

PUBLIC COMMENTS

Received prior to the 48 hour rule deadline of April 4 at 1 pm and
filed by date in the order received.

From: [SRMNA](#)
To: [Planning Comp Plan-UDO](#)
Subject: please acknowledge receipt
Date: Tuesday, March 21, 2017 11:30:44 AM
Attachments: [hearing letter signed.pdf](#)

Please find attached the SRMNA letter to be included in the staff report for EPC consideration.

Ms. E. Ward, President



www.srmna.org

S. R. Marmon Neighborhood Association
P. O. Box 7434
Albuquerque, New Mexico 87194

21 March 2017

Ms. Karen Hudson, Chairwoman
Environmental Planning Commission
c/o Planning Department
600 2nd Street NW, 3rd Floor
Albuquerque, New Mexico 87102

Re: Integrated Development Ordinance (IDO)

Dear Madam Chairwoman:

The Planning Department has repeatedly made the claim that existing zoning code is problematic. No verifiable example of conflict within the Code of Ordinances that has hampered or confused a permitting process has been presented. No example of two applicants receiving different responses under the same set of circumstances has been presented. The Commission and the public have been told there is a problem that needs to be fixed without providing concrete evidence a problem exists. Developers, particularly out-of-state developers, decrying the inability to do whatever they want, wherever they want, whenever they want within our city is not a problem.

We request that the Commission require proof of a systematic problem, not a handful of cases scattered over decades, that requires the complete overhaul of the current zoning regulations to remedy. Please note that this request was presented to a Planning Department ABC-Z team member at an IDO Study Session in early January of this year. Thank you for your time, consideration, and service.

Sincerely,

Ms. E. Ward, President

Ms. A. Notah, Vice-President

From: [Brito, Russell D.](#)
To: [Planning Comp Plan-UDO](#)
Subject: FW: Details for the IDO @ EDo
Date: Wednesday, March 22, 2017 9:00:08 AM

Please include this in the comments for the IDO.

From: David W. Blanc [mailto:dwb@compassrealtyinc.com]
Sent: Tuesday, March 21, 2017 2:46 PM
To: Brito, Russell D.
Cc: Benton, Isaac; Oppedahl, Gary L.; Firth, Deirdre M.; Reilly, Brian; Design Group (Majewski) Doug; Moises Gonzalez; Michelle Negrette; Kara Grant; Dolan, Diane R.; Day C. David; Kara Grant; Bonnie Anderson; Jr. Robert H. Dickson
Subject: Fw: Details for the IDO @ EDo

Russell,

In advance of us meeting again soon, I wanted you to see and hear the perception of another research and reading of the current IDO set forth for the East Downtown (EDo) corridor and the intended mixed-use development opportunities at the fringe of the HHHH Neighborhood. It's really important that we all get this right the first time regarding both the MX designation and the CPO's, if any, which could help shape this transit corridor and influence economic development.

As previously stated in our December meeting, the residential historic community (the HHHDA) should not be treated any differently than the other residential neighborhoods adjacent to the transit corridor throughout this City. In fact, if we want the historic characteristics of the neighborhood to thrive, the best support is a buildable, walkable and shoppable corridor. Currently the MX-L designation promotes an exceptionally low density perception and the confusion of the CPO furthers that perception. Please read below, professional Matthew Lambert's brief comments to me today.

The UCOZ and the current regulatory documents for this area should not be the sole determinants of the new IDO designation unless the City intends the Historic neighborhood and the EDo corridor to fail. The new transit investment is an Economic Development tool but, without an IDO that promotes high density redevelopment through a simple Form Based Code and especially at Transit Stations, the massive investment made by the City and the private sector over the past 10-15 years will have been a waste.

The BCCP and the HHHDA neighborhoods have worked together for years in promoting the future redevelopment of their corridor. How can we now help you and your staff make the modifications to support the needs and perception to make the IDO a successful element for our future ?

Thanks in advance for your response.

David

----- Forwarded Message -----

From: Matthew Lambert <matt@dpz.com>

To: David W. Blanc <dwb@compassrealtyinc.com>

Sent: Tuesday, March 21, 2017 10:43 AM

Subject: Re: Thank you.

David,

We did a little more digging on the NEC of Walter and Central site with Mike and found the following:

- Because you are MX-L the site density is limited to 30 units / acre. We thought it got the premium transit density bonus but that doesn't apply to MX-L, only MX-M and above. So you are limited to a maximum of 18 dwelling units. Of course we think that this is ludicrous at a transit station and that you should be able to build more units.

Matthew Lambert

DPZ | Partner

matt@dpz.com

From: [Renz-Whitmore, Mikaela J.](#)
To: [Planning Comp Plan-UDO](#)
Cc: [Reed, Terra L.](#)
Subject: FW: Comp Plan Congratulations
Date: Wednesday, March 22, 2017 10:11:28 AM

Let's add this to the IDO record.

From: Barkhurst, Kathryn Carrie
Sent: Wednesday, March 22, 2017 10:04 AM
To: Renz-Whitmore, Mikaela J.
Subject: FW: Comp Plan Congratulations

From: Trujillo, Michael, DOH [mailto:Michael.trujillo@state.nm.us]
Sent: Wednesday, March 22, 2017 8:44 AM
To: Barkhurst, Kathryn Carrie
Subject: Comp Plan Congratulations

Hola Carrie,

Congratulations on the Comp Plan and its passing. I am so happy that all that time, money, and effort were not for naught. You can relay that to Michaela.

I remember the initial meetings. I remember seeing what our neighborhood was zoned as, and what it be zoned as under the plan. I recall that the new zone classification was in line with what our neighbor is, and what it should naturally evolve into. Density is coming to Downtown and it is nice. I like to sometimes fool myself into thinking I am walking in Portland or Chicago when I walk Downtown.

Yep, I recall being so satisfied with the plan that eventually saw no reason to go to any more public meetings, which were numerous. I find it odd that very people who said there was no community outreach were people who were in attendance at the early meetings in 2015. They could've spread the word to likeminded neighbors just as I did. What I am saying is that Michaela and you CABQ folks really got the word out on this one.

It's a good plan.

Have a great week.

Michael.

From: [Kalvin Davis](#)
To: [Planning Comp Plan-UDO](#)
Subject: Comment on R-ML Dimensional Standards
Date: Wednesday, March 22, 2017 2:23:09 PM
Attachments: [R-ML Letter.pdf](#)

Please see attached letter detailing my comments on the R-ML dimensional standards

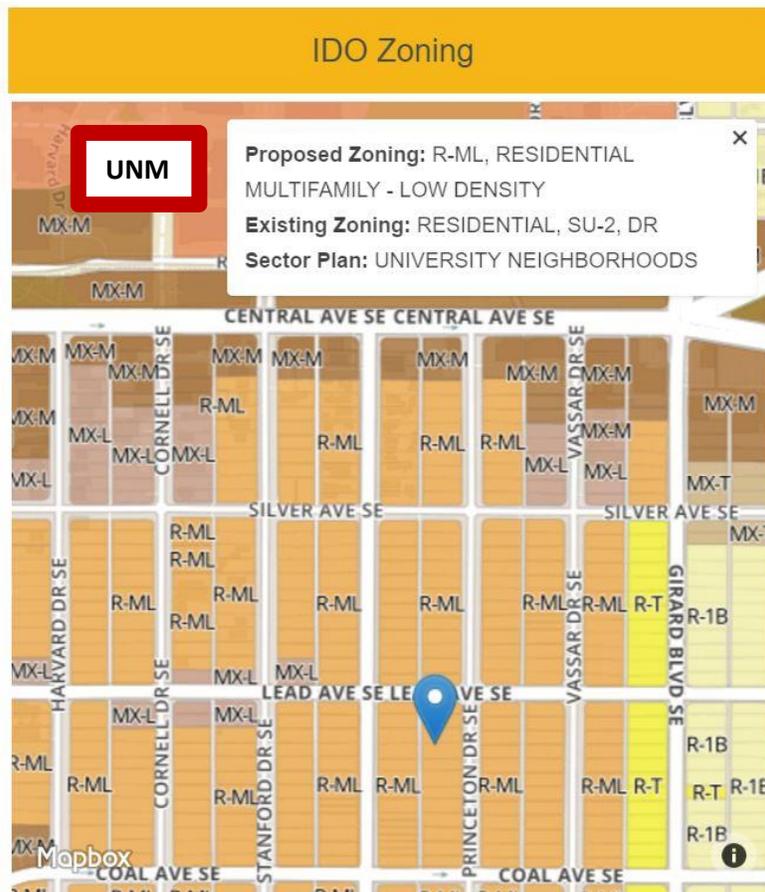
Kalvin Davis
Geltmore, LLC

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

Planning Staff,

The dimensional standards for the R-ML zone need to be reworked. The minimum lot width should either be eliminated, or be adjusted in conjunction with actual lot depth. Please consider the following example.

In the UNM area neighborhood a significant amount of the zoning is proposed to be R-ML. Per the dimensional standards, to develop 'multifamily' on a lot zoned R-ML the lot must be at least 6,000 square feet and have a minimum width of 60 feet. There is a problem with the minimum width criteria as it assumes a lot depth of 100 feet. In the UNM area neighborhood the lots are approximately 140 feet deep and 50 feet wide, meaning that they are about 7,000 square feet. Therefore, the lots in the UNM area neighborhood are around 17% larger in square feet than the minimum required lot size (7,000 square feet vs. 6,000 square feet), but because they are only 50 feet wide they are precluded from developing as 'multifamily.' The minimum lot width to develop 'multifamily' in this area should accommodate lots that are 50 feet wide, so long as they have the appropriate lot area. See the photo below. All the lots zoned R-ML would be precluded from multifamily development per the current 60 feet minimum width standard.



Thank you for considering this input. I think reworking this standard is an important step to fostering new "incremental" multifamily development on lots within this area.

Sincerely,
Kalvin Davis
kalvin@geltmore.com

From: [Michael Contreras](#)
To: [Planning Comp Plan-UDO](#)
Subject: IDO Official Comments for the EPC
Date: Thursday, March 30, 2017 8:04:13 AM

We do have a developer wanting to put a call center in the back, apartments in the middle, and retail on the central frontage. These three uses would not only bring needed employment to the area, it would bring needed housing and needed retail. I doubt that the developer I am working with could work within the NR-C zoning, and would need the MX-H zoning. Everything around it is proposed to have the MX-H zoning designation, even the Legacy Church property which is located further west than 7226 Central SW, is proposed to have the MX-H designation. Can you send me the document that shows the guidelines for your zoning proposal? I do not see the justification for what you are proposing.

