

CITY of ALBUQUERQUE

TWENTIETH COUNCIL

COUNCIL BILL NO. F/S R-13-132 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis, by request

1 RESOLUTION

2 ..title

3 F/S For An Area Of Approximately 569.1 Acres, Bounded Generally By Paseo
4 Del Norte And Existing Development To The North, Universe Blvd. To The
5 West, Volcano Cliffs And Paseo Del Norte To The South And The Petroglyph
6 National Monument To The East; Adopting The Volcano Heights Sector
7 Development Plan As A Rank Three Plan And Changing Zoning From R-D, SU-
8 1 For PRD And SU-1 For C-1 Uses To SU-2/VHTC (Volcano Heights Town
9 Center), SU-2/VHRC (Volcano Heights Regional Center), SU-2/VHVC (Volcano
10 Heights Village Center), SU-2/VHMX (Volcano Heights Mixed Use), SU-2VHNT
11 (Volcano Heights Neighborhood Transition) And SU-2/VHET (Volcano Heights
12 Escarpment Transition) (Lewis, by request

13 ..body

14 For An Area Of Approximately 569.1 Acres, Bounded Generally By Paseo Del
15 Norte And Existing Development To The North, Universe Blvd. To The West,
16 Volcano Cliffs And Paseo Del Norte To The South And The Petroglyph
17 National Monument To The East; Adopting The Volcano Heights Sector
18 Development Plan As A Rank Three Plan And Changing Zoning From R-D, Su-
19 1 For Prd And Su-1 For C-1 Uses To Su-2/Vhtc (Volcano Heights Town Center),
20 Su-2/Vhrc (Volcano Heights Regional Center), Su-2/Vhvc (Volcano Heights
21 Village Center), Su-2/Vhmx (Volcano Heights Mixed Use), Su-2vhnt (Volcano
22 Heights Neighborhood Transition) And Su-2/Vhet (Volcano Heights
23 Escarpment Transition)

24 WHEREAS, the City Council, the governing body of the City of
25 Albuquerque, has the authority to adopt and amend plans for the physical
26 development of areas within the planning and platting jurisdiction of the City

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1 authorized by Statute, Section 3-19-1 et. Seq., NMSA 1978, and by its home rule
2 powers; and

3 WHEREAS, Volcano Heights' location at the intersection of two regional
4 transportation corridors represents a unique opportunity to address the
5 imbalance of jobs and housing on the City's West Side by enabling the
6 development of a mixed-use, urban, walkable and transit-friendly environment
7 that attracts employers and destination retail and provides higher-density
8 residential living options; and

9 WHEREAS, the Rank Two West Side Strategic Plan's 2011 Volcano Mesa
10 Amendment recommended the designation of a new Major Activity Center at
11 this location; and

12
13 WHEREAS, this plan's vision for a Major Activity Center would also benefit
14 the regional traffic network served by Paseo del Norte and Unser Blvd. by
15 bringing goods, services and employment opportunities closer to existing
16 predominately residential areas, reducing the number and length of trips on
17 already-congested roads, and helping to alleviate the need for commutes east
18 across the Rio Grande to existing job centers; and

19 WHEREAS, existing zoning would only allow low-density development,
20 similar to what is already found in abundance on the West Side; and

21 WHEREAS, the Volcano Heights Sector Development Plan (VHSDP),
22 attached hereto, provides a flexible, balanced approach to address the
23 challenge of multiple property owners and undeveloped land with tailored land-
24 use and transportation regulations that emphasize coordination across
25 property lines, along corridors, and over time; and

26 WHEREAS, the VHSDP represents years of coordination and compromise
27 between property owners, neighbors and other stakeholders regarding
28 predictability of development, compatibility with the natural environment, and
29 preservation of key features such as rock outcroppings, sensitive lands and
30 views; and

31 WHEREAS, the Plan's approach seeks a balance between regulation and
32 incentive to accomplish its vision and goals for high-quality development; and

