CITY of ALBUQUERQUE
SEVENTEENTH COUNCIL

COUNCIL BILL NO. ________________ ENACTMENT NO. __________________________

SPONSORED BY:

1 RESOLUTION
2 REPEAL OF THE NOB HILL SECTOR DEVELOPMENT PLAN AND ADOPTION
3 OF THE NOB HILL HIGHLAND SECTOR DEVELOPMENT PLAN (NHHSERP) AND
4 CHANGE OF ZONING FOR CERTAIN PROPERTIES WITHIN THE NHHSERP
5 BOUNDARY AREA AS SPECIFIED IN EXHIBIT A. THE AREA IS BOUNDED BY
6 GIRARD BOULEVARD TO THE WEST, LOMAS BOULEVARD TO THE NORTH,
7 SAN MATEO TO THE EAST AND ZUNI BOULEVARD/GARFIELD STREET TO
8 THE SOUTH AND CONTAINING APPROXIMATELY 770 ACRES.
9 WHEREAS, the City of Albuquerque adopted the Nob Hill Sector
10 Development Plan in 1988 through Council Resolution R-362, Enactment
11 Number 12-1988; and
12 WHEREAS, the Council has the authority to not only adopt but amend
13 and/or repeal such a sector development plan; and
14 WHEREAS, on December 14, 2006, the Environmental Planning
15 Commission, in its advisory role on land use and planning matters,
16 recommended approval to the City Council the repeal of the Nob Hill Sector
17 Development Plan and the approval of the Nob Hill Highland Sector
18 Development Plan and to change the zoning designation as identified on
19 Exhibit 3; and
20 WHEREAS, the Environmental Planning Commission found the approval of
21 the Sector Development Plan to be consistent with applicable Comprehensive
22 Plan, Growth Plan Strategy and R-270-1980 policies.
23 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
24 ALBUQUERQUE:
SECTION 1. REPEAL OF THE NOB HILL SECTOR DEVELOPMENT PLAN,
Council Resolution R-362, Enactment Number 12-1988, and the corresponding
amendments, listed below, are hereby repealed:
1. 76-1992
2. 79-1992
3. R-2005-08-18
4. R-06-050

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

SECTION 3. FINDINGS ADOPTED. The following findings from the EPC for
the adoption of the Nob Hill Highland Sector Development Plan and the repeal
of the Nob Hill Sector Development Plan are hereby adopted by the City Council:
1. This is a request for a recommendation of approval from the
   Environmental Planning Commission to the City Council for an
   amendment to the Nob Hill Sector Development Plan. The September
   2006 draft Nob Hill/Highland Sector Development Plan (NHHSDP) is
   proposed to replace the existing Nob Hill Plan. Upon Council adoption
   of the NHHSDP, the existing Nob Hill Plan is to be rescinded.
2. The boundaries of the NHHSDP are Girard Boulevard (west), Lomas
   Boulevard (north), San Mateo Boulevard (east), and Zuni and Garfield
   Streets (south).
3. The Highland/Central Metropolitan Redevelopment Plan was adopted
   by the City Council in May 2003 (R-02-72). The Metropolitan
   Redevelopment Area Plan was later amended in November 2005 (R-05-
   377) to change its title and to establish a Tax-Increment Financing
   (TIF) district in the area. The MRA Plan recommends actions for
   changes in zoning, design guidelines, historic preservation,
community centers, social services linkages, housing, and funding sources for redevelopment projects.

4. Resolution R-04-189, adopted by the City Council in February 2005, authorized the update of the current Nob Hill Plan for the purpose of establishing consistency in planning between the Nob Hill area and the Highland area and the Central/Highland/Upper Nob Hill Metropolitan Redevelopment Area. The current boundaries of the Nob Hill Plan and the MRA Plan were merged and became the new planning area for the Nob Hill Plan update.

5. Other Legislation adopted by the City Council established a building moratorium on CCR-zoned properties in the Central Avenue corridor (R-05-277), established and extended time periods for interim design guidelines for CCR-zoned properties, and formally included the Highland neighborhood into the Plan scope (R-05-277, R-05-7, R-06-80) in conjunction with the development of the draft NHHSDP.

6. The public planning process for the NHHSDP included a total of 10 public meetings, a citizen’s steering committee, and citizen working committees (Residential Character, Character of Commercial and Transitional Areas, Public Safety, and Pedestrian Circulation committees) working in conjunction with staff, and Sites Southwest LLC as contractor on the project. All committees were represented by members of the Nob Hill Neighborhood Association (NHNA), Nob Hill Business Association (NHBA), the Nob Hill/Highland Renaissance Corporation (NHHRC), and the Highland Business and Neighborhood Association (HBANA).

