



**Landmarks & Urban
Conservation Commission**



**Agenda Number: 6
Case No.: 16-LUCC-50013
Project # 1010796
July 13, 2016**

Supplemental Staff Report #2

Agent		Staff Recommendation <i>APPROVAL of Case # 16-LUCC-50013, Project #1010796, a request for a Certificate of Appropriateness based on the Findings beginning on page 6 and subject to the Conditions of Approval on page 8.</i>
Applicant	City of Albuquerque Transit Department	
Request	Certificate of Appropriateness	
Legal Description	Public Right-of-way	
Address/Location	Central Ave. between Union Square St. (formerly John St.) and Locust St. SE	
Zoning		
Historic Location	Huning Highland-East Downtown Urban Conservation Overlay Zone	
		Maryellen Hennessy, Senior Planner Staff Planner

Summary of Analysis

The applicant proposes to make changes to the street right-of-way and sidewalks and to construct a bus loading platform in the median in the Urban Conservation Overlay Zone (UCOZ) in accordance with the planned Albuquerque Rapid Transit (ART) project. This application pertains to one segment of the larger ART project located between Union Square (formerly John Street) and Locust Streets SE. No additional right-of-way is required to implement the project. Sidewalks are widened in locations where they can be accommodated and narrowed in limited locations. Most existing street trees, including those in the median, will be removed and new trees added where they can be accommodated by the project design. The overall number of street trees in the district will be increased. The number of on street parking spaces will be maintained. A bus loading platform would be constructed between Edith and Walter.

There are no revisions to the original proposal. As discussed in the analysis contained in the April and May staff reports, given the general nature of the direction provided by the Regulatory Plan, this proposal to make changes to the public right-of-way in the HH-Edo UCOZ in the implementation of the ART project can be approved. In general, the project provides for "Street design that that contributes to safety, convenience and walkability" as provided for in the Regulatory Plan. When considered against the criteria for approval of a Certificate of Appropriateness, the project comports with the applicable criteria.

PRIMARY REFERENCES: Landmarks and Urban Conservation Ordinance; Regulatory Plan for the Huning Highland-East Downtown Urban Conservation Overlay Zone; Albuquerque Bernalillo County Comprehensive Plan.

SUMMARY OF REQUEST

Request	<i>Certificate of Appropriateness (Compliance)</i>
Historic Location	<i>Huning Highland – East Downtown Urban Conservation Overlay Zone</i>

I AREA HISTORY AND CHARACTER

Surrounding architectural styles, historic character

	# of Stories	Architectural Style and Approximate Age of Construction	Historic Classification & Land Use
General Area	1-2	Spanish Pueblo Revival; Mediterranean Revival; one-part commercial blocks; mid-century modern; contemporary commercial	Contributing; Non-contributing

II INTRODUCTION and HISTORY

This report is supplemental to the report dated April 13, 2016 and the supplemental report dated May 11, 2016. This report is intended to be read in conjunction with those previous reports. This report contains only new information and analysis. This application was deferred by the LUCC from the April 13, 2016 hearing to the May 11, 2016 hearing with direction to the applicant to consider refining the design of the bus station to be more responsive to the architectural context of the Huning Highland historic district. Specifically, the Commission asked that the consultants consider diversifying the materials used on the bus loading platform. In addition, the Commission asked the Transit Dept. to consider the recommendations presented at the April 13, 2016 hearing by affected neighborhood associations, Broadway Central Corridor Partnership and Huning Highland Historic District Association.

At the May 11, 2016 hearing, the applicant requested a second deferral of the matter because the applicant wanted to supplement the information in their submittal with construction documents for the project. The information was accepted and after public testimony the LUCC approved the deferral until the next regular hearing on June 8, 2016. There was no noted objection to the deferral. Transcripts of the May 11 and April 13 2016 hearings are appended to this report for reference (A-1 and A-2).

On June 8, 2016 the LUCC lacked a quorum to conduct business and all scheduled items were rescheduled to the July 13, 2106 LUCC hearing.

III NEW INFORMATION FROM THE APPLICANT

The applicant, Albuquerque Transit Department submitted drawings extracted from the 90% complete construction documents for the ART project prepared by HDR Engineering (no date). Pages 67 – 81 are applicable to the segment of the project within the UCOZ between Union Square Street and Locust Street.

Two sheets of construction documents detailing the proposed ticket kiosk were also submitted along with an enlarged version of the April 13, 2016 submittal Exhibit A, which illustrates the various components of the project including sidewalks, trees, materials, and on street parking.

No changes to the platform design have been offered by the applicant. The applicant's response to the concerns raised by the LUCC and the neighborhood association were included with the May 11, 2016 staff report as attachment A-1. In summary, the Transit Dept. responded by saying that a) the abruptness and magnitude of lane shifts for all vehicles required to comply with the neighborhood association requests would not contribute to a safe and acceptable engineering solution b) The City has no recourse other than to accept a consultation entered into between the Federal Transit Administration and the SHPO regarding the canopies and that the Transit Dept. can seek a new consultation once the ART is in service and lastly, c) the applicant finds that there is no one material that can be identified as representative of the district and that the goal of providing a consistent identifiable design for canopies along the corridor remains an important objective.

IV. NEW NEIGHBORHOOD NOTIFICATION AND PUBLIC COMMENTS

A legal advertisement was placed in the Albuquerque Journal with regard to this hearing on June 21, 2016.

No additional written public comment was received subsequent to the May 11, 2016 hearing.

V. ANALYSIS

This analysis incorporates and expands upon analysis previously offered in the April 13 and May 11 2016 staff reports.

In general, the project provides for "*Street design that that contributes to safety, convenience and walkability*" as provided for in the Regulatory Plan on page 9: Historic Preservation E.1 Public Right of Way. The effects of the project will likely include slower driving speeds as recommended in the plan. Sidewalks throughout the district are to be improved and on the south side of Central Ave. enhanced in width adjacent to commercial buildings and with a generous number of street trees. Where brick sidewalks exist, they will be re-installed with a combination of the new and used bricks.

Currently, the only signalized intersections in the UCOZ are at Broadway on the west end, Edith, and Locust Street on the eastern end. In the proposed plan, another signalized crosswalk would be added at Walter, making pedestrian crossings equidistant though the district and thereby adding to the safety of pedestrians. The applicant has provided sufficient justification for the number of street trees proposed as a part of this project and a deviation to the very rigid placement standard cited in the plan is reasonable. The project would add thirty-three percent additional street trees.

The guidance for street furniture provided by the plan on page 2 Historic Preservation E.3 Public Right of Way is vague, stating only that "*Street furniture should comply with the historic character of the area.*" The historic and architectural character of the UCOZ is eclectic and diverse as noted on page 2 Character Defining Features #6. The HH-Edo UCOZ features a variety of commercial and institutional buildings reflecting the continuum of time periods in Albuquerque's history and a

very diverse mix of architectural styles and roadside commercial architecture. The UCOZ also contains contemporary live/work mixed use buildings.

There is no shade structure associated with this station at this time. The kiosk, while somewhat streamlined in shape, is rather formidable in size at eight feet tall by seventeen feet long. The kiosks are fabricated of steel frame with a perforated metal sheathing. The perforations are 1/8 inch holes with 3/8 inch spacing. Staff concludes that the materials of the kiosk are similar to, and no more or less compatible than the materials used on the existing bus stops/shelters through the district.

The ART pole sign is reminiscent of other roadside advertising signs both in the district and along the greater Route 66 and has a "retro" mid-century appearance.

Due to the lack of specificity in the adopted guidelines for the UCOZ, the question of whether or not the project as designed will impair or diminish the architectural character and historic value of the UCOZ is a subjective one. The historic buildings in the UCOZ are not themselves altered or compromised, the question has more to do with the introduction of a new structure to the streetscape. Opinions as expressed in the hearings and in written comments indicate that some people consider the project as a detriment to the historic character of the UCOZ. Staff looks to the determination of the SHPO for guidance. The SHPO reviews the actions of government agencies to determine if historic resources will be adversely affected. In its agreement with the Federal Transit Authority (included in applicants original submittal and attached again here as A-3) has given a *no adverse effect determination* for the stations as currently designed, that is, without canopies.

The Commission discussed on April 13, that the absence of a cover from the elements for transit riders, as dictated by the agreement concluding the Section 106 consultation does not support a quality experience for transit users at this station and contributes to the somewhat sparse appearance of the bus loading platform. The applicant has indicated that they are willing to pursue further consultation, but not at the risk of adjusting the project timeframe.

There was public testimony at the April 13 and May 11 LUCC hearing. Some comments addressed the viability or wisdom or design of the overall project. There were several requests to defer decision on this request until pending lawsuits against the project were resolved.

Staff would emphasize and recommend that the application be reviewed with a focus on the powers and duties of the LUCC as provided in the LUC Ordinance:

Landmarks and Urban Conservation Ordinance (Article 12, R.O.A., 1994) Section 14-12-6 stipulates the powers and duties of the Landmarks and Urban Conservation Commission.

§14-12-6 The LUCC may:

(A) Conduct studies and programs designed to identify and evaluate structures and areas worthy of conservation, and to review the status of structures and zones already designated.

(B) Recommend to the Mayor and City Council landmarks to be designated by the Council in accordance with the procedures established in this article.

(C) Conduct a public hearing on an application for a historic or urban conservation overlay zone. The Commission may recommend approval or amendment of such an application to the City Council or it may deny the application. Historic and urban conservation zone procedures, including procedures for appeal of the Commission's denial of an application, are prescribed by the Zoning Code.

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- (D) Prepare and adopt specific development guidelines for any designated landmark, historic zone or urban conservation overlay zone.
 - (E) Make decisions on applications for Certificates of Appropriateness for alteration, new construction, or demolition, in accordance with the procedures established in this article.
 - (F) Disseminate information to the public concerning historic preservation and urban conservation and seek input from groups and individuals about these matters.
 - (G) Consider methods for encouraging and achieving historic preservation and urban conservation and make recommendations to the Mayor and City Council.
 - (H) Advise the Mayor, Council, and the Environmental Planning Commission on any proposed public improvements which would impact the exterior appearance of landmarks or significant structures in historic zones or urban conservation overlay zones.
 - (I) Perform demolition review as provided for in § 14-12-9 ROA 1994 when provided for in a sector development plan.

('74 Code, § 7-5-6) (Ord. 22-1978; Am. Ord. 4-1985; Am. Ord. 51-1991; Am. Ord. 2012-005)

The LUCC's role in this application is to (E) Make decisions on applications for Certificates of Appropriateness for alteration, new construction and demolition in accordance with the procedures established in the ordinance. The LUC ordinance provides criteria for approval of a Certificate.

VI. CONCLUSION

Reviewers must distinguish between design concepts they personally dislike, as a matter of personal taste, and one that is objectively inappropriate because it clearly violates the established guidelines. The guidelines represent a consensus of residents, professionals, and political leaders and the Commission's role is to administer them. Ideally, guidelines should be specific enough to provide clear guidance, and in this case, unlike the very prescriptive regulations for new buildings in the UCOZ, the guidance regarding the street right of way is overly vague.

As discussed the analysis contained in the April and May staff reports, given the general nature of the direction provided by the Regulatory Plan, this proposal to make changes to the public right-of-way in the HH-Edo UCOZ in the implementation of the ART project can be approved. When considered against the criteria for approval of a Certificate of Appropriateness, as discussed in the analysis, the project comports with the applicable criteria. The project is not inconsistent with the designation ordinance and the relevant guidelines for the UCOZ.

***FINDINGS for APPROVAL of a request for a Certificate of Appropriateness -
Case 16-LUCC-500015 / Project # 1010796 (July 13, 2016)***

1. This application is a request for a Certificate of Appropriateness to alter sidewalks and construct a boarding platform for the Albuquerque Rapid Transit (ART) project in the public right-of-way on Central Ave. between Union Square (formerly John Street) and Locust Ave. in the Huning Highland-East Downtown Urban Conservation Overlay Zone.
2. The Comprehensive Plan, the Huning Highland Sector Development Plan, the Comprehensive City Zoning Code, the Planning Ordinance, the Huning Highland-Edo Regulatory Plan and the Landmarks and Urban Conservation Ordinance are incorporated herein by reference and made part of the record for all purposes.
3. The LUC Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. The LUC Ordinance Section 14-12(8) (B) (1) states that a Certificate of Appropriateness shall be approved if "*The change is consistent with the designation ordinance and specific development guidelines for the landmark or historic zone*".
4. As discussed in the staff analysis, the proposed work is consistent with the designation ordinance R-2005-032. The proposed work complies with the relevant development guidelines for the historic zone as described in the staff report and in Findings 5 and 6 below.
5. The project supports the principles on which the Regulatory Plan (guidelines) is based, that is, promoting an environment that supports pedestrian activity and safety.
6. The proposal is consistent with Regulatory Plan (guidelines) in that the site furnishings as portrayed in the applicant's Exhibit "B" are simple and streamlined and they do not conflict with the "historic character" of the UCOZ. The architectural character of the UCOZ is not consistent. The HH-Edo UCOZ features a variety of commercial and institutional buildings reflecting the continuum of time periods in Albuquerque's history and a very diverse mix of architectural styles. The UCOZ also contains contemporary live/work mixed use buildings.
7. The proposal is not consistent with the Regulatory Plan (guidelines) with regard to street trees, but the applicant has cited unalterable constraints and adopted city policies in support of the proposed streetscape. Central Ave. is designated as a major transit corridor in the Albuquerque Bernalillo County Comprehensive Plan. The identified modal hierarchy dictates that transit should be accommodated. A deviation to this standard is justified because the project is consistent with the intent of the Plan for the UCOZ. The project seeks to make substantial improvements to transit as well as to the streetscape. The location of street trees should not interfere with the enjoyment of land in the vicinity. The project adds

landscape and street trees. It would be an unnecessary hardship to design this significant public investment around the placement of trees. The ability to provide street trees at exactly every 28 feet is dictated by the site constraints, not financial considerations.

8. Per the Planning Ordinance §14-13-2-2, the Comprehensive Plan and its provisions are ranked higher than the Rank Three Huning Highland Sector Development Plan. The Comprehensive Plan designates Central Ave. as a Major Transit Corridor and the Comprehensive Plan identifies the desired modal hierarchy as 1) Transit 2) Pedestrians 3) Autos and Bicycles.
9. The applicable LUC Ordinance Section §14-12(8)(B)(2) states that a Certificate of Appropriateness shall be approved if *“The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished”*. The architectural character and historical value of the Huning Highland historic district or the HH-Edo UCOZ will not be significantly impaired or diminished due to the proposal’s conformance with the specific development guidelines. This conclusion is supported by the determination of the State Historic Preservation Officer that the project as designed will not have an adverse effect on historic resources. No historic buildings are altered, removed or otherwise impaired by the project.
10. The applicable LUC Ordinance Section §14-12-8(B)(4) states that a Certificate of Appropriateness shall be approved *“if the structure or site’s distinguished original qualities or character will not be altered. Original shall mean at the time of initial construction or developed over the course of history of the structure.”* The street right-of-way is not a distinguishing characteristic of the Huning Highland-East Downtown Urban Conservation Overlay Zone as articulated in the designation ordinance or the nomination of the Huning Highland historic district to the National register of Historic Places.
11. The applicable LUC Ordinance Section §14-12-8(B)(6) states *“Additions to existing structure and new construction may be of contemporary design if such design is compatible with the historic zone in which it is to be located.”* Several “contemporary” buildings have been erected in this zone in the past fifteen years. The new bus platform and associated furnishing are no more or no less contemporary than other structures in the UCOZ. The tall pole sign for the ART system is reminiscent of advertising signs for historic Route 66 motels.
12. The bus loading platform station as designed without shelter or shade may not support a high quality experience for transit riders and affects the overall design of the station. The City of Albuquerque Transit Department, in its letter of May 5, 2016 has indicated that they will seek a new consultation with the SHPO on the matter after the ART project goes into service.

RECOMMENDATION - Case No. 16-LUCC-50015/ Project # 1010796- July13, 2016

APPROVAL of 16-LUCC-50015/ Project # 1010796, an application for a Certificate of Appropriateness alterations and construction in the public right-of-way on Central Ave between Union Square Street (formerly named John Street) and Locust Streets in the Huning Highland-East Downtown Urban Conservation Overlay Zone based on the above twelve findings and subject to the following condition.

Conditions of Approval Recommended

1. Minor changes to the streetscape plan related to field conditions may be approved by staff with the advice and consent of the Chairperson of the LUCC.
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**Maryellen Hennessy, Senior Planner
Urban Design and Development Division**

Attachments:

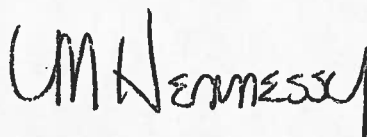
- A-1 Transcript of the April 13, 2016 LUCC hearing
- A-2 Transcript of the May 11, 2016 LUCC hearing
- A-3 Applicant's submittal/Letters between SHPO and FTA regarding compliance with Section 106 dated June 25, 2015 and July 7, 2015.

RECOMMENDATION - Case No. 16-LUCC-50015/ Project # 1010796- July13, 2016

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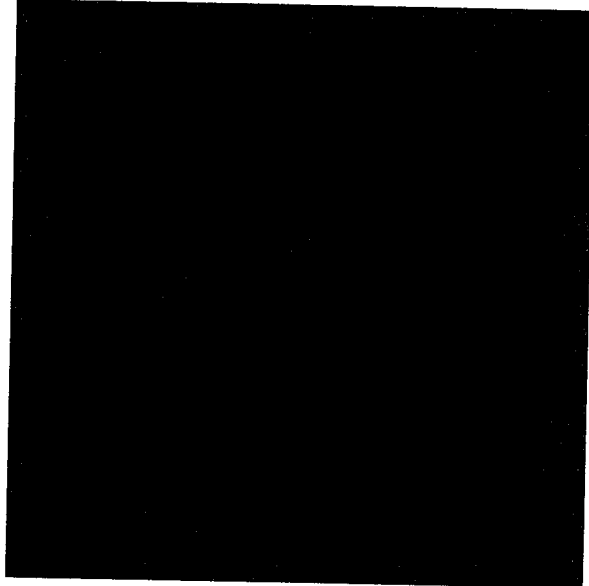
CITY OF ALBUQUERQUE PLANNING DEPARTMENT
LANDMARKS AND URBAN CONSERVATION COMMISSION

TRANSCRIPT OF PROCEEDINGS OF:
Project #1010796 - 16LUCC-50013
Wednesday, April 13, 2016

Plaza Del Sol Hearing Room, Lower Level
600 Second Street NW
(505) 924-3860

MEMBERS:

- James Clark, Chair
- Lauren Austin, Member
- J. Matt Myers, Member
- Robert G. Heiser, Member
- Amy Horowitz, Member



STAFF:

- Mary Ellen Hennessey, Senior Historic Planner
- Blake Whitcomb, Legal Counsel
- Alfredo Salas, Administrative Assistant

1 CHAIRMAN CLARK: Good afternoon, ladies and
2 gentlemen. I hereby call to order this public
3 hearing of the landmarks and urban conservation
4 commission for the 13th day of April 2016.

5 We wish all parties to have an opportunity
6 to present their positions before the commission.
7 And all interested parties wishing to speak today,
8 please log in with the secretary. She's not yet
9 done, so...

10 When you approach the podium for your
11 presentation, please address microphone. State your
12 name for the record. Another reminder, if you would,
13 please silence your telephones, your cell phone at
14 the present time. And if you have any need to
15 conduct a personal discussion during the hearing,
16 please step outside into the hallway and close the
17 doors behind you.

18 To keep these proceedings moving along
19 smoothly, we've established the following
20 presentation time limits. The application
21 presentation, the LUCC staff report will be five
22 minutes in length. The applicant's presentation will
23 be allowed 10 minutes. Other interested parties
24 addressing the commission will be allowed two minutes
25 each. The applicant's rebuttal will be five minutes.

1 And the staff closing rebuttal will be five minutes
2 in length.

3 After all the presentations are complete,
4 the floor will be closed for the commissioners to
5 discuss and vote on the application before them.

