Environmental Planning Commission

Staff Report

Applicant: Metropolitan Redevelopment Agency, City of Albuquerque

Request: Sector Development Plan Map Amendment (Zone Change)

Legal Description: Tract 1 of the Silver Gardens Subdivision

Location: Silver Avenue between 1st and 2nd streets

Size: Approximately 0.8 acres

Existing Zoning: SU-3/Housing Focus

Proposed Zoning: SU-3/Arts and Entertainment Focus

Summary of Analysis

This a request for a Sector Development Plan Map Amendment for a one half block vacant site within the Downtown 2025 Sector Development Plan boundaries.

The applicant proposes to change the subject site’s zoning from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus in order: to permit retail/commercial uses and office/institutional without “review required”; to permit artisanal and craft manufacturing; and to allow a larger variety of mixed-use building types with more height permitted in the center of the block.

The subject site is in the Central Urban Area within the Established Urban Area of the 2002 Comprehensive Plan and is designated a Major Activity Center. The request generally furthers applicable goals and policies and has been adequately justified pursuant to R270-1980.

Affected neighborhood organizations and property owners were notified as required. A facilitated meeting occurred on April 6, 2017. Staff recommends approval based on the findings in this report.

Staff Planner: Cheryl Somerfeldt

Staff Recommendation

APPROVAL/DENIAL/DEFERRAL of Project # 1006936 Case # 17EPC-4005 based on the Findings beginning on Page 16.
INTRODUCTION

Surrounding zoning, plan designations, and land uses:

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Proposal

This is a request for a zone map amendment to the Downtown 2025 Sector Development Plan (DT 2025 SDP) for the property at 101 Silver Avenue SW. The applicant proposes to change the zoning from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus. The subject site is a vacant undeveloped dirt lot owned by the City of Albuquerque, which occupies half a city block (approximately 0.8 acres) on the north side of Silver Avenue between 1st and 2nd Streets. The DT 2025 SDP, which governs the downtown core zoned the entire plan area SU-3 Special Center and further divided the area into five districts: Government/Financial Hospitality, Warehouse, Mixed Use, Arts and Entertainment, and Housing.

Uses permitted in the SU-3 zone generally refer to the R-3 and C-2 zones of the City Zoning Code. The subject request is to change the zoning of the property from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus through an amendment to the DT 2025 SDP zone map. In order to develop a project within the DT 2025 SDP boundaries, one would first determine the focus which would guide the allowed uses, building types, and building standards.

The proposed amended focus will change some “review required” uses to “permitted”; and will change the authorized building types, permitting variety in architectural style, massing, and height as described in the DT 2025 SDP. This zone map amendment is requested to allow expanded options regarding a Metropolitan Redevelopment Agency’s (MRA) Request for Proposals (RFPs) for redevelopment of the subject site.
EPC Role

The EPC is hearing this case because pursuant to section 14-16-4-3 (A) (5) of the City of Albuquerque Zoning Code Sector Development Plan Procedures, application for amendment of the official zone map is through amendment of the plan where the official zone map has been set by a Sector Development Plan. The EPC’s task is to determine the suitability of the amended uses and building forms as they relate to the development of this site.

The EPC has the authority to hear all Sector Development Plan map amendment cases and make decisions on those cases that are for sites less than one block or 10 acres in size. The EPC is the final decision making body unless the decision is appealed, pursuant to Zoning Code Sections 14-16-1 Amendment Procedures and 14-16-4-3 Sector Development Plan Procedures. If appealed, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council, which would make the final administrative decision pursuant to Zoning Code Section 14-16-4-4 (A) (2) Appeal. This is a quasi-judicial matter.

History/Background

The subject site is currently vacant and served as a construction holding site for the Imperial Building which now occupies the site to the west. Prior to this use, it was considered vacant by the City, but served as a community garden which was moved to the roof of the Imperial Building. Prior to that, it was occupied by a Greyhound bus station, which moved to the Alvarado Transportation Center to the east. Prior to the bus station, the property was occupied by commercial businesses, one of which was most likely a bar according to the MRA.

The subject site was originally zoned C-4 as was most of the downtown area. Downtown was the original Major Activity Center but over time sprawl changed its character. Land use, zoning, and transportation decisions made incrementally over decades undermined effective implementation of the Activity Center concept. A dispersed pattern of commercial, office, industrial and low to medium-density residential developed since 1975.

The Alvarado Metropolitan Plan was created to deal with slum and blighted conditions in the downtown area. This lead to the recommendation for the development of an Alvarado Transportation Center Master Plan in conjunction with the Downtown 2010 Sector Development Plan to help facilitate and realize the goals and policies of the Comprehensive Plan. In May of 2000, the Downtown 2010 Sector Development Plan was adopted for the properties within the boundaries of the downtown core. Although the uses generally corresponded with the R-3 and C-2 zones of the City’s Zoning Code, the SDP established SU-3 zoning and set up five districts: Government/Financial Hospitality, Warehouse, Mixed Use, Arts and Entertainment, and Housing of which the subject site is currently a part. In 2013, City Council enacted R-2014-029, which amended the
Downtown 2010 Sector Development Plan and renamed it the Downtown 2025 Sector Development Plan with the zoning and districts remaining as described above.

**Context**

The subject site occupies half of a city block on the north side of Silver Avenue SW between 1st and 2nd Streets SW, and has been a vacant undeveloped lot for a number of years. It is part of the Central Urban Development Area as designated by the Comprehensive Plan. To the north of the alley between the properties is a four story parking structure attached to the Gold Avenue Lofts (constructed in 2002) which face Gold Avenue to the north. To the east, is the Alvarado Transportation Center adjacent to the railroad tracks. To the south, is the Silver Gardens Apartments, a relatively new residential complex. To the west, is the Imperial Building, which was also a MRA project with amended zoning from SU-3/Housing Focus to the SU-3/Arts and Entertainment Focus with EPC approval, and now holds a neighborhood grocery market at street level and housing above. There are a number of historic buildings in the vicinity, including 6 houses, 1 apartment complex, and 18 commercial buildings within ¼-mile of the subject site. Five of these are also designated as City Landmarks.

**Transportation System**

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classification of roadways. The LRRS designates Central Avenue, 2nd Street SW, and Lead Avenue SW to the east of 2nd Street SW as Community Principal Arterials. The LRRS designates Gold Avenue SW and Lead Avenue SW west of 2nd Street SW as Minor Arterials. The LRRS designates Silver Avenue SW as a Collector Street.

**Comprehensive Plan Corridor Designation**

The 2002 Comprehensive Plan designates Central Avenue north of the subject site a Major Transit Corridor in the vicinity. 2nd Street SW is designated an Intelligent Transportation System (ITS) Corridor.

**Trails/Bikeways**

The Long Range Bikeway System identifies Silver Avenue SW a proposed bicycle route and 2nd Street SW as having a bicycle lane.

**Transit**

The subject site is passed by multiple transit routes since it is across the street from the Alvarado Transit Center (ATC). There are no stops immediately adjacent to the site due to proximity to the ATC.
Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

ANALYSIS of APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The downtown core is zoned SU-3 Special Center which permits R-3 and C-2 uses and is further regulated by the Downtown 2025 Sector Development Plan.

Existing Zoning

The current zoning is SU-3/Housing Focus, which is a primarily residential use. In the Housing District, ground-floor residential is “permitted”; retail services and office/institutional uses are “review required”; and artisanal and craft manufacturing is “not permitted”.

Proposed Zoning

The proposed zoning is SU-3/Arts and Entertainment Focus, which is a variety of commercial uses with residential uses on the upper floors encouraged. In the Arts and Entertainment District, ground-floor residential is “review required”; retail services and office/institutional are “permitted”; and artisanal and craft manufacturing is “permitted”.

Albuquerque / Bernalillo County 2002 Comprehensive Plan (Rank 1)

Note: Policy is in regular text; Applicant’s justification is in italics; staff’s analysis is in bold italics

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Central Urban. The Central Urban Area is a portion of the Established Urban Area and as such is subject to the policies of both the Established Urban and Central Urban Areas. Development intensities in the Central Urban Area should generally be higher than in other portions of the Established Urban Area. In addition, the downtown area is designated as a Major Activity Center by the Comprehensive Plan.

Goal II.B.5: Land Use, Developing and Established Urban Areas.

The goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

The request would contribute to offering variety and maximum choice in the area, particularly regarding a range of commercial uses. New construction would be
required to meet the general regulations in the Downtown 2025 Sector Development Plan which was intended to provide quality infill development. The request furthers the Developing and Established Urban Area Goal.

The applicant has cited the following policies from the 2002 Comprehensive Plan to justify the request:

Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The property is one of a few remaining undeveloped properties within the downtown core. The surrounding properties have all been developed with varying uses including residential, retail, transit and parking. The approval of the sector development plan map amendment will allow for this vacant property to be developed into a manner that is more appropriate for the context of the existing area and to support the land uses of adjacent, previously developed properties.

The future development intensity made possible by the request would be appropriate for the area and will not adversely affect social, cultural, or recreational resources. Specific site design issues cannot be discussed because a site development plan is not required. The request furthers Policy II.B.5.e.

Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The approval of the sector development plan map amendment will make way for the redevelopment of a vacant property within the Established Urban Area. The requested SU-3/ Arts and Entertainment zoning will allow for beneficial uses and services to be brought to the downtown core, providing strength and stability to the community.

The MRA has been a committed neighbor to downtown, working with the community to improve residential opportunities (Gold Street Lofts, Silver Gardens, Casitas de Colores), promote equitable economic development (Theatre Block, Alvarado Transportation Center), and support historic perseverance (Andaluz Hotel). Furthermore, the MRA supports redevelopment and rehabilitation of older neighborhoods through environmental remediated such as removing underground storage tanks at the Imperial Building site, and at the old Greyhound Station where Silver Gardens is now located. The request furthers Policy II.B.5.o.

Policy II.B.5.p: Cost-effective redevelopment techniques shall be developed and utilized.

The property is currently owned by the City of Albuquerque. The sector development plan map amendment will facilitate a partnership between the City and a private sector developer(s) to redevelop the property as a catalyst project in a cost effective manner.

The applicant’s response is sufficient. The request furthers Policy II.B.5.p.
Goal II.B.6: Land Use, Central Urban Area

The goal is to promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.

The subject property is located within the heart of the Central Urban Area and the historic center of downtown Albuquerque. As the downtown core has grown and revitalized, the need to adjust the focus of certain properties to meet the changing needs of the area has also grown. The location of the subject property, being positioned between the Alvarado Transportation Center and the Imperial Building, makes it more appropriate for the Arts and Entertainment Focus.

This request would amend the zoning of the subject site from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus which is specifically designed to promote uses and building forms that promote the arts, cultural, and public facilities/activities. The request furthers the Established Urban and Central Urban Area Goals and Policies.

Goal II.B.7: Land Use, Activity Centers

The Goal is to expand and strengthen concentration of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

The requested map amendment will facilitate a public/private partnership that will result in the expansion and concentration of moderate and high-density mixed land use in the Downtown Major Activity Center.

Due to the location of the subject site adjacent to the Alvarado Transportation Center, the request for a change to the SU-3/Arts and Entertainment Focus will allow for expanded permitted uses and building height which will further the Activity Center Goal to concentrate moderate and high-density mixed land use and social/economic activities, reduce urban sprawl, auto travel needs, and service costs; and enhance the identity of Albuquerque. The request furthers the Activity Centers Goal.

Policy II.B.7.a: Existing and proposed Activity Centers are designated by a Comprehensive Plan map where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services. Each Activity Center will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation.

The subject property is located in the Major Activity Center of Downtown Albuquerque. The requested map amendment will maintain the desired development pattern of the Activity Center supporting a mix of uses and concentrated activity. The property is located between the Alvarado Transportation Center and the Imperial Building which has ground level retail businesses. The development of the site will create a continuous
frontage along the north side of Silver Avenue from the Alvarado Transportation Center to 3rd Street, increasing pedestrian and transit activity within the Activity Center.

The requested zoning for the Arts and Entertainment Focus will be more likely to create mixed-use concentrations of interrelated activities as represented by its building types than the Housing Focus which is intended to be primarily residential as represented by its building types (townhouses, etc.); therefore the request furthers Policy B.7.a.

Policy II.B.7.b: Net densities above 30 dwelling units per acre should generally be within Major Activity Centers; lower net densities in areas surrounding all types of Activity Centers will serve as a transition to residential neighborhoods.

The subject property is located in the heart of the Major Activity Center of Downtown Albuquerque. With the approval of the sector development plan map amendment, housing will still be an allowable use on the property allowing development to meet and exceed the desired densities above 30 dwelling units per acre.

The requested zoning for the Arts and Entertainment Focus will still encourage residential uses on the upper floors; therefore the request furthers Policy II.B.7.b.

Policy II.B.7.c: Structures whose height, mass or volume would be significantly larger than any others in their surroundings shall be located only in Major Activity Centers to provide for visual variety and functional diversity in the metropolitan area while preserving pleasing vistas and solar access.

