

**From:** [Henry, Dora L.](#)  
**To:** [Reed, Terra L.](#)  
**Subject:** FW: TRNA Letter on IDO  
**Date:** Tuesday, April 04, 2017 1:51:58 PM  
**Attachments:** [CommentstoEPCApril2017.pdf](#)  
[AttachmentTRNA4.4.17Ltr.pdf](#)

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**From:** Jolene Wolfley [mailto:sagehome@live.com]  
**Sent:** Tuesday, April 04, 2017 1:23 PM  
**To:** Henry, Dora L.; Lehner, Catalina L.; Renz-Whitmore, Mikaela J.  
**Cc:** Rene Horvath  
**Subject:** Re: TRNA Letter on IDO

Dora,

If possible, please use these documents.

I corrected a couple of typos on our letter.

Then I found the attachment I wanted to include, which I referenced in our letter.

Thanks for your help.

Jolene

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**From:** Henry, Dora L. <[DHenry@cabq.gov](mailto:DHenry@cabq.gov)>  
**Sent:** Tuesday, April 4, 2017 11:45 AM  
**To:** 'Jolene Wolfley'; Lehner, Catalina L.; Renz-Whitmore, Mikaela J.  
**Cc:** Rene Horvath  
**Subject:** RE: TRNA Letter on IDO

Thank you. I will forward your letter to the EPC Commissioners. Dora Henry

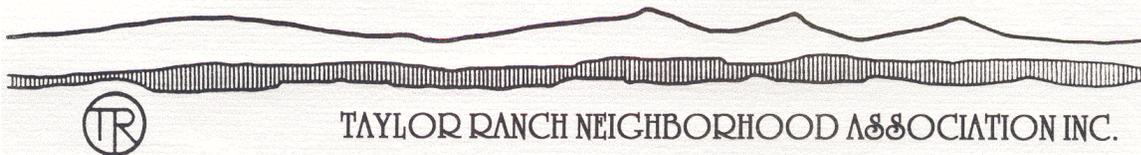
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**From:** Jolene Wolfley [mailto:sagehome@live.com]  
**Sent:** Tuesday, April 04, 2017 12:29 PM  
**To:** Lehner, Catalina L.; Henry, Dora L.; Renz-Whitmore, Mikaela J.  
**Cc:** Jolene Wolfley; Rene Horvath  
**Subject:** TRNA Letter on IDO

Please provide the attached letter to the EPC.

Thanks,  
Jolene

text me (505)515-4765 if you have any problems.



P.O. Box 66288  
Albuquerque NM 87193-6288

April 4, 2017

Karen Hudson, Chair  
Environmental Planning Commission  
Sent via email

**RE: Integrated Development Ordinance**

Dear Chair Hudson and Members of the EPC:

We urge the Environmental Planning Commission to carefully review the IDO without being rushed. The IDO is a monumental change in law for the City of Albuquerque. For that reason, we ask that these steps be followed:

1. In your first hearing/decision: Review the consolidation of existing documents into the IDO and carrying forward existing policy. Section by section review is needed.
2. In a subsequent hearing: Review new policy in the IDO and analyze its merits and the economic impact of the new policy. (See points made in this letter) Section by section review is needed.
3. In a third hearing process: Review methodology for converting existing zoning to new zoning. (Are State law principles in R270-1980 being followed? (See section C of this letter.)
4. In later hearings: Adopt a new a new zoning map quadrant by quadrant so property owners in those quadrants are well aware of what is happening. Identify parcels that should whose zoning should be reviewed individually—for which a citywide zoning sweep is not appropriate.

**There is a great deal of new policy in the IDO.** It needs to be carefully considered and not rushed. Each EPC Commissioner should fully understand what is going on and not pass on the new IDO until they do understand and concur with the new policies.

**A. The IDO makes sweeping shifts of power from citizen boards (EPC, Board of Appeals) to the Planning Director and staff.**

1. **Much of the work of the EPC would be administrative under the IDO.** Many land use decisions—especially those affecting the Bosque, Escarpment, Foothills, culturally important neighborhoods, preservation of community character, making

areas pedestrian friendly—involve many components that are discretionary. Important discretionary land use decisions occur during the site planning process when developers have a concept for development and some of the site characteristics are known. The premise of the IDO is that you can write up front regulations sufficient to remove all discretionary decision making. This premise is faulty when it comes to unique areas of Albuquerque that are unique topographically and culturally.

The EPC has significant experience deliberating on these discretionary areas and applying their discretionary authority. In a recent case regarding the Bosque Plaza Shopping Center<sup>1</sup>--which is proximate to the Bosque--the EPC reaffirmed that the EPC should review the site plans for subdivision and also each site plan for building permit. More than one Commissioner commented that this is why we have an EPC....to review projects near environmentally important areas like the Bosque. While this need for EPC is critical, the IDO does not allow for EPC to take this role.

The IDO criteria for Administrative review is alarming. What is the justification for the criteria that is selected for administrative review? (see slide below from staff presentation). The majority of the development projects will fit this criteria—or could be made to fit this criteria through clever project phasing. **It would take most development projects now reviewed by the EPC—developments with far ranging impacts—to be reviewed only administratively.**

### 5-5.1.F Site Plan -Administrative<sup>2</sup>

- Single-family & duplex
- Multi-family with 50 or fewer dwelling units
- Non-residential to residential conversions with 100 or fewer dwelling units
- New non-residential < 100,000 gross square feet
- New mixed-use < 75 dwelling units and < 50,000 gross square feet of non-residential
- Expansions of multi-family, mixed use, and non-residential < 25%+ dwelling units or gross floor area

<sup>1</sup> The TRNA letter addressing the importance of the EPC using its discretionary authority to review projects near the Bosque is attached. It was part of the Bosque Plaza Shopping Center case that asked for all Bosque Plaza site plans for building permit to be delegated to the DRB.

<sup>2</sup> This is a copy of a staff slide made for presentation to the EPC.

2. **The Administrative Deviations give the Planning Department wide latitude to make rule changes.** (see p. 230, 5-4.14) This whole section needs to be clearly justified. Percentage deviations may seem simple to administer. However, you have parcel sizes that vary tremendously, so that ten percent on a small parcel would have very different implications than ten percent on a large parcel. The Administrative Deviations would also allow as much as fifty percent deviations on side and rear setbacks. What intent and purpose is there to a deviation that is no where near the standard? Should this be done administratively? Wouldn't this be a discretionary type of decision to be reviewed publicly?
3. **The Board of Appeals is eliminated in the IDO.** The Board of Appeals is the only other body of citizen decision makers like the EPC. They deliberate on the actions of the Zoning Hearing Officer. Having the Zoning Hearing Officer, who is an attorney, have his/her work reviewed by another attorney (the Land Use Hearing Officer) means that we have double legal review and no review by a body of appointed citizens with ties to the community. If the intent is to streamline the work of the Zoning Hearing Officer, a better approach would be to retain the Board of Appeals and have their decisions go straight to the City Council, without the extra step of going to the Land Use Hearing Officer.
4. **New requirements for EPC service may eliminate worthy candidates.** Many successful Environmental Planning Commissioners have had backgrounds in neighborhood associations and professional background in other fields like engineering, etc. The IDO may disqualify such people from serving.

“...the Mayor shall attempt to appoint members with experience in community planning, architecture, landscape architecture, urban design, real estate development, transportation, and /or real estate finance.” 14-16-5-D-3. P. 305

This qualification list should include those who have actively served in planning related activities in their neighborhood. It should also include civil engineering.

- B. **An Economic Impact Analysis of the proposed zoning districts and the dramatic change in densification to most parts of the City needs to be evaluated.** Giving land in Albuquerque dramatic new development rights (entitlements) in one sweeping process needs serious economic evaluation. ‘Over-entitling’ land with development rights can lead to unintended consequences in the market place.

I worked for the City of Phoenix as a Senior Planner for all of the 1990s. Earlier, in the 1980s the City of Phoenix entitled some land to be higher density village centers. Land owners absorbed these entitlements into their land values and raised the asking price for the land. While the Phoenix intention in entitling the land was good, the Phoenix leaders lacked an understanding of the impact of their decision on land markets. The entitlements were ahead of market forces that sought that amount of densification. So the result was that development went everywhere except in the village centers. The

development market did not desire to be dense and therefore, it went to areas where the land was the lowest price. There were major unintended consequences.

The IDO allows extreme changes in densification throughout the City of Albuquerque. The densification is in height allowances<sup>3</sup>, changes in parking requirements, and allowance of deviations in setbacks. It is very likely that many land owners will seek to capture these entitlements in the value of their land and will raise their land asking price. If the Albuquerque land development market is not ready to build at these densities, there could be a loss of developments from Albuquerque to neighboring jurisdictions like Bernalillo County, Rio Rancho, and Los Lunas. Will the next big developments choose Albuquerque or Santolina? Land prices will play one of the biggest factors in those decisions.

It would be irresponsible for the EPC to approve these sweeping increases to development entitlements without conducting an independent economic analysis. The independence is needed from staff and consultants who are now immersed in their current ideas in the IDO.

The Albuquerque Journal recently reported on a regional land development expert who reported to commercial developers on Albuquerque's best chances for economic development. He evaluated Albuquerque alongside competing markets in Arizona, Nevada, Texas and Oklahoma. He advised that Albuquerque's best economic growth potential for the near term was in secondary homes and retirees. His advice did not track with the premise of the new Comprehensive Plan and IDO that our economic future is best placed to capture millennials and urban densities. The IDO needs to be subject to this type of real world analysis before the IDO is approved.

- C. **The IDO needs to be analyzed for potential conflicts with State Law.** At least two areas need serious review: proposed changes to "standing" and the methods of doing zoning conversions and compliance with R-270 1980. If the EPC is not carefully attentive to these areas now, it could lead to costly litigation.

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<sup>3</sup> Currently, many commercial heights are now limited to 26 feet in the C-1 Zone for Shopping Centers. In contrast, the proposed IDO has dramatic changes:

Summarized from IDO p. 170 Table 4-1-2 Heights are unlimited 100 feet from property lines. The terms C-1 to C-3 are used to easily compare heights to the zones currently in use.

**New Heights in IDO**

Existing Zone Category Equivalent	Regular	UC-MS-PT
C-1	35	55
C-2	45	65
C-3	65	75

1. **The IDO makes substantive changes in standing**—these are not clarifications, they are serious changes.
  - a. **There is inconsistency in “standing” between “Who May Appeal” (p.324) and “Parties and Appearance of Record for a Quasi-judicial Hearing” (p. 317).** In the “Who May Appeal” section registered neighborhood associations are now burdened with a requirement “Showing of Special and Adverse Impact Required.”<sup>4</sup> Staff presentation slides state that they are clarifying ‘standing.’ This is not a clarification and there appears to be no case law on what this means. Rather case law identifies the relevance of personal interest that could relate to aesthetics or compatibility as well as pecuniary considerations in supporting the appeal rights of those who may be affected by a development.

The IDO language in 5-4.13.C seems to follow state law:

“A person or entity that satisfies the body conducting the hearing the he or she or it has a significant personal, pecuniary, or property right or interest in the subject matter of the hearing.”

2. **The Zoning Conversion map is laden with sweeping changes to entitlements. The methodology is not clear and is not necessarily grounded in solid legal practice.**

R270-1980 states:

“ The applicant must demonstrate that the existing zoning is inappropriate because;

- (1) there was an error when the existing zone map pattern was created; or
- (2) changed neighborhood or community conditions justify the change; or
- (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan even though (1) and (2) above do not apply.”

One of the big areas of concern we note in the Taylor Ranch area is with regard to current SU-1 zoning along the westside of the Bosque/Rio Grande. This has been predominately zoned SU-1 because it fits the portion of that zoning definition for land that is unique

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<sup>4</sup> Chapter14-16-5(B) treats who can appeal. Sometime between the October and December drafts the requirement of showing of special and adverse impact was added to all appellants (except owner) wherein previously it only applied to 1.e “any person who can show impact.”

“Individuals and entities listed in subsections 1.b, 1.c, 1.d, or 1.e above must show that its or their property rights or other legal rights have specially and adversely affected by the decision. Such showing must be presented by the appellant as part of the appeal and the LUHO or City Council shall enter a finding or findings as to whether this requirement has been met. If it is found that the appellant cannot satisfy this standard, the appeal shall be denied.”

**§ 14-16-2-22 SU-1 SPECIAL USE ZONE.**

This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

The Zoning Conversion map shows that this land could now be developed as straight zoning and without any public review. While there are some new criteria for developing in this area, we feel that making this land only subject to administrative review is imprudent.<sup>5</sup>

A legal review should be made of whether particularized zoning established in the current SU-1 zones can legally be converted in a citywide process. The approved SU-1 sites in our area are the result of a detailed public process to establish zoning. Our contention is that these SU-1 sites cannot be converted to the new IDO zoning categories without a public review. This is because they are subject to the requirements of R270-1980 which is based in State Law.

The Bosque is one of Albuquerque's most important assets. Staff of the DRB are experts in engineering, but not necessarily in the best development adjacent to the Bosque. They also do not have discretionary authority. Therefore, these sites that are environmentally significant should be reviewed before the multi-disciplinary EPC with the community able to give input. This is the "best practice" for these environmentally significant areas.

**3. The procedures for Declaratory Rulings of the Zoning Ordinance have changed in a way that could prove problematic.**

It is difficult to find the provisions that cover Declaratory Rulings. Are Declaratory Rulings final if not appealed? A declaratory ruling could occur in one part of the city that sets a precedent that could affect a later development in another parts of the City. For example, TRNA would not get notice if the project is in the NE Heights. But the interpretation would be binding on future projects in Taylor Ranch.

**D. Specific Revisions Requested**

We request the EPC make these changes to the IDO. Proposed language is underlined:

**1. Revision on View Protection Overlay- Coors Boulevard Corridor**

(Section 2-7.4, p. 98)

Specific Revisions related to the Coors Corridor View Protection Overlay

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<sup>5</sup> See Section D-1 of this letter for a revision that would allow EPC review of Site Plans in the Bosque area of Taylor Ranch.

New requirements for the Overlay:

1. Review by the EPC of site plans for subdivision and building permit is required.
2. Development shall be sensitive to the Bosque environment. Architectural design should contribute to the enhancement of the overall visual environment and not use colors, materials or lighting that detract from the view of the Sandia mountains and Bosque. Buildings must blend with natural surroundings and uses must not compromise Bosque protection.

## **2. Specific Revisions related to Major Public Open Space**

p. 181

Change Properties Abutting Major Public Open Space (Includes all parcels and portions of parcels within ¼ mile of Major Public Open Space).

Reasoning: The provisions to make development integrate well with Major Public Open Space should apply to all property within ¼ miles of that open space, regardless of parcel size. There are small and large parcels abutting major open space, so the “abutting” provision is not adequate to insure that buildings and their operations and activities do not harm the Public Open Space. TRNA has worked to secure this compatibility with properties in Taylor Ranch that are very near the Bosque, but do not technically ‘abut’ it.

## **3. Revision to Facilitated Meetings**

Add to 5.4.4.A “Facilitated Meetings” The applicant must supply the project information it will be submitting to the City to the RNAs at least 7 days prior to the facilitated meeting. Examples are proposed building square footages, heights, layouts, design guidelines, building architecture, parking, and landscaping.

## **4. Restore the Provisions of the Large Retail Facilities Ordinance**

We cannot find where these substantial provisions have gone in the IDO. It is particularly important that access provisions be maintained as well as building design features such as articulation, etc.

Thank you for your consideration of TRNA requests. It has been very difficult to absorb all the changes that the IDO represents. We would like the opportunity to provide more comments to the EPC in the future.

Sincerely,

Jolene Wolfley, Director  
Government Affairs  
Taylor Ranch N.A.

**This is an attachment  
to the TRNA letter  
on the IDO dated 4/4/17**

The letter presents a previous argument on the importance of the EPC in reviewing site plans where discretionary decision must be made and where the development is near important features like the Bosque.



P.O. Box 66288  
Albuquerque NM 87193-6288

May 11, 2016

Karen Hudson, Chair  
Environmental Planning Commission  
Sent via email

**RE: Project #1004167, 16EPC-40011  
Bosque Plaza Site Plan Amendment**

Dear Chair Hudson and Members of the EPC:

The Taylor Ranch Neighborhood Association:

1. **Does not support delegation of Bosque Plaza Site Plans for Building Permit to the Design Review Board.** We maintain that the EPC has the authority, discretion, expertise, and independence to be the review body for site plans for building permit for Bosque Plaza. We believe that the entire site—that is, all of Bosque Plaza--should have the same approval process. (The application would have certain lots with site plans for building permit required to go through the EPC and other lots with site plans delegated to go to DRB. This is not the way to develop in a cohesive way.)
2. **Does not support the added architectural guidelines for large buildings.** We maintain that this new language was not part of the original request, and, therefore, proper notice has not been given for this particular matter to be heard by the EPC on 5/12/16.

**The Environmental Planning Commission  
Is the Body to Review Site Development Plans**

The Environmental Planning Commission has broad authority and discretion to oversee development in the City of Albuquerque. The Commissioners volunteer a great amount of time to function in this role. The EPC is a large body representing the nine city council districts. Commissioners collectively bring a wide range of perspectives on development to their decisions. In addition, planning staff is dedicated to the EPC to review site plans for building permit and weigh the merits of the proposals with recommendations for approval/denial, findings and conditions.

EPC hearings have strict notification requirements which include posting on the property and notification to neighborhoods and property owners with standing. The EPC holds public hearings with a set of rules on providing comment and evidences on cases.

The EPC has been given authority to decide on site development plan approval requests for SU-1 zoned sites and shopping center (SC) designated sites.<sup>1</sup> The EPC processes site plans similarly for both of these two zoning categories.<sup>2</sup> Therefore, references from the City Code are informative for both SU-1 and SC sites.

During the course of an EPC hearing, many matters are discussed amongst the EPC, staff specialists, the applicant and the public. These hearings are a productive format for arriving at a decision that applies city policies and ordinances and also takes into account multiple perspectives. Some matters take hours of discourse.

### **The Design Review Board is the Body to Oversee the Subdivision Ordinance**

The Design Review Board oversees the Subdivision Ordinance and administrative matters. The DRB focuses on technical matters often dealing with engineering practice and code and does not interpret or use discretion. A function of DRB is to see that the conditions placed on a site development plan by the EPC are implemented.<sup>3</sup>

The Design Review Board was established by Administrative Regulation in 1982 to provide:

“ a forum for key City departments directly responsible for specialized aspects of the physical development of this community to review and make decisions on subdivision proposals scheduled for their hearing.

The DRB is charged with administering the City Subdivision Ordinance...” (DRB Rules of Procedure, revised 2003; see attachment)

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<sup>1</sup> City of Albuquerque Website, Document on EPC, Dec 2012.

The EPC has been given authority to decide on site development plan approval requests for SU-1 zoned sites and shopping center (SC) designated sites and most zone change requests. The EPC reviews and provides recommendations to the City Council on annexation requests, certain zone change requests, proposed amendments to the Zoning Code and Subdivision Ordinance and adoption or revision to Rank I, Rank II and Rank III Plans – including the Comprehensive Plan, area plans and sector development plans. The commission also hears appeals of impact fee assessments.

<sup>2</sup> **§ 14-16-3-2 SHOPPING CENTER REGULATIONS (C) Procedure.**

**(1) Approval and revision of plans is the same procedure as for SU-1 plans.**

<sup>3</sup> Environmental Planning Commission

§ 14-13-3-2 DUTIES, RESPONSIBILITIES, AND POWERS.

(E) The Planning Commission may authorize a hearing officer to take testimony and make recommendations to the Planning Commission based on that testimony with respect to any matter within the authority delegated to the Planning Commission. The Planning Commission may delegate to the Development Review Board final approval of site plans that are conditionally approved by the Planning Commission.

The City Code defines the Design Review Board as:

**“ DEVELOPMENT REVIEW BOARD.** An administrative board, consisting of five members representing major city agencies, which meets for the purpose of subdivision review and approval. Membership consists of the Planning Director as Chairperson, City Engineer (who may also function as the AMAFCA designee), Traffic Engineer, Water Resources Engineer, and Parks and Recreation Director.” *(Chapter 14. Article 14, Definitions)*

The Design Review Board is comprised of department directors and city engineers. The directors and engineers may designate staff to sit in for them. Three of members are engineers focused on traffic, hydrology, and water. One member represents parks and recreation. Only the planning department representative is charged with applying approved city plans.

The Planning Director, or designee, is the head of the DRB. When the Planning Department recommends delegation of site development plan review to the DRB, they are effectively asking that the Planning Department have the power to review site plans rather than the EPC.

The long held tradition in the City of Albuquerque is that the EPC review all site plans for subdivision and building permit unless they are considered very minor or with little to no public interest. Properties in the Bosque Transition Zone in Taylor Ranch have had the Site Plan for Building Permit reviewed by the EPC. Each case has exhibited a great amount of public interest. The zoning has generally been SU-1 or SC. All other sites within Bosque Plaza have had EPC public hearings to review the site plan for building permit.

The applicant has recently given testimony before the Board of Appeals that matters of design are the purview of the EPC and not administrative agents such as the ZHE. This was part of the case made by Consensus Planning requesting a conditional use for indoor storage at Bosque Plaza. Now the applicant reverses and wants the EPC to delegate all the authority it has to the DRB, an administrative agent.

### **The Planning Director has limited Authority over Site Development Plans**

The Planning Director’s authority over site development plans is limited in the Zoning Ordinance:

“The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than 10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed

change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.” § 14-16-2-22(A)(6)

This provision signals the limits of administrative bodies--like the Planning Director or the Design Review Board (chaired by the Planning Director)—in approval of site plans. The language specifically says the Planning Director has authority to make changes: “if it is consistent with the use and other written requirements approved by the Planning Commission.” This provision indicates the intent that the Planning Commission first establishes the requirements (conditions) by approving the site development plan in the first place. See also 14-13-3-2(E):

*"The Planning Commission may delegate to the Development Review Board final approval of site plans that are conditionally approved by the Planning Commission."*  
(Emphasis added).

The Zoning Ordinance also indicates the importance of notice to neighborhood associations to get their perspective for site plan changes and plan adoptions. It states: “If the Planning Director believes there might be a person substantially aggrieved by the altered plan...he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations.” (see above) The DRB does **not** give mailed notice to either adjacent property owners or neighborhood associations. Their meetings do not have a defined public hearing format. (see Attachment, DRB Rules of Procedure, revised 2003, meetings)

TRNA and many other neighborhood associations have been actively involved in every project for development east of Coors Boulevard and in our area over 15 years. We have been notified of projects through requirements for notification of hearings under the EPC process. The effort to delegate site plans for building permit for Bosque Plaza to the DRB would appear to be an attempt to limit public involvement and comment in the review process.

### **Bosque Plaza Site Plan Provision Require EPC Review**

There are several provisions of the Bosque Plaza Site Plan for Subdivision that require the EPC to use its discretionary authority when reviewing a Site Plan for Building Permit. The provisions refer to pedestrianism; architectural design; compatibilities of scale, design and materials; enhancing mountain views; etc. These provisions are outside the purview of DRB. The DRB reviews technical, quantitative, and black-and-white issues. It has no discretionary authority and has four members untrained to evaluate these Bosque Plaza provisions.