6 And because this hearing is a quasi-judicial
7 proceedings, I must ask all those who intend to speak
8 today to be signed in -- sworn in.

9 (Witnesses sworn.)

10 CHAIRMAN CLARK: Thank you.

11 Does staff or any commissioner have
12 additions or changes in the agenda, Item Number 2,
13 from the March 9, 2016, hearing?

14 No comments? I'll entertain a motion.

15 COMMISSIONER HEISER: So moved.

16 COMMISSIONER MYERS: Second.

17 CHAIRMAN CLARK: Moved and seconded.

18 All those opposed?

19 There being none opposed, the motion carries
20 and the agenda for the March 9 hearing is approved.

21 (Motion approved.)

22 CHAIRMAN CLARK: Does staff or any commissioner
23 have additions or corrections to the agenda for
24 today's hearing, April 13?

25 MS. HENNESSY: Mr. Chair.

1 CHAIRMAN CLARK: Ms. Hennessey.

2 MS. HENNESSY: Mr. Chair, our last item of
3 business, under other business, that should correctly
4 read "Election of officers," rather than
5 "Appointment."

6 CHAIRMAN CLARK: So noted.

7 Commissioners, any comment on this?

8 I'll entertain a motion.

9 COMMISSIONER HEISER: So moved.

10 UNIDENTIFIED COMMISSIONER: Second.

11 COMMISSIONER MYERS: I second that.

12 CHAIRMAN CLARK: And all those opposed to the
13 agenda as published and revised?

14 There being none opposed the agenda for
15 today's hearing, 13 April, is approved as presented
16 and revised.

17 (Motion approved.)

18 CHAIRMAN CLARK: Ladies and gentlemen, today's
19 agenda consists of a single item to review and
20 comment on the city's ART transit system improvements
21 for that portion of Central Avenue, running east from
22 John Street, which is one block west of Broadway, to
23 the west right-of-way limit of locust street at the
24 I-25 Frontage Road.

25 It is not within our charter to evaluate the

1 need or the feasibility of the ART transit system.

2 We shall be concerned with the impact on
3 this area in terms of the pedestrian experience,
4 maintaining respect for the bordering buildings and
5 their character, and the design sense of the
6 constructed ART improvements and the overall corridor
7 experience.

8 With this said, we want to hear your
9 comments concerning these aforementioned topics, but
10 this is not the forum to air concerns over the
11 development of the ART as a whole. Those public
12 presentations and hearings have been completed, with
13 the end result that this landmarks commission is
14 meeting today, as required by the city development
15 oversight process.

16 Appreciate your regards to that information.

17 Agenda Number 4, Project Number 1010802
18 16-LUCC-50015, Elliot Treveston, agent for CTB
19 Development, requests approval for a certificate of
20 appropriateness for new construction at 509 and
21 511 High Street, Southeast.

22 This application has been deferred at the
23 request of the applicant.

24 Are there any comments from commissioners
25 about the deferral of this item?

1 I'll entertain a motion.

2 COMMISSIONER HEISER: Mr. Chairman, I move to
3 defer the item to the May --

4 CHAIRMAN CLARK: May hearing.

5 COMMISSIONER HEISER: Is that a request for a
6 one month deferral or --

7 MS. HENNESSEY: Mr. Chair, Commissioner, that
8 would be fine.

9 COMMISSIONER HEISER: Okay.

10 MS. HENNESSEY: Thirty days.

11 COMMISSIONER HEISER: Move for a one-month
12 deferral to the May -- scheduled May hearing.

13 UNIDENTIFIED COMMISSIONER: I second.

14 CHAIRMAN CLARK: Moved and seconded.

15 All those opposed?

16 There being none opposed, this motion
17 carries. And Project Number 1010802 has been
18 deferred for a one-month period.

19 (Motion approved.)

20 CHAIRMAN CLARK: Agenda Item Number 5, project
21 Number 1010796 16-LUCC-50013. The City of
22 Albuquerque Transit Department requests approval for
23 a certificate of appropriateness for roadwork in the
24 public right-of-way on Central Avenue between John
25 and Locust Streets in the Huning Highland-East

1 Downtown Urban Conservation Overlay Zone.

2 Ms. Hennessey, for the staff -- Commissioner
3 Heiser.

4 COMMISSIONER HEISER: Mr. Chairman, I need to
5 disclose that in the past, I have represented a
6 client that owns a property at Edith and Central.
7 I'm not currently under contract, and I've had no
8 discussion with the client concerning this project,
9 nor has the client approached me on this project.

10 And additionally, in the past, I have
11 represented the Hotel Parq Central, which is not
12 technically in this district, however, the sidewalk
13 along the north property line is part of this plan.

14 Once again, I have not had a discussion with
15 my client concerning this project, nor have they
16 attempted to approach me concerning this project.

17 If anybody feels that I'm not -- I should
18 not hear this case, I would ask them to respond at
19 this time.

20 CHAIRMAN CLARK: Commissioners, any comment?

21 I hear no comments or requests from the
22 audience.

23 Thank you very much, Commissioner Heiser.

24 Ms. Hennessey.

25 MS. HENNESSY: Thank you, Mr. Chair, and good

1 afternoon, Commissioners and Ladies and Gentlemen,
2 who are here with us today.

3 With regard to Project 1010796, the
4 applicant proposes -- oh, Mr. Chair, just briefly
5 before I start. I did my best to condense my
6 presentation into the five minutes, but this is a
7 more complicated subject than some, so I will
8 probably run one or two minutes over.

9 CHAIRMAN CLARK: Thank you.

10 MS. HENNESSY: The applicant proposes to make
11 changes to the street right-of-way and sidewalks in
12 the urban conservation overlay zone, or we call it
13 the UCOZ, in accordance with the planned Albuquerque
14 Rapid Transit, or the ART project.

15 The application pertains to one segment of
16 the larger ART project located between John and
17 Locust Streets on Central Avenue. No additional
18 rights-of-way is required to implement the project.

19 With this project, sidewalks are widened in
20 locations where they can be accommodated and narrowed
21 in limited locations. Most existing street trees,
22 including those in the medium, will be removed, and
23 new trees added where they can be accommodated by the
24 project design.

25 A bus-loading platform would be constructed

1 at Walter Street in between traffic maintenance.
2 However, the platform does not feature a canopy
3 cover, as would be found on the proposed rapid
4 transit line in other areas of the city. Benches,
5 trash cans, and a ticket kiosk will be located on the
6 platform.

7 The ART system is to be branded with a
8 26-foot tall pole sign at the west end of the
9 platform, and a 10-by-3-and-a-half-foot monument sign
10 at the east.

11 The existing number of on-street parking
12 spaces in the area will be retained overall and a
13 bicycle lane added in the eastbound direction.

14 One general purpose lane in each direction
15 would be repurposed to provide for dedicated
16 bi-directional bus lanes in the center of the street.
17 The two existing travel lanes for other vehicles are
18 reduced to one.

19 Left-turn lanes are designed at Edith and
20 high streets. The ART will use articulated buses
21 with doors on both sides, dedicated traffic lanes,
22 and raised platform levels, boarding administration,
23 off-board fare purchases and traffic signal priority.

24 In 2005, if corridors on Central Avenue and
25 Broadway Boulevard were essentially carved out of the

1 Huning Highland Historic Overlay Zone and the urban
2 conservation overlay zone was designated for
3 properties lining the corridors.

4 Along with the new designation, as the UCOZ,
5 came a new sector development plan zoning category,
6 SU-2 CRZ, which allows for mixed-used development
7 along with form-based development regulations and
8 architectural standards.

9 Although the historic overlay designation
10 was removed from the UCOZ, the Central Avenue and
11 Broadway Boulevard corridor still remain in the state
12 and nationally registered Huning Highland Historic
13 District. A regulatory plan was adopted by the City
14 Council, along with the UCOZ designation.

15 The Albuquerque Rapid Transit project, as --
16 I'm just not having a good afternoon here. I'm
17 sorry.

18 The LUCC's role -- Mr. Chair, would you give
19 me one second here to organize my papers? Thank you.

20 I apologize, Mr. Chair, Commissioners.

21 The LUCC's role in this application is to
22 make decisions on applications for certificates of
23 appropriateness for alteration, new construction and
24 demolition, in accordance with the procedures
25 established in the landmarks ordinance.

1 Pages 1 to 4 and Page 9 of the development
2 guidelines are applicable to this request. And the
3 development guidelines for the Huning Highland-East
4 Downtown Urban Conservation Overlay Zones are the
5 regular -- regulatory plan as adopted by City Council
6 and this commission.

7 On Page 1, the guidelines articulate the
8 principles upon which the regulations are based and
9 generally describe the pedestrian friendly urban Main
10 Street, where sidewalks are wide and car speeds are
11 reduced, but vehicle capacity is high. They describe
12 a district with a variety of housing choices and new
13 mixed-use buildings interspersed with existing
14 historic buildings, served by quality transit.

15 The document says on Page 1: The urban
16 regulations given in this document translate to
17 principles and to design standards for street and
18 sidewalk, with some design, building setbacks,
19 building forms and such. So on.

20 The only reference in the plan with regard
21 to public right-of-way or sidewalks is found on
22 Page 9. Section E.1 on Page 9 directs the LUCC to
23 review all plans for sidewalk and street changes.

24 Although the plan directs the LUCC to review
25 changes to the sidewalk and street, the only guidance

1 provided is that street design shall contribute to
2 the safety, convenience and walkability. No design
3 standards as contemplated in the narrative were
4 included.

5 In the letter accompanying the application,
6 the applicant asserts that the project supports the
7 principles for great streets and quality transit as
8 articulated on Pages 1 and 2 of the plan. They
9 assert that the introduction of the ART will foster
10 car speeds, supportive of pedestrian comfort, along
11 with attractive, clean vehicles and stops, and
12 timely, safe and enjoyable travel. They emphasize
13 that on-street parking will be maintained. The
14 submittal indicates that in limited locations
15 existing sidewalks are to be made narrower than
16 existing. In other areas, sidewalks would be
17 widened.

18 In support of the project design, the
19 applicant refers to the city's planning ordinance
20 that establishes a ranking system for city plans, for
21 urban development and conservation, with the
22 Albuquerque Bernalillo County Comprehensive Plan, the
23 highest ranking plan, the Rank 1 plan.

24 The comprehensive plan designates Central
25 Avenue as a major transit corridor. And Table 11, on

1 Page 2-83 of the comprehensive plan identifies the
2 desired modal hierarchy for such a corridor; to wit,
3 transit, pedestrians, autos and bikes.

4 They note that Table 11's modal priorities
5 and policy objectives and with significant
6 neighborhood input on the trade-offs necessary in the
7 constrained right-of-way on Central in EDO the ART
8 project seeks to makes substantial improvements to
9 transit, while providing for pedestrian, autos and
10 bikes as much as possible.

11 Staff agrees that this project supports the
12 principal on which the regulatory plan is based; that
13 is promoting a quality environment that supports
14 pedestrian activity and safety.

15 The regulatory plan also says on Page 9,
16 Section 8.3: The LUCC shall review all plans for
17 street furniture which shall comply with the historic
18 character of the area. Such items include benches,
19 waste containers, bollards and the like.

20 As discussed in the context statement in the
21 staff report, the Huning Highland-East Downtown UCOZ
22 features a variety of commercial and institutional
23 buildings, reflecting the continuum of time periods
24 in Albuquerque's history. Repurposed residential
25 buildings from the early 20th century mingle with

1 auto-oriented commercial architecture, such as motels
2 and drive-in restaurants, landmark institutional
3 buildings, and newly constructed mixed-use buildings.

4 City landmarks, such as the Special
5 Collections Library and the Hotel Parq Central
6 reflect two very different architectural styles,
7 pueblo revival and Mediterranean. Old Albuquerque
8 High School, also a city landmark, has brick
9 buildings in the collegiate Gothic style.

10 This eclectic mix of buildings renders it
11 difficult to describe exactly what the historic
12 character of the area is.

13 The street furniture associated with this
14 project is on the platform only. The overall design
15 of the furnishings is streamlined and minimalist.
16 The applicant's cover letter indicates that only
17 sitting rails will be used on the Walter Street
18 station. The pole sign reflects the type of signage
19 associated with 20th century automobile-oriented
20 advertising on historic Route 66.

21 Staff agrees that the furnishings on the
22 platform as proposed are appreciate and not
23 incompatible with the architectural character of the
24 UCOZ.

25 Page 11 of the development guidelines is

1 also applicable to this request. Under the heading,
2 "Standards related to the UCOZ," the plan says:
3 Deciduous canopy tree is required and shall be of a
4 proven hardy and drought tolerant species, large
5 enough to form a canopy, but sufficient clear trunk
6 to allow traffic to pass under unimpeded. Street
7 trees should be vehicle capacity is higher.

8 Page 11 says the trees should be placed not
9 to exceed 28 feet on center, measured per block face,
10 paralleled with the street right-of-way, and unless
11 otherwise specified, 3 feet from the back of the
12 curb. Spacing allowances may be made to accommodate
13 alley curb cuts, street intersections, fire hydrants
14 and other infrastructure elements. But the average
15 tree spacing shall not exceed 28 feet on center. At
16 no time may spacing exceed 45 feet on center.

17 No additional right-of-way is being taken
18 for implementation of the ART project in this
19 district. And as such, the project is subject to
20 unalterable constraints. The proposal doesn't meet
21 the prescriptive criteria for street trees in the
22 regulatory plan and the applicant requests a
23 deviation as allowed by the plan.

24 And the applicant has detailed information
25 about the new trees in the district that I'll reserve

1 discussion until later.

2 In furtherance of the request for approval
3 of the streetscape as designed, the applicant points
4 in the city's planning ordinance, which states lower
5 ranking plans should be consistent with the higher
6 ranking plans, and when this is indisputably not the
7 case, the conflicting provision with the lower
8 ranking plan is null and void.

9 The applicant refers to the comprehensive
10 plan designation of Central Avenue as a major transit
11 corridor, with identified modal hierarchy, as I noted
12 before, being transit, pedestrians, autos and
13 bicycles. The applicant asserts that given the modal
14 priorities and policy objectives, the ART project
15 seeks to make substantial improvements to transit
16 while providing for the pedestrian, autos and bikes
17 as much as possible.

18 Staff would also add that the plan -- I'm
19 not sure that when the plan was prepared, they ever
20 contemplated a one-time major public works project,
21 where the entire streetscape would be reconstructed
22 at one time. I think the plan is oriented toward
23 incremental new development in the zone.

24 So the applicant notified 14 recognized
25 neighborhood associations of this request, as

1 directed by the office of neighborhood coordination.
2 The project was legally advertised, and signs were
3 posted in the medians in the UCOZ.

4 As discussed in the analysis and the staff
5 report, staff finds that the proposal to make changes
6 to the public right-of-way in the Huning Highland-EDO
7 UCOZ in the implementation of the ART project meets
8 the criteria for approval of a certificate of
9 appropriateness. The applicant has provided
10 sufficient justification for the proposed
11 streetscape.

12 And with that, I would stand for questions.

13 CHAIRMAN CLARK: Commissioners, any questions
14 or comments to Ms. Hennessey at this time?

15 Thank you, Ms. Hennessey. Appreciate it
16 very much.

17 Will the applicant present themselves and
18 their organization, please.

19 MR. KLINE: Certainly, Mr. Chair. Good
20 afternoon, Mr. Chairman, Members of the Commission.
21 My name is Lawrence Kline, FA ICP, principal planner
22 for ABQ Ride, which is the transit department in the
23 City of Albuquerque. We office of 100 1st Street
24 Southwest, Albuquerque, 87102.

25 With many today, Dana Crawford, who is the

1 deputy director of the department, and also the
2 project manager for the ART project.

3 CHAIRMAN CLARK: Thank you, Mr. Kline. The
4 floor is yours.

5 MR. KLINE: All right. And two others.

6 CHAIRMAN CLARK: Oh, excuse me.

7 MR. KLINE: We have David Lear (phonetic), the
8 project manager for HDR, Incorporated, who are the
9 engineering contractors for the project, and their
10 contractors, Will Gleason, of Dekker/Perich/Sabatini,
11 who -- his firm is responsible for station design and
12 for the landscaping elements. They are available for
13 any questions you might wish to ask.

14 So Ms. Hennessey did her usual thorough job,
15 so I'm going to be repeating many of the things she
16 said, but putting some meat on them because I have
17 the documents here. Russell, do we have it?

18 UNIDENTIFIED MALE: Which one?

19 MR. KLINE: It's called LUCC...

20 COMMISSIONER MYERS: I'm having a little hard
21 time hearing him on this. Might we --

22 MR. KLINE: Well, it may just be a matter of
23 tallness. Is that better?

24 COMMISSIONER MYERS: That's better.

25 MR. KLINE: I shall try to hunker down a little

1 bit. Thank you. There it goes.

2 LUCG PowerPoint. So in keeping with the
3 chairman's edict, I'm going to try to stay away from
4 the actual design characteristics of the ART project.
5 Some of the parts will have to creep in a little bit.

6 But what we're here to talk about is this
7 particular document, the 2005 regulatory plan for the
8 Huning Highland-EDO Urban Conservation Overlay Zone,
9 better known as the UCOZ.

10 And just for the record, this is the map,
11 which appears in the regulatory plan. The boundary
12 of the UCOZ is the black alternating dashed line,
13 which looks rather strange, at least a very complex
14 configuration. And then you'll note that in a couple
15 of places, like in front of Albuquerque High or in
16 front of Parq Central, it's actually running down the
17 middle of Central Avenue, so one side of the other
18 would not be affected by this. But in the spirit of
19 it being Central Avenue, we want to treat Central
20 Avenue as an integrated whole.

21 So this is not only here several times in
22 this depiction, but it's also on the board over
23 there, if anybody wishes to peruse that specific
24 location. And if somebody wants to hear about a
25 specific locations, then Mr. Lear and Mr. Gleason can

1 address that.

2 But I thought to start with, we would walk
3 through very quickly the configuration of the ART as
4 it runs through EDO, west of Broadway. It is the two
5 center lanes, next to the bridge and under the
6 railroad underpass. So it's two lanes to Broadway.
7 Goes down to one lane. Next we're up past Edith to
8 Walter Street, where it splits to go around the
9 platform, returns to a single lane, next, and
10 continues as a single lane up past Knights Inn. Past
11 the (inaudible) there. And then it becomes two lanes
12 again, where the ART must pass under the abutments of
13 I-25. And we're not allowed to touch those. We
14 can't touch anything that goes on in the state
15 right-of-way. And it continues as two lanes as it
16 goes up the hill past Presbyterian. And that's the
17 basic configuration.

18 So as Ms. Hennessey pointed out, there are
19 certain policy elements of the UCOZ. Number one,
20 traffic needs compatible with burdened villages. And
21 the major language there to us is slower car speeds
22 and having only one lane in each direction will act
23 as a traffic calmer. Higher vehicle capacity,
24 because the buses will be more accessible; higher
25 trip quality because the buses are going to be great,

1 I'll say that.

2 But most important to us is this question of
3 equitable access through the area. Transit is the
4 most egalitarian form of transportation that we've
5 got. And the Central corridor is special in that it
6 has a very, very high population of transit-dependent
7 people, people who don't own cars, don't want cars,
8 they're too young, they're too old to drive. They
9 use transit. In fact, they use -- 42 percent of all
10 our ridership is on Central Avenue today. So we will
11 carry out this policy.

12 And then, on the next page, there's a policy
13 called "Quality Transit," attracting clean vehicles?
14 Yes. Brand-new 60-foot articulated buses.

15 Attractive and dignified, well-located
16 stops? We quibble on dignified because of the loss
17 of a canopy. But that was not our doing. It's not
18 what we would want.

19 And it will certainly be timely, efficient,
20 safe and enjoyable because it would be more
21 dependable than the constant headway of running the
22 buses in general purpose traffic as we do today.