Also, the Legacy Church property is currently zoned SU-1, Church & Related Facilities, it's located further west than 7226 Central SW, and you are planning on changing it to the MX-H designation. We want the 13.5+/- acres located at 7226 Central Ave. SW zoned MX-H, just like the Legacy Church property, and the rest of the properties on the north and south sides of Central to the east and west. This would make it fair and equitable for all.

Michael Contreras, CCIM
SENTINEL REAL ESTATE & INVESTMENT
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From: [LORETTA A NARANJO-LOPEZ](#)
To: [Planning Comp Plan-UDO](#)
Cc: [Christina Dauber](#); [jeslopez](#); [Ivan Westergaard](#); [Martha Powers](#); [Bianca Encinias](#); [robert.nelson.abq](#); [Diana Angela Vigil](#); [jaelyn deMaria](#); [Rosalie Martinez](#); [gilsman1](#); [Robert Woodruff](#); [Martha Powers](#); [Christine Critter Montoya](#); [winterjesse](#)
Subject: Re: IDO Zoning Conversion Comments
Date: Saturday, April 01, 2017 8:56:02 AM
Attachments: [LetterPlanningStaffIDO11142016.pdf](#)
[LetterPlanningStaffIDO11142016.pdf](#)

In response to the email below on the IDO Zoning Conversion Comments, attached is the letters MWG has sent to the City Planning Staff. On Monday, April 3, 2017 at 3:30 p.m., the MWG would like to see the zoning categories side by side and understand clearly what zones have increased in intensity and if there are zones that have decreased and understand why?

The MWG continues to request that the single family dwellings are zoned R-1 before the IDO Zone Code is approved.

For at least the last 27 years, the residents of Martineztown/Santa Barbara have asked the City to protect the health, safety and welfare of the residents with R-1 zone. Residents during the Urban Renewal and today expressed that our neighborhood is not for sale and the City continues to ignore our request and allow the business community to dictate our property rights and our right to have a family friendly and environmental protected neighborhood.

On the record, MWG has also stated that all of Martineztown/Santa Barbara should be an Area of Consistency and that there should not be any building higher than two stories. Most importantly, to keep the sector plans. The MX zone legally allows four story apartments obviously this is not compatible with historic neighborhoods and should not be allowed.

All emails and any other letters or documents from MWG in regards IDO is required to be part of the EPC packet. Any all documents from MWG should be provided for the record to the Environmental Planning Commission.

Thank you for your attention to this email.

Loretta Naranjo Lopez, President
Martineztown Work Group

From: Barkhurst, Kathryn Carrie <kcbarkhurst@cabq.gov> on behalf of Planning Comp Plan-UDO

<abcto@cabq.gov>

Sent: Friday, March 31, 2017 2:47 PM

To: 'lnjalopez@msn.com'

Subject: IDO Zoning Conversion Comments

Hello Loretta,

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. If you have any follow up questions, please respond to this email or provide additional comments in the [IDO - Zoning Conversion Map](#).

Comment:

I live in Martineztown/Santa Barbara Neighborhood. My homes at 1127, 1128, and 1129 Walter NE have historically been single family dwelling since inception around the 1800s and early 1900s. The City Comprehensive City Zoning Code was established in 1959. The City was legally required to zone the predominant land use in Martineztown/Santa Barbara as R-1 Single family and protect the neighborhood from detrimental land uses such C-3 zone. The law was never followed by the City. The residents have sent numerous petitions to the City to preserve the historical single family dwellings and zone their homes R-1 zone. This map continues to not value or respect our historical residential neighborhood. The policies of the Comprehensive Plan support the R-1 zoning and preservation of the neighborhood. This map needs to reflect the land use of residential single family dwelling, R-1 zone.

Response:

ABC-Z is proposing to replace the City's existing system of over 700 individual zones to a set of 22 zones. The project team used existing zoning maps to identify where today's zones are and replace them with the closest match to the proposed zones in terms of allowable uses and intended densities/intensities.

The project team analyzed each SU-2 zone for intent, specified land uses, and abutting zoning and matched these as closely as possible to a proposed zone category, described in the draft [Integrated Development Ordinance](#) (see chapter 14-16-2 Zone Districts). The intent is to preserve, as much as possible, the uses currently allowed. For more information about this process, see the Frequently Asked Question about the IDO Conversion Decision Rules on the project website ABC-Zone.com.

The [IDO Conversion Table](#) shows how zones from Rank 3 Sector Development Plans will be reclassified in the new Integrated Development Ordinance (IDO) based on zones proposed in Module 1.

Please note that there are properties with land uses that do not match existing zoning, and this project is not expected to correct this mismatch. Council is collecting information about where such mismatches occur and will address potential zone changes as a second step after the IDO is adopted and the new zone categories are in place.

Your property is currently zoned SU-2 for C-3. More information about this zoning can be found in

the Martineztown/Santa Barbara Sector Development Plan. The proposed zone conversion in the IDO is MX-M. To find out more about this zone, see the draft Integrated Development Ordinance (IDO). A description of the zone is on page 25, and a list of the allowed uses begins on page 105.

Existing development that is legal today will remain legal after the IDO adoption, in terms of uses and design. Chapter 5 of the IDO, released in August 2016, addresses the thresholds for development or redevelopment that would trigger compliance with new design standards.

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.

ABC-Z Project Team



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

November 14, 2016

City of Albuquerque Planning Department
600 Second Street NW, 3rd Floor
Albuquerque, NM 87102

Attention: Mikaela Renz-Whitmore via email mrenz-whitmore@cabq.gov

Dear Planning Staff, Planning Director, and City Councilor Benton,

Martineztown Work Group (MWG) has only begun to touch the surface of a long and complicated Integrated Development Ordinance (IDO). There has been some questions already asked of the Planning Staff regarding the designated zoning and the Intent and MWG awaits a reply.

What MWG has found is the document seems to allow government more discretion and allow very limited public process. The troubling part of this document is that it does not provide the current Comp Plan language Intent. "This article is intended to create orderly, harmonious, and economically sound development in order to promote the health, safety, convenience, and general welfare of the citizens of the city."

What the consultant failed to provide was the public process for the public to be part of the development in IDO. From the first initial meeting with the consultant, he stated he would write the document because it was too technical, but for whose benefit? This document is definitely not for the benefit of residents or the neighborhoods in the city of Albuquerque.

The intensity of zones proposed for Martineztown/Santa Barbara does not reflect the current dominant historical residential land use of single family dwellings. The proposed zoning is detrimental to the health, safety and welfare of the residents. There should be no Area of Change in the adopted Comprehensive Plan for historical Martineztown/Santa Barbara Neighborhood. The only change required is to zone the residential R-1 and to keep and update the neighborhood sector plan.

The proposed designation of our neighborhood does not provide the correct history or does not include the current name, legal boundary or how the City intends to protect the residential area from incompatible land uses that were illegally allowed in a predominantly poor minority historical residential area.

MWG recommends that each zoning in the current Martineztown/Santa Barbara Neighborhood is reviewed with staff with each current and new zone category side by side for review. This is the only way to understand what goals and objectives the City is considering for the neighborhood, which continues to be contrary to the preservation of our historical residential neighborhood. More importantly, with this clear understanding, the neighborhood will understand what environmental impacts the City continues to impose on the neighborhood. A study needs to be done to see if the Comp Plan provides the neighborhood adequate open spaces for light and air including solar access; avoids undue concentration of population, secures safety

from fire, panic, and other dangers; helps control congestion in the streets and public ways; controls and abate unsightly use of buildings or land; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewer, schools, and parks; encourages the most appropriate use of land; to properly channel flood water runoff; to conserve and stabilize the value of property; and to enhance the appearance of the landscape.

There is no reason for this document to be long and complicated since the zones were down to only a few categories that do not represent unique Albuquerque Historic Neighborhoods. The neighborhood leaders need time to have each section of IDO thoroughly explained before the plan is approved. MWG recommends a six month review of the document with staff.

What MWG understands to be true is the current public process works so why change the process. If there is any changes there should be stronger regulations to make sure development does not affect the quality of life for all residents and not just a selected certain residents in certain neighborhoods. Furthermore, renters are residents and should not be left out of the public process.

Sincerely,

Loretta Naranjo Lopez, President
Martineztown Work Group

NOTE SEE ATTACHED COMMENTS ON IDO

From: [Besim Hakim](#)
To: [Planning Comp Plan-UDO](#)
Subject: Offical Comments to EPC on the IDO
Date: Saturday, April 01, 2017 6:45:05 PM
Attachments: [Hakim comments-IDO Dec2016.pdf](#)

Comments on IDO/ EPC Draft/ December 2016, by Besim S. Hakim, FAICP, AIA

-- The document is too long and difficult to use. It requires excessive cross-referencing to arrive at a complete picture of what is required for a specific site or project. As it stands now it is likely that it would require the training of individual(s) whose job will be to help applicants, individuals and companies, to understand and follow the detailed requirements set out in the IDO. Pages 9 through 101 can be vastly improved.

-- Section 2-3, pp. 9-52, Residential Zone Districts, that includes Section 2-4, pp. 21-40, Mixed-Use Zone Districts, with the exception of Mixed-Use Form Based Zone (MX-FB), pp. 29-40, Section 2-5, pp. 41-52 Non-Residential Zone Districts, the following comments apply:

-- The air view drawings are not useful and can be deleted. The axonometric, shown on the reverse side of each zone, can be placed on the front page and can be partially enlarged to show its contextual location relative to adjacent properties.

-- Each zone's dimensional standards must include an **intent** statement for the standards that are indicated in the box that contains standards for the lot, setbacks, building standards, etc. Without the information in an intent statement the numerical standards can easily be considered as arbitrary. It should be noted that the (MX-FB) zone is user friendly and easy to understand and contrasts with the numeric standards, and their related axonometric diagrams, for all other zones.

-- Consider extending the Downtown area standards (MX-FB-DT) to apply to the Downtown Neighborhood Area (CPO-2). East Downtown (CPO-3) can also benefit from MX-FB-DT standards; or consider grouping the parcels indicated into two or three groups and apply general standards to all parcels plus additional specific standards to the two or three groups.

-- Coors Boulevard Corridor (CPO-1), pp. 65-67, and (VPO-1), pp. 98-100, rules and standards should be placed together, such as those on pages 98, 99, and also to include those on pp. 392-394.

-- Re Garage Types in Volcano Mesa as indicated in Table 2-7-1 on pp. 87, 88. These types might be applicable to other zones.

-- Consider applying General Standards to all these zones: CPO-4, CPO-5, CPO-6, CPO-7, and CPO-8, plus additional specific standards for each zone as needed. This will simplify implementation.