Examples of Provisions that only the EPC should decide:

- G.1 The creation of an active pedestrian environment at Bosque Plaza is dependent upon creative site and architectural design....The relationship between the buildings and the street shall be key to providing a pedestrian oriented development.
- G.2.b Building design and construction shall be used to create a structure with attractive sides of high quality, rather than placing all emphasis on the front elevation of the structure and neglecting or downgrading the aesthetic appeal of the side and rear elevations.
- G.2.d Window and doors shall relate to the scale of the elevation on which they appear. The use of recessed openings helps to provide depth and contrast on elevation planes.
- G.3 The architectural objective is to create a site that is visually integrated through the use of architectural styles and similarities of scale, proportion, massing, and color.
- G.3.b Architectural styles are limited to Territorial and Territorial Revival only...
- J. Bosque and mountain views....shall generally be available from semi-public locations such as patios, outdoor seating area and intersections. The design of these features shall ensure that views are preserved and even enhanced.
- D.3 The design and materials for refuse collection enclosures shall be compatible with the architectural theme of the building with compatible materials and colors utilized.
- F.1.a All signage shall be designed to be consistent with and complement the material, color, and architectural style of the building or site location.

**In summary, TRNA asks that the EPC not delegate its authority to review Bosque Plaza Site Plans for Building Permit to the DRB. The EPC should keep its review role so that its unique discretionary authority and perspectives can be applied to the many provisions of Bosque Plaza site plan that need qualitative review and judgment.**

Sincerely,

Jolene Wolfley  
Taylor Ranch N.A.

**ATTACHMENT:  
References to Relevant Sections of City Code and Regulations**

**Zoning Ordinance**

§ 14-16-2-22 SU-1 SPECIAL USE ZONE.

This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

(A) *Procedure.*

- (1) Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. ... No building permit shall be approved unless it is consistent with a complete site development plan for building permit and landscaping plan for the lot in question, approved by the Planning Commission or its designee; at the Planning Commission's discretion, approval of detailed plans may be required for the entire SU-1 zone area prior to issuing a building permit.
- (2) A decision implementing a change to the zone map to SU-1 zoning shall designate the specific use permitted, and a building permit shall be issued only for the specific use and in accordance with an approved Site Development Plan. The specific use shall be recorded on the zone map.
- (3) In approving an application, the Planning Commission may impose requirements as may be necessary to implement the purpose of this Zoning Code...
- (4) A certified copy of the Site Development Plan shall be kept in the Planning Department records so that it may be reviewed against an application for a building permit for any part or all of a special use.
- (5) The Planning Commission may review the application, plan, and progress of development at least every four years until it is fully implemented to determine if it should be amended.
- (6) The Planning Director may approve minor changes to an approved Site Development Plan or Landscaping Plan if it is consistent with the use and other written requirements approved by the Planning Commission, if the buildings are of the same general configuration, if the total building square footage is not greater than 10% than the approved plan, the vehicular circulation is similar in its effect on adjacent property and streets, and the approving official finds that neither the city nor any person will be substantially aggrieved by the altered plan. If the Planning Director believes there might be a person substantially aggrieved by the altered plan or if the total building square footage would be increased more than 2%, he shall give mailed notice of the proposed change to owners of adjacent property and to neighborhood associations entitled to notice of zone change proposals there.
- (7) The Planning Director or a designee may approve site plans for temporary park-and-ride facilities.

**§ 14-16-3-2 SHOPPING CENTER REGULATIONS.**

This section controls the development of shopping center sites.

(A) *General.*

- (1) No structure shall be erected on a shopping center site except in conformance with a duly approved site development plan. Once approved, such a plan or subsequent amended plan is binding on the entire area of the original site development plan. ...
- (2) ...When an application is approved, a copy of the approved Site Development Plan and Landscaping Plan or record of exemption shall be kept in the office of the Planning Director. A building permit for a shopping center site shall be issued only upon presentation of working plans and specifications drawn in close conformity with an approved Site Development Plan...
- (4) The Planning Commission may modify the boundaries of or eliminate an existing Shopping Center designation for any site, upon application by the property owner, if the Planning Commission finds no public benefit in continued application of the shopping center regulations because most of the site has been allowed to develop without the guidance of a site development plan.

(B) *Shopping Center Requirements.* The following regulations apply to an application for a building permit for construction on a shopping center site, except applications covering on-site parking expansion:

- (1) An applicant shall submit a Site Development Plan and Landscaping Plan for the shopping center site.
- (2) (a) Access to the shopping center site is limited to approaches designed according to accepted traffic engineering practice, so laid out as to be an integral part of the parking area and loading facilities.  
(b) Pickup points shall be so designed that vehicles do not create congestion on an abutting public way. No loading and unloading is to be conducted on a public way.
- (3) Landscaping of shopping center sites must comply with the regulations of § [14-16-3-10](#) of this Zoning Code. The Planning Commission may require additional buffer landscaping if it finds it necessary due to demonstrably unusual circumstances.
- (4) Free-standing signs on shopping center sites shall be limited to one on-premise sign per 300 feet of street frontage on arterial and collector streets. Maximum signable area shall be 150 square feet per sign face and maximum sign height shall be 26 feet. Off-premise signs shall not be permitted on shopping center sites.
- (5) Upon approval, the applicant is responsible for payment of the cost for the necessary traffic control devices and channelization to shelter vehicular turning movements into the shopping center or shopping center site, channelization to be designed according to accepted advanced geometric design technique. These responsibilities must be outlined and agreed upon between the applicant and the city at the time of approval of the Site Development Plan.
- (6) The site division regulations established in § [14-16-3-2\(D\)\(3\)](#) ROA 1994, apply to all retail facilities with over 90,001 aggregate square feet of gross leasable space.

(C) *Procedure.*

- (1) Approval and revision of plans is the same procedure as for SU-1 plans.

(2) The Planning Commission may review the plan and progress of development at least every four years until it is fully implemented to determine if it should be amended.

(D) *Large Retail Facility Regulations.*

(1) *Applicability.*

(a) Provisions of this section and § [14-8-2-7](#), Responsibilities of Applicants and Developers, shall apply to the following, as determined by the Environmental Planning Commission (EPC):

1. New construction of a large retail facility;
2. Change of use from a non- large retail facility to a large retail facility as defined in § [14-16-1-5](#);
3. Building expansion of more than 50% of the existing square footage.

(b) Building expansion of 10% to 50% of the existing square footage of an existing large retail facility shall be subject to the following requirements:

1. Pre-application discussion with the Planning Review Team (PRT).
2. Compliance with the large retail facilities design regulations as determined by the EPC. The EPC before issuing final design regulations shall request input from neighborhood associations with boundaries that are within 200 feet of the proposed project.

(c) Building expansion up to 10% of the existing square footage and building renovation of an existing large retail facility shall comply with the design regulations in this section to the extent possible as determined by the Planning Director.

**§ 14-16-3-11 SITE DEVELOPMENT PLAN APPROVAL AND SUBDIVISION REGULATION REQUIREMENTS.**

(A) Site Development Plan approval for either subdivision or building purposes may include:

- (1) Imposition of relevant requirements contained within or authorized by the city's Subdivision Ordinance, including but not limited to dedication of rights of way and assurances for required infrastructure improvements both on site and off site.
- (2) Imposition of other requirements of other city ordinances.

(B) Site Development Plans, especially plans for unbuilt areas, are often changed so that developers can better respond to changing market conditions. Amendment of Site Development Plans does not require meeting the criteria which must be met to justify changing zones or changing written specifications imposed by Sector Development Plans or by terms of approval of a zone such as SU-1. Site Development Plans are expected to meet the requirements of adopted city policies and procedures.

(C) 2(c) Under site plan termination.

A major amendment of a Site Development Plan is an amendment adopted by the Planning Commission which is not a minor amendment as contemplated by 14-16-2-22(A)(6) of this Zoning Code.

## Design Review Board

The Design Review Board was established by Administrative Amendment in March 1982 and revised 2003. These are excerpts from DRB Rules of Procedure, revised 2003:

### DEVELOPMENT REVIEW BOARD RULES OF PROCEDURE

#### BACKGROUND

The Development Review Board (DRB) was established in March, 1982, by Administrative Instruction No. 11, later re-issued on September 1, 1992 as Administrative Instruction 8-2. The DRB provides a forum for key City departments directly responsible for specialized aspects of the physical development of this community to review and make decisions on subdivision proposals scheduled for their hearing.

The DRB is charged with administering the City Subdivision Ordinance and will exercise administrative approval authority on the types of proposals outlined in "Development Review Board Responsibilities" in this document. In addition, the Board will exercise advisory/review authority on the types of proposals also outlined in "Development Review Board Responsibilities".

The DRB is intended to meet three general goals:

- Implement a more effective review and approval process for the City and the applicant.
- Implement a mechanism for discussions where all key agencies and the applicant receive the same information and interface as a group, thereby establishing the same base for analysis of the proposal and its relevant impact on each agency's specialization area.
- Facilitate better coordination, planning and judgment leading to quality development in the City of Albuquerque.

These rules and regulations are in accordance with the applicable provisions of the Revised Ordinances of Albuquerque, New Mexico, RO-1994. Three certified copies of the DRB rules shall be filed with the City Clerk to be kept as permanent public record. Copies of these rules are available to the public at the Planning Department for a nominal fee.

#### ORGANIZATION

**Composition** - The DRB shall be composed of five (5) members, who are employees of the City of Albuquerque representing the following:

- Director of the Planning Department
- Director of the Parks and Recreation Department
- Water & Sewer Utilities Engineer
- Traffic Engineer
- City Engineer

## DEVELOPMENT REVIEW BOARD RESPONSIBILITIES

### Exercise Administrative Approval Authority

- Subdivision (where no rezoning action or annexation is required)
- Site development plans for administrative approval and/or as delegated by the EPC
- Minor amendments to approved site development plans
- Sidewalk variances
- Sign-off for compliance with written conditions set by the EPC on site development plans.
- Extensions of subdivision improvements agreements.
- Sector plans and area plans

### Advisory Review Responsibilities

- Subdivision for which rezoning and/or annexation is required.
  - Sector development and area plans
  - Plans for transportation corridors shown on the Long Range Roadway System or in an alignment study.
  - Future street alignment recommendations.
  - Facilities Master Plan Review for Flood Control.
  - Functional review of site development plans to be approved by other bodies.
  - Preliminary subdivision and/or development agreements as appropriate.
- 
- Meeting Agenda: For regularly scheduled meetings, the administrative assistant shall prepare an agenda at least five (5) days prior to each DRB meeting based on applications received, listing the matters of business generally in the following order:
    1. Call to order - - recording of members present and absent
    2. Changes to Agenda - - any and all changes to the printed agenda, shall normally be announced at the beginning of each meeting.
    3. New or old business not part of submittals to be heard
    4. Public Hearing Matters. Major Actions.
    5. Signatures on items previously considered by the DRB, EPC, or others. Minor Actions.
    6. Sketch plat or plan review of subdivisions--conceptual review prior to formal submittal.
    7. Approval of minutes.
    8. Adjournment.
  - All revised application submittals must be received by the DRB Administrative Assistant by noon on the Monday before the scheduled Wednesday meeting date. Materials received after this deadline will be reviewed only in extraordinary circumstances as determined by the Chairperson. If materials are faxed, the burden is on the applicant to notify the Administrative Assistant that a fax is being sent. If a DRB member has pre-approved a submittal and/or agreed before the meeting, the materials can be submitted at the meeting.
  - As used within these rules, the term "meeting" also refers to a "hearing", a type of meeting at which public comments are taken and decisions are made by DRB.

## Subdivision Regulations

### § 14-14-1-5 APPROVING BODY.

This article shall be administered by the Development Review Board acting according to policies set by the Environmental Planning Commission and City Council.

### § 6-5-5-15 DEVELOPMENT REVIEW BOARD.

The DRB as established by [Chapter 14, Article 14](#), Subdivision Regulations, will have responsibilities which may include but not be limited to the following:

- (A) Issuance and review of sidewalk variance permits.
- (B) Analysis of character and function of assigned rights-of-way, concluding with specific recommendation of action programs.
- (C) Review of sidewalk, curb ramp, drive pad, and curb and gutter permit application as requested.
- (D) Review of proposed street paving and/or sidewalk construction projects as requested.
- (E) Review of present and proposed street furniture designs of both public and private agencies.

**From:** [David Blanc](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Subject:** Letter to EPC for April 4  
**Date:** Tuesday, April 04, 2017 3:18:11 PM  
**Attachments:** [SCAN2956\\_000.pdf](#)

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Thank you in advance for accepting this letter since I will not be in attendance tomorrow.

Central Millennium Partnership  
a Non Profit Development Co. in NM

# Central Millennium Partnership

*A non-profit development company for New Mexico*

April 1, 2017

Ms. Karen Hudson, Chairwoman  
Environmental Planning Commission  
City of Albuquerque  
One Civic Plaza, NW  
Albuquerque, New Mexico 87102

Dear Chairwomen Hudson and Commissioners,

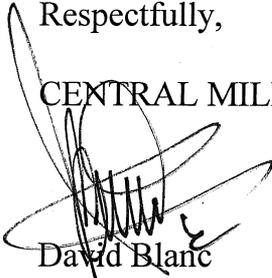
CMP continues to follow the progress and extensive work provided by Staff and the City consultant toward creation of an Integrated Development Ordinance (“IDO”) for the City of Albuquerque. We understand the complexity of this undertaking and wish to simply point out those neighborhood concerns which fundamentally provide our Community development initiatives and lifestyle opportunity to further support diversity, good job creation and the economic well-being for our City.

- Transit corridors and urban lifestyle along city roadways is here to stay and should be made a part of our City’s fabric and diversity.
- In order to support such transportation and lifestyle environments, the City needs to heed the suggestions of planners and professional place makers who offer a historic perspective of functioning community development in order to successfully attract business, services and youthful employment.
- In those close-in neighborhoods to the City Center and those especially along major transit corridors to be established, design limitations should be avoided at all cost. Density, height and design restrictions along transit corridors and near transit centers have successfully occurred in cooperation with neighborhoods and market conditions, not by zoning restrictions.
- The best example of this in our own City might well be the formulation of both the Downtown 2010-2025 Plan and the East Downtown Master Plan (EDo). Both represent the articulation of quality urban plans under form base coding in cooperation between adjacent neighborhoods and planners to deliver quality regulatory documents such as EDo’s Urban Conservation Overlay Zone.

- Where quality form base code planning has been established in partnership between these residential neighborhoods and their corridor counterparts, it would be a serious mistake to impose further restrictions on building entitlements as recently suggested by the current version of the IDO.
- With the recent implementation of a new transit system along the Central Avenue corridor, it seems logical to further allow more design flexibility and density in the immediate transit station areas in order to help promote the concept of community centers and in order to concentrate local retail and neighborhood trade.

Respectfully,

CENTRAL MILLENNIUM PARTNERSHIP

A handwritten signature in black ink, appearing to read "David Blanc", is written over the typed name. The signature is stylized with several loops and a long horizontal stroke.

David Blanc  
Executive Director

**From:** [Carol Krause](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Cc:** [Renz-Whitmore, Mikaela J.](#); [Brito, Russell D.](#)  
**Subject:** IDO Comments #2  
**Date:** Tuesday, April 04, 2017 8:46:48 PM

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Regarding SBMT building heights.

Upon further review of current zoning, our Sector Plan and the New IDO I have found the following discrepancy regarding building heights.

A large portion of our community is designated SU-2 with NRC, C2 and C3 designations.

According to current zoning building heights for these areas are:

R-1 = 26 ft

C-1 or NC= 26ft

C-2 or Community Commercial= for Residential 26ft and for Commercial it refers to O-1 which is also 26ft or with 45 degree planes for over 26 ft....

C-3 current zoning also refers to O-1 and our Sector plan limits height to 26 ft.

New zoning designations and heights are:

MX-T=30 ft

MX-L=35 ft

MX-M=45 ft

Because a very large portion of our Neighborhood is single family, single story homes despite our mixed use zoning and in some areas inconsistent zoning vs use, changing the building heights to the NEW IDO designations is entirely out of character, consistency and will be a detriment to any neighbor as it would also go against solar rights.

Because all current zoning limits height to just 26 ft allowing higher buildings would be restricting the rights of CURRENT property owners and giving undue privilege to new property owners.

I ask again with even greater reverence that you reconsider the building heights for such areas as ours.

I have several other concerns but will need time to meet with staff for clarification before submitting them.

I would also ask that you give more time before putting the IDO up for final vote as clearly the community has a lot to learn about how the IDO affects us. By that I mean a few months NOT 14-16 months. Anyone that is truly concerned about making it better will take the time to study it and ask for amendments that will strengthen their communities rather than stall and block it.

Carol Krause

April 6, 2017

Page 1 of 2

City of Albuquerque (COA)  
Planning Dept -- EPC - IDO  
1 Civic Plaza NW  
Albuquerque, New Mexico 87102-

4-7-2017  
Carol Toffaleti  
Please get this letter  
to the EPC Commission.  
Thanks. 

Re: IDO – EPC meeting. Asking for the EPC to  
Incorporate Site Development Plan, Upheld in Court, into the IDO for the:  
Casa Placida Apartments; 7100 Constitution Ave NE 87110  
Brief Legal = W ½ of Blk 21; E ½ of Blk 25, MESA DEL NOTRE ADD'N

Dear Members:

I am writing this and asking you to incorporate into the IDO the **CRITICAL & IMPORTANT DETAILS CONTAINED IN THE SITE DEVELOPMENT PLAN (SDP)** which was needed to re-zone R-1 property to SU-1 zoning. This SDP, which is a legal document, was two (2) years in the making and was highly contested by the adjacent neighbors and from the general city's negative input. To accommodate the owners, the adjacent neighbors and the COA continually struggled to create a Site Development Plan which was adjacently live-able and still profitable for the owners. Carol, a senior planner with COA, while doing research soon realized from extensive files & records just how highly contested the re-zoning was.

The COA made the issue bearable by creating a SDP, a legal document, and by **PROMISING** through **WRITTEN** SU-1 zoning documents that the re-zone **WOULD BE SU-1 ZONING WHICH IS VERY DETAILED AS TO HOW THE OWNER COULD MAKE ANY CHANGES TO THE SITE DEVELOPMENT PLAN (SDP)**. Mainly, the SDP **COULD NOT BE CHANGED** without the agreement of the adjacent neighbor. The COA essentially promised the adjacent neighbor that they **WILL ALWAYS HAVE A VOICE IN** development of **RE-ZONED PROPERTY NEXT DOOR**.

It must be noted that the COA since then has granted to make the land a part of the Uptown Sector Plan as SU-3 zone, but assured the property owner that the Site Development Plan details would follow into the Uptown Sector Plan, which it did.

COA can **NOT** use general wording in the IDO plan regarding this SDP. The COA has included other highly contested SDP into the IDO, for the same reasoning.

We are asking you to **INCLUDE THE SDP** which has been **TESTED AND UPHELD** in the **COURT SYSTEM**, as being a legal document created for the COA and the home owner.

In court it was documented that this SDP **IS A LEGAL DOCUMENT**, as written, and can not be changed-at-will by the COA or by the Owner.

The following attached notes are for my oral presentation about this issue.

Again, asking for the EPC to **HONOR** the COA written **PROMISES** made mainly to the adjacent neighbor (& to the COA) to

incorporate into the IDO the Site Development Plan for the Case Placida Apartments, which was Upheld in Court, regarding the plan for the re-zoned land.

Yours truly, Virginia Kinney   
P.O. Box 1932; Tijeras, NM 87059-1932  
505-321-5432

Note: I am not on the internet. Please contact me.

See attachment

4-6-2017

EPC IDO saveSitePlan2017-04

4-6-2017 EPC 1 to 8pm for public testimony, comments and questions.

Basement of City/County Bldg = 1 Civic Plaza NW

Park beneath Civic Plaza & ticket will be validated.

Page 2 of 2

SDP = Site Development Plan

**\*\* Concerning SDP for = Casa Placida Apartments 7100 Constitution Ave NE  
Brief Legal = W ½ of Blk 21, E ½ of Blk 25, MESA DEL NORTE ADD'N**

**\*\* Asking EPC board = to Honor = highly contested SDP = took 2 yrs in making.  
Everyone, COA, adjacent neighbor, Owners = did a good job  
& For LAWSUIT proof = in which SDP was the issue = Court UPHELD SDP  
Court case = POINTED OUT = SDP = IS A LEGAL DOCUMENT!!!!  
Carol, COA planning dept, did research = found 2 years worth of highly contested  
files and records for this SU-1 case, which resulted in the SDP.**

**\*\* Asking EPC to add to IDO =  
Site Development Plan = IS a LEGAL DOCUMENT**

**\*\* By Comparison = Comprehensive Plan adopted on March 20 of this year  
a policy guide for city = NOT LAW = NOT LEGAL DOC  
purpose is to direct actions = is not regulations**

**\*\* IDO 's = intent is to catch and pull-in = features of Sector Plan Policies  
Also IDO's intent = catch and pull-in CONTESTED cases - like this SDP  
To include, just the Uptown Sector Plan = WILL NOT be Enough  
NEED in the IDO this SDP = a Legal Document, to protect agreements made.**

**\*\* The COA MADE PROMISES TO & for :the city areas & adjacent neighbor  
SU-1 = CAME WITH WRITTEN INSTRUCTIONS. & promises &  
can not be changed at will BY CITY or at will by the Owner.  
The Promises stated = To change = MUST BE AGREED-TO by neighbor.**

**\*\* I BELIEVE = heirs of Kenneth Ashcraft own Casa Placida Apartments  
I was one party in the lawsuit and the adjacent owner  
Court-case stressed = SDP is a legal document.**

**\*\* I'm Asking for COA to honor & uphold - their promises in the SU-1 zoning  
Promises were made = to protect the city and adjacent neighbor  
The Owners or City = CAN NOT CHANGE SDP at will.  
To change = adjacent neighbor must agree**

**Again = the Site Development Plan = a legal document = Upheld in Court.  
can not be change by the city at will. = must have neighbor's input,**

## ***ALBAN HILLS NEIGHBORHOOD ASSOCIATION***

April 6, 2017

Karen Hudson, Chair  
Environmental Planning Commission  
Sent via email to:  
Maggie Gould, Staff Planner  
600 2<sup>nd</sup> Street NW, Third Floor  
Albuquerque, NM 87120

RE: ABC-Z Comprehensive Plan IDO

Dear Chair Hudson and Members of the Environmental Planning Commission,

In section 551 on page 337, there is an indication the “minor” developments would be administratively approved and would not require public input or involvement. “Minor” is defined as a commercial development with less than 100,000 sq. ft. of space or a residential development with less than 50 dwelling units. The Alban Hills Neighborhood Association strongly opposes the threshold at this level. What this policy allows is the opportunity for developers to keep the public out of almost all developments. Developers could parcel out their proposed plans to stay under the thresholds in order to avoid public involvement. This policy, also, would discourage developers from working with neighborhoods.

An example of a proposed development for which NO public involvement would be required is the Daskalos Center at Coors and Montano. The current plan shows four commercial buildings with a total of 85,325 square feet.

In many instances, when developers and neighborhoods work together, the final product is much better for the City and County and, in fact, may be more successful with neighborhood support.

We also express our concern for the speed with which the IDO approval process is proceeding. The IDO is a large, complicated document that cannot possibly be understood by the public in a few short weeks. We support the Westside Coalition of Neighborhood Associations Resolution that requests a deferral for 14 – 16 months to allow the public to study, understand and respond to the IDO.

AHNA respectfully requests that this letter be made part of the packet for the Albuquerque Environmental Planning Commission (EPC) IDO meeting that will be held April 10, 2017.

Sincerely,



Patsy Nelson, President  
Alban Hills Neighborhood Association  
3301 La Rambla St. NW, Albuquerque, NM 87120  
505-228-5087  
patsyncnelson@msn.com

**From:** [Susan Michie-Maitlen](#)  
**To:** [Renz-Whitmore, Mikaela J.](#); [Planning Comp Plan-UDO](#)  
**Cc:** [Davis, Pat](#); [Foran, Sean M.](#); [Gary & Melodie Eyster](#); [Govinda Haines](#); [Greg Weirs](#)  
**Subject:** Report Attached: IDO Comments for EPC  
**Date:** Thursday, April 06, 2017 2:13:50 PM  
**Attachments:** [Report\\_office hours meeting 1\\_13\\_2017.docx](#)

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Thanks Mikaela - please find attached a report I sent to Councilor Davis after our "Office Hours" meeting about the IDO in January 2017. The highlighted section covers my notes about our discussion of whether 45' would allow a 4-or 3-story building.