23 It will be slower, we hope, proper speed for
24 pedestrian comfort. And pedestrian comfort is
25 increased because the bus is now in the middle. Its'

1 as far from the sidewalk as you can get. And every
2 on-street parking space that is there, that
3 instruction by the mayor, we have kept. They might
4 have moved a couple hundred feet or even 50 feet, but
5 they're there, and there's probably more of them than
6 there are today.

7 So there are three policy notations. Three
8 statutory things we have to do here. Two of them are
9 on Page 9, under the section marked E, public
10 right-of-way.

11 Next, LUCC shall review all plans for
12 sidewalk and street changes. That's why we're here.
13 I want to get to the second sentence of that in a
14 moment. But if you will, if you look at these same
15 three drawings again, as they're strung together,
16 we're not taking away sidewalks. Where it's a brick
17 sidewalk today, it will remain a brick sidewalk.
18 Where it's a concrete sidewalk, it will be a concrete
19 sidewalk.

20 We're not taking out any of the street
21 lighting. If we have to remove it to build
22 something, we'll put it right back where it was. And
23 that's true of every piece of street furniture that's
24 there, be it a bike rack or a bench or a monument
25 sign. If it's there and we have to touch it to work,

1 it will go back to where it is today. So in that
2 sense, we're not changing the character of that
3 pedestrian scape at all. We are adding a few
4 on-street parking spaces. We are adding a bike lane.
5 Which is contrary to the bike facilities plan, but it
6 was specifically requested, so the east mountain
7 uphill side will have a bike lane now.

8 But generally it is what it is today and it
9 would be better because all of the ADA shortfalls
10 that are out there today, sunken meter boxes, raises
11 bricks, all of that will be repaired. So there will
12 be a better pedestrian environment than it is today.
13 Yes.

14 Next. Keep going.

15 Then we come to the second sentence of Item
16 Number 1, and this Ms. Hennessey referred to. Street
17 designs should contribute to safety, convenience,
18 walkability for the pedestrian first and foremost. I
19 have no problems with that except for the "first and
20 foremost." And that's because of the comprehensive
21 plan.

22 This is the activity centers and
23 transportation corridors. This is called the
24 "Centers and Corridors Plan," and it was adopted into
25 the comprehensive plan in 2001. It shows four routes

1 being major transit corridors, Central being one of
2 them, all the way from 98th Street to Tramway.

3 Next. And as Mary Ellen pointed out,
4 there's two matrices attached to the major transit
5 corridor, covering everything from peak hour to
6 pedestrian circulation, bicycles, you name it. But
7 on the second page, and particularly at the bottom of
8 the second page, which is the next slide -- not
9 working? Give me the next, one though, just because
10 it's easier to read.

11 We have three different transit forums. We
12 have enhanced, we have XRs, and then we have the
13 major. And you can see from the two areas of the
14 outside, the modal hierarchy changes.

15 In our enhanced transit, the purpose is to
16 try and make transit as important as automobiles. In
17 the express corridors, like Tramway, it's automobile,
18 automobile, automobile. We're not going to
19 (inaudible) that.

20 But in the major transit corridors, it is
21 clearly transit, pedestrian, autos and bikes. So
22 this obviously does to put pedestrians first and
23 foremost. And I'd like you to take note of that.

24 The next -- so the second test is street
25 furniture. LUCC shall review all plans for street

1 furniture. And you should have -- and it's in here,
2 if you want to see it -- Exhibit B, which describes
3 everything we're doing with the platforms or the
4 kiosks are how -- what kind of seating were used.
5 You notice we're lighting it with the same kind of
6 fixtures that we use as street lights in EDO today.
7 It is without a canopy, but that is by decision of
8 the state historic preservation officer, and we don't
9 feel inclined at this point in time to try and
10 contravene that.

11 But in the interest of time, we shall
12 continue.

13 The other test is one that Ms. Hennessey
14 read into the record. It's the one concerning the
15 street tree standards. It's an old road. Been there
16 a long time, been rebuilt many times. We have no
17 control over the right-of-way. We have not taken any
18 right-of-way because to do so would have damaged the
19 building. And we were not out to damage any
20 buildings in Huning Highland.

21 So between the buildings and the street
22 crossings and the alleys and the curb cuts. We
23 couldn't find enough places to meet so stringent a
24 standard. And I'd like to read into the record --
25 same drawings again. I'd like to read into the

1 record.

2 This is from our letter I've written to
3 Ms. Hennessey back on April the 6th: The proposed
4 configuration will include 63 trees, 33 percent more
5 than current, along 3600 feet of block phase, for an
6 average spacing of 60 feet between trees, accounting
7 for all of those that are removed, retained and
8 added. The proposed tree spacing will be
9 substantially closer to the UCOZ, with only 28 feet
10 on average. But we may not reach that standard.
11 Tree distribution takes into account right-of-way
12 constraints, the conflicts that prevents installing
13 the tress, such as utilities, street lights and
14 driveways, and sidewalks that can't accommodate both
15 street trees and sufficient clear sidewalk, which is
16 6 feet, according to the comprehensive plan. And
17 given those restraints, the applicant requests a
18 deviation from the street tree requirements.

19 (Inaudible) slide the end of my
20 presentation, except to say one thing. There are
21 three tests here. The first of those tests has two
22 parts. We're requesting a certificate of
23 appropriateness for Part 1 of Section E.1,
24 certificate of appropriateness for Part 2 of
25 Section E.1, subject to consideration of the

1 first-and-foremost clause concerning pedestrians.

2 Certificate of appropriateness regarding
3 street furniture, because it's a very eclectic place.
4 There are so many forms of benches and street walls
5 and rocks and lights and sandwich boards. It's a
6 great -- it's a great street, but it has no
7 consistent character.

8 And then the third test concerning the
9 placement of street trees. We cannot and we don't
10 believe anyone can rationally attempt to meet that
11 standard without going and taking right-of-way from
12 the properties along the roadway, installing big
13 trees behind the sidewalks where we could, which is
14 limited areas.

15 And we find that to be a hardship on the
16 adjacent property owner, who uses utility of their
17 land. That also gets very complicated as to who
18 waters those trees, maintains those trees, takes care
19 of those waterlines. We decided to stick within the
20 right-of-way as it exists within the sidewalks and so
21 on. So I do not believe we can meet that standard
22 and would ask for a deviation to a certificate of
23 appropriateness for the street tree location.

24 I will stand for questions.

25 CHAIRMAN CLARK: Thank you, Mr. Kline.

1 Commissioners?

2 Commissioner Horowitz.

3 COMMISSIONER HOROWITZ: Yes. I have a question
4 for Mr. Kline, Mr. Chairman.

5 On Table 11, which is the Albuquerque
6 Bernalillo County Comprehensive Plan Corridor
7 Policies, at the top of what I believe is the first
8 page of this, it refers to something called peak
9 hours/LOS/auto. And then under the street design, it
10 says it requires LOSD or better. And I have to
11 admit, I am mystified.

12 If you could please explain that.

13 MR. KLINE: I shall try, and Mr. Lear can fill
14 in at any mistakes that I make.

15 Mr. Chairman, Commissioners, level of
16 service is also called volume-to-capacity ratio. And
17 it's a system that traffic engineers take the volume
18 of traffic in the street, measure it against the
19 theoretical capacity of that street, and decide
20 whether the thing is going to be free-wheeling, or
21 whether it's going to come to a screeching halt.

22 Level of Service A, typical grading scheme
23 is free-wheeling. Level of Service F is -- still
24 works, but not very well. There will be significant
25 delays. Like you might have to walk through, work

1 through, wait through two cycles of the light in
2 order to get through it, will be a level of service
3 F.

4 Level of Service D, which is the lowest
5 acceptable level, according to the city traffic
6 engineer, means there might be a delay. If the delay
7 is there, it will be relatively short.

8 HDR has tested every intersection in the
9 system. None of them goes below Level of Service D.
10 So we are compliant with this standard.

11 CHAIRMAN CLARK: Thank you.

12 Commissioner Heiser.

13 COMMISSIONER HEISER: Yes. Could you speak
14 briefly to what the jurisdiction of SHPO is on this
15 particular project in relationship to whether or not
16 a canopy is designed and placed in the median.

17 MR. KLINE: Mr. Chairman, Commissioner Heiser,
18 it comes from the National Environmental Protection
19 Act. And it's specifically a thing called
20 Section 106.

21 And what we must do is provide historical
22 inventory of any corridor. We provide that to the
23 federal transit administration. And in consultation
24 with the state historic preservation officer, set up
25 areas of effect.

1 FTA reviews our proposal in those areas of
2 possible effect and says, "Oh, you know, you're in a
3 historic district. We're not sure this fits in
4 here." And, in fact, they said about three of our
5 stops: Rio Grande, 15th Street, and then this one.

6 At that point, the conversation is between
7 the FTA and the state historic preservation office
8 talking to us. They asked us to remove the canopies
9 at those three stations. We did so, which caused the
10 state history preservation office to write a letter
11 saying: With this change, we will agree to finding
12 no probable effect.

13 It's complicated and it's distant, but it
14 is what it is.

15 CHAIRMAN CLARK: Commissioner Heiser.

16 COMMISSIONER HEISER: So in the event, and I'm
17 not saying this will happen, but in the event that
18 the -- this commission would support the design of an
19 appropriate canopy for that stop, what would be the
20 effect of that?

21 MR. KLINE: That might be a question for
22 Mr. Lear, but let me take a shot at it.

23 We are offering it under a categorical
24 exclusion. It may, possibly cause an amendment to
25 that. It would probably also cause an amendment to

1 the consultation that's already taken place under
2 Section 106. Both of those things could radically
3 delay it.

4 The other practical effect, though, and
5 we've talked long among ourselves about this, one of
6 our problems is maintenance. We need consistency.
7 We talked at the very beginning of the idea of
8 designing every station differently. And we were
9 told we were crazy, because that would mean that the
10 maintenance crew would have to have 16 different
11 colors of paint and all that sort of thing.
12 Consistency was the key.

13 So for the purposes of the current submittal
14 and the current categorical exclusion and the current
15 funding, we would rather, for now, stay without a
16 canopy on those three platforms and hope that we can
17 pursue that subject later with the FTA.

18 COMMISSIONER HEISER: So if the intent was to
19 perhaps pursue it at a later date, would it be the
20 charge of this commission to perhaps have some
21 findings dealing with the appropriateness or
22 non-appropriateness of the canopies?

23 MR. KLINE: I will leave that to Ms. Hennessey,
24 but we are certainly in agreement with the condition
25 of approval that's proposed, which is simply -- if we

1 change it, it comes back to the chair and the staff.
2 And we'd be amenable.

3 Thank you.

4 CHAIRMAN CLARK: Thank you, sir.

5 Commissioner Austin.

6 COMMISSIONER AUSTIN: I have nothing at this
7 time.

8 CHAIRMAN CLARK: Commissioner Myers.

9 COMMISSIONER MYERS: Thank you, Chair.

10 So, Mr. Kline, I think what Commissioner
11 Heiser was saying, and I think you said this would be
12 okay, it would be tough if this commission did decide
13 to ask you to do something with the canopies.

14 Say we thought canopies were appropriate.
15 You would prefer to try and figure something out with
16 SHPO and then, if you were able to do that, and we
17 were able to craft something in our decision somehow
18 that we liked that, you would be willing then to work
19 with us on the canopies, assuming you could deal with
20 SHPO.

21 MR. KLINE: I am speaking out of school, but if
22 it were so that the FTA and the SHPO would consider
23 reopening without altering or delaying or amending
24 our categorical exclusion, or our funding, which is,
25 you know, inside the president's budget, we would

1 love to have a canopy at all the stations. And we
2 would pursue that. But we'd have to be extremely
3 careful.

4 COMMISSIONER MYERS: Okay. Thank you.

5 CHAIRMAN CLARK: Thank you.

6 Commissioners, any other comments or
7 questions?

8 Thank you, Mr. Kline.

9 MR. KLINE: Thank you.

10 CHAIRMAN CLARK: We'll now open the discussion
11 for other interested parties.

12 MS. BAUTISTA: Hello. Am I speaking loud
13 enough? Thank you very much.

14 Thank you for allowing us to have discussion
15 before you regarding RT 66. And as many of you know,
16 we dearly love the mother road.

17 CHAIRMAN CLARK: Excuse me, ma'am. Would you
18 please state your name and address and what
19 organization you may represent.

20 MS. BAUTISTA: Yes. Can you hear me? Is that
21 better?

22 CHAIRMAN CLARK: Yes.

23 MS. BAUTISTA: My name is Maria Bautista. I am
24 with Stop ART. We have an organization called Bus
25 Stop. I am one of the individuals who filed a

1 complaint and injunction to stop the project.

2 CHAIRMAN CLARK: Thank you.

3 MS. BAUTISTA: One of two. I have extreme
4 concerns, as you might imagine, about the damage to
5 the environment and the impact that will continue on
6 Route 66 as we see urban development and more of the
7 gentrification and its impact on our historic
8 landmarks.

9 You are an oversight body. I'm glad that
10 you're here. You have a big challenge ahead of you.
11 You're charged with the protection and preservation
12 of our historic landmarks, and I think more will be
13 before you. You must exercise your authority.

14 I'm asking that you delay any decisions on
15 the project as it relates to the span from I-25 west
16 to Broadway pending the outcome of our recent
17 complaint and injunction to stop the ART project.

18 The issue before you is not only about
19 sectors of Albuquerque, but about a disconnect
20 between the fact that Albuquerque runs from Sedillo
21 Hill to Nine Mile Hill, and all the other hills in
22 between.

23 This project completely has an impact on the
24 entire City of Albuquerque and not just specific
25 neighborhoods, but all neighborhoods.

1 I encourage you to request that the advisory
2 council for the National Historic Preservation Act be
3 invoked, as required in Section 106. Before you will
4 come many, many decisions you have to make; this is
5 but one.

6 Presbyterian is also asking to enlarge their
7 property. And we're looking again at the possibility
8 of having to have this discussion before you.

9 I want to just say that American history is
10 tied into RT 66. It has to be related to a person,
11 and often it is, and that's where our memories are
12 at.

13 I'm concerned about the design, because we
14 still have a canopy at the fire station, which has
15 pueblo revival architecture, and we have a canopy
16 that covers it up. Additionally, my concerns are
17 about safety. There are children at the Monte Vista
18 School, where our egress turns at 3 o'clock, when
19 it's most traffic filled. We have school buses, we
20 have children, we have parents, we have school
21 guards.

22 So I just implore you to think about your
23 role. It doesn't hurt to delay something. It
24 doesn't mean no; it means delay for the best of
25 Albuquerque.

1 Thank you.

2 CHAIRMAN CLARK: Thank you, Ms. Bautista.

3 MR. SALAS: Donald Clayton.

4 MR. CLAYTON: My name is Donald Clayton. I
5 live at 1514 Silver Avenue, Southwest, Albuquerque,
6 New Mexico. I'm a homeowner and I'm very interested
7 in the ART project and the impact that it has.

8 I have been following the project for a
9 fairly long time. I've attended a couple of the
10 public meetings. What I have been very impressed by
11 is the lack of information, good quality, current
12 information.

13 I refer to the statement of the chairman,
14 who said that the public input information period is
15 closed, however, on the website, BRT ABQ, it states
16 very clearly that the input period is still open.

17 This is characteristic of the main point
18 that I would make today. I have in front of me a
19 application dated July 7, 2015, which is the
20 substantive application before this commission.

21 In reviewing this application, I do not see
22 any mention of the law that was passed on the 21st of
23 March 2016 in regard to the topic before us today.

24 Very briefly, the City Council passed a law,
25 the only law that applies to the entire ART project.

1 And that said that the \$69 million, press reports say
2 \$70 million, could be accepted only in the event that
3 certain conditions were made.

4 I will paraphrase this by saying it's the
5 Benton amendment. There's actually no amendment to
6 the council resolution. It's just the statement of
7 the resolution. And what I characterize as the
8 Benton amendment is an attachment of approximately 26
9 pages.

10 I went down to the City Council. I
11 requested a copy of this amendment before it was
12 voted on by the Council and it was apparently not
13 available to either myself or to anyone. I
14 specifically asked for a copy from Councilman Benton.
15 It was not forthcoming.

16 On approximately the 29th of March, I went
17 down to the City Council chambers and I obtained a
18 copy of the ordinance and of the approximate, to the
19 best of my recollection, 26 pages of the attachment.

20 I have read the attachment. I have read it
21 thoroughly. I have gone over it many, many times.
22 It is a very detailed attachment. It covers the area
23 between the river and the freeway, which also
24 includes the area covered by this hearing.

25 In that, Councilman Benton states -- and

1 this is approved by the City Council. Councilman
2 Benton very clearly states that a number of things
3 must be met and done by ART in order for the
4 \$69 million to be accepted.

5 CHAIRMAN CLARK: Thank you, Mr. Clayton.
6 Appreciate your input.

7 MR. SALAS: David Blanc.

8 MR. BLANC: Good afternoon, Mr. Chairman,
9 Commissioners. Thank you very much. My name is
10 David Blanc. I represent Central Millennium
11 Partnership, a nonprofit development company for
12 neighborhoods in New Mexico.

13 Almost ten years ago, this body approved the
14 regulatory plan, which we cite as the urban
15 conservation overlay zone. Central Millennium
16 Partnership supported that document creation and
17 assisted the neighborhood and the various individuals
18 in developing a plan that would benefit and that
19 would give life, support and sustainability in the
20 context of the (inaudible) neighborhood and the urban
21 corridor that needed to be developed.

22 Central Millennium Partnership would be
23 remiss at this time if it didn't speak out with
24 regard to the preliminary plan, which we have
25 reviewed and addressed some of the simple issues that

1 refer and relate to economic development concerns.

2 We principally couch that in the context of
3 economic development because the urban conservation
4 overlay zone, while it being a form-based code, it
5 indirectly relates to development, new development,
6 as well as redevelopment on this corridor to certain
7 types of building, and specifically, the goal of
8 creating retail storefronts along this corridor.

9 In doing so, the opportunity to enhance the
10 sustainability of this neighborhood was created.

11 This neighborhood has been without retail for many,
12 many years and the urban conservation overlay zone,
13 while it does not cite uses, specifically refers to
14 design to influence the use of retail and similar
15 types of services.

16 In this context, I would like to state that
17 the urban conservation overlay zone doesn't address
18 parking needs. In the preliminary plan, the plan
19 developed by the city and staff has stripped a lot of
20 parking. And I can tell you in advance, without
21 going into a lot of detail, that redevelopment and
22 development of large properties with mixed use and
23 retail would never occur and will never occur without
24 what we would consider as identifiable parking. That
25 means on-street parking on Central Avenue, that will

1 influence the identity that retail trade does exist.

2 CHAIRMAN CLARK: Thank you, Mr. Blanc.

3 MR. BLANC: Without that, I think the
4 neighborhood would be (inaudible). Thank you.

5 MR. SALAS: Nyira Gitana.

6 COMMISSIONER MYERS: Mr. Chairman, I hate to
7 interrupt.

8 I would ask that the members of the public
9 who are speaking respect everyone's time and our time
10 and keep it to two minutes. And when the bell goes
11 off, that means your two minutes is up. Okay?

12 MS. GITANA: I'm not sure that the people were
13 informed of that.

14 But in any case, my name is Nyira Gitana,
15 resident of Albuquerque. And I'm here not with all
16 these pretty pictures and wonderful PowerPoint
17 presentations. But I will try to make my speech to
18 as short and bullet point as possible.

19 My first question to you is when did
20 Route 66 become a transit corridor? Just think about
21 that. It's very dismaying -- it's dismaying to me
22 that they would carve out in 2005 a word they gave
23 my -- made my blood boil. Carved out this Huning
24 neighborhood, and now they propose to disembowel the
25 streets in that neighborhood in order to put forth

1 this project. I call it the Aztec approach,
2 disembowelment.

3 This is what they think of the trees in the
4 city. All of these papers have been copied over and
5 over and over again to the more than 100 people that
6 sit in this room. The trees that will be removed
7 from this area are often saying two will be removed,
8 one will be replaced. The median, of course, all the
9 trees will be replaced and there will be nothing left
10 there.

