

1 SECTION 1. REPEAL OF THE NOB HILL SECTOR DEVELOPMENT PLAN,
2 Council Resolution R-362, Enactment Number 12-1988, and the corresponding
3 amendments, listed below, are hereby repealed:

4 1. 76-1992

5 2. 79-1992

6 3. R-2005-08-18

7 4. R-06-050

8 SECTION 2. ADOPTION OF THE NOB HILL HIGHLAND SECTOR
9 DEVELOPMENT PLAN. The Nob Hill Highland Sector Development Plan is
10 hereby adopted. The zone categories of the various sites within the identified
11 plan boundaries have been changed as identified in Exhibit 3 based on the
12 findings and subject to the condition of approval contained in the
13 Environmental Planning Commission's Official Notice of Decision dated
14 December 18, 2006.

15 SECTION 3. FINDINGS ADOPTED. The following findings from the EPC for
16 the adoption of the Nob Hill Highland Sector Development Plan and the repeal
17 of the Nob Hill Sector Development Plan are hereby adopted by the City
18 Council:

- 19 1. This is a request for a recommendation of approval from the
20 Environmental Planning Commission to the City Council for an
21 amendment to the Nob Hill Sector Development Plan. The September
22 2006 draft Nob Hill/Highland Sector Development Plan (NHHSDP) is
23 proposed to replace the existing Nob Hill Plan. Upon Council adoption
24 of the NHHSDP, the existing Nob Hill Plan is to be rescinded.
- 25 2. The boundaries of the NHHSDP are Girard Boulevard (west), Lomas
26 Boulevard (north), San Mateo Boulevard (east), and Zuni and Garfield
27 Streets (south).
- 28 3. The Highland/Central Metropolitan Redevelopment Plan was adopted
29 by the City Council in May 2003 (R-02-72). The Metropolitan
30 Redevelopment Area Plan was later amended in November 2005 (R-05-
31 377) to change its title and to establish a Tax-Increment Financing
32 (TIF) district in the area. The MRA Plan recommends actions for
33 changes in zoning, design guidelines, historic preservation,

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- 1 community centers, social services linkages, housing, and funding
2 sources for redevelopment projects.
- 3 4. Resolution R-04-189, adopted by the City Council in February 2005,
4 authorized the update of the current Nob Hill Plan for the purpose of
5 establishing consistency in planning between the Nob Hill area and
6 the Highland area and the Central/Highland/Upper Nob Hill
7 Metropolitan Redevelopment Area. The current boundaries of the Nob
8 Hill Plan and the MRA Plan were merged and became the new planning
9 area for the Nob Hill Plan update.
- 10 5. Other Legislation adopted by the City Council established a building
11 moratorium on CCR-zoned properties in the Central Avenue corridor
12 (R-05-277), established and extended time periods for interim design
13 guidelines for CCR-zoned properties, and formally included the
14 Highland neighborhood into the Plan scope (R-05-277, R-05-7, R-06-80)
15 in conjunction with the development of the draft NHHSDP.
- 16 6. The public planning process for the NHHSDP included a total of 10
17 public meetings, a citizen’s steering committee, and citizen working
18 committees (Residential Character, Character of Commercial and
19 Transitional Areas, Public Safety, and Pedestrian Circulation
20 committees) working in conjunction with staff, and Sites Southwest
21 LLC as contractor on the project. All committees were represented by
22 members of the Nob Hill Neighborhood Association (NHNA), Nob Hill
23 Business Association (NHBA), the Nob Hill/Highland Renaissance
24 Corporation (NHHRC), and the Highland Business and Neighborhood
25 Association (HBANA).
- 26 7. Following legislative approval of the expansion of the boundaries of
27 the NHHSDP to include the Highland neighborhood in the Lomas/San
28 Mateo area (R-06-80), staff met with an additional committee formed by
29 representatives of the Pueblo Alto, Fair Heights, and Fair West
30 neighborhood associations to discuss zoning and design regulation
31 proposals for properties along the south side of Lomas Boulevard
32 between San Mateo Boulevard and Monroe Street. A special meeting

