



Legislation Text

File #: R-21-230, Version: 2

CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-230 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton and Tammy Fiebelkorn

RESOLUTION

Designating The Menaul Metropolitan Redevelopment Area, Making Certain Findings And Conclusions Pursuant To The Metropolitan Redevelopment Code, And Authorizing And Directing The City To Prepare A Metropolitan Redevelopment Plan For The Menaul Metropolitan Redevelopment Area (Benton, Fiebelkorn)

WHEREAS, Section 3-60A-7 NMSA 1978 of the MR Code states: "No local government shall exercise any of the powers conferred upon local governments by the Redevelopment Law until the local government has adopted a resolution finding that:

- A. one or more slum area or blighted areas exist in the local government's jurisdiction; and
- B. the rehabilitation, conservation, slum clearance, redevelopment or development, or a combination thereof, of and in such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the local government's jurisdiction"; and

WHEREAS, the City of Albuquerque ("City") and the Metropolitan Redevelopment Agency ("MRA") of the City and their employees and agents, have for some time, engaged in a study of blighted areas within the City and have submitted their findings and conclusions concerning the area detailed in the Menaul Metropolitan Redevelopment Area ("Menaul MR Area") Designation Report, which is attached as Exhibit B to this Resolution and incorporated herein by reference; and

WHEREAS, pursuant to Section 3-60A-8(A) NMSA 1978 of the MR Code, the Council caused to be published in the Albuquerque Journal, a newspaper of general circulation, a notice

containing a general description of the proposed Menaul MR Area and the date, time and place where the Council will hold a public hearing to consider the adoption of this Resolution and such notice was published twice with the last publication at least twenty days prior to the Council hearing; and

WHEREAS, the Council has considered the Designation Report, including Findings, Determinations, and Conclusions in addition to the questions and comments submitted by members of the public concerning the proposed Menaul MR Area.

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

SECTION 1. The City Council makes the following Findings of Fact with respect to the designation of the Menaul MR Area:

A. The Menaul MR Area is shown on the map attached hereto as Exhibit A. The Menaul MR Area is located along Menaul Boulevard, between Interstate 25 and the North Diversion Channel. The geographic boundaries generally includes properties along the Menaul Boulevard corridor between Interstate 25 and the North Diversion Channel, with Phoenix Avenue as a northern boundary and Interstate 40 as the southern boundary.

B. The Menaul MR Area meets the definition of a blighted area as defined in Section 3-60A-4(F) NMSA 1978 of the MR Code. The presence of the following conditions is substantially impairing the sound growth and economic health and well-being of the City: (1) a substantial number of deteriorated or deteriorating structures; (2) deterioration of site improvements; (3) a significant number of commercial or mercantile businesses have closed or significantly reduced their hours of operation due to the economic losses or loss of profit due to operating in the area; and (4) low levels of commercial activity or redevelopment.

C. The combination of the above stated factors is an economic and social burden and is a menace to the public health, safety, morals or welfare of the residents of Albuquerque, and the rehabilitation, conservation, redevelopment or development, or a combination thereof, of and in such area is necessary.

SECTION 2. In accordance with the requirements of Section 3-60A-8 NMSA 1978, the Council hereby designates the area that is described in Section 1.A above, and shown in the official Menaul MR Boundary map attached hereto as Exhibit A, to be a 'metropolitan redevelopment area' as defined by Section 3-60A-4 (M) NMSA 1978 and finds it to be appropriate for a metropolitan redevelopment project or projects. This area shall be referred to as the Menaul MR

Area to distinguish it from other metropolitan redevelopment areas.

SECTION 3. The MRA of the City is hereby authorized and directed to prepare a Metropolitan Redevelopment Plan, as defined by Section 3-60A-4 (N) NMSA 1978, for the Menaul MR Area, which, without limitation, shall: (1) Seek to eliminate the problems created by the blighted conditions of the area; (2) Conform to and coordinate with the Albuquerque/Bernalillo County Comprehensive Plan, and any other applicable plans or policies; and (3) Be sufficient to indicate the proposed activities to be carried out in the area, including, but not limited to, any proposals for land acquisition, redevelopment, improvements, rehabilitation and conservation and the plan's relationship to definite local objectives respecting land uses, improved traffic patterns and controls, public transportation, public utilities, recreational and community facilities, housing facilities, commercial activities or enterprises, and other public improvements.

SECTION 4. INCORPORATION. This shall be incorporated into Chapter 1 (Land Use), Article 12 Metropolitan Redevelopment Areas and Plans) of the Albuquerque Code of Resolutions.

SECTION 5. 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.

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