11 Ten years ago, the plan was a plan. That
12 plan is no longer viable in the face of the economic
13 disasters we all realized in 2008. It effectively
14 increased the homelessness situation in Albuquerque
15 and the poverty. Not only here, but throughout the
16 country and throughout the nation.

17 On Page 2 of the letter that Mr. Rizzieri
18 sent to -- let me see who it was -- Mary Ellen
19 Hennessey, he states: The project also proposes to
20 reduce auto travel lanes from two to one in each
21 direction. We believe that while automobile traffic
22 will be slow and perhaps diverted to a degree, this
23 is only in keeping with the hierarchy that places
24 transit and pedestrians first.

25 Those of you who live in Albuquerque know of

1 the immense amount of traffic on Central Avenue.
2 This statement is ludicrous and divorced from
3 reality. Because not only will automobile traffic be
4 slowed and perhaps diverted, it will be totally
5 chaotic. The bikers that drive along Central, the
6 car clubs that drive along Central, the residents
7 that drive along Central, none of whom take the bus
8 anywhere --

9 CHAIRMAN CLARK: Thank you, Ms. Gitana.

10 MS. GITANA: You're welcome. Thank you. I ask
11 that you defer your decision until the lawsuit is
12 completed.

13 MR. SALAS: Mary Keeling.

14 MS. KEELING: Good afternoon, Councillors. I'm
15 Mary Keeling. I live at 201 Edith Boulevard,
16 Northeast. And I am opposing the canopies being
17 removed from the stations. I believe we're probably
18 going to barrel along with this project, so what I'd
19 like to do is for you all to be considerate of the
20 people who might be using these stations standing in
21 the sun, standing in the winter.

22 Please defer this until we can get some sort
23 of approval from the historical associations to put a
24 canopy at these three stations that do not have them.
25 They can be appropriate. And maintenance shouldn't

1 be that big of an issue.

2 Thank you for your consideration.

3 CHAIRMAN CLARK: Ms. Keeling.

4 MR. SALAS: Anthony Anella.

5 MR. ANELLA: My name is Anthony Anella, and I
6 live at 2420 Arbor Road, Northwest. I'd ask that the
7 LUCC not grant the City of Albuquerque Transit
8 Department a certificate of appropriateness for this
9 project, because LUCC staff's justification hinges on
10 the city's comprehensive plan and fails to consider
11 the federal and state obligations to preserve
12 historic buildings and sites along the entire ART
13 corridor.

14 I am a plaintiff in the federal lawsuit that
15 has been filed, and I urge the members of this
16 commission to delay any decisions on the city's
17 request pending the outcome of that lawsuit. Thank
18 you.

19 CHAIRMAN CLARK: Thank you, sir.

20 MR. SMITH: Hello. My name is Sean C. Smith.
21 I live at 510 6th Street, Northwest.

22 Okay. So I'm just going to give you a
23 little insight of who I am as a person. I grew up in
24 Albuquerque, riding the city bus for over 15 years.

25 Do I think any of these suits have sat on

1 any of those seats on the city bus? No, I don't
2 think so. I don't think they have any idea of what
3 it's like to be out on these streets.

4 For one, I think the area needs to have
5 terminations where there's an idea of character for
6 the city. By taking away this character, it doesn't
7 give people a sense of value for that region. This
8 is giving people no value for the region. It's
9 giving people hard lines and hard edges.

10 One thing would be also is the modal
11 hierarchy is not working here. One would be -- when
12 you have a buffer zone between the street and
13 pedestrians, the tree goes between the streets and
14 the pedestrian, not the other way around. This is
15 all wrong. This is a -- this is insane to me.

16 This is coming from the flaneur, the
17 wanderer, a human, a person in the city. I grew up
18 in Albuquerque. I am from here. Watching this is --
19 it's just -- it's insane to me. There is no sense of
20 value.

21 I mean, that zone is -- I've been to that
22 zone. That is not a lot of place where a lot of
23 activity is going on to begin with. And what
24 activity is there, is -- look at (inaudible), for
25 instance, is this anymore? It went down. There was

1 no sense of character with it. This gives no sense
2 of character.

3 Think about the Anasazi building and all
4 this stuff they've torn down. At 2nd -- like on
5 Central and 6th, it turned into a parking lot.
6 This -- this -- a walkable person. I've lived in
7 Albuquerque. I've sat on the city bus and I've seen
8 the (inaudible) and I've seen the emotion of the
9 people on there.

10 This is not built for that reason. This is
11 not built for the pedestrian at all. There's --
12 that's it. Thank you. Good day.

13 CHAIRMAN CLARK: Thank you, Mr. Smith.

14 MR. SALAS: Rob Dickson, David Day.

15 MR. DICKSON: Good afternoon, Mr. Chair,
16 Commissioners. Rob Dickson, 401 Central, Northeast,
17 representing the EDO Neighborhood Association.

18 MR. DAY: And David Day, 200 Walter, Northeast,
19 representing the Huning Highland Historic District
20 Association.

21 MR. DICKSON: The EDO Neighborhood Association
22 and the Huning Highland Historic District Association
23 support approval of this request for a certificate of
24 appropriateness, subject to a few minor modifications
25 to the design, which David will present to you

1 shortly.

2 These recommended changes were developed
3 through a public charrette process over the last
4 couple of months, the main event which was March 10th
5 at the Special Collections Library.

6 It produced a document that was released
7 publicly today. It was delivered to the mayor and
8 City Council and our steering committee for the
9 charrette yesterday. It's about Complete Streets
10 throughout the EDO and Huning Highland Neighborhood,
11 not just Central, but other streets.

12 But your charge today is to review a
13 certificate of appropriateness for Central, so we're
14 going to focus on that. At the end of our
15 presentation, we are going to ask you to consider a
16 conditioning of any possible approval you might make
17 to this request for a certificate of appropriateness
18 that includes these recommended changes.

19 The changes -- the purpose of the changes
20 are to tie in directly to the UCOZ and its values, to
21 enhance the pedestrian experience, to protect the
22 pedestrian, mostly through additional on-street
23 parking, which is a value to the retailing in the
24 historic district that David Blanc just spoke to,
25 crosswalks, things of this nature.

1 We also believe it will make ART a better
2 system and deliver more ridership to ART, again, by
3 enhancing that pedestrian experience. Everyone who
4 rides this ART will get to the stop and leave the
5 stop on foot.

6 With that, I'll turn it over to David.

7 MR. DAY: Thank you.

8 Can you hear me?

9 MS. HENNESSY: Excuse me, Mr. Chair.

10 MR. DAY: I would also state that the
11 historic --

12 MS. HENNESSY: Mr. Chair.

13 CHAIRMAN CLARK: Excuse me just a moment.

14 Ms. Hennessey.

15 MS. HENNESSY: I beg your pardon, Mr. Chair,
16 Commissioners. I thought that perhaps if the
17 gentlemen are representing the neighborhood
18 association, it might be appropriate to make a
19 comment about being provided some additional time.

20 CHAIRMAN CLARK: Certainly. Not as much as you
21 might want to take for yourself, but --

22 MR. DAY: Three or four minutes would be find.

23 CHAIRMAN CLARK: I appreciate that. Thank you.

24 MR. DAY: Thank you for reminding us. One
25 thing I'd like to say in terms of urban design and

1 historic districts, we're proposing through some of
2 these minor changes to the ART program, the ART
3 design, that we be going back to historic Central
4 Avenue. It was built for people first. It was
5 always two lanes, one lane in each direction with
6 wide sidewalks. That's what we're hoping -- that's
7 what ART brings to this and why we're supportive of
8 it.

9 We have some minor modifications that I'll
10 show you here. The charrette covered these streets
11 for a holistic approach, but we'll focus here on
12 Central. And speaking of which, there was Central
13 back in the '40s when you balanced buses, cars, bikes
14 and people. So this is one of the advantages that we
15 feel ART would bring to the neighborhood and the
16 Complete Streets, such as you see here.

17 So the first change would actually be here.
18 This is the Innovate site. Here's Broadway and
19 Central. For one block, we're asking that ART be
20 mixed in traffic so that we can keep some on-street
21 parking on the Innovate side and on the 202 Central
22 side, which is critical for Innovate and for the
23 Blanc lot development.

24 The next lot would be where Standard Diner
25 is. And most of this follows -- that last section

1 didn't. This follows ART, where they've kept parking
2 on the north and on the south, and they've added some
3 on the north. The next block, here is the Special
4 Collections Library, to help orient you. We're
5 asking that the on-street parking be provided on
6 these two blocks here, where the hand is. That space
7 exists between the curbs currently. So the changes
8 that we're talking about here are striping. They're
9 not physical constructions.

10 We're also asking for striped crosswalks at
11 non-signalized intersections to make the pedestrian
12 environment more comfortable. And following the ART
13 plan, we've got a bike lane on the south side of the
14 street, heading east.

15 When we get to the Central station, we're
16 asking for a slightly shortened station to allow some
17 parking on the north side at the Pop and Taco and
18 Maddox building, and similarly, to the east of the
19 ART station. That would provide some on-street
20 parking on the north side here.

21 And then the last change we're asking for is
22 a left-turn lane into Parq Central, which relies on
23 visitors coming to the city for the first time to
24 find the hotel entering left to get to the hotel,
25 rather than going to High and making a U-turn.

1 And the changes are -- these are all in the
2 ART design. We're asking for the some very minor
3 modifications and (inaudible). So that concludes our
4 request.

5 MR. DICKSON: Our account is that the
6 recommended changes would add 52 on-street parking
7 spaces on the corridor. And it would be very, very
8 valuable to protecting pedestrians, enhancing their
9 experience and revitalizing -- continuing to
10 revitalize this wonderful historic district that we
11 have. Thank you for considering adding these
12 recommended changes as a condition of any approval
13 that you might make.

14 CHAIRMAN CLARK: Thank you, gentleman.

15 MR. DICKSON: Thank you.

16 MR. SALAS: Steve Schroder.

17 MR. SCHROEDER: Mr. Chairman, Commissioners, my
18 name is Steve Schroeder. I'm the founder of
19 saveroute66.org. And I'm a plaintiff in the
20 (inaudible) case.

21 A request for appropriateness is not
22 consistent with the requirements of the New Mexico
23 historical and Historic Sites Preservation Act, for
24 the city to be requesting a certificate of
25 appropriateness for the road work, after a Small

1 Starts application has already been submitted to the
2 FTA and after the ART drawings with 90 percent
3 drawings have already been submitted.

4 The FTA would not know the impact on the
5 historical sites without an environmental impact
6 study for them to evaluate.

7 In speaking to Mr. Kline's presentation,
8 constriction increases congestion and it impacts
9 traffic in both directions, thus decreasing movement
10 over the nine miles and impeding pedestrians on both
11 sides of the corridor for nine miles.

12 I think making a decision that affects a few
13 blocks will impact nine miles. Please consider that
14 when you're making a plan that the plan should
15 include all of the environmental issues, not just a
16 single business, not just a single area of interest,
17 not just a single portion of streets in Albuquerque,
18 this within street, but how it's going to impact
19 everybody.

20 So you might approve something that looks
21 quite adequate, apparently good, got suggestions, but
22 you don't know how it's going to affect Presbyterian
23 Hospital and if the traffic can get to the hospital
24 because you've constricted traffic.

25 Thank you.

1 CHAIRMAN CLARK: Thank you, Mr. Schroeder.

2 MR. SALAS: Pete Dinelli.

3 MR. DINELLI: Mr. Chairman, Members of the
4 Committee, I want to thank you for the opportunity to
5 speak today. My name is Pete Dinelli, and I'm here
6 as a private citizen. But I'm also here as an
7 individual that worked very extensively with many a
8 business owner along Central for a period of eight
9 years. In fact, I took quite a few enforcement
10 actions against some 56 businesses along Central.

11 What I'm trying to say is, I really feel I
12 understand Central, I know what's going on on
13 Central, and I have no doubt in my mind when I say
14 that this project is going to have a major impact on
15 the historical character of EDO, and also the
16 historical character of Huning Highland.

17 The main reason for me being here is to
18 please ask you to defer this for a while until we
19 have a full understanding as to what's going to
20 happen with the two federal lawsuits; that is the
21 state lawsuit and the federal lawsuit.

22 It also should be deferred until we have a
23 full understanding as to whether or not the money is
24 going to be available, especially from the Feds.
25 There's a serious doubt that the \$69 million that

1 will be appropriated, is it even going to be there.

2 What's more important, though, is to make
3 sure that the steps that are taken and the
4 certificate of appropriateness be examined very
5 carefully in making sure that you dot every T -- that
6 you across every T and dot every I and make sure that
7 this does not have the impact it's going to have, I
8 believe, on these two historical areas.

9 I'd ask that you take time, think about it,
10 but defer this for at least four or five months until
11 we find out what's going to find out with the federal
12 lawsuits, but more importantly, with the federal
13 funding.

14 And with that, I want to, again, thank you
15 for your time. I know I only have two minutes. It's
16 good seeing many of you. I know most of you. So
17 good luck, and I know you have a real rough decision
18 ahead of you. Take care.

19 CHAIRMAN CLARK: Thank you, sir.

20 MR. SALAS: Bill Snitker.

21 MR. SNITKER: Good afternoon, Mr. Chairman. My
22 name is Bill Snitker, and I live in the Nob Hill
23 area, specifically at 301 Amherst, Southeast. I
24 realize that particular address is not in this
25 immediate area of the two neighbors today, however, I

1 would like for you to think of it this way. Lead is
2 one of the ancillary streets in these two areas.

3 Our situation on Lead is that we've been
4 there for close to 20 years. In that time, we have
5 had at least 15 different vehicle incidents that
6 vehicles have ran into our property, destroyed our
7 cars, destroyed our walls. Now I've built a wall and
8 tried to be indestructible. But any of you could
9 drive by there right now and see that the curb is
10 demolished from an incident that happened over six
11 months ago.

12 We've repeatedly asked the city to control
13 to speeds. When Lead and Coal was being renovated,
14 or improved, we were told from taking it to three
15 lanes to two lanes, we would have less occurrences of
16 incidents. It's been worse.

17 And now, this project is predicting that at
18 any given moment, and I know the statistics from
19 asking it at one of the meetings, has to be in
20 consideration for the traffic load that will go to
21 Lead and Coal. I was told that yes, there was a
22 report, that was prepared that showed that Coal and
23 Lead could hold at least 3- to 500 more vehicles at
24 any given moment.

25 That is absolutely ridiculous. It can't

1 hold the traffic that it holds now or that's coming
2 down it now, especially when there's an incident on
3 Central and it's blocked and all the traffic has to
4 come down Coal and Lead, or when there's an accident
5 on Coal and Lead.

6 And we're not the only resident. Again, you
7 often see accidents that happen on Coal and Lead on
8 the TV, and most recent down closer to the area we're
9 talking about is when the bus ran through the
10 intersection and ran into people's homes.

11 CHAIRMAN CLARK: Thank you, Mr. Snitker. I
12 appreciate it.

13 MR. SNITKER: It happens repeatedly. Pardon
14 me?

15 CHAIRMAN CLARK: Thank you.

16 MR. SNITKER: Thank you very much.

17 MS. VENCILL: Hello. I wanted to give a little
18 background --

19 CHAIRMAN CLARK: Your name and address, please,
20 ma'am?

21 MS. VENCILL: I'm sorry?

22 CHAIRMAN CLARK: Your name and address, please.

23 MS. VENCILL: Elizabeth Vencill. I just
24 purchased the building across from the Hiland Theater
25 on Central. My address is 115 Quincy, Northeast.

1 CHAIRMAN CLARK: Thank you.

2 MS. VENCILL: I'm an UNM anthropology major,
3 graduate from UNM Law School. I was the coordinating
4 processing editor of the *National Resources Journal*.
5 So I'm a reader, and since I've heard about this
6 project, I've been trying to learn as much as I
7 could. And I was going to share some of that
8 information you all. I'm sure everyone here knows
9 more than I do, but my learning curve is growing.

10 The current buses operate on what you call a
11 mixed-use corridor. My understanding is the reason
12 that the rapid transit is being promoted over the
13 current Rapid Ride is because it's faster. You can
14 get more speed. And one of the recommendation for
15 making buses more efficient is to load them in the
16 middle of the road and to have designated lanes so
17 that they're not in mixed-use traffic.

18 The areas that have found this to be very
19 successful are areas that can measure the commuting
20 time three to four hours a day -- three to six hours
21 a day. And when you put a rapid bus on an arterial
22 road or in the middle of a wide enough road, you can
23 be stuck in traffic and watch the bus just driving
24 by. So there's an enticement to want to ride the bus
25 because you can get somewhere quicker.

1 We don't have that problem in Albuquerque.
2 The results that were published on a KRQE news story
3 on the Internet that came from the Albuquerque bus
4 transit department said that the rapid transit will
5 shave three to seven minutes off of the entire trip
6 from east Central to west. That's an awful lot of
7 change to the neighborhoods to save three to seven
8 minutes.

9 The area that you're talking about here,
10 EDO, on the plans, is an area where there's not
11 enough room to have the desired model. So you'd have
12 one bus parking while the other bus goes through, and
13 then that bus can go through. I don't think we need
14 to have that much homage to a bus.

15 More importantly, just quickly, I would say
16 there is some legislation that is newer than this.
17 We're working on outmoded concept for the FAST Act,
18 which was signed in October 2015 by President Barrack
19 Obama. It talks about pedestrian and bicycle as
20 being very important. It talks about alternative-use
21 of buses as opposed to the ones that being proposed
22 here.

23 CHAIRMAN CLARK: Thank you, Ms. Vencill.

24 MR. SALAS: That's it, Commissioner.

25 CHAIRMAN CLARK: Thank you very much. That

1 concludes the -- excuse me -- interested persons
2 input.

3 Ms. Hennessey, is there a staff rebuttal at
4 this time? -- excuse me. Applicant rebuttal. Sorry.
5 Skipped ahead.

6 Mr. Kline, do you and your team have any
7 comments to make at this time?

8 MR. KLINE: I have a couple. Thank you,
9 Mr. Chairman. Very interesting comments. And I'd
10 like to speak to a couple of them kind of in a chain.

11 One person mentioned history: When did this
12 become a transit corridor?

13 1880. Something we always forget is that
14 there were buses -- there was a horse-drawn wagon
15 down the middle of Central Avenue three weeks after
16 the Atchison, Topeka & Santa Fe hits downtown.

17 Transit has been the centerpiece of Central
18 Avenue for 136 years. But what really makes it
19 important, and this is the important part to us, and
20 I'm speaking to Mr. Blanc's comments, is this project
21 is not just about transit. It is about economic
22 development. We hope that this will allow people to
23 carve out mixed-use interest along Central, whether
24 the car that also -- it already contains the major
25 destinations in this city, from Nob Hill, to the

1 university, downtown, to the BioPark, to the West
2 Side. It's the only corridor that goes cross the
3 river in that way. It's our heart. And I've always
4 said, you make your aorta stronger if you want to
5 make your capillaries stronger. And every time we've
6 done something more on Central, or entire transit
7 system has grown.

8 The other important point I want to make is
9 something that's forgotten about transit. We talk
10 about transit, we talk about bikes, we talk about
11 automobiles, we talk about pedestrians. All of the
12 customers of all of those roads are pedestrians to
13 start with.

14 But what the bus offers is a movable
15 sidewalk. Doing it this way, down the middle, with
16 (inaudible) in the middle, allows bicycles to be
17 brought on board, wheelchairs to just roll on board.
18 They don't even have -- they don't even have to
19 restrain themselves. You're going to walk or you
20 just climb right on. It makes it even more
21 egalitarian. Same thing goes for the bicycles.

22 So we're actually -- by putting this down
23 the middle of the road, with platforms same level as
24 the floor of the bus, making it more equitable for
25 all transportation users.

1 CHAIRMAN CLARK: Commissioner Heiser.

2 COMMISSIONER HEISER: Yes. Representatives
3 from the neighborhood, Mr. Dickson and Mr. Day, had
4 an alternative plan that they presented. Could you
5 address that? And is it adaptable to the plan that
6 you have presented to us?

