

**CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL**

COUNCIL BILL NO. C/S O-18-44 ENACTMENT NO. _____

SPONSORED BY: Ken Sanchez

ORDINANCE

ANNEXATION, 17EPC-40061 / 17EPC-40062, ANNEXING 12.3 ACRES, MORE OR LESS, LOCATED IN NORTHERLY PORTION TRACTS 14-20, ROW 4, UNIT A, WEST OF WESTLAND, TOWN OF ATRISCO GRANT, LOCATED NORTH OF INTERSTATE 40 BETWEEN ARROYO VISTA BLVD AND 118TH STREET, AND AMENDING THE ZONE MAP TO ESTABLISH SU-2 FOR TOWN CENTER ZONING.

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

Section 1. AREA PROPOSED FOR ANNEXATION. The owner of the area annexed hereby presented a properly signed petition to annex the following territory, as depicted in Exhibit A to this ordinance: 12.3 acres, more or less, located immediately north of I-40 between Arroyo Vista Boulevard, also known as 98th Street, and 118th Street; and more particularly described as follows:

- (A) Northerly Portion Tracts 14 thru 20, ROW 4, Unit A, West of Westland, Town of Atrisco Grant;**
- (B) The County of Bernalillo approved the annexation of these tracts on September 12, 2017, pursuant to AXBC2017-0001.**

The above described territory is contiguous to the City of Albuquerque.

Section 2. ANNEXATION ACCEPTED. The area specified in Section 1 above is designated Developing Urban in the Albuquerque/Bernalillo County Comprehensive Plan, which makes it suitable for annexation. Furthermore, the petition for annexation meets the requirements of Resolution 54-1990 (City's Annexation Policy). Therefore, the area specified in Section 1 above is hereby annexed.

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1 Section 3. FINDINGS ACCEPTED. On December 14, 2017, the Environmental
2 Planning Commission (EPC), in its advisory role on land use and planning
3 matters, recommended approval of this request for annexation pursuant to
4 twelve findings~~[as follows:], which are adopted by City Council and~~
5 ~~incorporated herein by reference.~~

6 [1. This is a request for annexation of Northerly Portion Tracts 16-20, ROW
7 4, Unit A, West of Westland, Town of Atrisco Grant located north of Interstate
8 40 between Arroyo Vista Blvd (98th Street) NW and 118th Street NW and
9 containing approximately 12.3 acres.

10 2. This annexation request is accompanied by a request for establishment of
11 zoning of SU-2 for Town Center in accordance with the Westland Master Plan
12 and Western Albuquerque Land Holdings (WAHL) Sector Plan (Project
13 #1003458 17EPC-40062). Approval of this annexation and establishment of
14 zoning constitutes a Sector Development Plan Map Amendment that will modify
15 and expand the boundary of the WAHL Sector Plan to include the subject site.

16 3. The subject site is currently an unincorporated County island with
17 property on all sides within the Albuquerque city limits.

18 4. Annexation of the subject site allows the applicant to combine and replat
19 the property with surrounding tracts that are already within the City's
20 jurisdiction for future development of a Town Center.

21 5. The annexation request was approved by the Bernalillo County
22 Commission on September 12, 2017 (AXBC2017-0001).

23 6. In 1999, the City Council annexed the area surrounding the subject site
24 (AX-99-2), allowing for implementation of the Westland Master Plan (SPR-96-2)
25 and establishing zoning based on the Westland Sector Plan (Z-99-8).

26 7. The Albuquerque/Bernalillo County Comprehensive Plan, West Side
27 Strategic Plan, Westland Master Plan, Western Albuquerque Land Holdings
28 Sector Plan, and the City of Albuquerque Zoning Code are incorporated herein
29 by reference and made part of the record for all purposes.

30 8. The subject site is within the Developing Urban Area of the
31 Comprehensive Plan and is also designated as part of an Activity Center. If
32 annexed, the site will be located within an Area of Change of the

1 Comprehensive Plan. The request is in general compliance with the following
2 applicable goals and policies of the Comprehensive Plan:

3 Goal 5.1 Centers and Corridors: Grow as a community of strong Centers
4 connected by a multi-modal network of Corridors.