-- Old Town (HPO-5), p. 94, building heights should also be controlled relative to their effect on blocking the views of the Sandia Mountains.

-- An example of a prescriptive standard that is not necessary is item 3-3.2.C.3b. on page 121; the percentage that is indicated in the previous item C.3a is sufficient.

- Section 4-9, Solar Access, p. 265: graphics are needed to complement the requirements indicated for building heights.
- Section 4-10, Building Design, pp. 267-271. What are the sources and basis for these standards? Are they inspired by developments in other cities that are deemed successful?
- Section 4-11, Signs, pp. 272-293. Signage requirements should be based on clear design principles and criteria. This section can be streamlined. Graphics are needed. Examples of signage design principles and good graphics can be found in the book *Street Graphics*, by William Ewald, Jr. and Daniel Mandelker.
- Sections 5-1: Procedures Summary Table, 5-2: Review and Design-Making Bodies, 5-3: The Planning System, 5-4: General Procedures, 5-5: Specific Procedures, 5-6: Non-conformities, 5-7: Violations, Enforcement, and Penalties, pp. 298-385. Are these seven sections taken from the Development Process Manual (DPM)? If they are, do they replace the DPM?
- The whole IDO needs to be streamlined with the goal of making it user friendly. Graphics, wherever needed, will help in achieving that goal. Examples of user-friendly graphics are on pages 31-40, 230, 240-244, 248-251, and 254.

From: [Carrie B.](#)
To: [Planning Comp Plan-UDO](#)
Cc: sbmartineztown@gmail.com
Subject: Proposed Zoning Concern Santa Barbara-Martineztown
Date: Sunday, April 02, 2017 4:17:37 PM

To Whom It May Concern,

I own and live at 1210 Walter ST NE in the Santa Barbara - Martineztown neighborhood and have tremendous concern in regard to a property across from mine which is proposed to be re-zoned as MX-M from its current zone as C-3. This property is sizable and has frontage on Walter ST NE, Mountain, and Edith. Under the current C-3 zone the maximum allowable construction height on this lot is 26' and current existing structures are well below this. Under the proposed MX-M zone, the maximum allowable height is 45' which is a considerable leap from the current allowable height. While I have no qualms with the use allowable under MX-M, with the exception of signage, the allowable height is of particular concern because it is a drastic change from the current allowable height, does not keep with the character of the neighborhood, and is not in keeping with the traditional use of this property and other properties of this size in the neighborhood.

Further, my lot is buffered to the rear (east) by Stone ST which is considerably elevated above this particular section of Walter ST NE. Utilizing a 2016 solar access diagram of Albuquerque along with the accurate longitude and latitude of my lot, it can be undeniably concluded that any structure built immediately in front (west) of my home on Walter ST NE which exceeds the currently allowable 26' building height will significantly impede solar access to my home placing my lot, as well as those adjacent to it, in a veritable pit with a dearth of natural light and resulting in increased energy expenses, decreased quality of life for myself and my family, and possible decrease in property value.

I would kindly request that the zoning board and all other committees and boards involved in this decision making process add a codicil and/or exception to this proposed C-3 to MX-M property by maintaining the current maximum allowable height of 26' and by restricting signage to that which is in keeping with the character and traditions of the Santa Barbara - Martineztown neighborhood.

Respectfully,
Carrie Bittay-D'Intino

Carrie Bittay-D'Intino, RN
1210 Walter ST NE
Albuquerque, NM 87102-1622
carriebittay@gmail.com
H: [505-554-2355](tel:505-554-2355)

CC: Santa Barbara-Martineztown Neighborhood Association

From: [Carol Krause](#)
To: [Planning Comp Plan-UDO](#)
Subject: Comments for IDO
Date: Sunday, April 02, 2017 8:54:24 PM
Attachments: [C3 areas in sbmt.PNG](#)

According to our current 1990 SBMT Sector plan areas with SU 2 C-3 zoning have a max height of 26 ft. This is consistent with surrounding building heights and is consistent with our vision for the future of SBMT.

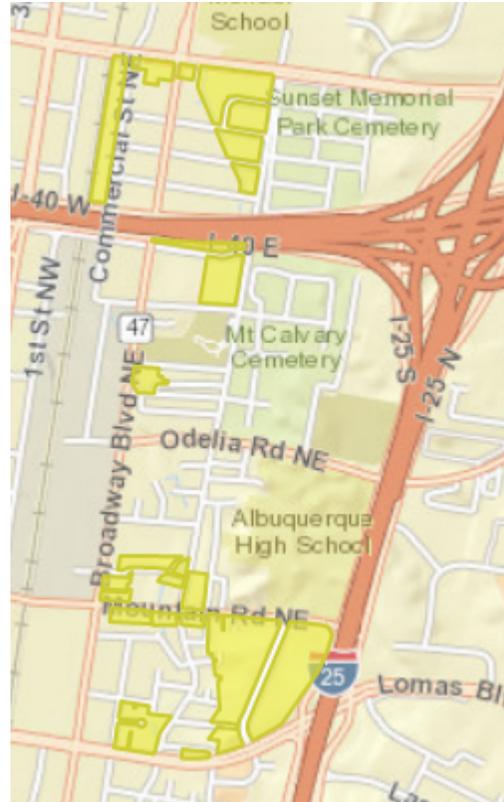
However the new MX-M zoning, while matching similar uses does not match building height with a 45 ft limit. This is doubling the current max and is unacceptable as nearly all of the SU2 C3 areas are abutting single story residential use areas. Such heights would invade solar rights of neighbors and be inconsistent with the surrounding buildings.

Please see the attached picture of all C3 areas highlighted in yellow(ish) color.

This needs to be addressed in the new IDO to ensure we do not burden our community with buildings that are out of character or would create an unwanted hardships for neighbors.

Thank you

Carol Krause



From: [John Black](#)
To: [Planning Comp Plan-UDO](#)
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.
Date: Monday, April 03, 2017 11:06:33 AM
Attachments: [2017 March 10 COA Zone Change to Tr. 3F-1-A & Tr. 3G-1-A & Tr. 3H.pdf](#)

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.

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@wrealty.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 permissible 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 3I) 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 permissible 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

Page 2 of 6

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

OFFICIAL NOTICE OF DECISION

Project #1011130

March 9, 2017

Page 3 of 6

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,

OFFICIAL NOTICE OF DECISION

Project #1011130

March 9, 2017

Page 4 of 6

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

OFFICIAL NOTICE OF DECISION

Project #1011130

March 9, 2017

Page 5 of 6

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 15th 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.

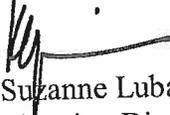
OFFICIAL NOTICE OF DECISION

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: [LORETTA A NARANJO-LOPEZ](#)
To: [Planning Comp Plan-UDO](#)
Cc: [Lewis, Dan P.](#); [Jones, Trudy](#); [Harris, Don](#); [Winter, Brad D.](#); [Gibson, Diane G.](#); [Davis, Pat](#); [klarissapena@cabq.gov](#); [Sanchez, Ken](#); [district1@bernco.gov](#); [District2@bernco.gov](#); [district3@bernco.gov](#); [district4@bernco.gov](#); [district5@bernco.gov](#); [Bianca Encinias](#); [Diana](#); [robert.nelson.abq](#); [Rene Harvoth](#)
Subject: Final Version of Letter and the Graph
Date: Tuesday, April 04, 2017 8:17:42 AM
Attachments: [FinalHNALTRInequities4.3.17.pdf](#)
[IDO CompPlan-2015-08-03-SurveyResults-final-7.pdf](#)

I have attached the letter from the Historic Neighborhood Alliance to the Environmental Planning Commission with the survey. If you have questions, please call me at 270-7716.

Thank you.

Loretta Naranjo Lopez, President
Martineztown Work Group/HNA

April 3, 2017

Karen Hudson, Chair
Environmental Planning Commission
CABQ Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Attn: Catalina Lehner, Staff Planner

Dear Ms. Hudson,

Greetings! This letter is a follow-up letter, to an original letter sent on March 20, 2017, addressing inequities in the process for the proposed Albuquerque & Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO). The Integrated Development Ordinance, for the City of Albuquerque, is a regulatory document that creates new zoning codes and definitions for land uses, directly impacting private and public property. Both documents should reflect a process that ensured and produced equitable participation so that these documents reflect the values of the entire community and ensure constitutional rights and due process. The public participation process, for the proposed Comprehensive Plan and the IDO, have failed to be inclusive of minorities and provide equal voice in the process of democracy as shown by the City's own data (attached to this letter). **We are requesting that the proposed Integrated Development Ordinance be deferred for 14 – 16 months to allow time for the implementation of our recommendations as outlined in this letter.**

The City Resolution, sponsored by Councilor Isaac Benton and Councilor Trudy Jones at the request of Mayor Richard Berry, that initiated this project in 2014, provided for a timeline of 3 to 4 years for this project, "to provide a rigorous public participation process to ensure meaningful input and maximize citizen and stakeholder engagement." Community meetings and outreach efforts were kicked off in 2015. Based on the City's own data, the participation of minorities in the development and vision process for the proposed Albuquerque and Bernalillo Comprehensive Plan and the proposed Integrated Development Ordinance (IDO) was well below their representation in terms of population. From 1,115 polled attendees at these planning meetings, **79% of respondents were white, non-Hispanic, only 15% of respondents were Hispanic, Latino or Chicano, less than 2% for Native Americans.**

In county-wide and focus group meetings, **the following statistics** depict the lack of inclusion of minorities in the planning process. On May 20 and 21 of 2015, the city's planning department held 2 county-wide meetings at Los Griegos Community Center and Hiland Theater respectively. At Los Griegos, of the 39 polled attendees, close to 60% were white, non-Hispanic and only 25% were Hispanic, Latino or Chicano. Both Native American (0%) and Black or African Americans (0%) were not represented at these meetings. At the next meeting at Hiland Theater, of the 58 polled attendees, 82% were white, non-Hispanic and only 11% were Hispanic, Latino, or Chicano. Only 2% were Native American and no Black or African Americans were represented at the meeting.

Close to half of the population in Bernalillo County is Hispanic (48%) as outlined in the proposed Comprehensive Plan, 80% Hispanic in the South Valley as outlined in the report by University of New Mexico (UNM) Bureau of Business & Economic Research (BBER), and 80%

in the West Central Area according to a Retail and Market Analysis Report by Prime Properties for the City of Albuquerque. According to census data, the International District is 61% Hispanic, 23% White Non-Hispanic, 7% Native American, 2% African American and 2% Asian. Millennial participation throughout the planning process was also skewed. At a meeting held at on March 31, 2015 at Tractor Brewing, of the 39 attendees polled, 74% were white, non-Hispanic and only 15% were Hispanic, Latino or Chicano. Less than 5% were Black or African American and 0% were Native American.

