundary amendment area from M-1 to SU-3 for Mixed Use District with the exclusion of the O-3 Building Type, as expressed in the Downtown 2010 Plan; and

WHEREAS, the City Council recognizes the importance of the Huning Highland neighborhood as a community and historic place; and

WHEREAS, the City Council understands that the Huning Highland Sector Development Plan was developed through the participation of neighborhood residents, is a useful tool to protect the area, and is respected by the Huning Highland community; and

WHEREAS, the City Council prefers to employ the beneficial aspects of the Downtown 2010 Plan, such as its design quality and more flexible development approval process, while expanding the Huning Highland Sector Plan boundaries to include the area to the west of the railroad easement.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. PLAN AMENDED. The Huning Highland Sector Development Plan is hereby amended to include the Huning Highland Railroad Area and to provide new zoning regulations and development review procedures.

SECTION 2. PLAN BOUNDARY AMENDED. The Huning Highland Sector Development Plan boundary is hereby amended to incorporate the lots east of the BNSF property on the western boundary, Gold Avenue on the northern boundary, the north-south alley west of Broadway Boulevard on the east and Lead Avenue on the south, as described:

Lot A4, Block B, Union Depot Frontage Addition
SECTION 3. FINDINGS RECEIVED. The Council has received nine findings and one condition of the EPC for amending the boundary of the Downtown 2010 Sector Development Plan. The Council has reviewed these findings and conditions and largely has incorporated them into the following Sections of this legislation.

SECTION 4. ZONE MAP AMENDED. The zone map adopted by Section 14-16-1-1 et. Seq. R.O.A. 1994 is hereby amended, establishing SU-2 RR zoning for the properties described in section 2.

SECTION 5. COUNCIL FINDINGS. The Council adopts the following partially implementing the EPC recommendations amending the zoning map for the subject lots as described in Section 2:

1. The Council hereby approves a group of zone map amendments for the Huning Highland Railroad Area of the Huning Highland Sector Development Plan map, from M-1 to SU-2 / RR, with the Mixed Use District land use designator, excluding Building Type “O-3”, as defined in the attached Huning Highland Railroad amendments to the Huning Highland Sector Development Plan for properties located within the related boundary extension area located east of the railroad tracks, to the north-south alley west of Broadway Boulevard, from Gold Avenue to Lead Avenue, excluding all properties owned by the BNSF Railroad and the Salvation Army. (K-14-Z).

2. The Council hereby amends the zone map and sector plan map of the Huning Highland Sector Development Plan. This area is not currently contained within any sector plan boundaries. It is zoned M-1 and is proposed to be zoned SU-2 / RR to conform to the attached zoning regulations. The boundary expansion would place the subject parcels in the Huning Highland Sector Development Plan.
3. The proposed sector plan text amendment is has been addressed in the East Downtown Master Plan, a privately developed, unadopted Master Plan development proposal. The East Downtown Master Plan is not requested for adoption of the entire plan. The land use controls, such as this *Huning Highland Sector Development Plan* text amendment requests will help enhance this district into a viable economic and social area of the City, as a destination and as a choice location for an urban lifestyle. Since the proposal deals with regulatory changes only, no designation of City funds for implementation of these components is requested or construed. All development costs for implementation of the East Downtown Master Plans should be site by site costs, and on the burden of the developer. If public monies are expected, other City boards, commissions, and procedures must be followed. The City Council has final authority on all such requests.

4. The tests of *R-270-1980* have been met in that there are regulatory changed conditions with the adoption of the Activity Centers and Transportation and Transit Corridors policies in the *Comprehensive Plan*. The Activity Centers policies and Transportation and Transit Corridors policies in the *Comprehensive Plan* encourage higher density residential and higher intensity mixed use developments. The inclusion of these parcels in the SU-2 / RR area offers greater opportunities to further the goals and policies of the *Comprehensive Plan* and the *Planned Growth Strategy*.

5. The redevelopment activities in the Downtown Center generally to the West of the Huning Highland Railroad Area constitutes a changed condition that supports the redevelopment of this Area to uses supported by the Comprehensive Plan.

6. The proposed amendments to the *Huning Highland Sector Development Plan* will be more advantageous to the community, as articulated in the *Comprehensive Plan*, regarding infill development for a more compact urban form. Therefore, this request fulfills a central provision of R-270-1980. Furthermore, the amendment strengthens the connections between the activity centers (Downtown, Presbyterian Hospital, UNM) by the encouraging high quality redevelopment of the Huning Highland Railroad...
Area, and will provide a more compact urban area that is more sustainable by stabilizing and/or improving property values in the built urban area, as articulated in the Comprehensive Plan. *(R-270-1980, 1.C.1, 1.D.2. and 1.D.3).*

7. Development form policy objectives, such as setbacks, building heights, and net residential densities are contained in the Comprehensive Plan Transportation and Transit Corridor section. The policy objectives specify the development form guidelines are applicable to the entire Established Urban Area of the City, not as development regulations for individual projects. The application of these policy objectives is for the larger Comprehensive Plan areas, such as the Established Urban Area *(Comprehensive Plan Transportation and Transit policies, pp. II-82-83).* The zone map amendments for the subject properties are supported in R-270-1980, as regulatory changed conditions that are more advantageous to the community, including the Centers and Corridors. These policies support increasing infill development, densification, and revitalization of Major and Enhanced Transit Routes (Central and Broadway, respectively) and Activity Centers.

8. The zone map amendments are to the Huning Highland Sector Development Plan map. The Zoning Code states that where the official zone map has been set by a Sector Development Plan, applications for amendment of the official zone map is through amendment of the plan. *(§14-16-4-3 (A)(4)).*

9. The proposed Huning Highland Sector Development Plan zone map and sector plan map amendments strengthen the connections between the activity centers (Downtown, Presbyterian Hospital, UNM), and will allow uses conducive to a compact urban area that is more sustainable by stabilizing and/or improving property values in the built urban area.

10. Supplemental notification and additional facilitated meetings, with the rescheduled hearing date, allowed more time for the EPC and the general public to review and comment to this case. Several opportunities were available for neighborhood members to meet with the applicant in facilitated meetings, and to be notified of the hearing.
SECTION 6. EFFECTIVE DATE AND PUBLICATION. This legislation shall take effect ninety days after publication by title and general summary.

SECTION 7. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

F/S R-04-158