5 Policy 5.1.1 Desired Growth: Capture regional growth in Centers and
6 Corridors to help shape the built environment into a sustainable development
7 pattern.

8 The subject site is located within the designated Westland Activity Center.
9 The request furthers Goal 5.1 and Policy 5.1.1 because annexation and
10 establishment of Town Center zoning allows for increased commercial and
11 multi-family development consistent with an Activity Center, as well as bringing
12 the subject site under the same jurisdiction as surrounding properties, which will
13 allow for more efficient growth and development review.

14 Policy 5.1.2 Development Areas: Direct more intense growth to Centers and
15 Corridors and use Development Areas to establish and maintain appropriate
16 density and scale of development within areas that should be more stable.

17 The annexation and establishment of SU-2 for Town Center zoning furthers
18 Policy 5.1.2 by allowing for more intense growth in a designated Center that
19 will be considered an Area of Change upon annexation.

20 Policy 5.1.6 Activity Centers: Foster mixed-use centers of activity with a
21 range of services and amenities that support healthy lifestyles and meet the
22 needs of nearby residents and businesses.

23 The subject site is located within a designated Activity Center and
24 establishment of SU-2 for Town Center zoning will allow for a mix of
25 commercial and residential uses with a range of services and amenities for
26 nearby residents, thus furthering Policy 5.1.2.

27 Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct
28 communities with a mix of uses that are conveniently accessible from
29 surrounding neighborhoods.

30 a) Encourage development and redevelopment that brings goods, services,
31 and amenities within walking and biking distance of neighborhoods and
32 promotes good access for all residents.

1 b) Encourage development that offers choice in transportation, work areas,
2 and lifestyles.

3 The proposed SU-2 for Town Center zoning furthers Policy 5.2.1 because it
4 will allow for development that includes a variety of goods and services that will
5 be conveniently accessible to many West Side neighborhoods, thus reducing
6 cross-river trips. Allowing for a mix of residential and commercial uses will
7 create jobs and offer greater choice of work areas, transportation, and lifestyles
8 not currently available in the area.

9 Goal 5.3 Efficient Development Patterns: Promote development patterns that
10 maximize the utility of existing infrastructure and public facilities and the
11 efficient use of land to support the public good.

12 The request will eliminate an unincorporated County island and bring the
13 subject site into the same jurisdiction as the surrounding properties, which will
14 allow for more efficient development and future provision of services, thus
15 furthering Goal 5.3.

16 Policy 5.3.6 Reassembly and Replatting: Encourage property owner
17 coordination to reassemble areas prematurely subdivided or platted that have
18 inadequate right-of-way or drainage before infrastructure and services are
19 extended.

20 Policy 5.3.6 is furthered by this request because annexation and
21 establishment of zoning will bring the subject site into the City's jurisdiction and
22 allow for the property to be combined and platted with the surrounding
23 properties that are already within the City.

24 Goal 5.4 Jobs-Housing Balance: Balance jobs and housing by encouraging
25 residential growth near employment across the region and prioritizing job growth
26 west of the Rio Grande.

27 The request furthers Goal 5.4 by bringing the subject site into the City's
28 jurisdiction so it can be master planned for additional development, including a
29 potential future hospital if associated plan amendments are approved, that will
30 create additional jobs west of the Rio Grande.

31 Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West
32 Side.

1 The request furthers Policy 5.4.2 because additional SU-2 Town Center
2 zoning will allow for more mixed commercial development that includes jobs for
3 the West Side.

4 Policy 5.6.2 Areas of Change: Direct growth and more intense development
5 to Centers, Corridors, industrial and business parks, and Metropolitan
6 Redevelopment Areas where change is encouraged.

7 Upon annexation, the subject site will be considered an Area of Change like
8 all properties surrounding it, so the request furthers Policy 5.6.2 by allowing for
9 more intense development and creating jobs in a place appropriate for such
10 changes.

11 Policy 7.3.2 Community Character: Encourage design strategies that
12 recognize and embrace the character differences that give communities their
13 distinct identities and make them safe and attractive places.

14 a) Design development to reflect the character of the surrounding area and
15 protect and enhance views.

16 b) Encourage development and site design that incorporates CPTED
17 principles.