7 MR. KLINE: Mr. Chairman, Commissioner,
8 actually, I can't, because that's the first time
9 we've seen it. But I would -- we would all like to
10 thank EDO, the neighborhood group, for all of our
11 conversations that we've had over the course of the
12 last couple years. Because I think we started out
13 like this. And it's slowly wandered down to about
14 that far.

15 What I saw on the screen, I think some of
16 those things may be possible. But having just seen
17 it, I cannot say whether they can be adopted or not.
18 But we will take our close-as-possible-look.

19 COMMISSIONER HEISER: So tell me what the
20 process would be in the event that the commission
21 thought that those requests were viable and wanted
22 them incorporated into the plan. Would that come
23 back to us for a final approval, or how would that
24 work? How do you see the mechanism working?

25 MR. KLINE: Mr. Chairman, I don't feel

1 competent to answer that.

2 MR. LEAR: My name is David Lear, with HDR
3 Engineering. I'm the program manager for that
4 project. I actually live in Seattle, Washington, all
5 the I'm here four days a week, every week for this
6 project.

7 We had an opportunity to read through the
8 plan this morning. One of the things that -- just
9 for information of the commissioners to understand is
10 we have worked through alternate designs with the EDO
11 and Huning Highland Neighborhood Associations for a
12 number of years to get to the single reversal lane
13 that we have now, and really restricted, gone to the
14 minimum of design criteria recommendations for our
15 lane widths, and a number of other issue related to
16 the ART.

17 So several of the suggestions, like reducing
18 the length of the station platforms, those kind of
19 things, really cannot do, because we've already
20 minimized the footprint as much as possible.

21 Having the ART in mixed-flow traffic from
22 Broadway to 1st, which was one of the suggestions, is
23 something that we cannot do, because in order to have
24 the single reversal lane operate from the Broadway --

25 COMMISSIONER HEISER: We're not here to talk

1 about --

2 MR. LEAR: Okay.

3 COMMISSIONER HEISER: -- between Broadway and
4 1st, just from Broadway to I-25.

5 MR. LEER: So my point being that we went
6 through and have gone through as much as we can.
7 There are a few of them that we can incorporate and
8 we'll do so. But for the most part, we've looked at
9 them and -- because of what we've done in the past,
10 it renders the additional ones not possible for us
11 to move forward.

12 COMMISSIONER HEISER: So to answer my question,
13 what would the process be if you were to modify the
14 plan and look at some of those items and come back
15 with a recommendation? Does that come back to this
16 commission, or does that go through staff? What is
17 the process?

18 MS. HENNESSY: I beg your pardon, Commissioner.
19 I had other distractions. You'll have to repeat your
20 question, if you're -- if it's for me.

21 COMMISSIONER HEISER: If this commission
22 requests that the engineer looks at the street
23 modifications as proposed by Mr. Dickson and Mr. Day,
24 with their neighborhood group, to see which of the
25 shopping list items are appropriate to maybe

1 incorporate into the plan, what would be the process
2 of proceeding ahead with the project?

3 Would that have to come back to us and we
4 delegate it? What would we do in that instance?

5 MS. HENNESSY: Mr. Chair, Commissioner Heiser,
6 I believe I recommended a condition of approval
7 whereby there could be some adjusted -- adjustment of
8 details. I believe I used the word "minor." I
9 don't know if those changes would qualify at the
10 level of minor, because, again, I did not see this
11 material before today either. It could potentially
12 be accommodated, or the language of the conditions of
13 approval could be modified to reflect that.

14 COMMISSIONER HEISER: Okay. We may need some
15 instruction on writing, if we go that direction,
16 writing a condition or findings concerning that.

17 CHAIRMAN CLARK: Commissioners, other comments
18 or questions of Mr. Kline?

19 Commissioner Myers.

20 COMMISSIONER MYERS: Thank you, Chairman.

21 Along those same lines as Mr. Heiser, you
22 had mentioned, and Mr. Kline, I don't think this is
23 for you, but the previous gentleman who was up, that
24 you could meet some of the proposals from the EDO
25 Neighborhood Association. Can you, off the top of

1 your head, think about which ones you could satisfy?

2 MR. KLINE: Mr. Chairman, I apologize. I did
3 not know that Mr. Lear had seen that document earlier
4 in the day, so I'll leave it to him.

5 MR. LEAR: Unfortunately, we just reviewed it
6 today, so we're not -- not at this point trying to
7 say which ones we think we could agree to or not
8 agree to.

9 COMMISSIONER MYERS: Okay.

10 MR. LEAR: We would need to work through the
11 process.

12 COMMISSIONER MYERS: That's fair enough. If
13 you only saw it today, that's fair enough. Thank
14 you.

15 CHAIRMAN CLARK: Yes, Commissioner Horowitz.

16 COMMISSIONER HOROWITZ: I had an additional
17 question regarding traffic throw and level of
18 service, to go back to that topic.

19 It seems to me that I have read in here that
20 we are removing two of the bus services and replacing
21 them with ART, but the 66 bus will continue.

22 MR. KLINE: This is correct.

23 COMMISSIONER HOROWITZ: And the 66 bus, I
24 understand, will not travel in the same lanes as ART,
25 but rather it will travel in a general traffic lane.

1 MR. KLINE: That is correct.

2 COMMISSIONER HOROWITZ: And yet, we have one
3 lane of traffic remaining for the 66 bus, and all the
4 rest of the vehicles on the road.

5 What sorts of soft delays does the city
6 anticipate? What can you tell us? Because I have
7 been stuck behind many a city bus, and they're not
8 quick stops, not when you're in a hurry, especially.

9 MR. KLINE: Mr. Chairman, Mr. Lear may be in on
10 this, too, but one characteristic of this is that the
11 headway is seven and a half minutes, so for seven
12 minutes and 35 seconds, there's no bus in the center
13 lane.

14 So if you're trying to park or if the bus is
15 stopped, the 66 bus is stopped on the side and you
16 need to duck into the ART lane in order to keep
17 moving, there's no reason -- there's no physical
18 barrier to keep people from doing that.

19 MR. LEAR: And just to stay in on that.
20 Commissioner, we have been working with ABQ Ride
21 recognizing that that would -- you know, backing up
22 traffic would be a major concern. And we're working
23 to reprogram the 66 stops, especially where you have
24 only one lane of traffic in each direction, so that
25 the 66 buses actually pull out of the traffic flow to

1 board and alight passengers, and then would pull
2 back -- and then would, you know, turn the blinker on
3 and pull back in, so as not to detour or delay
4 traffic. They pull out of traffic to board and then
5 pull back in to move forward.

6 COMMISSIONER HOROWITZ: I thank you, because I
7 have great concerns about being told to believe the
8 person in front of me is going to pull out into
9 another lane to go around the bus. Thank you.

10 CHAIRMAN CLARK: Commissioners, any other
11 remaining comments or questions?

12 Commissioner Heiser.

13 COMMISSIONER HEISER: I'm going to probably
14 think about an approach to see what we can do to
15 encourage canopies, or a canopy, not plural, because
16 we're just dealing with one stop, the canopy at the
17 Walter stop.

18 I don't want to do something that creates
19 any kind of havoc with the proposal. I think I would
20 probably address it in findings. And I would make
21 the observation that I -- I'm not -- I can't disagree
22 with SHPO because I have not seen the report. I just
23 saw part of a letter that they sent in. But I would
24 make the observation that the EDO UCOZ allows for
25 awnings of canvas cloth, four-foot length metal and

1 glass in the district, and then if you look at
2 historic photos of Central Avenue, every photo you
3 look at that shows the highly active areas along the
4 corridor. They have these massive awnings that reach
5 out from the buildings and big canopies because they
6 made sense, they provide shade.

7 And they're all over the place along the
8 corridor. And the other thing that one sees, and if
9 you're familiar with the history of Route 66, is that
10 they have these things called auto camps along
11 Route 66 that have free-standing tent cloth canopies
12 for auto campers, and perhaps if that was the
13 approach that -- this was actually a little bit of a
14 history lesson -- that those things have always been
15 there during the '30s and '40s, et cetera, that maybe
16 there's an appropriate place for kind of a canopy at
17 this stop.

18 Because I think as a rider, I think it would
19 be very detrimental to the ridership of this corridor
20 if you don't have protection from the sun. Because
21 if you're just standing at Central and Walter at
22 2 o'clock in the afternoon in the summertime, it's
23 going to be pretty tough.

24 So we will -- I will attempt, I don't know
25 if I have the commission behind me, some language

1 that encourages the design of an appropriate canopy
2 for that stop. I don't know if you have any thoughts
3 on that, but...

4 MR. KLINE: Thoughts, yes. Mr. Chairman,
5 Commissioner Heiser, going back to where we were
6 before, ABQ Ride is a third party to that Section 106
7 consultation. That's an agreement that's made
8 between the SHPO and the FTA.

9 Personally, after 35 years standing in front
10 of commissions like this, if it were couched as a
11 finding, and perhaps Ms. Hennessey could correct me
12 on this, it would not have the force of law. We
13 would not be required to do it, but we could pursue
14 it quietly behind the scenes.

15 And I think, it's fair to say that we agree
16 with you. We'd rather it were there. And those
17 historical reference have opened my eyes a little
18 bit. I had forgotten that.

19 As a finding, why don't you make a condition
20 that -- I'm no lawyer, but I think that interferes
21 with the relationship between the FTA and the SHPO.

22 CHAIRMAN CLARK: Commissioner Horowitz.

23 COMMISSIONER HOROWITZ: I would have a question
24 regarding that. Were the FTA and the SHPO given any
25 alternate canopy designs that they might find more

1 acceptable for use in a historic district? Or was
2 this simply a decision made of either -- either you
3 take this canopy or we remove the canopy.

4 MR. KLINE: Mr. Chairman and Commissioner, it
5 wasn't quite that simple. Mr. Gleason and I first
6 went to the SHPO with a collection of possible
7 canopies three years ago, probably. And it devolved
8 down from there. No, we gave them alternates. This
9 is the one that rose to the surface. When the final
10 FTA consultation was done, they said okay, but not at
11 these three stations.

12 COMMISSIONER HOROWITZ: So to clarify, it was
13 the SHPO's preference there be no canopy? They could
14 find no acceptable canopies in any canopies you
15 proposed?

16 MR. KLINE: That would be my interpretation.

17 COMMISSIONER HOROWITZ: Thank you.

18 CHAIRMAN CLARK: Commissioner Austin.

19 COMMISSIONER AUSTIN: Thank you. I -- I have
20 major issues with this entire design. We have talked
21 about the fact that there's a variety of styles and
22 buildings in our historic neighborhood. I do live in
23 Huning Highland. The one thing I do not see is
24 minimalist modern in the middle of the street.

25 You mentioned how this station with the

1 seating bars is going to be good for families, for
2 elderly people, for the disabled. I am on the edge
3 of elderly and I know that I am not going to perch on
4 one of those bars. I know that my daughter with
5 three small children is not going to find this safe
6 to have the children take the bus.

7 I think this design does not fit in any way,
8 shape or form. I think that it is beyond ugly and
9 has no position or no place in Huning Highland-EDO,
10 which is the proper name, Huning Highland-EDO.

11 And I could say that at this point, unless
12 you can come up an -- what you're basically telling
13 me is that you can't come up with a new design that
14 is respectful to these neighborhoods, then I think
15 that it's either deferment, or I would vote against
16 this period.

17 So I think there was a question in there,
18 which is, how can you make this happen where it is
19 acceptable and does fit in and is usable.

20 MR. KLINE: Mr. Chairman, Commissioner, it is
21 DPS's design. I will let them defend it.

22 MR. GLEASON: Hi. Will Gleason. 7601
23 Jefferson, Northeast.

24 So, Commissioner, I'm not exactly sure how
25 to respond to your question. We had -- part of our

1 design was to have a uniform style for each stop
2 throughout the corridor so that there was a
3 consistent style identity for the project.

4 As far as the furniture proposed at the
5 station, it is minimalist. It's not -- I wouldn't
6 say it's like screaming modern. It's meant to be
7 something that is easy to maintain and not easily
8 laid upon by people that want to hang out there. And
9 the bus is coming every seven minutes. The idea is,
10 you're not there very long. You're standing or
11 you're leaning against the Bar. That is sufficient
12 for the passenger experience.

13 The other -- the other furniture at the
14 station is fairly, I'd say, utilitarian. There's a
15 the ticket machine and the housing within that. The
16 idea is to make it so that you can buy a ticket
17 easily, you have information about the route there.
18 But it's not meant to sort of make any statement as
19 far as the architectural style.

20 COMMISSIONER HOROWITZ: I would -- I would
21 suggest that it needs to make a statement in a
22 historic neighborhood, and certainly in towns and
23 cities -- cities, because we're just a town. But in
24 cities that have the need for this type of massive
25 transit, such as in London, the architecture of

1 Piccadilly is incredibly different than the
2 architecture of the Victoria station, which is
3 entirely different if you're trying to get on the
4 subway near the Museum of Modern Art. There is a
5 respect and -- of that individual neighborhood that I
6 don't see these stations having.

7 Thank you.

8 MR. GLEASON: Thank you.

9 CHAIRMAN CLARK: Commissioners, further
10 comment?

11 There being none, thank you, Mr. Kline.

12 MR. KLINE: Thank you.

13 CHAIRMAN CLARK: And we'll proceed to the staff
14 rebuttal.

15 Ms. Hennessey.

16 MS. HENNESSY: Mr. Chair, Commissioners,
17 somewhat of a sidebar. The public comment period is
18 closed. Someone came in that had not previously
19 signed up to speak and has requested to speak. Does
20 the commission want to entertain that at all?

21 CHAIRMAN CLARK: Commissioners?

22 COMMISSIONER HOROWITZ: Why not.

23 CHAIRMAN CLARK: Yes. We'll entertain that.

24 Thank you.

25 MS. HENNESSY: Name and address, please.

1 MR. PILON: My name is Steve Pilon. I live at
2 3325 Wilway Avenue, Northeast. I'm in the north
3 campus neighborhood.

4 And I would just like to thank the chairman
5 and the commission for their indulgence. I've been
6 here through the whole thing. I just forgot to sign
7 up when I first got here.

8 But I would just like to say, I come before
9 you as a big supporter of both public transportation
10 and Complete Streets. And typically, in the past,
11 I've been on the same side of these types of issues
12 with Ron Dickson and Lawrence Kline and my friend
13 Will Gleason.

14 But I come today in opposition to this. I
15 would just like to say that I think that the project
16 is ill conceived, given the constraints along places
17 like EDO and Nob Hill. And the accommodations are
18 made where the streets are too narrow in the
19 downtown, where they go -- they're visualized as
20 going on to Lead, I guess the two side streets,
21 Copper and Gold, I believe.

22 Anyway, I would just like to say that
23 there -- one of the commissioners mentioned that
24 there was going to be a deterioration of the level of
25 service.

1 The original Parsons Brinckerhoff study that
2 they did with computer simulations, it visualized
3 deterioration. I'm not sure, that's on the ABQ Ride
4 website. And I guess they've done -- redone the
5 simulations. But in the out years, in 2035, they
6 visualized significant deterioration to the level of
7 service at multiple intersections.

8 I think that arguing about -- I agree with
9 you that there's going to be shade needed at all the
10 stops. To worry about the exact shape of the
11 canopies is akin to arguing over the arrangement of
12 the furniture on the titanic. I think the whole --
13 through EDO and Nob Hill, I think it's been
14 misconceived, and I think the ART should run in mixed
15 traffic in those areas.

16 And I would like to urge you to oppose or
17 reject the request for their certificate of
18 appropriateness. I think it's bull. Thank you.

19 CHAIRMAN CLARK: Thank you.

20 Ms. Hennessey.

21 MS. HENNESSY: Thank you, Mr. Chair. Just a
22 couple of things in closing. This bus rapid transit
23 project is a complicated project. And it evokes
24 strong feelings on both sides of the equation,
25 whether, you know, people are concerned about the

1 effect on businesses, the design of the system
2 itself, or as the gentleman who just spoke
3 previously, you know, whether this is a worthy,
4 workable transportation project.

5 But the LUCC here has a very specific role
6 in authority, you know, that authority granted by the
7 landmarks and open conservation board. And, you
8 know, we're obviously not traffic engineers, so to
9 get into, you know, those kind of issues is really
10 outside the scope of this commission and this
11 application.

12 There are certain -- and there are
13 liabilities that go along with the commission
14 exercising their authority in appropriate ways.

15 So if the commission is to entertain a
16 decision for denial of this project, I would
17 encourage you to be very specific about the reasons
18 for that as they pertain to the specific development
19 guidelines for the landmark and the landmark's
20 ordinance.

21 I've heard a little bit of misinformation or
22 comments made today, and I'd like to clarify a little
23 bit.

24 With regard to the decisions by the FTA and
25 the SHPO regarding the determination of no adverse

1 effect, it would be a mistake to think that that kind
2 of decision was made in the dark. As Mr. Kline
3 stated, the transit department began preliminary
4 discussions with New Mexico SHPO I know as early as
5 June of 2014, preliminary consultation.

6 And as part of that consultation, very, very
7 thorough cultural resource inventory was conducted of
8 buildings both listed on the national register and
9 considered eligible for listing. And the people
10 making those decisions had that material. They had a
11 picture of every single building from Central Avenue
12 west down to the east.

13 So those were informed decisions. And that
14 report is public information and anybody's welcome to
15 request that.

16 Another thing I've heard is that with regard
17 to the adverse effect, you know, on historic
18 properties up and down Central Avenue, not only in
19 this district, is that it's going to have a bad
20 effect on the historic properties.

21 And I wish I heard a little more
22 elaboration, you know, about how -- what is the
23 negative effect. We have -- you know, the project is
24 obviously not touching the buildings themselves.
25 It's in the public right-of-way on Central Avenue.

1 Which, as Mr. Kline also noted, the general alignment
2 of Central Avenue was a transportation corridor
3 dating back to prehistoric times. You know, the
4 Tijeras Canyon was the only passable route from the
5 Estancia Valley to the Rio Grande Valley or the
6 river. And it was used by both Native American
7 peoples, you know, as well as Spanish colonial
8 population.

9 And it was Albuquerque's Main Street. And
10 it has undergone very many iterations; I mean, from a
11 dirt road with mule-drawn wagons, and later on,
12 street cars and automobiles and trucks sharing the
13 same space in a random chaotic way, you know, until
14 the advent of the automobile in the 1920s, which,
15 again, changed the landscape.

16 But even then, with the advent of the
17 automobile, we didn't have landscaped medians, you
18 know, in the Central Avenue right-of-way either, as
19 we do today. So, you know, as a transportation
20 corridor, there are going to be changes in the modes
21 of transportation and how that corridor is used.

22 Maybe I'm a little bit sensitive to
23 suggestions that perhaps in some way the city or this
24 commission doesn't care about our historic
25 properties. I think there's a great deal of evidence

1 that we do. The city has spent millions upon
2 millions of dollars to protect and attempt to, you
3 know, preserve our historic resources.

4 So with that, those are my closing remarks.
5 With regard to the specific issue of the lack of the
6 canopies, I share the commission's concern. I
7 brought that up in my staff report on Page 12. I
8 suggested that not having a shade structure at the
9 stations doesn't contribute to a quality experience
10 for a transit user, and that the transit department
11 should explore alternatives for appropriate shade and
12 shelter.

13 I think that if the commission, in your
14 discussion, thinks that you could use something to
15 that effect and the fact that there isn't shade and
16 shelter doesn't contribute as a finding, and then if
17 you wanted to provide further direction, that could
18 be done as a condition.

19 CHAIRMAN CLARK: Commissioner Heiser.

20 COMMISSIONER HEISER: At the intersection of
21 Central and Walter, where -- where's the closest
22 significant or contributing historic building in
23 proximity to that, to the intersection?

24 I said in proximity to the intersection of
25 Walter and Central Avenue, where is the nearest

1 significant or contributing historic building?