According to the National Real Estate Investor, currently minorities, specifically Hispanics, make up almost half of all Millennials in the United States. This is also reflected in Bernalillo County, where, according UNM BBER, most Millennials live in southwest area of Bernalillo County and Hispanics make up the largest percentage of the millennial population in Bernalillo County. In addition, according to the Albuquerque Public Schools (APS), two-thirds of APS population identifies as Hispanic, Latino, or Chicano.

Data for developers and business owners was also skewed at the May 20, 2015. Of the 33 participants, **over 80% were white**, non-Hispanic and only **13% were Hispanic**, Latino or Chicano. Native Americans (0%), Black or African Americans (4%) and Asians (0%) were not represented at this meeting.

The process for developing the proposed Integrated Development Ordinance (IDO) and the proposed Comprehensive Plan, both of which address and affect a community's right to be involved in decisions regarding the development of their land and community, has failed to appropriately include the Spanish speaking community. The draft documents for the Integrated Development Ordinance (IDO) are written in English only. The costs of this budget item should have been prioritized and included in the overall budget for this project and funded by the City, City Councilor discretionary funds, in addition to seeking support from foundations in the state.

All this data shows that the City Planners and Consultants implemented a public outreach plan that was culturally insignificant and ineffective. As community-based planners, residents, community members, business owners, retirees, we have asked ourselves is this poor planning, or by design? In particular, why has the City of Albuquerque not notified all property owners, via regular mail, regarding these proposed regulatory changes?

We recommend the following proactive solutions and steps to reconcile this inequitable process:

- Defer the proposed City of Albuquerque/Bernalillo County Integrated Development Ordinance for at least 14 – 16 months. .
- Equity not only as a goal of the IDO, but as a process as well, authentically engaging and empowering neighborhoods with inclusive public participation
- Sector Plans shall remain in effect until Community Planning Assessments are completed through a meaningful neighborhood-based process representing diverse stakeholders.
- Community-based development according to Sector Development Plans as equitable tools (participation, input and legal standing) for communities to engage in the development and protection of their neighborhoods
- Work in partnership with the Racial Equity Project, which is convened by Living Cities. The City of Albuquerque was identified and selected as a site to address racial equity.

- Proper, equitable notification to residents and neighbors, for example: Sending notifications through the County Assessor mailing regarding property values and taxes in addition to utility bills such as electric or gas bill.
- Publishing drafts of the plan in Spanish (and other languages) as equitably as possible
- Develop a working group composed of multiple, diverse stakeholders from neighborhoods, to initiate a culturally significant and effective strategic community-based development plan of action, ensure meaningful integration of community feedback and recommendations, oversee implementation, and conduct yearly evaluations based on metric defined by the neighborhoods.
- Require all City/County Staff Planners, the Director of Planning for the City of Albuquerque and Bernalillo County, the Mayor for the City of Albuquerque, and all Albuquerque City Council Members and Bernalillo County Commissioners to participate in an Anti-Racism training specific to the history of land use and zoning in the Southwest, specific to the history of New Mexico.
- Identify and work with planning experts from our neighborhoods who know our unique history, culture, and traditions of planning and development. The consultants should reflect the diversity of the neighborhoods. This is part of any job creation strategy.

This work can be accomplished through funds that the City has for planning to address poverty and equity work. What is the status of this funding?

In closing, we are requesting that the proposed Integrated Development Ordinance (IDO) be deferred for 14 to 16 months to allow time for the implementation of the recommendations outlined in this letter. Repeating past mistakes that have been made through inequitable planning policies, trends, and best practices do not serve our city. We invite you to develop a vision for our communities that is equitable, ensures due process, upholds our constitutional rights, ensures civil rights, environmental justice, traditional and historical land rights and decision-making, and community-based planning that builds community.

We look forward to working in partnership with you; you can reach us at lnjalopez@msn.com or robert.nelson.abq@gmail.com.

Respectfully,

Bianca Encinias El Chante: Casa de Cultura HNA & Wells Park Resident
 Diana Dorn Jones United South Broadway Corp.
 David Wood President Greater Gardner N.A.
 Lee Graham Clayton Heights/ Lomas del Cielo N.A.
 Chad Gruber Attorney
 Robert Nelson Wells Park N.A. HNA
 Richard Moore Los Jardines Institute
 Catherine Mexal Wells Park Resident
 Ilse Biel Resident South San Pedro
 Sarah Walker MS, MPH Parkland Hills
 Barbara Grothus Downtown Resident
 Angela Vigil Martineztown Work Group & Victory Hills
 Sheila Murphy Wells Park Resident

Camille Varoz North Valley Resident
Elizabeth Stacy Vencill Member of SENA & HBANA
Loretta Naranjo-Lopez Martineztown Work Group and HNA
Esther Abeyta San Jose Resident
David Chavez South Broadway Resident
Pat. G. Martinez North Valley Resident
Marie R. Marmash South Broadway Resident
Paul Lusk South Valley Resident
Ivan Westergaard Martineztown Work Group, St. Paul Lutheran
Linda M. Lopez NM State Senator District 11
Mario Cruz, M.D. President
New Mexico Black Wellness Coalition
Lucas Pedraza Reynolds Addition Resident
Sofia Martinez Ph.d Voces Feministas South Valley Resident
Jay Gonzales Wells Park Resident
Ellen Bellamy Educator Westside Resident
Matt Henderson New Mexico Organizing & Support Center
Ian Mentken HNA
Else Tasseran Martineztown Work Group, St. Paul Lutheran
Carmie Lynn Toulouse Public Education Commissioner District 3
Elisha Miranda-Pohl Barelmas N.A.
Patricia Wilson AIA Victory Hills Resident
Felix Lucero South Valley Resident
Joseluis Ortiz South Valley Resident
Doyle H. Kimbrough North Valley Resident
Marissa Joe MCRP Candidate La Montañita Co-op Board Member
Javier Benavidez Southwest Organizing Project
Bernadette Mares Barelmas Resident
Edwina Kiro Wells Park Resident
Theresa J. Cordova Ph.d Los Duranes Resident
Sonora Rodriguez Rail Yards Market ABQ Resident
Maria Bautista ABQ Resident
Mauricio de Segovia E. San Jose Resident
Em Ward SRMNA Resident
Sean Potter Los Duranes Resident
Bridget Llanes Elder Homestead
Erin Engelbrecht MCRP, MPA Victory Hills Resident
Stella Padilla Old Town Resident
Ron Romero Casa Barelmas
Amelia Pacheco, Sawmill
Karen Cathy South San Pedro Board Member
Nyira Gitana Artist/Advocate
Bahati Ansari South Valley Resident
Cliff Campbell Nob Hill Resident
Kay Bounkeua Executive Director New Mexico Asian Family Center
Susan Schuurman Old Town Resident

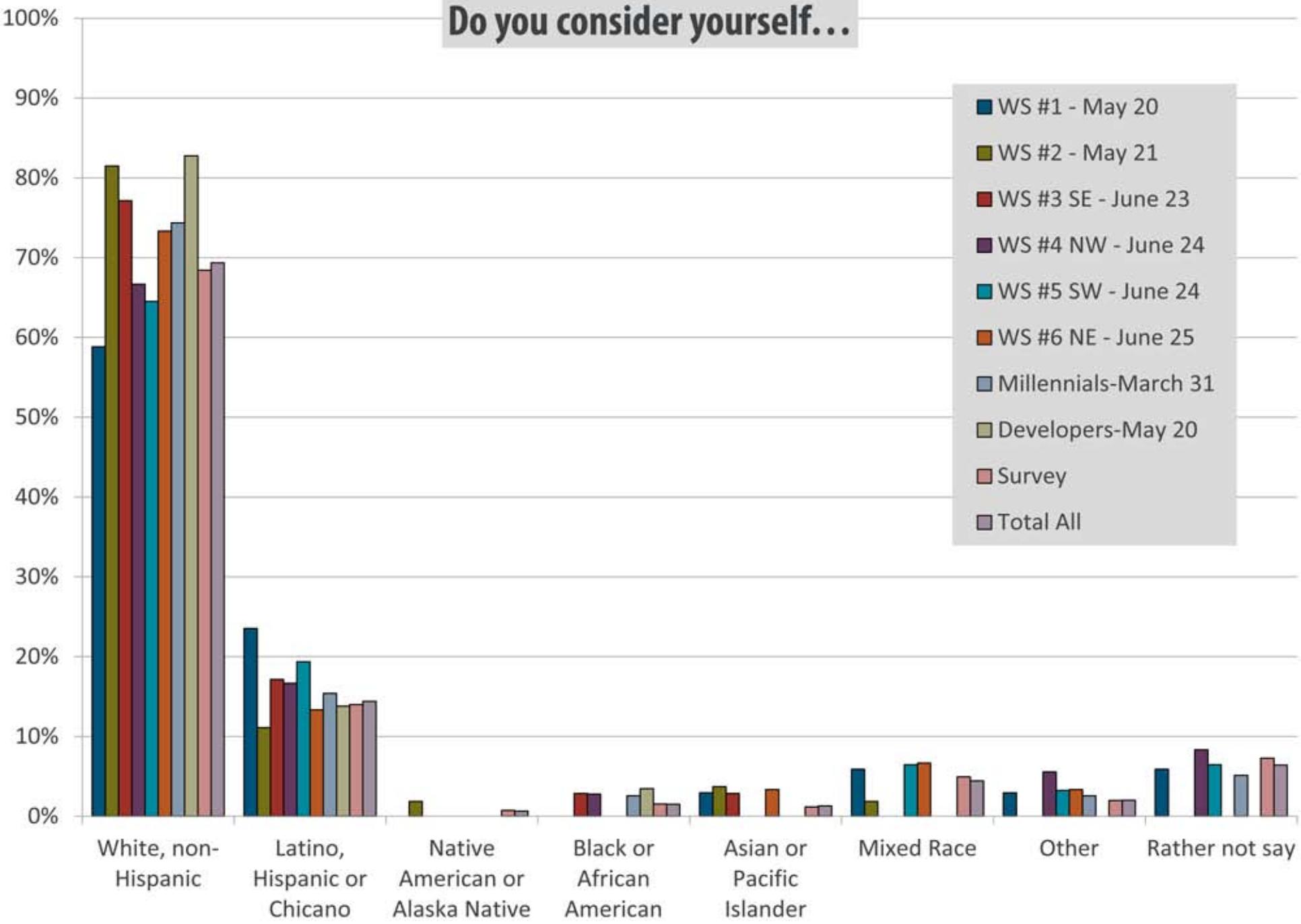
Ron Casias Silver Platinum Downtown N.A.
Peace and Justice Center (ABQ)
Tiffany Broadous South Broadway Resident
Alicia Chavez Young Women United
Steve Wentworth Alameda North Valley Association
Amy Whitfield Executive Director YWCA