18 e) Encourage high-quality development that capitalizes on predominant
19 architectural styles, building materials, and landscape elements.

20 The proposed zoning for the subject site is within the Westland Master Plan
21 and Sector Plan, so it must follow the design guidelines of those plans, which
22 will result in a distinct character and high quality of development, so the request
23 furtheres Policy 7.3.2.

24 Policy 7.5.1 Landscape Design: Encourage landscape treatments that are
25 consistent with the high desert climate to enhance our sense of place.

26 Any development on the subject site is subject to the plant palette from the
27 Master Plan, which was formulated specifically with the high desert climate in
28 mind, so the request furthers Policy 7.5.1.

29 Policy 8.1.2 Resilient Economy: Encourage economic development efforts
30 that improve quality of life for new and existing residents and foster a robust,
31 resilient, and diverse economy.

1 a) Maximize opportunities for economic development that furthers social,
2 cultural, and environmental goals.

3 c) Prioritize local job creation, employer recruitment, and support for
4 development projects that hire local residents.

5 Approval of this request is an important step for development of a potential
6 future hospital that will have large positive economic impacts. Notwithstanding,
7 the proposed SU-2 for Town Center zone allows for a much wider variety of
8 office and commercial development that would provide more jobs and economic
9 output than the existing A-1 agricultural County zoning, so the request furthers
10 Policy 8.1.2.

11 9. The subject site is within the Westland North Community of the West
12 Side Strategic Plan. The request is in general compliance with the following
13 applicable goals and policies of the West Side Strategic Plan:

14 Plan Objective 1: Provide for a complete mix of land uses on the West Side,
15 including opportunities for large-scale employment, in order to minimize the
16 needs for cross-metro trips. Employment opportunities are encouraged on the
17 West Side.

18 The request for annexation and establishment of SU-2 for Town Center
19 zoning will allow for additional mixed use and commercial development on the
20 West Side, thus furthering Plan Objective 1 of the West Side Strategic Plan.

21 Plan Objective 8: Promote job opportunities and business growth in
22 appropriate areas of the West Side.

23 The subject site's location in the Westland Town Center area is an
24 appropriate location of the West Side to allow for additional business growth
25 and job opportunities with mixed-use and commercial zoning, thus furthering
26 Plan Objective 8 of the West Side Strategic Plan.

27 Policy 3.55: The City of Albuquerque and property owners shall work with
28 the electric utility companies to minimize the visual and potential EMF exposure
29 impacts of the many power line corridors crossing the property. These corridors
30 should be combined into consolidated easements rather than in separate parallel
31 easements.

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1 The request furthers Policy 3.55 because the subject site is planned to be
2 combined with adjacent properties for future development, which will include
3 the relocation of PNM distribution lines to the north of the subject site to a more
4 appropriate location.

5 Policy 3.57: Allow and encourage appropriately designed development
6 throughout the Westland North Community which will protect the visual and
7 physical features of the Atrisco Terrace through design guidelines and
8 consistent enforcement.

9 The request furthers Policy 3.57 by providing a consistent set of design
10 guidelines and development review of the subject site by eliminating the
11 unincorporated County island and establishing the same zoning as the
12 surrounding properties.

13 Policy 3.59: The Westland North Community is included in City of
14 Albuquerque territory. Annexation signals intent that it develop with urban- style
15 development and densities. This area is a prime area for the expansion of future
16 urban levels of development.

17 The request furthers Policy 3.59 by bringing the subject site into the City of
18 Albuquerque's jurisdiction and allowing for urban-style development consistent
19 with the SU-2 for Town Center Designation.

20 Policy 3.61: A Community Center, appropriate Employment Centers, and
21 Neighborhood Centers are identified for this Community in accordance with the
22 approved Master Plan for this area. The Community Center is expected to occur
23 central to the Community, with employment near the Paseo del Volcan corridor,
24 but refinement of these concepts will occur during the planning process for
25 smaller sub-areas.

26 The Westland Town Center area is the Community Center that was identified
27 and established for the Westland North Community of the West Side Strategic
28 Plan. Annexing the existing unincorporated County island and bringing it into the
29 City's jurisdiction will further Policy 3.61 by allowing for more consistent and
30 efficient development review and refined planning for this Community Center.