7. Following legislative approval of the expansion of the boundaries of the NHHSDP to include the Highland neighborhood in the Lomas/San Mateo area (R-06-80), staff met with an additional committee formed by representatives of the Pueblo Alto, Fair Heights, and Fair West neighborhood associations to discuss zoning and design regulation proposals for properties along the south side of Lomas Boulevard between San Mateo Boulevard and Monroe Street. A special meeting
8. The NHHSDP is generally in compliance with the Established Urban goal and policies of the Comprehensive Plan. The proposed CCR (Community Commercial Residential) and OR (Office Residential) zones in the NHHSDP will support the increase of residential density in the Plan area, and will have an effect on density city-wide (Policy a). Building height transitions built into the proposed CCR and OR zones are designed to create an interface with existing residential areas that border proposed CCR and OR locations (Policy d). The pattern of the CCR zones proposed in the NHHSDP mirrors that of the existing CCR zone in the current Nob Hill Plan, and supports and reinforces the mixed-use zoning currently in place (Policy h). The proposed CCR and OR zones minimize harmful effects of traffic on residential areas by being located on or near Central Avenue where traffic has direct or adjacent access to Central (Policy k). Building heights proposed in the CCR and OR zones vary from a maximum of 39 feet in the Route 66 Historic Core District, to a maximum of 67 feet in the Emerging Nob Hill and Highland Districts (except for properties on the south side of Lomas Boulevard between San Mateo and Monroe, proposed for 39 feet maximum). Proposed design standards for these zones are intended to promote a quality environment for these areas by the placement of new buildings adjacent to the streets and incorporating design elements that encourage a pedestrian environment (Policy l). Scenic views to the Sandia Mountains is noted in the Route 66 Historic Core District. The proposed maximum 39 feet will have some impact on the ability to see the Sandia Mountains (Policy m).

9. The draft NHHSDP is generally in compliance with the Activity Centers section of the Centers and Corridors Component of the Comprehensive Plan. Building heights recommended in the Central/Highland/Upper Nob Hill Metropolitan Redevelopment Plan range from 54 feet along Central Avenue to 26 feet in areas to the north and south of the Central Corridor. The MRA Plan area borders
the existing Community Activity Center in the Nob Hill area, and
contains the Community Activity Center in the Highland area. The
MRA Plan, and the proposed NHHSDDP, constitute further studies for
Activity Center locations that identify design elements, appropriate
uses, transportation service, and other issues (Policy a, Table 10
Policy a), and reflect citizen perspectives on new development in these
areas. These Activity Center locations, therefore, shall develop in
accordance with more area-specific sub-area planning efforts, and
guide more intense development away from existing residential areas
(Policies f, g).

10. The NHHSDDP is generally in compliance with the Transportation and
Transit section of the Centers and Corridors Component of the
Comprehensive Plan. Central Avenue is designated as a Major Transit
Corridor in the Centers and Corridors policies of the
Albuquerque/Bernalillo County Comprehensive Plan. The NHHSDDP
proposes zoning along and adjacent to Central Avenue (CCR and OR
zones) which allows mixed use development that includes higher
density residential uses. This will place more residents on or near the
Central corridor, and provide for opportunities for increased transit
ridership (Policy c). The NHHSDDP includes a section on Pedestrian
Circulation (NHHSDDP p. 28-34) that addresses improvements to
pedestrian facilities, and has a section for Transit (NHHSDDP, p. 39-40)
that reflects plans for modern streetcar transit service, and reflects
current regular and rapid ride bus transit service. These elements,
collectively, address the promotion and integration of pedestrian
opportunities, the creation of a bicycle circulation network for the
area, and current and future transit investments that benefit overall
mobility needs (Policies g, h, q).

11. Appendix A of the NHHSDDP contains the document “A Vision For The
Future of The Hiland Theatre and Highland Neighborhood” from
Bernalillo County regarding the redevelopment of the Hiland Theatre
(owned by the County) and its surroundings for Transit Oriented
Development (TOD). In this vision statement, the Hiland Theatre
serves as a hub for performing arts that would draw a variety of higher
density residential and commercial services to adjacent areas. As it is
located within the designated Hiland Community Activity Center, the
County’s Vision Statement is also a further study of this area, and
represents a significant level of planning cooperation between the City
of Albuquerque and Bernalillo County. The Vision Statement is an
important contribution to the Activity Center development concepts of
the NHHSDP (Policies f, g).