Susan

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**From:** "Renz-Whitmore, Mikaela J." <mrenz-whitmore@cabq.gov>  
**To:** 'Susan Michie-Maitlen' <sgm150@ymail.com>; Planning Comp Plan-UDO <abcto@cabq.gov>  
**Cc:** "Davis, Pat" <patdavis@cabq.gov>; "Foran, Sean M." <seanforan@cabq.gov>; Gary & Melodie Eyster <meyster1@me.com>; Govinda Haines <bwanawazimu@yahoo.com>; Greg Weirs <vgweirs@gmail.com>  
**Sent:** Thursday, April 6, 2017 10:51 AM  
**Subject:** RE: IDO Comments for EPC

Susan,

We will try to clarify during the hearings today and Monday what the comments were and what staff is proposing to change.

The supplemental staff report for April 24 will also clarify further the discussion and the recommendation for Conditions of Approval.

Sorry for the confusion.

Best,

**Mikaela Renz-Whitmore, Planner**

City of Albuquerque Planning Department, Urban Design & Development Division  
Project Planner – [ABC to Z](#)  
505-924-3932  
[mrenz@cabq.gov](mailto:mrenz@cabq.gov)



IMPROVING PLACE FROM PLANNING TO ZONING

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**From:** Susan Michie-Maitlen [mailto:[sgm150@ymail.com](mailto:sgm150@ymail.com)]  
**Sent:** Thursday, April 06, 2017 10:29 AM  
**To:** Planning Comp Plan-UDO  
**Cc:** Renz-Whitmore, Mikaela J.; Davis, Pat; Foran, Sean M.; Gary & Melodie Eyster; Govinda Haines; Greg Weirs  
**Subject:** Re: IDO Comments for EPC

This sort of thing is why the public has so many issues with this process and a general lack of trust with the city administration. Are you telling me the EPC board would not allow a correction when you have clearly made conflicting statements that are misleading to the board and to the public? Susan

Sent from my iPhone

On Apr 5, 2017, at 1:53 PM, Planning Comp Plan-UDO <[abcto@cabq.gov](mailto:abcto@cabq.gov)> wrote:

Susan,

Thank you for that suggestion. We can't make changes to the content in staff report now, but we will try to be more clear in future comment responses as we work through the review process.

Thank you,  
Terra

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**From:** Susan Michie-Maitlen [mailto:[sgm150@ymail.com](mailto:sgm150@ymail.com)]  
**Sent:** Wednesday, April 05, 2017 1:14 PM  
**To:** Planning Comp Plan-UDO  
**Cc:** Foran, Sean M.; Davis, Pat; Greg Weirs; Gary & Melodie Eyster; Govinda Haines  
**Subject:** Re: IDO Comments for EPC

Terra,

In that case, perhaps it would be best to change your staff responses to match what is the EPC draft of the IDO until you decide to actually change the existing 4 story recommendation for the MX-M zones.

Best Susan

Sent from my iPhone

On Apr 5, 2017, at 10:24 AM, Planning Comp Plan-UDO <[abcto@cabq.gov](mailto:abcto@cabq.gov)> wrote:

Susan,

I missed your last question in my previous response. We are suggesting a update the description of the MX-M zone on page 25

to refer to 3 stories and potentially adding story limits to the dimensional standards (see our responses to Govinda's comments on Lines 140-145 of the comment response spreadsheet). We will also be working with EPC during their review process to determine whether it is appropriate to change the building height for MX-M in response to public comment.

Thank you,  
Terra

---

**From:** Susan Michie-Maitlen [<mailto:sgm150@ymail.com>]  
**Sent:** Wednesday, April 05, 2017 7:17 AM  
**To:** Planning Comp Plan-UDO  
**Cc:** Foran, Sean M.; Davis, Pat; Greg Weirs; Gary & Melodie Eyster; Govinda Haines  
**Subject:** Re: IDO Comments for EPC

Terra,  
Our Councilor contacted me yesterday and ask that we send comments directly to the EPC. Micaela suggested that we add photos. It is disappointing that my comments are buried in a report without the photos and with comments by the city that spin in favor of ignoring them. This whole process has been very unsatisfactory and seemed biased against neighborhood input from the beginning. Our comments should be able to stand on their own merit without being consistently discounted by the designers of this plan.

Also according to the IDO under MX-M description it states 4 stories not three. In your comments to my input it states three. Which is the truth?

Regards,  
Susan

Susan

Sent from my iPhone

On Apr 4, 2017, at 12:03 PM, Planning Comp Plan-UDO <[abcto@cabq.gov](mailto:abcto@cabq.gov)> wrote:

Susan,

When you sent these comments to Mikaela on March 20, we included them in the record. I have reviewed the attachment to this email and it looks like identical comments, but please let me know if you have added additional commentary that I missed that you want

included?

If it is the same set of comments, please note that they have been included in the EPC staff report for Thursday's hearing and staff's responses to your comments can be found on Lines 327-333 of the [Staff Responses to Comments spreadsheet](#). Please note that public comment will be heard at EPC Hearings on April 6<sup>th</sup> and 10<sup>th</sup> if you would like to make additional comments and/or respond to staff's response to your comments. The schedule of hearings will be kept up-to-date as things change [on the project website](#).

Please also note that EPC will determine whether or not additional written comments will be reviewed during the EPC process at either the April 6<sup>th</sup> or 10<sup>th</sup> hearing. However, any additional written comments that we receive will be kept for the Council review process if EPC opts not to take additional written comments.

Thank you very much for your ongoing engagement in this process.

**Terra L. Reed**, *Associate Planner*  
Urban Design & Development/Long Range  
City of Albuquerque Planning Department  
505-924-3475  
[treed@cabq.gov](mailto:treed@cabq.gov)  
<image001.jpg>

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**From:** Susan Michie-Maitlen [<mailto:sgm150@ymail.com>]  
**Sent:** Tuesday, April 04, 2017 10:31 AM  
**To:** Planning Comp Plan-UDO  
**Subject:** IDO Comments for EPC

Please find attached my comments for the EPC draft of the IDO.

Thanks,  
Susan

## OFFICE HOUR MEETING WITH ABC-TO-Z PLANNERS

January 13, 2017

### PROHIBITING WALLS OVER 3 FT. IN THE FRONT YARD SET BACK

- 1) The boundaries for this policy have been limited to the two historic residential areas designated in our sector plan (Monte Vista and College View subdivisions) in the final EPC draft of the IDO. Can that be changed to include all of Nob Hill?

PLANNERS RESPONSE: The IDO cannot go beyond what is currently in the existing Sector Plan, thus including all residential areas is not possible at this time. We recommend that you pursue this as a project for future updates of the IDO when the review period for your area comes up within the next 5 years.

### PROTECTING SOLAR ACCESS

- 1) With some minor tweaking that was agreed to by the city planners this policy issue was resolved and will preserve the guidelines in the current zoning codes for the entire city.

### BUILDING HEIGHTS

- 1) Respect 3 story building heights (39') from Girard to Aliso as stated in our sector plan.

PLANNERS RESPONSE: Other communities have gotten exceptions for Premium Transit building height bonuses in the MX-M zones. Send a request to EPC with photos of threatened historic buildings like Kelly's, Monte Vista Fire Station, etc. As for the rest of the MX-M zones in Nob Hill, we consider the 45' building height policy to be 3 stories max.

NOB HILL RESPONSE: According to the description of the MX-M zones in the IDO (page 25) the recommended building height is written as "4 stories or less".

PLANNERS RESPONSE: We will check on that.

### SIGNAGE

- 1) Can Nob Hill be added to the section that prevents "Off-premises signs" ?

PLANNERS RESPONSE: We will check on that. (I sent Andrew an email I will forward to you.)

### GROUP HOME (p.106)

- 1) "Large" group homes are now only allowed in the MX-M and MX-H zones as a conditional use. Can there be a cap on the maximum number of residents in this housing type?
- 2) Why aren't the current rules that prevent clustering of these types of housing in the same area included in the new IDO?

PLANNERS RESPONSE: We will check on that.

## LIQUOR SALES AND CONDITIONAL USE

A growing body of academic and institutional research shows that alcohol outlet density and agglomeration is significantly related to increases in violent crime. There is evidence of this happening in Nob Hill.

- 1) If package liquor stores can be a conditional use, can alcohol outlets with no food service be a conditional use? i.e. Bars, Nightclubs.

PLANNERS RESPONSE: Current thinking in the city supports the idea that retail outlets are more problematic than full-service dispenser outlets where drinking is limited to on-site consumption.

- 2) Currently, the state has no cap on how many dispenser licenses can be transferred (or agglomerate) into one area of the city. Can inter-local transfer of dispenser licenses be limited by number or distance regulations?

RESPONSE: Distance between outlets is more typical for zoning rules than limiting the number of license transfers within a certain area.

**From:** [K Stoker](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Subject:** Comments submission IDO  
**Date:** Friday, April 07, 2017 12:00:25 PM  
**Attachments:** [Memorandum regarding IDO.pdf](#)  
[ATT00001.txt](#)

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Good Afternoon,

I have modified and am resubmitting my comments to be considered in the upcoming IDO hearings.

Thank you for your continued work on this project and your consideration of mine and my clients concerns.

## MEMORANDUM

**FROM:** Kyla Stoker with New Mexico Liquor Licenses, LLC

**DATE:** April 6, 2017

**RE:** CITY OF ALBUQUERQUE PROPOSED INTEGRATED DEVELOPMENT ORDINANCE ("IDO")

### **Liquor License related proposed changes**

#### **Document Link:**

<https://abc-zone.com/document/abq-ido-epc-submittal-draft>

1. **Restaurant Use**- Restaurant is showing as permissive in MX-T through NR-LM. This works, however, my question is more clarification on the intent of the Permissive Restaurant. Is the intent to allow Restaurants with or without liquor in each of these zones for on-premises consumption only without restriction of full service liquor/beer & wine (restaurant license)/tap room, etc? If the establishments main source of business is the sale of food, and they have incidental alcohol sales, would all those be Permissive use?

2. **"Liquor Retail" Use**- (Chapter 14-16-3: Use Regulations pg. 113 EPC Draft- December 2016) My major concern is that the type of establishments would fall under "Liquor Retail" and what seemingly intends to further restrict one type of liquor retailer. Examples of licensed establishments which utilize a "full package" style license would be a traditional liquor store, grocery store, wholesale box stores, bars which also sell package liquor, convenience stores and gas stations.

Why has this been restricted to MX-H zone only as Permissive? This is stricter than the already strict regulation on Liquor Retail (aka package liquor). For example, there are several establishments which are C-2 that have package liquor sales. This restriction seems to be detrimental to future development, such as grocery stores, convenience stores, package liquor stores, box retailers, and more.

Many of these types of Liquor Retailers acquire real property years in advance in reliance on the City of Albuquerque to remain consistent with their current zone codes. C-2 (now known as MX-M) has been permissive for this type of use. Furthermore, based on the mapping of the City of Albuquerque, the majority of the major arterials do not have MX-H and this will be detrimental to the growth of our city.

Not only will this have a negative impact on the liquor retailers on future expansion, but also on developers and property owners who depend on anchor tenants which utilize the sale of package liquor, such as grocery stores, box stores or convenience stores.

3. **1000ft to another Liquor Retail:** There is also an additional restriction of another liquor store within 1000 ft of another Liquor Retail. What is the intent of this new restriction? I would also like to know what distance measurement the City of Albuquerque is using from point A to point B.

This is extremely problematic for many reasons. For example, you have a shopping center that has more than one tenant having package liquor (ie a grocery store with a gas station/convenience store on the pad site in front). Again, damaging the retailer, the property owners, developers, and the consumer. I see no benefit of an addition of yet another liquor restriction for where a liquor license can be placed.

This does not include breweries or their sale of liquor for on and off site consumption.

4. **Conditional Use adjacent or abutting R-1:** I also would like to see the next paragraph #4 completely stricken. 14-16-3: Commercial Uses .4 3-3.4G -#4 does not specify that this is specific to these type of establishments serving liquor must apply for a conditional use. This is going to become a very burdensome requirement as many of these type of establishments will in fact abut or be adjacent to R-1 districts. This adds an extended time approval to the already burdensome process for the applicant and the landlord/tenant contingency periods. If the zoning of the subject property is proper, what is the benefit of additional restrictions to the licensing process for on premises consumption of liquor? This basically means any major arterial of the City will require a conditional use permit.

5. **No Liquor within 500' from residential zone, a NR-PO District, Religious Institution, an Elementary School or a High School:** (Chapter 14-16-3:4 3-3.4.G #3 Use Regulations pg. 129 EPC Draft-December 2016) This seems to indicate that the City of Albuquerque is now proposing that the distance measurement which is governed by the State by the New Mexico Liquor Control Act which currently requires 300' from church, and school be more stringent.

In addition, this adds a requirement to be 500' from a residential zone regardless of the type of license. This is currently a requirement only of the off-premises sale of package liquor. The existing Conditional Use process of the City of Albuquerque is very subjective and can be unjustly granted or

denied based on public comment. There are certain areas of the City that simply want no liquor and will object and oppose all liquor licenses. When a conditional use process is added to the already existing Statutory process of the issuance of a liquor license, you are adding an additional layer of burden upon the applicant. This adds time and sometimes substantial delay to the liquor license process which costs all parties monetarily.

I respectfully re-submit my comments to the City of Albuquerque for their consideration. These above comments are much more extensive than they may seem on the surface. This will cause the growth, expansion and tax dollars of New Mexico to suffer. It is important that all sides of this equation are carefully considered before these changes are made.

Respectfully submitted,

Kyla Stoker

New Mexico Liquor Licenses, LLC  
cell: (505) 980-5614  
fax: (505) 323-3075  
nmliquorlicense@yahoo.com

6739 Academy Rd NE Suite 110  
Albuquerque, New Mexico 87109

## Toffaleti, Carol G.

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**From:** Mike Contreras <mike@sentinelrealestate-inv.com>  
**Sent:** Friday, April 07, 2017 3:44 PM  
**To:** Toffaleti, Carol G.  
**Subject:** Re: Letter re IDO Conversion Map

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Yes, add this to the comments. Thank you Carol.

Sent from my iPhone  
Mike Contreras

On Apr 7, 2017, at 1:10 PM, Toffaleti, Carol G. <[cgtoffaleti@cabq.gov](mailto:cgtoffaleti@cabq.gov)> wrote:

Catalina is the EPC staff planner from the Current Planning section on the IDO, in addition to Mikaela who is with the Long-Range Planning section. Catalina co-authored the staff report and gave the first staff presentation at yesterday's EPC hearing.

Best,  
Carol

---

**From:** Mike Contreras [<mailto:mike@sentinelrealestate-inv.com>]  
**Sent:** Friday, April 07, 2017 10:02 AM  
**To:** Toffaleti, Carol G.  
**Subject:** Re: Letter re IDO Conversion Map

Carol,

Who is Catalina Lerner?

Thank you,

Sent from my iPhone  
Mike Contreras

On Apr 7, 2017, at 9:00 AM, Toffaleti, Carol G. <[cgtoffaleti@cabq.gov](mailto:cgtoffaleti@cabq.gov)> wrote:

Hello Mike,  
Thank you for your detailed zoning request concerning a property on West Central. Can you please confirm that you intend it as an official IDO comment for the EPC/Council public review and approval process?

If so, we will put it in the public file for their consideration in due course.

Carol Toffaleti, Senior Planner  
*Urban Design & Development/Long Range*  
*City of Albuquerque Planning Department*  
Direct line 924-3345

[cgtoffaleti@cabq.gov](mailto:cgtoffaleti@cabq.gov)

<image001.jpg>

<http://www.abc-zone.com/>

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**From:** Michael Contreras [<mailto:mike@sentinelrealestate-inv.com>]  
**Sent:** Friday, April 07, 2017 7:54 AM  
**To:** Toffaleti, Carol G.  
**Cc:** Renz-Whitmore, Mikaela J.; Brito, Russell D.  
**Subject:** RE: Work-in-Progress Review Time

Carol,

Attached is a letter furthering the conversation from yesterday's EPC Hearing on the proposed IDO Ordinance.

Please contact me if you have any questions.

Thank you,

*Michael Contreras, CCIM*  
*SENTINEL REAL ESTATE & INVESTMENT*  
*PO Box 91088*  
*Albuquerque, New Mexico 87199*  
*OFFICE: 505-888-1500*  
*CELL: 505-263-7334*  
*EMAIL: [mike@sentinelrealestate-inv.com](mailto:mike@sentinelrealestate-inv.com)*  
<image003.jpg>

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**From:** Toffaleti, Carol G. [<mailto:cgtoffaleti@cabq.gov>]  
**Sent:** Tuesday, April 4, 2017 8:05 AM  
**To:** 'Michael Contreras'  
**Subject:** RE: Work-in-Progress Review Time

Hi Mike,

Sorry you're having trouble.

Try this direct link to the pdf of the [EPC draft IDO](#).

Or go to [www.abc-zone.com](http://www.abc-zone.com), open the IDO page and the link from there.

The NR-C is described on p. 41. The permitted uses are listed beginning on p. 105 in the NR-C column of the table. And the basic development standards are in the table on p. 170.

You can call me with any questions.

Good luck and Regards,

Carol

Carol Toffaleti, Senior Planner  
Urban Design & Development/Long Range  
City of Albuquerque Planning Department  
Direct line 924-3345  
[cgtoffaleti@cabq.gov](mailto:cgtoffaleti@cabq.gov)  
<image004.jpg>  
<http://www.abc-zone.com/>



April 7, 2017

Carol Toffaleti, Senior Planner  
Urban Design & Development/Long Range  
City of Albuquerque Planning Department  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Emailed & Mailed

Re: 7226 Central Ave. SW  
Albuquerque, NM 87121  
13.5+/- acres  
Zoned: PDA SU-1

Dear Ms. Toffaleti,

This letter shall serve as further conversation for the EPC Hearing held yesterday April 6, 2017 at the Vincent E. Griego City Council Chambers located in the Basement City Hall discussing the proposed zoning for the above mentioned property under the upcoming IDO Zoning Ordinance. Since there continues to be many changes occurring with the plan and conversion maps, I would hope that you will continue to take comments to further refine the document as it proceeds to approval. I am in favor of the City's pursuit and approval of the proposed IDO, appreciate the hard work and professionalism you, your staff, and consultants have put into this endeavor, and look forward to its adoption in the coming months.

The West Route 66 Sector Development Plan under 2. a Policy, states that C-1, C-2, and SU-1 for uses permissive in the C-2 or O-1 zones and Planned Residential Development (PRD) 20 dwelling units per acre. The owners of the property feel the zoning of their property should be MX-H, or MX-M to maintain the current zoning and development trends in the immediate area, and would like to see the criteria of the 660' (1/8 mile) radius distance from a transit station criteria be changed to 1,980' (3/8 mile) linear distance from a transit station if properties have frontage on Central Avenue. Their property is located approximately 1,729' from the Central & Coors transit station, they have approximately 585' frontage, thus the need for the 1,980' distance change request. This would encourage more mixed use development located close to commercial nodes and transit stations, and keep said mixed use developments located along a major transit corridor. The argument for the proposed NR-C zoning designation was to encourage employment in the area, Central Avenue being a retail and transit corridor may not be the best location for additional employment centers, there are large tracts of land located

close but just outside the transit corridor, and if this property was zoned MX-H, or MX-M, it would give the opportunity and latitude for developers to find the uses that the market will command.

Thank you for your consideration. Please contact me if you have any questions. I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Contreras". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Contreras, CCIM  
President

**From:** [Lehner, Catalina L.](#)  
**To:** [Reed, Terra L.](#)  
**Subject:** FW: WSCONA Resolution for IDO April 10th EPC packet  
**Date:** Tuesday, April 11, 2017 4:52:44 PM  
**Attachments:** [WSCONA IDO Resolution 2017-04-05.doc](#)

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-----Original Message-----

From: aboard10@juno.com [<mailto:aboard10@juno.com>]  
Sent: Friday, April 07, 2017 12:25 PM  
To: Lehner, Catalina L.  
Subject: WSCONA Resolution for IDO April 10th EPC packet

Dear Catalina,

It was unclear if I could send in the WSCONA Resolution for the April 10th, EPC hearing, regarding the IDO. Therefore I am sending it in today to be included in the EPC packet.

Thank you,  
Rene' Horvath  
TRNA and WSCONA  
Land Use Director



## **Westside Coalition of Neighborhood Associations Resolution regarding the IDO: April 5, 2017**

The West Side Coalition of Neighborhood Associations urges the City to slow down the approval process for the IDO- Integrated Development Ordinance based on the following concerns:

- 1) The current zone code is undergoing a monumental change into a new regulatory document known as the IDO. This will include new permissive use regulations, dimensional standards, design regulations, overlay zones, zone maps with new zone categories. These changes are not well understood by the community at large.
- 2) The Neighborhoods need more time to study and provide input so that Neighborhood recommendations can be implemented into the IDO.
- 3) All zone changes of less than 10 acres will only go to the EPC with no ability to appeal to City Council. EPC will be the final decision authority. This would affect a large portion of the zoning cases.
- 4) The IDO makes sweeping shifts of power from the EPC to the Planning Director and staff. The Planning Department's DRB would review all site plans for projects under 100,000 s.f. (This is almost all site plans.) This much change is not justified. The DRB is made up of mostly engineers who would be making most of the site planning decision in Albuquerque.
- 5) The Administrative Deviations give the Planning Department too much latitude to make rule changes.
- 6) The Board of Appeals is eliminated in the IDO. We need this citizen body.
- 7) An Economic Impact Analysis, of the proposed zoning districts and the dramatic change in densification to most parts of the City, is needed.
- 8) The IDO changes neighborhood standing as to who can enter an appeal and what they must prove.



9) The Zoning Conversion map is laden with sweeping changes to entitlements. It allows easy rezoning from SU-1 site plans to straight zoning. This will put mostly engineers in charge of deciding if development is compatible with surrounding neighborhoods and sensitive areas such as the Bosque and the Escarpment.

10) The new procedures for Declaratory Rulings of the Zoning Ordinance are problematic.

11) Generally facilitated meetings are eliminated and replaced with neighborhood meetings before a project is filed. There is no requirement as to what materials must be provided to the neighborhood. There is no strong incentive for developers to incorporate ideas/comments from the neighborhoods.

12) The Large Retail Facilities Ordinance is not carried forward.

14) Revisions have been made to the View Protection Overlay- of the Coors corridor plan.

We request that the EPC allow more time for public comment and written comment. In fact, staff needs to return to the neighborhood coalitions and thoroughly explain and justify all the changes.

The ramifications surrounding approval of this plan has long term impact on the entire city. These issues need to be resolved before the IDO moves forward.

**WSCONA requests that the proposed Integrated Development Ordinance be deferred for 14 – 16 months to allow time for review and implementation of Neighborhood recommendations on the items outlined in this resolution.**

West Side Coalition of Neighborhood Associations

## Toffaleti, Carol G.

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**From:** Patsy Nelson <patsyncnelson@msn.com>  
**Sent:** Saturday, April 08, 2017 8:29 PM  
**To:** Planning Comp Plan-UDO  
**Cc:** 'wolcott@swcp.com'; 'jakalyn@msn.com'; 'pam.bell01@comcast.net'; 'Dean and Debbie Donley'; 'Tim Hermann'; 'docni1013@yahoo.com'; 'aboard10@juno.com'; 'Jolene Wolfley'  
**Subject:** RE: IDO letter of 4/7 for EPC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi, Carol,

I find it very interesting that it appears that the EPC decided to change the rules at the beginning of its meeting. I could not attend that meeting nor can I attend the April 10 meeting. I must say that there seems to be a decidedly active effort to keep the public out of these discussions as well as out of any further involvement in developments in Albuquerque. It is going to be very difficult to obtain public support for the City's agendas when this kind of action is promoted and allowed.