The subject property is located in a Major Activity Center that currently has structures of varying height, mass and volume. Any development that does occur on the property will contribute to the desired visual variety and functional diversity in the metropolitan area.

The requested Arts and Entertainment Focus permits buildings with more variety in massing and height, and since this project is proposed to be located within a Major Activity Center, it is appropriate for the area. Although some of the building types in the Arts and Entertainment District have no height restriction on the interior of the block, a stepback is required after the initial designated stories, which is a step-like recession from the street property line. The request furthers Policy II.B.7.c.

Policy II.B.7.f: The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is located to the interior of the Activity Center area and is appropriately buffered from any low density residential development. The Downtown Activity Center has many mid-rise and high-rise buildings and any development that occurs will not be out of place or harmful to areas of less intensive development.

The applicant’s response is sufficient. The request furthers Policy II.B.7.f.
Policy II.B.7.j: The City will structure capital expenditures and land use regulations in support of creating multi-use Activity Centers, and will promote ongoing public/private cooperation necessary for private market conditions that support the development and functioning of Activity Centers.

The requested sector development plan map amendment will facilitate a public/private partnership between the City of Albuquerque and a private developer for the development of the property. The partnership that is created will contribute to the vitality and success of the downtown Activity Center and help to encourage additional investment.

The applicant’s response is sufficient. The request furthers Policy II.B.7.f.

Goal II.D.6: Community Resource Management, Economic Development

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

The SU-3/Arts and Entertainment Focus will permit the City to procure proposals from developers with expanded options for diversified economic development. The MRA has shown through past projects (such as the Imperial Building) that projects are evaluated for quality infill potential with primary interest in important social, cultural, and environmental goals over purely economic goals.

Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The sector development plan map amendment will better facilitate new employment opportunities in the area that will accommodate a wide range of occupational skills and salary levels. These new employment opportunities may be filled by local residents. The new services available will increase the number of businesses and resources available in the area for residents and visitors alike.

The applicant’s response is sufficient. The request furthers Policy II.D.6.a.

Policy II.D.6.b: Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The diversity of uses allowed by the proposed sector development plan map amendment will create a path for local and national businesses and professional firms to locate to the property. New development and businesses will be a catalyst in the area and encourage additional private investment.

The applicant’s response is sufficient. The request furthers Policy II.D.6.b.

Policy II.D.6.g: Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

The proposed amendment will allow for a variety of employment-based uses to occur on the property. The mix of employment, retail and residential uses will contribute to the
balance of housing and jobs in the area while reducing the travel demand and increasing the density of the area as desired by the Downtown 2025 Sector Development Plan.

The current zoning, SU-3/Housing Focus, requires an EPC review process for retail and office/institutional uses. However, only one of the building types (Mid-rise Podium) permits commercial on the principal street with residential above. Whereas SU-3/Arts and Entertainment Focus permits a variety of building types and heights (Low-rise, Mid-rise, and High-rise) to allow varied commercial uses at the street level with residential above. This will allow more options to meet the Economic Development policies above for the accommodation of new employment opportunities. The request furthers Policy II.D.6.g.

Downtown 2025 Sector Development Plan (Rank 3)

The DT 2025 SDP applies SU-3 zoning and further divides the area into five districts (Housing, Government/Financial Hospitality, Warehouse, Mixed Use, and Arts and Entertainment) as described on pages 30-31 of the DT 2025 SDP. The subject site is currently zoned SU-3/Housing Focus. While residential development is allowed and encouraged in all districts of downtown, residential is the primary use within the Housing District. The request proposes to change the zoning for the subject site to SU-3/Arts and Entertainment Focus. The “Arts & Entertainment District” is the primary center for arts, entertainment, cultural, and specialty retail shopping experiences. “The ground floor of all buildings will have exciting street level arts, entertainment and retail presence in this district. Compatible office, hotel institutional, commercial and residential uses are encouraged above the street level.” (page 30)

In addition, the DT 2025 SDP lists Catalytic Projects on page 23, which are priority projects expected to drive spinoff development activity and are important for the MRA to pursue. In order to develop a project within the DT 2025 SDP boundaries, one would first determine the focus which would guide the allowed uses, building types, and building standards. This request would change the permitted building types from single units, duplexes, and townhouses to podium and partial blocks of low-rise, mid-rise, and high-rises.

Permitted, prohibited, and review required uses are regulated by a matrix on page 32 of the DT 2025 SDP. In the Housing District, ground-floor residential is permitted; retail services and office/institutional uses are review required; and artisanal and craft manufacturing is not permitted. In the Arts and Entertainment District, ground-floor residential is review required; retail services and office/institutional are permitted; and artisanal and craft manufacturing is permitted. Artisanal and Craft Manufacturing is typically goods constructed by hand and/or in small batches by skilled artisans as opposed to machine mass-production as defined on page 33 of the DT 2025 SDP. This includes art studios and small breweries as long as all activities are conducted within a completely enclosed building and activities or products will not produce odor, dust, smoke, noise, vibration, or other impacts in excess of allowed standards.
Per the DT 2025 SDP, new construction with a “permitted” use would be considered by a Project Review Team first and then reviewed by the Planning Director for approval. “Review Required” uses go through the EPC process to assure the proposed use fits the DT 2025 SDP intent. The applicant for the proposed review required use must demonstrate that the use and form will be compatible with surrounding uses in the district and that it would not be injurious to surrounding properties, adjacent neighborhoods or the community.

The applicant has cited the following DT 2025 SDP policies and goals to justify the request:

**Employment Policy #2**: Encouraging small businesses to locate and stay Downtown.

The sector development plan map amendment to an Arts and Entertainment Focus will allow small and locally owned business to take advantage of the downtown marketplace. With the ability to locate a business on the ground level with a storefront access, small business will be able to take advantage of the increased pedestrian activity in the area due to the many recent mixed-use development projects occurring in the area.

Staff agrees that this request furthers employment downtown. Since the request would permit instead of prohibit artisanal and craft manufacturing and permit without review required retail/services and office/institutional, more business types would be attracted to locate on the site. The request furthers the Employment Policy #2.

**Tourism & Hospitality Goal**: Make Downtown and the Historic district a "tourist destination"

The proposed amendment will allow for the continuation of redevelopment and investment in downtown Albuquerque, furthering the attractiveness and desirability of the area as a tourist destination. The property's location across from the Alvarado Transportation Center, will make it one of the first locations tourist traveling to the area via mass transit will encounter, making its appropriate use mix vitally important.

Staff agrees that this request furthers neighborhood serving retail as well as tourism and hospitality in downtown. The request furthers the Tourism & Hospitality Goal.

**Resolution 270-1980 (Policies for Zone Map Change Applications)**

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use
category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

**Analysis of Applicant’s Justification**

**Note:** Policy is in regular text; Applicant’s justification is in *italics*; staff’s analysis is in *bold italics*

A) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

*The proposed sector development plan map amendment is consistent with the health, safety, and general welfare of the neighborhood, community and city. The subject property is located in downtown Albuquerque and the neighborhood has seen the recent development of a variety of commercial and residential properties in both single and mixed-use projects. The requested change is consistent with the City of Albuquerque and Bernalillo County Comprehensive Plan ("Comp Plan"), and the Downtown 2025 Sector Development Plan ("Downtown Plan") which also serves as the Downtown Metropolitan Redevelopment Plan.*

*By demonstrating that the request furthers applicable goals and policies from the Comprehensive Plan and other applicable plans below, the applicant has shown that the request is consistent with the City’s health, safety, morals, and general welfare. The response to Section A is sufficient.*

B) Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

*The stability of land use and zoning of the area will remain consistent. The property located to the west of the subject site, the Imperial Building, is zoned SU-3/Arts and Entertainment Focus, as are nearly all the properties fronting Coal Avenue and Central Avenue, one and two blocks north of the subject site, respectively. The current zoning on the property allows for additional commercial uses to occur, other than housing, with appropriate reviews and approvals. With the approval of this SDP zone map amendment, no uses will be removed, it will however allow several uses that currently require a review and approval to be permitted. Housing above the ground floor will continue to be a permitted and important use.*

*The MRA has supported the redevelopment of downtown into a quality urban environment as directed by the City Council. The Alvarado MR Plan, adopted in September of 1998; the Alvarado Master Plan, adopted in August of 1999; and the Downtown 2010 Plan, adopted in May of 2000 were all developed to facilitate a vibrant and sustainable downtown core in Albuquerque and the number of residents has actually increased from the number originally proposed (according to the MRA). In addition, this site is located adjacent to sites which are zoned SU-3/Arts and Entertainment, providing continuity in use and architectural style. The applicant has*
adequately demonstrated this zone change would not adversely affect the stability of land use or zoning in the area.

C) A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the City.

Refer to the Albuquerque / Bernalillo County Comprehensive Plan (Rank 1) and the Downtown 2025 Sector Development Plan (Rank III) sections above for policies within these plans that the applicant cites to support the request.

*Overall, Staff finds the policy citations sufficient. The applicant has adequately demonstrated that the request would clearly facilitate realization of applicable goals and policies in the Comprehensive Plan, and the Downtown 2025 Sector Development Plan.*

D) 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 (D)(1) or (D)(2) above do not apply.

The existing zoning is inappropriate because changed neighborhood or community conditions justify the change.

Item #2: Changes in the neighborhood conditions have occurred in recent years that justify the requested change. The immediate area has seen the development of the Silver Gardens Apartments to the south of the subject site, the Alvarado Transportation Center to the east and the Casitas de Colores Apartments to the southwest.

One of the most significant changes to the condition of the community was the development of the mixed-use Imperial building to the west of the subject site. The Imperial Building has residential apartments above ground floor commercial space including a grocery store. The Environmental Planning Commission approved a sector development plan map amendment from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus in 2012 for the Imperial Building to be developed; the same request is being made for this application.

*Staff agrees that the existing zoning is inappropriate because neighborhood and community conditions have changed since the development of the Downtown 2010 SDP. There has been a larger increase in residents than previously expected by the MRA with the addition of the Casitas de Colores, the Imperial Building, the Gold Lofts, and the Silver Gardens apartments which incorporated more units than expected. In addition, there has been an increase in services such as the Alvarado Transportation Center and the Imperial Building’s Silver Street Market due to MRA projects. Furthermore, with fewer options for vacant land or re-use of existing buildings, it is*
important to provide a large variety of downtown uses as well as more height as a developer option.

E) A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The change will not create a situation where permissive uses would be harmful to the adjacent properties, the neighborhood or the community. The permitted uses will be the same as those of the Imperial Building immediately to the west of the subject property and many of the properties located to the north on Gold and Central Avenues. The retail/services and office/institutional uses that are permitted in the requested zoning are currently allowable with required review and approval under the existing zoning designation.

The test in Section E refers to permissive uses. Retail/services and office/institutional would be permitted with no review required. Only one use would be permitted when previously prohibited, which is Artisanal and Craft Manufacturing. This use is not seen as harmful to the adjacent property, neighborhood, or the community but encouraged in order to provide a variety of local and urban experiences. In addition, adjacent properties to the north and west are zoned the same as the request, SU-3/Arts and Entertainment Focus, and the property to the east, the Alvarado Transportation Center is zoned SU-3/Warehouse Focus.

F) A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:

   (1) Denied due to lack of capital funds; or

   (2) Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

   The proposed change will not require any major and un-programmed capital expenditures by the City.

   The request would not require major or unprogrammed capital expenditures by the City. The Metropolitan Redevelopment Agency is able to enter into agreements and create Public/Private partnerships, but cannot enter into an agreement unless all funding needed to complete a project has been secured.

G) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

   The property is currently owned by the City of Albuquerque, therefore the cost of land or other economic consideration is not the determining factor for the sector development plan map amendment.

   As the applicant owns the land and has invested in the remediation of adjacent sites, the zone change request is not due to the cost of the land but the redevelopment of the downtown core with appropriate uses and building forms.
H) Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The location of the property with frontage on 1st, and 2nd Streets and Silver Avenue, is not part of the justification for the requested amendment. Under the existing zoning retail/services and office/institutional uses are allowed with proper reviews and approvals. Providing appropriate services and retail options, in addition to residential uses, makes the requested change more suitable for the property and its location in the downtown community.

The subject site’s location on a collector street (Silver Avenue) is not a factor in itself. The site’s proximity to thousands of residents, tens of thousands of employees, and commuters via the Alvarado Transportation Center make the location of this site significant. Development of the site will further the Downtown 2025 SDP’s “park once and walk” vision.

I) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

The requested sector development plan map amendment would not represent a “spot zone”. There are several other properties in the immediate area that are zoned SU-3/Arts and Entertainment Focus, the same zoning that is being requested. The approval of the requested amendment will further the goals outlined by the City for the area and continue the ongoing revitalization seen in the downtown community.

The subject property is adjacent to other properties which are zoned SU-3/Arts and Entertainment Focus; therefore, the request would not create a “spot zone”.

J) A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning.” Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and

2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.
The requested sector development plan map amendment would not represent a "strip zone". There are numerous other properties in the immediate area that are zoned SU-3/Arts and Entertainment Focus, the same zoning that is being requested.