2 MS. HENNESSY: Let me (inaudible) myself,
3 Commissioner Heiser.

4 UNIDENTIFIED MALE: The library.

5 COMMISSIONER HEISER: I know the library is,
6 but that's not at that intersection.

7 MS. HENNESSY: No.

8 COMMISSIONER HEISER: And maybe there's not an
9 answer to say, but --

10 MS. HENNESSY: Well, there is. Mr. Chair,
11 Commissioner Heiser, there is an answer, I just have
12 to access the appropriate sheets. And we no longer
13 have it up on the slide.

14 CHAIRMAN CLARK: Ms. Hennessey.

15 MS. HENNESSY: Closest historic building.
16 Go ahead.

17 CHAIRMAN CLARK: Yeah, I was -- I think the
18 commissioners would like to entertain, perhaps, a
19 15-minute break. Is that agreeable with the
20 commissioners?

21 Okay. Why don't we adjourn for a 15-minute
22 break. We can review our notes and take care of
23 other business as well. Thank you very much.

24 COMMISSIONER HEISER: These are old buildings.

25 UNIDENTIFIED COMMISSIONER: I know, but I can

1 tell you right now that on Walter, one, two, three,
2 four five, six, contributing house is right there,
3 contributing house here, contributing house I think
4 at the corner. I'm not sure about the one in the
5 middle. This is my baby.

6 (Recess taken.)

7 CHAIRMAN CLARK: Thank you, everyone. I
8 appreciate your attention. We'll call the hearing
9 back in order. And Ms. Hennessey can complete her
10 presentation.

11 You're up.

12 MS. HENNESSY: Mr. Chair, I had concluded my
13 remarks. I believe there was a question on the table
14 from Commissioner Heiser about the nearest historic
15 building to the station. That would be Crystal Dove,
16 the building labeled Crystal Dove on the corner.

17 COMMISSIONER HEISER: So there is one directly
18 at the intersection?

19 MS. HENNESSY: Uh-huh.

20 COMMISSIONER HEISER: Okay. My next question,
21 just for clarifying the record, and maybe there
22 should be a finding pertaining to this, but this plan
23 does not propose anything that would require any kind
24 of alteration to a historic building in this
25 corridor; is that correct?

1 MS. HENNESSY: No, the project itself doesn't
2 touch any buildings --

3 COMMISSIONER HEISER: Right.

4 MS. HENNESSY: -- and corridor or any --

5 COMMISSIONER HEISER: That might be a finding
6 that we would incorporate for the record. Okay?

7 CHAIRMAN CLARK: Commissioners, any further
8 questions or comments of Ms. Hennessey?

9 Thank you very much.

10 Commissioner Heiser.

11 COMMISSIONER HEISER: I would like to get some
12 feedback about entertaining a continuance for this
13 hearing. And a continuance is different from a
14 deferral, because we've already heard testimony,
15 which means there's no repeat testimony. New
16 evidence can be brought forth for the continuance
17 hearing.

18 And my thought, we've heard a lot of input
19 today. And I would like the consultants to review
20 the plan alternative that was submitted by
21 Mr. Addiction and Mr. Day, with the backing of their
22 neighborhood, to see what aspects of those requests
23 are viable to this street plan, and take a good hard
24 look.

25 I mean, I know that's it's been designed to

1 a certain degree, but -- and it's always hard to go
2 and change something. But oftentimes, those changes
3 could move mountains in terms of making it a better
4 design for the community.

5 The second consideration I have for review
6 is that I'm not convinced at this particular location
7 for a stop that a one-style-fits-all design is
8 necessarily appropriate for this historic district.
9 And I would ask that the consultants take a look at
10 the design they're presenting. I'm not suggesting we
11 put a canopy on, but we're going to probably -- we
12 may have some findings in the future concerning a
13 canopy, because we certainly need to think about how
14 that would work in.

15 But in terms of the design that's presented,
16 I'd like them to look at the concept of while the
17 signage can be the same, that it probably should be
18 consistent signage, I'm not suggesting the signage be
19 different, but the actual Walter stop be looked at in
20 terms of the materials and the design considerations.
21 Okay?

22 Yes. Oh.

23 COMMISSIONER AUSTIN: If you were done.

24 COMMISSIONER HEISER: I'm done.

25 CHAIRMAN CLARK: Commissioner Austin.

1 COMMISSIONER AUSTIN: I have to not only agree
2 with Commissioner Heiser, but go one step further.

3 It is incredibly upsetting to me as a
4 resident of the Huning Highland-EDO Neighborhood that
5 the very organization the City of Albuquerque that
6 designated and helped us protect this neighborhood
7 for its unique character would be the ones that would
8 come up for something -- or come up with a design
9 here that is so disrespectful to the nature and the
10 historic nature of the neighborhood.

11 I certainly think that with a change of
12 material, I definitely think if we are talking about
13 this being used by the elderly, by families, by the
14 disabled, we do have to look at a canopy. It's very
15 hot in Albuquerque, or it's cold in Albuquerque. But
16 there needs to be some type of protection.

17 And I certainly agree that this needs a
18 continuance so that, perhaps, we can rethink that --
19 the powers to be can rethink this and make something
20 that is more acceptable to the nature and the
21 character of the neighborhood.

22 CHAIRMAN CLARK: Commissioner Horowitz, did you
23 have any comments?

24 COMMISSIONER HOROWITZ: Of course I do,
25 Mr. Chairman. I have a lot of thoughts on this

1 project, some of which even pertain to our purview
2 here, our charge as the landmarks and urban
3 conservation commission.

4 In general, I feel that the speed with which
5 the approvals have gone through in this process has
6 not taken into consideration the magnitude of the
7 impact upon our city and Central Avenue from one end
8 to the other.

9 This is -- when I go back to all the plans,
10 they do talk about maintaining an adequate level --
11 in fact, if you go back to the priorities, it's
12 supposed to carry more traffic on Central than our
13 neighboring streets. And I'm concerned about
14 impeding traffic flow. And I heard a very good
15 solution from Mr. Kline regarding having the 66 buses
16 pull out of traffic. However, I do not see bus
17 pull-outs in the design before us.

18 In terms of parking, I tend to take -- I
19 tend to place a heavier weight on the opinions of
20 neighborhood associations than individuals, because
21 they are organized groups that have worked together
22 to come to some consensus. And I do believe there
23 are some merits in the EDO and Huning Heights [sic]
24 neighborhood association plans that perhaps they have
25 come in late, but I think it's important that

1 consideration be given to incorporating them.

2 We talk a lot about commerce and tourism,
3 and if this is an opportunity to increase parking in
4 those districts, it may somewhat mitigate one of the
5 issues with the Central Avenue corridor, which is
6 demographics. The demographics of those taking the
7 Central Avenue corridor are, by and large, an
8 economically disadvantaged or, since the recession,
9 like the rest of us, an economically challenged
10 group. And in order to create healthy commerce in
11 these neighborhoods in the Central area corridor, it
12 is necessary that we be bringing in people from other
13 parts of the city and tourists as well.

14 And one of our challenges as tourism
15 destination has long been our lack of lodging within
16 the downtown and the convention center and Central
17 business direct area. And over recent years, our
18 city's lodging core has moved to north I-25.

19 So my question becomes to the city, how are
20 we actually going to improve commerce with this area,
21 with these changes, if these buses -- and I recognize
22 that it's a large percent of our transit, but also
23 that our transit system lacks the necessary
24 north/south connections for those that can afford to
25 use automobiles to travel to find the bus routes

1 convenient or reasonable in terms of commuting or
2 access to business and leisure activities.

3 And while I see someone who doesn't live
4 here shaking his head at what I'm saying, I think
5 it's important for the residents that do live here to
6 understand these things and understand what's behind
7 this decision.

8 I have concerns about the access to the ART
9 route by the rest of the city. And while I -- I
10 don't have my back up to the extent that Commissioner
11 Austin does regarding the design within the
12 neighborhoods, I do have to believe that -- I cannot
13 believe that any SHPO would prohibit any type of bus
14 shelter in a historic district. And I believe that
15 if we have been able to come up with a bus shelter
16 design that is acceptable to the SHPO, we must not be
17 trying very hard at not obscuring historic buildings.

18 So based on those things, I believe that a
19 continuance is in order and I would further like to
20 add my comments that if we cannot figure a way to
21 improve access to this route by the rest of the city,
22 and that may mean secured parking lots so that other
23 people in the city, who travel by car, can get down
24 to use this line -- because I don't know anyone who
25 really wants to park their car for much time on

1 Central Avenue, and I'm a resident not of a historic
2 district, but of southeast Albuquerque in the Nob
3 Hill area. And I don't park my car at the State Fair
4 when I'm going places. But it could be a
5 destination.

6 We have a tremendous vacant or
7 under-utilized resource on Central Avenue, and in all
8 my years in Albuquerque, I've never once heard a
9 mayor or a governor talk about linking the two and
10 utilizing the parking at one area to feed people in
11 the downtown.

12 So my further caution will be that I think
13 this will be a disaster unless we figure out a way to
14 make this route attractive to people of other
15 demographic groups in other parts of the city who
16 represent the bulk of the consumers in this town,
17 unless we can find them a place to come down and park
18 and use this route.

19 But I would support Commissioner Heiser's
20 recommendation for a continuance because I would like
21 to see the need for a bus shelter, I would like to
22 see the desire for more parking, and I would like to
23 see a need to take the 66 buses out of the traffic
24 flow explored prior to our signing off on a project
25 of this magnitude. Thank you.

1 CHAIRMAN CLARK: Thank you, Commissioner
2 Horowitz.

3 Commissioner Myers.

4 COMMISSIONER MYERS: Thank you, Chairman.

5 I do will support a continuance. For me, it
6 basically boils down to I think a lot of what's been
7 said here today is really not within our
8 jurisdiction. It's outside of our jurisdiction. But
9 I think what we are tasked with is making sure that
10 any development within the historic zones matches or
11 furthers the existing character of the neighborhood.

12 And so I think that the -- a continuance is
13 appropriate so that the stop -- so that the city can
14 look into ways to make this stop more compatible with
15 the surrounding architecture and the character of the
16 neighborhood. And I think that's what we're charged
17 with, so that's what I'll be focusing on.

18 I do believe that the Huning Highland-EDO
19 Neighborhood should have gotten their comments in
20 sooner, but I also believe those comments should be
21 looked at closely. And hopefully, those can be
22 addressed here as well as possible by the applicant.

23 And that's that.

24 CHAIRMAN CLARK: Thank You, Commissioner Myers.

25 I'll entertain a motion.

1 MS. HENNESSY: Mr. Chair.

2 UNIDENTIFIED COMMISSIONER: Mr. Chairman, we
3 would like to hear from you.

4 MS. HENNESSY: And, Mr. Chair, I do have a
5 comment before you take a motion, please.

6 CHAIRMAN CLARK: Oh, very good.

7 Overall, I think the project is a step in
8 the right direction. I understand all of the
9 concerns of the people involved. The multimodal
10 means of transportation, attractiveness, encouraging
11 business development along Central in this corridor
12 and all corridors along Central, it's regrettable
13 that back in the 19 -- early 1900s, when your first
14 planners were working around here they didn't give us
15 125-foot right-of-way like we have up and down Coors
16 today. So we have to deal with what we've got, and
17 that makes this a very -- not so much difficult, but
18 a very interesting problem that needs to be solved,
19 and many stakeholder that need to be satisfied and
20 try to get the best solution for everyone that we can
21 through this area.

22 So yes, today's comment about a continuance,
23 yes, I do support that. I think that's appropriate.
24 I would like very much to see the EDO plans and
25 requests, to see how they may or may not fit into the

1 existing fabric, without altering the project's
2 schedule in a significant way.

3 So --

4 MS. HENNESSY: Mr. Chair.

5 CHAIRMAN CLARK: Yes, Mary Ellen.

6 MS. HENNESSY: I think it's appropriate at this
7 point in time to direct you to the commission's rules
8 of procedure, specifically, Page 4. Do you have that
9 with you, Mr. Chair?

10 CHAIRMAN CLARK: Yes.

11 MS. HENNESSY: It talks about the difference
12 between a continuance and a deferral. Your rules say
13 that a continuance is usually approved because the
14 commission needs more time to consider the case
15 before them. The subsequent hearing picks up where
16 it left off, et cetera.

17 And a deferral is usually approved to allow
18 for additional information to be presented to the
19 commission, such as revisions to site plans,
20 additional justification from the applicant,
21 additional meetings with the public, et cetera.

22 So --

23 COMMISSIONER HEISER: If we ask for additional
24 information, we'd have to do a deferral?

25 MS. HENNESSY: I could actually ask, you know,

1 our legal staff to maybe help you choose which of
2 these you're considering.

3 MR. WHITCOMB: Mr. Chairman, Commissioners,
4 yes, it looks like that is the case. If you want to
5 suggest revisions, give instructions to the
6 applicant, then that would be a deferral, which would
7 reopen a public hearing on the changes.

8 UNIDENTIFIED COMMISSIONER: Let's do it.

9 MR. WHITCOMB: So deferral could be accompanied
10 by whatever direction you want to give the applicant.

11 CHAIRMAN CLARK: A rose by any other name is
12 still effective, right?

13 MR. WHITCOMB: Well, I think that because the
14 rules do directly address both of those, you should
15 make it clear which one.

16 CHAIRMAN CLARK: We understand.

17 MR. WHITCOMB: Thank you.

18 CHAIRMAN CLARK: Commissioner Heiser.

19 COMMISSIONER HEISER: So now that I'm educated
20 and I don't know where the word "usually" works with
21 this, because each continuance, it says, "is
22 usually," and a deferral, is usually, so let's go
23 with the deferral on the advice of counsel.

24 Before I make that motion, I'm going to
25 suggest that -- I don't want the consultants to get

1 the wrong idea. I think a lot of the design work
2 that's been done is very creative, and I understand
3 that probably from a practical standpoint that the
4 furnishings, and we didn't go specifically into the
5 furnishings, it's probably a bulk purchase. And to
6 have different furnishings and accessories at each
7 station is probably not a very good idea, because
8 they're going to have to order and replace and keep
9 things in stock when things get vandalized, and be
10 able to switch out furnishings.

11 And I -- I would say that the furnishings
12 that I see, they're actually kind of artsy, which
13 goes to my point that this is called ART. And I have
14 perhaps an expectation that perhaps there's a place
15 for some public art at an ART stop, since we're kind
16 of playing on that. Albuquerque is such a huge art
17 community that maybe there's some consideration of a
18 location, or something that ties in with the station
19 or perhaps the revisioning of the Walter stop that
20 might consider that.

21 That being said, I'm going to move for a
22 deferral to the May hearing. If the applicant feels
23 that that's enough time to review and for the staff
24 to review this, this design, and request that the
25 consultants, as I earlier stated, review the plan

1 submitted by the EDO Neighborhood, Mr. Dickson, and
2 Mr. Day's plan, and that the consultants look at the
3 concept of coming up with a more contextual stop for
4 the Walter/Central stop design.

5 CHAIRMAN CLARK: Thank you, Commissioner
6 Heiser.

7 I notice there's some internal conversations
8 going on. We'll wait a minute or two.

9 MS. HENNESSY: I beg your pardon, Mr. Chair.

10 CHAIRMAN CLARK: Ms. Hennessey, we have a --

11 COMMISSIONER MYERS: I second that motion. Is
12 there --

13 COMMISSIONER HEISER: My question is, is the
14 30-day deferral sufficient for that type of input to
15 be --

16 CHAIRMAN CLARK: Considered?

17 COMMISSIONER HEISER: -- brought back to us and
18 considered?

19 MS. HENNESSY: That's a question for the
20 applicant.

21 MR. WHITCOMB: Mr. Chair, Commissioner Heiser,
22 speaking with city staff --

23 UNIDENTIFIED MALE: Please identify yourself.

24 MR. WHITCOMB: Assistant city attorney Blake
25 Whitcomb.

1 Speaking with city staff, while some of the
2 requests, specifically regarding the canopy issue,
3 may be unresolvable --

4 COMMISSIONER HEISER: We understand --

5 MR. WHITCOMB: -- so it wouldn't matter what
6 amount of time, the city staff believes that they can
7 look at some of the provisions or proposals by the
8 EDO Neighborhood and may be able to incorporate those
9 into their plan. If that is possible, they would be
10 able to find that out within 30 days fairly easily.

11 And unless I missed something -- I'm sorry,
12 I was consulting with -- with --

13 COMMISSIONER HEISER: The other issues, which
14 is the more appropriate -- or perhaps more
15 appropriate or contextual design for the Walter stop.

16 MR. WHITCOMB: May I have just a second?

17 Mr. Chair, Commissioner Heiser, I believe
18 that's probably going to fall under the same problems
19 as the canopy, as it's already been federally
20 approved. They can look at it, but as we see it now,
21 there's not a lot that can be done to change the
22 character of that stop.

23 COMMISSIONER HEISER: Could we look into it and
24 report back within 30 days to see if that's really
25 the drop-dead answer?

1 MR. WHITCOMB: Mr. Chair, Commissioner Heiser,
2 again, they'd be happy to look into it. But I don't
3 want to give the commission any false hope or state
4 that we think it would be likely that we could do
5 anything. In fact, we think it would probably be
6 unlikely that we could change much regarding either
7 the design or the canopy, but we will look into it.

8 CHAIRMAN CLARK: Commissioner Austin?

9 COMMISSIONER AUSTIN: So would 60 days be more
10 reasonable? Because if it stays the way it is, I am
11 going to vote for a denial.

12 MR. WHITCOMB: Mr. Chair, Commissioner Austin,
13 one, I would advise you not to state how you will
14 vote before the floor is closed and you are actually
15 taking a vote.

16 Second, there are five commissioners who
17 have to consider this. I understand that you may not
18 agree with what's going on, but I can't speak for how
19 the other commissioners will feel.

20 And finally, just to answer both questions
21 or to sum up, if something can be done to either or
22 any of the three things that you've requested, we'll
23 know within 30 days. Again, it just seems very
24 unlikely that anything would be changed at this
25 point.

1 COMMISSIONER HEISER: So let me ask you a
2 question, then. If that's the case, then why was
3 this presented in front of us as a commission, if
4 there's nothing we can do to review it and make it
5 more appropriate to the neighborhood?

6 MR. WHITCOMB: Mr. Chair, Commissioner Heiser,
7 I believe the point of this commission's review is to
8 study what's being offered and make a yes or no
9 determination as to whether it -- whether it complies
10 with your ordinance and the applicable plans.

11 While certain things may be able to be
12 changed, such as some of the proposals by the EDO
13 Neighborhood, other things are basically set as they
14 are as a result of previous approvals that have
15 already happened by other bodies that can't be
16 changed at this point, or at least that's my
17 understanding.

18 COMMISSIONER HEISER: But simply a change in
19 material on the station, that is something that can't
20 be done?

21 UNIDENTIFIED MALE: So -- thank you. Just for
22 the commission's understanding, the SHPO's position
23 was that the canopy interfered with --

24 COMMISSIONER HOROWITZ: We're not saying the
25 canopy.

1 COMMISSIONER HEISER: The canopy, we
2 understand, we get. The fact that on a good day that
3 a canopy can maybe be put on, but we're not going
4 to -- I'm not speaking for the commission, but from
5 my own perspective, I get it. I would propose
6 findings, but I'm not going to say you need to come
7 up with a canopy design. That's not part of the
8 discussion.

9 What we're talking about is what was
10 proposed. There's a design that's been proposed, and
11 it -- if we can't make comments about changing
12 materiality of the design or make it more contextual,
13 I'm not sure why we're even here.

14 UNIDENTIFIED MALE: So like adjusting the
15 benches at this location to fit more within --

16 COMMISSIONER AUSTIN: Not the benches.

17 COMMISSIONER HEISER: We're talking about the
18 station of the design.

19 UNIDENTIFIED MALE: Well, what element of the
20 station design? The station, those that have a
21 canopy at this point, it does have benches and
22 leaning rails. Can you clarify what it would -- what
23 you're asking us to look at, and we can (inaudible).
24 At this point, we don't know what specific items
25 you'd like us to change or consider changing.