CC:

City Albuquerque Mayor Richard Berry
Albuquerque City Councilor Trudy Jones
Albuquerque City Councilor Klarissa Peña
Albuquerque City Councilor Ken Sanchez
Albuquerque City Councilor Dan Lewis
Albuquerque City Councilor Brad Winter
Albuquerque City Councilor Diane Gibson
Albuquerque City Councilor Pat Davis
Albuquerque City Councilor Don Harris
Bernalillo County Commissioner Debbie O'Malley, President, District 1
Bernalillo County Commissioner Steven Michael Quezada, Vice-President, District 2 Bernalillo
County Commissioner Maggie Hart Stebbins, District 3
Bernalillo County Commissioner Lonnie Talbert, District 4
Bernalillo County Commissioner Wayne Johnson, District 5
U.S. Senator Martin Heinrich
U.S. Senator Tom Udall
U.S. Representative Michelle Lujan Grisham
N.M. Representative Gail Chasey
N.M. Representative Christine Trujillo
N.M. Representative Sheryl Williams Stapleton
N.M. Representative Javier Martinez
N.M. Representative Patricia Roybal Caballero
N.M. Representative Antonio Maestas
N.M. Representative Miguel Garcia
N.M. Senator Jacob Candelaria
N.M. Senator Jerry Ortiz y Pino
N.M. Senator Michael Padilla
N.M. Senator Linda M. Lopez
Harold Bailey, Ph.D, NAACP
Joseph Scantlebury, W.K. Kellogg Foundation
Jessica Coloma, W.K. Kellogg Foundation
Arelis Diaz, W.K. Kellogg Foundation
La June Montgomery Tabron, W.K. Kellogg Foundation
Wendy Lewis, McCune Foundation
Henry Rael, McCune Foundation
William Smith, Santa Fe Community Foundation
Christa Coggins, Santa Fe Community Foundation

Xavier De Souza Briggs, Living Cities Board, Ford Foundation
Craig Howard, Living Cities Board, The John D. & Catherine MacArthur Foundation
Dr. Risa Lavizzo-Mourey, Living Cities Board, Robert Wood Johnson Foundation
Patrick McCarthy, Living Cities Board, The Annie E. Casey Foundation
Tim Keller, N.M. State Auditor

Do you consider yourself...



From: [Moye, Laurie](#)
To: [Renz-Whitmore, Mikaela J.](#); [Toffaleti, Carol G.](#); [Reed, Terra L.](#)
Cc: [Moye, Laurie](#); zephyr@swcp.com
Subject: PNM IDO comments
Date: Tuesday, April 04, 2017 8:46:33 AM
Attachments: [EPC IDO letter revised with enclosure.pdf](#)

All,

Attached please find PNM's latest comments on the IDO. Laurie

Laurie W. Moye

PNM

Public Participation and Regulatory Relations

System Engineering

Aztec Building A

2401 Aztec NE

Albuquerque, New Mexico 87107

505-241-2792

505-241-2363 fax

PNM
2401 Aztec NE, Z200
Albuquerque, NM 87107
505-241-2792
www.pnm.com



April 3, 2017

Chair Karen Hudson
City of Albuquerque
Planning Department
Environmental Planning Commission
600 2nd St NW
Albuquerque, NM 87102

Subject: Comments on the City of Albuquerque Draft Integrated Development Ordinance

Dear Ms. Hudson:

As a key utility stakeholder, PNM appreciates the opportunity to provide input on the City of Albuquerque Draft Integrated Development Ordinance (IDO).

PNM has participated in many Integrated Development Ordinance workshops and meetings since its inception and has provided input and comments throughout the process. PNM would like to recognize the hard work of City of Albuquerque's Planning Department staff on this significant task. City staff members have been responsive in listening to PNM's comments and most concerns have been adequately addressed.

The following important electric utility infrastructure components that are related to the final 2017 Comprehensive Plan and thus relate to the IDO include:

1. Recognizing electric utility facilities as essential public infrastructure in the City and County;
2. Protecting and safeguarding critical energy utility facilities;
3. Addressing the importance of how infill and redevelopment in centers and corridors will need to be efficiently served in the future by expanded electric utility infrastructure; and finally,
4. Acknowledging the link between robust electric utility infrastructure and the ability to serve growth and economic development.

While the IDO Zoning Conversion Map was being developed, PNM requested equivalent zoning on two electric facility parcels; however, the existing IP zoning or equivalent for these two parcels was not carried forward into the current draft map. The two referenced electric facility parcels are Reeves Generating Station and Sandia Switching Station, both currently zoned "Industrial Park: IP" (Enclosure). The City's proposed zoning for both is "Non-Residential Business Park: NR-BP". The current IP zoning allows for industrial uses in an industrial environment which is defined as follows:

"This zone provides suitable sites for a wide range of industrial and commercial uses, provided such uses are conducted in a compatible and harmonious manner within industrial environments achieved through a Development Plan." Permissive uses include...(19) Public utility use or structure and fire stations, provided their location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission."

The definition of the zoning district "Non-Residential-Business Park: NR-BP" is as follows:

"The purpose of the NR-BP district is to accommodate a wide range of non-residential uses in close proximity while buffering potential impacts of each use from surrounding uses and adjacent areas. A wide variety of commercial, research, light assembly, development, office, distribution, showroom, processing, and institutional uses are permitted..."

PNM is requesting the EPC to designate Reeves Generating Station parcel and Sandia Switching Station parcel with the "Non-Residential General Manufacturing: NR-GM" zoning. The definition of the NR-GM zoning district is as follows:

"The purpose of the NR-GM zone district is to accommodate a wide variety of industrial, manufacturing, and heavy commercial uses, particularly those with noise, glare, or heavy traffic impacts, in areas separated from residential neighborhoods and lighter impact businesses and mixed-use areas."

In closing, PNM is requesting zoning from the new zoning districts for these two electric facility parcels from NR-BP to NR-GM.

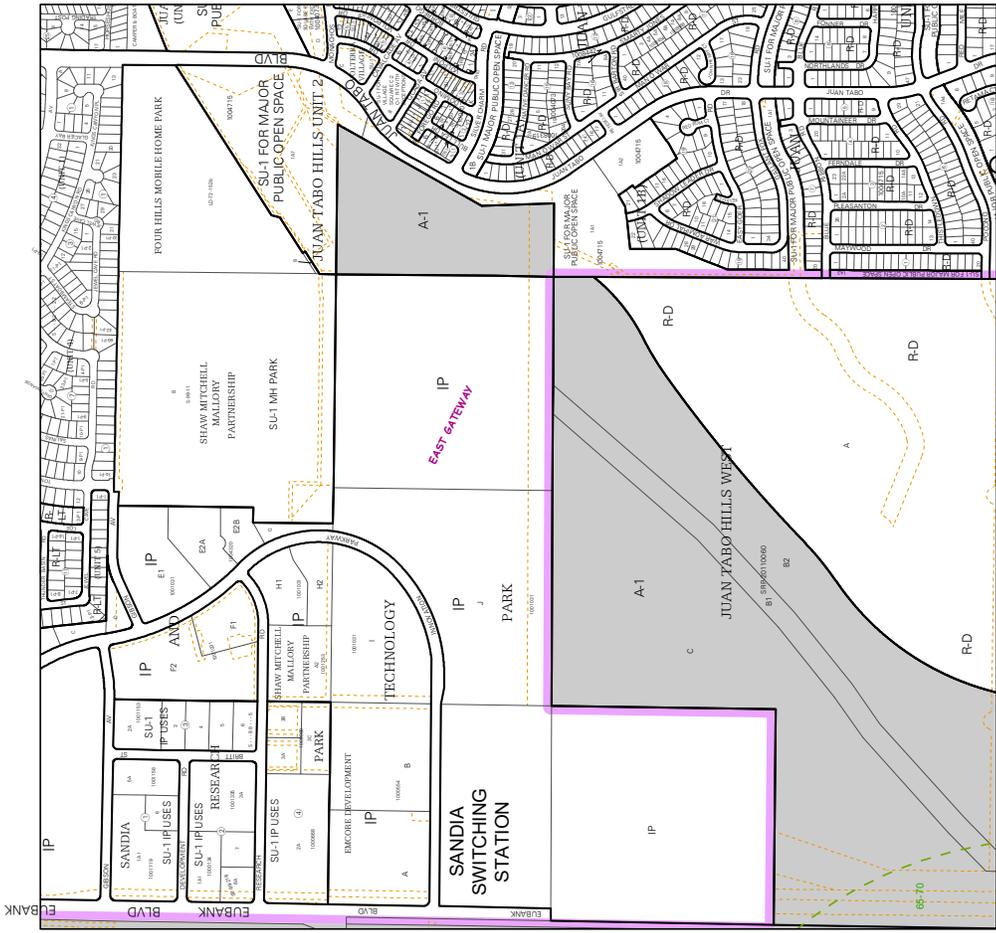
Thank you for your consideration.

