



**Landmarks & Urban
Conservation Commission**

**Agenda Number: 5
Case No.: 16-LUCC-50013
Project # 1010796
May 11, 2016**

Supplemental Staff Report

Agent

Applicant

City of Albuquerque
Transit Department

Request

Certificate of
Appropriateness

Legal

Public Right-of-way

Description

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

Staff Recommendation

**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.**

**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 as will the number of on street parking spaces. A bus loading platform would be constructed at Walter.

There are no revisions to the original proposal. As discussed in the analysis contained in the April staff report, 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

This report is supplemental to the report dated April 13, 2016 and is intended to be read in conjunction with that report. This report contains only new information and analysis. This application was deferred by the LUCC from the April 13, 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 11, 2016 hearing by affected neighborhood associations, Broadway Central Corridor Partnership and Huning Highland Historic District Association.

III NEW INFORMATION FROM THE APPLICANT

The applicant, Albuquerque Transit Department, has provided a letter dated May 5, 2016. Responding to the issues that were they were asked to explore prior to a decision by the LUCC on this application. They provided a written response to the findings of the Edo/Huning Highlands *charrette* as presented by representatives of affected neighborhood associations on April 13th. In summary, the recommendations of the *charrette* team were found to be either technically or financially infeasible. Please see the applicant’s detailed response in attachment A-1.

In response to the LUCC’s concerns expressed at the April 16 hearing about the lack of a shelter on the bus loading platform, the letter reiterates what was stated at the previous hearing. They are obligated to comply with the terms of the agreement between the SHPO and the Federal transit Authority (FTA). They agree that any changes to that agreement could be pursued in the future and they support the installation of a canopy at this location.

No changes to the platform design are offered.

IV. NEW NEIGHBORHOOD NOTIFICATION AND PUBLIC COMMENTS

In addition to the original legal advertisement and notice of this application to recognized neighborhood associations for the April 13, 2016 LUCC hearing, supplemental notice was provided by the applicant to those associations about this May 11, 2016 hearing. The City placed another legal advertisement and additional signs were posted in the Central Ave. medians in the UCOZ. The second legal advertisement and new signs added detail to the description of the request, specifically noting the construction of a bus loading platform. The new notices also addressed a discrepancy in the boundary description for the project with regard to a street name (John Street vs. Union Square Street).

Additional written public comment was received with regard to this application subsequent to the April 13, 2016 hearing and is attached to this report. Additional material includes:

- A-2 e mails from Donald Clayton dated April 20, 21, 23, 25, (2), 27, 29 (2) and May 2, 2016.
- A-3 Comments submitted by Anthony Anella dated May 2, 2016
- A-4 Copy of report *Complete Streets = Economic Development* dated April 2016 and submitted by the Broadway Central Corridors Partnership
- A-5 Notes from Edo/Huning Highland ART walk, April 25, 2016 submitted by the Broadway Central Corridors Partnership
- A-6 Correspondence from Nyira Gitana dated

A-2 addresses procedural requirements related to the original notifications. The Planning Department concludes that the original notice was sufficient to meet the legal notice requirements. The voluntary supplemental notice provided more detail about the project.

A-3 submittal, in a very brief summation, asks the LUCC to broaden its scope of inquiry of the ART's impact on the City's historical resources. He notes that the City's proposed ART route intrudes directly and indirectly on the Fourth Ward Historic Overlay Zone, the Old Town Historic Zone as well as various individual City Landmarks and that project appropriateness at these locations should also be considered by the LUCC. The submittal is supplemented with a detailed analysis of the ART projects' functionality and claimed potential negative impacts on the community as designed.

A-4 & 5 material submitted by Broadway Central Corridors Partnership for the LUCC's consideration includes the report with recommendations that was discussed at the April 13, 2016 hearing along with notes from a site visit scheduled in response to the LUCC's direction to the Transit Dept. to consider the suggestions from the neighborhood association presented at the April hearing.

A-6 comments address the potential negative impact of the ART project as a whole. They assert a lack of public input and poor design of the project, specifically noting Jeff Speck's Walkability Analysis (2014).

V. NEW ANALYSIS

Since there are no changes proposed to the original submittal, staff refers to previous analysis.

VI. CONCLUSION

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.

(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.

Since there are no changes proposed to the original submittal, staff refers to previous analysis. As discussed the analysis contained in the April staff report, 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. The effects of the project will likely include slower driving speeds as recommended in the plan.

The guidance for street furniture provided by the plan is equally 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. The applicant has provided sufficient justification for the street trees proposed as a part of this project and a deviation to the very rigid standard cited in the plan is reasonable.

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 compatible with the designation ordinance and the relevant 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 more 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 would indicate that some people would consider the project as a detriment. Staff looks to the determination of the SHPO for guidance; the SHPO has given a *no adverse effect determination* for the stations as currently designed, that is, without canopies.

Staff agrees with the Commission per their discussion on April 11, 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 Transit Department should explore alternatives to provide for appropriate shade and shelter. The applicant has indicated that they are willing to pursue further consultation, but not at the risk of adjusting the project timeframe.

§14-12-6 (H) could be considered to apply to the ART project, however; if the LUCC were to offer unsolicited advice to the Mayor and Council about the overall project as suggested in some of the public comment both written and verbal at the April 13 hearing, it should be subject to a separate discussion and narrative that is independent of this application.

***FINDINGS for APPROVAL of a request for a Certificate of Appropriateness -
Case 16-LUCC-50015 / Project # 1010796 (May 11, 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. 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 does 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 on the matter after the ART project goes into service.

RECOMMENDATION - Case No. 16-LUCC-50015/ Project # 1010796- April 13, 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 may be approved by staff with the advice and consent of the Chairperson of the LUCC.


**Maryellen Hennessy, Senior Planner
Urban Design and Development Division**

Attachments:

- A-1 Letter from Transit Department dated May 5, 2016 along with written response to the proposal contained in the report "Complete Streets = Economic Development.
- A-2 e mails from Donald Clayton dated April 20, 21, 23, 25, (2), 27, 29 (2) and May 2, 2016.
- A-3 Comments submitted by Anthony Anella dated May 2, 2016
- A-4 Copy of report *Complete Streets = Economic Development* dated April 2016 and submitted by the Broadway Central Corridors Partnership
- A-5 Notes from Edo/Huning Highland ART walk, April 25, 2016 submitted by the Broadway Central Corridors Partnership
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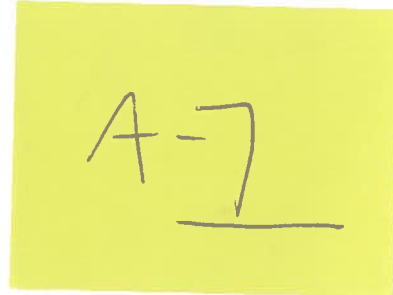
Bruce Rizzieri, Director



Mayor Richard J. Berry

May 5, 2016

Ms. Maryellen Hennessey, Senior Planner
Landmarks and Urban Conservation Commission
City of Albuquerque
P.O. Box 1293
Albuquerque NM 87103



By Hand Delivery

Re: Case Number 1010796
Project Number 16-LUCC-50013
The ART Project

Ms. Hennessey:

At our April 13, 2016 hearing of the above referenced matter, the Commission, in its consideration of deferral, instructed the applicant to look at three issues:

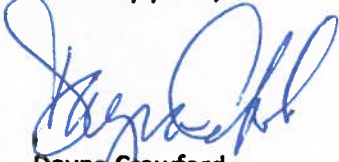
1. The findings of the EDo/Huning Highlands Charrette, as they were put into the record by Mr. Dickson and Mr. Day;
2. The State Historic Preservation Officer's (SHPO) consultation directing ABQ RIDE to omit the station canopy at the Walter Street Platform, and;
3. The introduction of contextual materials into the platform design.

As to the first: We have written an extensive response to the ideas described in the Charrette document. It is attached here. In essence: Because of the constraints on roadway design manifested in Institute for Transportation Engineering criteria (*Designing Walkable Urban Thoroughfares*) the abruptness and magnitude of lane shifts for *all* vehicles required to comply with the suggestions would not contribute to a safe and acceptable engineering solution. We have suggested some alternate locations where on-street parking spaces (just a few) could be created, and wish the Commission to know that representatives of four properties have approached us about the possibility of new right-of-way dedications being made that would create space for even more on-street parking spaces. As to the areas not within the Central right-of-way, response includes comments from Melissa Lozoya, the Director of Municipal Development.

As to the second: The City of Albuquerque has no recourse other than to accept a consultation entered into between the Federal Transit Administration and the SHPO. As noted in our letter to the Charrette Committee, we will install the foundation for the canopy with the platform construction to facilitate later installation if approved in the future. We would ask that the Commission, as was suggested at the first hearing, institute a finding that ABQ RIDE will seek a new consultation on this matter after the ART project goes into service. We would accept such a finding gladly as we too would prefer that all the stations have canopies. We can guarantee to try – we cannot guarantee success.

And on the third: As was stated at the April 13 hearing, given the very eclectic nature of architecture along the Central Avenue Corridor, and even in EDo, there is no one material that could be considered wholly representative. We continue to believe that, since this a nine-mile sub-regional corridor connecting a large percentage of the city's population and employment opportunities to a marvelous range of educational, cultural, medical, and retail-service destinations that a canopy system that forms a contemporary, distinguishable and continuous wayfinding system best complements the continuity of the Corridor.

Sincerely yours,



Dayna Crawford
Deputy Director ABQ RIDE

City of Albuquerque
Responses to Proposals from EDo Charrette of April 16, 2016
“Complete Streets = Economic Development”

The replies here are entered in the same order as shown in the charrette briefing booklet:

Central Avenue

General: Proposal to reduce posted speed limit to 25 mph.

This change to the posted speed limit from 30 mph to 25 mph is appropriate in this area when Central Avenue is reduced to one general traffic lane in each direction with the ART project. With the existing street configuration, changing the speed limit to 25 mph would not be appropriate, leading to widespread compliance problems since drivers would be fully aware that the street is designed for a higher speed. However, with the reduction in lanes to one in each direction and narrowing of the lanes, a lower speed limit will get more compliance. We are proceeding with plans to lower the speed limit as part of the ART project.

1. Railroad overpass to Broadway Blvd.

The charrette proposed on-street parking between Union Square St. (formerly John St.) and Broadway. In order to accommodate the parking within the current right-of-way, the charrette proposed to eliminate the ART lanes from Union Square St. to Broadway. The proposal was amended to suggest a single bi-directional lane in this block based on Mr. Dickson’s notes from the walk on Monday, April 26th.

The operation of the bi-directional lane east of Broadway relies on the signalization at Broadway and the ability for buses to pass each other just west of the Broadway intersection. Changing those plans would entail significant design and construction expenses and would significantly impair ART operations. However, as discussed at the walk, it would be possible, now or in the future, for on-street parking to be added on the north side of the street west of the original church building if additional right-of-way is dedicated from the Innovate ABQ site. A representative of that property has approached us to begin that discussion. Similarly, in the future it could be possible to add on-street parking on the south side of Central between the alley and Broadway with a dedication of additional right-of-way.

Somewhat as suggested in the walk notes, an eastbound route 66 stop is planned just east of the alley (not right at the corner of Broadway) where traffic can pass a stopped bus using the beginning of the left-turn lane. No shelter is planned at this location.

2. Broadway Blvd. to Arno St.

For clarification, the current ART plans include sidewalk widening on the south side of the street from just west of the alley to Arno while preserving on-street parking. The plans do not include closing the Standard Diner driveway.

No significant changes are proposed on the north side of the street. A route 66 stop is planned just west of the current on-street parking where traffic can pass a stopped bus using the beginning of the left-turn lane. No shelter is planned at this location. This stop cannot be moved west of Broadway because there would be no way for cars to pass a stopped bus at that location; we do not want to stop the bus in traffic where there is no place for cars to pass.

We are evaluating the proposal for an un-signalized pedestrian crossing and/or adjusting the median plans at Arno. The design includes bulb-outs at three of the four corners at Arno, with no bulb-out needed in the northeast quadrant since on-street parking is not planned on that corner. (Bulb-outs are included in the proposed design at almost all intersections in EDo.)

3. Arno St. to Edith Blvd.

ABQ RIDE will re-evaluate the plans for on-street parking on the south side west of the alley to try to avoid the minimal impact (~1') on the current sidewalk based on current ART design. East of the alley, the sidewalk will be widened and on-street parking retained.

We have evaluated the proposal for on-street parking on the north side of Central west of the alley using the ITE's *Designing Walkable Urban Thoroughfares* referenced in the City's Complete Streets Ordinance and in the charrette proposal. The proposal would require significant lateral shifts of the general traffic and ART lanes. Due to the left-turn lane at Edith, the lanes would not be able to begin shifting south until the alley between Edith and Arno, and based on the ITE guidance the shift would take approximately 100' (using 25 mph as the design speed) leaving room for, at most, two parking spaces. It would also require re-building the sidewalk, curb, and on-street parking west of Arno to line up with the newly establish westbound lane and then transition that lane back to its current position in time for the left-turn lane at Broadway. Given that significant re-design and construction expense, the ART project will not pursue this suggestion.

However, the ART project does propose five on-street parking spaces in the eastern half of this block on the north side of the street. The current bus stop and shelter at that location will be removed. These spaces are within the same block as potential future storefronts or restaurants in the western half of the block.

4. Edith Blvd. to Walter St.

As above, the lateral lane shifts required to add on-street parking were evaluated using the ITE guidance, and adding on-street parking in the western half of this block on the north side is not possible. However, future redevelopment of the Pop-N-Taco site could result in the dedication of additional right-of-way to add on-street parking west of the alley.

On the south side, sidewalks generally will be widened and on-street parking retained. The route 66 will stop at its current location except out of the lane of traffic; the shelter will not remain.

5. Walter St. to High St.

Since the current Days Inn motel has no need for on-street parking, the route 66 stop will remain where it is. The current ART design provides one parking space west of the alley, but the owner of the empty lot is exploring with the City the possibility of adding more on-street parking west of the alley by providing additional right-of-way. Similarly, any changes sought in the future by the owner of the Days Inn site could result in changes to driveways and additions of on-street parking. Changing the approach to the ART station would not result in more on-street parking and would impair the ability of the ART vehicles to stop close enough to the platform to allow easy level boarding at all doors.

We agree that a canopy at all stations is highly desirable. However, the State Historic Preservation Officer (SHPO) did not allow a canopy at this location based on their finding that a canopy was not compatible with the surrounding historic area. The ART project will include foundations in the station platform to allow installation of a canopy with minimal disruption in the future if an agreement with the SHPO can be reached.

6. High St. to Elm St.

The current on-street parking on the south side will be maintained; as currently, the number of driveways reduces the number of possible on-street parking spaces. Based on your comments, two to three on-street parking spaces will be added on the north side between Elm and the first driveway. The frequency of driveways to the west of that part of the block would allow only minimal addition of on-street parking at the loss of currently wide sidewalks, so the project will not add parking in that area. Any changes sought in the future by the owner of the Imperial Inn site could result in changes to driveways and additions of on-street parking.

7. Elm St. to Locust St.

The project is planning to maintain the current on-street parking on the south side of the street. The route 66 bus stops in both directions in this block will be removed. The current westbound bus bay in front of the EconoLodge is planned to be filled with landscaping. Since this bay is on a curve and at the beginning of a transition area where two lanes merge into one, we do not think that adding on-street parking in the current bus bay would be safe, and the current land use does not warrant on-street parking. If in the future the owners of the EconoLodge and/or Knights Inn to the west decide to redevelop their properties, on-street parking might become possible with a grant of additional right-of-way.

We have re-examined traffic data to see if a reduction in lanes on Central at Locust is possible. However, the volume of traffic and complexity of the signaling at this interstate interchange

makes it impossible to reduce the number of lanes without substantial impacts to traffic flow. While the emphasis in EDo and with the ART project is on promoting transit and pedestrian modes, at this juncture with the interstate highway system, accommodating auto traffic flow as well is important.

Due to the curve in Central Avenue, the landscaped area in the former bus bay on the north side is directly in the line-of-sight of westbound traffic and could therefore make a good location for neighborhood signage.

As discussed during the walk on April 25th, an unsignalized left-turn across the bi-directional ART lane would not be safe and therefore is not possible at Elm. However, the signal at High St. will include a signalized, protected U-turn just 350' to the west.

Broadway Blvd.

We estimate the cost of the test striping project to be about \$250,000 and are willing to explore that option further, starting with looking for funding. The striping plan would need to be designed based on engineering standards such as those in the ITE's *Designing Walkable Urban Thoroughfares*. Note that the City does not use green paint for entire bike lanes.

Copper Ave.

Comments regarding Copper Avenue were forwarded to the Innovate ABQ design team, a representative of which also attended the follow-up walk. This future street and pedestrian connection is wholly on Innovate ABQ's property and the design of Innovate ABQ will take into account this potential connection.

Tijeras Ave.

The proposed changes to Tijeras are substantial and not readily tested on a temporary basis. We are not considering these changes at this time.

Martin Luther King Jr. Blvd.

The design for the MLK project has been complete for several months and is about to go out for bid, with ground-breaking expected in this summer. West of I-25, the design includes narrower driving lanes and bike lanes buffered from the traffic lanes, similar to the charrette proposal although without on-street parking except where it already exists. The right-turn lane requirement was established by a warrant analysis based on traffic volumes. The eastbound bus stops are located to facilitate safe pedestrian crossings at signalized intersections, one at Edith and one at Elm.

Lead & Coal Aves.

Traffic lights would need to meet a warrant analysis and would not do so at the proposed location given current traffic volumes. This assessment can be revisited in the future if traffic volumes change significantly.

Edith Blvd.

We are willing to explore the suggestion for a cycle track as proposed on Edith from Coal to Martin Luther King Jr. Blvd. However, the cycle track would likely need to be wider than 6' to safely accommodate two-way bike traffic. Based on previous reviews of potential striping on Edith, the varying width of the roadway through this section could require the removal of on-street parking on one side of the street in some areas to accommodate the cycle track.

While the proposed four-way stop signs are not warranted at this time, we are willing to explore the possibility of a traffic circle as proposed at Edith and Copper. We estimate the cost to be \$140-\$180,000 and will need to find funding to pursue that project further.

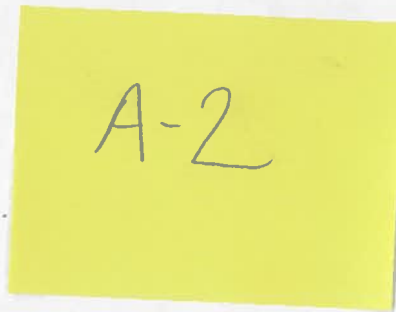
Hennessy, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Wednesday, April 20, 2016 3:56 PM
To: Hennessy, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Dietz, Daniel P.; Tebo, Christopher J.; Whitcomb, Blake
Subject: APRIL 13, 2016 LUCC HEARING PROJECT #1010796 SIGNS
Attachments: DSC08340.jpg; DSC08333.jpg; DSC08335.jpg; 2016.04.20 Land Use Map.jpg

April 20, 2016

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
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Albuquerque, NM 87102

Project Number: 1010796
Case Number: 16-LUCC 5013



Ms Hennessy:

Inclusion in file:

I request that you enclose a hard-copy copy of this communication in the official publicly accessible hearing file for this project and case.

Since I do not believe that your office provides publicly accessible computers by which the images, documents, and attachments herein enclosed may be reasonably reviewed by the public, I specifically request that the images and documents linked, and referenced, be printed out and included in the official publicly accessible hearing file for this project and case.

If you have reason or cause for not complying with the above stated request, I ask that you write me, informing me of the reason, so that I can do what is necessary to have this entire document be properly made a part of the permanent file.

Communication reach.

An email copy of this letter document is being provided to: Alfredo Salas, Secretary to the LUCC; Russell Brito, Manager of Urban Design and Development; Daniel Dietz, Assistant City Attorney for Real Estate / Land Use; Christopher Tebo, Assistant City Attorney for Real Estate / Land Use, and Blake Whitcomb, Assistant City Attorney for Real Estate and Land Use.

Notification to the Commission:

I request that you provide me with an email address for each named member of the Landmarks and Urban Conservation Commission (hereinafter: "LUCC"). The immediate reason for this timely request is that each member of the LUCC can be informed of this, and other, timely and pertinent documents pertaining to the project and hearing.

Controlling documents:

Reference is made, and by such reference inclusion is stated, to Albuquerque Code of Ordinances, Article 12: Landmarks and Urban Conservation (hereinafter: "LUC Ordinance"); to Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission (hereinafter: "RPC"); and to a *City of Albuquerque Planning Department* document entitled: Sign Posting Agreement.

Cause of communication:

This letter document is written pursuant to a visit I had with Alfredo Salas, Secretary to the Commission (See: RPC A. 8.) on April 18, 2016. The purpose of that visit was to review the contents of the above referenced file (hereinafter: "file"), and to make inquiry regarding issues of signage pertinent to, and conditional to, the April 13, 2016, LUCC Hearing, and the continuation of the Hearing scheduled (deferred) for May 11, 2016 (See: RPC 10. d) 1) 2). [Reference is also made to Special Meetings and/or Study Sessions, made, or which could be made, pursuant to the cause and the application. (See: RPC A. 3., 5.)]

During that visit I had occasion to notice that documents, including original documents, required to be included in the file were missing. Included among those was the Sign Posting Agreement(s). I brought this fact to the attention of Mr. Salas.

I also referenced the fact that it was a matter of traditional custom, and good practice, for there to be one or more photographs of the public notice signs posted for the Hearing, to be included in Hearing files. I pointed out to Mr. Salas that such photographs are usually taken in the field by staff. I asked Mr. Salas if there were any such photographs available for review.

I further asked Mr. Salas about who was responsible for issuing signs, and issuing any instructions (See: § 14-12-10 (B)).

To all the above questions Mr. Salas referred me to Ms. Hennessy, stating that she was responsible for issuing the signs, issuing instructions if any, and determining which documents, among those submitted, were available in the file.

Due to the perceived importance and seriousness of the issues at hand, this letter document is prepared pursuant to the advice and instructions of Mr. Salas.

Representations of fact:

The following information constitutes the information and belief, of me, Donald Clayton, a concerned citizen, and a resident of 1514 Silver Avenue SW, in the City Of Albuquerque, New Mexico. I do not represent, nor am I a member of any group, government, organization, business or competing business, that is a matter of record in this matter. My telephone number is 505 / 842-1499, and my email address is cityofnikko@gmail.com.

On April 13, 2016, I attended what was advertised as a Public Hearing of the LUCC regarding proposed Roadwork on Central Avenue (singular) (See: Albuquerque Journal, March 29, 2016, Section C, page C6, 2nd item - first column). The occurrence was scheduled to commence at 3:00 PM.

Pursuant to the provisions of City of Albuquerque City Council Resolution Bill R-16-24, I had very good reason to be concerned about the "roadwork" on Central Avenue, between the first alley east of Broadway, and Locust Street. It was apparently very clear by the Council Resolution that any decision by the LUCC could have a very major and substantial impact on proposed Albuquerque Rapid Transit (hereinafter: ART) Project construction on portions of Central Avenue near my residential property, located fairly close to Old Town.

On April 18, 2016, in late morning, I visited the area described as being the subject matter of the advertised Hearing. I noticed that Application for a Certificate of Appropriateness signs were located at three (3) sites on Central Avenue. I noticed both the locations and condition of the signs. I noticed that there were two different

sets of signs, three (3) signs in each set. I noticed that one set of signs had the date of March 29th, and that the second set had the date of March 30th. I noticed that apparently a sign from each set had been attached back-to-back at each site.

I noticed that someone had apparently used white spray paint to mark on the rough gravel a circle to apparently mark where the signs were to be placed, before the sign placement.

At approximately 10:30 AM, on March 18, 2016, I (Donald Clayton) took photographs of the signs and their placement. I note this information pursuant to LUCC requirements for entry into the record.

Three of the photographs are attached below as a matter of record. Since LUCC requirements require a statement of location regarding photographic evidence, I present the following:

Photograph #1: Sign location #1 is in the middle of Central Avenue just west of Arno, across from a building located at 316 Central, on the south side of Central Avenue, apparently referenced in HDR plans as "right" Central Avenue.

Photograph #2: Sign location #2 is in the middle of Central Avenue just west of Walter, nearly across from a building located at 523½ Central, on the north side of Central Avenue, apparently referenced in HDR plans as "left" Central Avenue.

Photograph #3: Sign location #3 is in the middle of Central Avenue just west of Locust, across from the air conditioning vent on the west wing of the EconoLodge building located at 817 Central, on the north side of Central Avenue, apparently referenced in HDR plans as "left" Central Avenue.

In the course of taking the above referenced photographs it became obvious that there was a considerable distance between the posted signs and the public sidewalk. The distance was so great that it was impossible to read the text of the signs, even at location #2, the *closest* sign, and the sign in the best condition. By waiting a considerable period of time to allow a break in the traffic, and with the aid of a waiting bus passenger who was willing to watch for the frequent busses and cars, I was able to measure the distance from the sidewalk to the sign. The distance was 27'.

The traffic was too great, and too frequent, to be able to reasonably access the other sign locations to determine the distance.

I returned during the evening of April 19, 2016, with a neighbor experienced in public road measurement. Taking extreme care to avoid the traffic at that time, after more than an hour of effort, we were able to determine the distances from the public sidewalk to the center of street, rough landscape gravel, sign locations. We used a K&E professional fiberglass 100' engineering tape measure, properly anchored and stretched. I believe that the distances involved can be confirmed with an accurate use of precise coordinates as are available on Google Maps. Another source for the relevant distance information are the professional surveys undertaken pursuant to the ART Project.

On April 19, 2016, the signs had been removed, but the white circles, and the impression left by the removal of the metal sign post, enabled fairly precise measurements. The distances found between the sign locations and the nearest edge of the adjacent sidewalk are as follows: Sign location #1 - Arno - 38' left, 38' right; Sign location #2 - Walter - 29' left, 27' right; Sign location #3 - Locust - 43½' left, 49' right.

Citation to authority:

§ 14-12-10 (B) provides the legal basis for the proper posting of signs prior to a lawful LUCC Public Hearing. The Sign Posting Agreement (the document link is [HERE](#)) further defines the requirements for sign location

and stability. Further clarity is established by the City of Albuquerque Zoning Code § 14-16-1-4 Interpretation (A) General.

The *general* principal being that the most restrictive, in this case effective, rule or regulation is the one to be applied.

The rule, clearly stated, is, "The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk." (See: 1. A.). Further, "a full plywood backing works best to keep the sign in place, especially during high winds." (See: 3. A.).

Finally, the fact that a LUCC Hearing is dependent upon "all notification requirements" is firmly established in RPC A. 3.

Commentary:

The intent of the notification requirements is clear. The idea is that the general public is fairly and reasonably notified of a Public Hearing. The posting of proper readable signs, in a proper location, is an integral part of the process. In this case, for this LUCC case, this was not done.

The deficiencies are clear. It is plain that the type of the type and size on the sign cannot be safely read from a vehicle navigating traffic and cross-traffic on a four lane roadway with posted highway speeds of 30 MPH.

So, if the signs are not designed to be read from the roadway, the question becomes - how can they be reasonably read from the sidewalk? The rule is that a person can come within 5' of the sign (See: 1. C.). To do so safely is all but impossible. There is little question of the fact that two busy 12' wide traffic lanes, and in some instances another 12' wide parking lane, constitute a "barrier." Some of the signs have access obstructed by trees. By no stretch of the imagination is a single sign ADA accessible.

The defects continue, as is evidenced by the condition of the signs. It may not have been wind that wilted the signs, but the effect of rain on cardboard is much the same. The greatest rainfall for the posting period was April 3 - April 10, probably the period when the signs became totally unreadable.

The apparent casualness, if not indifference, to the issue of the proper posting of signs for this LUCC Hearing is evident by the fact that neither of the two (2) Sign Posting Agreements could be found in the file. It is further illustrated by the fact that apparently no member of the LUCC staff actually went out and inspected the site, as there are no photographs.

The issue of who is at fault regarding this wholly insufficient sign posting is not really the issue. The issue is that the signs were not properly posted, and the LUCC Public Hearing, by law, should not have been held.

Argument could be made that there is a provision for sanctions. Citation is contained on the Sign Posting Agreement and numerous places elsewhere. The sanction is voluntary to the LUCC, "Failure to maintain the signs during this entire period may be cause for deferral or denial of the application." The reality is that the Hearing *has* been deferred, but the Public Notice defect has not been corrected. Further, a denial of the application would be to defeat the entire ART Project on which success of the application depends. It is improbable that appointees of the Mayor would vote to deny the application for the Mayor's project based on what the City may see as "a technicality."

Government should not be seen, or act, as if it were the enemy of the people. Hoops, hurdles, barriers, and technicalities should not be used, or allowed, by government to obfuscate and make difficult what should be an open, fair, and transparent process.

My request is that this situation does not become cause for the defeat of the entire ART Project. My belief is that a properly conducted LUCC Hearing is in both the City's and the Public's best interest. A fair and proper hearing begins with a proper application, and the good faith proper posting of signs.

I ask that the LUCC Hearing process for this cause and this case be reset, the case should be begun again, from the beginning, obviously starting with a new application.

Law, justice, and propriety demand nothing less.

I would be willing to meet with anyone, at any time to discuss this very important matter.

Sincerely,
Donald Clayton

P.S. The fourth Attachment is a map showing the sign locations herein discussed, in red.



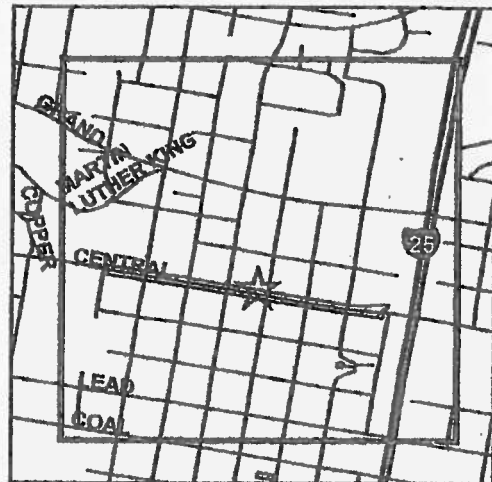
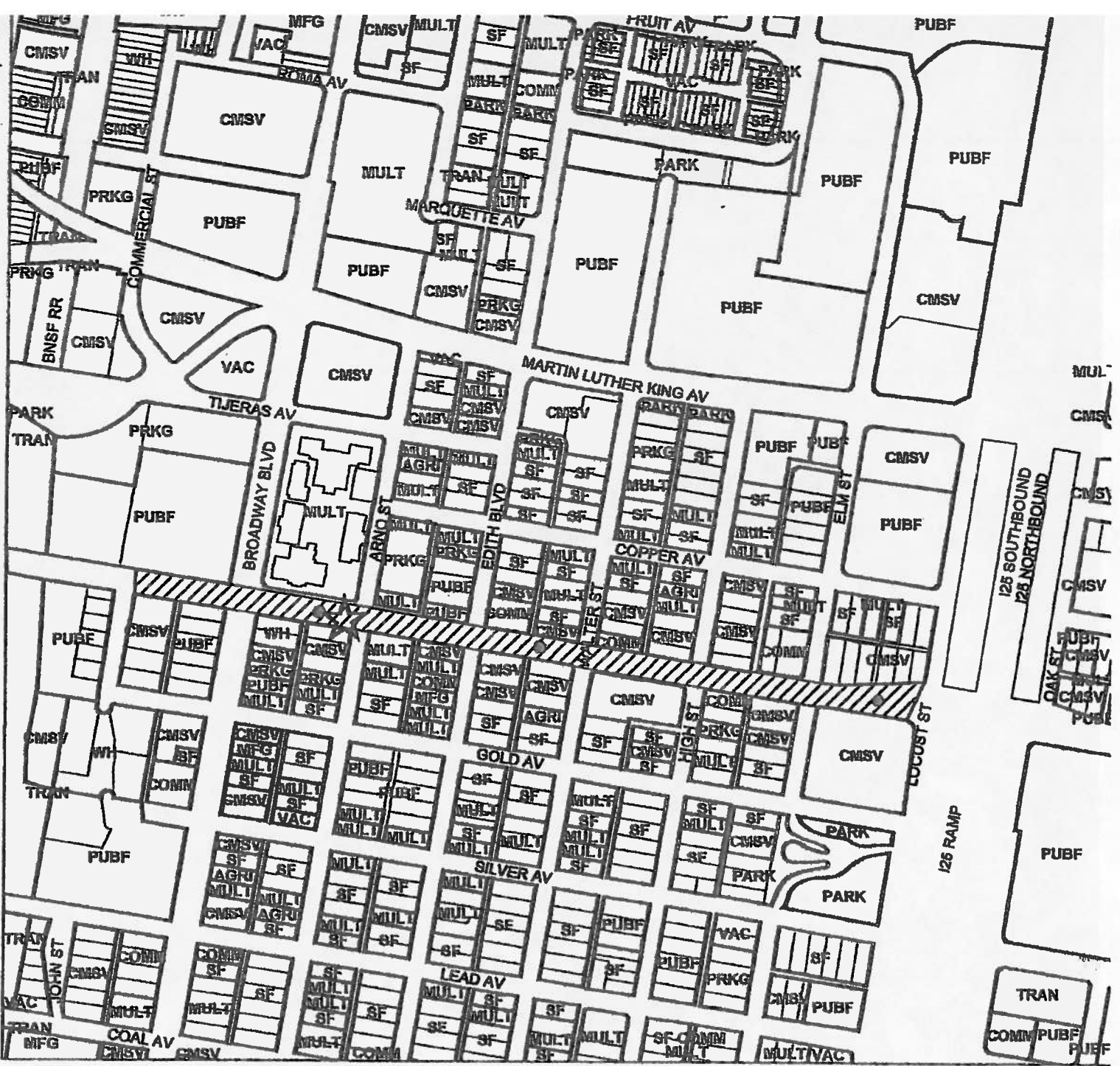
APPLICANT'S CERTIFICATE OF
STREET ADDRESS

TO: [illegible]
FROM: [illegible]
DATE: [illegible]

STREET ADDRESS: [illegible]
CITY: [illegible]
STATE: [illegible]
ZIP: [illegible]

APPLICANT'S SIGNATURE: [illegible]
DATE: [illegible]





LAND USE MAP

Note: Grey shading indicates County.

KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



1 inch = 435 feet

Project Number:
1010796
Hearing Date:
04/13/2016
Zone Map Page: K-14
Additional Case Numbers:
16LUCC- 50013

Hennessy, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Thursday, April 21, 2016 2:37 PM
To: Hennessy, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Dietz, Daniel P.; Tebo, Christopher J.; Dolan, Diane R.; Whitcomb, Blake; Nick Pappas; dyoshimura@cabq.com
Subject: APRIL 13, 2016 LUCC HEARING PROJECT #1010796 LEGAL NOTICE
Attachments: 2016.04.21 Legal Notice.jpg

April 21, 2016

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Project Number: 1010796
Case Number: 16-LUCC 5013

Ms Hennessy:

Inclusion in file:

I request that you enclose a hard-copy copy of this communication in the official publicly accessible hearing file for this project and case.

Since I do not believe that your office provides publicly accessible computers by which the images, documents, and attachments herein enclosed may be reasonably reviewed by the public, I specifically request that the images, and the documents linked, and the documents referenced, be printed out and included in the official publicly accessible hearing file for this project and case.

If you have reason or cause for not complying with the above stated request, I ask that you write me, informing me of the reason, so that I can do what is necessary to have this entire document be properly made a part of the permanent file.

Communication reach:

An email copy of this letter document is being provided to: Alfredo Salas, Secretary to the LUCC; Russell Brito, Manager of Urban Design and Development; Daniel Dietz, Assistant City Attorney for Real Estate / Land Use; Christopher Tebo, Assistant City Attorney for Real Estate / Land Use; Blake Whitcomb, Assistant City Attorney for Real Estate and Land Use; Diane Dolan, Policy Analyst for Councilor Issac Benton; Nick Pappas, Albuquerque Journal; Debra Yoshimura, City of Albuquerque Office of Internal Audit.

Notification to the Commission:

I request that you provide me with an email address for each named member of the Landmarks and Urban Conservation Commission (hereinafter: "LUCC"). The immediate reason for this timely request is that each member of the LUCC can be informed of this, and other, timely and pertinent documents pertaining to the project and hearing.

Controlling documents:

Reference is made, and by such reference incorporated, to Albuquerque Code of Ordinances, Article 14: Zoning Code (hereinafter: "§ 14"); Albuquerque Code of Ordinances, Article 12: Landmarks and Urban Conservation (hereinafter: "LUC Ordinance"); and to Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission (hereinafter: "RPC").

Cause of communication:

This letter document is written pursuant to a visit I had with Alfredo Salas, Secretary to the Commission (See: RPC A. 8.) on April 18, 2016. The purpose of that visit was to review the contents of the above referenced file (hereinafter: "file"), and to make inquiry regarding issues of legal notice pertinent to, and conditional to, the April 13, 2016, LUCC Hearing, and the continuation of the Hearing scheduled (deferred) for May 11, 2016 (See: RPC 10. d) 1) 2). [Reference is also made to Special Meetings and/or Study Sessions, made, or which could be made, pursuant to the cause and the application. (See: RPC A. 3., 5.)]

During that visit I had occasion to notice that documents, including original documents required to be included in the file, were missing. Included among those was a copy of the Legal Notice as published in a newspaper of general circulation. I brought this fact to the attention of Mr. Salas.

Due to the urgent and extreme importance and seriousness of this issue, this letter document is prepared to document the situation, and to request timely and appropriate action.

Representations of fact:

The following information constitutes the information, knowledge, and belief, of me, Donald Clayton, a concerned citizen, and a resident of 1514 Silver Avenue SW, in the City Of Albuquerque, New Mexico. I do not represent, nor am I a member of any group, government, organization, business or competing business, that is a matter of record in this matter. My telephone number is 505 / 842-1499, and my email address is cityofnikko@gmail.com.

On April 13, 2016, I attended what was advertised as a Public Hearing of the LUCC regarding proposed Roadwork on Central Avenue. (See: Albuquerque Journal, March 29, 2016, Section C, page C6, 2nd item - first column). The occurrence was scheduled to commence at 3:00 PM.

Pursuant to the provisions of City of Albuquerque City Council Resolution Bill R-16-24, I had very good reason to be concerned about the "roadwork" on Central Avenue, between the first alley east of Broadway, and Locust Street. It was apparently very clear by the Council Resolution that any decision by the LUCC could have a very major and substantial impact on proposed Albuquerque Rapid Transit (hereinafter: ART) Project construction on portions of Central Avenue near my residential property, located southeast of Old Town.

On April 18, 2016, at approximately 11:30 AM, I visited the APC Library of the Albuquerque Journal at the Albuquerque Publishing Company offices, 7777 Jefferson Boulevard NE, Albuquerque, NM 87103.

At that time, and at that place, I purchased, for \$1.25, a copy of the March 29, 2016, *Albuquerque Journal*. The reason for this purchase was to obtain a copy of the information that was published in, "a daily newspaper of general circulation in the city at least 15 days before the date of the hearing."

During the evening of April 18, 2016, I had occasion to read and review the information published in Section C, page C-6, under Gov't Legals (aka: Government Legal Notices). The only information in that day's paper with the City of Albuquerque city logo was found in the first column. It (in relevant part) read:

Project # 1010796
16-LUCC-50013

Application for Certificate of Appropriateness City of Albuquerque Transit Department requests approval of a Certificate of Appropriateness for Roadwork in Public Right-of-way on Central Ave. between John and Locust Streets in the Huning Highland-East Downtown Urban Conservation Overlay Zone. (K-14 & K-15)

INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Alfredo Salas, Planning Department, at 924-3370 (VOICE) or TTY users may access the voice number via the New Mexico Relay Network by calling 1-800-659-8331.

James Clark, Chair,
Landmarks and Urban
Conservation Commission

APPROVED: Maryellen Hennessy, Senior Planner,
Landmarks and Urban Conservation

Journal: March 29, 2016

A copy of the legal advertisement, as published, is Attached below.

Citation to authority:

§ 14-12-10 (A) provides the legal requirements for the proper publishing of a legal public hearing Legal Notice.

The citation reads, "The Commission shall announce the time and place of the public hearing in a public notice in a daily newspaper of general circulation in the city at least 15 days before the date of the hearing. The notice shall give the location of the property and the place where copies of the application may be examined. (Bold type added.)

Finally, the fact that a legal and proper LUCC Hearing is dependent upon "all notification requirements" is firmly established in RPC A. 3.

Commentary:

The intent of the notification requirements is clear. The idea is that the general public is fairly and reasonably notified of a Public Hearing. The publishing of a proper, correct, legal advertisement is an integral part of the process. In this case, for this LUCC case, this was not done.

This is the second, clear instance, in as many days, wherein I have clearly and carefully documented the fact that the City of Albuquerque failed to provide proper and basic public notice regarding a required hearing pursuant to the ART Project.

Unlike the previous example (See: April 20, 2016 letter document entitled: **APRIL 13, 2016 LUCC HEARING PROJECT #1010796 SIGNS**) there is no possible dereliction by a third party (an applicant) that can account for this apparent blatant disregard for the rule of law.

Government should not be seen, or act, as if it were antagonistic. An open hearing process should not be obstructed by withholding from the public, notification of their basic rights. The public has a right to be informed in a newspaper that there is a LUCC file, and of the physical place where that file can be accessed and reviewed.

If one City government Department were not supporting another City government Department in the matter of the application, there would not appear to be such an appearance of partiality and impropriety. However, the facts are obvious. The same person that rose to speak at the public hearing in support of the Transit

Department's application is the same person that "Approved" the defective legal announcement, an announcement that does not comport with the legal provisions for a fair and proper public notice.

Request:

This letter document should, in conjunction with yesterday's letter document, be sufficient to convince and persuade that the LUCC Hearing process in the above referenced case should be abandoned, and that a new application should begin a new and proper LUCC hearing process.

I request that that new process be begun.

I am willing to meet with appropriate City of Albuquerque legal representatives to discuss this, and other related issues at hand, pertinent to this project and case.

Sincerely,
Donald Clayton



LEGAL NOTICE TO ALL PARTIES AND CITIZENS IN INTEREST:

Notice is hereby given that the Landmarks and Urban Conservation Commission will hold a Public Hearing on Wednesday, April 15, 2018, at 3:00 p.m., Basement Hearing Room, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM. Public comments are welcome.

**Project # 1010992
16-LUCC-80015**

Application for Certificate of Appropriateness
Transition Agent for CTB Development requests approval of a Certificate of Appropriateness for new construction of 508 and 511 High Street SE described as Lot 34 and 3B, Block 30, Hunting Highlands addition. (K-14)

**Project # 1010789
16-LUCC-80015**

Application for Certificate of Appropriateness
City of Albuquerque Transit Department requests approval of a Certificate of Appropriateness for floodwork in Public Right-of-way on Central Ave. between John and Locust Streets in the Hunting Highlands-East Decatur Urban Conservation Overlay Zone. (K-14 & K-15)

INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Alberto Soto, Planning Department, at 924-3370 (VOIC) or TTY users may access this voice number via the New Mexico Relay Network by calling 1-800-668-8831.

James Cant, Chair,
Landmarks and Urban
Conservation Commission

**APPROVED: MaryAnn Hennessy,
Senior Planner, Landmarks and
Urban Conservation
Journal March 28, 2018**

Hennessey, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Saturday, April 23, 2016 9:58 PM
To: Rizzieri, Bruce; Hennessey, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Dietz, Daniel P.; Tebo, Christopher J.; Whitcomb, Blake; Yoshimura, Debra; Dolan, Diane R.; Webb, Andrew; Trollinger, Ryan E.; Nick Pappas; McKay, Dan
Subject: JOHN STREET
Attachments: 2016.04.21 Legal Notice.jpg; DSC08372.JPG

April 23, 2016

Bruce Rizzieri
Director
City of Albuquerque Transit Department
100 1st Street SW
Albuquerque, New Mexico 87102

Maryellen Hennessey
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Please note contents and include a copy of this letter document in the file.

Project Number: 1010796
Case Number: 16-LUCC 5013

Mr. Rizzieri:

I make reference to an Application for a Certificate of Appropriateness (LUCC) dated March 9, 2016, by Lawrence Kline, Principal Planner, City of Albuquerque Transit Department. I make reference to three (3) City of Albuquerque AGIS maps that constitute a part of the above referenced application; to wit: *Zoning Map, Land Use Map, and History Map*.

I reference your signed seven-page letter of April 6, 2016, to Ms. Maryellen Hennessey of the Planning Department in reference to proposed project #1010796, a *revised* copy of an earlier letter apparently written in support of the above referenced application.