1 COMMISSIONER HEISER: Okay. In your design,
2 right there is a small building that contains the
3 (inaudible) mechanism, right?

4 UNIDENTIFIED MALE: Yes, sir.

5 COMMISSIONER HEISER: Okay. There are walls,
6 landscaped or site walls or (inaudible) that are part
7 of that design. There is a station that is designed
8 that sits on the platform in the middle of the
9 street.

10 What we heard from the audience and the
11 commission is that the design of that station may not
12 be contextual to the neighborhood. If somebody were
13 to present a design like this and try and get a
14 building that was (inaudible), would that be a design
15 that this commission would say, yes, it's appropriate
16 for this district based on our review of the sector
17 plan?

18 UNIDENTIFIED MALE: Okay.

19 COMMISSIONER HEISER: Okay? That's what I
20 think I heard from the neighborhood and from other
21 commissioners in terms of what is it that we would
22 like to see as a possibility. We are not changing --
23 I'm not saying the geometry of the station changes,
24 but maybe it's just the materiality of the station,
25 itself, to make it more contextual.

1 UNIDENTIFIED MALE: Okay. Well, we're on the
2 same page, then.

3 COMMISSIONER HEISER: Okay. Thank you.

4 COMMISSIONER AUSTIN: May I ask a question?

5 So if we're on the same page, why were we
6 just told a few minutes ago that this is a non -- an
7 issue we wouldn't discuss? Correct? Weren't we just
8 told that it was set in stone and they wouldn't
9 change it?

10 COMMISSIONER HEISER: Well, I think if they
11 have a clear direction of what we're asking for --

12 COMMISSIONER AUSTIN: Yeah.

13 COMMISSIONER HEISER: And maybe nothing is
14 totally clear. But within the parameters of what
15 they've shown us, what can be done to make this more
16 appropriate? And maybe it's just an issue of
17 materiality.

18 COMMISSIONER AUSTIN: I agree that it's an
19 issue of materiality.

20 MR. WHITCOMB: Mr. Chair, Commissioner Heiser
21 and Commissioner Austin, one of the things that was
22 mentioned -- I believe -- is this loud enough? Okay.

23 One of the problems, and I believe this is
24 addressed in the staff report, from Mary Ellen, is
25 that there are so many different styles of buildings

1 that exist in this portion of the city, you know,
2 there's pueblo revival, there's classical
3 Mediterranean, all kinds of buildings here, that it's
4 almost impossible to say that we would like to match
5 the bus stop to this style, because as soon as you do
6 that, you bring up a -- you say, well, we're make a
7 couple of revival bus stops, but then all of a sudden
8 you're conflicting with four other buildings that are
9 on the other side of the road.

10 So without further direction on this, it's
11 very difficult for them to say, "Well, we can
12 redesign this in a way that will more clearly jibe
13 with the rest of the neighborhood," because there's
14 no -- at least in my opinion, having lived there for
15 more than a few years, there's no clear architectural
16 style that dominates that area.

17 COMMISSIONER HEISER: Well, materiality is not
18 style, necessarily. Okay?

19 COMMISSIONER AUSTIN: You've got to explain
20 materiality.

21 COMMISSIONER HEISER: Materiality might mean,
22 you know, that if I go up to that neighborhood, one
23 thing I notice is more of a predominance of say,
24 hypothetically, brick.

25 UNIDENTIFIED MALE: Okay.

1 COMMISSIONER HEISER: Okay? Versus concrete
2 walls. You don't see a lot of concrete walls. So
3 I'm not telling you how to design this. I'm just
4 saying that what I've heard is that there's
5 indication from the folks that maybe this doesn't fit
6 in as well as it could. And through that kind of
7 change, how would you make it maybe a little bit more
8 contextual?

9 I know there's a lot of different buildings
10 in neighborhood. I work there, so I get it. But
11 it's coming from the audience and coming from the
12 commission that maybe there's a better approach to
13 this design. Maybe it becomes more of an ART piece
14 or something. I don't know.

15 MR. WHITCOMB: Mr. Chair, Commissioner Heiser,
16 I think the transit department would be happy to look
17 at it -- they don't -- I don't think they can give me
18 any clear answer today about what they can or cannot
19 do at that site. However, 30 days would be
20 sufficient to further study this.

21 COMMISSIONER HEISER: So I'll move for the
22 30-day deferral.

23 COMMISSIONER AUSTIN: If they need 30 days.
24 They may need more.

25 COMMISSIONER HOROWITZ: Mr. Chair.

1 CHAIRMAN CLARK: Commissioner Horowitz.

2 COMMISSIONER HOROWITZ: In addition to the
3 issues that Commissioner Heiser is addressing here, I
4 really feel that if we are deferring for 30 days to
5 ask them to come back, and I can appreciate that
6 probably we can't get the SHPO and the highway
7 department to agree on a canopy in 30 days or maybe
8 30 months, but we know down the road that an
9 appropriate solution is not -- if you take -- if you
10 take ART in a historic district, you have to stand
11 out in the sun and the wind and the rain. If you
12 take ART and you get a bus somewhere else, you have a
13 shelter. That's probably not going to fly for a
14 decade.

15 So I really do believe that we are going to
16 have to give some consideration to the fact that
17 shelters in historic districts are not going to be
18 able to be uniform, because I know the SHPO's concern
19 was the canopy was blocking the historic buildings on
20 the other side of the street.

21 But surely there's some compromise between
22 blocking the view of the historic buildings and a
23 shelter. And even if it cannot be addressed within
24 30 days, I do believe that it is imperative that the
25 city transit department recognize that shelters will

1 be needed and they will not be able to conform to
2 the -- for the district, to the rest of the system.

3 MR. WHITCOMB: Mr. Chair, Commissioner
4 Horowitz, and I haven't had enough time to
5 extensively discuss this with the transit department,
6 but it's my general understanding that they
7 completely agree with you that a shelter structure is
8 needed here.

9 However, like I said, it may take 30 -- it's
10 probably more likely to take 30 months than 30 days
11 to have that discussion with the SHPO.

12 If I was going to make a recommendation for
13 you, I would have a finding that says that the LUCC
14 finds that having a shelter or structure at this
15 location would not be out of context with the
16 historic -- with the historic status of the
17 neighborhood, and that the LUCC would strongly
18 support the SHPO reconsidering its decision regarding
19 the structure at that location.

20 With that, that support, I think the transit
21 department could go forward and encourage the SHPO
22 and continue to work with the SHPO to come up with a
23 structure. Because I do understand and I believe
24 that they want a structure at that site.

25 COMMISSIONER HOROWITZ: Just to clarify, I'm

1 not suggesting the SHPO revisit its position. I'm
2 suggesting the designers revisit their position and
3 find a design acceptable to the state historic
4 preservation office.

5 MR. WHITCOMB: Mr. Chair, Commissioner
6 Horowitz, I think the transit department is
7 completely fine with that, as well.

8 COMMISSIONER HOROWITZ: Thank you.

9 COMMISSIONER HEISER: Mr. Chair.

10 CHAIRMAN CLARK: Commissioner --

11 COMMISSIONER HEISER: Can we craft some of
12 those -- can we craft a finding that is in line with
13 what you were just saying? Could we draft something
14 for staff --

15 MR. WHITCOMB: Mr. Chair --

16 COMMISSIONER HEISER: -- that works for the
17 project, in the event that it goes ahead, that
18 satisfies your intent and the reality of what is down
19 the road in terms of what could be located at that
20 station in the future?

21 MR. WHITCOMB: Mr. Chair, Commissioner Heiser,
22 I absolutely can do that. In fact, I've taken a few
23 shots at it and had some -- if you were going to act
24 on this language, I had some recommendations. But
25 given 30 days, it won't be a problem.

1 COMMISSIONER HEISER: Thank you.

2 CHAIRMAN CLARK: Thank you.

3 Commissioner Myers.

4 COMMISSIONER MYERS: Thank you, Chairman.

5 I just wanted to briefly chime in and say, I
6 think that the applicant understands what we're
7 trying to say here. I think 30 days is going to
8 work. I think it's clear that I want to say I think
9 there's some support for this on the board. I think
10 what we're saying is, we want to see if things can be
11 done. If they can, fantastic. And I think 30 days,
12 you are saying they're going to be able to figure it
13 out in that's right days. So I think we all kind of
14 know how we need to proceed here, and that's kinds of
15 my thinking.

16 CHAIRMAN CLARK: Commissioner Austin.

17 COMMISSIONER AUSTIN: And I have to agree, if
18 they feel they can pull this off in 30 days.

19 I think it's very important to remember this
20 is a neighborhood whose earliest house is 1882, last
21 one is 1926, the majority right at the turn of the
22 city from 1900 to about 1910; that it is very
23 important that they understand the materials that
24 were used at that time and they were -- that they are
25 very aware of the styles that we used at that time.

1 I think that this design can be modified
2 relatively easily and perhaps it will just be with
3 materials. But it is right now a sore thumb that if
4 someone came -- a property owner came and said, "This
5 is what I want to build in my vacant lot," we would
6 turn it down without even thinking about it, because
7 it's not -- it just doesn't fit into a historic
8 neighborhood of this age.

9 CHAIRMAN CLARK: Thank you.

10 Commissioners, any other comments?

11 UNIDENTIFIED MALE: Thank you, all.

12 CHAIRMAN CLARK: I'll entertain a second.

13 MR. WHITCOMB: And, Mr. Chairman,
14 Commissioners, I would say that if you are going to
15 move for a deferral, that the motion be accompanied
16 by whatever directions you want to give to support
17 the necessity of the deferral. So I don't know if --
18 you might want to try and articulate those now.

19 COMMISSIONER HEISER: I have twice.

20 COMMISSIONER MYERS: I seconded your motion.

21 COMMISSIONER HEISER: Yeah. In my motion, I
22 basically gave the direction to look at --

23 COMMISSIONER MYERS: Okay.

24 COMMISSIONER HEISER: -- those two main points.

25 MR. WHITCOMB: Mr. Chair, Commissioner Heiser,

1 I would agree that within the record that the motion
2 has been made fairly clearly twice. I'm not going to
3 have you repeat it. We can go back within the record
4 and determine exactly what was said and put it in the
5 minutes.

6 COMMISSIONER MYERS: I would then second that
7 motion.

8 CHAIRMAN CLARK: Seconded by Commissioner
9 Myers.

10 All those opposed?

11 All those in favor.

12 ALL MEMBERS: Aye.

13 CHAIRMAN CLARK: There being none opposed the
14 motion passes as presented and is approved for the
15 record.

16 (Motion approved.)

17 CHAIRMAN CLARK: Thank you very much, one and
18 all. I appreciate your attends and your interest in
19 this project. We'll wait for the hall to clear for a
20 few minutes, and then we'll proceed with the agenda.

21 Ladies and gentlemen, please, may I ask you
22 to clear the hall so we may proceed with our agenda.

23 Proceeding to Agenda Item Number 6, other
24 business. Ms. Hennessey.

25 MS. HENNESSEY: Mr. Chair, Commissioners, with

1 regard to the election of officers, your rules of
2 procedure and conduct say that annually, at the first
3 public meeting in April, or more frequently, at the
4 pleasure of the landmarks and urban conservation
5 commission, the LUCC members shall -- present shall
6 elect by majority vote a chair and vice chair and any
7 other officers deemed appropriate. Should a vacancy
8 in these positions occur between regular elections, a
9 special election shall be held to fill the remainder
10 of the term.

11 So, this being the first public meeting in
12 April, this would be the appropriate time to do that.
13 Now, we do have reappointments and new appointments
14 pending. The mayor's office has been moving forward.

15 All of the Commissioners, Myers, Austin and
16 Horowitz are -- we've recommended reappointment; and
17 Commissioners Clark and Heiser are not eligible,
18 having served two full terms and then some.

19 So I don't know if it's the commission's
20 pleasure to postpone the election of officers until
21 we have new commissioner, or until, rather, the
22 reappointments are finalized, or in the event that,
23 for some reason, the elected officers should not be
24 reappointed, you could have a new election as
25 frequently as needed.

1 Would you like to vote a new chair today or
2 not?

3 COMMISSIONER AUSTIN: I like our chair.

4 COMMISSIONER HEISER: (Inaudible).

5 COMMISSIONER AUSTIN: Like definitely?

6 MS. HENNESSEY: Should a vacancy in these
7 position occur between regular elections, a special
8 election shall be held to fill the remainder of the
9 term.

10 So, in other words, when -- you know, say,
11 for example -- I don't know. If you were suggesting
12 that Mr. Clark continue, when he was replaced, you
13 would simply vote again.

14 CHAIRMAN CLARK: Commissioners?

15 COMMISSIONER AUSTIN: Do you want to continue,
16 Mr. Chair?

17 CHAIRMAN CLARK: I have no objection to
18 continuing --

19 COMMISSIONER AUSTIN: Then that's easy.

20 CHAIRMAN CLARK: -- if that's the pleasure of
21 the commission.

22 COMMISSIONER HOROWITZ: I hereby nominate Mr.
23 James Clark to serve as chair.

24 COMMISSIONER AUSTIN: I second that.

25 COMMISSIONER HEISER: I third it.

1 CHAIRMAN CLARK: All those in favor?

2 ALL MEMBERS: Aye.

3 CHAIRMAN CLARK: Opposed?

4 There being none opposed, thank you very
5 much.

6 COMMISSIONER AUSTIN: Now a vice chair. We

7 --

8 COMMISSIONER HEISER: (Inaudible).

9 COMMISSIONER AUSTIN: Other offices as you deem
10 appropriate. If you think it's appropriate --

11 CHAIRMAN CLARK: Do we have a nomination for
12 vice chair, Commissioners? I can't do both.

13 COMMISSIONER MYERS: You can't.

14 COMMISSIONER AUSTIN: I nominate --

15 COMMISSIONER MYERS: I nominate Lauren.

16 COMMISSIONER AUSTIN: I nominate Matt Myers
17 because he does all this stuff.

18 COMMISSIONER HOROWITZ: I also nominate Lauren,
19 based on seniority.

20 COMMISSIONER AUSTIN: Oh, I hate you so much.

21 COMMISSIONER HOROWITZ: Thank you. I hate you,
22 too.

23 COMMISSIONER HEISER: It's a resume builder.
24 I'll -- I (inaudible) that, too. It's good for your
25 resume.

1 CHAIRMAN CLARK: Any further nominations?

2 Ms. Hennessey, any input?

3 All those in favor of Commissioner Austin
4 being elected as vice chair of the commission, say
5 aye.

6 ALL MEMBERS: Aye.

7 CHAIRMAN CLARK: Opposed?

8 There being none opposed, congratulations.

9 COMMISSIONER AUSTIN: (Inaudible).

10 CHAIRMAN CLARK: Congratulations, Lauren.

11 COMMISSIONER AUSTIN: Thank you.

12 CHAIRMAN CLARK: Welcome to the group.

13 COMMISSIONER AUSTIN: Matt, you (inaudible).

14 CHAIRMAN CLARK: Ms. Hennessey, is there any
15 other business before the commission this afternoon?

16 MS. HENNESSEY: I have none.

17 COMMISSIONER HOROWITZ: Can you give us the
18 date of our next hearing, please.

19 COMMISSIONER MYERS: Make sure to be out of
20 town.

21 COMMISSIONER HOROWITZ: Check our calendars
22 now.

23 CHAIRMAN CLARK: Yeah, make sure we come. I
24 just want to make sure we have a --

25 MS. HENNESSEY: Somebody put it here for me

1 and --

2 COMMISSIONER HOROWITZ: (Inaudible) May 18th.

3 MS. HENNESSEY: 11th.

4 COMMISSIONER HOROWITZ: Okay.

5 COMMISSIONER MYERS: And I do think I am going

6 to be in Hawaii May 10th through 20th, I believe.

7 But I will ask my wife and let you know.

8 COMMISSIONER HEISER: I move that we move the
9 hearing to Hawaii.

10 COMMISSIONER AUSTIN: I second.

11 Ms. Hennessey, do you have a problem?

12 CHAIRMAN CLARK: And the city will pick up the
13 tab, right?

14 COMMISSIONER MYERS: I'll let you know for
15 sure, though, if I won't be here.

16 COMMISSIONER HOROWITZ: We'd still have a
17 quorum.

18 COMMISSIONER MYERS: Yeah, we would still.
19 Yeah.

20 CHAIRMAN CLARK: Yes, I'll be here. Everybody
21 else?

22 COMMISSIONER AUSTIN: Mr. Heiser?

23 COMMISSIONER HEISER: I --

24 COMMISSIONER AUSTIN: You're the one who
25 started this (inaudible).

1 COMMISSIONER HEISER: I should be here. I just
2 wonder if it would be --

3 COMMISSIONER MYERS: Let me -- you know what?
4 She had sent me this when I asked last time, so let
5 me just tell you exactly when I'll be out of town.

6 COMMISSIONER HOROWITZ: (Inaudible) 30 days
7 (inaudible).

8 COMMISSIONER HEISER: Yeah, but it could roll
9 -- could it roll to the next Wednesday.

10 COMMISSIONER AUSTIN: That would be fine?

11 COMMISSIONER HOROWITZ: I may not be
12 (inaudible).

13 COMMISSIONER HEISER: Okay.

14 COMMISSIONER MYERS: Okay. Let me see.

15 COMMISSIONER HOROWITZ: I (inaudible).

16 COMMISSIONER AUSTIN: When do you have to know
17 (inaudible) for sure?

18 COMMISSIONER HEISER: Have to know what?

19 COMMISSIONER HOROWITZ: Changing dates?

20 COMMISSIONER AUSTIN: If we change the date?

21 COMMISSIONER HEISER: Well, given the
22 circumstances, I would want to --

23 COMMISSIONER AUSTIN: Well, we can't -- we
24 can't do the 11th anyway, right, because that -- we
25 just gave them 30th, and today is the 13th, 14th?

1 COMMISSIONER MYERS: No. We said till the
2 regular scheduled --

3 (Inaudible crosstalk.)

4 COMMISSIONER MYERS: May 20th to 30th. I was
5 wrong.

6 (Inaudible crosstalk.)

7 CHAIRMAN CLARK: I'll entertain a motion to
8 adjourn.

9 COMMISSIONER HEISER: So moved.

10 COMMISSIONER MYERS: Second.

11 COMMISSIONER AUSTIN: Second.

12 CHAIRMAN CLARK: All those in favor?

13 ALL MEMBERS: Aye.

14 CHAIRMAN CLARK: Thank you all.

15 (Conclusion of recording.)

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1 RE: Project #1010796 - 16LUCC-50013.
2 Wednesday, April 13, 2016
3

4 TRANSCRIPTIONIST'S AFFIRMATION

5 I HEREBY STATE AND AFFIRM that the foregoing is
6 a correct transcript of an audio recording provided
7 to me and that the transcription contains only the
8 material audible to me from the recording and was
9 transcribed by me to the best of my ability.

10 IT IS ALSO STATED AND AFFIRMED that I am
11 neither employed by nor related to any of the parties
12 involved in this matter other than being compensated
13 to transcribe said recording and that I have no
14 personal interest in the final disposition of this
15 matter.

16 DATED this 10th day of June 2016.
17

18 _____
19 Kelli A. Gallegos
20
21
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23
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25

MAY 11, 2016 – LUCC HEARING

Project #1010796 16-LUCC-50013

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CHAIR CLARK: Item #5, project #1010796 16LUCC-50013, City of Albuquerque Transit department requests approval of a certificate of appropriateness for road work in the public right-of-way on Central Avenue between John and Locust Streets in the Hunning Highland East Downtown urban conservation overlay zone. Ms. Hennessey.

MS. HENNESSEY: Mr. Chair, commissioners I've just been advised by the applicant that they would like to request a deferral of this case for I believe 30 days. The reason for that being, that they would like to supplement the submittal with new drawings having the appropriate professional certifications. In order to better comport with the commission's rules of procedure.

CHAIR CLARK: Thank you Ms. Hennessey. Does the applicant have anything to add?

LAWRENCE KLEIN: No Mr. Chairman.

