

TABLE OF CONTENTS
AC-22-11
PR-2022-007490
VA-2022-00233

PAGE(S)

MEMO AC-22-11.....	1 - 5
APPEAL APPLICATION / REASON FOR APPEAL	6- 45
SAFE OUTDOOR SPACE APPLICATION.....	46 - 67
ADDITIONAL INFORMATION.....	68



Mayor Timothy M. Keller

CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Planning Department

INTER-OFFICE MEMORANDUM

August 30, 2022

TO: Isaac Benton, President, City Council

FROM: Alan Varela, Planning Director [Alan Varela](#)
Alan Varela (Aug 30, 2022 15:35 MDT)

SUBJECT: AC-22-11, PR-2022-007490, VA-2022-00233:
Santa Barbara Martineztown Neighborhood Association, appeals the Planning Department granting Dawn Legacy Pointe Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM.

Overview

On August 4, 2022, the City of Albuquerque's (City) Planning Department received an application submitted by Dawn Legacy Pointe for a Temporary Use Permit for a Safe Outdoor Space (SOS) for the property located at 1250 Menaul NE (Property). The Planning Department approved the temporary use application on August 10, 2022. The application was processed using the Integrated Development Ordinance (IDO) Section 14-16-6-5(D), "Permit – Temporary Use" and the use specific standards for a SOS in IDO Section 14-16-4-3(G)(8). After review of the SOS application, the Zoning Enforcement Officer (ZEO) determined that the proposed SOS met the regulations of the IDO and it was approved for 40 outdoor spaces 50 occupants.

The City Planning Department received an appeal on the Temporary Use Permit for SOS for the Property from Santa Barbara Martineztown Neighborhood Association (SBMTNA).

The appeal was submitted in a timely manner and prior to the deadline of August 25, 2022.

Standing

Pursuant to IDO Table 6-4-2, standing for appeals Temporary Use Permits are based on proximity to the subject property. Property owners within 100 feet and neighborhood associations that include or are adjacent to the property may appeal a Permit – Temporary Use.

Appellant Santa Barbara Martinez Town Neighborhood Association (SBMTNA), AC-22-11, PR-2022-007490, VA-2022-00233, has standing to appeal because the Property is included within the SBMTNA boundary per IDO Table 14-16-6-4(V)(2).

Appeal and Response

The appellants cite the following reasons for appeal (in bold text). Staff’s response to the appellants’ arguments follow (in regular text). The appeal reasons are summarized in this section. Appellant’s full arguments are available in the appeal applications.

1. Grounds For Appeal

Staff Response: The application approval was not “fast tracked” as alleged in the appeal. The temporary use application was submitted on July 30, 2022 and was approved on August 10, 2022, 11 days after the application was received. Many temporary use applications are approved within two (2) days of receiving, with many approved the same day. The appellant alleges the review was behind “closed doors without any public input, without notice to adjacent and surrounding property owners and without any public hearings”. The IDO requires applications for Permits – Temporary Use to notify abutting property owners. IDO Subsection 14-16-6-5(D)(2)(a)(3) and Table 14-16-6-1-1. The IDO defines “abut” as, “To touch or share a property line.” There are only two (2) lots that abut the Property; one is owned by the City and the other is owned by Sunset Memorial Park. the City was notified and the applicant provided proof of notice to Sunset Memorial Park with the application. Public hearings are not required for an application for a Permit – Temporary Use.

2. Normal Application Process Ignored

Staff Response: The Property is in zoning district NR-LM. This temporary use for a SOS is permissive in the NR-LM zone per IDO Allowable Use Table 14-16-4-2 and does not require a “special use” or “conditional use” approval. In addition, there was not a zone change application on the Property, as alleged in the appeal. The City followed the application process for Permit – Temporary Use pursuant to IDO Subsection 14-16-6-5(D).

3. City Failed To Give Notice And Give Opportunity To Be Heard

Staff Response: The appellant alleges The City failed to notify the Appellants. As previously stated, public notice is not required for an application of a Permit – Temporary Use when, per IDO Table 14-16-6-1-1. City of Albuquerque / Bernalillo County Comprehensive Plan (Comp Plan) is a policy document that is used to guide discretionary zoning decisions and specific zoning regulations in the IDO. The IDO review and decision criteria for a Permit – Temporary Use does not require the applicant to address any policies in the Comp Plan. The City did not error in applying the requirements of the IDO to this application.

4. Preferential Treatment Given

Staff Response: The City was not required or obligated to allow for institutions in the neighborhood to apply for neighborhood use of the property. The City denies giving preferential treatment to the applicant. The IDO amendments allowing SOS temporary permits became effective on July 28, 2022. The City did not accept or review any applications for a SOS before the effective date.

5. City Failure To Develop Operating Procedures

Staff Response: On June 6, 2022, the City Council passed IDO amendments that included

SOSs as a temporary use in the NR-LM zone and use specific standards for SOSs in IDO Subsection 14-16-4-3(G)(8). The applicant did provide a “Safe Outdoor Spaces Operating/Security Plan” with their application that was reviewed and approved by Elizabeth Holguin, Deputy Director, Family and Community Services Department, as required. The City Council did provide direction to City Departments with IDO Subsection 14-16-4-3-(G)(8) use specific standards for SOSs.

6. Plagiarized Operating Procedures

Staff Response: SMMTNA alleges the operating procedures submitted by Dawn Legacy Pointe were copied from an unsanctioned encampment from another city. While the operating procedures were from another operator from another city, nothing prevents an applicant from using procedures from another operator or city.

Although IDO Subsection 14-16-4-3-(G)(8)(h)3 states, *“The management plan shall, at a minimum, include the following statement: “No person who is a registered sex offender shall be allowed to stay in a Safe Outdoor Space,.”* this section conflicts with State law and is not enforceable. The state preempts the field of sex offender registration and notification. State statutes prohibit the department, cities, counties, home rule municipalities and other political subdivisions of the state from adopting an ordinance, rule, regulation or resolution on sex offender registration, notification, and any other restriction on sex offenders that is not included in the federal Sex Offender Registration and Notification Act (“SORNA”). NMSA 1978 § 29-11A-9 (2005, amended 2013).

7. On Site Security Plan Deficient

Staff Response: IDO Subsection 14-16-4-3(G)(8)(h) states, *“Each safe outdoor space development shall include an operations and management plan or security agreement to ensure the safety of individuals occupying the designated spaces.”* Additionally, *“The plan or agreement shall indicate on-site support on a 24 hours a day, 7 days a week basis.”* Subsection 14-16-4-3-(G)(8)(h)(2). The IDO requires an operation and management plan or security agreement. An operation and management plan was submitted, negating the need for a security agreement. On-site support 24-hours, 7 days a week will be provided by the occupants with on-site peer support.

8. City Creating Public Nuisance

Staff Response: The City denies creating a public nuisance by approving a temporary permit for a SOS. The applicant submitted an operations and management plan to ensure the safety of individuals occupying the SOS. Any concerns regarding the operations of the SOS may be addressed by the applicant.

9. Development Processes Ignored

Staff Response: The City followed all processes as outlined in the IDO. Appellants allege a public hearing was required for the expansion of a nonconforming use or structure. The proposed SOS is neither nonconforming use or structure. The Property is currently vacant. Although the lot abutting the proposed location is zoned MX-M, the site plan submitted with

the application indicates that all SOS activity and related activity, including dumpster and parking, will occur on the lot zoned NR-LM.

10. Detrimental Impact On Martinez Town Santa Barbara

Staff Response: The ZEO determined the applicant met the review and decision criteria for a Permit – Temporary Use for a SOS in IDO Subsection 14-16-6-5(D) and Section 14-16-4-3(G)(8).

11. Announce Space For Safe Outdoor Space

Staff Response: This section expresses concerns about possible occupants of the SOS. The ZEO determined the applicant met the applicable provisions of the IDO.

12. Encampment Will Have Detrimental Effects On Neighborhood

Staff Response: This section expresses concerns about possible future criminal activity in the neighborhood. The ZEO determined the applicant met the applicable provisions of the IDO.

/ Angelo Metzgar /
Angelo Metzgar,
Code Compliance Manager
Code Enforcement Division
Planning Department
City of Albuquerque





Memo 1250 Appeal Response SBMTNA For Signature

Final Audit Report

2022-08-30

Created:	2022-08-30
By:	Lucinda Montoya (lucindamontoya@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAASyejvVDSZmp_IXunpd5lN-2GAfXH5hAE

"Memo 1250 Appeal Response SBMTNA For Signature" History

-  Document created by Lucinda Montoya (lucindamontoya@cabq.gov)
2022-08-30 - 8:42:06 PM GMT- IP address: 143.120.133.160
-  Document emailed to Alan Varela (avarela@cabq.gov) for signature
2022-08-30 - 8:42:21 PM GMT
-  Document e-signed by Alan Varela (avarela@cabq.gov)
E-signature obtained using URL retrieved through the Adobe Acrobat Sign API
Signature Date: 2022-08-30 - 9:35:33 PM GMT - Time Source: server- IP address: 143.120.133.62
-  Agreement completed.
2022-08-30 - 9:35:33 PM GMT



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Alternative Landscape Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		Appeals
		<input checked="" type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION

Applicant: Santa Barbara Martineztown NA		Phone: (505) 270-7716
Address: 1420 Edith NE		Email: sbmartintown@gmail.com
City: Albuquerque	State: NM	Zip: 87102
Professional/Agent (if any): Loretta Naranjo Lopez		Phone: (505) 270-7716
Address: 1127 Walter NE		Email: lnjlopez@msn.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site: 1250 Menaul NE		List all owners: City of Albuq

BRIEF DESCRIPTION OF REQUEST

Appeal the approval of a Safe Open Space at 1250 Menaul NE in MTSB Neighborhood next to High Schools

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.) See Attachment

Lot or Tract No.:	Block:	Unit: 6 1015059272241314
Subdivision/Addition:	MRGCD Map No.:	UPC Code: 1015059240893141
Zone Atlas Page(s): H-152	Existing Zoning: NR-LM FMX-M	Proposed Zoning: CA NR-LM
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): 11.7263/3 acres

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 1250 Menaul Blvd Between: I-25 Frontage Rd and: Edith NE

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

Signature: Loretta Naranjo Lopez	Date: 8-12-2022
Printed Name: Loretta Naranjo Lopez	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees
Meeting/Hearing Date:			Fee Total:		
Staff Signature:			Date:		
			Project #		

FORM A: Appeals

Complete applications for appeals will only be accepted within 15 consecutive days, excluding holidays, after the decision being appealed was made.

- ☐ APPEAL OF A DECISION OF CITY PLANNING STAFF (HISTORIC PRESERVATION PLANNER) ON A HISTORIC CERTIFICATE OF APPROPRIATENESS – MINOR TO THE LANDMARKS COMMISSION (LC)
- ☐ APPEAL OF A DECISION OF CITY PLANNING STAFF ON AN IMPACT FEE ASSESSMENT TO THE ENVIRONMENTAL PLANNING COMMISSION (EPC)
- ☐ APPEAL TO CITY COUNCIL THROUGH THE LAND USE HEARING OFFICER (LUHO)

___ Interpreter Needed for Hearing? ___ if yes, indicate language: _____

___ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form A at the front followed by the remaining documents in the order provided on this form.

___ Project number of the case being appealed, if applicable: _____

___ Application number of the case being appealed, if applicable: _____

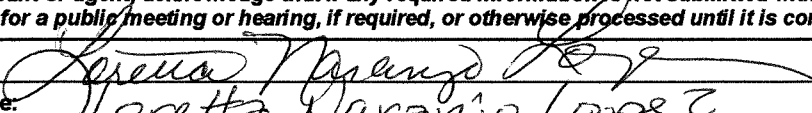

___ Type of decision being appealed: _____

___ Letter of authorization from the appellant if appeal is submitted by an agent

☒ Appellant's basis of standing in accordance with IDO Section 14-16-6-4(V)(2)

☒ Reason for the appeal identifying the section of the IDO, other City regulation, or condition attached to a decision that has not been interpreted or applied correctly, and further addressing the criteria in IDO Section 14-16-6-4(V)(4)

☒ Copy of the Official Notice of Decision regarding the matter being appealed

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.	
Signature: 	Date: 8-15-2022
Printed Name: Loretta Naranio Lopez	<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent
FOR OFFICIAL USE ONLY	
Case Numbers:	Project Number:
Staff Signature:	
Date:	

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

**IN THE MATTER OF THE APPLICATION OF
DAWN LEGACY POINT APPLICATION FOR
SAFE OUTDOOR SPACES FOR 1250 MENUAL NE,
ALBUQUERQUE, NEW MEXICO**

**SANTA BARBARA MARATINEZTOWN NEIGHBORHOOD ASSOCIATION APPEAL
OF PLANNING DEPTMENT GRANTING DAWN LEGACY POINTE APPLICATION
FOR “SAFE OUTDOOR SPACE” AT 1250 MENUAL NE, ALBUQUERQUE, NM**

The Santa Barbara Martinez Town Neighborhood Association (**SBMTNA**), by and through its elected and duly authorized President Loretta Naranjo Lopez and appeals the approval of the City of Albuquerque Planning Department’s approval of the Dawn Legacy Pointe application for a “Safe Outdoor Space” homeless encampment to be located at 1250 Menaul NE.