Sincerely,



Laurie Moyer
Coordinator, Regulatory Project and Public Participation

Enclosure



For more current information and details visit: <http://www.caba.gov/gis>

Zone Atlas Page: **M-21-Z**

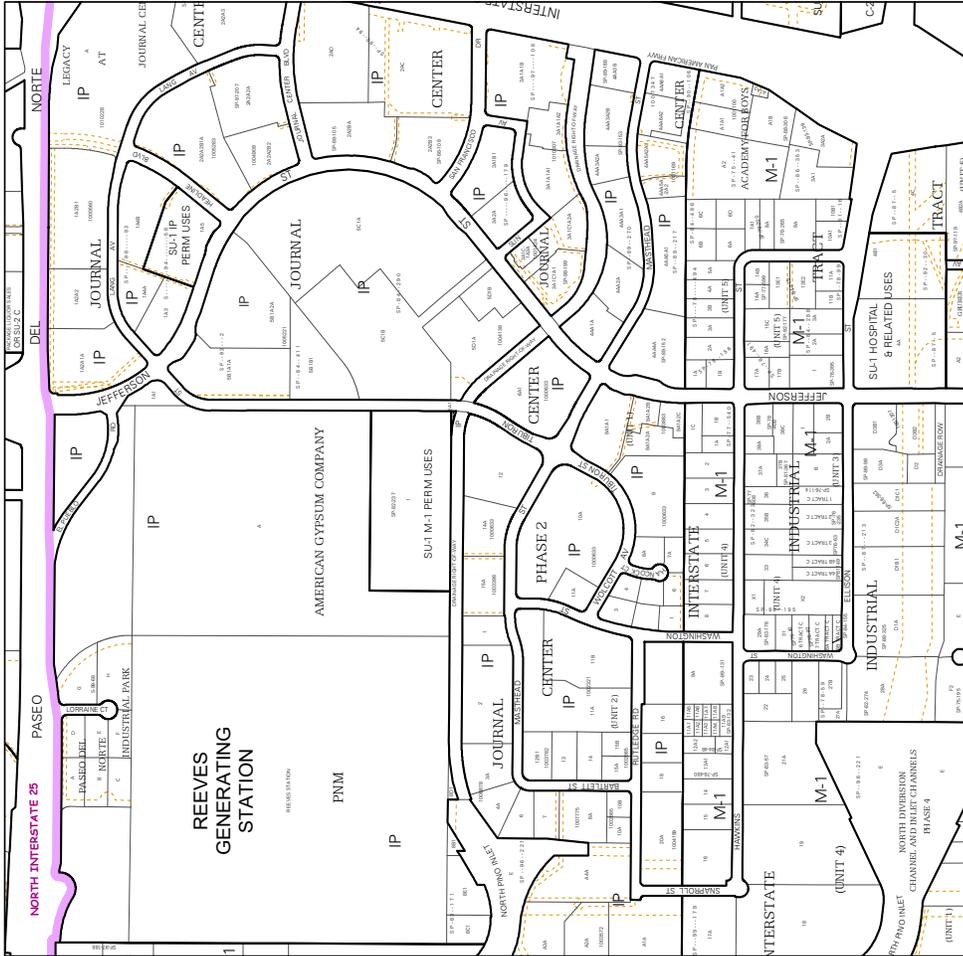
Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Paratryphon Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

Note: Grey Shading Represents Area Outside of the City Limits

Map amended through: 1/28/2016

AGIS
Albuquerque Geographic Information System



For more current information and details visit: <http://www.caba.gov/gis>

Zone Atlas Page: **D-17-Z**

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Paratryphon Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

Note: Grey Shading Represents Area Outside of the City Limits

Map amended through: 1/28/2016

AGIS
Albuquerque Geographic Information System

Chairman Hudson and Commissioners:

A relatively simple process just approved the new Comp Plan in City Council. The Comp Plan is a complicated policy statement with far reaching implications. Quite more complicated is the IDO. It is regulatory. The new document proposes thousands of changes of regulatory law affecting hundreds of thousands of citizens. Every page of the nearly 500 page document contains changes in the way business is to be done in developing land in Albuquerque. Clearly the development interests got a head start in proposing these changes, and the Planning Department spent two years putting it all together. Now the citizens have but a few weeks to find the changes, analyze their effects, write comments and prepare for a public forum. This is impossible, unfair and a degradation of governance.

Perhaps the most far reaching change is how the EPC itself is involved. Power is shifted to the executive branch to approve plans heretofore the province of the EPC and the public. They call it streamlining; we call it a power grab. Currently, Site Plans get reviewed by the EPC based on well considered Sector Plan criteria. The proposed new IDO sweeps away that process with administrative approval and the public is not even notified. Only a Big Box-sized development would trigger EPC scrutiny.

On the West Side we have just experienced the future IDO and it is not pretty. A development approved in 2005, was somehow revived and the public was not notified. Administrative approval allowed its flawed View Preservation analysis to go forward without proper correction. Buildings will get built that obstruct views of the mountains and Bosque and no one can be held accountable. No appeal is available. The public is currently the only channel for doing and checking legitimate view analysis and we are being cut out of the process.

Regarding the IDO version of the View Preservation regulation, small variations in definitions will allow ambiguous calculation of "massing," which is a very important part of the regulation. Furthermore the fairly simple 1984 Coors Corridor version is scattered among the Comp Plan, the regulatory section of the IDO and its separate definitions section. It is virtually impossible to comprehend and follow as proposed. This regulation alone took years to develop and now we must digest the new version in a few short weeks. Adding insult to injury, the EPC is being pushed to approve its own dismissal/recusal from this important process.

Only a few examples are shown here; there are hundreds more that could and should be addressed. This IDO needs to be dismantled and considered in its parts. There should be a public hearing on every part of each Sector Plan that is being deconstructed. Only in this way can we, the people, and the EPC retrieve the voice it has had in the arena of land development.

Respectfully submitted,

Pat Gallagher
24 Link NW (La Luz)
Albuquerque

From: [Donna and Mike](#)
To: [Planning Comp Plan-UDO](#)
Subject: Official Comments to EPC on the IDO
Date: Tuesday, April 04, 2017 11:05:50 AM

The IDO Zoning Conversion Map needs to provide users with more details. For instance, the parcel of land at 1325 Park Ave SW, Albuquerque, NM 87102 is labeled on the map as "PD," which the map legend identifies as "Planned Development." But the map doesn't provide a way to find out what development is planned for the parcel. This creates uncertainty. Please improve the IDO Zoning Conversion Map to add clarity to zoning designations.

Donna Michels
1331 Park Ave SW
Albuquerque, NM 87102

Toffaleti, Carol G.

From: Cloud, Jack W.
Sent: Tuesday, April 04, 2017 12:39 PM
To: Planning Comp Plan-UDO; Lehner, Catalina L.; Renz-Whitmore, Mikaela J.; Brito, Russell D.
Cc: Biazar, Shahab; Dicome, Kym
Subject: Comments to forward to EPC for consideration
Attachments: Reply to staff response .docx

Attached are clarifying comments to Staff Responses -

Further Clarification to Staff Response of Agency Comments 2017-03-30:

No.

1 1-9.3 (pg. 4)

In addition to prohibiting restrictions on solar collectors, the Subdivision Ordinance [§ 14-14-4-7(B)] requires a note to be placed on plats regarding future restrictions; this existing section 7(B), as well as the caveat of section 7(C) needs be retained in the IDO.

Staff response was to not make this change because: “The IDO is intended to include provisions that need review by...- the City Council – to change.” However, the referenced provisions were specific in the adoption of the “Solar Collector” ordinance adopted by the Council, with the intent to make the ‘Solar Note’ an ordinance requirement not an administrative action.

11 4-4.12 (pg. 199)

Easements are ‘granted,’ only right of way is ‘dedicated’ – insert the words “or granted” after all references to “dedicated.”

Staff response appears to have reversed the use of the term ‘dedicated.’ By using the form of the proposed change, 4-4.12.B should be revised as follows: “Easements or rights-of-way designated for public infrastructure shall be granted or dedicated, respectively,...” while 4-4.12.B.1. should be revised as follows: “All easements or rights-of-way granted or dedicated, respectively,...” and 4-4.12.B.3 is appropriate as written in the EPC Draft – December 2016.

15 Table 5-1-1 (pg 299)

Footnote 1119 - Subdivision of Land – Major Application Type should read: Preliminary Plat (Including Variance and/ or Subdivision Improvement Agreement Extension), plus it is at this level the Neighborhood notification is required.

Staff response addressed the first part of this comment, but did not include Neighborhood Notification.

26 5-5.2.H.2.a.i. (pg 352)

Footnote 1323 This item does not carry forward the intent of § 14-14-4-1(B), but instead has conflated it with the variances related to lot sizes which are the jurisdiction of the ZHE. The Subdivision Ordinance is specific to subdivision design standards, which includes dimensions for easements, rights of way and alignments along with quantities/ dimensions of infrastructure. A new Item 2.a.ii should be inserted after Item 2.a.i to read as follows: A request must demonstrate that varying from the normal requirements will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning, or that extraordinary hardship or practical difficulty may result from strict compliance with the minimum standards.

Staff response addressed the new language, but has retained criteria from the existing Bulk Land Variance; previous discussions had indicated that a Bulk Land Waiver should not be a ‘variance,’ therefore Items 2.a.ii, 2.a.iii and 3.c.should be deleted from the EPC Draft – December 2016.

6-1

(pg 398 - Footnote 1498) Easements are not allowed by the City within public right of way

Staff response was for more research, specifically regarding utilities in City right of Way; currently these situations are handled through Franchise Agreements.

(pg 405/407 - Footnote 1544) Lot definitions 2. and 3. should include the references to the appropriate ordinances from the existing Zoning Code definitions

Staff response was for more information; the reference was to what a legal "Lot" is when created by plat or metes and bounds prior to adoption of specific City or County ordinances.

(pg 423 - Footnote 1626) Street, Stub definition is incorrect – see DPM Chapter 23.5.D.5

Staff response was for modification to the current terminology; however the footnote incorrectly identifies this modified definition as "*existing*."

Altura Real Estate, LLC

Kim D. Murphy, Principal
kim@altura-real-estate.com

Memo

To: ABC-Z Team

From: Kim Murphy, ARE *KDM*
Representing Albuquerque Academy

Date: April 4, 2017 12:15 PM

RE: Public Comments: EPC IDO Hearing (April 6, 2017)

I have reviewed Planning Staff's tabulation of Public Comments assembled for the EPC Hearing on April 6, 2017. My particular interest relates to Staff responses to matters raised in my previous memo dated January 17, 2017, as addressed in Comments 98 through 139.

I appreciate very much Staff's effort to reply to these questions, comments and concerns... many of which have been satisfactorily clarified. However, there are several issues that require additional consideration. They fall into two general categories: 1) those that relate to the "validity" of existing Master Development Plans, and 2) general matters.

Existing Master Development Plans

- Concur with Staff response to Comment 105 that Master Development Plans should be defined as a subset of "Master Plans"
- For the purpose of determining appropriate development review procedure under 14-16-5 (Administration & Enforcement), Master Development Plans approved prior to the IDO effective date should be designated "Policy Decisions: Amendment to Zone Map- EPC" (14-16-5-5.3.B)

Discussion/Rationale: Staff response to Comment 105 highlights possible confusion between Master Development Plans (aka Site Plan for Subdivision) and Site Plans. Historically, Master Development Plans are principally zoning instruments, often combined with development standards, which have been approved by the EPC. As such, they are policy decisions that are much different than physical site plans. Clarifying that EPC will maintain jurisdiction over these prior-approved zoning documents provides important historic consistency.