31 Policy 3.90: The City of Albuquerque and other economic development
32 entities shall explore with the property owners developing a high quality

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1 office/industrial park or parks in the eastern portion of the Westland North
2 Community. Development in this park should emphasize higher density office
3 buildings and avoid lower cost warehouse facilities. Such development shall
4 protect the visual and physical features of the Atrisco Terrace and the
5 Petroglyph National Monument including the preservation of the view area of
6 the Monument as specified in the Northwest Mesa Escarpment Plan. This
7 protection shall be accomplished through the development and strict
8 enforcement of design guidelines, open space dedications, and, if necessary,
9 low density residential development.

10 The request furthers Policy 3.90 because the requested SU-2 for Town
11 Center designation allows for more dense office and commercial development
12 with designated percentages of office uses within the overall use mix that
13 favors quality office development and other supporting commercial services
14 rather than lower cost warehouse facilities.

15 10. The applicant has justified the Annexation request pursuant to R-54-
16 1990 as follows:

17 Section 1: Areas which are designated by the Albuquerque/Bernalillo County
18 Comprehensive Plan as Central Urban, Established Urban, and Developing Urban
19 are particularly appropriate for the range of urban services which the city can
20 provide, and annexation of such areas into the city is desired and encouraged.
21 More specifically, annexation of areas planned to be urban intensity of
22 development will be approved when the following policies are met, unless the
23 city concludes that the anticipated delay in provision of city services is so far
24 into the future as to be speculative and therefore an unreasonable basis to
25 provide for annexation:

26 a) Compliance with city policy regarding land dedication for public facilities is
27 assured;

28 After annexation and zoning, the subject site will be replatted and developed
29 along with adjacent properties. Through that process, any dedications required
30 for public facilities will be provided.

1 b) The applicant shall agree in writing to timing of capital expenditures for
2 necessary major streets, water, sanitary sewer, and storm-water-handling
3 facilities:

4 (1) The timing to be per a written city statement of intent as to when it or
5 another public body will be able to provide such capital facilities, such city
6 statement to be issued prior to annexation; and/or

7 (2) The timing to remain indefinite but a substantial number of years in the
8 future, based on a written city statement, made prior to annexation, that it will
9 provide the facilities but no timing can be assured; and/or

10 (3) A commitment by the land owner that he or his successors in interest
11 will, in a manner that satisfies City standards, install and pay for such facilities
12 or cause them to be installed and paid.

13 The applicant has agreed to install such facilities that are necessary for the
14 provision of services to the subject site and a pre-annexation agreement will be
15 executed along with approval of this request.

16 c) The city may decline an annexation if necessary capital expenditures fall
17 all or partly under division (2)(b) above, and the City concludes that it would be
18 unreasonable to make land owners wait for basic utilities and facilities as long
19 as would probably be the case;

20 The applicant, a developer and owner of the majority of land in the area
21 including those lands already annexed, will provide the capital infrastructure
22 needed for development of the subject site via a proposed Tax Increment
23 Development District.

24 d) Land annexed shall be to some extent contiguous to the city limits, except
25 land owned by the city may be annexed when it is not contiguous where this is
26 allowed by state statutes;

27 The subject site is completely surrounded by land that is within the City of
28 Albuquerque City limits.

29 e) Land to be annexed shall have provision for convenient street access to
30 the city;

31 The subject site is immediately adjacent to Interstate 40 and is near to right-
32 of-way that has been dedicated for the future extensions of 118th Street and

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1 Ladera Drive. Specific improvements and provision of access will be determined
2 and provided through the platting and development process of the site and
3 surrounding properties.

4 f) Land to be annexed shall have reasonable boundaries so that providers of
5 public services can determine with ease where the city boundary is located and
6 so that public services can be delivered under appropriate service extension
7 policies at reasonable operating and capital cost to the city;

8 The request will eliminate an existing “island” of unincorporated County land
9 that is surrounded by property located within the City limits, thus making the
10 City boundary more reasonable than presently exists.