I realize you are only the messenger - but I would appreciate your forwarding this message to the EPC as well.

Thank you.

*Patsy*

Patsy Nelson  
President, Alban Hills Neighborhood Association  
505-228-5087  
*Be kind to one another.*

---

**From:** Toffaleti, Carol G. [mailto:cgtoffaleti@cabq.gov] **On Behalf Of** Planning Comp Plan-UDO  
**Sent:** Friday, April 7, 2017 1:41 PM  
**To:** 'Patsy Nelson' <patsyncnelson@msn.com>  
**Cc:** 'wolcott@swcp.com' <wolcott@swcp.com>; 'jakalyn@msn.com' <jakalyn@msn.com>; 'pam.bell01@comcast.net' <pam.bell01@comcast.net>; 'Dean and Debbie Donley' <uyawnt2@aol.com>; 'Tim Hermann' <19buckeye80@gmail.com>; 'docni1013@yahoo.com' <docni1013@yahoo.com>; 'aboard10@juno.com' <aboard10@juno.com>; 'Jolene Wolfley' <sagehome@live.com>  
**Subject:** IDO letter of 4/7 for EPC

Hello Patsy,

Thank you for your letter with comments on the IDO.

Please note that, at the beginning of yesterday's hearing, the EPC decided not to accept any more *written* comments for consideration on April 10<sup>th</sup>. However, you are welcome to attend the hearing on April 10<sup>th</sup> and read your letter or have someone read it on your behalf. There will be a rolling sign-up to speak between 1 and 8 PM at the hearing.

In any case, please rest assured that your letter is now also in the public file and will be considered by the EPC and/or Council as part of the continuing public review and approval process for the IDO.

Best Regards,

Carol Toffaleti, Senior Planner  
Urban Design & Development/Long Range  
City of Albuquerque Planning Department  
Direct line 924-3345  
[cgtoffaleti@cabq.gov](mailto:cgtoffaleti@cabq.gov)

**Toffaleti, Carol G.**

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**From:** Renz-Whitmore, Mikaela J.  
**Sent:** Monday, April 10, 2017 8:24 AM  
**To:** Reed, Terra L.  
**Cc:** Lehner, Catalina L.; Planning Comp Plan-UDO  
**Subject:** FW: ABC-Z IDO

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please add to the record for future consideration.

Thanks,

Mikaela Renz-Whitmore, Planner  
City of Albuquerque Planning Department, Urban Design & Development Division  
Project Planner - [ABC to Z](#)  
505-924-3932  
[mrenz@cabq.gov](mailto:mrenz@cabq.gov)



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**From:** aschwartz74@comcast.net [mailto:aschwartz74@comcast.net]  
**Sent:** Sunday, April 09, 2017 10:00 AM  
**To:** Renz-Whitmore, Mikaela J.  
**Subject:** ABC-Z IDO

Mikaela,

I'm a little confused about the use of the MX-T zone. The predominant zoning in my neighborhood, Rancho Sereno, is R-LT and will change to R-T. A small strip of homes across from the City Open Space at the southeast corner of Golf Course and Calle Nortena, currently zoned SU-1, is changed to MX-T. Likewise for homes across from two other sides of the Open Space. MX-T is described as a transition from residential to more intensive commercial use. Why is that being applied here and around other Open Space areas?

Alan Schwartz

**From:** [Reed, Terra L.](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Subject:** FW: Duplexes and Triplexes, etc.  
**Date:** Monday, April 10, 2017 11:05:43 AM

---

Can you add this to the record for the IDO?

Thanks,  
Terra

---

**From:** Gary & Melodie Eyster <meyster1@me.com>  
**Date:** Sunday, April 9, 2017 at 12:03 PM  
**To:** "Reed, Terra L." <treed@cabq.gov>  
**Cc:** 'Spencer' <spencer@swcp.com>, "meyster1@me.com" <meyster1@me.com>  
**Subject:** RE: Duplexes and Triplexes, etc.

Hi, Terra, The last page of the attachment shows the location of the College View Addition.

Spencer and I recently developed the following comment on the IDO:

**In College View a number of the original houses were built as duplexes or triplexes.** They were concentrated in the southern third of College View between Copper and Grand. Many, however, were seeded randomly from Grand to Lomas. The 2007 Sector Plan identified many of those seeded structures and rezoned them RT-HD (Residential Townhouse- Historic District) which will now be R-T. However, it missed quite a few. It would save CABQ and the property owners time and trouble in the future if those that have been missed were to be identified and incorporated into the IDO at this time. Spencer made the list below. If you could take it on he and I could be sure it is complete.

See you Monday, Gary

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**From:** Spencer [mailto:spencer@swcp.com]  
**Sent:** Saturday, April 08, 2017 6:38 PM  
**To:** Gary Eyster; Gary & Melodie Eyster  
**Subject:** Duplexes and Triplexes, etc

Gary,

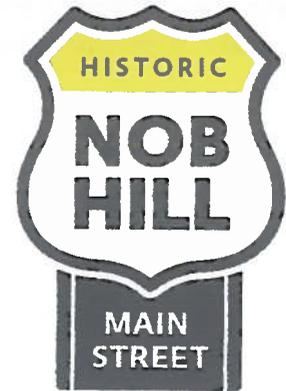
Here is a little extract from a letter I found that I had written in 2006 to the city about the Sector plan they were then considering. From 2006:

I did a quick survey of one small area bounded by Carlisle, Washington, Central, and Lomas. . . . Here are some addresses of duplex, triplex, etc. residences. . . 300 Hermosa NE, 302/304 Hermosa NE, 346/348 Hermosa NE, 400 Hermosa NE, 404/406 Hermosa NE, 409/411 Hermosa NE, 416/418 Hermosa NE, 420/422 Hermosa NE, 213/215 Solano NE, 217/219 Solano NE, 220 Solano NE, 230 Solano NE, 223 Solano NE, 225 Solano NE, 244/246 Solano NE, 304 Solano NE, 308/310 Solano NE, 312/314 Solano NE, 345 Solano NE, 200/202 Aliso NE, 204/206 Aliso NE, 401 Aliso NE, 205/207 Morningside NE, 231/233

Morningside NE, 235/237 Morningside NE, 239/241 Morningside NE, 400 Morningside NE,  
500 Morningside NE

Spence

**Nob Hill Main Street, Inc.**  
4310 Central Avenue SE Suite A  
Albuquerque NM 87108  
[www.nobhillmainstreet.org](http://www.nobhillmainstreet.org)



**A New Mexico Main Street Community**  
**A Nonprofit 501(c)(3) Organization**  
**505-923-0759**

April 10, 2017

To: Environmental Planning Commission

Re: Intergrated Development Ordinance or Zoning Code

This letter is provided as support from the Board of Directors of Nob Hill Main Street for the attached letter dated January 20, 2017 from Geltmore LLC.

Additional comments from Nob Hill Main Street Board of Directors:

**Aaron Sussman, Board Member** – “I support this letter and believe that it is consistent with a number of our objectives, including creating additional housing in east Nob Hill. I also happen to believe this is good public policy. Preventing the application of the premium transit station area bonus only makes sense along areas of high cultural or historical value, and frankly I don’t think Nob Hill east of Carlisle deserves that special treatment.”

**Walt Arnold, Board Member** – “I support the letter. Higher density is critical for the ART project to work. More density along Central is better, and in fact it's critical for the success of the Albuquerque Rapid Transit.”

**Robert Munro, Board Member** – “Central Avenue from Carlisle to Aliso should not be included in the Character Protection Overlay for Nob Hill. The great majority of properties in that stretch are at best non-contributing to the historic value of Nob Hill and in some cases functionally obsolescent. There is currently little consistency in scale, proportion, building style, or historic value to this stretch of properties.

It is vital for the health and historic protection of Lower Nob Hill (from Girard to Carlisle) that it has as direct an adjacency as possible to dense Transit Oriented Development (TOD). The reason that East Nob Hill has the opportunity to be the first true TOD in Albuquerque is because of its location along ART, its available properties for redevelopment, and most importantly - its direct adjacency to one of the few pedestrian friendly retail, service, and restaurant districts in New Mexico. A thriving TOD in East Nob Hill is critical to the long term viability of lower Nob Hill.

Leaving a dead zone of properties that can't be developed between Carlisle and Aliso cuts off that vital walk-ability of the district and will be counterproductive if one wants to promote TOD in East Nob Hill."

Respectfully submitted,



Chris Smith  
President, Board of Directors  
Nob Hill Main Street

**Nob Hill Main Street Board of Directors (as of April 10, 2017):**

- Lyndsay Adler, Board Member (Owner, Retail Therapy)
- Katrina Arndt, Board Member (Planner, Dekker / Perich / Sabatini)
- Walt Arnold, Board Member (Managing Director, Walt Arnold Commercial Brokerage, Inc.)
- Sharmin Dharas, Board Member (Owner, University Lodge)
- Jennifer Facio, Board Member (Architect, Dekker / Perich / Sabatini)
- John Grisham, Board Member, (Tax Manager, Ricci & Company, LLC)
- Adam Harrington, Board Member (Chief Financial Officer, HB Construction)
- Sheli Hinds-Armstrong, Board Member, (Owner, SoireeQ, LLC)
- Jed Hoffberg, Board Member (Owner, Ojo Optique)
- Adam Moffet, Board Member (Owner, Slice Parlor)
- Robert Munro, Immediate Past President / Board Member (Owner, O'Neill's Management, LLC)
- Sham Naik, Board Member (Owner, Bistronomy B2B)
- Patrick O'Connell, Secretary / Board Member (Director, Planning and Resources, PNM)
- Kurt Oelsner, Treasurer / Board Member (Owner, Chocolate Dude)
- Chris Smith, President / Board Member (Owner / Qualifying Broker, NM Real Estate Now, LLC)
- Aaron Sussman, Board Member (Planner, Bohannon Huston)

1127 Walter NE  
Albuquerque, NM 87102  
(505)270-7716

April 10, 2017

Karen Hudson, Chair  
Environmental Planning Commission  
600 Second Street NW, 3<sup>rd</sup> Floor  
Albuquerque NM 87102

Attn: Catalina Lehner, Staff Planner

RE: 1959 ESTABLISHED ZONING ERROR FOR MARTINEZTOWN/SANTA BARBARA NEIGHBORHOOD

Dear Chair Hudson,

This is a letter of record and complaint to the many years of injustice that the residents of Martineztown/Santa Barbara have endured by the City of Albuquerque. I am writing to you to express the following concerns provided by the Martineztown Work Group (MWG). MWG is tired of being ignored by Albuquerque City Council and City of Albuquerque Planning Staff. Of predominant concern is the City's continued lack of understanding of our sentiments concerning our beloved Martineztown/Santa Barbara Neighborhood. The City of Albuquerque does not value nor respect the historical significance of the neighborhood in which our ancestors established and that their descendants currently choose to reside in. The residents love the historic character and family friendly neighborhood in which they live and want it to remain "as is, residential"

MWG requests to be part of the "City Sector Plan Review Team" The group would like to assist the City in finding the best qualified planner for the sector plan zone map correction for Martineztown/Santa Barbara Neighborhood. In this proposed review team for the zone map correction, the neighborhood leaders should be present and involved in the decision process from its inception to its completion. MWG would like to provide our input in the development of the Scope of Work which follows through with the objective of the Martineztown/Santa Barbara Sector Plan, 1990, "To promote on-going involvement in the City planning process." As required by law, the residents of Martineztown/Santa Barbara neighborhood should be included in the community planning of our residential area. After the zoning has been established for the majority residential area, then the commercial property owners can come forward and provide their reasons for wanting to continue their commercial zone realizing that the sector plan outlined goals are "To promote the preservation and enhancement of a traditional community; Eliminate conditions which are detrimental to public, health, safety and welfare; Conserve, improve and expand housing availability to all families." The property owners who want to keep their residential property to be incorporated as commercial zone must adhere to the requirements necessary to meet the criteria of the zoning which include but are not limited to the following: provide parking spaces on their business property, meet adopted landscaping criteria, follow environmental laws, and other requirements such as proper grading and drainage. Additionally, these residents that want commercial will also need to inform Bernalillo County of their

proposed commercial use and follow all Commercial Tax Laws and pay all commercial taxes to Bernalillo County as required by law.

MWG would like to be included in the selection process for a qualified professional planner and the group has several that they are able to recommend for the job. MWG invites for the zone change process to begin now so that the R-1 zone is established and completed prior to the IDO's approval. According to the Planning Department Staff, the IDO will take a year to be approved. If this is the case, the review team which includes the neighborhood leaders will have plenty of time to work with you to ensure that this process is done correctly and on a timely basis.

The objective on page 8 of the Martineztown/Santa Barbara Sector Development Plan states the following, "Promote on-going neighborhood involvement in the City planning process." Throughout the process to update both the sector plan and the Comp Plan, the City of Albuquerque has refused to listen to residential property owners to stabilize land use patterns and resolve land use zoning conflicts and agree to the majority of the neighborhood requests to zone their properties R-1, single family dwellings. There has also been no attempt by the City "to eliminate conditions which are detrimental to public health, safety, and welfare."

In order to follow the goal of preserving Martineztown/Santa Barbara Neighborhood, MWG began working with UNM Students on designating the neighborhood as a historic district and historic overlay through the State of New Mexico. MWG was informed by the State Cultural Affairs that a historian submitted paperwork without informing or involving the neighborhood residents nor requesting our consent to proceed with the application at the State level. In fact through the years, the City has worked hard to stop any historical preservation by allowing architecture that is incompatible with the historic neighborhood. Under the Nuisance Abatement Program, the City demolished Old Historic Adobe homes rather than rehabilitate them. Also, the City continues to unbalance and destroy the historic residential land use by allowing incompatible land uses such as The New Mexico Department of Labor, Embassy Suites and Tri-Core to be built in the neighborhood. The neighborhood would have been better served with construction of traditional mom and pop stores that the residents desperately need. It should be noted, that there has been no attempt by the City of Albuquerque to preserve the social fabric of our Martineztown/Santa Barbara community. It is of the opinion of many that not only has the City failed our neighborhood residents, but rather has failed all the residents of the entire city of Albuquerque by allowing continued destruction of one of its iconic areas of town. The community cannot allow Martineztown/Santa Barbara to fall just like the Alvarado Hotel was allowed to do. Now all we can do is lay back and reminisce about what was once a charming part of our city, this majestic historic beautiful hotel.

After countless meetings, Site Southwest created the map, (see attached) that was worked on by the neighborhood residents. This map called for the preservation of our neighborhood and was to be submitted for approval by City Council, but was tabled and ignored before the Comp Plan was ever considered to be updated. MWG plans for this map to still remain the same, and that is for it to be taken before our City Counselors for approval. MWG wishes for our Council to revisit the contract with Site Southwest and deal with the error of zoning the historical residential land use commercial zone which is the current zone map created for the Martineztown/Santa

Barbara Neighborhood. This will insure that the predominant residential property owners who have expressed their voices are heard and on record through written letters, petitions, emails and are shared at City Hearings. These residents would like their residential neighborhood to remain zoned and or changed to R-1, (when zoned incorrectly) which is MWG's preference as we continue to advocate for our community. MWG would like our child, family friendly neighborhood to remain intact for decades or even centuries to come. The City must immediately cease and desist permissive uses in the current zone categories which are harmful to the neighborhood and protect the health, safety and welfare of our residents.

After review of the SanBourne Maps and the City Historical Land Use Maps, the City of Albuquerque, should bear the responsibility for all costs to correct the current zone map of Martineztown/Santa Barbara to R-1 as the error was created by the City and not by the property owners. This detrimental zoning error only occurred for Martineztown/Santa Barbara Neighborhood and all other historic neighborhoods in the Central Urban Area of Albuquerque were excluded from this disastrous decision to destroy one of the oldest neighborhoods in the city. To further emphasize, MWG is not interested in any piecemeal planning. MWG would like attached 2009 map by Sites Southwest to establish the work with a professional planner that knows community planning and reviewed and approved the "City Sector Plan Review Team" mentioned above.

MWG does not agree with the following statement by Andrew Webb, City Planner in which he stated in the email dated November 22, 2016; "I understand that this project may fall short of your desire for community-based planning in the area, but I hope you can also see the opportunity here for residents to have a say in how their own properties will be used now and in the future." MWG understands that Community Planning is a legal process provided by the City and is given to all neighborhoods. Individual neighborhoods should not be selectively excluded from this process. This destructive approach is discriminatory, unjust and illegal under our United States Constitution!

Furthermore, MWG disagrees with the statement by Andrew Webb, which stated; "Several attempts to make wholesale zoning changes in Martineztown over the years have demonstrated that some residents see the mixed-use zoning established in the 1970s as contributing to the value of their properties." On the contrary, many of the neighborhood residents have experienced a loss of value to their property. It should be noted that according to a qualified appraiser in 2010, he explained to a resident that he valued a property in Martineztown less than what it should have been valued in 2010 due to the commercial property next door to their home which had significant adverse environmental hazards that negatively impacted their residential property. Also, according to the Bernalillo County Assessor's Office any property that is zoned as a commercial use property, is taxed at a higher tax rate therefore the owner must pay higher property taxes. Today, many of our Martineztown/Santa Barbara residents are poor and struggle to pay the property taxes. These residents should not be forced to have their property taxes increased because of the historical residential land use is incorrectly valued as commercial zone land use. This is a form of gentrification. Additional evidence of gentrification in our neighborhoods has been described by some of our property owners who have expressed concern that certain banks are unwilling to provide mortgage loans because of the commercial zoning on the historic single family dwellings in which they reside in the

Martineztown/Santa Barbara Neighborhood.

In conclusion, Chair Hudson, MWG respectfully asks that you listen to the residents of Martineztown/Santa Barbara Neighborhood and zone our properties appropriately, by following the recommendations above to improve our residential quality of life.

Sincerely,

Loretta Naranjo Lopez, President  
Martineztown Work Group

pc: Mayor Richard Berry  
All City Councilors  
All Commissioners  
Representative Javier Martinez  
Senator Gerald Ortiz y Pino  
Commissioner Debbie O'Malley  
Former Representative Rick Miera  
Deacon Roberto Morrow, San Ignacio Church  
Archbishop John C Wester, Archdiocese of Santa Fe  
Father Anthony Pavlak, Canonical Priest, San Felipe de Neri  
Deacon Robert Morrow, San Ignacio Catholic Church  
Reverend Robert Woodruff, Second Presbyterian Church  
Ivan Westergaard, St. Paul Lutheran  
Anne Avalon, Director, Social Justice and Respect for Life, Archdiocese of Santa Fe,  
Joaquin Sanchez, Lead Organizer, Albuquerque Interfaith

MARTINEZTOWN WORK GROUP REQUEST THAT THE APPROVAL OF THE IDO CODE INCLUDE THE FOLLOWING FOR MARTINEZTOWN SANTA BARBARA NEIGHBORHOOD

1. Updated Martineztown/Santa Barbara Sector Plan draft completed by Site Southwest in 2009 done by Site be approved prior to the approval of IDO and include design guidelines and provide setbacks on all development.
2. R-1 Zoning in the predominant historical residential area is established prior to the approval of IDO.
3. Eliminate any MX zoning in Martineztown/Santa Barbara established in the current sector plan. Instead support diverse housing stock which can encourage the long-term use and reuse of the community by people of different ages and backgrounds. This type of housing development allows people to remain in the community at different stages of their lives. The MX allows industrial uses near predominantly historic residential land use in the neighborhood. These types of uses are incompatible because of pollution, noise, and truck traffic that affect health, safety and welfare of the residents.
4. Tap bars, liquor stores, and night clubs, sexually oriented businesses and strip clubs shall not be allowed in boundary of Martineztown/Santa Barbara neighborhood. These types of uses bring crime and moral and other social problems to a neighborhood.
5. Preserve the historic residential with zoning, historic district designation by the city, design guidelines, to preserve, protect, and enhance its neighborhood friendly character of single family dwellings.
6. Keep the current Resolution 270-1980
7. Keep the current Neighborhood Ordinance
8. Keep the current public process and strengthen it so neighborhoods have more input in the development of their neighborhood – renters should also have a say in their community.
9. Provide the Martineztown/Santa Barbara a community center and amenities and services to create a sense of place for the families in the neighborhood.
10. Provide an Environmental Impact Review on the increase incompatible uses and industrial uses.
11. All buildings in the Martineztown/Santa Barbara Sector Plan boundaries and the historic neighborhoods are no higher than two stories
12. Current businesses in the predominant single family residential area need to be in compliance with the current zone code. These businesses are in violation of the building code. The businesses are in violation of the Environmental Health Department requirements and need to be in compliance prior to any approval of the zone code. The violators are not working inside an enclosed building and environmentally impacting the neighborhood. The cars are parked along streets.