The subject property is adjacent to other properties which are zoned SU-3/Arts and Entertainment Focus. These properties are not adjacent to each other on a strip of land along one street; therefore, the request would not create a “strip zone”.

AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies/Pre-Hearing Discussion

Agency comments are located on page 21 of the staff report.

Neighborhood/Public

The following Neighborhood Associations and Coalitions were contacted:


A facilitated meeting was requested and will occur on April 6, 2017. The facilitated meeting report will be attached. Staff received one inquiry into the request and sent the justification letter, Downtown 2025 Plan, and the MRA RFP to the interested neighbor but did not receive further comments. Staff has received one letter in support of the request from the Downtown ABQ Main Street Initiative Board.

CONCLUSION

This request is for a map amendment to the Downtown 2025 Sector Development Plan for Tract 1 of the Silver Gardens Subdivision, a vacant surface lot at 101 Silver Avenue SW. The applicant proposes to change the subject site’s zoning from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus. Recently, the subject site served as a construction staging area for the Imperial Building immediately to the west and before that it briefly served as a community garden between vacant periods.

The proposal is consistent with applicable City Plans and policies. The request is compatible with the existing neighborhood zoning and will be regulated by the the Downtown 2025 Sector Development Plan similar to other projects in the immediate vicinity. If approved, the review process would be more condensed for permitted uses and the allowed building types will change to increase architectural options and allow for greater height at the center of the block once the stepbacks are met.
FINDINGS

Project # 1006936, Case # 12EPC-40019

Zone Map Amendment

1. This is a request for a Sector Development Plan Map Amendment Zone Change to the Downtown 2025 Sector Development Plan for Lot 1 of the Silver Gardens subdivision located on the north side of Silver Avenue between 1st and 2nd Streets (101 Silver Avenue), an approximately 0.8 acre vacant half city block.

2. The request is to amend the zoning of the subject site from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus in order to develop an urban mixed-use building. This will revise some uses that were review required to be permitted, will permit artisanal and craft manufacturing, and will change the allowed building types to those with larger massing and no restriction on height at the center of the block.

3. In 2000, the Downtown 2010 Sector Development Plan was adopted for the properties within the boundaries of the downtown core. In 2013, the Downtown 2010 Sector Development Plan was amended by City Council (R-2014-029) and renamed the Downtown 2025 Sector Development Plan.

4. Although uses generally correspond with the R-3 and C-2 zones of the City’s Zoning Code, the five districts (Housing, Government/Financial Hospitality, Warehouse, Mixed Use, and Arts and Entertainment) further delineate the Downtown 2025 Sector Development Plan Area to regulate uses, building types, and design guidelines.

5. The subject site is within a Major Activity Center as part of the Central Urban Area, which is part of the larger Established Urban Area as designated by the Albuquerque/Bernalillo County 2002 Comprehensive Plan.

6. The request generally furthers the following applicable Goals of the Comprehensive Plan:

   **Land Use, Developing and Established Urban Area Goal:** The request would contribute to offering variety and maximum choice in the area, particularly regarding commercial uses. New construction would be required to meet the general regulations in the Downtown 2025 Sector Development Plan which was intended to provide quality infill development.

   **Land Use, Activity Centers Goal:** The request will facilitate a public/private partnership that will result in the expansion and concentration of moderate and high-density mixed land use in the Downtown Major Activity Center.

   The SU-3/Arts and Entertainment Focus will allow for expanded permitted uses and building height which will concentrate moderate and high-density mixed land use and social/economic activities, reduce urban sprawl and auto travel needs, and enhance the identity of Albuquerque.

   **Community Resource Management, Economic Development Goal:** The request expands options for diversified economic development. The MRA evaluated past projects for
quality infill potential with primary interest in important social, cultural, and environmental goals over purely economic goals.

7. The request furthers the following Central and/or Established Urban Areas’ Comprehensive Plan Policies:

Policy II.B.5.e: The property is one of a few remaining undeveloped properties within the downtown core. The subject request will allow for development that will be more likely to support the adjacent, previously developed properties. Development intensity is appropriate for the area and will not adversely affect social, cultural, or recreational resources.

Policy II.B.5.o: The request will allow for services and uses that will provide strength and stability to the community. The MRA has been a committed neighbor to downtown, working with the community to improve residential development, promote equitable economic development, and support historic perseveration.

Policy II.B.5.p: The request will facilitate a partnership between the City and a private sector developer(s) to redevelop the property as a catalyst project in a cost effective manner.

Policy II.B.6: Land Use, Central Urban Area. The requested SU-3/Housing Focus to SU-3/Arts and Entertainment Focus is specifically designed to promote uses and building types that promote the arts, cultural, and public facilities/activities. The subject property is located within the heart of the Central Urban Area and the historic center of downtown Albuquerque. As the downtown core has grown and revitalized, the need to adjust the focus of certain properties to meet the changing needs of the area has also grown.

8. The request furthers the following Activity Centers Comprehensive Plan Policies:

Policy II.B.7.a: The request will maintain the desired development pattern of the Major Activity Center by supporting a mix of uses and concentrated activity. The property is located between the Alvarado Transportation Center and the Imperial Building which has ground level retail businesses. The development of the site will create a continuous frontage along the north side of Silver Avenue from the Alvarado Transportation Center to 3rd Street, increasing pedestrian and transit activity. The requested SU-3/Arts and Entertainment Focus will be more likely to create mixed-use concentrations of interrelated activities as represented by its building types than the SU-3/Housing Focus which is intended to be primarily residential.

Policy II.B.7.b: The requested SU-3/Arts and Entertainment Focus will encourage residential uses on the upper floors. Development would exceed the desired densities above 30 dwelling units per acre.

Policy II.B.7.c: The surrounding context of the subject property is existing structures of varying height, mass and volume. The request permits buildings with more variety in
massing and height which is appropriate for the area. Although several of the building types in the Arts and Entertainment District have no height restriction on the interior of the block, a stepback is required, which is a step-like recession above the initial designated stories per the DT 2025 SDP.

**Policy II.B.7.f:** The subject site is appropriately buffered from low density residential development. Downtown has many mid-rise and high-rise buildings and the request will not be out of place or harmful to areas of less intensive development.

**Policy II.B.7.j:** The request will facilitate a public/private partnership between the City of Albuquerque and a private developer. The partnership that is created will contribute to the vitality and success of the Downtown Major Activity Center and help to encourage additional investment.

9. The request furthers the following Economic Development Comprehensive Plan Policies:

**Policy II.D.6.a:** The request will better facilitate new employment opportunities in the area that will accommodate a wide range of occupational skills and salary levels. These new employment opportunities may be filled by local residents. The request will increase the number of businesses and services available in the area for residents and visitors alike.

**Policy II.D.6.b:** The request will allow a diversity of uses that will create a path for local and national businesses and professional firms to locate on the property. New development and businesses may be a catalyst in the area and encourage additional private investment.

**Policy II.D.6.g:** The request will allow for a variety of employment-based uses to occur on the property. The mix of retail and residential uses will contribute to the balance of housing and jobs in the area while reducing travel demand.

The subject site is within the boundaries of the Downtown 2025 Sector Development Plan (SDP). The request is in general compliance with the following applicable goals and policies of the Downtown 2025 SDP:

**Employment Policy #2:** Encouraging small businesses to locate and stay Downtown.

The request will contribute to small and locally owned business taking advantage of the downtown marketplace. With ground level storefront access, small business can take advantage of increased pedestrian activity due to the many recent mixed-use development projects.

**Tourism & Hospitality:** Make Downtown and the Historic district a "tourist destination".

The request will continue redevelopment and investment in downtown near other amenities such as the Alvarado Transportation Center, increasing the attractiveness and desirability of downtown as a tourist destination.
10. The applicant has justified the zone change request pursuant to R-270-1980 as follows:

A) Consistency with the health, safety, morals, and general welfare is shown by demonstrating that the request furthers applicable goals and policies from the 2002 Comprehensive Plan and the Downtown 2025 SDP.

B) The applicant has adequately demonstrated that the zone change is justified, and that the future uses would not adversely affect stability of land use or zoning in the area. No uses will be removed. Housing above the ground floor will continue to be a permitted and an important use. The SU-3/Arts and Entertainment Focus will provide continuity in use and architectural style within the context of downtown.

C) The applicant’s policy-based discussion adequately demonstrates that the request would clearly facilitate realization of applicable goals and policies in the Comprehensive Plan and the Downtown 2025 SDP.

D) The existing zoning is inappropriate because of changed neighborhood or community conditions. There has been a larger increase in residents than originally expected and an increase in services such as the Alvarado Transportation Center and the Imperial Building’s Silver Street Market due to MRA projects. With fewer options for vacant land or re-use of existing buildings, it is important to provide a larger variety of downtown uses than the SU-3/Housing Focus permits.

E) The request will not create a situation where permissive uses would be harmful to the adjacent properties, the neighborhood, or the community. The existing SU-3/Housing Focus requires review for retail/services and office/institutional uses. The requested SU-3/Arts and Entertainment Focus will also permit Artisanal and Craft Manufacturing when previously prohibited, which is not seen as harmful but encouraged in the area to provide a variety of local and urban experiences.

F) The zone change would not require any major or unprogrammed capital expenditures by the City. The Metropolitan Redevelopment Agency is able to enter into agreements and create Public/Private partnerships, but cannot enter into an agreement unless all funding needed to complete a project has been secured.

G) The determining factor for the request is the redevelopment of the downtown core with appropriate uses and building types. The cost of land or other economic consideration is not the determining factor for the request.

H) The subject site’s location on a collector street (Silver Avenue) is not in itself the justification for the zone map amendment request. The site’s proximity to thousands of residents, tens of thousands of employees and the City’s primary transportation center, and furthering the Downtown 2025 SDP’s “park once and walk” vision make the site’s location significant. Providing appropriate services and retail options in addition to
residential uses makes the request more suitable for the property and its location in the downtown community.

I) There are several other properties in the immediate area that are zoned the same as the request. The request would not represent a "spot zone".

J) Other properties surrounding the subject property are zoned the same as the request. These properties are not adjacent to each other on a strip of land along one street. The request would not represent a "strip zone".

K) A facilitated meeting is scheduled for Thursday, April 6, 2017. The DowntownABQ MainStreet Initiative Board submitted a letter in support of the project on April 5, 2017.

RECOMMENDATION

APPROVAL of 17EPC-40005, a request for Zone Map Amendment/Sector Development Plan Map Amendment, for Lot 1 of the Silver Gardens Subdivision from SU-3 / Housing Focus to SU-3 Arts & Entertainment Focus, based on the preceding Findings

Name: Cheryl Somerfeldt
Staff Planner
Notice of Decision cc list:

BARELAS NA, Elisha Miranda-Pohl, 5418 Evans Rd. SW/87102 385-9029
Stephen Eiland, 1115 Santa Fe Ave. SW/87102
BROADWAY CENTRAL CORRIDORS PARTNERSHIP, INC., Doug Majewski, P.O. Box 302/87103
Rob Dickson, P.O. Box 302/87103
CITIZENS INFORMATION COMMITTEE OF MARTINEZTOWN, Kristi L. Houde, 617 Edith Blvd. NE, Apt. #8/87102
Frank H. Martinez, 501 Edith NE/87102
DOWNTOWN NA, Reba Eagles, 1500 Lomas Blvd. NW, Ste. B/87104
David McCain, 1424Y2 Lomas Blvd. NW/87104
HUNING HIGHLAND HISTORIC DISTRICT ASSOCIATION, Bonnie Anderson, 522 Edith SE/87102
Ann L. Carson, 416 Walter SE/87102
MARTINEZTOWN WORK GROUP, Loretta Naranjo Lopez, 1127 Walter NE/87102
Christina Dauber, 1420 Edith Blvd. NE/87102
CAROL Krause, 800 Mountain Rd. NE/87102
SILVER PLATINUM DOWNTOWN NEIGHBORHOOD ASSOCIATION, Ron Casias, 205 Silver Ave. SW, Apt. #428/87102
Leonard Morin, 100 Silver Ave. SW, Apt. #401/87102
SOUTH BROADWAY NEIGHBORHOOD ASSOCIATION, Frances Armijo, 915 William SE/87102
Gwen Colonel, 900 John St. SE/87102
VILLA DE SAN MARTIN H.O.A., INC. (VSM)
Stephen Maynard, 521 Roma NE/87102
Pamela Meyer, 4121 Eubank Blvd. NE/87111
SYCAMORE N.A. (SYM), Peter Schillke, 1217 Coal Ave. SE/87106
Mardon Gardella, 411 Maple St. NE/87106
SPRUCE PARK N.A. INC. (SPK), Peter Feibelman, 1401 Sigma Chi NE/87106 242-1946 (h)
Alan Paxton, 1603 Roma Ave. NE/87106
SILVER HILL N.A. (SHL), 1404 Silver Ave. SE/87106
Elizabeth Doak, 1606 Silver SE/87106
UNIVERSITY HEIGHTS N.A. (UHT), 120 Vassar SE/87106
Don Hancock, 105 Stanford SE/87106
VICTORY HILLS N.A. (VHL), Erin Engelbrecht, P.O. Box 40298/87196
Patricia Willson, 505 Dartmouth SE/87106, VictoryHills NA
WELLS PARK N.A. (WPK), Mark Horst, 1114 ih St. NW/87102
Doreen McKnight, 1426 7th St. NW/87102
HUNING CASTLE N.A. (HCS), Harvey Buchalter, 1615 Kit Carson SW/87104
Deborah Allen, 206 Laguna Blvd. SW/87104
CLAYTON HEIGHTS/LOMAS DEL CIELO N.A. (CHL), Isabel F. Cabrera, 1720 Buena Vista SE/87106
Eloisa Molina-Dodge, 1704 Buena Vista SE/87106
KIRTLAND COMMUNITY ASSOC. (KCA), Kimberly Brown, P.O. Box 9731/87119
Elizabeth Aikin, 1524 Alamo SE/87106
AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement
No adverse comments.