IDO APPEAL PROVISIONS, STANDING AND TIMELINESS

1. This appeal is being brought and filed by SBMTNA pursuant to the Integrated Development Ordinance (IDO), Sections 6-4(V) entitled “APPEALS”, Section 6-4(V)(2) entitled “Who May APPEAL”, 6-4(V)(3) entitled Procedure and 6-4(V)(3)(a) entitled “FILING AN APPEAL”, and 6-4(V)(3)(d), Land Use Hearing Officer (LUHO), pages 422 to 429 and any and all other related provisions of the IDO. The link to the IDO is here:

https://documents.cabq.gov/planning/IDO/2021_IDO_AnnualUpdate/IDO-2021AnnualUpdate-2022-07-28-JulyEffective.pdf

2. This appeal is timely filed in that it is being brought within 15 days of the Planning Department approval of the Dawn Legacy Pointe application for a “Safe Outdoor Space” to be located at 1250 Menaul NE.

3. The Santa Barbara Martinez Town Neighborhood Association (SBMTNA) has standing to bring this appeal because it is a Neighborhood Association where residential property owners reside and that is being affected on the basis of proximity for of the decision made by the planning department to grant the application for a Safe Outdoor Space. (See Section 6-4(V)(2)(a) (5) of the IDO.)

PROPERTY SUBJECT OF APPEAL IS CITY OWNED LAND

4. The real property the Planning Department has approved for a Safe Outdoor Space is located 1250 Menaul NE. The property consists of more than 15 acres in two plots. One plot is 11.73 acres plot and a second plot is 3.89 acres. Both plots are owned by the city of Albuquerque and have a combined assessed value of **\$4,333,500**.

5. According to Bernalillo County Assessor's Office records reviewed, the City of Albuquerque owns the land and following are the plot numbers and assessed value of the property:

Parcel ID Property 1 located at 1205 Menaul, NE:

Plot Number 101505924018931414CA

City of Albuquerque

11.7263 acres including a warehouse

\$3,061,100.00

Parcel ID Property 2 located 1205 Menaul, NE:

Plot Number 101505927224131420CA

City of Albuquerque

TR1 PLAT OF TR1 LANDS OF M-T INVESTMENT

3.8890 acres

\$1,272,400

5,717 sq. ft. warehouse is on the property, assessed value unknown.

6. The property is zoned NR-LM. NR-LM stands for "NON-RESIDENTIAL – LIGHT MANUFACTURING ZONE DISTRICT (NR-LM)" Section 2-5(C)(1) of the Integrated Development Ordinance (IDO) provides that *"the purpose of the NR-LM zone district is to accommodate moderate-intensity commercial, light assembly, fabrication, and light manufacturing uses, while buffering adjacent lower-intensity, Residential and Mixed-use zone districts from the traffic, noise, and other impacts of those uses."*

Page 49 of the Integrated Development Ordinance found here:

https://documents.cabq.gov/planning/IDO/2021_IDO_AnnualUpdate/IDO-2021AnnualUpdate-2022-07-28-JulyEffective.pdf

7. Allowable uses for the property zoned NR-LM are provided in table 4-2-1 of the Integrated Development Ordinance. Table 4-2-1 lists **"Safe Outdoor Spaces"** as a CT (Conditional Primary, Temporary use) for property zoned for mix use and T (Temporary) use on property zoned **"non-residential"**.

CHRONOLOGY AND BACKGROUND

8. On June 6, the City Council enacted a series of amendments updating the Integrated Development Ordinance (IDO). One of the amendments was the "Safe Outdoor Spaces" amendment. **"Safe outdoor spaces"** are organized, managed homeless encampments with 40 designated spaces for tents that allows for upwards of 50 people, require hand washing stations, toilets and showers, require a management plan, 6-foot fencing and social services offered. The Integrated Development Ordinance (IDO) sets a limit of two in each of the city's 9 council districts. The cap does not apply to religious institutions.

9. The legislation passed on a 5 to 4 vote. Voting YES to allow Safe Outdoor Spaces were Democrats Isaac Benton, Pat Davis and Tammy Feibelcorn and Republicans Brook Basan and Trudy Jones. Voting NO were Republicans Dan Lewis, Renee Grout and Democrats Louis Sanchez and Klarissa Pena. Mayor Tim Keller signed off on the legislation making it law.

10. Under the enacted amendment Safe Outdoor spaces are allowed in some non-residential and mixed-use zones and must be at least 330 feet from zones with low-density residential development. Under the IDO amendment, Safe Outdoor Spaces are allowed for up to two years with a possible two-year extension.

11. On June 22, after tremendous public outcry and objections to Safe Outdoor Spaces by her constituents, Republican City Councilor Brook Bassan, who had voted "YES" and previously voiced support for safe outdoor spaces, did an about face and changed her mind and introduced legislation to repeal the IDO amendment. Bassan introduced two bills.

12. One bill introduced would stop the city from accepting or approving safe outdoor space applications and the other will eliminate "**safe outdoor spaces**" from the zoning code altogether. Bassan wants to bar the city from accepting or approving Safe Outdoor Space applications for a full year unless it officially removes them from the zoning code sooner than that.

13. During the June 22 meeting the council did not act on the 2 bills and failed to enact the legislation that was to provide for rules and regulations promulgated by the Keller Administration for "**Safe Outdoor Spaces**". June 22 was the last meeting of the City Council before it went on "summer break" until August 1.

14. The city council's failure on June 22 to take any action on either the bills stopping the application process or repealing the land use resolution resulted in "Safe Outdoor Spaces" becoming a permissible land use on July 28. This allowed a very short time period of 3 weeks to allow individuals and organizations to apply for Safe Outdoor Spaces.

15. On June 6, the City Council placed Item J for R-22-36 on the Agenda: Directing the City to Develop Operating Procedures for Safe Outdoor Spaces (Fiebelcorn, Benton, Davis). Attached was a pdf document R-36 with the following instructions:

SECTION 1. The Family and Community Services Department, the Environmental Health Department and the Albuquerque Community Safety Department, and/or any other relevant department as determined by the City Administration, are directed to develop operating procedures for Safe Outdoor Spaces that promote the health, safety, and welfare of the served population, while helping to mitigate potential impacts on the surrounding communities. The operating procedures for safe outdoor spaces should, at a minimum, address the following:

1. Management plans or security agreements to ensure the safety of 1 individuals occupying the designated spaces.

16. The June 6, 2022 Minutes indicate that a motion was made by Councilor Fiebelkorn that this matter be postponed to June 22, 2022. The motion carried by the following vote: For – Bassan, Benton, Fiebelkorn, Grout, Jones, Lewis, Pena, and Sanchez. Excused - Davis

17. On June 22, the City Council placed Item G for R-22-36 on the Agenda, directing the City to Develop Operating Procedures for Safe Outdoor Spaces (Fiebelkorn, Benton, Davis). Attached was a pdf document R-36 with the following instructions:

SECTION 1. The Family and Community Services Department, the Environmental Health Department and the Albuquerque Community Safety Department, and/or any other relevant department as determined by the City Administration, are directed to develop operating procedures for Safe Outdoor Spaces that promote the health, safety, and welfare of the served population, while helping to mitigate potential impacts on the surrounding communities. The operating procedures for safe outdoor spaces should, at a minimum, address the following:

1. Management plans or security agreements to ensure the safety of individuals occupying the designated spaces.

18. The June 22 Minutes state “a motion was made by Councilor Fiebelkorn that this matter be postponed to **June 22, 2022**. The motion carried by the following vote: For – Bassan, Benton, Fiebelkorn, Grout, Jones, Lewis, Pena, and Sanchez. Excused – Davis

Note: The motion was made to postpone to June 22, 2022 on June 22, 2022.

19. On August 1, 2022, the City Council met; however Agenda Item for R-22-36: Directing the City to Develop Operating Procedures for Safe Outdoor Spaces that had been postponed on June 6, 2022 to June 22, 2022; and postponed on June 22, 2022 to the same date, was not on the Agenda.

20. On August 15, 2022, the City Council will meet to establish a Moratorium for Safe Outdoor Spaces, listed on the Agenda as item R-22-56. The August 15, 2022 Agenda does not include an item for R-22-36 Directing the City to Develop Operating Procedures for Safe Outdoor Spaces. So the item that was introduced on June 6 that required ‘the Family and Community Services Department, the Environmental Health Department and the Albuquerque Community Safety Department, and/or any other relevant department as determined by the City Administration, to develop operating procedures for Safe Outdoor Spaces that promote the health, safety, and welfare of the served population, while helping to mitigate potential impacts on the surrounding communities’ that would address procedures for management plans or security agreements to ensure the safety of individuals occupying the designated spaces to be submitted with Safe Outdoor Spaces applications was not continued as an action item for the City Council to vote on. Therefore, the City has not developed any operating procedures for management plans or security agreements.

21. On August 8, according to the city’s website that provides the listing and locations for the applications for “Safe Outdoor Spaces”, the City of Albuquerque Planning Department approved the Dawn Legacy Pointe’s application for a new Safe Outdoor Space Homeless

campsite to be located at 1250 Menaul, NE. The announced intent of the homeless encampment made by applicants is to provide accommodations for victims of “sex-trafficking victims and exploitation ” and other vulnerable populations.

The link to the city web site is here:

<https://cabq.maps.arcgis.com/apps/dashboards/768cc1b5e4404fa1a28db56c2019ee71>

The City Planning Department approved the **Safe Outdoor Space** on city owned property valued at \$4,333,500 to be operated by a third party and . subsidized by the City to house women in tents.

GROUND FOR APPEAL

22 . This appeal is based on the City of Albuquerque Planning Department failure to follow their own policies, procedures and requirements.

23. What occurred with the Dawn Legacy Pointe application for a “Safe Outdoor Space” is that it was “fast tracked” by the City Planning Department to approve the application just 8 days before the City Council could repeal the Safe Outdoor Space amendment on August 16.

24. The City of Albuquerque Planning Department unilaterally decided that it would review the Dawn Legacy Point application behind closed doors without any public input, without notice to adjacent and surrounding property owners and without any public hearings . The Planning Department decided it had the authority under the IDO to simply grant the application before the City Council votes to repeal Safe Outdoor Spaces on August 15.

NORMAL APPLICATION PROCESS IGNORED

25. Under normal procedures and City Planning precedent, when an application for a “special use” or “conditional use”, which includes Safe Outdoor Spaces, is made by a private entity the City Planning Department assigns the application to a zoning hearing examiner to determine if it will be approved. Public notice is then given to surrounding property owners and the general public.

26. A notice of zone change must be posted on the property and adjoining landowners and neighborhood must be given the opportunity to attend and be heard by the zoning hearing officer. The hearing officer decision can be accepted or rejected by a private entity or appeal the decision to the Land Use Planning and Zoning Committee and ultimately the City Council. The city council has the final and ultimate authority. Normally it is a six month to a year process to secure a zone change and it can take even longer.

CITY FAILED TO GIVE NOTICE AND GIVE OPPORTUNITY TO BE HEARD

27. The City of Albuquerque failed to notify the SBMTNA of the Safe Outdoor Space application filed by Dawn Legacy Pointe for 1250 Menaul NE .

28. The General Procedures for Public Notice were ignored (See IDO, Section 14-6-6-4(K)) The City of Albuquerque failed to follow the IDO and have a public hearing to address the concerns of the neighborhood.

29. The City never refers to the Albuquerque Comprehensive Plan where neighborhoods are protected from Safe Outdoor Spaces.

30. According to the Comprehensive Plan, Neighborhoods provide quality of life and remain distinct, vibrant places to live. Development in established neighborhoods matches existing character and promotes revitalization where desired.

31. Established neighborhoods are protected, preserved, and enhanced. The City fails to protect, protect and enhance the neighborhood. (See Albuquerque Comprehensive Plan 4.1 Community Identity)

32. The Planning Department did not provide a letter of approval of the permit for a Safe Outdoor Places and deadline for appeal. The SBMTNA was informed by Brad Day that the permit was approved on Tuesday, August 9, 2022.

33. Since June of 2022 and possibly earlier, City Councilor Brook Basan was informed and has been aware that 1250 Menaul NE was available for Safe Outdoor Spaces. The neighborhoods were never informed of the proposal.

PREFERENTIAL TREATMENT GIVEN

34. The City failed to provide opportunity for the institutions in the neighborhood to apply for neighborhood use of the property. (See City of Albuquerque regulations regarding these procedures.)

35. According to private citizen Brad Day and city employee Elizabeth Holguin, Mr. Day was given insider information and consulted with Department of Family and Community Services on what properties were available for Safe Outdoor Spaces.

36. Brad Day, a private business owner, was assisted and given preferential treatment by the city Planning Department, the City Council and the Family Community Services Department with the Dawn Legacy Pointe application for 1250 Menaul NE for a Safe Outdoor Space.

37. All applicants should have been given time to submit their application and provide an opportunity to be selected. The City of Albuquerque process indicates there were conflicts of interest and should be investigated.

38. According to the City of Albuquerque's Integrated Development Ordinance (IDO), the City Planning Department failed to follow its IDO regulations purpose of the IDO Section 1-3(A) 1-3(A-K). This request does not follow the Albuquerque Comprehensive Plan, Code of Ordinance, or the IDO.

39. The City of Albuquerque failed to provide the protection to all communities, especially those that have been historically underserved.

40. Martinez Town Santa Barbara neighborhood has been historically underserved. Martinez Town Santa Barbara Neighborhood has no protection for the quality and character of its residential neighborhood. This area has been blighted by the City's own hand by not dealing correctly with the homeless.