CHAIR CLARK: Thank you very much. Under the circumstances, we have two options. I know we have a lot of public persons in the audience. Would anyone in the audience as an interested party care to speak to the request for the deferral? Please approach the podium state your name and address.

ANTHONY ANELLA: Thank you for the opportunity to speak. My name is Anthony Anella and I live at 2420 Arbor road NW. I am a plaintiff in the federal lawsuits, and I want to bring to your attention for your consideration in regarding this request. That even though the city in writing told our attorneys that no construction work would start on the Albuquerque Rapid Transit project until July, work has already started. So I'd like you to take that into consideration regarding their request, thank you.

CHAIR CLARK: Thank you for your information sir. Anyone else, please come forward.

MARIA BAUTISTA: Thank you for the opportunity to be able present my name is Maria Bautista, I'm one of the plaintiffs in an injunction to stop ART. Today with great disappointment I'd like to suggest that all of you take a ride up Central, to look at what's happened between Yucca and Coors, and then at the same time maybe this evening take a ride over to San Mateo and see what has happened at that point east. You asked me before as you have many people to talk about specific impacts that this project could have on the community. The visuals are available for you now take the time to go look at them. I absolutely think it's a wonderful idea to give the City of Albuquerque and our friends an opportunity to really revise the plan and work with the community in an effort to get this out of federal court and back to the table of people and citizens of Albuquerque. Thank you.

CHAIR CLARK: Thank You.

DOUGLAS PETERSON: Good afternoon Mr. Chairman, and commissioners my name is Douglas Peterson my company is Peterson Properties, and another one of my families companies is also a plaintiff in the lawsuit that Mr. Anella referenced, but I'll try to keep my comments to remain to the

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deferral that's in front of you right now. For six years I sat where you are sitting but for a different commission for the Environmental Planning Commission, I was on it from 2007 to 2013 I chaired it for over two years I was vice chairperson for over two years of that. So what I'd like to speak on today is something that bothered me when I was on that commission, and it's something that bothers me in regards to what's being asked for today. That's a situation where the City is the applicant. And the problem that I had and this is no disrespect to Ms. Hennessey is when the City is the applicant and then you have City staff being the one that creates your report and makes a recommendation to you. I do not think that you are getting an unbiased recommendation or report. There's absolutely no way that can happen you have a City entity that hires a City employee that then makes a recommendation to you. I could go into ways that I opined back when I was on the EPC about how to deal with that, but I do want to raise that point and I think it's (inaudible) to the deferral. Because if you have 30 days to let the applicant amend what they brought before you then you also have 30 days to think about how you might deal with that problem as well. And I defiantly think it's something that this commission and other commissions in the City have to deal with. Thank you.

CHAIR CLARK: Thank you for the information. Mam.

NYIRA GITANA: Thank you for this opportunity. My name is Nyira Gitana I'm at 3411 Aspen NE here in Albuquerque. From my letter to you Chairman and commissioners on May 2nd. Fundamentally one cannot divorce the City's present request from the totality of the entire project and its ultimately bleak consequences regarding Albuquerque's cultural aesthetic. People come to Albuquerque for the land and its people not a bus line. Just yesterday in the Albuquerque Journal there was a report that the Albuquerque Museum is hosting a 90th anniversary of the fabled Route 66. The very same Route 66 the City is looking to demolish at the same time that this exhibit is opening, it's just ironic. So I'm asking you...

CHAIR CLARK: Ms. Gitana may I ask you to keep your thoughts to the deferral action please.

NYIRA GITANA: Excuse me I'm just wanting, you to think as you review the entire project this philosophic term. Thank you very much.

CHAIR CLARK: Thank you. Yes sir.

PETE DINELLI: Mr. Chair members of the committee I strongly recommend a deferral I would hope you take some time.

CHAIR CLARK: Will you please announce your name.

PETE DINELLI: I apologize I'm a little angry right now. My name is Pete Dinelli I'm a long time, well I was born and raised in Albuquerque and I strongly recommend a deferral and take your 30 days. I would also ask this committee please ask for an explanation of what's going on right now. I just came

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from a meeting at an attorney's office. The City, I really believe this, one of the most underhanded sneaky things that has occurred in the last 24 hours. The Water Utility Authority is now starting bulldozing medians and bringing down trees along Central, along the route line they've also put out a notice saying this is relating to the ART project. And the reason why I'm a little bit angry about this is that, the City made it very clear they would not break ground until July. This is sneaky...

CHAIR CLARK: I appreciate your comments sir, but they're not pertinent to the area of our responsibility between John and the Freeway.

PETE DINELLI: I understand that but part of this is that there is two lawsuits that have been filed, those lawsuits have been consolidated they're in federal court and part of that is what the Land use, what this committee will be deciding upon, relating to the historical sites. I really believe this committee deserves an explanation from the City, the Water Utility Authority an explanation why did they break ground now, when they know these two lawsuits are pending. And that also a part of this is one explanation given is that there's a belief that this committee has authority over the entire 10 miles, not just 2 miles. And I would ask that this committee at least issue some sort of a letter asking for an explanation and why you do not have authority over the entire 10 mile track. Thank you for your time I apologize like I said it's this type of thing that happens that people start losing faith in government, when government entities start colluding with each other and take under handed action especially breaking ground in an area where we were assured there would be no ground broken. Thank you very much.

CHAIR CLARK: Thank you sir.

COMMISSIONER MYERS: Chairman I would just like to reiterate your point about, I think all comments need to specifically address the issue of the deferral because nothing else is on the table right now.

STELLA PADILLA: Committee, Chairman I'm Stella Padilla I live at 1212 Claire court NW Albuquerque New Mexico. I think everything I had to say is pretty much said. I still want to say that many people are unaware of what's going on in the public. I've been trying to help people understand it and some people have never even heard of it. This is goanna be something that is goanna effect all of Albuquerque. Its goanna divide the city in half, they need to understand this. Our taxes are goanna go up all of this has to be paid for somewhere. The extra water that's not involved in the...

CHAIR CLARK: Thank you very much for your comments mam. It appears there are no other persons. Excuse me, yes sir.

TAD NIEMYJSKI: Thank you, why not. Well here is, excuse me my name is Tad Niemyjki I remember when I moved to Albuquerque 1969 east of Eubank. When I look at, everyone look at

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housing yes Central was a vibrant area that is real Route 66. Now put all these buses right in the middle that's on Coal also other points. Well your committee, you are an appointment by the city officials by the Mayor more than likely. Well for the fairness I don't think so, we as public now you have to look at also is more studies to be done before you try to do anything. City (inaudible) as I understand lied to federal government in order to receive funds.

CHAIR CLARK: Thank you for your comments sir, appreciate it. I'm going to close public comment there being no other volunteers presenting themselves. We have a request, we have a request before the commission for a deferral.

UNIDENTIFIED SPEAKER: I want to ask a question commissioner. I'm a little bit confused about, does this mean the decision has to submit another, a new application? Because there was some confusion about that.

CHAIR CLARK: No mam a new application is not necessary. This is a deferral action merely delaying the processing of the application before the commission. You're welcome. Ms. Hennessy.

MS HENNESSY: Mr. Chair, if this is the appropriate time I want to remind you that you should come to a decision on whether you would like to accept the new information being submitted. We have the new information by the applicant. I also have a number of additional public comments that have been submitted since the report was prepared and issued.

CHAIR CLARK: Commissioners Ms. Hennessy has said we have additional information. Commissioner Heiser.

COMMISSIONER HEISER: My question would be if the deferral is for a month will there be additional information that is put together and submitted within the 48hours prior to the hearing requirements, and would it be better to receive the entire package in a typical manner of a week before the hearing? Rather than get something now, and then another supplement.

MS HENNESSY: Mr. Chair, Commissioner Heiser I'll let our legal counsel correct me if I'm wrong. But I think that you can vote to accept the information and then we can distribute it with your regular packet closer to the next hearing. Or you may have the option to take it with you now and have more time to spend reviewing it. It's your call.

CHAIR CLARK: It's our call very well. Commissioners do you have a comment? Commissioner Horowitz.

COMMISSIONER HOROWITZ: Yes Mr. Chairmen Ms. Hennessy. I'm not sure I'm clear on what the additional information is that has been submitted, I recognize there's some public comment. I am, I guess, what I'm asking is has the City submitted work in compliance with point 4 under application

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process, to drawings by hand, well it says on drafting standards, dimensions, materials to scale do we have all those drawings at this point including in the information? Because the structure housing the ticket machines was not dimensioned, and we did not have any materials on the construction of that building.

MS HENNESSY: Mr. Chair, Commissioner Horowitz that's right on point as to why the additional information is being submitted to respond to the rule about the quality of the drawings. Although the commission has the privilege to suspend the rules by majority vote on occasion if they should feel satisfied with a submittal. The applicant would rather comply with the rules and you're correct. It would provide an opportunity to get that information to get those dimensions on that kiosk. If that answers the question.

COMMISSIONER HOROWITZ: That being the case Mr. Chairmen, I strongly feel we need to defer because we have no basis we don't have the, our rules say that anything we approve must be buildable as drawn, and we don't have construction drawings for a structure. That is a major part, in fact the largest visual part of the plan were being asked to approve. I also think it would be very helpful because Ms. Hennessy was good enough to send me the regulatory plan for the Hunning Highlands E-Do area the overlay. And I think it would also give the City an opportunity to ensure their materials conform to this plan.

CHAIR CLARK: Very good, thank you Commissioner Horowitz. Commissioner Austin.

COMMISSIONER AUSTIN: I had a couple of comments. First to the gentlemen who seemed to feel that the commissioners sitting here were somehow connected to the City. We make a grand total of zero a month for the many, many hours that we spend and certainly I think that we have been very fair whether it is a city project or not city project we treat them the same. I also would like to hear from the applicant. We had concerns over the design. The fact that it did not fit into the historic neighborhood guidelines for design, and we had asked for that. The stuff that we received last, or the night before last didn't really show any changes at all. I would like to hear why they want this deferment, and if in fact they are planning to address any of those issues.

BLAKE WHITCOMB: Mr. Chair, Commissioner Austin Blake Whitcomb assistant City attorney. First to more fully or to clarify why we're asking for the deferment is to more fully comport with your rules. We are submitting drawing engineering drawings for what's proposed to be built. Commissioner Austin regarding your question as to whether the city has complied with certain design guidelines or not. I don't believe while you're making a ruling on a referral I can go into that. That goes to the subject matter of the application. Under this agenda item or under the action that's requested I don't think that it would be appropriate to go into that issue.

COMMISSIONER AUSTIN: Thank you.

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CHAIR CLARK: Commissioners other comments?

COMMISSIONER MYERS: Chairmen I'm prepared to make a motion on the deferral unless there needs to be some more discussion.

CHAIR CLARK: Maryellen did you have some more comments?

MS HENNESSEY: Mr. Chair, Commissioners, members of the audience. I would just like to make one additional comment and that is to own my share in the responsibility of the submittal that we originally received. When I first met with Mr. Klein several months ago to discuss bringing this project before the LUCC and he asked me what kind of materials do you think we should be submitting. And I definitely encouraged Mr. Klein to give us information that was illustrative if you will. You know, having a set of construction technical construction documents wasn't necessarily going to be helpful for lay people to understand the nature of the project. So I encouraged a submittal that showed us the nature of the project you know, where are the streets being widened, shortened etc... So you know the rules do say that the submittal shall be sufficient to illustrate the nature of the work. So I just wanted to own that. There was never any intention on anybody's part of not following the rules or withholding information. Thank you.

CHAIR CLARK: Thank you Ms. Hennessey. Commissioners, Commissioner Myers.

COMMISSIONER MYERS: Thank you Chairmen. I would like to move that we defer project # 1010796 16LUCC-50013 until next month, that's June's LUCC hearing.

CHAIR CLARK: Commissioners any discussion?

COMMISSIONER AUSTIN: Mr. Chairmen do we need to include the acceptance of the additional material as part of this, or do you want a separate motion?

CHAIR CLARK: The deferral normally will generate additional materials and therefore is part of the normal process I think that's already covered.

COMMISSIONER AUSTIN: I think my question Chairmen is what are our options here? If we do not decide to grant a deferral, will they therefore present their material today? How does this work, what are our options?

CHAIR CLARK: Our options are limited commissioner Myers, Austin.

COMMISSIONER AUSTIN: We look alike though.

CHAIR CLARK: Their both realtors. As I understand it the materials are in process are not yet complete for presentation therefore they are not available at this time. Any other comments from the commissioners? We have a motion on the floor.

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COMMISSIONER HOROWITZ: I will second that motion Mr. Chair.

CHAIR CLARK: It has been moved and seconded to defer project1010796 16LUCC-50013 for a 30 day period to the June regular hearing of the Landmarks and Urban Conservation Commission. All those opposed please say so. There being none opposed the motion is approved as presented. Commissioner Heiser.

COMMISSIONER HEISER: I'm going to abstain from the vote.

CHAIR CLARK: moving forward with the agenda item # 6. Commissioner Heiser.

COMMISSIONER HEISER: Mr. Chairmen regrettably I need to recuse myself for the hearing on, at the June meeting the deferred hearing. During the course of reading through the newly submitted materials and without going into great detail there is a direct impact potentially on a piece of property that I represent for a client, and I will need to recuse myself.

Chair Clark: We understand thank you Commissioner Heiser for being upfront about all of this. Commissioner Myers.

COMMISSIONER MYERS: I should probably, I think when it comes to the substantive arguments made on this project at the next hearing I too will need to recuse myself, because I represent one of the plaintiffs in the federal lawsuit. So I will need to recuse myself from any substantive decisions as well.

CHAIR CLARK: Thank you Commissioner Myers.



Susana Martinez
Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320 FAX (505) 827-6338

July 7, 2015

Donald R. Koski, Director of Planning and Program Development
US Department of Transportation
Federal Transit Administration Region VI
819 Taylor St, Suite 8A36
Fort Worth, TX 76102

Re: Albuquerque Rapid Transit (ART) along Central Avenue, Bernalillo County, NM
Final Section 106 Consultation, HPD Log #'s 101187 and 101692

Dear Mr. Koski,

The Historic Preservation Division (HPD) has reviewed your June 25, 2015 correspondence and the June 19, 2015 Addendum Cultural Resources Inventory Report prepared by Parsons Brinckerhoff, Inc, the ART Station Platform Description Information and the three platform renderings without the canopies omitted to reduce the stations' effect on the existing historic districts.

HPD is in agreement with the determinations of eligibility for the additional historic properties affected by the change in station locations at Alvarado Transportation Center, Solano and Walter. HPD's determinations of eligibility concurred with those of the report submitted.

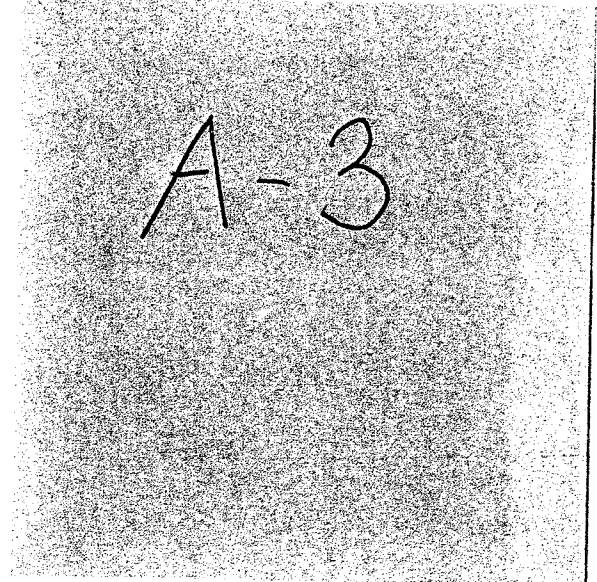
HPD appreciates the efforts of all the stakeholders to develop the design of this undertaking so that it will not have an adverse effect on cultural resources eligible for inclusion in the National Register of Historic Places. HPD also appreciates the efforts of the consultant to provide sufficient information about the cultural resources in order to make determinations of eligibility and a final determination of the effect of this important undertaking for the City of Albuquerque.

We concur with FTA's determination that the undertaking will have no adverse effect on cultural resource known to exist within the area of potential effect. If the scope of the project changes and/or the locations of the stations change, please notify this office immediately. Best wishes for a successful project.

Sincerely,


Barbara Zook Architect
Architectural Projects Reviewer

Cc: Bruce Rizzieri, ABQ-RIDE (by email)
Dayna Crawford, ABQ-RIDE (by email)



SHPO Correspondence



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION VI
Arkansas, Louisiana,
New Mexico, Oklahoma,
Texas

819 Taylor St. Suite 8A36
Fort Worth, TX 76102
817-978-0560
817-978-0575 (fax)

June 25, 2015

Mr. Jeff Pappas, State Historic Preservation Officer
Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501

RE: Albuquerque Rapid Transit (ART) along Central Avenue, Bernalillo County, New Mexico
Continuing Section 106 Consultation, HPD Log #101187

Dear Mr. Pappas:

The Federal Transit Administration, in coordination with ABQ-RIDE Transit (FTA), is providing New Mexico State Historic Preservation Office (SHPO) with a revised area of potential effect (APE), recommendation of eligibility, determination of effect and related project information pursuant to our responsibilities for compliance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800 for the Bus Rapid Transit (BRT) project dubbed "Albuquerque Rapid Transit (ART) along Central Avenue in Albuquerque, New Mexico.

Subsequent to your October 2014 letter of concurrence on the APE and comment letters dated on April 8 and May 4, 2015 regarding the *Cultural Resource Inventory Report (March 12, 2015, Parsons Brinckerhoff)* and FTA's proposed "No Adverse Effect" determination, the BRT station locations have been modified. A total of 20 stations including 15 median stations and five curbside platforms will be constructed as part of the project. The APE for the undertaking was revised to reflect the changes in station locations. Additional records search and field survey resulted in the identification of 18 historic properties within the revised/additional APE. Five of these properties are currently listed on the National Register of Historic Places (NRHP); 13 properties are recommended eligible for inclusion on the NRHP. (See enclosed *Addendum Cultural Resources Inventory Report* for additional information).

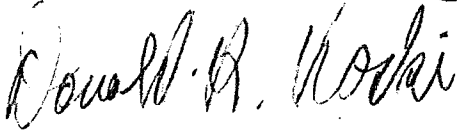
In addition, following the coordination meetings/conference calls (April-June 2015) among FTA, SHPO, and ABQ-RIDE Transit pertaining to design options for three stations located within historic districts: Old Town (Rio Grande Station), Aldo Leopold (15th Street Station), Huning Highlands (Walter Street Station), ABQ-RIDE has revised the stations' design with removing the canopies at the three stations located within historic districts (see attached station renderings). The remaining stations along Central Avenue will have canopies and design features as described in the enclosed *ART Station Platform Descriptions*. The revised design of the three BRT stations will not be visually intrusive or adversely alter the character for the historic districts. Therefore, in accordance with 36 CFR 800.5, FTA has determined a finding of "no adverse effect" is appropriate

for this undertaking. Should project plans change, FTA will re-consult the changes with your office on possible effects to historic properties. In the event that cultural materials are encountered during project activities, construction will be halted at that location, your office will be notified as soon as possible in order to determine the appropriate course of action.

Please review the enclosed *Addendum Cultural Resources Inventory*, revised station concepts, ART station platform descriptions and the information provided in this letter. If you agree with the FTA's revised APE, eligibility recommendations and determination of project effect, please respond with a concurrence. Should you have any questions or require additional information, please contact Mr. Tony Ogboli at (817) 976-0556 or email tony.ogboli@dot.gov or Ms. Dee Phan at (816) 329-3934 or dee.phan@dot.gov.

Thank you for your continued assistance on this critical project to ABQ-RIDE Transit.

Sincerely,



Donald R. Koski
Director of Planning and Program Development
Federal Transit Administration- FTA Region VI

Copy (by email): Bruce Rizzieri, ABQ-RIDE
Dayna Crawford, ABQ-RIDE

Enclosures: Addendum Cultural Resources Inventory Report
Station Renderings
ART Station Platform Descriptions