



Legislation Text

File #: R-19-146, Version: 2

CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-146 ENACTMENT NO. _____

SPONSORED BY: Don Harris

RESOLUTION

Amending The Boundary Of The East Gateway Metropolitan Redevelopment Area To Designate An Additional Area For Inclusion Within The MRA, Making Certain Findings And Determinations Pursuant To The Metropolitan Redevelopment Code, And Authorizing And Directing The Metropolitan Redevelopment Agency To Update The Metropolitan Redevelopment Plan For The East Gateway Metropolitan Redevelopment Area Consistent With This Resolution (Harris)

AMENDING THE BOUNDARY OF THE EAST GATEWAY METROPOLITAN REDEVELOPMENT AREA TO DESIGNATE AN ADDITIONAL AREA FOR INCLUSION WITHIN THE MRA, MAKING CERTAIN FINDINGS AND DETERMINATIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AND AUTHORIZING AND DIRECTING THE METROPOLITAN REDEVELOPMENT AGENCY TO UPDATE THE METROPOLITAN REDEVELOPMENT PLAN FOR THE EAST GATEWAY METROPOLITAN REDEVELOPMENT AREA CONSISTENT WITH THIS RESOLUTION.

WHEREAS, Section 3-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code (Sections 3-60A-1 through 3-60A-48 NMSA 1978) states: "A municipality shall not prepare a metropolitan redevelopment plan for an area unless the governing body by resolution determined the area to be a slum area or a blighted area, or a combination thereof, and designated the area as appropriate for a metropolitan redevelopment project"; and

WHEREAS, pursuant to Section 30-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code, the Council caused to be twice published in the Albuquerque Journal, a newspaper of

general circulation in the metropolitan redevelopment area hereinafter identified, with the last publication no less than 20 days before any hearing on this matter, a notice containing a general description of the proposed metropolitan redevelopment area and the date, time and place where the Council will hold public hearings to consider the adoption of this resolution and announcing that any interested party may appear and speak to the issue of the adoption of this resolution; and

WHEREAS, in 2007 the City of Albuquerque ("City") and the Metropolitan Redevelopment Agency engaged in a study of blighted areas within the City, and submitted findings and recommendations concerning the area generally described as the Central Avenue corridor from Wyoming Boulevard to Tramway Boulevard with Interstate 40, which comprise the present "East Gateway Metropolitan Redevelopment Area" (the "East Gateway MRA"); and

WHEREAS, since 2007 when the original East Gateway MRA boundary was established, the boundary line intersected an existing commercial property generally located at the northwest corner of the intersection of Juan Tabo Boulevard and Interstate-40, only partially including the property in the MR Area; and

WHEREAS, the northern portion of the commercial property ("Subject Property") that was not included in the original East Gateway MRA does meet many of the criteria for blighted conditions that were identified in the East Gateway MRA Designation; and

WHEREAS, the Subject Site suffers from having a substantial number of deteriorating structures, deterioration of site or other improvements, significant number of declining or closed commercial or mercantile businesses, and having low levels of commercial or industrial activity or redevelopment, and its underutilization impairs the growth and economic vitality of the East Gateway Area and the City; and

WHEREAS, based on the foregoing the Subject Site suffers from and is contributing to blighted conditions, and the rehabilitation, conservation, redevelopment or development, or combination thereof of the Subject Site is necessary in the interest of the public health, safety, morals or welfare of the City and its residents; and

WHEREAS, the Singing Arrow Park and the Rancho de Carnue Archeological site suffer from deterioration, obsolete or impractical planning and platting, underutilization and low levels of activity or redevelopment which impairs or arrests the sound growth and economic health and well-being of the East Gateway area and the City.

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

Section 1. Because of its blighted conditions and the findings outlined in the Recitals (which are incorporated by reference into the body of this resolution) the Subject Site is hereby included within the East Gateway MRA, and the boundary of the East Gateway MRA is hereby amended to include the Subject Site with an address of 601 Juan Tabo Boulevard NE, more specifically as depicted on the attached Exhibit 'A' and described as:

The area bounded by Juan Tabo Boulevard to the east, Copper Avenue to the north, and the westernmost property line of the property located at 601 Juan Tabo to the west.

Section 2. The Singing Arrow Park and the Rancho de Carnue Archeological site are hereby included within the East Gateway MRA, and the East Gateway MRA boundary is hereby amended to include the Singing Arrow Park and the Rancho de Carnue Archeological site, more specifically depicted in Exhibit B and described as: TRACT A PLAT OF TRACT A SINGING ARROW PARK LOCATED WITHIN CANADA VILLAGE SECOND UNIT CONT 15.9407 AC, *2-A REPLAT OF LOT 2 BLK 1 CORRECTED PLAT OF CANADA VILLAGE SECOND UNIT, and PORTION OF TRACT 'K' REPLAT OF BLK 'K' DORADO VILLAGE OF LOTS 1 & 2 BLK.

Section 3. The Metropolitan Redevelopment Agency is hereby authorized and directed to prepare updates or amendments to the East Gateway Metropolitan Redevelopment Plan or Plans for the East Gateway Metropolitan Redevelopment Area which, without limitation, shall seek to eliminate the problems created by the blighted conditions at the Subject Site, and shall conform to any general plan for the City as a whole, and shall be sufficient to indicate the proposed activities to be carried out or encouraged in the area and the Plan's relationship to defined 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. 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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