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- 1 was held on Monday, June 12, 2006 to discuss planning issues
2 pertaining to this area.
- 3 8. The NHHSDP is generally in compliance with the Established Urban
4 goal and policies of the Comprehensive Plan. The proposed CCR
5 (Community Commercial Residential) and OR (Office Residential)
6 zones in the NHHSDP will support the increase of residential density in
7 the Plan area, and will have an effect on density city-wide (Policy a).
8 Building height transitions built into the proposed CCR and OR zones
9 are designed to create an interface with existing residential areas that
10 border proposed CCR and OR locations (Policy d). The pattern of the
11 CCR zones proposed in the NHHSDP mirrors that of the existing CCR
12 zone in the current Nob Hill Plan, and supports and reinforces the
13 mixed-use zoning currently in place (Policy h). The proposed CCR and
14 OR zones minimize harmful effects of traffic on residential areas by
15 being located on or near Central Avenue where traffic has direct or
16 adjacent access to Central (Policy k). Building heights proposed in
17 the CCR and OR zones vary from a maximum of 39 feet in the Route 66
18 Historic Core District, to a maximum of 67 feet in the Emerging Nob
19 Hill and Highland Districts (except for properties on the south side of
20 Lomas Boulevard between San Mateo and Monroe, proposed for 39
21 feet maximum). Proposed design standards for these zones are
22 intended to promote a quality environment for these areas by the
23 placement of new buildings adjacent to the streets and incorporating
24 design elements that encourage a pedestrian environment (Policy l).
25 Scenic views to the Sandia Mountains is noted in the Route 66 Historic
26 Core District. The proposed maximum 39 feet will have some impact
27 on the ability to see the Sandia Mountains (Policy m).
- 28 9. The draft NHHSDP is generally in compliance with the Activity Centers
29 section of the Centers and Corridors Component of the
30 Comprehensive Plan. Building heights recommended in the
31 Central/Highland/Upper Nob Hill Metropolitan Redevelopment Plan
32 range from 54 feet along Central Avenue to 26 feet in areas to the
33 north and south of the Central Corridor. The MRA Plan area borders

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- 1 the existing Community Activity Center in the Nob Hill area, and
2 contains the Community Activity Center in the Highland area. The
3 MRA Plan, and the proposed NHHSDP, constitute further studies for
4 Activity Center locations that identify design elements, appropriate
5 uses, transportation service, and other issues (Policy a, Table 10
6 Policy a), and reflect citizen perspectives on new development in these
7 areas. These Activity Center locations, therefore, shall develop in
8 accordance with more area-specific sub-area planning efforts, and
9 guide more intense development away from existing residential areas
10 (Policies f, g).
- 11 10. The NHHSPD is generally in compliance with the Transportation and
12 Transit section of the Centers and Corridors Component of the
13 Comprehensive Plan. Central Avenue is designated as a Major Transit
14 Corridor in the Centers and Corridors policies of the
15 Albuquerque/Bernalillo County Comprehensive Plan. The NHHSDP
16 proposes zoning along and adjacent to Central Avenue (CCR and OR
17 zones) which allows mixed use development that includes higher
18 density residential uses. This will place more residents on or near the
19 Central corridor, and provide for opportunities for increased transit
20 ridership (Policy c). The NHHSDP includes a section on Pedestrian
21 Circulation (NHHSDP p. 28-34) that addresses improvements to
22 pedestrian facilities, and has a section for Transit (NHHSDP, p. 39-40)
23 that reflects plans for modern streetcar transit service, and reflects
24 current regular and rapid ride bus transit service. These elements,
25 collectively, address the promotion and integration of pedestrian
26 opportunities, the creation of a bicycle circulation network for the
27 area, and current and future transit investments that benefit overall
28 mobility needs (Policies g, h, q).
- 29 11. Appendix A of the NHHSDP contains the document “A Vision For The
30 Future of The Hiland Theatre and Highland Neighborhood” from
31 Bernalillo County regarding the redevelopment of the Hiland Theatre
32 (owned by the County) and its surroundings for Transit Oriented
33 Development (TOD). In this vision statement, the Hiland Theatre

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1 serves as a hub for performing arts that would draw a variety of higher
2 density residential and commercial services to adjacent areas. As it is
3 located within the designated Hiland Community Activity Center, the
4 County’s Vision Statement is also a further study of this area, and
5 represents a significant level of planning cooperation between the City
6 of Albuquerque and Bernalillo County. The Vision Statement is an
7 important contribution to the Activity Center development concepts of
8 the NHHSDP (Policies f, g).