## REFERENCES ON MARTINEZTOWN/SANTA BARBARA SECTOR PLAN

MARTINEZTOWN/SANTA BARBARA SECTOR PLAN – Goals and Objectives, page 7 and 8, Zoning pages 71 to 82, Zoning page 65 to 83

<https://www.cabq.gov/planning/documents/MartinezSBsdpCompleteWlegislationpdf.pdf>

## CITY OF ALBUQUERQUE COMPREHENSIVE CITY ZONING CODE

Keep Intent and current zoning code

<http://www.cabq.gov/planning/documents/141613and4.pdf>

## REFERENCES ON GENTRIFICATION

<http://www.moderncities.com/article/2017-jan-gentrification-a-perspective-from-a-long-time-resident>

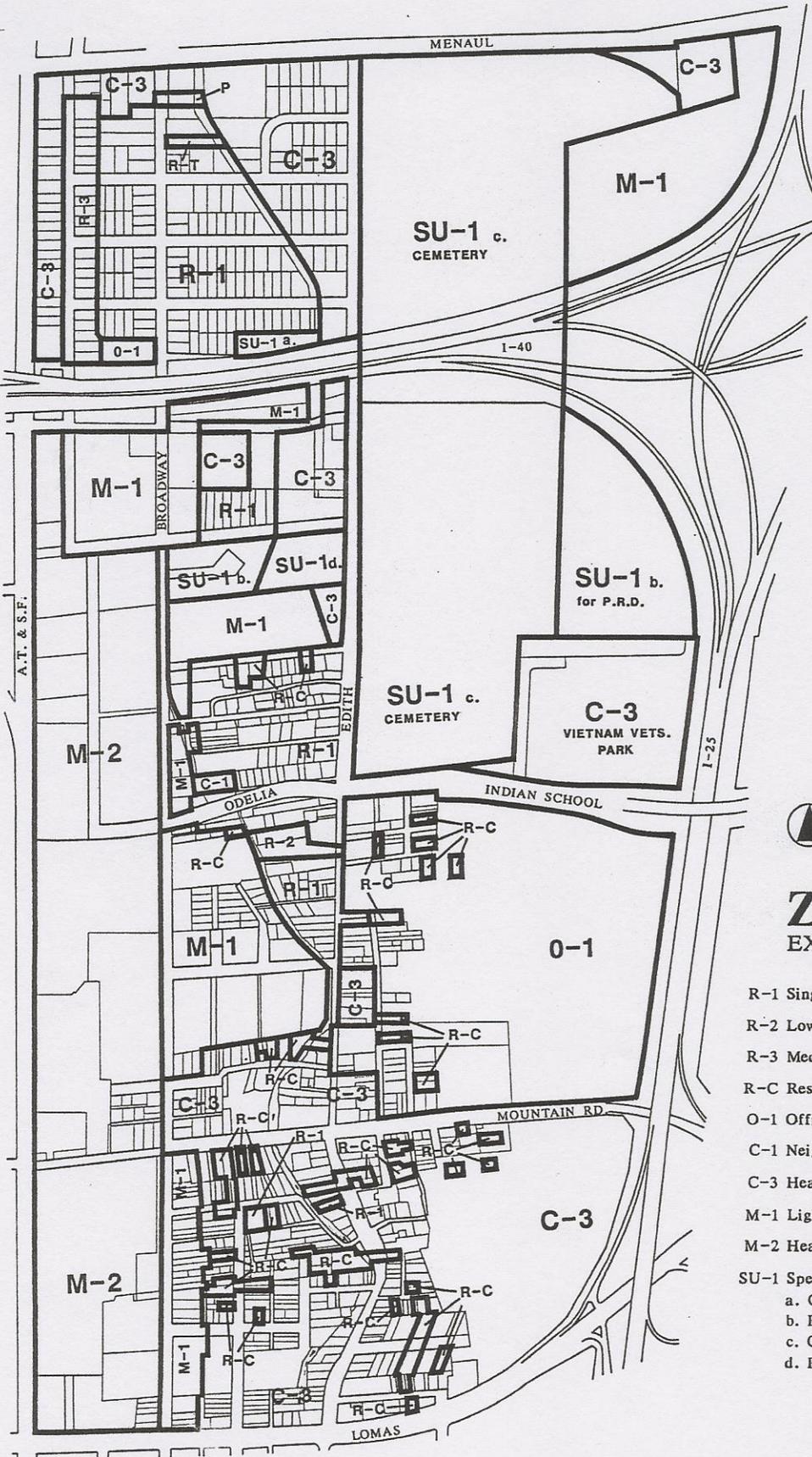
<http://www.petedinelli.com/2017/03/07/a-rush-to-adopt-gentrification-as-city-policy-before-an-election/>

<https://mic.com/articles/102004/these-7-cities-expose-exactly-what-gentrification-is-doing-to-america#.nxM3QYhvk>

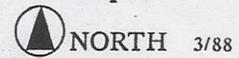
[http://www.huffingtonpost.com/jared-green/ending-code-talk-about-ge\\_b\\_13053398.html](http://www.huffingtonpost.com/jared-green/ending-code-talk-about-ge_b_13053398.html)

[http://furmancenter.org/files/sotc/Part\\_1\\_Gentrification\\_SOCin2015\\_9JUNE2016.pdf](http://furmancenter.org/files/sotc/Part_1_Gentrification_SOCin2015_9JUNE2016.pdf)

# MARTINEZTOWN/SANTA BARBARA

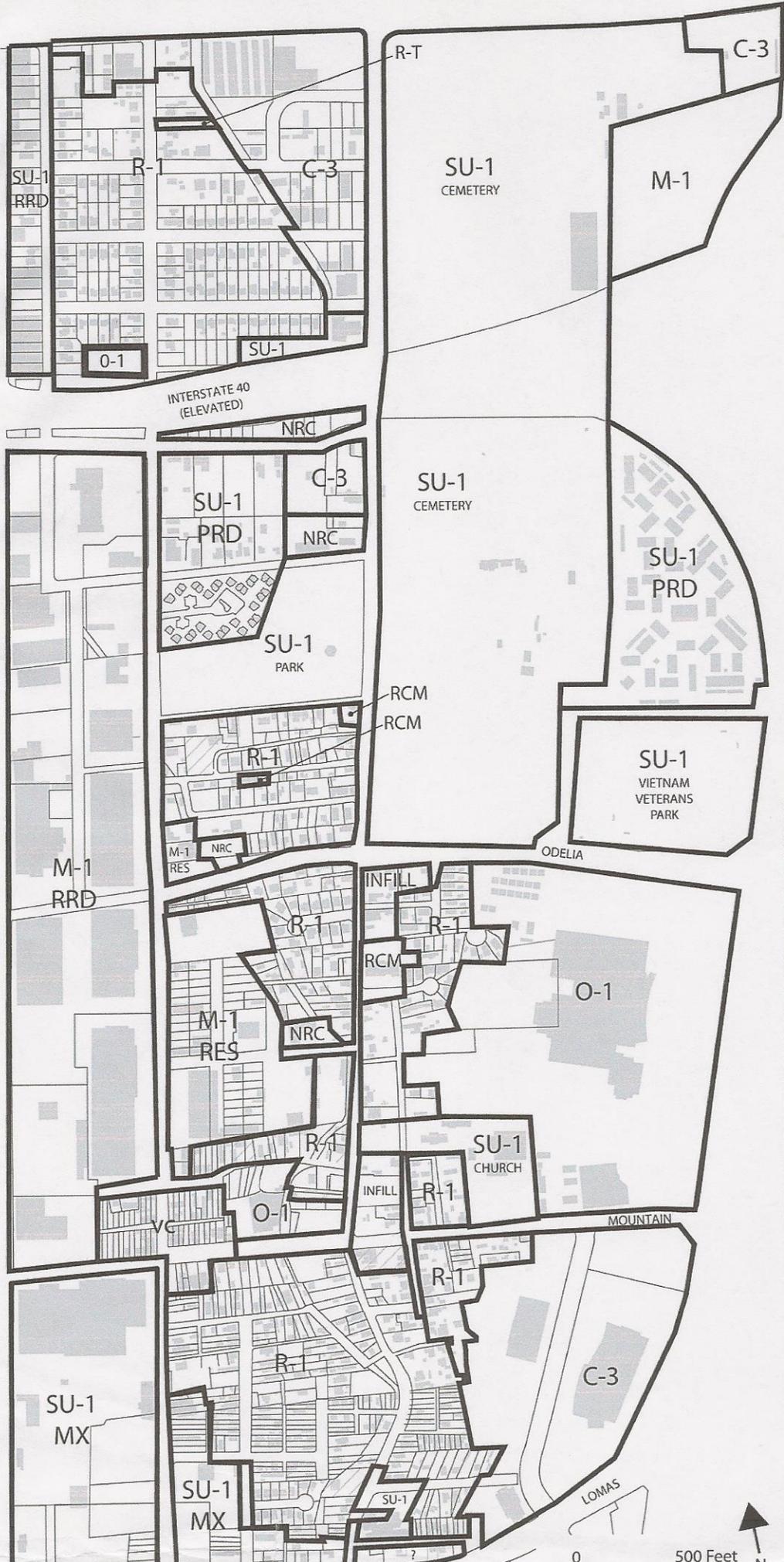


Map 16



## ZONING EXISTING

- R-1 Single Family Residential
- R-2 Low Density Residential
- R-3 Medium Density Residential
- R-C Residential/Commercial
- O-1 Office and Institution
- C-1 Neighborhood Commercial
- C-3 Heavy Commercial
- M-1 Light Manufacturing
- M-2 Heavy Manufacturing
- SU-1 Special Use Zone
  - a. Club
  - b. Planned Residential Development
  - c. Cemetery
  - d. Park



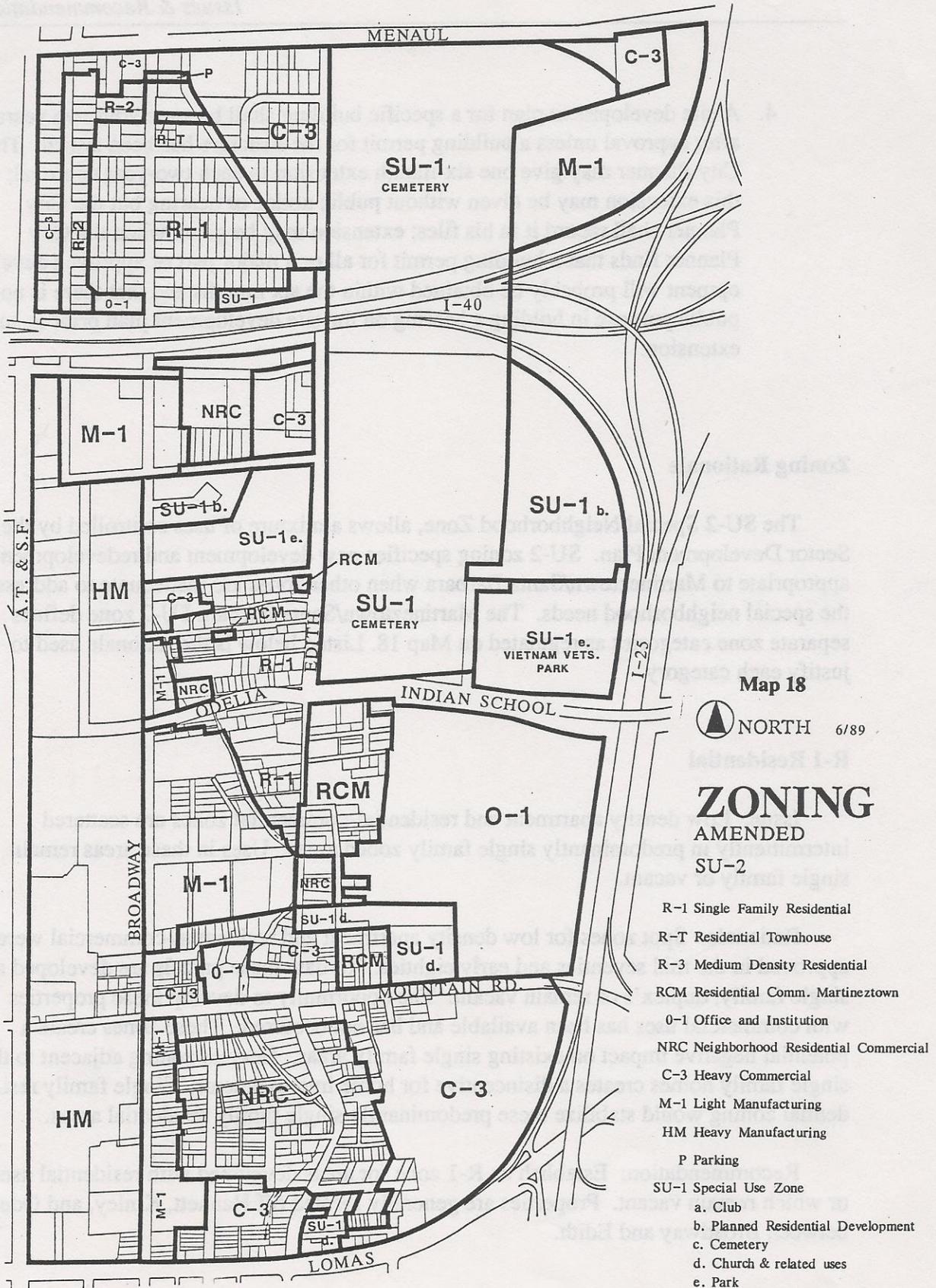
### ZONING LEGEND

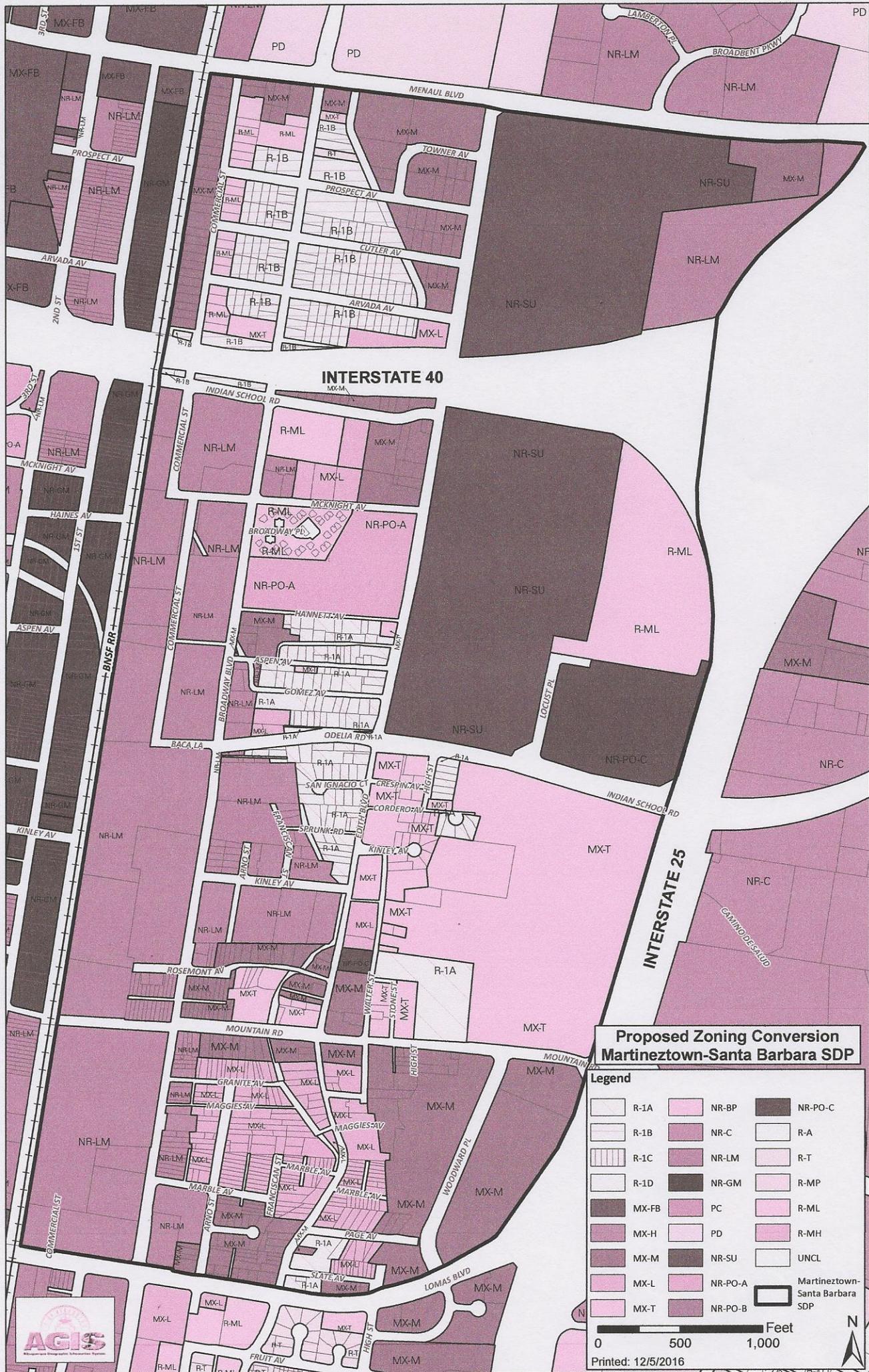
AMENDED ZONING

- SU-2
- R-1 Single Family Residential
- R-T Residential Townhouse
- RCM Residential/Commercial Martineztown
- O-1 Office and Institution
- NRC Neighborhood Residential/Commercial
- C-3 Heavy Commercial
- M-1 Residential (RES)
- M-1 Railroad (RRD)
- P Parking
- SU-1 Special Use Zone
- SU-1 MX (Mixed Use)
- SU-1 VC (Village Center)




# MARTINEZTOWN/SANTA BARBARA





**INTERSTATE 40**

**Proposed Zoning Conversion  
Martineztown-Santa Barbara SDP**

**Legend**


0 500 1,000 Feet

Printed: 12/5/2016



File Path: \\gis\gisdata\workspace\martineztown\martineztown\_santa\_barbara\_sdp\martineztown\_santa\_barbara\_sdp.aprx

From: [John Black](#)  
 To: [Barkhurst, Kathryn Carrie](#)  
 Subject: Change to the original IDO comments: three tracts of land received a zone change from O-1 to C-1 as attached. Also, 100 foot buffer west of Corrales Main Canal should be taken out of Coors Corridor plan north of Paseo del Norte to Alameda  
 Date: Monday, April 10, 2017 2:07:21 PM  
 Attachments: [2017 March 10 COA Zone Change to Tr. 3F-1-A & Tr. 3G-1-A & Tr. 3H.pdf](#)  
 Importance: High

**Added references to the Coors Corridor IDO plan that I met with IDO staff about earlier to the zoning comments I made on April 3.**

From: John Black

Sent: Monday, April 03, 2017 11:06 AM

To: 'Planning Comp Plan-UDO' <abctoz@cabq.gov>

Subject: RE: IDO Zoning Conversion Comments--note the only change to my IDO comments are that three tracts of land received a zone change from O-1 to C-1 as attached.

The only change to my IDO comments are that three tracts of land (Tr. 3F-1-A & Tr. 3G-1-A & Tr. 3H of the Black Ranch Subdivision on East Side of Coors north of Paseo del Norte) that recently received a zone change from O-1 to C-1 as attached. Also, 100 foot buffer west of Corrales Main Canal should be taken out of Coors Corridor plan north of Paseo del Norte to Alameda. All of those properties were approved for development in the City and County using the 100 ft right of way of the Corrales Main Canal as the only buffer due to physical constraints and elevation changes west of the Canal in that area. The Planning Staff should know about both of these changes to the original IDO plan in this area abutting Coors Blvd. NW.

*John Black*

3613 NM. ST. HWY.# 528  
 Suite H  
 Albuquerque, NM 87114  
 Office: 505-792-3713  
 Cell: 505-228-9351  
 Fax: 505-792-3713

From: Barkhurst, Kathryn Carrie (<mailto:kcbarkhurst@cabq.gov>) On Behalf Of Planning Comp Plan-UDO

Sent: Friday, March 31, 2017 3:15 PM

To: John Black <[jblack@wvrealty.com](mailto:jblack@wvrealty.com)>

Subject: IDO Zoning Conversion Comments

Hello John,

In the past year, you submitted comments to the City's online ABC-Z [IDO - Zoning Conversion Map](#). The project team has reviewed your comment, and where possible, made changes to the IDO conversions or draft IDO text to respond to the comments. Please see the table below, which contains your comment in the first column and the response in the second column. If you have any follow up questions, please respond to this email or provide additional comments in the [IDO - Zoning Conversion Map](#).

Here is a link to the current draft of the [Integrated Development Ordinance](#).

<p>Please leave the zoning Commercial on these commercially zoned properties. Residential use is totally inappropriate for these properties from Tr. 13A south to the existing Merrill Lynch buildings including lots 2C, 5, and 4 in the Cottonwood Crossing Subdivision to the existing Merrill Lynch building. This shelf of land is significantly above the residential land to the east and is also buffered by a 100 ft wide irrigation canal from the residential. This commercial land is also subject to the Coors Corridor Plan height and view restrictions. Do not change the existing zoning. John Black, Ray Trombino, and Turner Branch, Atty. are owners of these lots.</p>	<p>MX-L and MX-T are mixed use zones, corresponding to C-1 and O-1, respectively, with residential uses also allowed. The sites mentioned will retain their commercial and office uses. The MX-L is currently zoned SU-1 for C-1 + hotel, restaurant, bar. These uses are permissive in MX-L, the bar use (liquor in restaurant) is a conditional use in MX-L. Any permit or development that has received approval prior to adoption of the IDO, including but not limited to SU-1 Site Development Plans and Business Park Master Plans will remain valid. For more information on this provision, see section 1-10.3, page 4.</p>
<p>Please do not change the existing on all the remaining vacant commercial lots in the Black Ranch subdivision on the east side of Coors between Irving Blvd. and the AMAFCA regional drainage pond at Paseo del Norte and Coors. All these lots (Lots 3F, 3G, 3H, and 3 I ) have been zoned commercial since the 1990's. Most of the lots in this subdivision are already developed as commercial businesses, including a Caliber's Gun and Shooting Range, Fast Food, a Gas Station, Retail Shops, Enterprise Car Rental and Used Car Sales, etc. Valley View street is the interior access for all these existing businesses and the few remaining vacant lots. The proposed down zone to residential uses would be extremely inappropriate uses. This commercial subdivision is on a shelf next to Coors Blvd. and is at least 35 feet above the residential uses in the County that exist east of this commercial property. In addition, there is a 100 foot wide irrigation canal buffer between this existing commercial subdivision and the residential to the east. Please do not downzone these commercial lots that are next to Coors Blvd. This proposed zone change is a big mistake. Owners; John Black, Pat Buck, Jack Fullerton</p>	<p>MX-L and MX-T are mixed use zones, corresponding to C-1 and O-1, respectively, with residential uses also allowed. The sites mentioned will retain their commercial and office uses. The MX-L is currently zoned SU-1 for C-1 + hotel, restaurant, bar. These uses are permissive in MX-L, the bar use (liquor in restaurant) is a conditional use in MX-L. Any permit or development that has received approval prior to adoption of the IDO, including but not limited to SU-1 Site Development Plans and Business Park Master Plans will remain valid. For more information on this provision, see section 1-10.3, page 4.</p>

The first EPC hearing is scheduled for April 6, 2017, at the City Council Chambers between 1 and 8 pm. Public testimony will be accepted through the afternoon and evening.

Thank you for your time and engagement in this project.





**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

March 10, 2017

JB Holdings, LLC &  
Zia Management  
3613 NM State Highway 528, #H  
Albuquerque, NM 87114

**Project# 1011130**  
17EPC-40002 Zone Map Amendment  
(Zone Change)

### LEGAL DESCRIPTION:

The above action for Tract 3F-1-A (Tracts 2-A-1, 2-A-2, 2-A-3, 3E-1-A, 3F-1-A and 3G-1-A Black Ranch, being a replat of Tracts 2-A, 3E-1, 3F-1 and 3G-1 Black Ranch); Tract 3G-1-A (Tracts 2-A-1, 2-A-2, 2-A-3, 3E-1-A, 3F-1-A and 3G-1-A, being a replat of Tracts 2-A, 3E-1, 3F-1 and 3G-1 Black Ranch); and Tract 3H (being a replat of Tract 3 Black Ranch), Black Ranch, zoned O-1, to C-1, located north of Paseo Del Norte Blvd. NW and east of Coors Blvd. NW, between Valley View Dr. NW and the Corrales Main Canal, containing approximately 2.66 acres.  
(C-13) Staff Planner: Catalina Lehner

PO Box 1293

Albuquerque

On March 9, 2017 the Environmental Planning Commission (EPC) voted to **APPROVE** Project# NM 87103 1011130/17EPC-40002, a Zone Map Amendment, based on the following findings:

### FINDINGS:

- www.cabq.gov
1. The request is for a zone map amendment (zone change) for Tract 3F-1-A (Tracts 2-A-1, 2-A-2, 2-A-3, 3E-1-A, 3F-1-A and 3G-1-A Black Ranch, being a replat of Tracts 2-A, 3E-1, 3F-1 and 3G-1); Tract 3G-1-A (Tracts 2-A-1, 2-A-2, 2-A-3, 3E-1-A, 3F-1-A and 3G-1-A, being a replat of Tracts 2-A, 3E-1, 3F-1 and 3G-1); and Tract 3H (being a replat of Tract 3), Black Ranch, an approximately 2.66 acre site, consisting of three tracts, located north of Paseo Del Norte Blvd. NW and east of Coors Blvd. NW, between Valley View Dr. NW and the Corrales Main Canal (the "subject site"). The subject site is vacant.
  2. The request is to change the subject site's zoning from the O-1 Office and Institution Zone (§14-16-2-15) to the C-1 Neighborhood Commercial Zone (§14-16-2-16) in order to develop commercial uses in the future.
  3. The subject site is within the boundaries of the Developing Urban Area of the Comprehensive Plan. The Westside Strategic Plan (WSSP) and the Coors Corridor Plan (CCP) apply.

