City of Albuquerque

City of Albuquerque
Government Center
One Civic Plaza
Albuquerque, NM 87102

Legislation Details (With Text)

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File created:	1/23/2013	**In control:**	City Council
		Final action:	8/5/2013
Enactment date:	8/28/2013	**Enactment #:**	R-2013-068

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

Sponsors:

Indexes:

Code sections:

Attachments: 1. R-132, 2. R-132 EPC Record, 3. 2 R-132 VHSDP-2013-Council-greenline-08-02-v2, 4. 1 R-132 Proposed Floor Substitute - Redline Version, 5. R-132fs, 6. R-132fsfinal, 7. FS R-132Enacted

Date	Ver.	Action By	Action	Result
8/28/2013	3	Mayor	Signed by the Mayor	
8/28/2013	3	City Clerk	Published	
8/19/2013	2	City Council	Sent to Mayor for Signature	
8/5/2013	1	City Council	Substituted	Pass
8/5/2013	1	City Council	Substituted	Pass
8/5/2013	1	City Council	Amended	Pass
8/5/2013	1	City Council	Amended	Pass
8/5/2013	1	City Council	Amended	Pass
8/5/2013	1	City Council	Passed as Substituted, as Amended	Pass
6/3/2013	1	City Council	Postponed	Pass
4/15/2013	1	City Council	Accepted with a recommendation Do Pass, As Substituted	
4/10/2013	1	Land Use, Planning, and Zoning Committee	Substituted	Pass
4/10/2013	1	Land Use, Planning, and Zoning Committee	Sent to Council with a recommendation of Do Pass, as Substituted	Pass
2/13/2013	1	Land Use, Planning, and Zoning Committee	Postpone	Pass
1/23/2013	1	President	Referred	
1/23/2013	1	City Council	Introduced and Referred	

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CITY of ALBUQUERQUE
TWENTIETH COUNCIL

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

SPONSORED BY: Dan Lewis, by request

RESOLUTION

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

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

WHEREAS, the City Council, the governing body of the City of Albuquerque, has the authority to adopt and amend plans for the physical development of areas within the planning and platting jurisdiction of the City authorized by Statute, Section 3-19-1 et. Seq., NMSA 1978, and by its home rule powers; and

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

living options; and

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

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

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

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

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

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

WHEREAS, approval of the Volcano Heights Sector Development Plan (VHSDP) is consistent with the applicable goals and policies of the Albuquerque/Bernalillo County Comprehensive Plan, the West Side Strategic Plan, the Facility Plan for Major Public Open Space, the Facility Plan: Electric System Generation and Transmission, the Northwest Mesa Escarpment Plan, the Comprehensive Zoning Code, and R-270-1980.

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

Section 1. The City Council adopts the following findings:

1. The proposed VHSDP area comprises 569.1 acres of land surrounding the intersection of two significant regional roads, Unser Blvd. and Paseo del Norte, and is bounded generally by existing development in Paradise Hills and part of Paseo del Norte to the North,

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Universe Boulevard to the west, the Volcano Cliffs Sector Plan area and part of Paseo del Norte to the south, and the Petroglyph National Monument to the east.

2. The Plan area is primarily undeveloped except for the two regional roads that traverse it. It is surrounded by existing residential subdivisions and areas of platted land awaiting development. It is divided into approximately 100 properties ranging from 2.5 acres to 68 acres, which are owned by about 35 different property owners. Five property owners account for approximately 75% of the Plan area.

3. There are approximately 10 acres of basalt rock outcroppings scattered throughout the Plan area, many of which have cultural, historical and geological significance related to their spiritual use by the area's earliest inhabitants. The Plan area also has significant views of the Sandia Mountains to the east.

4. The Plan area currently contains the following zones: Residential and Related Uses, Developing Area (R-D), SU-1 for Planned Residential Development (PRD) and SU-1 for C-1 neighborhood commercial uses.

5. The majority of the VHSDP Area is within a part of the city designated Developing or Established Urban by the Rank One Albuquerque/Bernalillo County Comprehensive Plan (Comprehensive Plan). The VHSDP implements and furthers the applicable Goals and Policies of the Comprehensive Plan as follows:

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

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

C. Higher-density housing in the Volcano Heights MAC, with access to Paseo del Norte and Unser Boulevard, is appropriate to support employment and service uses. The MAC's development pattern, Transition zones, and proposed densities along arterial and collector streets

will protect existing residential areas and views, minimize traffic, and enhance livability via context sensitive design standards and a comprehensive network of primary and secondary streets (II.B.5 Policies h, i, k, l, m).

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

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

F. The VHSDP contains a combination of regulations and incentives to protect, preserve, and enhance the area's unique archaeological resources, including an incentive for interpretive signage to educate visitors and residents about the area's history, culture, and geology (II.C.6 Policy c).

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

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

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

A. The Plan's proposed density, mixed-use development pattern and scale, location at the intersection of major arterials, and multi-modal street network create the

appropriate conditions to support a Major Activity Center on the West Side that provides opportunities for employment to address the existing jobs/housing imbalance (Policies 1.1, 1.9, 1.18, 3.85, 3.95, 3.96).

B. The Plan's implementation strategies encourage the creation of Public Improvement Districts, Special Assessment Districts, and public/private partnerships, as well as further collaboration with implementing agencies such as Albuquerque/Bernalillo County Water Utility Authority, Albuquerque Metropolitan Area Flood Control Authority, ABQ Ride, Mid-Region Council of Governments, and City Department of Municipal Development (Policy 3.98).

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

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

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

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

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

8. The Plan implements policies in the Rank Two Facility Plan: Electric System Generation and Transmission (2010-2020) by limiting electrical uses in the Escarpment and

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Neighborhood Transition zones to ensure the appropriate siting of electrical facilities away from residential areas, sensitive lands, and highly visible topographic areas (Standard III.A.1, III.A.9, and III.A.10).

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

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

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

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

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

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

4. With respect to Policy (D), the existing R-D zoning in the area is inappropriate and new zones are needed because community conditions have changed, including existing and anticipated traffic congestion and a preponderance of single-family residential uses without the

balance of nearby employment opportunities. Furthermore, the new zones are more advantageous to the community, as articulated in the Comprehensive Plan and other adopted City plans as cited above, than existing zoning since they provide the opportunity for a range of uses, including employment, retail, and services, in close proximity to existing residential areas and future residents in the Plan area.

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

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

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

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

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

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

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

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

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

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

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

Section 8. 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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