9 12. The NHHSDP is generally in compliance with the Historic Resources
10 goal and policies of the Comprehensive Plan. The NHHSDP serves to
11 inform the public regarding historic resources in the plan area and
12 preservation of these resources (Policy c). Policies for Historic
13 Preservation in the NHHSDP are outlined on pages 50-51 of the Plan,
14 and includes actions to support historic preservation of signs,
15 buildings, and historic neighborhoods. The NHHSDP also proposes
16 the creation of zone districts with design regulations intended to
17 preserve characteristics of historic neighborhoods (MRHD, RTHD,
18 SFHD, p. 96). The NHHSDP Implementation/Projects and Programs
19 section of the Plan, recommended actions, include a survey of the
20 University Heights and Granada Heights neighborhoods for historic
21 eligibility status, and development and distribution of a handbook on
22 the historic character of Central Albuquerque (p. 73-74). The NHHSDP
23 serves to encourage preservation of historic resources in the area
24 through these policies and actions (Policy a).

25 13. The NHHSDP is generally in compliance with the Cultural Traditions
26 and the Arts goal and policies of the Comprehensive Plan. The
27 NHHSDP encourages the redevelopment and enhancement of alley
28 ways in the Plan area as pedestrian paths and as places for display of
29 public art, and encourages community involvement in building the
30 area’s identity (NHHSDP, p. 32). Public art is also included in the Plan
31 Implementation/Projects and Programs section as an element for a
32 proposed Streetscape Schematic Design Plan for Central Avenue
33 (NHHSDP, p. 70), for alleys that may serve as community gardens

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- 1 (NHHSDP, p. 71), and as an element for all capital improvements in the
2 area (NHHSDP, p. 72). These proposals involve coordination with the
3 City Planning Department, other City agencies, and community
4 organizations (Policy c).
- 5 14. The NHHSDP is generally in compliance with the Community Identity
6 and Urban Design goal and policies of the Comprehensive Plan. The
7 NHHSDP, which incorporates the development recommendations of
8 the Central/ Highland/Upper Nob Hill Metropolitan Redevelopment
9 Plan, and “A Vision For The Future of The Hiland Theatre and Highland
10 Neighborhood” from Bernalillo County, together delineate further
11 improvements for the Nob Hill/Highland areas that establish a unique
12 identity for this area. Urban design elements in the NHHSDP figure
13 prominently in the area’s proposed identity. Proposed CCR and OR
14 zones emphasize a pedestrian-oriented shop front design with high
15 percentages of fenestration, and building façade articulation elements
16 that include awnings, arcades, and balconies. Proposed MRHD,
17 RTHD, and SFHD zones for historic residential districts include design
18 regulations that prohibit car ports in the front yard setback area,
19 reduce wall heights, and limit building height to preserve solar access
20 to adjacent properties, as an approach to preserve the historic
21 character of these areas (Policies c, e).
- 22 15. The NHHSDP is generally in compliance with the Housing goal and
23 policies of the Comprehensive Plan. Housing is addressed in the
24 Community Form section of the Plan, under Residential Districts
25 (NHHSDP, p. 56-57). Policies in this section promote housing
26 affordability, a mix of housing types and prices, housing along
27 commercial corridors, building additions, residential infill, new historic
28 district designations in residential areas, and the protection of solar
29 access on residential properties (Policy a).
- 30 16. The NHHSDP is generally in compliance with the Economic
31 Development goal and policies of the Comprehensive Plan. Economic
32 development is addressed in the Economic Vitality section of the Plan
33 (NHHSDP, p. 66-67). Policies to support this goal address working