Office of Neighborhood Coordination

Long Range Planning
This request is appropriate to increase the redevelopment potential on this Metropolitan Redevelopment site. The Arts and Entertainment focus allows retail and service use permissively and retains residential as a permissive use which gives the applicant more redevelopment options including vertical mixed use.

This request to allow retail permissively may facilitate two of the listed catalytic projects on page 23 of the Downtown 2025 Plan: upscale retail and neighborhood infill housing.

Metropolitan Redevelopment Agency
Applicant.

CITY ENGINEER

Transportation Development
No objection to the request.

Hydrology Development
No comment.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning
No comments.

Traffic Engineering Operations
No comment.
WATER UTILITY AUTHORITY

Utility Services
No adverse comments.

ENVIRONMENTAL HEALTH DEPARTMENT
No comment.

PARKS AND RECREATION

Planning and Design
No comment.

Open Space Division
No comment.

City Forester
No comment.

POLICE DEPARTMENT/Planning
No comment.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division
No comment.

FIRE DEPARTMENT/Planning
No comment.

TRANSIT DEPARTMENT
Central Avenue is a Major Transit Corridor. This site is passed by multiple routes since it is adjacent to the Alvarado Transportation Center (ATC). There are no stops immediately adjacent to the site due to proximity to the ATC.

No adverse comments.

BERNALILLO COUNTY
No comment.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY
Reviewed, No comment.

ALBUQUERQUE PUBLIC SCHOOLS
No adverse comments
MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

For informational purposes:
- 2nd St SW is functionally classified as an Existing Principal Arterial in the project area.
- The Long Range Bikeway System identifies a proposed bicycle route on Silver Ave SW and a proposed bicycle lane on 2nd St SW in the project area.
- 2nd St SW is an Intelligent Transportation System (ITS) Corridor. Please consult with the reviewing agency's Traffic Engineering and/or ITS Department.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comment.

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has no further comments based on information provided to date.
View of the subject site looking north from Silver Avenue SW, includes the parking garage.

View of the subject site looking south, includes the Silver Gardens apartments.
View of the subject site looking east, includes the parking garage and the Alvarado Transit Center

View of the subject site looking west, includes the Imperial Building.
ZONING

Please refer to the Zoning Code for specifics of the SU-2 zone, the SU-1 zone, and the C-1 zone.
HISTORY
Following is a general description of each of the Downtown districts and the uses envisioned in each district:

**Housing District — Existing**
Residential development is allowed and encouraged in all districts of Downtown. Residential is the primary use within the Housing District. The Housing District should be medium to high density with a range of housing types: 3-4 story townhouses, 4-6 story urban apartments, housing above retail or office, housing integrated into mixed use office structures, loft apartments converted from older mercantile buildings. Other neighborhood serving retail and ancillary office activity are allowed to provide diversity but must be compatible with the residential focus of this district.

**Arts and Entertainment District — Proposed**
The Arts & Entertainment District is the primary center for arts, entertainment, cultural, and specialty retail shopping experiences. The Arts & Entertainment District will serve as Downtown's Main Street and host a variety of activities and experiences. The ground floor of all buildings will have exciting street level arts, entertainment and retail presence in this district. Compatible office, hotel institutional, commercial and residential uses are encouraged above the street level. The street level design of buildings should be visually interesting and reinforce the image of a premier urban shopping district and entertainment district. The street level environment will be active, visually exciting and accommodating to the pedestrian. The Arts & Entertainment District is a logical location for a new arena, multi-plex theater, restaurants, clubs, and assorted visual and performing arts venues. It is the logical location for community festivals and celebrations.

**Government/Financial/Hospitality District**
Downtown will maintain its position as the government, financial, and hospitality center of the metropolitan region. Downtown is the seat of government for the City of Albuquerque, Bernalillo County, and regional Federal Government facilities. These and other State departments and agencies will be located Downtown. It is also the center of the federal, state and local judicial complex. Concentrate new government and private office development in this District. Locate high and medium density office development in the district. Convention and hospitality facilities are strongly encouraged to locate in this district as well. Street level retail is required in the district to provide services and street level vitality.

**Warehouse District**
The Warehouse District is a lasting remembrance of Downtown's early commercial district along the railroad. Therefore, it is important to protect its historic character by preserving the existing stock of older buildings, while promoting compatible infill development. Within the Warehouse District the reuse and rehabilitation of existing older commercial buildings is strongly encouraged. A broad range and diverse mix of uses are allowed and encouraged in the Warehouse District. These uses include: commercial, office, retail, residential, transportation and sports facilities.
The Downtown Core is zoned SU-3 Special Center. R-3 and C-2 Uses are allowed as regulated by the Comprehensive City Zoning Code as further governed by this Sector Development Plan. The Development Regulations of the R-3 and the C-2 zones, including density, setbacks, open space, etc., do not apply within the Plan area. All uses are encouraged in the Downtown, except for the prohibited uses, shown on Page 34. However, the principal uses are: residential, arts, entertainment, office, cultural, hospitality, and specialty retail. The Plan strongly encourages a mixture of compatible land uses (office/residential, retail/office, arts/entertainment). Residential development is allowed and encouraged throughout all districts of Downtown.

All types of land uses are encouraged Downtown, however certain uses are not appropriate in some districts. To assure that uses most conducive to achieving The Plan’s objectives are developed in the appropriate districts, it is important to permit, prohibit, or regulate uses by district. There are no parking requirements in the SU-3 Special Center Zone.

The SU-3 zone creates a clear and defined (hard) boundary between the Downtown Core and surrounding neighborhoods. The Plan and zoning intent is to protect, retain, and enhance the integrity of neighborhoods surrounding the Downtown Core. Commercial and office intrusion into the surrounding neighborhoods is strongly discouraged.

Following is a general color-coded District/Use Matrix to guide in determining if a use is appropriate in a District:

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<tr>
<th></th>
<th>EXISTING</th>
<th>PROPOSED</th>
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<tr>
<td>Artisanal and Craft</td>
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P = Permitted  
R = Review Required  
X = Prohibited

1. Housing district area between Central Avenue and Lomas Boulevard is restricted to residential development only to buffer the Downtown Neighborhood Association (DNA). The remaining housing district areas are controlled by the Uses Matrix.
2. Home occupations are allowed as regulated by the R-1 zone.
3. The purpose of The Plan is to encourage neighborhood serving retail.
<table>
<thead>
<tr>
<th>Existing</th>
<th>Government Financial</th>
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CITY of ALBUQUERQUE
TWENTIETH COUNCIL

COUNCIL BILL NO. R-13-236 ENACTMENT NO. ________________________

SPONSORED BY: Isaac Benton, by request

RESOLUTION

AMENDING THE DOWNTOWN 2010 SECTOR DEVELOPMENT PLAN FOR
AN APPROXIMATELY 3,550 ACRE AREA, WHICH IS GENERALLY
LOCATED SOUTH OF MARBLE/SLATE STREETS, NORTH OF COAL
AVENUE, EAST OF 10TH/9TH/7TH STREETS, AND WEST OF THE RAIL
ROAD/BROADWAY BOULEVARD.

WHEREAS, the City adopted the Downtown 2010 Sector Development
Plan on May 22, 2000 through Enactment Number R-50-2000; and amended
it in 2007 and again in 2010; and

WHEREAS, the Council, the Governing Body of the City of Albuquerque,
has the authority to adopt and amend plans for the physical development
of areas within the planning and platting jurisdiction of the City authorized
by statute, Section 3-19-5, NMSA 1978, and by its home rule powers; and

WHEREAS, on May 9, 2013 the Environmental Planning Commission, in
its advisory role on land use and planning matters, recommended approval
to the City Council of text amendments to the Downtown 2010 Sector
Development Plan which are presented in the EPC Staff Report (13EPC
40109); and

WHEREAS, the Environmental Planning Commission found that the
above mentioned text amendments are consistent with applicable
Comprehensive Plan goals and policies; and

WHEREAS, the requested text amendments are consistent with the
overarching purpose and Goal of the Downtown 2010 Sector Development
Plan; and

WHEREAS, the amendment has been justified pursuant to Resolution
270-1980.
BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY
OF ALBUQUERQUE:

SECTION 1. The Development and Building Process, third paragraph, on
page 28 of the City of Albuquerque’s Downtown 2010 Sector Development
Plan (DSDP) is hereby amended as follows:

“The Downtown Development and Building Process is adopted to
ensure that building development is predictable and real estate values
are stable. This process puts the pedestrian first in all new projects and
ensures that developments are compatible with each other and with the
existing urban fabric. The Building Types and [- Building -] [+ Development +] Standards set forth in this Plan are mandatory,
however, the Planning Director, and/or the Director’s designee, may
approve minor changes or deviations from the Building Types and/or [-
Building -] [+ Development +] Standards [+ from any dimensional
standard that is less than or equal to 25%. Any Deviation greater than
25% and up to 50% from any dimensional standard shall be reviewed by
the EPC. Notification and advertisement shall be by the normal EPC
process. +] [- pursuant to regulations and procedures to be adopted by
the City. -] [+ The approval shall be based on a written justification
submitted by the applicant that describes consistency with the Goals of
the Plan as well as compatibility with surrounding development.
Deviations from the requirements of this Plan are to be reviewed by the
Planning Director or the EPC, and not through application to the Zoning
Hearing Examiner (ZHE). +]”

SECTION 2. The Approval Process, described on page 70 of the DSDP, is
moved to become a new page 28b, and hereby amended as follows:

“A proposed Downtown development will be reviewed and approved
within 30 – 34 days by adhering to the District’s Plan and Uses; the
Building Types and Standards; and by preparing complete project
documents. Below is a chart that outlines the process to obtain a
building permit. It is mandatory that applicants present and discuss
their project, in its entirety, with the appropriate departments at a Pre-
Application Meeting. It is also critical for the applicant to understand if
their proposed project is a permitted, review required, or prohibited use prior to starting the approval process [+ , see the District Use Matrix as shown on page 32 +].

Permitted uses will go through either a renovation or a new construction process. “Review Required” uses must go through the Environmental Planning Commission (EPC) process and make a case as to why and how the proposed use fits into the Downtown Plan. The applicant for the proposed use must demonstrate that the use will be compatible with surrounding uses in the district and that it would not be injurious to surrounding properties, adjacent neighborhoods or the community. [+ Neighborhood notification is required for “EPC Review Required” proposals. +] The EPC may approve or disapprove the proposed use. The EPC’s decision is appealable to the City Council in accordance with Section 14-16-4-4 of the Zoning Code.”

SECTION 3. The regulation regarding the District Uses, Step 2, first paragraph on page 32 of the DSDP, is hereby amended as follows:
“The Downtown Core is zoned SU-3 Special Center [+ . +] [- , with uses allowed in the R-3 and C-2 zones of -] [+ R-3 and C-2 Uses are allowed as regulated by +] the Comprehensive City Zoning Code as further governed by this Sector Development Plan. [+ The Development Regulations of the R-3 and the C-2 zones, including density, setbacks, open space, etc., do not apply within the Plan area. +] All uses are encouraged in the Downtown [+ , except for the prohibited uses, shown on Page 34. +] However, the principal uses are: residential, arts, entertainment, office, cultural, hospitality, and specialty retail. The Plan strongly encourages a mixture of compatible land uses (office/residential, retail/office, arts/entertainment). Residential development is allowed and encouraged throughout all districts of Downtown.

SECTION 4. The following image shall be inserted in the DSDP on page 32 to demonstrate step-backs for Type F, Terrace Building.

SECTION 5. The regulation regarding the Allowable Building Height, for building Types M through Q of the DSDP, is hereby amended to allow 7 stories, instead of 5 stories.