11 g) City boundaries shall be established along platted lines which will make
12 definite what the city limits are; annexation plats need not meet all requirements
13 of a subdivision plat as specified by the Subdivision Ordinance.

14 The City limits will be definite with this annexation because the annexation
15 consists of five platted properties that will be annexed in their entirety, filling in
16 an existing hole or island of unincorporated County land that is surrounded on all
17 sides by the City of Albuquerque.

18 Sections 2 through 5 of R-54-1990 are not applicable to the subject site.

19 11. A pre-annexation agreement between the Applicant and the City of
20 Albuquerque, as approved by the City Engineer, is required to be completed for
21 this request.

22 12. The Laurelwood, Tres Volcanes, Las Lomas, and Parkway
23 Neighborhood Associations, The Manors at Mirehaven Community Association,
24 and Westside Coalition of Neighborhood Associations were notified of this
25 request, as well as property owners within 100 feet of the entire WAHL Sector
26 Plan boundary. There is no known neighborhood opposition to this request.]

27 Section 4. ZONE MAP AMENDED. The request for SU-2 for Town Center, as
28 regulated by the Westland Master Plan and Western Albuquerque Land Holdings
29 Sector Development Plan, is justified per Resolution 270-1980 because of
30 changed community conditions and the request being more advantageous to the
31 community as articulated by the Albuquerque/Bernalillo County Comprehensive
32 Plan and West Side Strategic Plan. Therefore, the zone map adopted by Section

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1 14-16-1-1 et. Seq. R.O.A. 1994 is hereby amended, establishing SU-2 for Town
2 Center Zoning for the area specified in Section 1 above.

3 [SECTION 5. RELATION TO RECENT PLANNING EFFORTS. This ordinance
4 proposes to establish SU-2 for Town Center zoning through the Western
5 Albuquerque Land Holdings Sector Development Plan. Since the Integrated
6 Development Ordinance went into effect on May 17th, 2018, this zoning
7 category no longer exists in the City’s regulatory land use framework. This
8 property will be considered under the zoning conversion rules that accompanied
9 the implementation of the Integrated Development Ordinance which will result in
10 a zoning classification of “PC – Planned Community”. Development standards
11 for the PC zone will still be regulated by the Western Albuquerque Land
12 Holdings Sector Development Plan, which is incorporated into the Westland
13 Master Plan.]

14 Section ~~[5]~~[6]. FINDINGS ACCEPTED. On December 14, 2017, the
15 Environmental Planning Commission (EPC), in its advisory role on land use
16 and planning matters, recommended approval of this request for
17 establishment of SU-2 for Town Center zoning pursuant to twelve findings [as
18 follows:]~~[, which are adopted by City Council and incorporated herein by~~
19 ~~reference.]~~

20 [1. This is a request for a Sector Development Plan Map Amendment
21 /Establishment of Zoning for Northerly Portion Tracts 16-20, ROW 4, Unit A,
22 West of Westland, Town of Atrisco Grant located north of Interstate 40
23 between Arroyo Vista Blvd (98th Street) NW and 118th Street NW and
24 containing approximately 12.3 acres.

25 2. The request is to change the existing Bernalillo County A-1 Rural
26 Agricultural zoning upon annexation to SU-2 for Town Center as regulated by
27 the Westland Master Plan and Western Albuquerque Land Holdings (WAHL)
28 Sector Plan.

29 3. This request is accompanied by a request for annexation of the subject
30 site (Project #1003458 17EPC-40061). Approval of this annexation and
31 establishment of zoning constitutes a Sector Development Plan Map

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1 Amendment that will modify and expand the boundary of the WAHL Sector Plan
2 to include the subject site.

3 4. The subject site is currently an unincorporated County island with
4 property on all sides within the Albuquerque city limits.

5 5. Annexation and zoning of the subject site allows the applicant to combine
6 and replat the property with surrounding tracts that are already within the City's
7 jurisdiction for future development of a Town Center.

8 6. The annexation request was approved by the Bernalillo County
9 Commission on September 12, 2017 (AXBC2017-0001).

10 7. In 1999, the City Council annexed the area surrounding the subject site
11 (AX-99-2), allowing for implementation of the Westland Master Plan (SPR-96-2)
12 and establishing zoning based on the Westland Sector Plan (Z-99-8).