41. There is no promotion for the economic development and fiscal sustainability of Menaul NE. A Metropolitan Redevelopment Plan has recently been approved for the area and the City continues to ignore the problems of the homeless who are drug addicts and bring criminal elements into the neighborhood. The City does not follow the IDO requirements to Promote small-scale, neighborhood-serving economic development opportunities for the neighborhood

42. The City Planning Department does not address the efficient administration of City land use and development regulations. A city sanctioned tent encampment for the homeless on city owned property in proximity to T-Mobile call center, a cemetery, Menaul High School, and apartments is not in conformity to what is the highest and best use for the city owned property having a high property value.

44. The neighborhood has dealt with crime and filth from the homeless population. The City imposed the Safe Outdoor Space on the neighborhood and fails to protect the health, safety, and general welfare of the Martineztown Santa Barbara residents.

45. The Safe Outdoor Space fails to provide for orderly and coordinated development patterns in this area.

CITY'S FAILURE TO DEVELOP OPERATING PROCEDURES

46. When the City Council amended the Integrated Development Ordinance (IDO) to include 'Safe Outdoor Spaces' on June 6, 2022, failed to follow-through on directing the City to develop operating procedures or instructions for potential operators of Safe Outdoor Spaces tent encampments that would include management plans or security agreements, it opened the door for creating a 'No Man's Land' with nonstandardized self-created rules.

47. The City's application process posted on its website requires that an operations plan, management plan and security agreement be reviewed and signed by the City of Albuquerque

Family & Community Services Department and included with the application for Safe Outdoor Spaces.

48. But the Albuquerque City Council, while initially planning for operating procedures on June 6 and then removing the motion to provide operating procedures from that evening's City Council Agenda, and failing to properly vote on any subsequent motion to require procedures be written, but approving an Amendment to the IDO that establishes encampments, has created a deficient process.

49. The City Council has thus failed to provide direction to the City departments charged with approving or disapproving Safe Outdoor Spaces applications and has allowed approvals to be made without any kind of objective, standards-based decision-making process. Thus, the City Council has created a pathway for a sloppy and potentially biased approval process with loopholes that would allow approval of applications based on favoritism and disapproval of applications based on possible personal grudges or management-based bias.

50. It is unconscionable that the City Council would put its citizens in a position that is ripe for cronyism or discrimination. By failing to provide standardized rules and regulations for city sanctioned encampments, the required regulations submitted can be approved or disapproved subjectively.

51. With no standard in the content and requirements for management and site security, there will be no oversight or guarantee of safety for residents of the encampments. By not providing direction to the City to develop operating procedures for the Safe Outdoor Spaces applicant Dawn Legacy Pointe for the proposed encampment at 1250 Menaul Boulevard, the City Council has removed the City from having to provide a standard of fairness in approval or disapproval of applications.

52. In effect, what this has done, has put into place a policy by omission: no standardized rules and regulations for running the encampments were established because the City Council failed to instruct the City to write the procedures for the Safe Outdoor Spaces operating agreement with an appropriate management plan that includes a security plan. The result is a potential for disaster on every level.

53. It is impossible for the City of Albuquerque Family & Community Services Department to make an objective determination on whether a Safe Outdoor Spaces encampment will provide security and safety for individuals occupying the designated spaces without having operating procedures with guidelines for operation of the sites.

54. Without City provided directives, there is no accountability from anyone on the City's Administrative Staff. Dawn Legacy Pointe did not receive City written or City developed operating procedures because these procedures did not exist when Dawn Legacy Pointe made application.

PLAGERIZED OPERATING PROCEDURES

55. In lieu of having City developed operating procedures, Dawn Legacy Pointe copied the operating procedures of a nonprofit unsanctioned encampment in another city and the City accepted these operating procedures. And since these rules were not developed by the City of Albuquerque administrative staff in the Family and Community Services Department, the Environmental Health Department and the Albuquerque Community Safety Department and/or any other relevant department, it is impossible to assign accountability for lapses in fiscal and/or physical safety for the project. This is a slip shod way of doing business at best. At worst, it opens the door to allowing dangerous management practices without proper security in place.

56. The City is completely irresponsible in accepting the first Safe Open Spaces application with documents prepared for use by residents of an encampment in another city. Dawn Legacy Pointe submitted a Camp Hope Participant Assumption of Risk and Waiver of Liability Relating to Coronavirus/COVID 19 for an encampment located in Mesilla Valley. Albuquerque is not located in Mesilla Valley. The City of Albuquerque accepted this document, even though it is not enforceable in Albuquerque, NM.

57. The City accepted a list of agreements document submitted by Dawn Legacy Pointe for its residents' compliance. The document allows sex offenders to reside at the Safe Outdoor Spaces at 1250 Menaul Boulevard. Having a potential clientele of sex trafficked women and a stated mission of providing protection after the rescue of these women, Dawn Legacy Pointe has submitted and received approval for a document that allows sex offenders "provided they are registered with the LCPD Sheriff's Department." Note: this provides absolutely zero protection for encampment residents of Dawn Legacy Pointe in Albuquerque.

58. It simply means that sex offenders can be in the encampment and in close proximity to the sex trafficked women as well as unsuspecting neighbors. This population includes students at Menaul Middle School, which is within walking distance of the encampment. The document also states schools within one mile must be notified when a sex offender is in residence.

59. This document has been submitted, accepted and approved by the City of Albuquerque and as it stands, it presents a huge risk to residents in the immediate and surrounding neighborhood (as well as encampment residents).

60. The City apparently can and will accept any document as an acceptable part of an application and will do so without question, because they signed off on this attachment to Dawn Legacy Pointe's application without picking up on a single red flag.

61. There is only one way to describe this dereliction by the City Council and City of Albuquerque: the City Council has created a potentially dangerous condition by not providing needed direction with the Amendment to the IDO. Both the City Council and City Administration have jointly created a condition that is beyond 'unsafe' and the agencies that are charged with ensuring safety to Martinez Town Santa Barbara have abdicated their duties. There is no security operation on earth that can protect residents of a tent encampment from a sex offender: there is no housing with a door to lock and bar.

ON SITE SECURITY PLAN DEFICIENT

62. The security plan for Dawn Legacy Pointe does not provide an example of how the encampment will be protected with on-site security. The City's website that provides instructions for SOS encampment applications states that applicants must provide a 'Safe Outdoor Spaces Operational Security Plan.'

63. The criteria for the 'plan' include that the SOS will have an On-Site Manager and Assistant. The public was told by Brooke Bassan, when she initially campaigned for Safe Outdoor Spaces, that the SOS encampments would have 24 hour management - but the application wording does not nail this down as a requirement.

64. The wording is ambiguous: it states the SOS Manager is offsite after hours. Thus, a site manager is not present for 24 hours as promised. And without an on-site manager for the entire 24 hours, there is no guarantee that rules and regulations will be followed. The security agreement for Dawn Legacy Pointe that was accepted by the City states that the manager will have a cell phone in the case the police need to reach him or her.

65. Response time from the Albuquerque Police Department is notoriously slow. Rules may or may not be broken while the 'manager' is absent but security will not be provided. The City has accepted a management plan without the required security agreement and it is a plan for instability.

66. The residents of Dawn Legacy Pointe will not be safe without managers present for 24 hours. Nor will the neighborhood be safe. Worse still, the City of Albuquerque is off the hook for enforcement of rules that they did not create. All the encampments will be 'self-regulated' as we head into a virtual 'no man's land.' The neighborhood can expect to be less safe having a Safe Outdoor Spaces encampment as its newest resident.

CITY CREATING PUBLIC NUISANCE

67. The proposed Safe Outdoor Space use is considered by the SBMTNA as a nuisance, it will bring negative impacts to the neighborhood, reduce property values and interfere with the neighborhood peaceful use and enjoyment of their properties. The City is not providing protection from possible nuisances and hazards and to otherwise protect and not improving the public health. According to Albuquerque Code Ordinance, Chapter 11, Morals and Conduct, Section 11-1-1-10 PUBLIC NUISANCES are PROHIBITED.

69. New Mexico statute defines a "public nuisance" as consisting "of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either:

- A. Injurious to public health, safety and welfare; or
- B. Interferes with the exercise and enjoyment of public rights, including the right to use public property.

Whoever commits a public nuisance for which the act or penalty is not otherwise prescribed by law is guilty of a petty misdemeanor.”

(30-8-1, NMSA 1978, Public Nuisance defined).

70. The City’s nuisance abatement ordinance defines nuisance as:

“Any parcel of real property, commercial or residential, ... on which ... illegal activities occur, or which is used to commit conduct, promote, facilitate, or aide the commission of ... any [delineated crimes, including illicit drugs and prostitution]”

71. The city’s nuisance abatement ordinance prohibits “public nuisances” as follows:

“It shall be unlawful for any owner, manager, tenant, lessee, occupant, or other person having any legal or equitable interest or right of possession in real property ... or other personal property to intentionally, knowingly, recklessly, or negligently commit, conduct , promote, facilitate, permit, fail to prevent, or otherwise let happen, any public nuisance in, on or using any property in which they hold any legal or equitable interest or right of possession.”

(11-1-1-10 PUBLIC NUISANCES PROHIBITED, City of Albuquerque.)

72. The City of Albuquerque’s Uniform Housing Code also defines “nuisance” as:

“(1) Any nuisance known at common law ...

(2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. ...

(3) Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.

...

(6) Inadequate or unsanitary sewage or plumbing facilities

(7) Any violation of the housing standards set forth in this code.”

(14-3-1-4 ROA 1994 of Housing Code, Definitions)

73. The City of Albuquerque Planning Department and Solid Waste Department is knowingly allowing the creation of a public nuisance such as the Safe Outdoor Space in the Martinez Town Santa Barbara Neighborhood and should be held accountable. The Planning Departments actions is tantamount to the City alloqing Coronado Park to become the city's defacto city sanctioned homeless encampment in violation of the city's own public nuisance law and city ordinances.

DEVELOPMENT PROSCESSES IGNORED

74. The City of Albuquerque Planning Department did nothing to provide processes for development decision of 1250 Menaul NE to ensure a balance of the interests of the City, property owners, residents, and developers and ensure opportunities for input by affected parties.

75. According to the IDO, 1250 Menaul NE the Safe Outdoor Spaces requires Administrate and Enforcement, Part 14-16-6, requires a Public Hearing6-6(C)(1): applicability an expansion of a nonconforming use or structure is regulated under the IDO 6-6(C), page 465.

76. The property owner failed to deal with the nonconformance portion of property that is zoned MX-M zone and request a conditional use in front of the Zoning Hearing Examiner. The permit and the recommended Safe Outdoor Space are moot. *(See IDO, Nonconforming site features may not be expanded. No nonconforming use or structure may be expanded unless an approval under this Subsection 14-16-6-6(C) is obtained by the property owner or applicant.)*

77. The City's explanation that they didn't need to deal with the nonconformance is that they would not use the portion of the property zoned MX-M. The City of Albuquerque cannot deny the patrons of this proposed use will need to enter on the MX-M portion of the land and on the site plan the lease is using the MX-M for the dumpster and parking. This expansion of nonconformance confirms the use of the land. The City illustrates in the plan the expansion is necessary and intentional bypasses the nonconformance requirements.(See Attached Site Plan)

78. The users on this site will need to walk to Second Street to obtain their meals. The expansion of pedestrian and transit will negatively impact the neighborhood. Menaul Boulevard is already a congested area. The transit buses cause problems to the foundation of the homes. There have been studies by the City of Albuquerque regarding the impacts of the buses on the residential area.

DETERMENTAL IMPACT ON MARTINEZ TOWN SANTA BARBARA

79. The Martinez Town Santa Barbara historic residential area is bounded on the north by Menaul Blvd NE, on the east by I-25, the south the railroad tracks and the west the railroad tracks. Experience of these types of tents has shown the neighborhood residents and businesses that Safe Outdoor Spaces will be a nuisance.

80. All over the neighborhood including the streets and sidewalks tents are setup. The homeless throw trash all over the neighborhood. The parks are destroyed with feces where the children play, the picnic tables are burned or destroyed, garbage cans are graffiti on or burnt, and graffiti is written all over the neighborhood, etc.

81. Neighbors have moved out of the neighborhood due to fear from homeless entering their yards. One neighbor was assaulted while purchasing gas and others have had homeless enter their home, or cars stolen in broad daylight. Dwellings have been burnt, the trash can owned by the church was burnt to the ground and windows have been broken at the church. At the La Amistad, there was a break in and items stolen.

82. Martinez Town Santa Barbara continues to be neglected by the City. In order to protect the Martinez Town Santa Barbara Neighborhood, the City is required by law to zone the historical residential land uses R-1 to provide equal protection that all residents receive under this zone. The City also needs to provide a multi-purpose community center, programs and services that are already allocated to all residential areas of the City.

83. The City of Albuquerque needs to stop the racist discrimination against Martinez Town Santa Barbara. The City Council and the Mayor need to stop the concentration of homeless services and programs and Safe Outdoor Spaces in the Martinez Town Santa Barbara Neighborhood and surrounding area.

ANNOUNCE USE FOR SAFE OUTDOOR SPACE

84. Dawn Legacy Pointe has made it clear that it intends to provide accommodations for **“sex-trafficking victims”** and other vulnerable populations at the location. Kylea Good, the Board Chair of Dawn Legacy Point, said it would likely be easy to find people and most likely women, though it will not exclude men, willing to stay at the camp. She said she hoped to have the encampment up and running by October and she told the Journal:

“I wouldn’t be surprised if we maxed out. The truth of the matter is it’s not like we’re looking at just one area. There’s a lot of [human] trafficking and exploitation that goes on around that area of Menaul, but you have a whole city that is dealing with it.”