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1 WHEREAS, approval of the Volcano Heights Sector Development Plan
2 (VHSDP) is consistent with the applicable goals and policies of the
3 Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic
4 Plan, the Facility Plan for Major Public Open Space, the Facility Plan: Electric
5 System Generation and Transmission, the Northwest Mesa Escarpment Plan,
6 the Comprehensive Zoning Code, and R-270-1980.
7 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
8 ALBUQUERQUE:
9 Section 1. The City Council adopts the following findings:
10 1. The proposed VHSDP area comprises 569.1 acres of land
11 surrounding the intersection of two significant regional roads, Unser Blvd.
12 and Paseo del Norte, and is bounded generally by existing development in
13 Paradise Hills and part of Paseo del Norte to the North, Universe Boulevard to
14 the west, the Volcano Cliffs Sector Plan area and part of Paseo del Norte to
15 the south, and the Petroglyph National Monument to the east.
16 2. The Plan area is primarily undeveloped except for the two regional
17 roads that traverse it. It is surrounded by existing residential subdivisions and
18 areas of platted land awaiting development. It is divided into approximately
19 100 properties ranging from 2.5 acres to 68 acres, which are owned by about
20 35 different property owners. Five property owners account for approximately
21 75% of the Plan area.
22 3. There are approximately 10 acres of basalt rock outcroppings
23 scattered throughout the Plan area, many of which have cultural, historical
24 and geological significance related to their spiritual use by the area's earliest
25 inhabitants. The Plan area also has significant views of the Sandia Mountains
26 to the east.
27 4. The Plan area currently contains the following zones: Residential
28 and Related Uses, Developing Area (R-D), SU-1 for Planned Residential
29 Development (PRD) and SU-1 for C-1 neighborhood commercial uses.
30 5. The majority of the VHSDP Area is within a part of the city
31 designated Developing or Established Urban by the Rank One
32 Albuquerque/Bernalillo County Comprehensive Plan (Comprehensive Plan).

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1 The VHSDP implements and furthers the applicable Goals and Policies of the
2 Comprehensive Plan as follows:

3 A. The VHSDP's zoning and design standards will protect and
4 preserve open space areas, including the Escarpment, Petroglyph National
5 Monument, and basalt rock outcroppings. Community open areas that tie into
6 the open space network are encouraged through a combination of
7 regulations, standards, and incentives in the Plan, including, in particular, the
8 single-loaded Park Edge Road that serves as a buffer to the Petroglyph
9 National Monument and the bonus height criteria that incentivize protections
10 of the natural environment (II.B.1 Policies c, d, f, g, h, j).

11 B. The West Side Strategic Plan's Volcano Mesa community
12 and its Major Activity Center (MAC) designation and policies address the
13 existing conditions of the Volcano Heights Plan area to ensure compatibility
14 of development on vacant land with existing neighborhoods, urban services
15 and facilities, and natural features (II.B.5 Policies c, d, e, g, n).

16 C. Higher-density housing in the Volcano Heights MAC, with
17 access to Paseo del Norte and Unser Boulevard, is appropriate to support
18 employment and service uses. The MAC's development pattern, Transition
19 zones, and proposed densities along arterial and collector streets will protect
20 existing residential areas and views, minimize traffic, and enhance livability
21 via context sensitive design standards and a comprehensive network of
22 primary and secondary streets (II.B.5 Policies h, i, k, l, m).

23 D. The Volcano Heights MAC will provide a way to address the
24 jobs/housing imbalance in the area with new job opportunities, densities, and
25 structure sizes that are appropriate to and buffered from nearby low-density
26 residential areas via Transition zones (II.B.7 Policies c, e, f, and II.D.6 Policies
27 a and g).

28 E. More compact development, coupled with a multi-modal
29 transportation system, will improve air quality compared to what could be
30 developed under the pre-existing zoning (II.C.1 Policies b and d).

31 F. The VHSDP contains a combination of regulations and
32 incentives to protect, preserve, and enhance the area's unique archaeological

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1 resources, including an incentive for interpretive signage to educate visitors
2 and residents about the area’s history, culture, and geology (II.C.6 Policy c).

3 G. The VHSDP, particularly its zoning and design standards
4 that include native plant lists and streetscape standards, will lead to a quality
5 developed landscape that preserves and enhances the natural and built
6 environments. Building, streetscape, and site development standards will
7 ensure a quality developed landscape that preserves and enhances this
8 community’s identity via a high-quality built environment that is in harmony
9 with the area’s unique natural setting (II.C.8 Policies a, d, e, and II.C.9 Policies
10 b, c, e).

11 H. The VHSDP’s incentives built into the height bonus system,
12 its multi-modal street network, and transit-supportive development pattern
13 promote energy efficiency, variety of transportation, and expansion of transit
14 corridors and service. The plan’s multi-modal cross sections, comprehensive
15 network of primary and secondary streets, and transit corridor – coordinated
16 with ABQ Ride, the City’s Department of Municipal Development, and the Mid-
17 Region Council of Governments (MRCOG) – will serve existing and future
18 transportation needs for all users and, in conjunction with the compact
19 development pattern, reduce peak hour demands in the morning hours on
20 regional roads (II.D.3 Policies a and d, and II.D.4 Policies c, f, o).

21 6. The VHSDP implements and furthers the established goals and
22 policies of the Rank Two West Side Strategic Plan as follows:

23 A. The Plan’s proposed density, mixed-use development
24 pattern and scale, location at the intersection of major arterials, and multi-
25 modal street network create the appropriate conditions to support a Major
26 Activity Center on the West Side that provides opportunities for employment
27 to address the existing jobs/housing imbalance (Policies 1.1, 1.9, 1.18, 3.85,
28 3.95, 3.96).