13 8. The Albuquerque/Bernalillo County Comprehensive Plan, West Side
14 Strategic Plan, Westland Master Plan, Western Albuquerque Land Holdings
15 Sector Plan, and the City of Albuquerque Zoning Code are incorporated herein
16 by reference and made part of the record for all purposes.

17 9. The subject site is within the Developing Urban Area of the
18 Comprehensive Plan and is also designated as part of an Activity Center. If
19 annexed, the site will be located within an Area of Change of the
20 Comprehensive Plan. The request is in general compliance with the following
21 applicable goals and policies of the Comprehensive Plan:

22 Goal 5.1 Centers and Corridors: Grow as a community of strong Centers
23 connected by a multi-modal network of Corridors.

24 Policy 5.1.1 Desired Growth: Capture regional growth in Centers and
25 Corridors to help shape the built environment into a sustainable development
26 pattern.

27 The subject site is located within the designated Westland Activity Center.
28 The request furthers Goal 5.1 and Policy 5.1.1 because annexation and
29 establishment of Town Center zoning allows for increased commercial and
30 multi-family development consistent with an Activity Center, as well as bringing
31 the subject site under the same jurisdiction as surrounding properties, which will
32 allow for more efficient growth and development review.

1 Policy 5.1.2 Development Areas: Direct more intense growth to Centers and
2 Corridors and use Development Areas to establish and maintain appropriate
3 density and scale of development within areas that should be more stable.

4 The annexation and establishment of SU-2 for Town Center zoning furthers
5 Policy 5.1.2 by allowing for more intense growth in a designated Center that
6 will be considered an Area of Change upon annexation.

7 Policy 5.1.6 Activity Centers: Foster mixed-use centers of activity with a
8 range of services and amenities that support healthy lifestyles and meet the
9 needs of nearby residents and businesses.

10 The subject site is located within a designated Activity Center and
11 establishment of SU-2 for Town Center zoning will allow for a mix of
12 commercial and residential uses with a range of services and amenities for
13 nearby residents, thus furthering Policy 5.1.2.

14 Policy 5.2.1 Land Uses: Create healthy, sustainable, and distinct
15 communities with a mix of uses that are conveniently accessible from
16 surrounding neighborhoods.

17 a) Encourage development and redevelopment that brings goods, services,
18 and amenities within walking and biking distance of neighborhoods and
19 promotes good access for all residents.

20 b) Encourage development that offers choice in transportation, work areas,
21 and lifestyles.

22 The proposed SU-2 for Town Center zoning furthers Policy 5.2.1 because it
23 will allow for development that includes a variety of goods and services that will
24 be conveniently accessible to many West Side neighborhoods, thus reducing
25 cross-river trips. Allowing for a mix of residential and commercial uses will
26 create jobs and offer greater choice of work areas, transportation, and lifestyles
27 not currently available in the area.

28 Goal 5.3 Efficient Development Patterns: Promote development patterns that
29 maximize the utility of existing infrastructure and public facilities and the
30 efficient use of land to support the public good.

31 The request will eliminate an unincorporated County island and bring the
32 subject site into the same jurisdiction as the surrounding properties, which will

1 allow for more efficient development and future provision of services, thus
2 furthering Goal 5.3.

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8 establishment of zoning will bring the subject site into the City’s jurisdiction and
9 allow for the property to be combined and platted with the surrounding
10 properties that are already within the City.

11 Goal 5.4 Jobs-Housing Balance: Balance jobs and housing by encouraging
12 residential growth near employment across the region and prioritizing job growth
13 west of the Rio Grande.

14 The request furthers Goal 5.4 by bringing the subject site into the City’s
15 jurisdiction so it can be master planned for additional development, including a
16 potential future hospital if associated plan amendments are approved, that will
17 create additional jobs west of the Rio Grande.

18 Policy 5.4.2 West Side Jobs: Foster employment opportunities on the West
19 Side.

20 The request furthers Policy 5.4.2 because additional SU-2 Town Center
21 zoning will allow for more mixed commercial development that includes jobs for
22 the West Side.