85. Brad Day, a local businessman and advocate for safe outdoor spaces, is advising Dawn Legacy Pointe. He told the Journal:

“We did all the documents, and now what we’re going to do is basically work on the logistics of getting all the stuff we need, the tents, the sleeping bags, the air mattresses, get the fence built.”

The link to the full unedited Journal news article is here:

<https://www.abqjournal.com/2521238/city-sees-1st-application-for-safe-outdoor-space.html>

86. When the words “**trafficking and exploitation**” are used, what is meant are woman who are victims of crime such as kidnapping or forced prostitution. What Dawn Legacy wants to provide are tents in city sanctioned encampments to women who have already been victimized believing somehow that it is compassionate when such women need actual and permanent housing that is safe and secured and not living in a tent.

ENCAMPMENT WILL HAVE DETERMENTAL EFFECT ON NEIGHBORHOOD

87. Less than a half mile from the vacant land located at **1250 Menaul Blvd, NE** and within walking distance from the property is Menaul School, a private boarding school for 6th to 12th graders. Directly across the street from the property is the T-Mobile Call Center and a Quality Inn & Suites. Going West on Menaul and one block from the property is Carrington College and two apartment complexes.

88. At Sunset Memorial Park, workers daily patrol the grounds, monitoring the activity of homeless people who have taken to lounging in the various meditative shelters provided for grieving families. The homeless are known to use the various fountains throughout the park to wash themselves or use the fountains as a toilet, despite there being easy-to-find portable toilets located at the northeast end of the park.

<https://www.abqjournal.com/2523606/cemeteries-lament-bathing-camps-on-grounds.htm>

89. Directly West and bordering the property is Sunset Memorial Park and Cemetery. Immediately East of the Freeway is the massive TA Travel Truck Stop on University that can accommodate parking of upwards of 150 semitrucks. Within law enforcement circles, the truck stop is known for prostitution and illicit drug activity. Immediate south of the truck stop on University Blvd is the Crown Plaza Hotel. It's ironic that a few years ago it was proposed that the city buy the Crown Plaza Hotel for about \$8 million and dedicate it as a homeless shelter.

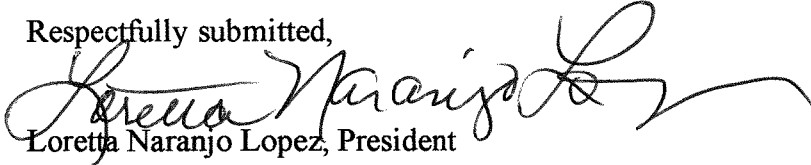
90. It's the actual location of **1205 Menaul, NE** that is the most troubling. The encampment will become a magnet for crime and prostitution or illicit drug trade given that it is in close proximity to a truck stop known for prostitution and illicit drug activity amongst law enforcement. The location is directly across the street from a major call center and a Quality Inn & Suites and within walking distance of Menaul Boarding School and apartments. Occupants of the Safe Outdoor spaces are not confined and are free to go and come as they please and could easily wind up uninvited wherever they want to go, including the truck stop, and disrupt the peaceful use and enjoyment at any one of those locations or engage in illicit activity themselves.

REQUEST FOR RELIEF

Because of all the forgoing, the Santa Barbara Martineztown Neighborhood Association respectfully requests denial of the Safe Outdoor Space at 1250 Menaul due to failure to follow City policies, procedures, and regulations-outlined above and further asks that the approval of

the Safe Outdoor Spaces be set aside and rescinded and that no Safe Outdoor Space be allowed at 1205 Menaul, NE.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Loretta Naranjo Lopez", with a long, sweeping horizontal line extending to the right.

Loretta Naranjo Lopez, President

Santa Barbara Martineztown Neighborhood Association

1420 Edith NE

Albuquerque, NM 87102

(505)270-7716

Applicant: Dawn Legacy Pointe, fiscally sponsored by Street Safe New Mexico, a Non-Profit 501 (c)(3)

Unique ID	16
Submitted Date/Time	7/30/2022, 9:30 AM
Review Status	Approved
Review Date	8/10/2022
Review Comments	Opaque screening to be installed
Last Edit Date	8/10/2022
Editor	ametzgar_CABQ
Address	1250 Menaul Blvd NE Albuquerque, New Mexico 87107
UPC	Not available currently
City Council District	2
Applicant Name	Dawn Legacy Pointe, fiscally sponsored by Street Safe New Mexico, a Non-Profit 501 (c)(3)
SOS Operator	same as above
Mailing Address of Applicant	8409 Central Ave. NE Albuquerque, New Mexico 87108
Email Address of Applicant	s.goodco@gmail.com
Phone Number of Applicant	720-333-8288
Max Number of Spaces	40
Max Number of Occupants	50
Religious Institution Activity	No
IDO Zone (Religious Institution)	
IDO Zone (Non-religious Institution)	NR-LM
Mixed Use Zone	No

Attachments:

[Essentials for Safe Outdoor Spaces.docx](#)

Edited by ametzgar_CABQ on Wednesday at 1:43 PM

SAFE OUTDOOR SPACES OPERATIONAL/SECURITY PLAN

Reviewed By FGS 8/11/22
Espana W
Elizabeth W

How do we get them in the door?

Once the facility is ready, the SOS Manager and the person selected for Outreach will begin visiting the encampments that are ranked in order of priority, as far as the need to disband them and get the individuals in a secure situation with the basic services they need.

The description of what is available at the Safe Outdoor Space is made clear to the individuals that are spoken to. (If the Mayor and ABQ Police Dept. have decided to enforce the trespassing laws that apply especially to City Parks, that enforcement will be made clear to the person - it may help them to decide they would like to apply for a designated space.)

If they decide they would like to apply, the Outreach person will sit down with the individual and review the Registration form and fill in as much as possible.

A decision has to be made as to whether the individual will be able to reside in the Safe Outdoor Space. The SOS Manager has to have experience in dealing with mental illness, drug and alcohol addiction, and how this person would be able to handle the Rules for being in a designated space.

Not everyone will be a good fit. Those who have become homeless because of circumstances beyond their control; those who want to work but need a permanent place to clean up, receive mail, and get help obtaining a job are going to be at the top of the list as far as securing a space. We will take people who do take drugs, drink alcohol - but none of that is allowed when in the facility, and they have to follow the rules. Sex offenders will not be accepted as required by Safe Outdoor Spaces amendments passed by the City Council of Albuquerque.

We will coordinate with the other Non-Profits that can offer services that will help our residents. Being in 1 place is going to be really efficient for them - I have spoken with many of them and they feel this will be a big improvement over what they have to do now - track the people down that need help. Our Registration Form will help determine which individuals to work with, thus further increasing efficiency.

Once the individual signs the necessary paperwork, then we have to get them and their personal belongings to the Safe Outdoor Space. We are going to need a van or pickup truck to be able to do that.

This is critical: the reason the ABQ police will be able to enforce the trespassing laws is that homeless individuals will be able to go to an alternative location where they are not trespassing, AND take their personal property with them.

What happens after individuals are assigned a Designated Space?

Once in the Safe Outdoor Space, the Rules and service requirements (6 hours per week) will apply.

There is 1 mandatory meeting per month for all residents. Additionally, there is a meeting every week to discuss what is going on in the Safe Outdoor Space, solve problems that arise, etc.

There is an ONSITE Manager and an ASSISTANT who will help oversee the operation of the Safe Outdoor Space daily. The SOS Manager is off site after hours, but available if there is an emergency. Both ONSITE Manager and ASSISTANT will be supplied with cell phones to be able to communicate with police and the SOS Manager.

Scheduling for Security and Cleanup will be done by the onsite management. If a resident fails to show up for their scheduled duty, one of the onsite managers will fill in.

There will be 6' fencing with screening (like a tennis court) and gates around the Safe Outdoor Space. The gates will be open from 7:00am to 8:00pm, then they will be locked for the night. There will also be a Safety Shack for the residents on security to occupy; it will have lights and other necessary equipment to perform their duties.

All requirements for Safe Outdoor Spaces will be observed based upon amendments passed by the City Council of Albuquerque, New Mexico.

Initially, the Safe Outdoor Spaces will have temporary and portable showers, bathrooms, hand washing stations, and meeting spaces. If the City Council removes the temporary edict, then permanent structures will be built to provide the above.

SAFE OUTDOOR SPACE REGISTRATION FORM

Full Name/Nickname: _____ Date of Intake: _____

D.O.B./Age: _____ Date of Entry: _____

Race/Language: _____ Date vacated: _____

Gender: _____ Veteran: _____

Health Concerns: _____ Pets: _____

Resident has read Rules _____

Staff Signature: _____

Status: _____

I hereby acknowledge that Safe Outdoor Spaces works closely with all branches of Law Enforcement. Safe Outdoor Spaces will not shelter residents absconding from the law and will assist law enforcement officials with vacating residents with open warrants.

Sign: _____

Employment: periodic – p/t – f/t- day labor

Income: Disability – Gen. Assist. – SSI-SSDI – SNAP – Retirement – Veteran Received:
Basic Needs: ID – Birth Certificate – Social Security Card

Seeking Housing: Yes No Housing Received:

Education: GED – College – Vocational Potential residents will be screened for housing barriers. If you have zero barriers to housing and are not working with a Housing Case Manager, tenancy if denied at intake.



CM Init: ANON ☐
TRANSLATOR ☐ New? ☐

City of Residence:

Severe Mental Illness

Chronic Alcohol
Drug Abuse
AIDS & Related Diseases
Developmental Disability
Physical
Other

Financial ID Health

Financial	ID	Health
Transportation		Mental Illness
Domestic Violence		
Substance Abuse		Housing
Other		

[illegible]

Has them
Does not

Unknown

Yet Hints of

WTC

Wkmeans (

Other Cases

Other: _____

1

551
552

Soc. Sec.

**Health Insurance
Medicaid**

Medicare

General Assistance

WORK INCOME
AFTDC/TANE

Veteran's

Child Support

Unemp. Benefits

a.	American Indian or Alaskan Native
b.	Asian
c.	Black or African-American
d.	Native Hawaiian or Other Pacific Islander
e.	White
f.	American Indian/Alaskan Native & White
g.	Asian & White
h.	Black/Asian American & White
i.	American Indian/Alaskan Native & Black/African American
j.	Other Multi-Racial

A CAMP HOPE AGREEMENTS 2018 A

1. No use, sale, trade or purchase of alcohol or drugs (of any kind)
2. No intoxicated or disruptive behavior
3. No threatening, violent, intimidating or aggressive behavior or language
4. No firearms or illegal weapons allowed on campgrounds or MVCH property
5. No abusive language or discriminatory speech
6. No vandalism including graffiti or urinating or defecating on premises
7. No stealing or destruction of others' personal property, or property designated as belonging to Camp Hope or MVCH.
8. No open fires, to include camping stoves anywhere on the campgrounds or MVCH campus. Grilling is allowed in the designated camp grill area. The homo may be used for cooking but must first be approved by MVCH staff.
9. Visiting minors must be accompanied and supervised by an adult and are not allowed overnight. MVCH staff can assist unaccompanied youth and parents who have children to find emergency shelter.
10. Limited guests (2 per resident) are allowed during the hours of 7 am and 6 pm if they follow the rules. No overnight guests. You are responsible for the actions of your guests. ALL guests are required to sign in, and if hosting a guest you MUST meet them at the guard shack. No unattended visitors in or around Camp Hope or the garden area.
11. No guests except direct family members on the weekend.
12. Overnight stays are limited to registered campers.
13. No one with open warrants is allowed at Camp Hope.
14. No loitering is permitted in front of or around any of the MVCH Alliance Agencies and holidays, Camp Hope is the only area open to people on campus (anyone on campus must be a resident or visiting a resident of Camp Hope).
15. Campers, whether in tents or approved vehicles, may not connect to campus electricity or water. Campers may not use extension cords or hoses. Requests for special needs may be granted in writing by the MVCH Camp Coordinator.
16. No smoking is allowed in tents. Cigarettes should be extinguished in designated containers and butts put in proper containers.
17. No littering.
18. Keep your tent area tidy. Belongings must be confined to inside the tent pad space. Help keep the camp clean.
19. Camp Hope is *emergency sheltering in alternative structures*. If you are not actively working with Camp Hope Coordinator, looking for employment, or applying for housing, you cannot stay in the camp.
20. If you will be gone from camp for longer than 3 days you must communicate with camp manager or camp coordinator about circumstances. Camp Hope is not intended to be a secondary residence. Campers are not allowed to repeatedly stay elsewhere and return to camp intermittently. There are exceptions such as staying at the Gospel Rescue Mission during nights of extremely cold weather.

