

# CITY of ALBUQUERQUE

## SIXTEENTH COUNCIL

COUNCIL BILL NO. \_\_\_\_\_ ENACTMENT NO. \_\_\_\_\_

SPONSORED BY:

1 **RESOLUTION**

2

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

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

21 **WHEREAS, the Council recognizes the Comprehensive Plan guides the**  
 22 **City of Albuquerque and other agencies and individuals to ensure orderly**  
 23 **redevelopment and effective utilization of funds; and**

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1 WHEREAS, the Downtown Core, as shown and described in the Downtown  
2 2010 Plan , is designated as an Activity Center in the Albuquerque/Bernalillo  
3 County Comprehensive Plan; and

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

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

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

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

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

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

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

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

33 Lot A4, Block B, Union Depot Frontage Addition

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- 1 Lot A3, Block B, Union Depot Frontage Addition
- 2 Lot A2, Block B, Union Depot Frontage Addition
- 3 Lot A5, Block B, Union Depot Frontage Addition
- 4 Lot A1, Block B, Union Depot Frontage Addition
- 5 Lot 1, United States Forest Service

6 SECTION 3. FINDINGS RECEIVED. The Council has received nine findings  
7 and one condition of the EPC for amending the boundary of the *Downtown*  
8 *2010 Sector Development Plan*. The Council has reviewed these findings and  
9 conditions and largely has incorporated them into the following Sections of  
10 this legislation.

11 SECTION 4. ZONE MAP AMENDED. The zone map adopted by Section 14-  
12 16-1-1 et. Seq. R.O.A. 1994 is hereby amended, establishing SU-2 RR zoning  
13 for the properties described in section 2.

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

- 17 1. The Council hereby approves a group of zone map amendments for the  
18 Huning Highland Railroad Area of the *Huning Highland Sector*  
19 *Development Plan* map, from M-1 to SU-2 / RR, with the Mixed Use District  
20 land use designator, excluding Building Type “O-3”, as defined in the  
21 attached Huning Highland Railroad amendments to the *Huning Highland*  
22 *Sector Development Plan* for properties located within the related boundary  
23 extension area located east of the railroad tracks, to the north-south alley  
24 west of Broadway Boulevard, from Gold Avenue to Lead Avenue, excluding  
25 all properties owned by the BNSF Railroad and the Salvation Army. (K-14-  
26 Z).
- 27 2. The Council hereby amends the zone map and sector plan map of the  
28 *Huning Highland Sector Development Plan*. This area is not currently  
29 contained within any sector plan boundaries. It is zoned M-1 and is  
30 proposed to be zoned SU-2 / RR to conform to the attached zoning  
31 regulations. The boundary expansion would place the subject parcels in  
32 the *Huning Highland Sector Development Plan*.

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- 1 3. The proposed sector plan text amendment is has been addressed in the  
2 East Downtown Master Plan, a privately developed, unadopted Master Plan  
3 development proposal. The East Downtown Master Plan is not requested  
4 for adoption of the entire plan. The land use controls, such as this *Huning*  
5 *Highland Sector Development Plan* text amendment requests will help  
6 enhance this district into a viable economic and social area of the City, as a  
7 destination and as a choice location for an urban lifestyle. Since the  
8 proposal deals with regulatory changes only, no designation of City funds  
9 for implementation of these components is requested or construed. All  
10 development costs for implementation of the East Downtown Master Plans  
11 should be site by site costs, and on the burden of the developer. If public  
12 monies are expected, other City boards, commissions, and procedures  
13 must be followed. The City Council has final authority on all such  
14 requests.
- 15 4. The tests of *R-270-1980* have been met in that there are regulatory changed  
16 conditions with the adoption of the Activity Centers and Transportation and  
17 Transit Corridors policies in the *Comprehensive Plan*. The Activity Centers  
18 policies and Transportation and Transit Corridors policies in the  
19 *Comprehensive Plan* encourage higher density residential and higher  
20 intensity mixed use developments. The inclusion of these parcels in the  
21 SU-2 / RR area offers greater opportunities to further the goals and policies  
22 of the *Comprehensive Plan* and the *Planned Growth Strategy*.
- 23 5. The redevelopment activities in the Downtown Center generally to the West  
24 of the Huning Highland Railroad Area constitutes a changed condition that  
25 supports the redevelopment of this Area to uses supported by the  
26 Comprehensive Plan.
- 27 6. The proposed amendments to the *Huning Highland Sector Development*  
28 *Plan* will be more advantageous to the community, as articulated in the  
29 *Comprehensive Plan*, regarding infill development for a more compact  
30 urban form. Therefore, this request fulfills a central provision of R-270-  
31 1980. Furthermore, the amendment strengthens the connections between  
32 the activity centers (Downtown, Presbyterian Hospital, UNM) by the  
33 encouraging high quality redevelopment of the Huning Highland Railroad

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- 1 Area, and will provide a more compact urban area that is more sustainable  
2 by stabilizing and/or improving property values in the built urban area, as  
3 articulated in the *Comprehensive Plan*. (R-270-1980, 1,C.1, 1.D.2. and  
4 1.D.3).
- 5 7. Development form policy objectives, such as setbacks, building heights,  
6 and net residential densities are contained in the *Comprehensive Plan*  
7 Transportation and Transit Corridor section. The policy objectives specify  
8 the development form guidelines are applicable to the entire Established  
9 Urban Area of the City, not as development regulations for individual  
10 projects. The application of these policy objectives is for the larger  
11 *Comprehensive Plan* areas, such as the Established Urban Area  
12 (*Comprehensive Plan Transportation and Transit policies, pp. II-82-83*). The  
13 zone map amendments for the subject properties are supported in R-270-  
14 1980, as regulatory changed conditions that are more advantageous to the  
15 community, including the Centers and Corridors. These policies support  
16 increasing infill development, densification, and revitalization of Major and  
17 Enhanced Transit Routes (Central and Broadway, respectively) and Activity  
18 Centers.
- 19 8. The zone map amendments are to the *Huning Highland Sector*  
20 *Development Plan* map. The *Zoning Code* states that where the official  
21 zone map has been set by a Sector Development Plan, applications for  
22 amendment of the official zone map is through amendment of the plan.  
23 (§14-16-4-3 (A)(4)).
- 24 9. The proposed *Huning Highland Sector Development Plan* zone map and  
25 sector plan map amendments strengthen the connections between the  
26 activity centers (Downtown, Presbyterian Hospital, UNM), and will allow  
27 uses conducive to a compact urban area that is more sustainable by  
28 stabilizing and/or improving property values in the built urban area.
- 29 10. Supplemental notification and additional facilitated meetings, with the  
30 rescheduled hearing date, allowed more time for the EPC and the general  
31 public to review and comment to this case. Several opportunities were  
32 available for neighborhood members to meet with the applicant in  
33 facilitated meetings, and to be notified of the hearing.

1 SECTION 6. EFFECTIVE DATE AND PUBLICATION. This legislation shall  
2 take effect ninety days after publication by title and general summary.

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

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