SECTION 6. The Historic Preservation Building Standards, page 69 of the DSDP, is hereby amended as follows:
“Buildings shall incorporate elements of the original façade into the renovation scheme:

1. Do not cover existing original façade details by covering them with panels, signs, or by painting them out.

2. Do not alter the shape of existing original openings. If a window must be blocked, maintain its original shape.

3. Restore, where possible, the original façade by removing later additions of materials.

4. [+ In order to limit the detrimental effect of demolition on the character of the Downtown district, the total removal or removal of substantial portions of historic buildings shall be subject to the provisions of §14-12-9, ROA. This ordinance provides for demolition review of structures that are 50 years or more old if, during a public hearing, the Landmarks and Urban Conservation Commission invokes a demolition review period. +]

[+ Historic buildings are those buildings that are listed on the National Register of Historic Places or the State Register of Cultural Properties, or those buildings that are determined to be eligible for listing by the appropriate agency.

Registered historic buildings in the Downtown 2010 Plan Area include*:

Atchison, Topeka & Santa Fe Railroad Freight House 314 1st St. SW
E.R. Berry Residence 415 6th St. NW
Champion Grocery Building 622-626 Tijeras NW
Eller Apartments 113-127 8th St. SW
Federal Building 421 Gold Ave. SW
First Methodist Episcopal Church 3rd St. & Lead Ave.
First National Bank Building 217-223 Central Ave. NW
Good Shepherd Refuge 601 2nd St. SW
Old Hilton Hotel 125 2nd St. NW
Hope Building 220 Gold Ave. SW
Hudson House 817 Gold Ave. SW
Kimo Theater 421 Central Ave. NW (City Landmark)
S.H. Kress Building 414-416 Central Ave. SW
Maisel’s Indian Trading Post 510 Central Ave. SW
McCanna Hubbell Building 418-424 Central Ave. SW
New Mexico – Arizona Wool Warehouse 520 1st. St. NW
Occidental Insurance Company Building 119 3rd St. SW (City Landmark)
Pacific Desk Building 213-215 Gold Ave. SW
John Pearce House 718 Central Ave. SW
Old Post Office 123 4th St. SW
Puccini Building 620-624 Central Ave. SW
Rosenwald Building 320 Central Ave. SW (City Landmark)
Simms Building 400 Gold Ave. SW
Skinner Building 722-724 Central Ave. SW (City Landmark)
Southern Union Gas Building 723 Silver Ave. SW
Southwestern Brewery and Ice Company 601 Commercial St. NE
Springer Building 121 Tijeras Road NE
Sunshine Building 120 Central Ave. SW (City Landmark)
Yrisarri Block 400-402 Central Ave. SW

* The above list is current as of January 2013.

Many other buildings in the Downtown are eligible for listing on the historic registers under the registered historic context “Historic and Architectural Resources of Central Albuquerque 1880-1970”. Consult with Planning Department staff for assistance with registering your building. Read the document and learn about the development of Downtown and eligible buildings at www.cabq.gov/planning/boards-and-commissions/landmarks-and-urban-conservation-commission/historic-preservation-resources.

FINANCIAL INCENTIVES / TAX ADVANTAGED REHABILITATION

Rehabilitation of historic structures may qualify for a 50-percent credit with caps against state income taxes and 20-percent with no cap on
federal income taxes. In the designated Arts & Culture District, the state tax credit is capped at twice the ordinary limit. In partnership with local commercial lenders and federal agencies, the Preservation Loan fund lends money at below the prime rate. Low-interest loans for buildings in the Downtown Albuquerque Main-Street district are also available. For additional information see nmhistoricpreservation.org. Standards for qualified rehabilitations do apply and applications must be approved prior to starting any work. +]

SECTION 7. FINDINGS ACCEPTED. The City Council adopts the following findings as recommended by the Environmental Planning Commission (EPC):

1. The City of Albuquerque Planning Department is proposing text amendments to the Downtown 2010 Sector Development Plan (DSDP) to help clarify specific language in the Plan and to allow more flexibility with the regulations in the Plan.

2. The amendments are sponsored by the City of Albuquerque Planning Department. The Planning Department has worked with the Downtown Action Team and other interested stakeholders in determining the text amendments.

3. The Charter of the City of Albuquerque, the Albuquerque Comprehensive Plan, the Downtown 2010 Sector Development Plan (DSDP) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

4. The request meets the intent of the City Charter: Amending the text of an adopted sector development plan falls within the City’s powers (Article I). The text amendments of the DSDP “ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment” (Article IX).

5. The proposed text amendments generally further the intent of City policies and regulations to promote the health, safety and general
welfare of the public. As the zoning authority for the City of Albuquerque, the City Council will make the final determination.

6. The requested amendments are not in significant conflict with adopted elements of the Comprehensive Plan, the Downtown Sector Development Plan or other city master plans including the following:

a. Comprehensive Plan Policies II.B.5.d, i, and l: The proposed text amendments will help to promote new development and redevelopment that allows improvements to the quality of site connectivity and the design of sites within the Downtown area, which respects neighborhood values. The amendments will not result in adverse effects of noise, lighting, pollution or traffic on residential environments and will encourage quality and innovation in design that is appropriate to the Downtown area.

b. Comprehensive Plan Goal for Activity Centers and Policies II.B.7.a and c: The Downtown area is designated as a Major Activity Center by the Comprehensive Plan. This request will have a beneficial impact on social and economic activities in this area as a whole, and the Downtown area will continue to grow in an urban fashion with higher density mixed use in buildings that are multi-story. This compact urban development will help to reduce urban sprawl, encourage multi-modal transportation and reduce the reliance on the automobile, while enhancing the identity of Albuquerque.

c. Comprehensive Plan Goal for Air Quality and Policy II.C.1.d: The text amendments will help to improve air quality, safeguarding public health and enhancing the quality of life, by reducing automobile travel and promoting reliance on transit and other multi-modal means of travel.

d. Comprehensive Plan Goal for Community Identity and Policies II.C.9.b and e: The text amendments regarding “deviations” will not affect the unique identity of the Downtown area since a
request for a deviation will have to meet the intent, goals and policies of the Downtown SDP.

e. Comprehensive Plan Goal for Economic Development and Policy

II.D.6.g: The text amendments will encourage steady and diversified economic development, balanced with other important social, cultural and environmental goals of the Downtown Sector Plan. In addition, the amendments will help promote a balance of jobs with housing to reduce the need to travel.

7. The text amendments are consistent with the intent of the Downtown SDP to streamline the development process through easily understood design standards while protecting surrounding neighborhoods.

8. The applicant has adequately justified the request pursuant to Resolution 270-1980:

A. Section 1A: Consistency with the City’s health, safety, morals and general welfare can be demonstrated because the request generally furthers applicable Goals and policies. There will be minimal impact to existing infrastructure and services by allowing certain building types in the Downtown 2010 SDP to be a maximum of 7 stories instead of 5 stories.

B. Section 1B: The proposed height increase may bring stability to the neighborhood by fostering a sense of place. The proposed change does not change any of the uses in the existing zones.

C. Section 1C: The zone change is not in significant conflict with adopted elements of the Comprehensive Plan.

1. Land Use Policies II.B.5.d, i, and l: The proposed text amendments will help to promote new development and redevelopment that allows improvements to the quality of site connectivity and the design of sites within the Downtown area, which respects neighborhood values. The amendments will not result in adverse effects of noise, lighting, pollution or traffic on residential environments and will encourage quality and innovation in design that is appropriate to the Downtown area.
2. Activity Centers Goal and Policies II.B.7.a and c: The Downtown area is designated as a Major Activity Center by the Comprehensive Plan. This request will have a beneficial impact on social and economic activities in this area as a whole, and the Downtown area will continue to grow in an urban fashion with higher density mixed use in buildings that are multi-story. This compact urban form will help to reduce urban sprawl, encourage multi-modal transportation and reduce the reliance on the automobile, while enhancing the identity of Albuquerque.

3. Environmental Protection/Air Quality and Policy II.C.1.d: The text amendments will help to improve air quality, safeguarding public health and enhancing the quality of life, by reducing automobile travel and promoting reliance on transit and other multi-modal means of travel.

4. Community Identity Goal and Policy II.C.9.b and e: The text amendments will not affect the unique identity of the Downtown area and will continue to support the intent, goals and policies of the Downtown SDP.

5. Economic Development Goal and Policy II.D.6.g: The text amendments will encourage steady and diversified economic development, balanced with other important social, cultural and environmental goals of the Downtown Sector Plan. In addition, the amendments will help promote a balance of jobs with housing to reduce the need to travel.

D. Section 1D: The request is shown to be more advantageous to the community as articulated in the Comprehensive Plan. The request furthers the preponderance of applicable Comprehensive Plan policies cited in Section C, above.

E. Section 1E: The request will not affect any of the uses currently allowed.

F. Section 1F: This request will require no unprogrammed capital expenditures by the City. Any improvements will be made and maintained privately.
G. Section 1G: Neither the cost of land nor other economic considerations is the determining factor for a change of zone. The determining factor is the desire to maintain the iconic Downtown skyline, consistent with the intent of the Plan.

H. Section 1H: The request is not site specific and is not influenced by proximity to a collector or major street.

I. Section 1I: This request will not create a spot zone.

J. Section 1J: This request will not create a strip zone.

9. The proposed text amendments warrant clarification and revision in order to improve compliance with Public Service Company of New Mexico policies, and to create internal consistency within the Downtown Sector Development Plan (DSDP). Application of the proposed conditions of approval will achieve this.

10. The Downtown 2010 Notify List was notified and an article has been included in the April/May 2013 Neighborhood News Newsletter distributed to all neighborhood representatives. Notification was also posted on ONC’s homepage for the newsletter.

11. Planning Department Staff has not received any communications supporting or opposing this request. There is no known opposition to the request.

SECTION 8. SEVERABILITY CLAUSE. If any section, paragraph, sentence clause, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise.

SECTION 9. This resolution shall take effect five days after publication by title and general summary.
CITY of ALBUQUERQUE
FOURTEENTH COUNCIL

COUNCIL BILL NO. R-21 ENACTMENT NO. 50-2000

SPONSORED BY: Adele Baca-Hundley

RESOLUTION

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

WHEREAS, the Council recognizes the need for sector development plans to guide the City of Albuquerque and other agencies and individuals to ensure orderly redevelopment and effective utilization of funds; and

WHEREAS, the Downtown Core, as shown on the map and described in the attached text, is designated as an urban center in the Albuquerque/Bernalillo County Comprehensive Plan; and

WHEREAS, the DOWNTOWN PLAN was originally adopted in 1975 with subsequent amendments (Resolution No. 189-1976, 102-1977 and 58-1988), and the Downtown Core Revitalization Strategy and Rank III Sector Development Plan was adopted in 1989 (Resolution 34-1989) with an amendment (Resolution 44-1990) and Design Standards & Guidelines for Downtown Central Avenue were
adoption in 1992; and

WHEREAS, the Downtown 2010 Sector Development Plan was jointly
developed by the City of Albuquerque and the Downtown Action Team with
assistance from area property owners, business people, residents, institutions
and neighborhood representatives; and

WHEREAS, the Downtown is a key element in the City’s overall economic
program and as an important part its efforts to promote and market Albuquerque
to new investments; and

WHEREAS, the Environmental Planning Commission, in its advisory role
on all matters relating to Planning, Zoning and Environmental Protection, has
approved and recommended adoption of the Downtown 2010 Sector Development
Plan; which includes amending the Downtown core boundary; and

WHEREAS, the City of Albuquerque originally adopted the Downtown
Neighborhood Area Sector Development Plan in 1976 through action on Council
Resolution 158-1976 and subsequently adopted additional amendments; and

WHEREAS, the Downtown 2010 Sector Development Plan addresses
protecting surrounding neighborhoods from intrusion of commercial and office
land uses; and

WHEREAS, the Downtown 2010 Sector Development Plan proposes
expanding the Downtown core boundary and controlling development in the
western area of Downtown to residential uses only; and

WHEREAS, the expanded Downtown core boundary will help stabilize and
conserves the Downtown Neighborhood Area (DNA); and

WHEREAS, the City of Albuquerque adopted the Huning Castle and
Raynolds Addition Neighborhood Sector Development Plan through Council
Resolution 22-1981; and

WHEREAS, the City of Albuquerque McClellan Park Sector Development
Plan through Council Enactment 10-1984, and amended that plan through Council
Resolution R-230; and

WHEREAS, the Downtown 2010 Sector Plan contains goals and objectives
encouraging new neighborhood oriented commercial development; and
WHEREAS, the Downtown 2010 Sector Development Plan addresses
protecting surrounding neighborhoods while providing mixed used
developments; and

WHEREAS, the expanded Downtown core boundary will encourage
residential development, neighborhood serving retail and ancillary office activity.

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

SECTION 1. The Downtown 2010 Sector Development Plan attached hereto
and made a part hereof; is hereby adopted, serving as a guide to partial
implementation of the Albuquerque/Bernalillo County Comprehensive Plan and
the investment of public and private funds.

SECTION 2. The 1989 Downtown Core Revitalization Strategy including the
Rank III Sector Development Plan and plan amendments adopted by Resolution
44-1990, and the 1992 Design Standards & Guidelines for Downtown Central
Avenue are hereby repealed.