On page 4 (6th bullet) of that letter, you make reference to requested changes on Central Avenue beginning with "John" Street, (in relevant part) "John Street to Broadway Boulevard: One BRT lane in each direction." Apparently this is a repetition of text contained in the original (unrevised) letter.

Evidence of this fact is contained in the fact that a Legal Notice (See: April 21, 2016 LUCC HEARING PROJECT #1010796 LEGAL NOTICE letter document contained in LUCC public file; also refer to Attachment below) was prepared on, or prior to March 29, 2016, that states, "Application for Certificate of

Appropriateness City of Albuquerque Transit Department requests approval of a Certificate of Appropriateness for Roadwork in Public Right-of-way on Central Ave. **between John and Locust Streets** in the Huning Highland-East Downtown Urban Conservation Overlay Zone. (K-14 & K-15). (Bold type added.)

It is my information and belief that the legal notice was prepared by LUCC staff in reliance on your statements, and in the belief that your representations regarding the location of the proposed project was accurate, correct, and legally truthful.

My alternative information and belief is that LUCC staff is of the belief that, "an applicant controls their own application," and under such theory, merely transcribed, and/or transferred, the information you presented into the Legal Notice, with little effort made to research or evaluate the veracity of statements made on the application.

Representations of fact:

The following information constitutes the information, knowledge, and belief, of me, Donald Clayton, a concerned citizen, and a resident of 1514 Silver Avenue SW, in the City Of Albuquerque, New Mexico. I do not represent, nor am I a member of any government, organization, business or competing business, that is a matter of record in this matter. My telephone number is 505 / 842-1499, and my email address is cityofnikko@gmail.com.

On April 13, 2016, I attended what was advertised as a Public Hearing of the LUCC regarding proposed Roadwork on Central Avenue. (See: Albuquerque Journal, March 29, 2016, Section C, page C6, 2nd item - first column). The occurrence was scheduled to commence at 3:00 PM.

Pursuant to the provisions of City of Albuquerque City Council Resolution Bill R-16-24, I had very good reason to be concerned about the "roadwork" on Central Avenue, between the first alley east of Broadway, and Locust Street. It was apparently very clear by the Council Resolution that any decision by the LUCC could have a very major and substantial impact on proposed Albuquerque Rapid Transit (hereinafter: ART) Project construction on portions of Central Avenue near my residential property, located southeast of Old Town.

On the three (3) maps that are part of the City of Albuquerque Transit Department (CATD) application there is no indication on any of the maps of the existence of "John Street." In fact, on the map marked **HISTORY MAP**, the street that you seem to believe is named "John Street" is actually labeled as Union Square Street.

During the evening of April 20, 2016, I searched the web to try and locate a John Street, at or near the location that was marked Union Square Street. I found a link to an Albuquerque Geographic Information System (AGIS) map on the City of Albuquerque official web site. The map that I found can be found HERE (or HERE). I could not locate a relevant "John Street."

On April 21, 2016, at approximately 10:00 AM, I visited the Albuquerque Geographic Information System - AGIS Office in Room #420 in the Plaza Del Sol Building at 600 2nd Street, NW, Albuquerque, NM 87102. I talked to Ryan Trollinger, GIS Coordinator. I asked Mr. Trollinger about the location of a "John Street" near Central Avenue as a legal street located in Albuquerque, New Mexico. After about twenty minutes of diligent searching, the AGIS Office could find no "John Street" near Central.

On April 22, 2016, in the morning, I visited the street indicated on the project maps as being the beginning of the project to determine if the "on site" street signs said "John Street." I photographed both street signs at the location. One of the two (2) street signs that read Union Square St. is Attached below.

Based on the above research, I arrived at One Civic Plaza, 9th Floor, and visited the City of Albuquerque City Council office. I asked appropriate staff if there was a Council Resolution creating Union Square Street. After

significant effort and search by staff, I was put in contact with Andrew Webb, Policy Analyst / Planning, City of Albuquerque City Council. Mr. Webb informed me that John Street, at the location in question, had not existed since the 1970's when the Union Square project was developed. He stated that the Council Resolution renaming the street still had not been found.

I note that the published legal advertisement in the Albuquerque Journal, dated March 29, 2016, referring to the name "John Street," is incorrect, misleading, and legally inaccurate. The correct legal street name is *Union Square Street*.

Commentary:

The announced purpose of the proposed Albuquerque Rapid Transit (ART) Project is to fundamentally change and alter the existing Avenue and most of the existing streetscape. Such a process and project require the winning of public confidence, and a public trust.

I have written three (3) letter document emails in four days that illustrate and document an apparent disregard for the law, an indifference regarding the proper placement of signs, a repeated inability to create proper, and required, legal notices.

The implication is clear. Why should a government that can not successfully complete small tasks (in this case a proper Lucc Hearing) be trusted with large tasks, like the ART Project?

Requests:

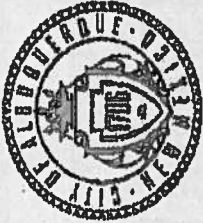
- 1.) I herein request that a proper legal notice be published, with correct street information, prior to any lawful Hearing.
- 2.) I herein request that the Lucc Hearing process in the above referenced case should be abandoned, and that a new application should begin a new and proper Lucc hearing process.
- 3.) I herein request that an affirmation be made a part of the Lucc Application process, wherein the applicant attests to the truthfulness of the representations made pursuant to an application.

I note that a simple credit card application requires an affirmation. The fact that a public works Road Work project involving many millions of taxpayer dollars does not require any affirmation whatsoever on the application is, I believe, a misplaced wonderment.

My fourth request deserves a brief explanation. The fact is that the Albuquerque Transit Department had to pay no fees whatsoever for the application and hearing, not even a fee for the failed and faulty legal notice. I believe that this Lucc Hearing process was a disaster, it wasted a great deal of time and public resources and money; it also wasted a great deal of the public's time. I also believe that it is (or was) a tremendous embarrassment to the City of Albuquerque. There is no sanction that can remedy the loss, it is, I believe, irreparable harm. A small measure to reduce the possibility of a repeat situation is the subject of the following request.

- 4.) I herein respectfully request that the Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission be amended to require that all applications and attendant representations of fact be notarized.

Sincerely,
Donald Clayton



LEGAL NOTICE TO ALL PARTIES AND CITIZENS IN INTEREST.

Notice is hereby given that the Landmarks and Urban Conservation Commission will hold a Public Hearing on Wednesday, April 13, 2016, at 3:00 p.m., Basement Hearing Room, Plaza del Sol building, 609 2nd St. NW, Albuquerque, NM. Public comments are welcome.

Project # 1010502
16-LUCO-50015

Application for Certificate of Appropriateness
Elliott Treviston Agent for CTR Development requests approval of a Certificate of Appropriateness for new construction of 608 and 511 High Street SE described as Lot 24 and 28, Block 3A, Harding Highlands addition. (K-14)

Project # 1010788
16-LUCO-50015

Application for Certificate of Appropriateness
City of Albuquerque Transit Department requests approval of a Certificate of Appropriateness for floodwork in Public Right-of-way on Central Ave. between John and Locust Streets in the Harding Highlands-East Downtown Urban Conservation Overlay Zone. (K-15)

INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Alberto Soto, Planning Department at 224-3370 (VOICES or TTY users may access this voice number via the New Mexico Relay Network by calling 1-800-889-8881.

James Clark, Chair,
Landmarks and Urban
Conservation Commission

APPROVED: Maryellen Hamnessy,
Senior Planner, Landmarks and
Urban Conservation
Journal: March 29, 2016

FOR LEASE !! Sperry Van Hoes
505-256-7573

UNION
SQUARE
1386

ONE WAY
↑

1386
UNION
SQUARE



Hennessy, Maryellen

From: Webb, Andrew
Sent: Monday, April 25, 2016 9:56 AM
To: Donald Clayton; Rizzieri, Bruce; Hennessy, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Dietz, Daniel P.; Tebo, Christopher J.; Whitcomb, Blake; Yoshimura, Debra; Dolan, Diane R.; Trollinger, Ryan E.; Nick Pappas; McKay, Dan
Subject: RE: JOHN STREET

Good morning everyone – for the record, I did speak to Mr. Clayton on Friday and explained that to the best of our knowledge, the short segment of roadway south of Central between the railroad tracks and Broadway was renamed during construction of the Union Square development in the 70s and appears as Union Square St. on GIS data that we have, but that it follows an old John Street right-of-way and has been referred to by both names in the community for many years. For example, the boundary description of the Huning Highland-East Downtown Urban Conservation Code (UCOZ) adopted by the Council in 2005 and listed in the city's Code of Resolutions, uses John Street to Locust (freeway frontage road) as its extent.

Thanks,
Andrew

Andrew Webb
Policy Analyst/Planning
Albuquerque City Council
505-768-3161

From: Donald Clayton [mailto:cityofnikko@gmail.com]
Sent: Saturday, April 23, 2016 9:58 PM
To: Rizzieri, Bruce; Hennessy, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Dietz, Daniel P.; Tebo, Christopher J.; Whitcomb, Blake; Yoshimura, Debra; Dolan, Diane R.; Webb, Andrew; Trollinger, Ryan E.; Nick Pappas; McKay, Dan
Subject: JOHN STREET

April 23, 2016

Bruce Rizzeri
Director
City of Albuquerque Transit Department
100 1st Street SW
Albuquerque, New Mexico 87102

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Please note contents and include a copy of this letter document in the file.

Hennessy, Maryellen

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Sent: Monday, April 25, 2016 9:56 AM
To: Donald Clayton; Rizzieri, Bruce; Hennessy, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Dietz, Daniel P.; Tebo, Christopher J.; Whitcomb, Blake; Yoshimura, Debra; Dolan, Diane R.; Trollinger, Ryan E.; Nick Pappas; McKay, Dan
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From: Donald Clayton [mailto:cityofnikko@gmail.com]
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To: Rizzieri, Bruce; Hennessy, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Dietz, Daniel P.; Tebo, Christopher J.; Whitcomb, Blake; Yoshimura, Debra; Dolan, Diane R.; Webb, Andrew; Trollinger, Ryan E.; Nick Pappas; McKay, Dan
Subject: JOHN STREET

April 23, 2016

Bruce Rizzeri
Director
City of Albuquerque Transit Department
100 1st Street SW
Albuquerque, New Mexico 87102

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Please note contents and include a copy of this letter document in the file.

Project Number: 1010796
Case Number: 16-LUCC 5013

Mr. Rizziari:

I make reference to an Application for a Certificate of Appropriateness (LUCC) dated March 9, 2016, by Lawrence Kline, Principal Planner, City of Albuquerque Transit Department. I make reference to three (3) City of Albuquerque AGIS maps that constitute a part of the above referenced application; to wit: *Zoning Map, Land Use Map, and History Map*.

I reference your signed seven-page letter of April 6, 2016, to Ms. Maryellen Hennessy of the Planning Department in reference to proposed project #1010796, a *revised* copy of an earlier letter apparently written in support of the above referenced application.

On page 4 (6th bullet) of that letter, you make reference to requested changes on Central Avenue beginning with "John" Street, (in relevant part) "John Street to Broadway Boulevard: One BRT lane in each direction." Apparently this is a repetition of text contained in the original (*unrevised*) letter.

Evidence of this fact is contained in the fact that a Legal Notice (See: April 21, 2016 LUCC HEARING PROJECT #1010796 LEGAL NOTICE letter document contained in LUCC public file; also refer to Attachment below) was prepared on, or prior to March 29, 2016, that states, "Application for Certificate of Appropriateness City of Albuquerque Transit Department requests approval of a Certificate of Appropriateness for Roadwork in Public Right-of-way on Central Ave. **between John and Locust Streets** in the Huning Highland-East Downtown Urban Conservation Overlay Zone. (K-14 & K-15). (Bold type added.)

It is my information and belief that the legal notice was prepared by LUCC staff in reliance on your statements, and in the belief that your representations regarding the location of the proposed project was accurate, correct, and legally truthful.

My alternative information and belief is that LUCC staff is of the belief that, "an applicant controls their own application," and under such theory, merely transcribed, and/or transferred, the information you presented into the Legal Notice, with little effort made to research or evaluate the veracity of statements made on the application.

Representations of fact:

The following information constitutes the information, knowledge, and belief, of me, Donald Clayton, a concerned citizen, and a resident of 1514 Silver Avenue SW, in the City Of Albuquerque, New Mexico. I do not represent, nor am I a member of any government, organization, business or competing business, that is a matter of record in this matter. My telephone number is 505 / 842-1499, and my email address is cityofnikko@gmail.com.

On April 13, 2016, I attended what was advertised as a Public Hearing of the LUCC regarding proposed Roadwork on Central Avenue. (See: Albuquerque Journal, March 29, 2016, Section C, page C6, 2nd item - first column). The occurrence was scheduled to commence at 3:00 PM.

Pursuant to the provisions of City of Albuquerque City Council Resolution Bill R-16-24, I had very good reason to be concerned about the "roadwork" on Central Avenue, between the first alley east of Broadway, and Locust Street. It was apparently very clear by the Council Resolution that any decision by the LUCC could have a very major and substantial impact on proposed Albuquerque Rapid Transit (hereinafter: ART) Project construction on portions of Central Avenue near my residential property, located southeast of Old Town.

On the three (3) maps that are part of the City of Albuquerque Transit Department (CATD) application there is no indication on any of the maps of the existence of "John Street." In fact, on the map marked **HISTORY MAP**, the street that you seem to believe is named "John Street" is actually labeled as Union Square Street.

During the evening of April 20, 2016, I searched the web to try and locate a John Street, at or near the location that was marked Union Square Street. I found a link to an Albuquerque Geographic Information System (AGIS) map on the City of Albuquerque official web site. The map that I found can be found HERE (or HERE). I could not locate a relevant "John Street."

On April 21, 2016, at approximately 10:00 AM, I visited the Albuquerque Geographic Information System - AGIS Office in Room #420 in the Plaza Del Sol Building at 600 2nd Street, NW, Albuquerque, NM 87102. I talked to Ryan Trollinger, GIS Coordinator. I asked Mr. Trollinger about the location of a "John Street" near Central Avenue as a legal street located in Albuquerque, New Mexico. After about twenty minutes of diligent searching, the AGIS Office could find no "John Street" near Central.

On April 22, 2016, in the morning, I visited the street indicated on the project maps as being the beginning of the project to determine if the "on site" street signs said "John Street." I photographed both street signs at the location. One of the two (2) street signs that read Union Square St. is Attached below.

Based on the above research, I arrived at One Civic Plaza, 9th Floor, and visited the City of Albuquerque City Council office. I asked appropriate staff if there was a Council Resolution creating Union Square Street. After significant effort and search by staff, I was put in contact with Andrew Webb, Policy Analyst / Planning, City of Albuquerque City Council. Mr. Webb informed me that John Street, at the location in question, had not existed since the 1970's when the Union Square project was developed. He stated that the Council Resolution renaming the street still had not been found.

I note that the published legal advertisement in the Albuquerque Journal, dated March 29, 2016, referring to the name "John Street," is incorrect, misleading, and legally inaccurate. The correct legal street name is *Union Square Street*.

Commentary:

The announced purpose of the proposed Albuquerque Rapid Transit (ART) Project is to fundamentally change and alter the existing Avenue and most of the existing streetscape. Such a process and project require the winning of public confidence, and a public trust.

I have written three (3) letter document emails in four days that illustrate and document an apparent disregard for the law, an indifference regarding the proper placement of signs, a repeated inability to create proper, and required, legal notices.

The implication is clear. Why should a government that can not successfully complete small tasks (in this case a proper LUCG Hearing) be trusted with large tasks, like the ART Project?

Requests:

- 1.) I herein request that a proper legal notice be published, with correct street information, prior to any lawful Hearing.
- 2.) I herein request that the LUCG Hearing process in the above referenced case should be abandoned, and that a new application should begin a new and proper LUCG hearing process.
- 3.) I herein request that an affirmation be made a part of the LUCG Application process, wherein the applicant attests to the truthfulness of the representations made pursuant to an application.

I note that a simple credit card application requires an affirmation. The fact that a public works Road Work

project involving many millions of taxpayer dollars does not require any affirmation whatsoever on the application is, I believe, a misplaced wonderment.

My fourth request deserves a brief explanation. The fact is that the Albuquerque Transit Department had to pay no fees whatsoever for the application and hearing, not even a fee for the failed and faulty legal notice. I believe that this LUCC Hearing process was a disaster, it wasted a great deal of time and public resources and money; it also wasted a great deal of the public's time. I also believe that it is (or was) a tremendous embarrassment to the City of Albuquerque. There is no sanction that can remedy the loss, it is, I believe, irreparable harm. A small measure to reduce the possibility of a repeat situation is the subject of the following request.

4.) I herein respectfully request that the Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission be amended to require that all applications and attendant representations of fact be notarized.

Sincerely,
Donald Clayton

Hennessy, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Monday, April 25, 2016 3:22 PM
To: Crawford, Dayna G.; Hennessy, Maryellen; Rizzieri, Bruce; Winklepleck, Stephani I.; Ortega, Crystal L.; Webb, Andrew; De La Cruz, Doreen; Dolan, Diane R.; Dietz, Daniel P.; mccalljo@nmia.com; jwb@fbdlaw.com; Tebo, Christopher J.; Whitcomb, Blake; Yoshimura, Debra; Salas, Alfredo E.; Brito, Russell D.; Nick Pappas; McKay, Dan; D'val Westphal; Steve Schroeder; Dennis Freeabq; Mayor Berry; Buttonsandssocks1@gmail.com
Subject: 400 ROMA / MAYOR RICHARD J. BERRY
Attachments: 2016.03.09 BT ABQRIDE Letter.jpg

April 23, 2016

Dayna Crawford
Project Manager
Albuquerque Rapid Transit (ART) Project
City of Albuquerque Transit Department
100 1st Street SW
Albuquerque, New Mexico 87102

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Project Number: 1010796
Case Number: 16-LUCC 5013

I refer to three emails that I submitted to the public record of the LUCC containing the above referenced Project Number and Case Number. The three emails constitute a part of this communication and the requests and statements are incorporated herein by reference, and are repeated as a part of *this* letter document.

Please note contents and include a copy of this letter document in the LUCC file located at 600 2nd Street NW, 3rd Floor, City of Albuquerque, New Mexico 87102.

Ms. Crawford:

Controlling documents:

Reference is made, and by such reference such documents are incorporated, to Albuquerque Code of Ordinances, Article 14: Zoning Code, specifically § 14-8-2-7 and § 14-8-2-6; Albuquerque Code of Ordinances, Article 12: Landmarks and Urban Conservation (hereinafter: "LUC Ordinance"); and to Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission (hereinafter: "RPC").

I refer to an application dated March 9, 2016, and to a letter in support of that application submitted by *City of Albuquerque Transit Department* Director Bruce Rizzeri, dated April 6, 2016. I make note that the letter calls for, "major city development and redevelopment projects and changes in services by the city which will have a direct, significant impact on that neighborhood; permanent and temporary street construction and major repair, total closing of streets, ..., building of new city facilities, relocation or reconstruction of privately owned utilities which require a permit, or rerouting of bus service ..." (See: § 14-8-2-6 (a), (B), (C)).

If there is any question as to the nature and scope of the Plans, I refer to *City of Albuquerque, New Mexico ABQRIDE Construction Plans for Transit Department ABQ RIDE Central Avenue Albuquerque Rapid Transit COA Project No. 631991 - Volume 3 - Segment 3 - Sheet 97 through Sheet 103*, a public record.

I refer to a five (5) page document dated March 7, 2016, from Stephani Winklepleck, Neighborhood Liaison, Office of Neighborhood Coordination, Planning Department, City of Albuquerque, regarding letters of notification pertinent to the proposed LUCC Hearing of April 13, 2016.

I refer to the twenty-nine (29) letters written under your signature, and under the letterhead of Mayor Richard J. Berry, dated March 9, 2016, and to the associated 29 Certified Mail receipts. (See: Copy of first letter in the series as an Attachment below.)

Representations of fact and Discussion:

1.) 400 Roma:

Albuquerque Code of Ordinances, Article 14: Zoning Code Article at § 14-12-10 (C), as cited in the Albuquerque Code of Ordinances, Article 12: Landmarks and Urban Conservation "LUC Ordinance", the "LUC Ordinance" states, "Prior to filing an application, the applicant shall notify neighborhood associations covering the subject site or adjacent premises of their proposal; notice by certified letter, return receipt requested, is normal. See § 14-8-2-7."

The requirements of § 14-8-2-7 are remarkably sparse. The only lawful guidance is, "give written notification of their proposal..." However you went above and beyond that simple requirement by directing letter recipients (and to pass-on recipients, often large in number, who the recipients often communicate) to a "Hearing Room in the basement ... at 400 Roma NW." (See: Third paragraph, first sentence, March 9, 2016, letter)

400 Roma NW, is the building housing the Police and Sheriff Department. 400 Roma NW is a long three blocks away from where the LUCC Hearing was to have been actually held. While 600 2nd Street NW has dedicated parking, a person driving to 400 Roma would most likely use the Civic Center garage. Relocating misplaced parking decisions would inevitably make a person late for a Hearing, precluding the opportunity to sign in to speak.

This is the second time in three days that I have publicly addressed the fact that the City of Albuquerque Transit Department's highest administrators are demonstrably very weak in their personal knowledge of the addresses and streets of central Albuquerque. While there is no violation in a Project Manager sending a letter recipient to a wrong address, the practice is alarming. Legally the Hearing could be stated to be just about anywhere and perhaps any statement made, truthful or not, would still be in compliance. The larger issue is how does one (a citizen) address this very disturbing fact?

2.) The Mayor:

Due diligence regarding anything beyond a rote and mechanical adherence regarding § 14-8-2-7 would very naturally lead to a reading of § 14-8-2-6. (See: PDF file page #6, and document number page 6)

Regardless of discovery, the fact remains that § 14-8-2-6 is relevant law. By the fact that **the Project Number on the LUCC Application does not comport with the existing City of Albuquerque Project Number** is proof that the representation is that the "roadwork" project that was the subject of the proposed Hearing was

somehow different than the ART Project. I can't understand how, but the LUCC Application makes this fact, a matter of fact.

Where the issue of "400 Roma" is not a regulation, a proper notification by the Mayor's Office is. The examples are clear, and among the examples there was no mention of:

- permanent and temporary street construction and major repair,
- total closing of streets,
- building of new city facilities,
- relocation or reconstruction of privately owned utilities which require a permit,
- rerouting of bus service.

All of the above are fundamental aspects of the proper subject matter of the LUCC Hearing.

§ 14-8-2-6 provides the time for notice, "notification shall be when the application is filed." It is only prior to LUCC approval that a member of the public can give voice to concerns regarding massive construction, and massive projects, not after they are already "approved."

The "application" for the project was made on on March 9, 2016. No proper notification was made to, "Recognized and non-recognized neighborhood or homeowner associations."

Requests:

1.) I herein request that proper letters, with proper addresses for Hearing location be mailed to those entitled to proper notice, pursuant to law.

2.) I herein request that the City Council of Albuquerque consider the wisdom of providing specific guidelines and requirements for notification letters to, "Recognized and non-recognized neighborhood or homeowner associations."

Sincerely,
Donald Clayton



Bruce Rizzieri, Director



Mayor Richard J. Berry

March 9, 2016

Ms. Reba Eagles
c/o Original Medicine Acupuncture, 1500 Lomas NW, Suite B
Albuquerque, N.M. 87104

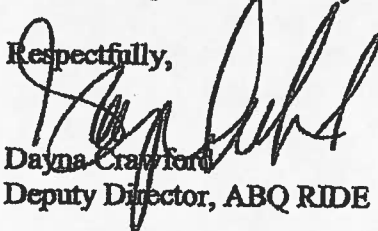
Dear Ms. Eagles,

We write to inform you that, pursuant to the requirements of Huning Highlands / Edo Regulatory Plan, we have today made application to the Landmarks and Urban Conservation Commission for a Certificate of Appropriateness for [1] streets and sidewalks and [2] street furniture, associated with the Albuquerque Rapid Transit (ART) project.

Street and sidewalk improvements encompass: the configuration of driving lanes, sidewalk widths and materials, Americans with Disabilities Act compliance, street trees, street lighting, and other components of the proposed streetscape. Street furniture includes such items as: signage, benches; and waste containers associated with the platforms. We assert the ART proposal is consistent in all regards with the goals for Urban Villages and Transit contained in the Regulatory Plan. We further assert that the proposed configuration complies with the Comprehensive Plan goals for Major Transit Corridors.

The Landmarks and Urban Conservation Commission will hold a hearing on these matters beginning at 3:00 PM on Wednesday, April 13 in the Hearing Room in the basement of Plaza Del Sol at 400 Roma NW. In the interim, should you require more information, please contact myself at 724-3134 or Ms. Maryellen Hennessy at 924-3981.

Respectfully,


Dayna Crawford
Deputy Director, ABQ RIDE

This letter has been sent simultaneously to two elected representatives from:

Downtown Neighborhood Association
Raynolds Addition Neighborhood Association
Barelas Neighborhood Association
Silver Platinum Downtown Association
Broadway-Central Corridors Partnership
Villa De San Martin Homeowners Association
Citizens Information Committee of Martineztown

South Broadway Neighborhood Association
Huning Highland Historic District Association
Silver Hill Neighborhood Association
Spruce Park Neighborhood Association
Sycamore Neighborhood Association
Campus Neighborhood Association
Victory Hills Neighborhood Association

100 First Street SW, Albuquerque, NM 87102
t 505.724.3100 f 505.724.3111 v/tty 711 www.myabqrider.com

Hennessy, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Wednesday, April 27, 2016 10:01 AM
To: Hennessy, Maryellen; Rizzieri, Bruce; Crawford, Dayna G.; Mayor Berry; Dolan, Diane R.; Dietz, Daniel P.; Tebo, Christopher J.; Whitcomb, Blake; jwb@fbdlaw.com; mccalljo@nmia.com; pdinelli@aol.com; info@esvlawfirm.com; Bradley, Jennifer L.; Hoffman, Lou D.; Martinez, Ramona; Welch, Kevin; Howard, Natalie Y.; Casados, Trina M.; recardogonzales56@comcast.net; Dutch Vogel; Edward Tavasci; Nyira Gitana; Stella Padilla; Maria Bautista; dtwm@earthlink.net; Steve Schroeder; Salas, Alfredo E.; Brito, Russell D.; Yoshimura, Debra; Trollinger, Ryan E.; De La Cruz, Doreen; Webb, Andrew; Winklepleck, Stephani I.; Ortega, Crystal L.
Subject: LUCC APPLICATION AND HEARING PROCESS RULES VIOLATIONS
Attachments: 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-1.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-2.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-3.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-4.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-5.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-6.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-7.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-8.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-9.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-10.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-11.jpg; 2013.06.12-LUCC-Rules-of-Procedure-and-Conduct-12.jpg

April 27, 2016

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Project Number: 1010796
Case Number: 16-LUCC 50013

Ms Hennessy:

During the past week I have sent you three carefully researched and detailed letters regarding the inappropriate, improper, and probably illegal, April 13, 2016, LUCC Hearing.

The letters sent were as follows:

- On April 20th I pointed out that the required public notice signs were not properly posted.
- On April 21st I pointed out that the required Legal Notice was not properly published.
- On April 23rd I pointed out the improper and apparently illegal use of the name John Street in both legal notices, application submittals, and public discussion.

- In a letter begun on April 23rd and sent April 25th I pointed out the errors, the inappropriate public misdirection, and the apparent deficiencies regarding the Neighborhood Association letters that were sent.

Today I write once again. This time the topic is the flagrant disregard of the LUCC's own rules in the approach to, and the conduct of, the Hearing.

To begin, I reference my letter dated April 23, 2016, entitled in part "400 Roma," and by this reference refer you to, and incorporate into this letter, the content, the advisories, the qualifiers, the reservations, and the requests previously made.

LUCC Rules - Background:

On April 14, 2016, the day after the LUCC Hearing regarding an approximately .4 mile section of the *proposed* Albuquerque Rapid Transit (ART) Project, I met with both you and Alfredo Salas in a conference room on the 3rd Floor of 600 2nd Street in Albuquerque, New Mexico.

I note that the meeting began about 3:00 PM, that 600 2nd Street is also widely known as the "Aztec Building," (due to it's Mayan Pyramid type shape) and by some, mostly employed by the City, as "Plaza Del Sol."

The purpose of the meeting was to review the LUCC Case File #16-LUCC 50013. Pursuant to immediate concerns that I had regarding the "Exhibits" submitted pursuant to the Hearing, I requested from Mr. Salas, a copy of the LUCC Rules. He returned shortly with a seven-page document entitled, Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission. He presented me with a copy.

As I am sure you recall, I asked about the paucity of design and project details regarding the structures proposed as part of the project, specifically what has been promoted as a \$400,000 Walter Street BRT Station. You responded that the Exhibits were more "Illustrative" than "Details."

I believe that the Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission (hereinafter: "LUCC Rules"), adopted by the LUCC June 12, 2013, should put to rest any confusion regarding the above stated issues and matters.

LUCC Rules:

Note: The following passages are unnecessarily long due to the fact that the LUCC Rules are *not* (as of this date) available on line. Given the "transparency" initiative of the City Of Albuquerque, one would expect the LUCC Rules to be available on line.

PURPOSE AND INTENT - The LUCC Rules begin by establishing legal authority under the heading Purpose and Intent. I quote in relevant part:

- These Rules define procedures for the application, notification, and decision-making by the Landmarks and Urban Conservation Commission (LUCC).
- The Boards and Commission Ordinance § 2-6-1-4 C provides for Rules to be adopted for each board or commission and filed with the City Clerk bearing the signature of the presiding Officers.
- These Rules replace previous and all Rules contained in other LUCC handbooks and guideline documents.
- These Rules incorporate procedural issues in the LUC Ordinance § 14-12 and other ordinances, resolutions, plans, and guidelines under the LUCC's jurisdiction. These Rules may be revised or amended by a majority vote of the Landmarks and Urban Conservation Commission in accordance with provisions of Boards and Commissions Ordinance § 2-6-1-4-C."

C. APPLICATION - In *most* relevant part this section states:

- 2. Applicants should review their proposed projects with City staff prior to preparing final plans and submitting an application. Staff will determine the level of review required for the circumstances of the case.
- 3. An application for a Certificate of Appropriateness or a Certificate of Compliance shall be in writing on forms prescribed by the City. The application must include all items, as indicated by City staff and check/checked on the applicant's Form L Checklist and other Project Drawings Checklists provided by the City. The applicant shall provide sufficient copies of the submittal for the review as determined by the City. Incomplete submittals are grounds for a deferral or denial. Inaccurate information provided is grounds for a denial.
- 4. Drafting standards: In order to document and understand the exact nature of the proposed work, drawings must be submitted with the application. All drawings must be to scale, with the scale indicated on each drawing. Drawings may be by hand, but must present the project in a clear fashion. Drawings shall show the relationship of the project to the existing building(s), the surrounding neighboring structures, and the street context as applicable.
- Major design elements shall have the dimensions clearly indicated on the drawing(s). Examples of major design elements to show dimensions include roof heights, trusses, porches, overhangs, windows, doors, awnings, walls, fences, steps, decks, and *every major design element* intended for the final project. (Italics added.)
- **All plans submitted to the LUCC review must be able to be built as drawn.** If the City of Albuquerque requires a licensed design professional's stamp for the building permit, then a licensed design professional must design and draw the submittal for LUCC review. (Underlining and Bold type added.)
Note: The proposed project is a public works project, a licensed design professional's stamp is required.
- 5. Any documents, photos, plans, or other information provided to the City in conjunction with an application shall be available to the public.
- 6. For applications requiring a public hearing, all supporting materials and project plans must be submitted by the application deadline in order to allow time for analysis and preparation of a staff report and review by other agencies as appropriate. Any materials intended to be distributed to the LUCC with the staff report must be submitted at least a week prior to the hearing. If visual materials such as photographs are submitted, they should be identified as to location, photographer, date, and categorized into an exhibit sequence so that the LUCC may refer to one specific photograph or document as an exhibit. The LUCC may accept new materials at the public hearing subject to majority vote.

The reality:

The actual reality of what has occurred since March 4, 2016, when Dayna Crawford took the first step in the Albuquerque Transit Department's efforts to push through the total redesign, rebuilding, and fundamental removal of Central Avenue (as anyone now knows it) in the EDo (east downtown area of Albuquerque) is very different than what the LUCC Rules, as stated above, require.

Not a single document or drawing was submitted that had a "scale indicated on the drawing." Not a single document or drawing had provision for "a licensed design professional's stamp." Not a single document or drawing was "to scale." Not a single document or drawing or plan showed "the street context as applicable." No maps or plans were submitted showing BRT lanes, traffic lanes, traffic signal light relocations, electrical conduits, irrigation plans, ADA ramps, drainage, road surfacing, roadway plans, permanent signing, sign removal, tree removal, striping plans, loop detectors, drive pad details, intersection details, utility relocations and abandonments, that met the LUCC Rules requirement of "**All plans submitted to the LUCC review must be able to be built as drawn.**"

Even the \$400,000 "Walter Street Station" had no correct drawings or plans. A few artist sketches substituted for architectural and/or engineer drawings. Even the "information kiosk (aka the \$400,000 Walter Station)" had no foundation plans, no elevations, no "dimensions (that) include roof heights, overhangs, doors, awnings, walls." No "Walter Street Platform" dimensions were given, no lengths, no width, no depths. There were no details regarding ADA access at Walter Street, at Union Square Street, at Locust Street, or at any location along the subject .4 mile corridor.

There was no information about the location of bus stops to be abandoned and which, and where, bus stops would remain. There was no indication that "review by other agencies as appropriate" had ever occurred. There was no sign-off from police or fire. There was no indication that Municipal Development had ever seen or approved ANY drawings. Even the Parks & Recreation Department, to be eventually charged with median maintenance and care of street trees was not in evidence at the hearing, in the documents, or in any discussion.

The application itself is fatally flawed. The applicants contention is that "no structures" are involved in the project. (See: Form L of the application) This despite the fact that LUC Ordinance § 14-12-4 Definitions states, "STRUCTURE. Anything constructed or erected above ground level which requires location on the ground or attached to something having a location on the ground but not including a tent, vehicle, vegetation, or public utility pole or line." It appears that not one person from the City of Albuquerque Transit Department ever read the applicable regulations or LUCC Rules, or that if they did, they just didn't understand the most basic of basics, or they just didn't care.

The reality is that the City of Albuquerque actually has been very busy hiring qualified engineers and architects to develop all the drawings and plans. They hired HDR, a world-wide organization with local offices at 2155 Louisiana Boulevard, Suite 9500, Albuquerque, New Mexico 87110. The relevant drawing that SHOULD have been presented at the April 13, 2016, LUCC Hearing are contained in a reduced size in a Volume entitled: **City of Albuquerque, New Mexico ABQRIDE Construction Plans for Transit Department ABQ RIDE Central Avenue Albuquerque Rapid Transit COA Project No. 631991.**

The only problem is that the plans are not finished. The drawings **cannot be able to be built as drawn**. Not only that, there is no evidence that the drawings and plans even exist in the scale that is required for a project to be "**built as drawn**."

It is an interesting aside to review the actual "documents, photos, plans, or other information provided to the City in conjunction with an application." I have a full list. I can easily explain the situation and how I became aware of all of the probably (mostly) irrelevant information contained in the LUCC file.

Summary:

Complaints have been made about secrecy and false representations made by the City in regard to the ART Project. Most of those complaints involve the fairly distant past. In the case of the LUCC Hearing, the apparent ongoing abuses are very evident, and very timely. The concerns involve the immediate here and now.

Sincerely,
Donald Clayton

Hennessy, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Friday, April 29, 2016 3:13 PM
To: Howard, Natalie Y.; Evans, Linda; De La Cruz, Doreen; Hennessy, Maryellen; Rizzieri, Bruce; Crawford, Dayna G.; Mayor Berry; Dietz, Daniel P.; Whitcomb, Blake; Tebo, Christopher J.; Bradley, Jennifer L.; Martinez, Ramona; Biazar, Shahab; Campos, Gabriel J.; Webb, Andrew; Pena, Klarissa J.; Lewis, Dan P.; Dolan, Diane R.; Yoshimura, Debra; Salas, Alfredo E.; Brito, Russell D.; Hoffman, Lou D.; Ortega, Crystal L.; Welch, Kevin; Nick Pappas
Subject: RECORDS REQUEST
Attachments: 2016.04.27 LUCC ART Hearing Norification (1).jpg

April 27, 2016

Natalie Howard, MPA
City Clerk
City of Albuquerque
Office of the City Clerk
600 2nd Street - Room 720
Albuquerque, NM 87102

Linda Evans
Senior Administrative Assistant - One Stop Shop
Custodian of Public Records
Planning Department
City of Albuquerque
600 2nd Street - Room 201
Albuquerque, NM 87102

Doreen De La Cruz
Executive Assistant
Custodian of Public Records
City of Albuquerque Transit Department
City of Albuquerque
8001 Daytona Road NW
Albuquerque, NM 87121

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque
600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Please enclose this document in the appropriate LUCC file.

Project Number: 1010796
Case Number: 16-LUCC 50013

Also: Central Avenue Albuquerque Rapid Transit COA Project No. 631991 - a project segment located on or near the public R.O.W. between Union Square Street and Locust Avenue on the north side of Central Avenue and between Union Square Street and an unmarked freeway on-ramp on the south side of Central Avenue, said to be Locust Street (This project segment hereinafter referred to as: "Project Number 631991").

Mses Howard, Evans, De La Cruz, and Hennessy:

Synopsis and Summary of Request(s):

This letter document is first and foremost a formal **PUBLIC RECORDS REQUEST**. This letter document also requests, "in the interest of time," the *immediate* withdrawal of the City of Albuquerque Transit Department application in the above referenced project and case, a case that is the sole cause of this records request.

• History

On March 9, 2016, the City of Albuquerque Transit Department (hereinafter: "Transit") submitted an application for an LUCC Hearing. The procedures followed were significantly deficient, as alleged and identified in five letter documents written and sent by myself (Donald Clayton) between April 20th and April 27th, 2016. The letters are contained in the above referenced project and case LUCC file.

In partial remedy of the stated deficiencies, LUCC staff and Transit staff, caused the publishing of a new Legal Notice, a reposting of signs, and a rewording and resending of "Neighborhood Association" letters.

The new signs and Legal Notice are not supported by either a new application or an amended application. This fact creates a great and self-evident, public and administrative confusion regarding the legitimate subject of the case and the purpose of the hearing, to wit: "Roadwork and Street Furniture between John Street and Locust Street" and "Construction of a bus loading platform between Union Square Street and Locust Street."

This second Legal Notice was not accompanied with even so much as a *site plan* that indicated whether the "bus loading platform" was in fact the proposed "Walter Street BRT Station" (discussed at length in the faulty April 13, 2016, LUCC Hearing) or whether it was, in fact, a "bus loading platform" to extend the *entire distance* along Central Avenue between Union Square Street and Locust Street.

• Legal issues:

It should not have to be the responsibility of a citizen to point out, and recite, the Rules and laws applicable to the convening of a simple public hearing. In this case it has been, and was.

The prodigious and rampant violations are, and were, as stated before, self evident. They continue. They continue despite repeated good faith, and diligent efforts to clarify and rectify the LUCC hearing situation. Ample citation to authority exists in the aforementioned letters, letters which are herein referenced, and by such reference incorporated as a part of *this* letter document.

The gravest legal issue at hand is the requirement of the submission (pursuant to Rules of Procedure and Conduct - Landmarks and Urban Conservation Commission (hereinafter: "LUCC Rules"), adopted by the LUCC June 12, 2013) of:

- **All plans submitted to the LUCC review must be able to be built as drawn.** If the City of Albuquerque requires a licensed design professional's stamp for the building permit, then a licensed design professional must design and draw the submittal for LUCC review. (Underlining and Bold type

added.)

Note: The proposed project is a public works project. A licensed design professional's stamp is required.

- 5. Any documents, photos, plans, or other information provided to the City in conjunction with an application shall be available to the public.

And:

- LUC Ordinance § 14-12-4 Definitions states, "STRUCTURE. Anything constructed or erected above ground level which requires location on the ground or attached to something having a location on the ground but not including a tent, vehicle, vegetation, or public utility pole or line."

The fact is that virtually no drawings, plans, or documents whatsoever have been submitted by Transit, in support of the application, pursuant to the Rules and laws.

The fact is that the documents and "illustrative" artist renderings do not comport with the legal requirements of the City Council resolution of March 21st, relevant to this project. Simply put, the "illustrative" Station (now *platform*) lane widths are wrong.

It should be noted that pursuant to the Legal Notice published in the *Albuquerque Journal* on April 27, 2016, I, Donald Clayton, on April 28, 2016, "examined (the deficient application) on the third floor of the Plaza Del Sol building, 600 2nd St. NW" and found no new or additional drawings, plans, site plans, or documents relevant or responsive to the laws and Rules cited above. The absence of the required records from the required LUCC file is the sole cause of this records request.

Public urgency, health, and safety:

It is my information and belief that the issues at hand, consequent to a proper and necessary LUCC Hearing, is of grave and *urgent* import to the public need, the public health, and the public safety.

Project Number 631991 and Project Number 1010796 are in virtually all respects one and the same. The project calls for the functional obliteration of Central Avenue as it now exists. It calls for the removal and/or destruction of approximately 35 mature and healthy, large caliper, trees. The project calls for the reduction and elimination of existing and functional ADA ramps, to be replaced by dangerous and complicated ADA configurations that are unquestionably destructive and unworkable. The project calls for insufficiently protected mid-street platform(s) that constitute a clear threat of bodily injury, or possibly death, of proposed transit users. The project calls for the reduction and elimination of necessary beneficial sidewalks. The project calls for the construction of large, probably inappropriate, garish illuminated signs, and other signs, apparently incompatible with the history, scale, feel, and scope of the EDo historic neighborhood.

There are numerous other equally relevant design and construction issues immediately relevant to just the "bus loading platform," much less the relevant project as it was suggested to be in the original application.

RECORDS REQUEST

Issues and background:

This records request cannot be viewed as "normal." It is necessitated by an unanticipated event, to wit, the fact that if compliance is delayed for the 15 days allowed, or even 10, the rights of the public are endangered and the public safety is put in peril, especially the safety of those that are least mobile in their ability to be aware, to review, and to respond - the ADA community.

This fact is compounded by the documented fact that Transit has illegally delayed, obfuscated, and ignored past public records requests to the decree that clearly suggests that it is not "a mistake," but a deliberate pattern.

Evidence of this pattern is manifold and manifest. It begins with the dearth of relevant public records at public meetings, it continues with a failure to provide available and relevant documents on the brtabq.com official website, it is most manifest in the failure of Transit to provide the public documents required by LUCR Rules, and finally it is evident by my numerous, clearly stated pleadings for the proper documents to be included in the LUCR file.

Not included in the above, is the clearly documented failure of Transit to properly and legally respond to two separate formal written records requests, the first dated April 6, 2016, and the second April 12, 2016.

In the first instance, the Transit Custodian not only failed to respond within three days, but when she did respond, she immediately invoked the 15-day provision, even though the records were not in her custody. As it turned out, the records were made available (by another Department) in eight days, but not until considerable obfuscation based on an effort to make an electronic version available that was not functional. Further, the records custodian of the Finance and Administration Department, the department where the Transit records were, for some unknown reason exclusively deposited, failed to respond in any way to the written request she received. (Full documentation of this entire incident is available upon request.)

I have been loath to make formal records requests when simple oral informal requests should suffice. Such requests began in March 17, 2016, with inquires to Kevin Welch, of Transit. Since then, Transit has repeatedly refused to provide information, resulting in the formal requests, and pleadings, stated above.

After 40 days, documentation is still disastrously deficient. The time and the hour has grown short, it is down to 13 days before the hearing. Lives, are apparently literally at stake, as the following records request will show.

Summary and theory of request:

The request is for **all information** regarding the "bus loading platform between Union Square Street and Locust Street." It also includes information on all legally defined "Structures," if any such additional structures are in any way a part of either of the two above stated projects, as may be reasonably inferred by the Exhibits submitted pursuant to the original application. **It is understood that any Structures *not* produced in this records request are not to be built in the subject R.O.W.**

The following information is to provide guidance for the records request, so that the issues can be understood, in order to determine if relevant records are readily accessible, or even if they exist. Please note ***Priority of Production*** (below).