OFFICIAL NOTICE OF DECISION

Project #1011130

March 9, 2017

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4. The Albuquerque/Bernalillo County Comprehensive Plan, the WSSP, the CCP, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The request generally furthers the following, applicable Comprehensive Plan Goals and policies:
  - A. Developing and Established Urban Area Goal: The request would contribute to offering variety and maximum choice in the area, particularly regarding a range of neighborhood scale commercial uses. Future development would be required to meet the general regulations in the Zoning Code and the requirements of the C-1 zone, which are intended to provide basic quality.
  - B. Economic Development Goal: The request would contribute to economic development in a general sense because it would facilitate the development of neighborhood commercial uses that would be generally appropriate for its setting.
  - C. Policy II.B.5e-new growth/urban facilities. The subject site is vacant and contiguous to land that is served by existing urban facilities and infrastructure, the use of which is not anticipated to affect the integrity of the existing neighborhood to the east. The Corrales Main Canal and a topographical difference provide some separation and buffering.
6. The request partially furthers the following, applicable Comprehensive Plan policies:
  - A. Policy II.B.5a-full range of urban land uses: The request would facilitate development of additional neighborhood commercial uses in the area. However, the area already has a variety of commercial uses (such as fast-food, beauty services, auto services, and large-box retail) just west of the subject site and across Coors Blvd NW.
  - B. Policy II.B.5d-neighborhood values/natural environmental conditions. The future development made possible by the request would be located in a small-scale commercial and office area between Coors Blvd. NW and the Corrales Main Canal. Further east are single-family homes. The location would be generally appropriate for the area and should not adversely affect social, cultural, or recreational resources. The intensity (C-1 uses) is generally appropriate, though the subject site consists of three lots, and three separate commercial developments (depending on what they are) could affect traffic and noise when considered as a whole.

Specific site design issues cannot be discussed because a site development plan is not required. The view preservation regulations of the CCP apply and would adequately protect scenic resources. There is no known neighborhood opposition as of this writing.
  - C. Policy II.B.5i- employment and service uses/siting and effects. The request would facilitate future development of commercial service uses allowed in the C-1 zone. The uses would be located away from the existing residential area to the east and separated by the Corrales Main Canal and a significant topographical difference. It's not possible to consider building siting

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and if adverse effects (noise, lighting, pollution, traffic) would be minimized, though a site development plan would be required prior to issuance of building permits.

D. Policy II.B.5j-location of new commercial development. The future, new commercial development would be generally located in an area characterized by commercial services on both sides of Coors Blvd. NW. The subject site is located in a smaller, neighborhood-oriented commercial center that is within reasonable distance of the existing neighborhood to the east, so biking and walking to it would be possible for some residents. However, the subject site is not already commercially zoned, as desired in the policy.

7. The request furthers the following WSSP Goals and objectives:

- A. Goal 4: The subject site is served by existing infrastructure, which would support the future development that the request would make possible.
- B. Objective 1: The request would result in eventual development of neighborhood commercial uses which, though they are not large-scale employment, will provide some employment opportunities that would help minimize the need for cross-metro trips.
- C. Objective 8: The request would generally promote job opportunities and business growth in an area of the Westside that is appropriate for such uses. Commercial uses exist adjacent to the subject site, and the Paradise Community Activity Center is to the west across Coors Blvd. NW.

8. The request partially furthers the following WSSP Policies:

- A. Policy 1.1: The subject site is located in the Paradise Community. The Coors/Paseo del Norte Community Activity Center is located between Paradise and Irving Blvds. on the western side of Coors Blvd. The subject site is located on the eastern side of Coors Blvd., outside of the designated activity center, where non-residential development is intended to occur. However, the properties fronting Coors Blvd. on the west are zoned for neighborhood commercial uses and have developed as such creating an undesignated neighborhood center.
- B. Policy 4.10: The request would make future commercial land uses possible. There is a designated bike path on the east side of Coors Blvd. and a bus stop and Rapid Ride stop on the western side of Coors Blvd., so the subject site would be accessible for bicyclists and transit users. However, the future uses would be internal to the commercial area and, since Coors Blvd. is an auto-oriented arterial, single occupant vehicle usage would also be promoted.

9. The request furthers the following, applicable policy of the CCP:

Issue 3- land use and intensity of development-Policy 5: Development Intensity: The request would result in C-1 neighborhood commercial zoning, which would be in line with the concepts shown in Figure 34 on p. 75. The area of Segment 3 North, where the subject site is located, was intended for commercial development. The development that would result from the request would be compatible with the function of Coors Blvd. as a major arterial. The CCP design guidelines,

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Project #1011130

March 9, 2017

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including view preservation regulation, will be applied to future development.

10. The applicant has adequately justified the zone map amendment (zone change) request pursuant to Resolution 270-1980 as follows:
  - A. Section A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Goals and policies from the Comprehensive Plan and other applicable plans, in this case the WSSP and the CCP, which the applicant has done as demonstrated in the response to R270-1980, Section C, below.
  - B. Section B: The applicant has adequately demonstrated that the zone change is justified based on responses to R270-1980 Sections C and D below, and that generally the future commercial uses would not adversely affect stability of land use or zoning in the area.
  - C. Section C: The applicant's policy-based discussion (see Findings 5 through 9 above) adequately demonstrates that there is no significant conflict with applicable Goals and policies in the Comprehensive Plan, the WSSP, and the CCP.
  - D. Section 1D: The existing zoning is inappropriate because a different use category would be more advantageous to the community (3), as articulated by applicable Goals and policies in the Comprehensive Plan, the WSSP, and the CCP, summarized in Findings 5 through 9 above. Findings 5 through 9 above demonstrate that the request would clearly facilitate realization of applicable Goals and policies in these plans.
  - E. Section E: As stated in findings 5 through 9 above, the permissive uses in the C-1 zone would generally not be harmful to adjacent property, the neighborhood or the community because they would be consistent with existing neighborhood commercial development in the area.
  - F. Section F: The zone change would not require any major or unprogrammed capital expenditures by the City.
  - G. Section G: Economic considerations pertaining to the applicant are a factor, but they are not the determining factor for the request. The applicant has demonstrated that the request is justified based on the responses to Resolution R270-1980 Section C and Section D.
  - H. Section H: The subject site is located on Valley View Drive NW, which is a local street and not a collector or a major street. Therefore, location on a collector or major street is not being used as justification for the request.
  - I. Section I: The request would result in a spot zone, but it would be a justifiable spot zone because the applicant has demonstrated in the responses to Resolution R270-1980 Section C and Section D that the request clearly facilitates applicable Goals and policies of the Comprehensive Plan, the WSSP, and the CCP.
  - J. Section J: The subject site constitutes a "strip of land along a street". However, the applicant has adequately demonstrated in the responses to Resolution R270-1980 Section C and Section

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Project #1011130

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D that the request clearly facilitates realization of applicable Goals and policies in the Comprehensive Plan, the WSSP, and the CCP.

11. The applicant has adequately justified the zone map amendment (zone change) pursuant to R270-1980. Findings 5 through 9 above demonstrate that there is no significant conflict with applicable Goals and policies in the Comprehensive Plan, the WSSP, and the CCP. The C-1 zone would be more advantageous to the community because it would allow applicable Goals and policies to be realized. The remaining sections (A, B, and E-J) are sufficiently addressed.
12. The affected neighborhood organizations are the Riverfront Estates Neighborhood Association (NA) and the Westside Coalition of NAs, which were notified as required. Property owners were also notified as required. A facilitated meeting was neither recommended nor held. Staff has not received any phone calls or correspondence as of the writing of this Staff report.
13. At the hearing, neighbors from the Black Farms Estates Homeowners' Association expressed concerns about increased traffic, ingress and egress issues, noise, and uses allowed in the C-1 zone. They were particularly concerned about the possibility of a bar developing on the subject site; however, a bar is not an allowed use in the C-1 zone.
14. A Traffic Impact Study (TIS) is not required for the zone change request. However, when building permits are submitted, Transportation Staff will review the uses proposed to determine if a TIS is warranted.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **MARCH 24, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

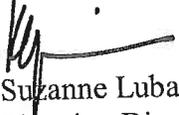
OFFICIAL NOTICE OF DECISION

Project #1011130

March 9, 2017

Page 6 of 6

Sincerely,

  
Suzanne Lubar  
Planning Director

SL/CLL

cc: JB Holdings, LLC & Zia Management, 3613 NM State Highway 528 #H, Albuquerque, NM 87114  
Modulus Architects, Attn: Angela Williamson, 100 Sun Ave. NE, Suite 305, Albuquerque, NM 87109  
Riverfronte Estates NA, Matt Dotson, 1739 Rusty Rd. NW, Albuquerque, New Mexico 87114  
Riverfronte Estates NA, JoAnn McNeil, 1610 Lyria Rd NW, Albuquerque, NM 87114  
Westside Coalition of NAs, Harry Hendriksen, 10592 Rio Del Sole Ct. NW, Albuquerque, NM 87114  
Westside Coalition of NAs, Rene Horvath, 5515 Palomino Dr. NW, Albuquerque, New Mexico 87120  
Emma Kotobi, 9215 Black Farm Lane NW, Albuquerque, NM 87114  
Rich Toledo, 9412 Black Farm Lane NW, Albuquerque, NM 87114  
Michael Mamawal, 9512 Riverdale Lane NW, Albuquerque, NM 87114

**From:** [Dann, Jennifer L, EMNRD](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Subject:** Comments on Integrated Development Ordinance  
**Date:** Tuesday, April 11, 2017 1:28:40 PM

---

Hello,

Thank you to the City of Albuquerque Planning Department for their outstanding effort in revising the Comprehensive Plan and the Integrated Development Ordinance, and their outreach efforts to build community consensus and buy-in through this whole process. I had a few additional comments on the proposed IDO:

Throughout 14-6-4-6, Landscaping, Buffering, and Screening, specifically 4-6.3.L and P

- The term “invasive vegetation” and “non-invasive vegetation” is used in several locations. New Mexico technically does not have an invasive plant species list, but instead a noxious weed list. Recommend adding a definition for the term “invasive vegetation”.

14-6-6-6.3.L Existing Vegetation Credit and Bonus

- Section 1 indicates that only non-invasive and non-prohibited existing vegetation may be used as credit. I am concerned that large established shade trees that are invasive/prohibited (e.g., Siberian elm, Tree of Heaven, Mulberry, etc.) may need to be removed to meet the requirements. Ecosystem service assessments for Albuquerque show that these trees provide a significant percentage of the overall urban forest benefit in air quality and storm water services. Can an accommodation be made to allow them to remain?

14-16-4-6.4 Street Frontage and Front Yard Landscaping, A. Required Street Trees

- Footnote 877 indicates that the maintenance standard was moved to the maintenance section. I did not see a Maintenance Section in the IDO – does this refer to another document?

5-2 Review and Decision-Making Bodies

- I’d like to suggest the establishment of a community-based board or committee whose focus is on the strategic use of natural infrastructure in the city. The Comprehensive Plan and the proposed IDO provide a sound basis for advancing the use of natural infrastructure in Albuquerque, but there is much collaborative work to be done to maximize the many great initiatives and opportunities related to the use of trees, plants, soil, and other components of the environment to address our many needs – from urban heat island effects to creating community sense of place. Community-based boards can help coordinate across city, county, non-profit and private organizations to evaluate needs and set goals, and perhaps most importantly provide a means for the public to be more involved in community natural infrastructure issues. If you are interested in exploring this concept and its structure more, there are many great existing resources that we could adapt and use. As Albuquerque is New Mexico’s biggest urban area and a great trendsetter for statewide efforts, New Mexico State Forestry would be glad to collaborate and partner on the development of such a community-based board.

Thank you for your time and consideration,

Jennifer Dann  
Urban and Community Forestry Program Manager  
NM State Forestry  
(505) 345-2200  
(505) 629-6643 cell  
[JenniferL.Dann@state.nm.us](mailto:JenniferL.Dann@state.nm.us)  
[Click to plant a tree with our NM Re-Leaf Program](#)

**From:** [Christopher Lopez](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Subject:** IDO Concerns for High Desert  
**Date:** Tuesday, April 11, 2017 1:42:35 PM  
**Attachments:** [image001.png](#)  
[IDO Maps.docx](#)  
**Importance:** High

---

The new IDO zoning incorrectly shows a majority of High Desert changing from basic residential to R-T and only one section changing to R-1A, R-1B, R-1C, R-1D (see attached maps). High Desert has a total of 25 separate villages (all with different building standards) and only 3, maybe 4 of them can be considered townhomes; the rest are single family and detached . We are opposed to the new zoning of R-T in the areas that are not townhomes.

## Christopher Lopez

*High Desert Residential Owners Association Manager*



**Phone** 505-314-5862 | **Fax** 505-293-0217

**West Side Main Office:** 505-888-4479

**HOAMCO Emergency: (844) 744-4316.**

P.O. Box 67590 | Albuquerque, New Mexico 87193-7590

10555 Montgomery Boulevard N.E., Building 1, Suite 100 | Albuquerque, New Mexico 87111

**High Desert Website :** [www.highdesertliving.net](http://www.highdesertliving.net)

**HOAMCO Website:** [www.hoamco.com](http://www.hoamco.com)

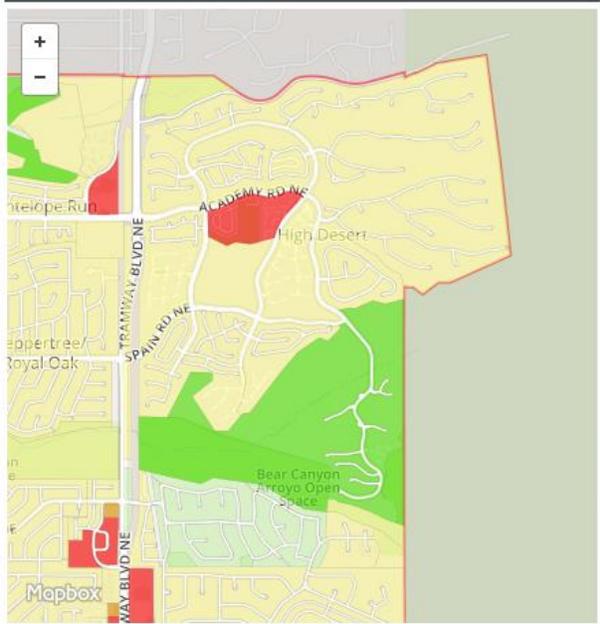
***“How did we do?”***

[HOAMCO Owner Satisfaction Questionnaire](#)

**Let us know at:** <http://www.hoamco.com/satisfaction-questionnaire.html>

***NOTICE: This email may contain information that is business sensitive, company-confidential or proprietary and may be exempt from disclosure under applicable law. If you are not the intended recipient, please do not read, copy or use it, and do not disclose it to others. Please notify the sender of the delivery error by replying to this message, and then delete it from your system.***

## Existing Zoning



## IDO Zoning



### Existing Zoning District Categories

- |   |   |  |
|---|---|--|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; margin-right: 5px;"></span> COMMERCIAL</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: purple; margin-right: 5px;"></span> INDUSTRIAL / WHOLESALE / MANUFACTURING</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; margin-right: 5px;"></span> INSTITUTIONAL / GOVERNMENT</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: orange; margin-right: 5px;"></span> OFFICE</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; margin-right: 5px;"></span> RESIDENTIAL</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; margin-right: 5px;"></span> OPEN SPACE / RECREATION / AGRICULTURAL</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; margin-right: 5px;"></span> RESIDENTIAL / AGRICULTURAL</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gray; margin-right: 5px;"></span> UTILITIES / TRANSPORTATION</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> NOT CLASSIFIED</li> </ul> |
|---|---|--|

### IDO Zoning Districts

- |   |   |   |
|---|---|---|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: purple; margin-right: 5px;"></span> MX-FB MIXED USE - FORM BASED</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; margin-right: 5px;"></span> MX-H MIXED USE - HIGH INTENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: brown; margin-right: 5px;"></span> MX-L MIXED USE - LOW INTENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkbrown; margin-right: 5px;"></span> MX-M MIXED USE - MEDIUM INTENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: tan; margin-right: 5px;"></span> MX-T MIXED USE - TRANSITION</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: pink; margin-right: 5px;"></span> NR-BP NON-RESIDENTIAL - BUSINESS PARK</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; margin-right: 5px;"></span> NR-C NON-RESIDENTIAL - COMMERCIAL</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; margin-right: 5px;"></span> NR-GM NON-RESIDENTIAL - GENERAL MANUFACTURING</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: purple; margin-right: 5px;"></span> NR-LM NON-RESIDENTIAL - LIGHT MANUFACTURING</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; margin-right: 5px;"></span> NR-PO-A CITY-OWNED OR MANAGED PARKS</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkgreen; margin-right: 5px;"></span> NR-PO-B MAJOR PUBLIC OPEN SPACE</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkolivegreen; margin-right: 5px;"></span> NR-PO-C PARKS OR OPEN SPACES OWNED BY OTHER ENTITIES</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: olive; margin-right: 5px;"></span> NR-PO-D CITY-OWNED BIOPARK</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gray; margin-right: 5px;"></span> NR-SU SENSITIVE USE</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightgray; margin-right: 5px;"></span> PD PLANNED DEVELOPMENT</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gray; margin-right: 5px;"></span> PC PLANNED COMMUNITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; margin-right: 5px;"></span> R-1A, R-1B, R-1C, R-1D RESIDENTIAL SINGLE-FAMILY DETACHED</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightyellow; margin-right: 5px;"></span> R-A RURAL AND AGRICULTURAL</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: orange; margin-right: 5px;"></span> R-MH RESIDENTIAL MULTIFAMILY - HIGH DENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkorange; margin-right: 5px;"></span> R-ML RESIDENTIAL MULTIFAMILY - LOW DENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gold; margin-right: 5px;"></span> R-MC RESIDENTIAL MANUFACTURED HOME COMMUNITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellowgreen; margin-right: 5px;"></span> R-T RESIDENTIAL TOWNHOUSE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> UNCL NOT CLASSIFIED</li> </ul> |
|---|---|---|

<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: purple; margin-right: 5px;"></span> MX-FB MIXED USE - FORM BASED</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; margin-right: 5px;"></span> MX-H MIXED USE - HIGH INTENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: brown; margin-right: 5px;"></span> MX-L MIXED USE - LOW INTENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkbrown; margin-right: 5px;"></span> MX-M MIXED USE - MEDIUM INTENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: tan; margin-right: 5px;"></span> MX-T MIXED USE - TRANSITION</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: pink; margin-right: 5px;"></span> NR-BP NON-RESIDENTIAL - BUSINESS PARK</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; margin-right: 5px;"></span> NR-C NON-RESIDENTIAL - COMMERCIAL</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; margin-right: 5px;"></span> NR-GM NON-RESIDENTIAL - GENERAL MANUFACTURING</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: purple; margin-right: 5px;"></span> NR-LM NON-RESIDENTIAL - LIGHT MANUFACTURING</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; margin-right: 5px;"></span> NR-PO-A CITY-OWNED OR MANAGED PARKS</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkgreen; margin-right: 5px;"></span> NR-PO-B MAJOR PUBLIC OPEN SPACE</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkolivegreen; margin-right: 5px;"></span> NR-PO-C PARKS OR OPEN SPACES OWNED BY OTHER ENTITIES</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: olive; margin-right: 5px;"></span> NR-PO-D CITY-OWNED BIOPARK</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gray; margin-right: 5px;"></span> NR-SU SENSITIVE USE</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightgray; margin-right: 5px;"></span> PD PLANNED DEVELOPMENT</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gray; margin-right: 5px;"></span> PC PLANNED COMMUNITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; margin-right: 5px;"></span> R-1A, R-1B, R-1C, R-1D RESIDENTIAL SINGLE-FAMILY DETACHED</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightyellow; margin-right: 5px;"></span> R-A RURAL AND AGRICULTURAL</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: orange; margin-right: 5px;"></span> R-MH RESIDENTIAL MULTIFAMILY - HIGH DENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkorange; margin-right: 5px;"></span> R-ML RESIDENTIAL MULTIFAMILY - LOW DENSITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gold; margin-right: 5px;"></span> R-MC RESIDENTIAL MANUFACTURED HOME COMMUNITY</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellowgreen; margin-right: 5px;"></span> R-T RESIDENTIAL TOWNHOUSE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> UNCL NOT CLASSIFIED</li> </ul>
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X

**From:** [Alicia Quinones](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Cc:** [Alicia Quinones](#); [Lehner, Catalina L.](#); [Renz-Whitmore, Mikaela J.](#); [Henry, Dora L.](#); [Ryan Giar](#); [Beth Baker](#); [Carolyn Kelly](#); [Charmaine Schmille](#); [Richard E Cooley](#); [Carol M. Infante](#); [Ed Baker](#); [viv\\_at@yahoo.com](#)  
**Subject:** Today's Email from ABC-Z Planning Team: Integrated Development Ordinance  
**Date:** Tuesday, April 11, 2017 4:54:10 PM

---

Attn: ABC-Z Planning Team; Zoning:

We are Oso Grande Neighborhood Assn.

We received today's email from you regarding CABQ's Integrated Development Ordinance. You suggested that we return this email with any questions we might have. Thank You. Here is the returned email with our request for written response to our inquiry.

This is our third request to the ABC-Z Planning Team regards a 3-acre parcel of land on Juan Tabo between Montgomery and Spain that we believe requires further attention from the zoning team due to errors in the map, as well as a rezoning that appears to be inappropriate. Other residents have sent in similar requests for information which also have gone unanswered. The text of our two email requests to you is found directly below,

Please reply to our entire Board, shown above, so that we know the Planning Team is responsive to our repeated requests.

Regards

Alicia Quinones

Oso Grande Neighborhood Assn. , Board Member.

Hello Mikaela:

I did not receive response to the email I sent to you on Feb. 8. It's shown below. Would you please address Oso Grande Neighborhood Assoc. legitimate inquiry? Our neighborhood of 485 homes needs to know CABQ's response.

Regards

Alicia Quinones, Board Member

Oso Grande Neighborhood Assn.

**From:** Alicia Quinones <[quinones@cybermesa.com](mailto:quinones@cybermesa.com)>

**Subject:** Request Correction to Zoning Map

**Date:** February 8, 2017 at 12:39:26 PM MST

**To:** [mrenze@cabq.gov](mailto:mrenze@cabq.gov)

**Cc:** Alicia Quinones <[quinones@cybermesa.com](mailto:quinones@cybermesa.com)>, Beth Baker

<[abqbeth@hotmail.com](mailto:abqbeth@hotmail.com)>, Carolyn Kelly

<[carolynk9169@gmail.com](mailto:carolynk9169@gmail.com)>, Ryan Giar

<[ryangiar@gmail.com](mailto:ryangiar@gmail.com)>, Richard E Cooley

<[richardecooley@gmail.com](mailto:richardecooley@gmail.com)>, Ed Baker

<[abqbakers@hotmail.com](mailto:abqbakers@hotmail.com)>, "[viv\\_at@yahoo.com](mailto:viv_at@yahoo.com)"

<[viv\\_at@yahoo.com](mailto:viv_at@yahoo.com)>, "Carol M. Infante"

<[cmcav04@gmail.com](mailto:cmcav04@gmail.com)>, Charmaine Schmille

<[cbschmille@gmail.com](mailto:cbschmille@gmail.com)>

Hello Mikaela:

My name is Alicia Quinones and I am on the Board of Oso Grande Neighborhood Assn. We are requesting both correction and reconsideration to two land parcels located inside Bear Canyon Arroyo and adjacent to Oso Grande NA. If you are not the correct individual to address our issue, then please let us know who will address this issue. CABQ's 12/2016 version of the Conversion Map showing zoning proposals for the City of Albq. are incorrect. Our association is located between Morris and Juan Tabo (East / West boundaries), and Osuna / Spain (North/ South boundaries).