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

13. The NHHSDP is generally in compliance with the Cultural Traditions
and the Arts goal and policies of the Comprehensive Plan. The
NHHSDP encourages the redevelopment and enhancement of alley
ways in the Plan area as pedestrian paths and as places for display of
public art, and encourages community involvement in building the
area’s identity (NHHSDP, p. 32). Public art is also included in the Plan
Implementation/Projects and Programs section as an element for a
proposed Streetscape Schematic Design Plan for Central Avenue
(NHHSDP, p. 70), for alleys that may serve as community gardens
(NHHSDP, p. 71), and as an element for all capital improvements in the area (NHHSDP, p. 72). These proposals involve coordination with the City Planning Department, other City agencies, and community organizations (Policy c).

14. The NHHSDP is generally in compliance with the Community Identity and Urban Design goal and policies of the Comprehensive Plan. The NHHSDP, which incorporates the development recommendations of the Central/Highland/Upper Nob Hill Metropolitan Redevelopment Plan, and “A Vision For The Future of The Hiland Theatre and Highland Neighborhood” from Bernalillo County, together delineate further improvements for the Nob Hill/Highland areas that establish a unique identity for this area. Urban design elements in the NHHSDP figure prominently in the area’s proposed identity. Proposed CCR and OR zones emphasize a pedestrian-oriented shop front design with high percentages of fenestration, and building façade articulation elements that include awnings, arcades, and balconies. Proposed MRHD, RTHD, and SFHD zones for historic residential districts include design regulations that prohibit car ports in the front yard setback area, reduce wall heights, and limit building height to preserve solar access to adjacent properties, as an approach to preserve the historic character of these areas (Policies c, e).

15. The NHHSDP is generally in compliance with the Housing goal and policies of the Comprehensive Plan. Housing is addressed in the Community Form section of the Plan, under Residential Districts (NHHSDP, p. 56-57). Policies in this section promote housing affordability, a mix of housing types and prices, housing along commercial corridors, building additions, residential infill, new historic district designations in residential areas, and the protection of solar access on residential properties (Policy a).

16. The NHHSDP is generally in compliance with the Economic Development goal and policies of the Comprehensive Plan. Economic development is addressed in the Economic Vitality section of the Plan (NHHSDP, p. 66-67). Policies to support this goal address working
with neighborhood and business organizations to improve economic conditions, promote redevelopment of vacant and underutilized properties, utilization of MRA financing tools, and working with Bernalillo County to develop County-owned land. Actions that accompany these policies address support of renovation of historic buildings for commercial use, a mix of uses along commercial corridors, a business improvement district (BID), financial support for capital projects, provision of information about small businesses in the area, and MRA-related financial tools to support catalytic project for the area, such as the renovation of the De Anza Motor Lodge on Central Avenue. The Plan supports creating an environment that supports the development and retention of local business (Policy b).

17. The proposed CCR-1 (Community Commercial Residential), CCR-2, CCR-3, OR-1 (Office Residential), and OR-2 zones in the NHHSDP meet the requirements of R-270-1980. The basis of compliance of the NHHSDP with R-270-1980 is changed conditions (Section D.2.) regarding the adoption of the Centers and Corridors component of the Comprehensive Plan (Activity Centers, Transit Corridors), and the adoption of the Central/Highland/Upper Nob Hill Metropolitan Redevelopment Area Plan.

18. The proposed MRHD (Mixed Residential Historic District), RTHD (Residential Townhouse Historic District), and SFHD (Single Family Historic District) zones in the NHHSDP meet the requirements of R-270-1980. The basis of compliance of the NHHSDP with R-270-1980 is changed conditions (Section D.2.) regarding the designation of the Monte Vista Addition and College View Addition subdivisions under the State Cultural Properties Register in 1998 and the National Register of Historic Places in 2001.

19. The proposed R-1 (Single Family Residential) and MR (Mixed Residential) zones in the NHHSDP meet the requirements of R-270-1980. The basis of compliance of the NHHSDP with R-270-1980 is changed conditions (Section D.2.) regarding changes of zoning in the Highland Reservoir Addition subdivision from R-1 to R-3 to
accommodate the development of a major urban center in the Central Avenue/San Mateo Boulevard area. The development of this major urban center did not occur. The predominance of single family residential land uses in this neighborhood and the lack of a major urban center development in the area justifies a re-establishment of lower intensity residential zoning in this neighborhood.

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

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

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

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

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

SECTION 6. 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.