23 Policy 5.6.2 Areas of Change: Direct growth and more intense development
24 to Centers, Corridors, industrial and business parks, and Metropolitan
25 Redevelopment Areas where change is encouraged.

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27 all properties surrounding it, so the request furthers Policy 5.6.2 by allowing for
28 more intense development and creating jobs in a place appropriate for such
29 changes.

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31 recognize and embrace the character differences that give communities their
32 distinct identities and make them safe and attractive places.

1 a) Design development to reflect the character of the surrounding area and
2 protect and enhance views.

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4 principles.

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6 architectural styles, building materials, and landscape elements.

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8 and Sector Plan, so it must follow the design guidelines of those plans, which
9 will result in a distinct character and high quality of development, so the request
10 further Policy 7.3.2.

11 Policy 7.5.1 Landscape Design: Encourage landscape treatments that are
12 consistent with the high desert climate to enhance our sense of place.

13 Any development on the subject site is subject to the plant palette from the
14 Master Plan, which was formulated specifically with the high desert climate in
15 mind, so the request furthers Policy 7.5.1.

16 Policy 8.1.2 Resilient Economy: Encourage economic development efforts
17 that improve quality of life for new and existing residents and foster a robust,
18 resilient, and diverse economy.

19 a) Maximize opportunities for economic development that furthers social,
20 cultural, and environmental goals.

21 c) Prioritize local job creation, employer recruitment, and support for
22 development projects that hire local residents.

23 Approval of this request is an important step for development of a potential
24 future hospital that will have large positive economic impacts. Notwithstanding,
25 the proposed SU-2 for Town Center zone allows for a much wider variety of
26 office and commercial development that would provide more jobs and economic
27 output than the existing A-1 agricultural County zoning, so the request furthers
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29 10. The subject site is within the Westland North Community of the West
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31 applicable goals and policies of the West Side Strategic Plan:

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1 Plan Objective 1: Provide for a complete mix of land uses on the West Side,
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3 needs for cross-metro trips. Employment opportunities are encouraged on the
4 West Side.

5 The request for annexation and establishment of SU-2 for Town Center
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7 West Side, thus furthering Plan Objective 1 of the West Side Strategic Plan.

8 Plan Objective 8: Promote job opportunities and business growth in
9 appropriate areas of the West Side.

10 The subject site's location in the Westland Town Center area is an
11 appropriate location of the West Side to allow for additional business growth
12 and job opportunities with mixed-use and commercial zoning, thus furthering
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32 Albuquerque territory. Annexation signals intent that it develop with urban- style

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1 development and densities. This area is a prime area for the expansion of future
2 urban levels of development.

3 The request furthers Policy 3.59 by bringing the subject site into the City of
4 Albuquerque's jurisdiction and allowing for urban-style development consistent
5 with the SU-2 for Town Center Designation.

6 Policy 3.61: A Community Center, appropriate Employment Centers, and
7 Neighborhood Centers are identified for this Community in accordance with the
8 approved Master Plan for this area. The Community Center is expected to occur
9 central to the Community, with employment near the Paseo del Volcan corridor,
10 but refinement of these concepts will occur during the planning process for
11 smaller sub-areas.

12 The Westland Town Center area is the Community Center that was identified
13 and established for the Westland North Community of the West Side Strategic
14 Plan. Annexing the existing unincorporated County island and bringing it into the
15 City's jurisdiction will further Policy 3.61 by allowing for more consistent and
16 efficient development review and refined planning for this Community Center.

17 Policy 3.90: The City of Albuquerque and other economic development
18 entities shall explore with the property owners developing a high quality
19 office/industrial park or parks in the eastern portion of the Westland North
20 Community. Development in this park should emphasize higher density office
21 buildings and avoid lower cost warehouse facilities. Such development shall
22 protect the visual and physical features of the Atrisco Terrace and the
23 Petroglyph National Monument including the preservation of the view area of
24 the Monument as specified in the Northwest Mesa Escarpment Plan. This
25 protection shall be accomplished through the development and strict
26 enforcement of design guidelines, open space dedications, and, if necessary,
27 low density residential development.

