



Legislation Text

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CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-174 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton, by request

RESOLUTION

Approving The Major Expansion Of The Old Albuquerque High School Metropolitan Redevelopment Area And Renaming The Expanded Area As The East Downtown/ Huning Highlands/ South Martineztown Metropolitan Redevelopment Area, Making Certain Findings And Conclusions Pursuant To The Metropolitan Redevelopment Code (Benton, by request)

APPROVING THE MAJOR EXPANSION OF THE OLD ALBUQUERQUE HIGH SCHOOL METROPOLITAN REDEVELOPMENT AREA AND RENAMING THE EXPANDED AREA AS THE EAST DOWNTOWN/ HUNING HIGHLANDS/ SOUTH MARTINEZTOWN METROPOLITAN REDEVELOPMENT AREA, MAKING CERTAIN FINDINGS AND CONCLUSIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE.

WHEREAS, the Old Albuquerque High School Metropolitan Redevelopment Area was designated by the City of Albuquerque (the "City"), per Resolution 5-1980, as a Metropolitan Redevelopment Area appropriate for a metropolitan redevelopment project based on the criteria required for designation as a blighted area pursuant to the New Mexico State Law/Metropolitan Redevelopment Code ("MR Code"); and

WHEREAS, the City wishes to expand and rename the Old Albuquerque High School Metropolitan Redevelopment Area to encompass the surrounding and adjacent area which is blighted and appropriately identify the expanded area; and

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's Planning Department, have engaged in a study of the East Downtown/ Huning Highlands/ South Martineztown Area ("Edo MR Area") and have submitted their findings and conclusions concerning the blighted area as detailed in the East Downtown/ Huning Highlands/ South Martineztown Metropolitan Redevelopment Area Designation Report ("Edo Report"), and 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 Edo 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 Edo MR Report, including Findings, Determinations, and Conclusions in addition to the questions and comments submitted by members of the public concerning the proposed Edo 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 Edo MR Area:

A. The Edo MR Area is shown on the map attached hereto as Exhibit A. The boundary of the Edo MR Area generally includes properties along the Central Avenue corridor between Broadway Boulevard and Oak Street, along the east side of Broadway Boulevard between Coal Avenue and Lomas Boulevard, and along Dr. Martin Luther King Jr. Avenue between Broadway Boulevard and Interstate 25.

B. The Edo 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-4(J) NMSA 1978 of the MR Code, the Council hereby designates the area that is described in Section 1.A above, and shown in the official Edo MR Boundary map attached hereto as Exhibit A, to be blighted and a “metropolitan redevelopment area” appropriate for metropolitan redevelopment projects. This area shall be officially referred to as the East Downtown/ Huning Highlands/ South Martineztown Area Metropolitan Redevelopment Area, and commonly referred to as the Edo MR Area, to distinguish it from other metropolitan redevelopment areas.

SECTION 3. The MRA is hereby authorized and directed to prepare a Metropolitan Redevelopment Plan, as defined in Section 3-60A-4(K) NMSA 1978 of the MR Code, for the Edo MR Area, which 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.

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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