SECTION 3. The Downtown Neighborhood Area (DNA) Sector Development
Plan boundaries are amended as per the attached map.

SECTION 4. The Huning Castle and Raynolds Addition Neighborhood
Sector Development Plan boundaries are amended as per the attached map.

SECTION 5. The McClellan Park Sector Development Plan boundaries are
amended as per the attached map.

SECTION 6. The boundaries, districts, and design standards as proposed
by the Downtown 2010 Sector Development Plan are more advantageous to the
community than the existing boundaries and uses, and will encourage the
development of the sector plan area as an urban center, consistent with the
Comprehensive Plan.

SECTION 7. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
clause, word or phrase of this resolution is for any reason held to be invalid or
unenforceable by any court of competent jurisdiction, such decision shall not
affect the validity of the remaining provisions of this resolution. The Council
hereby declares that it would have passed this resolution and each section,
paragraph, sentence, clause, word or phrase thereof irrespective of any
provisions being declared unconstitutional or otherwise invalid.
SECTION 8. EFFECTIVE DATE AND PUBLICATION. This resolution shall become effective five or more days after publication in full when a copy of the resolution is filed in the office of the County Clerk.
APPLICATION INFORMATION
City of Albuquerque

DEVELOPMENT/PLAN REVIEW APPLICATION

SUBDIVISION
- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN
- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- Administrative Approval (DRT, URT, etc.)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)
- Storm Drainage Cost Allocation Plan

SUPPLEMENTAL FORM (SF)
- ZONING & PLANNING
  - Annexation
  - Zone Map Amendment (Establish or Change Zone, Includes Zoning Within Sector Development Plans)
  - Adoption of Rank 2 or 3 Plan or similar
  - Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
  - Street Name Change (Local & Collector)
  - Appeal / Protest of...
    - Decision by: DRB, EPC, LUCC, Planning Director, ZEC, ZHE, Board of Appeals, other

APPLICATION INFORMATION:
- Professional/Agent (if any): __________ PHONE: __________
- ADDRESS: __________ FAX: __________

ADDRESS: __________ PHONE: __________
- CITY: __________ STATE __________ ZIP __________ E-MAIL: __________

APPLICANT: __________ PHONE: __________
- ADDRESS: __________
- CITY: __________ STATE __________ ZIP __________ E-MAIL: __________

Proprietary interest in site: __________

DESCRIPTION OF REQUEST: __________
- Sector Development Plan Map Amendment from SU-3/Housing to SU-3/Arts & Entertainment

Is the applicant seeking incentives pursuant to the Family Housing Development Program? __________ Yes. __________ No.

SITE INFORMATION:
- ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract: __________ Block: __________ Unit: __________
- Subdiv/Addrs/TBKA: __________
- Existing Zoning: __________ Proposed zoning: __________
- Zone Atlas page(s): __________

CASE HISTORY:
- List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.):
  ______ 100 9396

CASE INFORMATION:
- Within city limits? __________ Yes
- Within 1000FT of a landfill?
- No. of existing lots: __________ No. of proposed lots: __________ Total site area (acres): __________

LOCATION OF PROPERTY BY STREETS: On or Near:
- Between: __________ and __________
- Check if project was previously reviewed by: Sketch Plan/Plan □ or Pre-application Review Team (PRT) □.

SIGNATURE: __________ DATE: __________
- (Print Name) __________

FOR OFFICIAL USE ONLY

INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- GIS copy has been sent
- Case history #s are listed
- Site is within 1000FT of a landfill
- F.H.D.P. density bonus
- F.H.D.C. tax rebate

Application case numbers
- Project #: __________

Action: __________
- S.F.: __________
- Fees: __________

Hearing date: __________
- Total: __________

Reviewed: 11/2014
FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS

☐ ANNEXATION (EPC08)
  • Application for zone map amendment including those submittal requirements (see below).
  • Annexation and establishment of zoning must be applied for simultaneously.
  • Petition for Annexation Form and necessary attachments
  • Zone Atlas map with the entire property(ies) clearly outlined and indicated
    NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
  • Letter describing, explaining, and justifying the request
    NOTE: Justifications must adhere to the policies contained in "Resolution 54-1960"
  • Letter of authorization from the property owner if application is submitted by an agent
  • Board of County Commissioners (BCC) Notice of Decision
  • Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  • Sign Posting Agreement form
  • Traffic Impact Study (TIS) form
  • List any original and/or related file numbers on the cover application
  EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

☐ SDP PHASE I – DRB CONCEPTUAL PLAN REVIEW (DRBPH1) (Unadvertised)
☐ SDP PHASE II – EPC FINAL REVIEW & APPROVAL (EPC14) (Public Hearing)
☐ SDP PHASE III – DRB FINAL SIGN-OFF (DRBPH2) (Unadvertised)
  • Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
  • Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
  • Zone Atlas map with the entire plan area clearly outlined and indicated
  • Letter describing, explaining, and justifying the request
  • Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
    (for EPC public hearing only)
  • Traffic Impact Study (TIS) form (for EPC public hearing only)
  • Fee for EPC final approval only (see schedule)
  • List any original and/or related file numbers on the cover application
  Refer to the schedules for the dates, times and places of DRB and EPC hearings. Your attendance is required.

☐ AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)
  • Zone Atlas map with the entire property clearly outlined and indicated
  • Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
  • Letter of authorization from the property owner if application is submitted by an agent.
  • Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  • Sign Posting Agreement form
  • Traffic Impact Study (TIS) form
  • Fee (see schedule)
  • List any original and/or related file numbers on the cover application
  EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

☐ AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)
☐ AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)
  • Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
  • Plan to be amended with materials to be changed noted and marked
  • Zone Atlas map with the entire plan/amendment area clearly outlined
  • Letter of authorization from the property owner if application is submitted by an agent (map change only)
  • Letter briefly describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
  • Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
    (for sector plans only)
  • Traffic Impact Study (TIS) form
  • Sign Posting Agreement
  • Fee (see schedule)
  • List any original and/or related file numbers on the cover application
  EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)
  • Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
  • Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
  • Letter describing, explaining, and justifying the request
  • Fee (see schedule)
  • List any original and/or related file numbers on the cover application
  EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Applicant name (print)

[Signature]

Applicant signature & Date

Revised: June 2011

Checklists complete
Fees collected
Case #s assigned
Related #s listed

Application case numbers

Project #
Ms. Karen Hudson, Chair  
Environmental Planning Commission  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

RE: SECTOR DEVELOPMENT PLAN MAP AMENDMENT FROM SU-3 / HOUSING FOCUS TO SU-3 / ARTS AND ENTERTAINMENT FOCUS, ZONE MAP AMENDMENT, ZONE ATLAS PAGE K-14

Dear Chair Hudson,

The City of Albuquerque Metropolitan Redevelopment Agency ("MRA"), in accordance with City Resolution 270-1980, respectfully requests your review and approval of a sector development plan map amendment, allowing a change of zoning from SU-3 / Housing Focus to SU-3 / Arts and Entertainment Focus for the property described below:

TR 1 PLAT FOR SILVER GARDENS SUBDIVISION CONT .7966

The property is located on Silver Avenue between 1st and 2nd Streets in downtown Albuquerque. The immediate area surrounding the property has experienced growth and investment in recent years. To the east of the property is the Alvarado Transportation Center, to the south is the Silver Gardens Apartments, to the north is a city operated parking garage and the 100 Gold mixed-use building, and to the west is the Imperial Building, a mixed-use property with housing above ground floor commercial space.

The Albuquerque/Bernalillo County Comprehensive Plan identifies the area that the property resides in as a Central Urban Area and an Existing Major Activity Center.

The requested sector development plan map amendment would create a more favorable zoning designation for the subject property to act as a desired catalyst project in the Downtown Metropolitan Redevelopment Area. The property is a vacant lot of approximately 0.8 acres in size. It is presently being used as a temporary construction
staging area for the One Central development currently being built on the northeast corner of 1st Street and Central Avenue. The requested sector development plan map amendment will not remove any uses from the property. The change will simply shift the main focus from Housing to Arts and Entertainment. The change to Arts and Entertainment is consistent with other properties in the area fronting the north side of Second Street, namely the Imperial Building located immediately west of the subject property. The site of the Imperial Building was previously zoned SU-3 / Housing Focus. On May 10, 2012, the Environmental Planning Commission voted to approve a sector development plan map amendment to change the focus to SU-3 / Arts and Entertainment. With the change in zoning for the Imperial Building site and the existing zoning of SU-3 / Arts and Entertainment for many of the properties located to the immediate north of the subject property, this same designation is appropriate for the subject site at 101 Silver SW.

**Request for Sector Development Plan Map Amendment**

The current zoning designation on the property is SU-3 / Housing Focus, which makes residential uses the primary development type permitted at and above the ground floor level. Additional types of retail and office uses are allowed within the housing focus designation as long as they provide diversity and are compatible with the nature of the housing in the area. Appropriate reviews and approvals are required for retail/services, office/institutional, and warehouse/wholesale uses within the Housing Focus designation.

The requested sector development plan map amendment from SU-3 / Housing Focus to SU-3 / Arts and Entertainment Focus will keep all of the allowable uses available to the property that currently exist. The change will allow for the easier integration of the uses within a redevelopment project, thus providing an increase in available services and strengthening the downtown community.

**Justification and Policy Analysis**

Below is the R-270-1980 analysis to show how the requested sector development plan map amendment for this property will further the goals set in the Albuquerque/Bernalillo County Comprehensive Plan and the Downtown 2025 Sector Development Plan. The responses provided below show how this requested sector development plan map amendment is consistent with the growth and development patterns desired by the City.

The R-270-1980 zone change policies and criteria are in regular font and the applicant responses are in **bold**.
A. A proposed zone change must be found to be consistent with the health, safety, and general welfare of the neighborhood, community, and city.

The proposed sector development plan map amendment is consistent with the health, safety, and general welfare of the neighborhood, community and city. The subject property is located in downtown Albuquerque and the neighborhood has seen the recent development of a variety of commercial and residential properties in both single and mixed-use projects. The requested change is in-line with the City of Albuquerque and Bernalillo County Comprehensive Plan ("Comp Plan"), and the Downtown 2025 Sector Development Plan ("Downtown Plan") which also serves as the Downtown Metropolitan Redevelopment Plan.

B. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.

The stability of land use and zoning of the area will remain consistent. The property located to the west of the subject site, the Imperial Building, is zoned SU-3 / Arts and Entertainment Focus, as are nearly all the properties fronting Goal Avenue and Central Avenue, one and two blocks north of the subject site, respectively. The current zoning on the property allows for additional commercial uses to occur, other than housing, with appropriate reviews and approvals. With the approval of a sector development plan map amendment no uses will be removed from the property, it will however allow several uses that currently require a review and approval to be permitted. Housing above the ground floor will continue to be a permitted and important use.

C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN POLICIES

POLICY II.B.5 DEVELOPING AND ESTABLISHED URBAN AREAS

Note: The Central Urban Area is a portion of the Established Urban Area and as such is subject to policies of section II.B.5. ... Development intensities in the Central Urban Area should generally be higher than in other portions of Established Urban.
Goal
The goal is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.

Policy e
New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The property is one of a few remaining undeveloped properties within the downtown core. The surrounding properties have all been developed with varying uses including residential, retail, transit and parking. The approval of the sector development plan map amendment will allow for this vacant property to be developed into a manner that is more appropriate for the context of the existing area and to support the land uses of adjacent, previously developed properties.

Policy o
Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The approval of the sector development plan map amendment will make way for the redevelopment of a vacant property within the Established Urban Area. The requested SU-3 / Arts and Entertainment zoning will allow for beneficial uses and services to be brought to the downtown core, providing strength and stability to the community.

Policy p
Cost-effective redevelopment techniques shall be developed and utilized.

The property is currently owned by the City of Albuquerque. The sector development plan map amendment will facilitate a partnership between the City and a private sector developer(s) to redevelop the property as a catalyst project in a cost effective manner.

POLICY II.B.6 CENTRAL URBAN AREA
The Goal is to promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.

The subject property is located within the heart of the Central Urban Area and the historic center of downtown Albuquerque. As the downtown core has grown and revitalized, the need to adjust the focus of certain properties to meet the changing needs of the area has also grown. The location of the subject property, being positioned between the Alvarado Transportation Center and the Imperial Building, makes it more appropriate to change the Downtown 2025 SU-3 focus from Housing to Arts and Entertainment.

**POLICY II.B.7 ACTIVITY CENTERS**

The Goal is to expand and strengthen concentration of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

The requested map amendment will facilitate a public/private partnership that will result in the expansion and concentration of moderate and high-density mixed land use in the Downtown Major Activity Center.

**Policy a**

Existing and proposed Activity Centers are designated by a Comprehensive Plan map where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services. Each Activity Center will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation.

The subject property is located in the Major Activity Center of Downtown Albuquerque. The requested map amendment will maintain the desired development pattern of the Activity Center supporting a mix of uses and concentrated activity. The property is located between the Alvarado Transportation Center and the Imperial Building which has ground level retail
businesses. The development of the site will create a continuous frontage along the north side of Silver Avenue from the Alvarado Transportation Center to 3rd Street, increasing pedestrian and transit activity within the Activity Center.