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- 1 with neighborhood and business organizations to improve economic
2 conditions, promote redevelopment of vacant and underutilized
3 properties, utilization of MRA financing tools, and working with
4 Bernalillo County to develop County-owned land. Actions that
5 accompany these policies address support of renovation of historic
6 buildings for commercial use, a mix of uses along commercial
7 corridors, a business improvement district (BID), financial support for
8 capital projects, provision of information about small businesses in
9 the area, and MRA-related financial tools to support catalytic project
10 for the area, such as the renovation of the De Anza Motor Lodge on
11 Central Avenue. The Plan supports creating an environment that
12 supports the development and retention of local business (Policy b).
- 13 17. The proposed CCR-1 (Community Commercial Residential), CCR-2,
14 CCR-3, OR-1 (Office Residential), and OR-2 zones in the NHHSDP meet
15 the requirements of R-270-1980. The basis of compliance of the
16 NHHSDP with R-270-1980 is changed conditions (Section D.2.)
17 regarding the adoption of the Centers and Corridors component of the
18 Comprehensive Plan (Activity Centers, Transit Corridors), and the
19 adoption of the Central/Highland/Upper Nob Hill Metropolitan
20 Redevelopment Area Plan.
- 21 18. The proposed MRHD (Mixed Residential Historic District), RTHD
22 (Residential Townhouse Historic District), and SFHD (Single Family
23 Historic District) zones in the NHHSDP meet the requirements of R-
24 270-1980. The basis of compliance of the NHHSDP with R-270-1980 is
25 changed conditions (Section D.2.) regarding the designation of the
26 Monte Vista Addition and College View Addition subdivisions under
27 the State Cultural Properties Register in 1998 and the National
28 Register of Historic Places in 2001.
- 29 19. The proposed R-1 (Single Family Residential) and MR (Mixed
30 Residential) zones in the NHHSDP meet the requirements of R-270-
31 1980. The basis of compliance of the NHHSDP with R-270-1980 is
32 changed conditions (Section D.2.) regarding changes of zoning in the
33 Highland Reservoir Addition subdivision from R-1 to R-3 to

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1 accommodate the development of a major urban center in the Central
2 Avenue/San Mateo Boulevard area. The development of this major
3 urban center did not occur. The predominance of single family
4 residential land uses in this neighborhood and the lack of a major
5 urban center development in the area justifies a re-establishment of
6 lower intensity residential zoning in this neighborhood.

7 20. In meeting the requirements of R-270-1980 regarding zone changes as
8 proposed in the NHHSDP regarding changed conditions (Section D.2.),
9 and in establishing compliance with the policies of the Comprehensive
10 Plan and the recommendations of the Central/Highland/Upper Nob Hill
11 Metropolitan Redevelopment Area Plan, the proposed NHHSDP is
12 found to be more advantageous to the community as articulated in
13 these plans and policies (Section D.3.).

14 21. Letters have been sent to the EPC regarding a variety of concerns
15 related to the content of the NHHSDP. These letters are attached to
16 the staff report. Many of the concerns being sent to staff address
17 proposed building height, architectural design standards for the
18 Historic Core commercial district, sale of alcohol for off-premise uses,
19 pedestrian safety issues pertaining to Lead/Coal Streets, and
20 proposed zone changes in the Highland neighborhood from R-3 to R-1
21 and MR.

22 22. Public hearings were held on October 26, 2006 and December 14, 2006
23 at the EPC to discuss the proposed plan.

24 **SECTION 4. ADOPTION OF CONDITION OF APPROVAL.** The following
25 Condition of Approval from the EPC is adopted by the City Council,
26 specifically the recommended changes identified beginning on page 7 and
27 ending on page 11 of the staff report to the EPC shall be incorporated into the
28 final version of the Nob Hill Highland Sector Development Plan.

29 **SECTION 5. EFFECTIVE DATE AND PUBLICATION.** This legislation shall
30 take effect ninety days after publication by title and general summary.

31 **SECTION 6. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
32 clause, word or phrase of this resolution is for any reason held to be invalid or
33 unenforceable by any court of competent jurisdiction, such decision shall not

1 affect the validity of the remaining provisions of this resolution. The Council
2 hereby declares that it would have passed this resolution and each section,
3 paragraph, sentence, clause, word or phrase thereof irrespective of any
4 provisions being declared unconstitutional or otherwise invalid.

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