There is one piece of property that is misdesignated on the zoning map, and one piece of property that apparently has not received attention in the new zoning designations. The first is a 7-acre parcel directly east of Oso Grande park. It is currently designed as a large-lot residential property. This 7-acres is actually owned by both CABQ Parks & Rec. and Albq. Water Authority as important utility infrastructure. It is also a City owned Pollinator Habitat which is an existing significant remediated property and public park which is 3-yrs. old. It is geographically part of the Bear Canyon Open Space and Rec. Area. And, it should be colored green on the zoning map as is all surrounding Bear Canyon Arroyo property. It is also a flood control property utilized by Water Authority to channel flooding during storm. It is not privately owned residential property.

The second property we are contesting. It is a 3-acre parcel directly west of Juan Tabo between Osuna and the CNM/AMAFCA flood channel {incidentally this important flood control channel owned by AMAFCA is not represented on the conversion map either}. This 3-acre parcel is shown on the conversion map to be mixed use (presumably commercial property). While this parcel is privately owned, it should be designated as Open Space/ Rec property, or sensitive use property as is all surrounding Bear Canyon Parks & REC property. This parcel is currently designated by FEMA as flood zone (1 to 2 feet of water during storm). It is also important to surrounding housing as mitigation for property damage during flood. It is home to several species of important wildlife as is the surrounding Bear Canyon corridor. And is currently used extensively by pedestrians, bikers, naturalists, wildlife, track, sports, school teams, movie/filming, and other public events. It's zoning designation should reflect its actual usage.....open space for city infrastructure, flood, and recreational/ habitat use for humans and animals.

Oso Grande NA has requested twice in 2016 consideration of both these parcels as Open Space. The Conversion Map is both incorrect and improperly designated. Please respond to our request and reply to this email.

Regards  
Alicia Quinones  
Oso Grande Neighborhood Assn.

On Apr 11, 2017, at 4:20 PM, Planning Comp Plan-UDO  
<[abctoz@cabq.gov](mailto:abctoz@cabq.gov)> wrote:

Hello Neighborhood Association representative,  
You are one of the contacts on file with the City's Office of Neighborhood Coordination for your neighborhood association, and you are receiving this Notice of Decision for the 2<sup>nd</sup> EPC hearing on behalf of your Neighborhood Association. Because this is a citywide action, all neighborhood associations receive the Notice of Decision for each of the Environmental Planning Commission's public hearings on the draft Integrated Development Ordinance (IDO). Please share this notice with your membership.  
The IDO is the proposed update and consolidation of the City of Albuquerque's regulations for land use and development. It covers zoning of properties, standards for subdivision and development, and regulations specific to smaller areas such as historic overlay zones, etc.  
There are FAQs on the ABC-Z project website that may be useful: <https://abc-zone.com/integrated-development-ordinance-frequently-asked-questions>  
Feel free to contact the project team with any further questions by responding to this email. The ABC-Z Team is also happy to meet with individuals or small groups on Monday or Friday afternoons to discuss the IDO and how it relates to your properties and neighborhood.  
A third hearing on the [Integrated Development Ordinance](#) is scheduled for Monday, April 24 starting at 1 p.m. in the Plaza del Sol Basement Hearing Room. This hearing will focus on staff responses to public comments and recommendations for Conditions of Approval.  
The EPC is not taking any additional public testimony. However, they will accept written comment until Wednesday, April 12, 5 p.m. for staff response, and by April 20, 1 p.m. for EPC consideration (under the 48-hour rule). Please submit your comments as early as possible to allow more time to review and respond to your concerns and/or suggestions.

Best Regards,  
ABC-Z Planning Team  
<[image001.jpg](#)>  
<http://www.abc-zone.com/>

<1001620 IDO 4-10-17 NOD Hearing.pdf>

**From:** [Renz-Whitmore, Mikaela J.](mailto:Renz-Whitmore, Mikaela J.)  
**To:** [Planning Comp Plan-UDO](#)  
**Subject:** FW: Three Additional Comments to EPC  
**Date:** Wednesday, April 12, 2017 12:05:34 PM

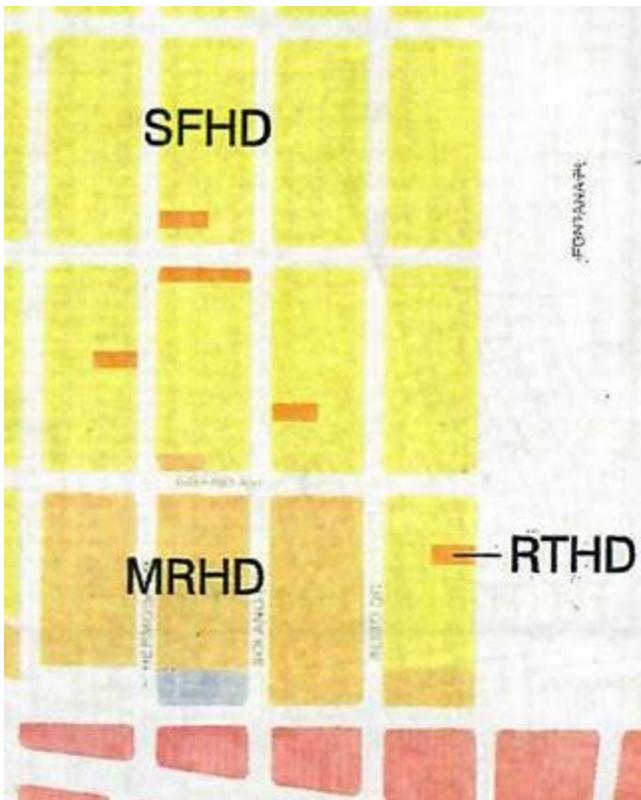
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**From:** Gary & Melodie Eyster [mailto:meyster1@me.com]  
**Sent:** Wednesday, April 12, 2017 12:03 PM  
**To:** Renz-Whitmore, Mikaela J.; Reed, Terra L.; Toffaleti, Carol G.  
**Cc:** meyster1@me.com  
**Subject:** Three Additional Comments to EPC

Friends, Please accept these 3 comments to the EPC. Best regards, Gary

- 1. R-T Zone; Front Setback 15 ft.** Page 15, and Table 4-1-1, page 166...The draft proposes rezoning the MR-HD (Multi-Residential Historic District) to R-T. This area is in the Monte Vista and College View Historic in which the front setback has been 20 ft. from its platting in 1926 until the present. The traditional 20 ft. front setback is crucial to preserving the historic integrity of association and integrity of design of this national register historic district. The historic/current front setback of 20 ft. should be stated in the final document on pages 15 and 166.





2. 5-5.2 B, page 342, **CONDITIONAL USE APPROVAL** states: “The ZHE shall approve a conditional use if the ZHE determines that.....it *will not create significantly adverse impacts* to the adjacent property, the neighborhood, or community.”  
The current ordinance states...”*will not be injurious* to the adjacent property, to the neighborhood, or the community.”  
The standard in the draft “significantly adverse impacts” would make conditional use easier to grant than today. We caution against language that would create more conditional uses that are more negative in their impact than those allowed in the ordinance today. I **support the standard in the current ordinance: *will not be injurious***
  
3. Page 252, Exception to Maximum Height (of fences and walls) allows exceptions for walls up to 6 ft. high in front setbacks. These diminish streetscape and community safety (eyes on the street) diminishing quality of life and property value. Please substitute “*all of the following*” for “*one of the following*” in referring to the three conditions that follow.

**From:** [Kalvin Davis](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Subject:** EPC Comments  
**Date:** Wednesday, April 12, 2017 4:07:30 PM  
**Attachments:** [Geltmore IDO Comment 4-12-17.pdf](#)

---

Please accept this original signed comment letter containing our most recent comments on the EPC draft of the IDO.

Kalvin Davis  
Geltmore, LLC

505-294-8625 Office  
505-559-0587 Cell



April 11, 2017

Mrs. Karen Hudson, Chairwoman  
City of Albuquerque  
Environmental Planning Commission  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102

Re: Amendment to “Official EPC Comments on the Integrated Development Ordinance EPC Draft December 2016 with emphasis on the Premium Transit development height bonus” submitted on January 20, 2017

Dear EPC Commissioners,

Please consider this letter as an amendment to the “Map” section of the letter submitted on January 20, 2017.

After a careful re-read of the Nob Hill CPO in the December 2016 EPC Draft of the IDO, we realized that our understanding of the rules was incomplete. With that said, we are more confused than ever as to the reasoning behind limiting building height bonuses within the EPC draft. The following language that relates directly to building height bonuses in the Nob Hill CPO reads exactly as follows [from page 79, Section 2-7.5(5)(d)(i)(b), emphasis added]:

- b. On properties abutting Central from Girard Blvd. to Aliso Ave., height and density bonuses associated with the Main Street designation or Workforce Housing are not applicable. Bonuses associated with Premium Transit are only available within one block of a Premium Transit station.

Using this information, we have drawn a map of the applicable bonus areas within the Emerging Nob Hill area (between Carlisle and Washington). See map below.



It took a very careful read of the rules (combined with a look at the proposed IDO zoning categories and a city parcel map) to create the map above. It is our opinion that the rules are arbitrary and capricious, especially the language “properties abutting Central” and the language “only available within one block of a Premium Transit station.”

The first issue is the language “properties abutting Central.” This language reads such that it seems properties which do not have frontage or access from Central, yet have MX zoning with any of the bonuses available, will be able to take advantage of those bonuses. See the impact of this language between Carlisle and Aliso, on the south side of Central. It appears that the property “abutting Central” does not qualify for the Workforce Housing bonus, but the properties that abut Carlisle, Hermosa, Solano, or Aliso do qualify. It is also unclear if the second sentence [of Section 2-7.5(5)(d)(i)(b)] applies to only those properties “abutting Central” or if it is a general statement that applies to all properties that have the Premium Transit bonus available. If this sentence only applies to those properties “abutting Central” then the Premium Transit bonus should be applied the same as the Workforce Housing bonus, meaning that the property not “abutting Central” is eligible for two bonuses, yet the property “abutting Central” is eligible for only one (or neither if between Carlisle and Hermosa). This means the property not “abutting Central,” which is more near to the neighborhood could build a building up to 77’ tall [(MX-M) 45’ + (PT) 20’ + (WFH) 12’]. It seems like the form of the bonuses is working backwards, allowing taller buildings closer to the neighborhoods rather than closer to Central.

As seen by the red hatch marks on the map, the Premium Transit bonus is available to all of the properties between Carlisle and Washington within 660’ of a station except for the block immediately east of Carlisle (between Carlisle and Hermosa). This occurs because the “within one block” language appears to only apply up to Aliso, meaning that properties to the east of Aliso, yet within 660’ of a station are still eligible for the bonus. It seems illogical and unfair to those property owners between Carlisle and Hermosa to restrict their property rights as compared to other properties between Hermosa and Washington.

The language in Section 2-7.5(5)(d)(i)(b) appears to have been drafted to protect the Historic Core area (between Girard and Carlisle) and we think that it is well designed to do so. Although, as it is currently written we think it will have a negative impact on the Emerging Nob Hill area, especially the transition between the Historic Core and Emerging Nob Hill in the blocks just east of Carlisle.

The restrictions in Section 2-7.2(5)(d)(i)(b) arbitrarily and capriciously singles out and affects a one block area in the Emerging Nob Hill area directly east of Carlisle and abutting Central. Emerging Nob Hill needs new development, especially mixed-use development with both residential and commercial uses, and the few blocks to the east of Carlisle will be a key component to the success of the area. The Nob Hill CPO should not restrict new development in this area. The language in Section 2-7.5(5)(d)(i)(b) should be rewritten so as to only apply between Girard and Carlisle, which would best allow for Emerging Nob Hill to succeed.

Sincerely,

**Geltmore LLC**

A handwritten signature in blue ink, appearing to read "Paul L. Silverman", with a long horizontal flourish extending to the right.

Paul L. Silverman

CEO/Manager

Geltmore LLC

201 Coal Avenue SW

Albuquerque, NM 87102

**From:** [Marianne Dickinson](#)  
**To:** [Planning Comp Plan-UDO](#)  
**Cc:** [Anita Cordova](#)  
**Subject:** IDO Official Comments for the EPC  
**Date:** Wednesday, April 12, 2017 4:15:00 PM

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Greetings--

In reviewing the new use category "Daytime Gathering Facility," I noted that one type of service not listed in this type of "facility" is ambulatory medical service, such as clinical services provided by Health Care for the Homeless. Is that an oversight, or an exclusion for a reason?

I do applaud the creating of this type of zoning use, to allow these services to be provided in clearly defined settings and stop the criminalizing of people gathering to make use of these necessary services and aid.

Thank you.

Marianne

*Marianne Dickinson*  
*Creative Design~Practical Solutions*  
505.350.9312  
[mdickinson8@comcast.net](mailto:mdickinson8@comcast.net)

**From:** [Ken Balizer](#)  
**To:** [Planning Comp Plan-UDO](#); [Renz-Whitmore, Mikaela J.](#)  
**Subject:** IDO Comments and Questions  
**Date:** Wednesday, April 12, 2017 4:28:44 PM  
**Attachments:** [Letter to EPC re. IDO.docx](#)

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Hi Catalina;

Attached is my letter to Staff and the EPC regarding IDO focusing on Cluster, Co-Housing and Cottage Development, I look forward to your comments. Best regards,  
Ken

1912 Tierra Vida pl. NW  
Albuquerque, NM 87107  
April 12, 2017

Environmental Planning Commission  
City of Albuquerque  
Planning Department  
600 2<sup>nd</sup> St. NW  
Albuquerque, NM 87103  
[abcto@cabq.gov](mailto:abcto@cabq.gov)  
Attn. Catalina Lehner, Staff Planner

Re: Integrated Development Ordinance, RA and R Zones, Uses:  
Cottage, Co-Housing and Cluster Development

Dear Members of the EPC and Staff;

I am the owner of a undeveloped parcel (1.4 acres) zoned RA2 in the North Valley. Approximately 18 months ago a colleague and I submitted a request to rezone the property to provide cottage housing incorporating new single family detached units limited to 1000 sq ft each along with two existing dwellings (approximately 1700 and 1100 sq ft) and one duplex. The clustered layout included approximately 1/3 acre of community gardens, use of the adjacent acequia and a 20 ft landscaped setback along the access street, Rio Grande Blvd.

The proposal, SU for PRD, was well received by the Planning Department and the EPC approved the request unanimously. One neighborhood associations appealed the project to the LUHO on the grounds it was a spot zone; density not appropriate (two high) and clustering not supported in parcels under two acres. Unfortunately, the appeal was upheld.

The applicants argued that the density proposed was actually less of an impact than the likely construction would produce if the land was developed into the large lots and houses allowable under the current zoning.

The IDO in making Cluster, Co-housing and Cottage Development permissive in the RA and R zones will allow most of the development previously proposed. Allowing these types of development as a permissive use is a significant advance for our community in providing housing for small working families, elders and those who value rural character and community. A few questions remain to determine to what degree the IDO actually fulfills on that promise and the benefits of the new proposed uses.

#### Questions re: Cottage Development

1. The Cottage Development does not provide for clustering of dwellings yet that would be beneficial in creating open space, reducing infrastructure costs, creating animal habitat and meeting goals of the North Valley Area Plan to maintain rural character. Is there any reason that clustering could not be included at the discretion of the developer? It would be wise to include such in the text.
2. There are two existing dwelling units on the property (non-conforming uses) approximately 1700 and 1100 sq ft. Is it possible under the Cottage Development to allow these to remain in the new cottage development assuming the development as a whole remains under the maximum sq. ft. density as computed in the IDO?
3. Is it possible to include one or more attached units?

## Questions and Concerns regarding the Development Standards Chapter 14-16-4-1-B Contextual Residential Development In Areas of Consistency.

The prescriptive definitions of allowable development included in the Cluster, Co-housing and Cottage Developments required setbacks and landscaped buffers in the Development Standards provides more than adequate protection to the context of existing development. The addition of this section adds uncertainty as to what is really required, contradicts the Development permissive uses in so far as lot sizes and is, to my mind, entirely redundant.

At my meeting with City planners to better understand the impact of IDO on my particular parcel of land it was suggested that I could avoid the contextual requirements entirely by considering the block created within the development itself as the context. Given the 100ft width of the parcel this alternative is not possible while still producing a community oriented housing layout.

In order to understand, a better description of this parcel and its development options is in order. Frontage along the public access road is 100 ft. the lot is 600+ft back to the irrigation ditch. Logical development would make the 100ft segment along the access street to be the front of the development with a 20ft setback. The rear setback runs along the ditch and fits with the community open space and the side setbacks run the 600+ feet and provides a 10ft setback and buffer. Access off the main road is along the 600+ft north boundary but only long enough to serve parking, fire and garbage truck turnaround but ends prior to new cottage units. The

cottage units are built each side of a community path and open space access way. The limiting factor is the 100 ft width of the land parcel and the desire to create a community layout of the housing and gardens.

The guidelines for these new development types in the Use Regulations are easy to understand and interpretation and confusion is minimal. With the Contextual Residential Development, front setback can be derived from adjacent structures and setbacks but the proscribed setback of 20 ft. is allowed and is workable. The lot size determination is confusing at best.

**The problem is the lot size.** These are to be no less than 75% of adjacent lots on the block. For the lot in question, adjacent on one side is a platted and built R-1 on the other side is one house on 1.5 acres or more. On the block there is similar variety and on the block and across the street are town houses as well as large lot development. The trend of the neighborhood is tear down of modest single-family homes on large lots and development of residential on R-1, townhouses, and quarter acre lots with large, 2500 sq ft plus homes. People of modest means can no longer afford the area.

The addition of the contextual method of computing lot size leaves confusion as to what is allowed and how to determine that. The IDO starts out well in providing a means of determining allowable units and square feet in the definition of Cottage, Co-housing and Cluster Developments but then reverts to an archaic and confusing method abandoning what it just provided in terms of flexibility, creative layout and community style housing. It is important to get this right for

the Valley context of rural and to create small subdivisions that appeal to a desire for community, sense of safety and affordability for working families, starter families and seniors.

Thank you very much, in advance for your careful review of this matter to see if the three Development types discussed can be relieved of the burden of contextual determination of lot size.

Sincerely yours,

Ken Balizer,  
505-573-2648  
KenBalizer@gmail.com

**From:** [Renz-Whitmore, Mikaela J.](#)  
**To:** [Planning Comp Plan-UDO](#); [Lehner, Catalina L.](#)  
**Cc:** [Reed, Terra L.](#)  
**Subject:** FW: Nob Hill IDO Recommendations  
**Date:** Wednesday, April 12, 2017 4:30:15 PM  
**Attachments:** [image002.png](#)

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For the EPC record.

Thanks,

**Mikaela Renz-Whitmore, Planner**

City of Albuquerque Planning Department, Urban Design & Development Division

Project Planner - [ABC to Z](#)

505-924-3932

[mrenz@cabq.gov](mailto:mrenz@cabq.gov)



---

**From:** Adrian Carver [mailto:[adrian.carver@gmail.com](mailto:adrian.carver@gmail.com)]  
**Sent:** Wednesday, April 12, 2017 4:07 PM  
**To:** Davis, Pat; Renz-Whitmore, Mikaela J.  
**Cc:** Foran, Sean M.; Schultz, Shanna M.  
**Subject:** Nob Hill IDO Recommendations

Councilor Davis, and Ms. Renz-Whitmore,

Please see the attached letter containing the recommendations as voted on by the NHNA. We appreciate your attention and the inclusion of this document in the staff report for the EPC!

Please let me know if you have any questions!

ANC

--Adrian N. Carver



President, [Nob Hill Neighborhood Association](#)

Vice-Chairman, [TEDxABQ](#)

Past-President, Board of Directors, [New Mexico Alliance for School Based Health Care](#)  
Founder, Opportunity New Mexico  
National Committeeman, [Young Democrats of New Mexico](#)  
Opportunity Leader, [Opportunity Nation](#)

**[Have you watched my TEDxABQ Talk? Click here to view it!](#)**

**(505)615-0879**

433 Carlisle Boulevard Northeast  
Albuquerque, NM 87106

[Please don't print this e-mail unless you need to SAVE PAPER. THINK BEFORE PRINTING.](#)

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[NHNA EPC IDO Recommendations 04122017.pdf](#) · 6 pages · [Download](#)  

# Nob Hill Neighborhood Association, Inc.

PO Box 4875 | Albuquerque, NM | 87196

TheBoard@NobHill-NM.com

April 12, 2017

Councilor Pat Davis, District 6  
One Civic Plaza  
Albuquerque, NM 87102  
patdavis@cabq.gov  
seanforan@cabq.gov

Mikaela Renz-Whitmore  
CABQ Planning Department  
600 2nd St. NW  
Albuquerque, NM 87102  
mrenz@cabq.gov

RE: NHNA Comments on IDO EPC draft

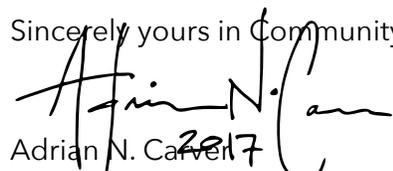
Dear Councilor Davis and Ms. Renz-Whitmore,

At our regular Board meeting on April 11th, 2017, the Nob Hill Neighborhood Association considered a number of statements on the Integrated Development Ordinance EPC Draft dated December 29, 2016. While there is much the Board likes in the draft, the Board is greatly concerned with some details in the IDO that would, if passed as written, detrimentally affect our neighborhood. The Board considered some of the most problematic sections and voted on specific changes to the following clauses of the IDO text.

The format of the document includes those changes in language, some reasoning to explain our intent, and the vote of our board (i.e., in favor, against, abstentions).

There were a number of other statements that the Board did not have time to consider on March 6th or April 11th; these will be discussed at our next meeting and communicated to ABC to Z project team and directly to the EPC.

Sincerely yours in Community,

A handwritten signature in black ink, appearing to read "Adrian N. Carver". The signature is written in a cursive style with a large initial "A".

Adrian N. Carver  
President, Nob Hill Neighborhood Association

# Nob Hill Neighborhood Association, Inc.

PO Box 4875 | Albuquerque, NM | 87196

TheBoard@NobHill-NM.com

## Proposed Comments and Requests Albuquerque Integrated Development Ordinance Nob Hill Neighborhood Association

Version 4 | April 11, 2017

### KEY:

Current IDO Draft Language

*Proposed Additions*

~~Proposed language to be struck~~

NHHSDP=2007 Nob Hill Highland Sector Development Plan

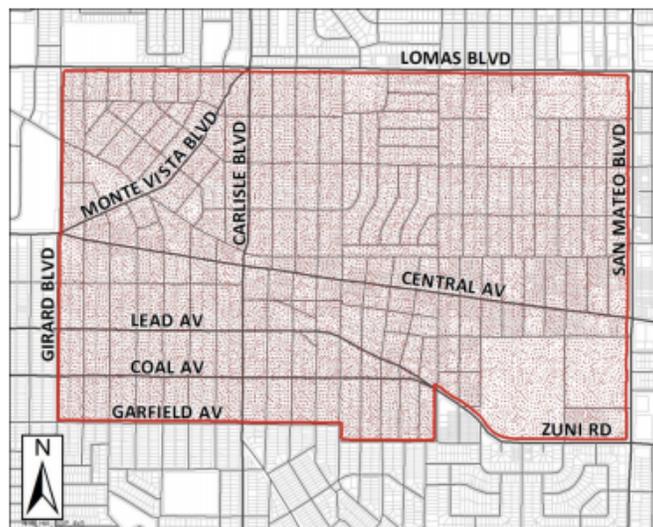
Note: it is implied that if no comment is made on specific language, the NHNA supports that language, as guided by Editorial Comments listed below recommendations.