29 B. The Plan’s implementation strategies encourage the
30 creation of Public Improvement Districts, Special Assessment Districts, and
31 public/private partnerships, as well as further collaboration with implementing
32 agencies such as Albuquerque/Bernalillo County Water Utility Authority,
33 Albuquerque Metropolitan Area Flood Control Authority, ABQ Ride, Mid-

1 Region Council of Governments, and City Department of Municipal
2 Development (Policy 3.98).

3 C. The Plan’s comprehensive street network, requirements for
4 usable and detached open space, and regulatory and incentive-based
5 protections for archaeological and geological resources, native plant lists,
6 grading and construction mitigation standards, and context-sensitive zoning
7 and design standards will work together to protect the area’s sensitive
8 resources and encourage development in harmony with the unique natural
9 setting (Policies 3.99, 3.100, 3.101, 3.103, 3.104, 3.105, 3.106, 3.107, 3.108).

10 D. Adequate access and transportation choices for all users
11 are supported by additional intersections along Paseo del Norte and Unser
12 Boulevard, proposed high-capacity transit corridor and transit-supportive
13 densities, land uses, and development patterns, and multi-modal cross
14 sections (Policies 3.110, 3.111, and 3.112).

15 7. The Plan implements the Rank Two Facility Plan for Major Public
16 Open Space as follows:

17 A. The Escarpment Transition zone limits building height,
18 scale, massing, building color, and density adjacent to the Petroglyph
19 National Monument to ensure compatible development. The transition zone
20 works with the proposed single-loaded Park Edge Road to protect visual
21 access and view corridors (Design Guidelines for Development Adjacent to
22 Major Public Open Space B.3.A and B.3.B; Resource Management C.6.E, West
23 Side Open Space, Section 4, Policy C.1).

24 B. Grading and construction mitigation regulations, the Park
25 Edge Road and associated bioswale/linear pond, and coordination with a
26 future drainage management plan by AMAFCA will protect the escarpment by
27 managing stormwater and controlling erosion (West Side Open Space,
28 Section 4, Policy D.1).

29 8. The Plan implements policies in the Rank Two Facility Plan:
30 Electric System Generation and Transmission (2010-2020) by limiting
31 electrical uses in the Escarpment and Neighborhood Transition zones to
32 ensure the appropriate siting of electrical facilities away from residential

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1 areas, sensitive lands, and highly visible topographic areas (Standard III.A.1,
2 III.A.9, and III.A.10).

3 9. The Plan’s height limits, color restrictions, drainage and
4 construction mitigation regulations, reflectivity limits, Park Edge Road,
5 Escarpment Transition zone, bonus height system, and multi-modal street
6 network complement many policies of the Rank Three Northwest Mesa
7 Escarpment Plan (NWMEP) (9, 11, 12, 15, 19, 20, 21, 23, and 35).

8 10. The Plan’s sign standards are generally consistent with the
9 Unser Boulevard Design Overlay Zone (DOZ) and address the regulation of
10 signs in a more holistic and context sensitive way.

11 Section 2. The City Council makes the following findings, which are
12 supported by and further elucidated in the complete record, as to compliance
13 with R-270-1980 for the zone changes with respect to the VHSDP’s new zones:

14 1. With respect to Policy (A), the zoning established in the VHSDP is
15 consistent with the health, safety, morals, and general welfare of the city
16 because it helps ensure that future development within the Plan area furthers
17 the goals and policies of the Comprehensive Plan and other applicable plans.
18 Specifically, it provides opportunities for sustainable, mixed-use development
19 and additional employment on the West Side that can help address the
20 imbalance of jobs to housing that creates significant traffic congestion and
21 negatively impacts quality of life for West Side residents.

22 2. With respect to Policy (B), the VHSDP’s zoning creates
23 predictability for future development and, thus, brings stability to this largely
24 undeveloped area. The new zoning established in this Plan is needed in order
25 to implement established policies in the Rank One Comprehensive Plan, Rank
26 Two West Side Strategic Plan, Rank Two Facility Plan for Major Public Open
27 Space, and Rank Three Northwest Mesa Escarpment Plan that; existing
28 zoning does not further adopted City policies and should, thus, be changed.

29 3. With respect to Policy (C), the VHSDP’s zoning poses no
30 significant conflict with adopted elements of the Comprehensive Plan or other
31 city master plans and amendments as outlined in Findings 5 through 9 in
32 Section 1 of this Resolution.