Timeliness. The request is to be able to review the records at a time that is timely to the situation at hand. The timeliness of the response must allow sufficient and reasonable time to review the records, order or make applicable copies, and have time for competent engineering review, or other review of the facts and the documents produced.

Severability. If any document, page, drawing, plan, or other information is immediately available, then the request is to review that portion of production immediately, and not to withhold the totality of production to a time when all requested public information is made available.

Reasonable specificity. If documents, pages, drawings, plans, or other information are available, it is requested that the response be put in writing, with reasonable specificity, indicating the location of the document and the specific subject matter reasonably stated.

Reference to any document or information said to be contained on the brtabq.com webpage should have a dedicated, one-step URL, or the request is to review a hard-copy version. Specific information is requested. If the responsive tome is greater than 9 pages, a specific and accurate page number is requested.

Priority of production. It is the belief of the requestor that the most urgent production involves what was once called the "Walter Street Station" and is now referred to as "a bus loading platform." It is further believed, but not known, that there is no intention by Transit to build "a bus loading platform" for the Albuquerque Rapid Transit project in public Right-of-way on Central Ave. between Union Square (John St.) and Locust Streets in the Huning Highland-East Downtown Urban Conservation Overlay Zone." in an area and location undefined by a site plan.

It is believed that the Walter Street Station, aka bus loading platform, has been proposed as consisting of five (5) component parts:

- **1. PLATFORM** A reinforced concrete platform of unknown height, length, width, foundation, surfacing, amenities, and other physically important features. The platform is said to incorporate ADA compliant ramps.
- **2. MONUMENTS** Two additional structures on top of, next to, or possibly structurally incorporated with the platform, termed "Monuments" are to be located at both the east end and west end of the platform. These monuments are of unknown dimensions, engineering, and design.
- The best available, most current, existing information places these monuments within the designated ADA ramp areas, not next to them. The monuments have been represented to double as a protective barrier for the ADA ramps and for anyone needing to use the platform for Transit purposes, or for crossing an (to be) obstructed (and destroyed and eliminated) existing Central Avenue intersection.
- No reviewable design information has been made available that would indicate that these (probably) concrete barriers are capable of withstanding the weight of a direct impact from a typical (for the corridor) legally large truck, much less a bus or even a passenger car. The barrier would be brittle if impacted, sending flying shards of concrete into the immediately adjacent ADA ramp, and possibly much of the platform passenger area.
- It is the information and belief of the requestor that, at a minimum engineered stanchions of significant size, concrete guard rails, or heavy steel guard rails might be necessary to protect passengers, pedestrians, and ADA people from the dangers inherent in this center-of-street platform.
- If so, the new protective structures would have a major impact on the urban character of the protected historical zone.
- Further, any engineered design would be meaningless unless soil studies have been performed that validate the structural design assumptions of a "one size fits all" monument design of life-saving importance. It is the requestors belief that such soil studies and analysis have not been performed.
- **3. 26' SIGNS** The soil studies apply too, to the two 26' tall signs proposed, but apparently not engineered, for the platform. There is no evidence that the flashing LED lights, nor the finalized sign colors, have been submitted to the State Historical Protection Officer (SHPO) for this specific location, as required by City Ordinance. It is the requestors belief that such signs are inconsistent and inappropriate for this historic portion of Central. Without engineering details describing wind load calculations, it can be assumed that the signs are dangerous and constitute a traffic and transportation corridor hazard.
- **4. INFORMATION KIOSK** In what has been presented as an "information kiosk" of unknown dimensions, footing, and foundation, lies a formidable obstacle to the entire functioning of the proposed BRT platform. The existing scale drawings (not a part of the application) suggest that the kiosk is a fixed building with access doors and panels that would obstruct the very narrow bus boarding and pedestrian transfer functions of the proposed platform.
- The scale suggests that the kiosk is at least 2.5 feet in width, leaving only 5.5 feet on an 8' (possible unconfirmed area) width - leaving only 2'9" on each side of an apparently 18' long structure for bicycles and wheelchairs to navigate. Since an average wheelchair is 32" wide, and calculating areas for hand holds and purses or sweaters, the functional wheelchair width is at least 40". 40" times 2 is 80 inches, or 6' 8", which means that transiting wheelchairs would have to use the 2' alert bump (yellow danger) area

for each and every use of the platform (station). Many bicycle users would be confronted with even bigger problems.

- It is important to remember that it is (possibly) a 16 inch drop-off, with no guardrail protection, from the yellow bump-zone mat to the dedicated BRT concrete corridor. The tentative design of the platform appears to be a liability nightmare.
- **5. LIGHT STANDARDS** Again, very few details are known about the six (6) light standards that are proposed to be part and parcel to the engineered platform. It appears that they may be unserviceable unless a truck is used that would interfere with the dedicated BRT lane, which means that burned out lights could not be changed at night until after the end of BRT service, creating a danger to nighttime users of the platform.
- **6. Railings and Street Furniture** Proposed to be attached to the platform are waste receptacles, a single bench of no stated seating capacity, height, or design, and "safety" railings. Existing drawing suggest the railings are not ADA compliant. The single bench could further inhibit the boarding and pedestrian transit functions of the platform.
- **7. NO SHELTER** The "platform" was represented publicly as being a \$400,000 BRT Station. The platform is not compliant with national standards (See: 2.3) for BRT service, it is not even a basic bus "shelter", as it has no ability to "protect passengers from weather conditions." The creation of this platform would most probably contribute to health adversity and a reduction of quality of life of users of the platform.

REQUEST TO INSPECT PUBLIC RECORDS

To the above stated records Custodians, hello:

My name is Donald Clayton. My address is 1514 Silver Avenue NW, Albuquerque NM 87104. My telephone number is 505 / 842-1499. My email address is cityofnikko@gmail.com

I would like to inspect the public records relative to, and relevant to, the projects as defined and stated above, and as defined in § 14-2-6. E. of the NM Inspection of Public Records Act. I specifically, first, and foremost, request records related to the "Walter Street Station and "bus platform" that constitute proposed construction for the *potentially* federally funded Albuquerque Rapid Transit (ART) Project.

I specifically refer you to HDR contracted records, to Studio Hill Design contracted records, to Bradbury Stamm surveys and contracted records, other architectural records, and records contained in the Office of the City Engineer, City of Albuquerque.

I also specifically refer to drawings, diagrams, special effects, and plans produced and created by Transit at public expense.

I specifically caution against the withholding of public records based on any general theory of competitive disadvantage, as the argument is herein made that the process of a proper public administration, and the issue of public input, and of the urgent issue of public safety, outweigh private party *business* decisions.

Signed: /s/ Donald Clayton

P.S. If, at any time, on any date, the above referenced Transit application is officially withdrawn, pursuant to published legal notice, and notice to me, I herein immediately withdraw any further performance pursuant to this records request.



**LEGAL NOTICE TO ALL
PARTIES AND CITIZENS IN
INTEREST:**

Notice is hereby given that the Landmarks and Urban Conservation Commission will hold a Public Hearing on Wednesday, May 11, 2016, at 3:00 p.m., Basement Hearing Room, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM. Public comments are welcome. Copies of the applications may be examined on the third floor of the Plaza del Sol building, 600 2nd St. NW.

**Project # 1010802
16-LUCC-50015**

Application for Certificate of Appropriateness Elliot Treveston Agent for CTB Development requests approval of a Certificate of Appropriateness for new construction at 509 and 511 High street SE, described as Lot 3A and 3B, Block 30, Huning Highlands addition. (K-14)

**Project # 1010796
16-LUCC-50013**

Application for Certificate of Appropriateness City of Albuquerque Transit Department requests approval of a Certificate of Appropriateness for alterations and construction of a bus loading platform for the Albuquerque Rapid Transit project in Public Right-of-way on Central Ave. between Union Square (John St.) and Locust Streets in the Huning Highland-East Downtown Urban Conservation Overlay Zone. (K-14 & K-15).

Hennessy, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Friday, April 29, 2016 6:38 PM
To: Howard, Natalie Y.; Evans, Linda; De La Cruz, Doreen; Hennessy, Maryellen; Rizzieri, Bruce; Crawford, Dayna G.; Mayor Berry; Dietz, Daniel P.; Whitcomb, Blake; Tebo, Christopher J.; Bradley, Jennifer L.; Martinez, Ramona; Biazar, Shahab; Campos, Gabriel J.; Webb, Andrew; Pena, Klarissa J.; Lewis, Dan P.; Dolan, Diane R.; Yoshimura, Debra; Salas, Alfredo E.; Brito, Russell D.; Hoffman, Lou D.; Ortega, Crystal L.; Welch, Kevin; Nick Pappas
Subject: Re: RECORDS REQUEST

I apologize for the inadvertent error regarding the date on the RECORDS REQUEST. The date should be April 29, 2016, not April 27, 2016. The three day response period would begin on Monday, May 2, 2016.

Sincerely,
Donald Clayton

On Fri, Apr 29, 2016 at 3:12 PM, Donald Clayton <cityofnikko@gmail.com> wrote:

April 27, 2016

Natalie Howard, MPA
City Clerk
City of Albuquerque
Office of the City Clerk
600 2nd Street - Room 720
Albuquerque, NM 87102

Linda Evans
Senior Administrative Assistant - One Stop Shop
Custodian of Public Records
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Maryellen Hennessy
Senior Planner
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Please enclose this document in the appropriate LUCC file.

Project Number: 1010796
Case Number: 16-LUCC 50013

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Mses Howard, Evans, De La Cruz, and Hennessy:

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In the first instance, the Transit Custodian not only failed to respond within three days, but when she did respond, she immediately invoked the 15-day provision, even though the records were not in her custody. As it turned out, the records were made available (by another Department) in eight days, but not until considerable obfuscation based on an effort to make an electronic version available that was not functional. Further, the records custodian of the Finance and Administration Department, the department where the Transit records were, for some unknown reason exclusively deposited, failed to respond in any way to the written request she received. (Full documentation of this entire incident is available upon request.)

I have been loath to make formal records requests when simple oral informal requests should suffice. Such requests began in March 17, 2016, with inquires to Kevin Welch, of Transit. Since then, Transit has repeatedly refused to provide information, resulting in the formal requests, and pleadings, stated above.

After 40 days, documentation is still disastrously deficient. The time and the hour has grown short, it is down to 13 days before the hearing. Lives, are apparently literally at stake, as the following records request will show.

Summary and theory of request:

The request is for **all information** regarding the "bus loading platform between Union Square Street and Locust Street." It also includes information on all legally defined "Structures," if any such additional structures are in any way a part of either of the two above stated projects, as may be reasonably inferred by the Exhibits submitted pursuant to the original application. **It is understood that any Structures *not* produced in this records request are not to be built in the subject R.O.W.**

The following information is to provide guidance for the records request, so that the issues can be understood, in order to determine if relevant records are readily accessible, or even if they exist. Please note ***Priority of Production*** (below).

Timeliness. The request is to be able to review the records at a time that is timely to the situation at hand. The timeliness of the response must allow sufficient and reasonable time to review the records, order or make applicable copies, and have time for competent engineering review, or other review of the facts and the documents produced.

Severability. If any document, page, drawing, plan, or other information is immediately available, then the request is to review that portion of production immediately, and not to withhold the totality of production to a time when all requested public information is made available.

Reasonable specificity. If documents, pages, drawings, plans, or other information are available, it is requested that the response be put in writing, with reasonable specificity, indicating the location of the document and the specific subject matter reasonably stated.

Reference to any document or information said to be contained on the brtabq.com webpage should have a dedicated, one-step URL, or the request is to review a hard-copy version. Specific information is requested. If the responsive tome is greater than 9 pages, a specific and accurate page number is requested.

Priority of production. It is the belief of the requestor that the most urgent production involves what was once called the "Walter Street Station" and is now referred to as "a bus loading platform." It is further believed, but not known, that there is no intention by Transit to build "a bus loading platform" for the Albuquerque Rapid Transit project in public Right-of-way on Central Ave. between Union Square (John St.) and Locust Streets in the Huning Highland-East Downtown Urban Conservation Overlay Zone." in an area and location undefined by a site plan.

It is believed that the Walter Street Station, aka bus loading platform, has been proposed as consisting of five (5) component parts:

- **1. PLATFORM** A reinforced concrete platform of unknown height, length, width, foundation, surfacing, amenities, and other physically important features. The platform is said to incorporate ADA compliant ramps.
- **2. MONUMENTS** Two additional structures on top of, next to, or possibly structurally incorporated with the platform, termed "Monuments" are to be located at both the east end and west end of the platform. These monuments are of unknown dimensions, engineering, and design.
- The best available, most current, existing information places these monuments within the designated ADA ramp areas, not next to them. The monuments have been represented to double as a protective barrier for the ADA ramps and for anyone needing to use the platform for Transit purposes, or for crossing an (to be) obstructed (and destroyed and eliminated) existing Central Avenue intersection.
- No reviewable design information has been made available that would indicate that these (probably) concrete barriers are capable of withstanding the weight of a direct impact from a typical (for the corridor) legally large truck, much less a bus or even a passenger car. The barrier would be brittle if impacted, sending flying shards of concrete into the immediately adjacent ADA ramp, and possibly much of the platform passenger area.
- It is the information and belief of the requestor that, at a minimum engineered stanchions of significant size, concrete guard rails, or heavy steel guard rails might be necessary to protect passengers, pedestrians, and ADA people from the dangers inherent in this center-of-street platform.
- If so, the new protective structures would have a major impact on the urban character of the protected historical zone.
- Further, any engineered design would be meaningless unless soil studies have been performed that validate the structural design assumptions of a "one size fits all" monument design of life-saving importance. It is the requestors belief that such soil studies and analysis have not been performed.
- **3. 26' SIGNS** The soil studies apply too, to the two 26' tall signs proposed, but apparently not engineered, for the platform. There is no evidence that the flashing LED lights, nor the finalized sign colors, have been submitted to the State Historical Protection Officer (SHPO) for this specific location, as required by City Ordinance. It is the requestors belief that such signs are inconsistent and inappropriate for this historic portion of Central. Without engineering details describing wind load calculations, it can be assumed that the signs are dangerous and constitute a traffic and transportation corridor hazard.
- **4. INFORMATION KIOSK** In what has been presented as an "information kiosk" of unknown dimensions, footing, and foundation, lies a formidable obstacle to the entire functioning of the proposed BRT platform. The existing scale drawings (not a part of the application) suggest that the kiosk is a

fixed building with access doors and panels that would obstruct the very narrow bus boarding and pedestrian transfer functions of the proposed platform.

- The scale suggests that the kiosk is at least 2.5 feet in width, leaving only 5.5 feet on an 8' (possible unconfirmed area) width - leaving only 2'9" on each side of an apparently 18' long structure for bicycles and wheelchairs to navigate. Since an average wheelchair is 32" wide, and calculating areas for hand holds and purses or sweaters, the functional wheelchair width is at least 40". 40" times 2 is 80 inches, or 6' 8", which means that transiting wheelchairs would have to use the 2' alert bump (yellow danger) area for each and every use of the platform (station). Many bicycle users would be confronted with even bigger problems.
- It is important to remember that it is (possibly) a 16 inch drop-off, with no guardrail protection, from the yellow bump-zone mat to the dedicated BRT concrete corridor. The tentative design of the platform appears to be a liability nightmare.
- **5. LIGHT STANDARDS** Again, very few details are known about the six (6) light standards that are proposed to be part and parcel to the engineered platform. It appears that they may be unserviceable unless a truck is used that would interfere with the dedicated BRT lane, which means that burned out lights could not be changed at night until after the end of BRT service, creating a danger to nighttime users of the platform.
- **6. Railings and Street Furniture** Proposed to be attached to the platform are waste receptacles, a single bench of no stated seating capacity, height, or design, and "safety" railings. Existing drawing suggest the railings are not ADA compliant. The single bench could further inhibit the boarding and pedestrian transit functions of the platform.
- **7. NO SHELTER** The "platform" was represented publicly as being a \$400,000 BRT Station. The platform is not compliant with national standards (See: 2.3) for BRT service, it is not even a basic bus "shelter", as it has no ability to "protect passengers from weather conditions." The creation of this platform would most probably contribute to health adversity and a reduction of quality of life of users of the platform.

REQUEST TO INSPECT PUBLIC RECORDS

To the above stated records Custodians, hello:

My name is Donald Clayton. My address is 1514 Silver Avenue NW, Albuquerque NM 87104. My telephone number is 505 / 842-1499. My email address is cityofnikko@gmail.com

I would like to inspect the public records relative to, and relevant to, the projects as defined and stated above, and as defined in § 14-2-6. E. of the NM Inspection of Public Records Act. I specifically, first, and foremost, request records related to the "Walter Street Station and "bus platform" that constitute proposed construction for the *potentially* federally funded Albuquerque Rapid Transit (ART) Project.

I specifically refer you to HDR contracted records, to Studio Hill Design contracted records, to Bradbury Stamm surveys and contracted records, other architectural records, and records contained in the Office of the City Engineer, City of Albuquerque.

I also specifically refer to drawings, diagrams, special effects, and plans produced and created by Transit at public expense.

I specifically caution against the withholding of public records based on any general theory of competitive disadvantage, as the argument is herein made that the process of a proper public administration, and the issue of public input, and of the urgent issue of public safety, outweigh private party *business* decisions.

Signed: /s/ Donald Clayton

P.S. If, at any time, on any date, the above referenced Transit application is officially withdrawn, pursuant to published legal notice, and notice to me, I herein immediately withdraw any further performance pursuant to this records request.

Hennessy, Maryellen

From: Donald Clayton <cityofnikko@gmail.com>
Sent: Monday, May 02, 2016 9:02 AM
To: Maria Bautista; Steve Schroeder; pdinelli@aol.com; Nyira Gitana; Stella Padilla; Edward Tavasci; dtwm@earthlink.net; Dutch Vogel; ricardogonzales56@comcast.net; jwb@fbdlaw.com; mccalljo@nmia.com; McKay, Dan; Nick Pappas; Ortega, Crystal L.; Winklepleck, Stephani I.; Webb, Andrew; De La Cruz, Doreen; Dietz, Daniel P.; Dolan, Diane R.; Hennessy, Maryellen; Salas, Alfredo E.; Brito, Russell D.; Tebo, Christopher J.; Whitcomb, Blake; Rizzieri, Bruce; Crawford, Dayna G.; Bradley, Jennifer L.; Welch, Kevin; Martinez, Ramona; Lewis, Dan P.; Casados, Trina M.; Evans, Linda; Pena, Klarissa J.; Howard, Natalie Y.; JBernstein@flyingstarcafe.com; yolanda@gallegoslegalgroup.com; anthony@anella.com; pilonsteve@gmail.com; rob@strelldesign.com; hookerx2@msn.com; leba4@aol.com; sricdon@earthlink.net; D'val Westphal; info@esvlawfirm.com; Dennis Freeabq
Subject: RECORDS REQUEST VIOLATION & RECORDS REQUEST

May 2, 2016

Natalie Howard, MPA
City Clerk
City of Albuquerque
Office of the City Clerk
600 2nd Street - Room 720
Albuquerque, NM 87102

Linda Evans
Senior Administrative Assistant - One Stop Shop
Custodian of Public Records
Planning Department
City of Albuquerque
600 2nd Street - Room 201
Albuquerque, NM 87102

Doreen De La Cruz
Executive Assistant
Custodian of Public Records
City of Albuquerque Transit Department
City of Albuquerque
8001 Daytona Road NW
Albuquerque, NM 87121

Maryellen Hennessy
Senior Planner
Landmarks and Urban Conservation
Current Planning Division
Planning Department
City of Albuquerque

600 2nd Street - 3rd Floor
Albuquerque, NM 87102

Please enclose this document in the appropriate LUCC file.

THIS IS A PUBLIC RECORD

Project Number: 1010796

Case Number: 16-LUCC 50013

Mses Howard, Evans, De La Cruz, and Hennessy:

This letter is being written pursuant to a request for public records written by me first on April 20th, repeated on April 21st, and repeated by clear reference and incorporation on April 23rd, April 25th, and April 27th, all in the year 2016.

I make reference to my public records letters in the designated LUCC file, and by reference incorporate the contents of those letters herein.

The request specifically stated:

"I request that you provide me with an email address for each named member of the Landmarks and Urban Conservation Commission (hereinafter: "LUCC"). The immediate reason for this timely request is that each member of the LUCC can be informed of this, and other, timely and pertinent documents pertaining to the project and hearing."

If you are a Records Custodian receiving this communication, it is because the records request was not properly forwarded to you previously by properly trained and responsible city employees, pursuant to written and posted city policy.

Discussion:

The above stated records request, made in writing, and communicated through email, properly contained the name, the address, the telephone number, and the email address of the person requesting the records; therefore, the person requesting the records is legally eligible for penalties and sanctions, pursuant to the NM Public Records Act.

The request, and repeated requests, involved issues regarding the *status* of a public hearing by a public board or commission (See: City Ordinance § 2-6-1, PUBLIC BOARDS COMMISSIONS AND COMMITTEES). The allegation was that the status of the hearing was improper and possibly illegal.

The argument could be made that the information was not provided on either of two grounds: 1. That the record did not exist; 2. That the use of the record would be an improper *ex parte* communication.

Both arguments are specious. The records could be found in applications, in "advice and consent of the Council," in Mayoral documents, or possibly in records of LUCC staff communications. Regardless, the procedure for a records request is to provide a three day letter stating the situation, such was not done.

The second argument, regarding perceptions of *ex parte* communications, would be wrong. I cite: 12 CFR 263.9. "§ 263.9 *Ex parte* communications.

Definition - Ex parte communication means any material oral or written communication relevant to the merits of an adjudicatory proceeding that was neither on the record nor on reasonable prior notice to all parties that takes place between: An interested person outside the Board (including such person's counsel); and The administrative law judge handling that proceeding, a member of the Board, or a decisional employee.

Exception - A request for status of the proceeding does not constitute an *ex parte* communication.

While the above citation is specifically relevant to federal law, I believe that the premise contained therein is binding.

The greater argument is whether the intent of the person requesting the records was to engage in an *ex parte* communication. It was not. The person requesting the records anticipated that the list of "ALL PARTIES AND CITIZENS IN INTEREST" regarding the project and case would be in the LUCC file so that such parties and citizens who spoke at the hearing could be notified. The list of "CITIZENS IN INTEREST" was not properly made available by LUCC staff.

The egregious nature of the situation is further compounded by the fact that the person requesting the records specifically stated that, "I am willing to meet with appropriate City of Albuquerque legal representatives to discuss this, and other related issues at hand, pertinent to this project and case." There was no effort by such officers of the court to properly discuss any concerns, or any issue.

Assignment and subrogation:

LUCC staff has apparently assigned themselves the responsibility of determining the appropriateness of the LUCC Hearing. There is no evidence in the appropriate LUCC file that the issues raised regarding status have been communicated to members of the Commission. While relevant communications have been added to the file, there is no LUCC Rule that requires, or anticipates, that the file will be read prior to an actual LUCC Hearing, and even then, the preponderance of the file suggests that the bulk of the file will never be properly read. Hence, the necessity, and advisability, of a direct and timely email communication to ALL parties involved.

Without such communication and careful consideration a proper, legal, and fair, LUCC Hearing is impossible.

Without in any way relinquishing any rights pursuant to any existing violation of THE INSPECTION OF PUBLIC RECORDS ACT NMSA 1978, Chapter 14, Article 2 in this case and this matter, I herein make the following *additional* request.

REQUEST TO INSPECT PUBLIC RECORDS

I would like to inspect the following public records as defined in § 14-2-6. E NMSA:

Reasonable particularity:

1. A list, if any, containing the names, addresses, telephone numbers, and/or email addresses of the LUCC Commission.
2. Any document, from any source held by the City of Albuquerque, that would contain any of the above requested information. Only one document for any email, any telephone number, or any address, for any specific Commission member is requested.
3. The purpose of this request is to obtain all relevant telephone numbers, addresses, and email addresses for ALL members of the LUCC Commission.
4. The names and information contained on the 'sign in to speak' sheet that was made a part of the April 13, 2016, LUCC Hearing.
5. The names, email addresses, addresses, and telephone numbers for "ALL PARTIES" having standing in the above stated LUCC project and case.

Due diligence:

If the public records are not within your immediate possession or responsibility, I request that pursuant to § 14-2-8. E, that you practice due diligence as required by law.

Timeliness:

The public records requested are necessary for purposes, among others, of civil rights pursuant to a public meeting.

My name is Donald Clayton. My address is 1514 Silver Avenue SW, Albuquerque NM 87104. My telephone number is 505 / 842-1499. My email address is cityofnikko@gmail.com

Respectfully submitted,
Donald Clayton

LANDMARK AND URBAN CONSERVATION COMMISSION

**In the Matter of City of Albuquerque
Application for Certificate of Appropriateness**

**Project # 1010796
16-LUCC-50013**

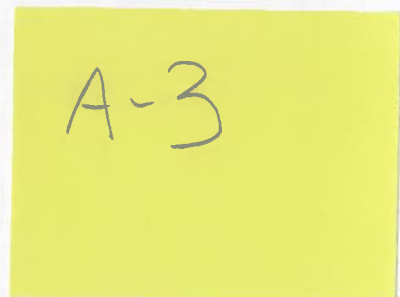
COMMENTS



Respectfully Submitted By:

**Anthony Anella
103 Dartmouth Drive SE
Albuquerque, NM 87106**

Date: May 2, 2016



I. INTRODUCTION

I am writing to urge the Landmark and Urban Conservation Commission "LUCC" or "the Commission") to deny the City of Albuquerque's request for Certificate of Appropriateness with regard to the construction, alteration, and demolition it proposes in the Huning Highland-East Downtown Urban Conservation Overlay Zone in connection with its Albuquerque Rapid Transit (ART) project and to broaden its scope of inquiry of the ART impact on the City's historical resources.

On April 13, 2016 the Commission met to consider the City of Albuquerque Transit Department's request for approval of a Certificate of Appropriateness for Roadwork in Public Right-of-way on Central Ave. between John and Locust Streets in the Huning Highland-East Downtown Urban Conservation Overlay Zone. In response to concerns raised by the public regarding whether the station at Walter and Central respected the character and history of the area, whether the station provided appropriate shelter from the elements, the need for additional parking, and the elimination of left turns, the Commission decided to delay its decision on the City's request.

II. CURRENT APPLICATION BEFORE COMMISSION

First, I write to urge the Commission to deny the City's application because of how severely it will impair the integrity and aesthetics of the Huning Highland-EDO neighborhood and the devastating impact it will have on the human environment in that area including the impact on merchants along and adjacent to the ART route. These impacts are described in detail in the attached declarations of (1) Professor Paul Lusk, (2) Jean Bernstein, (3) Doug Peterson, and (4) Steve Paternoster. *See attached.*

III. THE COMMISSION MUST EXPAND ITS SCOPE OF INQUIRY TO MEET ITS LEGAL OBLIGATIONS

I am also writing to ask the Commission to expand its inquiry into the entire route of the proposed ART project and to require the City to submit applications for certificates of appropriateness for all of the historic overlay zones along the route rather than considering only Huning Highland, EDO. I am making this request because the City's proposed ART route intrudes directly and indirectly also on the Fourth Ward Historic Overlay Zone, the Old Town Historic Zone, and several landmarks including, but not limited to, the Occidental Life Building, the Sunshine Building, the Lofts at Albuquerque High, Kelly's Restaurant, First Consignment, and Cold Stone Creamery, the El Vado, Old Main Library, and Roosevelt Park.

As described by Parson Brinckerhoff, Inc., the contractor designated to inventory historic resources by the City of Albuquerque, the proposed ART route is densely filled with historic gems:

The investigations identified 138 historic buildings and four historic districts. A cultural landscape was also considered.

While many of the identified buildings had been previously documented, only a few have been submitted to HPD with NRHP eligibility recommendations:

- 10 are currently listed on the NRHP;
- 5 have been previously recommended eligible for listing on the NRHP;
- 4 have been previously recommended not eligible for listing on the NRHP;
- 82 are recommended eligible to the NRHP as a result of the current investigation;
- 36 are recommended not eligible to the NRHP as a result of the current investigation; and
- 1 building has an undetermined eligibility status as a result of the current investigation

Cultural Resources Inventory, ART (Parsons Brinckerhoff, Inc. March 12 2015) ([http://abqbrt.blob.core.windows.net/resources/Central_ART_CR_Report_final_3-12-15\(public_access\).pdf](http://abqbrt.blob.core.windows.net/resources/Central_ART_CR_Report_final_3-12-15(public_access).pdf)).

It is my understanding the Commission may be under the impression that its jurisdiction is limited to scrutiny of impact on urban conservation overlay zones, but this is not accurate. First, the intent in creating the Commission is to protect all of the City's historical and cultural assets:

The purpose of this article is to preserve, protect, enhance, perpetuate, and promote the use of structures and areas of historical, cultural, architectural, engineering, archeological, or geographic significance located in the city; to strengthen the city's economic base by stimulating the tourist industry; to enhance the identity of the city by protecting the city's heritage and prohibiting the unnecessary destruction or defacement of its cultural assets; and to conserve existing urban developments as viable economic and social entities.

LUCC Ord. s 14-12-3. Thus, the LUCC is charged with not only historic preservation as an end in and of itself, but also to stimulate the City economically.

A Certificate of Appropriateness is required in any case where "any" structure within a historic zone, an urban conservation overlay one, or a landmark site would be altered. LUCC Ord. § 14-12-8. This provision states:

Within the boundaries of a historic zone, urban conservation overlay zone, or landmark site, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of

Appropriateness has been duly approved. Within a historic zone, urban conservation overlay zone, or landmark site which has specific sign requirements, no sign may be altered, constructed, or demolished until a Certificate of Appropriateness has been duly approved. Interior features which are listed as worthy of preservation in the landmark's general preservation guidelines or specific development guidelines shall not be altered or demolished until a Certificate of Appropriateness has been approved.

Id. (Emphasis added). Thus, this Commission must require that the City submit an application for every part of the proposed ART route that affects the exterior appearance of *any* structure within a historic zone or an urban conservation overlay zone.

Moreover, given the Commission's broad role in protecting and preserving the historical resources of Albuquerque and strengthening its economic base, it should not limit its impact analysis on the effect any one station will have on a particular structure, but also the impact, more broadly, on the site or zone and its impact on the economy along the route. In this regard, it is appropriate to consider the impact resulting from the ART design in general, including the loss of left turns, the loss of on-street parking spaces, and the loss of trees. In addition, it is also appropriate to consider the road demolition, the removal of the medians, the addition of large diesel buses, and the other disruptions that will be caused not just by the short-term construction of ART but, more importantly, by the long-term operation of ART.

The ordinance makes it clear that the Commission should have this broader consideration:

(B) *Criteria for Issuance of Certificates.* An Application for a Certificate of Appropriateness shall be approved if it complies with the following criteria:

(1) The change is consistent with the designation ordinance and specific development guidelines for the landmark or historic zone or urban conservation overlay zone;

(2) 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.

LUC Ord. § 14-12-8B (emphasis added).

Thus, the law plainly requires that LUC consider not only the impact ART will have on a small segment of the route resulting from, for example, a canopy for a station, but more broadly what the impact will be on all of the historic zones and the landmarks

along the route. In considering this impact, the Commission must take into account the long-term economic effects the operation of ART will have on Central Avenue/Historic Route 66.

Our investigation has revealed that ART will significantly diminish business activity along Central, and is likely to force shops and restaurants along the corridor to close. There are two reasons for this. One is the significant reduction in access to these businesses that will result from the elimination of left turns. The other is the significant reduction in traffic along Central that will result from the vehicle congestion caused by ART. This congestion will make it inconvenient to patronize these small businesses, and eventually they won't be patronized. People will choose to go elsewhere. In addition, by reducing automobile traffic to one direction in either direction on Central, ART will force traffic onto the side streets in the neighborhoods adjacent to Central, which will negatively affect the quality of life in those neighborhoods.

The historic character of the old Route 66 has always been characterized by commerce, entertainment, restaurants, arts and crafts, etc., and ART will undoubtedly have an enormous impact on the ability of these small businesses to survive. It is a struggle for many of these businesses to stay alive in Albuquerque's current economy, and ART will without doubt finish many of them off. If, as ART is now planned, Central Avenue becomes no more than a transport corridor to move people *slightly* more rapidly along Central's length--at the expense of its current character--then Central Avenue's Historic Route 66 quality will be lost.

The Concerned Citizens to Make ART Smart believe this loss of Central Avenue's Historic Route 66 character would have the same devastating, long-term impact on Albuquerque's civic pride as did the loss of the Alvarado Hotel.

In the future, the Landmarks and Urban Conservation Commission and the public can look back knowing it had the legal authority and responsibility to preserve the historical resources and economic viability of Central Avenue but that it let Central Avenue fade into a fond memory. Or it can muster the fortitude and will to carry out its charge and protect and preserve the most historic and important avenue in Albuquerque.

For all of these reasons, I ask that the Commission: 1) deny the City's current application for a certificate of appropriateness because of the reasons set forth in Attachment 1; and 2) require the City to submit a request for a Certificate of Appropriateness for all historic zones and landmarks along the proposed ART route or in the proximity of the proposed ART route.

Enclosure

DECLARATION OF PAUL LUSK

Education and Employment History

1. My name is Paul Lusk. I have expertise in Architecture, Urban Design, Urban Planning, and Regional Planning. I received my Bachelor's degree from San Francisco State College in 1960 and a Master's degree in Architecture and City Planning at the University of Pennsylvania in 1965. From 1963-1964 I worked on a master plan for the city of Boston. From 1965-68, I was the Chief Project Architect for the Charlestown Urban Renewal Project of the Boston Redevelopment Authority. In 1968 the City of Albuquerque hired me to develop a Comprehensive Plan for the City of Albuquerque and Bernalillo County. I was Principal Planner for the City of Albuquerque and Bernalillo County from 1968-1976 and continued to perform services for the City after 1976 through 1977. I was a lecturer in architecture, planning and design at the University of New Mexico from 1970-75. From 1975 through 2002 I was an Associate Professor and Professor of Architecture and Planning at the University of New Mexico. From 2002 through the present, I have been Professor Emeritus at the School of Architecture at the University of New Mexico. I have attached my most recent CV as Exhibit 1.

2. During my career, I have participated in urban transit and major streetcar-based urban development (in Philadelphia, "Market Street East") and another project in Boston, leading a team developing a proposal for high speed transit from Boston to Baltimore on the occasion of the 1976 Bicentennial. These were both major projects.

3. While working as Principal Planner for the City of Albuquerque I was responsible for the development of Albuquerque and Bernalillo County's first Comprehensive Plan, from inception in 1968 through its adoption in 1975.

Albuquerque Rapid Transit Project

4. I became interested in the ART project as a result of my work with Tony Anella and others on a transit "loop" that would connect the Sunport, the National Hispanic Cultural Center, the Indian Pueblo Cultural Center, the Albuquerque museums near Old Town, the Bio Park and the Albuquerque Transit Center at First and Central. In the course of assessing the potential for such a project, in September of 2015, we became aware of the project and shortly thereafter accessed the plans for the project that the City had made available on its website, describing a new transit system along Central Avenue, called "ART" for "Albuquerque Rapid Transit." I reviewed the drawings on the web site and found many major drawing and factual errors.

5. As a consequence of my and others' concerns about the impact of the design of ART on Central Avenue area residents and businesses, Anella and I asked for a meeting with City transit representatives.

6. At about this time, other people with businesses along Central learned of ART, became concerned, and joined us as a group of "Concerned Citizens." Our group is now known as "Concerned Citizens to Make Art Smart."

7. On December 2, 2015, Anthony Anella, Julie Stephens, Steve Schroeder, David Vogel, facilitator and I met with Bruce Rizzieri, director of the Transit Department and Lawrence Kline, principal planner. At that meeting, I gave them detailed, hand-written notes that I had made on the prints of the ART Project Plans that identified some of the many errors I had noticed on the plans. These included misnamed streets; buses shown as running in the wrong directions; sidewalk widths all "narrowed" to 6 feet throughout, even though the City's "pitch" for the design was that sidewalks would be widened. Six feet is extremely narrow for a sidewalk in a pedestrian area. We provided "section" and plan drawings of a curb-access option as well as copies of two plans/maps showing a proposed grid transit map for all of Albuquerque. One of our group pointed out that he and many others were Central Avenue business or property owners and that none of them had known about the ART Project until quite recently and had never been contacted or consulted in any way. We provided a written "summary" paper of our meeting with the Transit representatives including plan and section drawings illustrating examples. We asked them for a written response to our input regarding alternatives to their design and offered to provide input. The City's response was that the design was nearly complete and would not be altered. We nevertheless asked them to respond to what we saw as design problems and asked for the opportunity to contribute to making the project successful. Over the course of the next nine weeks, I called repeatedly to ask if the City was going to respond to any of the concerns we had raised and was told, "They're working on it." I have attached as Exhibit 2 the summary of our concerns that we provided to the City in December 2015.

8. The next thing I heard about the project was in late January 2016, when I heard on the news that plans for the ART were available on the City's web site.

9. On January 30, 2016, the group of us that had met with the City in December sent an "open letter" to the mayor and city council detailing our concerns with the project. I have attached a copy as Exhibit 3 to this Declaration.

10. **Summary of my opinions regarding ART:** As a result of studying the City's plan for ART in detail over the past months, I have become quite familiar with that Plan. Through studying its design, plans and drawings, I now hold the following opinions regarding its deleterious effects on Albuquerque's Central Avenue and environs. The following are the principal problems that will, in my opinion, not only have significant deleterious impact on the community (both residential and business), but will also continue to provoke intense legitimate opposition and controversy about the proposed ART Plan:

- a. The overarching concern I have with ART is that, from what I have learned and can observe in its plans, it was initiated, developed and designed primarily by transit and civil engineers who focused on optimizing the performance of

the transit system without paying comparable attention to the broader issues of sound urban design and the many other functions of an urban street. Additionally, the opinions of the consultants retained by the City, including a Washington-based transit advocacy group, caused the City to narrowly focus on a BRT (bus rapid transit) design that is inappropriately all too narrowly focused on the efficiency of bus or other transit movement, rather than on the broader and even more important over-arching issues surrounding sound, contemporary urban design both at the street level and the citywide level. As a result, the design of the project fails to meaningfully address the impact of such a project on streetscapes & walkability, businesses, shops & restaurants, adjacent neighborhoods, heritage preservation, community aesthetics, economic development and economic harm. There appears to have been little or no attention paid to ART's local and citywide impact. Unfortunately, in the narrower, historic sections of Central Avenue, even the performance of the transit in the ART design has been so severely compromised, with added traffic signals and almost two miles of one lane/two-way and reversible lanes, as to make the bus travel time, in my judgment, substantially slower than "Rapid Ride" is now, or the ART would be in the configuration proposed to the Albuquerque Transit Department leadership on 12/2/15 and again on 3/10/16 by the Concerned Citizens Group (CCG) which included, for example, an electronic traffic-flow-controlled modification. As I indicated earlier, however, the City's representatives were not receptive to any alternatives, informing us that the design was "set" and would not be changed.

- b. The primary purpose of a BRT in the western-most section of Central Avenue, from Coors (later, from Unser) to Central in the area where it meets Rio Grande/Lomas Boulevards, and in the eastern-most portion, from Louisiana (later, from Tramway) to the San Pedro/San Mateo area should be to transport passengers *from* and *through* each of these areas to destinations in the inner areas of the City. In other words, very few people will use the ART to travel from the West end of town to the East end or vice-versa. In my opinion, if some stretches of the planned ART must be located in dedicated center lanes, there are areas in the easternmost and westernmost areas of the City that would experience less harm from such a design, provided that additional stations and traffic safety measures were included in those segments. The effects of the ART design on the central stretch of Central Avenue (from the San Pedro/San Mateo area to the East to the area of West Central near the Lomas/Rio Grande intersections with Central) will, however, be extremely deleterious to businesses and the residential areas that line that portion of the Central corridor.
 - i. In contrast to the role of transit in the Easternmost and Westernmost sections of Central, the primary role of transit in the historic, center sections of Central Avenue, from near the intersection Rio Grande/Lomas to San Mateo/San Pedro is to deliver people *to* the higher pedestrian density destinations on that stretch. The "one-size-fits-all"

design of ART, as presently configured, is primarily to get the buses themselves (rather than the passengers, whose destinations vary) from one end of Central to the other in the shortest possible time.

- ii. This lack of distinction between the 4-lane, eastern and western portions of Central Ave. and the narrower, historic center of Albuquerque is wrong because it ignores the different roles of transit in the different segments of Central Avenue. The current ART design's failure to have curb-side bus stops in the central historic districts ignores those districts' need for access to shops, businesses and restaurants and causes additional problems that will contribute to the harm caused by the current ART design to these districts that I will describe below,
- c. The City has consistently touted the ART project as increasing pedestrian amenities by the inclusion of wider sidewalks. However, Central Avenue right of way is in many areas too narrow to accommodate both widened sidewalks and ART's two dedicated center lanes and, in some areas, with even a single, two-way center bus lane, for east and west bound ART buses. Thus, contrary to the City's promises, the ART design, if built, will make it impossible to widen most of the sidewalks in key commercial and pedestrian areas such as at the University, Nob Hill and elsewhere. As a result, there will be very limited capacity of sidewalks for "urban place-making," pedestrian use and enjoyment, or space for local restaurants to have outdoor tables. In the ART design for the Nob hill area, for example, there are more blocks with sidewalks fronting Central that would not be widened than sidewalks that would be widened. The result will be an intermittent sequence of two-block areas with widened sidewalks separated by areas with the existing eight-foot wide sidewalks and no space for trees, street furniture or other amenities. The sequence appears to be the result of the expanded street area needed for the dedicated bus lanes serving the ART stations and unrelated to the needs of pedestrians, local shops and restaurants in the narrow sidewalk segments.
- d. ART will reduce the available lanes of vehicular traffic, in some portions, including Nob Hill and other areas, from two to one and it will eliminate a majority of the left turns along Central. As a consequence, it will significantly disrupt existing traffic and travel patterns, will increase congestion along Central Avenue and significantly reduce access to local shops, restaurants and businesses.
- e. Local bus traffic such as Route 66 (i.e., not ART) will continue along Central under the City's plan. In areas such as EDo, Nob Hill and 8th St. to Lomas, the local buses will be confined to the single lane that must also accommodate cars, trucks and the rest of the non-ART traffic in those locations. The City's drawings that have been made available thus far suggest that in many areas, including Nob Hill and other commercial areas, local buses will block the remaining, single lane when they stop to pick up and discharge passengers,

including unloading bicycles and taking the time to assist wheelchair patrons on or off. This will mean that any time a bus is serving these areas, traffic will be at a standstill for what is likely to be perceived by drivers as unreasonably and infuriatingly lengthy periods of time. In addition, there is the added, related (but perhaps more frequent) problem of people attempting to parallel park in the remaining on-street spaces. On each occasion, all traffic behind the parker will stop until the parking automobile is out of the way. In either case, frustrated drivers are likely to swing out into the "off limits" ART lanes, at risk to themselves and others.

- f. The disruption and congestion will force a substantial portion of the traffic off Central into adjacent residential streets, increasing traffic volumes, noise and exhaust levels, thereby compromising the residential character of the affected neighborhoods.
- g. In addition to disrupting passenger vehicle traffic, ART's design will necessarily force many delivery trucks into residential areas in order to access alleyways in their effort to serve businesses. This will result from the elimination of left turns along Central Avenue, which will force delivery vehicles to circle into residential neighborhoods. Silver, which is now designated, as a "bicycle boulevard", will become a "truck turning" boulevard.
- h. ART will significantly reduce access to local shops, restaurants and businesses, thereby harming and interfering with commerce along Central Avenue, particularly in shopping areas such as Nob Hill, EDo, and Central Avenue between 8th Street and the intersection of Lomas and Central.
- i. According to the January, 2016 ART Project Plan drawings, over 150 parking places would be eliminated, despite the City's claim that it will not decrease parking places. This would significantly harm the affected shops, restaurants and businesses along Central. We have repeatedly asked, most recently at the March 31 meeting with the "ART Design Team," for any revised ART drawings that would substantiate the City's claim regarding parking spaces. The City's representatives told us that they could not make the drawings available to us because of "right of way" issues.
- j. For the entire length of Central, the ART design will eliminate the mature landscaping and street-defining space provided by trees and plantings on medians. It will replace them with an intermittent pattern of smaller trees on alternate sides along the narrow space left adjacent to existing sidewalks and in tapering areas near the ART stations. There are only three two-block long locations in the Nob Hill area, for example, where full fifteen-foot sidewalks are provided under the ART plan, despite the City's statements that one of its benefits is to provide widened sidewalks in the Nob Hill area.