Policy b
Net densities above 30 dwelling units per acre should generally be within Major Activity Centers; lower net densities in areas surrounding all types of Activity Centers will serve as a transition to residential neighborhoods.

The subject property is located in the heart of the Major Activity Center of Downtown Albuquerque. With the approval of the sector development plan map amendment, housing will still be an allowable use on the property allowing development to meet and exceed the desired densities above 30 dwelling units per acre.

Policy c
Structures whose height, mass or volume would be significantly larger than any others in their surroundings shall be located only in Major Activity Centers to provide for visual variety and functional diversity in the metropolitan area while preserving pleasing vistas and solar access.

The subject property is located in a Major Activity Center that currently has structures of varying height, mass and volume. Any development that does occur on the property will contribute to the desired visual variety and functional diversity in the metropolitan area.

Policy f
The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The subject site is located to the interior of the Activity Center area and is appropriately buffered from any low density residential development. The Downtown Activity Center has many mid-rise and high-rise buildings and any development that occurs will not be out of place or harmful to areas of less intensive development.

Policy i
Multi-unit housing is an appropriate use in Neighborhood, Community and Major Activity Centers.

Housing will still be an allowable use with the approval of the requested sector development plan map amendment. The inclusion of multi-unit housing will be possible with the map amendment.

Policy j
The City will structure capital expenditures and land use regulations in support of creating multi-use Activity Centers, and will promote ongoing public/private cooperation necessary for private market conditions that support the development and functioning of Activity Centers.

The requested sector development plan map amendment will facilitate a public/private partnership between the City of Albuquerque and a private developer for the development of the property. The partnership that is created will contribute to the vitality and success of the downtown Activity Center and help to encourage additional investment.

POLICY II.D.6 ECONOMIC DEVELOPMENT

Goal
The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy a
New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The sector development plan map amendment will better facilitate new employment opportunities in the area that will accommodate a wide range of occupational skills and salary levels. These new employment opportunities may be filled by local residents. The new services available will increase the number of businesses and resources available in the area for residents and visitors alike.

Policy b
Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.

The diversity of uses allowed by the proposed sector development plan map amendment will create a path for local and national businesses and professional firms to locate to the property. New development and businesses will be a catalyst in the area and encourage additional private investment.

Policy g
Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

The proposed amendment will allow for a variety of employment-based uses to occur on the property. The mix of employment, retail and residential uses will contribute to the balance of housing and jobs in the area while reducing the travel demand and increasing the density of the area as desired by the Downtown 2025 Sector Development Plan.

DOWNTOWN 2025 SECTOR DEVELOPMENT PLAN

Employment Policy #2
Encouraging small businesses to locate and stay Downtown.

The sector development plan map amendment to an Arts and Entertainment Focus will allow small and locally owned business to take advantage of the downtown marketplace. With the ability to locate a business on the ground level with a storefront access, small business will be able to take advantage of the increased pedestrian activity in the area due to the many recent mixed-use development projects occurring in the area.

Tourism & Hospitality
Make Downtown and the Historic district a “tourist destination”

The proposed amendment will allow for the continuation of redevelopment and investment in downtown Albuquerque, furthering the attractiveness and desirability of the area as a tourist destination. The property’s location across from the Alvarado Transportation Center, will make it one of the first locations
tourist traveling to the area via mass transit will encounter, making its appropriate use mix vitally important.

D. 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) or (2) above do not apply.

Item #1: There was not an error when the existing zoning map pattern was created.

Item #2: Changes in the neighborhood conditions have occurred in recent years that justify the requested change. The immediate area has seen the development of the Silver Gardens Apartments to the south of the subject site, the Alvarado Transportation Center to the east and the Casitas de Colores Apartments to the southwest.

One of the most significant changes to the condition of the community was the development of the mixed-use Imperial building to the west of the subject site. The Imperial Building has residential apartments above ground floor commercial space including a grocery store. The Environmental Planning Commission approved a sector development plan map amendment from SU-3 / Housing Focus to SU-3 / Arts and Entertainment Focus in 2012 for the Imperial Building to be developed; the same request is being made for this application.

Item #3: The Arts and Entertainment Focus will be more advantageous to the community and the urban fabric of downtown maintaining the consistency in zoning on the north side of Silver Avenue, between 1st and 3rd Streets.

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community.

The change will not create a situation where permissive uses would be harmful to the adjacent properties, the neighborhood or the community. The permitted uses will be the same as those of the Imperial Building immediately to the west of the subject property and many of the properties located to the north on Gold
and Central Avenues. The retail/services and office/institutional uses that are permitted in the requested zoning are currently allowable with required review and approval under the existing zoning designation.

F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the City may be;
   (1) Denied due to lack of capital funds, or
   (2) Granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

The proposed change will not require any major and un-programmed capital expenditures by the City.

G. The cost of land or other economic consideration pertaining to the applicant shall not be the determining factor for a change of zone.

The property is currently owned by the City of Albuquerque, therefore the cost of land or other economic consideration is not the determining factor for the sector development plan map amendment.

H. Location on a collector or major street is not in itself sufficient justification of apartment, office, or commercial zoning.

The location of the property with frontage on 1st, 2nd and Silver Streets, is not part of the justification for the requested amendment. Under the existing zoning retail/services and office/Institutional uses are allowed with proper reviews and approvals. Providing appropriate services and retail options, in addition to residential uses, makes the requested change more suitable for the property and its location in the downtown community.

I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a “spot zone.” Such a change of zone may be approved only when;
   (1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development, or
   (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones;
because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone.

The requested sector development plan map amendment would not represent a “spot zone”. There are several other properties in the immediate area that are zoned SU-3 / Arts and Entertainment Focus, the same zoning that is being requested. The approval of the requested amendment will further the goals outlined by the City for the area and continue the ongoing revitalization seen in the downtown community.

J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called “strip zoning.” Strip commercial zoning will be approved only where;

(1) The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan, and

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The requested sector development plan map amendment would not represent a “strip zone”. There are numerous other properties in the immediate area that are zoned SU-3 / Arts and Entertainment Focus, the same zoning that is being requested.

**Conclusion**

The requested sector development plan map amendment will create consistency in the zoning pattern of downtown Albuquerque and further the desired goals, policies and intents of the Albuquerque / Bernalillo County Comprehensive Plan and the Downtown 2025 Sector Development Plan. With the recent development that has occurred in the area, a change in the community conditions has occurred, and the requested sector development plan map amendment is appropriate to further catalyze new development and redevelopment in this important Major Activity Center.
Sincerely,

Rebecca Velarde
Metropolitan Redevelopment Agency
Planning Department
SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION
   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
   C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER
   A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
   B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on end at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING
   A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
   B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME
   Signs must be posted from _______ To _______.

5. REMOVAL
   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

(Applicant or Agent) 3-2-17

I issued 3 signs for this application, _______.

(Staff Member) 3-1-17

PROJECT NUMBER: 1006936

Rev. 1/11/06
CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: City of Albuquerque
DATe OF REQUEST: 2/28/17
ZONE ATLAS PAGE(S): K14

CURRENT:
ZONING SU-3 / Housing Focus
PARCEL SIZE (AC/SQ. FT.) 0.8 acres

LEGAL DESCRIPTION:
LOT OR TRACT # 1 BLOCK # 0000
SUBDIVISION NAME Silver Gardens

REQUESTED CITY ACTION(S):
ANNEXATION [ ] SU-3 Arts & Entertainment
ZONE CHANGE [X]: From Housing To Entertainment
SECTOR, AREA, FAC. COMP PLAN [ ]
AMENDMENT (Map/Text) [ ]

SITE DEVELOPMENT PLAN:
SUBDIVISION* [ ] AMENDMENT [ ]
BUILDING PERMIT [ ] ACCESS PERMIT [ ]
BUILDING PURPOSES [ ] OTHER [ ]
*includes platting actions

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT [X]
NEW CONSTRUCTION [ ]
EXPANSION OF EXISTING DEVELOPMENT [ ]

# OF UNITS: 
BUILDING SIZE: _________(sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE

DATE 03-01-17

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section - 22nd Floor West, 600 2nd St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [X] NO [ ] BORDERLINE [ ]

THRESHOLDS MET? YES [X] NO [ ]

MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]

Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

TRAFFIC ENGINEER
DATE 03-01-17

Required TIS must be completed prior to applying to the EPC and/or the DRB. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED ___/___/______
-FINALIZED ___/___/______
TRAFFIC ENGINEER
DATE

Revised January 20, 2011
NOTIFICATION &
NEIGHBORHOOD INFORMATION
Notification Inquiry Form

Use this form to submit a request to the Office of Neighborhood Coordination to obtain neighborhood or homeowner association contact information for application submittal to the Planning Department.

Instructions: Please fill out this form completely and include a zone atlas map that is marked to indicate where the subject site is located. Then, submit this form and your map in one of the following ways: 1) In person at the Office of Neighborhood Coordination, 5th Floor, 600 2nd Street NW; or 2) Email it to ONC@cabq.gov.

Developer Inquiry For:

☐ Cell Tower Submittal – Type: Select Tower Type
☐ DRB Submittal
☒ EPC Submittal
☐ LUCC Submittal

☐ ZHE Submittal (need address & zone map only)
☐ AA Submittal
☒ City Project Submittal
☐ Liquor License Submittal
☐ Other:

Anticipated Advertised Public Hearing Date: (list here) April 13th

Contact Name: Matthew Butkus
Company Name: CABQ
Address: 600 2nd St. SW
City: Alb.
Phone: 505.924.3907

State: NM Zip Code: 87102
Email: mbuthus@cabq.gov

Legal Description Information:

Describe the legal description of the subject site for this project:

TR 1 PLAT FOR SILVER GARDENS SUBDIVISION CONT .7466 AC

Located on/between (street name or other identifying mark):

101 SILVER ST SW

This site is located on the following zone atlas page:

k 14
March 1, 2017

Matthew Butkus
City of Albuquerque, Metropolitan Redevelopment Agency
600 2nd Street NW
Albuquerque, NM 87102
(505) 924-3907

Dear Matthew:

Thank you for your inquiry requesting the names of ALL Neighborhood and/or Homeowner Associations who would be affected under the provisions of §14-8-2-7 of the Neighborhood Association Recognition Ordinance by your proposed [EPC Submittal] project recorded as [TR 1 PLAT FOR SILVER GARDENS SUBDIVISION] located on [Silver Ave. between 1st St. and 2nd St.] zone map [K-14].

This correspondence serves as your “Notification Inquiry Letter” from the Office of Neighborhood Coordination, and must be included as part of your application. Please see “ATTACHMENT A” for a list of NA’s / HOA’s that must be contacted regarding this submittal.

Please note that according to Section §14-8-2-7 of the Neighborhood Association Recognition Ordinance you are required to notify both of these contact persons by certified mail, return receipt requested, before the Planning Department will accept your application. Please see Page 2 of this letter for additional requirements. If you have any questions about the information provided please contact our office at (505) 924-3914 or ONC@cabq.gov

Sincerely,
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department
Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), or approval of a Wireless Telecommunication Facility (WTF) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision;
3. A physical description of the location, referenced to streets and existing land uses;
4. A complete and detailed description of the action(s) being requested;
5. ***NEW*** Facilitated Meeting Information – All notification letters must include the following text:

   Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914.

   A facilitated meeting request must be received by ONC by: Monday, March 13, 2017.

Neighborhood Notification Checklist

The following information must be included for each application packet submitted to the City of Albuquerque Planning Department.

1. ONC’s “Notification Inquiry Letter” outlining any affected Neighborhood and/or Homeowner Associations.

   *Note: If your ONC letter is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.

3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

   Any questions, please feel free to contact our office at (505) 924-3914 or ONC@cabq.gov.

   Thank you for your cooperation on this matter.