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1 4. With respect to Policy (D), the existing R-D zoning in the area is
2 inappropriate and new zones are needed because community conditions have
3 changed, including existing and anticipated traffic congestion and a
4 preponderance of single-family residential uses without the balance of nearby
5 employment opportunities. Furthermore, the new zones are more
6 advantageous to the community, as articulated in the Comprehensive Plan
7 and other adopted City plans as cited above, than existing zoning since they
8 provide the opportunity for a range of uses, including employment, retail, and
9 services, in close proximity to existing residential areas and future residents
10 in the Plan area.

11 5. With respect to Policy (E), permissive uses in the VHSDP’s zones
12 would not be harmful to adjacent property, the neighborhood, or the
13 community because the mix of uses and the urban form resulting from the
14 design standards create compatibility within the Plan area and with adjacent
15 development. The Plan’s proposed development pattern of walkable and
16 transit supportive retail, employment, and residential uses provides benefits
17 for existing and future residents. Additionally, permissive uses at the edges
18 of the Plan area in the Transition zones are limited to those that are
19 compatible with existing nearby development.

20 6. With respect to Policy (F), the establishment of new zones in the
21 VHSDP does not require major and unprogrammed capital expenditures by
22 the City. The plan suggests various strategies to finance infrastructure,
23 including Public Improvement Districts (PIDs), Tax Increment Development
24 Districts (TIDDs), or Special Assessment Districts (SADs), which all require
25 property owners to collaborate, vote to institute the mechanism, and work
26 with the City to implement the agreed-upon infrastructure improvements. The
27 Plan also identifies potential priority capital improvement projects, such as
28 the full build out of regionally-significant roadways, that are essential to
29 implementing the development vision of the Plan, but the Plan in no way
30 obligates the City to make or fund any capital improvements. Decisions about
31 future City participation in the provision of infrastructure to support
32 development in Volcano Heights should assess the potential return on
33 investment of the improvements and take into consideration both the

1 economic and community benefits that would result from creating an area
2 well-served by infrastructure.

3 7. With respect to Policy (G), the cost of land or other economic
4 considerations are not the determining factor for the zone changes. The most
5 significant factor is that the changes are more advantageous to the
6 community as articulated in adopted City plans.

7 8. With respect to Policy (H), the VHSDP does not use “location on a
8 collector or major street” as the justification for establishing mixed-use
9 zoning within the Plan area; rather the location of mixed-use and higher-
10 density residential zoning is related to the vision proposed for the whole
11 Volcano Mesa area.

12 9. With respect to Policy (I), the Plan does not establish spot zones;
13 rather the Plan contains a rational nesting of zone categories, with the most
14 dense and intense at the center, and least dense and intense at the borders
15 where the boundaries abut existing single-family residential areas or the
16 Petroglyph National Monument. Additionally, the Plan does not allow the use
17 of SU-1 Special Use zones, which are inherently spot zones and would
18 undermine the Plan’s comprehensive, yet flexible, zoning strategy.

19 10. With respect to Policy (J), the Plan does not establish strip
20 zones; rather the Plan establishes zoning in accordance with a
21 comprehensive transportation network to allow the development of all
22 properties, create transitions between zones, and implement adopted City
23 policies.

24 Section 3. The Volcano Heights Sector Development Plan, attached hereto
25 and made a part hereof, is adopted as a Rank Three Plan with land use control
26 pursuant to the Comprehensive City Zoning Code and as a regulatory guide to
27 the implementation of the Rank One Albuquerque/Bernalillo County
28 Comprehensive Plan and applicable Rank Two and Three Plans as cited
29 above.

30 Section 4. All development activities within the Volcano Heights Sector
31 Development Plan boundaries shall be guided and regulated by the policies,
32 standards, and regulations of the VHSDP.

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1 Section 5. The Zone Map, adopted by Article 14-16-4-9 ROA 1994, is hereby
2 amended to reflect the rezoning in the map contained in Chapter 2, Section 4
3 of the Volcano Heights Sector Development Plan.

4 Section 6. With respect to any overlap that exists between the Volcano
5 Heights Sector Development Plan and any other Rank Three Plan, where the
6 regulations conflict, the Volcano Heights Sector Development Plan shall
7 prevail.

8 Section 7. EFFECTIVE DATE. This resolution shall take effect five days
9 after publication by title and general summary.

10 Section 8. SEVERABILITY CLAUSE. If any section paragraph, sentence,
11 clause, word, or phrase of this resolution is for any reason held to be invalid
12 or unenforceable by any court of competent jurisdiction, such decision shall
13 not affect the validity of the remaining provisions of this resolution. The
14 Council hereby declares that it would have passed this resolution and each
15 section, paragraph, sentence, clause, word or phrase thereof irrespective of
16 any provisions being declared unconstitutional or otherwise invalid.

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