- Sections 14-16-5-6.5 (Nonconforming Signs) and 14-16-5-6.6 (Nonconforming Site Features) should be amended to provide that development parcels within existing Master Development Plans approved prior to the IDO effective date and where at least 50% of a particular parcel area or 50% of the approved gross square footage of such parcel has been developed as of the IDO effective date will be governed by the applicable sign and site feature development standards set forth in said Master Development Plan, so long as such sign and site features relate to a permitted use, i.e not an approved conditional use or a nonconforming use.

Discussion/Rational: Currently the draft IDO does not adequately deal with partially developed or potentially redeveloping existing Master Development Plans that have pre-IDO approval. Staff responses to Comment 101 seem to focus on changes to an approved site plan and not to future phases of an approved Master Development Plan. Today, existing development within the built portion of the Master Development Plan conforms to the approved development standards. So long as the development is at least 50% complete, it seems reasonable that future phases should conform to the development standards contained in the

Altura Real Estate, LLC

Kim D. Murphy, Principal
kim@altura-real-estate.com

approved Master Development Plan to ensure consistency of design, aesthetics and functionality.

General Matters

- MX-L Zone: Include the following as conditional uses:
 - Personal and business services, large
 - General retail, medium
- All MX & NR Zones: Increase general retail building square foot parameters in order to align with market conditions, as follows:
 - General retail, small: <15,000 sf (currently 10,000 sf in draft)
 - General retail, medium: 15,000 sf to 65,000 sf (currently 10,000 sf to 50,000 in draft); groceries: <80,000 sf (currently 70,000 sf in draft)
 - General retail, large: >65,000 sf (currently 50,000 sf in draft); groceries: >80,000 sf (currently 70,000 sf)
- Section 5-4.23 (Expiration of Approvals): Although an existing regulation is in place (14-16-3-11), I'd recommend that the time periods be "reset" to those proposed in the IDO
- Section 5-5.2.D (Expansion of Nonconforming Use or Structure): 2,500 sf limitation seems unreasonably low

As always, thank you for your consideration.

Kim

Toffaletti, Carol G.

From: Mike Leach <mdl@sycamore-associates.com>
Sent: Tuesday, April 04, 2017 11:42 AM
To: Planning Comp Plan-UDO
Cc: jimw@gotspaceusa.com; keithmeyer@gotspaceusa.com; dave@gotspaceusa.com; Smith, Jim @ Albuquerque
Subject: IDO comments

I am representing CARNM below are my comments regarding the IDO for the EPC hearings.

Page 24 Mixed Use Moderate Density replaces C-2 on Page 25 it says "no outdoor storage" Presently there are plenty of properties zoned C2 that do have a need for outside storage. For example a gas automotive repair shop, paint and body shop etc. I would think it would be reasonable to add on this page "no outdoor storage unless it is screened by solid wall or opaque fence 6" in height when abutting residential zoned property".

3.2 Permitted Use Table

Dwelling, live-work Page 98. Presently our zoning code allows a watchmen's quarters under M-1 and M-2 zoning. This table needs to be either changed to "Dwelling, live-work, watchman's quarters or a new heading in the table labeled "Dwelling watchman's quarters" and should be labeled either a P or an A under NR-LM (M-1) or NR-GM (M-2). It should also be defined in the definitions portion of the IDO as "Dwelling Watchman's Quarters"

Sorority or fraternity Page 99. The definition in the IDO is for sororities and fraternities associated with an educational institution to house students. There are also other fraternal organizations within the City and County that are not associated with an educational institution. For example American Legion, Veterans, Elks, Order of Eagles, Fraternal Order of Police. Either another category for these private non-educational related fraternal organizations needs to be added into the table and also a definition for these types of fraternity needs to be added. Presently these types of fraternities are located in C2 through M1. This category should be a P under the new NR-C, NR-BP, NR-LM and NR-GM.

Adult or child day care page 100, should be a P under NR-LM (M-1) and NR-GM (M2) not an A. I know of several day care facilities in Albuquerque metro area that are in M-1 zoning.

Under Elementary or middle school and also under High school page 100 we need to add "Charter school". We have all leased and sold property to Charter Schools. The last one I did was to Corrales International School at 5500 Wilshire NE. Property is zoned M1. This should be allowed as a P under both NR-LM (M-1) and NR-GM (M-2). Some charter schools are specialized in town as Vocational Schools. Page 101 allows a vocational school in all commercial zoning.

Under Nursery page 101 why does the table have no nursery allowed under any commercial zoning and a C under NR-LM (M-1) and NR-GM (M-2)? Then they have a note 199 that says first sentence "Availability extended to NC-LM and NC-GM." If it has been extended then it should be a P not a C. It should also be a "P" for MX-M (C-2) MX-H through NR-GM (M-2). For some reason the City does not want residents to be able to buy nursery products in town. As written any future business that wants to use a future site as a nursery business pretty much will not be able to have a nursery. This would also apply to the big box retailers Home Depot, Wal-Mart, Lowes etc.

Under Health Club or Gym Page 102 should be a "P" under NR-BP (IP), NR-LM (M-1) and NR-GM (M-2). Almost every personal training gym, cross fit gym and exercise facilities that have opened up in the last 10 years go to IP and M-1 properties because they need high ceilings (i.e. a warehouse type of property). Having this as an "A" will hurt future businesses that may want to open an gym because all warehouse inventory in Albuquerque will most likely qualify as a gym location because of the way the IDO is presently drafted.

Under Restaurant Page 102 it should be a P under NR-GM (M-2).

Under Heavy Equipment Sales, Rental, Fueling and Repair Page 103 should be a P under NR-C (C-3) and NR-BP (IP). Wagner Equipment formerly Rust Tractor the Caterpillar Dealer on Osuna is on IP zoned land. Under the definition for this use this is exactly what the Caterpillar dealer does on the IP zoned land. Throughout this table I am seeing that the City Planning for some reason wants to remove all of the present uses that are allowed in IP zoning. I believe they want NR-BP to be just for office buildings and possibly high tech. If they eliminate the other uses in IP they will continue to hurt businesses in Albuquerque and our local economy.

Under Light Vehicle Repair Page 103, should be P under NR-GM not an A.

Under Outside Vehicle Storage Page 103, should be a P under MX-M (C-2), NR-C (C-3) and NR-BP (IP). They allow under Light Vehicle Repair as a P in these zones. Most vehicles are stored outside in a fenced yard. If they need to add language about yard screening they should.

Under Bank and Club or event facility Page 103 why is it a "CV" under NR-GM (M-2). Why should a bank, club or event facility be prevented from locating on NR-GM (M-2) zoned property? Should be a P.

Under Construction contractor facility and yard Page 104, should be a P under NR-C (C-3) and NR-BP (IP). All of the larger commercial contractors located in the North I25 corridor are either located on M-1 or I-P zoned property. Again as I mentioned above, the City Planning seems to wanting to eliminate lots of uses that are presently allowed in our present IP zoning.

Under Retail Sales Bakery Goods and Confectionary Shop page 105, should be a P under NR-LM. Earth Grains (formerly Rainbow Bakery) and Pastians Baker are presently in M-1. Note 244 says "Added to NR-C, NR-BP, NR-LM and NR-GM districts". If that is the case then why does the table say "A" under NR-LM (M-1) and NR-GM (M-2)?

Under Transportation Railroad Yard page 106, should be a P under NR-LM (M-1). Almost all of the existing rail served property in the Albuquerque metro area are either M-1 or M-2.

Under Wholesaling and Storage, Cold Storage Plant Page 108 should be a P under NR-C (C-3) and NR-BC (IP).

Under Wholesaling and Storage, Outdoor Storage Page 108 should be a P under NR-LM (M-1).

Under Wholesaling and Storage, Above-ground storage of fuels or feed Page 108. I believe they mean for the huge storage containers on the south side of town. There needs to be some clarification on this for all the businesses around town that have an above ground gasoline storage tank stored in a concrete containment barrier where this is a P in NR-C (C-3), NR-BP (IP), NR-LM (M-1).

Under Wholesaling and Storage, Wholesaling and distribution center page 108, this needs to be a P under NR-BP (I-P). **Probably 75% of Albuquerque's distribution space is presently located in IP zoning. Again, I believe this is another example where City Planning visions NR-BP to be only for office buildings and R & D facilities. If this stays as not permissive under NR-BP (IP) the unintended consequences will be detrimental to the future economic growth of Albuquerque.**

Under Accessory Uses, Drive-through or drive-up facility page 109, should be listed as an A under both NR-LM (M-1) and NR-GM (M-2). A bank or a driveup fast food restaurant should be allowed to locate in NR-LM (M-1) and NR-GM (M-2) and have a drive-up/drive-through with their business.

Under Accessory Uses, Parking of more than two truck tractors and two semitrailers for more than two hours page 110, should be an A under NR-C (C-3) and NR-BP (IP). As mentioned above wholesaling and distribution has truck deliveries all day long with semis being stored overnight etc.

Under Accessory Uses, Parking of non-commercial vehicle should be an A under all commercial zoning. As written this could be interpreted that an employee who works a night shift is not allowed to park his personal vehicle at work. I believe they are only thinking residential.

Under Accessory Uses, Parking of recreational vehicle, boat, and/or recreational trailer. A category should be added for RV Storage. Most of our RV Storage, boat storage and trailer storage is either in C3, IP, M1 or M2. **So shouldn't it be a category under Wholesaling and Storage on Page 108 and added as a P under NR-C, NR-BP, NR-LM and NR-GM?**

Use Regulations Commercial Uses Page 124 Paragraph L. Light Vehicle Fueling Station,

subparagraph 3 “No inoperable vehicles shall be stored outside an enclosed building”. There are a number of gas stations that also have an automotive repair component. If they are not done with repairing a car where it is still “inoperable” they normally store a car outside in a fenced secured yard area if they do not have room within the shop. This needs to be amended with allowing outside storage provided it is adequately screened.

Subparagraph 4 “This use shall not be located where the only vehicle access to the lot is from a local street”. **What does this mean? You have to drive-in from a street to get into a gas station.** Should they add “residential” between the words “local and street”.

Subparagraph 5 This paragraph contradicts Paragraph 4 above because it says access is from a street.

Use Regulations Commercial Uses Page 125 Paragraph M. Light Vehicle Repair. Subparagraph 1. Limiting outdoor storage to two inoperable vehicles at anytime. This number needs to be raised. Maybe a city planner should talk to a typical mechanics shop on what is reasonable.