21. It is recommended that all residents perform and record 6 hours of service in camp a week.
22. Every Tuesday at 10:00 AM the Camp hosts "The Great Conversation". The conversation allows campers, staff, and community members to address our differences and to recognize how much we all have in common. The first Tuesday of every month is a mandatory camp meeting, and the first two meetings after your intake are also mandatory.
23. Campers will stay in the defined campground. A few spaces are available on the Camp parking area for vehicles to be used by camp residents. Vehicles must be registered and given permission to be on the Camp Hope premises. Their owners must follow all Camp Hope rules.
24. No unregistered or inoperable vehicles are allowed on the campus at any time.
25. Campers are responsible for cleaning up their tent before they move out of Camp. Residents who leave an untidy tent space will not be allowed back in camp. They will also be added to the MVCH banned list for littering (The number of months they are banned depends on the number of prior offenses by the resident). If items left behind are not removed within 3 days, they will be discarded as MVCH is not responsible for storing camp resident's property.
26. Donations may not be sold to anyone, for any amount. Anyone found breaking this agreement will be asked to vacate immediately.
27. When leaving Camp Hope, you may only leave with one reasonable truckload of items. This is to prevent hoarding and excess usage of camp resources.
28. Campers who have complaints must follow the Grievance procedure.
29. All dogs and pets coming in to Camp must be up to date on shots and be spayed or neutered. If residents need help with either they will be referred to agencies that may assist them. All dogs must be on a leash at all times as this is City of Las Cruces property.
30. Sex offenders must be registered with the LCPD/Sheriff Dept. Schools within one mile must be notified. This is the responsibility of the offender
31. No drugs except as prescribed and taken as prescribed.
32. All residents must be fully clothed in common areas.
33. Camp quiet hours are 10:00 p.m to 8:00 a.m.
34. Camp Clean up Fridays 9-10 a.m.
35. MVCH has a responsibility to maintain confidentiality, respect and privacy for all residents at the Camp. We ask that clients not utilize social media when regarding to Camp Hope concerns. Contact the Camp Hope Outreach Coordinator for anything in regard to the Camp and Social media.

There is ZERO tolerance for criminal behavior including alcohol and drug use, weapons violations, stealing, vandalism, assault, battery, etc. Offenses will be reported to MVCH staff and appropriate authorities. Criminal behavior will be reported to and dealt with by the Las Cruces Police Department.



Camp Hope Participant Assumption of Risk and Waiver of Liability Relating to Coronavirus/COVID-19

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. As a result, federal, state, and local governments and federal and state health agencies recommend social distancing and have, in many locations, prohibited the congregation of groups of people.

The MVCH Camp Hope Program has put in place preventative measures and protocols, where possible, to reduce the spread of COVID -19; however, MVCH cannot guarantee that you will not become infected with COVID-19. Attending or participating in the Camp Hope program could increase your risk of contracting COVID-19.

.....

By signing this agreement, I acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that I may be exposed to, or infected by COVID-19 by participating in the Camp Hope program, and that such exposure or infection may result in personal injury, illness, permanent disability, and death. I understand that the risk of becoming exposed to or infected by COVID-19 by participating in the Camp Hope program may result from the actions, omissions, or negligence of myself and others, including, but not limited to, MVCH, City employees and contractors, subcontractors, or their respective employees.

I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to myself including, but not limited to, personal injury, disability, and death, illness, damage, loss, claim, liability, or expense, of any kind, that I may experience or incur in connection with my participating in the Camp Hope program (the "Claims"). I hereby release, covenant not to sue, discharge, and hold harmless MVCH and the City of Las Cruces, its employees, agents, volunteers and representatives, of and from the Claims, including all liabilities, claims, actions, damages, costs or expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of MVCH, the City of Las Cruces, its employees, agents, volunteers and representatives, whether a COVID -19 infection occurs before, during, or after participation in the Camp Hope program.

Signature _____

Date _____

Print Name _____

Date _____

I understand that if I violate the rules of the camp or the rules of MVCH I will be asked to leave the camp. I agree that I received the rules and I understand them in full.

Resident Name/Signature _____ Date _____

Witness Name/Signature _____ Date _____

I understand that depending on the nature of the crime committed or rule infraction, I may be asked to leave the camp immediately. I agree that I will leave the camp or that I may risk being banned from the property or risk the police being called.

Resident Name/Signature _____ Date _____

Witness Name/Signature _____ Date _____

I realize that I am staying at Camp Hope of my own volition. I understand that paid staff is not on-hand at the camp at all times.

Camp Hope resident does hereby release and forever discharge and hold harmless MVCH and its successors and assigns from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity that arise or may hereafter arise from the resident's stay at Camp Hope. I agree to defend, indemnify and save harmless MVCH and its officers, agents and employees from any and all suits, actions and claims of any character brought because of any injury or damage received or sustained by any person, persons or property.

Resident Name/Signature _____ Date _____

Witness Name/Signature _____ Date _____

CITY OF ALBUQUERQUE

Solid Waste Management Department
Matthew Whelan, Director



July 31, 2022

Dawn Legacy Pointe
Fiscally sponsored by Street Safe New Mexico, a non-profit 501 (c)(3)

Dear Dawn Legacy Pointe,

The City has received your request to use City-owned property for a Safe Outdoor Space as described in the Integrated Development Ordinance, effective July 28, 2022. The property requested is located at 1250 Menaul NE, plat number: SP-81-349. This property is zoned Non-Residential-Light Manufacturing (NR-LM). You have requested the use of 1 acre of this property,

The City grants permission to use this site temporarily for 6 months, with a possible extension of 6 months pending your approved Safe outdoor Space application. This permission is granted however, a lease agreement or license agreement between the City of Albuquerque's Solid Waste Management Department and Dawn Legacy Point will need to be executed prior to commencing operations.

Albuquerque

PO Box 1233

NM 87103

www.cabq.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Whelan".

Matthew Whelan

[illegible]

033

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (*) are required.]

The application will request that the temporary use be allowed for the following duration:

6 months with an additional 6 months possible
unless construction is completed by the City of ABQ.
(ex: number of days/months/years)

This temporary use will operate in the following days and times:

24 hours daily - 365 days per year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720-333-8288 [phone number*] or via s.godseco@gmail.com [email*].

More information about the project can be found here: [project webpage*, if applicable]

not applicable

Useful Links

Integrated Development Ordinance (IDO):

<https://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Interactive Map

<https://tinyurl.com/IDOzonlinemap>

Sincerely,



[Agent/Property Owner/Developer/Operator]

cc: City of Albuquerque [Other Property Owners, if any]

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (*) are required.]

[Date*] 8/4/22

Sunset Memorial Park

[Name* of Abutting Property Owner]

924 Menaul Blvd. NE ABQ, NM 87107

[Address* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Sunset Memorial Park Owners [Name* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at codeenforcement@cabq.gov.

1. Property Owner of Subject Property* City of Albuquerque
2. Agent* [if applicable] not applicable
3. Subject Property Address* 1250 Menaul Blvd. NE
4. Location Description NE corner of Menaul and I-25 Frontage Road
5. Zone Atlas Page H-15-Z [available here: <http://data.cabq.gov/business/zonemap/>]
6. Legal Description not available
7. Area of Property (typically in acres) 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] ---
10. Center or Corridor Area [if applicable] ---
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] ---
13. Variances Requested [if applicable] ---

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit



(Note: Items with an asterisk (*) are required.)

Date*) July 30, 2022

City of Albuquerque

(Name* of Abutting Property Owned)

PO Box 2248

(Address* of Property Owner)

Albuquerque, New Mexico 87103-2248

RE: Public Notice of Temporary Use Permit

Dear City of Albuquerque (Name* of Property Owner),

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at codeenforcement@cabq.gov.

1. Property Owner of Subject Property* City of Albuquerque
2. Agent* (If applicable) ---
3. Subject Property Address* 1250 Menaul Blvd. NE
4. Location Description vacant land - SW corner of Menaul and Foothill
(Available here: <http://data.cdm.gov/Business/zonemap/>)
5. Zone Atlas Page H-15-Z
6. Legal Description not available
7. Area of Property (Typically in acres) 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) (If applicable) ---
10. Center or Corridor Area (If applicable) ---
11. Current Land Use (vacant, if none) None - Vacant
12. Deviations Requested (If applicable) ---
13. Variances Requested (If applicable) ---

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (*) are required.]

The application will request that the temporary use be allowed for the following duration:

24 months with an addendum: number of days/months/years.
24 months is approved by City of Albuquerque.

This temporary use will operate in the following days and times:

24 hours a day / 365 days a year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Subsection 14-16-6-4(D)). To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@caba.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.caba.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720-333-8288 [phone number] or via s.goddard@gmail.com [email].

More information about the project can be found here: [project webpage *, if applicable]

Useful Links

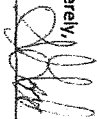
Integrated Development Ordinance (IDO):

<http://www.caba.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Interactive Map

<https://tinyurl.com/IDozonlGmap>

Sincerely,



[Agent/Property Owner/Developer/Operator]

Cc: _____ [Other Property Owners, if any]

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (*) are required.]

[Date*] July 30, 2022

Sunset Memorial Park

[Name* of Abutting Property Owner]

924 Menaul Blvd. NE ABO, NM 87107

[Address* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Sunset Memorial Park [Name* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at codeenforcement@cabq.gov.

1. Property Owner of Subject Property* City of Albuquerque
2. Agent* [if applicable] _____
3. Subject Property Address* 1250 Menaul Blvd. NE
4. Location Description vacant land - SW corner Menaul and Frontage Road
5. Zone Atlas Page 11-15-Z [Available here: <http://data.cabq.gov/business/zonefiles/>]
6. Legal Description not available
7. Area of Property [typically in acres] 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] _____
10. Center or Corridor Area [if applicable] _____
11. Current Land Use [vacant, if none] None - vacant
12. Deviations Requested [if applicable] _____
13. Variances Requested [if applicable] _____

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (*) are required.]

The application will request that the temporary use be allowed for the following duration:

24 months with additional 24 months if approved by the City of Albuquerque
This temporary use will operate in the following days and times:

24 hours a day / 365 days a year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Subsection 14-16-6-4(D)). To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@caba.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.caba.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720-333-7288 [phone number*] or via S.goodale@gmail.com [email*].

More information about the project can be found here: [project webpage*, if applicable]

Useful Links

Integrated Development Ordinance (IDO):

<http://www.caba.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Interactive Map

<https://tinyurl.com/IDoZonIngMap>

Sincerely,



[Agent/Property Owner/Developer/Operator]

Cc: _____ [Other Property Owners, if any]

August 3, 2022


Jeremy,

Please find enclosed the
substitute Vicinity Map and
Site Plan for the Eagle Outdoor Space
application from Laura Degey Hunt.

The City wants them to use
a different portion of the same
property noted in their application.

Please let me know if you
require anything else.

Thanks,


505.328.3726
bradaday1@gmail.com

Palmer, Jeffrey

From: Brad Day <bradway1@gmail.com>
Sent: Thursday, August 4, 2022 7:36 PM
To: Palmer, Jeffrey
Subject: Re: SOS application for 1250 Menaul Blvd NE

[EXTERNAL] Forward to phillips@cityofalbuquerque.gov and delete if an email causes any concern.

Mr. Palmer, your representation of the Site Plan for our Safe Outdoor Space at 1250 Menaul Blvd. NE, Albuquerque, New Mexico is correct. I would add 2 clarifications: 4. The maximum occupancy is 50 persons. 6. The fence also will have a screen attached making it opaque as required. Thank you for your help in this matter.

Brad Day

On Thu, Aug 4, 2022 at 4:57 PM Palmer, Jeffrey <jpalmer@cityofalbuquerque.gov> wrote:

Good afternoon, Brad,

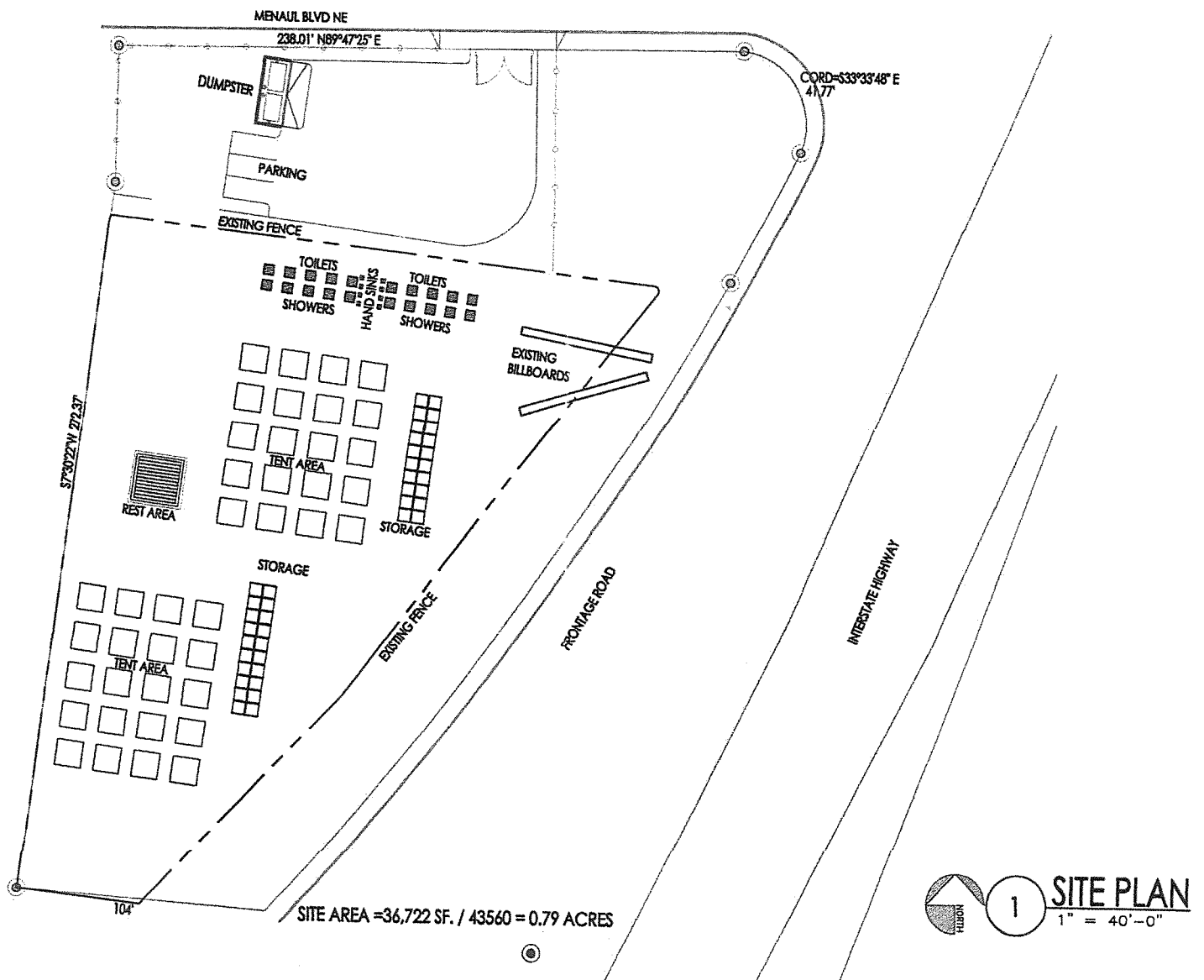
As we discussed this afternoon, we are in the process of reviewing the application submitted by you for Dawn Legacy Pointe, to be located at 1250 Menaul Blvd NE.