- k. The ART Plan will create serious vehicle, pedestrian and other safety problems as follows:
- i. As ART is presently designed, it attempts to force pedestrians to cross Central only at three or four block intervals and not in between. This will undoubtedly increase the incidence of jaywalking by pedestrians who do not want to walk two blocks out of their way to get to their destinations. By eliminating the center median and introducing bus traffic in its place, the ART design magnifies the danger to pedestrians by eliminating places to pause and stand in the middle of Central, waiting for traffic to pass. In an area like Nob Hill, pedestrians are prone to walk from, say, a restaurant on one side to a shop on the other side and jaywalking will undoubtedly continue, but with significantly increased danger.
 - ii. ART's design intentionally encourages vehicles to make U-turns at the remaining, signalized intersections where left turns are permissible but where traffic is already likely to be congested in the single vehicular lane into which the U-turn supposedly is to be made. This is not only dangerous but, coupled with the reduction in traffic lanes, will undoubtedly contribute to more congestion, accidents and chaos. Surprisingly, City representatives have stated that U-Turns are the City's solution to the reduction in access to businesses along Central that will be the result of elimination of most left turns.
 - iii. The ART design assumes that emergency vehicles will use the dedicated bus lanes to travel to and from emergencies. It does not appear to address, however, how an emergency vehicle is to get to the emergency itself, from the center lanes, when the mixed-vehicle, remaining single lanes are congested, as will frequently be the case. What will the fire truck or ambulance do when it arrives outside the location of the fire or medical emergency and is blocked by a solid line of traffic between it and the fire or emergency? The situation will certainly be chaotic and may require police presence to direct traffic, which is not always readily available. It is unclear how the "off limits" ART bus lanes will fit into the mix, but this is a serious, unaddressed safety and traffic problem.
 - iv. The City's plan of using painted yellow lines to keep the ART lanes "off limits" to vehicles is not realistic. Many drivers will fail to see the line or may even ignore the line, contributing to the chaos. In particular, these "yellow line" barriers will create a serious safety issue involving drivers who approach Central from a side street with the intent to turn left. It is highly unlikely that they will see the yellow line on the far side of the lane in front of them, especially at night, and will simply assume that they are free to cross the center bus lanes to turn left onto Central. This will cause accidents, injuries and further chaos. Furthermore, some

drivers traveling along Central will either not know to refrain from turning left across the painted yellow (onto intersecting streets or into parking lots across Central) or will simply ignore them.

- v. The ART design includes six midblock, stations that, like others, are located in the middle of Central Avenue. One purpose for these stations is to allow pedestrians to cross the street via these stations. However, the design requires these pedestrians to cross half the street and then walk the length of the station (60 feet) plus two ramps at the ends of the elevated station platform in order to cross from one side of the street to the other using two separated half-street crosswalks. This requires the pedestrians to push two different "pedestrian crossing buttons" in order to safely cross the street. Many pedestrians faced with such an elaborate and lengthy street-crossing process will choose simply to cross the street directly, thereby jaywalking and endangering themselves or drivers trying to avoid them.
- l. The ART design includes three stretches, totaling nearly two miles, that run along Central where it is too narrow to accommodate two dedicated lanes. Accordingly, the City's solution is to include lengthy bi-directional, or one-lane/two-way segments some of which are over 1800 feet in length that will require one bus to wait for an oncoming bus to arrive at the waiting bus's location and pass it, thereby allowing the waiting bus to proceed. This will cause the schedule to be intermittent in unpredictable ways and will interfere with the phased traffic light system that is part of the ART plan.
- m. The loss of medians and their associated soil and plantings will increase the area of pavement and thus increase runoff to storm sewers that are already from time to time overwhelmed by "monsoon" rains. A known and accepted remedy for such a situation, applied in the case of ART would include storm-flow reduction strategies such as: continuous inflow grates in the Edo area; runoff-infiltrating side inlets to the new tree line in the UNM area; and infiltrating paving blocks in the parking and bus bay areas. These would significantly reduce the runoff volumes thereby reducing the risk of the City's pumps in the Central/Railroad underpass of being overwhelmed in the event of a significant storm. Unfortunately, the present ART design not only does not appear to include such features, but likely could not include them because of the limited space available, principally along the sides of the route.
- n. The Project removes over 200 mature trees in the medians, some over 50 years old.
- o. The Project inserts gaps, or maintains existing gaps, in bicycle paths, thereby making them intermittent, which presents a safety hazard that should be avoided if possible.

- p. The modification submitted by the Concerned Citizens Group at the December 2, 2015 meeting with Transit Officials, also referenced in our "open letter to the mayor" et al. of January 30, 2016, and submitted again in detailed comparative cross-sections at our March 10, 2016 meeting with Transit Department representatives, addresses all of these issues, including widening sidewalks continuously throughout the historic districts. Business owners in specific locations can choose not to have trees block their street signs or facades, but the physical space provided allows this or other options. The Concerned Citizens' Plan also does not remove existing parking spaces and provides out-of-the-mixed-flow-lane bus bays to be in their existing locations, unless modified for other reasons, for both the ART and local buses. In the Nob Hill area, the CCG Plan provides a continuous emergency or service vehicle space in the bike lane and rumble-strip area, including space for vehicle breakdown or minor accidents. The CCG Plan also does not force mixed vehicle traffic, including large delivery trucks, onto adjacent residential areas. The alternate Plan proposed by the CCG for the narrower historic areas also retain the existing mature trees in the Center medians and provide a safe median space for vehicles turning left from side streets. The recommended CCG Plan includes infiltrating paving-block areas and other "Complete Streets" strategies to reduce storm-water runoff.
- q. I believe that the sidewalk-access/bus bay arrangement, as put forward by the CCG, for the historic areas of Central Ave., particularly with electronic bus and *all* mixed-traffic flow management, would be comparable in speed if not faster in total road time than the highly-compromised, nearly two miles of "two-way center bus lanes" and ten additional traffic signals required in the ART plan. The Concerned Citizens Group has repeatedly requested, most recently in the March 10th and 31st meetings with City and Consultant representatives, comparative total time-flow comparisons for the City's present Rapid-Ride buses, the proposed ART design, and the Citizens' proposed modifications. At the CCG's March 31st meeting with the City and its consultants, the HDR consulting engineer representative on the said that they did not have the necessary resources in their contract to do a comparison data study of the CCG proposed modifications. However, with respect to comparing existing and proposed ART total trip times, HDR must have given specific information to the MR/COG (Middle Rio Grande Council of Governments) which provided some comparative information for COG's publication: "White Paper: Regional Accessibility Benefits Associated With Implementation of the Albuquerque Rapid Transit on Central Ave", December 2015. On page 2 of that Report, there is a statement that assumes that ART would be 15% faster than the current system. The City and its consultants did not respond to our request for the data underlying this statement.

11. The problems I identify above are problems that I have had to glean from the publicly available plans for ART, significant portions of which continue to be inaccurate or incomplete or, as I have been told by City representatives, modified and unavailable.

Meetings with City representatives regarding ART have failed to provide answers to many of our questions.

12. As identified in paragraph 4 above, in September or October of 2015, when I first learned of the proposed Albuquerque Rapid Transit (ART) Project, I was working in coordination with Anthony Anella, David Riley and David Vogel to propose a small tourist-bus route that would begin at the Albuquerque Sunport and loop to several historic and cultural sites such as the National Hispanic Cultural Center, the Indian Pueblo Cultural Center, inner downtown Albuquerque, the BioPark, museums and other locations that would serve visitors to New Mexico and encourage them to enjoy these sites rather than traveling directly to Santa Fe as so many tourists in New Mexico tend to do.

13. In November 2015, when I began looking more carefully into ART, I was surprised to learn about the scale and design components of the Project, as it was the type of major project that would normally have been widely publicized but, to my knowledge, had not been.

14. I studied the design drawings that were available on the City's website to acquaint myself with the proposed system, originally to see how it fit within the cultural loop project we intended to promote.

15. The design, as available on the ABQ Ride website at the time, concerned me greatly because I found numerous errors and amateur-type problems in the design. For example, the design showed rapid transit buses each occupying two lanes on Copper and Gold (i.e. bidirectional), whereas the intent was to allow for only single lanes in one direction on each of these two streets.

16. More concerning to me was the design's central and dominant focus on a dedicated center lane transit system with little evident regard for the adjacent conditions of the urban landscape. For example, the design reduced sidewalks to narrow, six-foot widths. Moreover, the design revealed no depiction, even conceptually, of landscaping or plantings with the exception of two single drawings that were entitled "landscape" but contained no designation for where they would be located on the approximately nine-mile route.

17. In the course of my studying the City's designs for ART, I have identified numerous additional issues and problems related to the design, its inaccuracies and incompleteness, but I have addressed above the most important of the problems that I identified.

18. On January 30, 2016, the group of us that had met with the City in December 2015, sent an "open letter" to the Mayor and City Council detailing our concerns with the ART Project. I have attached a copy as Exhibit 3 to this Declaration.

19. Despite attending a series of meetings with City officials (beginning in December, 2015) to address some of the problems that I have identified, not only did the City fail to address them in any meaningful way, the City's representatives explicitly told our group that the design was "set" and no changes would be made. I attribute this to what has appeared to be some of the City officials' lack of knowledge and direct understanding of the plans, in addition to the fact that they regarded the design process as closed by the time we met with them in December 2015. Subsequently, in our March 29 meeting with City officials, including COO Riordan and representatives associated with ART, the City's representatives often were still unable to answer, in any meaningful way, some of the most basic questions we asked about the design of ART, and frequently referred our questions to representatives of consulting firms who attended the meeting. The answers given to us regarding more than one of our basic questions were that (I paraphrase): 1) "We have studied this over a number of years;" 2) "We have held multiple public review/presentations"; 3) "The Center lane concept can't be changed." Such responses came from both City officials and their consultants, in each other's presence.

20. In my opinion, the ART Project, if built as presently proposed, will cause a significant and permanent harm and change in travel patterns that will include the following elements: Forcing Central Avenue traffic into the residential neighborhoods along the Central Avenue corridor; encouraging drivers to avoid Central Avenue, including its businesses, by traveling on Coal/Lead or Lomas. It will have the two-fold effect of reducing traffic along Central while, at the same time, in single, mixed-lane sections, increasing congestion along Central. In addition, the ART Project will significantly alter the physical characteristics of, and appearance of, Central Avenue itself, through the loss of medians, the elimination of left turns, the fewer and sometimes more difficult pedestrian crossings, the loss of mature trees, and the reduced but congested traffic, etc. The effect on businesses and property owners of these changes in traffic patterns, appearance, layout and walkability will be substantial and negative, principally because of the reduction in traffic along Central and the reduction in access by elimination of most left turns. In addition, the alteration in travel patterns will negatively impact residential neighborhoods in the Central corridor because drivers on Central will necessarily avoid congestion they encounter by turning into the residential neighborhoods that are only a block or two off Central. It seems clear to me that planners with the City either made the decision to sacrifice businesses along Central or simply did not consider their well-being as a high priority, if at all, to say nothing about the impact of the Project on residential areas. I am sufficiently familiar with our City to know that the Central Avenue corridor is a significant location of important institutions as well as successful areas of commerce that includes many shops, restaurants and other businesses that not only thrive, but give our City and its "old historic Route 66" character and appeal to local residents and visitors. The restaurants, shops and businesses that give substance and charm to these historic areas of our city will undoubtedly suffer as a consequence of ART.


21. This dire outcome for Albuquerque, Central Avenue businesses and Central Ave. corridor homeowners can be averted. The Concerned Citizen Group's recommended

configurations are technically sound and, I believe, would be overwhelmingly supported, especially in the narrow right-of-way, older sections of Central Avenue in the heart of Albuquerque, and much of the fear and anger expressed by business owners and residents in the recent public meetings would disappear.

22. It also is my opinion that an *independent* analysis of the total-trip time of ART, as proposed, compared to the electronically traffic-flow-managed option would show the CCG design modifications to be comparable, if not faster, due to the elimination of the 10 additional traffic signals and the nearly two miles of one-dedicated ART bus lane design of the present design of ART. It also would obtain the benefits of continuous sidewalk widening, retention of the mature landscape, enhanced bikeway continuity, improved left-turn vehicle and pedestrian safety, and other advantages listed earlier in this statement.

23. It is unfortunate that the City made the decision to keep this Project substantially under the radar as the plans for it were being completed. Accordingly, the views of the Concerned Citizens, who formulated their views and plans only after learning of the ART project and its details, were greeted with dismissiveness by City officials, whose expressed views were that the design of ART was final and that significant changes could not be made.

24. I give this statement under penalty of perjury.



Paul Lusk

Dated: 4/15/16

2/12/02

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PAUL LUSK**

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ACADEMIC EXPERIENCE

University of New Mexico, Associate Professor of Architecture and Planning, tenured 1992, appointed Associate Professor of Architecture and Planning on tenure track, 1988-92, full time under annual contract, 1975-88; adjunct, part time, 1970-75. Courses taught include: graduate studios in architecture, urban design, ecological design, regional, urban and rural planning, planning communication techniques, professional practice and interdisciplinary studio. Graduate and undergraduate courses, studios and seminars taught include architecture, urban design, site and environmental design, appropriate technology, solar and heliostat design, constructed wetlands, building construction workshop, rural environmental planning, and foundations of physical planning.

Invited Guest Juror, Harvard Graduate School of Design, 1988 and Massachusetts Institute of Technology, Rhode Island School of Design, Boston Architectural Center, 1965-68.

PROFESSIONAL EXPERIENCE

Private Practice, 1968 to present, independent professional projects in site, subdivision, energy and water conservation design, in village, Pueblo and neighborhood planning, and in solar design and construction. Since 1992, my private practice has been focused on the research, design and construction of an architectural experiment in sustainable design involving passive space heating, and cooling, low-embodied-energy materials, and constructed wetlands water purification systems applied to a single family house. This project, applied as a retrofit to my own home and property, has been largely self-funded and built with paid student and volunteer help until 1998 when I received a Regent's Lectureship Award to assist in completing and evaluating the component systems.

The in-process report and summary of performances for this work are described in *Architectural Research: A House to Heal the Earth*, in the American Solar Energy Society, 23rd National Passive Solar Conference, Proceedings, pp.11-16, Albuquerque New Mexico, June 1998, and at the ASES, *Texas Renewable Energy Roundup*, Fredericksburg Texas, September-October 2000. Portions of the Fredericksburg presentation are available on the UNM, SAAP website under Faculty, Paul Lusk, Ethical Architecture.



City of Albuquerque, 1969-77, Principal Planner, Albuquerque/ Bernalillo County Planning Department. Supervision of Comprehensive Planning Division, later Systems Planning Division, staff of four to six. Responsible for initiation and development of major projects including: *Albuquerque/Bernalillo County Comprehensive Plan, Policies Plan, Metropolitan Areas and Urban Centers Plan, Plan for Major Open Space; North Albuquerque Acres Sub-areas Master Plan; Guidelines for Public Systems; Ladera Golf Course and Flood Control Facilities; South Mesa Land Use, Access and Utility Needs; Sandia Foothills Drainage and Development Policies; Natural Resource Inventory for Middle Rio Grande Watershed; and METRONET* transportation and land use study leading to development of the Comprehensive Plan.

City of Boston, Boston Redevelopment Authority, 1965-68, Chief Project Architect, Charlestown Urban Renewal Project, staff of two to four. Responsible for design review and urban design for projects involving more than \$80 million in public and private investment including: design review for 260 units of moderate income housing on the *Little Mystic Channel* (Jose Louis Sert, Architect) and coordination with staff design for public recreation and boat launch facilities; site preparation and design review for scattered site and in-fill row housing (Earl Flansburgh and others, architects); design review and coordination with rail, street and highway design for 5000 student community college (Shepley, Bulfinch, Richardson & Abbott, Architects); and design of *Eleven Streets* project, street neckdowns, pedestrian improvements, street furniture design and procurement, coordination with private housing rehab and street landscape design (Sasaki, Dawson, Demay, Landscape Architects.)

City of Philadelphia, 1963-65, City Planner II, Philadelphia City Planning Commission. Member of planning staff for team projects including *West Philadelphia District Plan, Germantown Renewal Plan, Market Street East project*, design and construction of neighborhood parks and tot lots in North Philadelphia.

City of Boston, Boston Redevelopment Authority, 1962-63, Planning Designer, staff member of Urban Planning team under David Crane to develop and publish the Master Plan for the City of Boston.

Leonard Pevar Construction Co., 1960, London Grove, Pennsylvania. Construction drawings, expediting, site supervision.

Palmer Displays, Inc., Oakland, California, 1958-60. Design and assist in construction of trade show exhibits, point of purchase displays.

Schoenfeld Marble Co., San Francisco, California, summers, 1957-58. Marble construction drawings, site supervision.

United States Air Force, 1951-55. Russian linguist, translator, analyst, Berlin, Germany, Ankara and Samsun, Turkey.

EDUCATION

Cosanti Foundation, Scottsdale, Arizona, special training in site construction, 1968.

University of Pennsylvania, Philadelphia, Pennsylvania, Master of Architecture (Architecture and City Planning), 1965. Focus in social equity planning, building and urban design. Thesis in high-density urban housing.

San Francisco State College, San Francisco, California, Bachelor of Arts, cum Laude (Fine Art, Philosophy), 1960.

Art Center School, Los Angeles, California (Industrial Design), 1956-7

College of Marin, Kentfield, California, Associate of Arts, magna cum Laude (pre-Architecture), 1956.

Syracuse University, Syracuse, New York, United States Air Force Institute of Technology, Language School (Russian), 1952.

HONORS, RECOGNITION

Regents Lectureship Award, \$8,700 grant by the UNM board of Regents to fund research and testing of components and systems appropriate to ecological architecture and planning, October 1998.

Dean's Award for Excellence in Teaching, nomination and selection by students in the planning program, and stipend of \$500, May 1998.

Reconocimiento por la dualidad urbana binacional de Puerto Palomas, Chihuahua-Columbus, New Mexico, by Direccian General de Desarrollo Urbano y Ecologia, Gobierno del Estado Chihuahua, March 1998.

Faculty Acknowledgement Reception and illustrated presentation, for outstanding faculty in the School of Architecture and Planning, held at Zimmerman Library, October 1997.

Award of Merit for Contributing to the Urban Quality of Albuquerque, *Community Person of the Year*, by the Albuquerque Conservation Association, November 1996.

New Mexico magazine articles on Greenroom Project. Free-lance and contract writers reports on research, work-in-progress in *El Palacio*, Summer 1994, *Designer/Builder*, April 1995 and *Su Casa*, Winter 1995-96. Magazine articles, 1994-1995.

Bernalillo County Commission. Certificate of recognition for creative work in *Environmental Protection for the year of 1994*, for prototype constructed wetlands and for service on technical citizens committees researching and advocating wetland systems for private and public applications, Bernalillo County Commission 1994.

University of Arizona, College of Architecture. Letter to George Anselevicius, Dean of the School of Architecture & Planning, UNM, recognizing Paul Lusk's keynote presentation to the *Desert Living Symposium* and contribution to the establishment of the *Association for Desert Design and Research*. October, 1992.

The Albuquerque Tribune, Observations Page, Section One. Column by V.B. Price, "Two Urban Projects have Ancient Context." Commentary on products of UNM, *Combined Graduate Urban Design/Advanced Urban Planning Studio*, Fall, 1991 - "Pueblo Center" and "Albuquerque Crossroads Center" as practical and visionary plans, worthy of the attention of city and tribal officials. December 20, 1991.

Charles A. Lindbergh Fund, Inc., Minneapolis, Minnesota, Certificate of Merit, for grant application for Greenroom/Rockmarsh construction. One of four applicants, out of 217 applications, designated "full and deserving merit of the work proposed but...due to lack of funds available...carries no monetary support." Winter, 1991-92.

Graham Foundation, award and grant of \$2090 for student field trip to Chaco Culture National Historic Monument, and for preparation and exhibition of combined Graduate Architecture/Planning studio work: *Anasazi Pueblo Design: Application to Contemporary Urban Development*. Graham Foundation, Award Report and Guidelines, 1991-92.

The Albuquerque Journal, Trends Section, page 1, article by Steve Brewer, *Welcome Wildlife! Backyard Oases Offer Sanctuary in Urban World*. Profile of Lusk residence as one of three exemplary backyard wildlife refuges in Albuquerque area. Developed over twenty years, the Lusk property serves as a resource for research in the application of principles of ecological design, June 2, 1991.

Rubberoid Prize, American Institute of Architects Foundation full scholarship, University of Pennsylvania, Graduate School of Fine Arts, 1961-65.

Undergraduate Honor Societies, College of Marin, San Francisco State College.

FUNDED RESEARCH AND GRADUATE SCHOOL SUPPORT

Regents Lectureship Award, Three year research grant of \$2,900 per year to hire student research assistants, and to buy out some courses to provide release time, to complete construction and testing of energy and water conservation and water purification systems in Greenroom addition to single family house. Systems completed and tested include exterior and interior constructed wetlands, passive down-draft cool-tower, earth-tube cooling, roof storm-water collection and landscape irrigation system, passive direct gain and air heating and venting systems, low-embodied energy interior plasters and double wall polycarbonate window glazing for lighting and privacy.

Anasazi/Pueblo Design: Application to Contemporary Urban Development, awarded \$2090. From *Graham Foundation for Advanced Studies in the Fine Arts, Chicago, Illinois*. For research, report documentation, summary publications and exhibit drawings from special Interdisciplinary Graduate Architecture and Urban Planning Studio, fall 1991. Completed January, 1992.

Learning from Ancient and Contemporary Pueblos: Application to Modern Urban Design, January 1992, Members of Urban Design/Planning studio invited by Center for Urban Well Being, Carmel, California, to present 18 panel exhibit produced by the fall 1991 Studio, at the International Making Cities Livable Conference, San Francisco, California, March 17-21, 1992.

Grants, New Mexico - Idea Book. Direct costs for travel and reproduction of report by Grants Chamber of Commerce and Cibola County Manager. Paid directly to students. Spring 1983.

Interior Beam-Sun lighting and Exterior Passive Viewing System, designed and built by UNM students in the School of Architecture and Planning. UNM Foundation \$1355 grant for construction materials, and matching grant of in-kind services by Physical Plant Department for cutting through the structure of the building. Research, design and construction by five students – two graduates in Architecture, one in Planning, one in Mechanical Engineering, and one undergraduate in Architecture – over three semesters, 1981-83.

Public meeting facilitation process, South Valley area: Summary report and recommended actions. Matching grant to School of Architecture & Planning for contributed time of faculty, students materials, in Rural Environmental Planning studio, \$1800 to cover costs of mapping, publication of "Workbook Toward a South Valley Area Plan." Fall, spring 1981-82.

Community Development Plan for the Village of Chama and Surrounding Area. Grant of \$22,500 from U.S.D.A. Farmers Home Administration to the Village of Chama for public meeting process, survey and research by Rural Planning Studio and by student staff through contract with DPAC for plan preparation, review and adoption. Spring, fall 1979-80.

Uptown Urban Center, a proposed Sector Development Plan for the City of Albuquerque. Grant of \$600 from Albuquerque Planning Department to support development plan for the Interdisciplinary Graduate Design studio for public meeting facilitation, presentation materials, summary report. Fall, spring 1977-78.

INVITED SYMPOSIA, LECTURES

American Solar Energy Society, Texas Solar Energy Association, Texas Renewable Energy Roundup. Invited presenter of *Ethical Architecture: Building Environmental Enhancement*, illustrated lecture and poster exhibit, Fredericksburg Texas, October 2000.

Open Space Advisory Board(s) City of Albuquerque and County of Bernalillo. Invited presenter at first joint meeting of combined open space boards on *Genesis of Major Open Space Plan, Albuquerque/Bernalillo County Comprehensive Plan*, at Roberson House, December 1999.

Cooper-Hewitt National Design Museum, New York City. Invited panelist on inclusion of *Sustainable and Solar Design in Architectural Curricula Nationwide*. Sponsored by Global Possibilities and Cooper-Hewitt Design Museum, October 1998.

American Solar Energy Society, New Mexico Solar Energy Association, 23rd National Passive Solar Conference. Invited presenter of *Architectural Research: A House to Heal the Earth*, illustrated lecture. Albuquerque New Mexico, June 1998.

Zimmerman Library, University of New Mexico, Faculty Recognition Reception. Invited presentation, *Architectural Research: an in-process report*, at reception honoring School of Architecture and Planning faculty, October 1997.

Western Social Science Association, 39th National Conference Presentation with two graduate students of spring 1996 Urban Design Planning Studio project, *Mesa Prieta: Community Development Plan*, Albuquerque New Mexico, October 1997.

American Society of Landscape Architects New Mexico Chapter, invited lecture, illustrated, on *Constructed wetlands- case example, performance to date*, at Ramada Classic, June 1994

University of Arizona, College of Architecture, International Desert Living Symposium. Presented keynote paper *Anasazi/Pueblo Site Design: Applications to Contemporary Urban Development*. Participated in establishment of *Association for Desert Design and Research* with representatives from Egypt, England, France, Holland, India, Iran, Israel, Japan, Mexico, Oman, Saudi Arabia, and the U.S.A. Also invited to exhibit illustrative and construction drawings for *Greenroom/Rockmarsh: Water conservation and wastewater purification at the scale of a single family house* in the T.M. Sundt gallery of the College of Architecture during and following the symposium. July 1992

City of Albuquerque, Energy Conservation Forum, panel member on *Land Use Planning: Strategies to reduce per capita use of energy by 10% in five years*, December 1991.

County of Bernalillo, Southwest Valley Management and Funding Options Evaluation, University of New Mexico, School of Law, Institute for Public Law. Technical advisor to Citizens Advisory Committee recommending management and funding strategies for water and wastewater services for the South Valley. February 1990 - December 1991.

State of New Mexico, Energy, Minerals and Natural Resources Department, State Energy Policy Project. Technical advisor on State Energy Policy Advisory Council, commercial working group, January - September 1991.

Mesa Verde National Monument, Colorado. Mesa Verde Symposium on Anasazi Architecture and American Design. Presented paper, *Site Development Factors in Anasazi Design: Current Applications to Urban Design*, May, 1991. Paper selected to be chapter in book, *Anasazi Architecture and American Design*, Morrow, Baker and Price, V. B., editors. Published by UNM Press, spring 1997.

University of Florida, Department of Urban and Regional Planning. Rural Planning and Development: Visions of the 21st Century conference in Orlando, Florida. Presented with José Rivera, UNM Associate Professor in Public Administration, *Economic and Cultural Revitalization: Case Example from New Mexico with Applicability to other Settings*, co-authored with Professor Rivera and María Varela, Adjunct Professor of Community & Regional Planning, UNM. Also presented *Combining the Old and the New: A Case Example of Water and Energy Conservation and Alternative Methods for Wastewater Treatment at the Scale of a Single Family House*. February 1991.

Ghost Ranch, Abiquiu, New Mexico, Fourth Annual Peter van Dresser Workshop on Village Development. Presented proposed design and construction drawings for solar aquaculture, constructed wetland retrofit of single family house for water and energy conservation and purification of water discharged to environment. September 1990.

Association of Collegiate Schools of Planning, 31st Annual Conference, Portland, Oregon. Presented paper, co-authored with Min Kantrowitz, on *Planning Communication Studio at the University of New Mexico: Teaching Students to Become Effective Planners through Communication*. October 1989.

Harvard University, Graduate School of Design. Funded lecture, slide presentation on the concept of ecological design and an overview of natural resource data and the history of planning in the Middle Rio Grande basin. Critique of work in progress in Land Development Studio. April 1988.

University of New Mexico, School of Law, Summer course in *Tribal Water Management*, sponsored by American Indian Lawyer Training Program, Oakland, California. Developed, presented short course in *Land Use Planning*. August 1987.

State Bar of New Mexico, Continuing Lawyer Training, Land Use III conference. Presented workshop in *Rural Environmental Planning*. March 1987.

Ecologically Guided Growth: Peter van Dresser's Landscape for Humans, developed workshop for *Revisoning New Mexico* based on Peter van Dresser's early writing in Bioregionalism, November 1985.

University of New Mexico, Southwest Institute Summer Lecture Program *Rio Arriba - Rio Abajo*. Developed and presented slide lecture on *Environmental Design*. Summer 1985.

American Solar Energy Society, National Passive Solar Conference, Santa Fe, New Mexico. *Beamed Sunlighting Workshop* with Don Carson, TRAX Corporation, Albuquerque, and David Ejadi, BRW, Minneapolis, Minnesota. Spring, 1983.

Solar Energy Research Institute (SERI), Golden, Colorado, funded presentation on *Ecological Building Design*, Spring 1980.

PUBLICATIONS

JOURNALS

"Water and Energy Conservation, Wastewater Purification, Retrofit of a Residence" and *"Anasazi/Pueblo Site Design: Application to Contemporary Urban Development"* abstracts submitted to AIA/ACSA Council on Architectural Research for publication in the Annual Publication on Architectural Research, May 1991.

"Concept and Design, Addition to Lusk Home", MASS magazine, Journal of the School of Architecture & Planning, UNM, Spring 1991.

"Teaching Students to Become Effective Planners Through Communication: A Planning Communications Studio". Co-authored with Min Kantrowitz published in the Journal of Planning Education and Research, Association of Collegiate Schools of Planning, Fall 1990.

CHAPTER

"Anasazi-Pueblo Site Design, Application to Contemporary Development." Published in Anasazi Architecture and American Design, edited by Baker Morrow, ASLA, and V.B. Price. University of New Mexico Press, Spring 1997.

BOOKS

Rural Environmental Planning for Sustainable Communities, college text and handbook for citizens and officials in rural areas. Co-authored with José Rivera, Associate Professor of Public Administration and María Varela, Adjunct Professor of Community and Regional Planning, University of New Mexico, and Frederic O. Sargent, retired Chairman of the Department of Resource Economics, University of Vermont. Published by Island Press, Washington D.C., and Covelo, California, November 1992.

PUBLISHED CONFERENCE PROCEEDINGS

"Architectural Research: A House to Heal the Earth." Published in the Proceedings, 23rd National Passive Solar Conference, American Solar Energy Society, Albuquerque, New Mexico, June 1998.

"Anasazi/Pueblo Site Design: Application to Contemporary Urban Development" published in the International Design for Desert Living symposium proceedings, University of Arizona, spring 1992.

"Site Development Factors in Anasazi Design: Current Applications to Urban Development" published in the Mesa Verde Symposium on Anasazi Architecture and American Design proceedings, spring 1992.

"Economic and Cultural Revitalization: Case Example from New Mexico with Applicability to other Settings", co-authored with José Rivera and María Varela, and *"Combining the Old and the New: A Case Example of Water Conservation and Alternative Methods for Wastewater Treatment at the Scale of a Single Family House"*, sole author, published in the proceedings of the Rural Planning and Development: Visions of the 21st Century conference sponsored by the University of Florida, Department of Urban and Regional Planning, February 1991.

"Planning Communication Studio at the University of New Mexico: Teaching Students to Become Effective Planners through Communication" co-authored with Min Kantrowitz. Published in the proceedings of the Association of Collegiate Schools of Planning, 31st Annual Conference, Portland, Oregon, October 1989.

"Rural Environmental Planning", published in the Land Use Law III conference proceedings. Sponsored by the State Bar of New Mexico, Continuing Lawyer Training Program, March 1987.

"Lens-Guide Viewing System: An Innovative Use of Daylighting at the University of New Mexico, School of Architecture & Planning", co-authored with John Taschek, graduate student and Leslie Thomas, undergraduate student at the School of Architecture & Planning. Published in the 8th National Passive Solar Conference proceedings of the American Solar Energy Society, 1983.

STUDIO REPORTS

A Marketing Guide for Agricultural Products, prepared for La Cienega and La Cieneguilla, New Mexico. Regional Planning Studio, CRP 521, co-taught with William Fleming, Fall 2001.

Visions of an Armijo Village Center: Armijo Plaza, Armijo Farm. Prepared for Armijo residents and businesses, South Valley, New Mexico. Urban Planning/Urban Design Studio, CRP 520, ARCH 503, Spring 2001.

SoLo: an Urban Oasis for the 21st Century: University/New Urban village South of Lomas from University to I-25, Urban Design/Urban Planning Studio, Arch 503/CRP 520. Co-taught with Chris Calott, Roger Schluntz, Spring 2000.

Abiquiu Village Housing, Abiquiu, New Mexico, and 7th Street Townhouses, Albuquerque. Design III, Site Studio, Arch 301, fall 1999.

Alvarado Plazas: a new downtown community. Combined Urban Design/Urban Planning Studio, Arch 408/CRP520, spring 1999.

Maintaining Agricultural Traditions in the Lower Rio Chama Valley: Options for La Gente, La Tierra y Economia, Advanced Regional Planning Studio CRP 521, co-taught with David Henkel, fall 1998.

Mesa del Sol/Pajarito Mesa, Urban/Indigenous Architecture Studio, Arch 503, co-taught with Ted Jojola's Urban /Indigenous Planning Studio, spring 1998.

Beyond the Grid: Vision for a Sustainable Pajarito Mesa. Advanced Regional Planning Studio, CRP 521, co-taught with Bill Fleming, fall 1997.

(Spring 1997 and fall 1996, on medical leave, no courses)

Mesa Prieta, Community Development Plan, Urban Planning and Ecological Architecture Studio CRP 520/Arch 502, co-taught with Dorothy Dyer, spring 1996.

Seeking Solutions for Wastewater Treatment in Puerto Palomas, Chihuahua, Mexico, and Columbus, New Mexico, USA. Advanced Regional Planning Studio, CRP 521, co-taught with David Henkel and Pliny Fisk, fall 1995.

Monte Largo: Ecological Architecture, Planning, Landscape Design. Urban Design/Urban Planning Studio, Arch 502/CRP 520, co-taught with Dorothy Dyer, spring 1995.

Luna County Growth Management Ordinance, Advanced Regional Planning Studio, CRP 521, co-taught with David Henkel, fall 1994.

Border Bio-Regions: Human Settlements, Natural Resources and Economy. Advanced Regional Planning Studio, CRP 521, co-taught with David Henkel, fall 1993.

Albuquerque Crossroads Center, Urban Housing. Graduate Urban Design/Urban Planning Studio, Arch 502, CRP 520, spring 1993.

Resource Guide for the Communities of Columbus, New Mexico and Puerto Palomas, Chihuahua, Advanced Regional Planning Studio co-taught with David Henkel, fall 1992.

Learning from Ancient and Contemporary Pueblos: Application to Modern Urban Design, Pueblo Center and Albuquerque Crossroads Center. UNM Combined Graduate Urban Design Studio/Advanced Urban Planning Studio, fall 1991.

Corrales Village Center, Corrales Sand Hills Development Options, Pajarito Village Center, Pajarito West Mesa, Proposed Ecological Development, Los Padillas Village Center Study. UNM Graduate Urban Design Studio co-taught with Dorothy Dyer, spring 1990.

Rio Chama: Water and Land Use, series of individual project reports on natural and cultural resources, history and equity in water use, access to geographic information systems, and options for supplemental income for 16 acequia associations on the lower Rio Chama. Co-taught with José Rivera, Director, Southwest Hispanic Research Institute, UNM. Advanced Rural/Regional Planning Studio, spring 1990.

Urban Village of Martineztown / Rural Village of Mora, series of individual projects responding to issues identified by representatives of Martineztown and Mora. Co-taught with Claudia Isaac and María Varela, Advanced Planning Studio, spring 1989.

Town of Atrisco, Strategies for Empowerment, Advanced Urban Planning Studio, co-taught with Claudia Isaac, spring 1988.

Las Plazas de Atrisco Master Plan. Urban Center Plan for southwest quadrant, Albuquerque. UNM Advanced Planning Studio, co-taught with Bill Siembieda, Ric Richardson, spring 1987.

A Citizen's Guide for Sector Planning in the Southwest Area of Albuquerque, Advanced Planning Studio, co-taught with Ric Richardson. Publication supported by Friends of Architecture & Planning, UNM. May 1986.

Village of San Ysidro de los Delores, Sandoval County, New Mexico, a handbook of issues, opinions, choices for the future. UNM Rural Planning Studio with contributions from Ric Richardson, June 1985.

Central Avenue - University Heights, Street Design, urban design, street layout, street furniture, landscape, lighting for Central Avenue - U.S. 66 between University and Girard Boulevards. Individual architectural projects for selected buildings including the UNM Campus, University Heights fronting on Central. Fourth year Architectural Studio, spring 1985.

Central Avenue - U.S. 66, Planning Inventory for R/UDAT, Albuquerque, New Mexico, Inventory of physical, economic, neighborhood aspects of Central Avenue from Nine Mile Hill to Girard Blvd. Input for Regional Urban Design Assistance Team (R/UDAT) of the American Institute of Architects. Graduate Planning Studio, team taught with Min Kantrowitz, fall 1984.

Rio de Santa Fe, design of the Santa Fe River access, recreation and flood protection in Central Santa Fe. UNM Urban Planning Studio, spring 1984.

South Valley Workbook Towards an Area Plan. Second semester product of a two semester studio funded by Bernalillo County Commission. First semester involved public meeting facilitation process, second semester research and report, UNM Rural Planning Studio fall, spring 1981/82.

Interior Beam Sunlighting and Exterior Passive Viewing System, School of Architecture & Planning, UNM, research of principles, design of sun-tracking heliostat, construction and installation on roof of School of two-axis, day and season solar heliostat to light interior lobby and a Lens-Guide Viewer to see outside from windowless studio in School of Architecture & Planning. Design and construction in special seminars over three semesters by five students: two graduates in Architecture, one in Planning one in Mechanical Engineering and one undergraduate in Architecture. Construction materials funded by \$1355 grant, UNM Foundation. 1981-83.

Energy Conservation, Interior Daylighting, Summer Construction Workshop, Design and Planning Assistance Center Building, UNM. Design in Appropriate Technology seminar, construction by 22 students in the Architecture & Planning programs in a summer construction workshop, co-taught with Steve Dent and Greg Baczek, construction supervisor. Design included north wall insulation, daylighting roof monitors, east and west sun screens and a stained glass entryway story-window for the Design and Planning Assistance Center, 120 Yale Blvd. SE.

Improvements to the typical one-story leased commercial building were financed by a \$150 increase in monthly rent, offset by a projected \$150 a month decrease in utility bills paid by the University. Energy savings were greater than projected. Summer 1981.

Community Development Plan for the Village of Chama and Surrounding Area. Rural Planning Studio spring 1980, supplemented with \$22,500 grant for student-staffed project in the summer of 1980 funded by Farmer's Home Administration to the Village of Chama for full public meeting and plan development process. Completed October, 1980.

Energy and Water Conservation, Ecological Design Research, Building Value and Aesthetic Enhancement, Public Education, Cabin Retrofit Construction Workshop, D.H. Lawrence Ranch, Taos, New Mexico. Design by students in team-design process in coordination with Edie Cherry. Construction by 20 students in summer construction workshop co-taught with Enid Howarth and with Ron Romero and Greg Baczek, construction supervisors. Enclosed and insulated interior patio space, trombe wall, convective air heater, biological composting toilet, low-flow fixtures, water meter visible in bathroom, graphic information plaques identifying and explaining conservation features. Santo Domingo cabin, D.H. Lawrence Ranch, UNM retreat facility north of Taos, New Mexico, summer 1979.

Uptown Urban Center. UNM Interdisciplinary Studio funded by a \$600 grant from City of Albuquerque for public meeting, survey and publication process, proposed sector development plan, fall 1977. Detailed architectural, planning projects, spring 1978. Co-taught with Peter Montague, Bob Cohlmeier, fall-spring 1977-78.

South Campus Urban Center: A Student Proposal. UNM Interdisciplinary Studio co-taught with Peter Montague, Richard Dorman. Research, performance objectives, master plan in fall 1976, projects in spring 1977.

PROFESSIONAL PLANS, PUBLICATIONS, REVIEWS, CONSULTATIONS

Pilot Plant for Constructed Wetlands, invited consultant, for City of Albuquerque, Public Works Department, 1994-95. Project constructed, \$500,000 contract, in 1995

Peer review of The Citizens' Guide to Planning, 3rd Ed., planning text, by Herbert Smith for the Planners Press, American Planning Association, Washington, D.C. Fall 1993.

Appointed, spring 1993, by Mayor of Albuquerque, member of the Albuquerque/Bernalillo County Wetlands Study Group, to evaluate constructed wetlands for water treatment for a range of scales from satellite development to the entire city. Report completed December 1993, presented to City Council and Board of County Commissioners in spring 1994.

North Albuquerque Acres Sub-Areas Master Plan, An Element of the Albuquerque/Bernalillo County Comprehensive Plan, Research, analysis, drafting of area plan for City of Albuquerque. Adopted 1978.

Ladera Roadway and Drainage Design Policies, research, concepts, illustratives, policies. Adopted by City of Albuquerque, 1976.

Ladera Golf Course, conceptual design, illustrative drawings for golf course, adjacent development, area-wide flood management. Adopted by City of Albuquerque, 1976.

Albuquerque/Bernalillo County Comprehensive Plan, initiation, supervision of draft of Policies Plan, Metropolitan Areas and Urban Centers Plan, and Plan for Major Open Space, 1970 to adoption by City and County in 1975.

Guidelines for Public Systems for a portion of the area west of the Rio Grande. Utility services and development plan. Adopted by City and County in 1975.

Sandia Foothills Drainage and Development Plan. Analysis of storm volumes, drainage system (incorporating storm runoff calculations by U.S. Army Corps of Engineers), generation of design options and policies for drainage and development. Adopted by City of Albuquerque, 1973.

South Mesa (now Mesa del Sol), Land use, access and utility needs, development options for State lands held in trust for the University of New Mexico, advisory, 1972.

Natural Resource Inventory, overlay mapping and evaluation of development potential within Middle Rio Grande watershed from La Bajada to Socorro. Geographic information study, analysis, leading to creation of Albuquerque/Bernalillo County Comprehensive Plan, 1970.

METRONET Plan, evaluation of Albuquerque's Land Use Plan (adopted 1965) and Transportation Plan (adopted 1964). Recommendations for modification of both plans to be compatible and allow consistent decisions by City and County advisory and elected boards. Adopted 1969.

PROFESSIONAL DESIGNS (wholly responsible, or principal designer)

Rose Residential Development, Taos, New Mexico, invited to prepare site design, development master plan, ecological design guidelines for 60-acre residential development southeast of Taos, December 1991.

High Desert Community, Albuquerque, New Mexico, invited to interview (short list of 5 from 34 respondents to request for qualifications) for design guidelines for a 970 acre residential development, including 2200-2700 housing units, elementary school, neighborhood commercial, recreation center, etc. Area managed by endowment trust for Albuquerque Academy, supervised by Design Workshop, Aspen, Colorado.

Greenroom/Rockmarsh, Atrisco, New Mexico, energy and water conservative retrofit with internal solar aquatics and external construction wetlands for personal residence. State EID approval, County building permit September 1990. Under construction by author and sub-contractors, 1991 to present.

Barn Design, Farm Plan, Corrales, New Mexico, shelter, feed and hay storage barn, animal pens, pasture and field crop design, irrigation plan for José Rivera, January 1987.

Eagle Ridge Development, Steamboat Springs, Colorado, Design Competition. National design competition for winter/summer resort, condominium development in Steamboat Springs, Colorado entered with Steve Dent and Richard Nordhaus. Responsible for overall site plan and detailed design of northeast plaza housing and commercial area. Not selected, project not built. Summer 1981.

La Luz del Sol, Albuquerque, New Mexico, site design, building massing, conceptual drainage plan for 30 acre residential development for Ovenwest Corporation. Barker and Bol, Architects, Jake Bordenave, Engineer, Albuquerque 1978-79.

Cochiti Lake, Cochiti Pueblo, New Mexico, master land plan for Takedown Area 5, 1200 acre portion of Cochiti Lake development including estate lots, townhomes, apartments, site-delivered housing, schools, commercial open space, archeological sites, boat launch facilities, infill and perimeter development for McIntire & Quiros Engineers, Monterey Park, California 1974.

Solar Retrofit, Home Energy Improvement, Atrisco, New Mexico, design and construction of energy performance improvements, adobe veneer, super-insulation, roof monitors, active and passive solar systems retrofitted to personal residence, owner-architect-builder 1971-82.

Solar Residence, El Rito, New Mexico, design and partial construction of passive solar heated, wood-furnace supplemented personal residence. Third completely solar heated home designed and built in New Mexico (after two built by Peter van Dresser in Santa Fe). Burned during construction, 1968.

Public Housing for the Elderly, Boston Redevelopment Authority, Boston, Massachusetts, supervised and participated in staff design for 24 units of public housing, site development, Charlestown Urban Renewal Areas, construction management by Boston Public Housing Authority, 1965-68.