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

(ONC use only)

Date Processed: 03/01/17 ONC Staff Initials: VMQ
ATTACHMENT A

BARELAS NEIGHBORHOOD ASSOCIATION (R)
Elisha Miranda-Pohl
5418 Evans Rd. SW/87102 385-9029 (c)
Stephen Eiland
1115 Santa Fe Ave. SW/87102

BROADWAY CENTRAL CORRIDORS PARTNERSHIP, INC.
Doug Majewski
P.O. Box 302/87103
Rob Dickson
P.O. Box 302/87103 515-5066 (c)

CITIZENS INFORMATION COMMITTEE OF MARTINEZTOWN (R)
Kristi L. Houde
617 Edith Blvd. NE, Apt. #8/87102 250-6704 (c)
Frank H. Martinez
501 Edith NE/87102 243-5267 (h)

DOWNTOWN NEIGHBORHOODS ASSOCIATION (R)
Reba Eagles
1500 Lomas Blvd. NW, Ste. B/87104 604-3434 (c)
David McCain
1424½ Lomas Blvd. NW/87104 250-8757 (c)

HUNING HIGHLAND HISTORIC DISTRICT ASSOCIATION (R)
Bonnie Anderson
522 Edith SE/87102
Ann L. Carson
416 Walter SE/87102

MARTINEZTOWN WORK GROUP
Loretta Naranjo Lopez
1127 Walter NE/87102 270-7716 (c)
Christina Dauber
708 Don Tranquilino NE/87102
243-1718 (h) 828-5472 (w)

RAYMONDS ADDITION NEIGHBORHOOD ASSOCIATION (R)
Bob Tilley
806 Lead Ave. SW/87102 263-9848 (h)
Deborah Foster
1307 Gold SW/87102 243-4865 (h)

SANTA BARBARA-MARTINEZTOWN ASSOCIATION (R)
Monique Bell
1420 Edith Blvd. NE/87102 319-0839 (c)
Carol Krause
800 Mountain Rd. NE/87102 507-0673 (c)

Updated 12/21/16
SILVER PLATINUM DOWNTOWN NEIGHBORHOOD ASSOCIATION (R)
Ron Casias
205 Silver Ave. SW, Apt. #428/87102
319-0958 (c)
Leonard Morin
100 Silver Ave. SW, Apt. #401/87102
319-1169 (c)

SOUTH BROADWAY NEIGHBORHOOD ASSOCIATION (R)
Frances Armijo
915 William SE/87102  400-3473 (c)  247-8798 (h)
Gwen Colonel
900 John St. SE/87102  513-257-9414 (c)

VILLA DE SAN MARTIN H.O.A., INC. (VSM)
*Stephen Maynard  e-mail: srmcongeo@comcast.net
521 Roma NE/87102  307-2065 (h)
Pamela Meyer  e-mail: pmeyer@sentrymgt.com
4121 Eubank Blvd. NE/87111  323-7600 ext. 28 (o)

SYCAMORE N.A. (SYM) “R”
Peter Schillke  e-mail: pschillke@gmail.com
1217 Coal Ave. SE/87106  243-8368 (h)
Mardon Gardella  e-mail: mg411@q.com
411 Maple St. NE/87106

SPRUCE PARK N.A. INC. (SPK) “R”
*Peter Feibelman
1401 Sigma Chi NE/87106  242-1946 (h)
Alan Paxton  e-mail: paxtona@swcp.com
1603 Roma Ave. NE/87106  244-0980 (h)
Website: www.spruceparkneighborhood.com  NA E-mail: spnassociation@gmail.com

SILVER HILL N.A. (SHL) “R”
*James Montalbano  e-mail: ja.montalbano@comcast.net
1404 Silver Ave. SE/87106  243-0827 (c)  244-1200 (w)
Elizabeth Doak  e-mail: elizedoak@aol.com
1606 Silver SE/87106  242-8192 (h)  243-3200 (w)
Website: www.silverhillabq.org

UNIVERSITY HEIGHTS N.A. (UHT) “R”
*Julie Kidder  e-mail: juliemkiddr@gmail.com
120 Vassar SE/87106  269-3967 (c)
Don Hancock  e-mail: srccdcon@earthlink.net
105 Stanford SE/87106  262-2053 (h)  262-1862 (w)
Website: www.uhanm.org  NA E-mail: info@uhanm.org

VICTORY HILLS N.A. (VHL) “R”
*Erin Engelbrecht  e-mail: eebrcht@yahoo.com
P.O. Box 40298/87196  350-8984 (c)
Patricia Willson  e-mail: info@willsonstudio.com
505 Dartmouth SE/87106  266-8944 (h)
Website: facebook.com/VictoryHillsNeighborhoodAssociation  NA E-mail: draca@swcp.com

Updated 12/21/16
WELLS PARK N.A. (WPK) “R”
*Mark Horst  
**e-mail**: horst.mark@gmail.com
1114 7th St. NW/87102  612-384-4049 (c)
Doreen McKnight  
**e-mail**: djameson5966@gmail.com
1426 7th St. NW/87102  615-2937 (c)
Website: [www.wpna.wordpress.com](http://www.wpna.wordpress.com)  NA E-mail: wellsparkna@gmail.com

HUNING CASTLE N.A. (HCS) “R”
*Harvey Buchalter  
**e-mail**: hcbuchalter@gmail.com
1615 Kit Carson SW/87104  247-2602 (h)
Deborah Allen  
**e-mail**: debzallen@ymail.com
206 Laguna Blvd. SW/87104  250-3669 (h)
Website: [www.huningcastle.com](http://www.huningcastle.com)  NA E-mail: hcnalert@gmail.com

CLAYTON HEIGHTS/LOMAS DEL CIELO N.A. (CHL) “R”
*Isabel F. Cabrera  
**e-mail**: Isabel_f_cabrera_617@msn.com
1720 Buena Vista SE/87106  242-4494 (h)
Eloisa Molina-Dodge  
**e-mail**: e_molinadodge@yahoo.com
1704 Buena Vista SE/87106  243-4322 (h)  301-5051 (c)
Website: [http://www.claytonheightsna.org](http://www.claytonheightsna.org)

KIRTLAND COMMUNITY ASSOC. (KCA) “R”
*Kimberly Brown  
**e-mail**: kande0@yahoo.com
P.O. Box 9731/87119  242-9439 (h)
Elizabeth Aikin  
**e-mail**: bakieaikin@comcast.net
1524 Alamo SE/87106  288-6324 (c)
March 3, 2017

To Whom It May Concern:

You are receiving this notification letter because you either: 1) Are an adjacent property owner to property located at 101 Silver Avenue SW, or; 2) Represent a neighborhood that the Office of Neighborhood Coordination (ONC) includes on its list for nearby neighborhoods to the subject property (See included zone map). The legal address for the property is:

TR 1 PLAT FOR SILVER GARDENS SUBDIVISION CONT .7966

The Metropolitan Redevelopment Agency (MRA), on behalf of the City of Albuquerque, is submitting an application to the Environmental Planning Commission (EPC) requesting approval of a sector development plan map amendment for the subject property.

The requested sector development plan map amendment is a change in zoning from SU-3/Housing Focus to SU-3/Arts and Entertainment Focus.

The MRA’s application will be heard at the April 13, 2017 EPC hearing that begins at 8:30 am. The hearing will be held in the Plaza del Sol Basement Hearing Room at the Planning Department. The Planning Department is located in the Plaza del Sol building at 600 2nd Street NW, Albuquerque, NM 87102.

**Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Office of Neighborhood Coordination (ONC) by email at ONC@cabq.gov or by phone at (505) 924-3914. A facilitated meeting request must be received by ONC by: Wednesday, March 15, 2017.**

If you have any questions regarding this request, please contact either Mr. Matthew Butkus at mbutkus@cabq.gov or (505) 924-3907 or the Staff Planner when one is assigned to this case.

Thank you for allowing me to contact you.

Sincerely,

Rebecca Velarde, Manager
Metropolitan Redevelopment
<table>
<thead>
<tr>
<th>Address</th>
<th>Send To</th>
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**Bernal Neighborhood Association**

Stephen Eiland
1115 Santa Fe Ave. SW
Albuquerque, NM 87102

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**Kirtland Community Association**

Kimberly Brown
P.O. Box 9731
Albuquerque, NM 87119

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**University Heights N.A.**

Don Hancock
105 Stanford SE
Albuquerque, NM 87106
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### Spruce Park N.A. INC
- **To:** Peter Feibelman
- **Address:** 1401 Sigma Chi NE
- **City:** Albuquerque
- **State:** NM
- **Zip:** 87106

**Postage:** $1.46
- **Certified Fee:** $3.35
- **Return Receipt Fee:** $3.75
- **Restricted Delivery Fee:** $2.75

**Total Postage:** $6.56

### Wells Park N.A.
- **To:** Mark Horst
- **Address:** 1114 7th St. NW
- **City:** Albuquerque
- **State:** NM
- **Zip:** 87102

**Postage:** $1.46
- **Certified Fee:** $3.35
- **Return Receipt Fee:** $3.75
- **Restricted Delivery Fee:** $2.75

**Total Postage:** $6.56

### University Heights N.A.
- **To:** Julie Kiddie
- **Address:** 120 Vassar SE
- **City:** Albuquerque
- **State:** NM
- **Zip:** 87106

**Postage:** $1.46
- **Certified Fee:** $3.35
- **Return Receipt Fee:** $3.75
- **Restricted Delivery Fee:** $2.75

**Total Postage:** $6.56

### Silver Hill N.A.
- **To:** James Montalbano
- **Address:** 1404 Silver Ave SE
- **City:** Albuquerque
- **State:** NM
- **Zip:** 87106

**Postage:** $1.46
- **Certified Fee:** $3.35
- **Return Receipt Fee:** $3.75
- **Restricted Delivery Fee:** $2.75

**Total Postage:** $6.56

### Broadway Central Corridors Partnership, Inc
- **To:** Rob Dickson
- **Address:** P.O. Box 302
- **City:** Albuquerque
- **State:** NM
- **Zip:** 87103

**Postage:** $1.46
- **Certified Fee:** $3.35
- **Return Receipt Fee:** $3.75
- **Restricted Delivery Fee:** $2.75

**Total Postage:** $6.56

### Downtown Neighborhoods Association
- **To:** David McCain
- **Address:** 1424 ½ Lomas Blvd.
- **City:** Albuquerque
- **State:** NM
- **Zip:** 87104

**Postage:** $1.46
- **Certified Fee:** $3.35
- **Return Receipt Fee:** $3.75
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<td>Bob Tilley, 806 Lead Ave. SW, Albuquerque, NM 87102</td>
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<td>Santa-Barbara-Martineztown Association</td>
<td>Monique Bell, 1420 Edith Blvd. NE, Albuquerque, NM 87102</td>
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<td>Huning Castle N.A</td>
<td>Harvey Buchalter, 1615 Kit Carson SW, Albuquerque, NM 87104</td>
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<td>Villa de San Martin H.O.A, Inc</td>
<td>Stephen Maynard, 521 Roma NE, Albuquerque, NM 87102</td>
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<td>Silver Platinum Downtown Neighborhood Association</td>
<td>Ron Casias, 205 Silver Ave. SW Apt. # 428, Albuquerque, NM 87102</td>
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**Villa de San Martín H.O.A, Inc**

Pamela Meyer

4121 Eubank Blvd. NE
Albuquerque, NM 87111

**Spruce Park N.A. INC**

Alan Paxton

1603 Roma Ave. NE
Albuquerque, NM 87106

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**Silver Hill N.A**

Elizabeth Doak

1606 Silver SE
Albuquerque, NM 87106

**Highland Historic District Association**

Bonnie Anderson

522 Edith SE
Albuquerque, NM 87102

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**Sycamore N.A.**

Mardon Gardella

411 Maple St. NE
Albuquerque, NM 87106

**Downtown Neighborhoods Association**

Reba Eagles

1500 Lomas Blvd. NW, Ste. B
Albuquerque, NM 87104
### South Broadway Neighborhood Association

**Recipient:** Gwen Colonel  
**Address:** 900 John St. SE  
**City, State, Zip:** Albuquerque, NM 87102

### Silver Platinum Downtown Neighborhood Association

**Recipient:** Leonard Morin  
**Address:** 100 Silver Ave. SW Apt. 401  
**City, State, Zip:** Albuquerque, NM 87102

### Santa Barbara Martineztown Association

**Recipient:** Carol Krause  
**Address:** 800 Mountain Rd. NE  
**City, State, Zip:** Albuquerque, NM 87102
Hearing Date: Thursday, April 13, 2017
Zone Atlas Page: K-14
Notification Radius: Neighborhood Associations
100ft plus r.o.w

Cross Reference and Location

Applicant: City of Albuquerque
600 2nd St. NW
Albuquerque, New Mexico 87102

Agent:

Special Instructions:
Notice must be mailed from the City 15 days prior to the meeting.

Date Mailed: 03/29/17

Signature: Geraldine Delgado
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Kirtland Community Assoc. (KCA) "R"
Kimberly Brown
P.O. Box 9731
Albuquerque, New Mexico 87119
Ms. Karen Hudson, Chair  
Environmental Planning Commission  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103  

April 5, 2017  

RE: PROJECT # 1006936  
SECTOR DEVELOPMENT PLAN MAP AMENDMENT  

Dear Chair Hudson,  

On behalf of the DowntownAbq MainStreet Initiative Board, we would like to express our support of the proposed Sector Development Plan Map Amendment for the property located at 101 Silver Avenue SW, in downtown Albuquerque. The proposed zoning of SU-3/Arts and Entertainment, is aligned with Downtown’s mixed use vision and builds on the success of the Imperial Building, which has brought downtown not only new residents but new retail services, including dining, shopping and wellness services. Often it is the retail component of a project that makes housing economically viable, particularly in the case of creating a broader range of housing opportunities (from affordable to market rate). The parcel’s existing zoning reflects a master plan that was never developed, now it is time to secure the parcel’s future by allowing the mix of uses that will support its development and enhance our downtown.  

Sincerely,  

Lola Bird  
Executive Director