Based on our review of the Site Plan, and on our subsequent discussion, I would like to confirm the accuracy of our interpretation of the Site Plan regarding the following items:

1. Toilets = 10 shown
2. Showers = 10 shown
3. Hand sinks = 8 shown
4. Designated spaces = 40 shown (Note: with a maximum occupancy plan for 50, as per the approved Operational Plan)
5. Distance from Toilets and Handwashing stations to further designated space = 200 feet (per measurement on scaled drawing provided).
6. Height of fence = 6 feet

Please confirm that this information is correct and/or provide clarification if needed. Thank you.

Respectfully,




Elizabeth Helgin

SAFE OUTDOOR SPACES OPERATIONAL/SECURITY PLAN

How do we get them in the door?

Once the facility is ready, the SOS Manager and the person selected for Outreach will begin visiting the encampments that are ranked in order of priority, as far as the need to disband them and get the individuals in a secure situation with the basic services they need.

The description of what is available at the Safe Outdoor Space is made clear to the individuals that are spoken to. (If the Mayor and ABQ Police Dept. have decided to enforce the trespassing laws that apply especially to City Parks, that enforcement will be made clear to the person - it may help them to decide they would like to apply for a designated space.)

If they decide they would like to apply, the Outreach person will sit down with the individual and review the Registration form and fill in as much as possible.

A decision has to be made as to whether the individual will be able to reside in the Safe Outdoor Space. The SOS Manager has to have experience in dealing with mental illness, drug and alcohol addiction, and how this person would be able to handle the Rules for being in a designated space.

Not everyone will be a good fit. Those who have become homeless because of circumstances beyond their control; those who want to work but need a permanent place to clean up, receive mail, and get help obtaining a job are going to be at the top of the list as far as securing a space. We will take people who do take drugs, drink alcohol - but none of that is allowed when in the facility, and they have to follow the rules. Sex offenders will not be accepted as required by Safe Outdoor Spaces amendments passed by the City Council of Albuquerque.

We will coordinate with the other Non-Profits that can offer services that will help our residents. Being in 1 place is going to be really efficient for them - I have spoken with many of them and they feel this will be a big improvement over what they have to do now - track the people down that need help. Our Registration Form will help determine which individuals to work with, thus further increasing efficiency.

Once the individual signs the necessary paperwork, then we have to get them and their personal belongings to the Safe Outdoor Space. We are going to need a van or pickup truck to be able to do that.

This is critical: the reason the ABQ police will be able to enforce the trespassing laws is that homeless individuals will be able to go to an alternative location where they are not trespassing, AND take their personal property with them.

What happens after individuals are assigned a Designated Space?

Once in the Safe Outdoor Space, the Rules and service requirements (6 hours per week) will apply.

There is 1 mandatory meeting per month for all residents. Additionally, there is a meeting every week to discuss what is going on in the Safe Outdoor Space, solve problems that arise, etc.

There is an ONSITE Manager and an ASSISTANT who will help oversee the operation of the Safe Outdoor Space daily. The SOS Manager is off site after hours, but available if there is an emergency. Both ONSITE Manager and ASSISTANT will be supplied with cell phones to be able to communicate with police and the SOS Manager.

Scheduling for Security and Cleanup will be done by the onsite management. If a resident fails to show up for their scheduled duty, one of the onsite managers will fill in.

There will be 6' fencing with screening (like a tennis court) and gates around the Safe Outdoor Space. The gates will be open from 7:00am to 8:00pm, then they will be locked for the night. There will also be a Safety Shack for the residents on security to occupy; it will have lights and other necessary equipment to perform their duties.

All requirements for Safe Outdoor Spaces will be observed based upon amendments passed by the City Council of Albuquerque, New Mexico.

Initially, the Safe Outdoor Spaces will have temporary and portable showers, bathrooms, hand washing stations, and meeting spaces. If the City Council removes the temporary edict, then permanent structures will be built to provide the above.

SAFE OUTDOOR SPACE REGISTRATION FORM

Full Name/Nickname:

Date of Intake:

D.O.B./Age:

Date of Entry:

Race/Language:

Date vacated:

Gender:

Veteran:

Health Concerns:

Pets:

Resident has read Rules _____

Staff Signature: _____

Status:

I hereby acknowledge that Safe Outdoor Spaces works closely with all branches of Law Enforcement. Safe Outdoor Spaces will not shelter residents absconding from the law and will assist law enforcement officials with vacating residents with open warrants.

Sign: _____

Employment: periodic – p/t – f/t- day labor

Income: Disability – Gen. Assist. – SSI-SSDI – SNAP – Retirement – Veteran

Received:

Basic Needs: ID – Birth Certificate – Social Security Card

Seeking Housing: Yes No Housing Received:

Education: GED – College – Vocational Potential residents will be screened for housing barriers. If you have zero barriers to housing and are not working with a Housing Case Manager, tenancy if denied at intake.



CM Init: ANON ☐
TRANSLATOR ☐ New? ☐

INTAKE REPORT TRACKING

Last Name, First Name

Name: _____ Age: _____ Sex: _____ Intake Date: _____
Ethnicity: _____ Race: _____ Veteran: _____ Education: _____
Birth Date: _____ Social Security Number: _____
Married: _____ Single: _____ Div.: _____ Sep.: _____ Wid.: _____ Partner: _____ Referred by: _____
Past Month's Residence: _____ Current: _____
Number of continuous months homeless: _____ Number of times homeless in past 3 yrs: _____
Chronically Homeless Yes _____ No _____ [Homeless+ Disability + (12 mo. Continuous, or 4+ times for 12+ mo., in 3 yrs.)]
Income at Intake: _____ Sources: _____
Resources at Intake: _____
Number in Household: Adult(s) _____ Children _____ City of Residence: _____

PRIMARY DISABILITY

Severe Mental Illness _____
Chronic Alcohol _____
Drug Abuse _____
AIDS & Related Diseases _____
Developmental Disability _____
Physical _____
Other _____

PRIMARY PROBLEMS

Financial _____ ID _____ Health _____
Transportation _____ Mental Illness _____
Domestic Violence _____
Substance Abuse _____ Housing _____
Other _____

Relationship (To Adult above)	Vet	Hisp	Race (see Code below)	DoB	Age	SS#	D-devl P=phys M=mentl	Income 60%-80% AMI

FOOD STAMPS

Has them _____
Does not _____
Unknown _____

MORE BENEFITS

SCHIP _____
Vet Hlth Care _____
WIC _____
Wkmans Comp _____
Other Cash Inc _____
Other Non-Cash Inc _____
Other: _____

BENEFITS

SSI _____
SSD _____
Soc. Sec. _____
Health Insurance _____
Medicaid _____
Medicare _____
General Assistance _____
Work Income _____
AFDC/TANF _____
Veteran's _____
Child Support _____
Unemp Benefits _____

a.	American Indian or Alaskan Native
b.	Asian
c.	Black or African-American
d.	Native Hawaiian or Other Pacific Islander
e.	White
f.	American Indian/Alaskan Native & White
g.	Asian & White
h.	Black/African American & White
i.	American Indian/Alaskan Native & Black/African American
j.	Other Multi-Racial

Δ CAMP HOPE AGREEMENTS 2018 Δ

1. No use, sale, trade or purchase of alcohol or drugs (of any kind)
2. No intoxicated or disruptive behavior
3. No threatening, violent, intimidating or aggressive behavior or language
4. No firearms or illegal weapons allowed on campgrounds or MVCH property
5. No abusive language or discriminatory speech
6. No vandalism including graffiti or urinating or defecating on premises
7. No stealing or destruction of others' personal property, or property designated as belonging to Camp Hope or MVCH.
8. No open fires, to include camping stoves anywhere on the campgrounds or MVCH campus. Grilling is allowed in the designated camp grill area. The horno may be used for cooking but must first be approved by MVCH staff.
9. Visiting minors must be accompanied and supervised by an adult and are not allowed overnight. MVCH staff can assist unaccompanied youth and parents who have children to find emergency shelter.
10. Limited guests (2 per resident) are allowed during the hours of 7 am and 6 pm if they follow the rules. No overnight guests. You are responsible for the actions of your guests. ALL guests are required to sign in, and if hosting a guest you MUST meet them at the guard shack. No unattended visitors in or around Camp Hope or the garden area.
11. No guests except direct family members on the weekend.
12. Overnight stays are limited to registered campers.
13. No one with open warrants is allowed at Camp Hope.
14. No loitering is permitted in front of or around any of the MVCH Alliance Agencies when businesses are closed. Between the hours of 6 pm and 6 am, and on weekends and holidays, Camp Hope is the only area open to people on campus (anyone on campus must be a resident or visiting a resident of Camp Hope).
15. Campers, whether in tents or approved vehicles, may not connect to campus electricity or water. Campers may not use extension cords or hoses. Requests for special needs may be granted in writing by the MVCH Camp Coordinator.
16. No smoking is allowed in tents. Cigarettes should be extinguished in designated containers and butts put in proper containers.
17. No littering.
18. Keep your tent area tidy. Belongings must be confined to inside the tent pad space. Help keep the camp clean.
19. Camp Hope is *emergency sheltering in alternative structures*. If you are not actively working with Camp Hope Coordinator, looking for employment, or applying for housing, you cannot stay in the camp.
20. If you will be gone from camp for longer than 3 days you must communicate with camp manager or camp coordinator about circumstances. Camp Hope is not intended to be a secondary residence. Campers are not allowed to repeatedly stay elsewhere and return to camp intermittently. There are exceptions such as staying at the Gospel Rescue Mission during nights of extremely cold weather.

21. It is recommended that all residents perform and record 6 hours of service in camp a week.
22. Every Tuesday at 10:00 AM the Camp hosts "The Great Conversation". The conversation allows campers, staff, and community members to address our differences and to recognize how much we all have in common. The first Tuesday of every month is a mandatory camp meeting, and the first two meetings after your intake are also mandatory.
23. Campers will stay in the defined campground. A few spaces are available on the Camp parking area for vehicles to be used by camp residents. Vehicles must be registered and given permission to be on the Camp Hope premises. Their owners must follow all Camp Hope rules.
24. No unregistered or inoperable vehicles are allowed on the campus at any time.
25. Campers are responsible for cleaning up their tent before they move out of Camp. Residents who leave an untidy tent space will not be allowed back in camp. They will also be added to the MVCH banned list for littering (The number of months they are banned depends on the number of prior offenses by the resident). If items left behind are not removed within 3 days, they will be discarded as MVCH is not responsible for storing camp resident's property.
26. Donations may not be sold to anyone, for any amount. Anyone found breaking this agreement will be asked to vacate immediately.
27. When leaving Camp Hope, you may only leave with one reasonable truckload of items. This is to prevent hoarding and excess usage of camp resources.
28. Campers who have complaints must follow the Grievance procedure.
29. All dogs and pets coming in to Camp must be up to date on shots and be spayed or neutered. If residents need help with either they will be referred to agencies that may assist them. All dogs must be on a leash at all times as this is City of Las Cruces property.
30. Sex offenders must be registered with the LCPD/Sheriff Dept. Schools within one mile must be notified. This is the responsibility of the offender.
31. No drugs except as prescribed and taken as prescribed.
32. All residents must be fully clothed in common areas.
33. Camp quiet hours are 10:00 p.m to 8:00 a.m.
34. Camp Clean up Fridays 9-10 a.m.
35. MVCH has a responsibility to maintain confidentiality, respect and privacy for all residents at the Camp. We ask that clients not utilize social media when regarding to Camp Hope concerns. Contact the Camp Hope Outreach Coordinator for anything in regard to the Camp and Social media.

There is ZERO tolerance for criminal behavior including alcohol and drug use, weapons violations, stealing, vandalism, assault, battery, etc. Offenses will be reported to MVCH staff and appropriate authorities. Criminal behavior will be reported to and dealt with by the Las Cruces Police Department.