Public Recreation and Boat Launching Facilities, Little Mystic Channel, Boston, Massachusetts, staff design of ballpark, passive and active recreation, harbor access, boat ramps in coordination with and responsibility for design review of 260 units of moderate income housing, Jose Luis Sert, Architect, 1965-67.

Street Design, Eleven Streets Project, Charlestown, Boston, Massachusetts, design and construction of street improvements for eleven street area of Charlestown including Bunker Hill Monument. Street neckdown, landscaping, lighting. Sasaki, Dawson, Demay Landscape Architects, 1965-66.

Design Review, Boston Redevelopment Authority, Boston, Massachusetts, schematic design, development guidelines and design and site coordination for various projects including: Community College (Shepley, Bulfinch, Richardson and Abbott, Architects), arterial and interstate-urban design projects, infill private housing, branch library, shopping center, tot lots,

public open spaces. Design team participation in projects such as 1976 World Exposition and New Community, Copley Square design competition, Boston Regional Core Capital Web, and T.U.B.E. (Trans-Urban Bicentennial Exposition), 1965-68, and Master Plan for the City of Boston, 1962-63.

Working Drawings, Lenard Pevar Construction Co., London Grove, Pennsylvania, design construction drawings, site supervision for general contractor, mostly veterans hospitals, commercial buildings, Pennsylvania, Delaware, January-September 1960.

Construction Takeoffs, Working Drawings, Schoenfeld Marble Co., San Francisco, California, detail drawings, specs, site supervision for marble construction contractor, summers 1957-58.

SERVICE (recent examples)

Service to the School of Architecture & Planning

- *Foundations in Physical Planning, CRP 533, ARCH 530* Initiated, developed foundations course covering the range of physical planning practice, theory and methods from geographic basis for regional plans to physical details of the built environment. Allows graduate students in the three degree programs of our School to work together in a setting reflecting a professional work environment. Taught as a seminar 1999-2001. Adopted in 2002 as a foundations course. To be incorporated into Community and Regional Planning program (CRP) core curriculum.
- Planning Accrediting Board (PAB) Accreditation Visit, studio, course, thesis exhibit preparations, spring 2002
- Architecture By-laws Committee member 2000-2001
- School of Architecture and Planning (SAAP) New Building Committee member, Subcommittee on Sustainability, Urban Context, 2000-2001
- Resource and Media Center Committee, member 1999-2000, chair 2001
- Landscape Program, Director Search Committee, member 2000
- Urban Design/Physical Planning, Faculty Search Committee, member 2000
- National Architectural Accrediting Board (NAAB) Accreditation Visit, studio, course, thesis exhibit preparations, spring 2000
- SoLo studio, design charette, faculty team member, February 2000
- Architecture Program Director, faculty, advice/selection process, 2000
- SAAP, new building charette, faculty team member, January 1999
- SAAP, new building program, faculty/student committee, spring 1999
- Architecture program, Community/Practice curriculum stream, chair, spring 1999
- Planning program, personnel committee, chair 1999
- Association of collegiate Schools of Architecture (ACSA), code-talkers conference, sustainability panel moderator, October 1997
- NAAB, PAB accreditation reviews, Architecture and Planning programs preparation of, course and studio presentation materials, spring 1997
- Architecture program personal committee, chair, spring 1995
- Planning program personnel committee, chair, fall 1995, member spring 1995
- Architecture faculty search committee, 2nd year design, chair, fall 1995

- Greenroom research project, international visitors from Czeck Republic, Mexico, UNM classes, Albuquerque and Bernalillo Planning Commissions, spring, fall 1995
- SAAP, graduate committee, member 1993-94
- SAAP, library and slide committee, member 1992-94
- Co-initiator of environmental design/research faculty committee, later became initiative for the Arid Americas Research and Design Institute at the School of Architecture and Planning, 1992-94
- SAAP, graduate Committee, member, 1991-92.
- Coordinated, re-drafted brochure for the CRP program, fall 1991.
- Participated in core curriculum restructuring and contributed to preparation for accreditation review in both the Architecture and Planning programs, spring 1991
- Faculty search committee for Landscape/Urban Design position, member spring 1991.
- Faculty search committee for Structures position, member spring 1990.
- Affirmative Action Committee, member 1988-89.
- Developed recruiting poster for CRP program, 1988-89.

Service to the University

- University Campus Planning Committee, chair 2001-02, member 1998-2000
- Architect Selection Committee, Women's and Children's Health Pavilion, Health Sciences Center, member, fall 2001
- Architect Competition, Selection committee, new School of Architecture and Planning, member, spring through fall 2000
- Architect selection committee, UNM School of Law, Bratton Hall addition, fall 1998
- UNM Campus Planning Committee, member, fall 1994 to spring 1996
- UNM Long Range Planning Committee member, 1991-93
- Subcommittee of Long Range Planning Committee for Teaching Effectiveness, member 1991-92, Ad Hoc Committee to review the Department of Geography and Technology Applications Center (TAC) UNM Ad-Hoc committee to review the Department of Geography and Technology Applications Center, member 1991-92
- UNM Ad hoc committee to review Department of Geography and Technology Applications Center, member 1991-92
- Water Resource Administration, planning committee for Master degree, alternate member 1988-89
- University Campus Planning Committee, 1986-87.

Service to the Profession or Community

- AIA, Albuquerque chapter, digital archive history of Albuquerque Planning/Urban Design, 2000-2001
- AIA Ad hoc Urban Design committee, member 1999-2002
- Alliance for Green Development, participant 1999-2002
- City of Albuquerque, Shared Vision, *Growth Management Strategy*, contributor to text, 2000-2001
- South Valley Open Space, Citizens Committee, member 2000-2002
- Isleta Boulevard, Citizens Advisory Committee, member 1998-2002
- Hubble House, historic presentation, advisor, contributor 1997-2001

- *South West Area Plan*, Technical Committee, member 1997-2001
- Earth Building Foundation, board member 1996-2001
- NM State Land Office, Mesa Del Sol, studio project and facilitation of ASES workshop, spring, summer 1998
- Rio Grande Community Development Corporation, *South Valley Energy Initiative*, technical advisor, fall 1998
- City of Albuquerque, Planning Dept, *Visions of Albuquerque*, video, technical advisor, spring 1998
- City of Albuquerque, Housing Development Division, Sustainable Housing, technical advisor, spring 1998
- City of Albuquerque, Transportation Evaluation Study (TES), member of technical team, monitoring progress of contract consultant, 1994-96
- 1000 Friends of New Mexico, citizens advocacy for sustainable land use and development, initiating member 1995-97
- *Atrisco/Bridge Blvd, Economic Development Plan*, City of Albuquerque Metropolitan Redevelopment Department, steering committee member 1995-96
- *Re-housing the West: Options for Changing Society*, public conference, facilitator, UNM School of Architecture and Planning, April 1995
- *Albuquerque/Bernalillo County Constructed Wetlands Study*, member, appointed by Mayor Louis Saavedra, City Council Enactment 150-1992, technical advisor, 1992-92
- Reviewed, commented on Senior Thesis for Landscape Architecture, University of California at Davis, Ellen Harris, "Native American Patterns in the Landscape: A Language of Anasazi Patterns", summer 1991.
- Reviewed, commented on Technical Paper for New Mexico Institute of Mining and Technology at Socorro, W.K. Summers, "Septic Tank Systems in Bernalillo County, New Mexico and Their Effect on Groundwater Quality", Summer, fall 1991.
- Technical advisor for preliminary design and feasibility study of "Constructed Wetland in Don Felipe Oxbow," subsequently relocated to Los Padillas Elementary School for Rio Grande Community Development Corporation and New Mexico Engineering Research Institute, UNM. Spring 1991 to present.
- Mayor's Transition Team - Planning and Development Process, member November 1989 - January 1990.
- *Southwest Valley Service Options Evaluation*, Technical Committee, advisory to consultant Brown and Caldwell, Dallas, 1989-90, and to the Citizens Action Committee, Water Action Campaign, 1990-91.
- *Pajarito Arroyo Corridor Plan*, Citizens Advisory Group, City of Albuquerque, April 1988 - January 1990.

**Thesis, Independent and Professional Projects
Architecture, Planning and Related Degree Programs
* Indicates Committee Chair**

<u>Date</u>	<u>Degree</u>	<u>Graduate</u>	<u>Title</u>
In Process (2002)	M. Arch	Jim Cooke	Great Rivers Initiative, Yunnan Province, People's Republic of China
(2002)	M. Arch	Jared Larson	SoLo residential Development, Albuquerque
(2002)	MCRP*	Douglas Shaw	Sustainable Urban Development
(2002)	MCRP	Enrico Gradi	Southwest Area Plan, Reflections on Public Process.
Completed			
12/01	M. Arch	Marvin Martinez	Residential Conference Center, Taos, New Mexico
11/01	MCRP*	Yasmeen Najmi	The Middle Rio Grande Conservancy District, A Planning Framework for Bosque Restoration
4/01	MCRP*	Ingrid Kelly	The Silver Hills Streetscape Manifesto: A Community Based Design Project
3/01	MCRP*	Sheheli Jahan	Smart Development Guidelines for the Houston Metropolitan Area
2/01	MCRP*	Janie O'Rourke	Historic Pathways: Connecting People to Places, Past and Present, in Los Alamos, NM
12/00	MCRP	David Correia	Comprehensive Planning in Small-town Iowa: A Plan For Coggon
7/00	MLA*	Maura Lewiecki	A Cabezon Point of View: Landscape Design
6/00	M. Arch*	Lawrence Ortiz	Multi-Use Development: An Ecological Uptown
4/00	M. Arch*	Stacey McGee	A Living Machine: Ecological Design in Elgewood, NM
3/00	MCRP	Matt Foster	Pueblo Of Sandia, Youth Visioning Program
1/00	M. Arch	Dale McCormick	Greening of Brownfield in Missoula, Montana
12/99	M Arch*	Kent Beirely	Gavilanes Eco-Resort, Baja California, Mexico
11/99	MCRP*	Regina Chapman	A Proposed Master Plan for Art, Albuquerque International Sunport
11/99	MCRP	Barbara Ford	Saving Money, Boosting the Local Economy: How Bernalillo County's South Valley Can Benefit From Energy Efficiency
10/99	MCRP	Ken Romig	Social Cohesion and the Landscape of Juan Tabo Canyon, NM
7/99	M. Arch	Kurt Hunt	High Density, Live-work Community, Central Ave. Albuquerque, NM
6/99	MCRP (Landscape)	Coreen O'Hara	Jurassic Park Recreation Area: A Landscape Design Project
5/99	M. Arch*	Ana Prestes	Rio Grande Ecological Museum, Albuquerque, NM
5/99	M. Arch*	John Kirkpatrick	Belen Reinvented, Urban Revitalization Design
4/99	M. Arch*	Charles Luna	Querencia: A Place of the Heart, Albuquerque, NM
4/99	M. Arch	Daisuke Numata	A New School of Architecture, UNM

1/99	M. Arch	Christy Wareing	Harhave Foundation, Spiritual Retreat, New Mexico
12/98	M. Arch*	Scott Schreffler	Villa Viento de Luz: A Suburban Village Concept for the 21 st Century
10/98	MCRP*	Alexandra Ladd	Growth Stories: La Voz del Pueblo
8/98	M. Arch	Hannah Taylor	A Living Laboratory for the School of Architecture & Planning, UNM
5/98	M. Arch*	Tom Ashcroft	Design Technique for Difficult Sites
5/98	MCRP	Josette Griffiths	Making Sense of Place: Power Struggles to Impose Meaning on the Southwest Mesa
5/98	MCRP*	Greg Smith	Tierra Contenta Planned Residential community, Lessons from the Past, Lessons for the Future
5/98	MCRP	John Valdez	Feasibility Study for new Multi-Purpose Event Center, Albuquerque, NM
4/98	M. Arch.*	Alex Dzurec	Housing: A Sustainable Solution for the South Valley, New Mexico
3/98	MCRP*	Lisa Asche- DeBias	The Challenge of Wildlife Management in an Agricultural Environment, Candelaria Farms, New Mexico
4/97	MCRP	Moises Gonzales	Methods, Strategies and Implementation of Agricultural Preservation in the South Valley
4/97	M. Arch	Saengchanh Sibouth	Buddhist Retreat and Sanctuary, Albuquerque, New Mexico
12/96	MCRP*	David Lujan	La Merced del Pueblo Manzano
5/96	MCRP*	Richard Mason	A Proposal for Utility- Supplied Renewables Through Green Pricing
5/96	MCRP	Angela Acosta	Planning in the South Valley: Previous Efforts, Obstacles and Implementation Strategies
5/96	MCRP	Michael Sapunor	Ecological Evaluations as a Land Use Planning Tool: Case Study of an International Rangeland Ecosystem.
5/96	MCRP*	John Liebendorfer	Solar Crop Drying Facilities
5/96	M. Arch*	Dean Homleid	The Crown of the Continent, Biosphere Reserve Center, Glacier National park, Montana
4/96	M. Arch*	Andy Benson	Albuquerque High School Reclamation and Re-use
2/96	M. Arch	Anou Mirkine	Santa Fe Healing and Information Center
11/95	M. Arch*	Yash Chaudhry	School of Architecture and Planning, University of New Mexico
8/95	M. Arch*	Shilpa Gore	Schulkill River Center, Philadelphia, Pennsylvania
5/95	M. Arch	Chris Harmon	The Albuquerque/Rio Grande: River Trail and Promenade
11/94	MCRP*	Jim Barr	Albuquerque Pilot Plant, Constructed Wetlands
11/94	JD (Certificate)	Christina Bruff	Water Conservation within a Planning Framework, A Regional Urban Comparison
7/94	M. Arch	Tim Onderdonk	Transportation Museum, Albuquerque Railroad Yards
5/94	M. Arch*	Ian Pinto	Louise Nevelson Art Museum, New York City

4/94	MCRP (Landscape)	Sue Lowell	In- Situ Reclamation Project, Albuquerque, New Mexico
3/94	MCRP*	Dale Osborne	Columbus, Indiana, Planning Process
1/94	M. Arch*	Scott Wrassman	A Mag-Lev Train Station at the Albuquerque International Airport
11/93	MCRP*	Luz Valdez-Norris	Village of Indian Nations, VIN, A Cultural Development Project
11/93	M. Arch	Chris Caponetto	Oceanfront Development, Los Angeles, California
11/93	M. Arch	Vivek Pradhu	Waterfront Development, Alexandria, Virginia
11/93	MCRP	Aleta Lawrence	Community Plan, Lamy, New Mexico
7/93	MCRP*	Richard McPherson	State Fairgrounds Neighborhoods, Albuquerque, NM
6/93	M. Arch*	Tom Piekenbrock	War Memorial, Presidio, San Francisco
5/93	MCRP, * M. Arch	James Knight	Towards a 21 st Century Factory Community: United States and Mexico Transborder Development
4/93	MCRP*	Jonathan Moore	Design Development Guidelines, Morrison Colorado
11/92	MCRP*	Paul Robinson	Planning for the Reclamation of Uranium Waste Sites in Germany
5/92	M. Arch*	Katherine O'Brian	Don Felipe Oxbow, Constructed Wetlands
5/92	M. Arch	Rupal Shah	Albuquerque High School, Urban Housing
5/92	M. Arch	Sanjay Engineer	Uptown Multi-use Center, Albuquerque, NM
12/91	M. Arch	Yingsat Vicitpunt	The Railway Station Landmark Complex, Albuquerque, NM
11/91	M. Arch	Leymoyné Blackshear	A Prototype Airbase: Planning Principles for the Future.
11/91	MCRP	Karie Smith	Housing Resource Guide for Mora County, New Mexico
11/91	MCRP*	Mark David	An Inter-Model Transfer Facility Evaluation, Albuquerque, NM
7/91	MCRP*	Dennis Brookie	"Where is the National Park?" Sign Plan for The National Park Service
4/91	M. Arch	Debra Foster	Celebrating The Rivers Edge: Access without Impact
12/90	M. Arch*	Bryan Sanders	Desert Bloom: A Living Research Facility
6/90	MCRP	Bob Clarkson	Mora County Subdivision Regulations
5/90	MCRP*	Carol Schneider	Town of Bernalillo Community Center
4/90	MCRP	Lynnwood Brown	Structured Networks: New Prospects for Community and Regional Planning
1/90	M. Arch	Tom Powers	Civic Arena State Fairgrounds
11/88	M. Arch	Peter Klauder	The Albuquerque Aquarium
5/88	MCRP*	Michael Wicker	Technical and Administrative Analysis of Wastewater Alternatives, Southwest Valley
4/88	M. Arch	Michael Gallegos	Optical Materials Center, University of New Mexico
12/87	M. Arch	Susan Bejnar	D. H. Lawrence Ranch, Lodge and Development Plan, Taos, New Mexico
12/87	M. Arch*	Lawrence Thal	Housing in the Heartland: Parklands Village, Sylvania, Ohio

8/87	M. Arch	Christopher Hare	Los Amigos Community Care Center, Santa Rosa New Mexico
8/87	MCRP	Elisha Gana	Village Planning: a Critique and Strategy for Equitable Development of Rural Gbako, Niger State, Nigeria
12/86	MCRP*	Jay Eberly	Archeology in the Planning Process: The Albuquerque/Bernalillo County. Archeological Resources Planning Advisory Committee
12/86	MCRP	Jeffery Evans	Evaluation of Open Space and Conservation. Elements of the General Plan for El Dorado County, California
12/86	M. Arch	Ahmed Al Rowaished	School of Architecture and Planning, King Faisal University, Damman, Saudi Arabia
12/86	M. Arch*	James Williams	Albuquerque West Mesa Aerospaceport
11/86	MCRP	Christine Small	Auto Restricted Zones: Four Examples for Successful Implementation
5/86	MCRP*	John Cabral	Organizing a Farmers Market in Albuquerque's South Valley
11/85	MCRP*	Daniel Pava	Clearing the Air about Vehicle Emissions: A New Mexico case study in Albuquerque/Bernalillo County
7/85	MCRP*	Jonathan Teague	The Federal Coal Management Program, Focus on New Mexico
7/85	M. Arch	Steve Kahn	Shelter North America Cooperative Housing, Las Cruces, New Mexico
4/85	MCRP*	Judith Novotny-Suiter	Site Improvements to Enhance the Environmental and Engineering Performance Of the Proposed Generating Station in the San Juan Basin, New Mexico
4/85	MCRP*	Michael Brands	Albuquerque's North Valley River Crossings, Recommended Actions.
8/84	MCRP*	James Vernon Lewis	Multi-Use Design for Portions of the San Antonio and Tijeras Arroyos
5/84	M. A. (Public Admin)	Rexford King	The Development of Solar rights Policy in New Mexico.
4/84	MCRP	Randolf Reed	Density, Infill and the Albuquerque/ Bernalillo County Comprehensive Plan: 1970-1980 and Beyond
4/84	MCRP*	Ken Marron	A Guide to Development of Micro-Hydropower
12/83	MCRP	Audon Trujillo	Group Credit: A Mechanism to Promote Economic Development among New Mexico's Community Acequia Associations
4/83	M. Arch	Roy Hertwick	Design for Cibola County Courthouse Complex, Grants, New Mexico
4/83	MCRP*	John Taschek	South Valley Economic Development, Albuquerque, NM
11/82	M. Arch	Frances Kilpartrick	Master Plan and Phased Building Design for a Community Center, Tijeras, New Mexico
11/82	M. Arch*	Janet Lacey	Site and Housing Recommendations for Acoma Pueblo, New Mexico

11/81	M. Arch	Alberto Galvis	Self-Help Building Guide for Bogota Columbia
7/81	M. Arch	Earl Mark	Escuela La Luz, School of the Future, Albuquerque, New Mexico
10/80	M. Arch*	Joseph Vaughn	Jerusalem Community Design, Belen,
9/80	M. Arch	Michael Ivancic	Mechanical Engineering Building, University of New Mexico
9/80	M. Arch	Ciro Hernandez	The Dar El-Islam Mosque, Abiquiu, New Mexico
8/80	M. Arch	Mark Feldman	An Evaluation of Design Rules of Thumb for Residential Passive Solar Heating Systems
4/80	M. Arch*	Laura Cruickshank	Master Plan for Year Round Resort Development, Balsam Mountain, New York
4/80	M. Arch	Kevin Georges	Sandia Resort Design, Albuquerque, New Mexico
3/80	M. Arch	Richard Hoffman	Housing for Low-Income Elderly, Barelmas, New Mexico
12/79	M. Arch	Robi Friedman	Solar Crop Drier: Design of Processing Storage, and Sales Area
8/79	M. Arch (Planning)	Marwan Khoury	A Planning Process for the Design of Urban Growth Management Systems
5/79	M. Arch	Dave Arnolth	A Commercial/Residential Development with Pedestrian Bridge to UNM Campus.
4/79	M. Arch	Geoffery Bell	Passive Solar Water Pump: Design and Construction
3/79	M. Arch	Thomas Parks	Post Occupancy Evaluation: Married Student Housing at the University of New Mexico
2/79	M. Arch* (Planning)	Louis Kolker	Downtown Retail Revitalization: Central Avenue Design
12/78	M. Arch	Rob Strell	Housing for Low-Income Elderly in North Barelmas, Albuquerque, New Mexico
7/78	M.A. (Public Admin.)	Rosemary Thompson	A New Approach to Planning an Urban Park System
5/78	M. Arch*	Dorothy Elert-Dyer	Comparative Design Concepts and Housing Design in North Albuquerque Acres
4/78	M. Arch (Planning)	Eleanor Mitchell	A Study of an Historic Trail through Tijeras Canyon
12/77	M. Arch*	Steven Koffman	The Solar Energy Research Institute, Albuquerque, New Mexico
10/77	M. Arch	Richard Johnson	Chimborazo: A Study of High Altitude Housing Design in the Ecuadorian Andes at Socorro
5/77	M. Arch	Collena Draper- Tucker	First Phase Development Proposal of Convict Bay, Saint. Georges, Bermuda
5/77	M. Arch	Daniel Mossien	Shipyards Museum Master Plan, 1000 Islands, Clayton, New York
12/76	M. Arch (Planning)	Hinda Basen	The Comprehensive Planning Process: Panacea or Paradigm for Albuquerque

12/9/15

SUMMARY OF "CONCERNED CITIZENS GROUP" MEETING WITH ALBUQUERQUE TRANSIT DEPARTMENT REPRESENTATIVES

Held on December 2, 2015, 4:00 PM

PRESENT: Transit Department: Bruce Rizzieri, Director & Lawrence Kline, Principle Planner, ABQ Ride
Concerned Citizens: Paul Lusk, Julie Stephens, Anthony Anella, Steve Schroeder, David Vogel

MAJOR POINTS ADDRESSED IN THIS SUMMARY DOCUMENT

- The configuration and station location of the A.R.T., as shown on 12/2/15 'Project Plans'
- Appropriate emphasis on attractive and functional sidewalks as they enhance pedestrian access to businesses and cultural facilities, as part of 'Complete Streets'
- The 'grid' bus network as it relates to inclusive service, and connection to the Central Ave 'spine', particularly to major N/S arterials and other E/W connectors
- Ensure that ART, in its design & operation, provides substantial incentives for citizens to get out of their own vehicles and integrate use of the Transit System into their daily lives -- and to implement the goals defined in the Mayor's "Route 66 Plan"
- To implement the 'Cultural Centers 'Inner-loop' and connection to other cultural centers
- The coordination of each of these components as integral and essential elements of the Comprehensive Plan.
- A typical plan-drawing with sections, and a draft grid-transit map, to achieve each of these objectives was submitted at the 12/2/15 mtg.

MEETING SUMMARY

A meeting was requested with the Director of the City of Albuquerque Transit Department by a group of "Concerned Citizens" for the purpose of:

- 1) Receiving a briefing by the Transit Director regarding the current status and next steps re the ART Project,
- 2) Providing constructive input and feedback regarding the planned ART Project and offering related contemporary urban design recommendations, and



- 3) Inviting the Transit Department to engage in future constructive dialogue & input with the Concerned Citizens Group which includes planning professionals with national and international experience, design experts with experience in urban design throughout the U.S., and community & business advocates. (See Attached Agenda)**

The Concerned Citizens Group initiated the meeting by introducing Group members and stating their intentions to be as constructive and helpful as possible. The Group had prepared extensive written documentation that addressed not only the seemingly serious design flaws that currently appear on the City's ART website, but also offered some preliminary conceptual drawings & recommendations that have the potential to make Albuquerque's transit system a truly innovative, leading edge 21st Century transit system that could put Albuquerque in a class with Curitiba and Bogota, thereby building on the theme being pursued under the "Innovate ABQ" initiative.

Mr. Rizzleri gave the Group an update re the current ART status during which included the following points:

- 1) The Project planning apparently is close to completion with City Departments completed reviews and 'Construction Plans' in process, which means there might not be much opportunity to make significant changes.
- 2) The contracts with a sequence of consulting firms calls for approximately \$11 million to be spent on the planning, design and related consulting services.
- 3) The ART Proposal is requesting \$75 million and would be funded by a Department of Transportation Program called "Small Starts". This Program is apparently funds exclusively dedicated-lane, often median-oriented transit systems. Hence, in order to get this Federal funding, Albuquerque has to "fit" its transit system design into these predetermined design parameters.
- 4) The projected route includes Unser to Tramway
- 5) Outreach door to door was reported conducted (however Central business owners in the meeting had not been not contacted).

One of the group's members who has extensive experience as an urban planner in cities throughout the US offered his deep & extensive review and critique of the ART Plan that is on the City's website. Based on his and the Group's analysis of the plans available (as of 12/5/15) to the public, it appears that there are some potentially serious design flaws in the current ART Plan and design specs. A written analysis of these apparent design flaws was given to the Transit Department representatives.

A summary of the recent meeting some of the Group's members had with City Councilor Winter and City COO Richard Riordan (See Attached) was also given to the Transit Department representatives along with additional comments and concerns which included:

- 1) ART seems to run contrary to the goals of the "Innovate ABQ" initiative,
- 2) ART does not connect many of Albuquerque's major cultural & historical assets,
- 3) The true potential cost of ART does not appear to be well defined or understood, and

4) ART presents major "risks" to the City that include:

- a) Pushing the already economically tenuous merchants in the Nob Hill District – an historic & unique "jewel" of Albuquerque – and other Central Avenue businesses "over the edge" and out of business.
- b) Causing potentially serious deterioration in the neighborhoods along Silver, Lead, Coal & Copper as a result of shifting traffic to those streets. This is an "unintended consequence" that has been experienced previously in some Albuquerque neighborhoods as a result of intentional changes in traffic Patterns.

The group also made the following observations & recommendations:

- 1) The Transit Department representatives are encouraged to speak with the Houston Transit folks about how they are converting their system into a substantially more functional grid-oriented system, a goal that should be included in the ART Plan. (See: <http://www.humantransit.org/2014/05/houston-a-transit-network-reimagined.html>)
- 2) The Group gave the Transit Department representatives their written analysis of the apparent design flaws with the current ART Plan, as well as a number of recommendations for potentially significantly upgrading the value ART could bring to the community.
- 3) The location of stations in the ART Plan does not seem to consider as important, coordination with existing bus routes or potentially with other North/South arterials. Some stations are mid-block, some nearly halfway between major N/S arterials, which seems contrary to the objective of facilitating ease of passenger transfers. This is a critical consideration when attempting to maximize the transit system's attraction and usefulness.
- 4) Although the current ART design apparently addresses the more narrow criteria for a BRT system running dedicated lanes via a median, ART seems to be being developed outside of current, commonly accepted urban planning principles and standards for healthy street design such as those recommended by "COMPLETE STREETS". (See: <http://www.smartgrowthamerica.org/complete-streets>)
- 5) ART seems to focus throughout the Plan on the space between the curbs as its primary priority at the expense of sidewalks and other important urban design components. Most of the sidewalk dimensions in the ART Plan are significantly less than those called for in contemporary urban design guidelines, including those recommended in the "COMPLETE STREETS" guidelines. In most of the cross-sections shown on the Project Plans, the sidewalk dimensions are only 6 feet, and sometimes less, and in others there is no sidewalk dimensioning whatsoever. This suggests that sidewalk design is an afterthought in the ART Plan rather than a high priority design criterion essential to creating a "Walkable City". (See:

<http://www.walkable.org> & <http://www.walklive.org>)

The Plan needs to actively promote pedestrian traffic thereby enhancing a sense of community and support of businesses in Albuquerque.

- 6) Many of the ABQ Ride routes use Central Avenue as part of their route. There seems to be no provision in the ART Plan for curbside stops for these buses. Some, as shown in the Project Plans (as of 12/2/15), would be located in a single travel-lane adjacent to a 6-foot sidewalk. Cars behind would be forced to wait for loading (or illegally go around?).
- 7) The Transit Department should consider including certain state-of-the-art transit system concepts such as electric buses, (See article Re: Geneva, Switzerland's transit system: <http://insideevs.com/12-ultra-fast-charging-electric-buses-geneva-2017/>) Also, such a system, potentially, could be powered by dedicated PV arrays, as integral components of the ART Plan. (For example, the Gallup City Council, on Dec. 7th, this past Monday, reviewed contract bids for construction of a 10MW PV Solar array, serving municipal electric load needs. See: <http://www.gallupnm.gov/DocumentCenter/View/1023>)
- 8) ART appears to be being developed as a mini-system unto itself without the requisite bigger picture "large system" urban planning concerns required for sound urban planning. The Group spoke to the importance of any major system such as ART being designed as an integral part of the larger "system". To proceed without this "large systems" perspective as an integral component of the ART design is contrary to contemporary urban "systems thinking" and planning. An example of such systems thinking is evident in the transit system as shown in: [http://www.ci.omaha.ne.us/planning/urbanplanning/images/stories/Master%20Plan%20Elements/Transportation Element Final 2012 web.pdf](http://www.ci.omaha.ne.us/planning/urbanplanning/images/stories/Master%20Plan%20Elements/Transportation%20Element%20Final%202012%20web.pdf).

Some examples of "larger system" planning considerations as they pertain specifically to transit include:

- How will ART and its design & operation provide incentives for citizens to get out of their own vehicles and integrate use of the Transit System into their daily lives?
- How does the ART Plan relate to the City/County Comprehensive Plan update that is currently underway?
- How does ART relate to the Mayor's "Route 66 Plan"?
<<https://www.cabq.gov/mayor/priorities-initiatives/initiatives/abq-the-plan/future-of-route-66>> and <<http://route66central.com/index.html>>
- How does the ART Plan relate to the Middle Rio Grande Council of Governments 2040 Long Range Metropolitan Transportation Plan?

- Are the County and other governments in accord with ART?

9) Concerns about costs, sources of funding and regional issues continue to be raised.

- What might our match of the funds to build ART otherwise pay for? (See input to Transit Dept. 12/2/15 re alt. Central Ave Plan, sections, and Grid transit map.)

- Has there been an analysis of how this Project and its cost compares with other transit projects' construction and maintenance costs?

- What is the rationale for the Project? If the idea is to reduce our regional carbon footprint, does it? How does it compare to a more geographically distributed system of feeder vans, etc?

10) The Group also presented the "5 Capitals" concept to the Transit Department representatives as another important "frame" within which ART should be planned and executed. (See Attached)

The Group concluded its comments by noting that ART represents a remarkable opportunity for Albuquerque to put itself "on the map", along with other cities that are planning leading edge transit systems as a means of fostering major economic development.

Albuquerque currently has an opportunity to design & create a truly innovative and exciting transit system that could become a hallmark of Albuquerque by designing and building a truly beautiful, fun and exciting to ride transit system—a transit system that would become a "go to experience" for tourists and local citizens alike.

Together with the packet of materials submitted to the Transit Department on November 4, 2015, including the Cultural Centers access loop and the Grid Network draft map, ART could be a "magnet" that would incentivize millennials and others to move to Albuquerque. In addition, it would be an inter-connected, highly functional transit system that would facilitate everyone's ability to see our City and move easily from place to place.

NEXT STEPS: The Group reiterated its willingness to work with Transit Department representatives, as well as the Transit Advisory Board, in an effort to improve the ART design. The Group requested that the Transit Department formally respond regarding the Groups recommendations, suggestions and offer to collaborate with their efforts.

**MEETING OF "CONCERNED CITIZENS" WITH
ALBUQUERQUE TRANSIT DEPARTMENT REPRESENTATIVES
4:00 PM, December 2, 2015**

4:00PM 1) Introductions and Outcomes Objectives for the Meeting

**4:10PM 2) Briefing by Transit Dept. Representatives re the Current Status,
Timing and Next steps re the ART Project**

4:20PM 3) Input from "Concerned Citizens" group re the current ART design:

- a) The 'Cultural Centers 'inner-loop',
- b) The 'grid' bus network as it relates to inclusive service, and connection to the Central Ave 'spine',
- c) The configuration and station location of the A.R.T. as presently shown
- d) The coordination of each of these components as integral and essential elements of the Comprehensive Plan

4:50PM 4) Discussion

5:15PM 5) Next Steps

5:30PM 6) Adjourn

**AN OPEN LETTER TO THE MAYOR OF ALBUQUERQUE, THE CITY COUNCIL
& THE CITIZENS OF ALBUQUERQUE**

January 30, 2016

RE: Albuquerque Rapid Transit (ART)

Dear Friends,

We are a small group of volunteer "Concerned Citizens" that includes professional urban designers, planners, small business owners and architects who support the idea of improved Transit on Central Ave. However, we have come to believe that the Albuquerque Rapid Transit (ART), as developed by the Albuquerque Transit Department and its consultants, and subsequently submitted to the Federal Transit Administration (FTA) -- both as reviewed on 12/2/15 with the Transit Department, and in the revision publically notified by KRQE on 1/22/16 --falls substantially short of achieving the stated goals and intent stated in Federal Grant application.

Our concerns have been confirmed by the Albuquerque Transit Department's own contracted consultant's analysis in March, 2015 which states:

"Overall, our analysis concludes that in the Build Condition (of A.R.T.), the operational performance at several intersections would be deteriorated [compared with No Build]. Several segments would have diminished operational performance, thereby increasing queuing and congestion along the Central Avenue corridor. This can clearly be attributed to the reduction in capacity of the general purpose lanes along the majority of the corridor."

Albuquerque Rapid Transit VISSIM Analysis
Technical Supplement#2; pg. 110
Prepared for: ABQRIDE
Prepared by: Parsons Brinckerhoff
March 02, 2015

Hence, some important basic questions must be asked regarding the overall feasibility of ART and its potential impact on our community. For example, will ART really contribute to the overall improvement in the quality of life in our community and if so how? What are the potential costs vs the benefits of this ambitious undertaking? What are the prospects that this Project might actually diminish Albuquerque's prospects for moving toward greater economic prosperity?

OUR FINDINGS

It is our view that, whether the grant application is approved or not by the FTA, the configuration and components of ART are not sufficient, in both concept and in technical support material, to meet the long-term interests of the adjacent properties, including cultural centers, neighborhoods and businesses, as well as the best interests of the citizens of Albuquerque. We believe that the January 22nd revisions still do not meet these objectives, and should be modified in order to result in an arrangement that would:



1. Cost less,
2. Connect properly to the grid network of N/S arterials, following the example of what Houston is currently doing¹,
3. Avoid tearing up much of Central Ave. for indeterminate periods of time, and
4. Significantly contribute to the overall elevation of each of the basic "capitals" of our community which include financial, environmental, cultural, infrastructural and human.

A number of community leaders, elected officials and citizens voiced their support for this Project early on based on the CONCEPT of a rapid bus transit system prior to release of both the original ART Plan submitted to the FTA and the January 22, 2016 modifications. It is vital that everyone who expresses their support or their opposition to ART, do so on a fully informed basis with objectively vetted analyses that represent the best interests of Albuquerque citizens, neighborhoods and affected businesses.

A detailed review of the ART Project Plans by technically qualified members of our Concerned Citizens group, as presented on the ABQRide website in early December, and again as revised in January, 2016, has revealed that the proposed ART design:

- ☒ Compromises many necessary functions of the Central Avenue Right of Way in order to create and "fit in" the Dedicated Center Lane and Island Station concept. Central Avenue simply is not wide enough to successfully accommodate the dedicated center lane concept of ART, as initially designed, and as revised in January, 2016,
- ☒ Remedies many of the sidewalk width reductions of the initial ART Plan. However, the 1/22/16 revisions still fail to comply with the performance criteria, as well as the provision for the multiple functions called for in the "Complete Streets" criteria. ART therefore, would be illegal and unbuildable, according to the "Complete Streets Ordinance" as adopted on 1/21/15 by the Albuquerque City Council (Council Bill No. F/s 0-14-27),
- ☒ Complicates pedestrian street crossings and bus transfers,
- ☒ Increases congestion by inhibiting left-turns,
- ☒ Reduces access to businesses along Central Avenue,
- ☒ Increases side street(s) vehicle volume and congestion,
- ☒ Appears to ignore the potential to realign the multiple, existing bus routes (many of which also use Central Ave.) into a "grid network" that would greatly increase connections, serve more people, and enhance ridership without increasing fleet size, and
- ☒ Overall, does not view the entire metro transit system comprehensively.

A more detailed "ANALYSIS OF A.R.T. PROJECT PLAN as REVISED 1/22/16" is attached.

RECOMMENDATIONS MADE TO THE ALBUQUERQUE TRANSIT DEPARTMENT

On December 2, 2015, our group met with, and submitted to the City of Albuquerque Transit Department, detailed comments and recommendations regarding the ART Project Plan drawings as posted on the ABQRide website. During that meeting the above issues were discussed. In addition, detailed written materials and references were given to the Transit Department Director and Staff to encourage and facilitate the capacity of the ART Project to include:

- Connectivity to the Greater Albuquerque area through a (modified) grid network
- Reconfiguration of the elements of the Transit system to directly access an expanded sidewalk area and adjacent properties, rather than the use of center, dedicated lanes and island Transit stations
- Use of electric-powered busses -- articulated units on Central Ave. and on future E/W 'spine' arterials, and, sequentially, single-unit electric busses on the N/S routes

It was also noted and discussed during the Dec. 2nd meeting that continuous dedicated median lanes called for in the ART Plan would create dangerous and difficult pedestrian street access and crossings. In addition, the limited number of cross-street intersections would reduce the convenience of access to businesses, thereby encouraging motorists to avoid the business districts along Central Ave.

At the conclusion of the December 2nd meeting we respectfully asked the Transit Department representatives to:

1. Review our analyses & recommendations re the existing ART Project Plans,
2. Consider the suggested alternative draft drawings, plans and sections we gave them, and
3. Respond to our input at their earliest convenience.

We have followed up on our request several times but as of the date of this letter, we have received no direct response. We learned of the recently posted revisions through a news-item on KRQE on Friday, January 22nd. The January revisions addressed many of the technical errors of fact, as well as issues regarding sidewalk widths that our group pointed out on December 2nd. But some of the most critical flaws to the Plan remain, as described in this letter and the examples attached in the "Analysis of the ART Project Plan".

ART would be a massive project that would cost tens of millions of Albuquerque taxpayer dollars, substantially above and beyond the Federal grant funds provided. As presently planned, including the January revisions, ART would also cause substantial disruption to small, local businesses, many of whose survivability is already severely challenged as a result of the extended recession.

THE NEED FOR GREATER TRANSPARENCY & COST/BENEFITS ANALYSES

We also are concerned about the apparent lack of transparency and publicly available Plans, economic impacts and cost/benefits analyses that demonstrate the feasibility of this Project. Where is the objective analysis that carefully examines the project's potential

problems and issues? Do these analyses exist? If not, shouldn't they be a prerequisite for such an undertaking? As currently designed, the ART Project has the potential to spend enormous amounts of money to do more harm than the good-proposed in the Project Plans.

Albuquerque has a once-in-a-generation opportunity to develop a potential major community asset via a well-designed transit system. It could significantly contribute to Albuquerque as a culturally vibrant, ecologically resilient, innovative and economically vital community where our children and grandchildren will want to live. If it is truly needed, it will indeed simultaneously elevate all of the 5 "capitals" that are essential for a community to thrive, described earlier and presented at the December 2nd Transit Department meeting.

INNOVATION POTENTIAL

The City has already launched a potentially productive innovation and collaboration between the University of New Mexico and the City via "Innovate ABQ". What if, in collaboration with Innovate ABQ, the City chose to significantly innovate in the design of its transit system? For example:

- What if Albuquerque developed a transit system that became a primary attraction for citizens and tourists alike due to its innovation and attractiveness, in addition to being highly functional, safe, economically feasible, and just plain fun to ride?
- What if Albuquerque developed a high-efficiency, photovoltaic-generated, electric-powered Rapid Transit with articulated buses on Central Ave. that connect to a N/S grid network of single-unit electric busses?¹
- Might a truly innovative approach to our transit system along these lines significantly contribute to, and perhaps even become a trademark of Albuquerque as an innovative city?
- Could an exiting and interesting transit system such as this help overcome the cultural reluctance of many Albuquerque citizens to ride the bus?
- How many millions of dollars could a truly creative inter-connected transit system, as described above, save as a result of avoiding major utility relocations needed for a dividing-median in the center of Central Avenue, as proposed to the FTA?

A primary feature of the innovative transit system described-above is that the buses run in the outside lanes, adjacent to and serving an enhanced sidewalk, with bus bays and pay-to-enter shelters, discharging directly onto the sidewalk, thereby **INCREASING** accessibility to businesses, rather than busses travelling in dedicated center lanes with "island stations", often **NOT** connecting to the revised N/S arterial bus routes.

This approach would allow buses to move nearly as quickly as with the dedicated-lane system with buses having electronic red-light control for pulling out from the bus bays, as well as green-light control over approaching intersections.

One other factor is important to note. It is possible to design a high-efficiency Bus Rapid Transit system in a "Great Street" such as Central Avenue without all the unintended negative consequences of the proposed ART design. The technical support document developed by the Institute of Transportation Engineers (ITE) and sponsored by the Office of Infrastructure, Federal Highway Administration, as referenced in the "Complete Streets Ordinance", provides detailed guidelines and multiple examples of how this can be accomplished.²

There are numerous variations on the above designs that could also be considered. The alternatives presented in this letter and references to successful examples in cities throughout the world were all shared with Albuquerque Transit Department representatives on December 2nd.

We believe it is timely for Albuquerque to think and act like the truly innovative city that it could be. One of the most creative steps our City could take right now, and at far less cost than the proposed, fixed-in-place, center-dedicated-lane ART design, would be to create a highly innovative, inter-connected-network, electric-powered Rapid Transit bus system that would be a cornerstone of Albuquerque's identity, thereby helping to attract the kind of innovative people our City needs in order to thrive in the 21st Century.

YOUR OPINION IS IMPORTANT

By means of this letter, we are asking you to consider the consequences of pursuing the current ART design, and to compare it to the alternatives presented here. We ask that you support the "Concerned Citizens" group's requests that the Mayor and the City Council collaborate to:

1. Address the concerns expressed in this letter,
2. Meaningfully engage the community about Albuquerque's future transit system, &
3. Redesign ART to meet contemporary urban planning standards, including Albuquerque's "Complete Streets Ordinance".

The Federal Transit Administration will announce its selected list of successful grant applicants on February 9th. Whether Albuquerque is selected this year or not, we believe it is important for you to voice your support of a more efficient and less costly 21st Century Transit system by **contacting the Mayor and the Albuquerque City Council as soon as possible, prior to February 9th.**

Thank you for your consideration of what we believe would be a major improvement to the current proposed Albuquerque Rapid Transit Plan.

Sincerely,

Anthony Anella, Registered Architect & Central Ave. Commercial Property Owner

Jean Bernstein, CEO, Flying Star Cafes & Satellite Coffee

Paul Lusk, Emeritus Professor of Architecture and Planning

Steve Schroeder, Owner, Nob Hill Music; Founder, SAVERT66

Julie Stephens, Community Planning Consultant

David Vogel, Planning & Economic Development Consultant

REFERENCES:

1“Houston: Transit, Reimagined” – An example of a city developing its transit system “grid”: <<http://humantransit.org/2014/05/houston-a-transit-network-reimagined.html>>

2“Complete Streets Ordinance”:

<<https://www.cabq.gov/council/projects/completed-projects/2015/complete-streets>>

3“12 Ultra-Fast Charging Electric Buses For Geneva in 2017”: In-place single-unit, long-range-battery busses (perhaps most appropriate for nearly-level-elevation N/S routes) and over-head, quick-charge, articulated busses (more suitable for the elevation-changing E/W routes), presently operating in Europe, China and the USA.