Use Regulations Commercial Uses Page 126 Paragraph P. Bank. Subparagraph 2. **Banks have to be 1 mile apart from each other? What is this about? Do they mean title loans or normal banking institutions? This should be deleted or the definition needs to be expanded or another category added. Subparagraph 3 the beginning of the sentence “Regardless of whether any use was established prior to the adoption of the required separation distances in this Section 3-3.4p” should be deleted, remaining sentence should stay.**

Use Regulations Commercial Uses Page 127 Paragraph S. Office Subparagraph 2 and 3 please explain why bail bonds need to be 1 mile apart from each other? Subparagraph 3 please define what a “Small Loan Business” is?

Use Regulations Commercial Uses Page 129 Paragraph AA. Liquor Store Subparagraph 3. Why is the 1,000 ft requirement away from any other liquor store being added. There are plenty of properties where a grocery store sells liquor and within a strip center being anchored by a grocery store there is a specialty liquor store. For example Smiths grocery on North 4th street. Across the street is “Kelly’s Liquors”. Almost every grocery store in Albuquerque along with some Drug stores that sell liquor are within 500 feet of some kind of residential zoning of single and multi-family zoning. If the 500 feet from the property line of a shopping center for example or is 500 feet from the physical liquor store to a residential area?

Use Regulations Commercial Uses Page 129 Paragraph BB. Pawn Shop. Why are they saying pawn shops have to be 2 mile radius from other pawn shops?

Use Regulations Commercial Uses Page 137 Paragraph L. Outdoor Storage NR-C (C-3), NR-BP (IP), NR-LM (M-1) should be exempted like NR-GM (M-2). Subparagraph 2 still have language that any item taller than a screening wall will have to be stored 100 feet from the screening wall. **This 100 feet requirement needs to be deleted.** If this is not deleted anyone with construction equipment will be required to purchase excess land to meet this 100 foot requirement. **This is an unintended consequences paragraph that will hurt our economy for business that will not locate in Albuquerque.**

Accessory Uses Paragraph Q page 147 Parking of Recreational Vehicle, Boat or Recreational Trailer Subparagraph 7. a and b. These two paragraphs should be deleted. **They say you have to get an electrical permit to charge battery and pay permit fee! I guess they will have the non burn night and waste water department run around looking for people who might be charging the batteries to a boat, trailer or RV to make more government jobs.**

Development Standards Non Residential Development Page 178, Paragraph 2. Sidewalks Required subparagraph b. i., ii, and iii. These paragraphs on sidewalk widths need to either be cut down or revised to the specific uses. For example and office development has more visitors coming and going to it than an industrial building. So if you develop a 30,000 s.f. industrial building it should not require 15’ wide sidewalks.

Development Standards Paragraph C. Block Dimension Subparagraph 2. Other Areas Page 178. Block length of 800 feet is not practical for Industrial Subdivisions. This might make sense for residential, but they need to expand this language. As written, if you do an industrial subdivision you will need to have a street every 800 feet. So if a large industrial employer wants to locate in

a new industrial subdivision in Albuquerque, the new subdivision will not be able to offer a larger tract of land larger than 14.69 acres contiguous (800' x 800') because of this restriction.

General Landscaping Standards C. Required Plant Materials Pages 215 and 216 subparagraphs 5 and 7. **Subparagraph 5 requires 75% living ground cover. Subparagraph 7 restricts that only 5% can be ground cover can be gravel or crusher fines.** This is unreasonable. I do not know any landscape projects over the past 20 years that meet this standard in Albuquerque for commercial real estate.

Development Standards Parking lot landscaping Paragraph 1 Front Lot Edge subparagraph b, Page 228. This paragraph states any surface parking lot located within 30 feet of the front lot line shall be screened from the street either by a masonry wall 3' to 4' tall or landscape 10 feet in width or by landscape berm. So if I understand this correctly if you have parking along a street after the normal 20ft building setback which you have to have landscaped the regulation is saying that if there is a car parking area then you need to add an additional 10' of landscaping or a masonry wall 3' to 4' height. **Do not understand this reasoning.**

Development Standards Parking lot landscaping Paragraph D. Interior Subparagraph 4. Tree Requirements Page 229. No parking space may be more than 100 feet from a tree trunk. **This overall section does not define whether interior landscaping applies toward the overall landscape requirement of 15% for site.** Page 230 Subparagraph 5. Location and Dimension of Landscape Areas requires landscape islands of minimum of 8' in width after every 20 adjacent parking spaces. This 8' of width needs to be reduced. Also on interior landscaping areas for trees shall be no less than 36 s.f.

Development Standards Fence and Wall Paragraph B. Maximum Height Subparagraph 1. Along street frontage masonry wall is limited to 3 feet in height this conflicts with the language on page 228 of 3 to 4 feet in height.

Canopy lighting Paragraph I Page 241-242. Says "The canopy fascia shall not be internally illuminated". I guess I need a clearer understanding of this language.

4-10.4 Mixed Use and Non Residential Development Page 247. **What is NR-ML and NR-MU?** These zoning classifications do not show up on 3.2 Permitted Use Table.

4-10.4 Mixed Use and Non Residential Development Page 248 Subparagraph A Building Facades 1. Downtown, Urban Center, **Main Street and Premium Transit Areas Paragraphs c and d are burdensome.**

Page 295 they still have left a traffic impact study for a building visits either coming or going of 100 requiring a traffic impact study. Would like to see this increased to 150 to 200. Another burdensome cost on business. If you build a 10,000 s.f. office building you will easily have 100 visits a day.

Mike Leach, SIOR

SYCAMORE ASSOCIATES LLC

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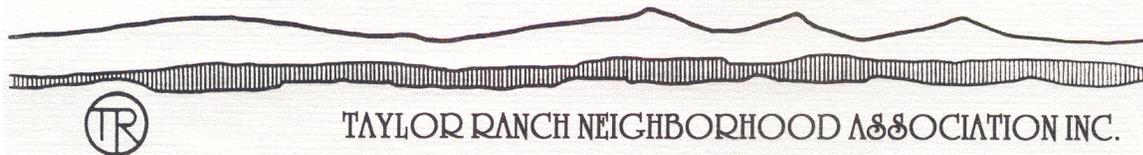
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Albuquerque NM 87193-6288

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 Center¹--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 -Administrative²

- 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

¹ 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.

² 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 allowances³, 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.

³ 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.”⁴ 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

⁴ 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.⁵

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

⁵ 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.

IDO Review Comments – April 4, 2017
Corridors Initiative Design Team

Dear Planning Staff and EPC Commissioners,

Our TOD Corridors Initiative team is charged with looking at how to support TOD (Transit Oriented Development) within the Central Avenue Corridor toward realizing the opportunity of attracting \$2 billion in new and re-investment, collectively saving \$1 billion for households, supporting 9,000 new jobs, and reducing poverty by 25% in 10 years (26,000 people) through coordinated transit and land use planning that creates more transit-served, walkable urban places that people want to return to. The initiative is an unprecedented collaboration between the City's Transit, Planning and Economic Development Departments funded by a federal TOD Planning Grant.

We have been reviewing the current draft of the IDO with neighborhood associations, community leaders and advocates, local developers and design professionals in order to understand how the proposed zoning will affect both TOD and community. Our focus is within a 5/8 mile radius of each of the ART stations currently under construction.

In addition, we have been working over the past several months with a number local and national of analysts, policy experts, practitioners, urban designers, planners, energy efficiency experts, incremental developers, financing and economic modeling consultants and others to examine what potential development might look like as it proceeds under the proposed IDO. This work culminated in a Central Corridor Workshop Week Mar 7-13, and we expect an integrated report of findings and recommendations in early June.

In general, we support the IDO. It is a more streamlined tool, which assures clearer development regulations, more predictable and enforceable development, as well as a more straightforward approval process. We appreciate the reduction of parking requirements and additional height bonuses allowed in the Premium Transit Corridor. However, our team has some concerns about the complexity of the zoning in the station areas. In addition to the base zone, there are typically overlay zones (CPO, HPO), Premium Transit and Main Street bonuses, Areas of Change and Consistency as well as neighborhood edge conditions. The Old Town station area, for example, located at Rio Grande and Central includes three CPO overlays as well as an HPO. In the EDO station area at Walter, there is a CPO and two HPO overlays.

We understand that as complicated as the proposed zoning process is, it is far more concise than the existing process. However, many of these layers could be compiled or simplified and consolidated in order to clearly and succinctly articulate the

regulations. We recommend a tighter look at these areas to determine how to create a more user-friendly approach to the regulations.

Potentially more impactful to future development is the 30' height limit within a 100' setback from R-1 properties. This is beyond current setback limitations and seems too uniform in its application and too extreme. While we appreciate and acknowledge that buffering is essential between single family and mixed-use development, these situation could be handled in a more context-sensitive way, with perhaps a landscape buffer or a building setback condition, while protecting the residential area from feeling overly encroached upon. In areas along Central Avenue where the lots are not very deep development above two stories is limited to the front 20' or so of the parcel, effectively preventing most market-demand buildings from being built. The effect is contrary to TOD development principles that advocate for increased development densities on the transit corridor. In the EDO CPO area, the buffering for this edge condition is proposed as 30' within a 35' setback. Properties that are specifically separated by a public ROW over 20' should not be required to meet these conditions.

Another general concern relates to parking requirements. Though reduced in Premium Transit areas, most parking requirements are higher than TOD standards. Many of the parcels in older portions of the city, including Nob Hill and Edo, are smaller and difficult to accommodate parking on site. In a TOD area, more generous parking reductions and methods to share and consolidate parking between business would support both TOD planning principles and local businesses which can't accommodate parking requirements on site.

Finally, we would like to recommend that alternative strategies be considered with respect to the single-family neighborhoods adjacent to the Central corridor. While we support that these areas should not change, the grouping of these areas with single-family areas of consistency is misaligned. These neighborhoods are traditional neighborhoods, not single family. Most of these neighborhoods consist of a very nice scale of single-family homes with secondary dwelling units, duplexes, triplexes and fourplexes in the form of single-family homes and mom and pop retail with apartments on the second floor on the corners of collector streets. Euclidean zoning, imposed on these neighborhoods for years, has made these residences non-conforming and illegal to replicate. This is a loss to our community. These traditional neighborhoods allow for diverse ages, income and family size. The housing typologies provide opportunities for multi-generational living, household income and increased density in at a comfortable scale. We recommend allowing for these types of housing, both existing and new construction in neighborhoods along the Central Corridor in order to support TOD densities in a form comfortable and compatible with existing neighborhoods.

If Central Avenue is expected to function as an economic engine of the City and take advantage of the recent BRT investment, zoning regulations in the Central Corridor need to be clear, concise and support higher density, mixed use development.

Please feel free to contact me with any questions. We appreciate your time and consideration.

Sincerely,

Michelle Negrette
Corridors Initiative