28 The request furthers Policy 3.90 because the requested SU-2 for Town
29 Center designation allows for more dense office and commercial development
30 with designated percentages of office uses within the overall use mix that
31 favors quality office development and other supporting commercial services
32 rather than lower cost warehouse facilities.

1 11. The applicant has justified the zone change request pursuant to R-270-
2 1980 as follows:

3 A. The policies cited by the applicant in their updated December 5, 2017
4 justification letter and analyzed in Findings 9 and 10, as well as the choice of
5 the same zone category as surrounding properties, demonstrate that the request
6 is consistent with the health, safety, morals, and general welfare of the city.

7 B. The requested zoning is the same as the zoning of surrounding properties,
8 so the requested annexation and establishment of zoning will lead to greater
9 stability of land use rather than allowing the existing A-1 agricultural zone to
10 remain while the surrounding properties develop into a Town Center.

11 C. The proposed change is not in conflict with, but rather furthers the goals
12 and policies of, the Comprehensive Plan and the West Side Strategic Plan as
13 shown in Findings 9 and 10.

14 D. The existing zoning is inappropriate because of changed community
15 conditions, including the annexation of all the surrounding properties, adoption
16 of the Westland Master Plan for development of the area, development of the
17 sports complex and Regional Park nearby, and the recent adoption of a Tax
18 Increment Development District to help finance infrastructure in the area.

19 The proposed zone is also the same as the surrounding properties further
20 justifying that the existing Bernalillo County A-1 zoning is inappropriate because
21 the proposed zone is more advantageous to the community, as articulated by
22 the Comprehensive Plan and West Side Strategic Plan as outlined by the policies
23 cited by the applicant in their revised December 5, 2017 justification letter and
24 analyzed in Findings 9 and 10 by fulfilling the Westland Master Plan,
25 contributing to a mix of uses within an Activity Center, and bringing additional
26 jobs to the West Side.

27 E. The requested Town Center zone and uses allowed by that zone are the
28 same as the zoning on all nearby surrounding properties and the request has
29 been justified as more advantageous to the community as it furthers numerous
30 goals and policies of the Comprehensive Plan and West Side Strategic Plan, so
31 the requested zone will not be harmful to adjacent property, the neighborhood,
32 or the community.

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1 F. The applicant will enter into a pre-annexation agreement with the city
2 regarding this request. Any capital expenditures for development of surrounding
3 infrastructure will be provided by the applicant or otherwise financed with the
4 approved TIDD and it is understood that the city is not obligated to provide this
5 infrastructure on any special schedule.

6 G. Economic considerations are not the determining factor for this zone
7 change as shown by the applicant's justification letter and the analysis of all
8 other policies. The request for annexation and establishment of SU-2 for Town
9 Center zoning is more advantageous to the community as articulated by the
10 Comprehensive Plan.

11 H. The site's location is not the sole justification for the proposed mixed use
12 SU-2 for Town Center zoning, but rather it is the same zoning as all surrounding
13 properties and is more advantageous to the community as articulated by the
14 Comprehensive Plan and other city plans and policies.

15 I. The request will establish the same zoning on the subject site that exists
16 on all surrounding property located within the city limits, so the request does
17 not constitute a spot zone.

18 J. The request does not constitute strip zoning.

19 12. The Laurelwood, Tres Volcanes, Las Lomitas, and Parkway
20 Neighborhood Associations, The Manors at Mirehaven Community Association,
21 and Westside Coalition of Neighborhood Associations were notified of this
22 request, as well as property owners within 100 feet of the entire WAHL Sector
23 Plan boundary. There is no known neighborhood opposition to this request.]

24 Section ~~[6]~~[7]. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
25 clause, word or phrase of this Ordinance is for any reason held to be invalid or
26 unenforceable by any court of competent jurisdiction, such decision shall not
27 affect the validity of the remaining provisions of this Ordinance. The Council
28 hereby declares that it would have passed this Ordinance and each section,
29 paragraph, sentence, clause, word or phrase thereof irrespective of any
30 provision being declared unconstitutional or otherwise invalid.

1 Section ~~[7]~~**[8]**. EFFECTIVE DATE. This Ordinance shall take effect five days
2 after publication by title and general summary and when a plat of the territory
3 hereby annexed is filed in the office of the County Clerk.
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