< http://insideevs.com/12-ultra-fast-charging-electric-buses-geneva-2017/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+InsideEvs+%28Inside+Evs%29 >

“Meet the Electric Bus That Could Push Every Other Polluting Bus Off the Road”

<<http://www.fastcoexist.com/3051475/meet-the-electric-bus-that-could-pushevery-other-polluting-bus-off-the-road>>

Additional References:

http://insideevs.com/irizar-i2e-electric-bus-london/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+InsideEvs+%28Inside+Evs%29

Developed by the Institute of Transportation Engineers (ITE), this provides detailed guidelines and multiple examples. Access to this source is in the URL below:

< <http://library.ite.org/pub/e1cff43c-2354-d714-51d9-d82b39d4dbad> >

An example of ‘systems thinking’ is evident in the transit system as shown in:

[http://www.ci.omaha.ne.us/planning/urbanplanning/images/stories/Master%20Plan%20Elements/Transportation Element Final 2012 web.pdf](http://www.ci.omaha.ne.us/planning/urbanplanning/images/stories/Master%20Plan%20Elements/Transportation%20Element%20Final%202012%20web.pdf)

The Gallup City Council, on Dec. 7th, reviewed contracts for a 10MW PV Solar array serving municipal electric load needs.

<http://www.gallupnm.gov/DocumentCenter/View/1023>

For example, through initiative and creativity a New Mexico Woman Invents Solar Powered Bus:

< http://krqe.com/2016/01/28/new-mexico-woman-invents-states-first-solar-powered-bus/?utm_source=The+Santa+Fe+Reporter+List&utm_campaign=2ffa5eda35-Morning+Word+Jan+29%2C+2016&utm_medium=email&utm_term=0_b77a98714b-2ffa5eda35-60515141&mc_cid=2ffa5eda35&mc_eid=1aa1c49001 >

ATTACHMENT:

ANALYSIS OF A.R.T. PROJECT PLAN as REVISED 1/22/16

Prepared by: Paul Lusk- January 24, 2016

ANALYSIS OF A.R.T. PROJECT PLAN as REVISED 1/22/16

Prepared by: Paul Lusk- January 24, 2016

Introduction

From our cursory review of the January 2016, revised ART Rapid Transit Project Plan drawings, it appears that many of the drawing errors and errors of fact identified in our December 2nd, 2015 comments were addressed. However, other errors, both of concept and drawings, have not. The following examples provide a sampling of issues and problems identified since the posting of the ART revisions 22JAN2016.

Example 1

On the 10th St. -- 1st St. (was previously page 3A), in the "Proposed ART Alignment and Cross Sections" drawings that are super-imposed on the aerial-photo base (January, '16 revisions), the area on the east side of the 1st St. intersection shows 4 vehicle lanes. There are 2 westbound vehicle lanes (one thru or right turn, and one left turn), and 1 two-way dedicated Bus lane and 1 eastbound vehicle lane on the south side. The single, two-lane ART bus-lane results from the merging of the 2 dedicated westbound ART bus lanes (one coming from under and one heading down under) just west of the RR overpass. These two ART lanes merge into one just west of the underpass. This merged, two-way bus lane, apparently, allows sequential/two-way use of this single dedicated lane.

If there is an Art bus (westbound but waiting to turn right), though, in this two-way single lane, it is not clear, how a 60'-long, articulated ART bus coming from the ART station on 1st St., (on the south) and turning east on Central Ave can get into the two-way dedicated lane before reaching the underpass -- if there is a ART bus waiting at the 1st street signal light. Further, it is not clear how west-bound ART busses, in this single dedicated lane, can turn right onto 1st St. (then to Copper Ave.) across the two adjacent lanes with vehicles also waiting at the 1st St. light. It may be that there is a special multi-phase, right-turn light -- one for the busses and one for other vehicles wanting to turn right (or to turn left or continue west on Central). The resolution of this physical arrangement, signal-sequencing issue, is not clear.

Similarly, on the 1st St. -- Oak St. (was 3B) Alignment and Cross Sections drawing, on the east side of the RR underpass, the 60' Right-of-Way (R.O.W.), from 1st St. thru the underpass, transitions to an 80' R.O.W. at the Broadway Blvd. intersection. The single eastbound vehicle lane from just-past the RR underpass, transitions to one thru (or left-turn) lane, and one right-turn lane adjacent to a "widened" (but un-dimensioned) sidewalk. The two dedicated ART bus lanes located in the center are, themselves, shown to cross, alternately, (thru the Intersection) into one single, dedicated, two-way, ART bus lane on the east side of Broadway Blvd. This R.O.W. also includes a single vehicle lane on the north side, heading west-bound, and thru the underpass to 1st St.

The issues of merging distance, sequencing of left-turns for vehicles crossing adjacent dedicated bus lanes (or vehicle lanes), and the timing of ART busses from the two-way ART lane on the

east to the double-lanes on the west, present both physical challenges and signal sequencing issues that are not easily resolved nor evident from the information presented. This lack of lane-continuity and the physical and signal sequencing issues also occur in a number of other intersections in the (revised) Project Plans.

Because these issues (perhaps errors or, at least, lack of clarity) often occur at the edge of drawing pages, they are often called "edge-of drawing = end of thinking" problems. Unfortunately, when contract drawings are being made, or when contract bids are solicited, they often can result in extended delays and escalating costs.

Section A, east of Broadway Blvd, also on the 1st St. – Oak St. drawing, is shown cutting thru the 400 & 401 Central Ave. buildings, just east of Arno St. On the south side of the EDO buildings and the Special Collections (old Main) Library, the parking space area as well as the existing widened portion of the north-side sidewalk is eliminated. Parking is shown on the south side only, adjacent to a "widened" (un-dimensioned) sidewalk. This widening, because it is an asymmetrical section, would result in the removal of the existing trees in the median in front of the Special Collections Library, to be replaced with an off-center, paved, "striped median". Further (and mysteriously), a 5', one-way bike lane also appears in this section -- on the south side only. This bike lane appears here, in Cross Section A and, again, two blocks east, in the Cross Section for "Walter Station", with "widened sidewalks" (dimensions not shown). Then the bikeway disappears.

Example 2

On the Oak St.--Buena Vista Dr. (was 4A) Alignment and Section aerial photo/drawing, the cross-section for Cedar Station shows mature trees in the 'widened' sidewalk area on the south, and in what is called, inaccurately, the 'existing' sidewalk on the north. This drawing, though, shows the elimination of the large Sycamores that are on the south side, with no evidence of space available within the new 110-115' R.O.W. for plantings.

Cross-Section B (between Sycamore and Maple streets) shows a 56.5' cartway (the space between the vertical curbs), with a single drive lane each way (east & west) and with one parking-bay area, north side only. The two 12' dedicated lanes for 'high-speed', 8'-wide ART buses, divided by a 1' vertical curb, would seem challenging at best or, perhaps, terrifying.

On the far right on this page, the University Blvd. intersection and the ART Station are shown in plan, but no cross section is shown. The issues identified in our Dec 2nd comments, have not been addressed. The substantial property-taking on the north side appears to accommodate, apparently, three west-bound lanes (through, right and left turn lanes), two dedicated bus lanes, the ART Station and, strangely, only one east-bound drive lane on the south. The substantial property taking to the north would be from 'Tight Grove', the iconic conifer tree-stand planted in 1905 and named for the third UNM President, W.G. Tight. It also is on the Historic Designation Registry. We do not believe that would be an easy or appropriate "taking".

Example 3

On the Buena Vista-Bryn Mawr Dr. (was 4B) Alignment and Section page, the Cornell Station cross-section shows a Right of Way of about 110'. The width is estimated because the sidewalk on the south side is 'widened', but no dimensions are given. Also, because the parking spaces on the south side would be eliminated, we expect that this would not be favored by adjacent businesses.

The extra 10' dimension on the north-side looks to be a property-taking from the landscaped areas in front of the UNM Bookstore and the Architecture and Planning buildings. The cross-section also names the (new) north-side sidewalk as 'existing', which is not accurate.

Example 4

On the Bryn Mawr Dr. – Adam St. (was 4C) page, the cross-section (Section A) drawing shows 'widened' (but unspecified) sidewalks, parking on both sides, two one-way driving lanes (east & west), two dedicated 13' ART bus lanes (without a vertical-curb divider). The problem is that this condition is not typical throughout. It appears to be applicable to the two-block area between Wellesley and Amherst Streets. The blocks impacted by Bryn Mawr and Solano Stations (the majority of the area), however, lose the parking spaces to the expanded space used by the lanes dedicated to serving the ART Stations.

Furthermore, for the entire length from Girard Blvd. to Washington St. Station, the existing mature trees in the median, apparently, are eliminated. There are small 'landscape' areas depicted near the ART Stations, but the actual spaces resulting are much smaller. Also, there is an issue regarding all of the single-drive-lanes, where they occur, such as in this entire Nob Hill segment. ABQ Ride has a number of bus routes that use Central Avenue for at least a portion of their route. When these buses stop to load passengers, and/or bicycles, all vehicles waiting behind would have to wait for the bus to load, or illegally attempt to drive into the dedicated lane and around the bus.

Example 5

On the Adam St.–Valencia St. (was 4D) and the Valencia–Louisiana Blvd. (was 5A) aerial photo drawings, from San Mateo Blvd. continuing east, in the areas where the ART Stations are located, parking spaces adjacent to the sidewalks are eliminated. Also, the 8'-landscape areas, which are shown as narrow strips in the center of the median, would probably only support forbes and low plants. Most mature trees, including existing ones, would not be viable and would not be safe in such locations for speeding ART buses.

SUMMARY

In summary, the brief assessment above is but a short list of the many errors, both of concept and of plan/section detail, that are incomplete or unresolved, even in the January 22, 2016, revision. Other issues not addressed here, such as the many long, single-lane, two-way dedicated ART lanes (for example from Cornell to Girard Blvd., about 1700') would present

scheduling/communicating/waiting challenges. This only adds to the number and level of complexities in this highly convoluted effort to shoehorn the concept of a center dedicated lane system onto Central Avenue. At the least, in the most critical areas, Central Avenue is simply not wide enough to accommodate it, without substantial collateral damage to many other functions of the Avenue. Although the modest sidewalk dimension requirements in Albuquerque's 'Complete Streets' Ordinance, may be addressed, other issues such as north-side property-takings, elimination of a large percentage of existing mature trees in the medians, the unbudgeted cost of underground utility replacement, and the lack of connectivity to either the existing bus routes, or a transition to a grid bus network, would indicate that the ART Project-design, even as revised on January 22, 2016, would be a very expensive and dysfunctional imposition on Central Avenue businesses, residents and foreseeable civic budgets and, potentially, result in a net reduction in area-wide bus ridership.

We believe that the alternative street designs and section-drawings provided to the Transit Dept. on December 2nd, and the detailed access information regarding Houston, Los Angeles and other cities' transition to grid-network bus systems, including the use of electric powered, articulated and single-unit buses, would be far less costly, less socially disruptive, and a more economically and ecologically sound basis on which to build Albuquerque's 21st Century Transit System.

DECLARATION OF JEAN BERNSTEIN

1. My name is Jean Bernstein. My business address is 2701 Broadway, NE, Suite A, 87107.
2. With my husband, Mark Bernstein, we own the Flying Star Café located at 3416 Central, SE, in Albuquerque's Nob Hill area, Satellite Coffee located at 2300 Central, SE in Albuquerque's University area. These restaurants are parts of our local chain of 6 Flying Stars and 6 Satellite Coffee shops, plus our food production company. All are in Albuquerque.
3. Our two Central Avenue locations will necessarily be impacted by the City's ART project.
4. Although I do not oppose an improved or enhanced transit system on Central Avenue, the ART project as designed will disrupt traffic, significantly alter established traffic patterns, significantly interfere with access to businesses along Central, including ours, and destroy the vintage charm of several of the last remaining segments of "Old Route 66," including the Nob Hill area, the University area, "EDo" (East Downtown), and downtown.
5. In my opinion, the areas I identify above are of great value to Albuquerque because in addition to their historic charm, they provide accessibly-priced real estate for local, independent, small businesses, and are of great interest to tourists because of their culturally diverse character and association with Albuquerque's arts venues. In my opinion, the qualities that make these areas so valuable to everyone in Albuquerque will be significantly compromised and irreparably harmed if ART, as designed, is built.
6. I began hearing about the ART project sometime in the second half of 2014 because of my involvement in the "Nob Hill Main Street," the local chapter of a federal program designed to enhance local business in areas of historic character. I heard that there was some sort of plan to add transit that would alter the streetscape of Central in some unspecified way. I was contacted sometime in late summer or early fall of 2014 by Dayna Crawford, Albuquerque Transit's Deputy Director. Her brother has worked for us for many years, and it may be that she called me because she knew that and Flying Star was an anchor business in Nob Hill, one of the oldest on the corridor and that I would be friendly and open with her. This is my speculation. She seemed to be looking for my support for ART, whatever it was. I agreed to meet with her at Flying Star. I called the president of "Nob Hill Main Street", Rob Munro (I was vice-president) and informed him of the time and place of the meeting, and he came.

7. At the meeting, Crawford arrived with a representative of HDR, the Houston, Texas transit designers who apparently designed ART and are primarily responsible for the project. She had no plans to show us, but just showed us cross-sections of "sample" areas. They told me that we could "take our pick" between a plan, on the one hand, that would run ART down the middle of Central, thereby eliminating the medians and their landscaping, but that would allow for widened sidewalks and enhanced landscaping on the sidewalks. On the other hand, we could "pick" a plan that kept the buses running along the sides of Central and leave the medians, but without widened sidewalks. I believe there was also discussion of leaving the buses along the edge, still widening the sidewalks but therefore eliminating the medians.
8. At the meeting, I understood that Crawford was trying to "sell" the Center dedicated lanes concept, although she told me that we had a "choice" of what we wanted. I now know, because I've learned some of the history of the design and have recently heard the HDR and Dekker-Perrisch-Sabatini engineers attempt to explain the project, that the City and the engineers had already decided that ART would be on two dedicated center lanes running down Central.
9. Munro and I asked Crawford questions about the project and learned that the plans were not complete. I got the distinct impression that she and the HDR representative favored the "two dedicated lanes in the middle of Central" concept. She suggested, without saying directly, that if we "chose" the dedicated center lanes concept, we would get widened sidewalks and landscaping. I told her that I didn't like the design because I could see that Central was going to be altered in a very unfavorable way. The lack of medians and lack of landscaping in the drawings she showed me were a problem. I told her that I could not "choose" a design or favor one concept over another based on such little information. I told her I did not feel good about this project. She was clearly irritated with my reaction, having apparently expected that I would be enthusiastic about the ART project and its design, whatever it turned out to be. It scared me because it seemed to be an enormously disruptive and dangerous project being imposed on Central without any thought for the long-term viability of the business areas and neighborhoods along the ART's path. We asked if we "chose" one design, how could we be assured that it would end up that way. Her response was that she would "keep us in the loop". I told her that I didn't like the design because I could see that Central was going to be altered in a very unfavorable way. Although she promised to "keep us in the loop", neither she nor anyone else from the City or otherwise associated with ART ever contacted me again.
10. I heard nothing further about the project until August 12, 2015 when someone in the Nob Hill area told me that there was going to be a meeting at the Scalo Restaurant to discuss the bus system. I attended, and the meeting was packed with 35-45 Nob Hill area

business people and property owners. Representatives of the ART, Dayna Crawford and another City person were there and were being besieged with questions when I arrived. The atmosphere among the attendees was one of skepticism and extreme worry about the implications of the project for our area. The attendees, including me, expressed that they needed answers and had been starved for information about it. I recall that there were particular concerns about the impact on parking, access to businesses, the disruption caused by the construction and the like. There was enormous confusion about what the configuration of the project would actually be, and what its impact on area businesses would be. There was an enormous sense of urgency at the meeting and I and, I think, everyone else, had the sense that we were getting a sales job rather than the information we were asking for. I recall that Dayna Crawford told us that the city really needs this project because of bus crowding. To say that the audience was skeptical about this is an understatement. We have all watched the city busses passing by almost empty. I recall that she made what we all thought was a bizarre statement that the buses would be bringing people from the Heights to Nob Hill and other locations such as the Bio Park by getting them to park their cars on East Central and then board the bus to come here and to downtown. I recall thinking that the City's assessment of what comprises the customer mix for Nob Hill merchants was phantasmagorical. It showed a complete lack of research into, and understanding of, what our businesses were about and where our business comes from. In my opinion, if the City had done any research into the various business areas along Central, including ours, they would never have proposed ART because they would have known the effect it would have on areas like Nob Hill, where most of our customers come by car and need to be able to access the local businesses, restaurants and shops, rather than being forced to pass them by or face what will undoubtedly be clogged, single lanes of vehicular traffic that will often be at a complete standstill. Our collective sense, as we discussed together, was that the City did not care about our neighborhood, had done nothing to study or understand it, and intended to force on us this massive change of the layout of Central, its traffic patterns and access to our business with essentially no discussion with us whatsoever.

11. Ms. Crawford and her associate cannot have left that meeting without understanding that we were all upset and almost entirely opposed to a project that would enormously change our neighborhood and the traffic patterns and in our neighborhood and access to our businesses. When I later learned that, one week later, the City informed the Federal Transit Administration that the ART would not be a topic of substantial controversy, I was shocked by the City's mendacity.
12. About a month later, Gary Opedahl, the City's Director of Economic Development, called me and said that he wanted to see how I felt about the ART and was I as "excited about it" as he was. I told him that I thought it would destroy Central Avenue and

damage the older areas along Central. Then he started talking about how great he thought ART would be and that this bus system would “bring ‘millennials’ into the City” and transform the economy. I frankly could not fathom how he or the City could come to the belief that an additional bus line would bring millennials into the City or transform its economy. It was, to me, a completely outlandish and irrational statement. I reminded him of our population decline and our inability to attract meaningful jobs. Most ‘millennials’ are leaving our state not because we don’t have express busses running the length of Central but because there are better-jobs elsewhere that don’t exist here. After this conversation, I wrote to the City and the FTA to express my opposition to ART, based on my knowledge of the project. I told them that it was a misuse of federal money and was completely unjustified. Additionally, when I was looking into the project, I noticed that the City had removed FTA ‘contact information’ from its web site, which it had earlier displayed.

13. Thereafter, in January, 2016, I joined “Concerned Citizens” (which is now “Concerned Citizens to Make ART Smart”) and spent time with Professor Paul Lusk and others. He and others explained to me what the project would actually look like and the effects it would have on traffic, congestion, business access, esthetics, etc. I have since read his declaration that I understand will be submitted in this litigation. I agree with his analysis largely because it reflects common sense, coupled with his years of expertise, which we all value. We sent letters regarding the effects of ART to government officials and business leaders explaining what ART would do to the Central corridor. We followed up with meetings with various officials and others, finding that there was almost a complete lack of information about and understanding of ART. For example, I met with the Chairman of the Board of Albuquerque Economic Development, members of the Congressional Delegation, board members of the Albuquerque Chamber of Commerce, business people whose interests would be affected by ART, and others. I found in every case that the people I was meeting with had no understanding of the project and were unaware of its essential design features.
14. As the controversy about ART increased, our area City Counselor, Pat Davis, arranged for a public meeting on February 3, 2016, next to the Hiland Theater to discuss ART. I understand that people in the area were demanding so much information about the project that Davis felt he should hold the meeting to answer questions. The meeting was packed to overflowing. My understanding is that there were more than 200 people in the space next to the Hiland. The meeting was highly contentious. In addition to Davis being present, Dayna Crawford and others connected to ART (Bruce Rizzieri, director of city transit, Michael Riordan, COO of the City, Joanie Griffin, a publicist on behalf of Bradbury and Stamm) were there. No discussion was allowed. Only written questions were submitted and Davis selected the few that were actually answered. The crowd was

quite frustrated at this approach. Again, it turned into only a sales job about the city's fantasy project, which created anger in the audience.


15. A few days later, I was on a radio show with Pat Davis and Dayna Crawford. On the show, she said that ART would go forward as planned; that there was no ability to change the design. Pat Davis supported her on that point. I knew (and still know) that to be completely incorrect and "called her" on it.
16. At the same time that the radio show was scheduled, I knew that Prof. Lusk had been repeatedly asking the City for the final plans for the ART project and could not get the city to give them to him. We had confronted city representatives with his analysis of the mistakes and problems associated with the earlier versions of the plan, and City representatives had simply said that he was "wrong" but would not give him copies of the current plan. In the lobby after the radio program, I asked Crawford and Davis why the City was refusing to cooperate with Prof. Lusk's efforts to understand and assist in the process. They would not answer my question. Crawford seemed quite angry, slapped her thigh and said, "We're done with this project! We have met our obligations and it is going through without changes." Davis concurred: "It's a done deal."
17. On March 17, 2016, Rob Strell, a local architect, David Vogel, Paul Lusk, Julie Stephens and I met with Councilor Pat Davis, his assistant and a city planner to discuss ART and show them Lusk's detailed analysis and drawings, including glaring discrepancies between what the City had promised about the design and what its reality was. Davis, his assistant and the City's planner expressed complete disinterest in focusing on what we had to show them. At the conclusion of the meeting, Strell asked Davis what his vote was going to be on the acceptance of funds for the ART. Davis responded angrily: "Nob Hill is finished! It's not worth trying to save! I'll vote to accept the funds." This was in stark contrast to the "sales pitches" I and others had received over the earlier meetings – that the ART was going to enhance our neighborhoods, improve business, bring visitors, beautify our sidewalks, etc., etc. Later, at a meeting with Mayor Barry, I asked what provisions had been made to preserve and access the older, historic elements of Central (such as Nob Hill and Edo) and he replied "We don't have time to discuss that at this meeting." One of our lawyers, Yolanda Gallegos, asked him the question again and he repeated that there was no time to discuss it.
18. On March 29, 2016, I and Yolanda Gallegos, David Vogel, Julie Stephens, Paul Lusk and Rob Strell met with the COO Riordan, Rizieri the Transit Director, Dayna Crawford, Ed Potoff, a transit consultant with the HDR, and Will Gleason of DPS, to continue attempting to discuss the ART with the "technical people," particularly including our bewilderment about how the public statements regarding ART could be so different than

the plans, which we had recently obtained through sources outside the City (which was still refraining from letting us see them). In that meeting, Dayna Crawford handed us her notes regarding the supposed mistakes about ART that we had made on our website. We found that we had made one minor “mistake” in our parking count, but it was the result of the City having mistakenly reversed its map’s cross-section of one section of the route between Presbyterian Hospital and the University. We again raised our concern that the city had withheld its most recent plans from us, with no response. When we pressed Crawford and others about design details, they were unable to answer our questions. The constant refrain was that the City had paid “fifteen million dollars” to consultants to design the project and that, accordingly, they were not familiar with the details. The representative from HDR explained that he was an executive and not a designer and only the engineers could answer our questions, such as the critical question of how the City could continue to tell the public that the design would *add* parking while the city’s own plans appeared to show that 165-195 parking places would be *eliminated*. The City’s only answer to the parking place inquiry was that Riordan, the City’s COO, had “walked” the route and had concluded that it would add parking places.

19. Our contacts with all city officials has convinced us not so much that they are dissembling, but that they have little understanding of the project they are promoting. The “parking space” issue is one example, but there are other more glaring examples. For example, at the March 29 meeting, when we challenged the need for confining the ART with a “fixed guideway” of the two center lanes, all of the City’s representatives clamored to tell us that a “fixed guideway” was required as a condition of federal funding. Our attorney, Yolanda Gallegos, told them that she had examined FTA’s regulations and had learned that there is no such requirement whatsoever and that it would have no impact on the FTA’s approval. The HDR representative said he thought it would affect the project’s “rating”, and Gallegos explained why this was not the case. He had no response. Gallegos asked them if they had ever studied something other than a “fixed guideway” down the middle of Central. The HDR representative admitted that they had not, and the City’s representatives did not respond and apparently did not know. We have learned, and that meeting confirmed, that when the City’s representatives were having meetings to ostensibly educate stakeholders (like my first meeting with Crawford in 2014) in which they were telling people that they should “choose” between two dedicated center lanes or buses that would run along the side, there was in actuality no such choice. As Riordan said at the meeting, “We’ve spent 15 million on consulting to come up with this design and we’re not changing it.” We know from what the City’s representatives said at the meeting that the design for the dual dedicated lanes was well under way in 2013, at least a year before the City was telling the few stakeholder it spoke to that the public had a “choice” between dedicated center lanes and a traditional approach.

20. My views regarding the problems that ART will create for me, other businesses on Central and the adjoining neighborhoods are the same as those described by Paul Lusk in his declaration, which I have read.

21. I provide the foregoing statements under penalty of perjury.



(Print name below signature)

3/31/16

Date

DECLARATION OF DOUGLAS H. PETERSON

1. My name is Douglas H. Peterson. My business address is 2325 San Pedro, NE in Albuquerque. I make this declaration based on personal knowledge except where the context indicates otherwise.
2. I was born and raised in Albuquerque. My father, James A. Peterson, began the family's Albuquerque real estate development business, Peterson Properties, in 1971. Over the years, Peterson Properties or its affiliates has developed or acquired over 5,000,000 square feet of commercial real estate throughout New Mexico, Arizona, Nevada and Texas.
3. After graduating from Albuquerque Academy in 1994, I attended Babson College in Wellesley, Massachusetts on a Presidential Scholarship and graduated in 1997 with a Bachelor of Science degree in Business. I returned to Albuquerque, became a licensed New Mexico real estate broker and worked for three years in the family business before enrolling at Northwestern University School of Law in Chicago, Illinois. After graduating from Northwestern University School of Law and being admitted to the Illinois Bar, I returned to Albuquerque and rejoined the family business.
4. In 2008, I became a commissioner on the Albuquerque Environmental Planning Commission, whereon I served for six years (including two years as Vice Chairperson and over two years as Chairperson). Additionally, I served during 2010 and 2011 as a commissioner on the New Mexico Transportation Commission. In 2012, I was also admitted to the New Mexico Bar.
5. I am now President of Peterson Properties, LLC, which continues to be family owned (through subsidiaries) by my father, mother, brother, sister and me. Since returning to the Company in 2003, I have guided the Company and its affiliates through dozens of completions of retail real estate developments. Simultaneously, I have expanded the portfolio of properties owned by the Company's affiliates. Accomplishing the foregoing involved training and managing a growing office staff; interacting with and managing vendors and service providers such as architects, contractors, lenders, appraisers, engineers, consultants, utilities, attorneys, surveyors, and title companies; marketing to and completing deals with tenants and buyers; purchasing and leasing from landowners; and collaborating and compromising with stakeholders such as principals, neighbors, government staffers, and planning officials.
6. Over the years of my involvement with property development, I have had to learn, and have familiarized myself with, the various factors that make commercial development



projects and commercial properties successful, including their relationship to Albuquerque's transportation grid, including its streets, sidewalks and buses.

7. Peterson Properties' affiliates now collectively own, among other properties in the Albuquerque area, the following properties on or near Central Avenue that will necessarily be affected by the Albuquerque Rapid Transit ("ART") project that the City is proposing to build along most of Central Avenue from Unser to Tramway:
 - Central Mercado at the southwest corner of Central Avenue and San Pedro Drive
 - A freestanding Wendy's restaurant with drive-thru window at 4900 Central SE
 - A 17,000 square foot building occupied by the Antique Specialty Mall at 4516 Central SE
 - Old Town Shopping Center, anchored by Walgreens, at the northwest corner of Central Avenue and Rio Grande Boulevard

8. Fox Plaza, LLC, a New Mexico limited liability company, is the owner of Central Mercado on San Pedro and Central. It has joined this litigation as a plaintiff because that property is likely to be most acutely and negatively affected by the ART as it is now designed and planned. This is because ART will eliminate the property's two left in / left out turns along Central Avenue and force a substantial increase in the amount of U-turns which occur at the intersection of San Pedro Drive and Central Avenue due to ART's design that includes an ART station at that intersection. This will mean that many people who might enter the parking lot from the Westbound lanes of Central will not be able to without proceeding two blocks further West along Central and then making a U-turn across the dedicated ART lanes, entering Eastbound traffic and retracing their steps back to Central Mercado. There is no question that this will significantly reduce traffic to the Central Mercado. Although there are other significant design problems with ART, this is the design issue that most concerns me because of its undoubted negative impact on Central Mercado.

9. In my experience, retail and restaurant properties like those listed above rely critically upon vehicular access by customers. Reducing customers' ingress or egress to a property, including forcing customers into a circuitous or cumbersome route, significantly reduces customer visits. Reduced customer visits lead to reduced tenant revenue, which reduces the ability or desire for tenants to rent space or pay the rent necessary to make a property profitable for its owner. The end result is reduced property values and economic decline in the affected area.

10. In January or February of 2015, I first learned about the ART proposal from Laurie Moyer, a friend whom I met when we both served as commissioners on the Albuquerque Environmental Planning Commission. Mrs. Moyer told me that in her role as an

employee of PNM, she had learned the City of Albuquerque was planning a bus rapid transit system that may negatively affect my family's property at the northwest corner of Central Avenue and Rio Grande Boulevard. Because of the extent of my family's companies' holdings on and near Central Avenue, I knew it was important for me to learn about any changes to Central Avenue. Therefore, I left a message for City officials requesting an opportunity to meet with them. The City of Albuquerque responded through Deputy Transit Director Dayna Crawford and we met, along with Transit Director Bruce Rizzieri in my Company's office on February 26, 2015.

11. At the February 26, 2015 meeting, the City officials presented preliminary plans for bus rapid transit along Central and I could see that the plan was to run a rapid transit line down the middle of Central Avenue which, because it would create a raised center median, would interfere with turning traffic. I told them that I wanted to make sure that "left in / left out" vehicular access for our properties at the northwest corner of Central Avenue and Rio Grande Boulevard and the southwest corner of Central Avenue and San Pedro Drive would be preserved. The officials responded that they were confident the left in / left out access at each property would be preserved although they thought that the eastern-most of the two left in / left out access points for the property at the southwest corner of Central Avenue and San Pedro Drive might be eliminated. At the same meeting, City Transit Director Bruce Rizzieri asked me directly if I would support Albuquerque Rapid Transit. I stated that, as long as left in/left out access was preserved at my family's properties, I would not oppose it but that I did not feel as though Albuquerque Rapid Transit, as I understood it, would have a beneficial impact upon our properties or the City. I said this to them because I felt, and still do feel, that for the segment of our populace that does not already regularly ride the City of Albuquerque buses, several better transportation alternatives exist (including owning and using a car, using Uber or Lyft or using a bicycle) and that the design, operation and geographic scope of ART would not be such as to increase bus ridership over its current levels. In short, ART was attempting to meet a demand that, from my observations, does not seem to exist. Although many current city busses are difficult to see into because of the "wrapped" advertising on them, the ones whose windows are not obscured rarely carry more than a very few riders. My concern is that the City of Albuquerque has seized on an opportunity to obtain millions of dollars of federal funds in order to build a new and unnecessary bus system that, because of its design, will seriously harm many of the businesses that are located on Central Avenue.
12. For nearly three months after my early 2015 meeting with City officials, I heard nothing further from the City's transit officials and heard nothing more of Albuquerque Rapid Transit. But, in May of 2015, Deputy Transit Director Dayna Crawford contacted me and asked for a meeting, which took place at my Company's office on May 13, 2015.

The meeting was attended by Dayna Crawford, a City of Albuquerque engineer with the first name of David, my father and me. At this meeting, the City officials revealed that Albuquerque Rapid Transit would not only eliminate left in / left out vehicular access at our properties at San Pedro Drive and Rio Grande Boulevard (contrary to the assurances they gave me during the February 26, 2015 meeting) but that left in / left out access to the public right of ways adjoining my family's properties at 4900 Central SE and 4516 Central SE would also be eliminated. My father and I reacted with disappointment over the reduced access for us and other property owners. We told the officials present that, in light of the design that they presented, we would actively oppose Albuquerque Rapid Transit and would take up efforts to make other similarly affected property owners aware of the plans' negative effects. We told them that we believed other property owners would be upset and opposed to the design of Albuquerque Rapid Transit. They responded by telling us that Gary Goodman and Paul Silverman were in favor of the project. Those two developers, however, do not own property on Central and I am unaware of the extent to which they are familiar with the ART's design.

13. After the May 13 meeting, because of what I had learned, I requested a meeting with Mayor Berry, which was not granted. In late May, 2015, I sent a letter to other property owners, making them aware of the reduction in vehicular access, including to many businesses along Central Avenue. In the letter, I provided a template letter for property owners to use to write the City of Albuquerque to object to the reduction in vehicular access. Property owners, including the Valero Company and Christopher Chronis, along with many others, told me that they had known nothing of the City's plan for Albuquerque Rapid Transit until receiving my letter of late May, 2015.
14. On June 24, 2015, I wrote Mayor Berry and copied all nine City of Albuquerque Councilors with an enclosure of 21 letters of protest from Central Avenue property owners. I followed up that letter with another one, dated July 6, 2015, to the Mayor, copied to all City Councilors, with another six protest letters.
15. In addition to sending the protest letters, my family took out advertisements (each dated June 12, 2015) in both the Albuquerque Journal and the Albuquerque Business First, questioning the wisdom of the project.
16. Anthony Anella, whose family owns property at the southeast corner of Central Avenue and Girard as well as on Central Avenue west of Girard, contacted me and told me that my family's advertisements were the first he had heard of the Albuquerque Rapid Transit project.

17. In addition to the dozens of letters that I sent to property owners and the advertisements in the newspapers, I submitted two "Op-Eds" on the subject. One appeared in the Albuquerque Journal on June 25, 2015 and one appeared in the Albuquerque Business First on June 27, 2015. Several people, including Central Avenue merchant Emma Ross and the owner of the Western View Diner on West Central Avenue contacted me to tell me that they had known nothing of the planned Albuquerque Rapid Transit until seeing the published articles that I wrote.
18. I believe that City of Albuquerque officials may have intentionally misled me during my February 26, 2015 meeting with them when they told me that left in / left out vehicular access to my family's properties would be preserved. I believe it likely that this was to dissuade me from taking action to oppose ART or its design. I had recently organized west Central Avenue property owners into successfully opposing a diminutive rezoning of much of their property, so the City of Albuquerque's officials likely felt my opposition could hinder their progress with ART.
19. I met with the City of Albuquerque's Chief Operations Officer, Michael Riordan, on May 27th, 2015. At that meeting, I expressed my family's opposition to the design of ART and he specifically asked me not to "do anything" until he got back to me, and assured me that he would get back to me early the next week. I abided but did not hear from Riordan the entire next week. Meanwhile, a story appeared in the Albuquerque Journal on Saturday, June 6th almost entirely in favor of ART followed by another piece by Albuquerque Journal columnist Quigley entirely in favor of ART. I believe it likely that City of Albuquerque Chief Operations Officer Riordan intentionally delayed me, by overt request and by not "getting back" to me like he said he would, to give the City time to gather media support of ART. It seemed quite clear to me that the City was doing what it could in "handling" me and in generating favorable press to avoid or minimize the controversy that was brewing about the design of ART and its impact along Central Avenue and environs.
20. Because of my concerns about the project and because I had learned that business owners along Central had no knowledge of the ART project or what it would be, I organized a meeting of Central Avenue business people to take place at Scalo Restaurant on August 12, 2015. Although I had not invited them, City officials Dayna Crawford and Michael Riordan attended the meeting. I estimate that there were 25 or more people in attendance. At that meeting, the City's representative, Dayna Crawford, addressed the meeting. I recall that she was confronted at the meeting by members of the business community about the City's failure to alert us to the nature of the project and its design. Most of the people there, with the exception of Steve Schroeder and Emma Ross (who had learned of the ART project from me) and me, had apparently had little idea that the

project was proceeding or what its design would be. When someone asked why the City had not just emailed us, Crawford gave an evasive and not credible response. I recall that she also said that the City had to proceed with the project because the current buses were at capacity. This was a statement that I found incredible and I believe the others present did as well, since all of us are able to see the empty and near-empty buses going up and down Central every day. I also recall that one woman asked the City representatives who they expected would be riding the new buses along Central. Crawford's response was that the City expected that people from the Heights would drive their cars to someplace they could park that was near one of the bus stops to the East of Nob Hill and would then board the buses and come to Nob Hill to have a nice dinner at Scalo or one of the other restaurants and would take the buses down to the BioPark. I believe we all considered this to be extraordinarily unlikely.

21. My family and I do not oppose modernization of bus service along Central Avenue. We oppose the reduction of vehicular access that the design would cause while we also feel that (1) construction disruption to merchants on our properties and elsewhere would be devastating, (2) placing station platforms in the middle of Central Avenue while encouraging vehicular U-turns at stop lights will result in increased congestion, vehicular accidents, including those involving pedestrians and (3) the City of Albuquerque's existing bus services are adequate and could be markedly improved with security presence and, as needed, new buses. I am informed that the narrowness of Central Avenue in many areas may result in local buses blocking automobile traffic on Central Avenue and may cause congestion and pollution, and that many parking places will likely be eliminated. If this is true, these factors will also disrupt and reduce access to properties along Central Avenue, reduce the ability of the public to visit shops, businesses and restaurants and harm property values.
22. I have reviewed the attachment to the City's August, 2015 Application to the Federal Transit Administration for a Categorical Exclusion from the requirement of conducting an environmental assessment or environmental impact statement for the redesign of transit along the length of Central Avenue. In reviewing it, I have found the following statements that in my opinion are obviously untrue or significantly misleading: First, in its application, the City states that the ART will have no significant effect on the environment. Specific significant impacts the project would have on the environment include:
 - Eliminating many street parking places;
 - Eliminating 217 existing mature trees;
 - Adding 10 new traffic signals;
 - Eliminating 241 left in / left out vehicular turns;

- Forcing an extraordinary increase in u-turn vehicular movements, creating safety problems and traffic flow problems for automobile and local bus traffic;
- Disrupting customer access to merchants and other business;
- Diverting traffic onto smaller, arterial and neighborhood streets;
- Disrupting and stalling traffic along Central Avenue;
- Forcing the replacement of street lights;
- Forcing the replacement and/or relocation of water and sewer lines.

Second, in order to obtain an exclusion from the requirement to perform an environmental assessment, the City informed the FTA that ART would not cause controversy. This statement was clearly incorrect. The City knew that it would be controversial from my communications and the communications from other Central Avenue businesses and property owners that I delivered to the City (in addition to the meetings, letters, advertisements and editorials). The fact that so many property owners on Central Avenue, as late as the Spring of 2015, were completely oblivious to the nature and even existence of the project is evidence that the City refrained from educating the people who would be most affected by the project about the project. Given the profound impact of the project on the businesses along Central, it is my opinion that this can only have been because the City knew perfectly well that ART would be controversial and wanted to avoid stirring up the controversy before it applied for an exemption from the very process that would have, among other things, engaged property owners, businesses and residents in the decision-making process and would have required the consideration of alternative plans. The fact that ART, now that it is known, has become so controversial, is proof that the City either knew or should have known that it would be very controversial.

23. I reiterate that I am not opposed to redesigning and improving bus service along Central Avenue, and it may be that with changes to the current plan, the redesign can improve the speed and quality of transportation along Central Avenue without significant harm to the businesses, shops and restaurants along Central. What I find most unacceptable is that it is obvious that the current design will profoundly scramble traffic patterns along Central and the adjoining residential neighborhood and harm businesses, shops and restaurants in some of the most vibrant neighborhoods in our City. In addition to this is the fact that the City is able to impose this awful design on us all by having assured the FTA that it will not cause any profound effects on the traffic, traffic patterns, levels of pollution, businesses, pedestrians and city residents and visitors who use Central Avenue for shopping, business, dining and recreation and by having assured the FTA that the project would not be controversial. Not only did I inform the City before August, 2015 that the project was already controversial among business owners along Central who knew about it, but it was obvious from the design itself – whatever its merits – that it would be a subject of enormous controversy.

24. I give this statement under penalty of perjury.



Douglas H. Peterson

Dated: 4/1/16

DECLARATION OF STEVE PATERNOSTER

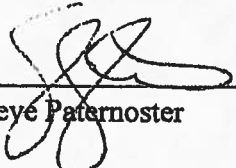
1. My name is Steve Paternoster. My business address is 4209 San Mateo, NE, 87110.
2. I own Scalo Northern Italian Grill and Elaine's Restaurant, both located near Central and Carlisle in the Nob Hill area.
3. I became aware of the ART project shortly before August 12, 2015 when a business neighbor, Emma Del Frate, owner of the store, "Elsa Ross" (now closed), which was right across the street from Scalo. She asked me if I would consider holding a meeting at my restaurant to discuss Albuquerque Rapid Transit (ART). She apparently did it at the behest of Doug Peterson. When she asked me to hold the meeting, I agreed but before then had had no idea of what ART was.
4. The meeting took place 10:30 on August 12, 2015. There were about 35 business and property owners from along Central in attendance, and two people from the City, including Dayna Crawford and one other.
5. Doug Peterson led off the meeting and recited his concerns regarding ART's limitation on access by eliminating left turns, parking issues, traffic issues, the "single lane" issue, etc. It became immediately apparent that most people in the room, including me, were almost completely ignorant of what ART entailed.
6. No one from the City had every contacted me about the project either in person, by phone or in writing. It was very obvious to me that others in the room were in the "same boat" in that regard. There were expressions of incredulity among the attendees when they began to learn what ART entailed.
7. During the meeting, Crawford told us some things that I remember, and I remember the reaction of the attendees:
 - Early in the meeting, as Crawford was starting to speak, someone at the meeting asked why the City had not been in contact about ART with any of the business people present. Crawford's response was that it was because of a "broken link" in the city's system that had prevented them from sending out the "mass email" that they had intended to. This statement was greeted with open, huge skepticism.
 - She said that the buses were needed because the current buses were at capacity. This caused many people in the crowd to express their disbelief, through both "eye-rolling," and audible expressions of disbelief.

- Someone asked her who she thought would be riding these new buses and she replied that it would be "people from the heights" who would park on East Central somewhere near one of the new bus stops, ride the bus to Nob Hill for a meal or shopping and continue on down to the Bio Park and then take the bus back to their cars. She said it would be a very "family friendly" service. The reaction to this far-fetched idea was similar to the reaction to her comments about the service being needed because the buses were full. No one disguised their reactions, which were obvious to everyone else including, without question, to Crawford and her associate.

8. When we heard these and other statements from Crawford, they seemed quite canned and not at all credible. It also seemed to us that ART had become a "done deal" without any input from us. This was going to happen whether we liked it or not.
9. Although one person at the meeting, Rob Munro, expressed support for the project, by the time the meeting was over it was clear to anyone there that the vast majority of people at the meeting were angry and opposed.
10. At the end of the meeting, I made a somewhat impassioned speech about how the room was filled with people who had made investments in the neighborhood and had sunk our hearts and souls into our businesses and then they drop this on us, without talking to us, and it will kill our businesses.
11. In my 23 years at Scalo, I have not had a single customer indicate that he or she has arrived by bus. People walk to Scalo, come in their cars, arrive by taxi or Uber, or hotel conveyance.
12. I travel by bus perhaps a dozen times a year at different times of day, typically from Carlisle and Central to downtown. I have never traveled on a bus that is full. Typically there are from five to fifteen people on the "articulated" (double) buses on which I travel. In other words, the buses are about $\frac{3}{4}$ empty.
13. Two or three weeks after the August 12 meeting, I got a call from Mike Riordan, the City's Chief Operating Officer and he asked me to meet with him to discuss ART. We met at Scalo, along with Nick Kapnison of Nob Hill Bar and Grill and formerly of Yanni's Restaurant, both on Central. Doug Peterson was also there but left early. Riordan came with one other City representative. Riordan said he wanted us to know why the City and the Mayor were proceeding with the ART project. He gave us sort of a "soft sell." Riordan told us that the mayor had been the best mayor for business, and I told him that was absolutely incorrect. I then asked him why he "dropped this on us," meaning ART. Riordan made no attempt to answer us when we demanded to

know why this had been planned without consulting or even talking to us before the decision had been made. I told him at the end of the meeting that he was not going to have to live with ART, we were and that it was a "friggin disaster."