MESILLA VALLEY COMMUNITY OF HOPE

Camp Hope Participant Assumption of Risk and Waiver of Liability Relating to Coronavirus/COVID-19

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. As a result, federal, state, and local governments and federal and state health agencies recommend social distancing and have, in many locations, prohibited the congregation of groups of people.

The MVCH Camp Hope Program has put in place preventative measures and protocols, where possible, to reduce the spread of COVID -19; however, MVCH cannot guarantee that you will not become infected with COVID-19. Attending or participating in the Camp Hope program could increase your risk of contracting COVID-19.

.....

By signing this agreement, I acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that I may be exposed to, or infected by COVID-19 by participating in the Camp Hope program, and that such exposure or infection may result in personal injury, illness, permanent disability, and death. I understand that the risk of becoming exposed to or infected by COVID-19 by participating in the Camp Hope program may result from the actions, omissions, or negligence of myself and others, including, but not limited to, MVCH, City employees and contractors, subcontractors, or their respective employees.

I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to myself including, but not limited to, personal injury, disability, and death, illness, damage, loss, claim, liability, or expense, of any kind, that I may experience or incur in connection with my participating in the Camp Hope program (the "Claims"). I hereby release, covenant not to sue, discharge, and hold harmless MVCH and the City of Las Cruces, its employees, agents, volunteers and representatives, of and from the Claims, including all liabilities, claims, actions, damages, costs or expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of MVCH, the City of Las Cruces, its employees, agents, volunteers and representatives, whether a COVID -19 infection occurs before, during, or after participation in the Camp Hope program.

Signature _____

Date _____

Print Name _____

Date _____

I understand that if I violate the rules of the camp or the rules of MVCH I will be asked to leave the camp. I agree that I received the rules and I understand them in full.

Resident Name/Signature

Date

Witness Name/Signature

Date

I understand that depending on the nature of the crime committed or rule infraction, I may be asked to leave the camp immediately. I agree that I will leave the camp or that I may risk being banned from the property or risk the police being called.

Resident Name/Signature

Date

Witness Name/Signature

Date

I realize that I am staying at Camp Hope of my own volition. I understand that paid staff is not on-hand at the camp at all times.

Camp Hope resident does hereby release and forever discharge and hold harmless MVCH and its successors and assigns from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity that arise or may hereafter arise from the resident's stay at Camp Hope. I agree to defend, indemnify and save harmless MVCH and its officers, agents and employees from any and all suits, actions and claims of any character brought because of any injury or damage received or sustained by any person, persons or property.

Resident Name/Signature

Date

Witness Name/Signature

Date

CITY OF ALBUQUERQUE



Solid Waste Management Department
Matthew Whelan, Director

July 31, 2022

Dawn Legacy Pointe
Fiscally sponsored by Street Safe New Mexico, a non-profit 501 (c)(3)

Dear Dawn Legacy Pointe,

The City has received your request to use City-owned property for a Safe Outdoor Space as described in the Integrated Development Ordinance, effective July 28, 2022. The property requested is located at 1250 Menaul NE, plat number: SP-81-349. This property is zoned Non-Residential-Light Manufacturing (NR-LM). You have requested the use of 1 acre of this property,

The City grants permission to use this site temporarily for 6 months, with a possible extension of 6 months pending your approved Safe outdoor Space application. This permission is granted however; a lease agreement or license agreement between the City of Albuquerque's Solid Waste Management Department and Dawn Legacy Point will need to be executed prior to commencing operations.

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Sincerely,

Matthew Whelan

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (*) are required.]

July 30, 2022
[Date*]

City of Albuquerque
[Name* of Abutting Property Owner]

P.O. Box 2248 Albuquerque, New Mexico 87103-2248
[Address* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear City of Albuquerque [Name* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-5(D)(2)**, this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at codeenforcement@cabq.gov.

1. Property Owner of Subject Property* City of Albuquerque

2. Agent* [if applicable] —

3. Subject Property Address* 1250 Menaul Blvd. NE

4. Location Description vacant land - SW corner of Menaul and Frontage Road

5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]

6. Legal Description not available

7. Area of Property [typically in acres] 0.79 acres

8. IDO Zone District NR-LM

9. Overlay Zone(s) [if applicable] —

10. Center or Corridor Area [if applicable] —

11. Current Land Use [vacant, if none] None - vacant

12. Deviations Requested [if applicable] —

13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Albuquerque, NM 87107

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee \$0.00 each)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.60

Total Postage and Fees \$7.85

Sent To
 Dawn Legacy Pointe
 Street and Apt. No., or P.O. Box No.
 8409 Central Ave NE
 City, State, ZIP+4®
 ALBQ NM 87108

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



HIGHLAND
 111 ALVARADO DR SE
 ALBUQUERQUE, NM 87108-9998
 (800)275-8777

06/05/2022

11:11 AM

Product	Qty	Unit Price	Price
---------	-----	------------	-------

First-Class Mail® Letter	1		\$0.60
--------------------------	---	--	--------

Albuquerque, NM 87107
 Weight: 0 lb 0.60 oz
 Estimated Delivery Date
 Mon 08/08/2022

Certified Mail® Tracking #: 70221670000329274442 \$4.00

Return Receipt Tracking #: 9590 9402 7272 1284 5409 63 \$3.25

Total \$7.35

US Flags 20 \$0.60 \$12.00

Grand Total: \$19.85

Credit Card Remit \$19.85

Card Name: VISA
 Account #: XXXXXXXXXXXX1746
 Approval #: 03624C
 Transaction #: 300
 AID: A0000000031010 Chip
 AL: VISA CREDIT
 PIN: Not Required CHASE VISA

 Every household in the U.S. is now
 eligible to receive a third set
 of 8 free test kits.
 Go to www.covidtests.gov

Text your tracking number to 28777 (2USPS)
 to get the latest status. Standard Message
 and Data rates may apply. You may also
 visit www.usps.com USPS Tracking or call
 1-800-222-1811.

Preview your Mail
 Track your Packages
 Sign up for FREE @
<https://informedelivery.usps.com>

All sales final on stamps and postage.
 Refunds for guaranteed services only.
 Thank you for your business.

Tell us about your experience.
 Go to: <https://postalexperience.com/Pos>
 or scan this code with your mobile device,



or call 1-800-410-7420.

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (*) are required.]

8/4/22
[Date*]

Sunset Memorial Park
[Name* of Abutting Property Owner]

924 Menaul Blvd. NE ABO, nm 87107
[Address* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Sunset Memorial Park owner [Name* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-5(D)(2)**, this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at codeenforcement@cabq.gov.

1. Property Owner of Subject Property* City of Albuquerque
2. Agent* [if applicable] not applicable
3. Subject Property Address* 1250 Menaul Blvd. NE
4. Location Description NE corner of Menaul and I-25 Frontage Road
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description not available
7. Area of Property [typically in acres] 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (*) are required.]

The application will request that the temporary use be allowed for the following duration:

6 months with an additional 6 months possible
unless extensions are granted by the City of ABQ.
[ex: number of days/months/years].

This temporary use will operate in the following days and times:

24 hours daily - 365 days per year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720-333-8288 [phone number*] or via s.goodco@gmail.com [email*].

More information about the project can be found here: [project webpage*, if applicable]

not applicable

Useful Links

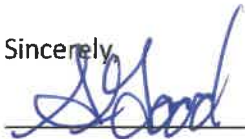
Integrated Development Ordinance (IDO):

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Sincerely,



[Agent/Property Owner/Developer/Operator]

Cc: City of Albuquerque [Other Property Owners, if any]

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (*) are required.]

July 30, 2022
[Date*]

Sunset Memorial Park
[Name* of Abutting Property Owner]

924 Menaul Blvd. NE ABQ, NM 87107
[Address* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Sunset Memorial Park [Name* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-5(D)(2)**, this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at codeenforcement@cabq.gov.

1. Property Owner of Subject Property* City of Albuquerque

2. Agent* [if applicable] —

3. Subject Property Address* 1250 Menaul Blvd. NE

4. Location Description vacant land - SW corner Menaul and Frontage Road

5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]

6. Legal Description not available

7. Area of Property [typically in acres] 0.79 acres

8. IDO Zone District NR-LM

9. Overlay Zone(s) [if applicable] —

10. Center or Corridor Area [if applicable] —

11. Current Land Use [vacant, if none] None - vacant

12. Deviations Requested [if applicable] —

13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (*) are required.]

The application will request that the temporary use be allowed for the following duration:

24 months with additional [ex: number of days/months/years].
24 months if approved by the City of Albuquerque

This temporary use will operate in the following days and times:

24 hours a day / 365 days a year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720.333.8288 [phone number*] or
via s.gooden@gmail.com [email*].

More information about the project can be found here: [project webpage*, if applicable]

Useful Links

Integrated Development Ordinance (IDO):

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Sincerely,

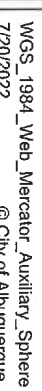
[Agent/Property Owner/Developer/Operator]

Cc: [Other Property Owners, if any]



This aerial map displays the Menaul Blvd area in Denver, Colorado. The map is overlaid with various land use designations and street names. Key features include:

- Streets:** Lombardy Dr, Menaul Blvd, New Fairfield Dr, and Menaul Rd.
- Land Use Designations:**
 - NR-LM:** Natural Resource - Low Medium Density, shown in purple.
 - NR-SU:** Natural Resource - Single Use, shown in grey.
 - MX-M:** Medium Density Residential, shown in brown.
 - NR-C:** Natural Resource - Commercial, shown in red.
- Other Features:** A blue dot is located near the intersection of Menaul Blvd and New Fairfield Dr. A yellow line runs diagonally across the map, likely representing a utility or boundary line.



The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/albq-data/bq-data-discclaimer-1> for more information.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