# Recommendations

## I. 2-4.1: Mixed-Use Transition Zone (MX-T)

### C. District Standards

- i. *For the Nob Hill Highland Area, as mapped below, the Building Standard for the Height, principal Building, max. ft. shall be 26 ft.*



# Nob Hill Neighborhood Association, Inc.

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TheBoard@NobHill-NM.com

## **Reasoning:**

The 2007 NHHSDP allows max height 26 feet, consistent with the original residential nature of the buildings in this zone in Nob Hill. (NHHSDP, pg. 89) The character of this neighborhood must be maintained. **Recommended by the NHNA BOD, March 6. (11 for, 1 against, 0 abstain)**

## **II. 2-7.2.B.5 Nob Hill Highland-CPO-5**

### **Proposed language:**

d. Building Standards

i. Building heights

b. On properties abutting Central from Girard Blvd. to Aliso Ave., height and density bonuses associated with the Main Street designation, Premium Transit, or Workforce Housing are not applicable.

i. *For MX-M Zone Districts in this area, building heights in this area shall be restricted to 39 feet.*

## **Reasoning:**

The community hammered out a 39 foot building height for this area through the sector plan process in 2007. (NHHSDP pg. 89) Neighbors allowed a lot so others could get the heights up to 39 feet from where they had been. The purpose of a CPO is to recognize unique character that is worthy of preservation and preserve it. The district creates city wide value from its historic character. **Recommended by the NHNA BOD, March 6. (9 for, 2 against, 1 abstain)**

## **III. 2-7.2.B.5. Nob Hill Highland-CPO-5**

### **Proposed language:**

d. Building Standards

i. Building heights

c: On properties abutting Central from Aliso Ave. to Graceland Dr., bonuses associated with the Main Street Designation or *Premium Transit* do not apply.

ii. *For MX-M Zone Districts in this area, building heights in this area shall be restricted to 54 feet.*

# Nob Hill Neighborhood Association, Inc.

PO Box 4875 | Albuquerque, NM | 87196

TheBoard@NobHill-NM.com

## **Reasoning:**

Addition of non-applicability of the Premium Transit station to this section clarifies how bonuses can be applied in this area. Typical Premium Transit bonuses are available within two blocks. Because a Premium Transit Station is located within one block of Aliso Ave., one could interpret the bonus to be available on the block between Aliso. and Morningside Ave. This language clarifies that this bonus would not apply on this block. The 54 foot height was agreed upon in the NHSDP in 2007, pg. 89. **Recommended by the NHNA BOD, March 6. (12 for, 0 against, 0 abstain)**

## **IV. 4-5.6.B.1 Carports**

### **Proposed language:**

b. Carports *in the front setback* for single-family, two-family detached dwellings and attached dwellings, and *townhouse dwellings* are prohibited in the following mapped areas.

### **Reasoning:**

Addition of "townhouse dwellings" includes the 3 and 4 plex dwellings in the mapped area.

**Recommended by the NHNA BOD, March 6. (10 for, 1 against, 1 abstain)**

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**Recommendations above this line submitted to EPC staff March 20.**

## **V. 4-6.9.B.6 Fence and Wall Standards: Maximum Height**

### **Proposed language:**

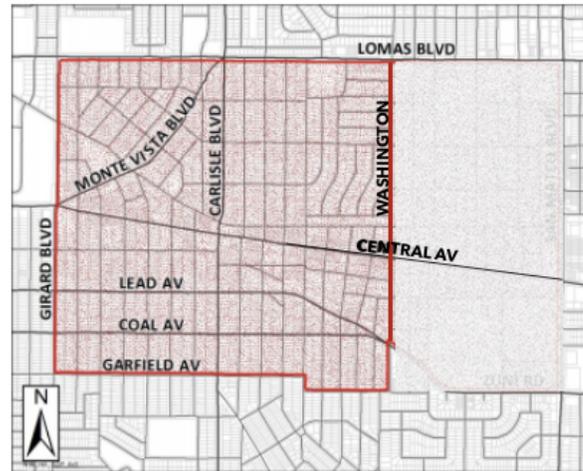
b. Walls, fences and retaining walls greater than three feet are not allowed in the front setback area of parcels with single-family detached dwellings, two-family detached dwellings, and townhouse dwellings in the mapped areas shown. *Exceptions do not apply in the mapped areas shown.*

*Nob Hill Neighborhood Area:*

# Nob Hill Neighborhood Association, Inc.

PO Box 4875 | Albuquerque, NM | 87196

TheBoard@NobHill-NM.com



## Reasoning:

This language clarifies that the Exception to Maximum Height (4-6.9.C) do not apply in the mapped area. **Recommended by the NHNA BOD, April 11. (11 for, 0 against, 1 abstain)**

## VI. 4-10.3 Residential Development

### Proposed language:

Second story additions to existing buildings shall incorporate a minimum horizontal step-back of six feet from the front façade. When there is an existing porch, the step-back is measured starting at the *front façade of the structure, excluding the porch*.

### Reasoning:

This language encourages a small step-back of the building in order to maintain character of homes in the mapped areas. **Recommended by the NHNA BOD, April 11. (9 for, 0 against, 1 abstain)**

## VII. 4-11.7.A Off-Premises Signs, Locations

1. Off-premises signs are not permitted in the following mapped areas, unless otherwise stated below.
  - f. CPO-5 Nob Hill Highland CPO Zone

# Nob Hill Neighborhood Association, Inc.

PO Box 4875 | Albuquerque, NM | 87196

TheBoard@NobHill-NM.com



## Reasoning:

This language brings the IDO in compliance with the Nob Hill Highland Sector Development Plan, as negotiated with neighbors in 2007. **Recommended by the NHNA BOD, April 11. (11 for, 0 against, 0 abstain)**

## VIII. 4-8.2.A Neighborhood Edges, Applicability

2. Share a side or rear lot line with, or are located across a street from:
  - a. A lot in the R-A, R-1, R-MC, or R-T zone district that contains a Household living use (as shown in Table 3-2-1) ~~other than a live work dwelling of multifamily dwelling use;~~ or

## Reasoning:

Neighborhood edges is intended to preserve the residential neighborhood character of established low-density homes in residential areas from tall buildings in the MX zones. However the draft denies that protection for live work dwellings or multi family dwellings which will leave much of Nob Hill without neighborhood edge protection. In the College View addition, for example, many of the structures in the southern end are historic duplexes and one is an old folks home. Indeed, when it was developed in 1926 this portion of the Monte Vista and College View national register historic district was devoted to construction of duplexes. Furthermore, the neighborhood edges provision protects the first dozen or two dozen properties that border on the mixed use zones, not just the first one or two. **Recommended by the NHNA BOD, April 11. (8 for, 0 against, 3 abstain)**

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**Recommendations above this line submitted to EPC staff April 12.**

**From:** [Renz-Whitmore, Mikaela J.](#)  
**To:** [Reed, Terra L.](#); [Planning Comp Plan-UDO](#)  
**Subject:** FW: Comment for the EPC on the IDO  
**Date:** Wednesday, April 12, 2017 4:58:59 PM  
**Attachments:** [IDOSpecificChanges4.12.17.pdf](#)

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**From:** Jolene Wolfley [mailto:sagehome@live.com]  
**Sent:** Wednesday, April 12, 2017 4:52 PM  
**To:** Renz-Whitmore, Mikaela J.; Henry, Dora L.; Toffaleti, Carol G.; Lehner, Catalina L.  
**Subject:** Comment for the EPC on the IDO

I submit the attached letter for staff comment and EPC review for 4/24/17 hearing.

Thank you.

Let me know that you received it.



P.O. Box 66288  
 Albuquerque NM 87193-6288

April 12, 2017

Karen Hudson, Chair  
 Environmental Planning Commission  
 Sent via email

**RE: Integrated Development Ordinance  
 Specific Revisions**

Dear Chair Hudson and Members of the EPC:

We offer the following detailed revisions for you to consider for the IDO.

Notes:

1. Those items in black (with red underline to show suggested revisions) follow from the TRNA Board approved letter of April 4, 2017.
2. Those items in purple (with red underline to show suggested revisions) are currently under review of the TRNA Board.

I

Page in IDO (Dec. 2016)	Section of IDO	General Subject	Actual proposed text change (shown in red and underlined)  Note: Comments shown in purple are still under review of the TRNA Board.	Reason for change/or request for some type of change
p. 99	2.7.4	View Protection Overlay Zone	A. Purpose: The purpose of the VPO district is to preserve areas with unique and distinctive views <u>and to have buildings in the foreground blend with the view of the natural features that are worthy of conservation.</u> <u>View Preservations Overlays must meet the standards of Major Public Open Space.</u>	The Coors Corridor Plan and the Westside Strategic Plan promote policy that would protect the views and require buildings to blend with the natural environment.

			<p>B. Regulations Applicable to Specific Areas.</p> <p>1. Coors Boulevard Corridor – VPO-1</p> <p>a. Applicable Area Standards apply in the mapped area shown below. Where the boundary crosses a lot line, the entire lot is subject to the VPO-1 standards and guidelines.  <u>Review of Site plans for subdivision and building permit by the EPC is required.</u></p> <p>.....</p> <p>b. Views protected by this VPO are from Coors Boulevard, along the segment between Western Trail/NamasteRoad and Alameda Boulevard, looking toward the Rio Grande Bosque and the Sandia Mountains.  <u>c. Structures built in this area shall predominantly use the browns and greens of the Bosque.</u></p>	
<p>p.99</p>	<p>2-7.4.c</p>	<p>Definitions (Coors VPO)</p>		<p>Recommend that the actual definitions be brought into this section (and that the regulatory definitions not be separated, in the back of the IDO). Supportive of Pat Gallagher suggested modifications to graphics on p. 393</p>

				to properly illustrate view frames and sight lines.
p. 101	2-7.4.D	Deviations (VPO)	Administrative deviations from View Protection Overlays are not allowed. Variations from these standards are only available pursuant to Section 4-16-5.2.K (Development Standard Variance), which requires a public hearing <u>before the EPC. The applicant is required to demonstrate that the deviation provides either greater civic benefit or greater natural benefit than the standard.</u>	Brings forward the provisions from the Coors Corridor Plan.
p. 110	3-2	Permissive Use Table -Motor Vehicle-related permissive uses – Light vehicle repair		Remove light vehicle repair as a permissive use in the MX-L zone.
p. 111	3-2	Permitted Use Table Offices and Services.	<u>Indoor</u> Self Storage	Need to make new designations for self storage accessed from the outside. There is a much more impact if the storage is outdoor than indoor.
p. 112	3-2	Permitted Use Table- Retail Sales- Adult Retail		Remove adult retail as a permitted use in NR-C zone. The Westside of Abq should not be the more open to adult retail than the east side.
p. 113	3-2	General Retail, small medium large		Support the square footages as shown.
p.148	3-3.6.D	Drive throughs	4. The service window ... <u>5. The order board shall be less than xx square feet.</u>	Order boards can create a great amount of visual clutter.
p.148	3-3.6.D	Drive throughs	<del>5-6</del> This use is prohibited in the following mapped areas, as noted below. <u>This use is also prohibited</u>	Drive throughs conflict with environmental

			<u>within 330 feet of Major Public Open Space.</u>	values and animal activities in MPOS.
p.169	Table 4-1-2	Summary of Max density/intensity	MX-L <del>30-20</del> du/acre MX-M <del>75-40</del> du/acre	Densities were increased 100-400% from existing zones.
p. 171	Tables 4-1-3	Summary of NR Zone District Dimensional Standards	Max. building height NR-C Other Areas: <del>65-35</del> ft.	Height increase was over 200 percent of existing zone.
p. 177	4-2.5.E.2.a	Fences and Walls Residential	Opaque walls <u>with at least 20% view fencing</u> are <del>only</del> -permitted along arroyo edges with lots in Residential zone districts.	View fencing has been used abutting many arroyos on the Westside to improve the negative look of a solid wall.
p. 181	4-2.8	Properties Abutting Major Public Open Space	Properties <u>Abutting-Within 330 feet of</u> Major Public Open Space. These standards and guidelines apply to development <u>abutting within 330 feet of the</u> Major Public Open Space to enhance the development and protect the Major Public Open Space. <u>If any portion of the parcel is within 330 feet of MPOS, the entire parcel is subject to the MPOS standards.</u>	A transition is needed adjacent to MPOS to make sure environmental values are preserved.
p. 181	4-2.8	Properties Abutting Major Public Open Space	4. Have a 6 foot maximum height for fences and walls in Residential and Mixed-use districts along the Major Public Open Space, constructed of natural or earth tone colors. <u>View fencing atop of base of 3 feet is encouraged.</u>	The wall or fence is an important design transition from the MPOS.
p. 187	4-3	Access and Connectivity		Need to bring provisions of the LRF forward that require LRF larger than xx to have primary access to an arterial street.
p. 187	3.3.C.1.a	Driveways and access general	Every lot shall have sufficient access to afford a reasonable means of ingress ....for those needing to access the property for its intended use.	Vague. Driveway limitations should be tied to the street's functional classification, i.e,

				principal arterial (fewest driveways, etc.)
p.217	5.E.2	Parking Maximums	In areas of the City outside the Downtown, Urban Center, and Main Street areas, additional parking up to 10 percent over the maximum parking requirement may be approved by the Planning Director if the Planning Director determines that additional surface parking may be necessary due to unusual site or use characteristics.... <u>Providing additional parking adjacent to entry points to major public open space qualifies as an unusual use characteristic.</u>	Parking is often limited near MPOS. Extra public parking is needed. Sagebrush Church near Coors/LaOrilla built over parking required, but signed some of that parking as 'public' to accommodate this public entrance to the Bosque.
p. 230	5.9.B	Drive Throughs Stacking Lane Design		Add criteria to reduce the visual clutter of menu boards.
p. 250	6.9.B	Wall Maximum Height	Residential wall height	Is residential wall height maximum 8 feet? That height is very tall for residential to residential walls.
p. 254	6.9.4.a	Wall materials		Rework: Combination of wall materials is problem in existing areas where people haphazardly raise wall heights with a different material than the original wall.
p.255	6.9.4.b	Wall materials		Barbed wire/razor wire is allowed in most non residential areas. Allowing barbed wire in NR-C is a problem.
p. 255	6.9.4.c	Wall materials		Chain link fencing allowed in

				residential districts? Confusing: two uses of 'except' in same sentence.
p. 255	6.9.8	Bicycle access	"shall provide access points in walls....to the maximum extent practicable."	How will "maximum extent practicable" be applied?
p. 269	4-10.5A	Building Facades	Downtown, Urban Center, <u>Activity Center</u> , and Premium Transit <u>and Major Transit</u> areas	Enhanced pedestrian level amenities are needed in more areas of the City. Building façade and articulation standards are important parts of the IDO.
p. 271	4.10.6.b. 2.a & d	Seating and Gathering Areas	a. Each required seating and gathering area shall be at least 40 square feet in size for each <del>60,000</del> <u>50,000</u> square feet of gross floor area;.... d. The seating and gathering area shall be linked to the main entrance of the principal structure and the public sidewalk or internal driveway <u>or adjacent to or with views to public or private open space.</u>	Enhance outdoor seating in more areas. Near Public Open Space is consistent with WSSP.
p. 305	5-2.9.D.3	EPC Membership	In making the recommendation, the Mayor shall attempt to appoint members with experience in <u>neighborhood or</u> community planning, architecture, landscape architecture, urban design, real estate development, transportation, <u>civil engineering</u> and/or real estate finance. <u>The Mayor shall attempt to promote a balance of member backgrounds to create a balanced perspective.</u>	Worthy candidates to the EPC may come from more backgrounds than those listed.
p. 310	5.4.3.A	Neighborhood Meeting	,,,the applicant shall have at least one meeting with <del>a-any</del> <u>Recognized Neighborhood Association</u> <u>Associations</u> (RNA) whose boundaries include the project	Current facilitated meetings are most effective when applicant has project details for

			before filing the application. <u>Seven days prior to the meeting, the applicant shall provide the RNAs with the analysis of avoidance of sensitive areas. The applicant should make every attempt to also provide the scope of uses with general square footages, general site layout, design guidelines, architectural style and/or conceptual elevations, and conceptual landscaping.</u>	neighbors to review.
p.323	5.4.20.A	Finality of Decisions	A decision on a matter by any entity shown in Table 5-1-1 is final unless appealed, in which case it is not final until the appeal has been decided by the last appeal body.	Problem as applied to declaratory rulings which citizens may be unaware of or new circumstances present.
p. 324	5.4.21.B. 1.c	Who may appeal?	An RNA <del>whose boundaries include</del> <u>located partially or completely within one-quarter (1/4) miles of</u> the subject property <del>that can demonstrate the showing of impact required by subsection 2 below;</del> or	RNA should maintain current standing rights and no increased burden of justification
p. 337	5-5.1.F	Site Plan – Administrative Threshold	1. Applicability... b. All new civic, institutional, commercial, or industrial development with less than <del>100,000</del> <u>75,000</u> square feet of gross floor area.	
p. 363	5-5.3.B	Amendment to Zoning Map – EPC Threshold	a. That would amend the Zoning Map to change less than 10 gross acres of land <del>located wholly or partially in an Area of Consistency, (as shown in the adopted Comprehensive Plan), or less than 20 gross acres of land in a zone district located entirely in an Area of Change (as shown in the</del>	Council should be the final authority for all rezonings greater than 10 acres.

			<del>adopted Comprehensive Plan</del> ) to a different zone district:	
p. 364	5-5.3.B.3 and other similar places	R270-1980	A different <del>zone district</del> <u>use category</u> is more <del>consistent with the</del> <u>advantageous to the community, as articulated</u> Comprehensive Plan <del>than the current zone category or other City master plan even though (1) and (2) above do not apply.</del>	Need to preserve the language of R270-1980 which is based in state law.

We express deep appreciation to the Planning Department for their skilled and tireless work in managing this project. We appreciate the work of the EPC to review the IDO and all the community input. Any one section of the IDO could take a City a year to produce and review. Doing all these sections at once, with a zoning conversion map, show take as much time as need to avoid unintentional consequences for the City or the public.

Sincerely,

Jolene Wolfley, Director  
 Government Affairs  
 Taylor Ranch N.A.

**From:** [Toffaleti, Carol G.](#)  
**To:** [Reed, Terra L.](#); [Planning Comp Plan-UDO](#)  
**Subject:** FW: Documents for IDO  
**Date:** Thursday, April 13, 2017 4:06:04 PM  
**Attachments:** [View Preservation Text.pdf](#)  
[VPO comments 41217.pdf](#)

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Sorry, I sent it to Planning ABC-Zone and thought you would see it.

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**From:** Toffaleti, Carol G.  
**Sent:** Thursday, April 13, 2017 8:23 AM  
**To:** Planning ABC-Zone; Lehner, Catalina L.  
**Cc:** Renz-Whitmore, Mikaela J.  
**Subject:** FW: Documents for IDO

Terra, the pdf is already in the folder.

Have not printed out the hard copy. Can you or Catalina please do that?

Thanks,  
Carol

**From:** Patgllgr [<mailto:patgllgr@aol.com>]  
**Sent:** Wednesday, April 12, 2017 2:39 PM  
**To:** [whitmore@cabq.gov](mailto:whitmore@cabq.gov); Toffaleti, Carol G.; [sagehome@live.com](mailto:sagehome@live.com); [aboard10@juno.com](mailto:aboard10@juno.com)  
**Subject:** Documents for IDO

Thanks for a very productive meeting today. Attached are two items: my summary of needed changes to the VPO and my original text for VP in the Coors Corridor re-write.

Best, Pat

April 12, 2017

To: The IDO Team

From: Pat Gallagher

RE: View Preservation in the IDO

The following areas should be addressed, clarified or modified to make the VPO workable, fair and consistent:

An architect or developer attempting to design a building in the overlay zone must look in three very separate places to get the needed information. The intent is articulated in the Comp Plan, the important definitions are on pages 392-394 and the regulatory language is shown on pages 98-101. For a regulation of this kind it would be very helpful to have all three parts in one place in the IDO. This may require repeating the *intent* from the Comp Plan, but it helps to clarify the reasoning behind the regulation.

All site plans that are in the VPO should go before the EPC. This will insure that the view preservation analysis is transparent and able to be replicated by any interested or affected parties.

Under definitions, page 393, the illustration of the View Area, needs to be modified. The positioning of the two View Frames is misleading and historically unusual. The View Frames will normally cross the Sighting Lines at the front of the building, since this is where the highest point usually is. This is important because it affects the width of the View Frame. It makes it definable in a geometrically consistent manner. It is probably adequate to say in the text that more than one View Frame may be necessary to encompass the whole building or site and thus delete the picture of the two frames in this illustration.

In the same illustration page 393, one of the Sighting Lines is shown emanating from the corner of the property. This could cause confusion and should be shifted left or right.

The next illustration, page 394, places the View Frame from corner to corner of the property. This is misleading and confusing and never likely to happen. As mentioned above, the likely view frame would be at the front of the building (90° to the Sighting Line) and intersecting the property lines at two much different places. If the View Frame is to be projected against the mountain as shown it should be precisely parallel to the chosen View frame to avoid any confusion about the projection.

The first illustration shown on page 99 is one of three in the Coors Corridor Plan. All three should be included. The multi-story reference in the original was and should be deleted since 30' buildings can be a single story.

Massing analysis (called Bulk in the IDO) should be done View Frame-by-View Frame in order to conduct a consistent and repeatable analysis. Each View Frame should pass the 50% test.

Thank You.

# View Preservation Text for the Proposed Coors Corridor Plan Modification

Submitted by Pat Gallagher

## 4.1 Definitions

The following definitions explain the terms used in the regulations for view compliance. In general, the key relationships between definitions are these:

Sight Lines form the basis for view analysis

View Frames are based on Sight Lines

View Areas are based on a collection of adjacent View Frames

### Sight Lines

Sight Lines begin at the edge of the roadway and extend to the mountains. In the plan view they are drawn at a 45° angle to the Coors ROW looking approximately Northeast. Sight Lines are chosen to intersect with the highest features of a proposed building. As many sight lines can be chosen as necessary to capture all of the highest features of the building or group of buildings. The distance between any two adjacent sight lines shall be no more than 450'.

Sight Lines in the section view start at a point 4' above the current Coors roadway at the east edge of the east most driving lane. Each sight line extends to the ridgeline of the Sandia mountains.

### View Frame

A View Frame is a vertical rectangular frame drawn 90° to a given sight line (in the plan view) at the highest point on the proposed building. The top of the view frame is established by the highest point of the Sandia ridgeline in the view frame. The bottom of the view frame is the elevation of the Coors ROW where the sight line begins. **The left and right edges of the view frame are an upward projection of the property lines where the view frame crosses the property lines.** If the distance between the left and right edges of the view frame is greater than 450', then additional sight lines will be added.

### View Area

View Area is the collection of the view frames used in the analysis.

### Horizontal View Plane

Horizontal View Plane is used in section views to establish building height limits. The plane is at an elevation 4' above the current (at the time of application) Coors ROW where the sight line begins; see Sight Line definition above. It extends across the entire property toward the mountains.

## View Window

A View Window is a vertical rectangular portion of the View Area that provides an unobstructed view of the mountains above the View Plane. It applies only to properties north of Paseo del Norte.

## Mass

Building mass is the relationship between a proposed building and its surroundings in a given View Frame(s). Mass is measured as a proportion of the projected area of the building to the total area of the relevant View Frame(s).

### 4.3 Structure Height and Mass

- i) Exceptions...
- ii) On sites south of Paseo del Norte
  - a. Height
    - 1. No more than 33% of the total height of a structure may penetrate above the *Horizontal View Plane*...
    - 2. No portion of the structure, including but not limited to parapet, building mounted sign and rooftop equipment, may extend above the Sandia mountain ridgeline.
  - b. Mass
    - 1. No more than 30% of an individual structure's width (as seen in the *View Area*) shall penetrate above the *Horizontal View Plane*.
    - 2. All structures on the development site shall obscure no more than 50% of the *View Area* as observed from each *Sight Line* location on Coors ROW.