14. Not long after this meeting, perhaps in early October, I got a call from the Mayor, who asked me to come and talk to him. I did. I went to his office. The mayor seemed to have taken it personally that a supporter of his, a contributor to his campaign, a friend of his, a fellow "New Mexico Amigo" was not supporting ART. He asked me to let him show what "we have in mind" and why we think it's good. He told me that they had modeled it after the example of Cleveland, Ohio. I said "let me take a look at Cleveland. If I can't get there, I'll study it." I learned that the example of Cleveland bore no relationship to Albuquerque. Although the bus line was the same length, it was a route from a very populated, poor section of town to the medical center that served them. It was successful for that reason. There was nothing about Cleveland's plan that provided a rational comparison with ART. When I told him that I had never seen anything about this until we had the meeting in Scalo with Crawford, he said that he thought they had tried to get the word out as best they could. That was not credible to me, since the City frequently contacts me about issues that come up from time to time, and there had been no contact with me about ART.
15. In my opinion, the ART project will cause enormous problems and quite possibly cause me to close both restaurants. It will interfere with access to my restaurants, it will cause enormous congestion along Central, to say nothing of forcing a significant change in traffic patterns that will send vehicles into adjoining neighborhoods and over to Coal/Lead. I do not mean this to be an exhaustive list of problems created by ART.
16. I have learned that the City assured the FTA that the ART would not be controversial and would not have a significant environmental impact on the Central Avenue corridor. I find these statements to be entirely without support in any evidence or even common sense.
17. I give this statement under penalty of perjury.

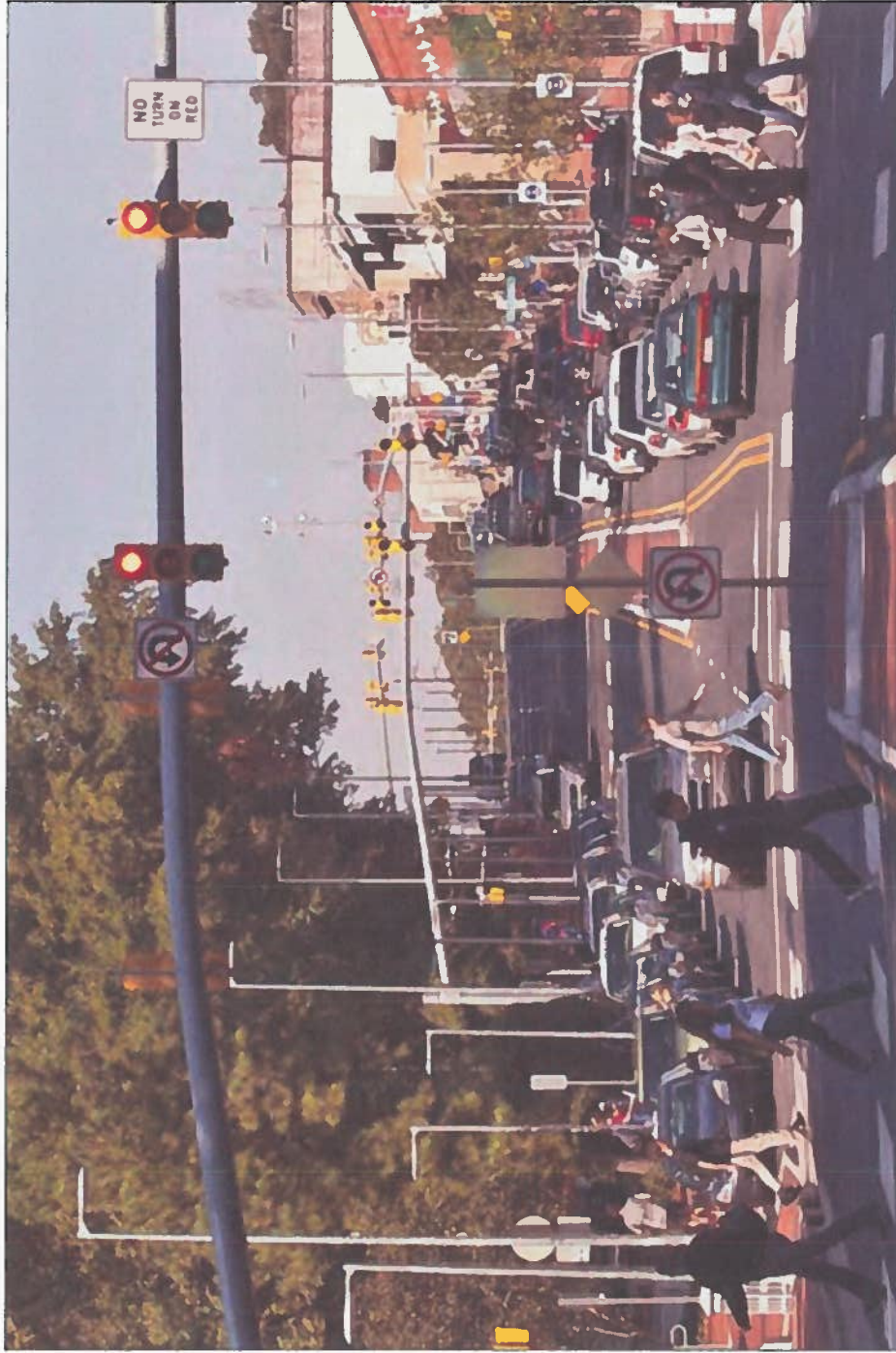


Steve Paternoster

Dated: 4.01.2016

Complete Streets = Economic Development

A Charrette Process Sponsored by:
EDo Neighborhood Association & Huning Highlands Historic District Association
April 2016



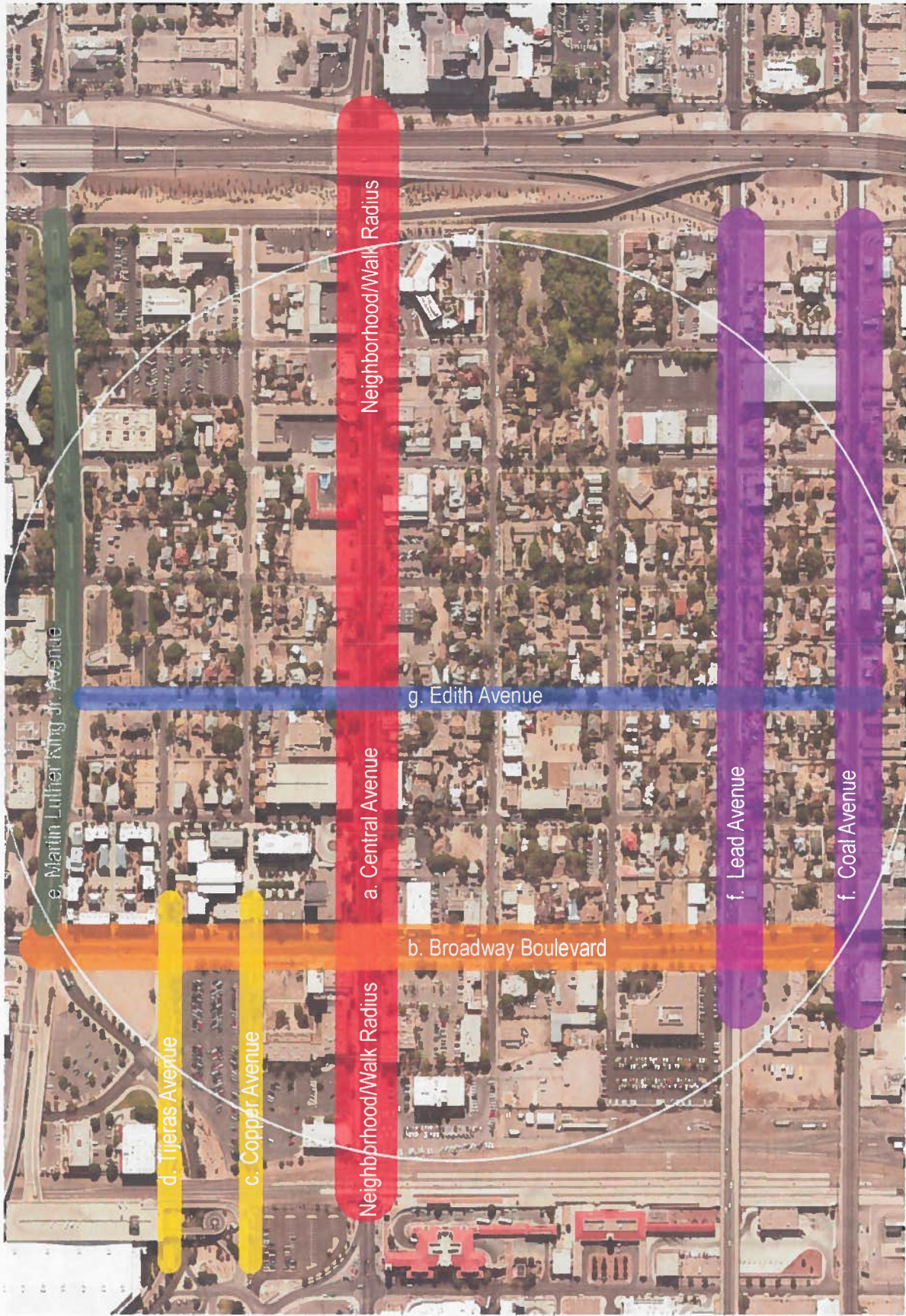
With Special Thanks to:

Hotel Parq Central, Yancy Sturgeon, General Manager
Special Collections Library, City of Albuquerque, Eileen O'Connell Librarian
The Grove Café, Lauren and Jason Greene
The Standard Diner, Matt and Vince DiGregory

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Scope Map: streets studied in Charrette, with Neighborhood / Walk Radius: 5 minute walk center to edge, or 10 minute across, defines the area of a neighborhood where all daily needs are met.

1 Executive Summary

What kind of city will help us thrive economically?

What kind of city will keep our citizens not just safe, but healthy?

What kind of city will be sustainable and successful for generations to come?

How can we keep our children and our grandchildren from leaving?

How can we attract corporations, citizens, and especially young, entrepreneurial talent?

These questions have been at the forefront of a 15 year effort to make East Downtown (EDo) and Huning Highlands Albuquerque's best neighborhood, a model for our city's many other potentially great neighborhoods.

We believe the answer to all these questions is "a city with complete streets, supporting complete neighborhoods." What is the main form of transportation in successful, innovative, sustainable cities? Walking. Whether arriving on foot, on a bicycle, on a bus, or in a car, great places support walking after the arrival.

Albuquerque does not have a single neighborhood, district, or corridor that puts the pedestrian first. It does not support walking, in fact it is hostile to pedestrians. Albuquerque has one of the weakest economies of any city of its size or larger in the United States. There is a connection here we believe, and we want to change it.

That's why we created the EDo Master Plan in 2004. That's why the City Council hired Jeff Speck to do a Downtown Walkability Analysis in 2014. That's why the City Council passed a Complete Streets Ordinance in 2015.

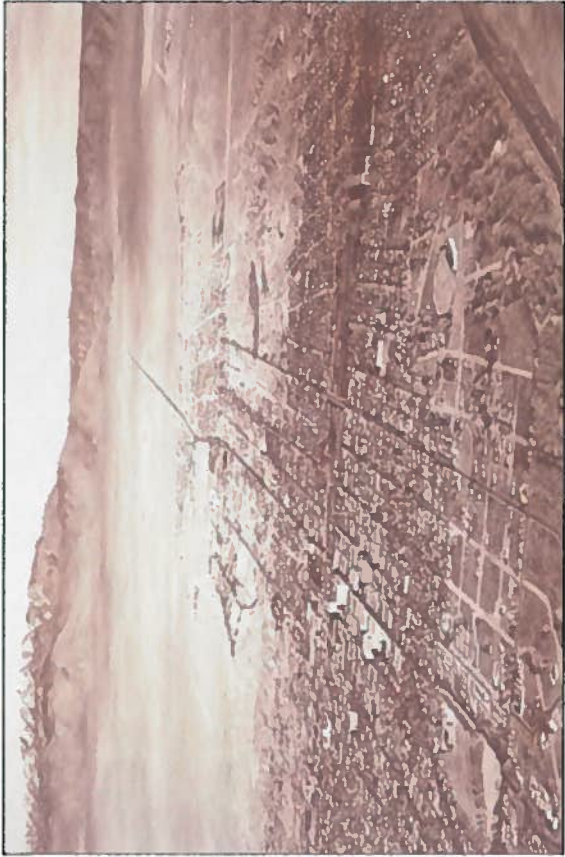
All of these City policies recommend – even mandate – the creation of walkable places that put the pedestrian first. They are not being implemented. We have become tired of waiting.

That's why we hosted this charrette process. With the establishment of Innovate ABQ in our neighborhood, and the coming of the Albuquerque Rapid Transit (ART), we as a neighborhood and we as a City can wait no longer for change. The success of Innovate,

the success of ART, and the success of Albuquerque require the creation of many walkable urban places.

This report is a road map for success in EDo and Huning Highlands. Most of it involves simply painting our existing streets differently, at a modest cost. All it takes is political will, and the support of our Department of Municipal Development (DMD) for the Complete Streets Ordinance and supporting transportation engineering standards, that convert our streets from traffic sewers to economically and socially productive public places.

Thanks for all who participated in the charrette, and thank you for reading our report and supporting its recommendations with our elected officials.



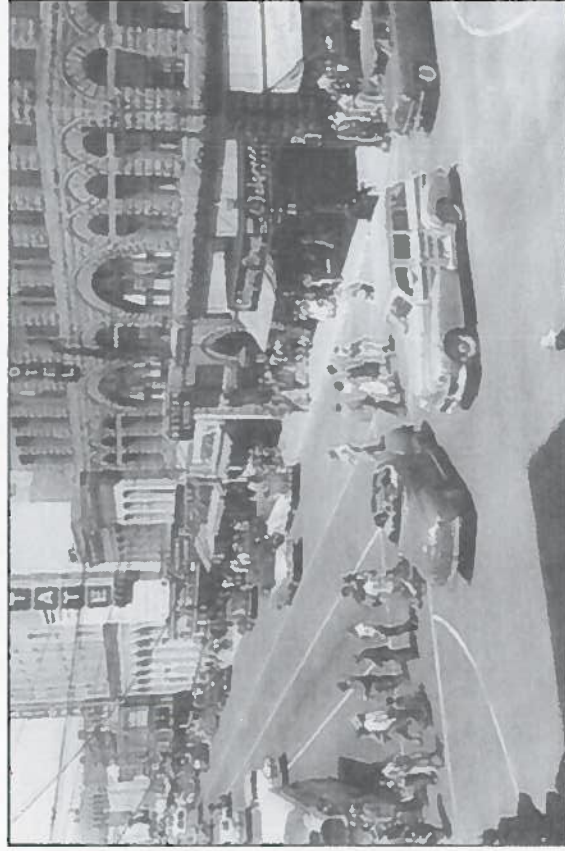
Aerial (1930's): In its recent past, Albuquerque was a compact city, composed of a number of walkable, complete neighborhoods on human-scale streets.



Central Ave. & 5th (1940's): a healthy balance of people, businesses, bikes, buses, and cars.



Central Ave. & Broadway (1940's): streets accommodated pedestrians, cyclists, buses, cars, and trucks in a balanced way - to the benefit of all our citizens, young and old, rich and poor. Successful cities are returning to this model.



Central Ave. & 5th (1940's): Central supported robust businesses with complete streets.

2 Complete Streets - the Need and the Opportunity

The new Albuquerque Rapid Transit (ART) system provides a great opportunity to complete our streets in EDo and Huning Highlands to make this neighborhood a Walkable Urban Place, or "walk-up." This same model can be followed elsewhere along the ART line.

What's a walk-up? It's a neighborhood, district, or corridor where most of life's daily needs can be met on foot. They have a variety of housing types, adequate shopping, numerous workplaces, and most of the facilities for learning, worship, recreation, entertainment, and civic life. Are EDo and Huning Highlands a walk-up today? Unfortunately they are not. But they could be, if we complete our streets.

What's a complete street? It's a street where the needs of pedestrians, cyclists, transit riders, and drivers are equally balanced. What's interesting is that in a walk-up, no matter how a citizen or visitor arrives, they will become a pedestrian. Which is why the number one principle of the EDo Master Plan from 2004 is "put the pedestrian first."

What do walk-ups and complete streets have to do with economic development and innovation? Everything. "The Metropolitan Revolution" (2013) by Bruce Katz and Jennifer Bradley has a chapter on "Innovation Districts," like the one we are trying to build here in the Duke City, Innovate ABQ. The principal point made in this chapter is that successful innovation districts merge walkable, vibrant neighborhoods with talented clusters of people who appreciate being able to walk to all of their daily needs, and to have quality transit service available.

Innovative people and their companies are locating in walk-ups, and walk-ups only succeed on a connected network of complete streets. We all have high hopes for Innovate ABQ located right here in EDo. It's time to give this neighborhood the complete streets that allow Innovate ABQ, all our current great businesses and residents, and the many new residents and businesses who might want to be here, the best chances to succeed.

Complete Streets Resources:

1. Jeff Speck on the Walkable City and its economic, health, and sustainability advantage (17 minutes)
https://www.ted.com/talks/jeff_specck_the_walkable_city?language=en
2. The Complete Streets effort in New York City and its achievements (11 minutes)
<https://vimeo.com/22886687>
3. The Complete Streets effort in Charlotte NC and its impact on real estate development and values (4 minutes)
<https://www.youtube.com/watch?v=RXcDFeKsMAk>
4. Lancaster, CA's Main Street renovation and its incredible economic and community success (4 minutes)
https://www.youtube.com/watch?feature=player_embedded&v=pojyIzK2uSW

2 Complete Streets - the Need and the Opportunity



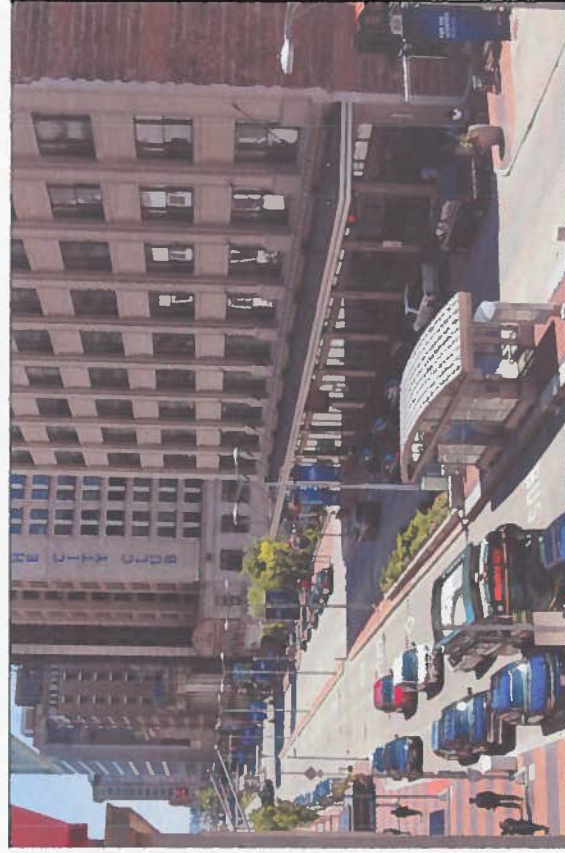
Complete Streets democratically balance all users: pedestrian, bicyclist, car, and transit



Public Realm of Street: balancing all users of a streets means good business



Public Realm of Street: streets are places for people, businesses, bikes, and cars



Cleveland Downtown: parking, local bus route, and new Bus Rapid Transit Station

3 Charrette Process & the Steering Committee

The charrette process is a technology for designing optimal solutions to solve problems or to pursue opportunities. It is grounded in a time-compressed set of meetings that bring all the right information and all the right people to one place at one time. Working in quick feedback loops, potential solutions are drawn, discussed, modified, vetted, and re-drawn until a sense of consensus and potential success arrive. Solutions are holistic and interconnected across issues. Shared interests are the foundation of practical solutions with broad support.

Put another way, charrettes are "Design by Democracy," not "Design by Dictatorship."

The "Complete Streets = Economic Development Charrette" is sponsored by the EDo Neighborhood and the Huning Highlands Historic District Association, under the leadership of their elected Boards of Directors.

The charrette was announced publicly on February 19, 2016, in an issue of EDo News & Views, which is distributed to about 2,100 people. Additional issues were sent out March 1, 8, and 9. The charrette was held March 10, 2016, at Botts Hall at the City's Special Collections Library in EDo at 423 Central NE.

A Steering Committee of the following representatives of key interest groups met on Thursday, February 18th and Thursday, February 25th to be briefed on the charrette principles and the charrette schedule.

Isaac Benton, City Council
Dayna Crawford, ABQ Ride
Rob Dickson, EDo Neighborhood Association
Moises Gonzalez, Huning Highland Historic District Association
Suzanne Luber, City Planning Director
Julia Mandeville, MiABQ
Jessica Eaves Matthews, Innovate ABQ Board
Tim McGivern, Media
Gary Oppedahl, City Economic Development Director
Bevin Owens, Compass Companies
Josh Rogers, Titan Development
Darin Sand, Goodman Realty (Innovate ABQ Development Team)
David Silverman, Downtown ABQ Main Street
Rebecca Velarde, City Metropolitan Redevelopment Director

On Thursday, March 3rd at 6:00 PM, the charrette sponsors hosted a presentation on "Complete Streets = Economic Development" at the Hotel Parq Central. We thank them for their hospitality. An enthusiastic group of about 50 citizens enjoyed the presentations listed in Section 2, with refreshments and snacks afterward.

The charrette day was March 10th in Botts Hall at the City's Special Collections Library. After a 9:00 AM introduction on the importance of complete streets to walkable urban places, and the necessity of walkable urban places for the success of innovation districts, a group of about 40-50 walked Central and Broadway for 75 minutes to observe existing conditions:

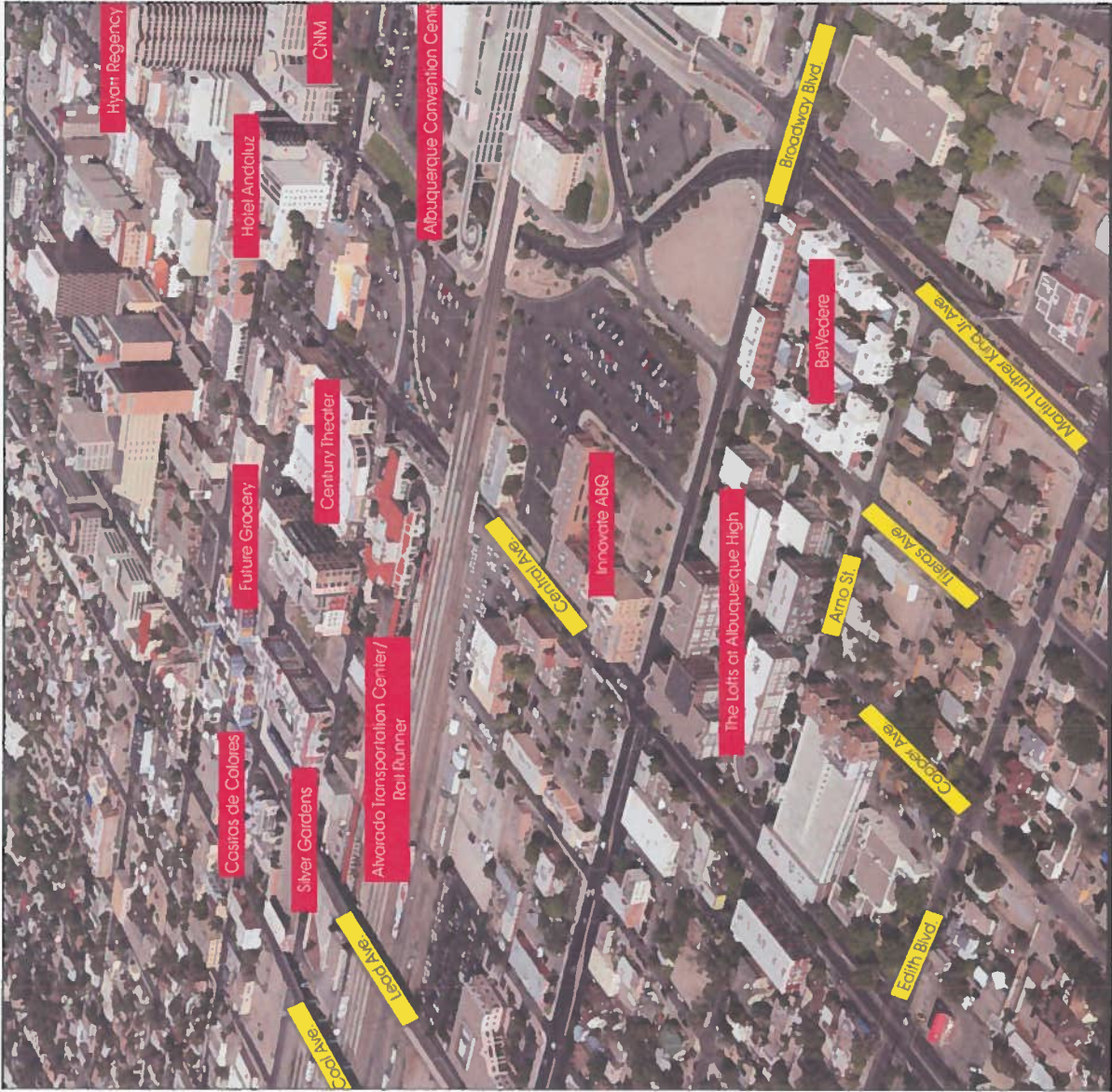
1. Motor vehicles exceeding posted speeds.
2. Few pedestrians.
3. A number of vacant buildings and sites.
4. Long, dangerous crossing distances at intersections.
5. Uncomfortable noise levels.
6. No current construction.

The ingredients for a successful Innovate ABQ do not yet exist in EDo and Huning Highlands. This report will outline the ingredients needed for that success. All of Albuquerque wants Innovate ABQ to succeed, so we are hopeful these recommendations will be implemented quickly, during the ART construction.

The schedule for the rest of the day was as follows:

- 10:30 AM - Noon Individual property owner discussions with design team
- 11:00-11:30 AM Requested changes to Broadway, Copper, and Tijeras.
- 11:30 AM - Noon Construction scheduling, signage, business assistance.
- Noon-1:00 PM Lunch break, design team continues working
- 1:00-1:30 PM Bus operations and bus shelters on Central and Broadway other than ART.
- 1:30-2:00 PM New test striping on Lead and Coal to reduce design speed to 30 mph.
- 2:00-2:30 PM Pocket park at Central & Edith (library site).
- 2:30-3:00 PM Signalization changes for complete streets.
- 3:00-3:30 PM Requested changes to ART design.
- 3:30-4:00 PM Neighborhood parking permit program
- 4:00-4:30 PM Infrastructure upgrades, underpasses, MLK plans.
- 4:30-5:00 PM FINAL PRESENTATION of the day's work.

3 Charrette Process & the Steering Committee



Edo & Downtown



Charrette Day: participants walking Central & Broadway



Charrette Day: Special Collections Library & signage for Charrette

4 Complete Street Designs: a. Central Avenue

The proposed Albuquerque Rapid Transit (ART) system, with its Federal funding component, gives our community the opportunity to create walkable urban places that foster innovation.

By itself, ART is not economic development – it's a tool for economic development. The economic development potential of ART only succeeds if it supports walkable urban places that foster innovation.

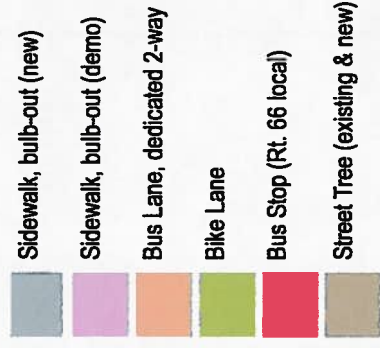
The charrette sponsors have worked with ABQ Ride to improve the ART design for the past 3 years. Progress has been made, but the current design needs a few small modifications which we present here.

These modifications will both make EDo and Huning Highlands a better pedestrian-friendly environment, and bring additional ridership to the ART. All ART riders will be pedestrians. With the renovation of Central Avenue for ART to one travel lane in each direction, we recommend the posted speed limit be reduced to 25 mph. This reduction in posted speed will be good for business and good for safety for all users of the street.

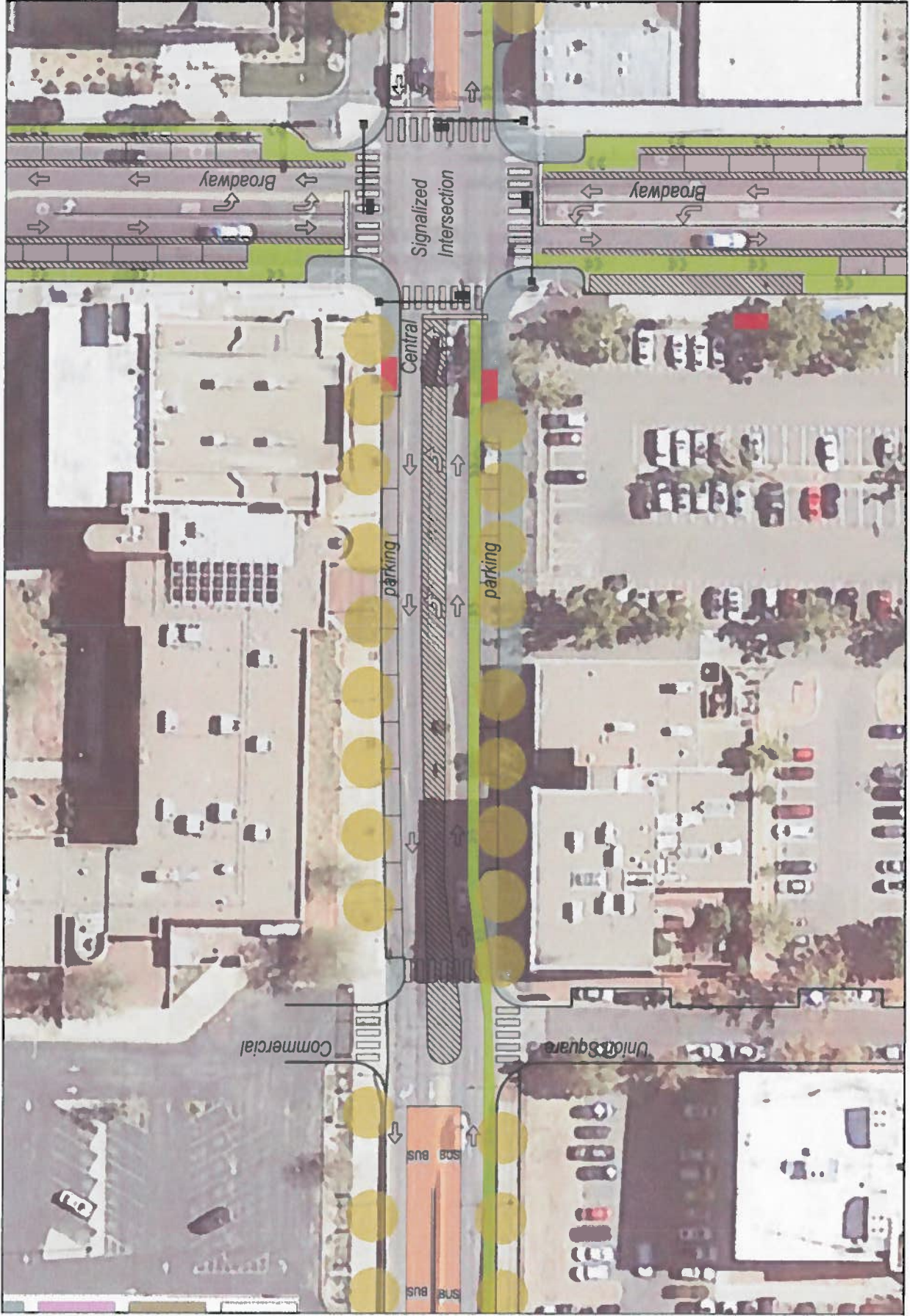
1. Railroad overpass to Broadway Boulevard

Jeff Speck says that on-street parking spaces are worth \$150,000-200,000 in additional sales for adjacent businesses. The current ART design from Broadway to Union Square Street is for two dedicated bus lanes. This eliminates 16-20 potential on-street parking spaces adjacent to Innovate ABQ and the 222 Central SE catalytic project, with a corresponding business value of \$2.4 M to \$4.0 M.

We recommend that the ART move in mixed traffic for this one block (as ART does throughout Downtown), then stage their vehicles in the 2 dedicated lanes from Union Square Street to the railroad overpass. This change should not impact operations in any material way, and this change supports development of two significant sites that will produce pedestrian traffic and ridership for ART.



4 Complete Street Designs: a. Central Avenue



4 Complete Street Designs: a. Central Avenue

2. Broadway Boulevard to Arno Street

The plan calls for bulb-outs at all corners and marked cross-walks in all directions at all intersections, shortening crossing distances for pedestrians and increasing safety and business activity. There is ample support in traffic engineering standards for walkable urban thoroughfares for having marked cross-walks at un-signalized intersections. This would be especially true in a bus rapid transit environment with only one travel lane in each direction. The wider sidewalks in front of Standard Diner, plus slower vehicle speeds in the corridor, support an outdoor dining environment.



4 Complete Street Designs: a. Central Avenue



4 Complete Street Designs: a. Central Avenue

3. Arno Street to Edith Avenue

The current ART plan does not provide parking on the north side of the street, to the detriment of retail potential. We recommend removal of the island in this block, which will allow the provision of 6 new on-street parking spaces on both sides of the west 1/2 of the block. There is adequate room in this 1/2 block for two parking lanes 9.5 wide from the curb face, two travel lanes of 10.5 feet each, an ART lane of 11 feet, and a bike lane on the south side of the street of 5 feet.

The existing sidewalk improvements in the west 1/2 block should not be altered in any way. These improvements were made in 2004 at great expense to the developer of the two condominium buildings located here, and were paid for by the current owners in their purchase price. These sidewalk improvements are very important to preserving the collective value of the multiple owners of these condominiums.

We extend the existing Rapid Ride bus stop bulb-out to the edge of the westbound travel lane near Edith to allow for 66 operations. We strongly recommend this bus stop in the mixed-traffic lane rather than having the 66 bus pull out of traffic, and be required to re-enter traffic. This improves bus operations and calms traffic, all of which supports more pedestrians, more retail sales, and more bus riders.



4 Complete Street Designs: a. Central Avenue

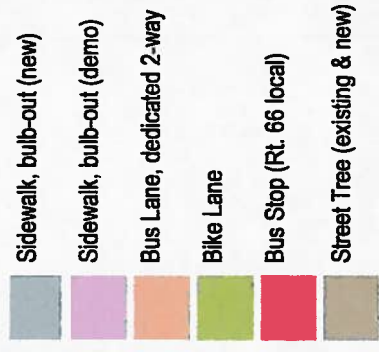


4 Complete Street Designs: a. Central Avenue

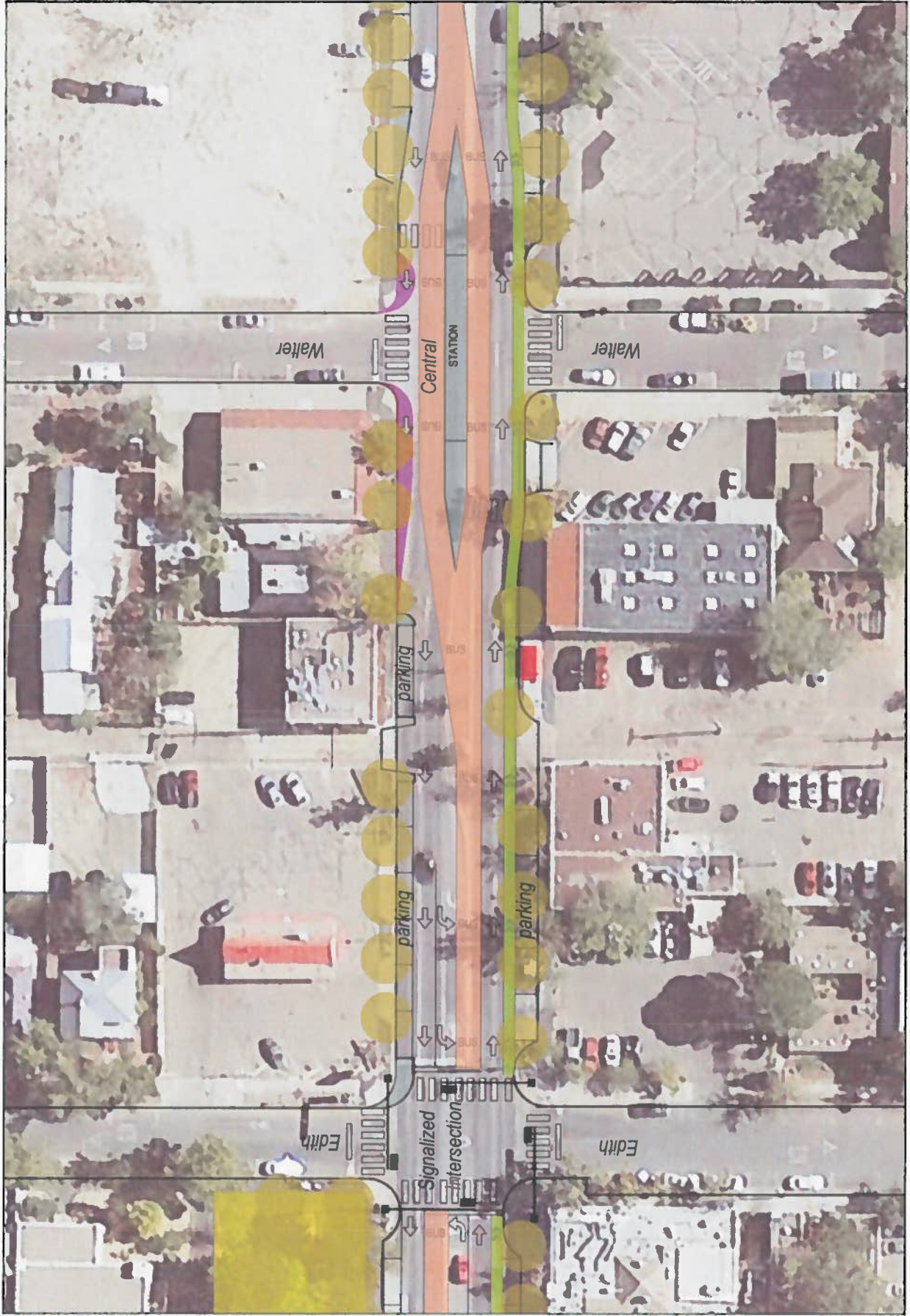
4. Edith Avenue to Walter Street

The current ART plan does not provide parking on the north side of the street, to the detriment of development and retail potential. We recommend the existing sidewalks on both sides of the western ½ block remain as-is, which allows for parking on both sides of the street (9.5 feet from the curb face), two travel lanes of 10.5 feet, an ART lane of 11 feet, and a westbound left turn lane of 9.5 feet, plus the eastbound bike lane.

In the eastern ½ of the block, we recommend the elimination of a short part of the ART merge segment west of the ADA crosswalk to allow for a couple of parking spaces on the north side of that ½ block.



4 Complete Street Designs: a. Central Avenue



4 Complete Street Designs: a. Central Avenue







5. Walter Street to High Street

We recommend shortening the approach lanes to the ART station at Walter Street, to allow for more on-street parking in this block, with its vital development site at the NE corner.

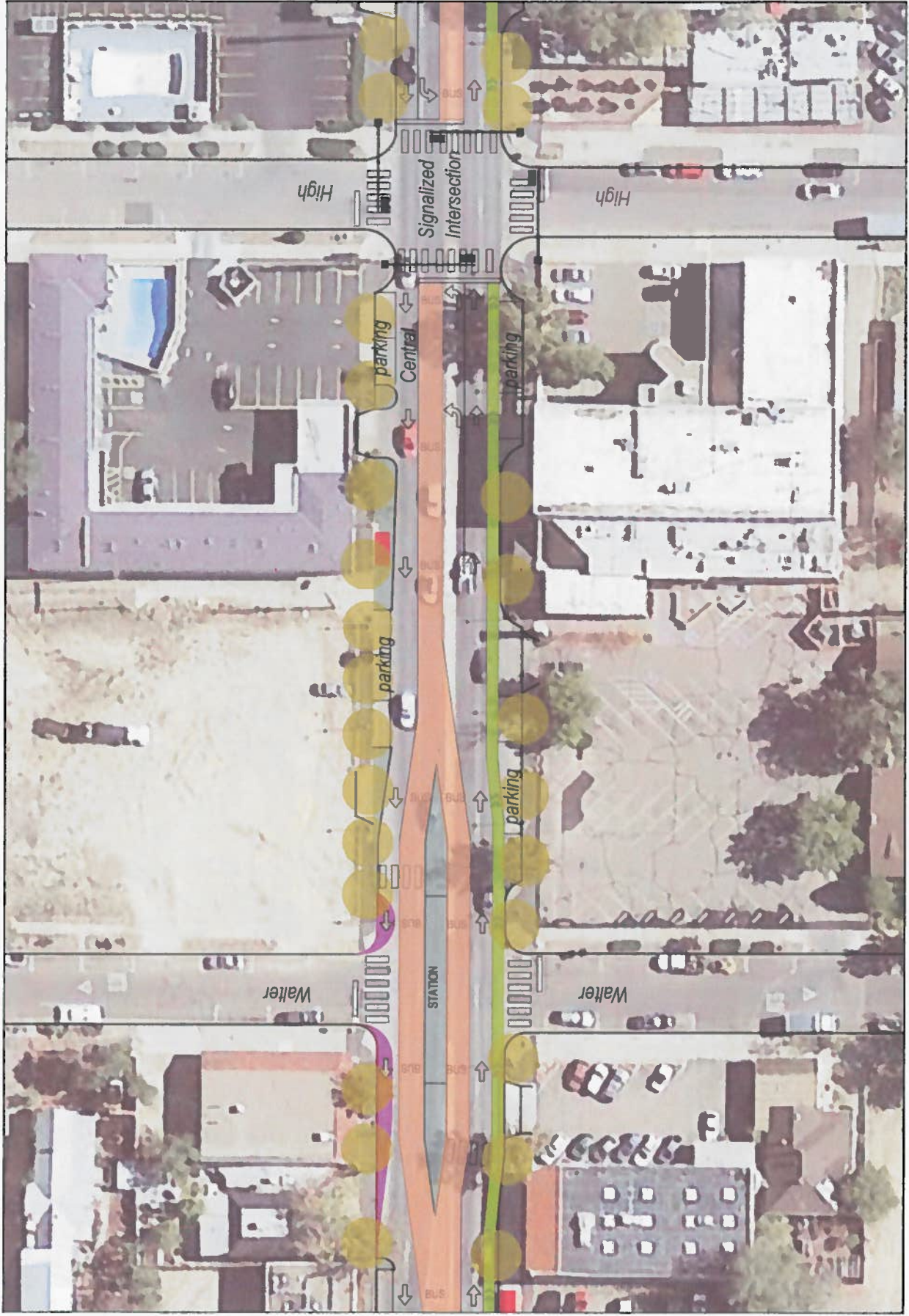
It is crucial that the ART station in EDo and Huning Highlands have a canopy that protects waiting riders from the weather. The current station design looks unfinished and undignified. This will hurt ridership.



Walter Street A.R.T. Station: Photo Credit Albuquerque Journal

	Sidewalk, bulb-out (new)
	Sidewalk, bulb-out (demo)
	Bus Lane, dedicated 2-way
	Bike Lane
	Bus Stop (Rt. 66 local)
	Street Tree (existing & new)

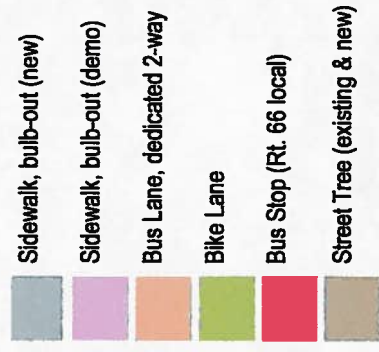
4 Complete Street Designs: a. Central Avenue



4 Complete Street Designs: a. Central Avenue

6. High Street to Elm Street

There will be significant redevelopment in this block over the coming decade, making every on-street parking space tremendously valuable, and making wider sidewalks and street trees equally important. Whole Hog Cafe will be moving into the former Gravy (at Elm) space very soon. The building at 710 Central SE is scheduled for renovation in the near future. The Imperial Motel site will likely be redeveloped within a 3-5 year period given complete streets and slower traffic in the area. With no turn lanes in this block, the design should be for two travel lanes of 10.5 feet each, the ART lane at 11 feet, two on-street parking lanes of 9.5 feet from the curb face, a bike lane of 5 feet, and two 12 foot sidewalks, for a total of 80 feet of right of way.