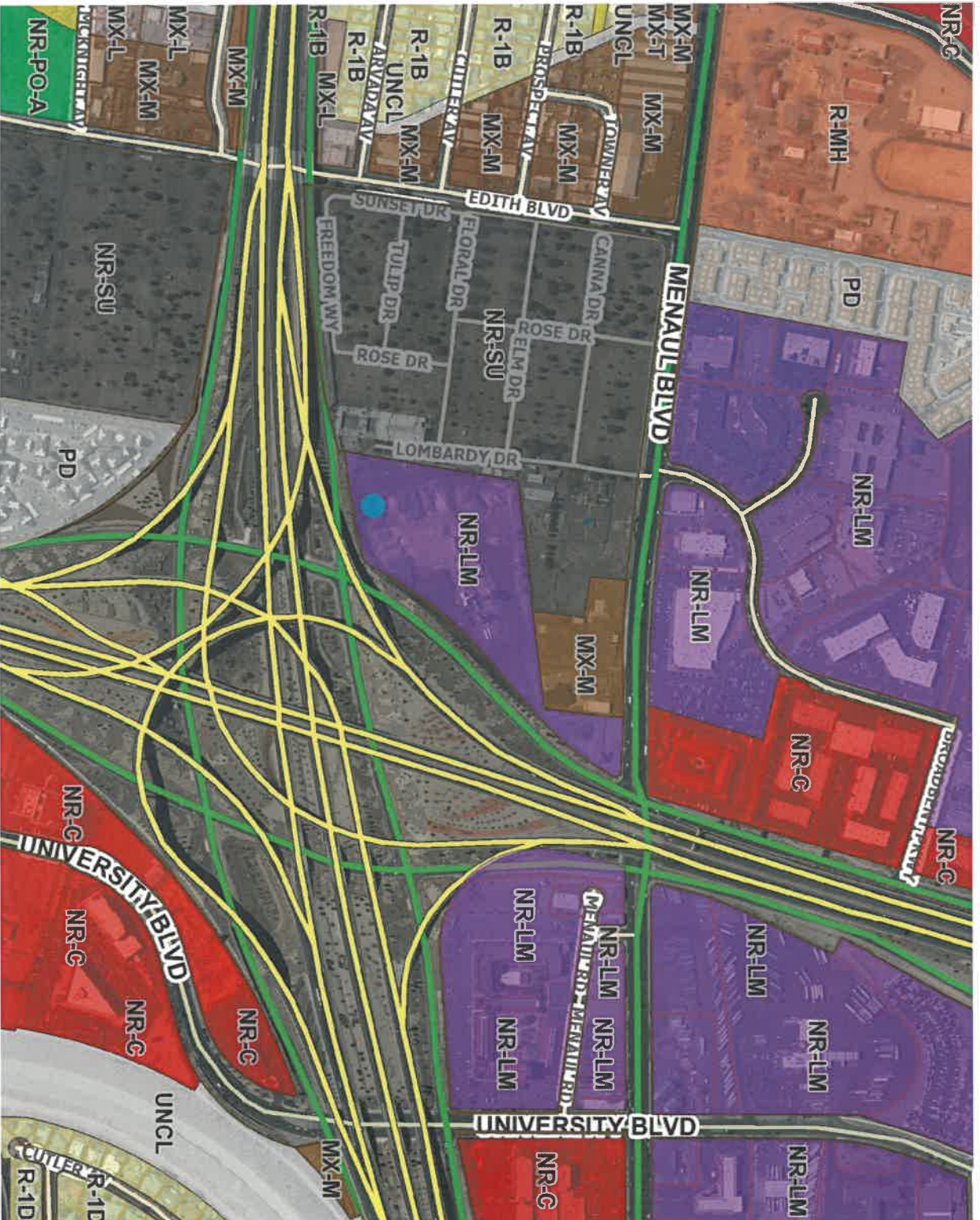
IDO Zoning

- ## Notes

062



1250 Menaul Blvd NE Vicinity Map



Legend

IDO Zoning

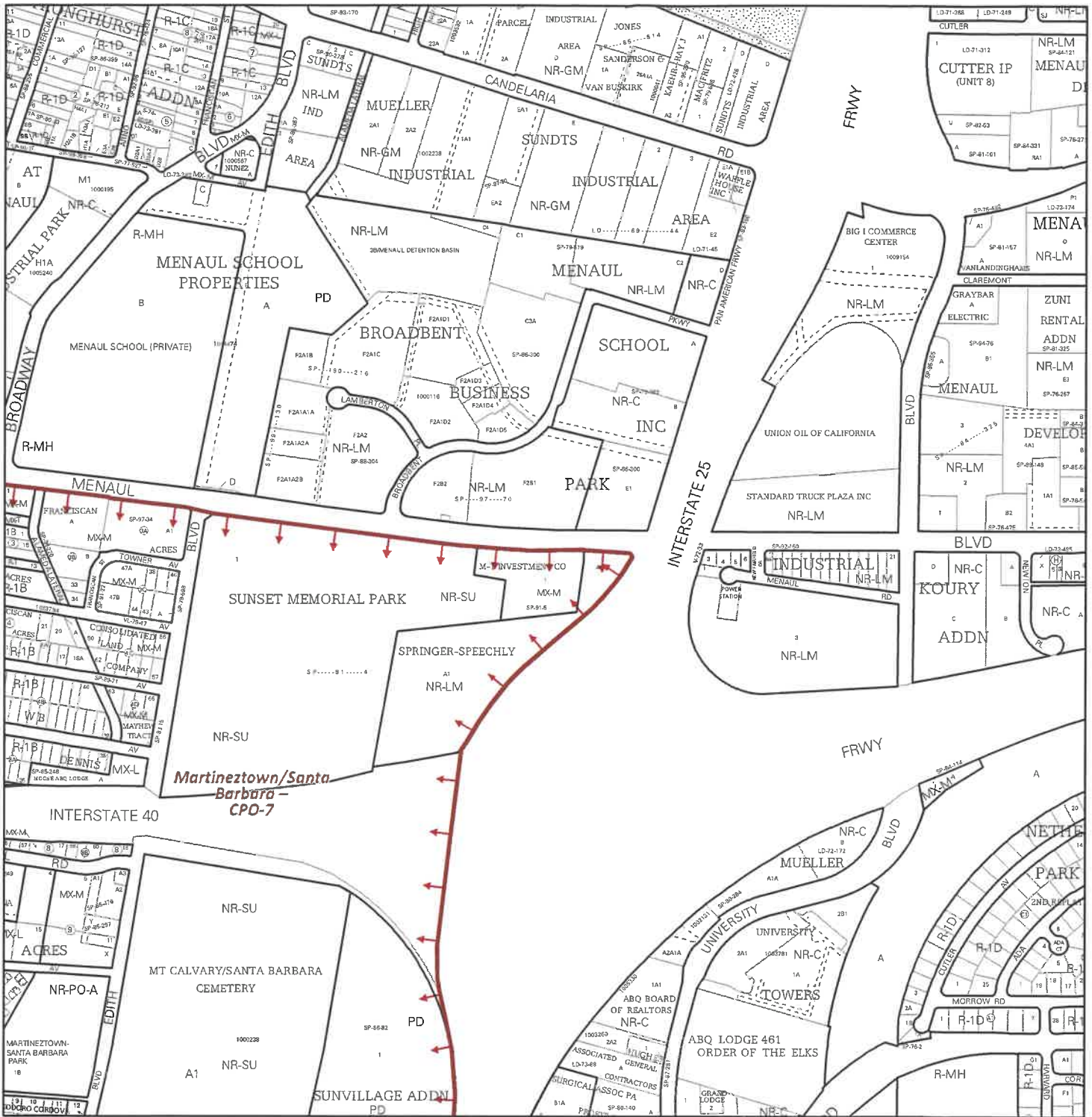
- ☐ R-A
- ☐ R-1A
- ☐ R-1B
- ☐ R-1C
- ☐ R-1D
- ☐ R-T
- ☐ R-MC
- ☐ R-ML
- ☐ R-MH
- ☐ MX-T
- ☐ MX-L
- ☐ MX-M
- ☐ MX-H
- ☐ MX-FB-ID
- ☐ MX-FB-FX
- ☐ MX-FB-UD
- ☐ NR-C
- ☐ NR-BP
- ☐ NR-LM
- ☐ NR-GM
- ☐ NR-SU
- ☐ NR-PO-A
- ☐ NR-PO-B
- ☐ NR-PO-C
- ☐ NR-PO-D
- ☐ PD
- ☐ PC
- ☐ UNCL
- ☐ Bernalillo County Parcels
- ☐ Primary Streets

Notes

1,202 Feet
0 601 1,202 Feet
1:7,213
WGS_1984_Web_Mercator Auxiliary Sphere
8/1/2022 © City of Albuquerque

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

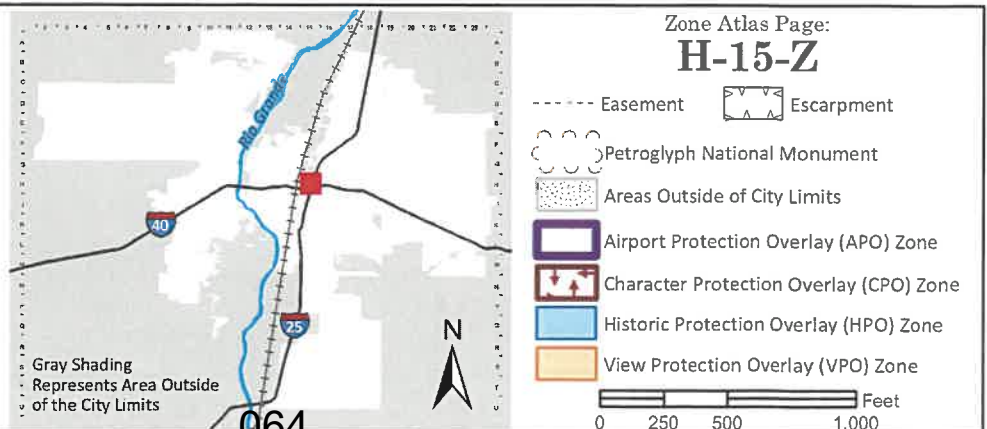


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).



August 3, 2022

Jeremy,

Please find enclosed the substitute Vicinity Map and Site Plan for the Safe Outdoor Space application from Dawn Legacy Pointe.

The City wanted them to use a different portion of the same property noted in their application.

Please let me know if you require anything else.

Thanks,

Brad Day

505.328.3726

bradwday1@gmail.com

Palmer, Jeffrey

From: Brad Day <bradwday1@gmail.com>
Sent: Thursday, August 4, 2022 7:36 PM
To: Palmer, Jeffrey
Subject: Re: SOS application for 1250 Menaul Blvd NE

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Mr. Palmer, your representation of the Site Plan for our Safe Outdoor Space at 1250 Menaul Blvd. NE, Albuquerque, New Mexico is correct. I would add 2 clarifications: 4. The maximum occupancy is 50 persons. 6. The fence also will have a screen attached making it opaque as required. Thank you for your help in this matter.

Brad Day

On Thu, Aug 4, 2022 at 4:57 PM Palmer, Jeffrey <jppalmer@cabq.gov> wrote:

Good afternoon, Brad,

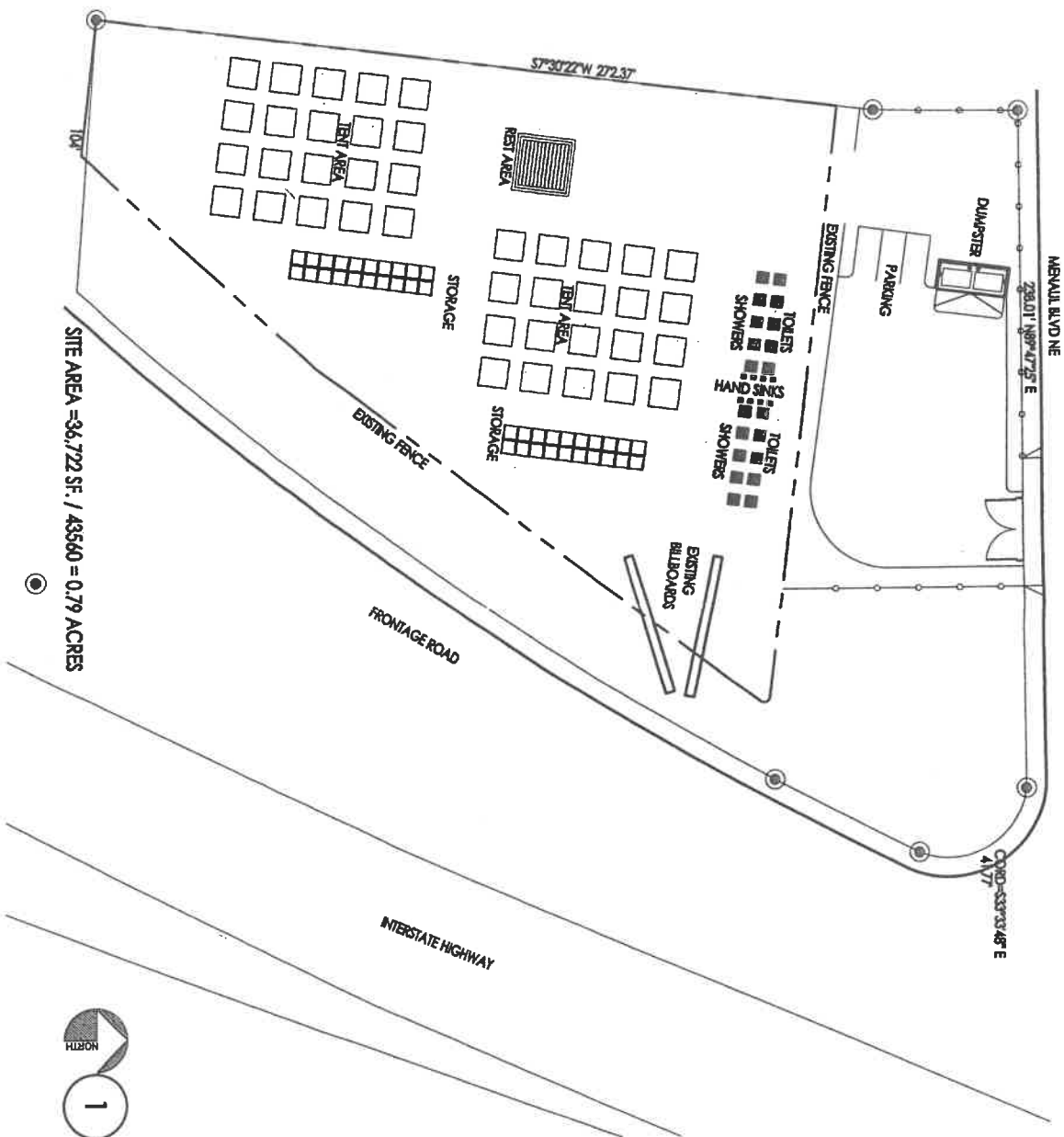
As we discussed this afternoon, we are in the process of reviewing the application submitted by you for Dawn Legacy Pointe, to be located at 1250 Menaul Blvd NE.

Based on our review of the Site Plan, and on our subsequent discussion, I would like to confirm the accuracy of our interpretation of the Site Plan regarding the following items:

1. Toilets = 10 shown
2. Showers = 10 shown
3. Hand sinks = 8 shown
4. Designated spaces = 40 shown (Note: with a maximum occupancy plan for 50, as per the approved Operational Plan)
5. Distance from Toilets and Handwashing stations to further designated space = 200 feet (per measurement on scaled drawing provided).
6. Height of fence = 6 feet

Please confirm that this information is correct and/or provide clarification if needed. Thank you.

Respectfully,



SITE AREA = 36,722 SF. / 43560 = 0.79 ACRES



Planning Department
Alan Varela, Planning Director
Development Review Division
600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102

NOTICE OF APPEAL

August 16, 2022

TO WHOM IT MAY CONCERN:

The Planning Department received an appeal on August 15, 2022. You will receive a Notice of Hearing as to when the appeal will be heard by the **Land Use Hearing Officer**. If you have any questions regarding the appeal please contact Alfredo Ernesto Salas, Planning Administrative Assistant at (505) 924-3370.

Please refer to the enclosed excerpt from the City Council Rules of Procedure for Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have regarding the Land Use Hearing Officer rules of procedure.

Any questions you might have regarding Land Use Hearing Officer policy or procedures that are not answered in the enclosed rules can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

CITY COUNCIL APPEAL NUMBER: AC-22-11
PLANNING DEPARTMENT CASE FILE NUMBER:
PR-2022-007490, VA-2022-00233

APPLICANT: Santa Barbara Martineztown Neighborhood Association
1420 Edith NE
Albuquerque NM, 87102

AGENT: Loretta Naranjo Lopez
1127 Walter NE
Albuquerque NM, 87102

cc: Crystal Ortega, City Council, City county bldg. 9th floor
Kevin Morrow/Legal Department, City Hall, 4th Floor-
Loretta Naranjo Lopez, lnjalopez@msn.com
Santa Barbara Martineztown NA, sbmartineztown@gmail.com