4 Complete Street Designs: a. Central Avenue



4 Complete Street Designs: a. Central Avenue

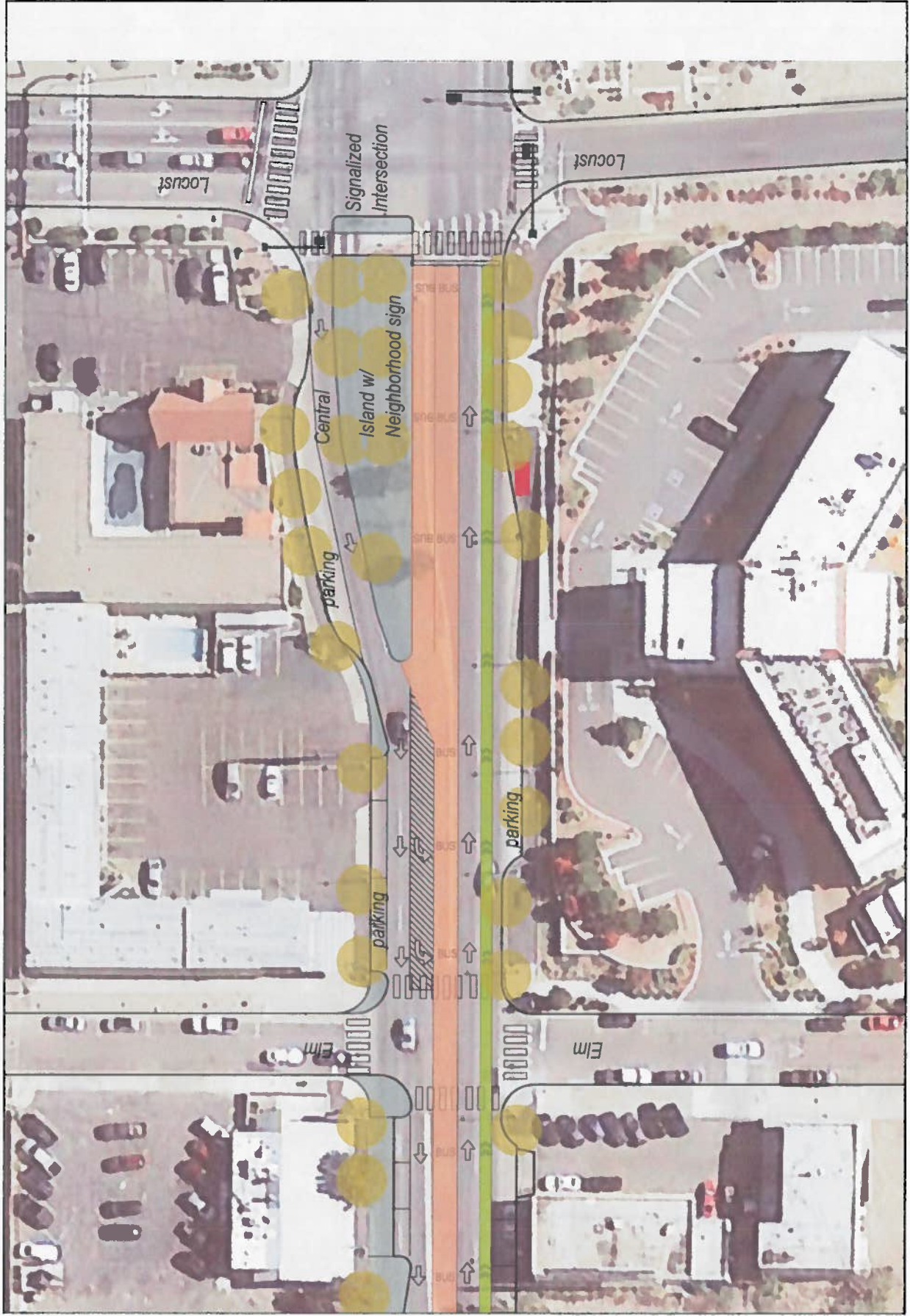
7. Elm Street to Locust Street (I-25 frontage road)

A westbound left turn lane from Central to Elm is absolutely vital to the continued success of Hotel Parq Central (HPC), other current businesses, and future businesses and residences there. Most people coming to HPC are from out of town, and a triple left turn movement starting at High Street will not be either legible or convenient for them.

We would remind everyone – the purpose of ART is to support economic development, not suppress it with bad design features.



4 Complete Street Designs: a. Central Avenue



4 Complete Street Designs: b. Broadway Boulevard

Broadway Boulevard fronts the new innovate ABQ site for over 600 feet (2 blocks) but is currently hostile to pedestrians and bicyclists – in direct opposition to the walkable urban places that support successful innovation centers throughout the United States.

While the posted speed limit is 30 mph, the design speed is 45-55 mph, which is the speed most people drive. This is not only dangerous, it also suppresses the very economic development we seek.

Using the model for other complete streets in the U.S., we recommend a test striping project starting at the intersection with Martin Luther King, Jr. Avenue, south to the Coal Avenue intersection, a 7 block stretch (about ½ mile). This project will not require the movement of any curbs or utilities, and should be relatively inexpensive.

1. Leave medians and left turn lanes as they are.
2. Have one travel lane in each direction, 10.5 feet wide.
3. Have an 8 foot parking lane on each side adjacent to the travel lane, with a 3 foot striped buffer on each side of the parking lane.
4. The rest of both sides of the street from the outside buffer to the curb would be a green painted bike lane.
5. Provide curb extension bulb-outs at Tijeras, Gold, Silver, Lead and Coal to enhance pedestrian safety by shortening crossing distances on Broadway, increasing pedestrian visibility, slowing turning vehicles, and visually narrowing the roadway.
6. Reduce the posted speed to 25 mph.

The direct benefit of this project will be to reduce actual speeds to posted speeds, increasing safety, reducing noise, and supporting the pedestrian-first environment needed for economic development.

With daily traffic counts around 16,000, a 3 lane Broadway Boulevard can easily handle its vehicle volume. Three lane streets in many places handle 20,000 cars per day.

In Walkable City (2013), Jeff Speck says that nothing tells talented, innovative people – especially millenials – that your city welcomes them, more than a painted

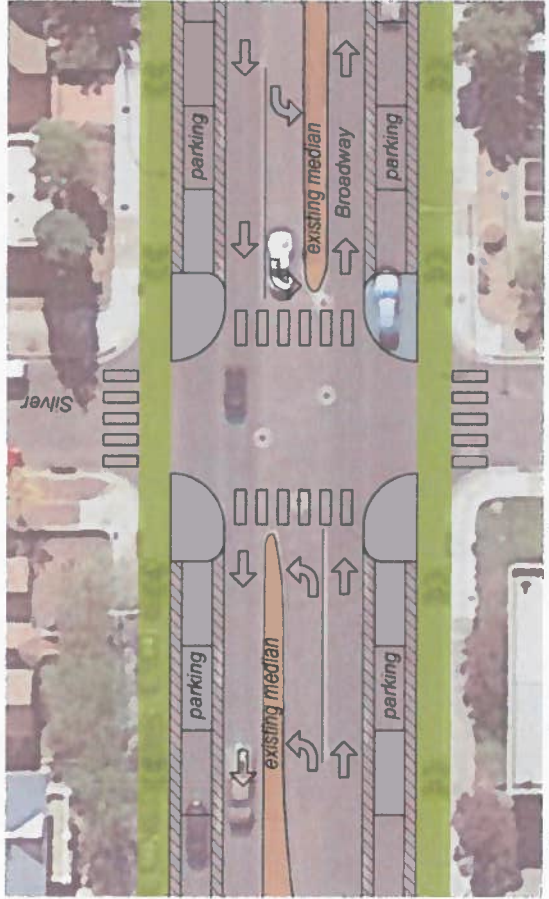
bike lane. It's cheap and it's effective. And it's what innovate ABQ needs right now. Please see item 6, pg 42 for additional recommendations for Broadway related to the traffic signals at Coal, Lead, Central, and MLK.



4 Complete Street Designs: b. Broadway Boulevard



Above: Broadway & Central



Above: Broadway & Silver (Tijeras, Gold, Silver, Lead, & Coal all receive this design)



bulb-outs, pedestrian refuges, bike lanes, & parking



4 Complete Street Designs: c. Copper Avenue

The development framework for Innovate ABQ, with Perkins & Will as lead Urban Designers and Architects, offers the proper approach to extending Copper from Downtown, across the tracks, at-grade, east to Broadway, bisecting the Innovate ABQ site and creating valuable new street frontages, and connectivity for all travel modes.

This approach provides an at-grade crossing between EDo and Downtown for pedestrians, bicyclists, and drivers – and avoids all the problems of the Central Avenue railroad underpass, which can be mitigated at substantially higher costs than the Copper improvements, but not solved.

We would recommend that Copper Green be moved to the north side of Copper, so that it receives sun in the winter months.

4 Complete Street Designs: d. Tijeras Avenue

The development framework for Innovate ABQ, with Perkins & Will as lead urban designers and architects, once again offers the proper approach to making Tijeras Avenue a complete street that supports development at Innovate ABQ, works efficiently and safely for all travel modes, and eliminates the very dangerous conditions at the intersection of Tijeras, MLK, and Broadway.

The key changes needed are:

1. Eliminate the "dog leg" that carries Tijeras diagonally east from Commercial to MLK.
2. Bring all Tijeras traffic directly from the Commercial intersection east to Broadway. Add a traffic signal at this Broadway intersection, or better, a modern roundabout.
3. Make Tijeras two-way from Broadway west to 2nd Street.

It is possible to make these changes on a test basis with simple barricades and striping.

The benefits are obvious:

1. Innovate ABQ will then have over 600 feet of frontage on Tijeras Avenue, increasing its development value.
2. The large city block north of Innovate ABQ can be re-assembled by eliminating the "dog leg." The potential to develop as much as 300,000 square feet of new residential and commercial spaces exists on this large block.
3. High speed geometries that are the enemy of safety for all travel modes are eliminated.
4. Travel speeds are reduced to posted speeds, supporting pedestrians, business, innovation, and jobs.

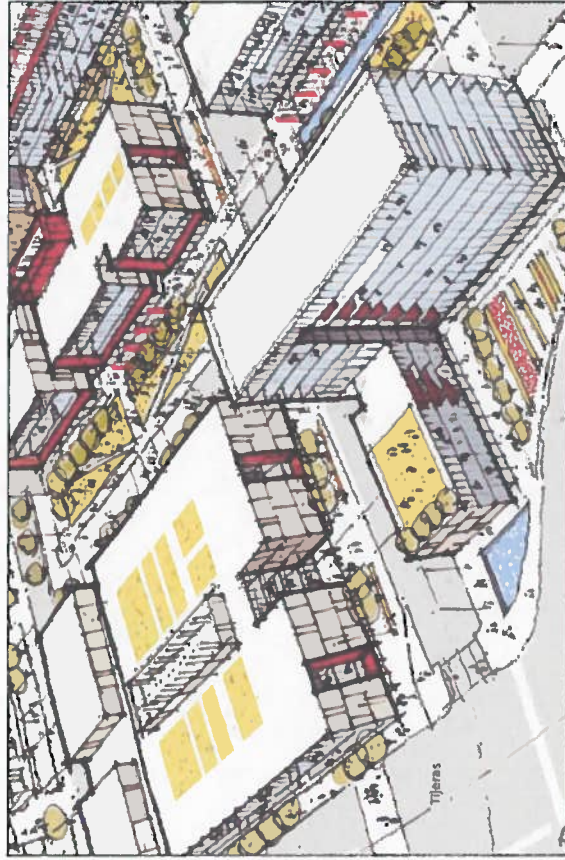
4 Complete Street Designs: d. Tijeras Avenue



Existing Condition



Tijeras straightened out to Broadway, developed lot shown w/ new building



Tijeras with new building frontages, on lower left of drawing



Tijeras section: a true boulevard design w/ slip lanes

4 Complete Street Designs: e. Martin Luther King Jr. Boulevard

The City's Department of Municipal Development (DMD) has shared plans done by Bohannan-Huston traffic engineers for what was described at the charrette as a "complete street plan."

We have reviewed the plans and disagree with that characterization. We offer the following alternative approach for a street that only carries approximately 13,000 cars per day (which could be effectively handled by a 3 lane street):

1. Each side of the street, from curb to curb, varies from about 46 feet of pavement where left turn lanes are present, to 37 feet where not present.
2. For the street sections with left turn lanes, we recommend a 10 foot turn lane, two 10.5 foot travel lanes, 5 foot green-painted bike lanes each side protected on the travel lane side with a 2 foot hatched area, and 8 foot parking lanes each side.
3. For all other sections, we recommend two 10.5 foot travel lanes, 5 foot green-painted bike lanes each side protected on the travel lane side with a 2 foot hatched area, and 9 foot parking lanes each side. Alternatively, to match the design in the adopted Walkability Study (Jeff Speck), the bike lanes could be adjacent to the curb, protected by hatched zones and parking spaces adjacent to traffic lanes.
4. This effort requires only paint; no curbs would move.
5. The eastbound bus stop between Edith and Walter on the south side of MLK should be moved to the corner at Walter, and placed in a bulb-out so that the bus stops in the right travel lane, rather than pulling out and pulling in. This puts the bus closer to the hospital facilities. This should be done with the westbound shelter as well.
6. The right turn lane at Broadway westbound should be eliminated. Dedicated right turns are the enemy of pedestrians, cyclists, transit riders, and local businesses. Traffic volumes do not justify this approach whatsoever.



4 Complete Street Designs: e. Martin Luther King Jr. Boulevard



Photo:

4 Complete Street Designs: f. Lead & Coal Avenues

This two lane, one-way pair encourages actual speeds much higher than the posted speed of 30 mph. The reasons include the one-way nature of the streets, lack of parking on both sides, and for Lead, a downhill street. The vehicle speeds, combined with long pedestrian crossing distances, are very dangerous and uncomfortable for pedestrians, bicyclists, and transit riders – and not particularly great for motor vehicles going straight across any intersection.

Recent improvements have improved the situation slightly, but not sufficiently.

Practically speaking, Lead and Coal could easily be two-way streets with one lane in each direction, and handle their traffic volumes with ease, at proper speeds for a healthy, innovative neighborhood. Until that can occur, here is our suggested approach.

Install traffic lights at Walter on both Lead and Coal. Walter is halfway between I-25 and Broadway and is, therefore, the best location for a traffic calming stoplight. These lights should not be triggered by traffic on Walter, but rather they should be timed with lights at I-25 (Locust) and Broadway to calm traffic to 30 miles per hour.

While traffic counts on Walter may not appear to justify the expense of installing two traffic lights, we expect that traffic on Lead and Coal will increase after the design changes on Central. What is currently an uncomfortable environment for pedestrians, bicyclists and vehicles trying to cross Lead and Coal will become dangerous in just a few months.

The City Council has already passed a resolution exempting Lead and Coal east of I-25 from the required cross-traffic warrants for traffic light installation. We propose that the Council extend that resolution to cover Lead and Coal west to Broadway and provide funding to cover these two stoplights.



4 Complete Street Designs: f. Lead & Coal Avenues



Lead: with no interruptions from I-25 to Broadway traffic is free to speed downhill.



Lead: proposed traffic light (like that shown above at Columbia SE) at Walter SE



Coal: proposed traffic light (like that shown above at Girard SE) at Walter SE

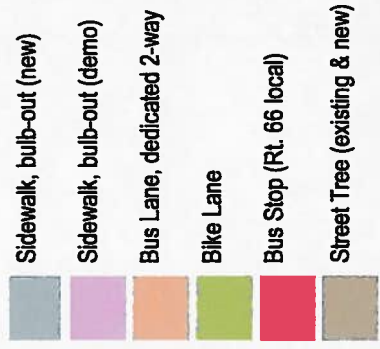
4 Complete Street Designs: g. Edith Avenue

Every neighborhood street in Huning Highlands is 32 feet curb to curb with 8 foot striped parking stalls both sides, except for Edith which is 38 feet. This additional 6 feet of asphalt encourages speeding, and works against pedestrian and cyclist comfort and safety.

We recommend using that 6 feet as a two-way, green-painted "cycle track" from Coal north to Martin Luther King. Putting the cycle track against the curb on one side, and moving the parking next to the travel lane, would be ideal.

We have already recommended four-way stop signs at Edith and Lead, and at Edith and Coal. We recommend a traffic circle at Edith and Copper.

All of these recommendations make Edith a complete street for pedestrians, cyclists, and transit riders (many of whom will be coming and going from the new ART system), which maintains vehicle capacity at proper and posted speeds.



4 Complete Street Designs: g. Edith Avenue



Traffic circle (over 1000 in Seattle) with vertical signage, landscape



Traffic circle physically slows traffic, reduces accidents, and makes for safer streets

5 Catalytic Project: a. 222 Central Ave. S.E.

122 apartments and 2,400 square feet of commercial space in a six story building are proposed for the .83 acre site at the southwest corner of Central and Broadway, just south of Innovate ABQ.

The apartments would be leased to working people making 60% of median area income (or less). Floor plans proposed are a micro-loft (studio) at 427 square feet and a micro-suite (one bedroom) at 596 square feet. 2016 maximum rents are \$625 and \$685 respectively, including utilities.

The target market for the project is for people of all ages just entering the work force, or re-entering it. We see a strong connection between a substantial portion of the Innovate ABQ work force, and the availability of these apartments across the street.

With the implementation of the Complete Streets Plan for EDo and for Downtown, we see the area developing as a place where most of life's daily needs are within walking or cycling distance. For longer trips, the ART and car sharing services would allow for a car free lifestyle, which saves substantial money for the residents. AAA estimates car ownership at \$600-700 per month, almost as much as apartment rents.

Project financing would consist of a combination of private debt, private equity secured by 4% Federal low income housing tax credit, City metropolitan redevelopment funds, and City affordable housing funds.

5 Catalytic Project: a. 222 Central Ave. S.E.



5 Catalytic Project: b. 501 Central Avenue N.E.

35 apartments and 6,000 square feet of commercial space are proposed for the former Pop N Taco site at the northeast corner of Central and Edith, just two blocks east of Innovate ABQ. Negotiations are underway for a new 3,000 square foot lunch/dinner restaurant and an 1,800 square foot branch bank on long-term leases.

The four story building would have the first micro-loft apartments in Albuquerque, based upon similar and successful floor plans in New York City and San Francisco. The apartments would have an average size of 393 square feet and are estimated to rent for \$695.

Based upon experience with the smallest lofts at Albuquerque High, the target market for the project is for people of all ages, occupations, income levels, and backgrounds. We see a strong connection between a substantial portion of the Innovate ABQ work force, and the availability of these apartments nearby.

With the implementation of the Complete Streets Plan for EDo and for Downtown, we see the area developing as a place where most of life's daily needs are within walking or cycling distance. For longer trips, the ART and car sharing services would allow for a potentially car-ownership free lifestyle, which saves substantial money for the residents. AAA estimates car ownership at \$600-700 per month, almost as much as apartment rents.

Project financing would consist of a combination of private debt, private equity, and City metropolitan redevelopment funds.

5 Catalytic Project: b. 501 Central Avenue N.E.



5 Catalytic Project: c. Broadway & Copper

Innovate ABQ is a core site that is a catalyst for this district. Founded on a seven-acre former First Baptist Church site purchased by UNM in 2014, it is envisioned as a hub for research and innovation activities and programs throughout the region. Its plan, illustrated in this document, is aimed at maximizing the opportunity to accommodate development for this purpose while also creating a place that is highly integrated with the city and capable of attracting tomorrow's researchers and innovators.



Location Map. Photo Credit Albuquerque Journal

INNOVATE ABQ PREPARES TO LAUNCH CONSTRUCTION



COURTESY OF INNOVATE ABQ

Photo Credit Albuquerque Journal. "An architect's rendering of the six-story office and apartment building that will anchor the Innovate ABQ research and development district Downtown".

6 Other Charrette Issues: a. Signalization on Broadway & Central

The current signalization on Broadway at Coal, Lead, Central, and MLK is characterized by fixed, long cycles, with significant amounts of unused green light time, and with vehicles using that unused green time to exceed posted speeds in order to make the lights. This is incredibly dangerous for all users of the street, and is in complete opposition to innovation and business success.

The same is true for the signal at Central and Edith.

Both streets have become popular for drag racing, with vehicle speeds reaching 80 mph in a residential and commercial area with posted speeds of 30 mph. This obviously is not a condition supportive of innovation or ART ridership.

We are told by DMD traffic engineers that the Downtown area is a "timed system" that works together in some elegant fashion. We disagree. We don't see that any one traffic signal is ever timed to work with any succeeding one or any prior one. What we see is a random system that encourages speeding and accidents, and is not supportive of the walkable urban places that Albuquerque needs to be economically successful.

A signalization system that increases vehicle speeds, accidents, injuries, and deaths does not "work" for our community. It must change if Broadway and Central are to be complete streets that put pedestrians, cyclists, transit riders, and drivers on an equal, safe, comfortable footing.

We recommend the following changes, all subject to an override by ART vehicles if an override is desired and implemented:

1. Put all signals on an actuated demand basis, with short cycles to change signals quickly upon the appearance of unused green light time in any direction, in favor of giving a green signal to waiting vehicles.
2. If this cannot be done, change the signal cycles from 120 seconds to 60 seconds.
3. Put all signals on flashing four-way red outside peak hours. We would recommend peak hours be defined as 7:00-9:00 AM, 11:30 AM-1:30 PM, and 4:00-7:30 PM.

6 Other Charrette Issues: b. Construction, scheduling, signage, access, etc. for ART Project

We were told by Cynthia Schultz of Bradbury Stamm Construction that the EDo and Huring Highland section of the ART project would be done in 3 sections (for our ½ mile length), with each side of the street for each section taking approximately 2 months.

Adding this together, the ART project will take 1 year in our neighborhood.

We were asked if we could work with one-way, one-lane of traffic at certain times. Our answer is "no." We were told earlier in the year that two-way, single-lane traffic would be maintained for access, and we support that approach.

We would request that as one side of the street is under construction, the two lanes on the other side of the street be set up as a two-lane, two-way street.

Also discussed at the charrette was a signage program for the construction period that informs drivers and others of businesses in the area and how to reach them. The City's third-party consultants will work with us on the details of this program, we are told.



Signalization should help Central Ave. function as it does Downtown - for retail and pedestrians.



ART Project coordination: Businesses can reach out to City leadership for assistance

6 Other Charrette Issues: c. Railroad Underpass & 2016 TIGER Grant

Pedestrians traveling to and from EDo/Huning Highlands and Downtown on Central face the very uncomfortable conditions of the railroad underpass.

1. Noise.
2. Smells, litter, dirty.
3. Vagrants.
4. Dark during daylight hours.
5. No direct sidewalk on north side of the street.

As this pedestrian connection is adjacent to Innovate ABQ, these conditions are unacceptable and counterproductive.

A very expensive project to create at-grade pedestrian crossings over the railroad tracks was the subject of a TIGER (Transportation Investment Generating Economic Recovery) Grant request in 2015 that failed to win Federal funding.

We believe a better approach is as follows:

1. Provide sound attenuation, better lighting, and routine cleaning for the two underpasses.
2. Square the northeast corner of First & Central.
3. Use stairs and ADA ramps to provide an alternate at-grade crossing. This approach would be much less expensive than the 2015 design proposal.
4. Establish an at-grade railroad crossing on Copper from Broadway, through Innovate ABQ, connecting to Downtown. This crossing would be for pedestrians, cyclists, buses, and motor vehicles.
5. Apply for a TIGER Grant to implement the above PLUS all of Jeff Speck's other Downtown Walkability Recommendations from his September 2014 report.



Underpass: sound attenuation, regular cleaning



Underpass: improved lighting

6 Other Charrette Issues: d. Possible Pocket Park at Central & Edith

There is currently no urban park along Central Avenue in EDo and Huning Highlands. We believe a complete neighborhood needs to have one.

The best location for a small pocket park would be on the Special Collections property at the northwest corner of Central & Edith. As with any successful urban park, such a public space needs to be activated on all four sides by citizens monitoring park activities.

Concerns were expressed about a lack of "eyes on the park" at the current time. Other concerns included maintenance responsibility.

The group consensus was to revisit this subject when, and if, Catalytic Project 2 (in this report) is built east of the Special Collections Library.



Pocket Park: shade, tables, chairs, control



Pocket Park: shade, benches, control



6 Other Charrette Issues: e. Neighborhood Parking Permit Program

There are over 1,000 on-street parking spaces in EDo and Huning Highlands not including Central and Broadway.

Under current City rules, property owners in Huning Highlands, not living on Central or Broadway, may request a neighborhood parking permit program for their street or area, upon meeting certain signature requirements.

These permits protect on-street parking for residents only from 8:00 AM to 5:00 PM. Outside of those hours, anyone may use the spaces.

A discussion about a more equitable sharing of these spaces during business hours was highly unpopular – both the discussion and the idea itself. The group consensus was to set this discussion aside for the indefinite future.

Follow updates and news at the website:

edoabq.com

A-5

EDo/Huning Highland ART Walk, Monday, April 25, 2016

In attendance: City Councilor Isaac Benton and Tom Menicucci of City Council Staff, Darin Sand of Goodman Realty (Innovate ABQ development team), Marc Bertram of Hotel Parq Central, Moises Gonzalez and David Day representing Huning Highlands Historic District Association, Rob Dickson and Tim McGivern representing EDo Neighborhood Association, Andrew DeGarmo from ABQ Ride, and Ed _____ from HDR Engineering, consultants to ABQ Ride.

1. General issues

A. These notes supplement the requests made in the document "Complete Streets = Economic Development" released on April 14th. Where there are conflicts, these notes control.

B. The overall goal of ART and of these suggestions is to increase redevelopment activity in EDo and Huning Highlands - increasing sales of existing businesses and quality of life for existing residents, and bringing new businesses and residents over time. All of these achievements add to the ridership and success of our economy and of ART. Isn't that the goal? Put another way - a lot of the information from ABQ centers on "engineering a bus system." We believe that is too narrow and specialized of a perspective. We think the goal is "engineering an economically successful pedestrian-first corridor that both serves and is served by a bus rapid transit system."

C. On-street parking at every possible location is crucial to the successful operation of neighborhood businesses - present and future - and to mixed-use development of multiple vacant or underdeveloped parcels. Entry aprons can be closed with approval of property owner, replaced by sidewalk and on-street parking. This applies to all blocks.

D. Sidewalks need to be adequate width and street trees are important, but not at the sacrifice of on-street parking. Existing brick sidewalks should remain, and any enlarged or remodeled sidewalks should be of matching brick or should utilize recycled brick from other demolition areas. This is very important to maintaining the historic nature of the corridor.

E. Pedestrian crosswalks need to be clearly marked in four directions at all intersections. Bulb-outs are crucial to shortening crossing distance, providing pedestrian refuge, and increasing safety.

F. Where sidewalk not wide enough to accommodate trees, small narrow tree islands in parking zone can be considered. Alternatively, in New Mexico tradition, awnings, galleries, and arcades should be encouraged and accommodated by private building owners.

G. The irrigation system will be updated the full length of corridor, and trees left where

healthy as determined by the City Arborist (with Parks and Recreation) in conjunction with ABQ Ride and DMD.

H. All radii and transition zones will be engineered based upon a 25 mph design speed and posted speed for Central in this 1/2 mile (as supported by 10.5 foot travel lane, and only one lane in each direction). This speed limit will apply to ART as well. Central is a transit corridor and transit and pedestrians have priority over motor vehicles. This design speed will be supported for 2 lane facilities in ITE's Walkable Urban Thoroughfares and The Urban Street Design Guide by NACTO, both of which have been adopted by Albuquerque.

I. All existing medians will be removed, other than a small area at Locust. They will be replaced by medians necessary for the ART stop at Walter, and for operations near Broadway.

2. *Locust to Elm*

A. On-street parking crucial to the north side of Central, as those parcels will likely redevelop over time. Not as crucial to the south side of Central.

B. Move proposed landscaping from north side to south side (bus pull-out area).

C. 66 operations eliminated in this block, both sides.

D. Make landscape island the size that allows pedestrian refuge, yet leaves enough room for on-street parking on north side, one travel lane each direction, ART operations, and bike lane of south side.

E. Would prefer NO left turn lane west of Locust, for entering I-25 North under overpass. Let the one lane of traffic transition in the intersection with the green signal.

F. No right turn lane to I-25 South.

G. Bulb-outs for pedestrian crossing at Locust (plus refuge in island) important here for future development and current pedestrian traffic (hospitals, Hotel Parq Central, motels, etc.).

H. A short left turn lane at Central westbound at Elm is preferred, as Hotel Parq Central guests are going to turn left there in any event.

3. *Elm to High*

A. With one ART lane, two travel lanes, and one bike lane only taking 37 feet for most of this block, we would like to get BOTH continuous on-street parking and wider sidewalks in this block, other than on the north side as we approach the left turn lane at the new High signal.

B. Entry aprons can be closed with approval of property owner, replaced by sidewalk and on-street parking. This applies to all blocks.

4. High to Walter

A. 66 stop on north side of street to be eliminated in favor of a stop at Special Collections Library.

B. On-street parking where bus stop currently located.

C. Need to get 2 parking spaces on north side of street, west of alley. This will not conflict with ART median, stop, or operations.

5. Walter to Edith

A. In the east 1/2 block (to alley), south side will be a pull out for 66 operations, using existing red shelter. Leave adequate room behind the shelter for pedestrians. Do not make pedestrians walk in front of the shelter please! On the north side, need to get 2 parking spaces in front of Maddox & Company realtors, just east of alley.

B. In the west 1/2 block, expand the sidewalks on each side of street by 1.5 feet by keeping continuous on-street parking spaces on both sides at 8 feet from curb face, not 9.5 feet. On-street parking is crucial for development of vacant former Pop N Taco parcel on north side of the street.

6. Edith to Arno

A. In the east 1/2 block to alley, 66 stop will use pull out and existing shelter on north side of the street. We would recommend leaving shelter as-is, and taking a portion of sidewalk east of shelter to provide the pull-out. DO NOT move the shelter please. The sidewalk here allows people to wait for bus, while pedestrians walk behind the shelter. This is crucial to everyone's comfort. On the south side of the street, on-street parking to remain, increase sidewalk width as possible.

B. In the west 1/2 block, sidewalks to remain as-is. Continuous on-street parking both sides. Bike lane south side. Two travel lanes at 10.5 each, one ART lane at 11 feet. There is ample room for this.

C. Arno intersection will NOT have a raised median. It may have a painted area at grade for ART operations.

7. Arno to Broadway

A. 66 stop proposed for the north side of street will be eliminated and moved to Central/Union Square intersection to the west. This is a City Landmark, and the LUCC

will not allow a shelter there, so why propose one?

B. Widen sidewalks on south side of street as much as possible, while allowing continuous on-street parking.

C. We understand the curb cut for Standard Diner on south side will be closed, in favor of a wider sidewalk and on-street parking.

8. *Broadway to Union Square*

A. On-street parking, continuous, both sides, is crucial for the development of both sides of the block. Parking can be 8' wide from curb face in this block. In all other areas, it has been programmed at 8' from edge of gutter pan.

B. Request that the one lane ART operation continue here. ART operation signals would be moved from Broadway signal west one block to Union Square.

C. Leave sidewalks as-is as much as possible to achieve this. Widen where possible on south side. Try to avoid reducing width on north side.

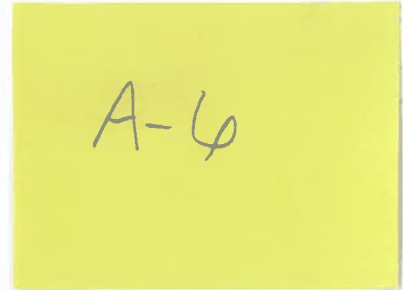
D. Move 66 operations away from the Broadway intersection to the west close to the corner at Union Square. Bus stops at the corners reduce their value for commercial, retail, and residential purposes. Again, this corner is one of the key development corners in the City with Innovate ABQ getting underway.

We are happy to meet with you to discuss these details in person. Thank you for considering these suggestions to make EDo & Huning Highlands a redevelopment area that will boost the Albuquerque economy and create ridership for ART and 66 over time.

Nyira Gitana * 3411 Aspen NE * Albuquerque, NM 87106
505.316.2563 * ngitana@gmail.com

May 2, 2016

Landmarks & Urban Conservation Commission, James Clark, Chair,
Regina Chavez, Lauren Austin, Robert Gerard Heiser, Amy Horowitz
J. Matt Myers, Esq.
600 2nd NW * Albuquerque, NM 87102



Re: City of Albuquerque Transit Department – Certificate of Appropriateness

Dear Chairman and Commissioners:

As an Albuquerque resident, I attended the April 13th LUCC meeting concerning Project #1010796. It was interesting and informative to hear your remarks regarding the proposed project. This letter is to offer information that may assist you in reviewing the City's application.

Multiple impacts to individuals, neighborhoods, and businesses will be severely affected by any potential construction in the EDo corridor. During any proposed construction, motorists, bicyclists, pedestrians, busses, taxis, motorcyclists will experience extreme delays and detouring. Some streets would be closed during construction and others subject to periodic lane closures. In addition, vibrations affecting buildings, including buildings on the Historic Register, dust, debris, additional traffic, including large earth-moving vehicles and jackhammers, will be an on-going situation for several years, despite the City's assurance the entire proposed project will take only 18 months. 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 and our environment. People who come to visit Albuquerque come for the land and its people – not to see a busline ripped out of the Central heart of the city.

In 2014, the then City Council authorized Jeff Speck of Speck & Associates to prepare a Downtown Walkability Analysis. Enclosed is Attachment 2 to the City's Resolution which indicates the borders of the downtown area analyzed, and suggested alterations to sidewalks, parking, signals, re-striping, bike lanes, reducing lane widths. None of these items, I believe, have actually been instituted. Some of Speck's suggestions have been "designed" to fit the proposed ART project. And now the City's proposed project "design" in the historic area of EDo is requesting a re-design in order to fit other parameters. Mr. Speck's 100 page report included comments of the "poor design" and the "unfortunate circumstances of Albuquerque's Civic Plaza" which cut into a major arterial roadway dissecting Albuquerque in ways that we still find difficult to maneuver through and around. All of us are now subject to "poor design" and "unfortunate circumstances" in a proposed rapid transit project that does not fit our city and represents an unfortunate circumstance which will cause irreparable damage to Albuquerque's historic buildings, historic neighborhoods, individuals' health and safety, and closures of businesses throughout.

My goal is to convince the Landmarks & Urban Conservation Commission on the merits to deny the City's present application regarding the Edo "re-design." A critical part of the process for the entire project has been the lack of public input. The City has only recently scheduled meetings where the public vehemently protested against the ART design and project. Moreover, any such proposed project does not fit the demographics, nor the unique geography of Albuquerque. In fact, the overwhelming result of such a

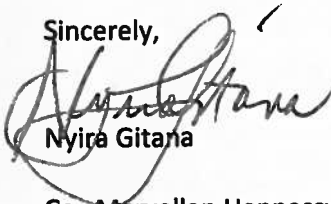
project would have a significant, negative impact in our neighborhoods, for individuals, and for businesses. This horrific scenario would have its dismal start in one of the iconic areas of Albuquerque. It is for these reasons, among others, that groups of citizens and businesses have filed lawsuits, requesting injunctions against the proposed BRT/ART project, in State and Federal courts.

Finally, I reviewed Federal government documents such as the FTA's NEPA requirements, Small Starts Final Interim Policy Guidance, and the FTA's Capital Investment Grant Program. There is a glaring, compelling disregard on the part of the City for public input, undeniably wrong statements concerning environmental impact and categorical exclusions, and an apparent move to get this project moving at whatever cost. The cost to Albuquerque's citizens' health and safety, the well-being of our historic neighborhoods, the danger of closing businesses, increased traffic congestion, inability to financially maintain such a system, and extreme danger to air quality demand a realistic view of mass transit in this environment. The City does need a mass transit system which operates throughout Albuquerque, not only on Central Avenue serving a limited population. Interestingly enough, New Delhi, India, with a population density of more than 22,000,000 recently scrapped plans for a BRT system.

I urge you to be heroes in this matter and deny the City's application for a Certificate of Appropriateness, Project #1010796.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Nyira Gitana", is written over a circular stamp or seal. The signature is fluid and cursive.

Nyira Gitana
Cc: Maryellen Hennessy, Sr. Planner
Landmarks & Urban Conservation Commission

Attachment 2 to R-15-152

Projects Proposed in the Sept. 2014 Downtown Walkability Analysis by Jeff Speck

Notes:

- *This list consolidates and provides brief descriptions of proposals contained in the Downtown Walkability Analysis, which is also provided as Attachment 2. Please refer to Downtown Walkability Analysis document for details of each proposal:
<http://www.cabq.gov/council/documents/councilor-district-2-documents/ABQReport.pdf>*
- *Projects are listed generally in order of appearance in the study, numbering does not indicate priority. Prioritization will depend on funding availability, development and redevelopment projects on adjacent properties, regularly-scheduled roadway maintenance and other factors.*
- *Proposals that may be impacted by plans for a Bus Rapid Transit system on Central Ave. are noted. Please refer to the bus rapid transit preliminary plans dated October 2014:
<http://www.brtaq.com/Plans>*

Section 1: Projects for prioritization in the next CIP, with other available funds, or as maintenance provides opportunity:

1. **Commercial Street:** Add parking in short-term to slow traffic, reconfigure as part of Innovate ABQ project (Pg. 34).
2. **Union Square:** Convert from 33-foot-wide one-way street to two-way with parking on both sides (7' parking lanes, 9' driving lanes). Coordinate with Innovate ABQ project. (Pg. 34).
3. **1st Street:** narrow lanes south of Lead by adding parallel parking (Pg. 34).
4. **2nd Street:** bike lanes from Lomas to Lead, existing 13-15' vehicle lanes reduced to 10', remove left turn lanes where signals are replaced with 4-way stops (Pg. 35). *Note: The study recommends a cycle track facility as the preferred configuration and bicycle lanes as an interim or "timid" configuration. Implementation of cycle tracks, something with which CABQ is not yet well acquainted, will need additional study to determine intersection treatments, etc.*
5. **3rd Street:** restripe to parallel parking on one side and angle-parking on the other, existing 14' vehicle lanes reduced to 10' (Pg. 38).
6. **4th Street:** restripe north of Marquette and south of Gold to two 9' driving lanes (reduced from 13') and bike lanes or cycletrack (see note) against one curb. Between Central and Gold, use sharrows in vehicle lanes (ROW precludes dedicated cycle facilities) (Pg. 40). *Note: The study recommends cycletracks. Implementation of cycle tracks, something with which CABQ is not yet well acquainted, will need additional study to determine intersection treatments, etc.*

7. **5th Street:** restripe to narrow lanes from 13' to 11', remove left turn lanes where signals replaced by 4-way stops (Pg. 41).
8. **7th Street:** restripe segments with existing parallel parking with angle parking on one side to reduce 15' driving lanes to closer to 11', add parallel parking where there is none (Pg. 44).
9. **8th Street:** add second row of parallel parking from Tijeras to Central (there is currently parking on only one flank), replace parallel parking near roundabout to calm traffic, add at least one flank of parking between Lead and Coal. (Pg. 44).
10. **Lomas Blvd:** narrow lanes from 11-12' to 10', add 3' striped buffer along sidewalk to create more comfortable pedestrian experience. Alternative: consider parallel reducing lanes from 6 to 4 (with turn) and adding parallel parking (Pg. 46).
11. **Fruit and Roma:** add parallel parking and reduce lane widths as necessary to calm traffic (Pg. 47).
12. **Martin Luther King (east of Downtown):** Remove painted buffer flanking median, reduce lane widths from 13' to 10-11', add parallel parking between existing bike lanes and vehicle lanes. "Timid" approach also suggested: replace proposed parallel parking with wider buffers between vehicle lanes and bike lane (Pg. 57). *Note: improvements to MLK are already underway, with a focus on cycle connectivity to Innovate ABQ site from the University of New Mexico.*
13. **Silver Ave:** remove unnecessary turn lanes and add parallel parking in several locations, consider angle-parking between 2nd and 3rd to serve future grocery (Pg. 65).
14. **Lead/Coal:** add parking in 2-way stretches Downtown to take up ROW currently providing for up to 17' vehicle lanes. Use parking to buffer bicycle lanes. Use extra ROW on both bridges to provide for buffered bicycle lanes in both directions (Pg. 68).
15. **Signalization:** replace signals with 4-way stops in various locations Downtown, esp. along Silver, Tijeras, Roma per map on page 71. Run as test with four-way flash. *Note: excludes Copper and Gold recommendations, see below.*
16. **Central Avenue Railroad Bridge:** elevate walkways to allow pedestrians to cross tracks at-grade rather than through bridge tunnel (Pg. 88). *Note: state and federal railroad jurisdictions will have to approve the grade crossing. Also see Copper Avenue under Section 2 below.*
17. **Street People:** explore methods for reducing presence of street people downtown such as dropping off released prisoners at the transit center with a bus pass, rather than simply dropping them off near Civic Plaza without services, develop waiting room at Union Square probation facility, provide homes and social services to homeless people (Pg. 96). *Note: Joint*

BernCo/Albuquerque Behavioral Health Task Force is already working on some of these issues and recommendations. Union Square is a County facility.

18. **Parking:** Coordinate with Albuquerque Fire Department, ABQ Ride and other agencies to analyze where red and/or yellow curbs prohibiting parking (e.g. along federal buildings) could be removed and parking allowed. Examples abound, many on Copper Ave., Gold Ave. (Pg. 58). Consider ways to employ parking pricing strategies to improve availability of parking Downtown, consider Parking Benefits District to route some parking revenues to public realm improvements (Pg. 78). *Note: Both should be included as part of Dept. of Municipal Development parking study, in progress.*

Section 2: Projects that are supported in concept, but that require further design, interjurisdictional coordination, and/or funding

19. **Broadway Blvd:** redesign and reconstruction as a multilane boulevard with medians separating "slower service lanes" serving local traffic and bikes, per EDO Master Plan. *Notes: jurisdictional issues exist, as Broadway is technically a state highway. Coordinate with Innovate ABQ, which is considering the street frontage north of Central.*
20. **Marquette and Tijeras One-Ways:** Convert Marquette and Tijeras from current one-way configurations to two-way. Considerations will include railroad overpass, convention center entrance and parking garage entrance/exit along Civic Plaza, include bike lanes or cycletracks as ROW permits (Pg. 48).
21. **Tijeras:** Fill Tijeras railroad underpass south of Convention Center, rebuild Tijeras at-grade and along its original grid line to reconnect to existing streets and future Innovate ABQ grid at Central/Broadway site (Pg. 53).
22. **Copper:** As Central/1st Lot is replatted to fix "swoop" at 1st/Central intersection, explore having Copper pass over railroad tracks at-grade to Innovate ABQ site at Central/Broadway. *Note: state and federal railroad jurisdictions will have to approve the grade crossing.*
23. **Central Avenue Downtown:** Work with merchants to explore removal of central turn/delivery parking lane to provide ROW for bike lanes, relocating truck delivery to alleys and side-streets (Pg. 60).
24. **Central Avenue west of Downtown:** switch parking and bike lane locations in road diet area to have parallel parking provide a buffer from the through lanes to the bike lanes (Pg. 61). *Note: implications for Bus Rapid Transit*
25. **Central Avenue east of Downtown (EDo):** reduce through lanes from 2 in each direction to 1 each direction, add bike lanes (Pg. 63) *Note: implications for Bus Rapid Transit. As of Jan. 2015,*

ABQ Ride's proposed alignment for this segment of Central Ave. includes a single, bi-directional Bus Rapid Transit lane in the median and one traffic lane in each direction, without bicycle lanes. Bicycle lanes on Central Ave. in this area are not recommended by the draft Albuquerque Bikeways and Trails Facility Plan.

26. **Gold Ave:** Consider angle-parking on one side to reduce lane widths (Pg. 64) *Note: implications for Bus Rapid Transit*
27. **Signalization:** Replace signals on Copper/Gold with four-way stops per map on Page 71. Run as test with four-way flash. *Note: implications for existing transit and proposed BRT, will need study.*
28. **Civic Plaza:** explore dividing Civic Plaza into north and south halves, redevelop north half as office structure, etc., create greener, smaller-scale plaza on south half (Pg. 95).
29. **6th Street:** restripe from 4-lane to 2-lane with center turn, parking and buffered cycletrack, from Lomas to Copper and Silver to Lead. From Copper to Silver, where ROW precludes cycletracks, reduce from two 16' lanes to 12' lanes with parking and sharrows (Pg. 42). *Note: additional study required to consider intersection configurations where proposed cycletracks drop off between Copper and Silver; parking for St. Mary's school dropoff/pickup.*
30. **Street Trees:** repair irrigation and replace ill or dead street trees throughout Downtown (Pg. 97). *Note: will need study to determine scope of problem (irrigation at source, or underground piping, etc.*